On Sept. 1, 2015, the U.S. Department of Justice served the City of Palm Springs with a search warrant and removed two boxes of miscellaneous records from City Hall.

The Department of Justice returned a copy of the documents and the City of Palm Springs has made them available on the City's website for public review in an effort to be as transparent as possible.

Q &A

Q: Why were the documents taken?

A: Consistent with normal procedure, the search warrant was sealed and the Department of Justice has not disclosed why the documents were taken or the reason for the search.

Q: What types of documents were removed and returned?

A: City contracts, Council and Planning Staff Reports, and various memoranda and emails from City departments.

Q: Are all the documents available to the public?

A: Yes, every document removed and returned is now available to the public without exception.

Q: What does the City know about the ongoing investigation?

A: The City of Palm Springs has not received any information regarding the investigation. The City is committed to continuing our cooperation with any and all agencies involved and to ensuring full transparency to the public we serve.

(Documents will immediately follow this page)

9.16.15

CITY COUNCIL STAFF REPORT

Continue to September 16, 2015

~~July 15, 2015~~

DATE: ~~July 1, 2015~~ PUBLIC HEARING

SUBJECT: CONSIDERATION OF A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS, (CASE 5.1368 ZTA), AND APPROVAL OF AN ASSOCIATED NOTICE OF EXEMPTION PURSUANT TO CEQA.

FROM: Department of Planning Services

SUMMARY

This is a request for a Zone Text Amendment to allow, prospectively only, new carport structures located in the multi-family (R-2 and R-3) zoning districts to encroach into front or side yard setbacks, subject to landscaping and aesthetic requirements.

RECOMMENDATION

1. Open the public hearing and receive testimony; and

2. Waive the reading of the ordinance text in its entirety and read by title only, and introduce for the first reading of Ordinance No.____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 92.04.03 AND 93.01.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS;" and

3. Approve the filing of a Notice of Exemption pursuant to Section 15305 of the CEQA Guidelines.

BACKGROUND INFORMATION

Related Relevant Actions by Planning, Building, Fire, etc.	
01/28/15	The Planning Commission reviewed two variance applications for carports at multifamily properties; the commission tabled the items and directed staff to prepare a Zone Text Amendment to allow carports to encroach into required setbacks subject to design and review requirements.
04/22/15	The Planning Commission voted 7 to 0 to recommend approval of the proposed amendment, subject to minor modifications to the proposed standards and review process.

ANALYSIS

In January 2015, the Planning Commission reviewed two Variance applications to allow new carport structures within required setbacks for existing multifamily developments. The Planning Commission tabled the items as the criteria for approval of the variances were not met, and directed staff to propose regulations that would potentially allow carport structures in specified multifamily zoning districts to encroach into required setbacks, with landscape and/or aesthetic standards that would reduce the visual impacts of the structures.

Many of the older multifamily properties in the City of Palm Springs do not have covered parking facilities or only provide limited covered parking. While covered parking is largely unnecessary for the seasonal population, it becomes a necessity as the percentage of year-round population increases. In order to encourage reinvestment in the City's multifamily housing stock and provide a competitive housing product, the relaxation of certain setback requirements for new carport structures may assist in improving and upgrading existing multifamily properties.

The proposed amendment is prospective only, does not apply to single family R-1 zones, and does not address or legalize any existing non-conforming and non-permitted carport structures. The proposed amendment would allow new unenclosed carport structures for multifamily R-2 and R-3 zoned properties to encroach into front and side yard setbacks along local and collector streets (as defined by the General Plan), but does not allow the encroachment along major or secondary thoroughfares. The intent of this exclusion is to maintain a well-landscaped appearance along the City's principal thoroughfares. The structures would require a minimum five-foot setback from the property line, so as to allow adequate room for a landscape buffer area and screen wall or hedge, and would be limited to a maximum of ten feet in height so as to minimize visual impact. Specific requirements are proposed for plantings within the buffer area, to include drought-tolerant shade trees spaced at 25-foot intervals and ground cover plantings to cover 50% or greater of the overall buffer area square footage. No turf grass would be allowed in the landscape buffer area, so as to reduce water usage.

The approval process for new proposed encroaching carports would be via a Minor Architectural Review, and would be reviewed by the Architectural Advisory Committee (AAC) and the Planning Commission. In addition to the standard criteria for architectural reviews, the design of the carport structures would be reviewed for consistency with the architecture of the principal building. An additional criterion would be added to encourage that the carport structures be designed and oriented for the immediate or future placement of solar panels.

FINDINGS – ZONE TEXT AMENDMENT

PSZC Chapter 94 does not list specific findings for approval of zone text amendments; however, proposed ordinances should be consistent with and implement the goals of the General Plan.

The proposed ordinance is consistent with the following goals and policies of the General Plan:

- Housing Element, Goal HS2: The proposed ordinance assists with the implementation of Goal HS2, in that it encourages the repair and improvement of existing multifamily properties and provides beneficial amenities to residents.
- Community Design Element, Goal CD 15: The proposed ordinance assists with the requirement for well-designed off-street parking areas, in that low walls and drought-tolerant landscape materials will be required to screen off-street parking from adjacent rights-of-way.
- Community Design Element, Goal CD24: The proposed ordinance assists with providing safe and attractive multiple-family development through the use of landscaping and screening for off-street parking facilities, and through the requirement for an architectural review process to ensure that new amenities complement existing structures.

SUMMARY AND RECOMMENDATION

The proposed amendment will allow for the development of shaded parking facilities in required setbacks in multifamily zoning districts as a means to encourage reinvestment in the City's multifamily housing stock and to provide a competitive housing product. Locational requirements and design requirements are proposed as a means to protect and enhance the appearance of the City's rights-of-way. The proposed regulations are consistent with the City's General Plan; consequently, staff recommends approval of the proposed amendment.

ENVIRONMENTAL ANALYSIS

Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15305 "Minor Alterations in Land Use Limitations," Class 4 projects consist of minor alterations of land use limitations which do not result in any changes in land use or density. Therefore, in accordance with Section 15305, staff has determined that the Zone Text Amendment (5.1368 ZTA) is considered categorically exempt from CEQA, and with the City Council's approval, staff is prepared to file a Notice of Exemption with the Riverside County Clerk; a copy of the Notice of Exemption is included as an attachment to this report.

NOTIFICATION

A public hearing notice was published in accordance with the requirements of State law and local ordinance. As of the writing of this report, staff has not received any comment on the proposed amendment to the zoning code. Public comment received in conjunction with the Planning Commission hearing has been included in the attachments to this report.

Flinn Fagg, AICP
Director of Planning Services

Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer

David H. Ready, Esq., Ph.d
City Manager

Attachments:

1. Draft Ordinance
2. Minutes – 4/22/15 Planning Commission Meeting
3. CEQA Notice of Exemption
4. Letters of Support – The Palm Villas

ORDINANCE NO.____

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 92.04.03 AND 93.01.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS.

City Attorney Summary

This Ordinance allows new carport structures in multifamily zoning districts to encroach into required front and side yard setbacks upon the approval of a Minor Architectural Review. Design requirements have been included to require drought tolerant landscaping and low walls to screen the carport structure and off-street parking area.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

A. The proposed zone text amendment (Case 5.1368 ZTA) is considered Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305, "Minor Alterations in Land Use Limitations," of the CEQA Guidelines because the proposed zone text amendment does not propose any changes to land use or density.

B. The City Council hereby finds that adoption of the proposed Zoning Ordinance Text Amendment would:

1. Encourage reinvestment in the City's existing multifamily housing stock by allowing the construction of new carport structures at properties that would not otherwise be allowed to construct covered parking.

2. Allow existing multifamily developments to add or increase covered parking as an amenity for residents, and provide a competitive housing product.

3. Protect against visual impacts by requiring drought-tolerant landscaping and screening of encroaching carport structures.

C. The adoption of the proposed Zoning Ordinance Text Amendment would be consistent with the intent of the Zoning Ordinance and the City's General Plan as it provides an incentive for reinvestment and improvements to existing multifamily housing stock.

SECTION 1. Amend Section 92.04.03(E)(1a) of the Palm Springs Zoning Code to read:

E. Yards

1. For general provisions, see Section 93.01.00.

a. The front of a garage or carport shall be located not less than twenty-five (25) feet from the property line abutting the street from which such garage has vehicular access, and not less than twenty-five (25) feet from the opposite side of the alley from which such garage has vehicular access. Carport structures may be permitted to encroach into required setbacks per the provisions of Section 93.01.00(F).

SECTION 2. Add Section 93.01.00(F)(11) of the Palm Springs Zoning Code to read:

F. Permitted Projections into Required Yards.

11. In the R-2 and R-3 zoning districts, unenclosed carport structures may be permitted to encroach into required front and side yard setbacks, subject to the following requirements:

a. No carport structure shall be allowed to encroach into a required setback along a major thoroughfare or secondary thoroughfare.

b. Unenclosed carport structures may be permitted to encroach up to five (5) feet from a front or side property line along a local/collector street frontage. The encroachment is only permitted for carport structures which serve parking spaces that are accessed by an internal driveway, and is not permitted for parking spaces which take direct access from a public street.

c. The carport structure shall adhere to the provisions of the intersection visibility and corner cutback requirements contained in Section 93.02.00(D).

d. Carport structures shall have a height not greater than ten (10) feet.

e. A minimum five-foot wide landscape buffer is required between the carport structure and the front or side property line. The landscape buffer shall include the following:

i. Drought-tolerant shade trees planted at twenty-five (25) feet on center. The trees shall have a minimum six (6) foot clear trunk upon installation.

ii. Drought-tolerant ground cover plants, covering at least 50% of the landscape buffer area upon maturity. The remaining area may include decomposed granite or other similar inert ground cover materials. No turf shall be permitted in the required landscape buffer area.

iii. A decorative masonry wall with a minimum height of three (3) feet shall be located at the rear of the required landscape buffer to screen the carport structure from the street. The wall shall be located no closer than five (5) feet from the adjacent property lines, and shall adhere to the corner cutback provisions listed in Section 93.02.00(D). In lieu of a masonry wall, a drought-tolerant hedge may be planted between the required landscape buffer and the carport structure. The hedge shall have a minimum height of three (3) feet upon installation, and shall form a 75% opaque barrier within two years of planting.

iv. Irrigation systems for the landscape buffer areas shall be limited to drip irrigation, and shall use a "smart" controller or WaterSense-labeled controller designed to reduce water usage.

f. Carport structures which encroach into a required front or side yard setback shall be subject to the minor architectural review application process, as described in Section 94.04.00(E)(2)(a). The application shall be referred to the Planning Commission for review and action. In addition to the review criteria listed in Section 94.04.00(D), carport structures shall be evaluated for the following:

i. Consistency of form, color and materials with the principal building(s) on the subject site; and

ii. The design and orientation of the carport structures to allow for the installation of solar panels.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2015.

_____
STEPHEN P. POUGNET, MAYOR

ATTEST:

_____
JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

ACTION: Continue to a date certain of May 13, 2015.

Motion: Commissioner Calerdine, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

2A. CONT'D - CITY OF PALM SPRINGS FOR A REQUEST TO AMEND THE PALMS SPRINGS ZONING CODE (PSZC) REGARDING THE CULTIVATION OF MEDICAL CANNABIS AND DEVELOPMENT STANDARDS FOR MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES (CASE 51218-P ZTA). (FF)

Director Fagg provided an update on the subcommittee's recommendations relative to the medical cannabis facilities.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

Commissioner Weremiuk asked about placing restrictions for water usage or recycling water.

Director Fagg said this would require further study and would forward the recommendation to the City Council.

ACTION: Recommend approval to City Council.

Motion: Commissioner Weremiuk seconded by Commissioner Middleton and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

2E. CITY OF PALM SPRINGS FOR A REQUEST TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIPLE-FAMILY RESIDENTIAL AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS (CASE 5.1368 ZTA). (FF)

Director Fagg provided an overview on the proposed zone text amendment relating to carport structures. He pointed out that the encroachment would not be allowed along major and secondary thoroughfares.

Chair Hudson open the public hearing and with no speakers coming forward the public hearing was closed.

Commissioner Calerdine commented that allowing carport structures for the medium density apartments along Andreas (north side of Tahquitz) may be a big improvement.

Commissioner Roberts expressed concern that carports could have a significant impact to the architecture and their neighbors. He thinks the Commission should review these instead of the AAC.

Commissioner Weremiuk concurred and requested the following verbiage:

- Drought tolerant inserted front of the word "ground cover";
- Plantings have drip irrigations and installation of Smart meters.

Commissioners Middleton agreed that having these come for review before the Commission for a trial period on the aesthetics is prudent.

Vice-Chair Klatchko agreed and felt uncomfortable delegating this to the AAC. The AAC should review first and then come to Commission.

Commissioner Roberts suggested placing these on the consent calendar.

ACTION: Recommend approval to the City Council with the recommendations made by the Commission.

Motion Commissioner Lowe, seconded by Commissioner Middleton and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

PLANNING COMMISSION COMMENTS:

The Commission commented and/or asked for clarification on the following items:

- Add Crossley Road and Vibrante street name changes on upcoming agenda;
- Upcoming Water Task board meeting;
- Map of Crossley track area;
- Water issues: Review new construction is plumbed for gray water for landscaping projects. Consider implementing restrictions on turf on all new construction;
- Cut-off time to accept written public comment;
- Subcommittee could review new water standards coming out in 2016 such as State faucets and toilets, green code and tankless water heaters;
- Costs associated with street name changes;

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Riverside
P.O. Box 751
Riverside, CA 92502-0751

From: (Public Agency): City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(Address)

Project Title: Case 5.1368 ZTA - Carports Structures in R-2/R-3

Project Applicant: City of Palm Springs

Project Location - Specific:

The zone text amendment is specific to the R-2 and R-3 zoning districts (citywide).

Project Location - City: Palm Springs Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
The zone text amendment will allow carport structures in the R-2 and R-3 zoning districts to encroach into required setbacks, provided that landscape and design standards are met.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project: City of Palm Springs

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15305 - Minor Alterations in Land Use
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:
The zone text amendment does not propose any changes to land use or density.

Lead Agency Contact Person: Flinn Fagg Area Code/Telephone/Extension: (760) 323-8245

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Flinn Fagg Date: 6/14/15 Title: Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

March 3, 2015

To: City of Palm Springs/Planning Department

Attention: To Whom It May Concern

RE: Request for Twenty-five foot variance for construction of additional carports at The Palms (aka Palm Villas), 3155 East Ramon Road, Palm Springs, California 92264

The Palms is a condo association working diligently to enhance the beauty of our complex, conserve natural resources, ensure safety for our residents and make a positive contribution to our neighborhood community. As part of that mission, we want to provide covered parking for the 20% of owners who are doing without.

This letter, with accompanying documentation, is intended to provide Palm Springs Planning Commission with data needed to make a determination to approve a Variance for the construction of additional carports at the above location.

Details of the Project:

The Palms (aka Palm Villas) was built in 1979

- Covered parking (carports) were constructed for 83 but not all 88 homeowners, which was not in compliance with the **Original Approved Condominium Plan (Exhibits 1 and 2)**
    - Including:
        - 2 covered parking spaces outside the gated security entrance on Compadre Road(security issue) **(Exhibit 3)**
        - 2 partially covered spaces in the main entrance parking area **(Exhibit 4)**
        - 4 spaces which can block or hinder emergency access of fire or medical personnel near walking entrances to condominiums **(Exhibit 5)**
        - 8 spaces totally without covers on the East side of parking property leaving an unbalanced/unfinished look to the property **(Exhibit 6)**
            - Creates and inequality in the condominium setting as all homeowners pay the same association dues**(Exhibit 7)**

At this time, to deal with the above immediate issues to resolve the above issues, the HOA of the Palms is requesting a twenty-five foot variance along the Theresa property line to build two (2) carports covering 18 existing parking spaces inside our gates. **(Exhibit 8)** This will address the flawed situation established at the time of original construction in 1979/80.

The Palms' Environmental History:

In 2007, The Palms embarked on a series of projects to update our property and buildings. Our goal is to be more environmentally conscious and a good neighbor to our neighbors on Ramon Road, Compadre Road and Theresa Drive.

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

In a time of transition, we were known as the condos with the blue tarps covering our roofs. That was when conditions were in need of much repair. Our 88 owners came together and paid more than $1-million to have the roofs redone. To enhance conservation, we upgraded to proper roofing materials and colors to reduce heat absorption and create a more compatible look for our neighbors. Once this was successfully completed, we repaired and preplaced wood accents and siding, painting them colors more compatible with our roofing tiles.

The Palms was among the first Associations in Palm Springs (with high visibility at 3155 East Ramon Road) to seek City Permits to reduce water by converting to Desert Landscaping. **(Exhibit 9)** The first steps were taken on Theresa Drive, followed by Ramon Road and Compadre easements. Also, we reduced water in our interior spaces implementing complimentary areas of desert landscaping and greenbelts between our buildings. We enhanced our security with cameras, LED walkway and security lighting and pole lighting, while committing to "dark skies" conservation methods. We converted all 1980s "lollipop' light fixtures to LED down lights. **(Exhibit 10)** We added several walls to replace rusting fences and, we hope, have enhanced the security of our neighborhood. **(Exhibit 11))**

We are in the process of updating our pools with solar thermal heating/cooling systems to be more efficient in our water and electric conservation. Additional landscape projects are projected over the next several years. We will be replacing our streets and parking area with new pavement sometime after 2017. All of these projects are active contributions to our community in positive ways.

In alignment with our continuous improvement goals, we are requesting the commission's endorsement of our efforts to improve the balanced use of our parking areas and provide consistent amenities to **ALL 88** of our homeowners. That is why we are requesting a variance of twenty-five feet on the Theresa Drive side of our property to install two (2) carport structures as shown.

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

May 6, 2015

Re: Support for '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'

Dear Mayor Steve Pougnet:

The Palms (aka Palm Villas) Carport Committee supports, '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'. On March 3, our committee filed a 'Request for Variance' to obtain approval from City Planning to build 18 carports to partially complete the design of the original approved (1979) building plans for The Palms (aka Palm Villas) which were not adhered to. This amendment provides the vehicle to be successful in our task and allows us to move forward and request Permits to build the carports.

The Palms is a condo association working diligently to enhance the beauty of our complex, conserve natural resources, ensure safety for our residents and make a positive contribution to our neighborhood community. As part of that mission, we want to provide covered parking for the 20% of owners who are doing without.

The Palms' Environmental History:

In 2007, The Palms embarked on a series of projects to update our property and buildings. Our goal is to be more environmentally conscious and a good neighbor to our neighbors on Ramon Road, Compadre Road and Theresa Drive.

In a time of transition, we were known as the condos with the blue tarps covering our roofs. That was when conditions were in need of much repair. Our 88 owners came together and paid more than $1-million to have the roofs redone. To enhance conservation, we upgraded to proper roofing materials and colors to reduce heat absorption and create a more compatible look for our neighbors. Once this was successfully completed, we repaired and replaced wood accents and siding, painting them colors more compatible with our roofing tiles.

The Palms was among the first Associations in Palm Springs (with high visibility at 3155 East Ramon Road) to seek City permits to reduce water by converting to Desert Landscaping. The first steps were taken on Theresa Drive, followed by Ramon Road and Compadre easements. Also, we reduced water in our interior spaces implementing complimentary areas of desert landscaping and greenbelts between our buildings. We enhanced our security with cameras, LED walkway and security lighting and pole lighting, while committing to "dark skies" conservation methods. We converted all 1980s "lollipop' light fixtures to LED down lights. We added several walls to replace rusting fences and, we hope, have enhanced the security of our neighborhood.

We updated our pools with solar thermal heating/cooling systems to be more efficient in our water and electric conservation. Additional landscape projects are projected over the next several years. We will be replacing our streets and parking area with new pavement sometime after 2017. All of these projects are active contributions to our community in positive ways.

The Palms wants to be a positive neighbor and continue to improve our complex as part of the City of Palm Springs.

Sincerely,

Ronnie Thompson, Chair, The Palms Carport Committee

RECEIVED
MAY 13 2015
14
PLANNING SERVICES
DEPARTMENT

May 6, 2015

Re: Support for '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'

Dear Council Member Ginny Foat:

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The Palms wants to be a positive neighbor and continue to improve our complex as part of the City of Palm Springs.

Sincerely,

Ronnie Thompson, Chair, The Palms Carport Committee

RECEIVED
MAY 13 2015 15
PLANNING SERVICES
DEPARTMENT

May 6, 2015

Re: Support for '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'

Dear Council Member Rick Hutcheson:

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In a time of transition, we were known as the condos with the blue tarps covering our roofs. That was when conditions were in need of much repair. Our 88 owners came together and paid more than $1-million to have the roofs redone. To enhance conservation, we upgraded to proper roofing materials and colors to reduce heat absorption and create a more compatible look for our neighbors. Once this was successfully completed, we repaired and preplaced wood accents and siding, painting them colors more compatible with our roofing tiles.

The Palms was among the first Associations in Palm Springs (with high visibility at 3155 East Ramon Road) to seek City permits to reduce water by converting to Desert Landscaping. The first steps were taken on Theresa Drive, followed by Ramon Road and Compadre easements. Also, we reduced water in our interior spaces implementing complimentary areas of desert landscaping and greenbelts between our buildings. We enhanced our security with cameras, LED walkway and security lighting and pole lighting, while committing to "dark skies" conservation methods. We converted all 1980s "lollipop' light fixtures to LED down lights. We added several walls to replace rusting fences and, we hope, have enhanced the security of our neighborhood.

We updated our pools with solar thermal heating/cooling systems to be more efficient in our water and electric conservation. Additional landscape projects are projected over the next several years. We will be replacing our streets and parking area with new pavement sometime after 2017. All of these projects are active contributions to our community in positive ways.

The Palms wants to be a positive neighbor and continue to improve our complex as part of the City of Palm Springs.

Sincerely,

Ronnie Thompson, Chair, The Palms Carport Committee

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

May 6, 2015

Re: Support for '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'

Dear Mayor pro tem Paul Lewin:

The Palms (aka Palm Villas) Carport Committee's supports, '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'. On March 3, our committee filed a 'Request for Variance' to obtain approval from City Planning to build 18 carports to partially complete the design of the original approved (1979)building plans for The Palms (aka Palm Villas) which were not adhered to. This amendment provides the vehicle to be successful in our task and allows us to move forward and request Permits to build the carports.

The Palms is a condo association working diligently to enhance the beauty of our complex, conserve natural resources, ensure safety for our residents and make a positive contribution to our neighborhood community. As part of that mission, we want to provide covered parking for the 20% of owners who are doing without.

The Palms' Environmental History:

In 2007, The Palms embarked on a series of projects to update our property and buildings. Our goal is to be more environmentally conscious and a good neighbor to our neighbors on Ramon Road, Compadre Road and Theresa Drive.

In a time of transition, we were known as the condos with the blue tarps covering our roofs. That was when conditions were in need of much repair. Our 88 owners came together and paid more than $1-million to have the roofs redone. To enhance conservation, we upgraded to proper roofing materials and colors to reduce heat absorption and create a more compatible look for our neighbors. Once this was successfully completed, we repaired and preplaced wood accents and siding, painting them colors more compatible with our roofing tiles.

The Palms was among the first Associations in Palm Springs (with high visibility at 3155 East Ramon Road) to seek City permits to reduce water by converting to Desert Landscaping. The first steps were taken on Theresa Drive, followed by Ramon Road and Compadre easements. Also, we reduced water in our interior spaces implementing complimentary areas of desert landscaping and greenbelts between our buildings. We enhanced our security with cameras, LED walkway and security lighting and pole lighting, while committing to "dark skies" conservation methods. We converted all 1980s "lollipop' light fixtures to LED down lights. We added several walls to replace rusting fences and, we hope, have enhanced the security of our neighborhood.

We updated our pools with solar thermal heating/cooling systems to be more efficient in our water and electric conservation. Additional landscape projects are projected over the next several years. We will be replacing our streets and parking area with new pavement sometime after 2017. All of these projects are active contributions to our community in positive ways.

The Palms wants to be a positive neighbor and continue to improve our complex as part of the City of Palm Springs.

Sincerely,

Ronnie Thompson, Chair, The Palms Carport Committee

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

May 6, 2015

Re: Support for '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'

Dear Council Member Chris Mills:

The Palms (aka Palm Villas) Carport Committee's supports, '5.1368-ZTA, Zone Text Amendment to allow Carport Structures in R-2 and R-3 zoning Districts'. On March 3, our committee filed a 'Request for Variance' to obtain approval from City Planning to build 18 carports to partially complete the design of the original approved (1979)building plans for The Palms (aka Palm Villas) which were not adhered to. This amendment provides the vehicle to be successful in our task and allows us to move forward and request Permits to build the carports.

The Palms is a condo association working diligently to enhance the beauty of our complex, conserve natural resources, ensure safety for our residents and make a positive contribution to our neighborhood community. As part of that mission, we want to provide covered parking for the 20% of owners who are doing without.

The Palms' Environmental History:

In 2007, The Palms embarked on a series of projects to update our property and buildings. Our goal is to be more environmentally conscious and a good neighbor to our neighbors on Ramon Road, Compadre Road and Theresa Drive.

In a time of transition, we were known as the condos with the blue tarps covering our roofs. That was when conditions were in need of much repair. Our 88 owners came together and paid more than $1-million to have the roofs redone. To enhance conservation, we upgraded to proper roofing materials and colors to reduce heat absorption and create a more compatible look for our neighbors. Once this was successfully completed, we repaired and replaced wood accents and siding, painting them colors more compatible with our roofing tiles.

The Palms was among the first Associations in Palm Springs (with high visibility at 3155 East Ramon Road) to seek City permits to reduce water by converting to Desert Landscaping. The first steps were taken on Theresa Drive, followed by Ramon Road and Compadre easements. Also, we reduced water in our interior spaces implementing complimentary areas of desert landscaping and greenbelts between our buildings. We enhanced our security with cameras, LED walkway and security lighting and pole lighting, while committing to "dark skies" conservation methods. We converted all 1980s "lollipop' light fixtures to LED down lights. We added several walls to replace rusting fences and, we hope, have enhanced the security of our neighborhood.

We updated our pools with solar thermal heating/cooling systems to be more efficient in our water and electric conservation. Additional landscape projects are projected over the next several years. We will be replacing our streets and parking area with new pavement sometime after 2017. All of these projects are active contributions to our community in positive ways.

The Palms wants to be a positive neighbor and continue to improve our complex as part of the City of Palm Springs.

Sincerely,

Ronnie Thompson, Chair, The Palms Carport Committee

RECEIVED
MAY 13 2015 18
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Indy Dave 108

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Richard Tocco
John Thielmann
Co-owners
3155-E. Ramon Rd
#106
Palm Springs, CA. 92264
(323) 969-8155

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Linda Dolan

RECEIVED
MAY 13 2015
21
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Thomas Stribling
Unit 804

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Carrie Domenville UNIT 602
5/8/2015

RECEIVED
MAY 13 2015 23
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Elizabeth Angellé
3155 E. RAMON RD. #608
PALM SPRINGS, CA.
92264

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

D. A. Shores
DEAN A. SHORES
Jerry DePhilippis
JERRY DEPHILIPPIS
UNIT #310

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

#404

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Ronald Eugene Lisetti

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Carol Darth
3155 Ramon #706

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Robert A. Carter # 711

Diane Cordukes # 711

RECEIVED

MAY 13 2015 29

PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Unit #103

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

David McAllister & Richard Beaver
Co-owners
Unit 605

RECEIVED
MAY 13 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Andrew Jessiman

Andrew Jessiman # 703

RECEIVED
MAY 20 2015
PLANNING SERVICES
DEPARTMENT

THE PALMS HOMEOWNERS ASSOCIATION
3155 E. Ramon Road
Palm Springs, CA 92264

May 6, 2015

Re: 5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

since 1980 (35 years)

As an owner/resident of The Palms Homeowners Association, I support the passing of the above referenced amendment which, if approved, will modify the setback requirements and aesthetic standards for carport structures in the R-2 and R-3 zoning districts.

I ask that the City Council please approve this Zone Text Amendment.

Sincerely,

Joe Burton (Unit 208)

RECEIVED
MAY 20 2015
PLANNING SERVICES
DEPARTMENT

THE GAFFNEY GROUP, INC.

CONTINUITY • STRENGTH • UNITY

May 14, 2015

Re: City of Palm Springs
5.1368-ZTA Zone Text Amendment

To Whom It May Concern:

The Gaffney Group manages common interest developments, many of which are located in the City of Palm Springs, including The Palms HOA and Mesquite Country Club Condominium HOA. We, and the associations we manage, strongly support the approval of the above referenced amendment for several reasons.

If approved, associations will be permitted to construct additional carports without going through a great deal of red tape. In many cases these additional carports will correct errors that occurred during construction and the resultant inequities which condominium owners have been living with for years.

If approved, it will eliminate a setback restriction which, in some cases, had no bearing and did not affect aesthetics, but required association compliance regardless of circumstances.

The Gaffney Group hopes that the Palm Springs City Council will approve the proposed Zone Text Amendment and urges it to do so.

Sincerely,

Bobbie Gaffney, CCAM, PCAM
President

RECEIVED
MAY 20 2015
PLANNING SERVICES
DEPARTMENT

400 South Farrell Drive, Suite B-202
Palm Springs, CA 92262

Phone: (760) 327-0301 Fax: (877) 681-0301
http://www.thegaffneygroup.net

CITY OF PALM SPRINGS
PUBLIC NOTIFICATION

Date: May 6, 2015

Subject: Case 5.1368 ZTA

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on June 20, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

KHart

Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on June 17, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

KHart

Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on June 17, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.
(6 notices)

I declare under penalty of perjury that the foregoing is true and correct.

KHart

Kathie Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE 5.1368 ZTA
FOR A ZONING TEXT AMENDMENT TO THE
PALM SPRINGS ZONING CODE (PSZC)
REGARDING STANDARDS FOR CARPORT STRUCTURES IN
THE R-2 AND R-3 MULTIPLE-FAMILY RESIDENTIAL ZONES

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of July 1, 2015. The City Council meeting begins at 6:00 p.m. in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider Case 5.1368 ZTA, an application by the City of Palm Springs, to amend Palm Springs Zoning Code (PSZC) Chapters 92 and 93 to modify the setback requirements and aesthetic standards for carport structures in the R-2 (Limited Multiple-Family Residential) and R-3 (Multiple-Family Residential and Hotel) zoning districts.

ENVIRONMENTAL DETERMINATION: The City of Palm Springs, in its capacity as the Lead Agency, under the California Environmental Quality Act (CEQA) has determined that the proposed zoning code text amendment is Categorically Exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act since the proposed zone text amendment proposes only insignificant changes to the land use designations provisions.

REVIEW OF INFORMATION: The staff report and other supporting documents regarding this matter are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENTS: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Flinn Fagg, Director of Planning Services, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

NEIGHBORHOOD SPONSOR REPS
Case 5.1368 ZTA
City of Palm Springs
PHN for CC Meeting 07 01 15

MODCOM AND
HISTORIC SITE REP ⇨ ⇨ ⇨

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE ⇨ ⇨ ⇨

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / 5.1368 ZTA
PO BOX 2743
PALM SPRINGS, CA 92263-2743

CASE 5.1368 ZTA
MRS. JOANNE BRUGGEMANS
506 W. SANTA CATALINA ROAD
PALM SPRINGS, CA 92262

AGUA CALIENTE BAND OF CAHUILLA
INDIANS ⇨ ⇨ ⇨ ⇨ ⇨ ⇨

MS MARGARET PARK, DIRECTOR
AGUA CALIENTE BAND OF CAHUILLA
INDIANS
PLANNING & DEVELOPMENT DEPT.
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

MS PATRICIA GARCIA
TRIBAL HISTORIC PRESERVATION
OFFICER
AGUA CALIENTE BAND OF CAHUILLA
INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES ⇨ ⇨ ⇨

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

MR FRANK TYSEN
CASA CODY INN
175 S. CAHUILLA ROAD
PALM SPRINGS, CA 92262

SPONSORS ⇨ ⇨ ⇨ ⇨ ⇨

City of Palm Springs

Office of the City Clerk
3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

NOTICE OF CONTINUANCE

NOTICE IS HEREBY GIVEN that the Regular Meeting held on July 1, 2015, the City Council continued Public Hearing Item No. 1.B. to July 15, 2015:

CONSIDERATION OF A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS AND APPROVAL OF AN ASSOCIATED NOTICE OF EXEMPTION PURSUANT TO CEQA (CASE 5.1368 ZTA):
ACTION: 1) Continue the Public Hearing to July 15, 2015, and 2) Direct the City Clerk posted a Notice of Continued Public Hearing as required by law.
Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.

I, James Thompson, City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:00 p.m. on July 2, 2015, as required by established policies and procedures.

JAMES THOMPSON
City Clerk

/kdh

RECEIVED
CITY OF PALM SPRINGS
2015 JUL -2 AM 9:08
JAMES THOMPSON
CITY CLERK

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

June 29, 2015

Attn: James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Case 5.1368 ZTA for a Zoning Text Amendment to the Palm Springs Zoning Code (PSZC) Regarding Standards for Carport Structures in the R-2 and R-3 Multiple-Family Residential Zones

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding known cultural resources in the specified areas that the project encompasses, but does request that the appropriate consultation continue to take place between the tribes, project proponents, and government agencies.

Also, working in and around traditional use areas intensifies the possibility of encountering cultural resources during any future construction/excavation phases that may take place. For this reason the Soboba Band of Luiseño Indians requests that approved Native American Monitor(s) be present during any future ground disturbing proceedings, including surveys and archaeological testing, associated with this project. The Soboba Band recommends that you contact the Agua Caliente Band of Cahuilla Indians and other tribes that are closer to the project area. In the event that future monitoring does become necessary and a monitor from the Agua Caliente Band of Cahuilla Indians is not able to be retained, cultural monitors from the Soboba Band of Luiseño Indians will be available.

Sincerely,

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

City of Palm Springs

Office of the City Clerk
3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

NOTICE OF CONTINUANCE

NOTICE IS HEREBY GIVEN that the Regular Meeting held on July 15, 2015, the City Council continued Public Hearing Item No. 1.C. to September 16, 2015:

CONSIDERATION OF A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS AND APPROVAL OF AN ASSOCIATED NOTICE OF EXEMPTION PURSUANT TO CEQA (CASE 5.1368 ZTA):
ACTION: 1) Table the public hearing with no public testimony at this time; 2) Continue the Public Hearing to September 16, 2015; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.
Motion by Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.

I, James Thompson, City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:45 p.m. on July 16, 2015, as required by established policies and procedures.

JAMES THOMPSON
City Clerk

/kdh

City of Palm Springs

Office of the City Clerk
3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

NOTICE OF CONTINUANCE

NOTICE IS HEREBY GIVEN that the Regular Meeting held on July 15, 2015, the City Council continued Public Hearing Item No. 1.D. to September 16, 2015:

AMENDMENT TO THE DESERT PALISADES SPECIFIC PLAN TO ALLOW RESIDENT ACCESS TO TRAM WAY AND TO DESIGNATE A 5-ACRE PARCEL TO THE PLAN AREA AS PERMANENT OPEN SPACE (CASE 5.1154-A SP):
ACTION: 1) Continue the Public Hearing to September 16, 2015; and 2) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law.
Motion by Mayor Pro Tem Lewin, seconded by Councilmember Foat, and carried on a roll call vote, with Councilmember Mills voting NO.

I, James Thompson, City Clerk of the City of Palm Springs, California, certify this Notice of Continuance was posted at or before 6:45 p.m. on July 16, 2015, as required by established policies and procedures.

JAMES THOMPSON
City Clerk

/kdh

Transmission Report

Date/Time	07-08-2015	04:20:52 p.m.	Transmit Header Text	
Local ID 1	760-322-8332		Local Name 1	City of Palm Springs

This document : Failed
(reduced sample and details below)
Document size : 8.5"x11"

City of Palm Springs

Office of the City Clerk
P. O. Box 2743, Palm Springs, CA 92263
(760) 323-8204
Fax (760) 322-8332
www.palmspringsca.gov

Fax Transmittal

TO: George Henzel

FROM: Cindy Berardi, Deputy City Clerk (760) 323-8204

DATE: July 8, 2015 Pages: (incl this page) 6

SUBJECT: Appeal Case No. 3.3830-MAJ

__Urgent X For Review/Reply __Please Comment

Comments:

We received your request for appeal; however, receipt of $982.18 ($546.00 appeal fee plus $436.18 notification charges) is due today (we close at 6:00pm) in accordance with the following section of the Palm Springs Municipal Code regarding appeals to the City Council. For your information, we have just received another appeal on the same case.

R:\Users\C-CLK\Cindy\faxes\Fax Transmittal1.doc

Total Pages Scanned : 6 Total Pages Confirmed : 0

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	003	918055671169	03:59:14 p.m. 07-08-2015	00:00:00	0/6	1	--	HS	TU

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	CP: Completed	TS: Terminated by system
HR: Host receive	PR: Polled remote	RP: Report	FA: Fail	G3: Group 3
WS: Waiting send	MS: Mailbox save	FF: Fax Forward	TU: Terminated by user	EC: Error Correct

RECEIVED
CITY OF PALM SPRINGS
2015 JUL -8 PM 3:02
JAMES THOMPSON
CITY CLERK

July 3, 2015

Mr. James Thompson, City Clerk
City of Palm Springs
P.O. Box 2743
Palm Springs, CA 92262

Re: Palm Springs Planning Item 3.3830MAJ
Appeal of Planning Commission Decision

Dear Mr. Thompson

I am involved as a partner in a Limited Liability Company that has owns land in Palm Springs and have previously been involved in the development and ownership of other land in Palm Springs.

This letter will serve as my appeal of the City of Palm Springs Planning Commission approval of Item 3.3830-MAJ that was heard and approved on June 24th, 2015.

I believe that the Planning Commission is establishing an incorrect and bad precedent by increasing the 20 foot rear and side setbacks on this property to 40 and 50 feet on the South and East side of their property. This action will penalize other properties that abut the Escena development.

Your current zoning code provides for a 20 foot rear and side setback when M-1-P property abuts other M-1-P property and that all zoning and or change of zoning, including Planned Developments, must be reflected on your Official Zoning Map. I have visited your official Zoning Map on line and it does not reflect that the adjacent Planned Development was every finalized and shows the property involved in Item 3.3830-MAJ, and the adjacent Escena land, to be both zoned M-1-P. Thus a side and rear setback of 20 foot is the maximum required and no variance and a larger setback should legally have been required of this project.

Thank you,

George Henzel

General Delivery
Santa Maria, CA 93454

****
*** ERROR TX REPORT ***
****

TX FUNCTION WAS NOT COMPLETED

TX/RX NO	1284	
CONNECTION TEL		918055671169
CONNECTION ID		
ST. TIME	07/08 15:29	
USAGE T	00'00	
PGS. SENT	0	
RESULT	NG	#0018 BUSY/NO SIGNAL

City of Palm Springs

Office of the City Clerk
P. O. Box 2743, Palm Springs, CA 92263
(760) 323-8204
Fax (760) 322-8332
www.palmspringsca.gov

Fax Transmittal

TO: George Henzel

FROM: Cindy Berardi, Deputy City Clerk (760) 323-8204

DATE: July 8, 2015 Pages: (incl this page) **6**

SUBJECT: Appeal Case No. 3.3830-MAJ

__Urgent X For Review/Reply __Please Comment

Comments:

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City of Palm Springs

Office of the City Clerk
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Fax Transmittal

TO: George Henzel

FROM: Cindy Berardi, Deputy City Clerk (760) 323-8204

DATE: July 8, 2015 Pages: (incl this page) **6**

SUBJECT: Appeal Case No. 3.3830-MAJ

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Chapter 2.05 APPEAL TO CITY COUNCIL

2.05.010 Exclusive procedure.

Except in cases involving the administrative appeals board pursuant to Chapter 2.50 or as otherwise specifically provided by this code or other ordinances, all appeals to the city council otherwise allowed by the code or other ordinances shall be prosecuted in accordance with this chapter. (Ord. 1537 § 1, 1996: Ord. 1226 § 1, 1984)

2.05.020 Definitions.

For purposes of this chapter:

(1) "Aggrieved person" means:

(A) Any applicant who has been denied a permit or license or who has been granted a permit or license subject to conditions by any administrative officer or agency of the city, where such denial or grant is otherwise appealable; or

(B) Any person who was entitled to notice of the application by another for a permit or license, whether or not such notice was actually given, and who is dissatisfied that the permit or license was granted with or without conditions, where such grant is otherwise appealable; or

(C) Any person whose personal, pecuniary or property right or interest is directly and adversely affected, or upon whom a substantial burden or obligation is imposed by the action or decision appealed from.

(2) "Administrative agency" means an organ of the city government other than the city council which affects the rights of private parties through adjudication or rulemaking.

(3) "Administrative officer" means an officer of the city who is not a member of the legislative body or appointed boards or commissions. Such officers include but are not limited to the city manager, chief of police, director of transportation and director of community development.

(4) "Appellant" means an aggrieved person directly affected by an action, who files an appeal.

(5) "Intervenor" means a person aggrieved by the grant of a permit or license to another, or who was entitled by law to notice of the action taken, who seeks to be heard concerning such person's interest in an appeal.

(6) "Respondent" means the administrative officer or agency which took the action appealed from, and any other administrative officer or agency named as respondent in an appeal.

(Ord. 1226 § 1, 1984)

2.05.030 Filing of appeal.

A person aggrieved by an action taken by an administrative officer or administrative agency of the city may appeal the action to the city council, if the action is made appealable by applicable provision of the Palm Springs Municipal Code or other city ordinance, by filing with the city clerk a written notice of appeal which sets forth the appellant's full name and mailing address, the specific action appealed from, the grounds for the appeal and the relief sought; and paying to the city clerk such fee as the city council may establish by resolution. (Ord. 1226 § 1, 1984)

2.05.040 Time of filing.

The notice required by Section 2.05.030 shall be filed no later than ten days following the date of mailing to appellant of notice of the action from which the appeal is taken or, if there is no such mailing and/or none is required, no later than fifteen days following the date of the action which is the subject of the appeal. The city clerk shall furnish a copy of the appeal to the respondent within five days after filing. (Ord. 1226 § 1, 1984)

2.05.050 Time of hearing—Notice.

(a) The city clerk, upon receipt of the notice of appeal, shall set a time and place for the hearing of such appeal by the council.

The appeal shall be heard no more than forty-five days following the filing of the notice of appeal unless the parties waive such time limits.

(b) Notice of the time and place of the hearing shall be mailed or otherwise delivered by the city clerk to the appellant, respondent and all other persons, if any, to whom notice of the initial application or action was required, not less than ten days prior to hearing. If publication of the initial application or action being appealed was required, the notice of appeal shall be published in like manner. (Ord. 1233 § 1, 1985: Ord. 1226 § 1, 1984)

2.05.060 Answer and cross-appeal.

Respondent is not required to file an answer to the appeal. If no answer is filed, every material allegation of the appeal is in issue.

After an appeal has been initiated, a cross-appeal may be brought by any person who would otherwise have had standing to appeal the subject action or decision. The cross-appellant shall file a written notice of cross-appeal with the city clerk stating cross-appellant's full name and mailing address, the specific action appealed from, the grounds for the cross-appeal and the relief sought. Such notice shall be filed no less than five days prior to hearing except for good cause shown to the satisfaction of the city council. (Ord. 1226 § 1, 1984)

2.05.070 Designation of parties.

(a) A person who is aggrieved by the denial to him of a permit or license or the grant to him of such permit or license with conditions, or whose personal or property right was the subject of the action appealed from, shall be designated "appellant."

(b) A person who is aggrieved by the grant with or without conditions of a permit or license to another, or who was entitled by law to receive notice of the application for permit or license whether or not such notice was actually given, shall be designated "intervenor."

(c) Unless the appeal names some other respondent, the administrative officer or administrative agency which took the action or made the decision appealed from shall be designated "respondent." (Ord. 1226 § 1, 1984)

2.05.080 Hearing by council.

At the time of hearing of the appeal by the city council, the appellant shall be limited in his presentation to the specific grounds for appeal set forth in his notice of appeal and shall have the burden of establishing cause why the action appealed from should be altered, reversed or modified. All parties shall have the right to be heard by the council either in person or by counsel. Technical rules of evidence shall not apply in proceedings under this chapter. No party shall have the right to cross-examine any other party or witness except for good cause shown to the satisfaction of the council. (Ord. 1226 § 1, 1984)

2.05.090 Dismissal for nonprosecution.

If appellant fails to appear, either in person or by counsel, at the appointed time and place for hearing, such failure to appear shall constitute sufficient grounds for denial of the appeal. Such denial for nonprosecution shall not affect the right of a cross-appellant, if any, to proceed with a cross-appeal. (Ord. 1226 § 1, 1984)

2.05.100 Time for decision—Effective when.

(a) The city council shall render its decision within fifteen days following the conclusion of the hearing of the appeal. Upon finding good cause to do so, the city council may extend the time for rendering its decision up to ninety days. The council by its decision may reverse, modify or affirm the administrative action taken.

(b) No later than five days following the rendering of the council's decision the city clerk shall mail or otherwise deliver a copy of said decision to each party who appeared during the proceedings, or who requested to be furnished a copy of the decision. Failure of the city clerk to mail or deliver a copy of the decision to each party or to any party shall not affect the finality or effectiveness of the decision. The council's decision shall be final and effec

tive at the final adjournment of the meeting at which the decision is rendered, except in those cases where the council is authorized to grant a rehearing, in which case the council's decision shall be final and effective:

(1) When the time to petition for rehearing has expired without the filing of a petition for rehearing; or

(2) Upon the denial of a petition for rehearing.

(Ord. 1226 § 1, 1984)

2.05.110 Reconsideration.

Without granting a rehearing, the city council may reopen and reconsider a decision at any time before the decision becomes final. A motion to reconsider may be made only by a member of the city council who voted in favor of the decision. (Ord. 1226 § 1, 1984)

2.05.120 Rehearing.

In those cases where the effect of a decision on appeal is to deny a permit or entitlement, an appellant may apply for a rehearing by filing with the city clerk and serving upon the other parties, within fifteen days of the date when the decision was rendered, a petition therefor. Within thirty days after the filing of such petition, the council shall grant or deny the petition, in whole or in part. Failure to act within the thirty day limit shall constitute denial of the petition. (Ord. 1226 § 1, 1984)

View the mobile version.

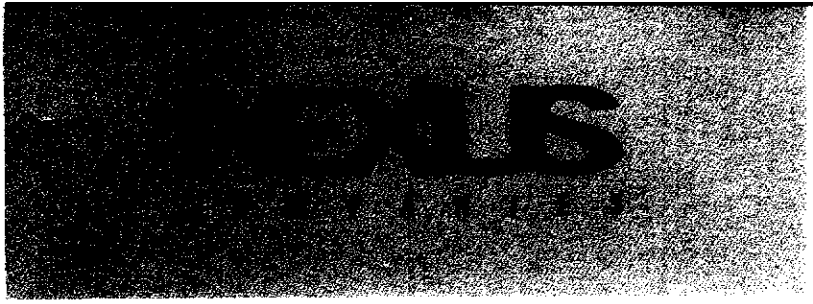
PLANNING

1. Some fees may be discounted for multiple applications of similar nature (excludes maps & legislative actions.)
2. Work done without permits will be assessed the base fee plus a fine of the same amount.
3. Major project revisions during application review/plan check may result in 50% additional fee.

	Imaging Fees	**Current Fees**
Administrative Minor Modifications	10.00	556.00
Adult Oriented Business Permits		
Processing and Issuing		2,136.00
Annexation to Palm Springs		5,000 Deposit
Actual consultant/attorney/staff costs		
Antenna Permits		
Homeowner	10.00	69.00
Commercial	10.00	417.00
Appeals		
Planning Commission decision to City Council	26.00	520.00 plus notification
Planning Director decision to Planning Commission	26.00	279.00 plus notification
Architectural Approval		
(SEE: "Plan Checking Fees - Planning" for additional charges) (SEE: "Building Division 'Permits' and 'Plan Check'.)		
Major Architectural Approval (See note re: discounted fees)		
Over 5 acres	88.00	4,236.00
50% increase – bldg. area to 5 acres	88.00	1,736.00
Single-Family House – Hillside	52.00	3,217.00
Single-Family House – Non-Hillside	52.00	1,759.00
Minor Architectural Approval – P. C.		
Planning Commission Review	26.00	580.00
Front Yard Gates, Entry Features, Landscaping – non SFR	10.00	117.00
Incidental Minor Architectural (Staff Approval)	10.00	244.00
Re-paints – to match existing	16.00	34.00
Re-roof – similar materials – SFR – match existing	16.00	34.00

PLANNING (Continued)

	Imaging Fees	Current Fees
Local Development Mitigation Fee (R22953 and CPI increase 7/1/15) (Cont'd)		
Commercial		5,809.00 per acre
Industrial		5,809.00 per acre
Lot Line Adjustments/Certificates of Compliance		
Staff Approval	10.00	913.00 each
City Council Approval (See note re: discounted fees)	26.00	1,158.00 each
(Changed conditions of map approval)		
Medical Cannabis Cooperatives or Collectives (R22458)		
Application Fee (full reimbursement of costs to administer)		7,500.00 deposit
Appeal Fee (full reimbursement of costs to administer)		750.00 deposit
Mural Permit (R23613)		1,872.00
Notification Charges		
Planning Commission Only		436.18
Planning Commission and City Council		872.36
Park Fees In-Lieu of Dedication[15]		
Quimby Park Act		
Plan Checking Fees – Planning (see Plan Check Fees – Planning for additional charges)		
The following fee may be added to any plan requiring Planning Division reviews.		
Single-family residential (total building area:)		
1,200 – 2,000 sq. ft.		347.00
2,001 – 4,000 sq. ft.		417.00
4,001 – 6,000 sq. ft.		508.00
Over 6,000 sq. ft.		741.00
Commercial/Multi–R Family – less than 1 acre		857.00
Commercial/Planned Developments, etc. – 1 to 5 acres		1,240.00
Commercial/Planned Developments, etc. – over 5 acres		1,653.00
Multi-Family Residents – 1 to 5 acres		1,240.00
Multi-Family Residents – over 5 acres		1,653.00
Final Landscape/Ext. Lighting (New)		556.00
Planned Development District[3] **(P. C. & C. C.)**		
Application Fee – under 5 acres	180.00	4,178.00 plus notification
Application Fee – over 5 acres	180.00	8,346.00 plus notification



RECEIVED
PALM SP
2015 APR -1 AM 10: 22
CITY CLERK

March 31, 2015

Mr. Flynn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Formal Appeal of Planning Commission Decision on March 25th, 2015 for Case No. 5.1361 –PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed-Use Project (the "Project")

Dear Flynn:

We are aware of the Planning Commission's action taken on March 25, 2015 to deny approval of the Aberdeen Palm Springs Mixed-Use project (as identified above, the "Project") located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like this letter to act as our formal appeal of that decision and ask that the Project be considered by the City Council at their next regularly scheduled meeting on April 15, 2015.

The Planning Commission had many mixed comments regarding the architecture and uses within the Project. In some cases, comments provided by commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015. As the applicant, it was very difficult to clearly understand what would satisfy the Planning Commission given the amount of modifications that were made to the Project as a direct result of comments provided on February 25, 2015. Regardless of the inconsistent comments received between the two (2) planning commission meetings and two (2) architectural advisory committee meetings that we participated in, we believe that the Project has the potential to be a catalyst for employment, community outreach, and economic development within the City.

We feel that this location is ideally suited for a mixed-use project consisting of live/work lofts, restaurant/retail, office, and high-density residential as proposed in the plans presented to the Planning Commission on March 25, 2015. The proposed project ties together the surrounding uses of commercial/movie theater, hospitality (including high-rise), residential, and casino that already exist and are similarly identified as REO/RA areas of the Section 14 Specific Plan. We also believe that the Project provides substantial public benefit given how much developable land is being sacrificed in order to provide a new street, Calle Alvarado, which will allow for new pedestrian and vehicular access to the

4.15.15
1C

NEXUS Companies
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

convention center from Tahquitz Canyon Way. Additional public benefit is provided by a large art plaza in the center of the southern portion of the project. Finally, the plans presented on March 25, 2015 Planning Commission meeting incorporated one (1) existing building and converted it into office and retail/restaurant space for the Project.

We are excited to present the Project in further detail to the City Council and greatly appreciate your assistance with this request to appeal the Planning Commission's decision. Please do not hesitate to contact myself or Rich Meaney if you should have any questions.

Sincerely,

Rob W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

Cc: James Thompson – City Clerk, City of Palm Springs
David Newell – Associate Planner, City of Palm Springs

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

March 26, 2015

Mr. Rob Eres
Nexus Development Corporation for O & M HR, LLC
1 MacArthur Place, Suite 300
Santa Ana, CA 92707

RE: Case Nos. 5.1361 PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed Use Project

Mr. Eres,

On March 25, 2015, the Planning Commission considered the subject applications for a mixed-use project consisting of (73) attached and detached residential dwellings, (13) live-work units and approximately 7,811-square feet of existing commercial space on approx. 8.05-acres located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. At this meeting the Planning Commission voted 4-3 to deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks, and viability of the live/work spaces on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

In accordance with section 2.05.040 of the Palm Springs Municipal Code, you may appeal the decision of the Planning Commission to the City Council within ten days of the date of this letter. The appeal request must be in writing and presented to the City Clerk with a fee of $546.00 (excludes notification fee, which was previously paid) by 6:00 p.m. on Monday, April 6, 2015.

If you have any questions about this letter, please contact me at (760) 323-8245.

Sincerely,

David Newell
Associate Planner

cc: Case File
City Clerk

REQUEST FOR TREASURER'S RECEIPT

TO: FINANCE DEPARTMENT, CASHIER DATE: 4.1.15

FROM: CITY CLERK'S OFFICE

PLEASE ACCEPT $ 546.00

FROM: NDC Equities Downtown PB LLC

FOR: Appeal to City Council Case 5.1361 PD375 3.3820 Maj & TTM 36876 "Aberdeen"

MAPS & PUBLICATIONS – 001-34106

OTHER CHARGES – CURRENT SERVICE – 001-34110

CREDIT ACCOUNT NO. CIRCLED ABOVE BY ORDER OF KA

CITY OF PALM SPRINGS
NOTIFICATION OF APPEAL

Date:	April 15, 2015
Subject:	CASE 5.1361 PDD 375 TTM 36876 "ABERDEEN" 8.05 ACRES NE CORNER TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

AFFIDAVIT OF PUBLICATION

I, Cynthia A. Berardi , Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on April 4, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF POSTING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on April 2, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF MAILING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on April 2, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (160 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

1C

4.15.15

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

APPEAL OF CASE NOS.: 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of April 15, 2015. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an appeal by Nexus Development Corp. representing O & M HR, LLC, regarding the March 25, 2015, Planning Commission denial decision of a proposed mixed-use project called Aberdeen; a proposal to demolish existing buildings and parking areas for the construction of seventy-four (74) attached and detached residential dwellings, seventeen (17) live-work units and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zone REO and CU.

ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the Council hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at the City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

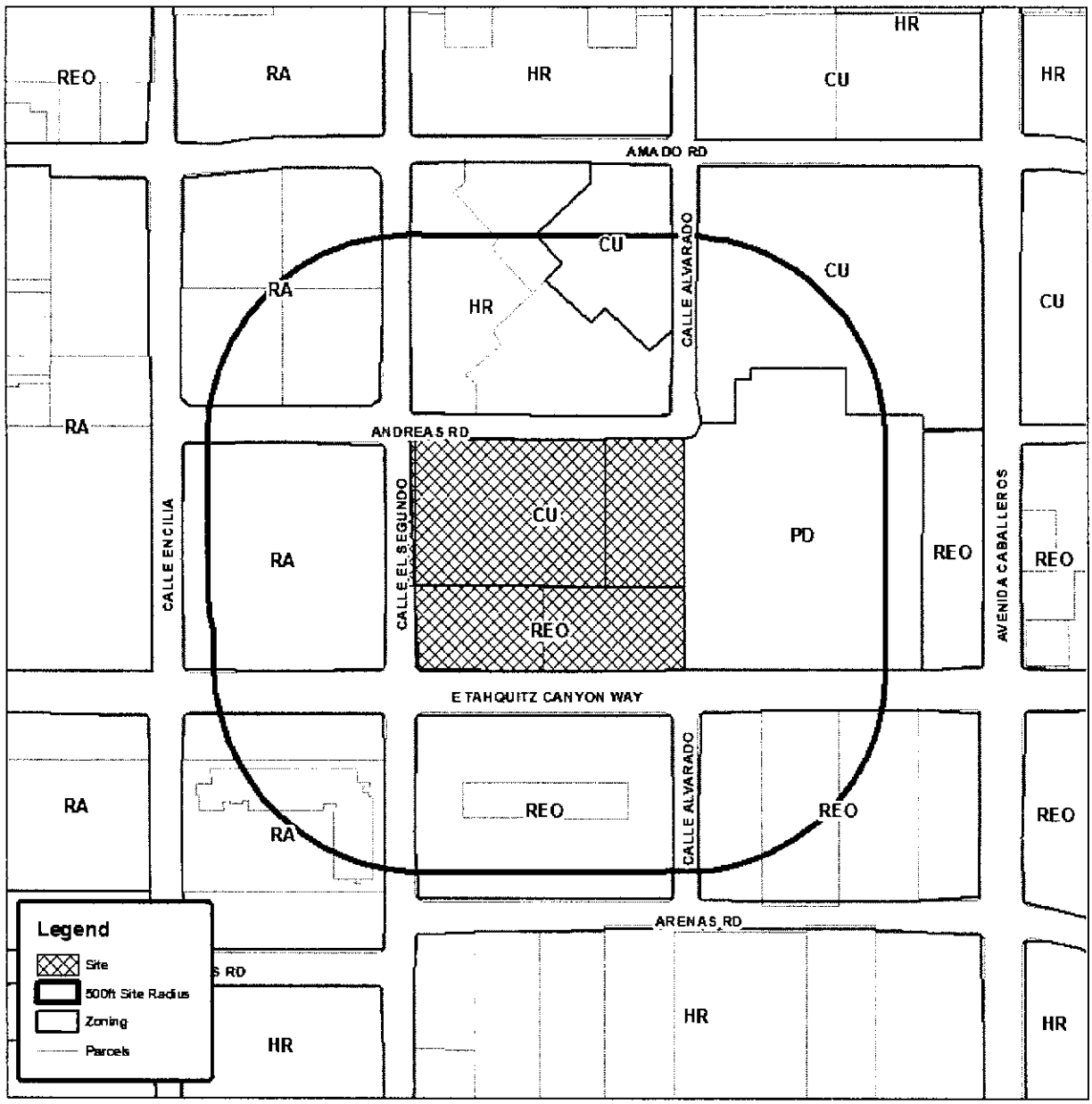
Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

City of Palm Springs

Office of the City Clerk
3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

April 2, 2015

Ms. Claudia Salgado
Bureau of Indian Affairs
P. O. Box 2245
Palm Springs, CA 92263

Fax To: Brenda Diaz
(760) 416-2687

RE: City Council Meeting – April 15, 2015
Case 5.1361 PDD 375 TTM 36876 Appeal – Aberdeen

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on April 15, 2015, to consider an Appeal for a mixed-use project called Aberdeen at the northeast corner of Tahquitz Canyon Way and Calle El Segundo.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required.

APN	Allotment Number	APN	Allotment Number
508-042-006	T55A	508-057-001 through 508-057-025	28A
508-042-009	T33A	508-082-003	22A
508-051-005 through 508-051-051	30A, 41A	508-082-007	118E
508-561-055 through 508-051-088	99B, 76A	508-082-074	118E
508-054-003	15A, 16A, 17A, 18A	508-084-004	97A
508-056-017 through 508-056-018	10A, 11A, 23A, 78A, 86A, 102A, 105A	508-084-007 through 508-084-008	94A, 99A
508-051-061	FEE	508-054-003	15A, 16A, 17A, 18A
508-051-024 – 508-051-025	FEE	508-051-034	FEE
508-051-066	FEE	508-057-023	FEE
508-042-008	T5340	508-042-010	T1031

Thank you for your continuous assistance and support. Please feel free to contact me at (760) 323-8204 if there are any questions or concerns.

Sincerely,

Cynthia A. Berardi, CMC
Deputy City Clerk

Encl: Public Hearing Notices (140 copies)
Envelopes

RECEIVED
PALM SP
2015 APR -1 AM 10: 22
CITY CLERK

March 31, 2015

Mr. Flynn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Formal Appeal of Planning Commission Decision on March 25th, 2015 for Case No. 5.1361 –PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed-Use Project (the "Project")

Dear Flynn:

We are aware of the Planning Commission's action taken on March 25, 2015 to deny approval of the Aberdeen Palm Springs Mixed-Use project (as identified above, the "Project") located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like this letter to act as our formal appeal of that decision and ask that the Project be considered by the City Council at their next regularly scheduled meeting on April 15, 2015.

The Planning Commission had many mixed comments regarding the architecture and uses within the Project. In some cases, comments provided by commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015. As the applicant, it was very difficult to clearly understand what would satisfy the Planning Commission given the amount of modifications that were made to the Project as a direct result of comments provided on February 25, 2015. Regardless of the inconsistent comments received between the two (2) planning commission meetings and two (2) architectural advisory committee meetings that we participated in, we believe that the Project has the potential to be a catalyst for employment, community outreach, and economic development within the City.

We feel that this location is ideally suited for a mixed-use project consisting of live/work lofts, restaurant/retail, office, and high-density residential as proposed in the plans presented to the Planning Commission on March 25, 2015. The proposed project ties together the surrounding uses of commercial/movie theater, hospitality (including high-rise), residential, and casino that already exist and are similarly identified as REO/RA areas of the Section 14 Specific Plan. We also believe that the Project provides substantial public benefit given how much developable land is being sacrificed in order to provide a new street, Calle Alvarado, which will allow for new pedestrian and vehicular access to the

4.15.15
1C

NEXUS Companies
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

convention center from Tahquitz Canyon Way. Additional public benefit is provided by a large art plaza in the center of the southern portion of the project. Finally, the plans presented on March 25, 2015 Planning Commission meeting incorporated one (1) existing building and converted it into office and retail/restaurant space for the Project.

We are excited to present the Project in further detail to the City Council and greatly appreciate your assistance with this request to appeal the Planning Commission's decision. Please do not hesitate to contact myself or Rich Meaney if you should have any questions.

Sincerely,

Rob W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

Cc: James Thompson – City Clerk, City of Palm Springs
David Newell – Associate Planner, City of Palm Springs

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

March 26, 2015

Mr. Rob Eres
Nexus Development Corporation for O & M HR, LLC
1 MacArthur Place, Suite 300
Santa Ana, CA 92707

RE: Case Nos. 5.1361 PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed Use Project

Mr. Eres,

On March 25, 2015, the Planning Commission considered the subject applications for a mixed-use project consisting of (73) attached and detached residential dwellings, (13) live-work units and approximately 7,811-square feet of existing commercial space on approx. 8.05-acres located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. At this meeting the Planning Commission voted 4-3 to deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks, and viability of the live/work spaces on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

In accordance with section 2.05.040 of the Palm Springs Municipal Code, you may appeal the decision of the Planning Commission to the City Council within ten days of the date of this letter. The appeal request must be in writing and presented to the City Clerk with a fee of $546.00 (excludes notification fee, which was previously paid) by 6:00 p.m. on Monday, April 6, 2015.

If you have any questions about this letter, please contact me at (760) 323-8245.

Sincerely,

David Newell
Associate Planner

cc: Case File
City Clerk

REQUEST FOR TREASURER'S RECEIPT

TO: FINANCE DEPARTMENT, CASHIER DATE: 4.1.15

FROM: CITY CLERK'S OFFICE

PLEASE ACCEPT $ 546.00

FROM: NDC Equities Downtown PB LLC

FOR: Appeal to City Council Case S.1361 PD375 3.3820 Maj & TTm 3587L "Aberdeen"

MAPS & PUBLICATIONS – 001-34106

OTHER CHARGES – CURRENT SERVICE – 001-34110

CREDIT ACCOUNT NO. CIRCLED ABOVE BY ORDER OF KA

CITY MANAGER
JUL 24 2014
CITY OF PALM SPRINGS

KJF DHR
JAY

July 23, 2014

To: Honorable Mayor Stephen Pougnet,

Council Members, Ginny Foat, Chris Mills, Rick Hutcheson and Paul Lewin

Re: Crescendo and The Boulders hillside residential developments

It has been many years since I have stood before you to address the issue of the negative impact of the above-two proposed developments. As a one-year extension for Crescendo is to be voted on tonight, and The Boulders is part of your prior Staff Report, it seems appropriate to speak again.

While there were several significant impacts on the neighborhood as contained in the original and modified Tract Maps, one of the most undeniable impacts was that of the actual excavation and grading of the land, and subsequent removal of the in-ground boulders (small "b"). In addition to the noise and vibration of the excavation of such a large area, the impact on air pollution (PM10) would be untenable.

For years those were just words, words that expressed real issues. Now, we have living proof, and it is 2 houses away from mine and across the street from the Southern boundary of The Boulders (capital "B").

The permit issued for the The Schnabel residence at 925 Chino Canyon was for a specific, limited remodel. In reality, it is new construction and is therefore a valid comparison to what we face with The Boulders and Crescendo. The re-grading of the existing property took over two months just to excavate the boulders from the earth. While I was assured that the mega-pile was to be "repurposed into the landscape", it became so enormous that I brought it to the City's attention. And as it turns out, I was right. Construction was stopped and 10 days of dump trucks ensued to remove most of the pile.

During the excavation, my house shuddered and shook with every boulder being dropped by the crane onto the pile, as if a 3.2 earthquake had just rolled through the Valley. The equally annoying boom of a crane dropping boulders into an empty metal dump truck created more dust and noise. And this is just one house.

Imagine if you will, a large development with dozens of homes. The affect on our health and well-being would be staggering. The quality of life in the immediate surrounding areas would be all but destroyed over the years of build-out. And existing neighbors would see their property values fall because, after all, who wants to come to peaceful Palm Springs and live near a construction site with no end in sight?

I urge you to seriously reconsider the impacts these two major housing developments will have on Palm Springs in any decision you make tonight or in the future. I have included four photographs of the boulder pile and I respectfully request this letter and the photographs be entered into the record.

Respectfully,

Andy Linsky

Andy Linsky

1019 W. Cielo Dr., Palm Springs, CA 92262

xc: Planning JB

Edward Flottemesch
265 S Cahuilla Rd
Palm Springs, California 92262
(760) 416-2071

2013 SEP 25 AM 9:30

September 22, 2013

Mr. James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Case 5.0977-PD288/TTM 31887 AMND
Lugo Lofts on Lugo Road

Dear Mr. Thompson:

I own a condominium at the St. Baristo development. It is my understanding that Mr. Wessman through his Baristo Group, LLC intends to develop Phase 3 of St. Baristo as a separate community called Lugo Lofts on Lugo Road. However, there is a Declaration of Annexation for Phase 3 of St. Baristo recorded on 11/16/2006.

There are certain common area interests that need to be resolved with Mr. Wessman before Phase 3 is de-annexed as follows:

1) Resolve water meter issue so that St. Baristo is not faced with reading sub-meter(s) and billing back Lugo Loft owners. Since the water line is already extended through Phase 3, Mr. Wessman needs to confirm that the Water Department will install a separate master meter for Lugo Lofts and bill them directly for water usage.

2) Mr. Wessman needs to make an agreed upon capital contribution to the St. Baristo reserves that will cover future maintenance of our roads and water lines used by the Lugo Lofts community.

3) The St. Baristo community needs written confirmation from Mr. Wessman that our pool facilities and guest parking area are not shared with the Lugo Lofts community.

Sincerely,

E. Flottemesch

Edward Flottemesch

AMENDMENT NO. 6 TO AGREEMENT FOR OPERATION OF THE PALM SPRINGS INTERNATIONAL FILM FESTIVAL

This Amendment No. 6 to the Agreement for Operation of the Palm Springs International Film Festival ("Amendment") is made and entered into this 22nd day of September, 2010, by and between the City of Palm Springs, California, a California Charter City and municipal corporation ("City"), and the Palm Springs International Film Festival ("Festival").

RECITALS

A. On April 1, 1992, City and Festival entered into an Agreement for Operation of the Palm Springs International Film Festival pursuant to which Festival agrees to organize, manage and produce an annual Palm Springs International Film Festival in January of each year and the City agreed to compensate Festival for such services.

B. Subsequently the Agreement was amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4 and Amendment No. 5 collectively referred as the "Agreement."

C. City and Festival desire to amend the Agreement to extend the Agreement for another year.

AGREEMENT

The City and Festival hereby agree as follows:

SECTION 1. Section 3.2 of the Agreement (entitled "Term") is amended to read as follows:

"3.2 Term. The term of this Agreement is hereby extended to June 30, 2011, provided that this Agreement shall terminate on the occurrence of the event of termination specified in Section 3.3."

SECTION 2. Page 6, Item No. 4, of the Scope of Services attached to Amendment No. 5, and incorporated herein, is hereby amended to correct the City's website to read www.palmspringsca.gov.

SECTION 3. The City and Festival agree that the terms of the Agreement, as amended, shall remain unchanged and in full force and effect, except as specifically provided in this Amendment.

///

[SIGNATURES ON NEXT PAGE]

DUPLICATE

In witness whereof, the City and Festival have executed and entered into this Amendment as of the date first written above.

CITY OF PALM SPRINGS,
A California Charter City

David H. Ready, City Manager

PALM SPRINGS INTERNATIONAL
FILM FESTIVAL

Name: Darryl Macdonald

Title: Executive Director

ATTEST:

James Thompson, City Clerk

APPROVED BY CITY COUNCIL
4.22.10 3G A3040

APPROVED AS TO FORM:

Douglas C. Holland, City Attorney

2

CITY OF PALM SPRINGS

P.O. 11-0311

PARTIAL RECEIVING REPORT

Received from: Date Received: 11/08/10

VENDOR

P.S. Int'l. Film Festival
1700 E, Tahquitz Canyon Way #3
Palm Springs, CA 92262

Date: 11/09/10

Vendor # _____

Invoice No.	Account No.	Description	Qty	Unit Cost	Amount
15594	2120-45640	Contractual Payment			$200,000.00

Remarks:

APPROVED BY CITY COUNCIL
9.22.10 AG A3040

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount:
Checked By:

Received by: _____

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Department Head 11/16/10 Date

Palm Springs International Film Festival
1700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262
760-322-2930 fax 760-322-4087

Invoice No. **15594**

INVOICE

Customer

Name	City of Palm Springs
Address	3200 E. Tahquitz Canyon Way
City	Palm Springs State CA ZIP 92262
Attn:	Jan Truscott

Date	11/8/2010
Order No.	
Rep	
FOB	

Qty	Description	Unit Price	TOTAL
1	Palm Springs International Film Festival 2011 Sponsorship Installment P.O. 11-0311:0	$200,000.00	$200,000.00
	Tax ID: 95-1641910 Thank you!		

	SubTotal	$200,000.00
	Shipping & Handling	$0.00
Taxes	Sales Tax	$0.00
	TOTAL	$200,000.00

Payment Details

- ☐ Cash
- ☐ Check
- ☐ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

Thank you for your support

Your prompt payment is appreciated

CITY OF PALM SPRINGS

P.O. 11-0311

PARTIAL RECEIVING REPORT

Received from:

Date Received: 10/26/10

V E N D O R

P.S. Int'l. Film Festival
1700 E. Tahquitz Canyon Way
Palm Springs, CA 92262

10/26/10
Date:

Vendor #:

Invoice No.	Account No.	Description	Qty	Unit Cost	Amount
15593	2120-45640	Contractual Payment			$50,000.00

Remarks:

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount:
Checked By:

Received by: _____

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

NTF 10/26/10

Department Head Date

Per Council 9/22/10 JG - AB090

Palm Springs International Film Festival
1700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262
760-322-2930 fax 760-322-4087

Invoice No. 15593

INVOICE

Customer

Name: City of Palm Springs
Address: 3200 E. Tahquitz Canyon Way
City: Palm Springs State: CA ZIP: 92262
Attn: Jan Truscott

Date: 10/25/2010
Order No.:
Rep:
FOB:

Qty	Description	Unit Price	TOTAL
1	Palm Springs International Film Festival 2011 Sponsorship Installment	$50,000.00	$50,000.00
	P.O. 11-0311:0		
	Tax ID: 95-1641910		
	Thank you!		

	SubTotal	$50,000.00
Shipping & Handling		$0.00
Taxes	Sales Tax	$0.00
	TOTAL	$50,000.00

Payment Details

- ☐ Cash
- ☐ Check
- ☐ Credit Card

Name
CC #
Expires

Office Use Only

Thank you for your support

Your prompt payment is appreciated

AMENDMENT NO. 6 TO AGREEMENT FOR OPERATION OF THE PALM SPRINGS INTERNATIONAL FILM FESTIVAL

This Amendment No. 6 to the Agreement for Operation of the Palm Springs International Film Festival ("Amendment") is made and entered into this 22nd day of September, 2010, by and between the City of Palm Springs, California, a California Charter City and municipal corporation ("City"), and the Palm Springs International Film Festival ("Festival").

RECITALS

A. On April 1, 1992, City and Festival entered into an Agreement for Operation of the Palm Springs International Film Festival pursuant to which Festival agrees to organize, manage and produce an annual Palm Springs International Film Festival in January of each year and the City agreed to compensate Festival for such services.

B. Subsequently the Agreement was amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4 and Amendment No. 5 collectively referred as the "Agreement."

C. City and Festival desire to amend the Agreement to extend the Agreement for another year.

AGREEMENT

The City and Festival hereby agree as follows:

SECTION 1. Section 3.2 of the Agreement (entitled "Term") is amended to read as follows:

"3.2 Term. The term of this Agreement is hereby extended to June 30, 2011, provided that this Agreement shall terminate on the occurrence of the event of termination specified in Section 3.3."

SECTION 2. Page 6, Item No. 4, of the Scope of Services attached to Amendment No. 5, and incorporated herein, is hereby amended to correct the City's website to read www.palmspringsca.gov.

SECTION 3. The City and Festival agree that the terms of the Agreement, as amended, shall remain unchanged and in full force and effect, except as specifically provided in this Amendment.

///

[SIGNATURES ON NEXT PAGE]

In witness whereof, the City and Festival have executed and entered into this Amendment as of the date first written above.

CITY OF PALM SPRINGS,
A California Charter City

David H. Ready, City Manager

PALM SPRINGS INTERNATIONAL
FILM FESTIVAL

Name: Darryl Macdonald

Title: Executive Director

ATTEST:

James Thompson, City Clerk

APPROVED BY CITY COUNCIL
4.22.10 26 A3040

APPROVED AS TO FORM:

Douglas C. Holland, City Attorney

E. The Original Agreement was further amended on September 30, 2003, by the Third Amendment, which among other things extended the term of the Agreement to June 30, 2004.

F. The Original Agreement was further amended on May 5, 2004, by the Fourth Amendment, which among other things extended the term of the Agreement to June 30, 2005.

G. City and Festival desire to amend the Agreement to extend the City's financial support for an additional five (5) years as set forth in this Fifth Amendment.

AGREEMENT

The Agreement is hereby amended as follows:

1. Section 2.2 of the Agreement is amended to read, in its entirety, as follows:

"2.2 Method of Payment. Provided Festival is not in default under this Agreement, the Contract Sum shall be paid as follows: (i) the sum of $50,000 on or before August 1st of each fiscal year; (ii) the sum of $50,000 on or before November 1st of each fiscal year; (iii) the sum of $200,000 on or before December 1st of each fiscal year; and (iv) the sum of $50,000 on or before April 1st of each fiscal year. City shall have no obligation to make the payment to Festival due April 1st of each fiscal year unless Festival has provided to City an audit of the previous year's Film Festival, which audit shall be performed by a certified public accountant and shall be in a form approved by the Contract Officer, which approval shall not be unreasonably withheld."

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

PO Number	**11-0311**
Date	**9/20/2010**
Dept	**City Manager**
Partial #	**1**
Vendor #	**2346**

Received From:

Palm Springs Int'l. Film Festival

1 700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262

Account Number	Invoice Date	Invoice Number	Invoice Total
Z 120-45640	08/09/10	15569	$ 50,000.00

	Grand Total Due	**$ 50,000.00**

Remarks:

For Procurement & Contracting

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order

Department Head Signature

Received by:

Date:

Palm Springs International Film Festival
1700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262
760-322-2930 fax 760-322-4087

Invoice No. **15569**

INVOICE

Customer

Name	City of Palm Springs
Address	3200 E. Tahquitz Canyon Way
City	Palm Springs State CA Zip 92262
Attn:	Jan Truscott

Date	8/9/2010
Order No.	
Due:	
FOB	

Qty	Description	Unit Price	TOTAL
1	Palm Springs International Film Festival 2011 Sponsorship Installment PO Pending	$50,000.00	$50,000.00
	Thank You		
	Tax Payer ID: 95-1641910		

	Subtotal	$50,000.00
	Shipping & Handling	$0.00
Taxes	Sales Tax	$0.00
	TOTAL	$50,000.00

Payment Details

- ☐ Cash
- ☐ Check
- ☐ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

Thank you for your support

Your prompt payment is appreciated

Purchase Order

PO Printed Date: 09/16/2010

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY

☐ Approved for full payment
☐ Close PO - unencumber any remaining balance

Name: _____
Date: _____

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 09/15/2010
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0311 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		11120-11-02638	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2010-11, as approved by City Council in the FY 10-11 budget and pending amendment to agreement #3090 to extend the term, as approved by City Manager, David Ready on 9/15/2010.		11120-11-02638- 1	1.0	LOT - Lot	$350,000.00	$350,000.00

FY	Account Code	Dollar Amount
11	2120-45640	$350,000.00

Subtotal	$350,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$350,000.00

Per Council 9/21/10

Authorized City Signature

FINANCE APPROVED	DATE	ENCUMBERED
yes	9/15/10	yes

Purchase Order

PO Printed Date: 09/16/2010

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 09/15/2010
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0311 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		11120-11-02638	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2010-11, as approved by City Council in the FY 10-11 budget and pending amendment to agreement #3090 to extend the term, as approved by City Manager, David Ready on 9/15/2010.		11120-11-02638- 1	1.0	LOT - Lot	$350,000.00	$350,000.00
	FY 11 / Account Code 2120-45640 / Dollar Amount $350,000.00						

Subtotal	$350,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$350,000.00

Per Council 9/22/10

Authorized City Signature

FINANCE APPROVED	DATE	ENCUMBERED
LG 10	9/15/10	LG 10

Purchase Order

PO Printed Date: 07/15/2009

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY

☐ Approved for full payment
☒ Close PO - unencumber any remaining balance

Name:
Date: 2/25/10

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 07/14/2009
Buyer: Leigh Ann Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 10-0187 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		13300-10-01872	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2009-10. This is a multi-year contract, expiring in 2010, for $350,000 per year as per the Fifth Ammendment dated 4/20/2005 to agreement #3090. As per Resolution #22531 approved by the City Council on June 30th, 2009, Sponsorship has been increased to $400,000.00 from the Community Promotion fund for Event Sponsorship. This is for the 09/10 fiscal year only.		13300-10-01872- 1	1.0	LOT - Lot	$400,000.00	$400,000.00

FY	Account Code	Dollar Amount
10	112-2020-45640	$400,000.00

Subtotal	$400,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$400,000.00

Authorized City Signature

FEB 2 3 2010

Palm Springs International Film Festival
1700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262
760-322-2930 fax 760-322-4087

Invoice No. **13072**

INVOICE

Customer

Name	City of Palm Springs
Address	3200 E. Tahquitz Canyon Way
City	Palm Springs State CA ZIP 92262
Attn:	Jan Truscott

Date	2/12/2010
Order No.	
Rep	
FOB	

Qty	Description	Unit Price	TOTAL
1	Palm Springs International Film Festival 2010 Sponsorship Installment P.O. 10-0187 Tax ID: 95-1641910 Thank you!	$100,000.00	$100,000.00

	SubTotal	$100,000.00
	Shipping & Handling	$0.00
Taxes	Sales Tax	$0.00
	TOTAL	$100,000.00

Payment Details

- ☐ Cash
- ☐ Check
- ☐ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

Thank you for your support

Your prompt payment is appreciated

Palm Springs International Film Fest.
Profit & Loss Budget Performance
March 2013

	Actual Mar '13	Mar '13 Budget	ACTUAL to date Apr '12 - Mar 13	YTD Budget YTD Budget	Annual Budget Annual Budget
Total 52012 · Employee Benefits	15,429.23	8,154.15	99,787.68	97,850.00	97,850.00
Total 52013 · Payroll Taxes	4,432.18	5,583.32	80,626.75	67,000.00	67,000.00
5211831 · Auto Allowance	150.00	150.00	1,800.00	2,000.00	2,000.00
5211832 · Staff Housing	0.00		48,556.96	50,000.00	50,000.00
5211833 · Cell Phone Allowance	0.00	200.00	2,200.00	2,400.00	2,400.00
5211834 · Utility Reimb.	0.00		0.00	500.00	500.00
5211836 · Payroll Processing Fees	164.50	150.00	5,008.79	4,000.00	4,000.00
Total 5201 · Payroll	69,175.85	64,859.53	1,039,433.79	1,037,212.00	1,037,212.00
Total 520119 · Festival Staff/Contract Labor	20,871.50	17,500.00	282,891.50	362,000.00	362,000.00
Total 52014 · Employee Recruitment	0.00		9,500.00		
Total 5202 · Staff Expenses	1,200.12		64,142.42	74,800.00	74,800.00
Total 5203 · Office Supplies	1,279.45	1,980.00	52,100.39	42,600.00	42,600.00
Total 5204 · Utilities	1,871.14	1,683.00	14,796.59	20,200.00	20,200.00
Total 5205 · Telephone Expenses	2,946.12	3,280.00	38,950.50	40,375.00	40,375.00
Total 5206 · Other Administrative Exps.	19,145.36	14,005.00	159,080.91	175,200.00	175,200.00
Total 52 · General & Administrative	116,489.56	103,307.53	1,678,696.10	1,752,367.00	1,752,367.00
Total 59 · Finance & Other	7,609.72	1,625.00	141,898.74	115,010.00	115,010.00
Total 7 · Short Fest Expenses	0.00	2,500.00	212,870.10	227,462.54	227,462.54
Total Expense	140,235.74	115,361.53	4,037,300.17	3,985,119.00	3,985,119.00
Net Surplus	-136,013.02	-64,083.53	632,065.31	0.00	0.00

Palm Springs International Film Fest.
Profit & Loss Budget Performance
March 2013

	Actual Mar '13	Mar '13 Budget	ACTUAL to date Apr '12 - Mar 13	YTD Budget YTD Budget	Annual Budget Annual Budget
Income					
4 · Revenues					
41 · Cash Donations					
Total 4101 · Government Grants	0.00	50,000.00	300,000.00	350,000.00	350,000.00
4102 · Corporate Sponsor	0.00		256,000.00	340,000.00	340,000.00
4103 · Foundation Grants	0.00		0.00	15,000.00	15,000.00
4104 · Friends/Annual Campaign	0.00		4,134.00	5,800.00	5,800.00
Total 4108 · Consulates	0.00		34,181.80	20,000.00	20,000.00
Total 4110 · Dedicated Contribution	0.00		30,612.90	35,000.00	35,000.00
Total 41 · Cash Donations	0.00	50,000.00	624,928.70	765,800.00	765,800.00
42 · Fund Raising Revenues					
Total 420 · Gala Awards	1,350.00		2,010,380.00	1,411,372.00	1,411,372.00
Total 4209 · Other Fundraiser	0.00		3,515.00		
Total 42 · Fund Raising Revenues	1,350.00		2,013,895.00	1,411,372.00	1,411,372.00
Total 43 · Box Office Sales	-650.00		1,501,252.00	1,332,370.00	1,332,370.00
Total 44 · Film Society Revenues	3,510.00	905.00	152,765.00	125,000.00	125,000.00
Total 45 · Merchandise Sales	0.00		55,709.80	38,412.54	38,412.54
Total 46 · Sales Revenue	0.00		14,925.00	38,000.00	38,000.00
Total 49 · Financial & Misc. Income	12.72	373.00	54,929.16	49,400.00	49,400.00
Total 4 · Revenues	4,222.72	51,278.00	4,418,404.66	3,758,354.54	3,758,354.54
44161 · Film Society Books	0.00		485.00		
Total 6 · Short Film Fest Revenues	0.00		282,197.48	255,470.00	255,470.00
Total Income	4,222.72	51,278.00	4,701,087.14	4,013,824.54	4,013,824.54
Cost of Goods Sold					
Total COGS	0.00		31,721.66	28,705.54	28,705.54
Gross	4,222.72	51,278.00	4,669,365.48	3,985,119.00	3,985,119.00
Expense					
5 · Total Expenses					
51 · Cost of Production					
Total 5101 · Theater Expenses	2,071.34	1,499.00	467,587.73	453,529.46	453,529.46
Total 510111 · Delegates Expenses	1,189.63		71,414.46	72,000.00	72,000.00
Total 5102 · Festival Events	560.24		286,602.09	216,400.00	216,400.00
Total 5103 · Promotional Expenses	10,544.60	2,000.00	353,408.84	381,780.00	381,780.00
Total 5104 · Cost of Sponsorship	1,000.00	3,250.00	8,478.24	15,850.00	15,850.00
Total 5105 · Fundraising Expenses	50.00	490.00	800,897.88	730,000.00	730,000.00
Total 51 · Cost of Production	15,415.81	7,239.00	1,988,387.24	1,869,559.46	1,869,559.46
Totsl 5106 · Other Programs	720.65	690.00	15,447.99	20,700.00	20,700.00
Total 5 · Total Expenses	16,136.46	7,929.00	2,003,835.23	1,890,259.46	1,890,259.46
52 · General & Administrative					
5201 · Payroll					
52011 · Wages					
Total 520111 · Annual Staff	48,355.94	47,455.40	561,158.32	583,812.00	583,812.00
Total 520112 · Seasonal Staff-FF	2,500.00	3,166.66	113,198.52	119,100.00	119,100.00
Total 520113 · Festival Staff-Theatsr-FF	144.00		127,094.77	130,550.00	130,550.00
Total 52011 · Wages	48,999.94	50,622.06	801,451.61	813,462.00	813,462.00

Palm Springs International Film Fest.
Balance Sheet Prev Year Comparison
As of April 4, 2013

		Apr 4, 13	Apr 4, 12	$ Change	% Change
NOTE 2	21074 · PPD-Foundation Grants	220,000.00 **	0.00	220,000.00	100.0%
	2107 · PPD-Deferred Income - Other	650.00	0.00	650.00	100.0%
	Total 2107 · PPD-Deferred Income	220,650.00	0.00	220,650.00	100.0%
	Total Other Current Liabilities	295,265.00	0.00	295,265.00	100.0%
	Total Current Liabilities	349,580.75	194,787.49	154,813.26	79.49%
	Total Liabilities	349,580.75	194,787.49	154,813.26	79.49%
	Equity				
	3250 · NTI Trust Fund	20,000.00	20,000.00	0.00	0.0%
	3900 · Retained Earnings	1,804,320.59	1,164,505.28	639,815.31	54.94%
	3950 · Board Restricted Endowment Fund	621,802.15	621,802.15	0.00	0.0%
	Net Income	-66,238.33	69,531.83	-135,770.16	-195.28%
	Total Equity	2,379,884.41	1,875,839.26	504,045.15	26.87%
TOTAL LIABILITIES & EQUITY		2,729,465.16	2,070,606.75	658,858.41	31.82%

NOTE 1

*James Irvine Grant - $124,000 in receivables is deferred revenue for services to be delivered in the Fiscal year beginning 4/1/2014

NOTE 2

** James Irvine Grant - $96,000 cash received for services to be provided in the fiscal year 4/1/2013 (next fiscal year) plus $124,000 in receivables for services to be provided in the fiscal year beginning 4/1/2014

Palm Springs International Film Fest.
Balance Sheet Prev Year Comparison
As of April 4, 2013

	Apr 4, 13	Apr 4, 12	$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
1102 · Cash in Banks				
11020 · Petty Cash	127.62	52.76	74.86	141.89%
11021 · Checking-Union Bank	239,897.97	828,310.68	-588,412.71	-71.04%
11024 · Wells Fargo Checking-7619	472,062.73	0.00	472,062.73	100.0%
11029 · Wells Fargo Savings - 3072	580,134.64	0.00	580,134.64	100.0%
Total 1102 · Cash in Banks	1,292,222.96	828,363.44	463,859.52	56.0%
Total Checking/Savings	1,292,222.96	828,363.44	463,859.52	56.0%
Note 1 Accounts Receivable				
Total Accounts Receivable	408,356.31 *	349,906.35	58,449.96	16.7%
Other Current Assets				
1120 · Inventory Asset	29,514.74	19,560.52	9,954.22	50.89%
1123 · Trust Account - Pacific Premier	20,964.95	20,847.09	117.86	0.57%
1126 · Merryll Lynch Security Account	0.00	109,151.28	-109,151.28	-100.0%
Total 14 · Deposits/Prepaids	6,700.92	8,164.82	-1,463.90	-18.13%
1499 · Undeposited Funds	57.00	0.00	57.00	100.0%
Total Other Current Assets	57,237.61	157,743.71	-100,506.10	-63.72%
Total Current Assets	1,757,816.88	1,336,013.50	421,803.36	31.57%
Total Fixed Assets	238,857.15	216,397.61	22,459.54	10.38%
Other Assets				
1124 · Endowment Acounts				
1126 · Pacific-Endowment Account	107,215.57	106,801.37	414.20	0.39%
1138 · Merrill Lynch Cash Account	0.00	405,850.49	-405,850.49	-100.0%
1139 · Endowment Account Wells-3023	31.78	0.00	31.78	100.0%
1140 · Wells Endowment Account - 2300	620,000.00	0.00	620,000.00	100.0%
Total 1124 · Endowment Acounts	727,247.35	512,651.86	214,595.49	41.86%
13 · Deferred Assets				
Total 1302 · Leasehold Improv-Net	5,543.78	5,543.78	0.00	0.0%
Total 13 · Deferred Assets	5,543.78	5,543.78	0.00	0.0%
Total Other Assets	732,791.13	518,195.64	214,595.49	41.41%
TOTAL ASSETS	2,729,465.16	2,070,606.75	658,858.41	31.82%
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2000 · Accounts Payable	52,226.49	199,243.13	-147,016.64	-73.79%
Total Accounts Payable	52,226.49	199,243.13	-147,016.64	-73.79%
Credit Cards				
2010 · American Express	2,089.26	-4,475.64	6,564.90	-146.66%
Total Credit Cards	2,089.26	-4,475.64	6,564.90	-146.66%
Other Current Liabilities				
Total 2104 · WAB Film Entries-sf nxt yr	74,615.00	0.00	74,615.00	100.0%
2107 · PPD-Deferred Income				

Purchase Order

PO Printed Date: 09/16/2010

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY

☐ Approved for full payment
☐ Close PO - unencumber any remaining balance

Name: _____
Date: _____

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 09/15/2010
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0311 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		11120-11-02638	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2010-11, as approved by City Council in the FY 10-11 budget and pending amendment to agreement #3090 to extend the term, as approved by City Manager, David Ready on 9/15/2010.		11120-11-02638- 1	1.0	LOT - Lot	$350,000.00	$350,000.00

FY	Account Code	Dollar Amount
11	2120-45640	$350,000.00

Subtotal	$350,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$350,000.00

Per Council 9/22/10

Authorized City Signature		
FINANCE APPROVED	DATE	ENCUMBERED
VJO	9/15/10	VJO

Purchase Order

PO Printed Date: 09/16/2010

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 09/15/2010
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0311 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		11120-11-02638	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2010-11, as approved by City Council in the FY 10-11 budget and pending amendment to agreement #3090 to extend the term, as approved by City Manager, David Ready on 9/15/2010.		11120-11-02638- 1	1.0	LOT - Lot	$350,000.00	$350,000.00
	FY 11 / Account Code 2120-45640 / Dollar Amount $350,000.00						

Subtotal	$350,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$350,000.00

Per Council 9/22/10

Authorized City Signature		
FINANCE APPROVED	DATE	ENCUMBERED
VJO	9/15/10	VJO

Purchase Order

PO Printed Date: 07/15/2009

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY

☐ Approved for full payment
☒ Close PO - unencumber any remaining balance

Name:
Date: 2/25/10

VENDOR

02346 00001058
Palm Springs International Film Festival
Christine Asaro
1700 E. Tahquitz Canyon #3
Palm Springs, CA 92262
US
Email: rhea@psfilmfest.org
Phone: (760)322-2930
FAX: (760)322-4087

PO Date: 07/14/2009
Buyer: Leigh Ann Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 10-0187 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

11120 - CITY MANAGER - ADMIN.
ACMA - City Manager
City Manager
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
11120 - CITY MANAGER - ADMIN.		13300-10-01872	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 96) Palm Springs Int'l Film Festival Event Sponsorship for 2009-10. This is a multi-year contract, expiring in 2010, for $350,000 per year as per the Fifth Ammendment dated 4/20/2005 to agreement #3090. As per Resolution #22531 approved by the City Council on June 30th, 2009, Sponsorship has been increased to $400,000.00 from the Community Promotion fund for Event Sponsorship. This is for the 09/10 fiscal year only.		13300-10-01872- 1	1.0	LOT - Lot	$400,000.00	$400,000.00
	FY 10 / Account Code 112-2020-45640 / Dollar Amount $400,000.00						

Subtotal	$400,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$400,000.00

Authorized City Signature

FEB 2 3 2010

Palm Springs International Film Festival
1700 E. Tahquitz Canyon Way #3
Palm Springs, CA 92262
760-322-2930 fax 760-322-4087

Invoice No. 13072

INVOICE

Customer

Name	City of Palm Springs
Address	3200 E. Tahquitz Canyon Way
City	Palm Springs State CA ZIP 92262
Attn:	Jan Truscott

Date	2/12/2010
Order No.	
Rep	
FOB	

Qty	Description	Unit Price	TOTAL
1	Palm Springs International Film Festival 2010 Sponsorship Installment P.O. 10-0187 Tax ID: 95-1641910 Thank you!	$100,000.00	$100,000.00

	SubTotal	$100,000.00
	Shipping & Handling	$0.00
Taxes	Sales Tax	$0.00
	TOTAL	$100,000.00

Payment Details

- ☐ Cash
- ☐ Check
- ☐ Credit Card

Name _____
CC # _____
Expires _____

Office Use Only

Thank you for your support

Your prompt payment is appreciated

Financial Statements

PALM SPRINGS INTERNATIONAL FILM SOCIETY

MARCH 31, 2013

RABO & ARLSEN, LLP
CERTIFIED PUBLIC ACCOUNTANTS

MICHAEL J. BRABO, CPA
WAYNE E. CARLSEN, CPA

Member of the Private Companies Practice Section of the American Institute of Certified Public Accountants

INDEPENDENT AUDITORS' REPORT

Board of Directors and Members
Palm Springs International Film Society
Palm Springs, California

Report on the Financial Statements

We have audited the accompanying statement of financial position of Palm Springs International Film Society, as of March 31, 2013, and the related statements of activities and changes in net assets, and cash flows for the year then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

1111 E. TAHQUITZ CANYON WAY, SUITE 203, PALM SPRINGS, CA 92262
ph: 760-320-0848 • *fax:* 760-322-4626 • www.brabo-carlsen.com

Board of Directors and Members
Palm Springs International Film Society
Palm Springs, California

Continued

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Palm Springs International Film Society as of March 31, 2013, and the results of its operations and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Report on Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenses on pages 12 – 13 are presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of the Association's management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Brabo & Carlsen, LLP

Palm Springs, California

June 10, 2013

PALM SPRINGS INTERNATIONAL FILM SOCIETY

STATEMENT OF FINANCIAL POSITION

MARCH 31, 2013

ASSETS

CURRENT ASSETS	
Cash	$ 1,326,721
Accounts receivable, net - Note 1	279,622
Inventory	25,224
Prepaid expenses	47,152
Total Current Assets	1,678,719
PROPERTY, EQUIPMENT AND IMPROVEMENTS	
Computers and office equipment	178,282
Projectors and theater equipment	547,934
Palm Canyon Theatre Contract	9,221
Leasehold improvements	66,792
	802,229
Accumulated depreciation and amortization	(619,188)
Property, Equipment and Improvements, net	183,041
OTHER ASSETS	
Cash - Board designated endowment - Note 2	726,250
Charles A. Craine Endowment Trust Account - Note 3	20,000
Deposits	5,637
Total Other Assets	751,887
TOTAL ASSETS	$ 2,613,647

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES	
Accounts payable and accrued expenses	$ 82,745
Film deposits	75,265
Deferred revenue	96,000
Total Current Liabilities	254,010
NET ASSETS	
Unrestricted	
Undesignated	1,613,387
Board designated endowment fund - Note 2	726,250
	2,339,637
Permanently restricted	
Charles A. Craine endowment fund - Note 3	20,000
Total Net Assets	2,359,637
TOTAL LIABILITIES AND NET ASSETS	$ 2,613,647

The accompanying notes are an integral part of these financial statements.

PALM SPRINGS INTERNATIONAL FILM SOCIETY

STATEMENT OF ACTIVITIES AND CHANGES IN NET ASSETS

FOR THE YEAR ENDED MARCH 31, 2013

UNRESTRICTED REVENUES	
Box office sales	$ 1,502,452
Merchandise and program sales	70,635
Fundraising revenues	1,936,393
Investment income	4,160
Donated services, materials and facilities - Note 4	1,894,254
Foundation grants, donations and corporate sponsorships	324,929
Grants and sponsorships - Note 5	375,000
Film submission and processing	54,620
Short film festival	282,197
Film society	152,765
Total unrestricted revenues	6,597,405
EXPENSES	
Program services	
Production costs	3,056,232
Festival events	310,799
Promotional expenses	1,136,757
Fundraising expenses	814,960
Total program services	5,318,748
Support activities	
General and administrative expenses	635,921
Interest expense	125
Depreciation and amortization expense	53,806
Cost of merchandise sales	36,013
Total support activities	725,865
Total expenses	6,044,613
INCREASE IN UNRESTRICTED NET ASSETS	552,792
NET ASSETS - BEGINNING OF YEAR	1,806,845
NET ASSETS - END OF YEAR	$ 2,359,637

The accompanying notes are an integral part of these financial statements.

PALM SPRINGS INTERNATIONAL FILM SOCIETY

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED MARCH 31, 2013

CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	$	552,792
Adjustments to reconcile change in net assets to net cash from operating activities:		
Depreciation and amortization expense		53,806
(Increase) decrease in assets:		
Accounts receivable		173,887
Inventory		(7,586)
Prepaid expenses		(5,056)
Deposits		259
Increase (decrease) in liabilities:		
Accounts payable and accrued expenses		(132,348)
Film submission deposits		(9,670)
Deferred revenue		71,025
Net cash provided by operating activities		697,109
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments for the purchase of property and equipment		(14,907)
Sale of investments		109,151
Net cash provided by investing activities		94,244
NET INCREASE IN CASH		791,353
CASH - BEGINNING OF YEAR		1,261,618
CASH - END OF YEAR	$	2,052,971
CASH IS INCLUDED IN THE ACCOMPANYING FINANCIAL STATEMENTS AS FOLLOWS:		
Current assets - Cash	$	1,326,721
Other assets - Cash - Board designated endowment		726,250
	$	2,052,971
SUPPLEMENTAL INFORMATION		
Cash paid during the year for interest	$	125
Non-cash donations of services, materials and facilities - Note 5	$	1,894,254

The accompanying notes are an integral part of these financial statements.

PALM SPRINGS INTERNATIONAL FILM SOCIETY

NOTES TO FINANCIAL STATEMENTS

MARCH 31, 2013

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Film Society

Palm Springs International Film Society (the Film Society), a nonprofit corporation in existence since June 1989, was organized exclusively for charitable purposes to promote film festivals and related activities in the City of Palm Springs and surrounding areas, and to provide a wide variety of film experiences and educational programs to the people of the Coachella Valley and its visitors.

Accounting Method

The financial statements of the Film Society are prepared using the accrual method of accounting.

Net Asset Accounting

To assure observance of limitations and restrictions placed on the use of resources available to the Film Society, the accounts are maintained in accordance with the principles of fund accounting. This is the procedure by which resources are classified for accounting and reporting purposes into funds established according to their nature and purpose. Separate accounts are maintained for each fund; however, in the accompanying financial statements, funds that have similar characteristics have been combined into fund groups. Accordingly, all financial transactions have been reported by fund group. The Film Society is required to report information regarding its financial position and activities according to three classes of fund groups (net assets) as follows:

Unrestricted Net Assets represent all resources over which the Board of Directors has discretionary control for use in operating the Film Society, as well as all property, plant and equipment of the Film Society.

Temporarily Restricted Net Assets represent those resources that are received with temporary stipulations that limit the use of the assets. When a restriction expires, that is, the purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions. There are currently no temporarily restricted funds.

Permanently Restricted Net Assets represent funds that are subject to permanent restriction by the donor requiring that the principal be invested and only the income be used for operations. (See Note 3)

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Cash and Cash Equivalents

For the purpose of financial statement reporting, the Film Society considers all highly liquid investments with maturities of three months or less to be considered cash equivalents.

Inventory

Inventory, consisting of saleable memorabilia, is valued at the lower of cost or market. The first-in, first-out method (FIFO) is used to determine the cost.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Property, Equipment and Improvements

Property, equipment and improvements are carried at cost, or, in the case of donated assets, at market value, on the date of donation and are depreciated using the straight-line and accelerated methods based on the estimated useful lives of the various classes of assets ranging from 5 to 7 years. Expenditures for maintenance and repairs are charged to operations as incurred. Betterments and renewals greater than $600 are capitalized.

Revenue Recognition

Contributions are recognized when the donor makes an unconditional promise to give to the Film Society. Contributions that are restricted by the donor are reported as increases in unrestricted net assets if the restrictions expire in the fiscal year in which the contributions are recognized. All other donor-restricted contributions are reported as increases in temporarily or permanently restricted net assets depending on the nature of the restrictions. When the restrictions expire, temporarily restricted net assets are reclassified to unrestricted net assets.

Fair Value of Instruments

The carrying value of the Film Society's financial instruments is considered to approximate the fair value. Cash and accrued liabilities are settled so close to the balance sheet that the fair value does not differ significantly from the stated amounts.

Income Taxes

The Film Society is a not for profit Film Society that is exempt from federal income taxes under Internal Revenue Code Section 501(c)(3) and from California franchise taxes under related state tax regulations and classified by the Internal Revenue Service as other than a private foundation. The Film Society may be subject to tax on income from any unrelated business operations. The Film Society does not currently have any unrelated business operations.

The Film Society's policy is to record income tax related interest and penalties in operating expenses. For the year ended March 31, 2013 there was no interest or penalties expense recorded and no accrued interest and penalties.

The Film Society's Forms 990, Return of Organization Exempt from Income Tax, are subject to examination by the IRS, generally for three years after they are filed. The Film Society's Forms 199, California Exempt Organization Annual Information Return, are subject to examination by the Franchise Tax Board, generally for four years after they are filed.

Grants and Corporate Sponsorships

The Film Society records income from unrestricted grants and corporate sponsorships in the period designated by the grantor or corporate sponsor. Grants and sponsorships received prior to the period designated by the grantor or corporate sponsor are recorded as deferred revenue.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Contributed Services and Goods

A substantial number of unpaid volunteers have made significant contributions of their time to develop programs and to assist with festival activities. The value of these services is not reflected as contributions in the accompanying financial statements because no objective basis was available to measure the fair value of such services at the date of donation.

Services or materials received that (a) create or enhance long-lived assets, or (b) require specialized skills provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation are reflected as revenue and expense in the accompanying financial statements, calculated at fair value at the date of the donation.

Functional Allocation of Expenses

Expenses by function have been allocated among program and support service classifications on the basis of actual expenses, time records, and on estimates made by the Film Society's management.

Advertising

Advertising costs are charged to operations when incurred.

Concentration of Risk

The Film Society maintains cash and cash equivalents with various banking and investment institutions. The balances are FDIC insured for up to $250,000 or to the value of the account if the account is non-interest bearing. At various times throughout the year the Film Society maintained balances in excess of the federally insured limits.

Subsequent Events

The Palm Springs International Film Society evaluated subsequent events as of June 10, 2013 when the financial statements were authorized and available to be issued. No subsequent events or transactions were identified after March 31, 2013 or as of June 7, 2013 that require disclosure to the financial statements.

NOTE 1: ACCOUNTS RECEIVABLE

Accounts receivable balances are comprised of the following for the year ended March 31, 2013:

Accounts receivable	$ 251,095
Without A Box Film Submissions	30,027
	281,122
(Less) Allowance for Doubtful Accounts	(1,500)
Net Accounts Receivable	$ 279,622

NOTE 2: UNRESTRICTED ENDOWMENT FUND

During the year ended March 31, 2006, the Board of Directors established a fund to separate Board designated endowment amounts from other unrestricted funds. At March 31, 2013 the balance of the endowment fund account was $726,250. The purpose of the endowment is to set aside reserve funds with only the earnings thereon to be used to aid in subsidizing future operations of the Film Society, as needed. Upon Board of Directors' approval, the principal balance may be used for operations of the Film Society.

NOTE 3: PERMANENTLY RESTRICTED NET ASSETS

During the year ended March 31, 1995, the Film Society received a pledge of $20,000 to endow a trust account known as the Charles A. Craine Desert Palm Achievement Award. The income from the account was to be used to fund the costs associated with the annual award. This endowment asset is currently invested with Pacific Premier Bank.

NOTE 4: DONATED SERVICES, MATERIALS AND FACILITIES

During the year ended March 31, 2013, the Film Society received various donations of services, materials and facilities. Donations have been allocated to the functional expenses as follows:

Production Costs:	
Production - Administrative	$ 21,840
Delegates	745,297
Festival events	165,422
Labor & supplies	52,070
Rent	191,250
Board of Directors	1,469
	1,177,348
Promotional Expenses:	
Information processing	3,624
Other	699,345
	702,969
Fundraising Expenses:	
Sponsorship	13,937
	$1,894,254

NOTE 5: GRANTS

The City Council of the City of Palm Springs (City) approved grants for the Film Society totaling $375,000, for the City fiscal year ending June 30, 2013.

NOTE 6: OPERATING LEASES

The Film Society leases a copier under a 60 month operating lease agreement beginning October 2011 and ending September 2016. They also lease a postage machine under a 57 month operating lease agreement beginning October 2009 and ending June 2014. Rent expense from these operating leases totaled $11,083 for the year ended March 31, 2013.

The future minimum rental payments required under the operating leases at March 31, 2013 are:

2014	$ 11,084
2015	10,256
2016	9,980
2017	4,988
Total	$ 36,308

NOTE 7: EMPLOYEE BENEFIT PLAN

The Film Society adopted a 401(a) – Profit Sharing/401(k) standard retirement plan that covered all eligible employees who wished to participate. The Film Society match is optional and no matching contributions were provided by the Film Society for the fiscal years ended March 31, 2013 and 2012. Employee participation is optional. During the fiscal year ended March 31, 2013, five employees participated in the plan.

NOTE 8: RELATED PARTY TRANSACTIONS

The Film Society paid rent at a fair market value of $6,633 per month plus $20,094 triple net totaling $99,692 for the years ended March 31, 2013 and 2012 to a company owned by a member of the Board of Directors.

The Film Society paid $23,825 for the year ending March 31, 2013, for legal services to a company partially owned by a member of the Board of Directors.

The Film Society paid $117,368 for the year ended March 31, 2013, for vendor services to a restaurant owned by a member of the Board of Directors.

The Film Society paid $100,371 for the year ended March 31, 2013, for advertising to a company with an employee that is a member of the Board of Directors.

The Film Society uses the banking and payroll services of Wells Fargo Bank. An executive of Wells Fargo Bank is a member of the Board of Directors.

NOTE 9: DESIGNATED ENDOWMENTS

The Film Society's endowment consists of funds established for a variety of purposes. Its endowment includes both donor-restricted funds and funds designated by the Board of Directors to function as endowments. As required by generally accepted accounting principles, net assets associated with endowment funds, including funds designated by the Board of Directors to function as endowments, are classified and reported based on the existence or absence of donor-imposed restrictions. The Board of Directors of the Film Society has interpreted the Uniform Prudent Management of Institutional Funds Act (UPMIFA) as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the Film Society classifies as permanently restricted net assets (a) the original value of gifts donated to the permanent endowment, (b) the original value of subsequent gifts to the permanent endowment, and (c) accumulations to the permanent endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted funds that are not classified in permanently restricted net assets are classified as unrestricted and unrestricted board designated net assets until those amounts are appropriated for expenditure by the Film Society in a manner consistent with the standard of prudence prescribed by UPMIFA. In accordance with UPMIFA, the Film Society considers the following factors in making a determination to appropriate or accumulate donor-restricted funds: (1) the duration and preservation of the various funds, (2) the purposes of the donor-restricted funds, (3) general economic conditions, (4) the possible effect of inflation and deflation, (5) the expected total return from income and the appreciation of investments, (6) other resources of the Film Society, and (7) the Film Society's investment policies.

Designated Net Asset Composition by Type of Fund as of March 31, 2013 is as follows:

	Unrestricted Board Designated	Permanently Restricted	All Funds
Restricted Endowment Funds	$ 726,250	$ 20,000	$ 746,250

Changes in endowment net assets as of March 31, 2013 are as follows:

Endowment net assets, beginning of the year	$ 621,803	$ 20,000	$ 641,803
Contributions	100,000	-	100,000
Investment income	926	157	1,083
Net appreciation (depreciation)	3,521	-	3,521
Amounts appropriated for expenditure	-	(157)	(157)
Endowment net assets, end of the year	$ 726,250	$ 20,000	$ 746,250

PALM SPRINGS INTERNATIONAL FILM SOCIETY

SCHEDULE OF FUNCTIONAL EXPENSES

FOR THE YEAR ENDED MARCH 31, 2013

PROGRAM SERVICES	
PRODUCTION COSTS	
Theater	$ 347,844
Production administration	100,359
Wages	770,336
Contract labor	301,377
Payroll expenses	72,564
Employee benefits	135,340
Delegates	76,415
Short film festival	74,649
Production costs - donated - Note 4	1,177,348
	3,056,232
FESTIVAL EVENTS	
Festival parties	289,075
Volunteer party	1,687
Short film festival	20,037
	310,799
PROMOTIONAL EXPENSES	
Advertising	106,073
Public relations agent	98,799
Photography	12,000
Souvenir program	45,821
Web site	17,820
Short film festival	45,336
Promotional expenses - other	107,939
Promotional expenses - donated - Note 4	702,969
	1,136,757
FUNDRAISING EXPENSES	
Black tie gala	792,413
Special screenings	8,610
Fundraising expenses - donated - Note 4	13,937
	814,960
Total program services	$ 5,318,748

PALM SPRINGS INTERNATIONAL FILM SOCIETY

SCHEDULE OF FUNCTIONAL EXPENSES

FOR THE YEAR ENDED MARCH 31, 2013
(continued)

GENERAL AND ADMINISTRATIVE EXPENSES		
Wages	$	59,116
Contract labor		5,469
Payroll expenses		8,063
Employee benefits		15,038
Staff expenses		85,530
Office administration		55,841
Rent		99,692
Utilities		14,797
Telephone		36,706
Credit card discounts		65,391
Employee recruiting		9,710
Legal fees		23,825
Accounting and auditing		14,331
Short film festival		71,073
Prior year expenses		11,301
General and administrative expenses - other		60,038
		635,921
COST OF MERCHANDISE SALES		36,013
DEPRECIATION AND AMORTIZATION EXPENSE		53,806
INTEREST EXPENSE		125
Total support activities		725,865
Total expenses for program services and support activities	$	6,044,613

PALM SPRINGS INTERNATIONAL FILM SOCIETY
Slate of Officers 2010-2011

A. The Nominating Committee is proposing the Officers listed below for 2010-2011

Harold Matzner-Chairman (Two Year Term)
Jackie Lee Houston – Vice Chair (Two Year Term)
Jack Grundhofer – Vice Chair (Two Year Term)
David Baron- Vice Chair (Two Year Term)
John Wessman – Vice Chair (Two Year Term)
Kevin McGuire – Vice Chair (Two Year Term)
Marshall Gelfand – Treasurer (Two Year Term)
Ed Monarch – Parliamentarian (Two Year Term)
Sidney Craig – Secretary (Two Year Term)
John Pinkney-Assistant Secretary (Two Year Term)
Patrick Mundt – Assistant Secretary (Two Year Term)

B. Executive Committee Members proposed by the Chairman (All Officers are part of the Executive Committee)

David Ready – (Title Sponsor) (One Year Term)
JoAnn McGrath-(One Year Term)
Jim Casey-(One Year Term)
Helene Galen-(One Year Term)
Richard Ramhoff -(One Year Term)
Brian Shea-(One Year Term)

C. Proposed Board Member Reappointments three-year term

John Pinkney
Linda Shirvanian

D. Second Reading and vote of new Board Member appointment (s)

Ed Monarch

10:45 AM
03/30/10
Accrual Basis

Palm Springs International Film Fest.
Balance Sheet
As of March 31, 2010

	Mar 31, 10
ASSETS	
Current Assets	
Total Checking/Savings	336,670.15
Total Accounts Receivable	188,695.67
Other Current Assets	
1120 · Inventory Asset	31,997.46
1123 · Trust Account - PDNB	20,335.46
1126 · Merryll Lynch Security Account	57,503.00
Total 1401 · Deposits	4,295.00
Total 1402 · Prepaids	102,757.86
Total Other Current Assets	216,888.78
Total Current Assets	742,254.60
Total Fixed Assets	256,969.27
Other Assets	
Total 1124 · Endowment Acounts	506,573.90
Total 13 · Deferred Assets	7,345.81
Total Other Assets	513,919.71
TOTAL ASSETS	1,513,143.58
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Total Accounts Payable	59,498.80
Other Current Liabilities	
Total 2104 · WAB Film Entries-sf nxt yr	97,085.00
Total 2107 · PPD-Customer pre-pays	4,060.00
Total Current Liabilities	160,643.80
Total Liabilities	160,643.80
Equity	
3250 · NTI Trust Fund	20,000.00
3900 · Retained Earnings	594,785.68
3950 · Board Restricted Endowment Fund	528,803.63
Net Income	208,910.47
Total Equity	1,352,499.78
TOTAL LIABILITIES & EQUITY	1,513,143.58

9:10 AM
03/30/10
Accrual Basis

Palm Springs International Film Fest.
PROPOSED BUDGET
APR '10-MAR'11

	Proposed Budget Apr '10 - Mar '11	ACTUAL Apr '09 - Mar 10
Income		
4 · Revenues	$400,000	$400,000
41 · Cash Donations		
Total 4101 · Government Grants	350,000.00	350,000.00
4102 · Corporate Sponsor	250,000.00	279,500.00
4103 · Foundation Grants	40,000.00	40,000.00
4104 · Friends/Annual Campaign	15,000.00	14,859.00
Total 4108 · Consulates	50,000.00	60,227.58
Total 4110 · Restricted Contribution	25,500.00	29,647.20
Total 41 · Cash Donations	730,500.00	774,233.78
42 · Fund Raising Revenues		
Total 420 · Gala Awards	1,030,000.00	1,197,610.00
43 · Box Office Sales		
Total 4302 · Ticket Sales	542,500.00	537,006.34
Total 4303 · Passes	460,400.00	435,150.00
Total 4304 · Group Sales	110,000.00	104,958.00
Total 4306 · Gift Certificates	0.00	200.00
43071 · Opening-Film & Party	36,000.00	36,840.00
43072 · Closing Screening	34,000.00	32,800.00
Total 43 · Box Office Sales	1,182,900.00	1,146,954.34
Total 44 · Film Society Revenues	80,000.00	79,639.00
Total 45 · Merchandise Sales	32,800.00	33,933.00
Total 46 · Sales Revenue	35,400.00	35,881.50
49 · Financial & Misc. Income		
Total 4901 · Interest Income	15,000.00	15,053.39
Total 4902 · Film Submission Fees	27,500.00	27,865.00
Total 4909 · Miscellaneous Income	18,150.00	18,161.00
Total 49 · Financial & Misc. Income	60,650.00	61,079.39
Total 4 · Revenues	**3,152,250.00**	**3,329,331.01**
6 · Short Film Fest Revenues		
6102 · Corporate Sponsors	20,000.00	17,500.00
6104 · Major Gifts	0.00	1,827.00
6105 · Restricted Consulate Contributi	1,800.00	0.00
6106 · SF-Dedicated Contibution	2,500.00	2,926.69
Total 61 · Cash Donations-sf	24,300.00	22,253.69
63 · Box Office Sales-sf		
Total 6302 · Ticket Sales	34,670.00	34,546.50
Total 6303 · Insider Pass Sales	12,000.00	11,960.00
6306 · Market Passes	600.00	600.00
6307 · Industry Badge	9,000.00	9,200.00
Total 63 · Box Office Sales-sf	73,270.00	73,001.50
Total 64 · Festival Events-sf	9,990.00	9,744.00
Total 62 · Total ShortFest box office	83,260.00	82,745.50
Total 65 · Merchandise Sales-sf	2,000.00	2,368.02
Total 66 · Film Submission Fees-sf	92,500.00	82,485.00
Total 69 · Financial & Misc. Income-sf	7,700.00	9,746.00
Total 6 · Short Film Fest Revenues	**209,760.00**	**199,598.21**
Total Income	3,362,010.00	3,528,929.22
Cost of Goods Sold	19,238.40	21,862.77
Gross	**3,342,771.60**	**3,507,066.45**
Expense		
5 · Total Expenses		
51 · Cost of Production		
Total 5101 · Theater Expenses	407,050.00	398,719.25
Total 510111 · Delegates Expenses	66,700.00	67,410.54
Total 5102 · Festival Events	173,500.00	199,066.77
Total 5103 · Promotional Expenses	375,800.00	370,356.19

Palm Springs International Film Fest.
PROPOSED BUDGET
APR '10-MAR'11

	Proposed Budget Apr '10 - Mar '11	ACTUAL Apr '09 - Mar 10
Total 5104 · Cost of Sponsorship	5,750.00	8,260.81
Total 5105 · Fundraising Expenses	651,000.00	651,817.39
Total 51 · Cost of Production	1,679,800.00	1,695,630.95
Total 5106 · Other Programs	16,900.00	12,659.02
Total 5 · Total Expenses	1,696,700.00	1,708,289.97
52 · General & Administrative		
5201 · Payroll		
Total 520111 · Annual Staff	422,050.00	406,249.92
Total 520112 · Seasonal Staff-FF	81,100.00	71,720.01
Total 520113 · Festival Staff-Theater-FF	113,950.00	110,351.34
Total 52012 · Employee Benefits	56,200.00	52,427.68
Total 52013 · Payroll Taxes	60,000.00	59,100.60
5211831 · Auto Allowance	2,000.00	1,650.00
5211832 · Staff Housing	42,000.00	40,781.72
5211833 · Cell Phone Allowance	2,400.00	2,200.00
5211834 · Utility Reimb.	1,200.00	252.66
5211836 · Payroll Processing Fees	4,000.00	3,973.84
Total 5201 · Payroll	784,900.00	748,707.77
Total 520119 · Festival Staff/Contract Labor	290,500.00	278,373.58
Total 5202 · Staff Expenses	65,800.00	67,035.27
Total 5203 · Office Supplies	42,000.00	43,677.02
Total 5204 · Utilities	13,500.00	14,092.52
Total 5205 · Telephone Expenses	32,400.00	33,349.05
Total 5206 · Other Administrative Exps.	126,091.60	125,942.58
Total 52 · General & Administrative	1,355,191.60	1,311,177.79
59 · Finance & Other		
Total 5901 · Taxes	10,030.00	7,846.39
Total 5902 · Financial Expenses	45,100.00	49,990.67
5904 · Accounting Audit	11,500.00	11,500.00
Total 5905 · Legal	8,500.00	9,495.50
Total 59 · Finance & Other	75,130.00	78,832.56
7 · Short Fest Expenses		
71 · Cost of Production-sf		
Total 7101 · Theater Expenses-sf	52,000.00	51,004.17
Total 710111 · Delegate Expenses-sf	32,650.00	29,246.68
Total 7102 · Festival Events-sf	20,000.00	20,068.40
Total 7103 · Promotional Expenses-sf	40,450.00	35,563.57
Total 7104 · Cost of Sponsorship-sf	2,550.00	2,322.31
Total 71 · Cost of Production-sf	147,650.00	138,205.13
72 · Gen & Administrative Expenses-s		
Total 7201 · Payroll-sf	49,200.00	43,345.50
Total 74 · Ticketing-sf	1,300.00	1,299.90
Total 72 · Gen & Administrative Expenses-s	50,500.00	44,645.40
75010 · Volunteer Party	1,500.00	1,176.10
Total 79 · Finance & Other-sf	16,100.00	16,166.08
Total 7 · Short Fest Expenses	**215,750.00**	**200,192.71**
Total Expense	**3,342,771.60**	**3,298,493.03**
Net	0.00	208,573.42

IMPORTANT!

PALM SPRINGS INTERNATIONAL FILM FESTIVAL

MEMO

TO:	FROM:
PSIFF Board Members	Cynthia Escarpita
FAX NUMBER:	DATE:
Delivered Electronically	3/5/2010
RE:	TOTAL NO. OF PAGES INCLUDING COVER:
Combined Meeting	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

PSIFF BOARD MEMBERS:

The next PSIFF meeting is scheduled for;

Date: Monday, March 8, 2010
Time: 8:30 A.M.
This is a Combined Executive and Full Board Meeting
Location: **Spencer's Restaurant**
Upstairs Room
701 W. Baristo Rd.
Palm Springs, CA
(760) 327-3446

Thank you. Look forward to seeing you there.

181 S. CIVIC DRIVE SUITE 1 •PALM SPRINGS CA 92262
PH 760.320.7404 EMAIL ccescarpita@hnmgroup.com FAX
760.322.2043

PALM SPRINGS INTERNATIONAL FILM SOCIETY
COMBINED COMMITTEE MEETING
Monday, March 8, 2010-8:30A.M
Spencer's-701 W. Baristo Rd., Palm Springs

1) Call to order-HM
    a. Convene as and Executive Committee
2) Approval of Executive Committee Minutes- HM
    a. February, 2, 2010
3) Discussion
4) Adjourn as an Executive Committee and Reconvene as a Full Board
5) Call to Order of Full board
6) Approval of Full Board Minutes- February 2, 2010
7) Finance Committee- Rhea Lewis Woodson/Harold Matzner
    a. Discussion of general financial condition
8) Chairman's Comments
    a. Festival of Short Films – June 22-28, 2010
    b. Board Member Resignation- Dick Taylor
    c. Sponsorship Outlook
    d. Damage at Palm Canyon Theatre - SPEAKERS
    e. Education-Discussion
    f. Selection of Agency
9) Nominating Committee – John Wessman
    a. Proposed Slate of Officers for 2010-2011
    b. Executive Committee Members for 2010-2011
    c. Proposed New Board Member
        i. Ed Monarch- Second Reading
    d. Proposed Board Member re-appointments
10) Awards Gala- Jackie Lee Houston and Harold Matzner lead discussion.
    a. Awards Gala 2011, Saturday, Jan. 8, 5p.m.
    b. Opening Night 2011, Thursday Jan 7, 6p.m
    c. Closing Night 2011, Sunday, Jan 16h

PALM SPRINGS INTERNATIONAL FILM SOCIETY
COMBINED COMMITTEE MEETING
Monday, March 8, 2010-8:30A.M
Spencer's-701 W. Baristo Rd., Palm Springs

11) Theatres- Harold Matzner and Darryl Macdonald

12) Sponsorships & Development- Dominique Shwe

13) Film Society Discussion – Harold Matzner

14) Executive Director's Report – Darryl Macdonald

15) Old Business

16) New Business

17) Next Meeting

18) Adjournment

Palm Springs International Film Society
Executive Committee Meeting
February 1, 2010 8:00 a.m.
Spencer's Bougainvillea Room
701 W. Barlsto Rd, Palm Springs

Present:
David Baron, Sidney Craig, Helene Galen, Marshall Gelfand, Jackie Lee Houston, Harold Matzner, Kevin McGuire, Patrick Mundt, Richard Ramhoff, David Ready, Brian Shea, Dominique Shwe, John Wessman

Also Present:
Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Christina Sasse, Dawn Vargo

Not Present:
Jim Casey, Jack Grundhofer, JoAnn McGrath, John Pinkney

Harold Matzner, Chairman, convened the Executive Committee Meeting at 8:03 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of December 7, 2009. On a **MOTION by Kevin McGuire, SECONDED by Brian Shea, the Executive Committee minutes of Monday, December 7, 2009 were unanimously approved.**

Marshall Gelfand delivered the Finance Committee report by stating that the Festival expects to have a surplus in the budget after the 2010 Festival. A detailed report will be given at the next meeting. A general discussion followed. Topics such as the increased cost experienced by the decrease in the Agua Caliente Tribe's sponsorship as well as additional needed expenses for the Awards Gala were discussed. The Film Festival's over all financial position is good.

John Wessman delivered the Nominating Committee Report. The Nominating Committee presented the resume of Ed Monarch, Mayor of Indian Wells to the Executive Committee for review as a Board Member.

Harold Matzner delivered the Chairman's Report sharing some overall remarks about the festival. Among them, was a comment of adding the $25,000 and $20,000 price point for the Awards Gala Tables. Mr. Matzner then went around the room and asked for feedback on the Film Festival, good and bad from each member in attendance. A positive and energetic discussion took place.

The next meeting of the Executive Committee will be on Monday, March 8th.
As there were no further business the meeting was adjourned at 8:55 a.m.

Respectfully submitted,
Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

Palm Springs International Film Society
Board of Directors Meeting
February 1, 2010, 9:00 a.m.
Spencer's Bougainvillea Room
701 W. Baristo Rd, Palm Springs

Present:
David Baron, Stephen Breimer, Jim Bruner, Sidney Craig, Fritz Frauchiger, Helene Galen, Marshall Gelfand, Jackie Lee Houston, Jim Hummer, Mary Ann LaBahn, Harold Matzner, JoAnn McGrath, Kevin McGuire, Patrick Mundt, Cydney Osterman, Mark Palmer, Richard Ramhoff, David Ready, Madeline Redstone, Lois Schlect, Brian Shea, Dominique Shwe, John Wessman, Judy Vossler

Also Present:
Harriet Baron, Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Christina Sasse, Dawn Vargo

Not Present:
Mark Adams, Cynthia Berenson, Jim Casey, Michael Childers, Bob Deville, John Fowler, Jack Grundhofer, Tim Hanlon, Michael Hutchison, Michelle Krans, Haddon Libby, Lee Morcus, Muriel Myerson, John Pinkney, Jack Scalia, Linda Shirvanian, Dick Taylor

Harold Matzner, Chairman, convened the Board of Directors Meeting at 8:55 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of December 7, 2009. On a **MOTION by Kevin McGurie, SECONDED by Madeline Redstone, the Board minutes of Monday, December 7, 2009 were unanimously approved.**

Before introducing the first cut of the Palm Springs International 2010 Film Festival highlights reel, Chairman, Harold Matzner welcomed Cydney Osterman to her first Film Festival Board Meeting. The highlight reel DVD was shown and received with major applause. Mr. Matzner told the Board that every member should be very proud what the Film Festival Board has accomplished. He announced that next year the date of the Awards Gala will be on a Saturday, January 8th 2011... allowing the attendance to increase by a minimum of 200.

Marshall Gelfand delivered the Finance Committee report stating that the Festival expects to have a surplus and finish solidly in the "black" this Fiscal year. A detailed report will be given at the next meeting. A general discussion followed. Topics such as the increased cost for Opening Night and the Awards Gala as well as details about individual sponsorships were discussed.
The Film Festival's over all financial position is good.

Mr. Matzner reported that the Awards Gala set a new record with revenue of more than 1,100,000 and a profit of between and $550,000-$600,000. Rhea Lewis Woodson was asked to bring a detailed report of the Awards Gala

revenue and profit to next month's meeting. Mr. Matzner described the Awards Gala revenue and the amazing press from the event as unprecedented.

John Wessman delivered the Nominating Committee Report. The Nominating Committee presented the resume of Ed Monarch, Mayor of Indian Wells to the Board for review as a Board Member.

Dominique Shwe delivered the Sponsorship Committee Report. Sponsorships exceeded both budget and the previous year as a result of an increase in the Cartier sponsorship and the full funding of the $50,000 cash portion of the Mercedes sponsorship plus a new $50,000 cash sponsorship from the CVA.

Harriet Baron continued to build sponsorship revenue from international consulates reaching a total from all countries of $56,300 with $17,000 coming from Australia. In addition Penfolds, an Australian wine, provided all of the Festival's wine almost 300 cases worth in the range of $20,000 to $25,000 putting international support at $76,000. Cranberry Raisinets a $10,000 new cash sponsorship was very popular with the Festival audience providing chocolate covered cranberries for the audience at the Palm Canyon Theatre throughout the Festival. Diageo funded $25,000 in spirits, all of the wine and alcohol was fully funded. The sponsorship committee is already preparing presentations to Best Buy, American Express and US Bank for next year.

Mrs. Jackie Lee Houston delivered the Awards Gala Committee Report. Mrs. Houston felt that this was our best Gala. She also commented on what a great plus it was to have Shari Kelley help with the décor. Mrs. Houston was thanked for her leadership and hard work as the Chair of the Awards Gala.
A motion was made to send the January 2011 invitations out five weeks before the event with or without the honorees and to include the $25,000 and $20,000 cost for tables and $2,500 and $2,000 individual seats. **The motion was made by Helene Galen, seconded by Kevin McGuire and unanimously approved.**

Several board members commented on their experience at the Gala.. all comments were extremely favorable and complimentary of Mrs. Houston as well as Richard DeSantis and his production staff.

A general discussion took place about the different levels of passes and about the invitations to special parties that all board members are entitled to attend. Mr. Matzner then clarified that Board Membership does not guarantee or grant a Board Members two tickets to the Awards Gala, Opening or Closing Night.

Darryl Macdonald delivered the *Executive Director's Report*. Mr. Macdonald added to the previously stated success of the 2010 Festival. He also shared that of the over 500 responses to the written survey that have been received, the feedback was extremely positive. He complimented the volunteers and the volunteer coordinator Holly Copeland. Several of board members added additional comments to both Holly and her tremendously helpful and enthusiastic army of volunteers, stating that the volunteers really make the

experience at the theatres a positive one. Several board members complemented Mr. Macdonald on his leadership of the Film Festival's programming and the management of the theatres. John Wessman complimented Mr. Macdonald on the growth of the Film Society which is now solidly over 1,000 members.

The next official meeting of the Board of Directors will be held on Monday, March 8th.

As there was no further business the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

PALM SPRINGS INTERNATIONAL FILM SOCIETY
Slate of Officers 2010-2011

A. The Nominating Committee is proposing the Officers listed below for 2010-2011

Harold Matzner-Chairman (Two Year Term)
Jackie Lee Houston – Vice Chair
Jack Grundhofer – Vice Chair
John Wessman – Vice Chair
Kevin McGuire – Vice Chair
Marshall Gelfand – Treasurer
David Baron – Parliamentarian
Sidney Craig – Secretary
John Pinkney – Assistant Secretary
Patrick Mundt – Assistant Secretary

B. Executive Committee Members proposed by the Chairman
(All Officers are part of the Executive Committee)

David Ready – (Title Sponsor)
JoAnn McGrath
Jim Casey
Helene Galen
Richard Ramhoff
Brian Shea

C. Proposed Board Member Reappointments two-year term

John Pinkney
Linda Shirvanian

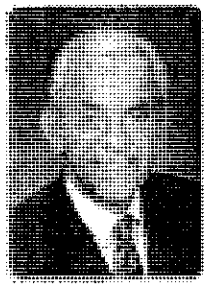
D. Second Reading and vote of new Board Member appointment (s)

Ed Monarch

The PSIFF Nominating Committee proposes Mr. Ed Monarch as a Board Candidate.

Enclosed please find Mr. Ed Monarch's resume.

Ed Monarch, Mayor - Elected 1997, Current Term of Office 2010



ED MONARCH
Mayor

A City Council member since 1997, Council Member Ed Monarch served as Mayor in 2005-2006 and in 2000-2001, and as mayor pro tem from 1999-2000. He was first elected to the council in March 1997 to fill an unexpired term, and was re-elected in 1998. In November 2001, he was again re-elected to serve a four-year term. He began his service to Indian Wells as a member of the Planning Commission.

He is a member of the Board of Directors of the Indian Wells Town Hall Speaker Series and served as president in 2006-07. He is Vice President of the Palm Springs Art Museum, a Trustee of the McCallum Theatre, and serves on the Board of Directors of the Betty Ford Center, as well as a member of their Chairman's Council. He also is a member of the Board of Sunline Transit.

Council Member Monarch currently serves on the Indian Wells Marketing Committee, is a member and past chairman of the Cove Communities Services Commission and is a member of the City of Indian Wells Finance Committee.

A retired businessman, he owned groups of retail stores in several Mid-Atlantic States. Council Member Mouarch holds a bachelor's degree in business administration from Pennsylvania State University. He and his wife Ellen have lived in Indian Wells since 1992.

Palm Springs International Film Festival
Executive Director's Report
March 8, 2010

1. Initiatives for the Coming Fiscal Year

We are currently in planning mode for the coming year, drawing up a proposed budget that encompasses our 2010/11 Festivals, Staff, Membership, Outreach and Educational Program plans, while reflecting the anticipated income and expense changes for the coming year. We are planning for no increase in overall bottom line expenses. Among the key plans under discussion:

a) Expanded Educational Programs – following up on last year's film screenings with guest speakers at high schools throughout the Coachella Valley, the Film Society will seek to expand these programs to more Valley schools, and work with administrators to encourage more classes at each school to participate in the program. After doubling student audiences at this year's Festival, we will repeat our Screenings for Students Day at the 2011 PSIFF
b) The Film Society will mount a monthly series of screenings with guest speakers at the Rancho Mirage Public Library, following up on our 2009/10 success there. The program's focus on a 'behind the scenes' look at various filmmaking crafts. FRMPL is underwriting the series for an increased monthly fee of $1,600 this year.
c) Palm Springs ShortFest will again be staged in late June (June 22 – 28, 2010), both to capitalize on the larger audience in town at that time of year, and to provide the staff with two more months to focus our efforts primarily on the planning and fundraising for January's PSIFF. Current submissions for ShortFest are running considerably ahead of last year's.
d) The Film Society will again mount a Fall Members' screening series at the Palm Canyon Theatre, focusing on a specific genre of classic films and featuring post-screening discussions with the audience. We are currently considering a shortlist of available films and topics.
e) PSIFF 2011 – Following the same plan as this year's Festival, the dates for next year's event will be January 6 - 17. The Awards Gala will be held on Saturday, January 8, with Student Screening Day on January 5, and the Opening Night Gala on Thursday, January 6. Best of the Fest day will be Monday, January 17 (Martin Luther King Day).

2. Palm Springs International ShortFest

This year's ShortFest will run June 22 – 28, 2010. ShortFest '09 yielded **4** Oscar nominees: Kavi, Miracle Fish, Granny O'Grimm's Sleeping Beauty and French Roast., bringing to **69** the number of Oscar Nominated shorts that have emerged from Palm Springs ShortFest. Oscar Pool tip: "Miracle Fish" is currently the current front runner in the Live Action Short Film category among those in the know.

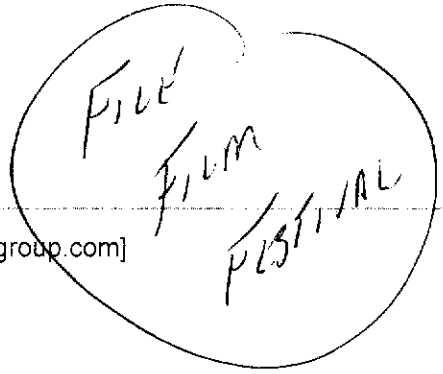
3. Membership

Current membership as of 2/26/10 is at 1,088, with YTD income at $71,050. This compares with 972 members on 2/26/09 and income of $74,795.

FILM FESTIVAL
CITY CONTRIBUTIONS

FILE/
FILM FESTIVAL

99-00	150,000
00-01	150,000
01-02	250,000
02-03	150,000
03-04	700,000
04-05	700,000
05-06	700,000
06-07	700,000
07-08	350,000
08-09	400,000
09-10	400,000
	4,650,000



Jan Truscott

From: Cynthia Escarpita [cescarpita@hnmgroup.com]
Sent: Wednesday, June 02, 2010 4:50 PM
To: David Ready
Cc: Lee Weigel; Jan Truscott
Subject: On Behalf of Harold Matzner
Attachments: PSIFF BOARD.doc

David,

This year members of the Board of Directors of the Palm Springs Film Festival gave or raised approximately $1,000,000 towards the cost of the Awards Gala and the Festival.

-Harold Matzner

Office of Harold Matzner ; desk 760-320-7404 | mobile 760-534-9647

PSIFF BOARD MEMBERS

ADAMS, MARK C

BARON, DAVID

BERENSON, CYNTHIA

BREIMER, STEPHEN

BRUNER, JAMES

CASEY, JIM

CHILDERS, MICHAEL

CRAIG, SIDNEY

DEVILLE, BOB

FOWLER, JOHN

FRAUCHIGER, FRITZ

GALEN, HELENE

GELFAND, MARSHALL

GRUNDHOFER, JACK

HANLON, TIM

HOUSTON, JACKIE LEE

HUMMER, JIM

KRANS, MICHELLE

LABAHN, MARY ANN

LIBBY, HADDON

MATZNER, HAROLD

McGRATH, JoANN
McGUIRE, KEVIN
MONARCH, ED
MORCUS, LEE
MUNDT, PATRICK
MYERSON, MURIEL
OSTERMAN, CYDNEY
PALMER, MARK
PINKNEY, JOHN
RAMHOFF, RICHARD
READY, DAVID
REDSTONE, MADELINE
SCALIA, JACK
SCHLECHT, LOIS
SHEA, BRIAN
SHIRVANIAN, LINDA
SHWE, DOMINIQUE
VOSSLER, JUDY
WESSMAN, JOHN

PSIFF BOARD MEMBERS

ADAMS, MARK C

BARON, DAVID

BERENSON, CYNTHIA

BREIMER, STEPHEN

BRUNER, JAMES

CASEY, JIM

CHILDERS, MICHAEL

CRAIG, SIDNEY

DEVILLE, BOB

FOWLER, JOHN

FRAUCHIGER, FRITZ

GALEN, HELENE

GELFAND, MARSHALL

GRUNDHOFER, JACK

HANLON, TIM

HOUSTON, JACKIE LEE

HUMMER, JIM

KRANS, MICHELLE

LABAHN, MARY ANN

LIBBY, HADDON

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McGRATH, JoANN
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MYERSON, MURIEL
OSTERMAN, CYDNEY
PALMER, MARK
PINKNEY, JOHN
RAMHOFF, RICHARD
READY, DAVID
REDSTONE, MADELINE
SCALIA, JACK
SCHLECHT, LOIS
SHEA, BRIAN
SHIRVANIAN, LINDA
SHWE, DOMINIQUE
VOSSLER, JUDY
WESSMAN, JOHN

FILE
FILM FES.

Executive Director's Report
Palm Springs International Film Society
April 5, 2010

General Overview – A proposed budget for the 2010/2011 Fiscal Year has been submitted to the Finance Committee for review and final recommendations. Viewing is progressing rapidly for Palm Springs ShortFest and Short Film Market, with the event's dates set for June 22 – 28, 2010. Submissions are well ahead of last year's totals, as of the equivalent submission deadlines. A report follows.

Sponsorship procurement and grant writing efforts are proceeding apace for FY 2010/11, with a number of proposals sent out to potential new PSIFF and ShortFest funders, while meetings intended to retain the support of past sponsors continue for both events. A report follows.

Our "Behind the Scenes" series of Film Society outreach programs funded by Friends of the Rancho Mirage Public Library is set for April 12, featuring Visual Effects Supervisor John Andrew Berton Jr. ("The Mummy", "Terminator 2", etc.).

Two member screenings are set for April at the Regal Theatre, and we continue to build on our original Membership goal of 1,000 members. The March/April issue of Cin-E-File has been published and sent to members, and is available on the website. A report follows.

Palm Springs International ShortFest – Our first ticket sales mailing was sent out April 2. In addition to our regular promotions to our email list, we are doing a special all-access, 3-day pass promotion with the Ace Hotel this year targeting tourism feeder markets (including LA, San Diego, Vegas, Phoenix and Orange County), through magazines and radio. The intent is to drive traffic to PS and build awareness of and attendance for ShortFest through new regional markets. Special promotions are also being set up through film schools at regionally located colleges and universities Submissions are running considerably higher for ShortFest this year (see below). As of the equivalent (regular) entry deadline in 2009, we had received 380 fewer shorts.

	3/30/2009	3/30/2010
Submissions -	2,003	2,386
Fees -	$81,790	$99,110

MembershipPrograms –

The Film Society's membership remains above the 1,000-member level, and continues to grow. Membership income has surpassed last year's year-end total. Current membership totals:

	3/30/2009	3/30/2010
Total Members -	1001	1,068
Total Income -	$78,918	$79,640

Membership Programs (cont'd)
We have two member screenings scheduled for April – "Mother and Child", featuring Naomi Watts, Samuel L. Jackson, David Morse and Annette Benning, on April 15, and "Casino Jack and the United States of Money", a documentary directed by Oscar Winner Alex Gibney about the Jack Abramoff scandals is set for April 27. Both screenings are at the Regal Cinemas Palm Springs 9. See the March/April edition of Cin-E-File for details at www.psfilmfest.org.

Sponsorships – 2010 ShortFest and 2011 PSIFF

Sponsorship solicitations and proposals for ShortFest 2009 and PSIFF 2011 are ongoing.

New ShortFest sponsors include The Consulate General of Australia ($5K) and SAG Indie ($3K). Returning ShortFest sponsors include Kodak ($5K), Stella Artois ($3K + product + printing of a pocket guide,) Luna Bars/Luna Fest ($1.2K) Panavision (a $60K camera package award), and Taurus Entertainment ($2.5K

Hospitality and reception sponsors for ShortFest total in-kind donations of more than $55,000, including reception sponsors and Hospitality Suite food suppliers. Special Event hosts include Wang's (Opening Night), the Ace Hotel, Toucan's, Trio, Tropicale, Spencer's and Top of the Chop. MAKEvisual, last year's ShortFest ad agency, has returned as the pro bono sponsor for this year's ShortFest poster, newsprint ad, theatrical and television trailer creative agency. For samples of their work, see www.makevisual.com

PALM SPRINGS INTERNATIONAL FILM SOCIETY
COMBINED MEETING AGENDA
Monday, April 5, 2010-8:30A.M
Spencer's-701 W. Baristo Rd., Palm Springs

1) Call Executive Committee to order at 8:30a.m.-Harold Matzner
2) Approval of Executive Committee Minutes- Harold Matzner
    a. March 8, 2010
3) Adjourn as an Executive Committee- Harold Matzner
4) Reconvene Full Board Meeting to order- Harold Matzner
5) Approval of Full Board Minutes-Harold Matzner
6) Finance Committee-Marshall Gelfand/Rhea Lewis Woodson
    a. Financial Condition
    b. Budget Approval
7) Volunteer Coordinator-Holly Copeland
    a. What our volunteers do
8) Chairman's Comments – Harold Matzner
    a. Overall Economic Condition
    b. Agency Review for January Festival
    c. Palm Canyon Theatre
9) Awards Gala Committee, Jackie Lee Houston
    a. Awards Gala- Saturday, Jan. 8th
        i. Dates of Golden Globes- Sunday, January 16, 2011
        ii. Dates of Academy Awards-Sunday, Feb. 27, 2011
10) Sponsorships & Development- Dominique Shwe
11) Executive Director's Report – Darryl Macdonald
    a. Short Fest update
12) Old Business
13) New Business
14) Next Meeting
    a. Monday, November 1, 2010
15) Adjournment

Palm Springs International Film Society
Minutes of the Combined Executive and Board Meetings
March, 8, 2010 8:30 a.m.
Spencer's Bougainvillea Room
701 W. Baristo Rd, Palm Springs

Present:
Stephen Breimer, Michael Childers, Sidney Craig, Bob Deville, Fritz Frauchiger, Helene Galen, Jackie Lee Houston, Jim Hummer, Harold Matzner, Kevin McGuire, Lee Morcus, Patrick Mundt, Muriel Myerson, Cydney Osterman, John Pinkney, David Ready, Madeline Redstone, Brian Shea, Dominique Shwe, Judy Vossler, John Wessman

Also Present:
Harriet Baron, Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Christina Sasse, Dawn Vargo

Not Present:
Mark Adams, David Baron, Cynthia Berenson, Jim Bruner, Jim Casey, Robert Dickey, Marshall Gelfand, John Fowler, Jack Grundhofer, Tim Hanlon, Michael Hutchison, Michelle Krans, Mary Ann LaBahn, Haddon Libby, JoAnn McGrath, Mark Palmer, Richard Ramhoff, Jack Scalia, Lois Schlecht, Linda Shirvanian, Dick Taylor

Harold Matzner, Chairman, convened the Executive Committee Meeting at 8:30a.m. A quorum being present, Mr. Matzner asked for approval of the Executive Committee minutes of February 1, 2010. On a **MOTION by Kevin McGuire, SECONDED by Helene Galen, the Executive Committee minutes of Monday, February 1, 2010 were unanimously approved.**

Mr. Matzner asked for a motion to adjourn as an Executive Committee. On a **Motion by Kevin McGuire, SECONDED by Brian Shea, the Executive Committee Meeting was adjourned.**

Harold Matzner, Chairman, convened the Board of Directors Meeting at 8:40a.m. A quorum being present, Mr. Matzner asked for approval of the Board of Director minutes of February 1, 2010. On a **Motion by MaryAnn LaBahn, Seconded by Jack Grundhofer, the Board of Directors minutes of Monday, February 1, 2010 were unanimously approved.**

Rhea Lewis Woodson delivered the Finance Committee report in the absence of Committee Chairman, Marshall Gelfand. The Film Festival's overall financial position is good. The P&L distributed was discussed. Mr. Matzner noted that the Awards Gala had a record breaking year and that the Festival staff deserves to be congratulated for keeping the Festival expenses under control. The Festival has a surplus of $218,000. The Awards Gala profit was $500,000. The budget will be presented at the April meeting.

Mr. Matzner announced the dates for the 2010 Festival of Short Films, June 22-28th and asked Executive Darryl Macdonald for comments on the Short Fest. Mr. Macdonald stated that submissions for the 2010 ShortFest are running ahead of last year. The June dates work much better for the Festival in terms of attendance and having additional time to implement plans for the January festival. Mr. Matzner commented that the Festival of Short Films (ShortFest) has, in addition to being an educational and industry event, become a tourism event and that the community has started to recognize it as such.

Mr. Matzner then moved on to announce and read the letter of resignation from board member, Dick Taylor. Mr. Taylor will be returning to live in Los Angeles on a full time basis. He will be missed and he was thanked for his contributions to the Festival. On a **Motion by Kevin McGuire, seconded by Jack Grundhofer the resignation of Board Member Dick Taylor was unanimously accepted.**

Mr. Matzner and Mr. Macdonald led a discussion about the Film Festival screening and audio equipment that is stored at the Palm Canyon Theatre. This is the second consecutive year that the Film Festival's equipment has been damaged by the theatre group that uses the theatre during the year. The Festival has a detailed agreement with the theatre group that clearly states they are not permitted to use the equipment. The discussion resulted in a motion. On a **Motion by Jim Hummer seconded by Lee Morcus the board unanimously voted to ask City Manager and Board Member David Ready to intervene in this matter.**

Mr. Macdonald was then asked to comment on the Film Festival Theatres. Mr. Macdonald stated that it would be a great asset to the Festival if the Plaza Theatre that is in downtown Palm Springs could be available to use during the January Festival. Mr. Ready will look into the availability of the Plaza Theatre. Mr. Macdonald was asked to look into the expense of creating one or two more theatres for the January Festival similar those used by Sundance.

Dominique Shwe delivered a brief sponsorship committee report stating that the sponsorship outlook is good; Cartier is under contract for one more year. Harriet Baron was asked to comment. Ms. Baron stated that Pennfolds will be back in the desert at the end of March to start discussions of sponsorship for 2011.

Mr. Matzner proceeded to read a letter from a Film Festival attendee to the board. The letter was extremely complimentary to Darryl Macdonald and the entire Film Festival staff. Mr. Macdonald added that the letters received have all been complimentary.

Mr. Macdonald commented on the success of the January 2010 Free Student Screening day. Mr. Macdonald shared that there are many new ideas in the works for next year's Student screening day.

John Wessman delivered the Nominating Committee Report. The Nominating Committee presented the resume of Ed Monarch, Mayor of Indian Wells to the Board for review as a Board Member. After a brief discussion, on a **Motion by Jim Hummer, SECONDED by Madeline Redstone, Ed Monarch was unanimously voted on as the newest Board Member and Parliamentarian.** The Nominating Committee presented the 2010-2011 Slate of Officers as follows: Harold Matzner-Chairman (Two Year Term); Jackie Lee Houston – Vice Chair (Two Year Term); Jack Grundhofer – Vice Chair (Two Year Term); David Baron- Vice Chair (Two Year Term); John Wessman – Vice Chair (Two Year Term); Kevin McGuire – Vice Chair (Two Year Term); Marshall Gelfand – Treasurer (Two Year Term); Ed Monarch – Parliamentarian (Two Year Term); Sidney Craig – Secretary (Two Year Term); John Pinkney-Assistant Secretary (Two Year Term); Patrick Mundt – Assistant Secretary (Two Year Term). On a **Motion by Jim Hummer seconded by Kevin McGuire the 2010-2011 Slate of Officers was unanimously approved.**

The Executive Committee Members were announced as follows, David Ready – (Title Sponsor) (One Year Term); JoAnn McGrath-(One Year Term); Jim Casey-One Year Term); Helene Galen-(One Year Term); Richard Ramhoff -(One Year Term); Brian Shea-(One Year Term). On a **Motion by Jim Hummer seconded by Madeline Redstone the Executive Committee members were unanimously approved.** Board Members John Pinkney and Linda Shirvanian were proposed for membership renewal. On a **Motion by Jack Grundhofer seconded by Kevin McGuire John Pinkey and Linda Shirvanian were each appointed to an additional three year term as board members.**

Jackie Lee Houston delivered the Awards Gala Committee report. Mrs. Houston commented that she was ready for the January 2011 Awards Gala. The date of the 2011 Awards Gala is Saturday, January 8th. Mrs. Houston commented that she liked Tuesday as the date of the Awards Gala however Saturday will give us more exposure. Also the closer the Awards Gala date is to January 1st the harder it is for celebrities to make themselves available for the Gala. The weekend date will result in greater attendance for the Gala and more revenue to the Festival and to the City.

Darryl Macdonald delivered a brief *Executive Director's Report*. He announced the current Film Society membership to be at 1,088 with year to date income of close to $80,000. The Film Society will mount a monthly series of screenings with guest speakers at the Rancho Mirage Public Library. Also the Society will again have a Fall Members' screening series at the Palm Canyon Theatre, focusing on a specific genre of classic films and featuring post-screening discussions with the audience.

The next official meeting of the Board of Directors will be held on Monday, April 5th. As there was no further business the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

Palm Springs International Film Fest.
PROJECTED Profit & Loss Budget vs. Actual
April 2009 through March 2010

	PROJECTED Apr '09 - Mar '10	2010 Budget	LAST YEAR Apr '08 - Mar '09
Income			
4 · Revenues			
41 · Cash Donations			
4101 · Government Grants			
Government Grants	350,000.00	350,000.00	350,000.00
Corporate Sponsor	277,500.00	250,000.00	253,900.00
Foundation Grants	40,000.00	40,000.00	45,000.00
Friends/Annual Campaign	14,834.00	15,000.00	12,761.34
Consulates	59,800.00	50,000.00	50,177.87
Restricted Contribution/Reimbursements	25,569.75	21,250.00	14,170.53
Total 41 · Cash Donations	767,703.75	726,250.00	726,009.74
42 ·Gala Revenues			
Gala Awards Revenues	1,197,610.00	1,004,400.00	1,037,825.00
43 · Box Office Sales			
Ticket Sales	536,958.34	486,000.00	483,073.11
Passes	435,950.00	437,500.00	410,245.00
Group Sales	104,958.00	110,000.00	93,859.00
Gift Certificates	200.00		
43071 · Opening-Film & Party	36,840.00	36,000.00	32,950.00
43072 · Closing Night	32,800.00	35,000.00	34,850.00
430732 - Closing Weekend Gala Reserved	0.00	0.00	47,650.00
43073 - Closing Weekend Gala General	0.00	0.00	21,350.00
43075 - member discount special	0.00	0.00	-25.00
Total 43 · Box Office Sales	1,147,776.34	1,104,500.00	1,123,952.11
44 · Film Society Revenues			
Total 44 · Film Society Revenues	78,429.00	80,000.00	78,963.00
45 · Merchandise Sales			
4501 · Apparel Sales	21,904.00		21,033.00
4502 · Poster Sales	1,942.00		789.00
4503 · Other Resale	10,321.00		12,779.00
4504 · Discount	-274.00		-353.00
45 · Merchandise Sales - Other	0.00	35,000.00	
Total 45 · Merchandise Sales	33,893.00	35,000.00	34,248.00
Total 46 · Sales Revenue	35,696.50	34,050.00	34,542.00
49 · Financial & Misc. Income			
Interest Income	15,053.39	17,500.00	15,439.64
Film Submission Fees	38,160.00	32,000.00	32,085.00
Miscellaneous Income	18,164.00	16,500.00	11,094.33
Total 49 · Financial & Misc. Income	71,377.39	66,000.00	58,618.97
Total 4 · Revenues	3,328,015.98	3,050,200.00	3,094,158.82
Total 6 · Short Film Fest Revenues	198,398.21	228,050.00	230,468.00
Total Income	3,526,414.19	3,278,250.00	3,324,626.82
Cost of Goods Sold			
Total COGS	18,906.67	16,650.00	23,490.64
Gross	3,507,507.52	3,261,600.00	3,301,136.18
Expense			
5 · Total Expenses			
51 · Cost of Production			
Theater Expenses	399,931.06	414,350.00	403,558.49
Delegates Expenses	66,973.65	65,800.00	64,951.02
Festival Events	197,260.74	146,000.00	146,725.72
Promotional Expenses	371,188.78	368,050.00	358,399.11
Cost of Sponsorship	5,817.10	4,765.00	5,347.04
Fundraising Expenses	649,820.07	626,365.00	628,287.56
Total 51 · Cost of Production	1,690,991.40	1,625,330.00	1,607,268.94
Total 5106 · Other Programs	12,646.07	15,650.00	6,135.37
Total 5 · Total Expenses	1,703,637.47	1,640,980.00	1,613,404.31

* $50,000 INCLUDED IN "GALA REVENUES"

Palm Springs International Film Fest.
PROJECTED Profit & Loss Budget vs. Actual
April 2009 through March 2010

	PROJECTED Apr '09 - Mar '10	2010 Budget	LAST YEAR Apr '08 - Mar '09
52 · General & Administrative			
5201 · Payroll			
Annual Staff	405,800.08	405,800.00	419,773.62
Seasonal Staff-FF	71,720.01	71,200.00	69,639.19
Festival Staff-Theater-FF	110,378.34	108,900.00	100,941.93
Total 52011 · Wages	587,898.43	585,900.00	590,354.74
52012 · Employee Benefits			
520121 · Medical Insurance	45,122.25	42,000.00	41,992.48
520134 · Workman's Comp Insurance	8,445.00	8,000.00	8,407.51
Total 52012 · Employee Benefits	53,567.25	50,000.00	50,399.99
Total 52013 · Payroll Taxes	56,507.53	60,000.00	58,234.64
5211831 · Auto Allowance	2,000.00	2,000.00	1,950.00
5211832 · Staff Housing	40,791.70	48,000.00	48,446.76
5211833 · Cell Phone Allowance	2,400.00	2,400.00	2,600.00
5211834 · Utility Reimb.	500.00	1,200.00	1,669.72
5211836 · Payroll Processing Fees	3,941.97	3,400.00	3,304.49
Total 5201 · Payroll	747,106.88	752,900.00	756,960.34
Total 520119 · Festival Staff/Contract Labor	279,563.08	288,500.00	267,475.66
Total 5202 · Staff Expenses	65,480.65	59,100.00	66,270.26
Total 5203 · Office Supplies	41,939.44	36,900.00	39,133.66
Total 5204 · Utilities	13,483.60	16,000.00	15,114.11
Total 5205 · Telephone Expenses	32,011.82	28,500.00	29,150.68
5206 · Other Administrative Exps.			
D&O Insurance	4,825.00	5,500.00	5,307.00
Insurance, Key Emp.	187.50		
Licenses/Permits	349.73	500.00	549.50
Contrib/Donations	50.00		
Dues & Subscriptions	6,265.16	4,500.00	5,810.93
Office Equipment Lease	6,826.93	7,000.00	7,560.80
Office Rent	98,191.60	93,640.00	75,532.00
Security/Alarm	883.96	1,000.00	652.73
Computer Consulting	7,089.00	6,500.00	5,192.38
Board Expenses	139.39	500.00	503.95
Reimbursed Expenses	550.00		
Total 5206 · Other Administrative Exps.	125,358.27	119,140.00	101,109.29
Total 52 · General & Administrative	1,304,943.74	1,301,040.00	1,275,713.00
59 · Finance & Other			
Total 5901 · Taxes	7,846.39	10,530.00	7,703.07
590201 · Credit Card Charges	38,009.49	43,000.00	53,084.83
590202 · Interest Expense	96.00	500.00	407.30
590203 · Bank Service Charges	877.08	1,000.00	1,252.54
590204 · Cash Over/Short	-574.74		164.42
590206 · Without a Box Charges	6,098.53	6,550.00	7,094.50
590211 · Fees	205.00	500.00	360.00
590214 · Prior Year Expense	6,779.77		4,568.07
590215 · Gain/Loss on sale/disposal of A	-443.00		
5904 · Accounting Audit	11,500.00	11,500.00	11,500.00
Total 5905 · Legal	9,495.50	18,000.00	13,841.64
Total 59 · Finance & Other	79,890.02	91,580.00	115,449.05
Total 7 · Short Fest Expenses	200,331.97	228,000.00	226,642.50
Total Expense	**3,288,803.20**	**3,261,600.00**	**3,231,208.86**
Net Income	**218,704.32**	**0.00**	**69,927.32**
Contigency	50,000.00		
Projected Surplus	**168,704.32**		

NOTE: Does not include Depreciation estimated at $60,000; or In-Kind contributions estimated at 2 million for 2010; nor 2009 depreciation of 55,609.33; inkind 1,956,531.92

IMPORTANT!

PALM SPRINGS INTERNATIONAL FILM FESTIVAL

MEMO

TO:	FROM:
PSIFF Board Members	Cynthia Escarpita
FAX NUMBER:	DATE:
Delivered Electronically	3/5/2010
RE:	TOTAL NO. OF PAGES INCLUDING COVER:
Combined Meeting	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

PSIFF BOARD MEMBERS:

The next PSIFF meeting is scheduled for;

Date: Monday, March 8, 2010
Time: 8:30 A.M.
This is a Combined Executive and Full Board Meeting
Location: **Spencer's Restaurant**
Upstairs Room
701 W. Baristo Rd.
Palm Springs, CA
(760) 327-3446

Thank you. Look forward to seeing you there.

181 S. CIVIC DRIVE SUITE 1 •PALM SPRINGS CA 92262
PH 760.320.7404 EMAIL cescarpita@hnmgroup.com FAX
760.322.2043

PALM SPRINGS INTERNATIONAL FILM SOCIETY
COMBINED COMMITTEE MEETING
Monday, March 8, 2010-8:30A.M
Spencer's-701 W. Baristo Rd., Palm Springs

1) Call to order-HM
    a. Convene as and Executive Committee
2) Approval of Executive Committee Minutes- HM
    a. February, 2, 2010
3) Discussion
4) Adjourn as an Executive Committee and Reconvene as a Full Board
5) Call to Order of Full board
6) Approval of Full Board Minutes- February 2, 2010
7) Finance Committee- Rhea Lewis Woodson/Harold Matzner
    a. Discussion of general financial condition
8) Chairman's Comments
    a. Festival of Short Films – June 22-28, 2010
    b. Board Member Resignation- Dick Taylor
    c. Sponsorship Outlook
    d. Damage at Palm Canyon Theatre - SPEAKERS
    e. Education-Discussion
    f. Selection of Agency
9) Nominating Committee – John Wessman
    a. Proposed Slate of Officers for 2010-2011
    b. Executive Committee Members for 2010-2011
    c. Proposed New Board Member
        i. Ed Monarch- Second Reading
    d. Proposed Board Member re-appointments
10) Awards Gala- Jackie Lee Houston and Harold Matzner lead discussion.
    a. Awards Gala 2011, Saturday, Jan. 8, 5p.m.
    b. Opening Night 2011, Thursday Jan 7, 6p.m
    c. Closing Night 2011, Sunday, Jan 16h

PALM SPRINGS INTERNATIONAL FILM SOCIETY
COMBINED COMMITTEE MEETING
Monday, March 8, 2010-8:30A.M
Spencer's-701 W. Baristo Rd., Palm Springs

11) Theatres- Harold Matzner and Darryl Macdonald

12) Sponsorships & Development- Dominique Shwe

13) Film Society Discussion – Harold Matzner

14) Executive Director's Report – Darryl Macdonald

15) Old Business

16) New Business

17) Next Meeting

18) Adjournment

Palm Springs International Film Society
Executive Committee Meeting
February 1, 2010 8:00 a.m.
Spencer's Bougainvillea Room
701 W. Barlsto Rd, Palm Springs

Present:
David Baron, Sidney Craig, Helene Galen, Marshall Gelfand, Jackie Lee Houston, Harold Matzner, Kevin McGuire, Patrick Mundt, Richard Ramhoff, David Ready, Brian Shea, Dominique Shwe, John Wessman

Also Present:
Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Christina Sasse, Dawn Vargo

Not Present:
Jim Casey, Jack Grundhofer, JoAnn McGrath, John Pinkney

Harold Matzner, Chairman, convened the Executive Committee Meeting at 8:03 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of December 7, 2009. On a **MOTION by Kevin McGuire, SECONDED by Brian Shea, the Executive Committee minutes of Monday, December 7, 2009 were unanimously approved.**

Marshall Gelfand delivered the Finance Committee report by stating that the Festival expects to have a surplus in the budget after the 2010 Festival. A detailed report will be given at the next meeting. A general discussion followed. Topics such as the increased cost experienced by the decrease in the Agua Caliente Tribe's sponsorship as well as additional needed expenses for the Awards Gala were discussed. The Film Festival's over all financial position is good.

John Wessman delivered the Nominating Committee Report. The Nominating Committee presented the resume of Ed Monarch, Mayor of Indian Wells to the Executive Committee for review as a Board Member.

Harold Matzner delivered the Chairman's Report sharing some overall remarks about the festival. Among them, was a comment of adding the $25,000 and $20,000 price point for the Awards Gala Tables. Mr. Matzner then went around the room and asked for feedback on the Film Festival, good and bad from each member in attendance. A positive and energetic discussion took place.

The next meeting of the Executive Committee will be on Monday, March 8th.
As there were no further business the meeting was adjourned at 8:55 a.m.

Respectfully submitted,
Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

Palm Springs International Film Society
Board of Directors Meeting
February 1, 2010, 9:00 a.m.
Spencer's Bougainvillea Room
701 W. Baristo Rd, Palm Springs

Present:
David Baron, Stephen Breimer, Jim Bruner, Sidney Craig, Fritz Frauchiger, Helene Galen, Marshall Gelfand, Jackie Lee Houston, Jim Hummer, Mary Ann LaBahn, Harold Matzner, JoAnn McGrath, Kevin McGuire, Patrick Mundt, Cydney Osterman, Mark Palmer, Richard Ramhoff, David Ready, Madeline Redstone, Lois Schlect, Brian Shea, Dominique Shwe, John Wessman, Judy Vossler

Also Present:
Harriet Baron, Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Christina Sasse, Dawn Vargo

Not Present:
Mark Adams, Cynthia Berenson, Jim Casey, Michael Childers, Bob Deville, John Fowler, Jack Grundhofer, Tim Hanlon, Michael Hutchison, Michelle Krans, Haddon Libby, Lee Morcus, Muriel Myerson, John Pinkney, Jack Scalia, Linda Shirvanian, Dick Taylor

Harold Matzner, Chairman, convened the Board of Directors Meeting at 8:55 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of December 7, 2009. On a **MOTION by Kevin McGurie, SECONDED by Madeline Redstone, the Board minutes of Monday, December 7, 2009 were unanimously approved.**

Before introducing the first cut of the Palm Springs International 2010 Film Festival highlights reel, Chairman, Harold Matzner welcomed Cydney Osterman to her first Film Festival Board Meeting. The highlight reel DVD was shown and received with major applause. Mr. Matzner told the Board that every member should be very proud what the Film Festival Board has accomplished. He announced that next year the date of the Awards Gala will be on a Saturday, January 8th 2011... allowing the attendance to increase by a minimum of 200.

Marshall Gelfand delivered the Finance Committee report stating that the Festival expects to have a surplus and finish solidly in the "black" this Fiscal year. A detailed report will be given at the next meeting. A general discussion followed. Topics such as the increased cost for Opening Night and the Awards Gala as well as details about individual sponsorships were discussed.
The Film Festival's over all financial position is good.

Mr. Matzner reported that the Awards Gala set a new record with revenue of more than 1,100,000 and a profit of between and $550,000-$600,000. Rhea Lewis Woodson was asked to bring a detailed report of the Awards Gala

revenue and profit to next month's meeting. Mr. Matzner described the Awards Gala revenue and the amazing press from the event as unprecedented.

John Wessman delivered the Nominating Committee Report. The Nominating Committee presented the resume of Ed Monarch, Mayor of Indian Wells to the Board for review as a Board Member.

Dominique Shwe delivered the Sponsorship Committee Report. Sponsorships exceeded both budget and the previous year as a result of an increase in the Cartier sponsorship and the full funding of the $50,000 cash portion of the Mercedes sponsorship plus a new $50,000 cash sponsorship from the CVA.

Harriet Baron continued to build sponsorship revenue from international consulates reaching a total from all countries of $56,300 with $17,000 coming from Australia. In addition Penfolds, an Australian wine, provided all of the Festival's wine almost 300 cases worth in the range of $20,000 to $25,000 putting international support at $76,000. Cranberry Raisinets a $10,000 new cash sponsorship was very popular with the Festival audience providing chocolate covered cranberries for the audience at the Palm Canyon Theatre throughout the Festival. Diageo funded $25,000 in spirits, all of the wine and alcohol was fully funded. The sponsorship committee is already preparing presentations to Best Buy, American Express and US Bank for next year.

Mrs. Jackie Lee Houston delivered the Awards Gala Committee Report. Mrs. Houston felt that this was our best Gala. She also commented on what a great plus it was to have Shari Kelley help with the décor. Mrs. Houston was thanked for her leadership and hard work as the Chair of the Awards Gala.
A motion was made to send the January 2011 invitations out five weeks before the event with or without the honorees and to include the $25,000 and $20,000 cost for tables and $2,500 and $2,000 individual seats. **The motion was made by Helene Galen, seconded by Kevin McGuire and unanimously approved.**

Several board members commented on their experience at the Gala.. all comments were extremely favorable and complimentary of Mrs. Houston as well as Richard DeSantis and his production staff.

A general discussion took place about the different levels of passes and about the invitations to special parties that all board members are entitled to attend. Mr. Matzner then clarified that Board Membership does not guarantee or grant a Board Members two tickets to the Awards Gala, Opening or Closing Night.

Darryl Macdonald delivered the *Executive Director's Report*. Mr. Macdonald added to the previously stated success of the 2010 Festival. He also shared that of the over 500 responses to the written survey that have been received, the feedback was extremely positive. He complimented the volunteers and the volunteer coordinator Holly Copeland. Several of board members added additional comments to both Holly and her tremendously helpful and enthusiastic army of volunteers, stating that the volunteers really make the

experience at the theatres a positive one. Several board members complemented Mr. Macdonald on his leadership of the Film Festival's programming and the management of the theatres. John Wessman complimented Mr. Macdonald on the growth of the Film Society which is now solidly over 1,000 members.

The next official meeting of the Board of Directors will be held on Monday, March 8th.

As there was no further business the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Cynthia Escarpita

Approved,

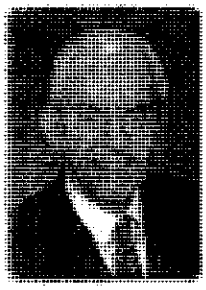
Harold Matzner, Chairman

Sidney Craig, Secretary

The PSIFF Nominating Committee proposes Mr. Ed Monarch as a Board Candidate.

Enclosed please find Mr. Ed Monarch's resume.

Ed Monarch, Mayor - Elected 1997, Current Term of Office 2010



ED MONARCH
Mayor

A City Council member since 1997, Council Member Ed Monarch served as Mayor in 2005-2006 and in 2000-2001, and as mayor pro tem from 1999-2000. He was first elected to the council in March 1997 to fill an unexpired term, and was re-elected in 1998. In November 2001, he was again re-elected to serve a four-year term. He began his service to Indian Wells as a member of the Planning Commission.

He is a member of the Board of Directors of the Indian Wells Town Hall Speaker Series and served as president in 2006-07. He is Vice President of the Palm Springs Art Museum, a Trustee of the McCallum Theatre, and serves on the Board of Directors of the Betty Ford Center, as well as a member of their Chairman's Council. He also is a member of the Board of Sunline Transit.

Council Member Monarch currently serves on the Indian Wells Marketing Committee, is a member and past chairman of the Cove Communities Services Commission and is a member of the City of Indian Wells Finance Committee.

A retired businessman, he owned groups of retail stores in several Mid-Atlantic States. Council Member Monarch holds a bachelor's degree in business administration from Pennsylvania State University. He and his wife Ellen have lived in Indian Wells since 1992.

Palm Springs International Film Festival
Executive Director's Report
March 8, 2010

1. Initiatives for the Coming Fiscal Year

We are currently in planning mode for the coming year, drawing up a proposed budget that encompasses our 2010/11 Festivals, Staff, Membership, Outreach and Educational Program plans, while reflecting the anticipated income and expense changes for the coming year. We are planning for no increase in overall bottom line expenses. Among the key plans under discussion:

a) Expanded Educational Programs – following up on last year's film screenings with guest speakers at high schools throughout the Coachella Valley, the Film Society will seek to expand these programs to more Valley schools, and work with administrators to encourage more classes at each school to participate in the program. After doubling student audiences at this year's Festival, we will repeat our Screenings for Students Day at the 2011 PSIFF
b) The Film Society will mount a monthly series of screenings with guest speakers at the Rancho Mirage Public Library, following up on our 2009/10 success there. The program's focus on a 'behind the scenes' look at various filmmaking crafts. FRMPL is underwriting the series for an increased monthly fee of $1,600 this year.
c) Palm Springs ShortFest will again be staged in late June (June 22 – 28, 2010), both to capitalize on the larger audience in town at that time of year, and to provide the staff with two more months to focus our efforts primarily on the planning and fundraising for January's PSIFF. Current submissions for ShortFest are running considerably ahead of last year's.
d) The Film Society will again mount a Fall Members' screening series at the Palm Canyon Theatre, focusing on a specific genre of classic films and featuring post-screening discussions with the audience. We are currently considering a shortlist of available films and topics.
e) PSIFF 2011 – Following the same plan as this year's Festival, the dates for next year's event will be January 6 - 17. The Awards Gala will be held on Saturday, January 8, with Student Screening Day on January 5, and the Opening Night Gala on Thursday, January 6. Best of the Fest day will be Monday, January 17 (Martin Luther King Day).

2. Palm Springs International ShortFest

This year's ShortFest will run June 22 – 28, 2010. ShortFest '09 yielded **4** Oscar nominees: Kavi, Miracle Fish, Granny O'Grimm's Sleeping Beauty and French Roast., bringing to **69** the number of Oscar Nominated shorts that have emerged from Palm Springs ShortFest. Oscar Pool tip: "Miracle Fish" is currently the current front runner in the Live Action Short Film category among those in the know.

3. Membership

Current membership as of 2/26/10 is at 1,088, with YTD income at $71,050. This compares with 972 members on 2/26/09 and income of $74,795.

PALM SPRINGS INTERNATIONAL FILM SOCIETY
Slate of Officers 2010-2011

A. The Nominating Committee is proposing the Officers listed below for 2010-2011

Harold Matzner-Chairman (Two Year Term)
Jackie Lee Houston – Vice Chair (Two Year Term)
Jack Grundhofer – Vice Chair (Two Year Term)
David Baron- Vice Chair (Two Year Term)
John Wessman – Vice Chair (Two Year Term)
Kevin McGuire – Vice Chair (Two Year Term)
Marshall Gelfand – Treasurer (Two Year Term)
Ed Monarch – Parliamentarian (Two Year Term)
Sidney Craig – Secretary (Two Year Term)
John Pinkney-Assistant Secretary (Two Year Term)
Patrick Mundt – Assistant Secretary (Two Year Term)

B. Executive Committee Members proposed by the Chairman
(All Officers are part of the Executive Committee)

David Ready – (Title Sponsor) (One Year Term)
JoAnn McGrath-(One Year Term)
Jim Casey-(One Year Term)
Helene Galen-(One Year Term)
Richard Ramhoff -(One Year Term)
Brian Shea-(One Year Term)

C. Proposed Board Member Reappointments three-year term

John Pinkney
Linda Shirvanian

D. Second Reading and vote of new Board Member appointment (s)

Ed Monarch

2/1/10

FILM FESTIVAL BOARD MTG

- $ 500,000 ENDOWMENT FUND
- $ 300,000 CASH

- GALA PRODUCES $560,000-600,000 CASH FLOW.

- 130,000 ATTENDEES AT THIS FESTIVAL

- SPONORS LOOK GOOD FOR NEXT YEAR.

HAROLD M.

UTILIZE IMAGINATION

IMPORTANT!

PALM SPRINGS INTERNATIONAL FILM FESTIVAL

MEMO

TO:	FROM:
Board of Directors	Cynthia Escarpita
FAX NUMBER:	DATE:
Delivered by Fed Ex	1/29/2010
RE:	TOTAL NO. OF PAGES INCLUDING COVER:
Reminder Board Meeting Monday, February 1, 2010	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

BOARD MEMBERS:

The next PSIFF Executive Committee meeting is scheduled for;

Date: Monday, February 1, 2010
Time: 8:00A.M.
Location: **Spencer's Restaurant**
Upstairs Room
701 W. Baristo Rd.
Palm Springs, CA
(760) 327-3446
Followed by a Full Board Meeting at 9a.m.

Thank you. We look forward to seeing you there.

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760.322.2043

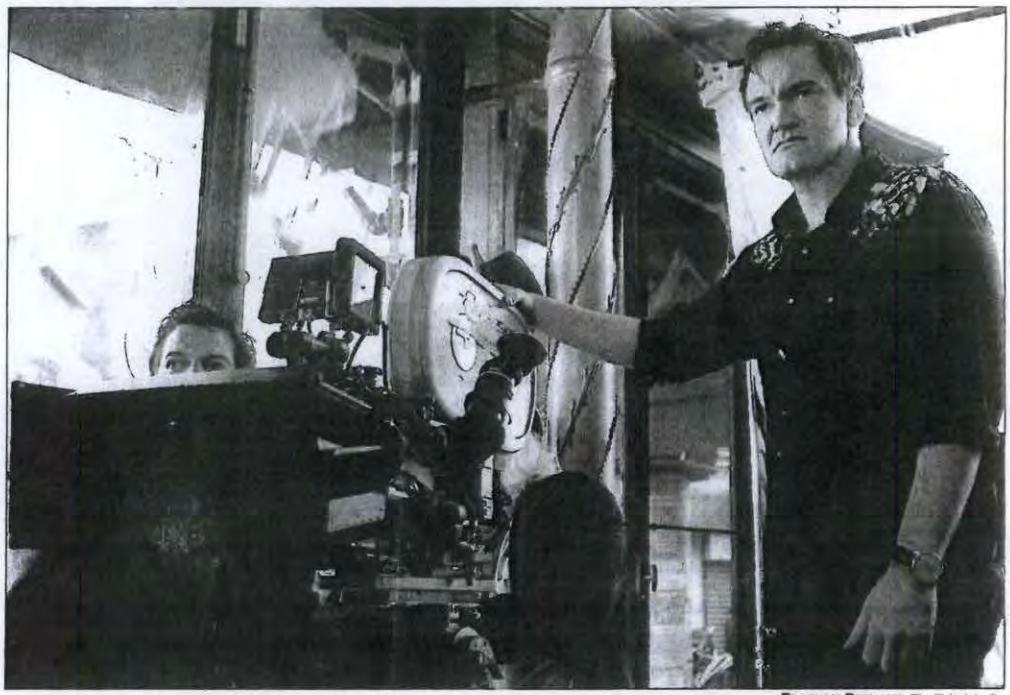
SELECTED PRESS CLIPPINGS

Los Angeles Times
CALENDAR
MONDAY, JANUARY 4, 2010 ▪ LATIMES.COM/CALENDAR

A desert is lush with the world's movies

Foreign works with Oscar hopes come to a Palm Springs festival that also attracts U.S. filmmakers.

AMY KAUFMAN



FRANÇOIS DUHAMEL The Weinstein Co.

'INGLOURIOUS' DIRECTOR: Quentin Tarantino will receive the Sonny Bono Visionary Award, named for the late Palm Springs mayor who founded the film festival that returns Tuesday with an awards gala.

In his native country, Finnish director Klaus Härö is part of a tiny film community. There, he said, even a successful movie won't attract a massive number of moviegoers. And if someone is a fan of your film, they typically share their enthusiasm by offering a polite "thank you."

So when Härö first attended the Palm Springs International Film Festival four years ago, he was shocked by the number of people lining up to see his independent movie "Mother of Mine" — many of whom later approached the director crying, saying how much his film moved them.

"It was not something I had ever experienced before, because the film culture in Finland is very small," he recalled. "I especially remember that audience and the warmth of the reception they gave me, coming to me with tears in their eyes. The generosity of the Palm Springs audience is very rare."

Härö is making the long journey back to the desert this week for the 21st annual festival. His latest film, "Letters to Father Jacob," about the unlikely friendship between an ex-convict and a blind pastor in rustic Finland, will have its U.S. premiere there on Friday.

The movie is one of 188 films from 70 countries screening at this year's festival, which kicks off Tuesday with an awards gala honoring 10 of the year's most outstanding performers, but officially opens Thursday evening with a screening of "The Last Station," about Russian author Leo Tolstoy.

The Palm Springs event differs from most other film festivals: For one thing, its oasis-like setting inspires a more relaxed vibe as filmmakers and attendees often hit the golf course in their downtime. It also attracts both international filmmakers like Härö and those in the industry stateside, who usually make the short trip from Los Angeles. Over the years, the festival has gained a reputation for being one of the best places to catch sometimes difficult-to-find foreign films. Before the festival closes Jan. 18, 41 of the 65 official Oscar submissions for best foreign language film will have been shown.

Founded in 1990 by then-Mayor Sonny Bono, the film festival has become a popular wintertime tourist attraction for the city. "It generates huge revenues for the city of Palm Springs and the hotels and restaurants who do booming business from it," said Darryl Macdonald, the festival's director.

Last year, total admissions for screenings and events tallied up to nearly 130,000. The festival typically welcomes a college-educated, middle-age crowd — half of whom earn a six-figure income and about 70% of whom come from outside the Coachella Valley.

Lionsgate

UNGLAMOROUS ROLE: Mariah Carey, left, with Gabourey Sidibe, will be honored for her "Precious" performance.

This year, the festival is honoring a handful of stars at its black-tie awards gala, including "Inglourious Basterds" director Quentin Tarantino, who will receive the Sonny Bono Visionary Award, and Mariah Carey, who will take home a Breakthrough Performance Award for her role in "Precious: Based on the Novel 'Push' by Sapphire." Meanwhile, other Oscar contenders for best director, such as Lee Daniels ("Precious") and Rob Marshall ("Nine"), will participate in a series of moderated discussions.

But the events aren't restricted to Hollywood's A-listers. This year, a new program will showcase Australian Cinema, while emerging international directors vie for the $60,000 camera package and statue from artist Dale Chihuly that come along with the New Voices/Visions Award.

Festival organizers are enthusiastic about a number of new films, including "Beautiful Kate," actress Rachel Ward's directorial debut about a self-loathing writer who returns home to the Australian outback to try to figure out the roots of his family's dysfunction (Jan. 8, 9 and 13). Another Australian film being shown at the festival is "Samson and Delilah," which won the Camera d'Or at the Cannes Film Festival. It's a love story from director Warwick Thornton about two Aboriginal teens living in the central Australian desert (Jan. 6 and 8-10).

Also scheduled is "The Lightkeepers," in which Richard Dreyfuss plays a lightkeeper on an abandoned Cape Cod beach. When his assistant quits, he hires a replacement and the two vow never to date a woman again — until they're tempted by two visitors played by Mamie Gummer and Blythe Danner (Jan. 16).

All movies are selected by six programmers, who spend most of the year traveling across the globe trying to track down good films.

"We look for a broad representation of film from many countries because we have a very sophisticated film-going audience who are very discriminating," said Helen du Toit, director of programming. "It's kind of a way to travel around the world. You get a sense of what's happening and you're culturally inspired by all of these different stories."

Fest director Macdonald said he feels fortunate that during a time when nonprofit arts organizations are hemorrhaging money — he cited as an example the CineVegas Film Festival, which announced last fall it would go on an indefinite hiatus — the Palm Springs Festival seems to be blossoming. He said that ticket sales for this year's fest — most of which cost $11 and are available for advance purchase at *www.psfilmfest.org* or at the door — are up 6%. And, Macdonald added, the festival has maintained all of its partnerships with previous sponsors, such as Cartier and Mercedes, as well as making new relationships with Penfold's wines and Nestlé's Cranberry Raisinets.

But for Härö, the most rewarding part of attending the festival is gauging a more universal reaction to his movie from an international community of filmmakers.

"In Palm Springs, because everybody is far away from home in this relaxing surrounding, you sort of put your guard down," he said.

"It's a well in the middle of the desert where you can all meet before you go back to your own country and do your work. There's something very special there."

amy.kaufman@latimes.com

Film Diplomacy: China and Tibet Skirmish at a Festival

By EDWARD WYATT

LOS ANGELES — In celebrity wattage and as a showcase for the art of cinema, the Palm Springs International Film Festival has not garnered the attention typically bestowed upon similar carnivals at Cannes, Sundance or even, say, Toronto. But the Palm Springs festival has now earned a different kind of laurel: a bona fide diplomatic incident.

China formally told the festival this week that two Chinese films were being withdrawn from its program in protest of the scheduled screening of a documentary about Tibet and the Dalai Lama. While Chinese officials told the festival's director that the filmmakers themselves had decided to withdraw their state-financed works, many China experts believe that it is the state sending a message, rather than the individuals.

There is added intrigue over the more prominent of the two films that were withdrawn from the Palm Springs festival: "City of Life and Death" (also known as "Nanjing! Nanjing!"), a critically acclaimed fictionalized account of atrocities committed by the Japanese occupiers of Nanjing during World War II. Written and directed by Lu Chuan, one of China's top box office successes, the film has drawn criticism in China for what some people there have called its sympathetic portrayal of Japanese characters.

Tibet has long been a cause célèbre in Hollywood, particularly among actors and some prominent filmmakers. At the same time, the big movie studios, which are all part of international corporate conglomerates that are trying to do busi-

Continued on Page 10

NATIONAL GEOGRAPHIC WORLD FILMS

Lu Chuan, writer and director of the drama "City of Life and Death."

Film Diplomacy: China and Tibet Skirmish at Festival

From First Arts Page

ness in China, in recent years have appeared to steer clear of major projects on Tibet that would inflame tensions and threaten their interests there.

National Geographic Entertainment announced in August that it had acquired the North American distribution rights for "City of Life and Death" and that the film would be released in theaters in 2010. But people involved in that deal said that a formal agreement was never signed, leaving National Geographic on the sidelines of the current dispute. The company said it still intends to release the film in theaters later this year.

The current wrangle is only the most recent protest by Chinese officials that the arts, and film specifically, are being used as a weapon to meddle in their internal affairs. In August, two American filmmakers were blocked from traveling to China to present their documentary about the more than 5,000 children in Sichuan Province who died when a 2008 earthquake caused numerous schools to collapse. Computer hackers and demonstrators took aim at the Melbourne International Film Festival in Australia in July to protest its screening of a documentary about a leader of Muslim Uighurs in the Xinjiang region of northwest China, where some 200 people were killed in ethnic violence last summer. And at last fall's Frankfurt Book Fair, a diplomatic struggle emerged over the fair's invitation to two dissident Chinese writers to speak at its official program honoring China.

Darryl Macdonald, the director of the Palm Springs festival, said in an interview that the Chinese consul general in Los Angeles traveled to the desert city on Wednesday. The official told him that the directors of the two films, rather than the Chinese government, which financed the films, had decided that they would not allow their work to be screened unless the festival canceled its scheduled showing of "The Sun Behind the Clouds: Tibet's Struggle for Freedom."

That documentary, by Ritu Sarin and Tenzing Sonam, follows the Dalai Lama over a year through protests over the status of Tibet that were timed to coincide with preparations for the Beijing Olympics.

NATIONAL GEOGRAPHIC WORLD FILMS

"City of Life and Death," about Japanese abuses in 1937, won't be part of the Palm Springs International Film Festival.

The Chinese officials "repeatedly said the assertions presented in 'The Sun Behind the Clouds' were all lies, and they reminded us that the United States government had an official position that Tibet is a part of China," Mr. Macdonald said. "I told them that we have freedom of expression in this country, and that we would not allow any foreign country to dictate what films we should or should not play."

A documentary about the Dalai Lama draws a protest.

Officials at the Chinese Consulate in Los Angeles did not respond to repeated requests for comment Thursday and Friday.

Some American experts on China's political and cultural atmosphere say they doubt that the filmmakers decided without prompting to withdraw the films. The second film is a comedy titled "Quick, Quick, Slow," directed by Ye Kai. The film's producer, Zhang Lanxin, had been expected to attend the festival.

Stanley Rosen, the director of the East Asian Studies Center at the University of Southern California, said in an interview that his experience with Lu Chuan, which includes having dinner with the filmmaker when he was writing the script for "City of Life and Death," makes him certain that the withdrawal of the film "was basically a decision of the Chinese government."

"There is no way that he could continue having his films in international festivals and be successful in China" without succumbing to pressure to have his film withdrawn, given that the government financed the film and must approve all Chinese films that are exported, Dr. Rosen said.

The Associated Press published excerpts of a telephone interview with Mr. Lu on Thursday in which he said he "unconditionally accepted" the decision to withdraw his movie.

"This incident involves national interest," Mr. Lu told the A.P. "National interests trump everything. When it comes to national unity, I think the attitude of all Chinese is the same." Asked if the withdrawal of the films interfered with artistic freedom, Mr. Lu said, "It's really, really hard for me to answer that question."

ONLINE: TRAILER

A trailer for "City of Life and Death," and more coverage of the Palm Springs festival:
nytimes.com/movies

One American filmmaker who does business in China, who spoke on the condition of anonymity to preserve his business interests there, said he believes that the directors could have asked for their films to be withdrawn knowing that not to do so would endanger their careers in China. "We have this belief in America that film tells truth to power," the filmmaker said. "I think the Chinese directors were looking at it as they didn't want any guilt by association."

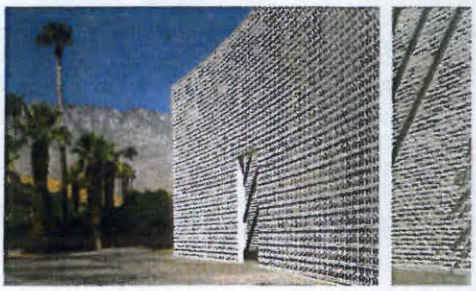
Kenneth G. Lieberthal, a senior fellow at the Brookings Institution, noted that Chinese President Hu Jintao once served as Communist Party chief for Tibet. "Tibet is an issue that is especially neuralgic for Beijing," he said, adding that he would have been surprised if Chinese officials had not objected to the film.

Dr. Rosen said that "City of Life and Death" has attracted some criticism in China, because it portrays one Japanese character who was part of the occupation force as having a bout of conscience over Japanese atrocities and eventually killing himself.

In a statement issued Thursday, National Geographic said the withdrawal of the film from the festival was "unfortunate," adding, "We're proud of the film and we hope people will see this important movie when it opens in theaters later this year."

The Hollywood Reporter
Tuesday, January 5, 2010 $2.99 THR.com

PARK IT:
The Parker Palm Springs serves as one of the festival's social hubs and hosts the awards gala afterparty.



Palm Door

In its 21st edition, the Palm Springs International Film Festival celebrates Helen Mirren, Morgan Freeman — and opens a portal to the land Down Under

By Zorianna Kit

At last year's Palm Springs International Film Festival, the Japanese film "Departures" won the fest's Audience Award before going on to win the best foreign-language Oscar statuette. With the festival coming so close to March's Academy Awards (this year it runs Jan. 5-18), PSIFF is an essential marketing tool to promote movies that might earn Oscar nominations.

So it's no surprise that the Mojave Desert event, founded in 1989 by then-Mayor Sonny Bono, has become a screening shop for most of the foreign-language Oscar hopefuls. During its two-week run, in fact, 195 films from 60 countries will screen on 15 screens at five venues.

With its blend of glitz and star power — a Jan. 5 awards gala will honor Helen Mirren ("The Last Station"), Jeff Bridges ("Crazy Heart"), Morgan Freeman ("Invictus") and Mariah Carey ("Precious"), among others — the festival has developed a Cannes-like glamour.

This year it will also feature directors Lee Daniels ("Precious"), Kathryn Bigelow ("The Hurt Locker"), Rob Marshall ("Nine") and Tom Ford ("A Single Man"), all of whom will participate in a Q&A/screening series known as the Contenders.

Additional highlights include the New Voices/New Vision program, which screens 10 films by first-time directors, one of which will walk away with a juried prize.

Notably, the festival will also spotlight Australian cinema, screening 10 new films in collaboration with G'Day USA, a 6-year-old U.S. tour that celebrates all things Australian. The tour launches Jan. 9, designated Australian Film Day by the fest — something that has generated much-needed financial support.

"Once we decided to devote our special showcase to Australian cinema this year, the support we garnered from various Australian film bodies, trade organizations and companies like Quantas and Penfold's Wines was enormous," says Darryl MacDonald, the festival's executive director. "They came onboard as a full partner in our efforts." THR

AT A GLANCE

Palm Springs Int'l Film Festival
DATES: Jan. 5-18
OPENING-NIGHT FILM:
"The Last Station"
CLOSING-NIGHT FILM:
"The Lightkeepers"

FEST TRAVELER: PALM SPRINGS INTL. FILM FESTIVAL

HONOREES

The fest celebrates both veteran actors and those in breakthrough perfs.

Breakthrough Performance Award: Mariah Carey
In the role of Mrs. Weiss in Lee Daniels' "Precious," Carey remarkably transformed herself from glam diva to straightforward social worker.

Desert Palm Achievement Award: Jeff Bridges
Award was created to honor acting excellence and memorable work throughout the years; Bridges' perf in "Crazy Heart" is another memorable character from the thesp, first nominated for an Oscar for 1971's "The Last Picture Show."

Career Achievement Award: Helen Mirren
Presented for her distinguished body of work, and specifically her perf as Sofya Tolstoy in "The Last Station." Mirren is cited by the festival as "one of the most outstanding actresses of her generation."

Career Achievement Award: Morgan Freeman
As Nelson Mandela in Clint Eastwood's "Invictus," Freeman adds another extraordinary role to his resume. Fest honors the Oscar winner for his many "memorable performances."

Rising Star Award: Anna Kendrick

From a Tony nod at age 12, Kendrick moved from the boards to screen, debuting in "Camp." "Rocket Science," "Twilight" and its sequel "New Moon" are her major credits, with a standout perf as George Clooney's foil in 2009's "Up in the Air."

Director of the Year: Jason Reitman
Helmer was previous a fest honoree in 2008 for "Juno," which earned him, the film's cast and screenwriter Diablo Cody the Chairman's Vanguard Award; Reitman's "emotionally resonant and timely" work in "Up in the Air" sets him apart, per the fest.

Breakthrough Performance Award: Jeremy Renner
For portraying an expert in diffusing IEDs in Kathryn Bigelow's Iraq-set "The Hurt Locker," Renner earned critical acclaim and one of the fest's breakthrough kudos. Past credits include "28 Weeks Later" and "The Assassination of Jesse James by the Coward Robert Ford."

Frederick Loewe Award for Film Composing: T Bone Burnett
Film composer, along with Stephen Bruton, and co-writer of many of "Crazy Heart's" original songs, vet tunesmith and producer Burnett is honored for his contribution to the film's "soulful, masterful soundtrack."

Sony Bono Visionary Award: Quentin Tarantino
Award, named for the late mayor of Palm Springs and entertainer who founded the festival, goes this year to helmer Tarantino, whose latest pic, "Inglourious Basterds," demonstrates his unmistakable visual style and cinematic substance.

Desert Palm Achievement Award: Marion Cotillard
Making the crossover from French films this year, Cotillard shines in both "Public Enemies" and "Nine." An Academy Award winner for "La Vie en rose," Cotillard is a past Breakthrough Performance Award winner.

CINEPHILE OASIS: FILM-LITERATE AUDS

FRONDS WITH BENEFITS

Desert fest strategically situated with Hollywood — and the Oscars

By KATHY A. McDONALD

The Palm Springs Film Festival boasts one of the most film-savvy and adventurous fanbases anywhere, drawn to the heady combination of concentrated star power and a wide-ranging international film selection — often gunning for Oscar — that unspools in a beautiful desert resort town.

And unlike other destination festivals, Palm Springs has a featured role in awards season that is a result of purposeful timing: Its gala awards fete (a black-tie event at the convention center Jan. 6) dovetails with Oscar balloting (nominating ballots are due Jan. 23); a number of fest award recipients, including director of the year Jason Reitman, composer T Bone Burnett and actress Helen Mirren, have earned Golden Globes nods; and Acad members are welcome to attend free screenings of foreign-language contenders — 45 of the 65 films submitted for the foreign-language Oscar will unspool at the fest.

TIP SHEET
What: Palm Springs Film Fest
When: Today through Jan. 18
Where: Palm Springs, Calif.
Web: psfilmfest.org

"Having film-literate audiences makes a difference," says fest director Darryl Macdonald. "There's a sense of film appreciation; audiences are interested in being challenged and not just in happy-dappy stories and endings."

Helen du Toit, the fest's director of programming, concurs: "I am continually delighted to see how broad-minded the audience is here and how good they are at talent spotting."

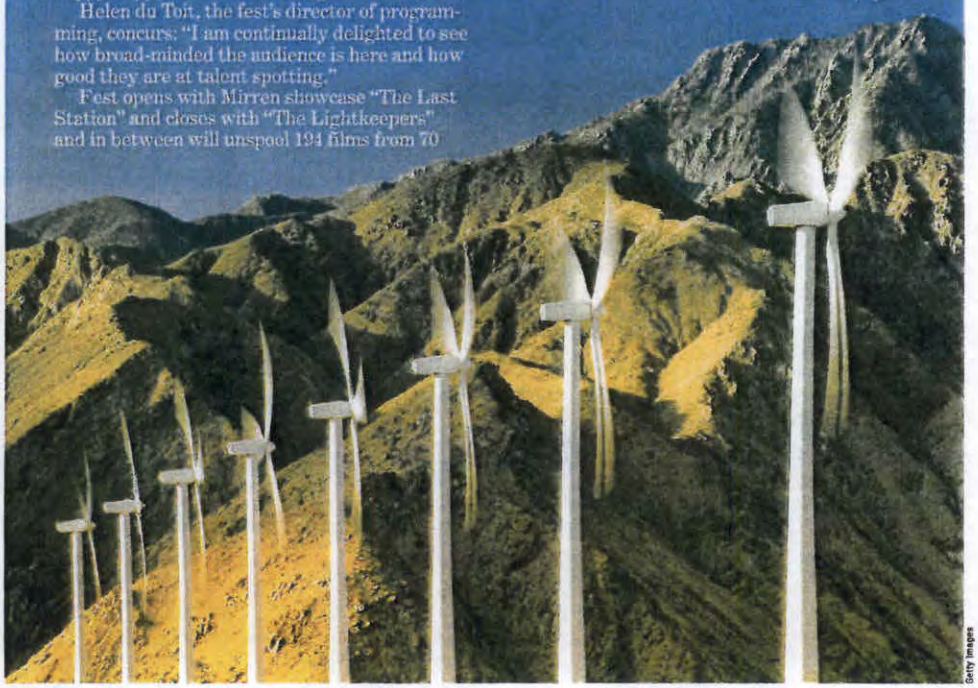
Fest opens with Mirren showcase "The Last Station" and closes with "The Lightkeepers" and in between will unspool 194 films from 70 countries, including world preems "Dark Resonance" (Bangladesh), "Dumbstruck" (U.S./Japan/Bahamas), "Paulista" (Brazil) and "Shoot the Hero" (U.S.), and special presentations of European hit "The Girl With the Dragon Tattoo" (Sweden/Denmark/Germany) and the U.K.'s "Red Riding Trilogy."

SHOWCASE: *Helen Mirren is centerstage in fest opener "The Last Station," and she'll be feted with a Career Achievement Award.*

Macdonald

Directors spotlighted by the festival's Talking Pictures contenders series (which include post-screening Q&As) are culled from the most lauded pics of the year. Helmers Kathryn Bigelow and

See FRONDS page A8



Getty Images

VARIETY
Reed Busi

January 18-24, 2010

PALM SPRINGS

NOBODY TO WATCH OVER ME

(DAREMO MAMOTTE KURENAI)

(JAPAN)

A Toho release of a Fuji Television Network/Nihon Eiga Satellite Broadcasting/Toho production. (International sales: Pony Canyon, Tokyo.) Produced by Chihiro Kameyama, Hirotsugu Usui, Yoshihiko Taneda.

Directed by Ryoichi Kimizuka. Screenplay, Kimizuka, Satoshi Suzuki. Camera (color), Naoki Kayano; editor, Junosuke Hogaki; music, Takatsugu Muramatsu; art director, Shu Yamaguchi; set decorator, Koichi Hirai; sound (Dolby SR), Kiyoshi Kakizawa; associate producer, Tomoyuki Miyagawa; assistant director, Taiichi Sugiyama. **Reviewed at Palm Springs Film Festival (Awards Buzz), Jan. 9, 2010.** Running time: **118 MIN.**

With: Koichi Sato, Mirai Shida, Ryuhei Matsuda, Yuriko Ishida, Kuranosuke Sasaki, Shiro Sano, Yoshino Kimura Toshiro Yanagiba.

By PETER DEBRUGE

The press want 15-year-old Saori Funamura dead in "Nobody to Watch Over Me," a hard-to-swallow social critique delivered in the guise of a taut protective-custody thriller, in which a veteran cop shelters a teenage girl from paparazzi intent on punishing her for a family member's crime. Selected as Japan's Oscar foreign-language submission, this gripping genre exercise from Ryoichi Kimizuka, with its in-your-face theatrics (seemingly ready-made for Western remake), is quite a departure from last year's winning entry. Though too tame in the execution, this material shouldn't be hard to market abroad.

Of particular interest is the pic's culturally specific premise — namely, the Japanese notion that any time a young person commits a crime, the blame extends to his or her entire family. Combine that philosophy with Tokyo's voracious press corps, and the pressure can be too much for many parents, who frequently take their own lives in shame. An onscreen explanation at the pic's outset spells out how police are often assigned to the families of the accused in order to prevent such suicides.

Respected Japanese thesp Koichi Sato plays Katsuura, a weary police detective days away from a much-needed family vacation when his boss calls him in to guard young Saori (Mirai Shida), whose 18-year-old brother is accused of killing two schoolgirls. The assignment seems frivolous to a man accustomed to handling dangerous criminals, and yet, upon arriving at the poor girl's house, he immediately understands the urgency.

Outside, a throng of rabid reporters have convened to demand apologies from the family, while in the living room, lawyers have drawn up a quickie divorce to throw the press off the scent (effectively forcing the husband to take his wife's name). Saori is understandably overwhelmed by the frenzy, and Katsuura does his best to protect her even as the girl's behavior becomes increasingly difficult to manage — a dynamic that calls for high-energy car chases and face-to-face confrontations with persistent reporters.

These scenes make for exciting cinema, and Kimizuka shoots everything with restless handheld cameras, reflecting both the disorienting atmosphere of the situation and the peekaboo voyeurism that surrounds such cases. Before long, however, auds are sure to realize no physical threat to the characters really exists. The narrative might have taken a more interesting overall shape had Kimizuka not been bound by his specific agenda. Instead, everything seems reduced to the most simplistic terms: The journalists are presented as villains, more shrewd and resourceful than the film's cops, and a rapidly edited frenzy of computer screens indicates a vast network of malicious bloggers working against Katsuura.

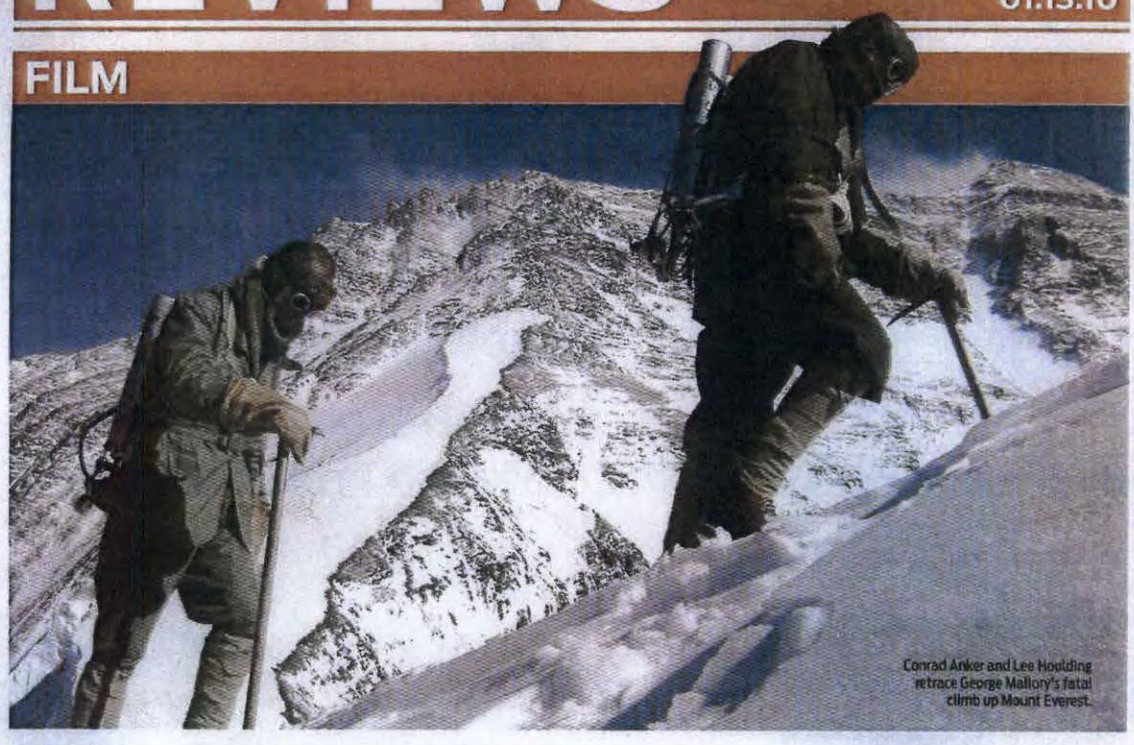
Perhaps the pic's most effective trick is the repeated use of the song "You Were There" by the Libera boys choir, an angel-voiced plea for protection that cuts through the visual frenzy to lend resonance to Katsuura and Saori's bond. Shida's performance is one of the film's strongest aspects, a fine match for the veteran Sato, though director Kimizuka insists on using devices like the Libera song and a telling hand tremor to convey nuances these two actors are clearly capable of rendering in subtler ways.

Koichi Sato tries to protect Mirai Shida in "Nobody to Watch Over Me."

The Hollywood Reporter
Wednesday, January 13, 2010

REVIEWS

FILM



Conrad Anker and Lee Houlding retrace George Mallory's fatal climb up Mount Everest.

'The Wildest Dream'

By Kirk Honeycutt

PALM SPRINGS — The very name Mount Everest conjures so many images and legends in one's mind that any movie about climbing that mystical, foreboding mountain, even by a dull filmmaker, should catch an audience in its thrall. Fortunately, director Anthony Geffen, maker of "The Wildest Dream," is anything but a dull filmmaker. In fact, he's a little prone to overdramatize and exude unbridled excitement about the historic climb that is the focus of this captivating documentary. But, hey, when a filmmaker — and inexperienced climber — manages to get as high as 26,000 feet on Everest, just 3,000 feet from the summit, he's entitled to yodel a bit.

"Dream" brings together so much history, sheer adventure and terrifying moments that prospects look very good for National Geographic Entertainment's release of the film in August in regular theaters and possibly on Imax screens. (The film cries out for Imax.) "Dream," which debuted at the Palm Springs International Film Festival, could use more festival exposure before its theatrical bow to build word-of- mouth.

Trade insiders will note a thanks to the late Frank Wells in the credit crawl. As a young man, Geffen worked under the respected film executive and avid mountaineer, who encouraged him to make a film about Everest, the one peak that eluded Wells. Geffen has done his mentor proud.

The film has, in a sense, two protagonists. One is George Mallory, the renowned mountaineer who vanished near Everest's summit in May 1924. The other is Conrad Anker, who discovered Mallory's frozen body 75 years later. Geffen's idea is for Anker to replicate Mallory's ill-fated challenge to the peak, even to the point of using some of the climbing methods and clothing of Mallory's ascent.

Ostensibly, the purpose is to prove, as has long been conjectured, that Mallory and his climbing companion, Andrew "Sandy" Irving, were on their way down from the summit when they met their demise. Of course, even if you do manage to free-climb the forbidding "Second Step" on the North Ridge — all climbers today use a ladder placed there by Chinese climbers in 1975 — that doesn't really prove the two men reached Everest's summit.

They last were seen alive 800 feet below the summit, and that's all we'll ever know. But what a wonderful chance to make a movie, and accompanying book, celebrating man's continuing need to defy the odds — one in six will perish on Everest — and subject the body to impossible condi-

BOTTOM LINE A thrilling — in every meaning of that word — assault on Mount Everest that replicates George Mallory's ill-fated 1924 climb.
VENUE: Palm Springs International Film Festival. PRODUCTION: National Geographic Entertainment presents an Altitude Films production in association with Atlantic Prods. DIRECTOR: Anthony Geffen. SCREENWRITER/EDIT PRODUCER: Mark Halliley. PRODUCERS: Claudia Perkins, Anthony Geffen. EXECUTIVE PRODUCER: Mike Medavoy. Rated PG-13, 93 minutes.

FILM REVIEWS ONLINE

"Draft Dodgers"
Bottom line: A World War II coming-of-age tale that veers between melodramatic contrivances and muscular storytelling.

"Protektor"
Bottom line: Elegant visuals almost overwhelm the story in this smart, intriguing look at Nazi-occupied Czechoslovakia.

▸ Go to THReviews.com.

The Hollywood Reporter
Monday, January 18, 2010 $2.99
4R.com
Monday, January 18, 2010

NEWS

'Dragon' is tops at Palm Springs fest

By Gregg Kilday

Audiences at the 21st annual Palm Springs International Film Festival, which concludes today, honored Niels Arden Oplev's "The Girl With the Dragon Tattoo," an adaptation of Stieg Larsson's mystery novel, with the fest's Mercedes-Benz Audience Award for Best Narrative Feature.

The Audience Award for Best Documentary Feature went to "The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers," directed by Judith Ehrlich and Rick Goldsmith.

The runner-up for best narrative feature was "The World Is Big and Salvation Lurks Around the Corner." In the doc field, the runner-up was "Inside Hana's Suitcase."

A jury of international film critics reviewed the official Oscar foreign-language film submissions that screened at the fest and presented the FIPRESCI Award for Best Foreign Language Film of the Year to Sweden's entry, Ruben Ostlund's comedy "Involuntary."

Tedo Bekhauri received the FIPRESCI best actor award for his performance in "The Other Bank," directed by George Ovashvili. Anne Dorval received the FIPRESCI best actress prize for Xavier Dolan's "I Killed My Mother."

In the New Voices/New Visions category, featuring films from 12 new international directors, a jury rewarded Ounie Lecomte's "A Brand New Life," a South Korea/France co-production.

Vladimir Paskaljevic's "Devil's Town" received an honorable mention.

Among 67 feature or documentary film directing debuts, Haim Tabakman received the John Schlesinger Award for Outstanding First Feature (narrative or documentary) for "Eyes Wide Open," an Israeli film about a married butcher who falls in love with a younger man.

"The Girl With the Dragon Tattoo"

There were two Special Mentions: Caroline Bottaro's "Queen to Play" and Warwick Thornton's "Samson & Delilah."

"Letters to Father Jacob," directed by Klaus Haro, received the Bridging the Borders Award presented by Cinema Without Borders to the film that is most successful in bringing the world's people together.

The festival screened 189 films from 70 countries, including 40 of the 65 foreign-language entries for this year's Academy Awards.

The Hollywood Reporter
Tuesday, December 22, 2009

Oz comes to Palm Springs

By Gregg Kilday

The Palm Springs International Film Festival has introduced a new program highlighting Australian cinema.

Organized in partnership with G'Day USA, the Australian Consulate General in Los Angeles and Tourism Australia, the program — dubbed "G'Day USA: A Showcase of New Australian Cinema" — will feature Robert Connolly's "The Balibo Conspiracy," Rachel Ward's "Beautiful Kate," Ana Kokkinos' "Blessed," Tom Murray's "In My Father's Country," Glendyn Ivin's "Last Ride," Kriv Stender's "Lucky Country," Sarah Watt's "My Year Without Sex," Warwick Thornton's "Samson & Delilah" and Ted Kotcheff's "Wake in Fright."

"The Australian production boom was brought on by tax incentives, but it is the new talent behind the work that will sustain it," fest director Darryl Macdonald said.

Also, as part of its Awards Buzz program, the Jan. 7-18 fest will screen 41 of the 65 films that have been submitted to the Academy of Motion Picture Arts and Sciences for best foreign-language film consideration.

Of the 188 pics that will screen at the fest, 66 are eligible for the John Schlesinger Award for outstanding first feature or documentary.

"Beautiful Kate" will be part of the PSIFF's first "G'Day Australia" program next month.

The fest also announced the 12 films from new international filmmakers — those making their first or second films — that will be eligible for the New Voices/New Visions Award. They are Frederic Dumont's "Angel at Sea," Ward's "Kate," Ounie Lecomte's "A Brand New Life," Nicolo Donato's "Brotherhood," Vladimir Paskaljevic's "Devil's Town," Ahmad Abdalia's "Heliopolis," Alejandro Fernandez Almendras' "Huacho," Tizza Covi and Rainer Frimmel's "La Pivellina," Laxmikant Shetgaonkar's "The Man Beyond the Bridge," Rigoberto Perezcano's "Northless," Urszula Antoniak's "Nothing Personal" and Wolfgang Fischer's "What You Don't See." THR

Los Angeles Times

TRAVEL

SUNDAY, DECEMBER 27, 2009 ▪ LATIMES.COM/TRAVEL

Calendar

ALAMEDA, CALIF.

New Year's Eve on the USS Hornet

When, where: Dec. 31, USS Hornet

Highlights: Aboard this historic aircraft carrier, three dance floors come alive with big-band music as attendees get dance lessons, party favors and a panoramic view of San Francisco's skyline from the flight deck. There will also be a midnight countdown and a silent auction; the event is black-tie optional but period, swing and formal military attire are encouraged.

Cost: $48 in advance, $55 at the door, optional buffet dinner is $55; proceeds benefit the USS Hornet Museum

Info: *www.uss-hornet.org*

BRECKENRIDGE, COLO.

Ullr Fest

When, where: Jan. 10 to 16, throughout Breckenridge

Highlights: This 43rd annual celebration of the Norse snow god evokes all things Viking. During the "Ullympics," four-person teams compete in wacky sports; the Ullr Parade showcases silly floats and costumes. Other highlights include live entertainment, parties (including a skating shindig), a bonfire and a comedy night.

Cost: Most events are free

Info: (888) 251-2417, *www.gobreck.com*

KEITH BERNSTEIN Warner Bros.

ACTOR: Morgan Freeman will be honored at the Palm Springs film festival in January.

NEVADA CITY, CALIF.

Wild & Scenic Environmental Film Festival

When, where: Jan. 15 to 17, downtown Nevada City

Highlights: The eighth annual event presents award-winning films about nature and the environment while celebrities and activists speak in support of the green movement. The Nevada City event kicks off a nationwide tour that will hit some 100 venues.

Cost: Prices vary; evening passes start at $24 ($12 for children), workshops cost $29, the gala event is $75, the dance parties are $10 to $20, and a weekend pass goes for $95

Info: (530) 265-5961, *www.wildandscenicfilmfestival.org*

PALM SPRINGS

Palm Springs International Film Festival

When, where: Jan. 5 to 18, throughout Palm Springs

Highlights: Morgan Freeman, Helen Mirren, Mariah Carey and Anna Kendrick will be honored at this annual event, founded in 1990 by then-Mayor Sonny Bono. More than 400 film screenings by filmmakers from about 60 nations will be presented, many of them making their U.S. debut.

Cost: Prices range from $50 for the closing-night gala to $400 and up for a Platinum Pass. $50 gets you into six screenings.

(800) 898-7256, *www.psfilmfest.org*

SAN FRANCISCO

Cirque du Soleil's OVO

When, where: Through Jan. 24, AT&T Park

Highlights: The all-human circus' new big-top production is egg- and insect-themed with a cast of 54 performers from 13 countries. The show opens in San Jose on Feb. 4.

Cost: From $60; $42 for children ages 2 to 12; $54 for students and seniors 65 and older

Info: (800) 450-1480, *www.cirquedusoleil.com*

— AVITAL BINSHTOCK

itinerary@latimes.com

Entertainment Weekly
#1079/1080 • DEC. 11, 2009

PALM SPRINGS INTERNATIONAL FILM FESTIVAL

Founded in 1990 the Palm Springs International Film Festival is scheduled for January 5-18, 2010. The Festival screens 180 films from around the world including a majority of the films submitted for Best Foreign Language Academy Award consideration, as well as a large number of American independent and international features and documentaries. Morgan Freeman, Helen Mirren, Jeff Bridges, Jason Reitman and Mariah Carey will be among the honorees at the Festival's Awards Gala, presented by Cartier and hosted by Entertainment Tonight's Mary Hart.

psifilmfest.org

DAILY VARIETY
Reed Business Information (RBI)
MONDAY, JANUARY 18, 2010

'New Life' tops Palm Springs fest

By KATHY A. McDONALD

Palm Springs Film Fest prizes were awarded Sunday on the event's closing day, with South Korean/French debut feature "A Brand New Life" taking the New Voices/New Visions prize.

Helmer Ounie Lecomte received a $60,000 camera package and a Dale Chihuly glass sculpture.

"A Brand New Life" received the New Voices/New Visions prize.

The Fipresci critics' prize for foreign-language film was awarded to Sweden's Oscar entry "Involuntary." Ted Bekhauri earned the Fipresci actor kudo for his perf in "The Other Band" (Georgia/Kazakhstan), and Anne Dorval won actress for Canada's "I Killed My Mother." European blockbuster thriller "The Girl With the Dragon Tattoo," directed by Niels Arden Oplev, won the audience award for narrative feature, while the audience docu award went to "The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers," from filmmakers Judith Ehrlich and Rick Goldsmith.

While many regional fests are facing economic challenges, Palm Springs' 21st edition had a record turnout with 130,000 in attendance, according to festival officials. In all, 189 films from 70 countries screened, including 45 of the 60 foreign-language film Oscar entries.

Los Angeles

JANUARY 2010

[FILM]

Hot Ticket

The festival circuit hits Palm Springs

» Since its inception in 1990, the **Palm Springs International Film Festival** has grown into an annual showcase of independent features, documentaries, and foreign films spanning 14 days (longer than Toronto or even Cannes) that's star studded to boot. This year's honorees include Morgan Freeman, Mariah Carey, and Helen Mirren (with Christopher Plummer, above, in *The Last Station*). *Jan. 5–18. Go to psfilmfest.org.*

MOVIEMAKER
THE ART AND BUSINESS OF MAKING MOVIES

January 9, 2010

http://www.moviemaker.com/articles/print/china_pulls_two_films_from_palm_springs_film_festival_20100108/

The Dalai Lama in a still from Ritu Sarin and Tenzing Sonam's documentary The Sun Behind the Clouds: Tibet's Struggle for Freedom.

The Palm Springs International Film Festival announced yesterday that two Chinese films set to screen at the 2010 festival, City of Life and Death and Quick, Quick, Slow, have been withdrawn. This news comes in response to the festival's decision to screen Ritu Sarin and Tenzing Sonam's documentary The Sun Behind the Clouds: Tibet's Struggle for Freedom despite the Chinese government's request to cancel the film's screenings. Sarin and Sonam's documentary chronicles a year with the exiled Dalai Lama and explores the hardships affecting the people of Tibet.

In response to the Chinese authorities' decision to withdraw City of Life and Death and Quick, Quick, Slow from the festival, festival director Darryl Macdonald noted, "I'm saddened that the Chinese film authorities have chosen to withdraw their films from PSIFF, as the festival is an international cultural event whose mandate is to present a wide cross section of perspectives and points of view. That said, we cannot allow the concerns of one country or community to dictate what films we should or should not play, based on their own cultural or political perspective."

This news follows on the heels of the recent report that Tibetan moviemaker Dhondup

Wangchen was sentenced to six years in prison in a secret sentencing held by the Xilin People's Court in the Chinese province of Qinghai on December 28, 2009 for the crime of "splitting the motherland," stemming from his documentary Leaving Fear Behind. The Association for Tibetan Journalists continues to protest his imprisonment and call for the moviemaker's release.

The Florida festival will screen *For a Moment Freedom* (Austria/France) and *Sticky Fingers* (Canada/France/Spain) in lieu of *City of Life and Death*, while replacement screenings for *Quick, Quick, Slow* will be announced at a later date. The Palm Springs International Film Festival is in its 21st year and runs from January 5-18, 2010.

To learn more about the festival, visit www.psfilmfest.org.

WORTH THE DRIVE

Our weekly look at nearby getaways

Main Page

January 6, 2010

http://www.nbclosangeles.com/around-town/events/Worth-the-Drive-Palm-Springs-International-Film-Festival-80857467.html

Worth the Drive: Palm Springs International Film Festival

Worth the Drive is NBCLA's twice weekly look at nearby getaways

By ALYSIA GRAY PAINTER

Your job: Decide to get out of town and fast. Our job: Help you find where you're headed. This week, NBCLA's Worth the Drive takes us to...

The Palm Springs International Film Festival: Always in early January, the perfect warm-weather bookend to Sundance, that slightly colder cinematic outing which ends Getty Images
the month.

Dates: January 5th-18th, 2010

Opening Night: Helen Mirren was honored. Anna Kendrick received the Rising Star Award (certainly fitting). Norman Jewison and Jason Reitman and Diablo Cody were there. Quentin Tarantino and Marion Cotillard. And Mariah Carey made a few headlines.

The rest of the fest: After the stars depart -- although we hope and expect that many will stay to soak up the sun/cinema spectacular -- the movies continue to roll. And roll. And roll right through the middle of the month. The grids are up.

What the grids have to say... "The Last Station" plays at the Opening Night Gala on Thursday, January 7th. "The Lightkeepers," starring Richard Dreyfus and Blythe Danner, closes the festival on January 17th. And in-between: so much. We should add, and this is a quote, that the festival says they have the "largest selection of foreign language Oscar submissions in the world." Worth. The. Drive.

Dream weekend: Swimming, lunch, movie. Swimming, cocktails, star-sighting, dinner, movie. Swimming.

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Forbes.com

January 13, 2010

http://www.forbes.com/2010/01/13/dalai-lama-barack-obama-china-opinions-contributors-greg-bruno.html

Leveraging An Obama-Lama Summit

Greg Bruno

How the U.S. should handle Tibet and China.

The White House, after reversing course in October, is preparing to meet Tibet's exiled spiritual leader, and the Chinese are none too pleased. A Chinese Foreign Ministry spokeswoman responded angrily to the idea on Jan. 5, declaring Beijing "firmly against Dalai visiting other countries." China's U.S. ambassador, Zhou Wenzhong, was more direct in comments to the *Washington Post*. "We hope that [Obama] will not do that."

China's pre-emptive critique of an Obama-Lama summit is hardly surprising, never mind that a date has yet to be determined for the likely low-key meeting. Beijing rarely wastes an opportunity to lambast foreign governments on their relations with the monk it accuses of seeking to split the Middle Kingdom (the most recent case was at a film festival in Palm Springs, Calif., over a new documentary about Tibet).

But the boldness of China's assertiveness on the Dalai Lama's potential travel plans makes one fact clear: As the West waffles on its Tibet policy, Tibetans are running out of options.

"Western governments, at least in the E.U., are conceding to Chinese pressure on the Tibetan issue in a way nobody would have predicted," says Robbie Barnett, a Tibet expert at Columbia University in New York. Does the world community "have the capabilities, the diplomatic skills and resources, the background and long-term view to maintain their own positions and interests in dealing with contemporary Chinese diplomacy? It doesn't seem like it."

For Tibetans abroad, "Chinese diplomacy" is a war they are losing. In the Tibetan exile capital of Dharamsala, India, Tibetans young and old speak of a frustration and impotence rarely expressed in the more than 50 years since the Dalai Lama fled Lhasa. Where hope once resonated, disappointment is palpable. There were "a lot of expectations" among Tibetans after Obama's election, Tempa Tsering, the Dalai Lama's representative in New Delhi, told me during an interview at his office last fall. The decision not to meet the Dalai Lama in October--ostensibly in an effort to generate goodwill from China--"didn't keep up to the expectation."

Tibet experts say the gloomy sentiment is no accident. Similar to China's "overseas battle" against Falun Gong a decade ago, Beijing is actively needling foreign governments, in part, experts say, to increase frustration and foster anxiety within the Tibetan exile community. The ultimate aim may be to hasten the exiles' demise when the Dalai Lama dies, an eventuality openly discussed as His Holiness ages (he's 74).

Yet China's anti-Tibet tactics are more meddlesome than statements to the media. Tales of China's Cold War-era espionage are endemic in Tibetan exile, and Beijing is often accused of sending spies, tapping phones and supporting Tibetan groups opposed to the Dalai Lama's non-violent resistance. China denies such accusations

and insists it stays out of the affairs of sovereign states. But Indian, Tibetan and Western intelligence and government officials all tell me the evidence is overwhelming.

Dhondup Dorjee, vice president of the Tibetan Youth Congress, one of the more vocal Tibetan protest organizations, told me he has personally been approached by Chinese "businessmen" with offers of money and support in exchange for information. One senior Tibetan security official, who spoke on condition of anonymity, says Chinese spies masked as Tibetan pilgrims are actively seeking to learn secrets about His Holiness' health, directing agents to smuggle Dalai Lama hair--even urine--out of India for testing.

Tibetan exiles' host governments receive the Tiger's share of Chinese attention. In India, home to roughly 100,000 Tibetan refugees, efforts to squeeze New Delhi on the Tibetan question have had some success, but in Nepal, home to the world's second-largest Tibetan exile population, the Kathmandu government has completely caved, analysts say. Nepalese officials have shuttered Tibetan welfare offices, arrested protestors and proposed a 10,000-strong border force that could shut off the principal route for refugees escaping China's authoritarian policies.

China's rising economic star, and its perceived role in rescuing the world's economies from collapse in 2009, has given its leaders outsized confidence to make demands on critical domestic issues to leaders in Beijing. Western governments are buckling under the pressure. In December, seven months after receiving His Holiness for an official visit in Denmark, Copenhagen effectively apologized to Beijing.

"The Dalai Lama's political credibility is his mandate from inside" Tibetan territory, Barnett says. "That's what China's core strategy has been about since the mid-1990s: destroying the standing of the Dalai Lama as a leader, as a credible representative."

Last year, in detailing the Obama administration's China policy, Deputy Secretary of State James Steinberg called on China to "reassure the rest of the world that its development and growing global role will not come at the expense of security and well-being of others." On the Tibet issue Obama can help Beijing along by ignoring China's protests and meeting with the Dalai Lama. He should also encourage China to meet with the Dalai Lama's representatives. Doing so may come with political costs, and it won't alter China's calculations toward its Tibetan minority. But at the very least it will send China a message that American foreign policy cannot by hijacked by finger wagging.

Greg Bruno is a staff writer for CFR.org, the Web site of the Council on Foreign Relations. He is currently researching Tibet's exile community with a grant from the Nation Institute's Investigative Fund.

The Desert Sun

21ST ANNUAL PALM SPRINGS INTERNATIONAL FILM FESTIVAL

Students, filmmakers both benefit from film screenings

BY MAGGIE DOWNS
The Desert Sun

Director Ricardo Trogi remembers watching "The Killing Fields" when he was a high school student.

"I remember all the students were going out like this," he said, trembling. "It showed me things I had never seen before."

He hopes the films screened at the Palm Springs International Film Festival Student Screening Day will have the same profound effect on Coachella Valley teenagers.

Trogi's film, "1981," was among five films being shown to high-schoolers on Wednesday.

In the morning, more than 1,000 students watched "Samson & Delilah," about a young Aboriginal couple, followed by "The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers."

"To me, students are the main audience for this film," said Judith Ehrlich, one of the filmmakers for the documentary, which will air on PBS later this year and have a limited theatrical release.

"I always show my work to students first anyway," she said. "That's the most valuable feedback I receive."

COURTESY OF THE PALM SPRINGS INTERNATIONAL FILM FESTIVAL

Director Ricardo Trogi's film "1981" was one of five films shown during the Palm Springs International Film Festival Student Screening Day Wednesday.

As part of the evening program, there were free screenings of "Only When I Dance," which follows young Brazilians as they pursue professional dancing careers; Trogi's film, "1981," a coming-of-age comedy; and "Sweet Crude," a documentary about the conflict over oil in Nigeria.

"(Students) ask the hardest questions," said Sandy Cioffi, director of "Sweet Crude." "When you show films to a focus group of adults, you have to beg for feedback. With students, you can't stop them from giving real answers."

The event is part of the festival's educational outreach program, a year-round facet of the film society. Their goal is to expose students to outstanding international cinema and engage with filmmakers.

Los Angeles Times

January 4, 2010

http://travel.latimes.com/daily-deal-blog/index.php/hotel-deals-for-palm-6152/

Hotel deals for Palm Springs International Film Festival, Jan. 5-18

For a bouillabaisse of plots set to thicken, film fanatics will soon be heading to the desert for the Palm Springs International Film Festival, in its 21st year. On the menu are thrillers, such as the "Girl With the Dragon Tattoo" from Sweden and "Chameleon" from Hungary. Also scheduled are programs such as "G'Day USA: A Showcase of New Australian Cinema," which will feature nine films, including "My Year Without Sex." Opening night will feature "The Last Station," pictured above. And there will be lots, lots more. On 15 screens in Palm Springs, the festival — founded in 1990 by then-mayor Sonny Bono — will include 188 films, representing work from 70 countries, according to David Lee of the Palm Springs International Film Society.

Treat yourself to a cinematic desert stay — and stay awhile, if you can. The following are some of the hotel deals in the area available during the festival; rates below are pre-tax:

$99 & up, plus free tickets: A Place in the Sun Garden Hotel [(800) 779-2254] is offering discounted rooms. When I called on Sunday requesting "film festival rates," there was plenty of availability. Rates normally start at $129 per night. In addition, vouchers for festival-screening tickets are free for the taking (at least one pair of vouchers per room, according to the owners), on a first-come, first-served basis and subject to availability. You'll receive the vouchers upon check-in.

$119: Palm Springs' Courtyard by Marriott [(800) 321-2211] is within walking distance of the Regal Theatre, one of the festival's screening locations. The special rate for festival attendees is $119 per night. Request the "PSFC" rate when booking by phone; the deal is not available online. When I called in, the reservations agent cited generally good availability between Jan. 5 and 14. The regular rate here starts at $139 per night.

$295: At Sundance Villas [(800) 455-3888], a two-bedroom, two-bath villa with private pool and spa will normally cost you at least $375 per night. The starting rate for festival-goers is $295 per night. Call in and request the festival rate. When I called, reservations were available under this promotion.

To find out which other hotels are offering specials during this time, see the Travel & Accommodations section on the festival website. Check out the Palm Springs International Film Festival & ShortFest Facebook page for some useful information, such as which films are selling out. (The Palm Springs ShortFest, June 22-28, follows the international festival.)

— Susan Derby, Special to the Los Angeles Times

Photo: Scene from "The Last Station," which will screen on opening night of the Palm Springs International Film Festival. Credit: Palm Springs International Film Society

Screen DAILY.COM

January 6, 2010

http://www.screendaily.com/festivals/other-festivals/china-palm-springs-film-festival-clash-over-tibet-doc/5009444.article

China, Palm Springs Film Festival clash over Tibet doc

By Jeremy Kay

Chinese authorities have pulled two films from the Palm Springs International Film Festival ahead of screenings later this week of *The Sun Behind The Clouds: Tibet's Struggle For Freedom.*

The move comes after festival director Darryl Macdonald defied a request by officials not to show the documentary, and recalls events leading up to last summer's Melbourne International Film Festival when three Chinese films were withdrawn.

The Sun Behind The Clouds: Tibet's Struggle For Freedom follows the Dalai Lama over the course of an eventful 12 months that saw the 2008 protests in Tibet, the long march in India, the Beijing Olympics, and the breakdown of talks with China.

As a result of the festival's decision to go ahead with scheduled screenings on January 10 and 12, Chinese authorities have withdrawn Lu Chuan's Nanking Massacre drama *City Of Life And Death* (pictured) and Ye Kai's comedy *Quick, Quick, Slow* from the festival.

"After meeting with representatives from the Chinese government regarding their request to cancel our screenings of *The Sun Behind The Clouds: Tibet's Struggle for Freedom*, we have respectfully declined their request," Macdonald said.

"I'm saddened that the Chinese film authorities have chosen to withdraw their films from PSIFF, as the festival is an international cultural event whose mandate is to present a wide cross-section of perspectives and points of view.

"That said, we cannot allow the concerns of one country or community to dictate what films we should or should not play, based on their own cultural or political perspective. Freedom of expression is a concept that is integral both to the validity of artistic events, and indeed, to the ethos of this country."

The City Of Life And Death screenings will be replaced by *For A Moment Freedom* (Austria-France), which centres on a group of Middle Eastern refugees who have made their way to Turkey to apply for European visas, and *Sticky Fingers* (Canada-France-Spain), a comedy about six of the world's worst gangsters.

Replacement screenings for *Quick, Quick, Slow* will be announced at a later date.

Last July politics forced the withdrawal from the Melbourne International Film Festival of Zhao Liang's Chinese-French documentary *Petition – The Court Of The Complainants*, about the injustices perpetuated by China's bureaucracy, Emily Tang's Hong Kong drama *Perfect Life*, and the short film *Cry Me A River*

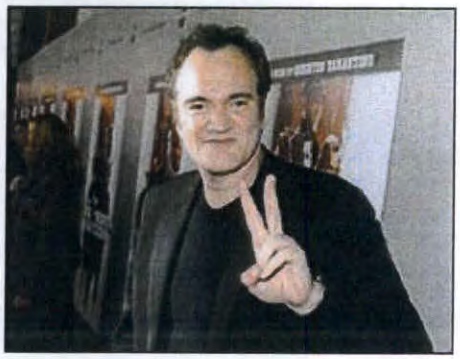
Chow Keung, the Hong Kong producer of *Perfect Life* and *Cry Me A River*, pulled his films in response to the inclusion of Australian documentary *The 10 Conditions Of Love*, about Uyghur leader Rebiya Kadeer. Melbourne organisers were also informed they no longer had access to *Petition – The Court Of The Complainants.*

BBC NEWS

December 31, 2009

http://news.bbc.co.uk/2/hi/entertainment/8436046.stm

Quentin Tarantino to collect festival honour



Movie director Quentin Tarantino is to be honoured for his career achievements at the Palm Springs Film Festival in the US next month.

The maker of Reservoir Dogs will be given the Sonny Bono Visionary Award, named after the event's late founder.

Oscar winner Marion Cotillard will collect an award for achievement in acting, a year after winning the breakthrough accolade.

The California festival is due to take place from 5-18 January.

'Breathtaking'

Festival chairman Harold Matzner hailed Tarantino as "one of the most gifted, iconoclastic film-makers of his generation".

He also noted the director's most recent release, Inglourious Basterds, as a "hugely entertaining, revisionist take on history".

Cotillard, who won the best actress Academy Award in 2008 for playing singer Edith Piaf in La Vie En Rose, was the first actress to win the top acting award for a French language picture.

Mr Matzer said: "Following a distinguished career in French cinema, Marion Cotillard has firmly established herself as a major actress in American films."

He added that the star's latest performance in musical film Nine is "breathtaking".

Previous winners of the Desert Palm actress achievement award include Kate Winslet and Halle Berry - both Oscar winners.

Taiwan News
Voice of the people, Bridge to the world.

January 7, 2010

http://www.etaiwannews.com/etn/news_content.php?id=1149825&lang=eng_news

Chinese director accepts decision to pull film

By MIN LEE
Associated Press

A Chinese director whose movie was pulled from an American film festival as part of a boycott over the screening of a documentary about the Dalai Lama said Thursday he accepted the decision _ but hinted he was under pressure to toe the government line.

The Palm Springs International Film Festival said in a statement posted on its Web site Wednesday that Chinese film authorities pulled Lu Chuan's "City of Life and Death" and the comedy "Quick, Quick, Slow" from the event. Organizers said the Chinese acted after they refused Beijing's request they drop the documentary "The Sun Behind the Clouds: Tibet's Struggle for Freedom."

China considers the Dalai Lama a "splittist" seeking formal independence for Tibet, which Beijing says has been Chinese territory for centuries. The Dalai Lama says he seeks only a high level of autonomy under Chinese rule for the Himalayan region, although many of his supporters say Tibet was effectively an independent country for most of its history.

Lu told The Associated Press in a phone interview Thursday that he accepted the Chinese government's decision _ but hinted he wasn't able to speak freely because of political pressure. The director, a rising star in China, initially declined to be interviewed at all.

"This interview is too sensitive. It's not very appropriate for me to do it," Lu said.

When pressed, he said he "unconditionally accepted" the decision to withdraw his movie.

"This incident involves national interests. National interests trump everything," Lu said. "When it comes to national unity, I think the attitude of all Chinese is the same."

Asked if China, by pulling the two films, was interfering with artistic freedom, Lu said, "It's really, really hard for me to answer that question."

"There are some things I can say internally, but I can't say to the media," he said.

Lu, whose credits also include "The Missing Gun" and "Mountain Patrol," is also in a sensitive position because he just landed a major prestige project. The Chinese government recently commissioned him to make a short film that will be shown at the China pavilion at this year's World Expo in Shanghai.

Lu said China Film Group is the overseas distributor for "City for Life and Death" and the state-run company told him about the decision to pull the film. China Film Group spokesman Weng Li said Thursday he didn't know about the withdrawal.

Calls to the international cooperation department of China's Film Bureau went unanswered.

At Shanghai-based DFM Films, which made the comedy that was pulled, a woman who identified herself as the executive in charge of the company declined to comment. She also declined to give her name.

"City of Life and Death" is a story set against the Japanese massacre of Chinese citizens during World War II. The comedy, Ye Kai's "Quick, Quick, Slow" is about middle-aged Chinese citizens who take part in a dance competition.

The Palm Springs International Film Festival in California runs through Jan. 18.

indieWIRE
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January 14, 2010

http://www.indiewire.com/article/2010/01/14/sun_kissed_palm_springs_cranks_out_international_cinema/

Sun Kissed Palm Springs Cranks Out International Cinema

by Brian Brooks

Photo by Brian Brooks/indieWIRE

The Palm Springs International Film Festival is blessed with a location and date that many other festivals might only dream of... PSIFF lives up to the "International" in its name, regularly screening the world's entries for Best Foreign Language Oscar consideration - this year, 41 of 65 entries to the Academy of Motion Picture Arts and Sciences.

Being set in a tony desert resort less than two hours from Los Angeles with some of the balmiest January weather in the United States certainly can't hurt. Plus, Palm Springs has long been a magnet for Hollywood stars and bigwigs for decades, so luring out those Academy members to see some of those contenders on the big screen is a no brainer. Still, the festival's organizers, the Palm Springs International Film Society - which hosts year-round events including Palm Springs International ShortFest taking place this year June 22 - 28 - deserves kudos for exploiting this niche.

And the long queues outside festival venues around the desert enclave are testament to the event's success, even if the audiences are skewed somewhat to the community's resident winter population.

"Palm Springs attendees come from all over North America," PSIFF Lead Programmer Carl Spence told *indieWIRE*. "They are passionate and longtime arthouse film goers frustrated by the fewer and fewer opportunities to see these types of films in their hometowns. They love to discover new films they have never heard of." Spence called the festival's audience "savvy and "smart" and place value in a geographic diversity of voices. "I'm always surprised when we have people fighting to get into a small film from Turkey, Namibia or another distant country."

Palm Springs Fest Lead Programmer Carl Spence with actor Udo Kier at a French brunch over the weekend. Photo by Brian Brooks/indieWIRE

Distant, but certainly far from obscure, Australia received a special festival spotlight this year, with a program dubbed, "G'Day USA: A Showcase of New Australian Cinema," showcasing nine features debuting from Down Under. Director Warwick Thornton's look at Aboriginal youth, "Samson & Delilah" was among the crop of films in the spotlight. The filmmaker showed up with his new bride - the couple used their visit to Palm Springs as a honeymoon - to introduce the film which took the Camera D'Or in Cannes last year.

The film follows two teens who live in a dusty settlement in the Australian desert. The plot unfolds with minimal dialog yet seductive performances by its lead actors. Samson, 15, is addicted to sniffing gasoline, while 16 year-old Delilah cares and works on dot-paintings with her elderly grandmother. Their flirtation takes a harsh turn after they take a community car to Alice Springs and they find themselves living under a highway overpass as runaways. From there, things descend further until a chance accident adds another twist.

Croatian director Antonio Nuic along with producer Boris T Matic and Lana Ujdur took some time out screening their film, "Donkey" (Croatia's Oscar submission this year) to try out Palm Springs' local Croatian restaurant, Cafe Jasmin. Photo by Brian Brooks/indieWIRE

"'Samson & Delilah' is a horrific film, it hurts," said Thornton after the screening. "But it's 'Honesty Cinema.' It tells the truth. The film may itself be fictitious, but it shows what's happening." Thornton continued to say to the audience (two theaters were packed for the film's initial screening) that the story may have been invented, but it reflected the condition of many Aboriginal youth in Australia and beyond.

"The thing I love about 'Samson & Delilah' is that they're two teens falling in love, and they're kids dealing with drug abuse," he said, "They could be two kids in Australia, Palm Springs, New York or anywhere."

"Samson & Delilah" was certainly captivating, but it didn't make for light viewing. Nor did the U.S. debut of fellow Aussie filmmaker Glendyn Ivin's "Last Ride." Starring Hugo Weaving, the veteran Oz actor plays an ex-con father who takes his 10 year-old son, played charmingly by Tommy Russell, out to the desert on an odyssey he knows can't be good. Their journey is peppered with light moments, but their journey becomes more precarious as they steal food and his father descends down a slow temper-filled spiral. "There were certainly parts of the film that I liked," one member of the audience told a fellow watcher. "Yeah, parts," she added.

Filmmakers Anne Aghion ("My Neighbor, My Killer" - right) with "I Killed My Mother" director & star Xavier Dolan (middle) along with the film's stars Patricia Tulasne and Anne Dorval (left). Photo by Brian Brooks/indieWIRE

"'Samson & Delilah' was the spark that got us to look around and notice a surge in extraordinary productions from Australia," said Spence about this year's country spotlight. "It started with 'Samson & Delilah' in Cannes and then continued in Toronto after seeing 'Beautiful Kate,' 'The Balibo Conspiracy,' 'Blessed' and 'My Year Without Sex' amongst other recent noteworthy films from Australia."

Typically at the forefront of international offerings, French-language film made a splash last weekend with a lovely lunch co-hosted by the Department of Film and Television of the Consulate General of France. Interestingly, France's own submission for Oscar consideration, Jacques Audiard's "A Prophet" was absent from the festival's line-up, but France had 19 other titles listed in the PSIFF catalog.

And, three other French-speaking titles that have been by submitted by other countries traveled to Palm Springs. Belgium's "The Misfortunates" by Felix van Groeningen, Switzerland's "Home" by Ursula Meier and Canada's "I Killed My Mother" by young actor/director Xavier Dolan (one of indieWIRE's favorites from this past Fall's film circuit) were among the films feted at the brunch.

PSIFF programmer Therese Hays with "The Sun Behind the Clouds: Tibet's Struggle for Freedom" directors, Ritu Sarin and Tenzing Sonam. Photo by Brian Brooks

Also grabbing festival attention and headlines ahead of its screening was Ritu Sarin and Tenzing Sonam's "The Sun Behind the Clouds: Tibet's Struggle for Freedom." China insured a decent amount of press for PSIFF by subtly then demanding the removal of the film which takes a look at the Dalai Lama and his quest for autonomy - but not complete independence - from China. When festival organizers refused, China withdrew two titles from the fest.

The 21st Palm Springs International Film Festival continues through January 18th. indieWIRE will publish the winners of the festival over the weekend.

THR asia

January 6, 2010

http://www.hollywoodreporter.com/hr/content_display/asia/news/e3i015c08bd6f66cc498af481289fbc6b26

Chinese film pulled from Palm Springs fest: China Film Group yanks 'City of Life and Death'

By Jonathan Landreth

"City of Life and Death"

BEIJING -- State-run China Film Group has pulled "City of Life and Death" from the Palm Springs International Film Festival to protest the event's inclusion of a film about the Dalai Lama, director Lu Chuan said Wednesday.

The episode is the latest incidence of the Chinese government interfering with the participation of Chinese films at international festivals.

Festival director Darryl Macdonald said he had rejected a request by Chinese government representatives to cancel the screening of "The Sun Behind the Clouds: Tibet's Struggle for Freedom," a documentary by directors Ritu Sarin and Tenzing Sonam.

"We cannot allow the concerns of one country or community to dictate what films we should or should not play, based on their own cultural or political perspective," Macdonald said in a statement.

Also withdrawn from Palm Springs was debut Chinese director Ye Kai's film "Quick, Quick, Slow," a comedy about elderly amateur dancers.

In July, Chinese directors came under government pressure to withdraw their films from the Melbourne International Film Festival to protest a film about the life of Uighur leader Rebiya Kadeer, who, like the Dalai Lama, is considered a separatist by Beijing.

In Sept, the controversial Australian documentary about Kadeer, called "Ten Conditions of Love," was dropped from the Kaohsiung Film Festival in Taiwan after organizers felt pressure from Beijing, which considers the self-governed island a renegade province.

"My feelings are very complicated," Lu told The Hollywood Reporter. "On the one hand I'm very grateful to the film festival for giving my film greater exposure, on the other hand, when it comes to Tibet and politics, we directors have no choice but to stand together with our film company."

State-run China Film is the largest producer and distributor of films in China and holds great sway over the careers of many young directors who have come up under its influence.

"City of Life and Death," about the Nanjing massacre of Chinese citizens by invading Japanese troops in 1937 earned 180 million yuan ($26.5 million) at the Chinese boxoffice in 2009, catapulting Lu into the commercial limelight.

Soon after, Lu was signed by the Creative Artists Agency in the United States, which then brokered China Film's sale of the film last year to National Geographic, which hopes to screen the film theatrically beginning in March.

"It's my dream that the film get a theatrical distribution in the U.S." he said, hopeful that such a deal was near to closure.

Lu said an official from China Film's foreign affairs department tried to reach him last week while he was on holiday with his family to explain why the company would boycott Palm Springs by pulling the film, known in Chinese as "Nanjing! Nanjing!"

"She didn't give me the name of the government department that demanded China Film pull the movie, but she intimated that it had to do with Tibet and politics," Lu said, adding that he hoped at some later date to discuss the episode in private with whomever made the decision to pull his film.

The China Film official, reached by telephone, said the issue was "complicated" and declined further comment and permission to use her name in print.

"Sun Behind the Clouds" is scheduled to screen in Palm Springs this week.

"I have absolutely no knowledge of the film they're talking about," Lu said.

Another film about Nanjing, the German-Chinese co-production "John Rabe" was scheduled to show at the festival. The Chinese half of that film was the Beijing based Huayi Brothers Pictures, the first publicly-listed movie company in China.

The festival runs Jan. 5-18.

FILMS FROM DOWN UNDER

The 21st Annual Palm Springs International Film Festival emphasizes new talent from Australia

By Janice Kleinschmidt

MARK ROGERS

THEY CALLED IT A FILM RENAISSANCE, and "The Australian New Wave." With new funding and training in place, the land of kangaroos and vegemite produced an astonishing number of fresh and quirky films beginning in the early 1970s. Over the next 15 years or so, movies such as *Picnic at Hanging Rock*, *Mad Max* (and its two sequels), *The Man From Snowy River*, *The Year of Living Dangerously*, and *Crocodile Dundee* (and its sequel) brought global attention to Australian directors and actors.

The 2010 Palm Springs International Film Festival celebrates another revival in movies from Down Under with an Australian Film Day and gala on Jan. 9.

"We are just really excited, because Australia was very hot filmwise back in the '70s and early '80s," says Executive Director Darryl Macdonald, pointing to directors such as Bruce Beresford (*Breaker Morant*), Peter Weir (*Gallipoli*), George Miller (*Mad Max*), and Gillian Armstrong (*My Brilliant Career*). "Then, unfortunately, they all transplanted themselves to Hollywood and made American movies." While Macdonald acknowledges that these filmmakers "injected vitality into American film in the late '80s and '90s," he clearly appreciates the perspectives that come from indigenous surroundings. "This is the first new wave of talented filmmakers emerging out of Australia," he says of the latest crop of young Aussie directors.

Founded in 1990 by then-Mayor Sonny Bono, Palm Springs International Film Festival has become one of the most prestigious film festivals in the country. It presents a majority of the films submitted for consideration in the Best Foreign Language category of the Academy Awards, as well as American independent and international films making their world and U.S. debuts. Many Academy members come to the festival to view films prior to Oscar voting.

Festival organizers decided to highlight Australian cinema after attending the Cannes and Toronto film festivals. In October, they visited the Australian consulate in Los Angeles, where they learned about a tourism promotion called G'Day USA — a series of events that includes film screenings, fashion shows, dinners, and a trade show in Los Angeles, San Francisco, and New York. With G'Day USA scheduled to run Jan. 9-22, Macdonald's team suggested kicking off the celebration at the Palm Springs International Film Festival.

"There are a huge number of Australians, something like 300,000 in the greater Los Angeles area alone who tune into the Australian consulate Web site and click through to G'Day's Web site," Macdonald says. "We obviously hope to draw a lot of people who haven't been to the festival before to Palm Springs, as well as Australian tourists from across the country. ... Another part and parcel of it is the press coverage that will be generated in Australia in connection with G'Day USA." In addition to the consulate, festival organizers are coordinating efforts with Tourism Australia and Quantas Airways. Australian wines will be served at the Jan. 9 gala.

Films in the lineup primarily showcase new talent, but also include a film by Beresford (*Mao's Last Dancer*) and the feature film directorial debut of Rachel Ward, who has been in front of the camera for more than 20 years (*Beautiful Kate*). Ward and her husband, actor Bryan Brown, are among those in the Australian film industry expected to appear in Palm Springs.

According to Macdonald, the festival tries to focus on one country that has risen to the top by making exciting films. "Suddenly sparks will fly," he says. "Australia loudly and clearly has pushed to the forefront [this year]."

Rowan McNamara plays Samson in *Samson and Delilah*.

Gameau stars in *Balibo*.

BALIBO FILM PTY LTD

Matt Day (right), Jonathan Segat (left), and Sean Rees-Wemyss (second from left) star in *My Year Without Sex*.

SARAH WATT

IN 2008, the festival celebrated Israeli cinema when that country marked the 60th anniversary of its founding. "It did more to cement us in their minds about what we do," Macdonald says. "It's also about growing our constituency and, hopefully, tourism in Palm Springs.

"The festival is basically a reflection of what's going on in the world. That's what drives our programming."

21ST ANNUAL PALM SPRINGS INTERNATIONAL FILM FESTIVAL
Jan. 5-18
1-760-322-2930
www.psfilmfest.org

FESTIVAL FILMS FROM AUSTRALIA

Balibo
Anthony LaPaglia stars as Roger East, an Australian war journalist who ventures to East Timor to investigate the disappearance of five Australian TV reporters who go missing during the Indonesian invasion of East Timor in 1975. LaPaglia also co-produced the film.

Beautiful Kate
One of Australia's biggest stars, Rachel Ward, wrote and directed this handsome and intense Gothic love story, a tale of lust and dark family secrets that come spilling into the open when the family rallies around its dying patriarch.

Blessed
Boasting a stellar cast of Australian actresses, including Debora Lee-Furness, Miranda Otto, and Frances O'Connor, Anna Kokinos' drama traces the disparate but overlapping stories of a group of wandering children and their assorted mothers over the space of 24 hours.

My Year Without Sex
Winner of the Australian Directors' Guild Award this year, this highly original dramedy — part uneasy domestic comedy, part doom-laced morality tale — introduces us to a housewife whose doctor forbids her and her husband to have sex for a year after she is stricken by a bolt-out-of-the-blue health crisis.

Samson and Delilah
Winner of the Camera d'Or at this year's Cannes Film Festival, this unconventional aboriginal love story about two outcast teens has won critical praise and audience raves on the festival trail since its debut at the Adelaide Film Festival in March 2009.

Mao's Last Dancer
Bruce Beresford's drama traces the true story of Li Cunxin, a young man plucked from obscurity at the age of 11 by Madame Mao's cultural delegates and taken to Beijing to train as a ballet dancer. He went on to become a major ballet master who defected to the West when he was sent to Houston on a cultural exchange and fell in love with an American woman, subsequently becoming a principal dancer for the Houston Ballet and a principal artist with the Australian Ballet.

Last Ride
Hugo Weaving stars as an ex-con on the lam with his 10-year-old son in this taut, unsettling road movie set against the vast expanses of inland South Australia.

A FEW COMMENTS FROM FESTIVAL ATTENDEES –

I'm so pleased with how famous *our* festival has become all over the world. I enjoy it so much. I will continue to come to it EVERY year!

Love the fest. Our 5th year. It's getting better each year. Very well organized. Truly enjoy the desert.

Excellent films in quality and range. Very punctual. Fine volunteers, organization, communication. Everything is easily accessible. Look forward to returning.

Great films as always - maybe a bit stronger even than usual. I love this festival - it is better run every year.

Excellent gift to the community!

Magnificent. Excellent choices of films from good to excellent to sublime.

I love PSIFF- I have come for 21 years. I love it and the programmers and the volunteers. Thank you. So well organized. I wouldn't do without a Platinum Pass.

A fantastic opportunity for us! Festival seems organized and is always a great experience.

I like it very much, it gives me the opportunity to see the rest of the countries through this party window. I learn a lot about peoples problems and thank God every time for what I have. Thanks for your efforts. Keep up the good work.

Extraordinary event. Important part of our year. Have attended 20 out of 21 years.

First off, I'm a huge fan and am enjoying the fest thoroughly. 1st time with a Platinum Pass and love it. Great festival. I look forward to it every year! Thanks!

Each year the festival is my Big vacation. I really enjoy it each year. Thanks to everyone for their efforts making it a great experience.

Been coming for many (19) years. Very well organized this year. I'm a platinum passholder. Had a great fest! Thanks.

Excellent. We own a home in Rancho Mirage but live in Minnesota. The film festival is the highlight of our winter and the principle reason we chose this area to live in during the winter. This year it seems we saw better films than usual! We do try to buy sponsor products during the year.

We are the first timer and enjoyed it so much. We'll recommend PSIFF to our friends at home.

This festival has given me and my family a chance to see many wonderful foreign films that might not be released in NYC. This is my 3rd time here and I plan on coming again!

My favorite weeks of the year!

Well run, well organized festival. I saw 30 movies and only 1 was not outstanding. Thanks for everything! See you next year.

PALM SPRINGS INTERNATIONAL FILM SOCIETY
EXECUTIVE COMMITTEE MEETING
Monday, February 1, 2010-8:00A.M
Spencer's-701 W. Baristo Rd., Palm Springs

1) Call to order-Harold Matzner
2) Approval of Minutes- Harold Matzner
    a. December 7, 2009
3) Promotional Video – Harold Matzner **–Possibly defer to full board**
4) Finance Committee-Marshall Gelfand/Rhea Lewis Woodson – **Defer largely to full board**
    a. General financial condition
    b. Budget Planning is underway
5) Sponsorships & Development- Harold Matzner – **Defer largely to full board**
6) Nominating Committee- John Wessman
    a. Ed Monarch
7) Chairman's Comments – Harold Matzner – **Defer largely to full board**
    a. Record Setting Revenue
    b. Participation of Board Members in events
    c. Attendance
    d. Electronic and Print Coverage
    e. Outlook for next year's Festivals
    f. Building on experienced staff for the Awards Gala and Film Festival
    g. Education – committee appointments
8) Awards Gala- Chairman, Jackie Lee Houston and Harold Matzner - **Defer largely to full board**
    a. Awards Gala Show and After Party
        i. Earlier Invitations
        ii. Use last year's honoree names as an example
        iii. Source of Awards Gala sales
        iv. Penfolds (how did Board members feel about Penfolds?)
    b. Opening Night
        i. Quality Level....cost....security
    c. Agua Caliente Closing Party
    d. Party access for Board of Directors
9) Executive Director's Report – Darryl Macdonald – **Defer largely to full board**
10) Old Business/ New Business
11) Next Meeting- Monday, March 8, 2010
12) Adjournment

waited to pursue sponsorships until later in the year to give the economy a chance to normalize. We have various presentations out to large companies such as American Express, Best Buy and BMW. Mercedes-Benz has not finalized a sponsorship renewal, but we are hopeful that they will do so. The Agua Caliente Band of Cahuilla Indians has reduced their sponsorship by $50,000, bringing their overall funding to $75,000 this year versus $125,000 last year. In total we may be down as much as $100k in sponsorship contributions, but we will be selling until the last possible day.

Darryl Macdonald delivered the *Executive Director's Report*. Mr. Macdonald stated that the same core staff is back for the 2010 Film Festival. He also announced that the 2010 Festival will have an Australian Cinema Component that is being sponsored by G'Day USA, Australia.com and Quantas. Darryl also announced the current Film Society membership is 1,042. Darryl then shared details with the Board about the different types of passes that are available for purchase.

The next official meeting of the Board of Directors will be held on Monday, February 1st.

As there was no further business the meeting was adjourned at 9:58 a.m.

Respectfully submitted,

Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

P.S. January 14th at 5:30 p.m. will be a Chairman's Dinner and Screening at the Regal Theater. There will be an informal discussion of Festival matters preceding dinner. All Board members are invited with a guest.

Palm Springs International Film Society
Board of Directors Meeting
December 7, 2009, 9:00 a.m.
Spencer's Bougainvillea Room
701 W. Baristo Rd, Palm Springs

Present:
Mark Adams, Cynthia Berenson, Stephen Breimer, Jim Bruner, Jim Casey, Sidney Craig, Bob Deville, Fritz Frauchiger, Helene Galen, Jack Grundhofer, Jackie Lee Houston, Jim Hummer, Mary Ann LaBahn, Harold Matzner, Kevin McGuire, Patrick Mundt, John Pinkney, Richard Ramhoff, David Ready, Lois Schlecht, Brian Shea, Dominique Shwe, Judy Vossler, John Wessman

Also Present:
Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Elizabeth Matzner, Christina Sasse, Dawn Vargo

Not Present:
David Baron, Michael Childers, Robert Dickey, John Fowler, Michael Hutchison, Michelle Krans, Haddon Libby, Lee Morcus, Muriel Myerson, Mark Palmer, Madeline Redstone, Jack Scalia, Linda Shirvanian, Dick Taylor.

Harold Matzner, Chairman, convened the Board of Directors Meeting at 9:06 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of November 3, 2009. On a **MOTION by Jim Casey, SECONDED by Brian Shea, the Board minutes of Monday, November 3, 2009 were unanimously approved.**

Managing Director Rhea Lewis Woodson delivered the Finance Committee report, giving the current Festival cash position as $215,000, receivables are over $600,000 all of which are considered collectable. The Festival's current overall financial position is good.

Mrs. Jackie Lee Houston delivered the Awards Gala Committee Report. Mrs. Houston has finalized the décor & lighting. This year Shari Kelley is collaborating with Mrs. Houston on the décor of the evening and the theme will be "GOLD". The tasting of the Awards Gala Menu is set for December 10th. Mrs. Houston feels much better about the status of the Awards Gala this year than she did at the same time last year. Mr. Matzner thanked Mrs. Houston for sponsoring Shari Kelley's costs for table décor at the Gala. There will be 140 tables. Mr. Matzner said that Shari Kelley is one of the best creative people in the country.

Mrs. Helene Galen asked when the Awards Gala invitations would be available. Mr. Matzner answered that they would be available shortly. He commented on the fact that we are getting very close to finalizing the list of honorees and that the Film Studios put pressure on us to include all of the honorees in the invitation.

Dominique Shwe and Harold Matzner delivered a brief Sponsorship Committee Report. Mr. Matzner mentioned that the sponsorship committee purposely

Palm Springs International Film Society
Executive Committee Meeting
December 7, 2009, 8:00 a.m.
Spencer's Bougainvillea Room
701 W. Baristo Rd, Palm Springs

Present:
Jim Casey, Sidney Craig, Helene Galen, Jack Grundhofer, Jackie Lee Houston, Harold Matzner, Kevin McGuire, Patrick Mundt, John Pinkney, Richard Ramhoff, David Ready, Brian Shea, Dominique Shwe, John Wessman

Also Present:
Cynthia Escarpita, Rhea Lewis Woodson, Darryl Macdonald, Elizabeth Matzner, Christina Sasse, Dawn Vargo

Not Present:
David Baron, Marshall Gelfand, JoAnn McGrath

Harold Matzner, Chairman, convened the Executive Committee Meeting at 8:09 a.m. A quorum being present, Mr. Matzner asked for approval of the minutes of November 3, 2009. On a **MOTION by Kevin McGuire, SECONDED by Jim Casey, the Executive Committee minutes of Monday, November 3, 2009 were unanimously approved.**

Managing Director Rhea Lewis Woodson delivered the Finance Committee report, giving the current Festival cash position as $215,000, receivables are over $600,000 all of which are considered collectable. The Festival's current overall financial position is good.

Dominique Shwe and Harold Matzner delivered a brief Sponsorship Committee Report. Mr. Matzner mentioned that the sponsorship committee purposely waited to pursue sponsorships until later in the year to give the economy a chance to normalize. We have various presentations out to large companies such as American Express, Best Buy and BMW. Mercedes-Benz has not finalized a sponsorship renewal, but we are hopeful that they will do so. The Agua Caliente Band of Cahuilla Indians has reduced their sponsorship by $50,000, bringing their overall funding to $75,000 this year versus $125,000 last year. In total we may be down as much as $100k in sponsorship contributions, but we will be selling until the last possible day.

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A long discussion took place with regards to expanding the Education programs of the Festival. This discussion included a broad discussion of fund-raising possibilities. This resulted in a **motion by John Wessman, Seconded by Brian Shea as follows: "The Executive Committee requests that Darryl Macdonald develop a written plan for the expansion of the Festival's Educational Program."** Mr. Matzner asked for Board volunteers to serve on an education committee. That committee will be appointed at the next Board meeting.

The Executive Committee unanimously agreed to produce a two-minute video that describes the Festival's educational initiatives and that can be used for fund raising and Festival sponsorships.

Darryl Macdonald delivered a brief *Executive Director's Report*. Mr. Macdonald stated that the same core staff is back for the 2010 Film Festival. He also announced that the 2010 Festival will have an Australian Cinema Component that is being sponsored by G'Day USA, Australia.com and Quantas.

The next official meeting of the Board of Directors will be held on Monday, February 1st.

As there were no further business the meeting was adjourned at 8:56 a.m.

Respectfully submitted,

Cynthia Escarpita

Approved,

Harold Matzner, Chairman

Sidney Craig, Secretary

PALM SPRINGS INTERNATIONAL FILM SOCIETY
EXECUTIVE DIRECTOR'S REPORT
February 1, 2010

1. 2010 Palm Springs International Film Festival

The most successful event in the Festival's history, the 21st PSIFF broke attendance and revenue records while earning near-universal raves for the quality of its programming, filmmaking guests and parties, along with equal praise for the smoothness of its operations.

The adjustments made in our 2010 theatre operations, based on last year's customer feedback and survey results, resulted in more sold out screenings, a smoother running Festival and happier customers.

Press coverage jumped considerably on all fronts, and that, together with a more targeted marketing and promotions effort, drove a younger demographic to our screenings and allied events, which was particularly evident on our second weekend.

The numbers so far show a marked improvement over last year's record revenues, with the biggest jumps in the Benefactor and Concierge Pass categories, the Six Packs and Gala Screenings. Preliminary figures:

	2009	2010
Benefactor Pass ($2,500)	$81,500	$132,500
Concierge Pass ($1,500)	$51,500	$94,500
Platinum Pass ($400)	$223,525	$208,800
Silver A + B Pass ($275)	$50,600	$48,950
Six Packs ($50)	$258,520	$273,366
Group Sales	$93,859	$104,830
Overall ticket sales	**$1,123,952**	**$1,181,830**

Festival Educational Programs/Student Screening Day

For the Second year, the Festival presented its free Student Screening Day events on Wednesday, Jan. 6, following the Black Tie Awards Gala Evening and one day prior to the Opening Night event.

Attendance at the Palm Springs High School doubled over last year's two free PSHS screenings, and this year featured *Samson & Delilah* and *The Most Dangerous Man in America: Daniel Elsberg and the Pentagon Papers*, with directors attending for Q&A following the screenings.

More than 1,000 students were bussed in from schools all over the Coachella Valley, including Palm Springs High School, Cathedral City High School, Desert Hot Springs High School, Palm Desert High School, La Quinta High School, Indio High School and Coachella Valley High School. The students were provided with free complete lunches by Chipotle, Cranberry Raisinettes, Fresh & Easy and O.N.E. Water.

Student screenings that evening at the Regal Palm Springs Stadium 9 included three different films: *Only When I Dance*, *Sweet Crude* and *1981*, again with directors attending for post-screening discussions with the students. Bank of America is the sponsor for our full day of free student screenings and our year-round educational programs.

Staging Staff Exit Interviews

Since the Festival ended, we have had ongoing meetings with all departments, interviewing staff and department heads regarding what worked smoothly at PSIFF 2010 and what elements need improvements for next year. While a number of things improved markedly at this year's Festival (most dramatically, crowd control), we've identified a number of areas which need further tweaking in order to continue manageable growth.

2010 Festival Audience Survey

We received more than 500 responses to our written audience demographics survey, distributed during the final weekend of the Festival. The results are currently being tabulated. In addition, we are once again sending out a more detailed computerized audience survey to our mailing list through SurveyMonkey this year, encompassing more questions than the hand written survey. We anticipate over 1,500 responses.

2. Film Society Membership

Our membership grew appreciably over the course of this year's Festival, getting us closer to the revenue levels of last year at this time. While upper-level memberships (at the $1,000 and $2,500 levels) have dropped off, the Associate Membership base level ($50) continues to grow. Total Membership as of 1/26/2010 stands at 1,038 ($67,199.00 in revenues), compared to 962 members ($70,765.00) last year at this time.

3. Office Development and Fundraising

Corporate sponsor renewals were at 100% while new sponsors were introduced into the Festival experience

- Bank of America remains very impressed by our educational outreach initiatives and, in particular, of the Student Screening Day, thereby creating the possibility of additional grant funding for this program in 2011
- Cranberry Raisinets, a Nestle brand, selected PSIFF as the first Festival in which to invest marketing dollars ($10,000). Feedback from their public relations rep at Ogilvy has been very positive; Nestle is open to discussing a renewal of their agreement.

- Panavision, formerly only a sponsor of ShortFest, this venerable brand opted out of Sundance this year in favor of Palm Springs. A $60,000 camera package, courtesy of Panavision, was presented to the winner of the John Schlesinger Award. They have requested a meeting in February to look at expanding their role in the Festival for 2011.
- Chophouse, a Los Angeles-based production and post-production company, conceived and produced key art, the Festival trailer and television commercial at no cost

Wine, beer and spirits were 100% underwritten

- Diageo introduced their Ketel One brand into the Festival
- Fosters Wine Estates, distributors of Penfolds, has already expressed the desire to return in 2011; a meeting has been scheduled for the end of March
- Stella Artois branded the first "pocket guide" to the Festival with 10,000 copies receiving distribution; $5,000 in additional revenue was generated

International sponsors reached record level of support at $56,300

- The Festival's alliance with the Australian Consulate was pivotal; $17,500 in total revenue; the introduction of Penfolds and thousands of dollars in airlines tickets from Qantas Airways; now perceived as a key element of promotion for the G'Day USA activities in Los Angeles and elsewhere, we will be meeting with the G'Day USA executive committee to discuss their continuing support in 2011
- In a first for any Festival, the French speaking countries pooled their resources and presented Palm Springs Speaks French; A Celebration of French Language Cinema on

January 10th. A single event enabled us to meet our obligation to six separate international sponsors and generated funding we would not have had otherwise

Palm Springs International Film Fest.
PROPOSED BUDGET WITH PRIOR YEAR ACTUALS
FYE Ending March 31, 2010

	Actuals Apr '08 - Mar 09	PROPOSED Budget 2010
Income		
4 · Revenues		
41 · Cash Donations		
4101 · Government Grants	350,000.00	350,000.00
4102 · Corporate Sponsor	283,900.00	250,000.00
4103 · Foundation Grants	25,000.00	40,000.00
4104 · Friends/Annual Campaign	12,761.34	15,000.00
Total 4108 · Consulates	50,177.87	50,000.00
41101 · Restricted reimbursements	14,170.53	21,250.00
Total 41 · Cash Donations	736,009.74	726,250.00
42 · Fund Raising Revenues		
Total 420 · Gala Awards	1,027,475.00	1,004,400.00
Total 42 · Fund Raising Revenues	1,027,475.00	1,004,400.00
43 · Box Office Sales		
Total 4302 · Ticket Sales	483,073.11	486,000.00
Total 4303 · Passes	410,245.00	437,500.00
Total 4304 · Group Sales	93,859.00	110,000.00
Total 4307 · Special Film Screenings	137,125.00	71,000.00
Total 43 · Box Office Sales	1,124,302.11	1,104,500.00
44 · Film Society Revenues		
Total 44 · Film Society Revenues	78,963.00	80,000.00
Total 45 · Merchandise Sales	34,579.00	35,000.00
Total 46 · Sales Revenue	34,542.00	34,050.00
Total 49 · Financial & Misc. Income	61,144.80	66,000.00
Total 4 · Revenues	3,097,015.65	3,050,200.00
6 · Short Film Fest Revenues		
61 · Cash Donations-sf		
6102 · Corporate Sponsors	42,500.00	38,000.00
6103 · Foundation Grants	10,000.00	0.00
6104 · Major Gifts	1,337.00	1,400.00
6105 · Restricted Consulate Contributi	500.00	2,000.00
Total 61 · Cash Donations-sf	54,337.00	41,400.00
6301 · Coupon Book Sales	13,500.00	15,000.00
Total 6302 · Ticket Sales	35,364.00	38,550.00
63024 · sf-Refund/Chargebacks	-170.00	
Total 6303 · Pass Sales	12,675.00	15,000.00
6306 · Market Passes	350.00	500.00
6307 · Industry Badge	8,160.00	9,000.00
Total 63 · Box Office Sales-sf	69,879.00	78,050.00
6401 · Opening Night	4,925.00	6,000.00
6402 · Awards Night	2,100.00	3,000.00
63 · Box Office Sales-sf	76,904.00	87,050.00
Total 65 · Merchandise Sales-sf	2,963.00	3,250.00
Total 66 · Industry Revenue-sf	92,340.00	92,000.00
Total 69 · Financial & Misc. Income-sf	3,924.00	4,350.00
Total 6 · Short Film Fest Revenues	230,468.00	228,050.00

Palm Springs International Film Fest.
PROPOSED BUDGET WITH PRIOR YEAR ACTUALS
FYE Ending March 31, 2010

	Actuals Apr '08 - Mar 09	PROPOSED Budget 2010
Total Income	3,327,483.65	3,278,250.00
Total Cost of Goods Sold	22,787.28	16,650.00
Gross	3,304,696.37	3,261,600.00
Expense		
5 · Total Expenses		
51 · Cost of Production		
Total 5101 · Theater Expenses	408,048.47	414,350.00
Total 510111 · Delegates Expenses	65,151.02	65,800.00
Total 5102 · Festival Events	146,725.72	146,000.00
Total 5103 · Promotional Expenses	358,181.99	368,050.00
Total 5104 · Cost of Sponsorship	5,758.74	4,765.00
Total 5105 · Fundraising Expenses	628,729.52	626,365.00
Total 51 · Cost of Production	1,612,595.46	1,625,330.00
Total 5106 · Other Programs	6,135.37	15,650.00
Total 5 · Total Expenses	1,618,730.83	1,640,980.00
52 · General & Administrative		
5201 · Payroll		
52011 · Wages		
Total 520111 · Annual Staff	419,773.62	430,800.00
Total 520112 · Seasonal Staff-FF	70,139.19	71,200.00
Total 520113 · Festival Staff-Theater-FF	100,941.93	102,400.00
Total 52011 · Wages	590,854.74	604,400.00
Total 52012 · Employee Benefits	50,399.99	50,000.00
Total 52013 · Payroll Taxes	58,234.57	60,000.00
5211831 · Auto Allowance	1,950.00	2,000.00
5211832 · Staff Housing	48,446.76	48,000.00
5211833 · Cell Phone Allowance	2,400.00	2,400.00
5211834 · Utility Reimb.	1,669.72	1,200.00
5211836 · Payroll Processing Fees	3,304.49	3,400.00
Total 5201 · Payroll	757,260.27	771,400.00
Total 520119 · Festival Staff/Contract Labor	266,975.66	270,000.00
Total 52014 · Employee Recruitment	499.00	0.00
Total 5202 · Staff Expenses	66,270.26	59,100.00
Total 5203 · Office Supplies	38,161.70	36,900.00
Total 5204 · Utilities	15,114.11	16,000.00
Total 5205 · Telephone Expenses	29,350.68	28,500.00
Total 5206 · Other Administrative Exps.	101,819.29	119,140.00
Total 52 · General & Administrative	1,275,450.97	1,301,040.00
59 · Finance & Other		
Total 5901 · Taxes	7,703.07	10,530.00
5902 · Financial Expenses		
590201 · Credit Card Charges	53,692.31	43,000.00
590202 · Interest Expense	407.30	500.00
590203 · Bank Service Charges	1,241.34	1,000.00
590204 · Cash Over/Short	177.99	
590206 · Without a Box Charges	7,094.50	6,550.00
590211 · Fees	360.00	500.00

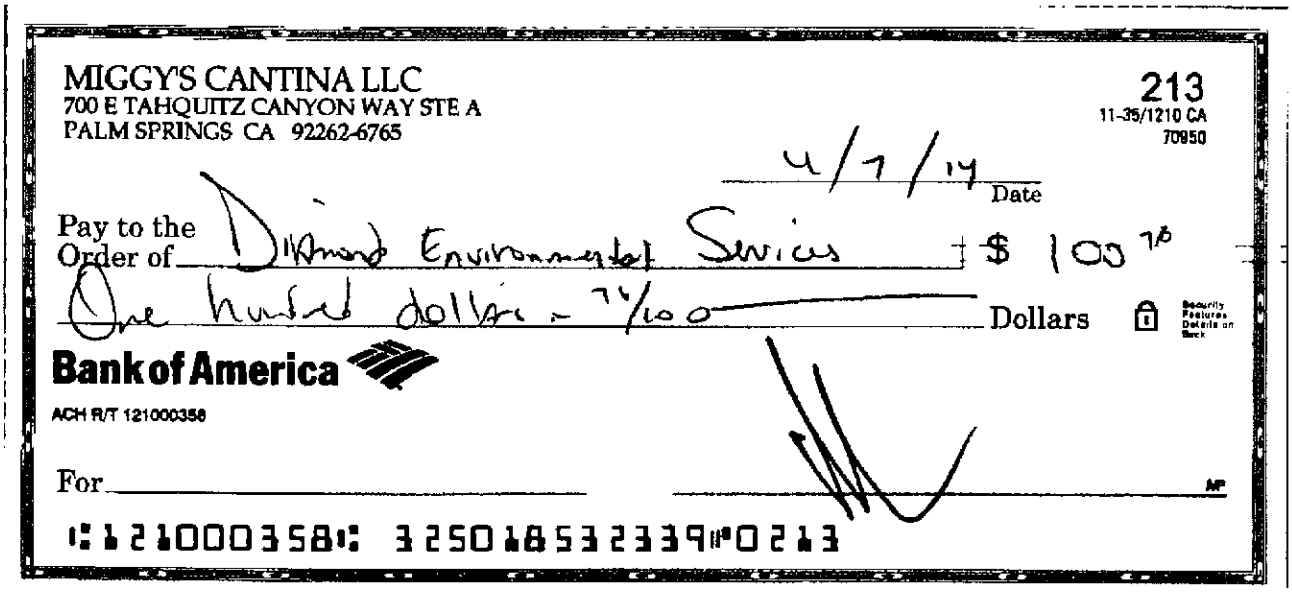
Palm Springs International Film Fest.
PROPOSED BUDGET WITH PRIOR YEAR ACTUALS
FYE Ending March 31, 2010

	Actuals Apr '08 - Mar 09	PROPOSED Budget 2010
590214 · Prior Year Expense	4,318.07	
Total 5902 · Financial Expenses	67,291.51	51,550.00
5904 · Accounting Audit	11,500.00	11,500.00
Total 5905 · Legal	13,841.64	18,000.00
Total 59 · Finance & Other	100,336.22	91,580.00
590216 · Damage/Loss/bad debt expense	2,200.00	
7 · Short Fest Expenses		
71 · Cost of Production-sf		
Total 7101 · Theater Expenses-sf	57,263.75	57,450.00
Total 710111 · Delegate Expenses-sf	36,568.18	36,650.00
Total 7102 · Festival Events-sf	17,430.24	18,000.00
Total 7103 · Promotional Expenses-sf	54,209.55	51,550.00
Total 7104 · Cost of Sponsorship-sf	3,042.18	3,050.00
Total 71 · Cost of Production-sf	168,513.90	166,700.00
72 · Gen & Administrative Expenses-s		
7201 · Payroll-sf		
Total 72011 · Wages-sf	27,383.45	27,500.00
Total 72012 · Subcontractor Payments-sf	17,944.00	19,700.00
Total 7201 · Payroll-sf	45,327.45	47,200.00
Total 74 · Remote Ticketing-sf	1,348.15	1,300.00
Total 72 · Gen & Administrative Expenses-s	46,675.60	48,500.00
75010 · Volunteer Party	0.00	1,200.00
Total 79 · Finance & Other-sf	11,453.00	11,600.00
Total 7 · Short Fest Expenses	226,642.50	228,000.00
Total Expense	3,223,360.52	3,261,600.00
Contigency	20,000.00	
Net Income	61,335.85	0.00

Amount: $100.76 Sequence Number: 8392666120

Account: 325018532339 Capture Date: 04/10/2014

Bank Number: 12100035 Check Number: 213



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

213
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Diamond Environmental Services $ 100 76

One hundred dollars - 76/100 Dollars

Security Features Details on Back

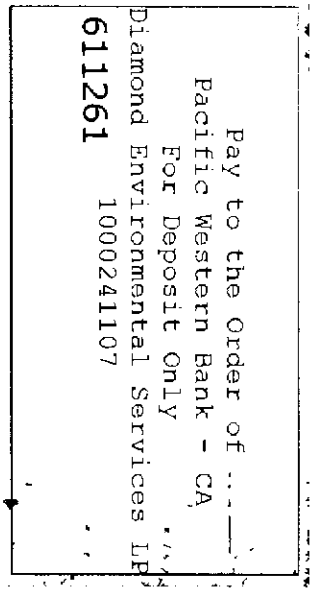
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0213

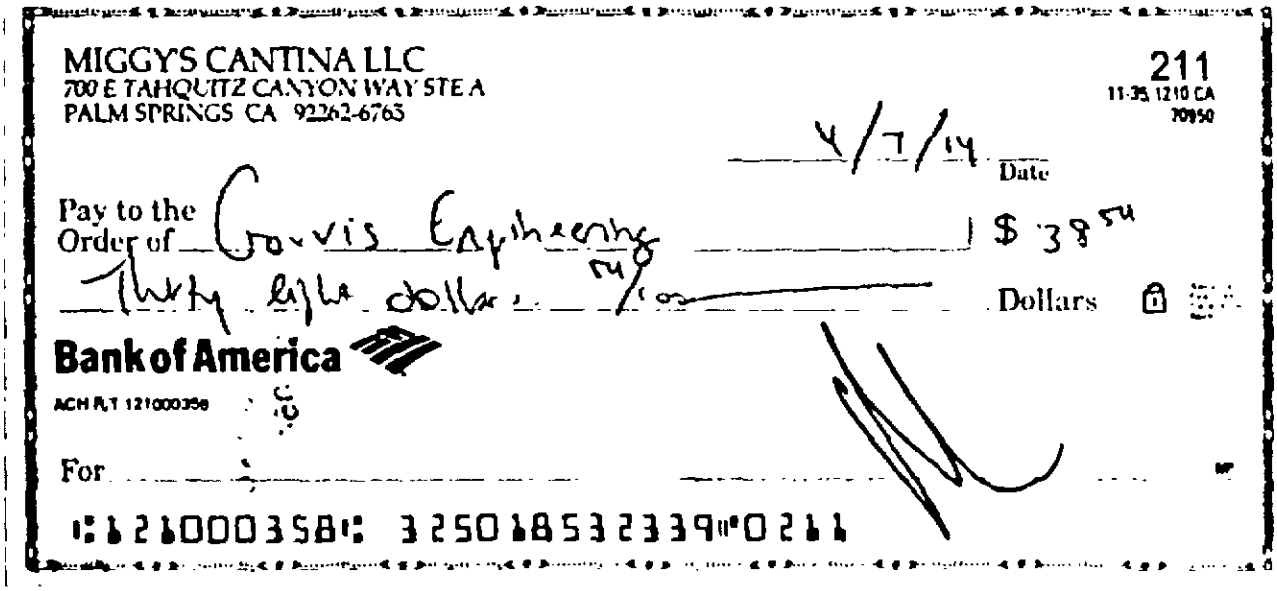


Pay to the Order of ...
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	046923973824516	122238200	Undetermined	N		PACIFIC WESTERN BANK
04/10/2014	000002247341325	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/10/2014	008392666120	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/10/2014	000008859026104	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$38.54	Sequence Number:	8392789671
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	211



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

211
11-35 1210 CA
70950

4/7/14
Date

Pay to the Order of Govvis Engineering $ 38.54

Thirty eight dollars 54/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0211

PAY TO THE ORDER O
WELLS FARGO BANK, N.
>122000247<
FOR DEPOSIT ONLY
GOUVIS ENGINEERING CONSULTING GROU
2018677064

WELLS FARGO BANK NA EXT
20140410 E0023 PKT 04
▶1221-0527-84
222358570

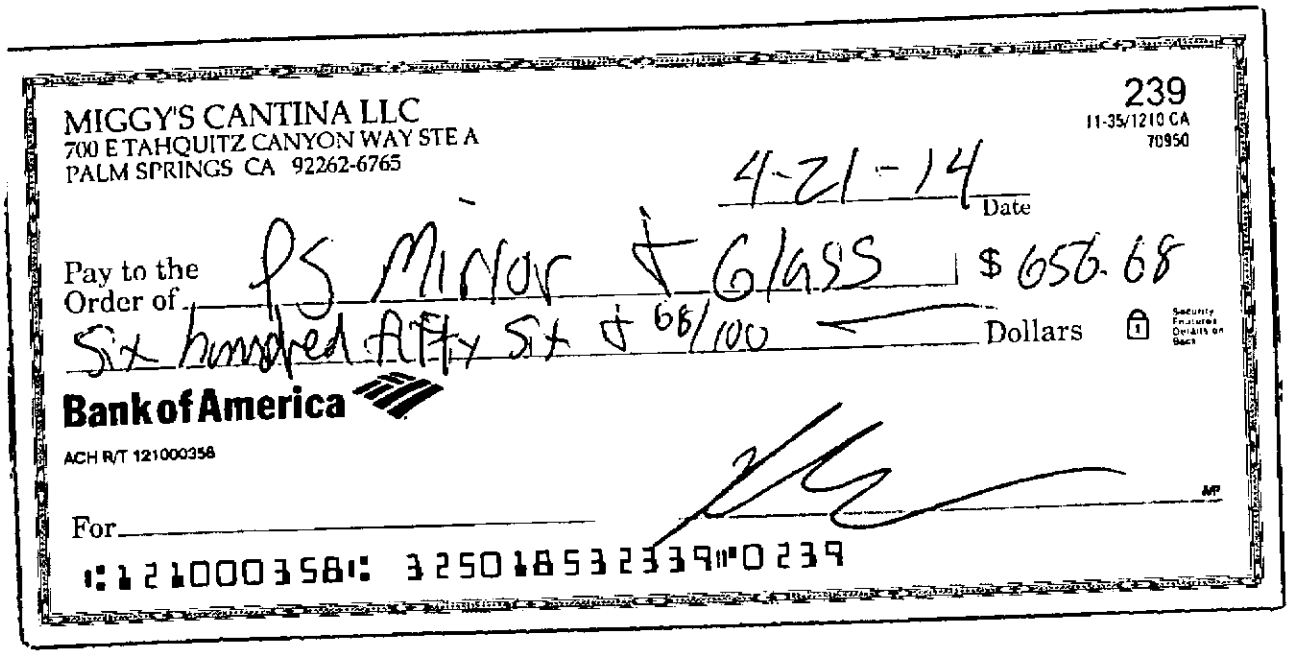
Electronic Endorsements:

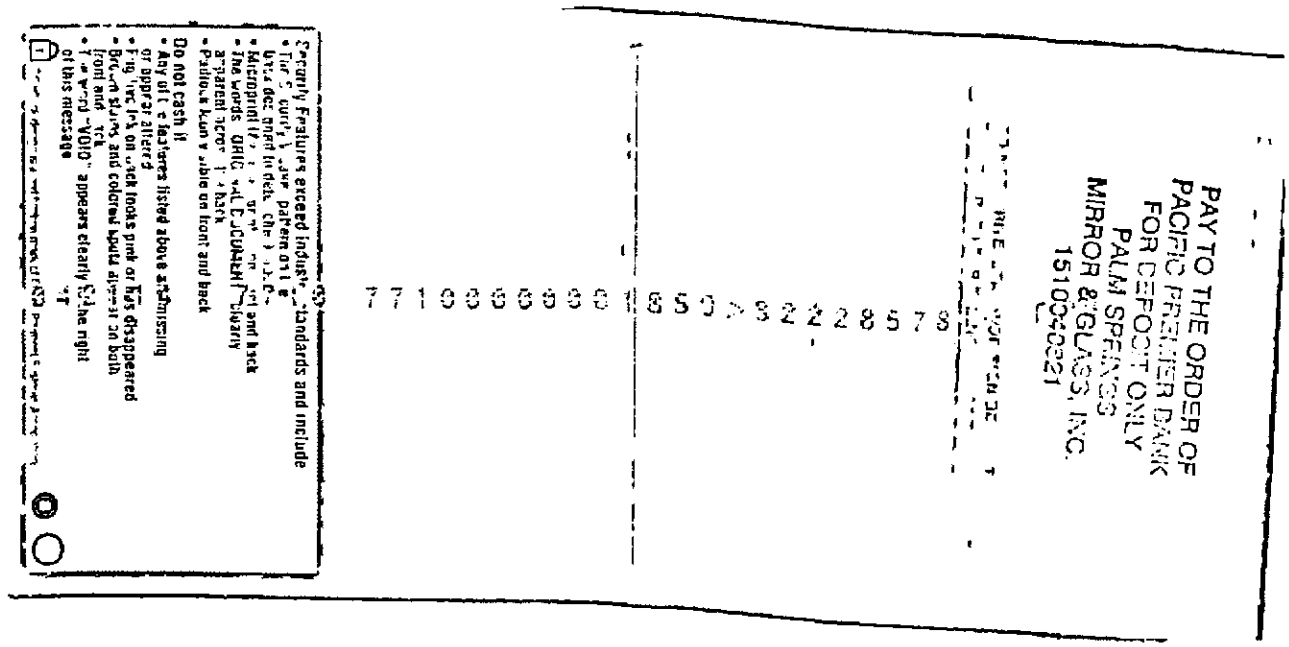
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	008392789671	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/10/2014	000002223598570	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $656.68 Sequence Number: 8492548693

Account: 325018532339 Capture Date: 04/21/2014

Bank Number: 12100035 Check Number: 239

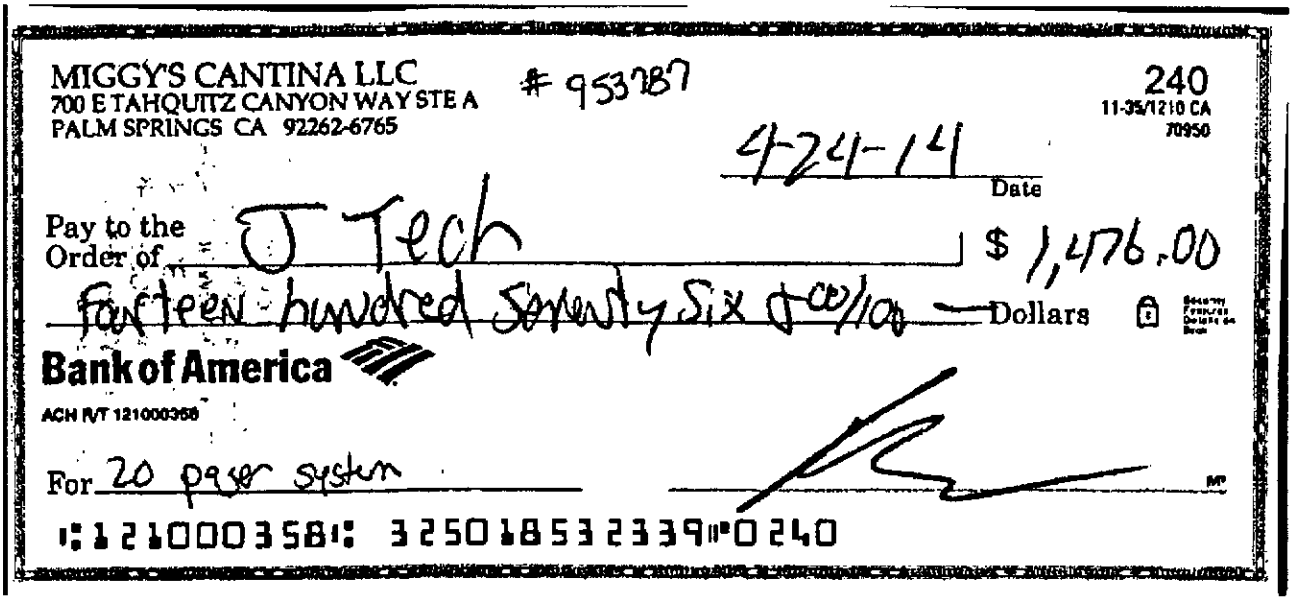




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/21/2014	008492548693	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/21/2014	77100000001859	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$1,476.00	Sequence Number:	8582776728
Account:	325018532339	Capture Date:	04/24/2014
Bank Number:	12100035	Check Number:	240



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

953787

240
11-35/1210 CA
70950

4-24-14
Date

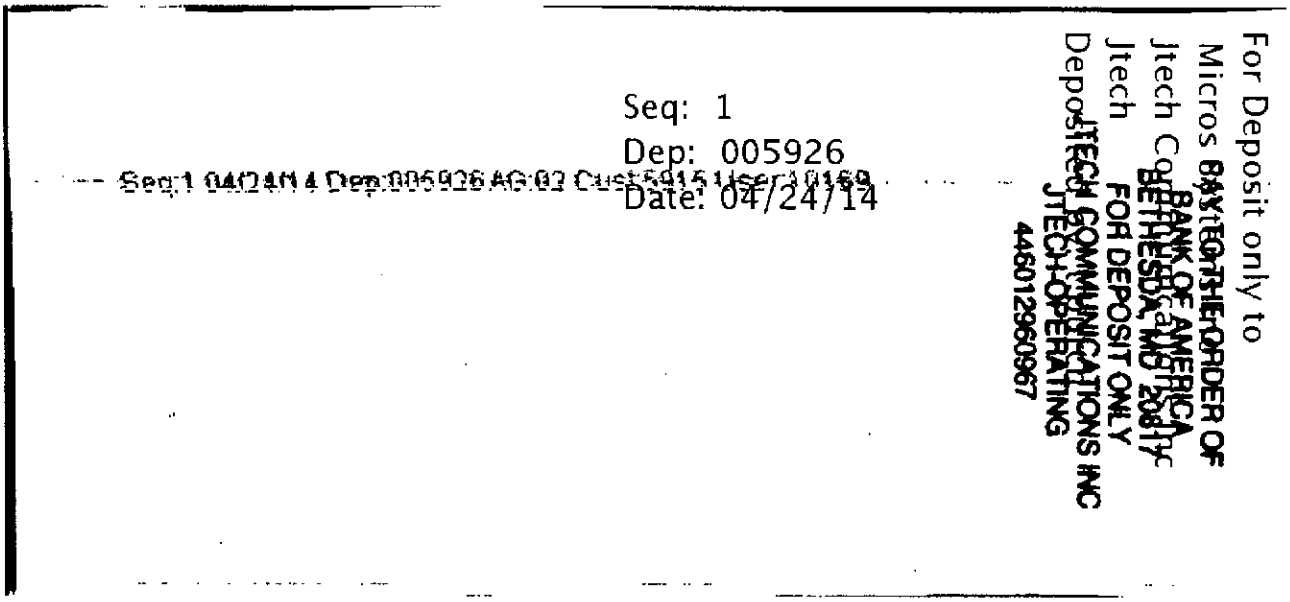
Pay to the Order of J Tech $ 1,476.00

Fourteen hundred Seventy Six and 00/100 Dollars

Bank of America
ACH R/T 121000358

For 20 pos system

⑆121000358⑆ 325018532339⑈0240



Seq: 1
Dep: 005926
Date: 04/24/14

Seq:1 04/24/14 Dep:005926 AC:02 Cust:5915 User:30169

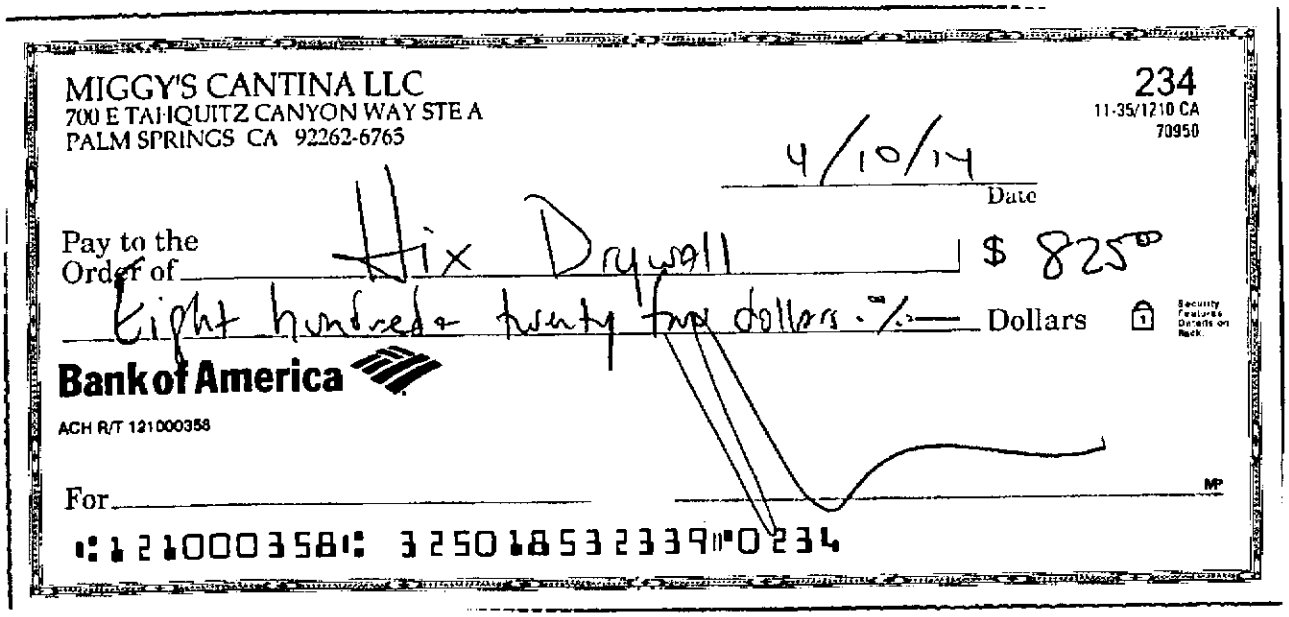
For Deposit only to
Micros SYSTEMS INC
Jtech Communications Inc
Jtech
Deposit JTECH COMMUNICATIONS INC
JTECH OPERATING
4460129600967

FOR DEPOSIT ONLY
BANK OF AMERICA
BETHESDA, MD 20817

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/24/2014	8582776728	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$825.00	Sequence Number:	8692354824
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	234



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

234
11-35/1210 CA
70950

4/10/14
Date

Pay to the Order of Hix Drywall $ 825.00

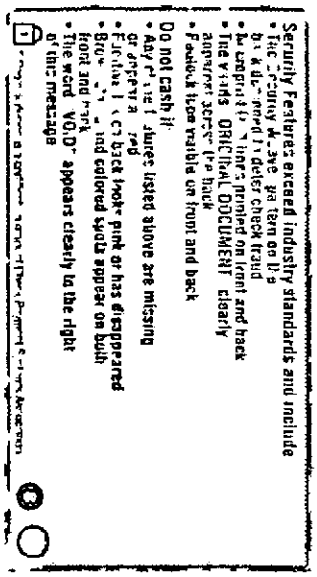
Eight hundred twenty five dollars and 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0234



Security Features exceed industry standards and include
• The words ORIGINAL DOCUMENT clearly
Do not cash if:
• Any of the above features listed above are missing
• Void pantograph
front and back

>322285781<
Pacific Premier BK #015
2014-04-11
0015131574

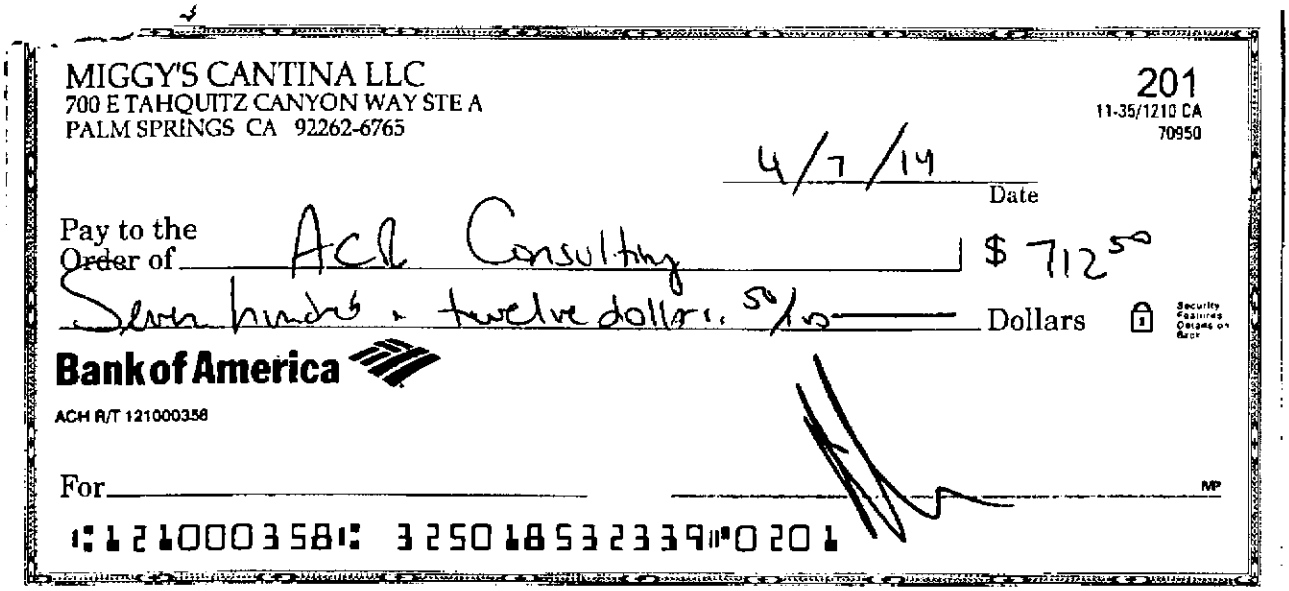
0015131574

For Deposit Only
Pacific Premier Bank

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	008692354824	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	000008137723966	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/11/2014	907355015131574	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$712.50	Sequence Number:	8692355139
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	201



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

201
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of ACH Consulting $ 712.50

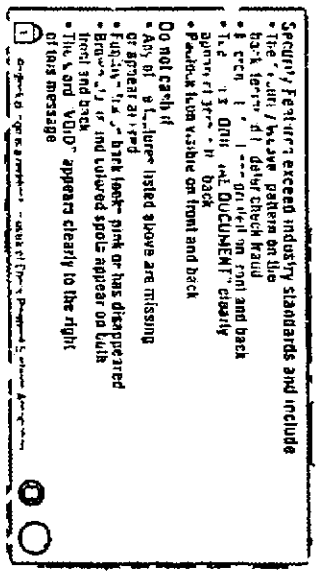
Seven hundred twelve dollars 50/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0201



Security Features exceed industry standards and include:
• The "Void" feature will deter check fraud
• Green [illegible] on front and back
• The [illegible] and "DOCUMENT" clearly appear [illegible] on back
• Padlock icon visible on front and back
Do not cash if:
• Any of the [illegible] listed above are missing
or appear altered
• Fluorescent [illegible] bank name, pink or has disappeared
• Brown [illegible] and lowered spots appear on both front and back
• The word "VOID" appears clearly to the right of this message

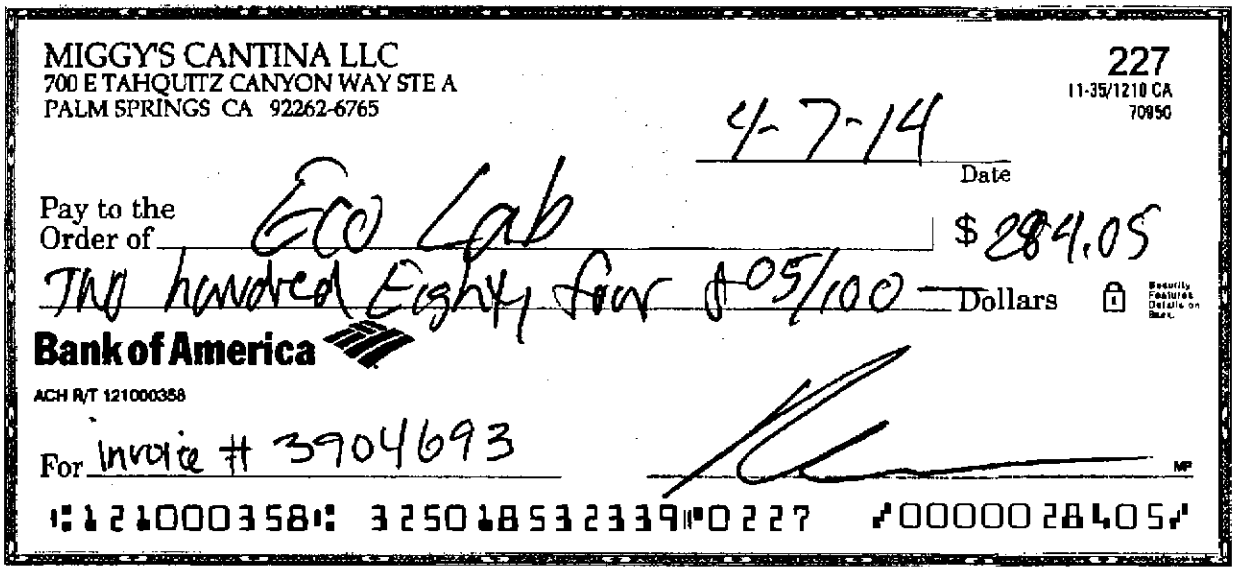
>322285781<
Pacific Premier BK #015
2014-04-11
0015139060

⑈0015139060⑈

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	907355015139060	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
04/11/2014	008692355139	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	000008137726342	122105278	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$284.05	Sequence Number:	8792162040
Account:	325018532339	Capture Date:	04/14/2014
Bank Number:	12100035	Check Number:	227



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

227
11-35/1210 CA
70950

4-7-14
Date

Pay to the Order of Eco Lab $ 284.05

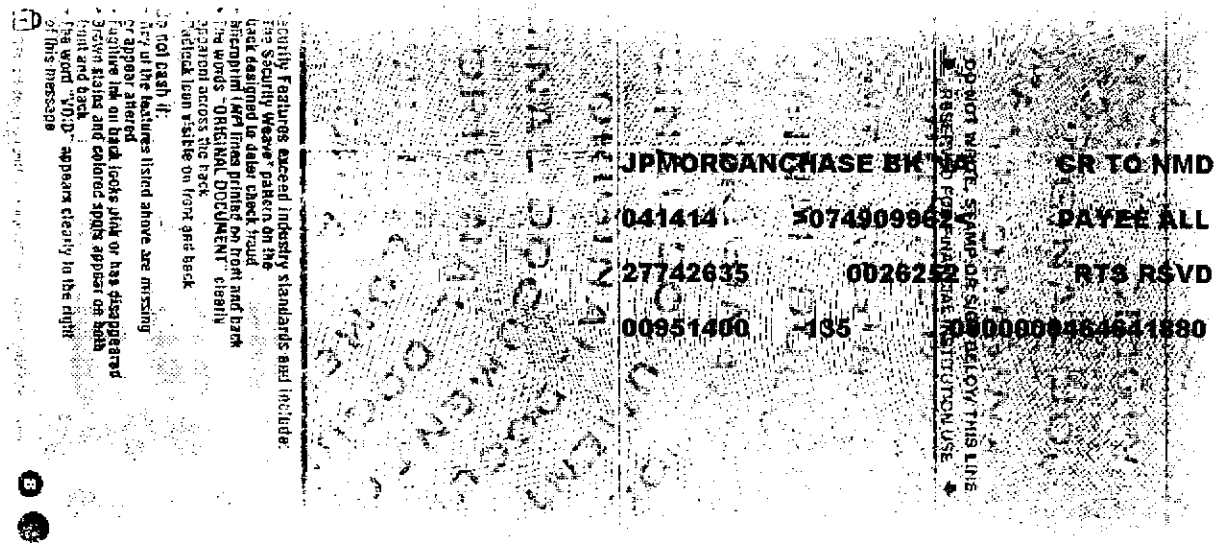
Two hundred Eighty four 05/100 Dollars

Bank of America

ACH R/T 121000358

For Invoice # 3904693

⑆121000358⑆ 325018532339⑈0227 ⑈000028405⑈



Security Features exceed industry standards and include:
The Security Weave® pattern on the back designed to deter check fraud
Microprint (MP) lines printed on front and back
The words "ORIGINAL DOCUMENT" clearly appearing across the back
A watermark visible on front and back
Do not cash if:
Any of the features listed above are missing
The word "VOID" appears clearly in the right front and back
Erasure stains and colored spots appear on both sides of this message

JPMORGAN CHASE BK NA
041414 ⑆074909962⑆
27742635 0026252
00951400 -185

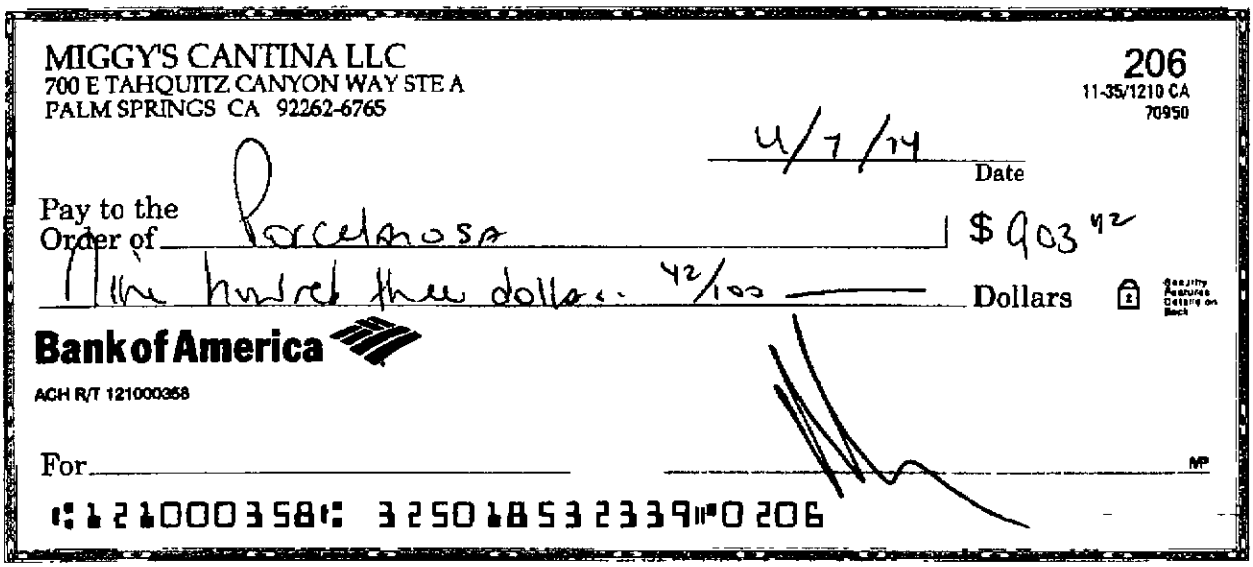
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

CR TO NMD
PAYEE ALL
RTS RSVD
⑈000000284641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	5380559950	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
04/14/2014	008792162040	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$903.42	Sequence Number:	8792451042
Account:	325018532339	Capture Date:	04/14/2014
Bank Number:	12100035	Check Number:	206



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

206
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Porcelanosa $ 903 42

Nine hundred three dollars 42/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0206

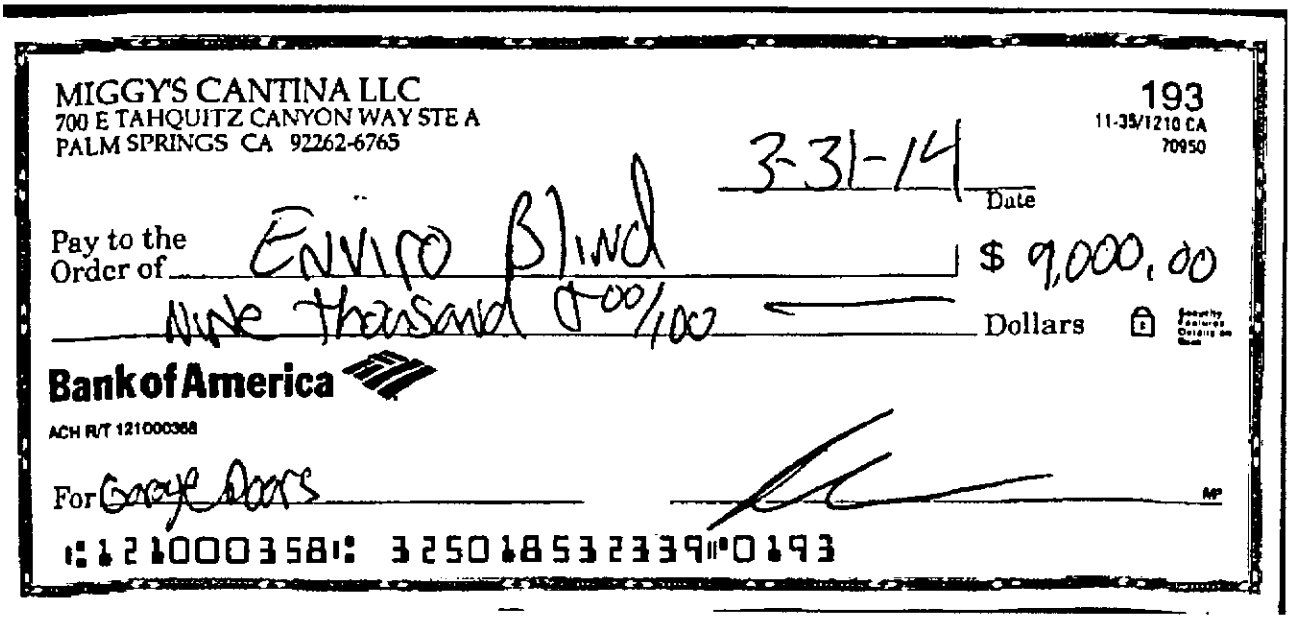
2485151144

PAY TO THE ORDER OF
WELLS FARGO
MAHWAH, NJ 07430
▼021200025▲
FOR DEPOSIT ONLY
PORCELANOSA LOS ANGELES
2000038285675

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	008792451042	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000002485151144	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$9,000.00	Sequence Number:	9092284695
Account:	325018532339	Capture Date:	04/04/2014
Bank Number:	12100035	Check Number:	193



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

193
11-35/1210 CA
70950

3-31-14
Date

Pay to the Order of ENVIRO BLIND

$ 9,000.00

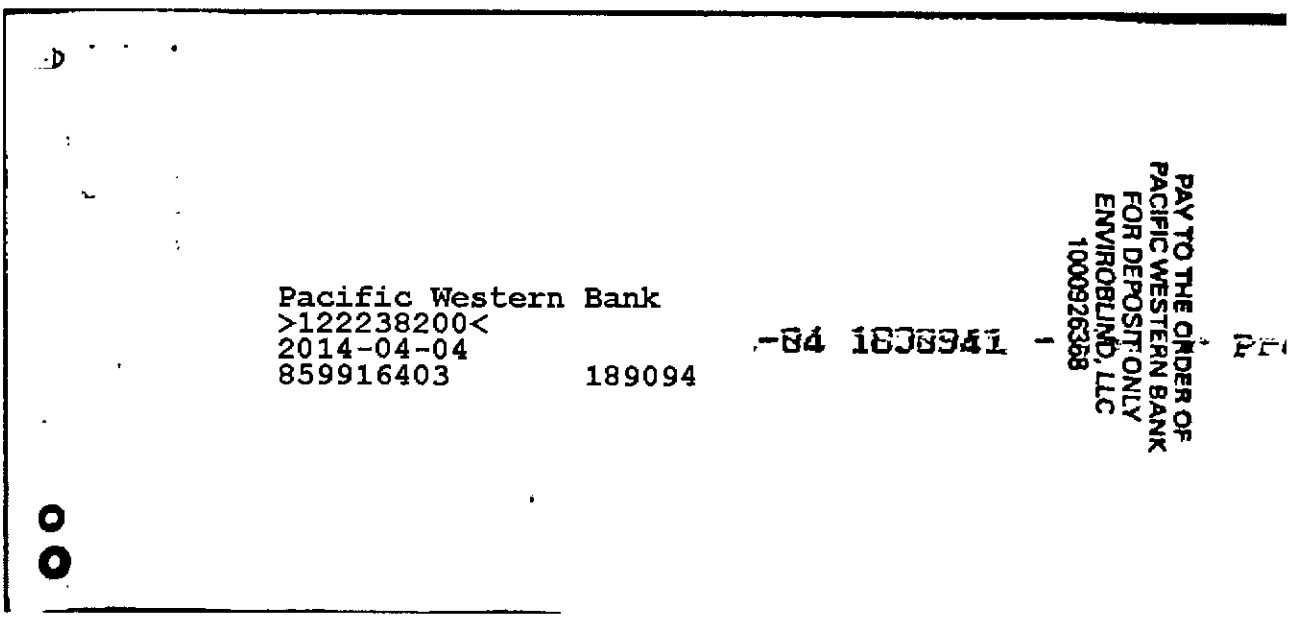
Nine thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For Garage Doors

⑆121000358⑆ 325018532339⑈0193



Pacific Western Bank
>122238200<
2014-04-04
859916403 189094

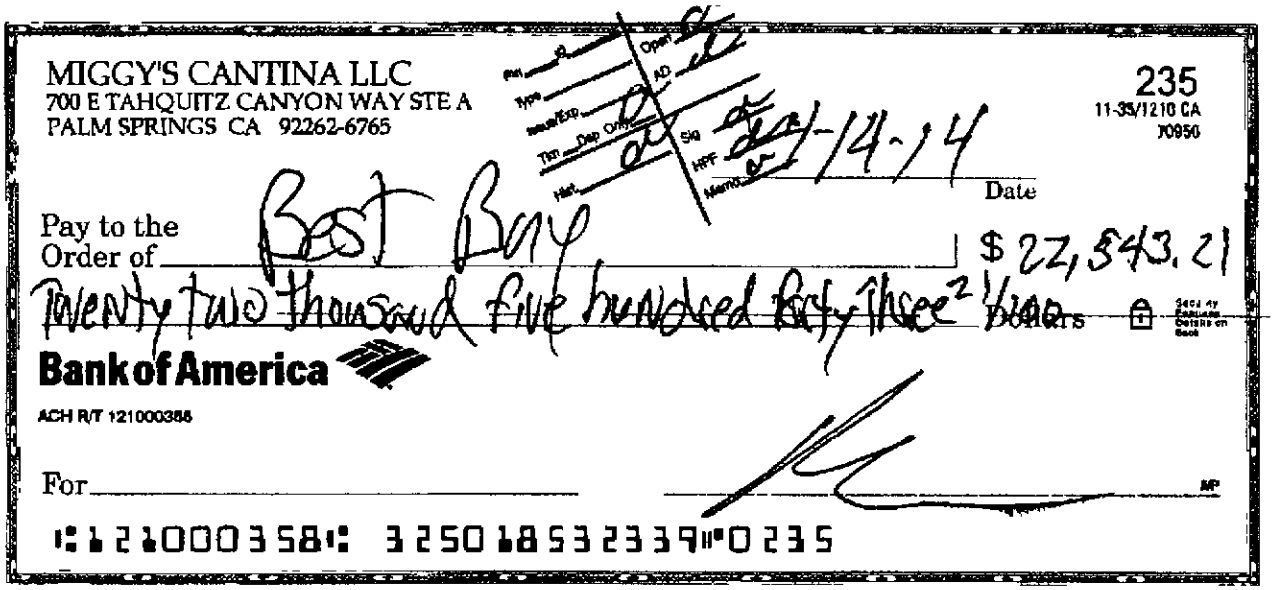
-84 1838941 -

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926358

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/04/2014	000000859916403	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/04/2014	000008872852580	91000019	Undetermined	N		WELLS FARGO BANK, NA
04/04/2014	009092284695	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$22,543.21	Sequence Number:	9092635775
Account:	325018532339	Capture Date:	04/14/2014
Bank Number:	12100035	Check Number:	235



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

235
11-35/1210 CA
70950

4-14-14
Date

Pay to the Order of Best Buy $ 22,543.21

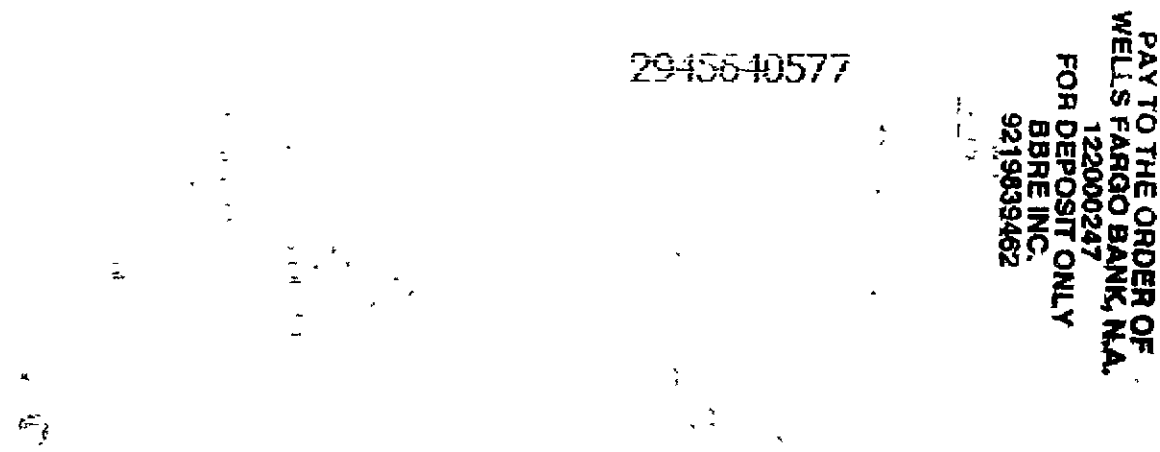
Twenty two thousand five hundred forty three 21/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0235



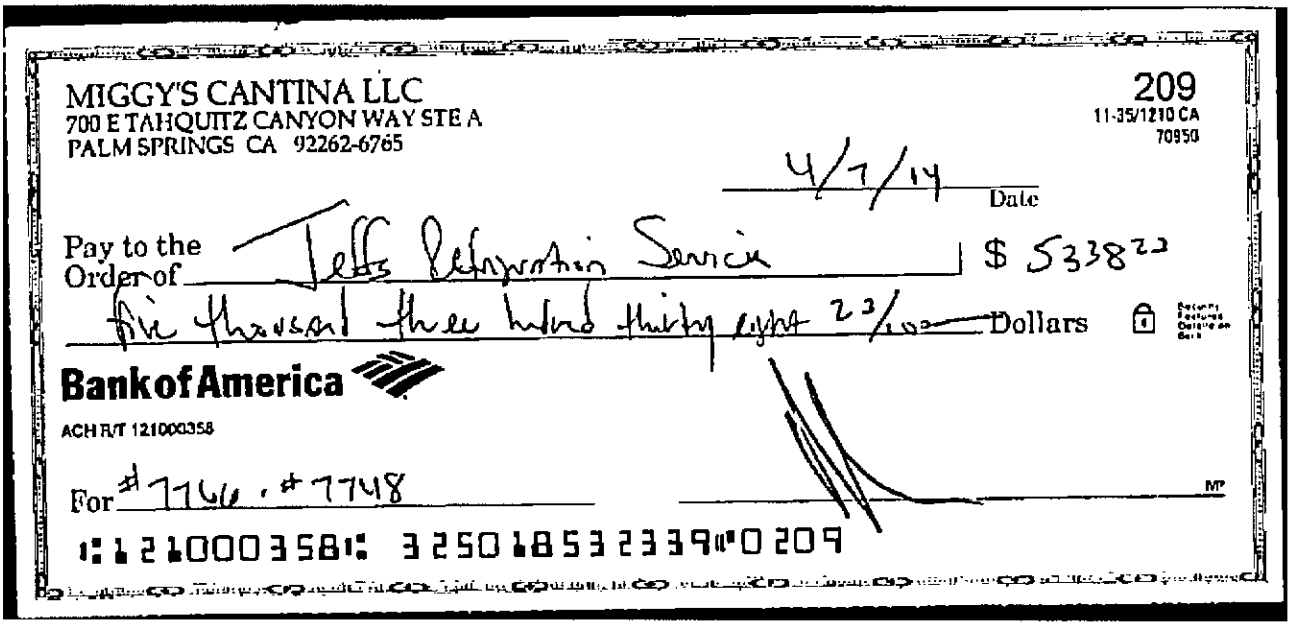
2945540577

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219639462

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	009092635775	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000002945640577	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$5,338.23	Sequence Number:	9092673145
Account:	325018532339	Capture Date:	04/14/2014
Bank Number:	12100035	Check Number:	209



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

209
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Jeffs Refrigeration Service $ 5338.23

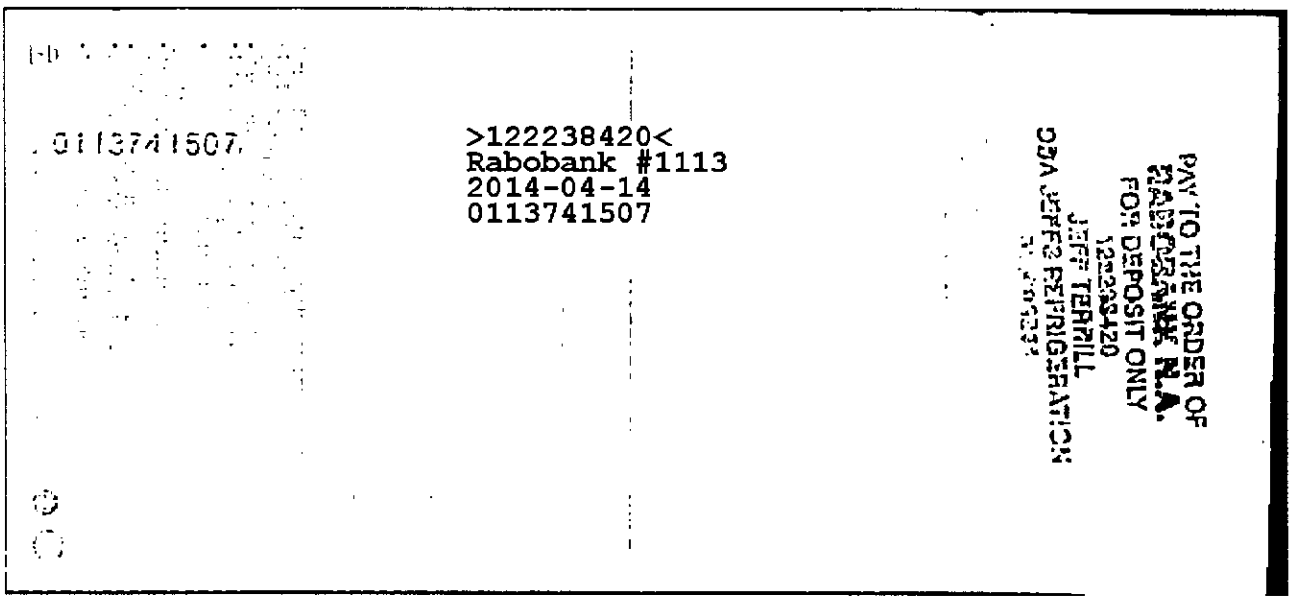
five thousand three hundred thirty eight 23/100 Dollars

Bank of America

ACH R/T 121000358

For #7766 , #7748

⑆121000358⑆ 325018532339⑈0209



>122238420<
Rabobank #1113
2014-04-14
0113741507

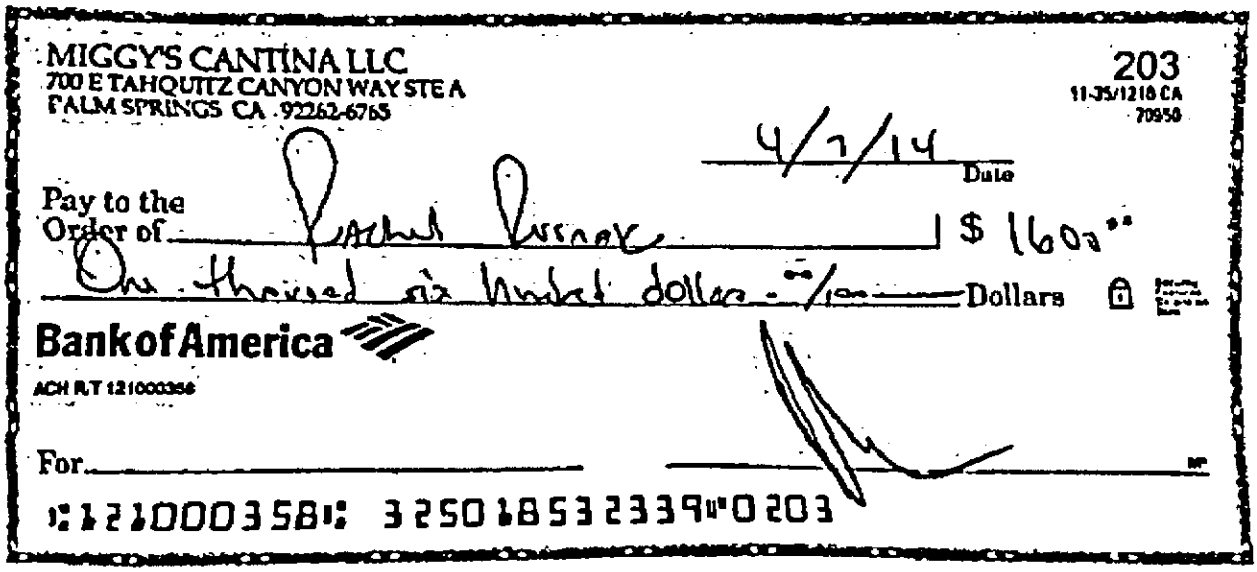
0113741507

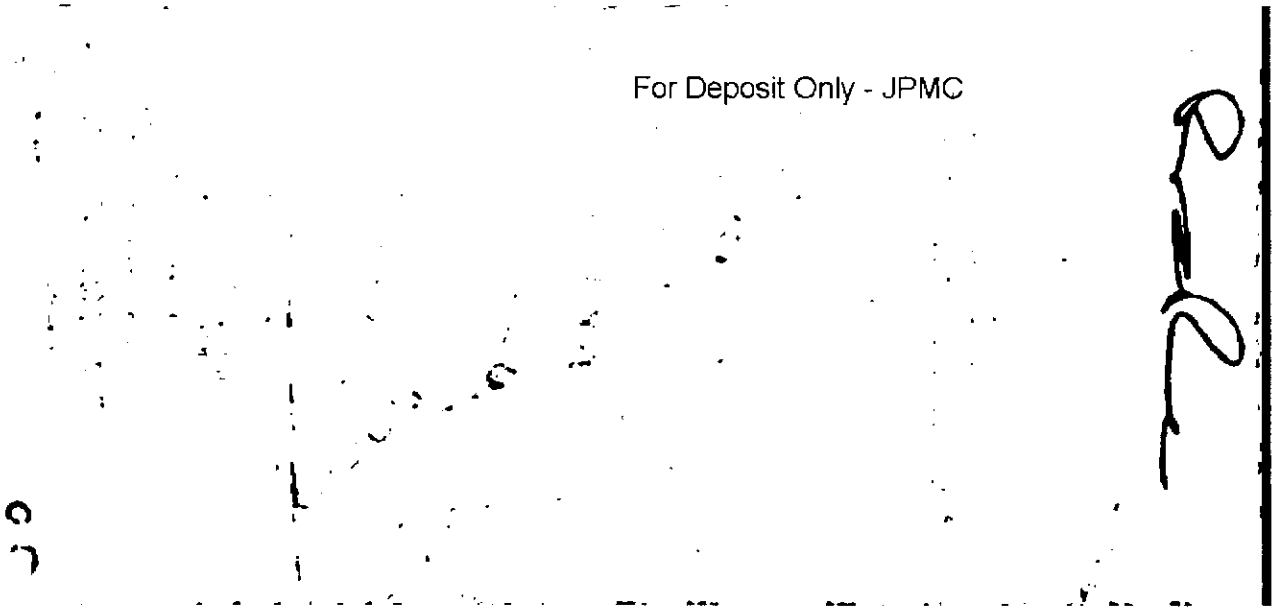
PAY TO THE ORDER OF
FOR DEPOSIT ONLY
122238420
JEFF TERRILL
DBA JEFFS REFRIGERATION

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	009092673145	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000008438626869	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/14/2014	000000113741507	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$1,600.00	Sequence Number:	9192563236
Account:	325018532339	Capture Date:	04/15/2014
Bank Number:	12100035	Check Number:	203

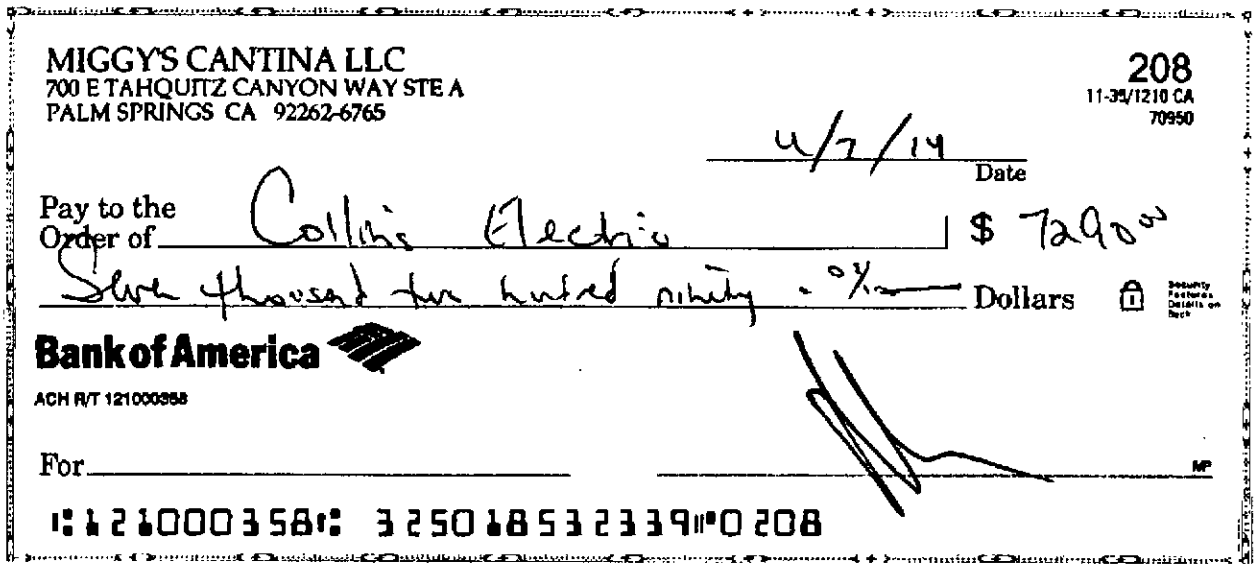




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	009192563236	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/15/2014	2080920307	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$7,290.00	Sequence Number:	9492326480
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	208



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

208
11-39/1210 CA
70950

4/7/14
Date

Pay to the Order of Collins Electric $ 7290.00

Seven thousand two hundred ninety and 00/100 Dollars

Bank of America
ACH R/T 121000358

For

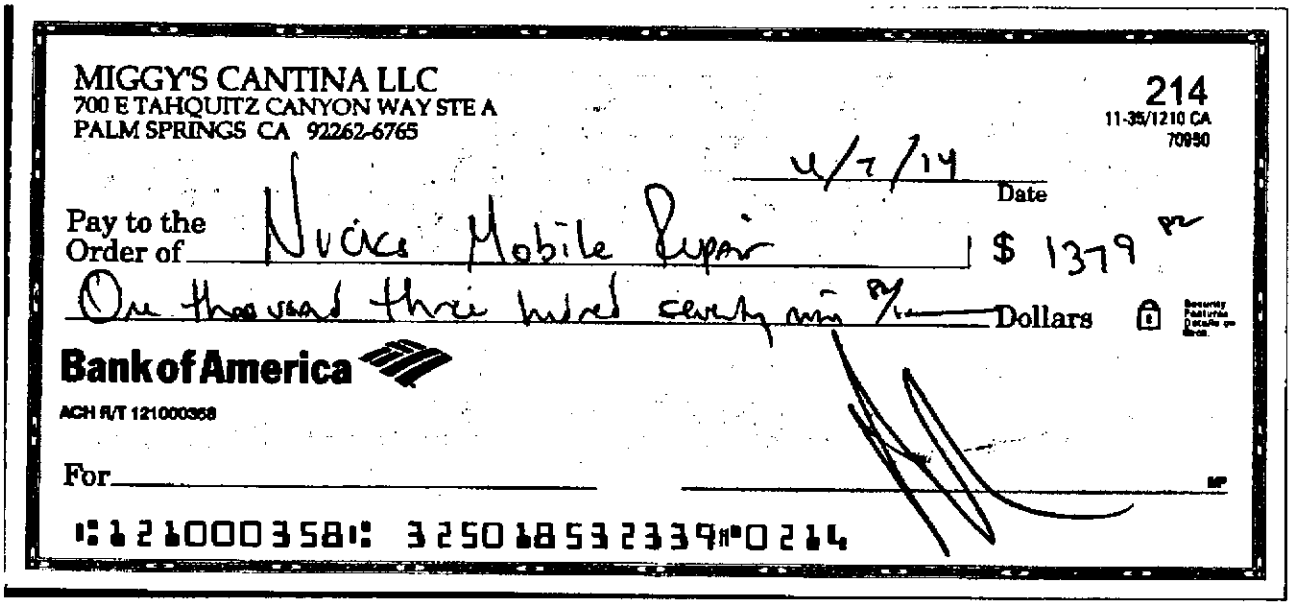
⑆121000358⑆ 325018532339⑈0208

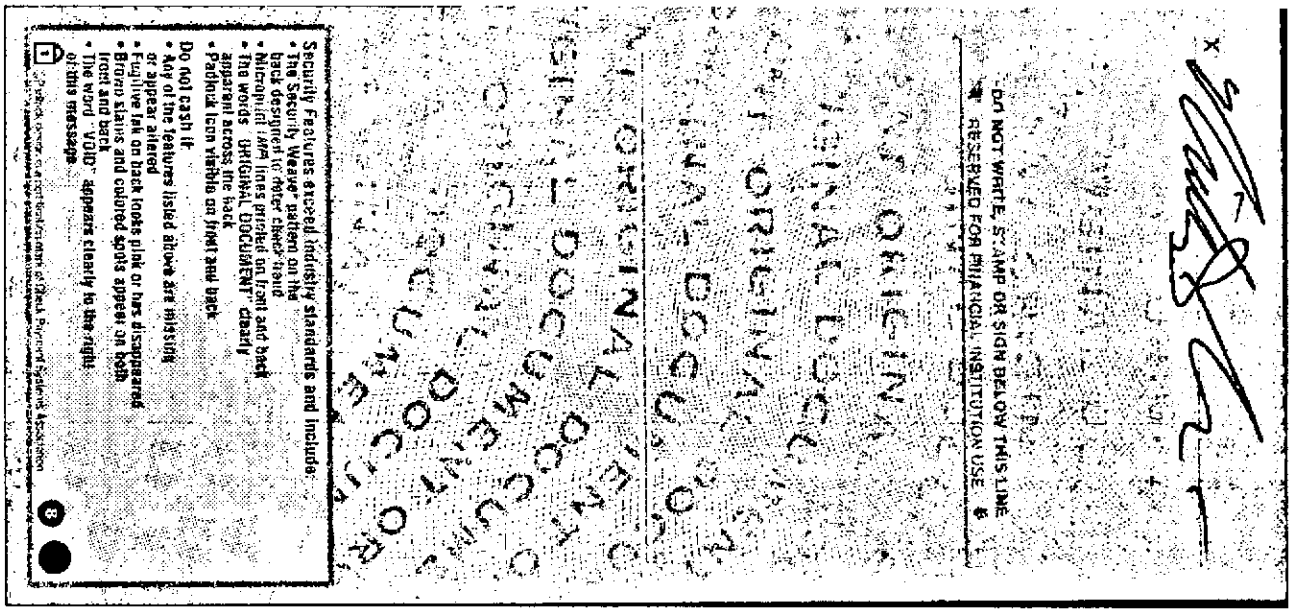
for deposit to 4384704001

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	009492326480	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/16/2014	5590355160	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$1,379.82	Sequence Number:	9692184355
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	214





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	0044001068	62001186	Undetermined	N		COMPASS BANK
04/17/2014	0044001068	62001186	Rtn Loc/BOFD	Y		COMPASS BANK
04/17/2014	009692184355	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,180.00	Sequence Number:	9892115442
Account:	325018532339	Capture Date:	04/08/2014
Bank Number:	12100035	Check Number:	200

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

200
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Southwest Plumbing $ 9180.00

Nine thousand one hundred + eighty dollars Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0200

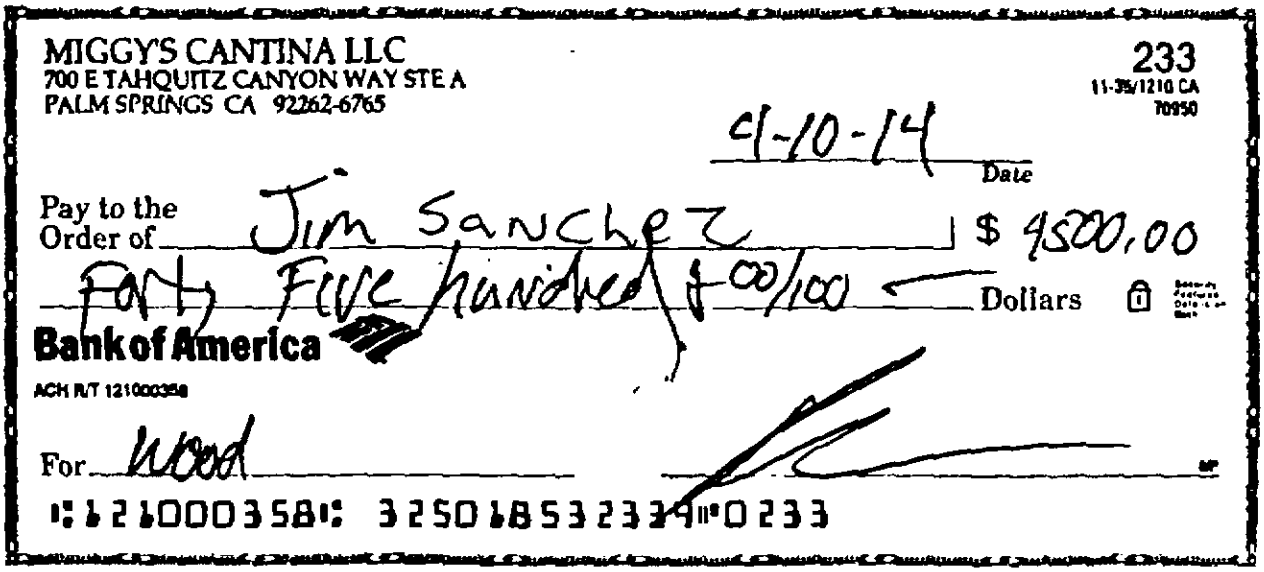
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING INC
808121

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	000002244848665	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/08/2014	046923973719515	122238200	Undetermined	N		PACIFIC WESTERN BANK
04/08/2014	000008156499519	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/08/2014	009892115442	121103886	Pay Bank	N		BANK OF AMERICA, NA

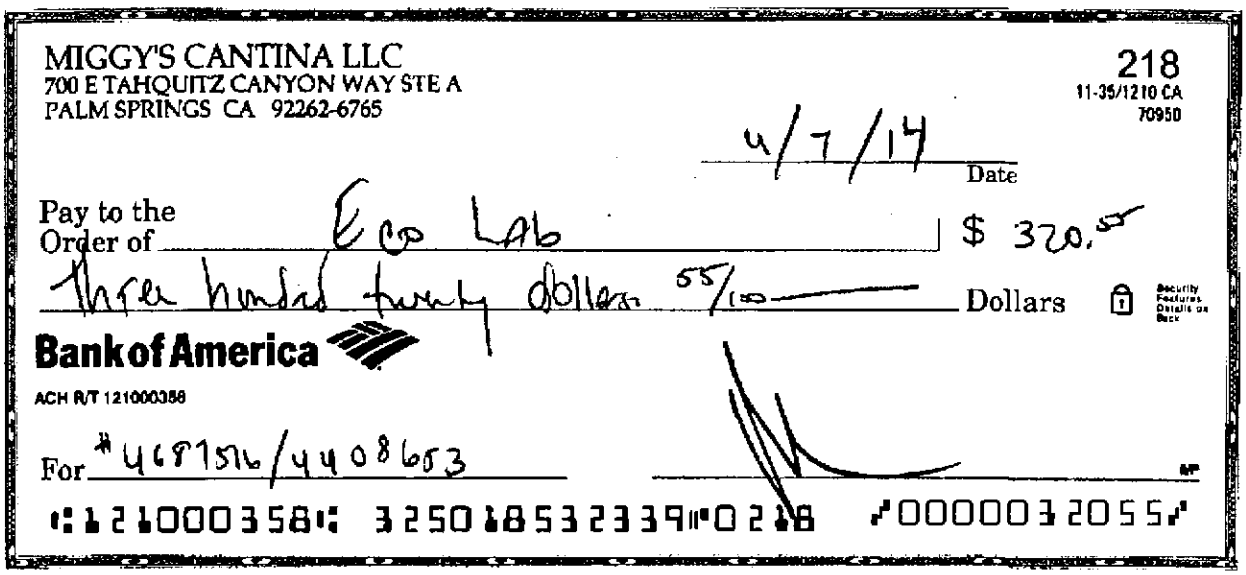
Amount:	$4,500.00	Sequence Number:	9892206354
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	233

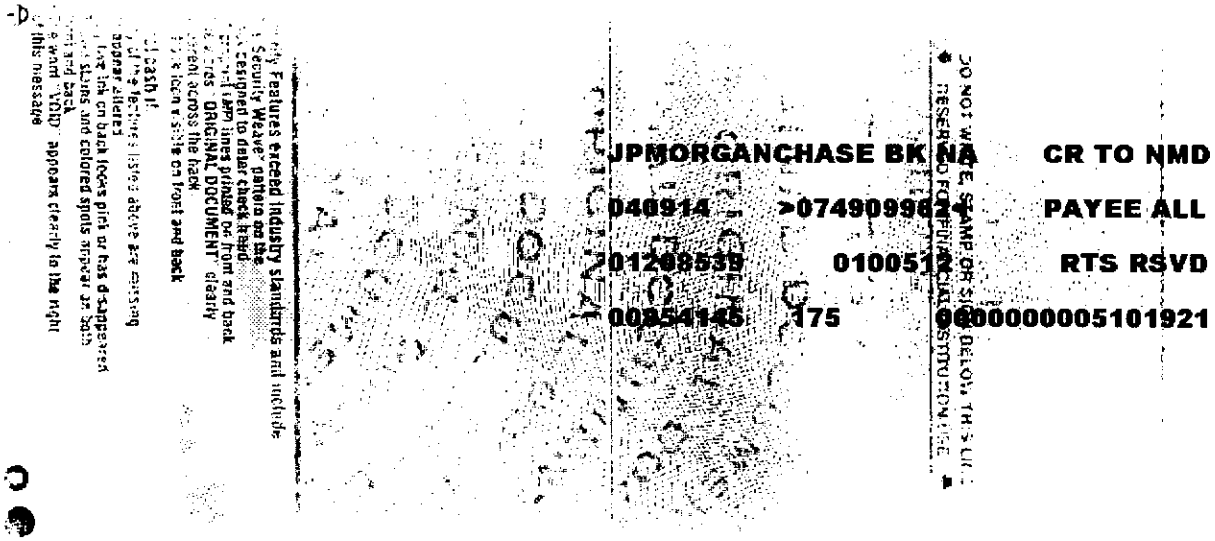


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7376738756	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
04/17/2014	004198621651	91000022	Undetermined	N		U.S. BANK NATIONAL A
04/17/2014	004198621651	123000220	Undetermined	N		U.S. BANK NATIONAL A
04/17/2014	009892206354	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$320.55	Sequence Number:	9892442188
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	218





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	6080018456	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
04/09/2014	009892442188	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$90.00	Sequence Number:	1812570227
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	283

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

283
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Vallgroup LLC. $ 90.00

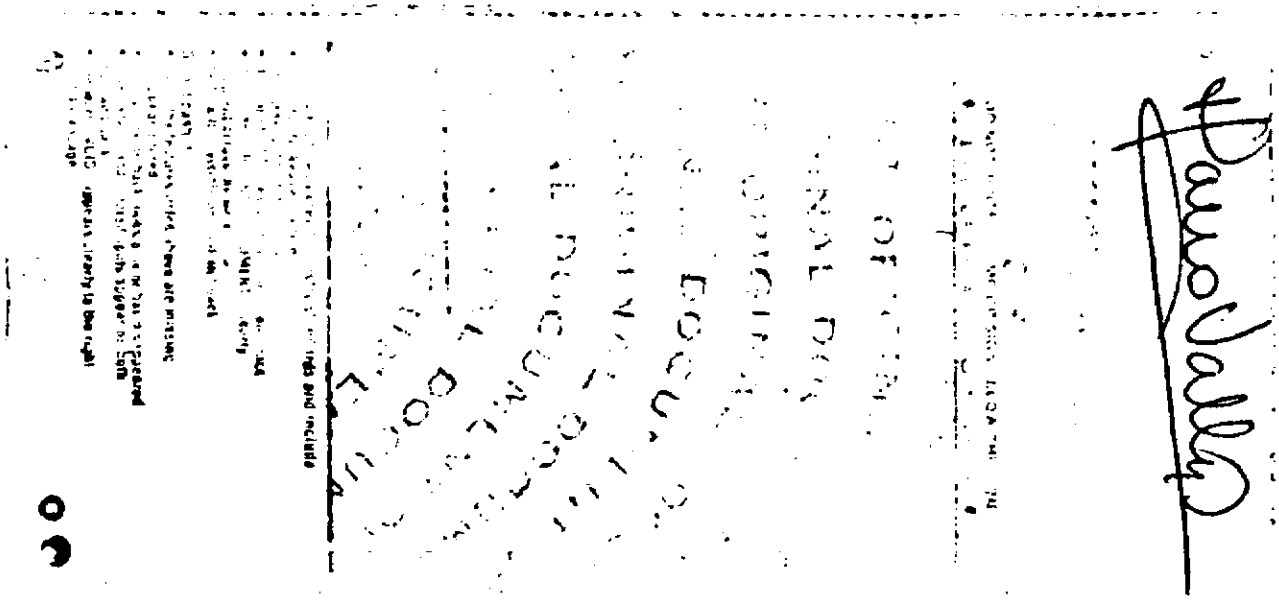
Ninety Dollars

Bank of America

ACH R/T 121000358

For 3

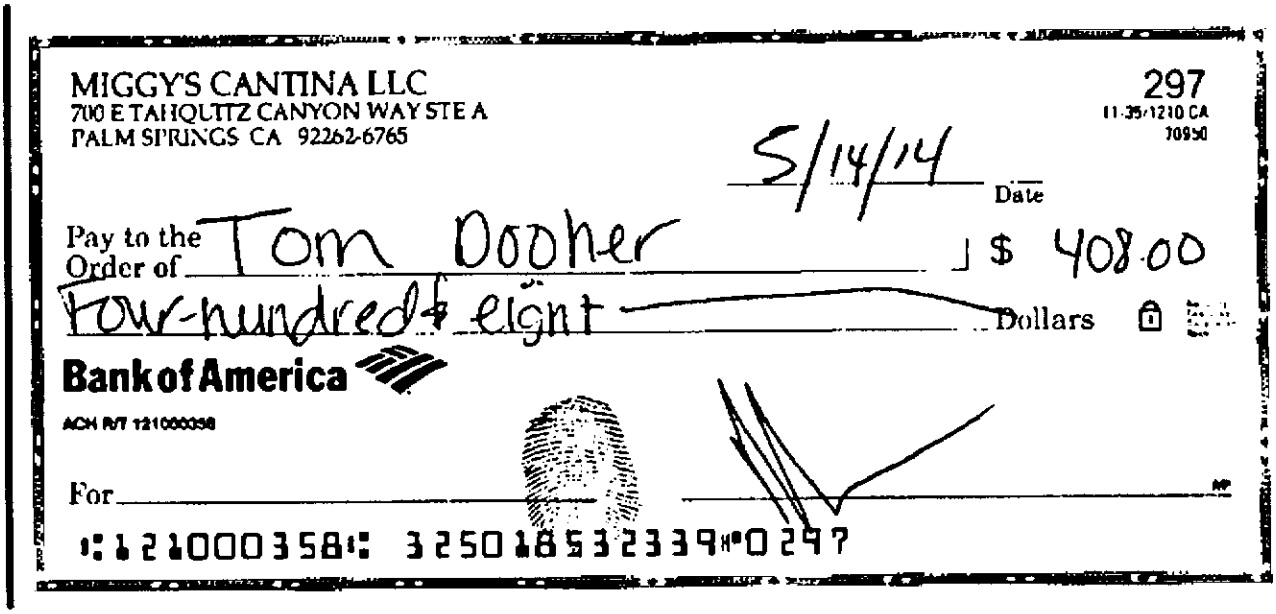
⑆121000358⑆ 325018532339⑈0283



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	1812570227	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$408.00	Sequence Number:	3042021760
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	297



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

297
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Tom Dooher $ 408.00

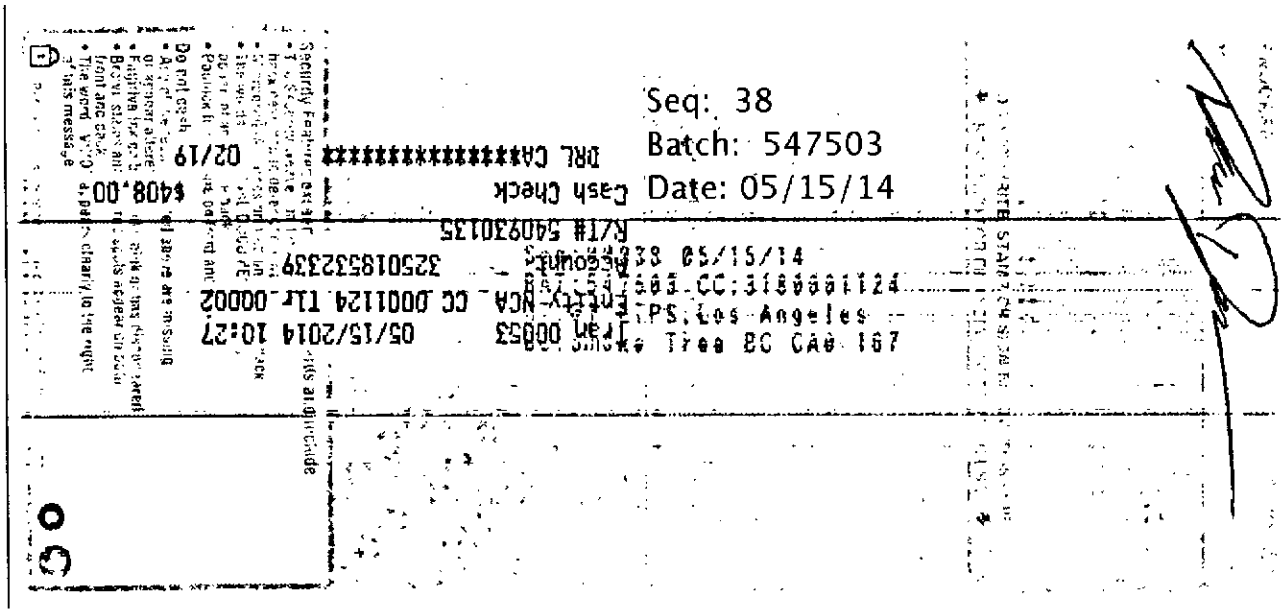
Four-hundred & eight Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0297



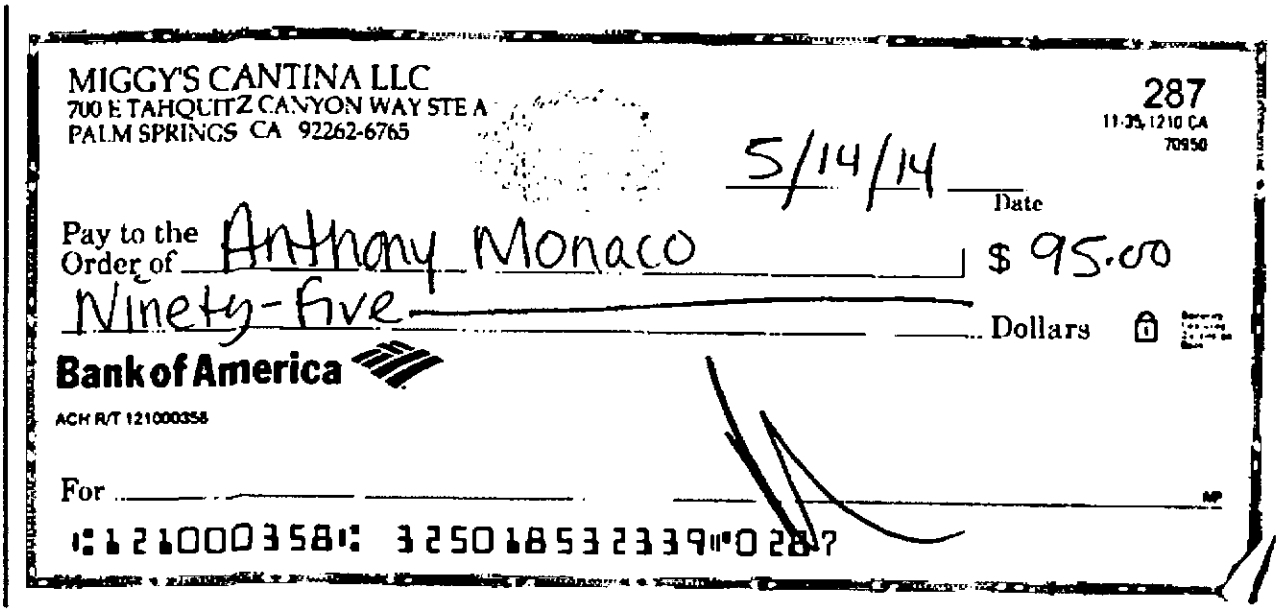
Seq: 38
Batch: 547503
Date: 05/15/14

Cash Check
$408.00
02/19

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	3042021760	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$95.00	Sequence Number:	3242035939
Account:	325018532339	Capture Date:	05/19/2014
Bank Number:	12100035	Check Number:	287



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

287
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Anthony Monaco $ 95.00

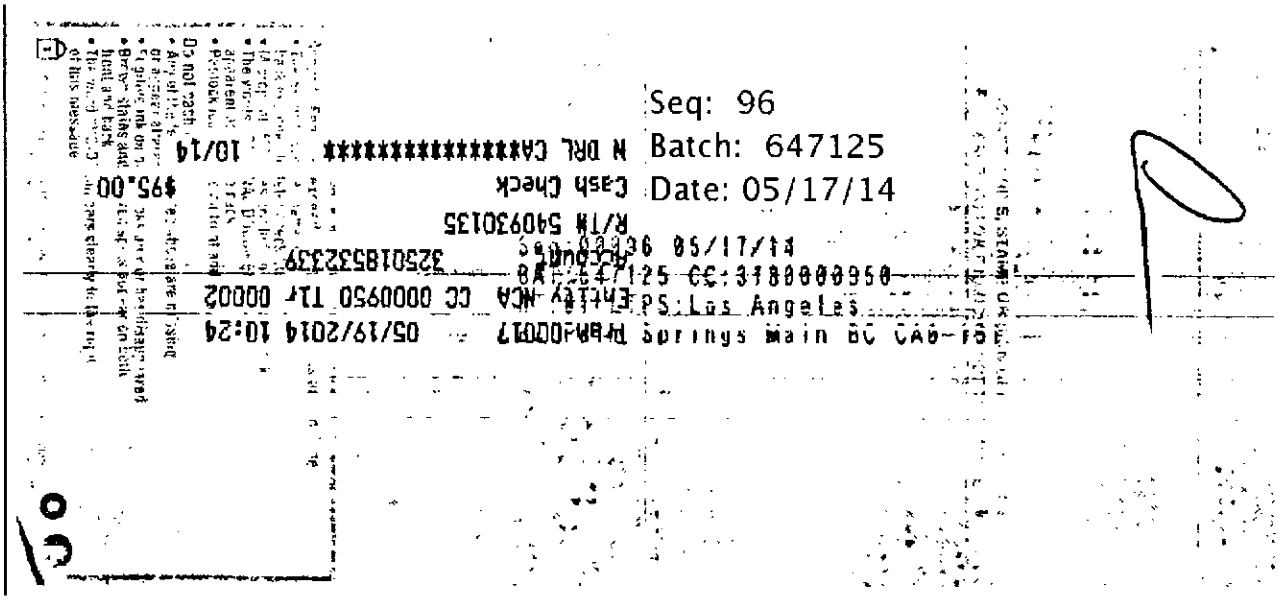
Ninety-five Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0287

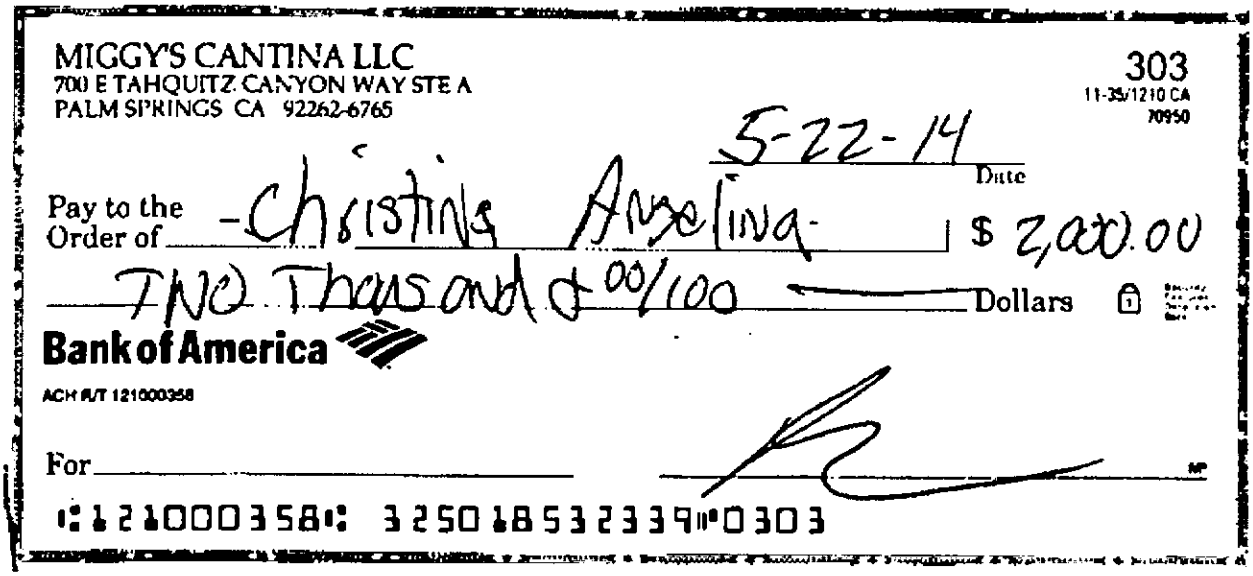


Seq: 96
Batch: 647125
Date: 05/17/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	3242035939	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,000.00	Sequence Number:	3542460045
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	303



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

303
11-35/1210 CA
70950

5-22-14
Date

Pay to the Order of -Christina Angelina- $ 2,000.00

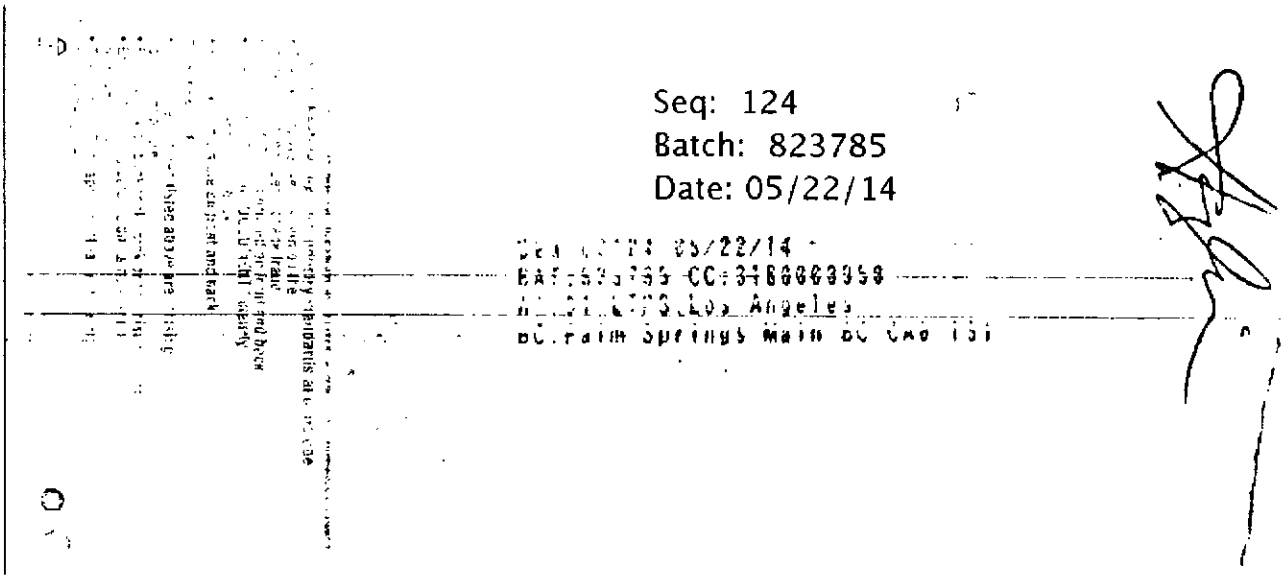
Two Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0303



Seq: 124
Batch: 823785
Date: 05/22/14

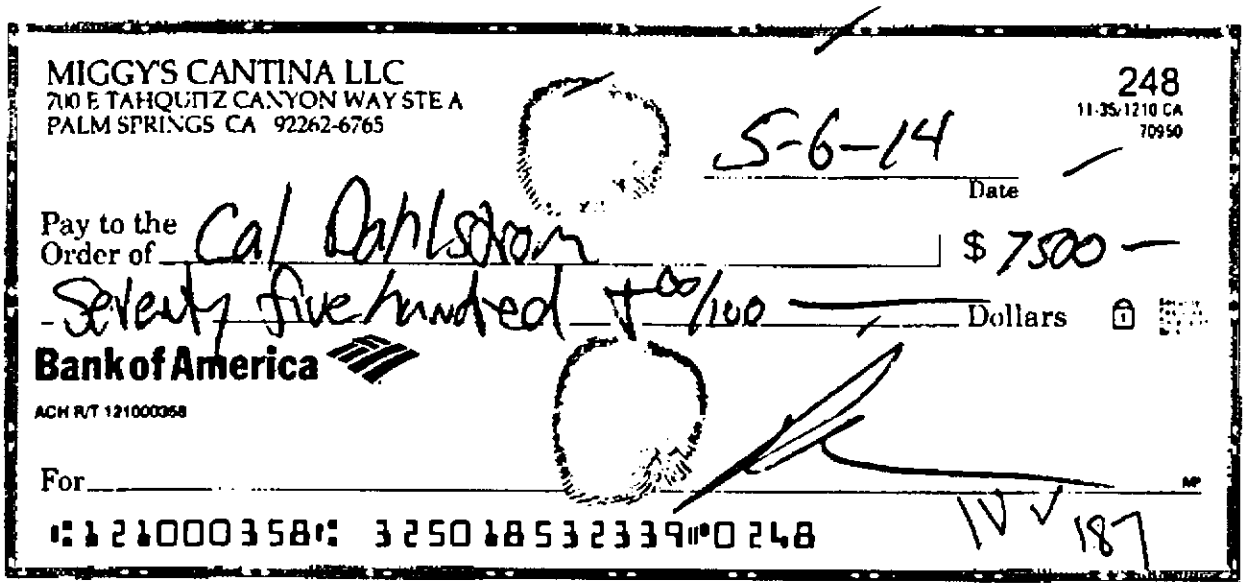
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	3542460045	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $7,500.00 Sequence Number: 3942402672

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 248



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

248
11-35/1210 CA
70950

5-6-14
Date

Pay to the Order of Cal Dahlstrom $ 7500 —

Seventy five hundred + 00/100 Dollars

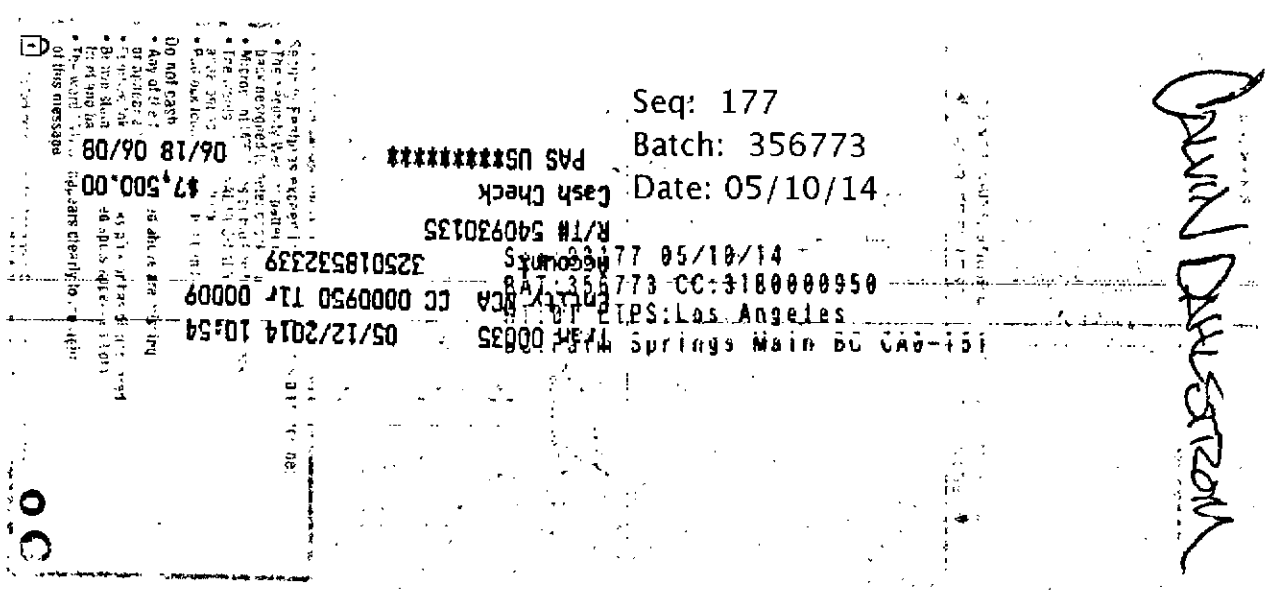
Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0248

IV 187



Seq: 177
Batch: 356773
Date: 05/10/14

Cash Check
PAS US**********
06/18 06/08
$7,500.00

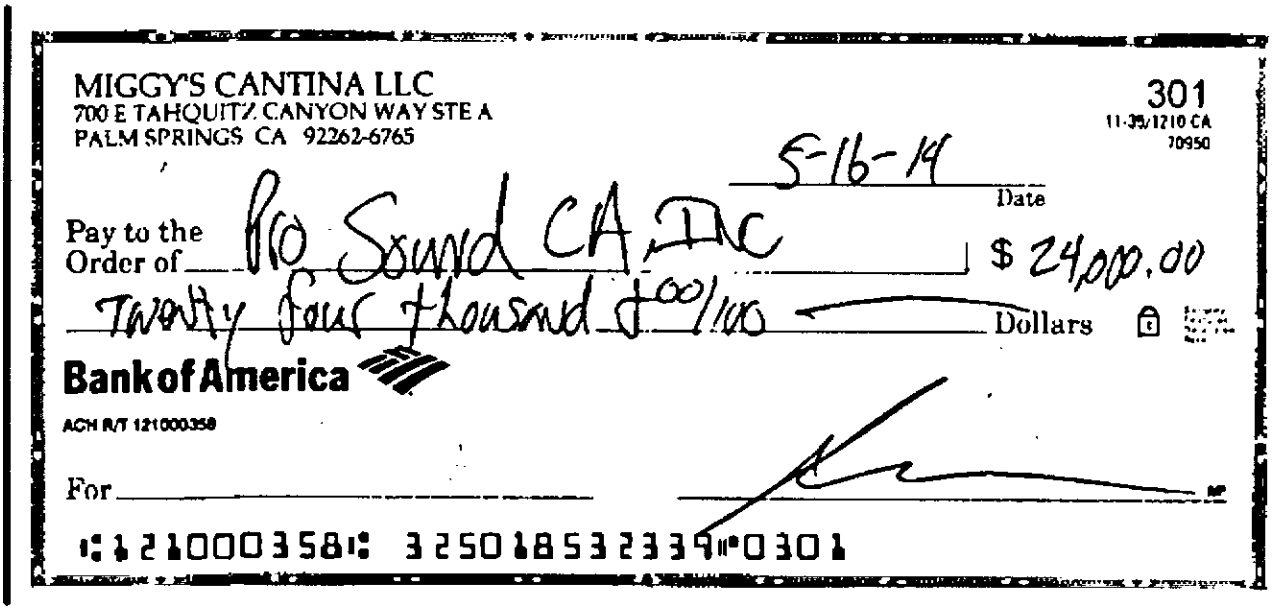
R/T# 540930135
Sequence 177 05/10/14
BAT:356773 CC:3180000950
ENTRY DCA CC 00009050 TLr 00009
05/12/2014 10:54
Palm Springs Main BC CA0-151
00035

Cahlstrom

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	3942402672	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$24,000.00	Sequence Number:	4342656455
Account:	325018532339	Capture Date:	05/27/2014
Bank Number:	12100035	Check Number:	301



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

301
11-35/1210 CA
70950

5-16-14
Date

Pay to the Order of Pro Sound CA, Inc $ 24,000.00

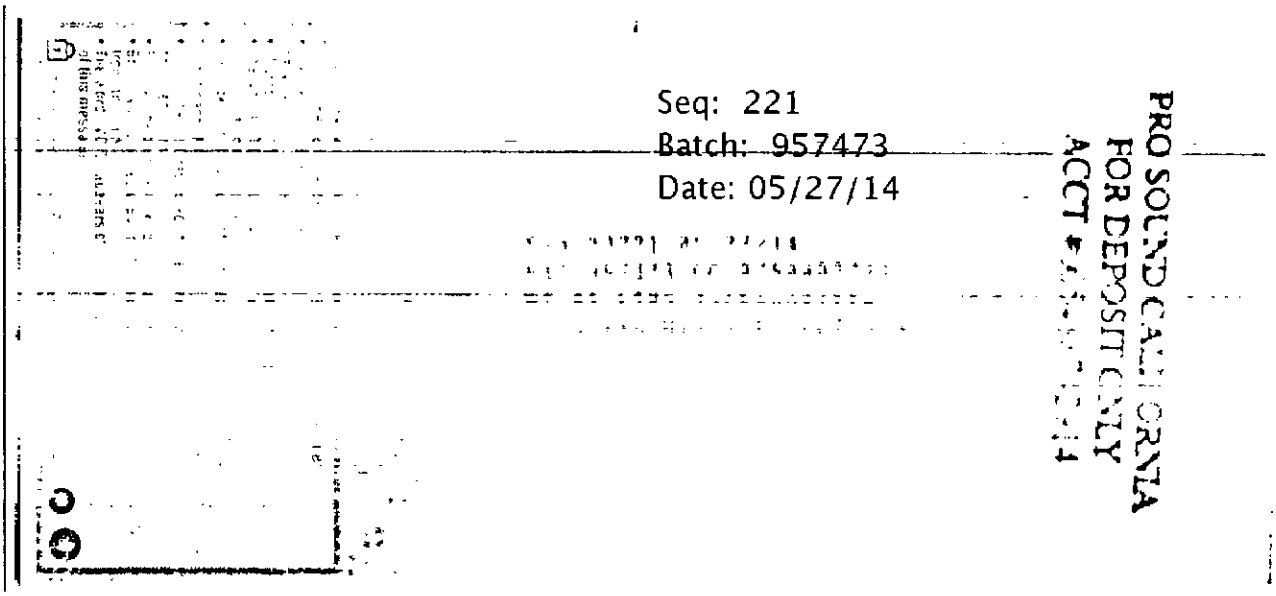
Twenty four thousand $ 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0301



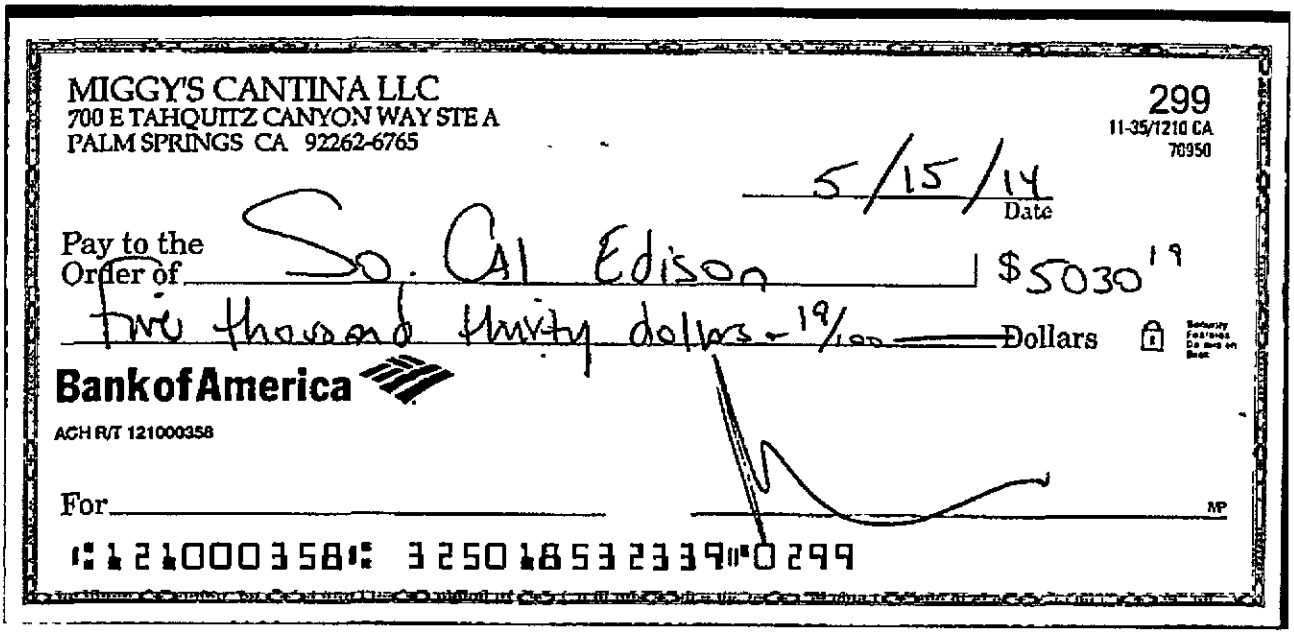
Seq: 221
Batch: 957473
Date: 05/27/14

PRO SOUND CALIFORNIA
FOR DEPOSIT ONLY
ACCT #

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	4342656455	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,030.19	Sequence Number:	4492514110
Account:	325018532339	Capture Date:	05/20/2014
Bank Number:	12100035	Check Number:	299



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

299
11-35/1210 CA
70950

5/15/14
Date

Pay to the Order of So. Cal Edison $5030.19

five thousand thirty dollars - 19/100 Dollars

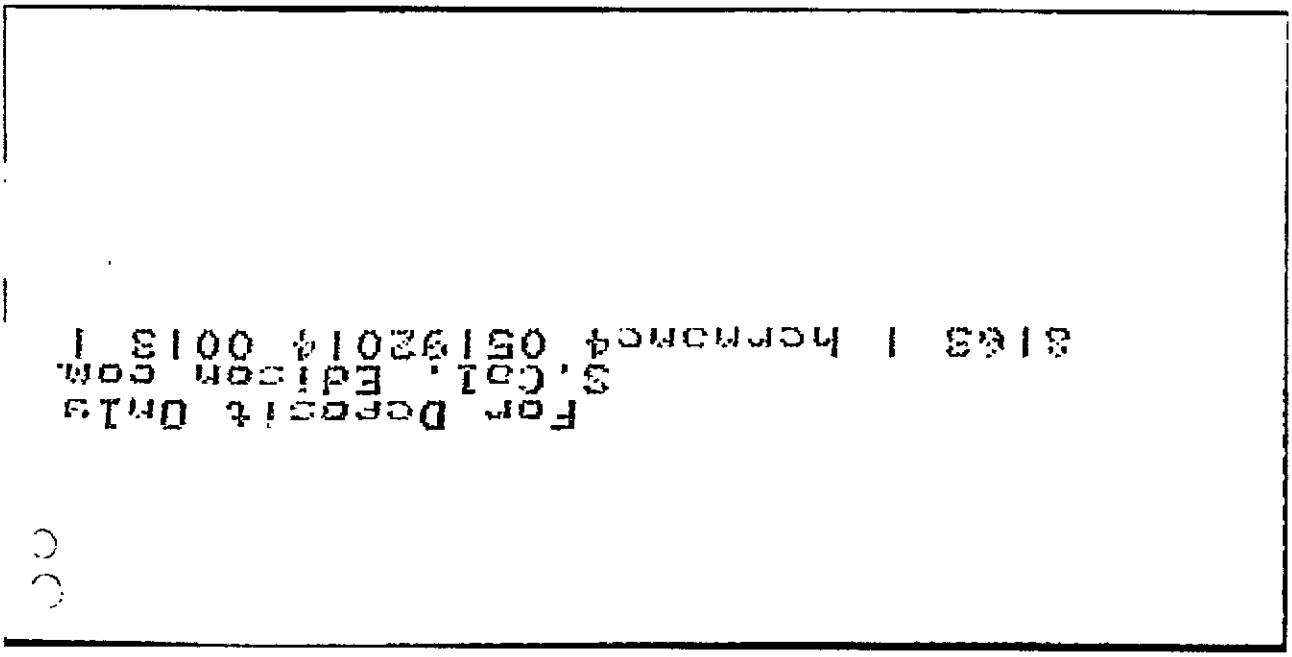
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0299



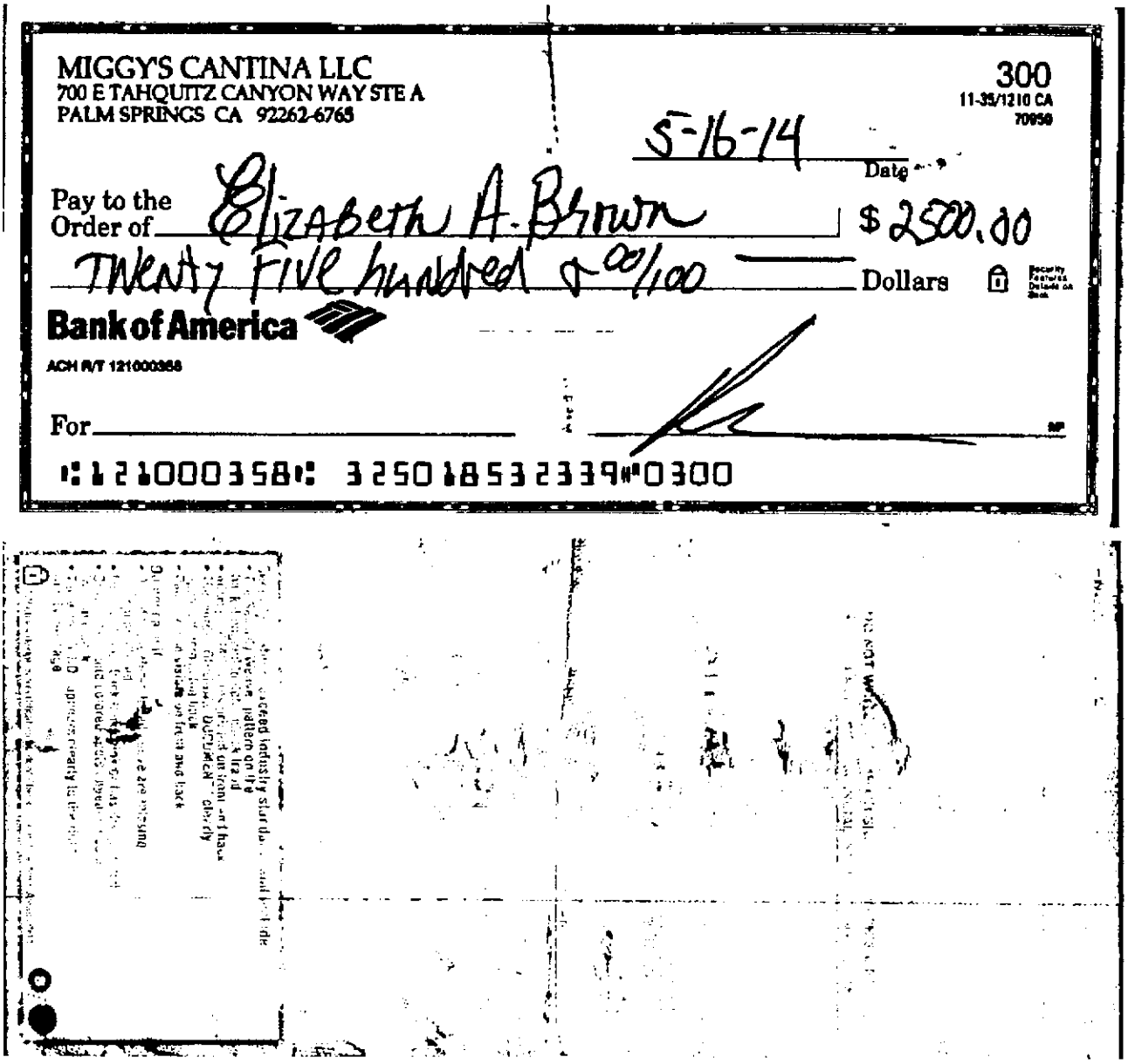
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	004492514110	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	2323156503	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/19/2014	002323156503	122000496	Undetermined	N		MUFG UNION BANK, NA

Amount: $2,500.00 Sequence Number: 4692021964

Account: 325018532339 Capture Date: 05/20/2014

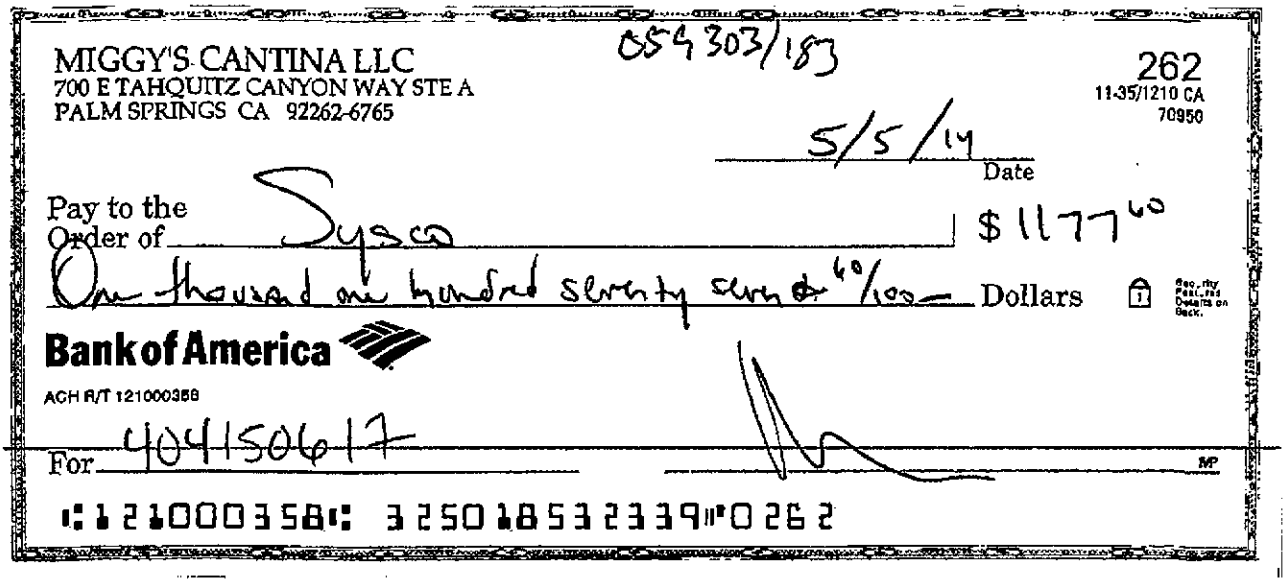
Bank Number: 12100035 Check Number: 300



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	004692021964	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/20/2014	4479138077	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,177.60	Sequence Number:	4792500408
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	262



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

054303/183

262
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Sysco $1177.60

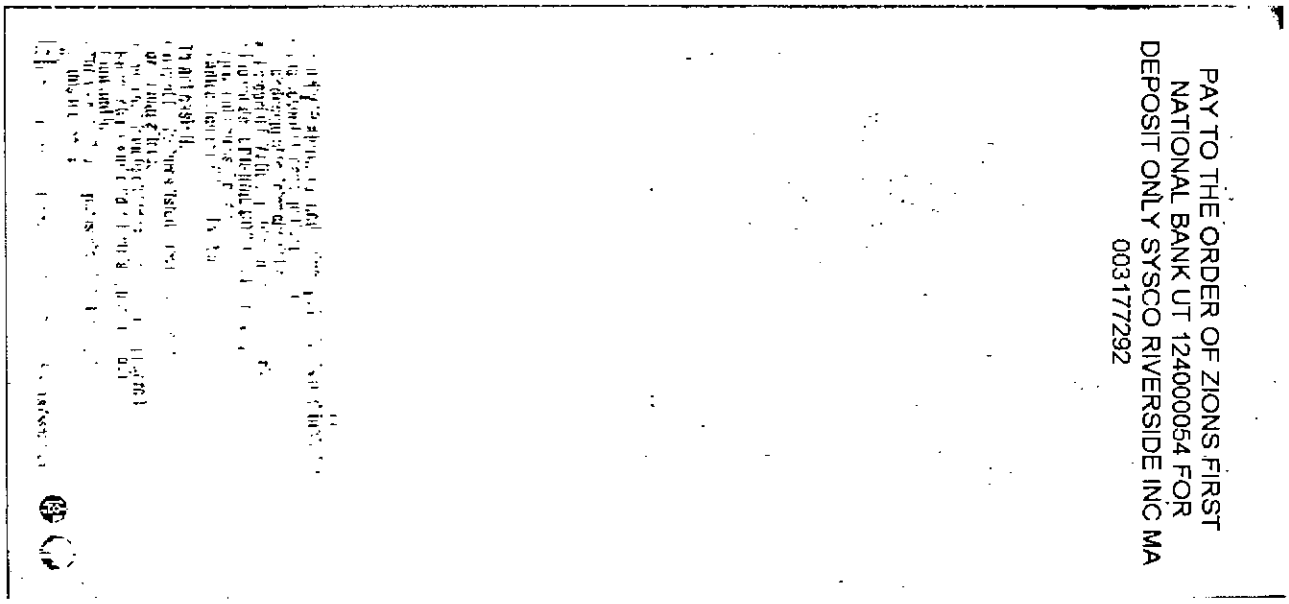
One thousand one hundred seventy seven 60/100 Dollars

Bank of America

ACH R/T 121000358

For 40415061 7

⑆121000358⑆ 325018532339⑈0262

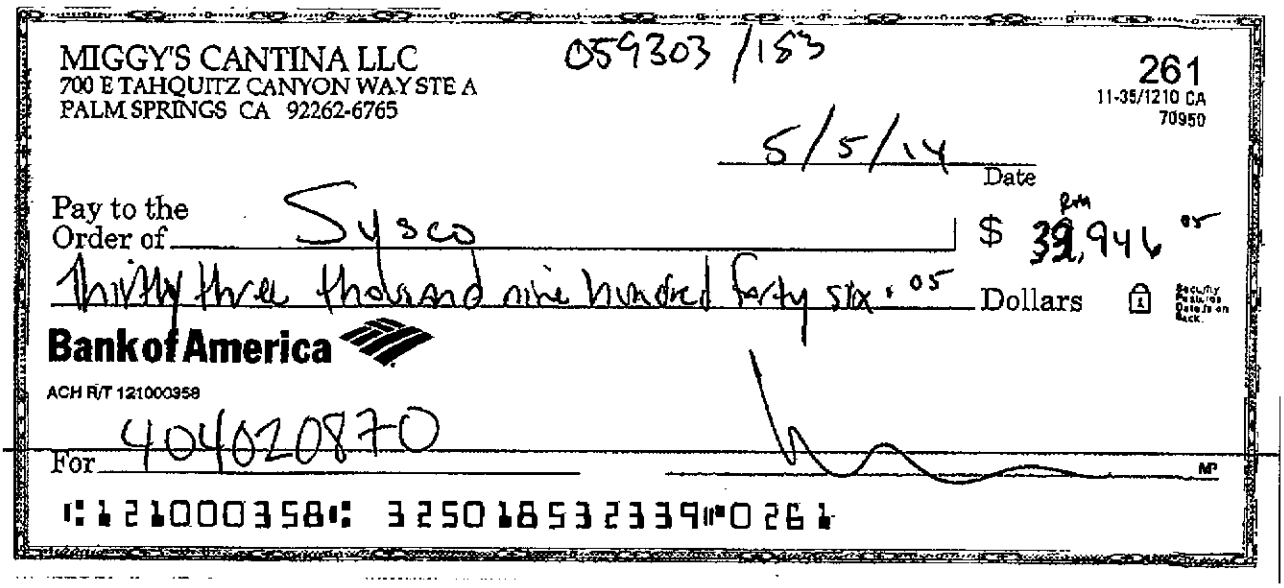


PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	004792500408	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	9677262646	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	000051459135483	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$33,946.05	Sequence Number:	4792500409
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	261



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303 / 153

261
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Sysco

$ 33,946 05

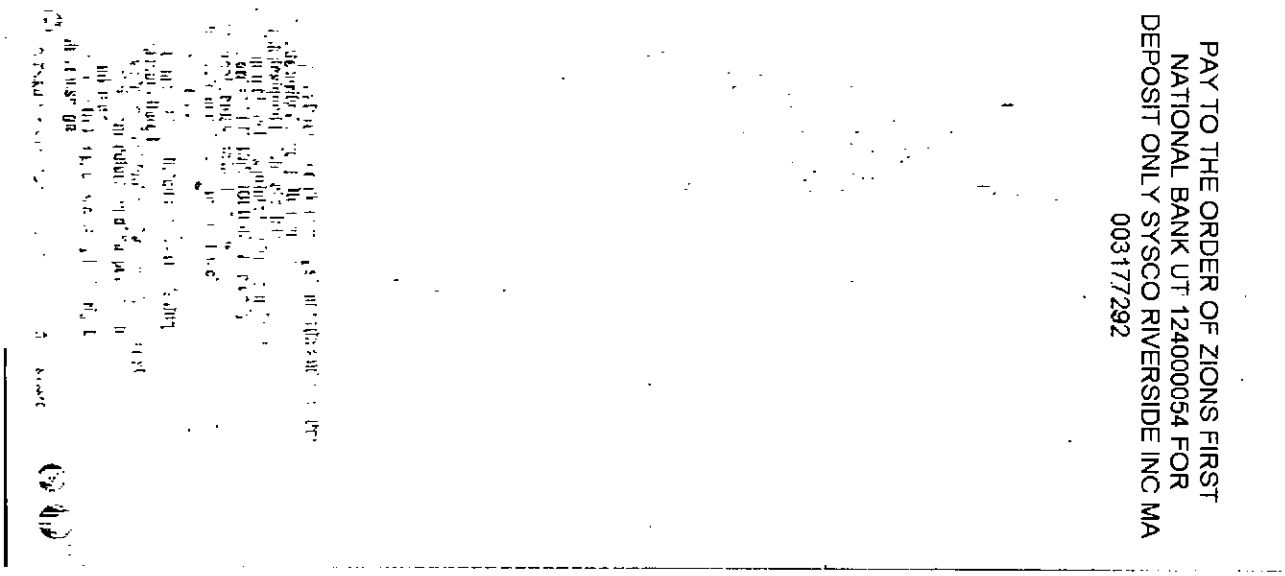
Thirty three thousand nine hundred forty six + 05 Dollars

Bank of America

ACH R/T 121000358

For 40402087O

⑆121000358⑆ 325018532339⑈0261

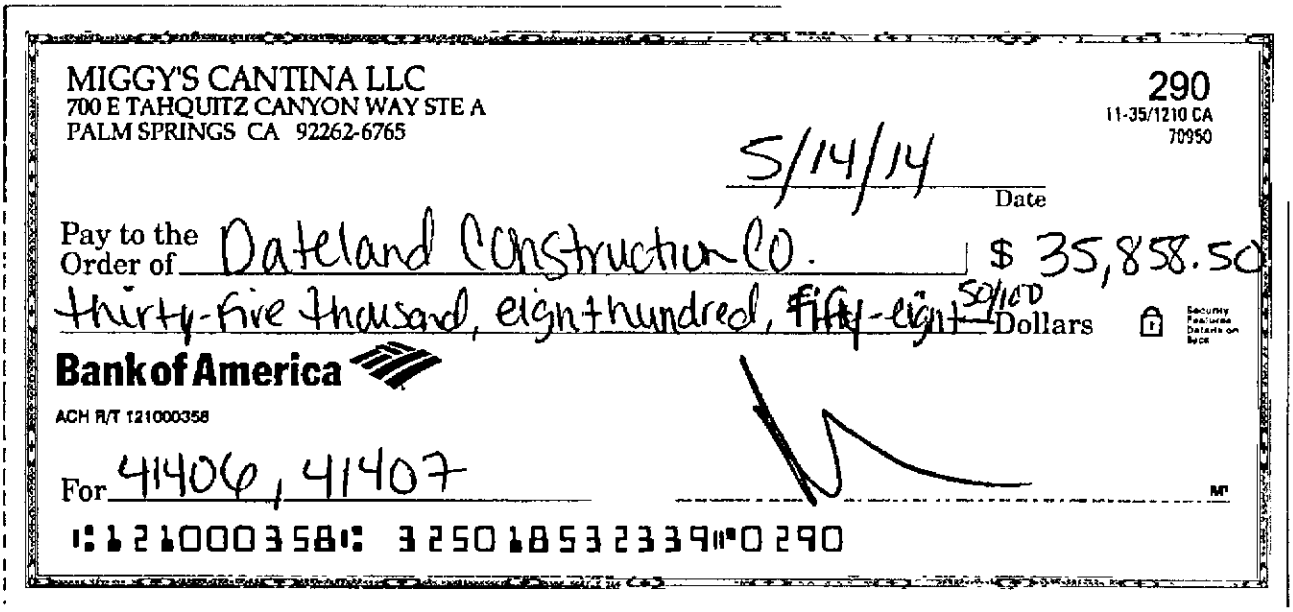


PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	9677262647	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	004792500409	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	000051459135482	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$35,858.50	Sequence Number:	4792868176
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	290



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

290
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Dateland Construction Co. $ 35,858.50

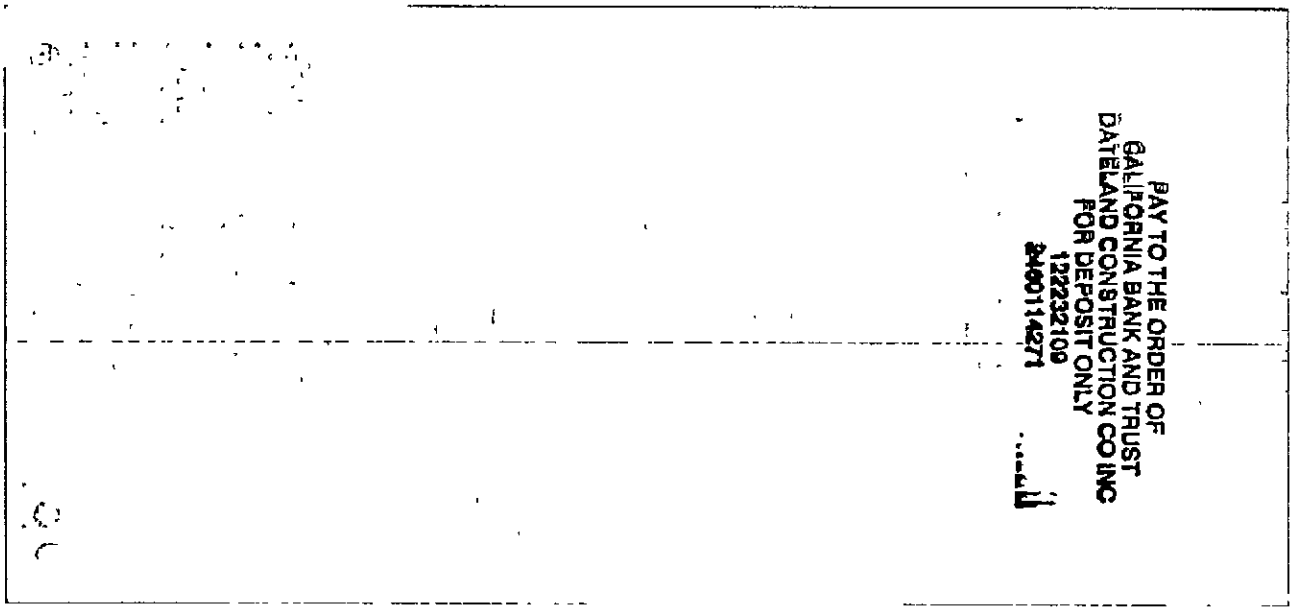
thirty-five thousand, eight hundred, fifty-eight 50/100 Dollars

Bank of America

ACH R/T 121000358

For 41406, 41407

⑆121000358⑆ 325018532339⑈0290

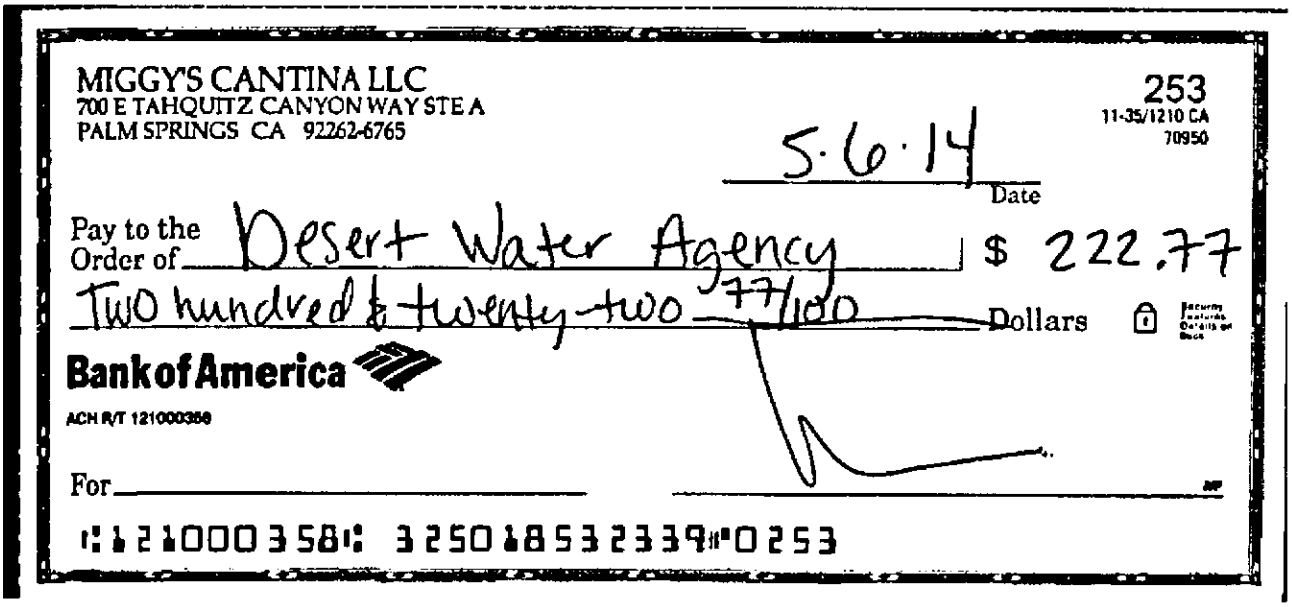


PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
DATELAND CONSTRUCTION CO INC
FOR DEPOSIT ONLY
122232100
2460114271

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	9911548556	61000146	Undetermined	N		FEDERAL RES BANK OF
05/22/2014	004792868176	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/21/2014	405215353087193	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$222.77	Sequence Number:	4892510942
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	253



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

253
11-35/1210 CA
70950

5.6.14
Date

Pay to the Order of Desert Water Agency $ 222.77

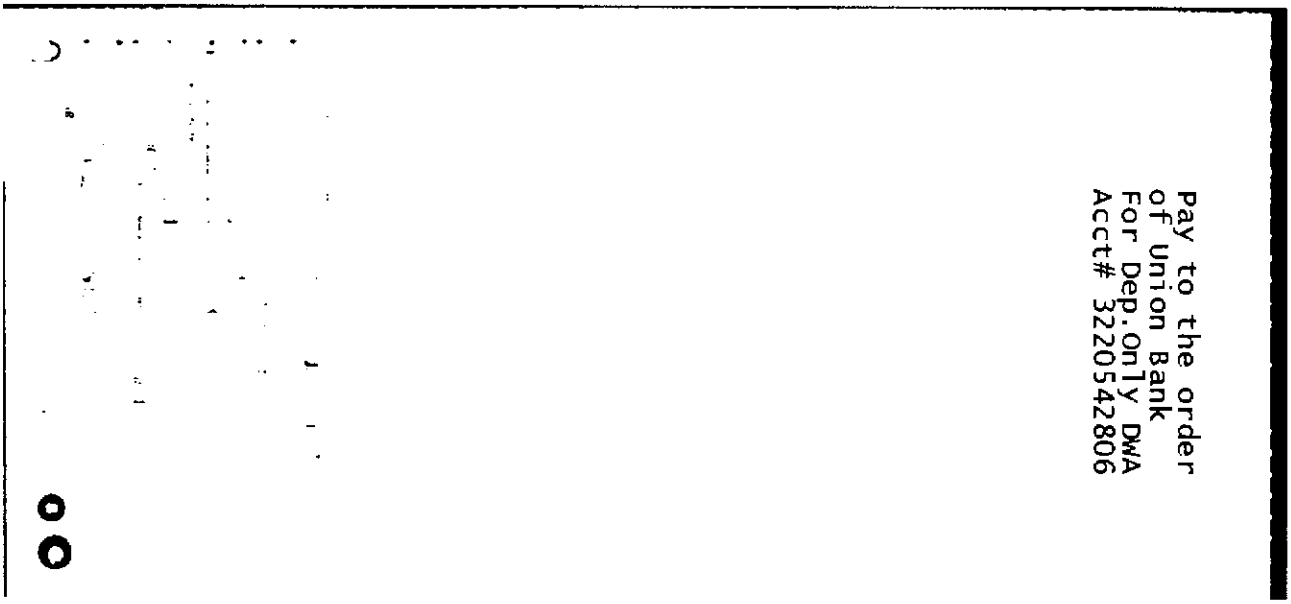
Two hundred & twenty-two 77/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0253

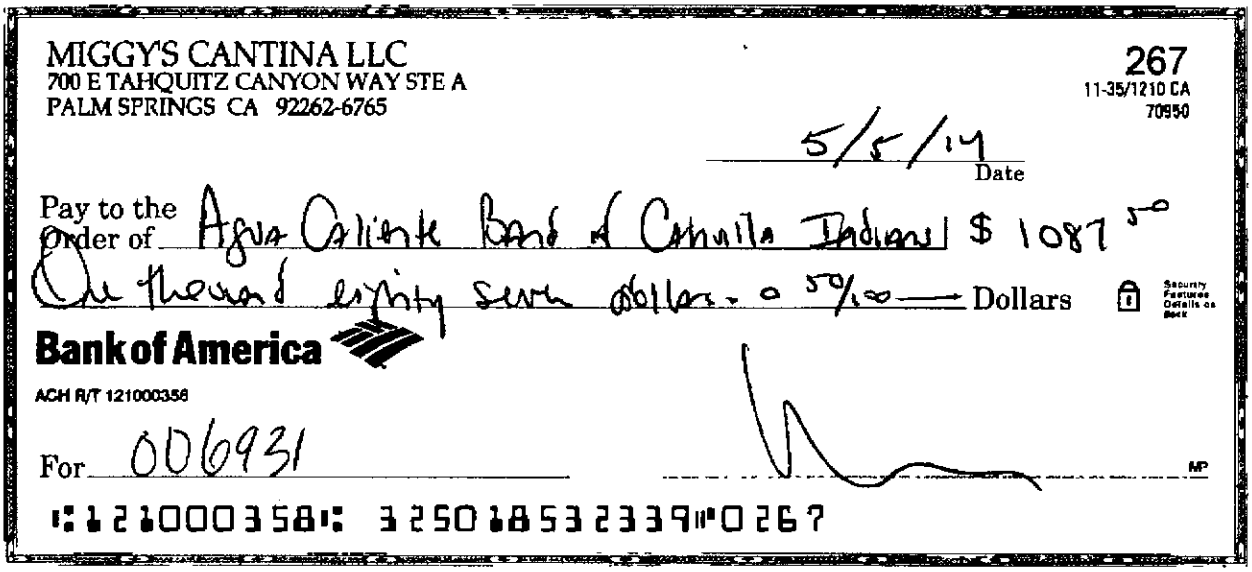


Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	004892510942	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	4513053087	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,087.50	Sequence Number:	5092518125
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	267



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

267
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Agua Caliente Band of Cahuilla Indians $ 1087.50

One thousand eighty seven dollars and 50/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 006931

MP

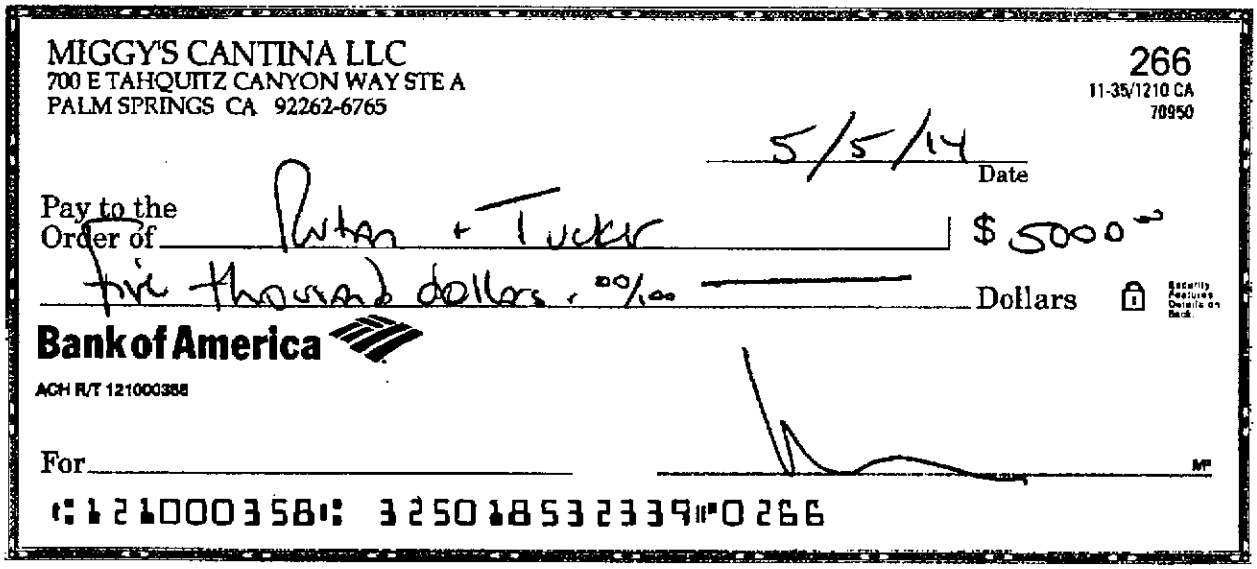
⑆121000358⑆ 325018532339⑈0267

FOR DEPOSIT ONLY
322010235
GOVERNMENT OPERATION
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	005092518125	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	4512893975	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$5,000.00	Sequence Number:	5092539744
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	266



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

266
11-35/1210 CA
70950

5/5/14
Date

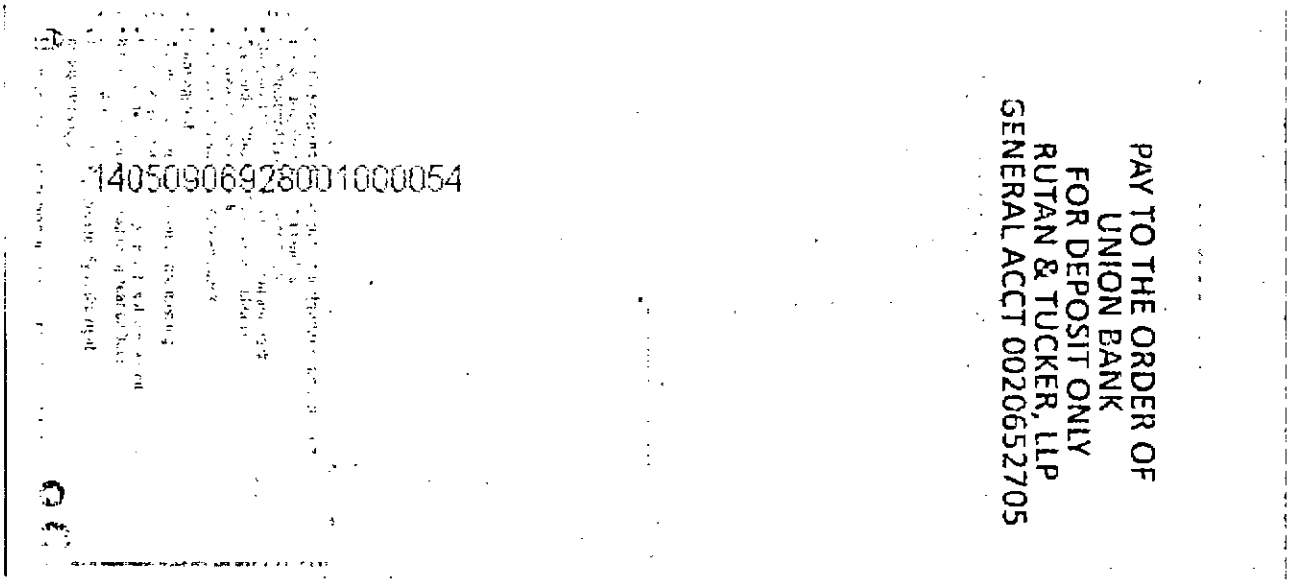
Pay to the Order of Rutan + Tucker $ 5000.00

five thousand dollars and 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0266



14050906928001000054

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

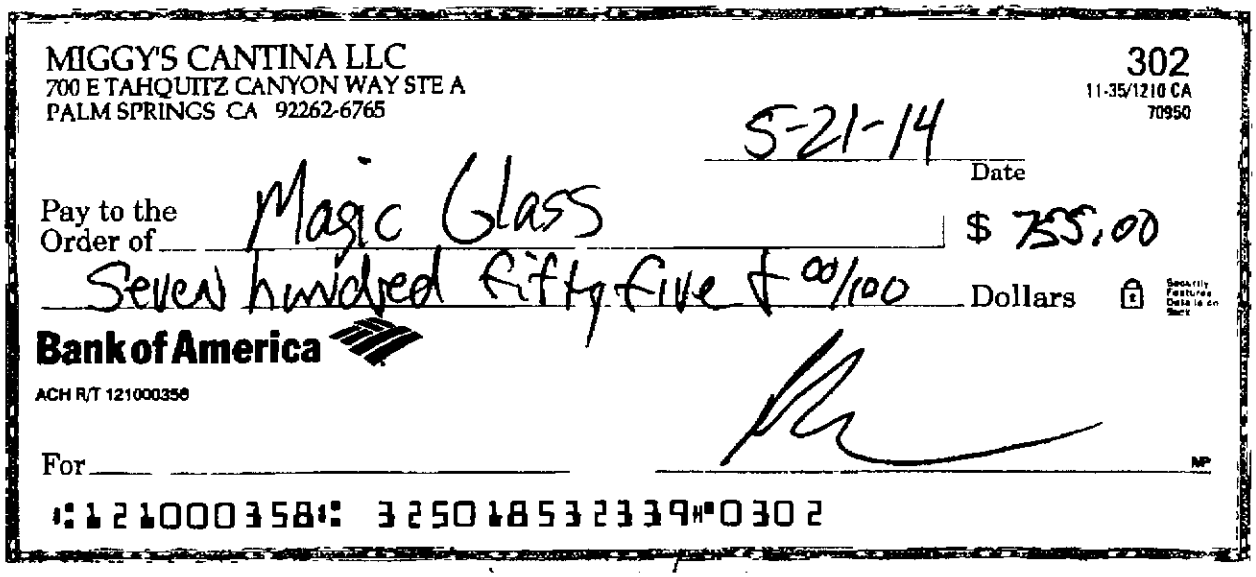
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	4477514502	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/09/2014	005092539744	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $755.00 Sequence Number: 5192030911

Account: 325018532339 Capture Date: 05/23/2014

Bank Number: 12100035 Check Number: 302



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

302
11-35/1210 CA
70950

5-21-14
Date

Pay to the Order of Magic Glass $ 755.00

Seven hundred fifty five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0302

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

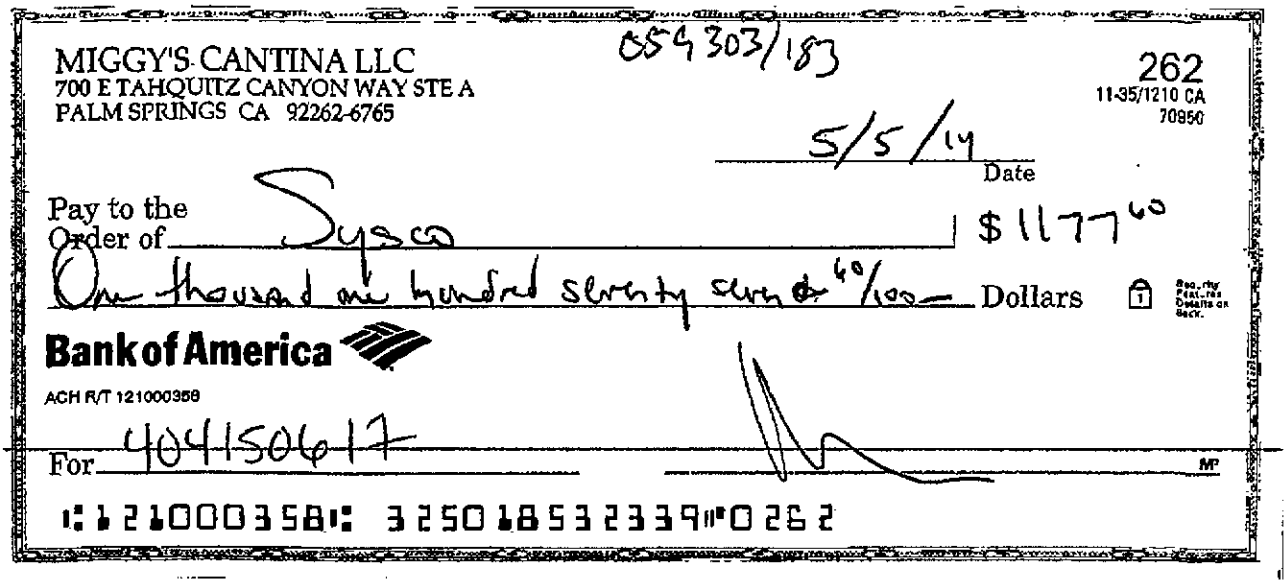
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/23/2014	4512424470	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/23/2014	005192030911	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $1,177.60 Sequence Number: 5292047063

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 262



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

054303/183

262
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Sysco $ 1177.60

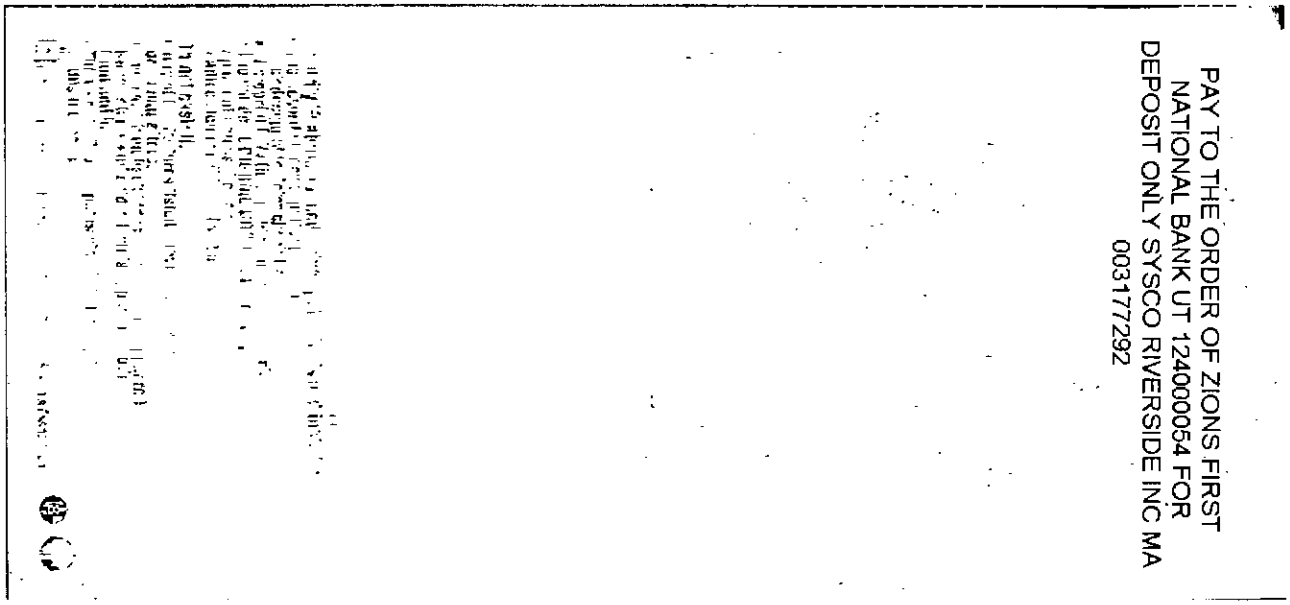
One thousand one hundred seventy seven 60/100 Dollars

Bank of America

ACH R/T 121000358

For 40415061 7

⑆121000358⑆ 325018532339⑈0262



PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

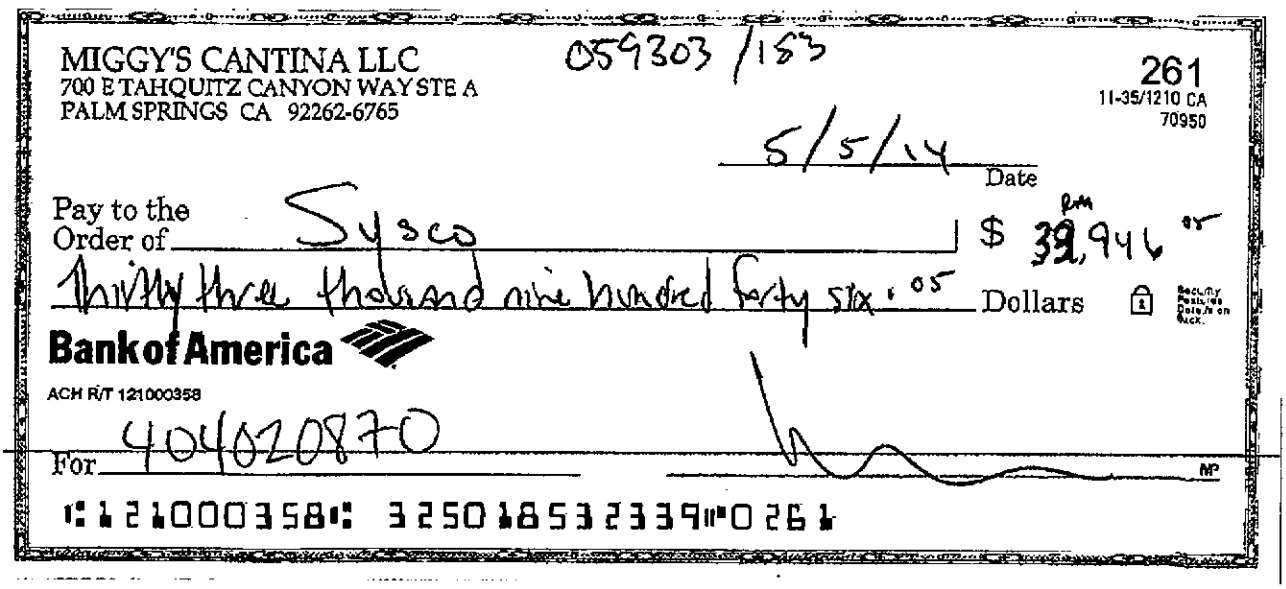
Electronic Endorsements:

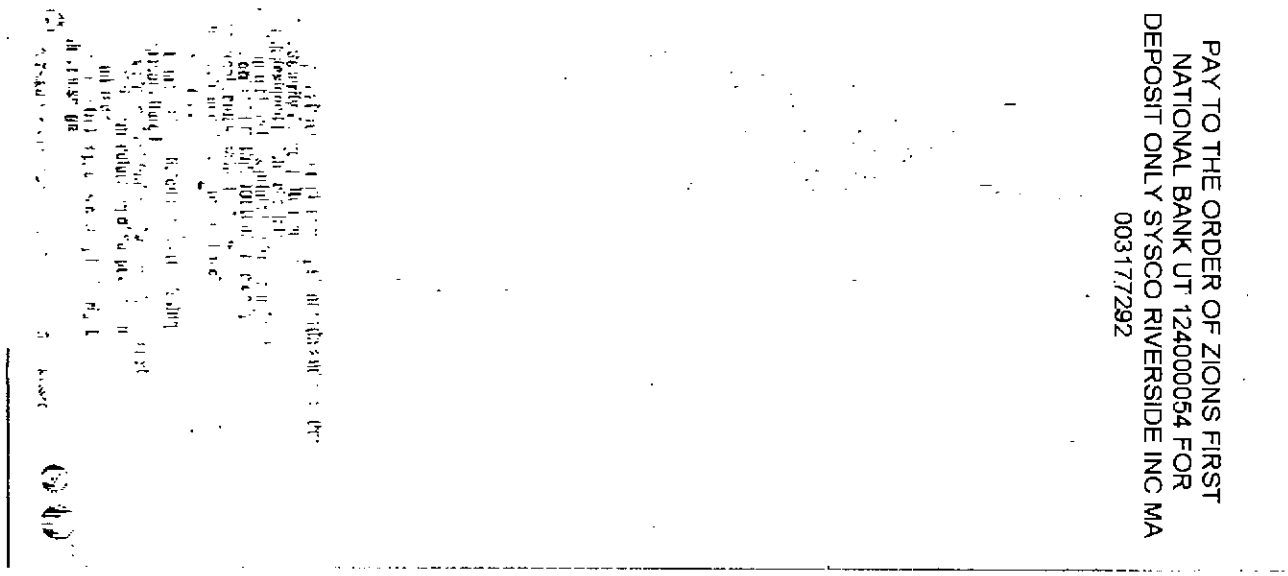
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	004792500408	56007387	Undetermined	N	A	BANK OF AMERICA, NA
05/08/2014	004792500408	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	00028226	124000054	Undetermined	N	A	ZIONS FIRST NATIONAL
05/12/2014	9696642243	61000146	Undetermined	N	A	FEDERAL RES BANK OF
05/09/2014	9677262646	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	000051459135483	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL
05/13/2014	9725131791	61000146	Undetermined	N		FEDERAL RES BANK OF
05/12/2014	005292047063	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $33,946.05 Sequence Number: 5292047064

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 261

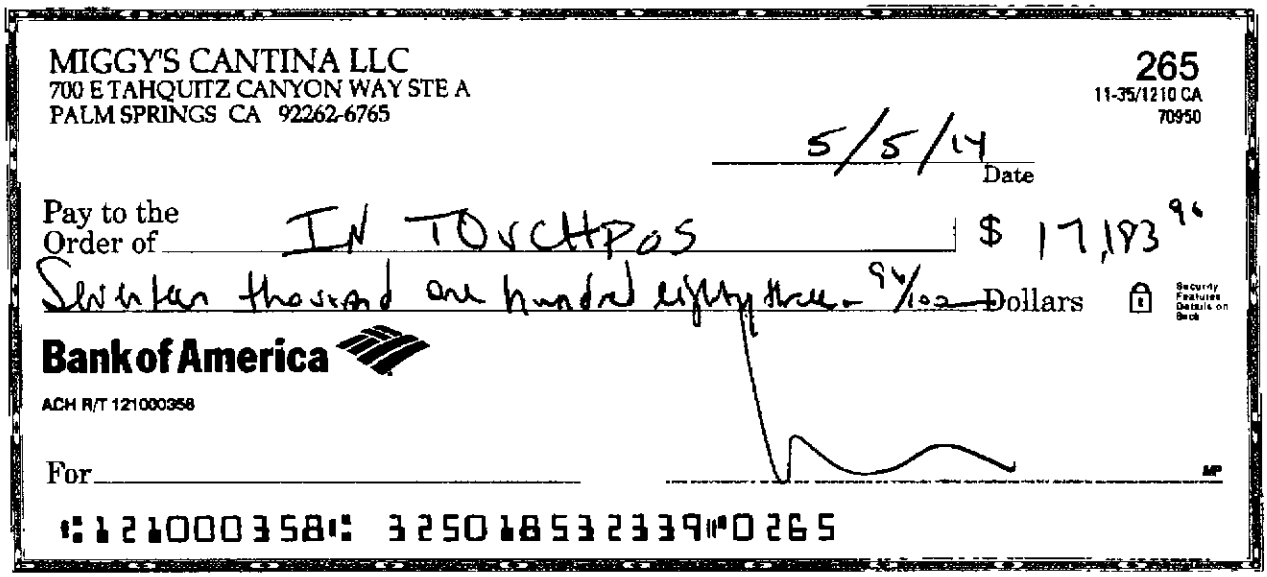




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	000051459135482	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL
05/08/2014	004792500409	56007387	Undetermined	N	A	BANK OF AMERICA, NA
05/12/2014	9696642244	61000146	Undetermined	N	A	FEDERAL RES BANK OF
05/09/2014	9677262647	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	004792500409	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/13/2014	9725131792	61000146	Undetermined	N		FEDERAL RES BANK OF
05/12/2014	00028227	124000054	Undetermined	N	A	ZIONS FIRST NATIONAL
05/12/2014	005292047064	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$17,183.96	Sequence Number:	5392425610
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	265



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

265
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of IN TOUCH POS $ 17,183 96

Seventeen thousand one hundred eighty three 96/100 Dollars

Bank of America
ACH R/T 121000358

For

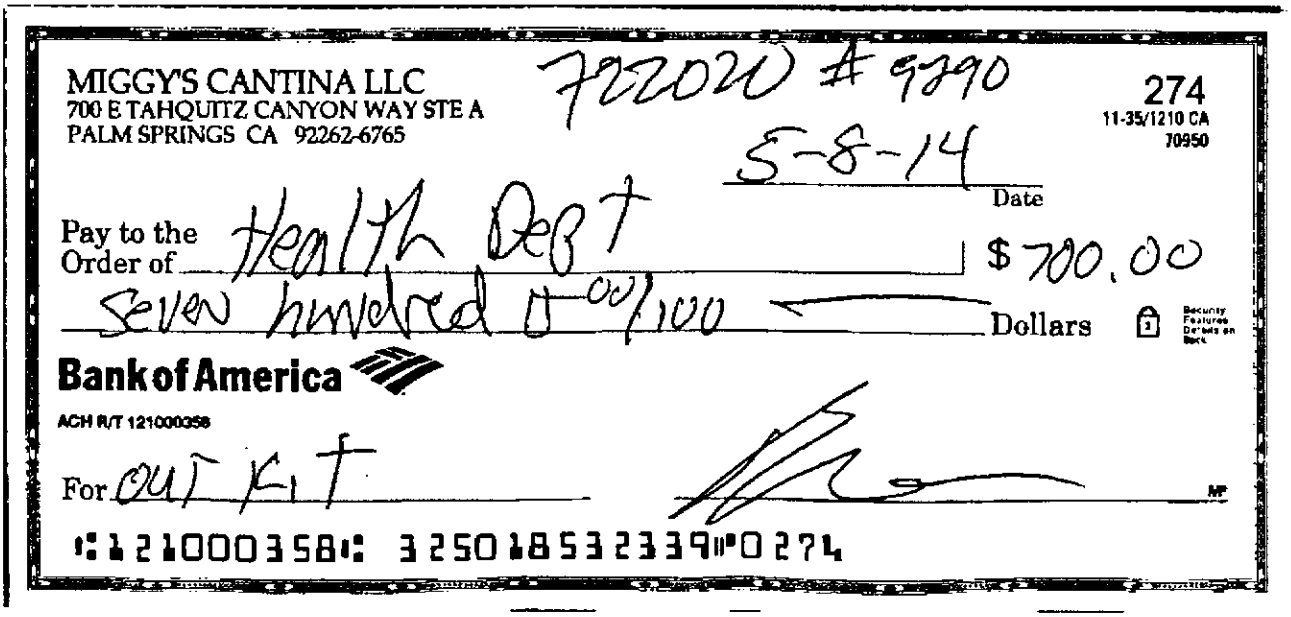
⑆121000358⑆ 325018532339⑈0265

Pay to the Order of
Bay Commercial Bank
121143781
For Deposit Only
Assal Corporation General Account
10011765

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	005392425610	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/13/2014	9748132001	61000146	Undetermined	N		FEDERAL RES BANK OF
05/12/2014	5250218448491	121143781	Rtn Loc/BOFD	Y		BAY COMMERCIAL BANK

Amount:	$700.00	Sequence Number:	5492236239
Account:	325018532339	Capture Date:	05/13/2014
Bank Number:	12100035	Check Number:	274



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

722020 # 9890

274
11-35/1210 CA
70950

5-8-14
Date

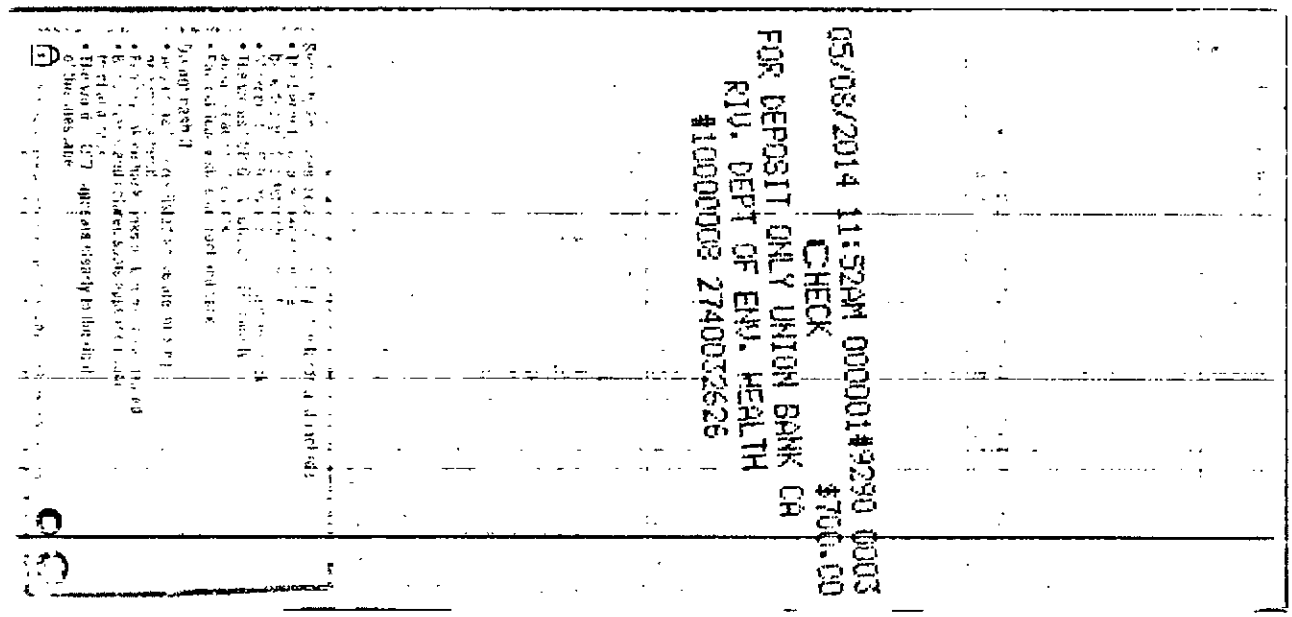
Pay to the Order of Health Dept $700.00

seven hundred 00/100 Dollars

Bank of America
ACH R/T 121000358

For Out Fit

⑆121000358⑆ 325018532339⑈0274

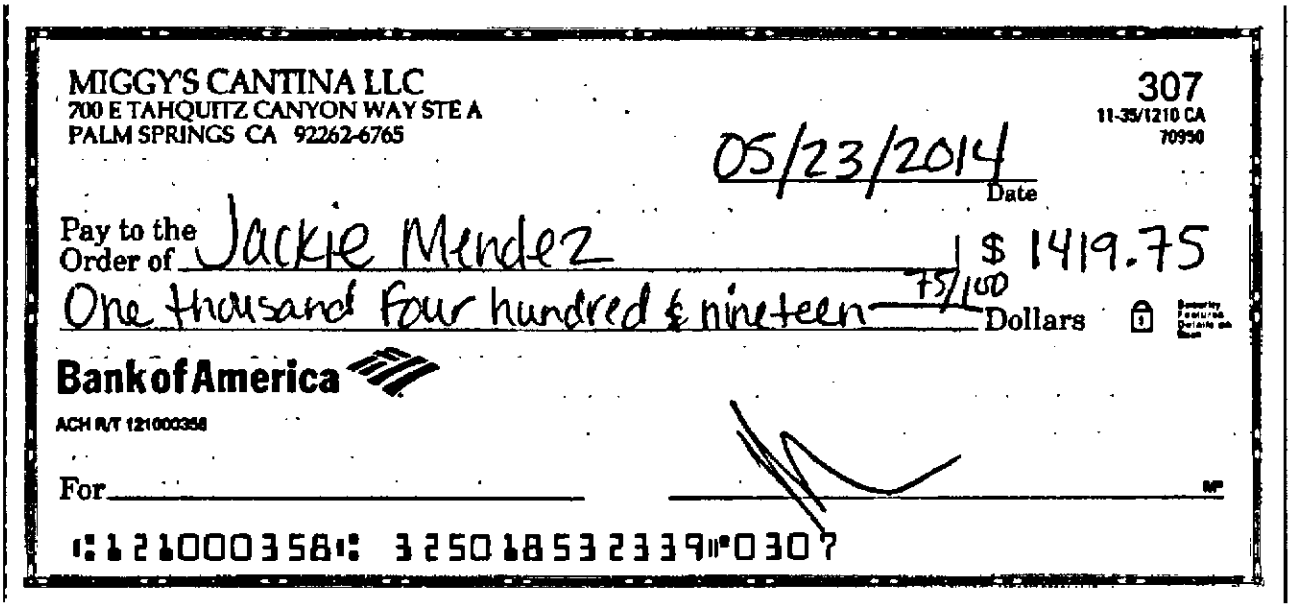


05/08/2014 11:52AM 00000143290 0003
CHECK
FOR DEPOSIT ONLY UNION BANK CA
RIV. DEPT OF ENV. HEALTH
#10000002 274007526

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/13/2014	005492236239	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	4447822546	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,419.75	Sequence Number:	5682699399
Account:	325018532339	Capture Date:	05/27/2014
Bank Number:	12100035	Check Number:	307



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

307
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Jackie Mendez $ 1419.75

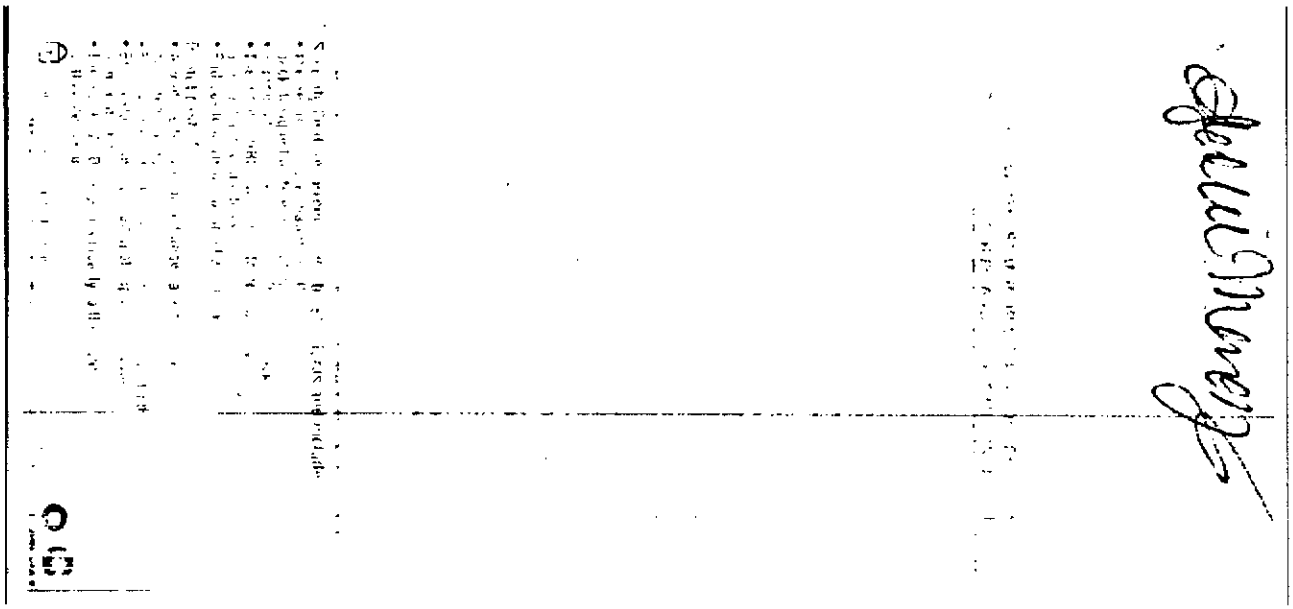
One thousand four hundred & nineteen 75/100 Dollars

Bank of America

ACH R/T 121000358

For

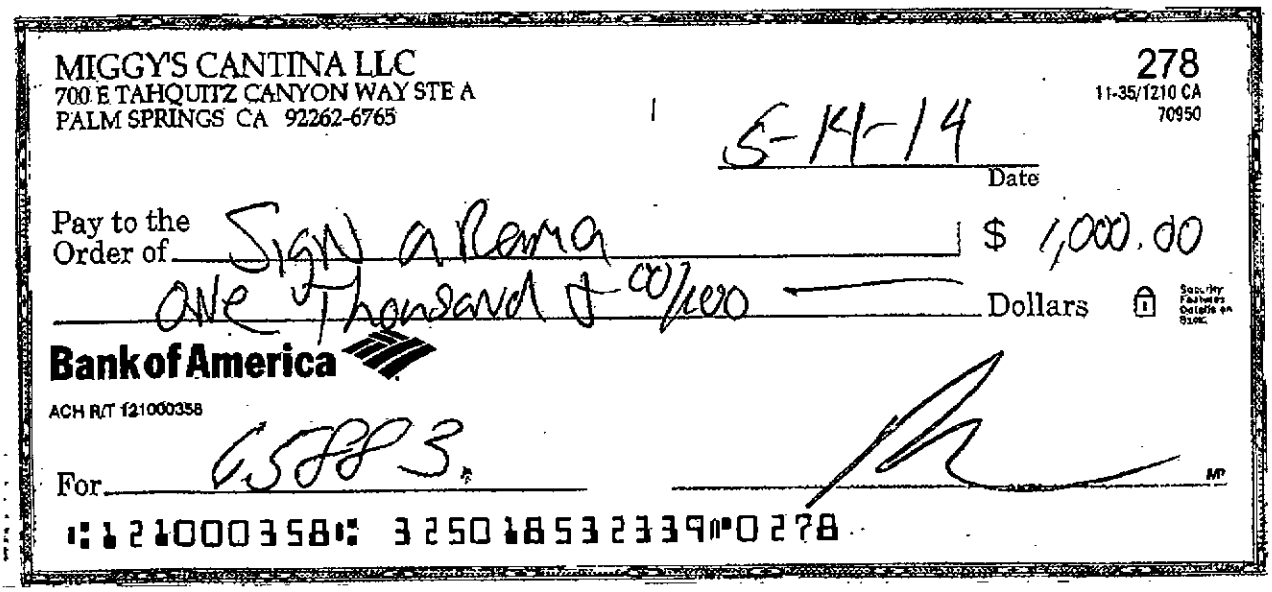
⑆121000358⑆ 325018532339⑈0307



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	5682699399	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	5892306462
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	278



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

278
11-35/1210 CA
70950

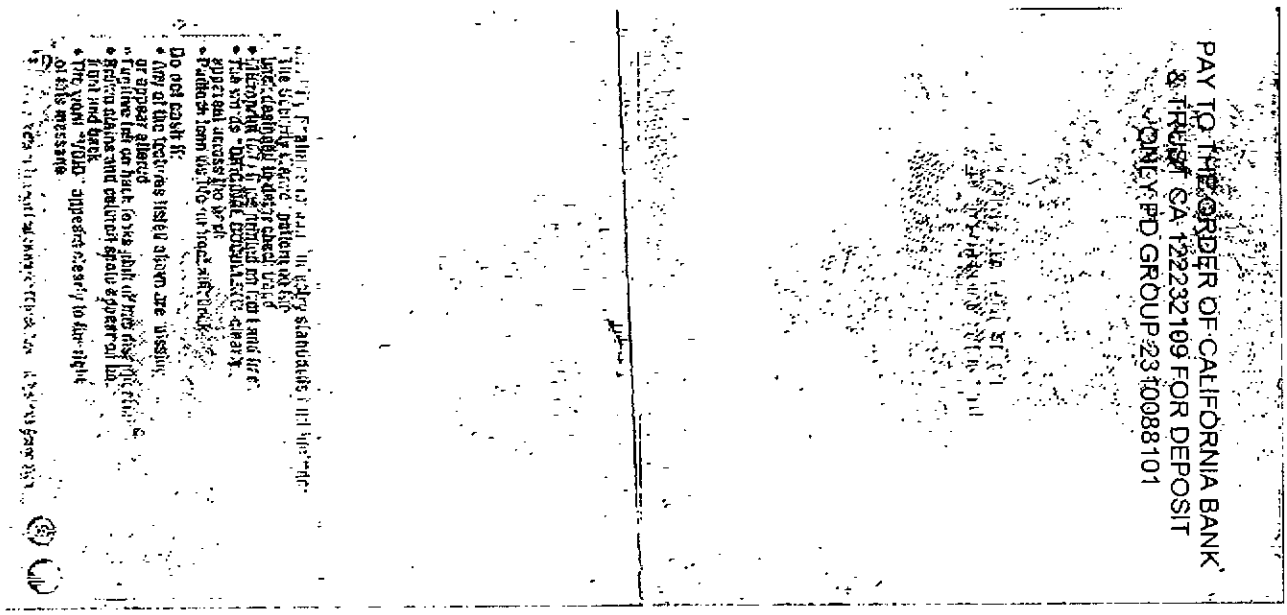
5-14-14
Date

Pay to the Order of Sign a Rama
$ 1,000.00
One Thousand & 00/100 Dollars

Bank of America
ACH R/T 121000358

For 65883.

⑆121000358⑆ 325018532339⑈0278

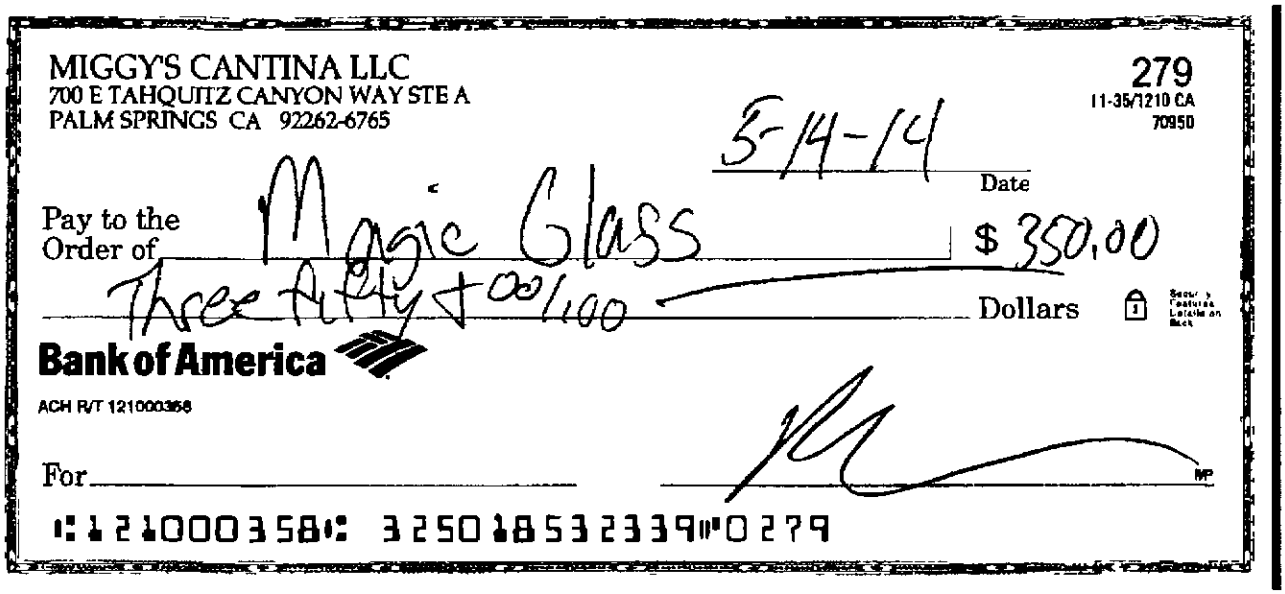


PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY PD GROUP 231008810 1

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	405155353041915	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
05/16/2014	9807711453	61000146	Undetermined	N		FEDERAL RES BANK OF
05/15/2014	005892306462	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$350.00	Sequence Number:	5992014237
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	279



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

279
11-35/1210 CA
70950

5-14-14
Date

Pay to the Order of Magic Glass $ 350.00

Three Fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

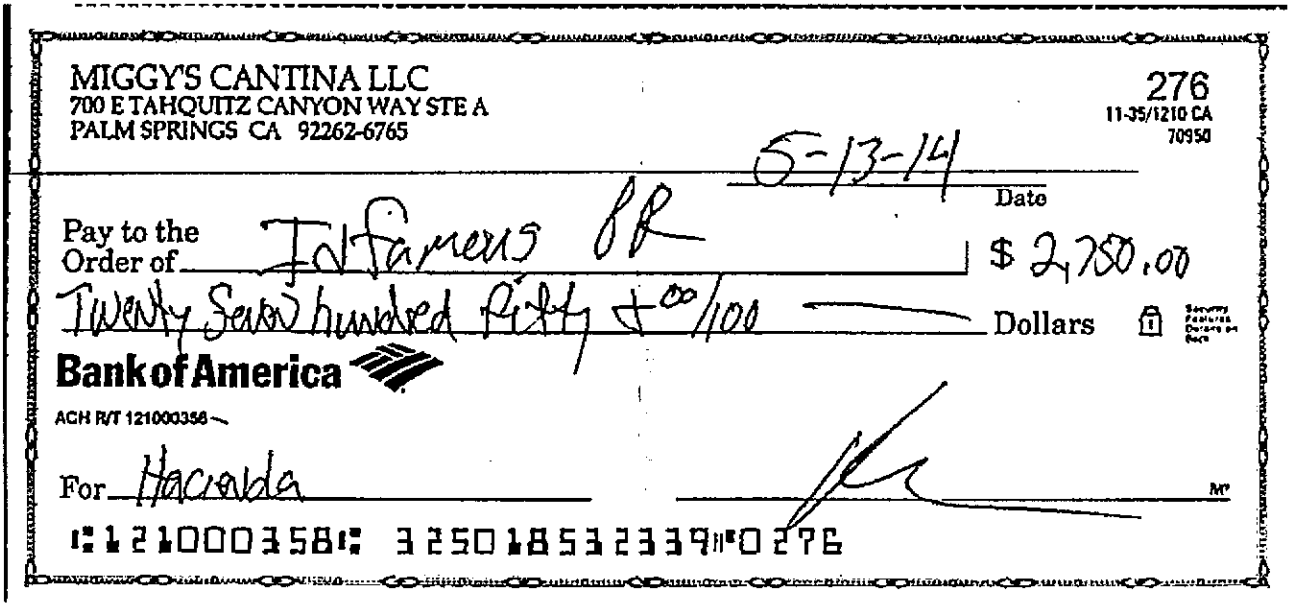
⑆121000358⑆ 325018532339⑈0279

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
12200496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	4512188331	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/15/2014	005992014237	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,750.00	Sequence Number:	6082175389
Account:	325018532339	Capture Date:	05/16/2014
Bank Number:	12100035	Check Number:	276



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

276
11-35/1210 CA
70950

5-13-14
Date

Pay to the Order of Id Farmers DR $ 2,750.00

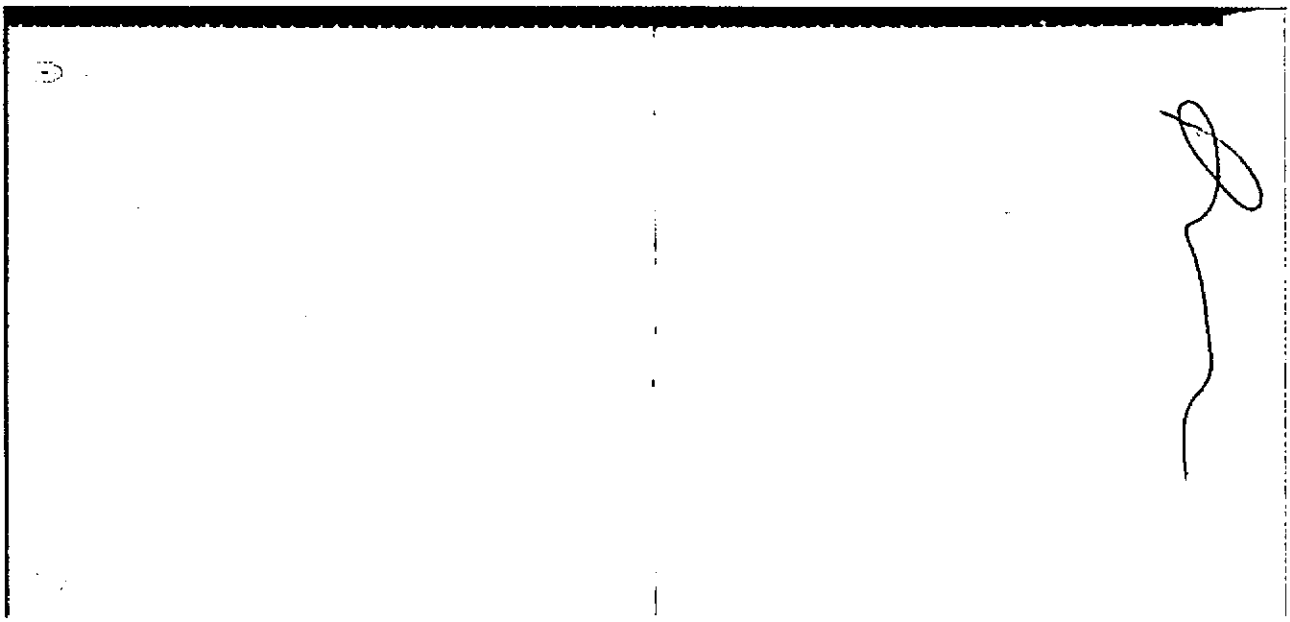
Twenty Seven hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Hacienda

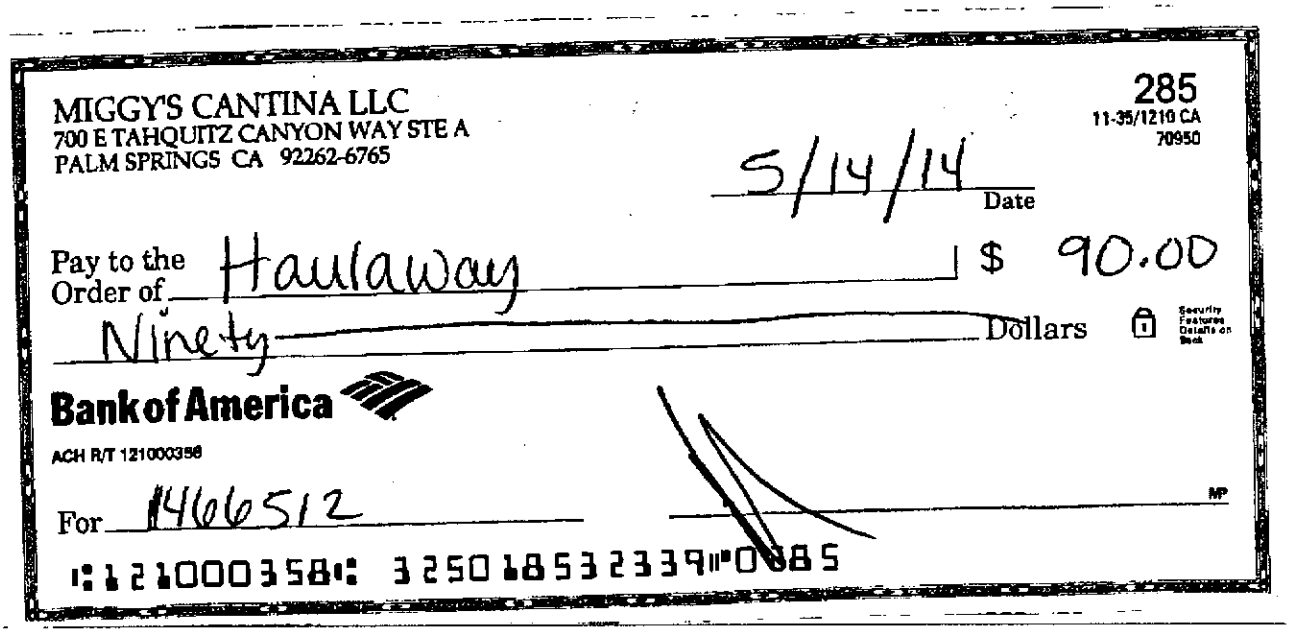
⑈121000358⑈ 325018532339⑈0276



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	6082175389	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$90.00	Sequence Number:	6092449180
Account:	325018532339	Capture Date:	05/16/2014
Bank Number:	12100035	Check Number:	285



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

285
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Haulaway $ 90.00

Ninety Dollars

Security Features Details on Back

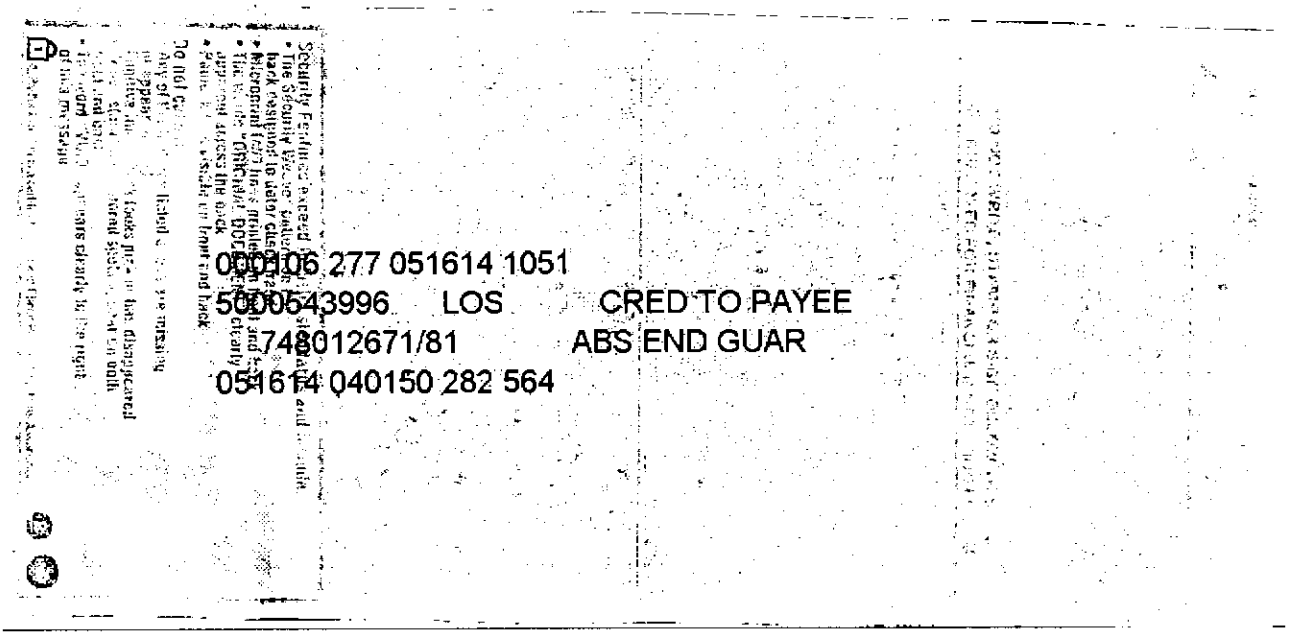
Bank of America

ACH R/T 121000358

For 1466512

MP

⑆121000358⑆ 325018532339⑈0285

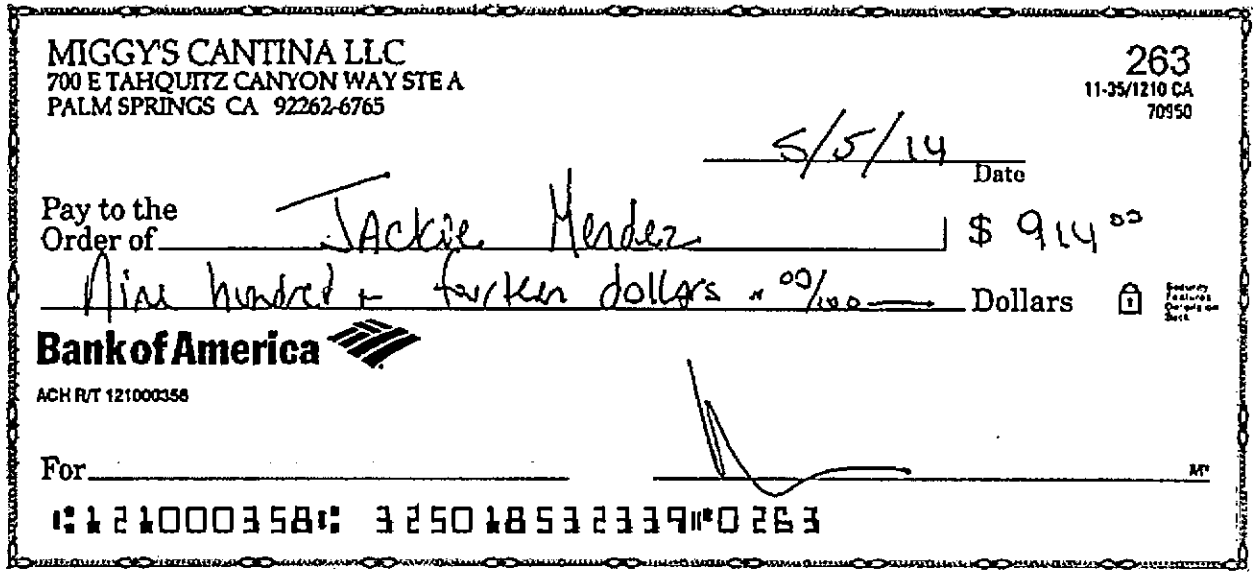


000106 277 051614 1051
5000543996 LOS CRED TO PAYEE
748012671/81 ABS END GUAR
051614 040150 282 564

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	0465061425	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST
05/16/2014	006092449180	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$914.00	Sequence Number:	6382999255
Account:	325018532339	Capture Date:	05/07/2014
Bank Number:	12100035	Check Number:	263



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

263
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Jackie Mendez $ 914 00

Nine hundred + fourteen dollars + 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0263

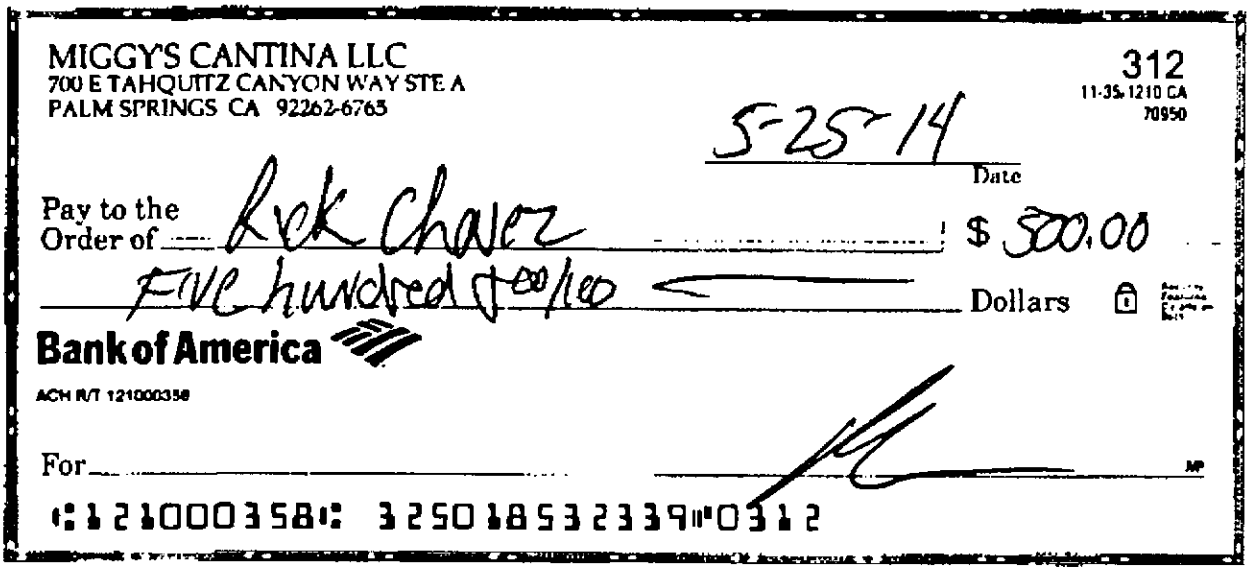
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/07/2014	6382999255	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $500.00 Sequence Number: 6542354743

Account: 325018532339 Capture Date: 05/30/2014

Bank Number: 12100035 Check Number: 312



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

312
11-35/1210 CA
70950

5-25-14
Date

Pay to the Order of Rick Chavez $ 500.00

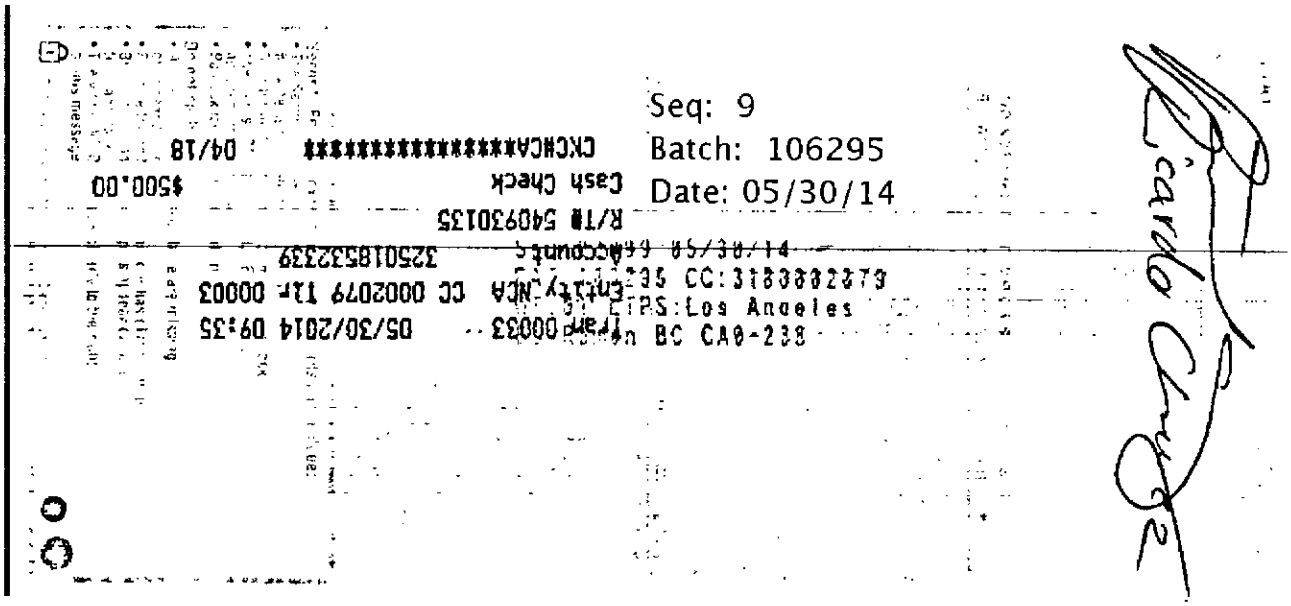
Five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0312

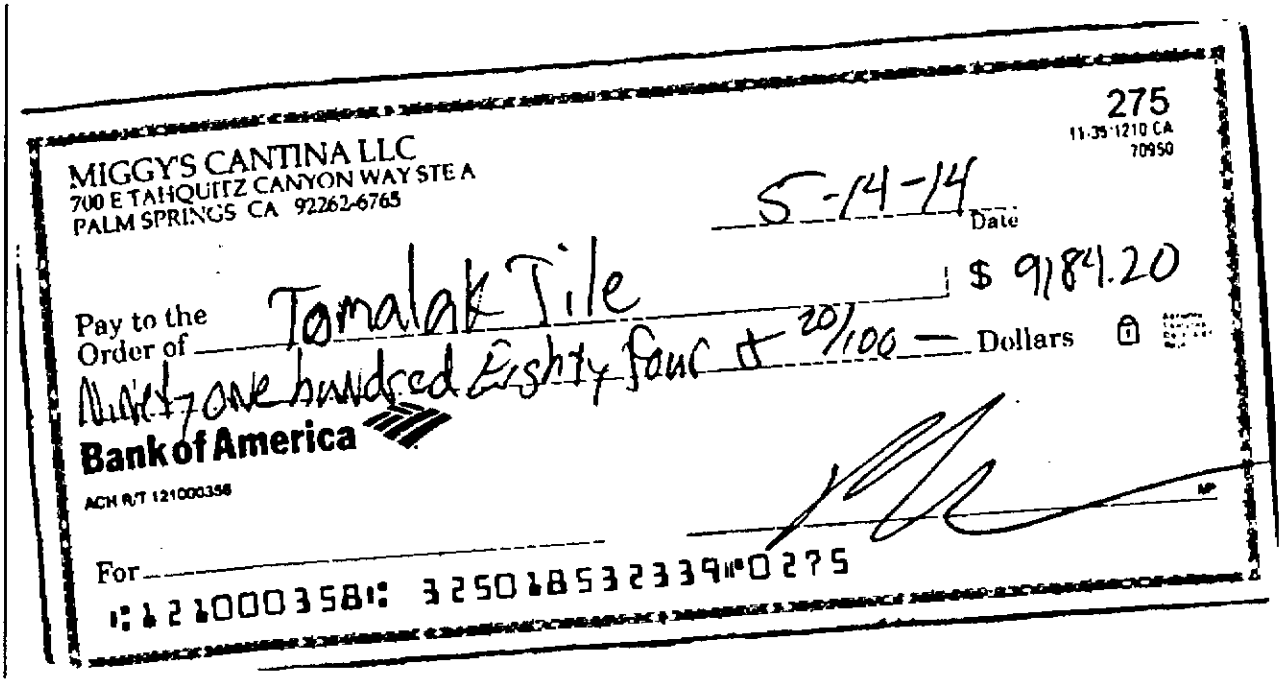


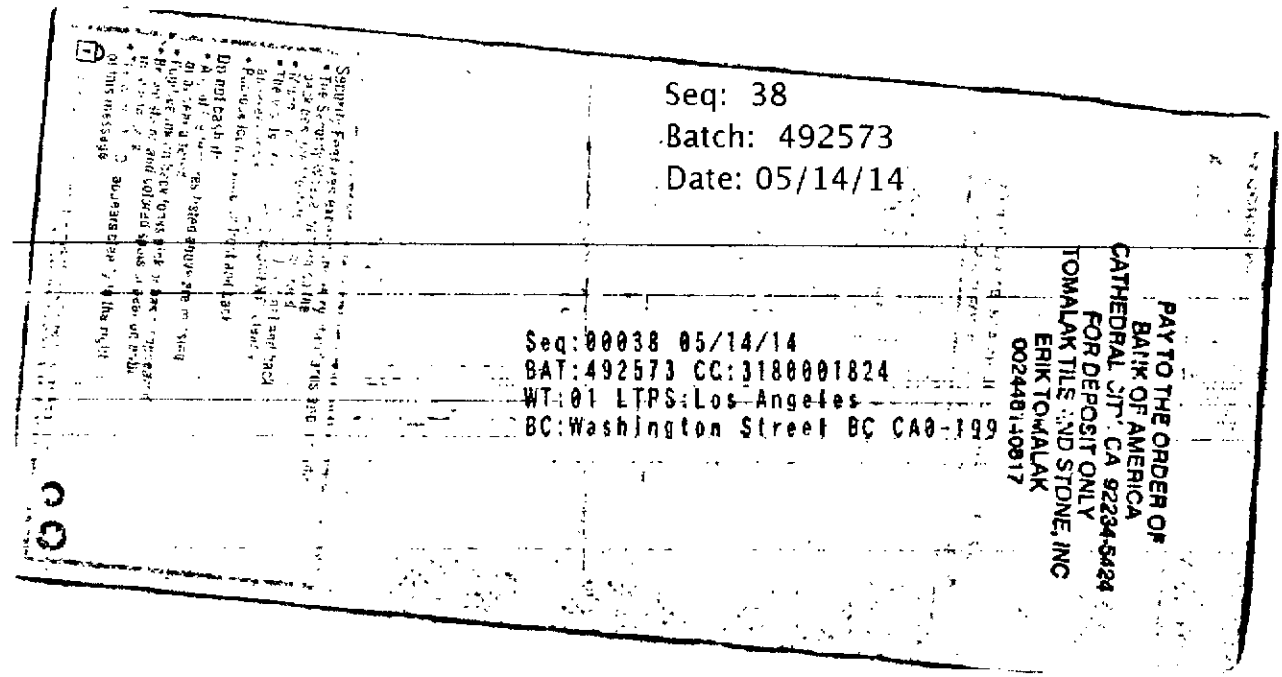
Seq: 9
Batch: 106295
Date: 05/30/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/30/2014	6542354743	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$9,184.20	Sequence Number:	6742969254
Account:	325018532339	Capture Date:	05/14/2014
Bank Number:	12100035	Check Number:	275

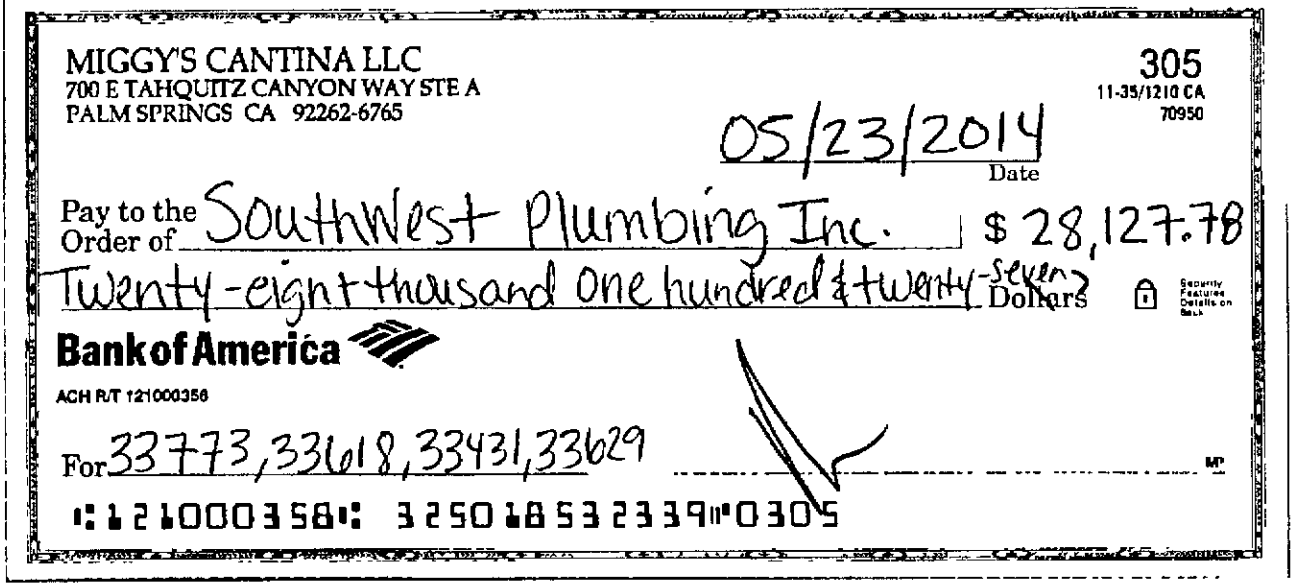




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/14/2014	6742969254	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$28,127.78	Sequence Number:	8092100265
Account:	325018532339	Capture Date:	05/27/2014
Bank Number:	12100035	Check Number:	305



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

305
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of SouthWest Plumbing Inc. $ 28,127.78

Twenty-eight thousand One hundred & twenty-seven Dollars

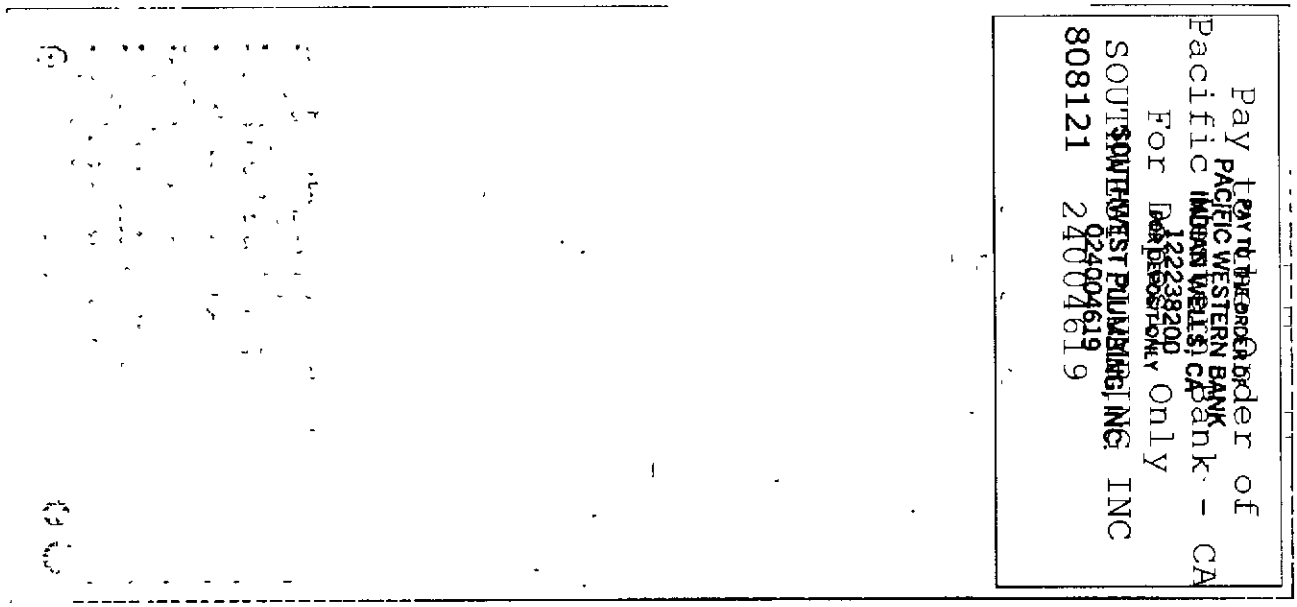
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 33773, 33618, 33431, 33629

⑆121000358⑆ 325018532339⑈0305



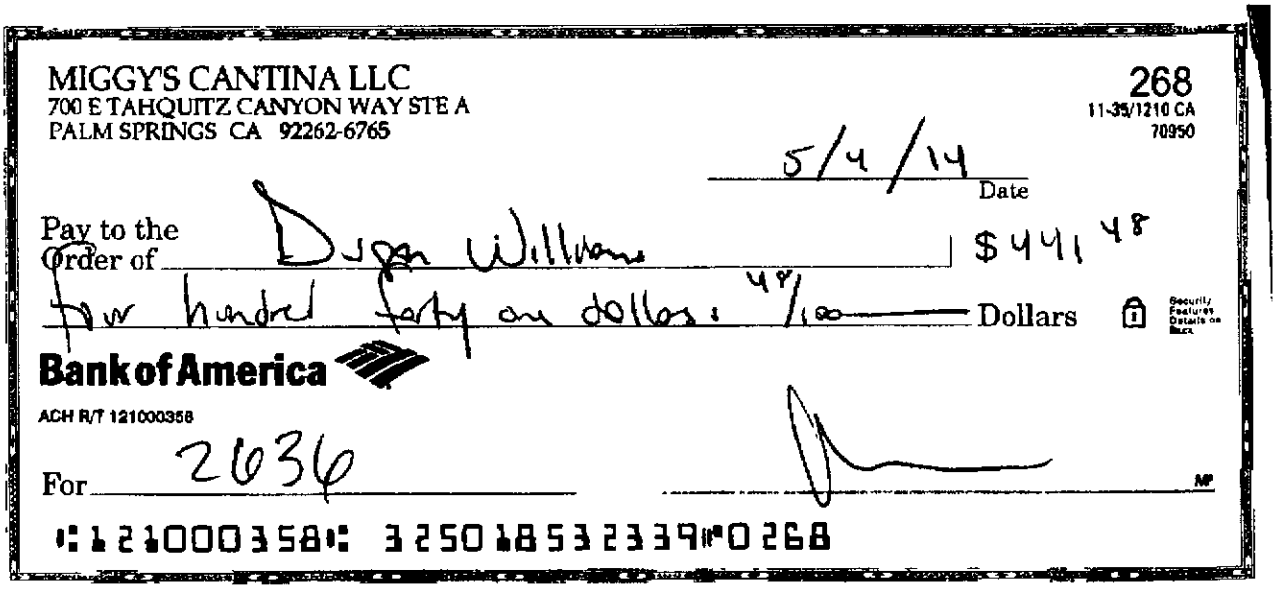
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING, INC
808121 24004619

PACIFIC WESTERN BANK
LOS ANGELES, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	008092100265	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/27/2014	000008176639076	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/27/2014	046923975641493	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/27/2014	000002364464977	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$441.48	Sequence Number:	8092551755
Account:	325018532339	Capture Date:	05/07/2014
Bank Number:	12100035	Check Number:	268



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

268
11-35/1210 CA
70950

5/4/14
Date

Pay to the Order of Dyan Williams $441.48

four hundred forty one dollars 48/100 Dollars

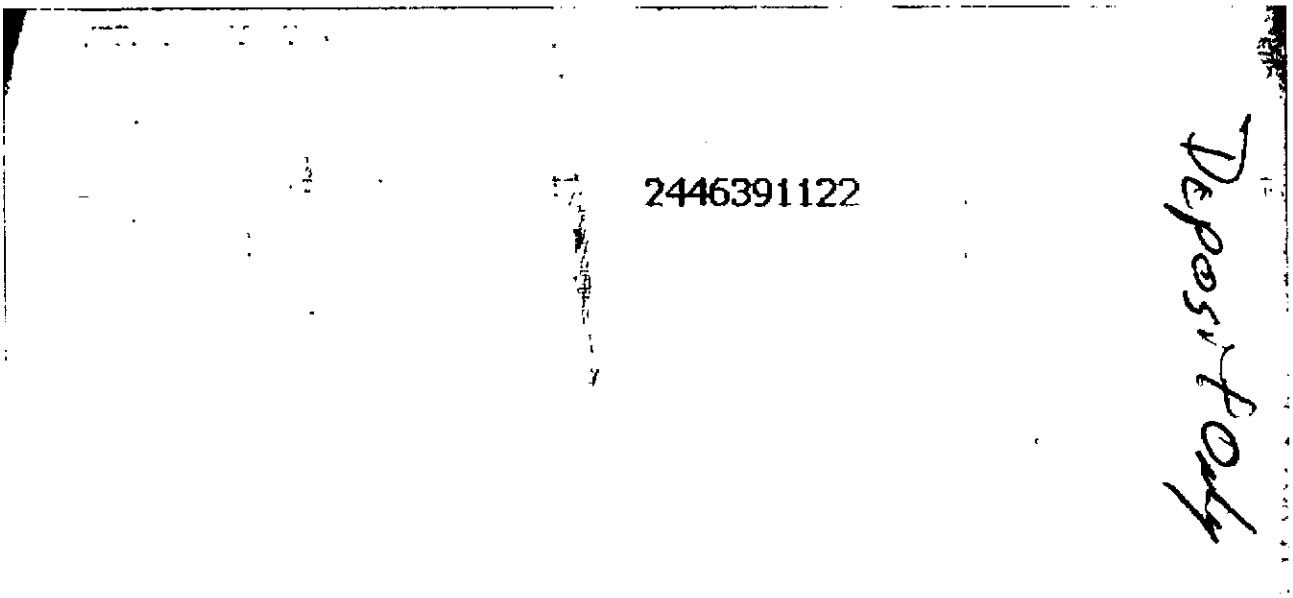
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 2636

⑆121000358⑆ 325018532339⑈0268



2446391122

Deposit Only

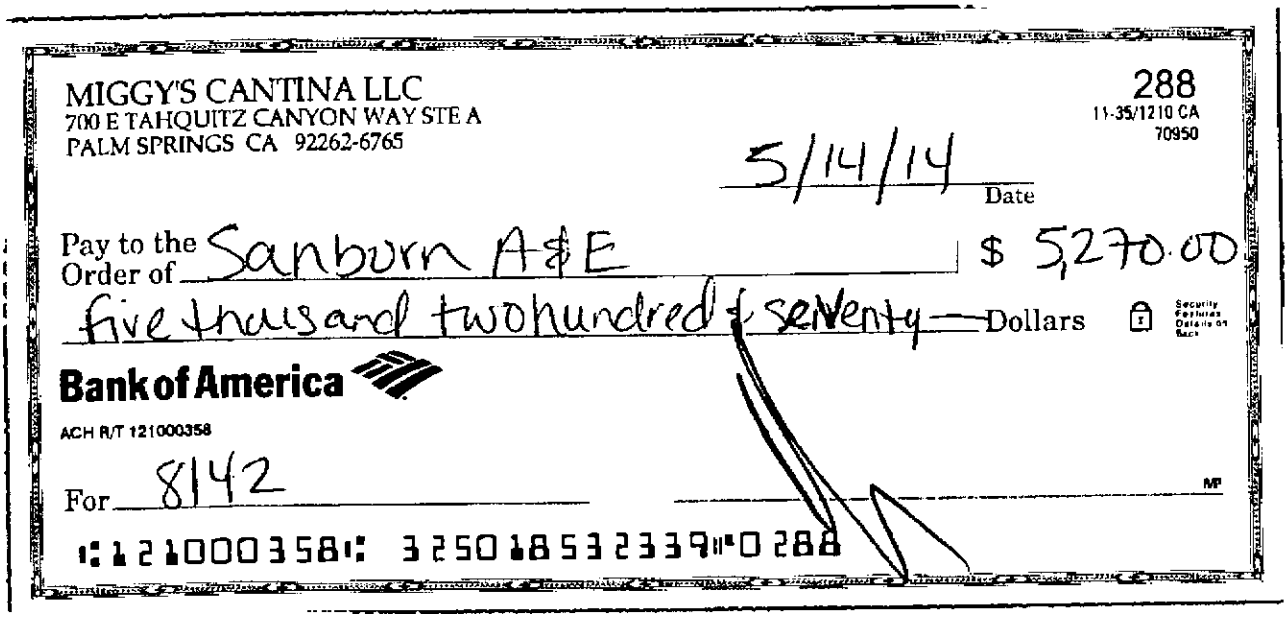
Electronic Endorsements:

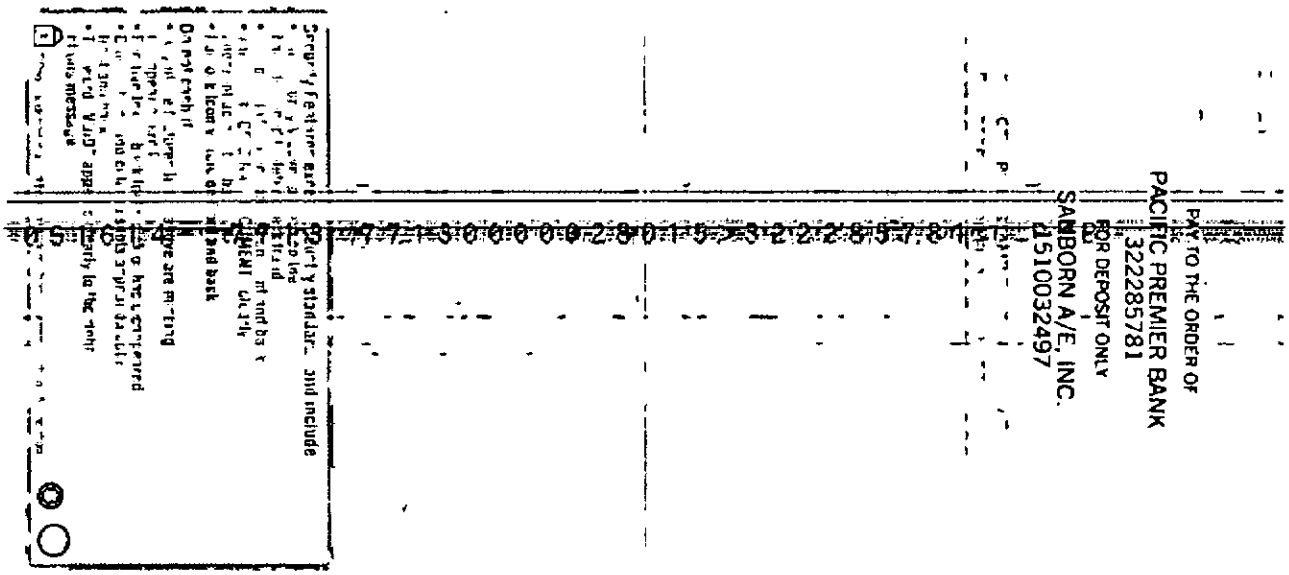
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/07/2014	000002446391122	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/07/2014	008092551755	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $5,270.00 Sequence Number: 8092797074

Account: 325018532339 Capture Date: 05/16/2014

Bank Number: 12100035 Check Number: 288





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	77130000028015	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
05/16/2014	008092797074	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,524.06	Sequence Number:	8192276223
Account:	325018532339	Capture Date:	05/16/2014
Bank Number:	12100035	Check Number:	296

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

296
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Southwest Plumbing $ 7524.06

Seven thousand, five hundred & twenty-four 06/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 33132, 33521, 33133

⑆121000358⑆ 325018532339⑈0296

Pay to the Order of
Pacific Western Bank - CA
FOR PACIFIC WESTERN BANK
INDIAN WELLS, CA
Only
SOUTHWEST PLUMBING INC
808121 SOUTHWEST PLUMBING, INC.
024004619

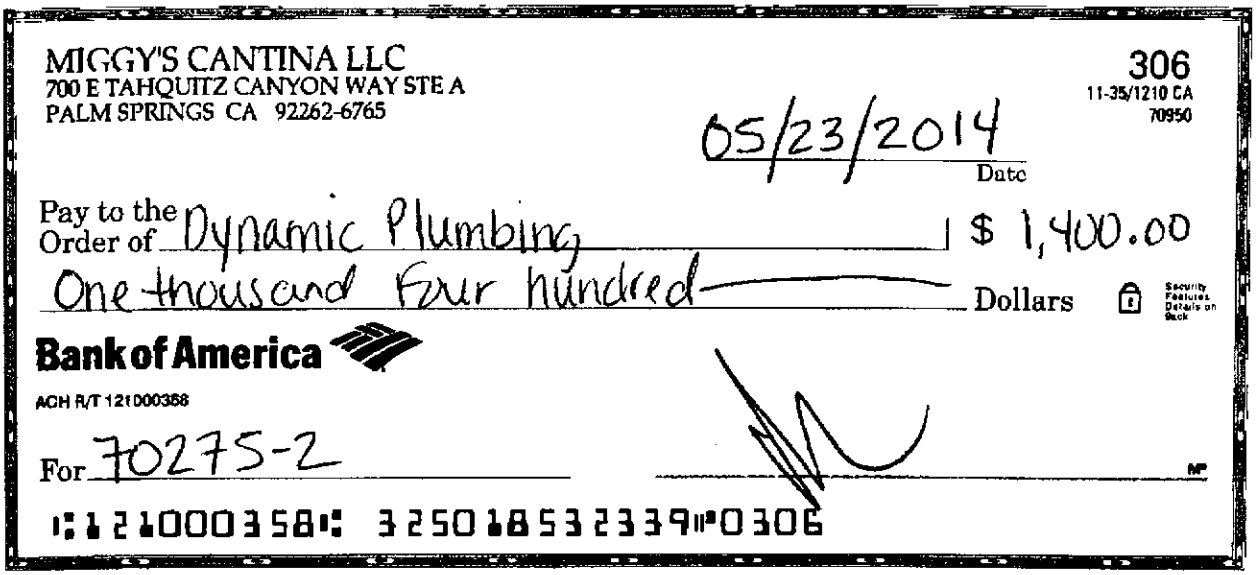
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	046923975327951	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/16/2014	000002350520245	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/16/2014	008192276223	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/16/2014	000008751151039	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount: $1,400.00 Sequence Number: 8192509498

Account: 325018532339 Capture Date: 05/28/2014

Bank Number: 12100035 Check Number: 306



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

306
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Dynamic Plumbing $ 1,400.00

One thousand Four hundred Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 70275-2

⑈121000358⑈ 325018532339⑈0306

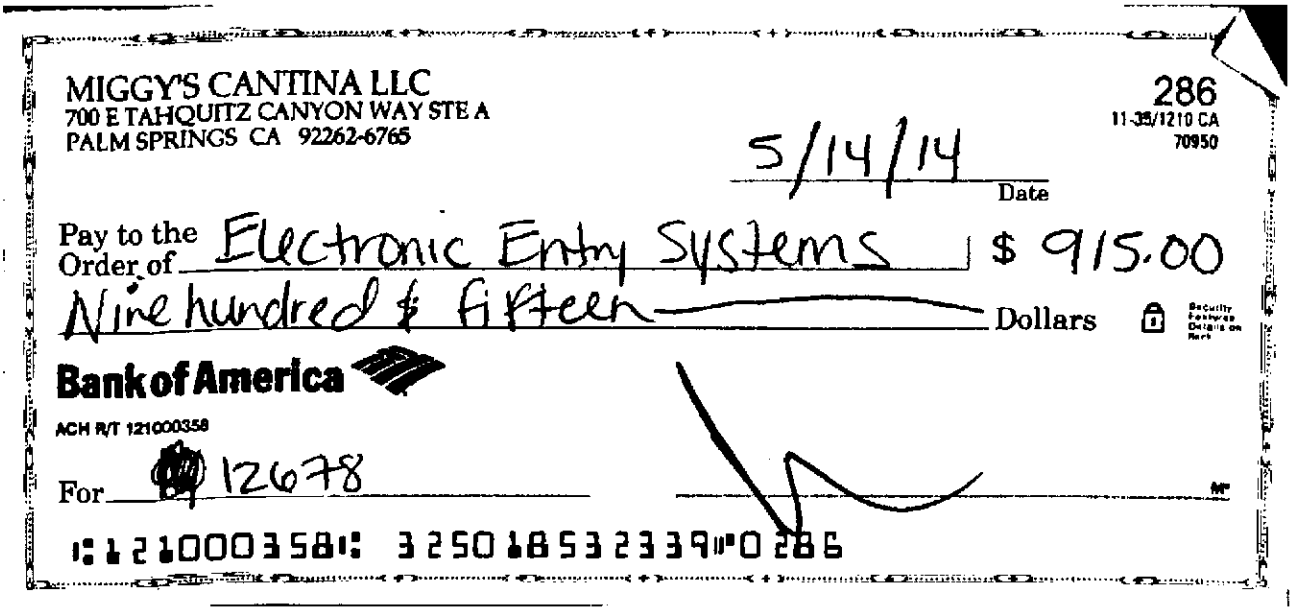
ELECTRONICALLY PRESENTED - 5/28/2014

PAY TO THE ORDER OF
WELLS FARGO BANK
FOR DEPOSIT ONLY
DYNAMIC PLUMBING COMMERCIAL INC
GENERAL OPERATING ACCOUNT
#2630290092

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/28/2014	000000282967101	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/28/2014	008192509498	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$915.00	Sequence Number:	8192884709
Account:	325018532339	Capture Date:	05/28/2014
Bank Number:	12100035	Check Number:	236



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

286
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Electronic Entry Systems $ 915.00

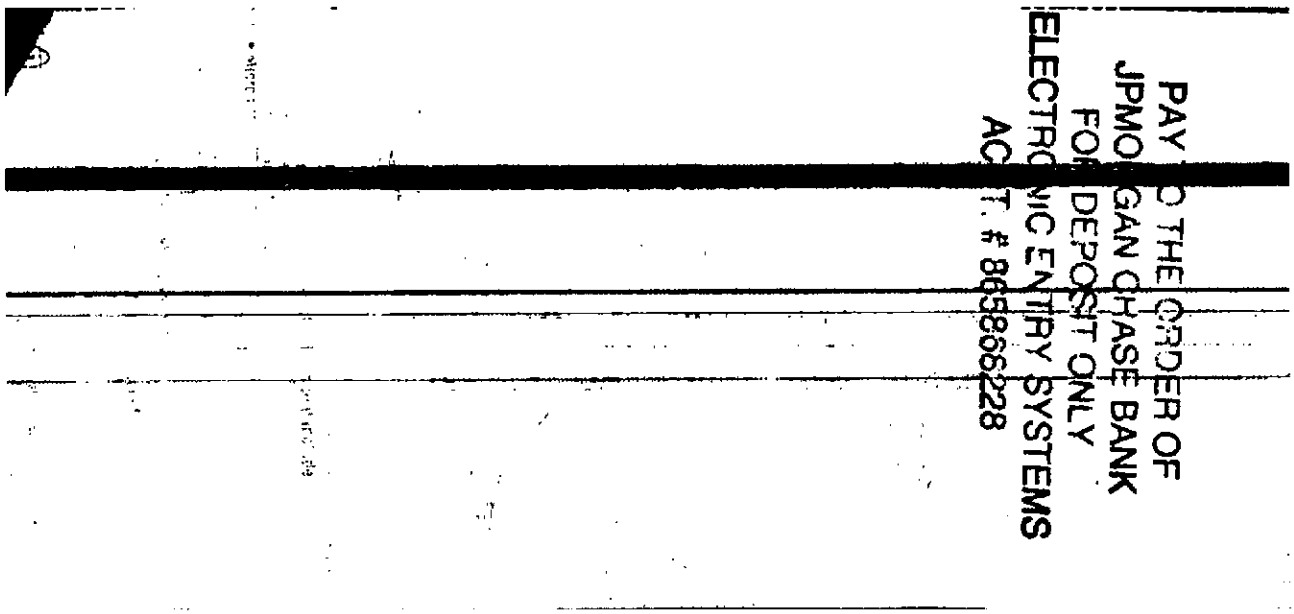
Nine hundred & fifteen Dollars

Bank of America

ACH R/T 121000358

For 12678

⑆121000358⑆ 325018532339⑈0286

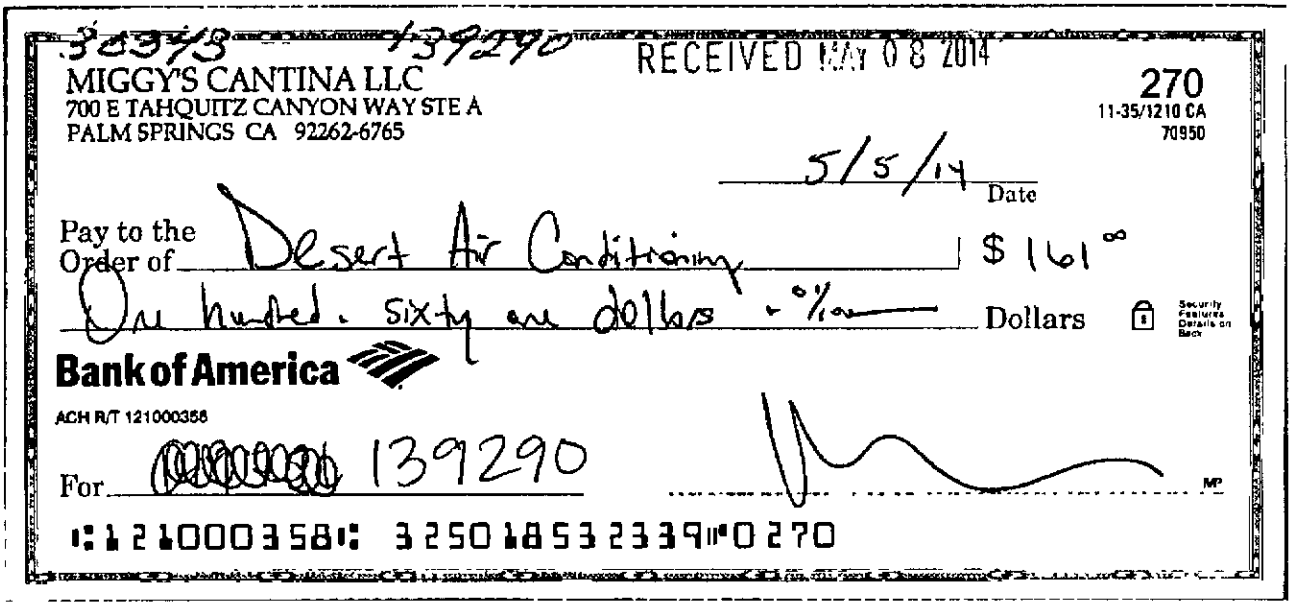


PAY TO THE ORDER OF
JPMORGAN CHASE BANK
FOR DEPOSIT ONLY
ELECTRONIC ENTRY SYSTEMS
ACCT. # 865866228

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/28/2014	4590712842	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/28/2014	008192884709	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$161.00	Sequence Number:	8492011815
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	270



38343 139290

RECEIVED MAY 08 2014

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

270
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Desert Air Conditioning $ 161.00

One hundred sixty one dollars 00/100 Dollars

Security Features Details on Back

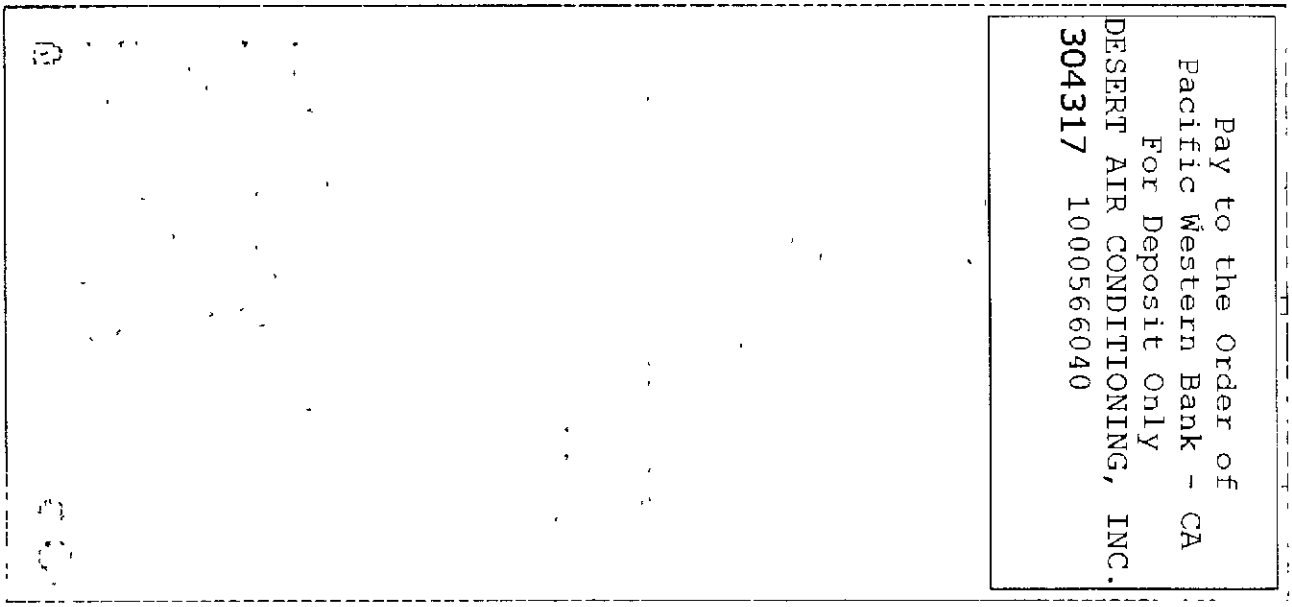
Bank of America

ACH R/T 121000358

For [redacted] 139290

MP

⑆121000358⑆ 325018532339⑈0270

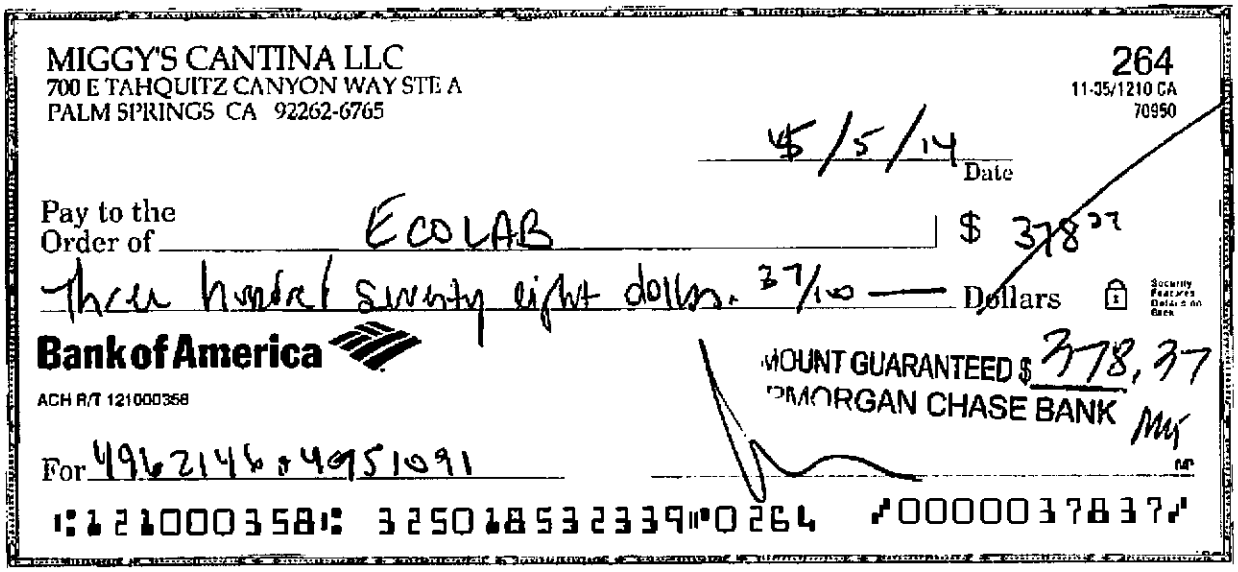


Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
DESERT AIR CONDITIONING, INC.
304317 1000566040

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	000008374125551	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/08/2014	008492011815	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	000002320426085	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/08/2014	046923975004871	122238200	Undetermined	N		PACIFIC WESTERN BANK

Amount:	$378.37	Sequence Number:	8492242548
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	264



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

264
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of ECOLAB $ 378.37

three hundred seventy eight dollars 37/100 Dollars

Bank of America
ACH R/T 121000358

AMOUNT GUARANTEED $ 378.37
JPMORGAN CHASE BANK

For 4962146 4951091

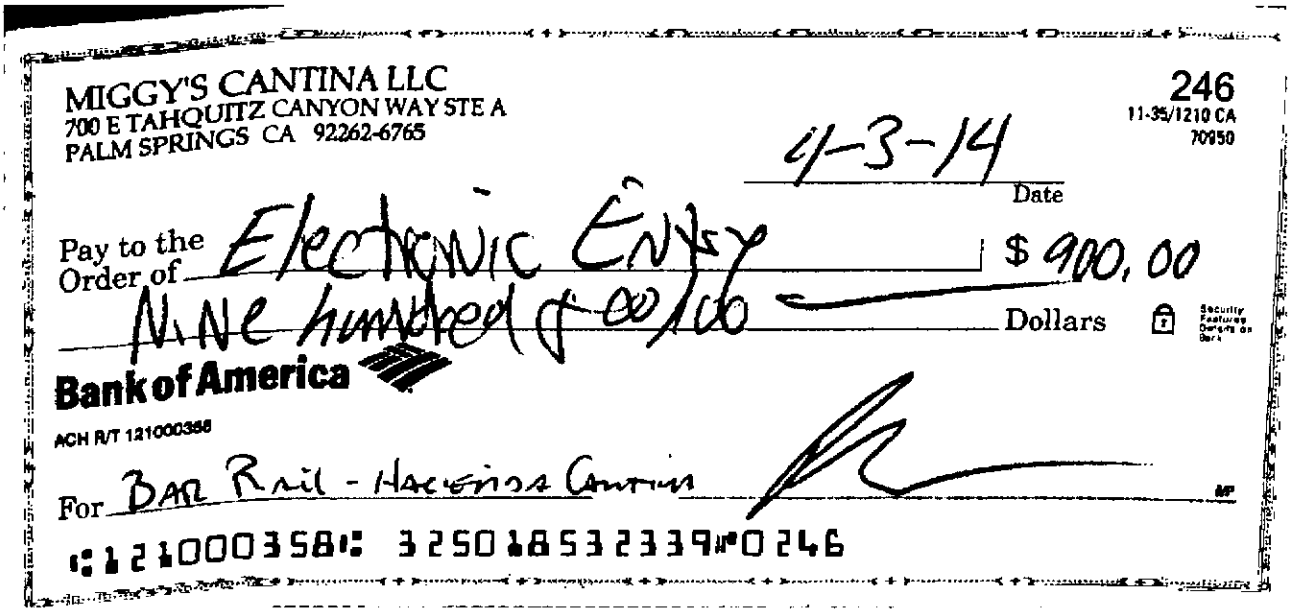
⑆121000358⑆ 325018532339⑈0264 ⑈0000037837⑈

JPMORGANCHASE BK NA CR TO NMD
050914 >074909962< PAYEE ALL
01208828 0100512 RTS RSVD
00771690 187 0000000005101921

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	8080561596	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/09/2014	008492242548	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$900.00	Sequence Number:	8492571602
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	246



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

246
11-35/1210 CA
70950

4-3-14
Date

Pay to the Order of Electronic Entry $ 900.00

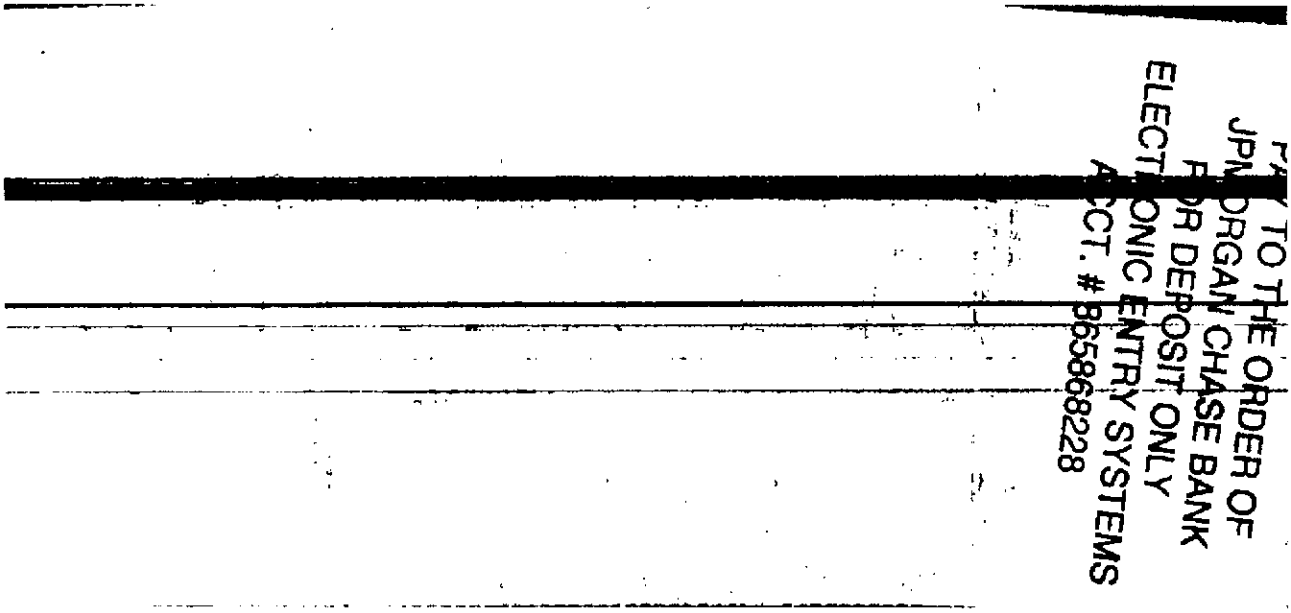
Nine hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Bar Rail - Hacienda Cantina

⑆121000358⑆ 325018532339⑈0246

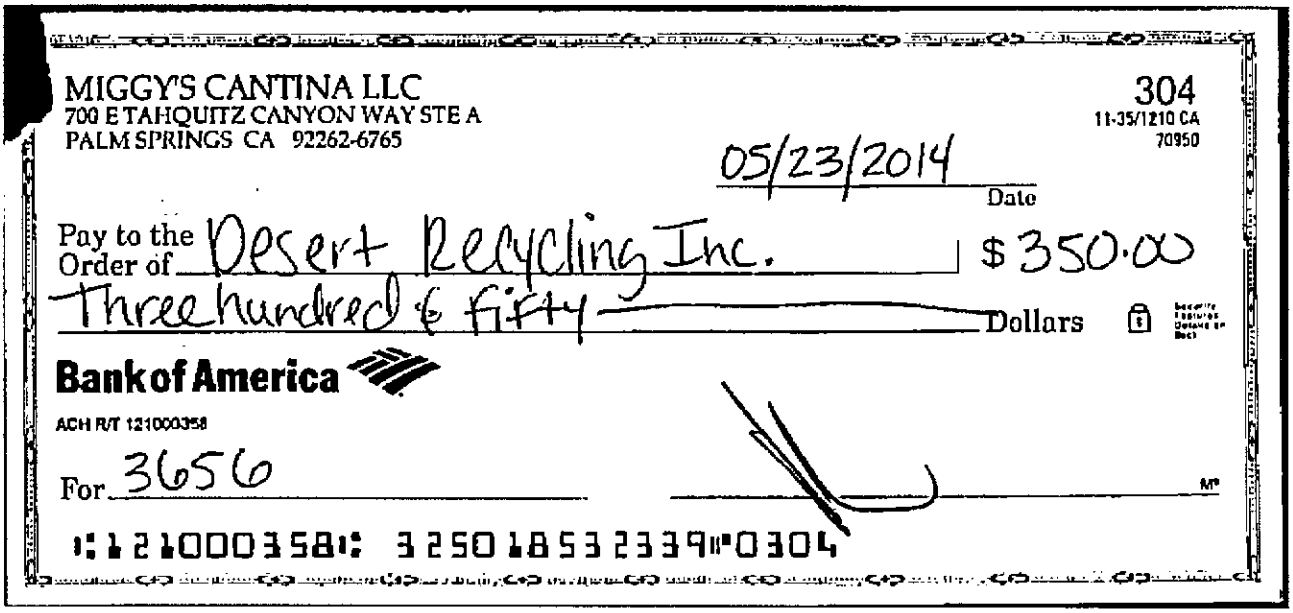


PAY TO THE ORDER OF
JPMORGAN CHASE BANK
FOR DEPOSIT ONLY
ELECTRONIC ENTRY SYSTEMS
ACCT. # 865868228

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008492571602	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	8870876169	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$350.00	Sequence Number:	8492816353
Account:	325018532339	Capture Date:	05/29/2014
Bank Number:	12100035	Check Number:	304



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

304
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Desert Recycling Inc. $350.00

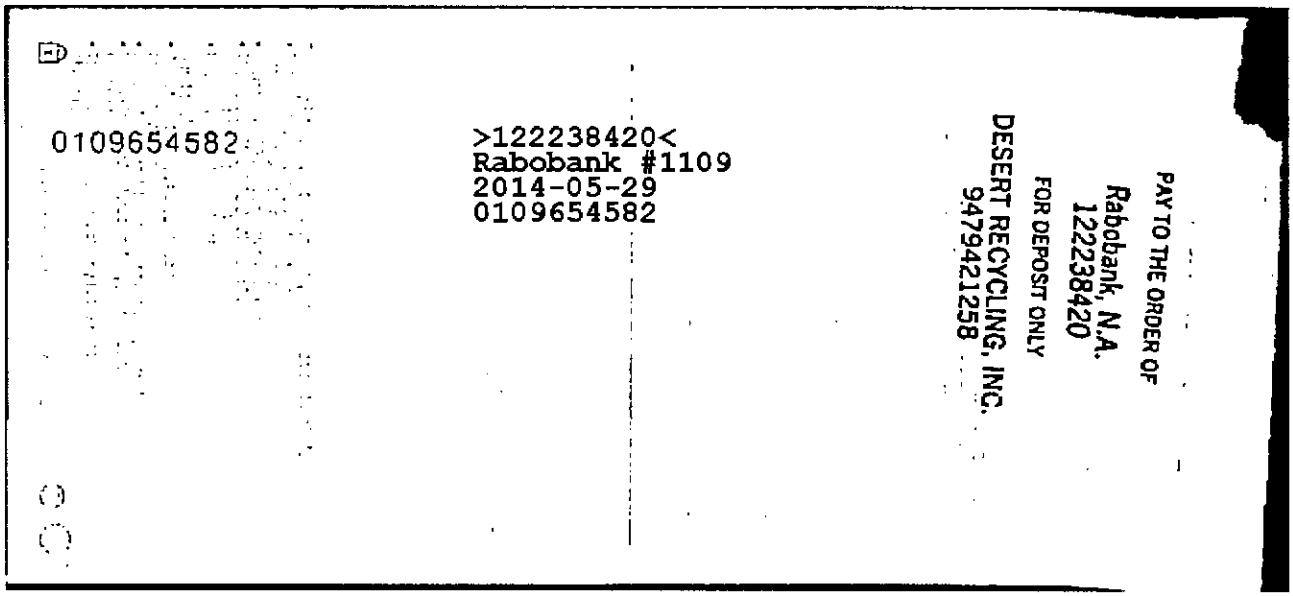
Three hundred & fifty Dollars

Bank of America

ACH R/T 121000358

For 3656

⑆121000358⑆ 325018532339⑈0304



0109654582

>122238420<
Rabobank #1109
2014-05-29
0109654582

PAY TO THE ORDER OF
Rabobank, N.A.
122238420
FOR DEPOSIT ONLY
DESERT RECYCLING, INC.
9479421258

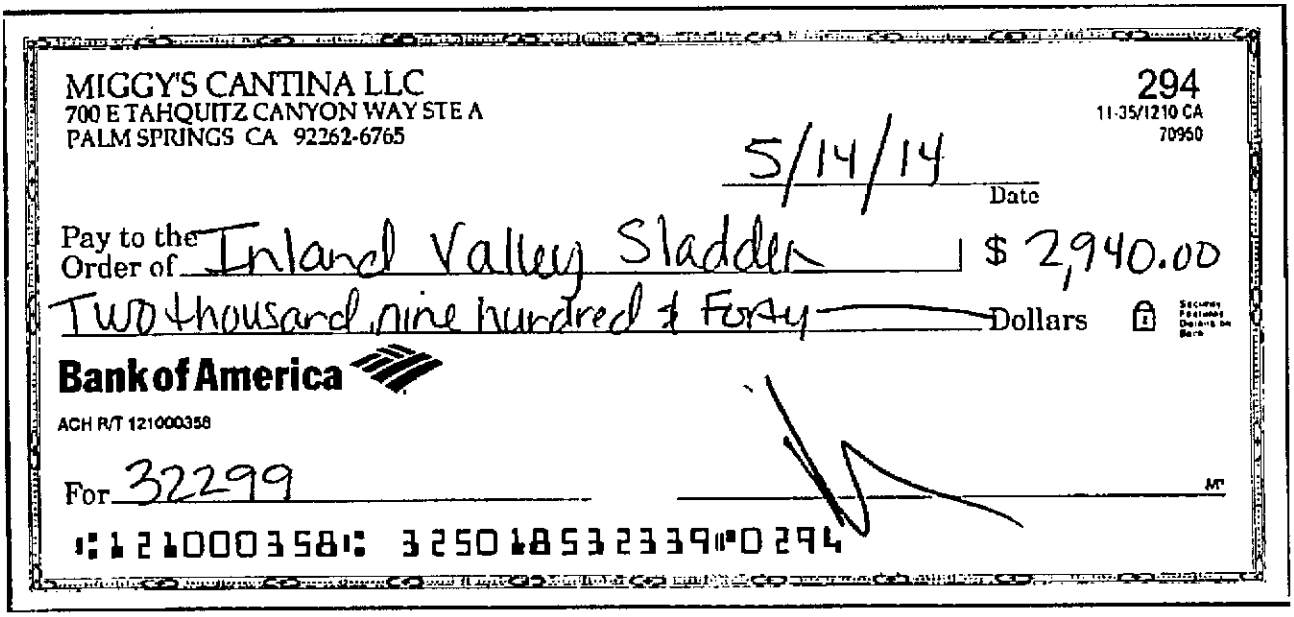
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/29/2014	000000109654582	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
05/29/2014	008492816353	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/29/2014	000008849909658	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount: $2,940.00 Sequence Number: 8592321891

Account: 325018532339 Capture Date: 05/19/2014

Bank Number: 12100035 Check Number: 294



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

294
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Inland Valley Sladder $ 2,940.00

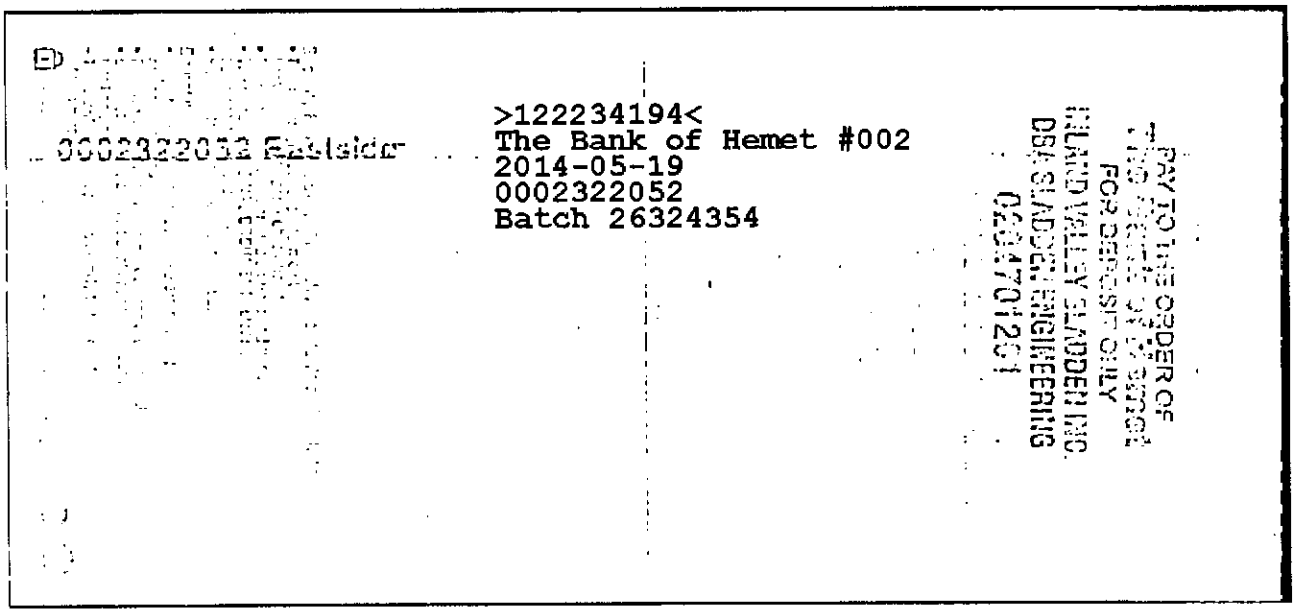
Two thousand nine hundred & Forty Dollars

Bank of America

ACH R/T 121000358

For 32299

⑆121000358⑆ 325018532339⑈0294



0002322052 Sladder

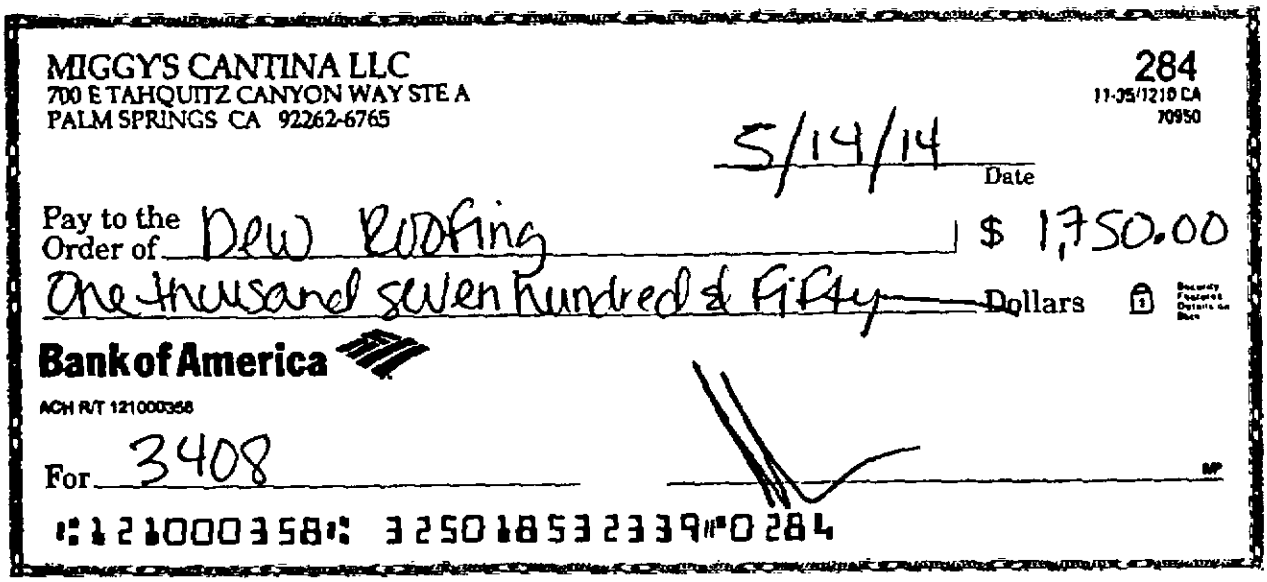
>122234194<
The Bank of Hemet #002
2014-05-19
0002322052
Batch 26324354

PAY TO THE ORDER OF
FOR DEPOSIT ONLY
INLAND VALLEY SLADDER INC
DBA SLADDER ENGINEERING
0325018532339

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	008592321891	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	000008441877254	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/19/2014	000000002322052	122234194	Rtn Loc/BOFD	Y		THE BANK OF HEMET

Amount:	$1,750.00	Sequence Number:	8592577639
Account:	325018532339	Capture Date:	05/19/2014
Bank Number:	12100035	Check Number:	284



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

284
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Dew Roofing $ 1,750.00

One thousand seven hundred & Fifty Dollars

Bank of America

ACH R/T 121000358

For 3408

⑆121000358⑆ 325018532339⑈0284

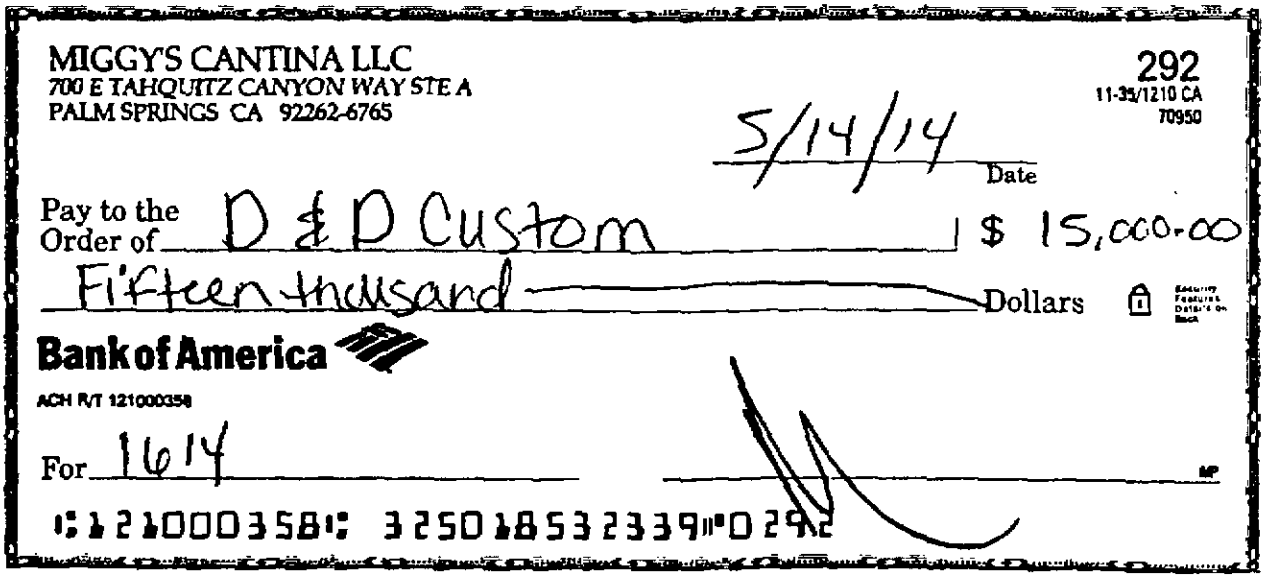
PAY TO THE ORDER OF
WELLS FARGO BANK
122000247
FOR DEPOSIT ONLY
DEW ROOFING, INC.
ACCT. #5151301131

WELLS FARGO BANK NA EMT
20140519 E0060 PKT 64
▶1221-0527-8◀
1323287666

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	000001323287666	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/19/2014	008592577639	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$15,000.00	Sequence Number:	8592748084
Account:	325018532339	Capture Date:	05/20/2014
Bank Number:	12100035	Check Number:	292



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

292
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of D & D Custom $ 15,000.00

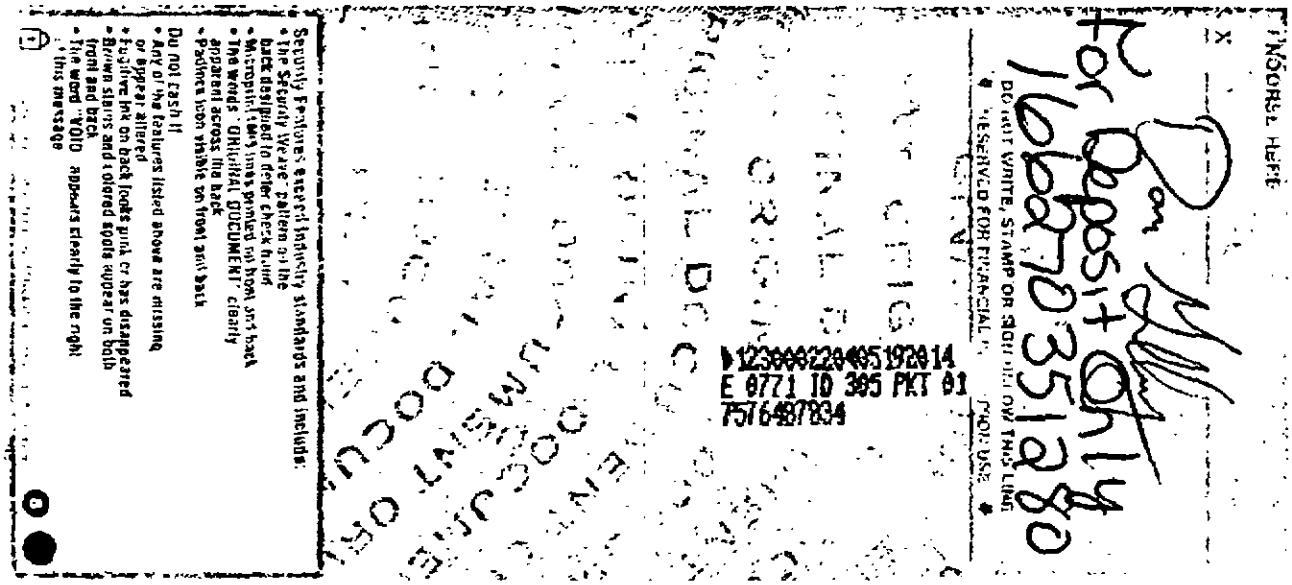
Fifteen thousand Dollars

Bank of America

ACH R/T 121000358

For 1614

⑆121000358⑆ 325018532339⑈0292



Security Features Several industry standards and include:
• The Security Weave pattern on the back displayed to deter check fraud
• Watermark that is visible when held up to light
• The words "ORIGINAL DOCUMENT" clearly apparent across the back
• Padlock icon visible on front and back

Do not cash if
• Any of the features listed above are missing or appear altered
• Fugitive ink on back looks pink or has disappeared
• Brown stains and colored spots appear on both front and back
• The word "VOID" appears clearly to the right of this message

U.S. BANK NATIONAL ASSOCIATION

⑆123000220⑆ 4951920 14
E 0771 ID 395 PKT 01
7576487834

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

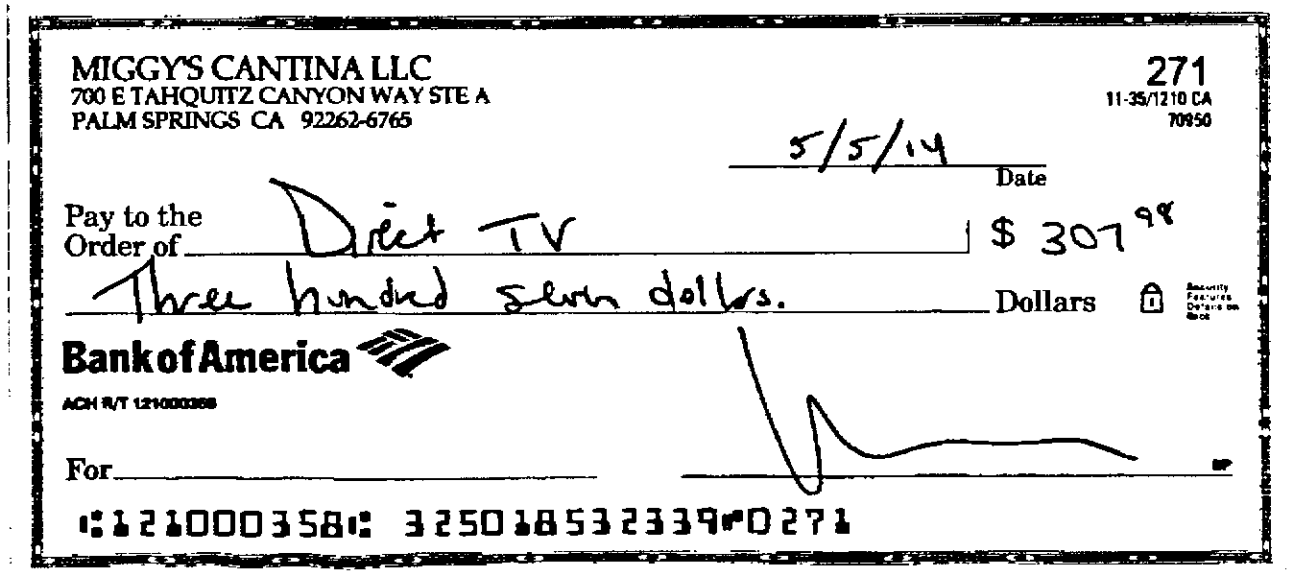
ENDORSE HERE

For Deposit Only
to Acct 3250185323
16 Bank of America

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	008592748084	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	004195140034	123000220	Undetermined	N		U.S. BANK NATIONAL A
05/19/2014	004195140034	91000022	Undetermined	N		U.S. BANK NATIONAL A
05/19/2014	7576487834	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$307.98	Sequence Number:	8592885059
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	271



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

271
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Direct TV $ 307 98

Three hundred seven dollars. Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0271

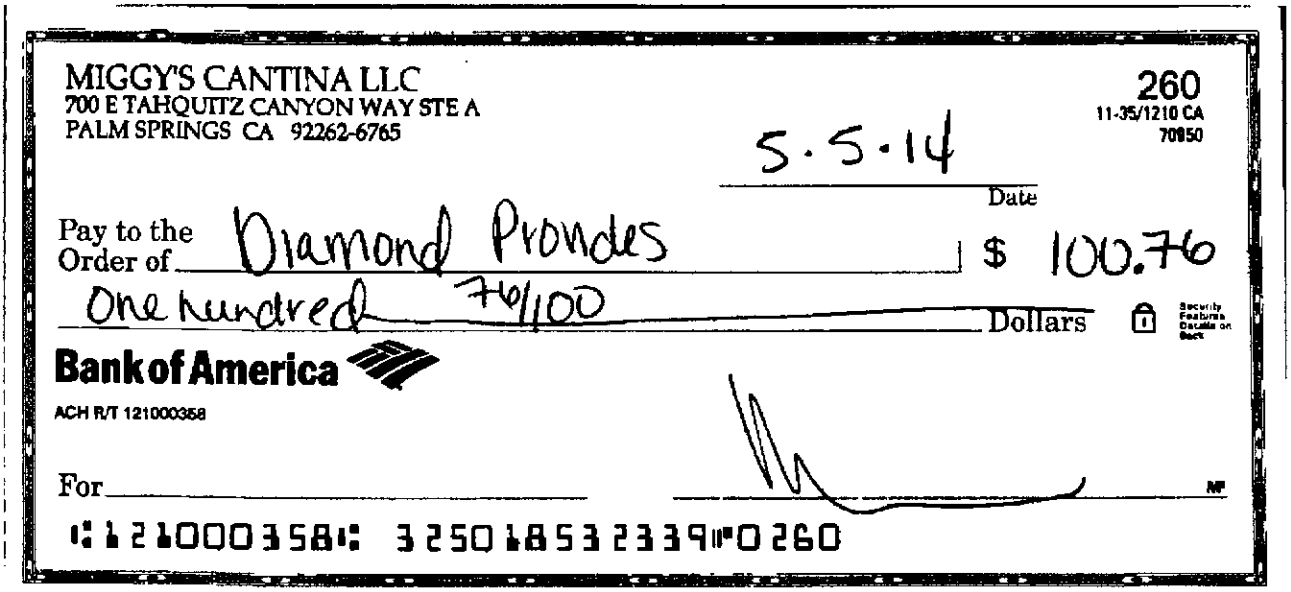
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008592885059	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	8670895974	111901331	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $100.76 Sequence Number: 8692534113

Account: 325018532339 Capture Date: 05/09/2014

Bank Number: 12100035 Check Number: 260



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

260
11-35/1210 CA
70950

5.5.14
Date

Pay to the Order of Diamond Prondes $ 100.76

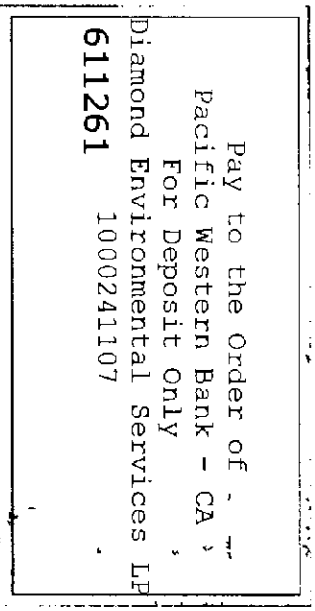
One Hundred 76/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0260

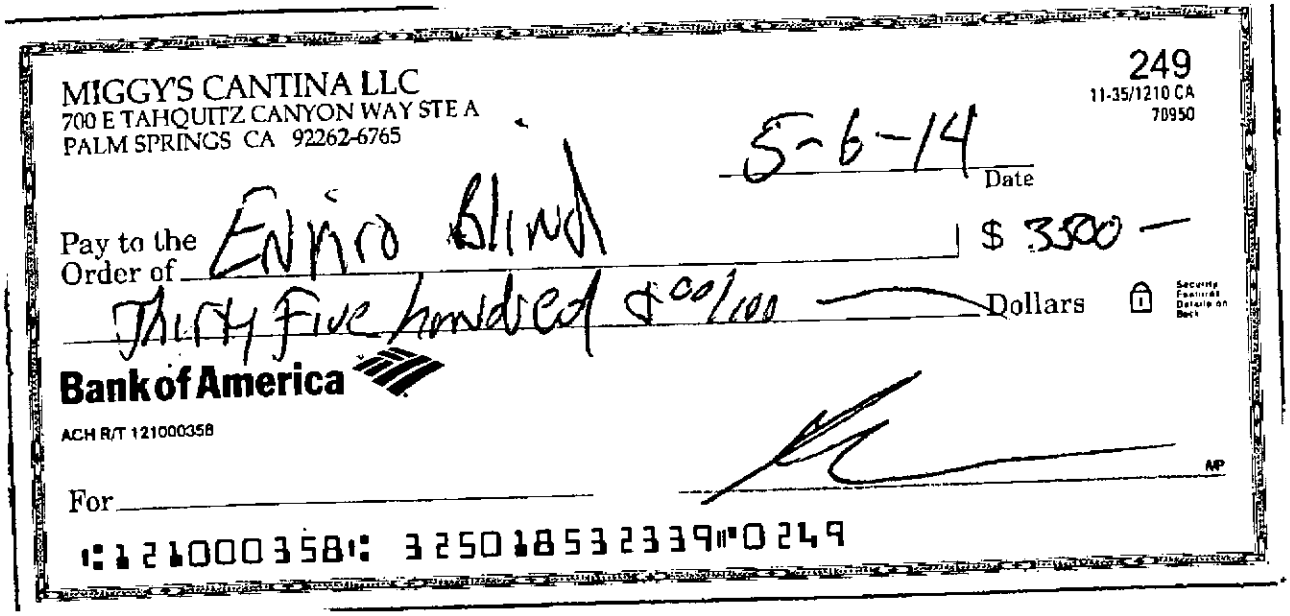


Pay to the Order of -
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008692534113	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	000008675189065	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/09/2014	046923975053379	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/09/2014	000002323444897	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$3,500.00	Sequence Number:	8692572706
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	249



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

249
11-35/1210 CA
70950

5-6-14
Date

Pay to the Order of Enviro Blind
$ 3500 —

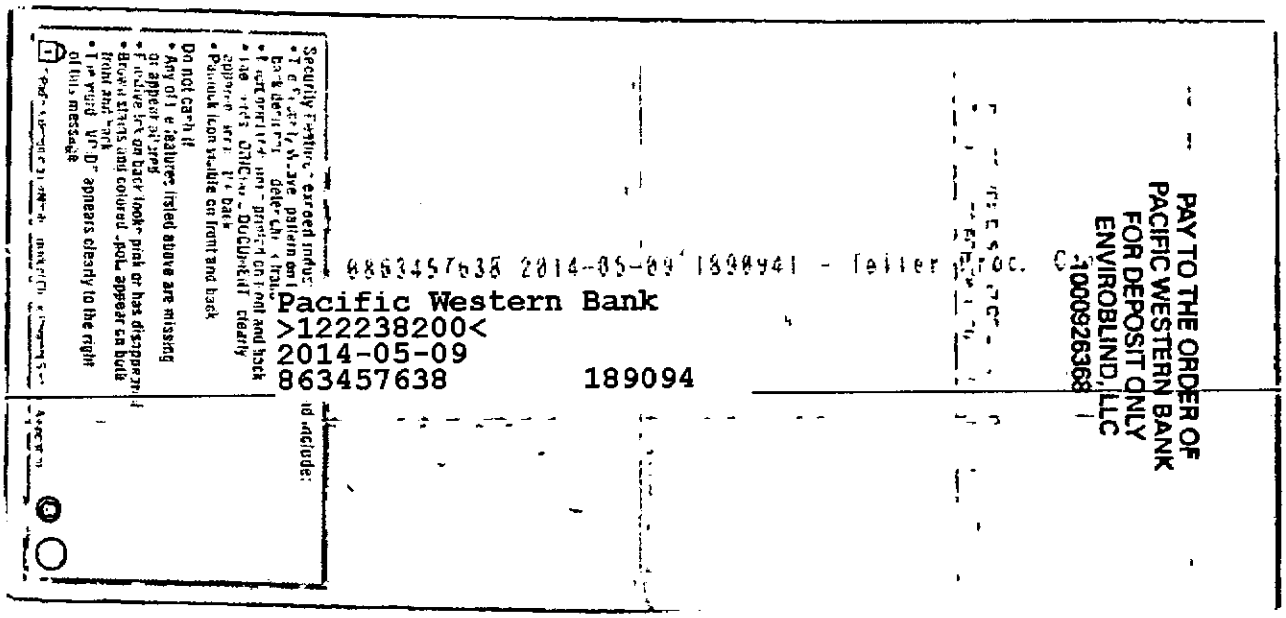
Thirty Five hundred & 00/100 — Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0249



Security Features: Forged indus... Pantograph icon visible on front and back. Do not cash if: Any of the features listed above are missing or appear altered. If you receive this on back look print or has disappeared. Broken blurs and colored spots appear on both front and back. The word "VOID" appears clearly to the right of this message.

0863457638 2014-05-09 189094 - Teller ... Doc. C...

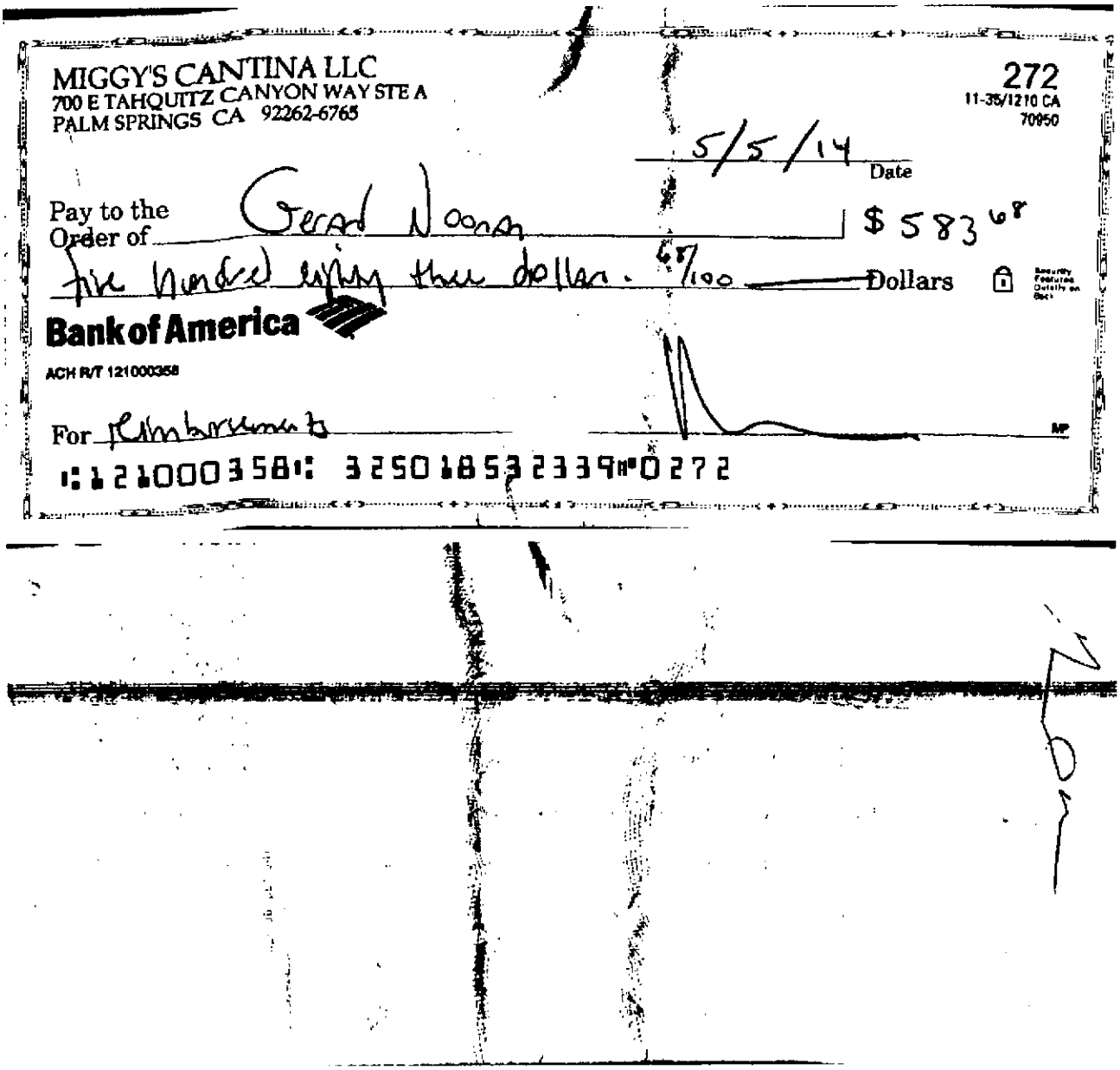
Pacific Western Bank
>122238200<
2014-05-09
863457638 189094

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
...1000926368...

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	000008675206413	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/09/2014	000000863457638	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/09/2014	008692572706	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$583.68	Sequence Number:	8692948639
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	272



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

272
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Gerard Noonan $ 583 68

five hundred eighty three dollars 68/100 Dollars

Bank of America

ACH R/T 121000358

For Reimbursements

⑆121000358⑆ 325018532339⑈0272

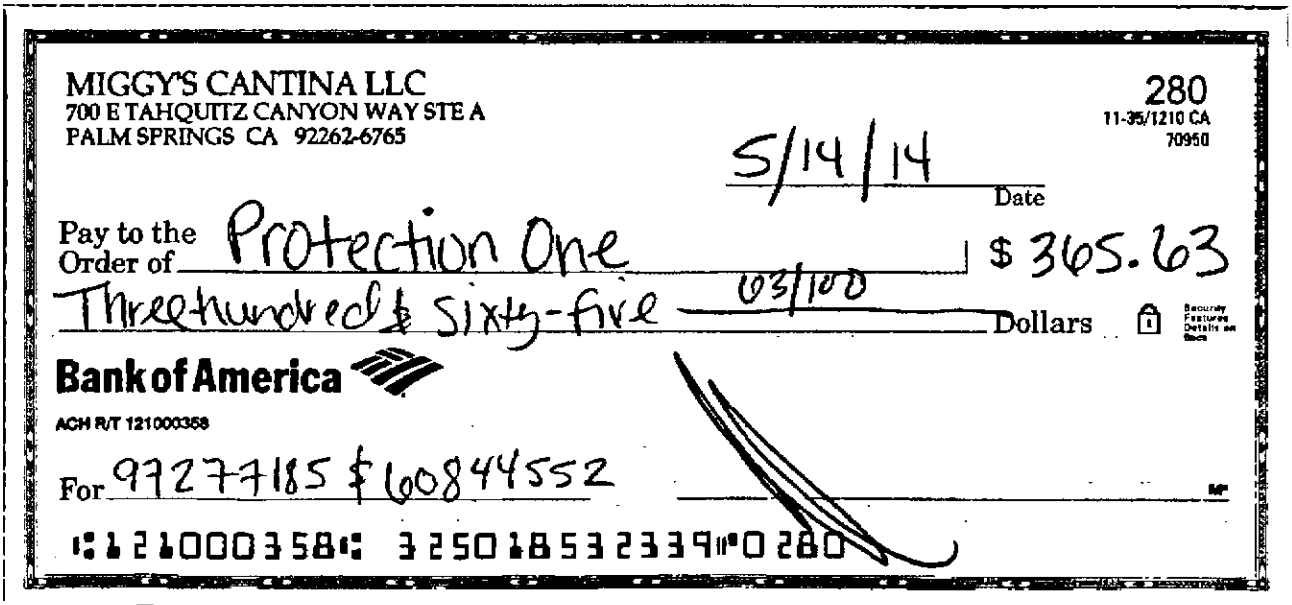
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	9870276575	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/12/2014	008692948639	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $365.63 Sequence Number: 8792308151

Account: 325018532339 Capture Date: 05/20/2014

Bank Number: 12100035 Check Number: 280



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

280
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Protection One $ 365.63

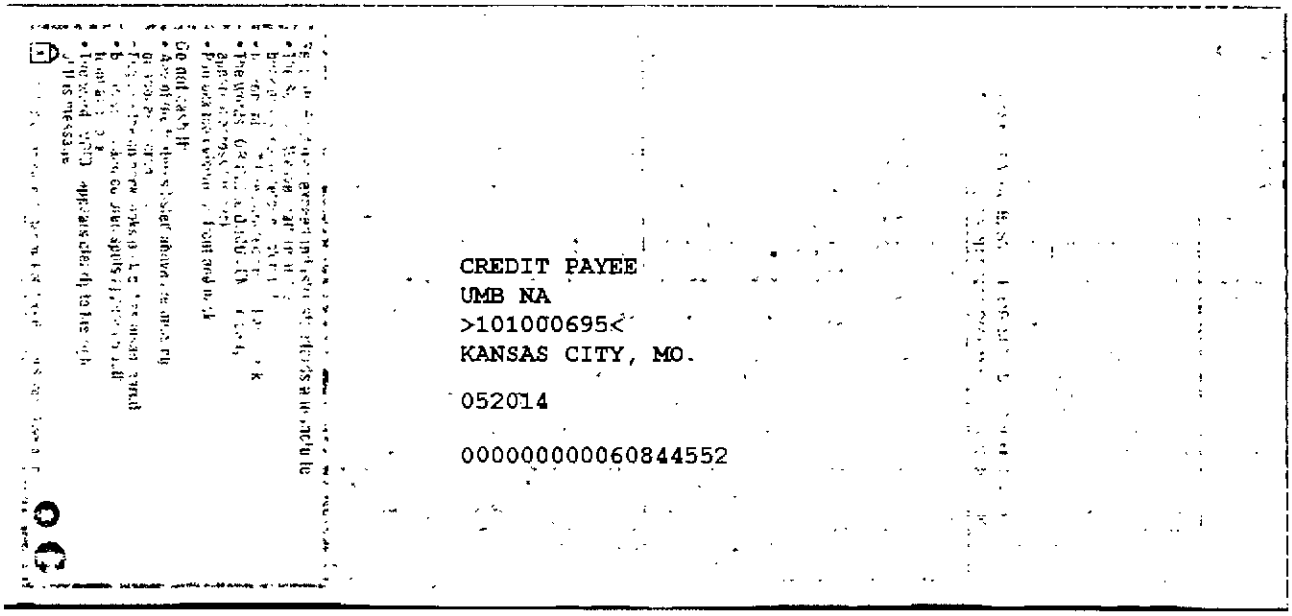
Threehundred & sixty-five 03/100 Dollars

Bank of America

ACH R/T 121000358

For 97277185 $60844552

⑆121000358⑆ 325018532339⑈0280



CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO.

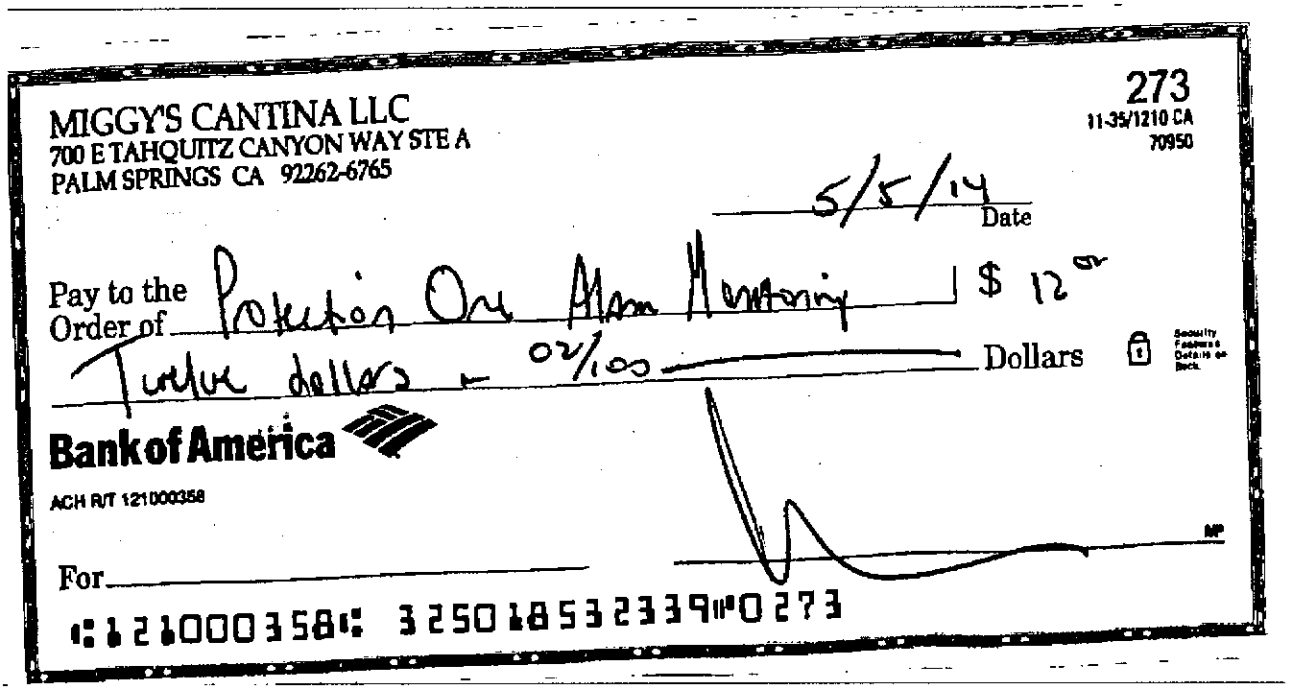
052014

000000000060844552

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	000007373596690	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
05/20/2014	007373596690	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/20/2014	008792308151	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$12.02	Sequence Number:	8792763113
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	273



CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

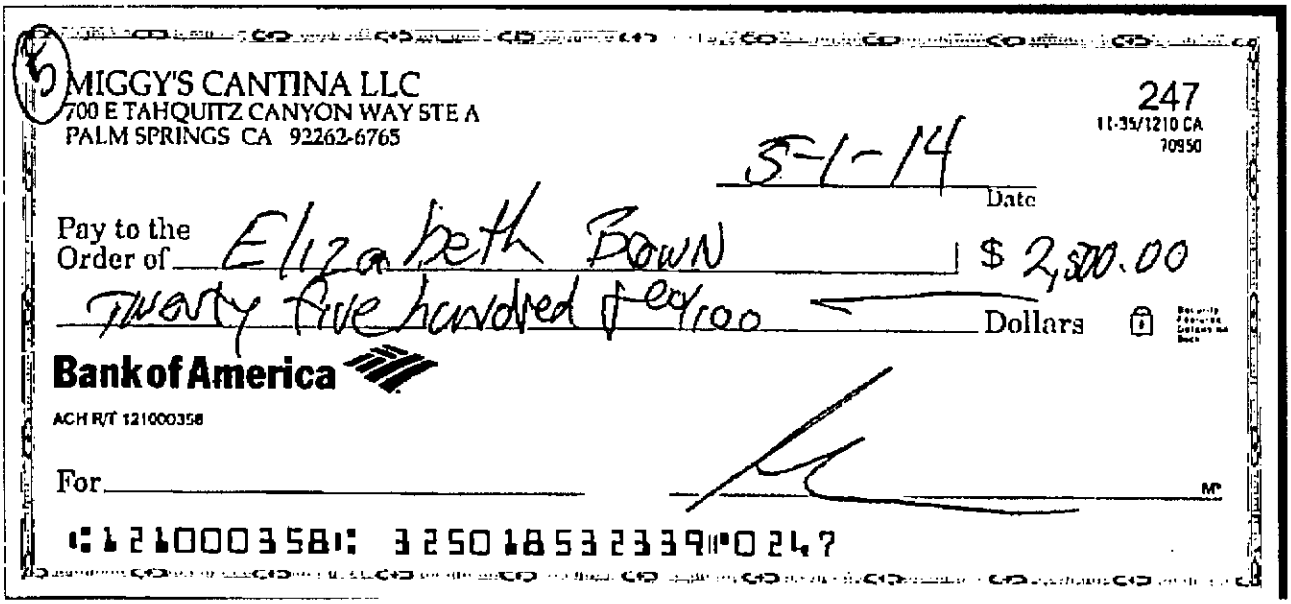
051214

000000000060818036

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	008792763113	111012822	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	007373304514	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/12/2014	000007373304514	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$2,500.00	Sequence Number:	8892626510
Account:	325018532339	Capture Date:	05/02/2014
Bank Number:	12100035	Check Number:	247



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

247
11-35/1210 CA
70950

5-1-14
Date

Pay to the Order of Elizabeth Bown $ 2,500.00

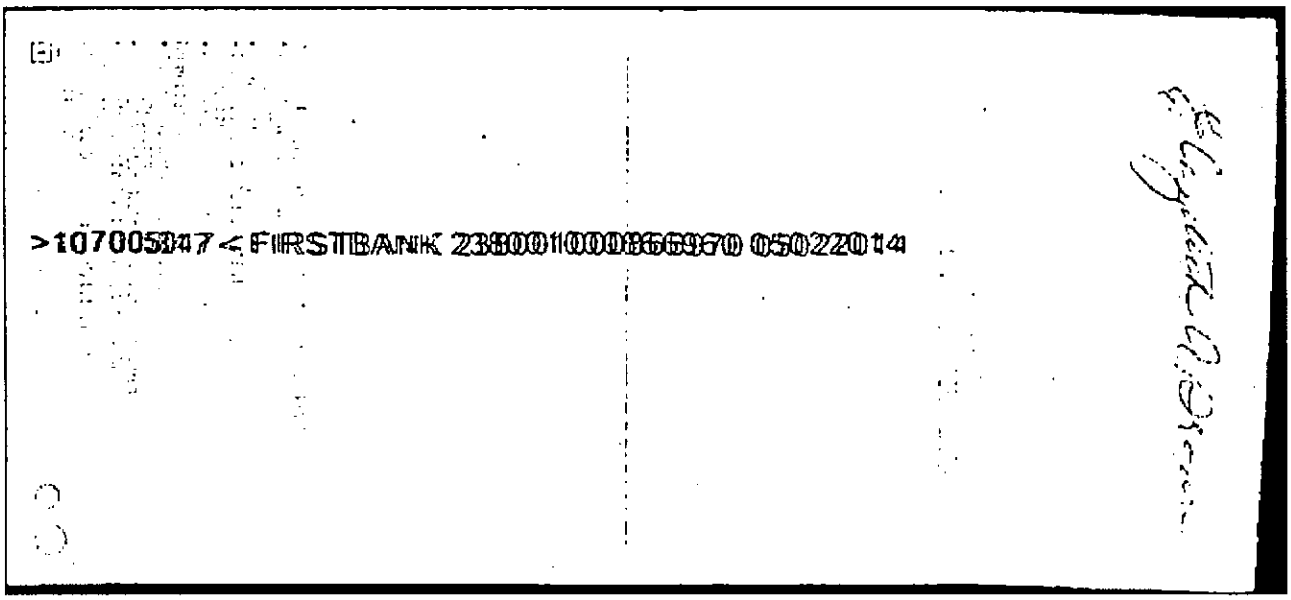
Twenty five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0247

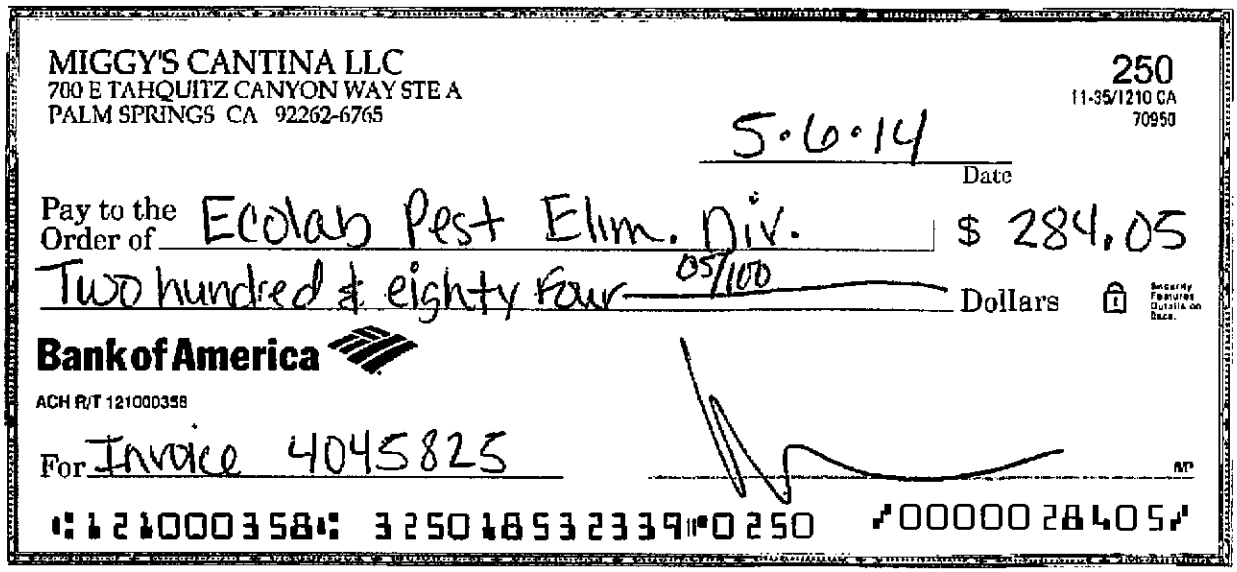


>107005047<FIRSTBANK 238001000866970 05022014

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/02/2014	000000092614750	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
05/05/2014	009090274547	91408501	Undetermined	N		U.S. BANK NATIONAL A
05/05/2014	009090274547	91000022	Undetermined	N		U.S. BANK NATIONAL A
05/02/2014	008892626510	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$284.05	Sequence Number:	8992332175
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	250



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

250
11-35/1210 CA
70950

5.6.14
Date

Pay to the Order of Ecolab Pest Elim. Div. $ 284.05

Two hundred & eighty four 05/100 Dollars

Bank of America

ACH R/T 121000358

For Invoice 4045825

⑆121000358⑆ 325018532339⑈0250 ⑈00000284⑇05⑈

JPMORGANCHASE BK NA CR TO NMD

051314 >074909962< PAYEE ALL

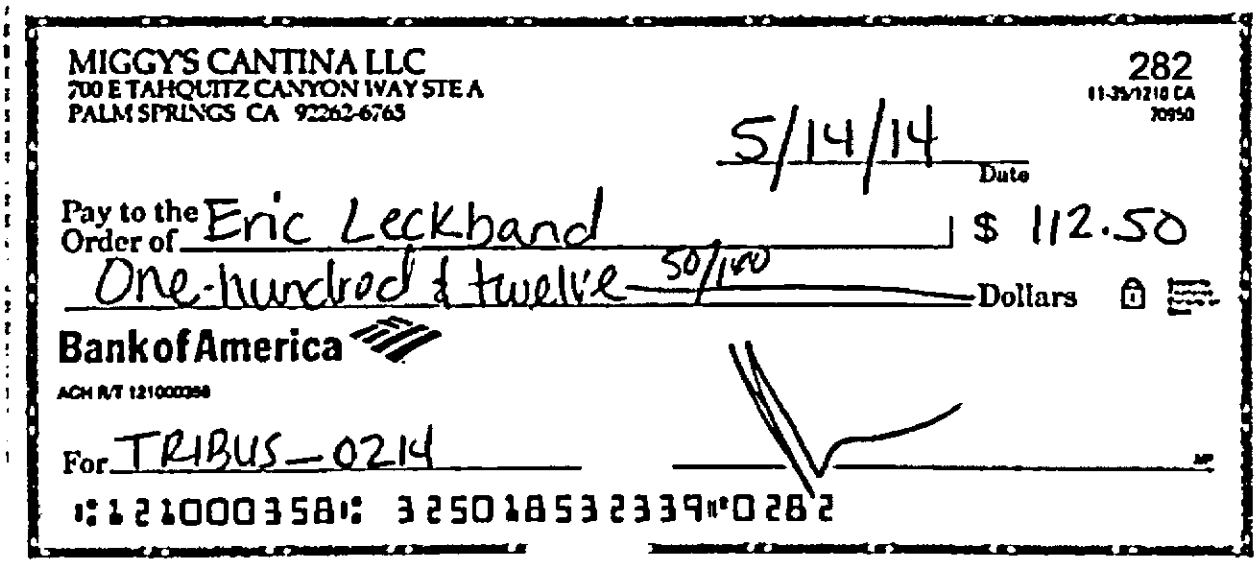
27742221 0026252 RTS RSVD

00951553 172 0000000464641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	008992332175	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	8290804057	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$112.50	Sequence Number:	9092470244
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	282



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

282
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Eric Leckband $ 112.50

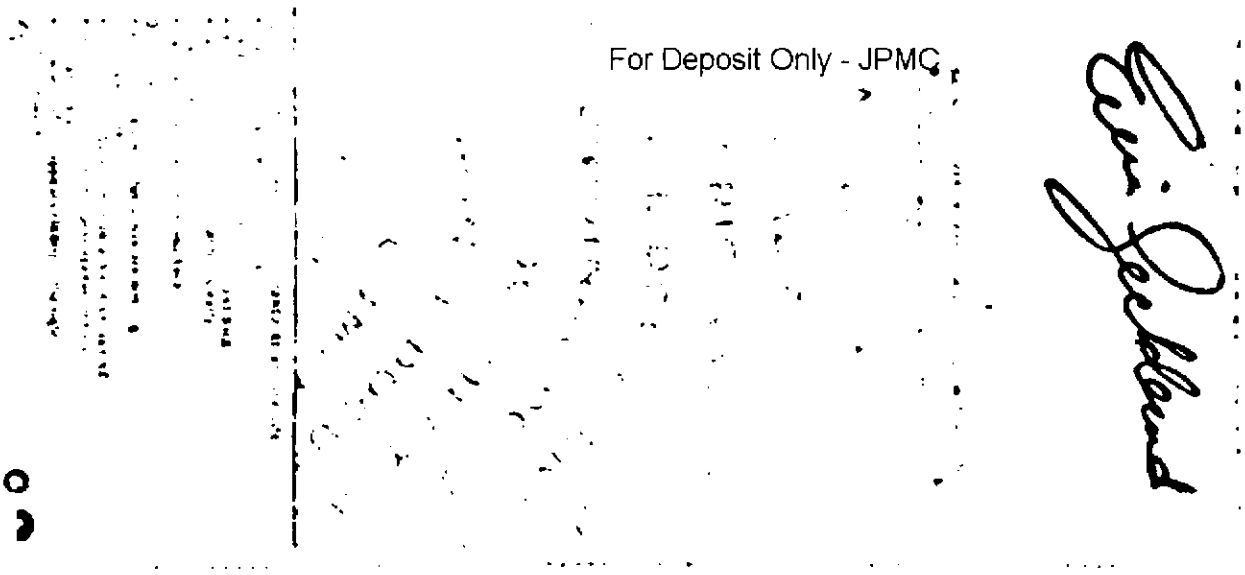
One-hundred & twelve 50/100 Dollars

Bank of America

ACH R/T 121000358

For TRIBUS-0214

⑆121000358⑆ 325018532339⑈0282



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	6170052021	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/22/2014	009092470244	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $10,835.00 Sequence Number: 9192181316

Account: 325018532339 Capture Date: 05/22/2014

Bank Number: 12100035 Check Number: 291

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

291
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Collin's Electric $ 10,835.00

Ten thousand, eight hundred & thirty-five — Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

MP

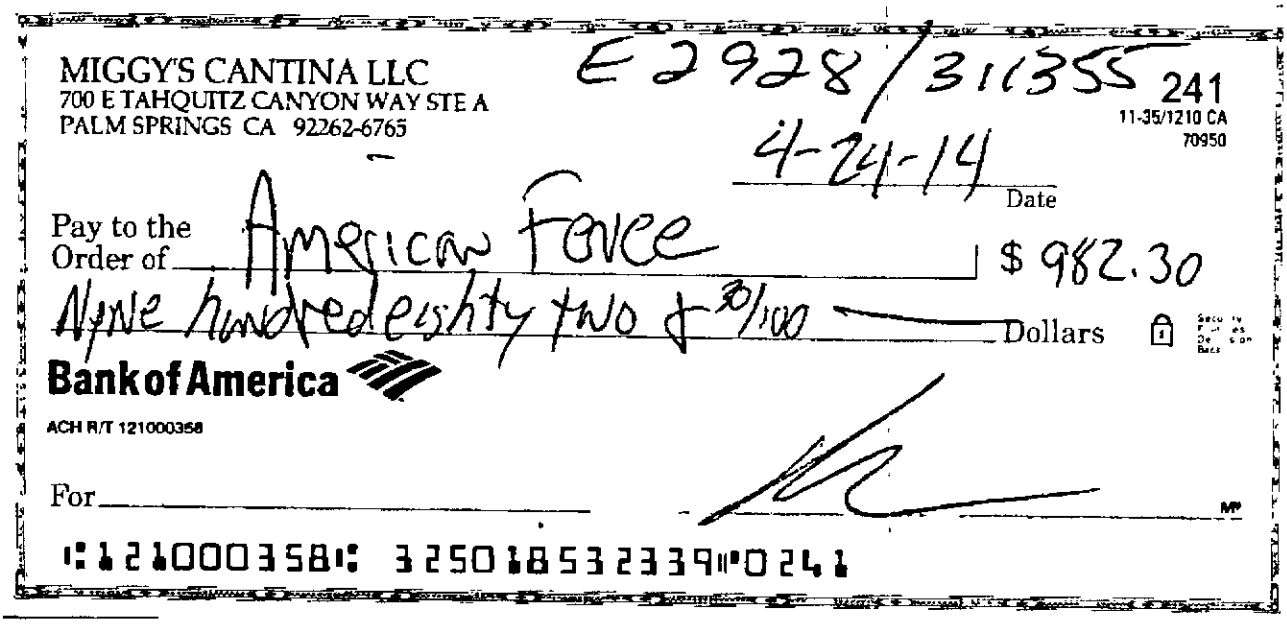
⑆121000358⑆ 325018532339⑈0291

CREDIT TO ACCOUNT OF WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JPMORGAN CHASE BANK, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	8490538296	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/22/2014	009192181316	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$982.30	Sequence Number:	9392476827
Account:	325018532339	Capture Date:	05/05/2014
Bank Number:	12100035	Check Number:	241



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

E2928/311355 241
11-35/1210 CA
70950

4-24-14
Date

Pay to the Order of American Fence $ 982.30

Nine hundred eighty two & 30/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0241

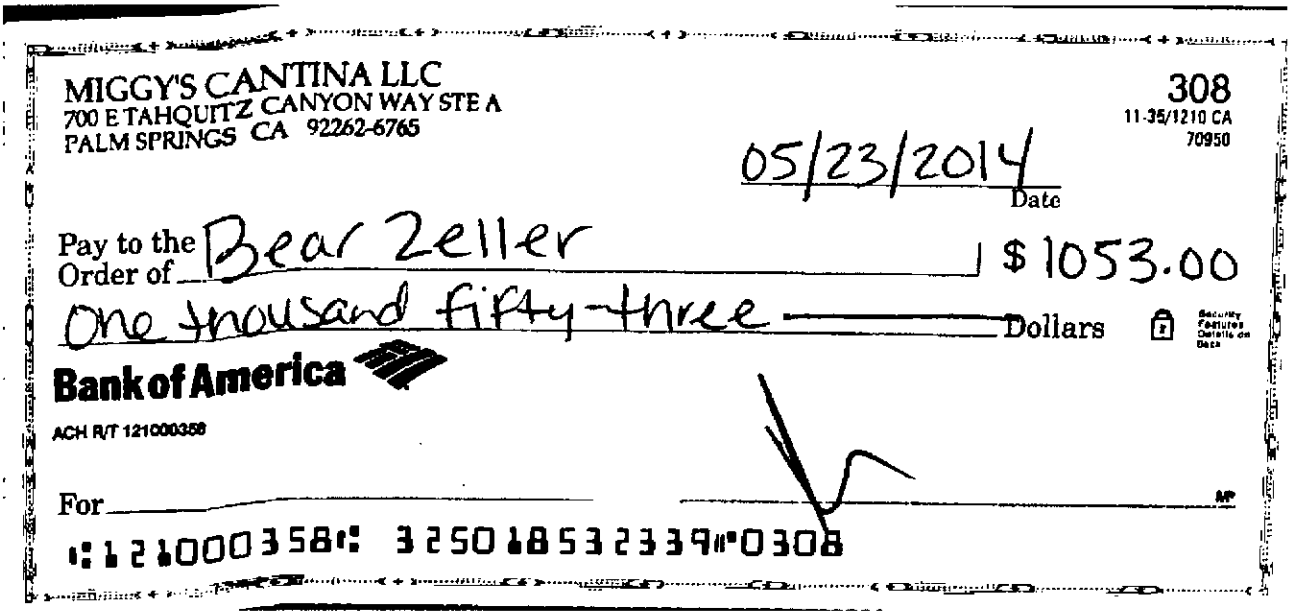
Deposit to UMB Bank for American Fence Company Co

FOR DEPOSIT ONLY
ACCOUNT NO. 6871842707
AMERICAN FENCE COMPANY
UMB BANK ARIZONA NA
ABA#122106125

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/05/2014	009392476827	111012822	Pay Bank	N		BANK OF AMERICA, NA
05/05/2014	007373590156	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/05/2014	000007373590156	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$1,053.00	Sequence Number:	9392820492
Account:	325018532339	Capture Date:	05/23/2014
Bank Number:	12100035	Check Number:	308



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

308
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Bear Zeller $ 1053.00

One thousand fifty-three Dollars

Bank of America

ACH R/T 121000358

For

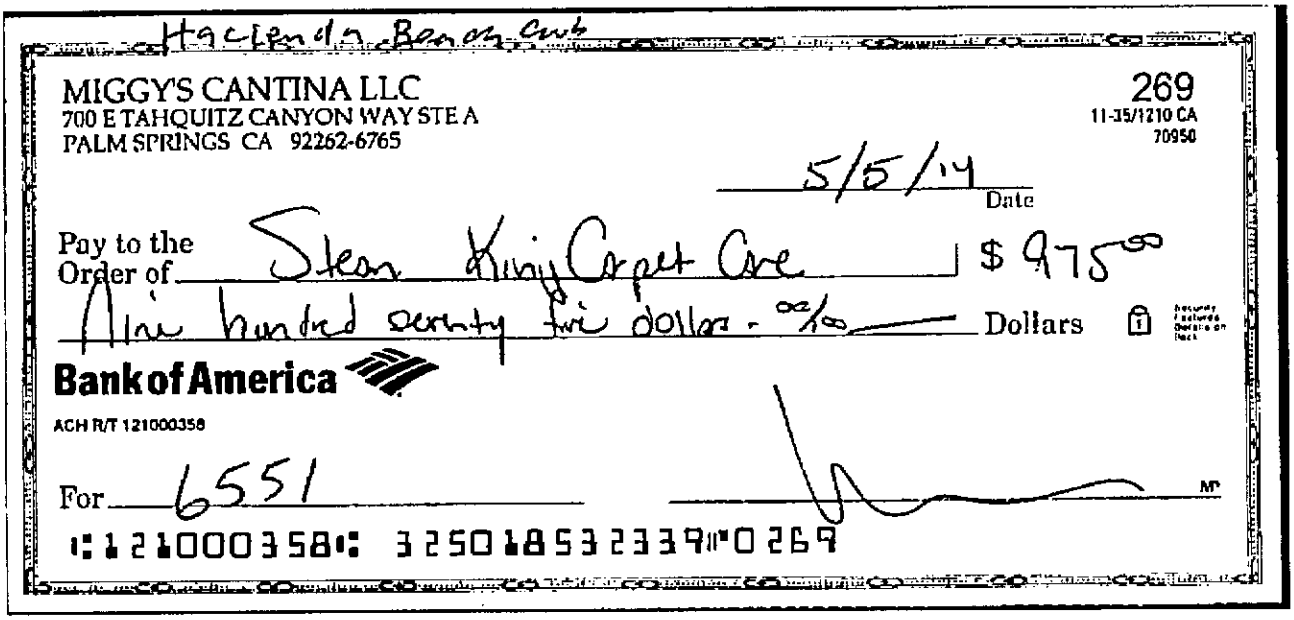
⑆121000358⑆ 325018532339⑈0308

JPMorgan Chase Bank 052305 241380 9476499736055

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/23/2014	009392820492	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/23/2014	9780772226	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$975.00	Sequence Number:	9492762526
Account:	325018532339	Capture Date:	05/14/2014
Bank Number:	12100035	Check Number:	269



Hacienda Beacon Club

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

269
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Steam King Carpet Care $ 975.00

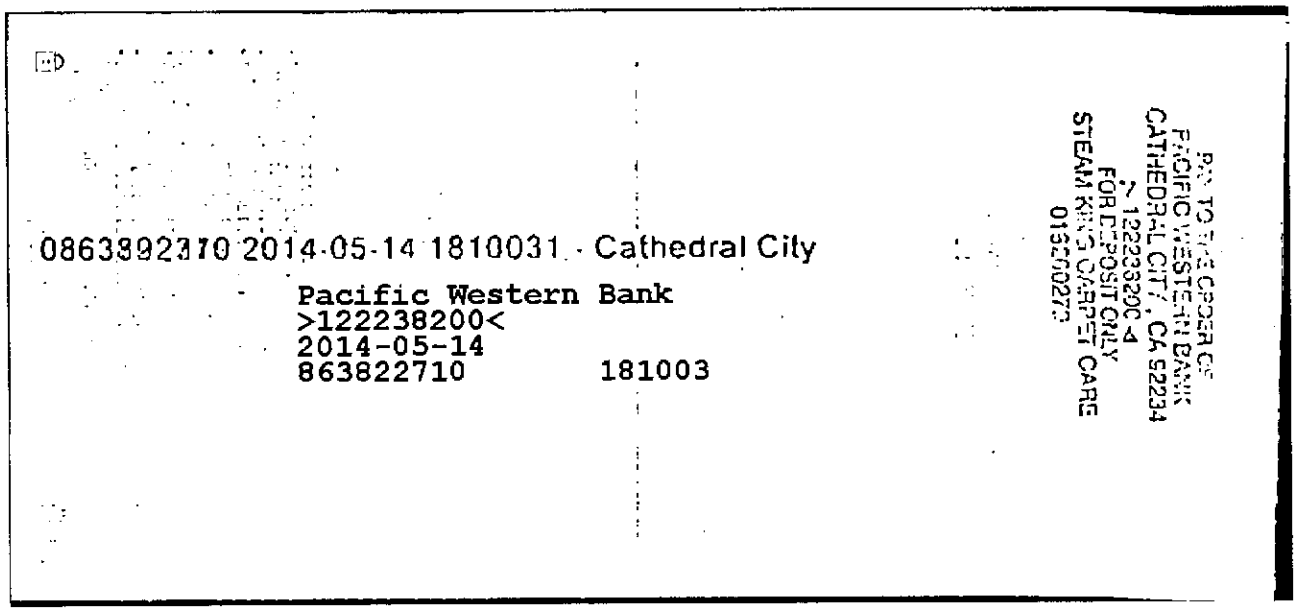
Nine hundred seventy five dollars - 00/100 Dollars

Bank of America

ACH R/T 121000358

For 6551

⑆121000358⑆ 325018532339⑈0269



0863892370 2014-05-14 1810031 · Cathedral City

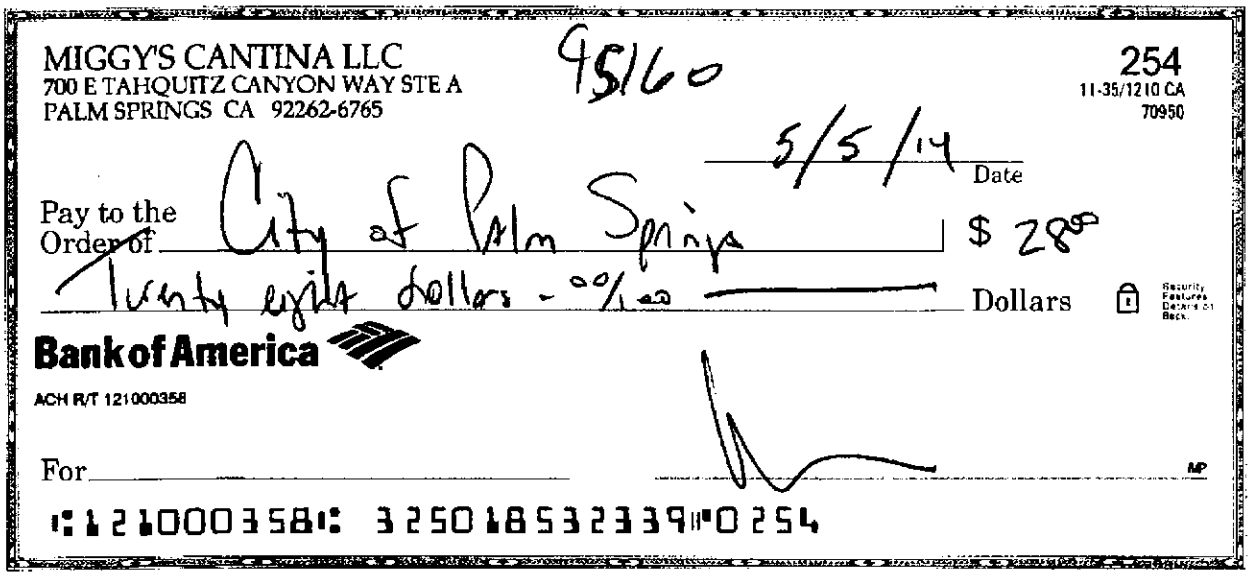
Pacific Western Bank
>122238200<
2014-05-14
863822710 181003

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
CATHEDRAL CITY, CA 92234
~ 12223820C 4
FOR DEPOSIT ONLY
STEAM KING CARPET CARE
01320272

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/14/2014	000000863822710	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/14/2014	000008175037630	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/14/2014	009492762526	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$28.00	Sequence Number:	9592791418
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	254



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

95160

254
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of City of Palm Springs $ 28.00

Twenty eight dollars - 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0254

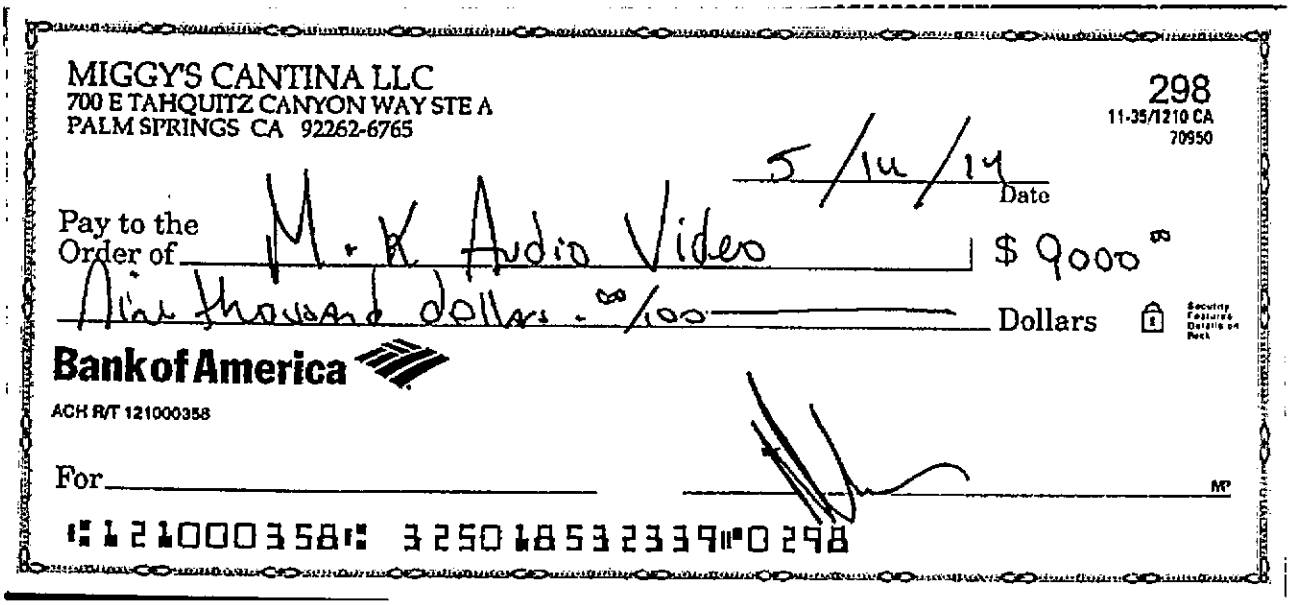
280970058700 05-14-2014
Texas Star Bank >111905764<
Van Alstyne, TX

PAY TO THE ORDER OF
TEXAS STAR BANK
FOR DEPOSIT ONLY
PALM SPRINGS ALARM
0405760

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000009400022194	114000093	Undetermined	N		FROST BANK
05/14/2014	524800280000594	111905764	Rtn Loc/BOFD	Y		TEXAS STAR BANK
05/15/2014	009592791418	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	9692652978
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	298



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

298
11-35/1210 CA
70950

5/14/14
Date

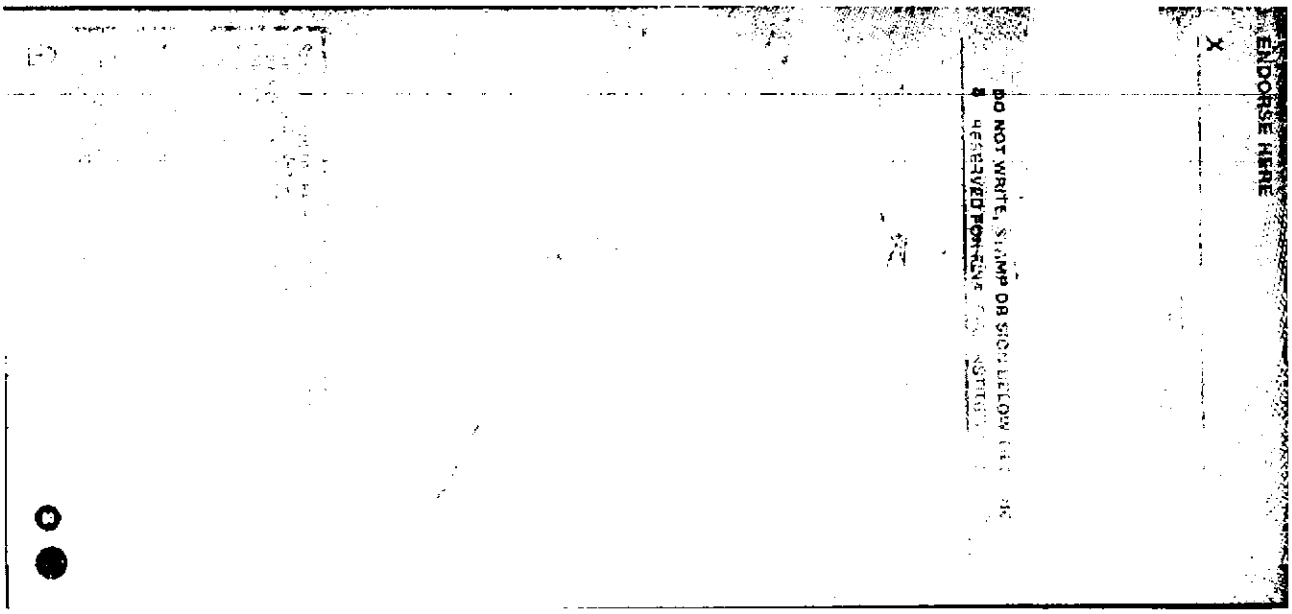
Pay to the Order of M. K Audio Video $ 9000.00

Nine thousand dollars .00/100 Dollars

Bank of America
ACH R/T 121000358

For

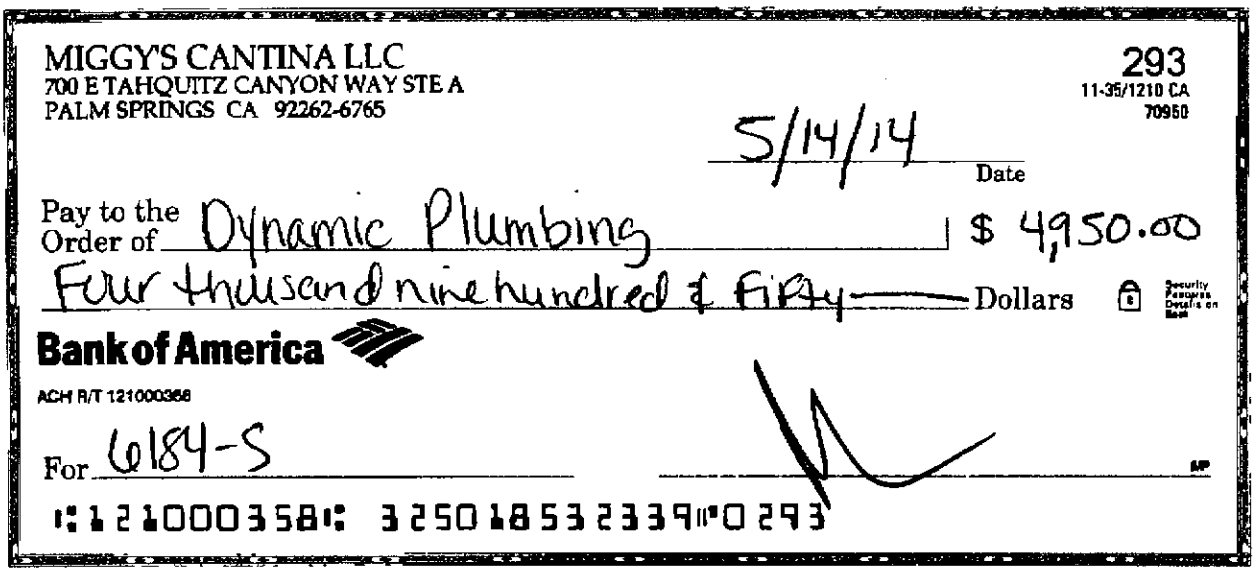
⑆121000358⑆ 325018532339⑈0298



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	009692652978	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/15/2014	000000488021204	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$4,950.00	Sequence Number:	9692671703
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	293



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

293
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Dynamic Plumbing $ 4,950.00

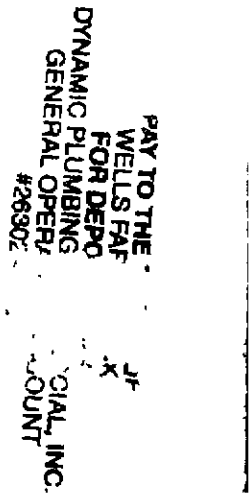
Four thousand nine hundred & Fifty Dollars

Bank of America

ACH R/T 121000358

For 6184-S

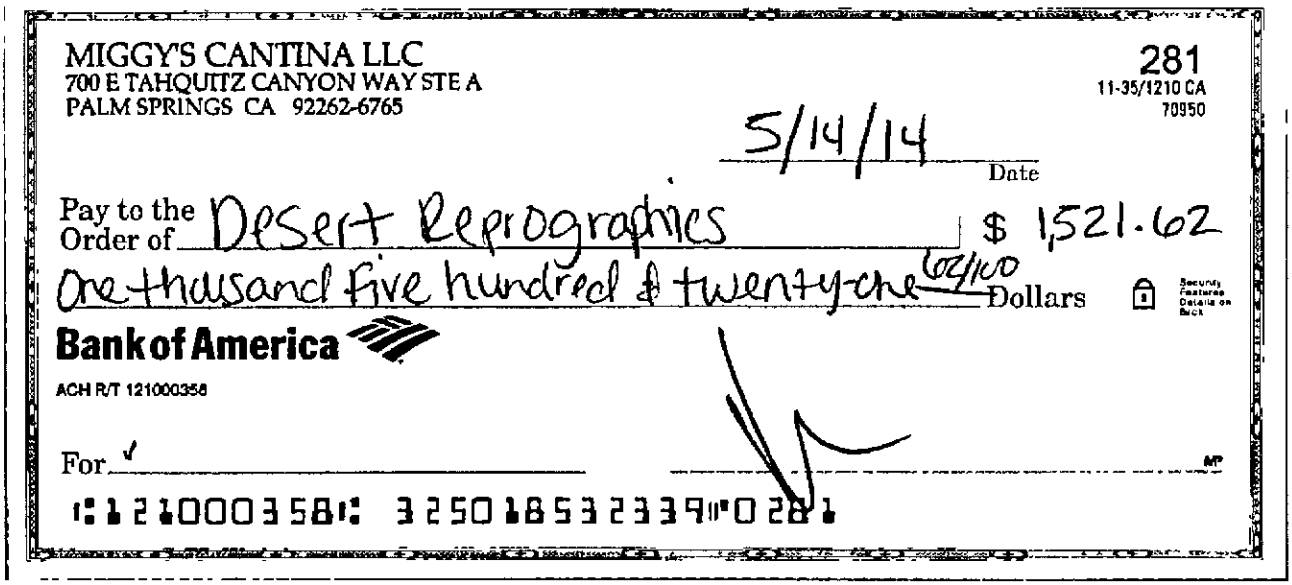
⑆121000358⑆ 325018532339⑈0293



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000000384095144	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/15/2014	009692671703	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,521.62	Sequence Number:	9792628015
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	281



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

281
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Desert Reprographics $ 1,521.62

One thousand five hundred & twenty-one 62/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For ✓

⑆121000358⑆ 325018532339⑈0281

Pay to the Order of
Pacific Western Bank - CA

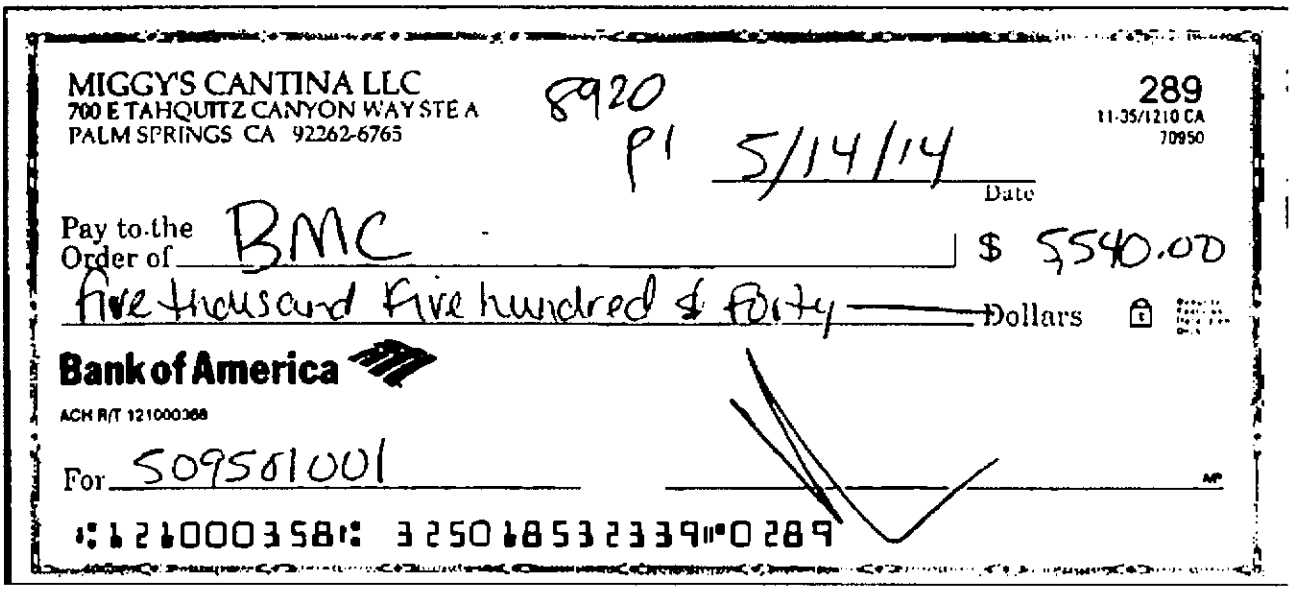
PAY TO THE ORDER OF
DESERT REPROGRAPHICS
895485 FOR DEPOSIT ONLY
DESERT REPROGRAPHICS

MIGGY'S CANTINA LLC
351016783

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000002349014049	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/15/2014	046923975286802	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/15/2014	000008175250692	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/15/2014	009792628015	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$5,540.00	Sequence Number:	9892513693
Account:	325018532339	Capture Date:	05/16/2014
Bank Number:	12100035	Check Number:	289



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

8920

289
11-35/1210 CA
70950

P1 5/14/14
Date

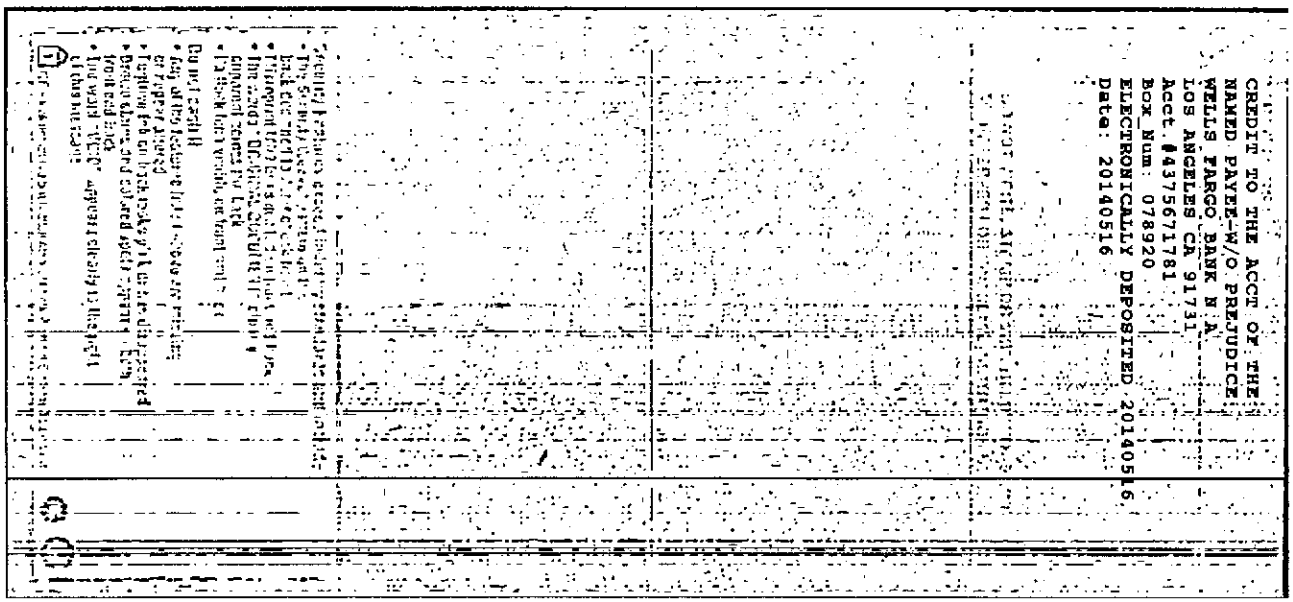
Pay to the Order of BMC $ 5540.00

five thousand five hundred & forty Dollars

Bank of America
ACH R/T 121000358

For 509501001

⑆121000358⑆ 325018532339⑈0289

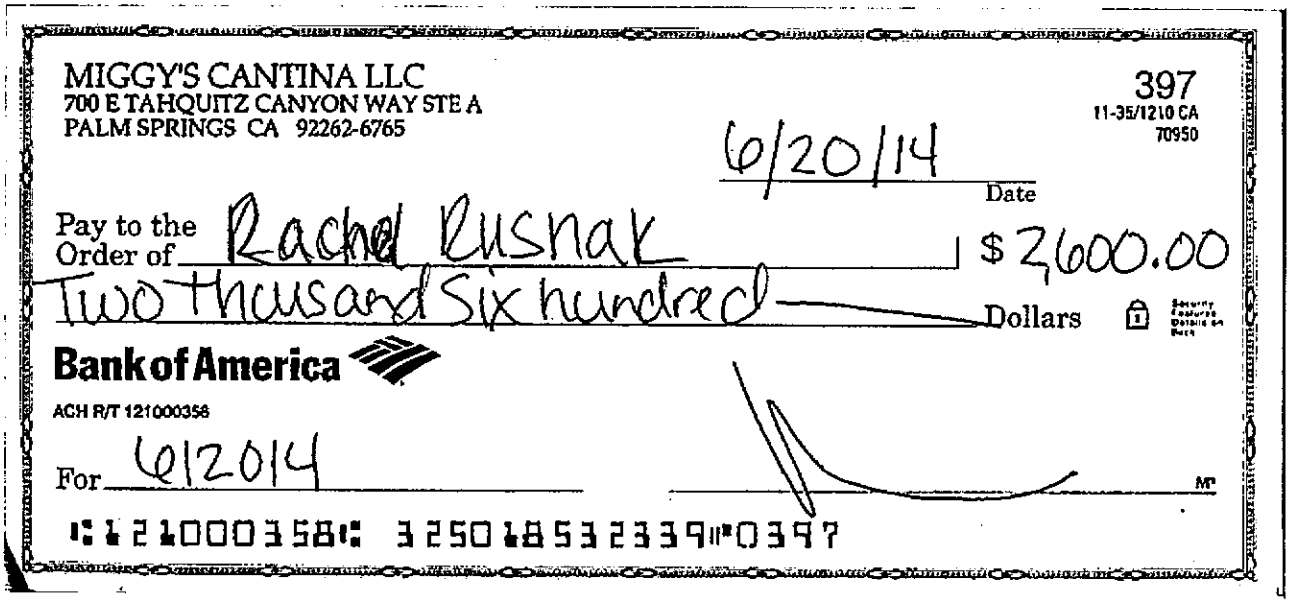


CREDIT TO THE ACCT OF THE
NAMED PAYEE-W/O PREJUDICE
WELLS FARGO BANK N.A.
LOS ANGELES,CA 91731
Acct.#4375671781
Box_Num: 078920
ELECTRONICALLY DEPOSITED 20140516
Date: 20140516

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	000007482837884	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/16/2014	009892513693	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,600.00	Sequence Number:	8492353599
Account:	325018532339	Capture Date:	08/14/2014
Bank Number:	12100035	Check Number:	397



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

397
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Rachel Rusnak $ 2600.00

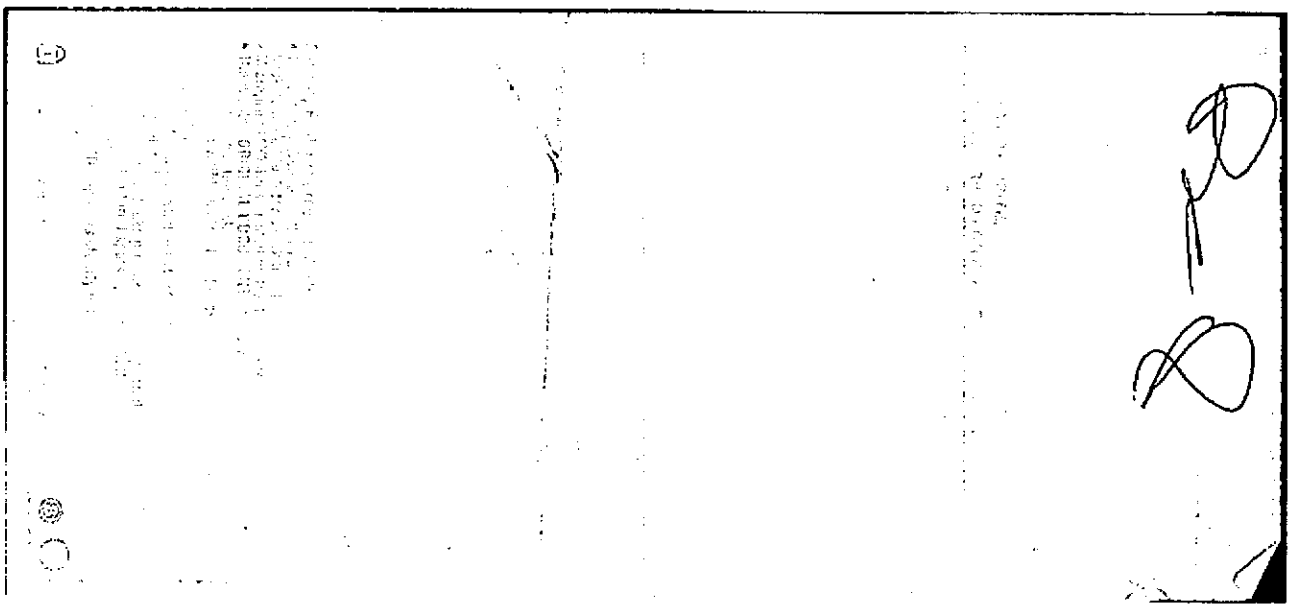
Two Thousand Six hundred Dollars

Bank of America

ACH R/T 121000358

For 6/2014

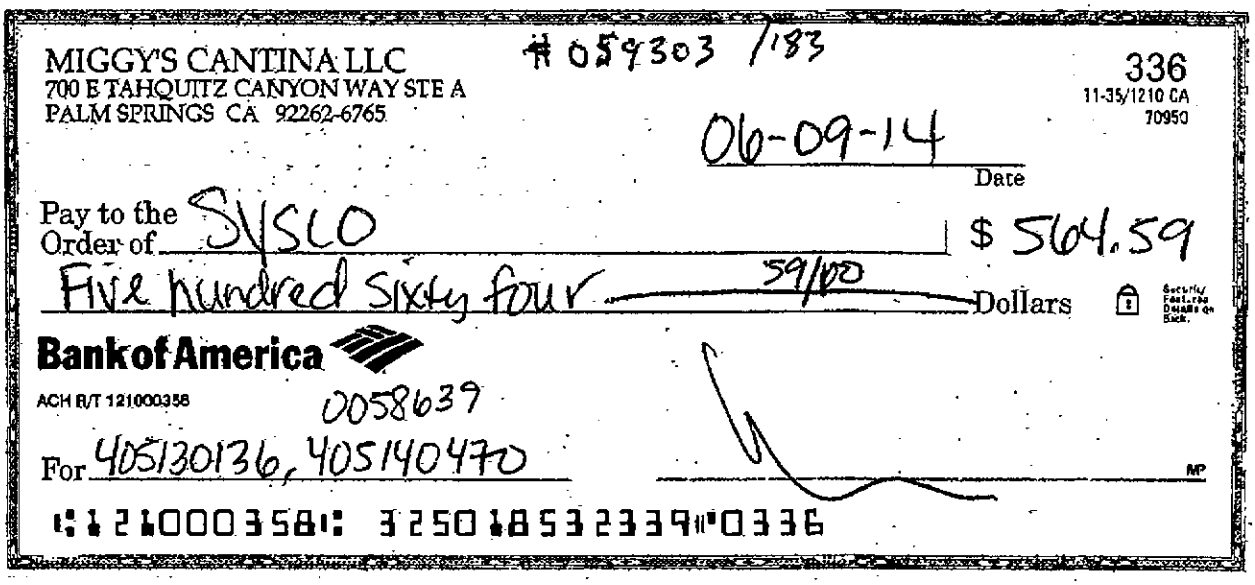
⑆121000358⑆ 325018532339⑈0397



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
08/14/2014	008492353599	121103886	Pay Bank	N		BANK OF AMERICA, NA
08/14/2014	2470878846	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$564.59	Sequence Number:	5592728388
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	336



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

#059303 /183

336
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of SYSCO $ 564.59

Five hundred Sixty four 59/100 Dollars

Bank of America

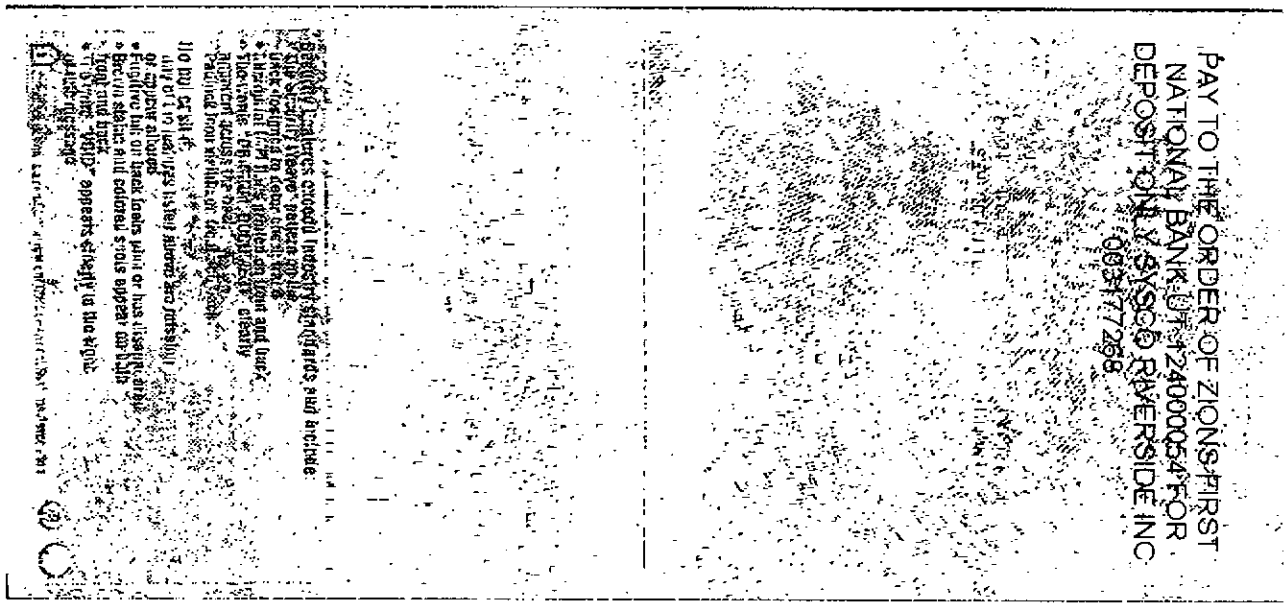
ACH R/T 121000358

0058639

For 405130136, 405140470

MP

⑆121000358⑆ 325018532339⑈0336

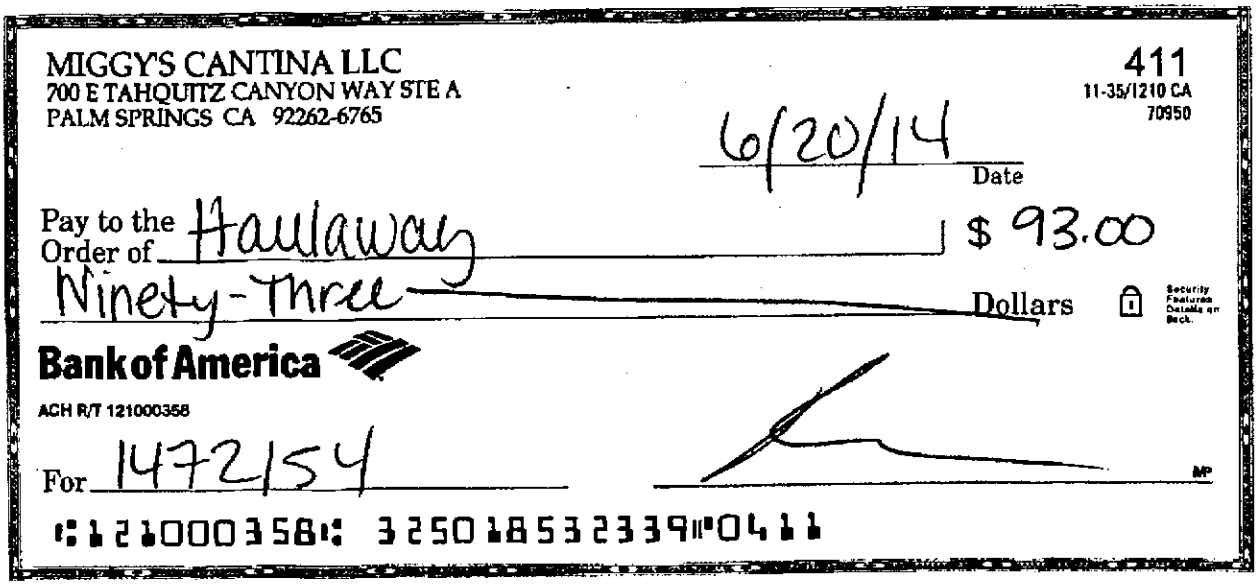


PAY TO THE ORDER OF ZIONS FIRST NATIONAL BANK UT 124000054 FOR DEPOSIT ONLY SYSCO RIVERSIDE INC 003177268

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000051463711486	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL
06/11/2014	234343870	61000146	Undetermined	N		FEDERAL RES BANK OF
06/10/2014	005592728388	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$93.00	Sequence Number:	5692039749
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	411



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

411
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Haullaway
$ 93.00

Ninety-Three
Dollars

Security Features Details on Back.

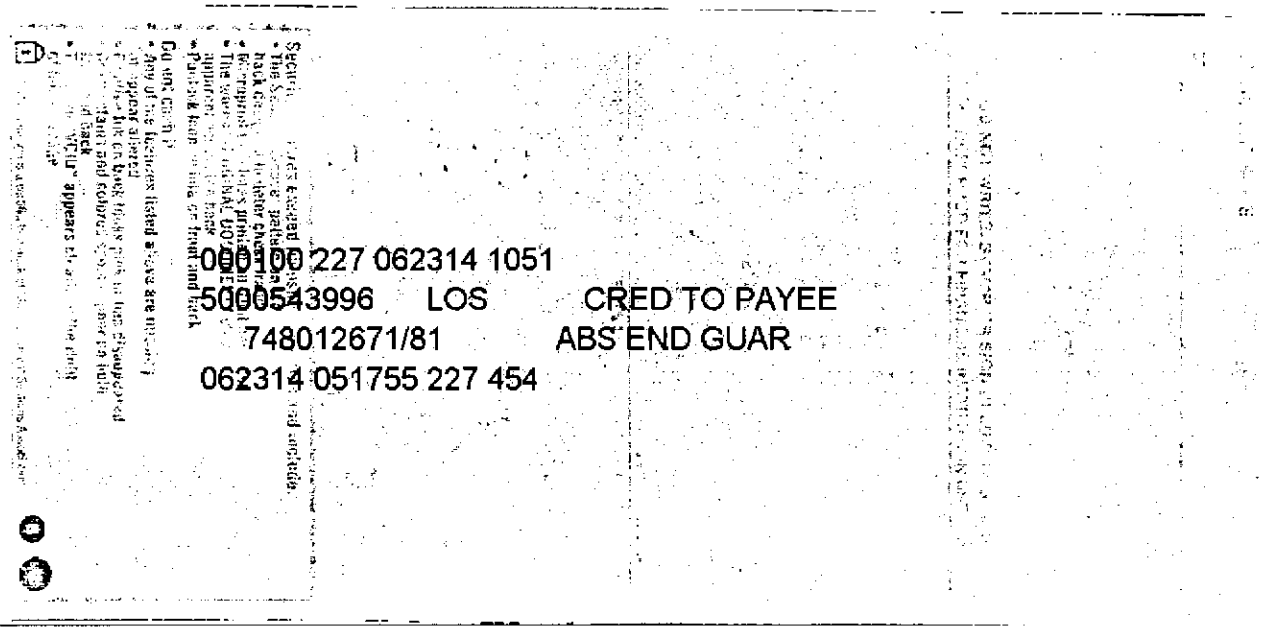
Bank of America

ACH R/T 121000358

For 1472154

MP

⑆121000358⑆ 325018532339⑈0411



000100 227 062314 1051
5000543996 LOS CRED TO PAYEE
748012671/81 ABS END GUAR
062314 051755 227 454

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	005692039749	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/23/2014	0465137855	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST

Amount:	$825.21	Sequence Number:	5692420836
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	400

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

400
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Sign a Rama $825.21

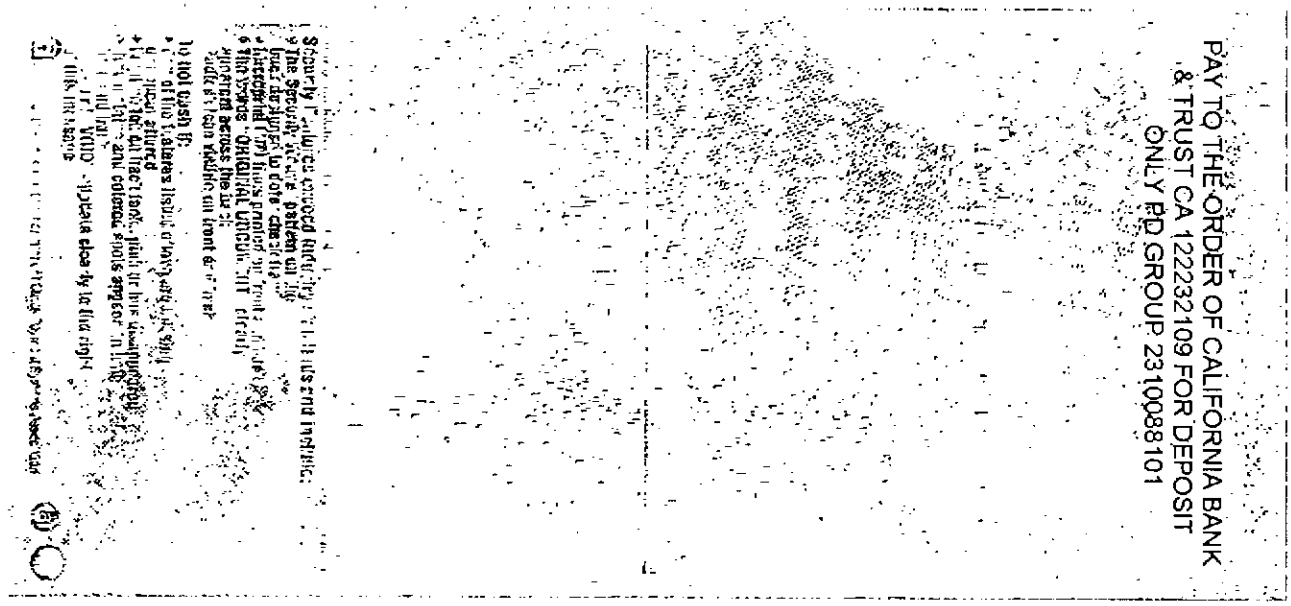
Eight Hundred & Twenty-Five 21/100 Dollars

Bank of America

ACH R/T 121000358

For 65883

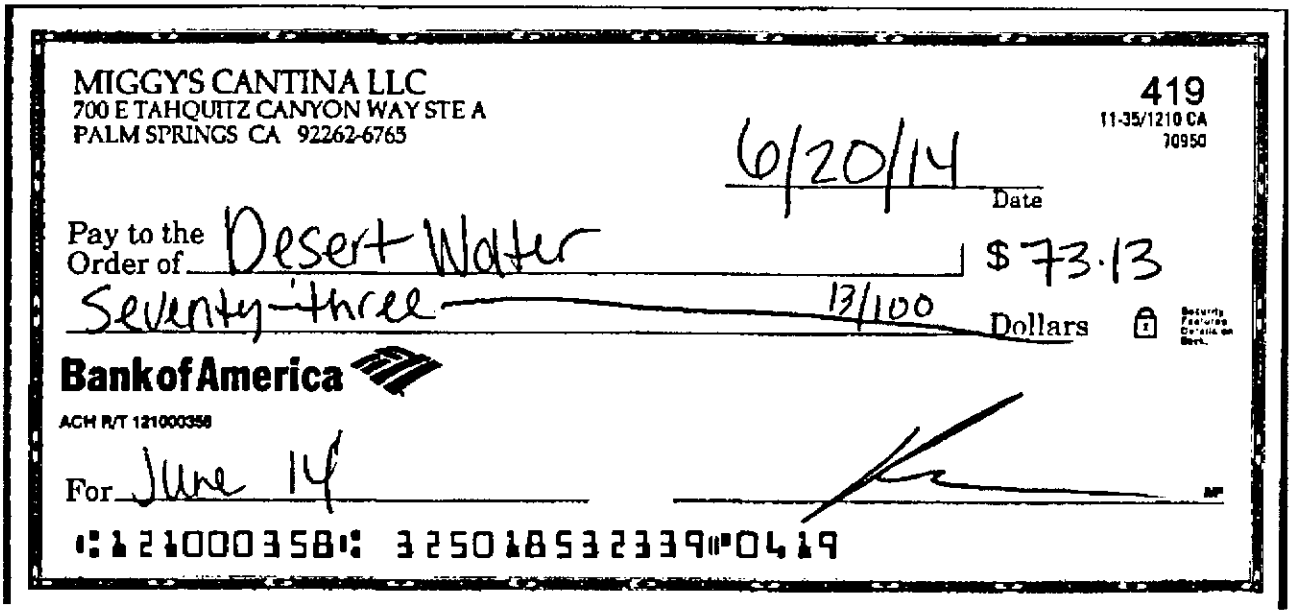
⑆121000358⑆ 325018532339⑈0400



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	005692420836	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/23/2014	406235353163018	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
06/24/2014	453919998	61000146	Undetermined	N		FEDERAL RES BANK OF

Amount:	$73.13	Sequence Number:	5692575731
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	419



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

419
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Desert Water $73.13

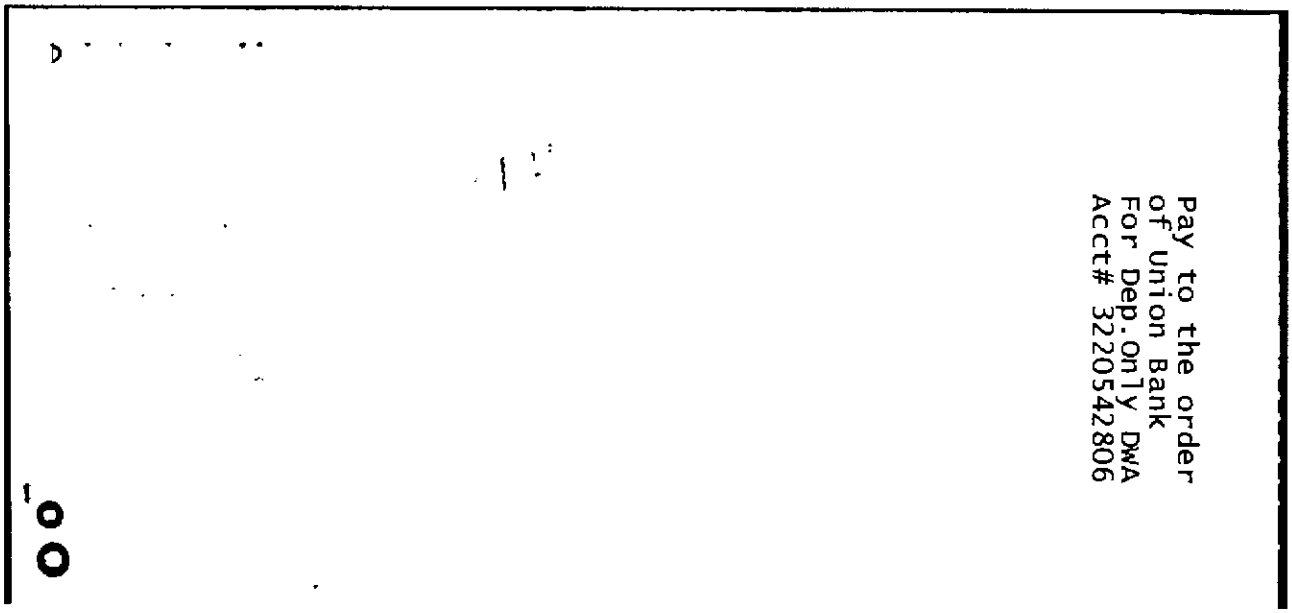
Seventy-three 13/100 Dollars

Bank of America

ACH R/T 121000358

For June 14

⑆121000358⑆ 325018532339⑈0419

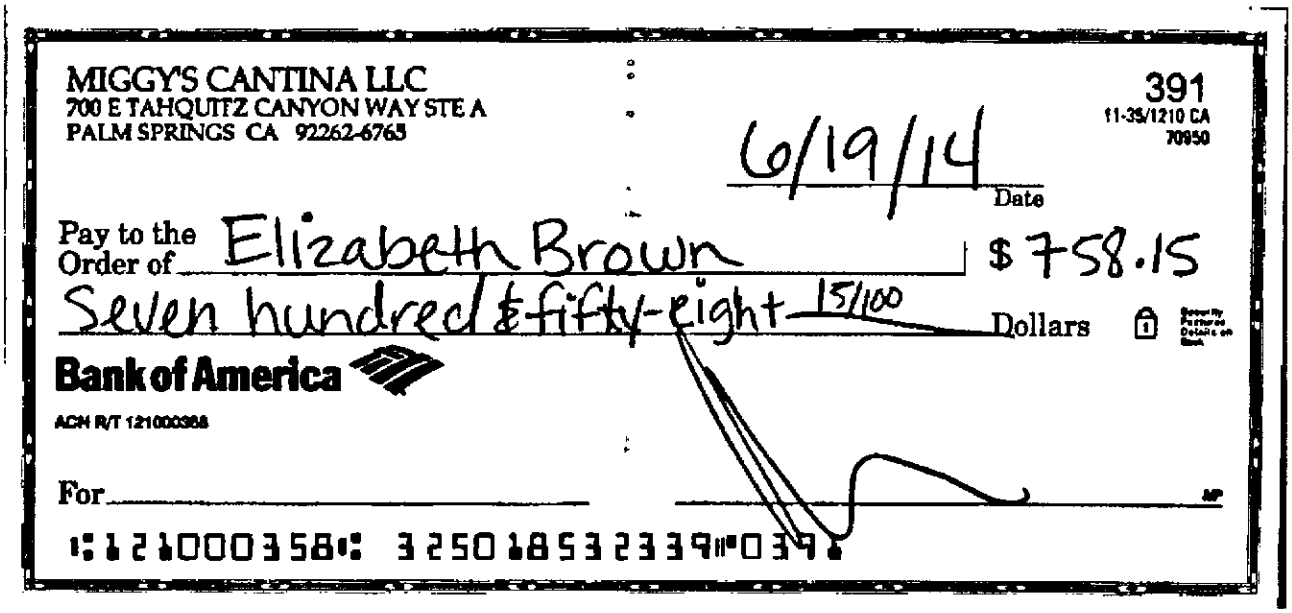


Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	005692575731	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/23/2014	4513413576	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$758.15	Sequence Number:	5692586929
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	391



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

391
11-35/1210 CA
70950

6/19/14
Date

Pay to the Order of Elizabeth Brown $758.15

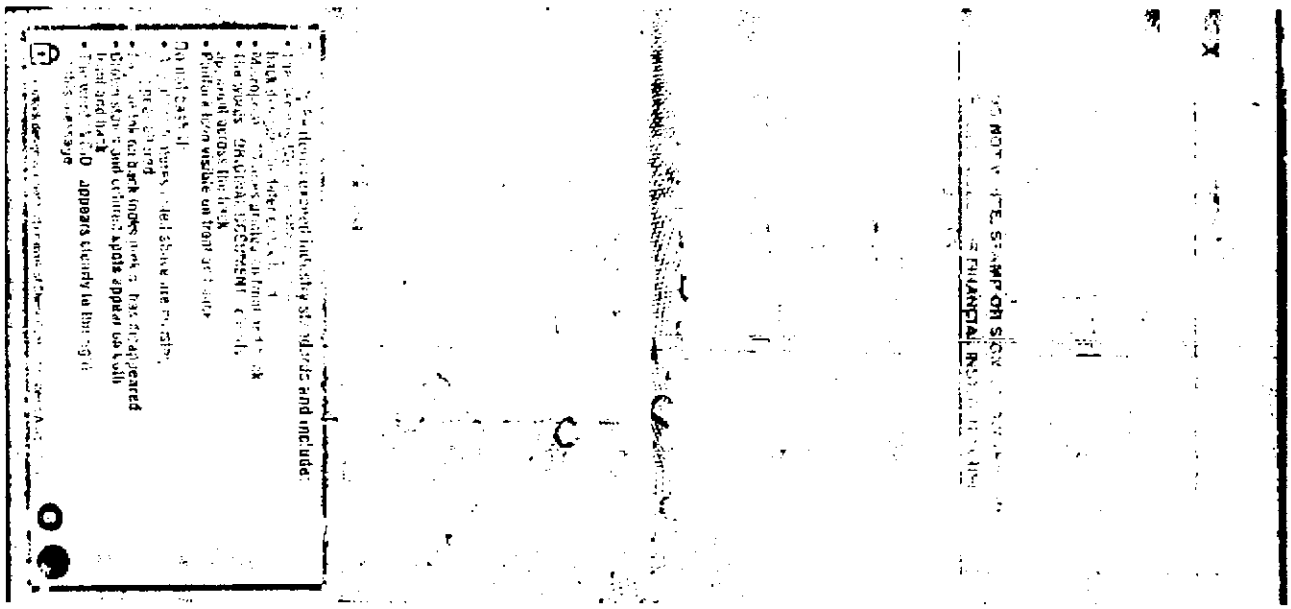
Seven hundred & fifty-eight 15/100 Dollars

Bank of America

ACH R/T 121000358

For

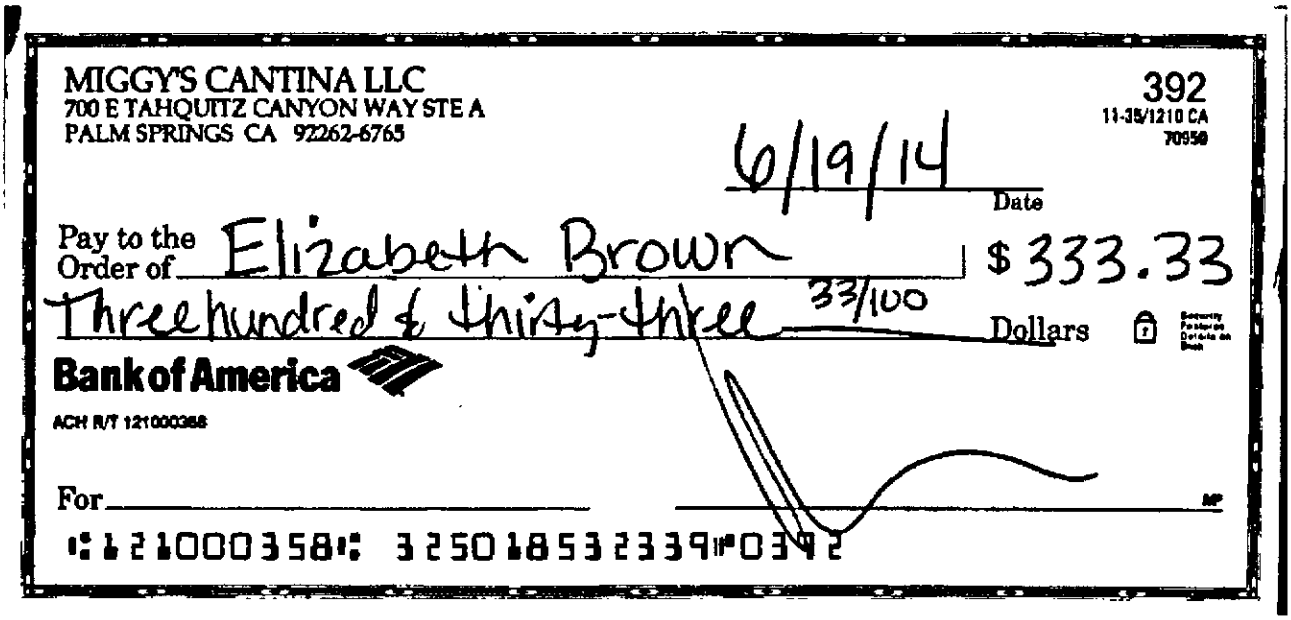
⑆121000358⑆ 325018532339⑈0391



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	4479042850	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/23/2014	005692586929	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$333.33	Sequence Number:	5692586930
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	392



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

392
11-35/1210 CA
70950

6/19/14
Date

Pay to the Order of Elizabeth Brown $333.33

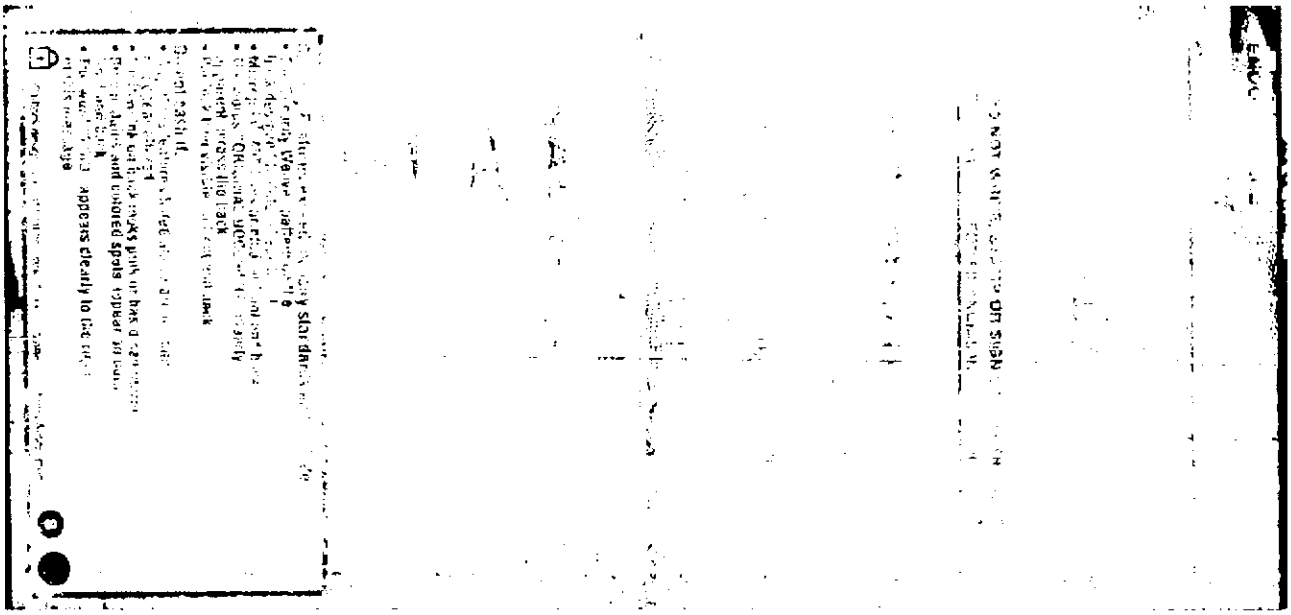
Three hundred & thirty-three 33/100 Dollars

Bank of America

ACH R/T 121000358

For

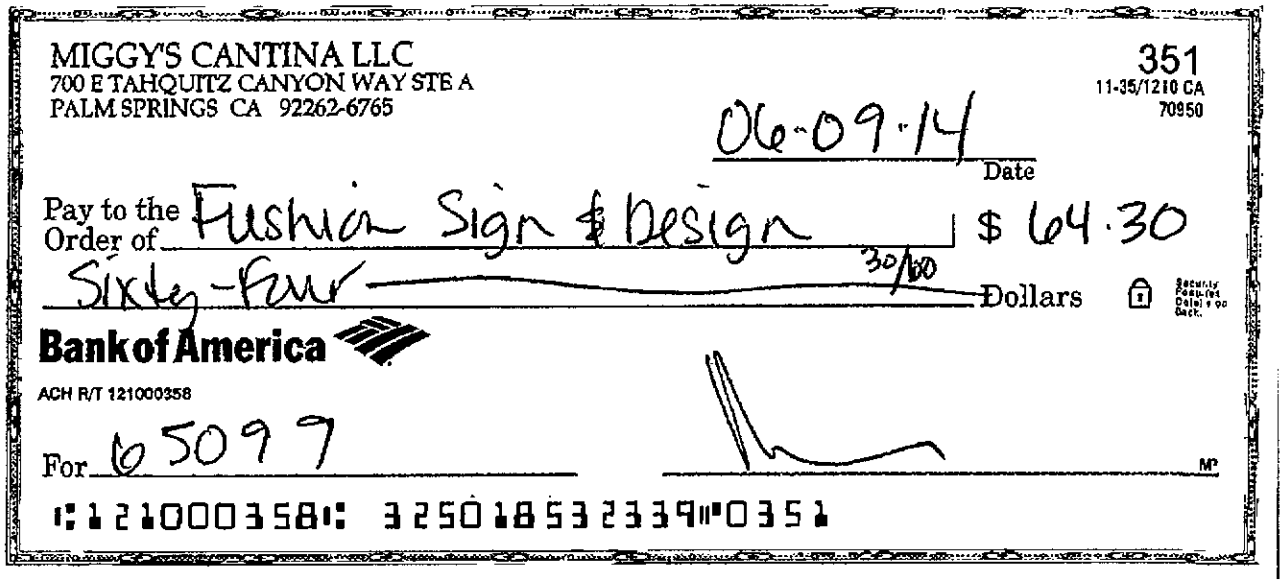
⑆121000358⑆ 325018532339⑈0392



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	4479042851	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/23/2014	005692586930	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$64.30	Sequence Number:	5892135044
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	351



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

351
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Fushion Sign & Design $ 64.30

Sixty-four 30/100 Dollars

Bank of America

ACH R/T 121000358

For 65097

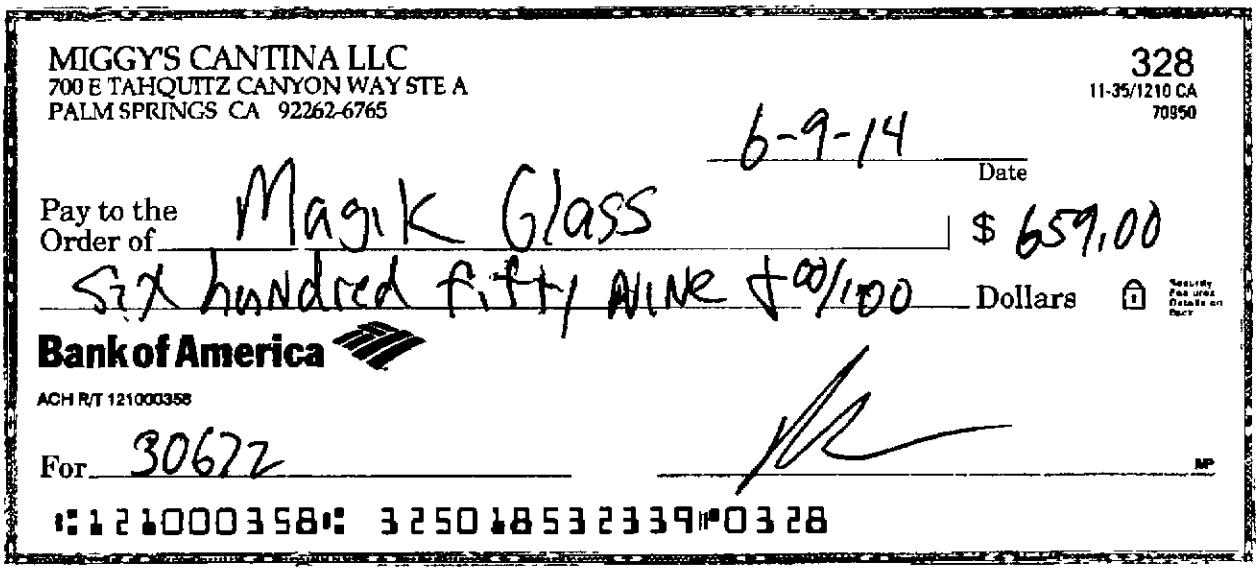
⑆121000358⑆ 325018532339⑈0351

PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY FUSION SIGN & DESIGN INC 257013715 1

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	260081429	61000146	Undetermined	N		FEDERAL RES BANK OF
06/11/2014	005892135044	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	406115353078720	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$659.00	Sequence Number:	5892731489
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	328



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

328
11-35/1210 CA
70950

6-9-14
Date

Pay to the Order of Magik Glass $ 659.00

Six hundred fifty NINE & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 30672

⑆121000358⑆ 325018532339⑈0328

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	4512093057	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/11/2014	005892731489	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$750.00	Sequence Number:	5892739668
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	346

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

730649

346
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Fire Extinguisher $ 750.00

Seven hundred & fifty Dollars

Bank of America

ACH R/T 121000358

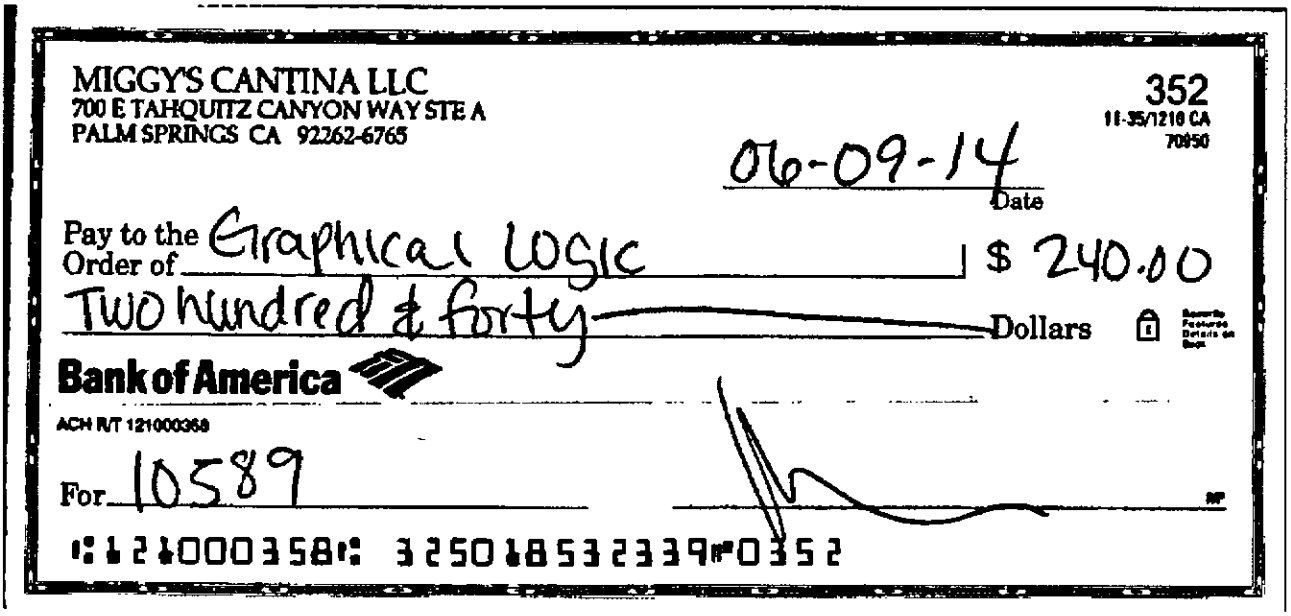
For 730649

⑆121000358⑆ 325018532339⑈0346

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	4476897929	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/11/2014	005892739668	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$240.00	Sequence Number:	5892744449
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	352



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

352
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Graphical Logic $ 240.00

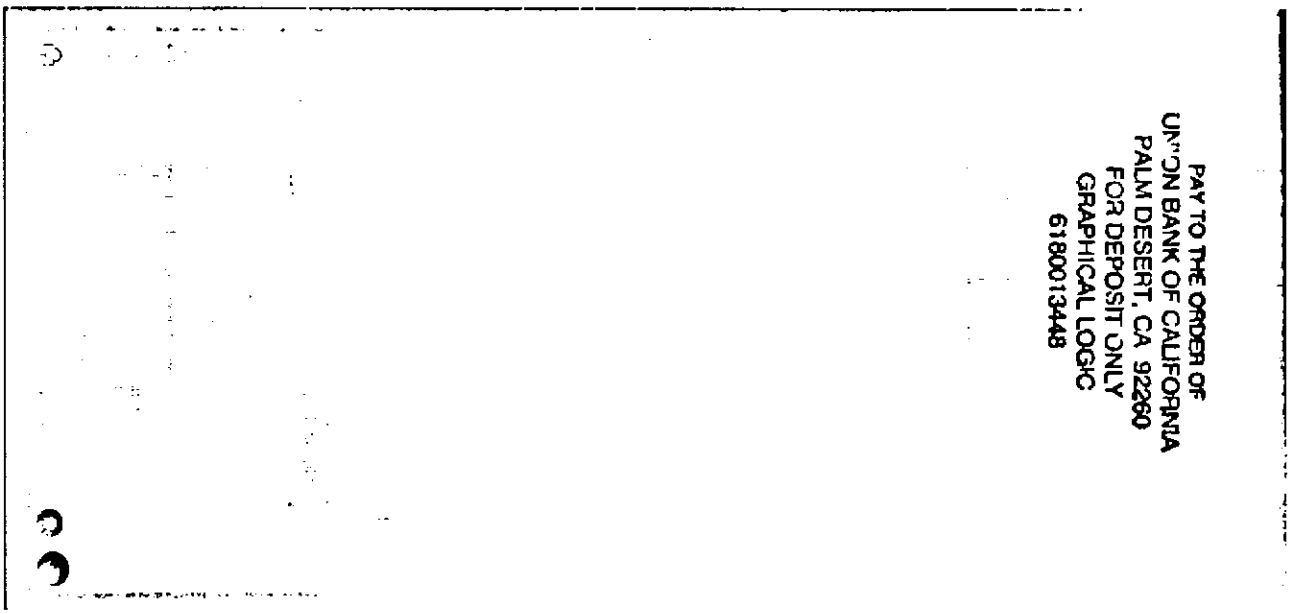
Two Hundred & forty Dollars

Bank of America

ACH R/T 121000358

For 10589

⑆121000358⑆ 325018532339⑈0352

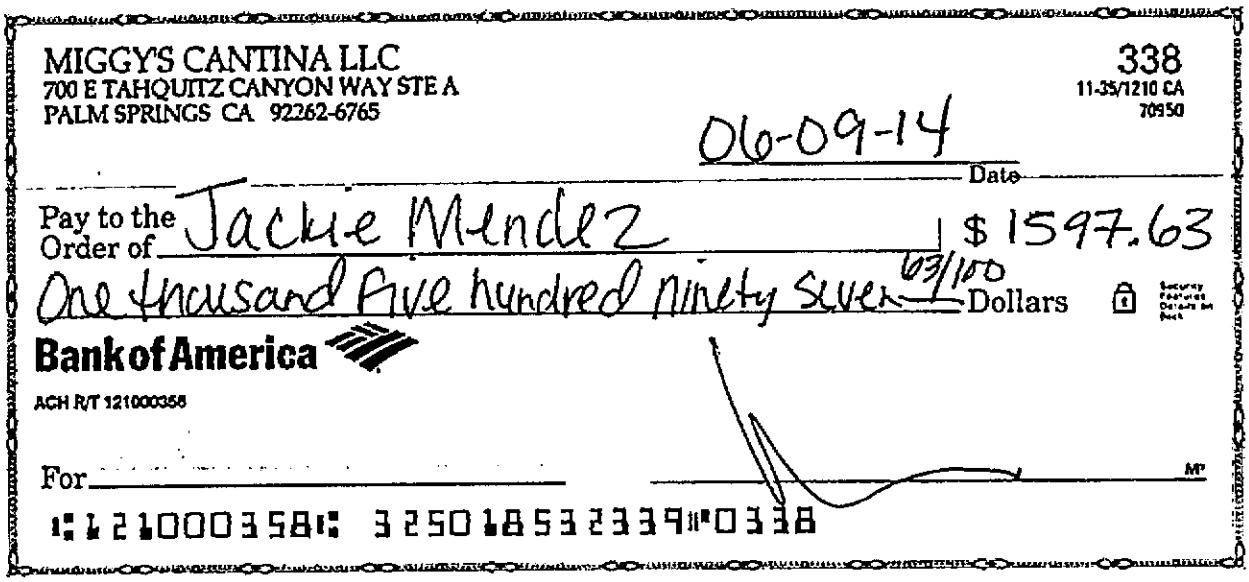


PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM DESERT, CA 92260
FOR DEPOSIT ONLY
GRAPHICAL LOGIC
6180013448

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	005892744449	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	4479675755	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,597.63	Sequence Number:	5982420417
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	338



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

338
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Jackie Mendez $ 1597.63

One thousand Five hundred Ninety Seven 63/100 Dollars

Bank of America

ACH R/T 121000358

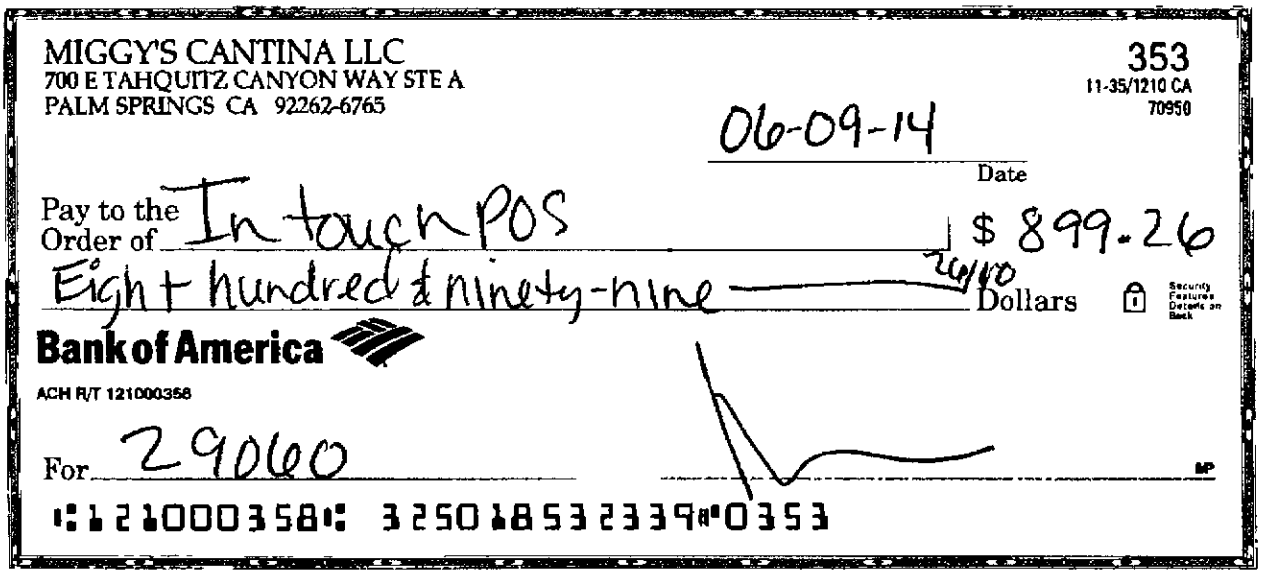
For

⑆121000358⑆ 325018532339⑈0338

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	5982420417	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$899.26	Sequence Number:	6092441075
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	353



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

353
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of In touch POS $ 899.26

Eight hundred & ninety-nine 26/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 29060

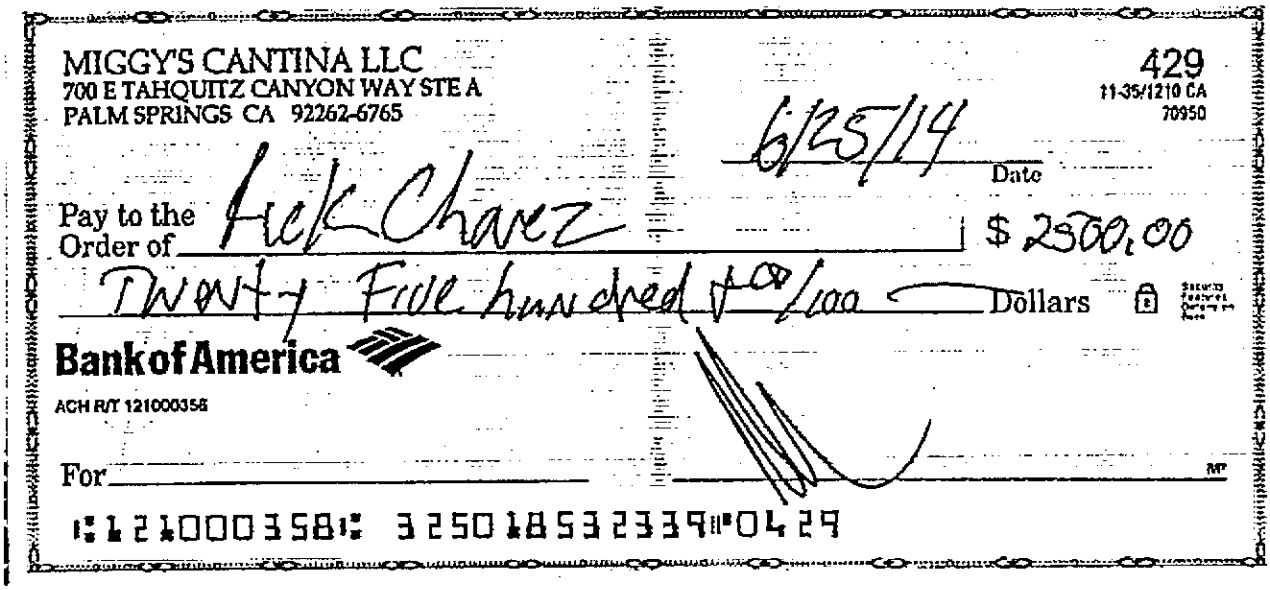
⑆121000358⑆ 325018532339⑈0353

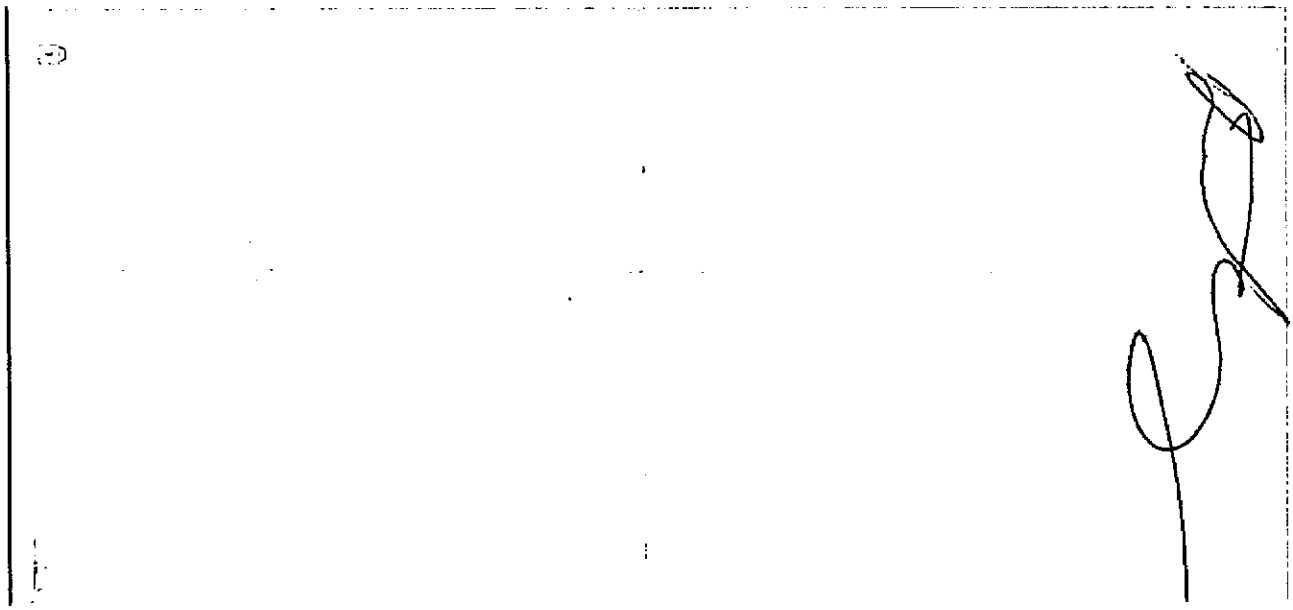
Ray to the Order of
Bay Commercial Bank
121143781
For Deposit Only
Assal Corporation General Account
10011765

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	283534567	61000146	Undetermined	N		FEDERAL RES BANK OF
06/12/2014	006092441075	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	5250218509708	121143781	Rtn Loc/BOFD	Y		BAY COMMERCIAL BANK

Amount:	$2,500.00	Sequence Number:	6282103903
Account:	325018532339	Capture Date:	06/25/2014
Bank Number:	12100035	Check Number:	429

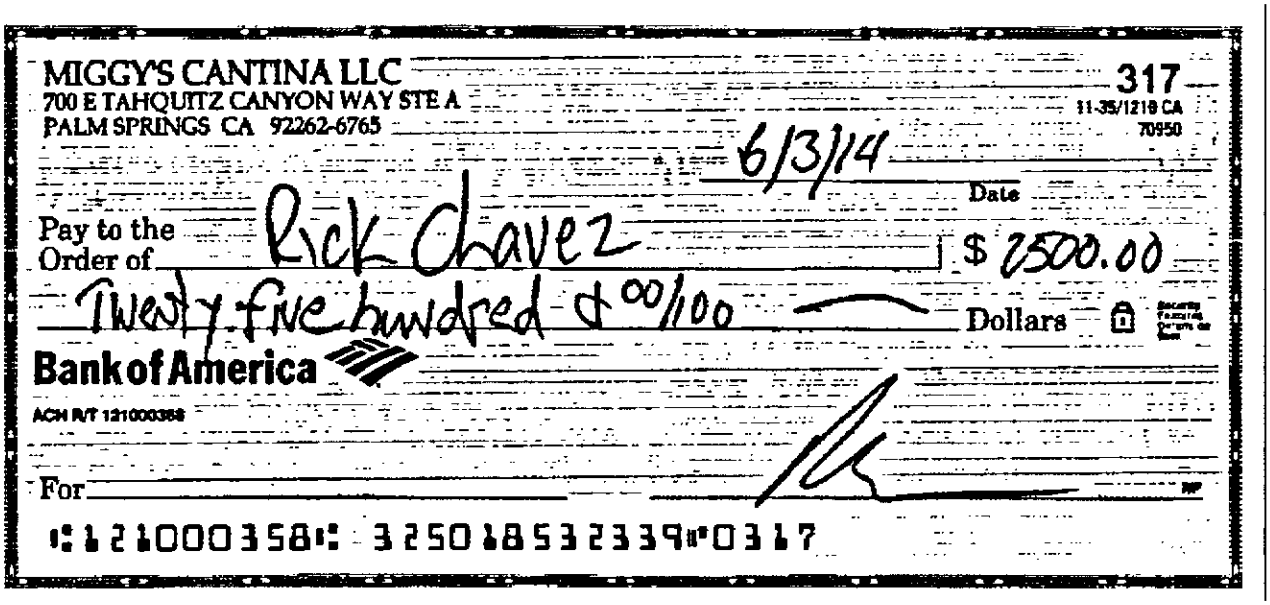




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/25/2014	6282103903	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	6482524760
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	317



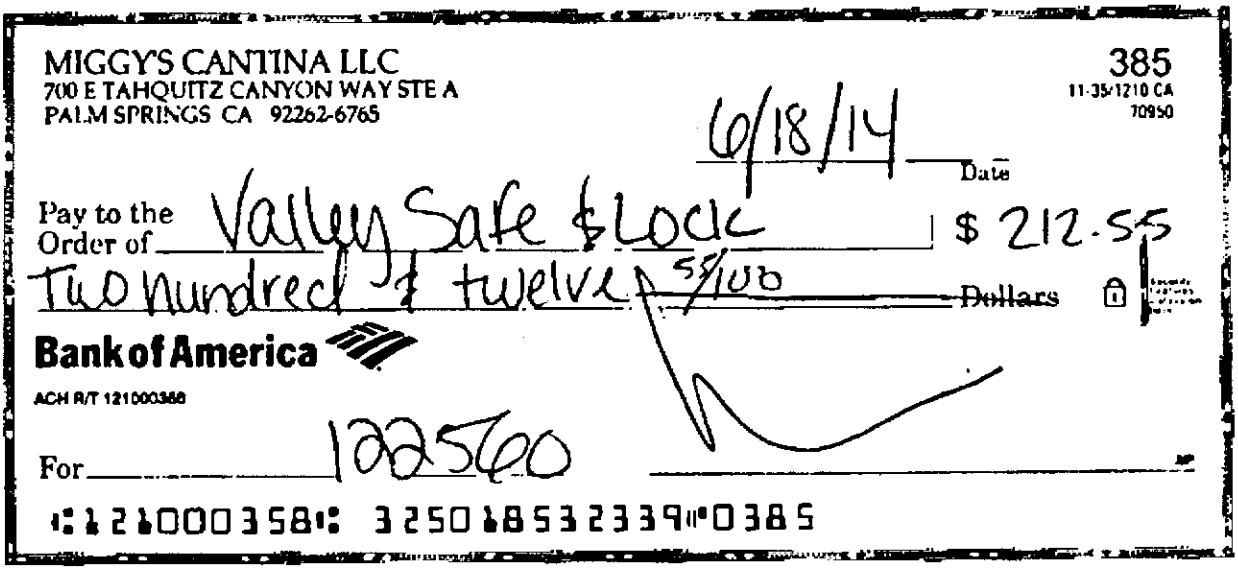
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	6482524760	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $212.55 Sequence Number: 6842123884

Account: 325018532339 Capture Date: 06/20/2014

Bank Number: 12100035 Check Number: 385



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

385
11-35/1210 CA
70950

6/18/14
Date

Pay to the Order of Valley Safe & Lock $ 212.55

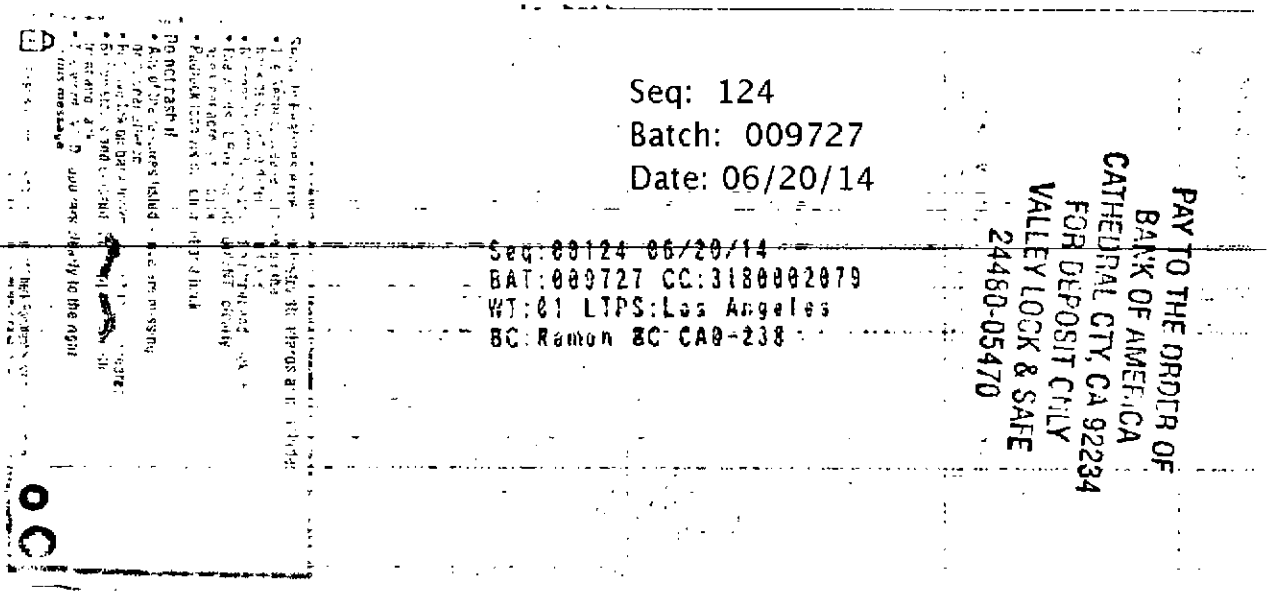
Two Hundred & twelve 55/100 Dollars

Bank of America

ACH R/T 121000358

For 122560

⑆121000358⑆ 325018532339⑈0385



Seq: 124
Batch: 009727
Date: 06/20/14

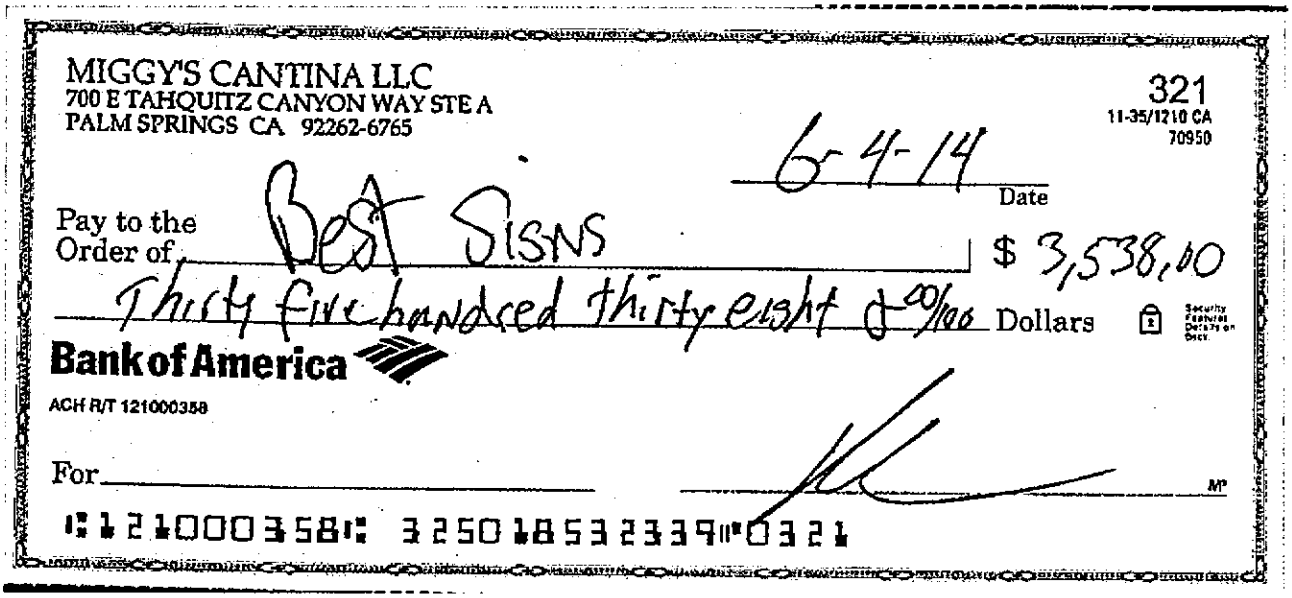
Seq:00124 06/20/14
BAT:009727 CC:3180002079
WT:01 LTPS:Los Angeles
BC:Ramon BC CA0-238

PAY TO THE ORDER OF
BANK OF AMERICA
CATHEDRAL CTY, CA 92234
FOR DEPOSIT ONLY
VALLEY LOCK & SAFE
24460-05470

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	6842123884	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$3,538.00	Sequence Number:	8092100992
Account:	325018532339	Capture Date:	06/05/2014
Bank Number:	12100035	Check Number:	321



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

321
11-35/1210 CA
70950

6-4-14
Date

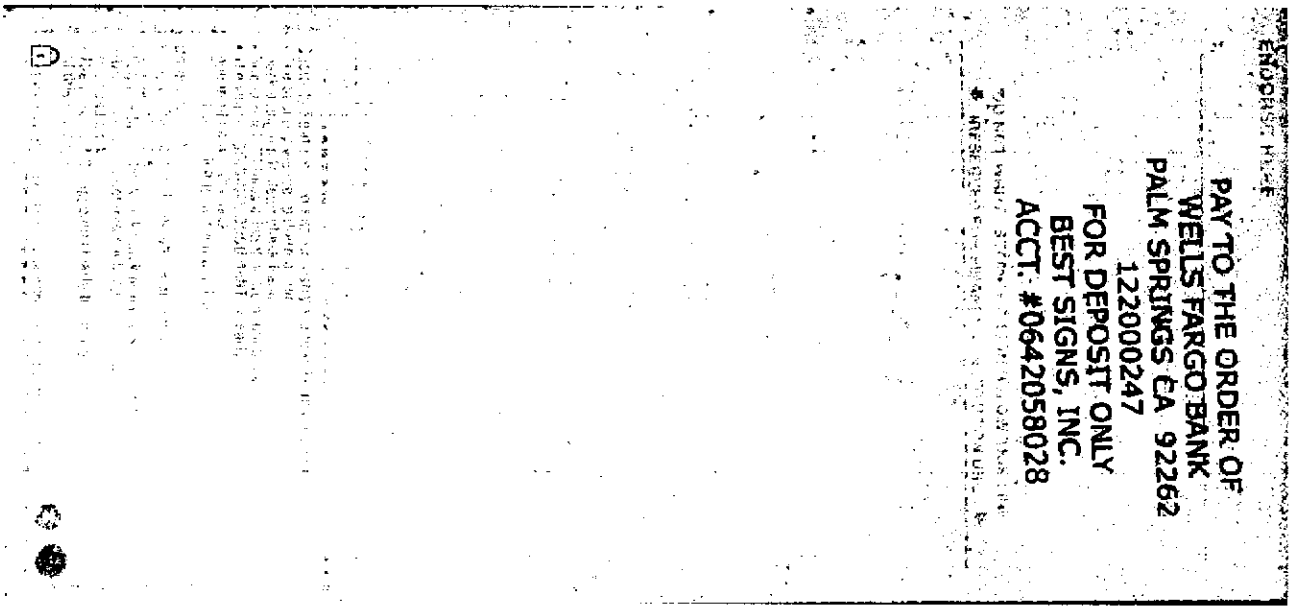
Pay to the Order of Best Signs $ 3,538.00

Thirty five hundred thirty eight & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0321



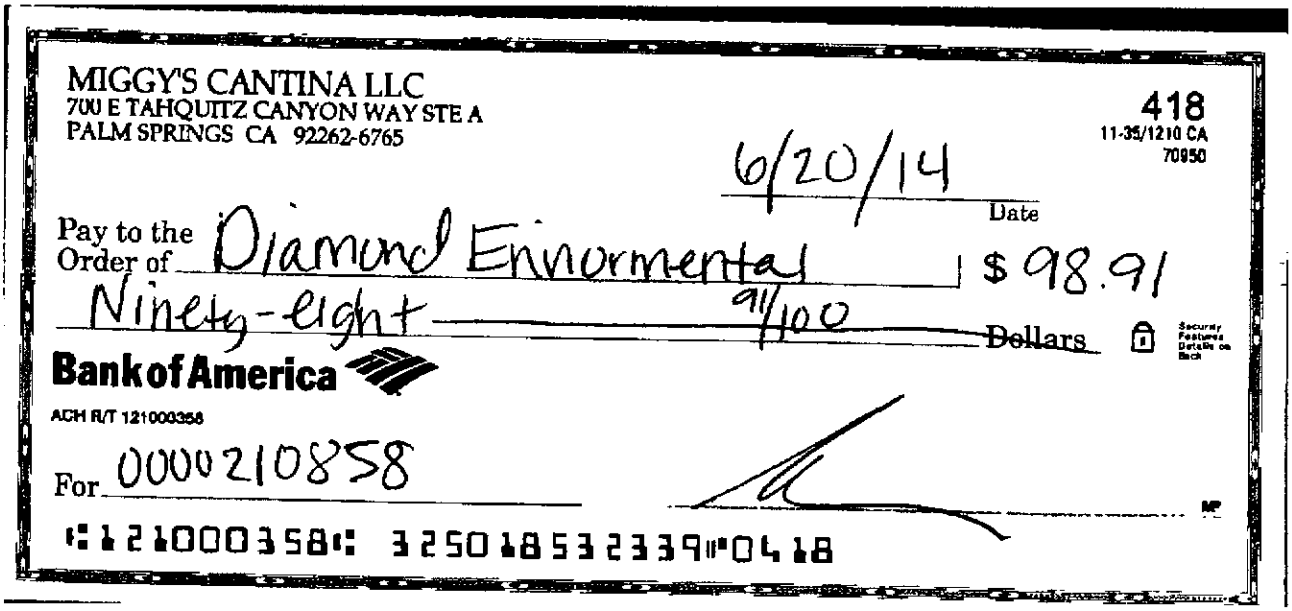
PAY TO THE ORDER OF
WELLS FARGO BANK
PALM SPRINGS CA 92262
122000247
FOR DEPOSIT ONLY
BEST SIGNS, INC.
ACCT: #0642058028

ENDORSE HERE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/05/2014	000000587208841	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/05/2014	008092100992	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$98.91	Sequence Number:	8092491692
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	418



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

418
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Diamond Environmental $ 98.91

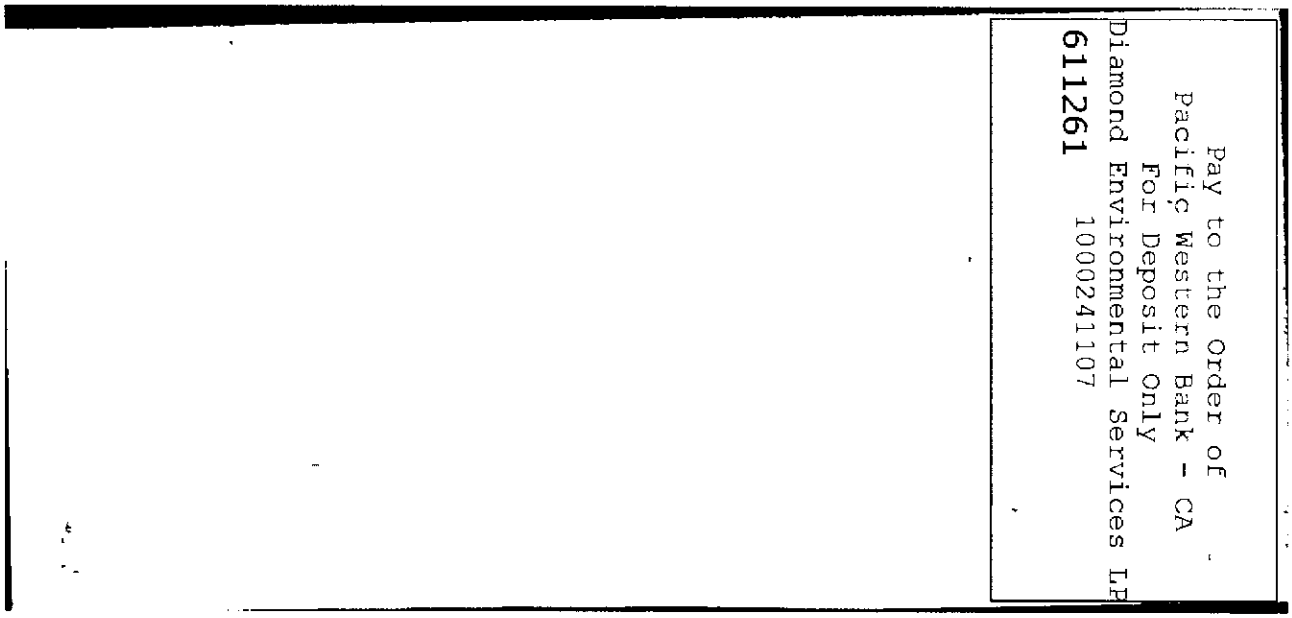
Ninety-eight 91/100 Dollars

Bank of America

ACH R/T 121000358

For 0000210858

⑆121000358⑆ 325018532339⑈0418

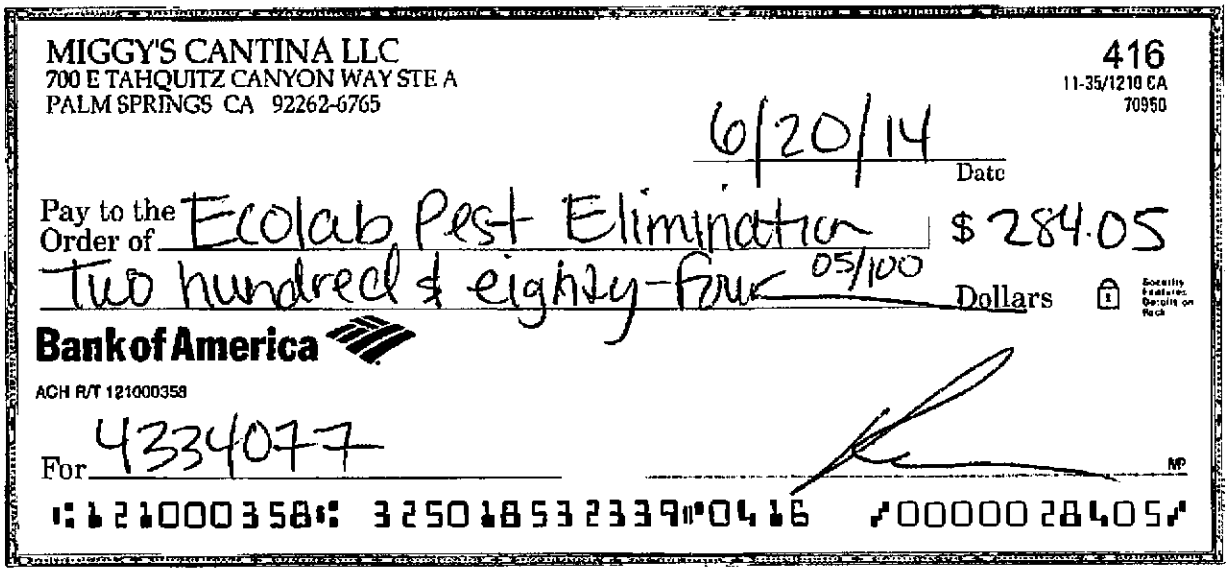


Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	000002450601737	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/24/2014	046923976753379	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/24/2014	000008572070665	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/24/2014	008092491692	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$284.05	Sequence Number:	8092759432
Account:	325018532339	Capture Date:	06/25/2014
Bank Number:	12100035	Check Number:	416



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

416
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Ecolab Pest Elimination $284.05

Two hundred & eighty-four 05/100 Dollars

Bank of America

ACH R/T 121000358

For 4334077

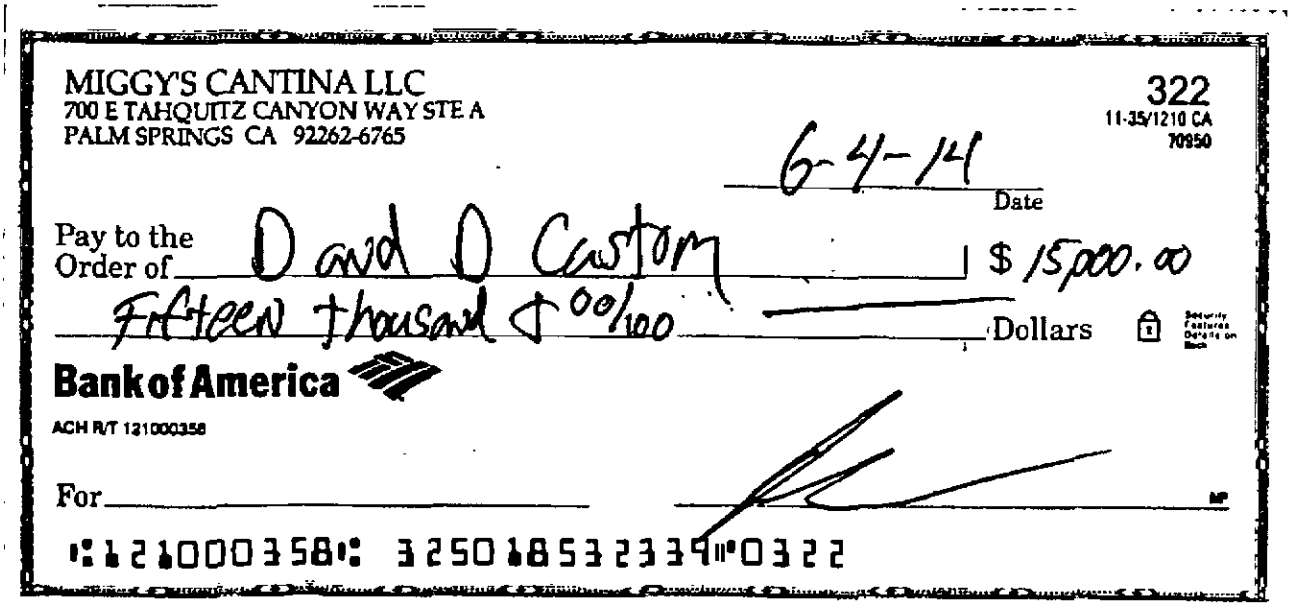
⑆121000358⑆ 325018532339⑈0416 ⑈000002840 5⑈

JPMORGANCHASE BK NA CR TO NMD
062514 >074909962< PAYEE ALL
27742148 0026252 RTS RSVD
00091446 269 0000000464641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/25/2014	8080166839	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/25/2014	008092759432	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$15,000.00	Sequence Number:	8192354805
Account:	325018532339	Capture Date:	06/06/2014
Bank Number:	12100035	Check Number:	322



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

322
11-35/1210 CA
70950

6-4-14
Date

Pay to the Order of David D Custom $ 15000.00

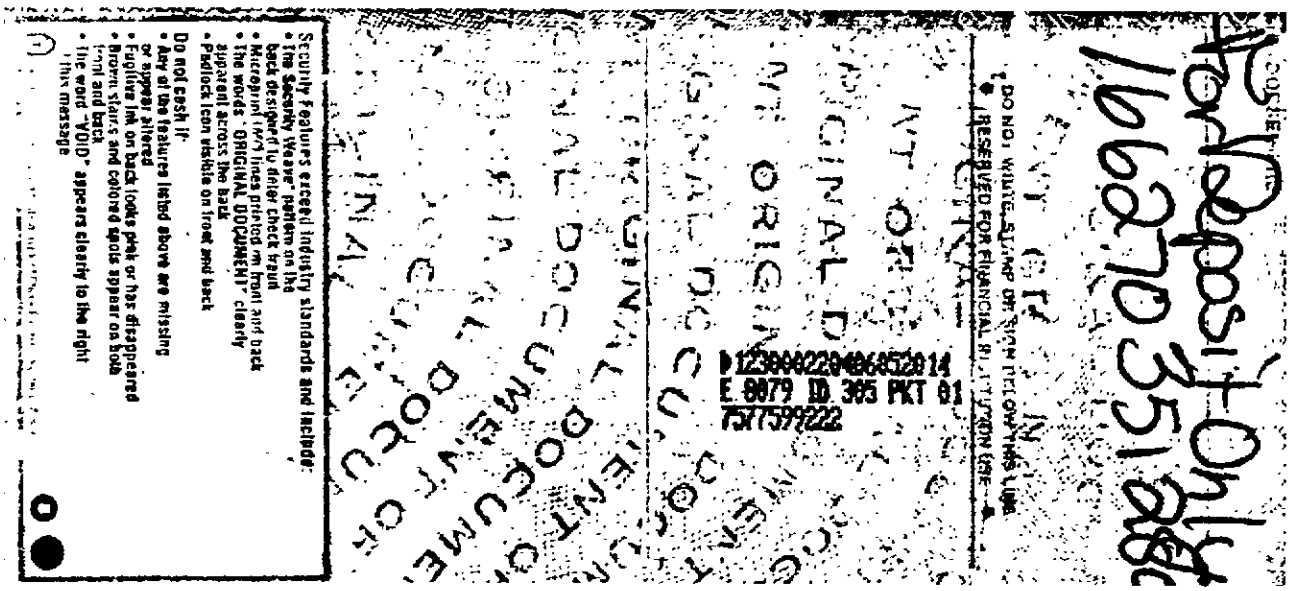
Fifteen Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

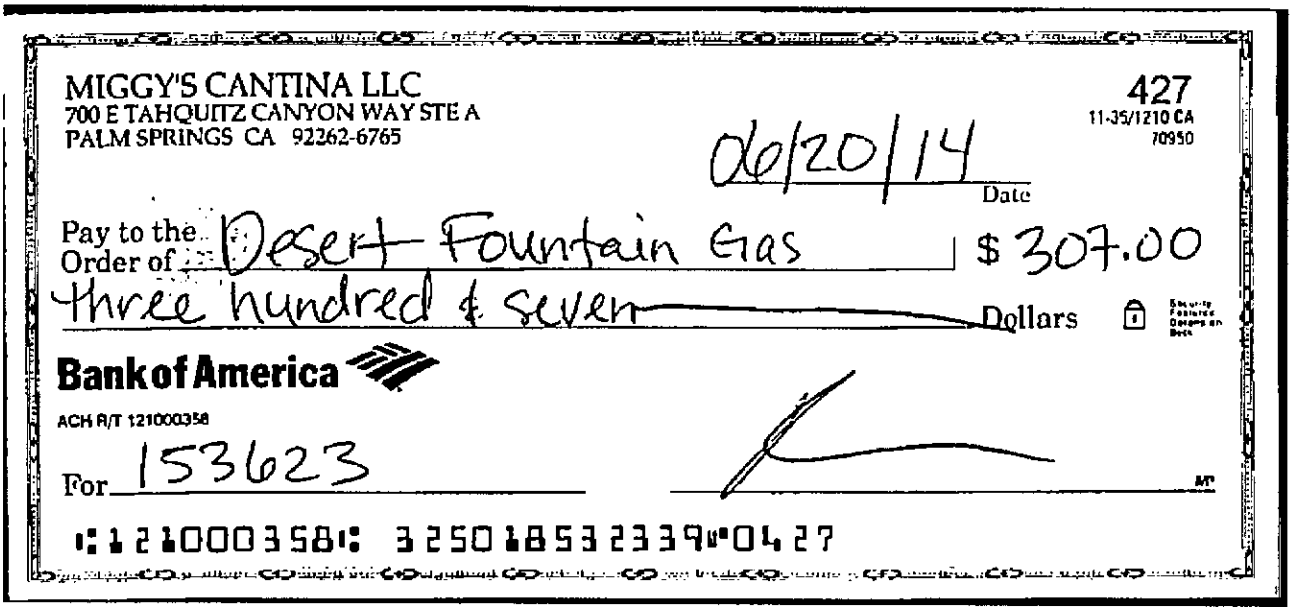
⑆121000358⑆ 325018532339⑈0322



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/05/2014	7577599222	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/05/2014	004194275554	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/05/2014	004194275554	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/06/2014	008192354805	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$307.00	Sequence Number:	8192715046
Account:	325018532339	Capture Date:	06/25/2014
Bank Number:	12100035	Check Number:	427



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

427
11-35/1210 CA
70950

06/20/14
Date

Pay to the Order of Desert Fountain Gas $307.00

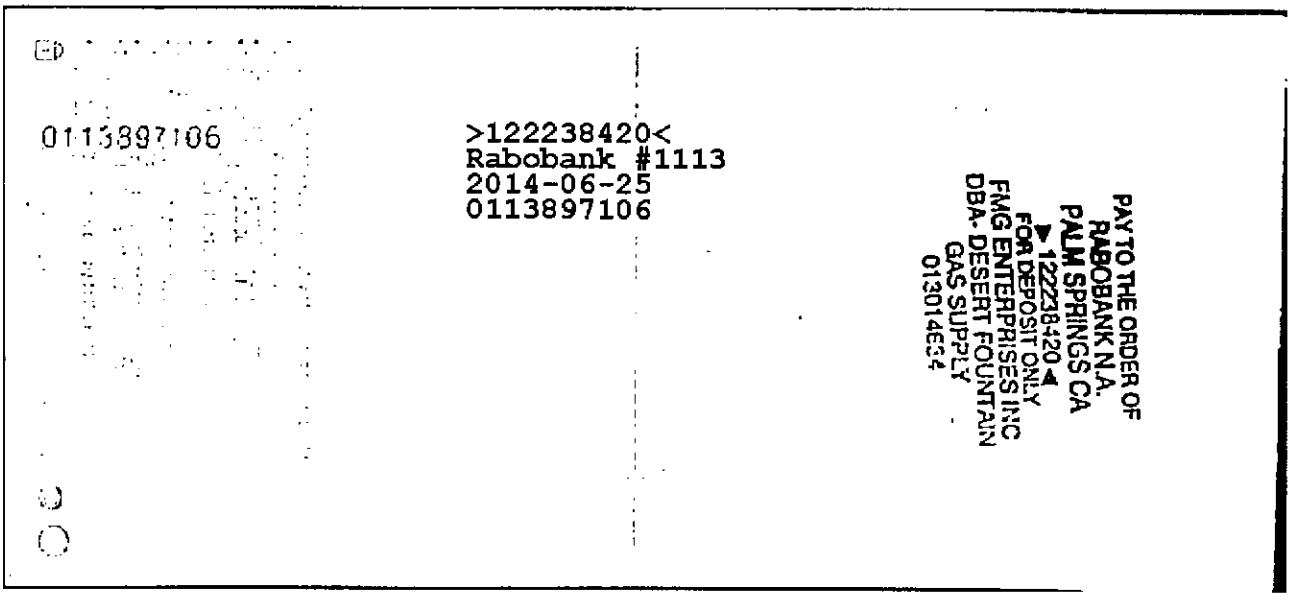
three hundred & seven Dollars

Bank of America

ACH R/T 121000358

For 153623

⑆121000358⑆ 325018532339⑈0427



0113897106

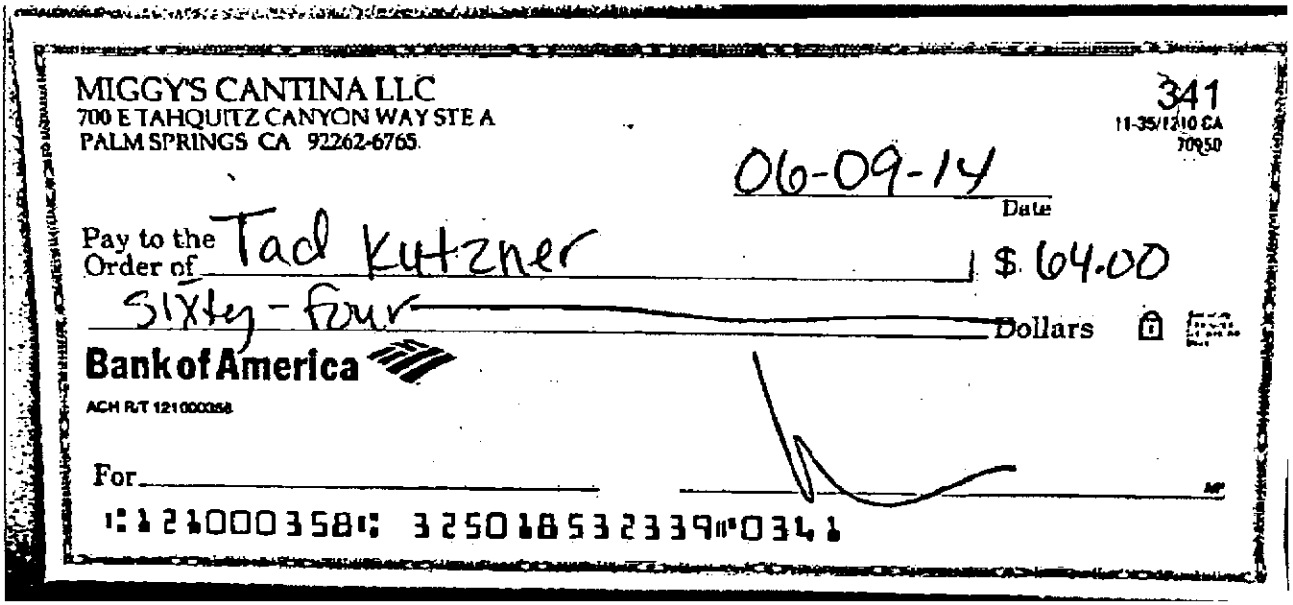
>122238420<
Rabobank #1113
2014-06-25
0113897106

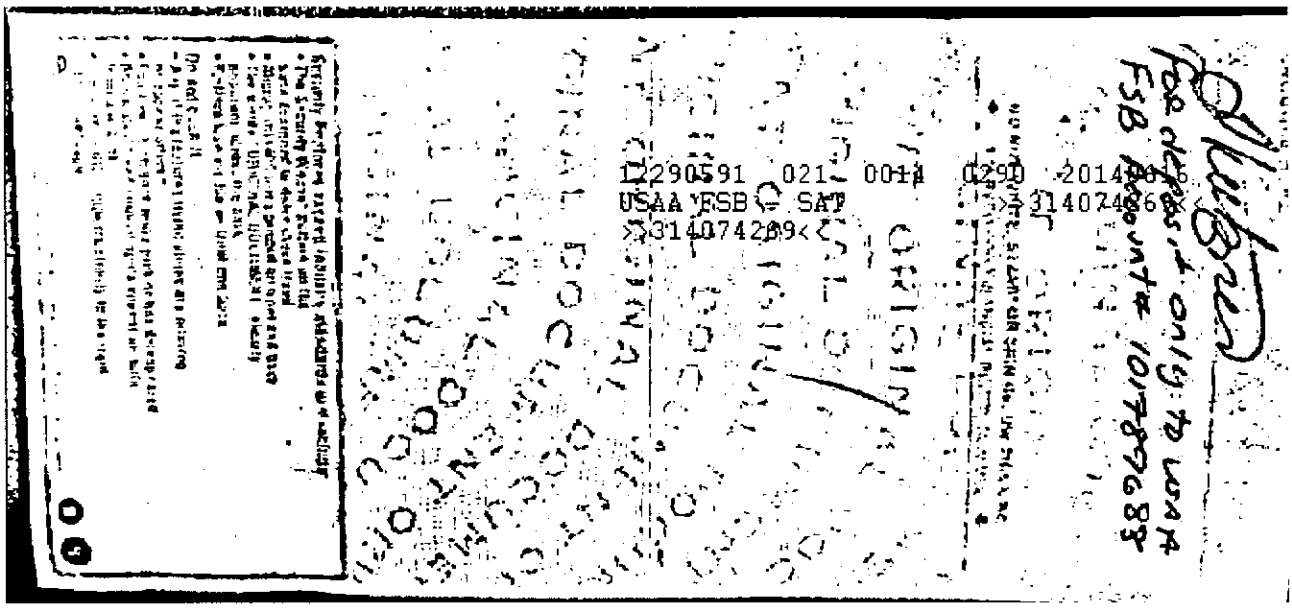
PAY TO THE ORDER OF
RABOBANK N.A.
PALM SPRINGS CA
▼122238420▲
FOR DEPOSIT ONLY
FMG ENTERPRISES INC
DBA- DESERT FOUNTAIN
GAS SUPPLY
013014E34

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/25/2014	000000113897106	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
06/25/2014	000008646266469	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/25/2014	008192715046	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$64.00	Sequence Number:	8292347618
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	341

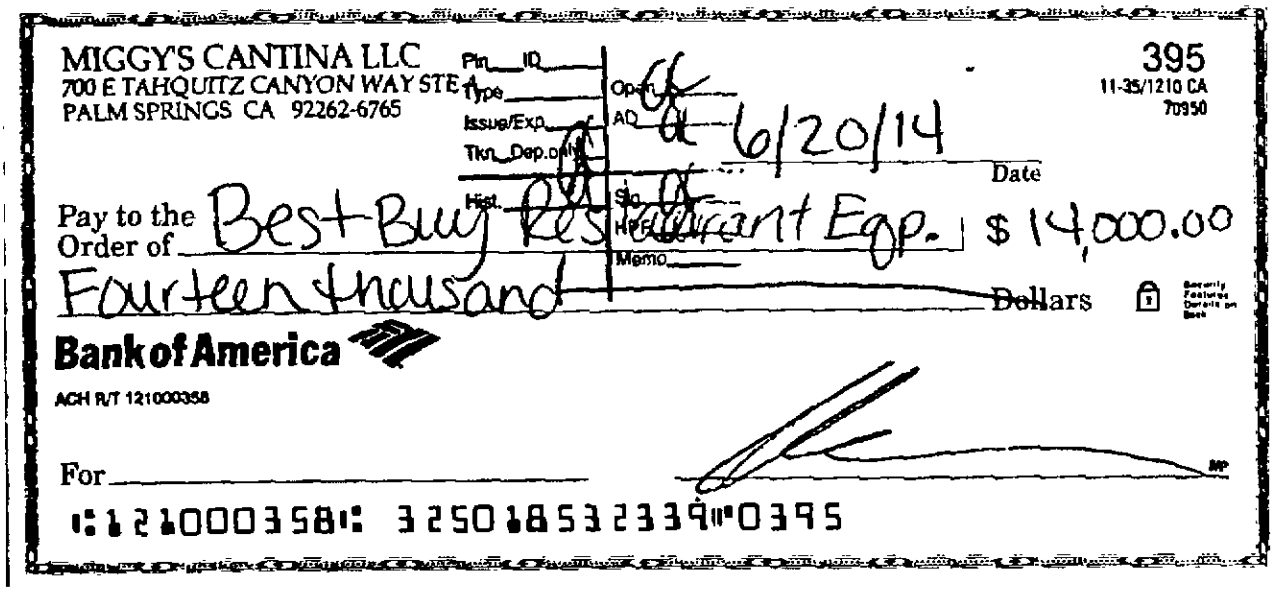


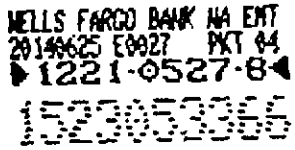


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	9980756706	111900057	Undetermined	N		JPMORGAN CHASE BANK,
06/16/2014	008292347618	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/16/2014	012290591	314074269	Rtn Loc/BOFD	Y		USAA FEDERAL SAVINGS

Amount:	$14,000.00	Sequence Number:	8292494177
Account:	325018532339	Capture Date:	06/25/2014
Bank Number:	12100035	Check Number:	395

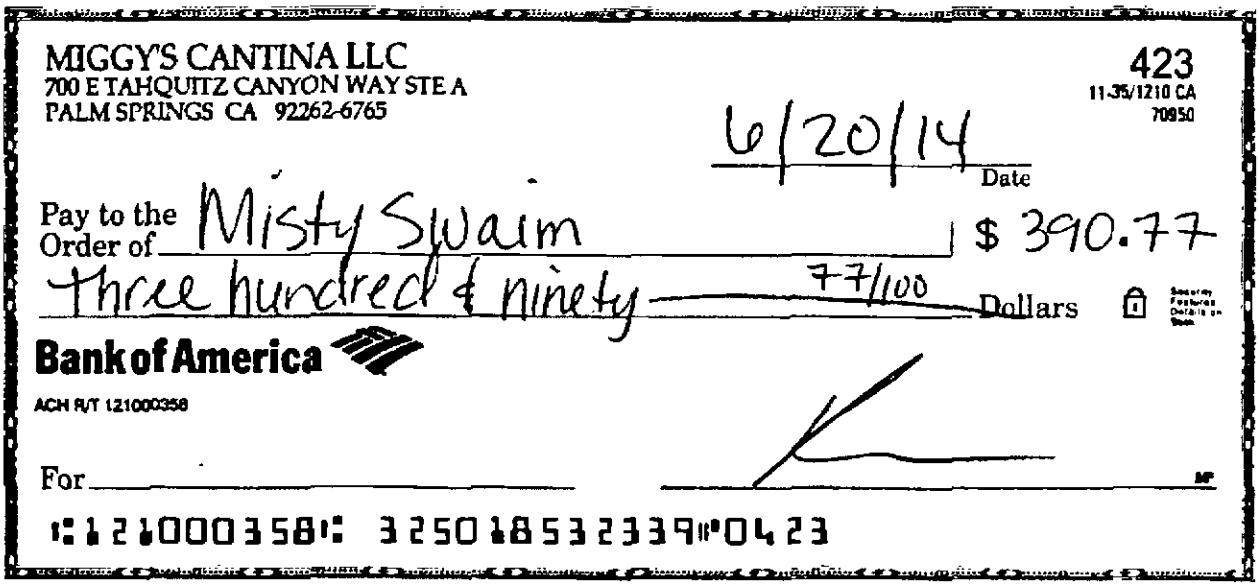




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/25/2014	008292494177	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/25/2014	000001523053366	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$390.77	Sequence Number:	8292575970
Account:	325018532339	Capture Date:	06/25/2014
Bank Number:	12100035	Check Number:	423



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

423
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Misty Swaim $ 390.77

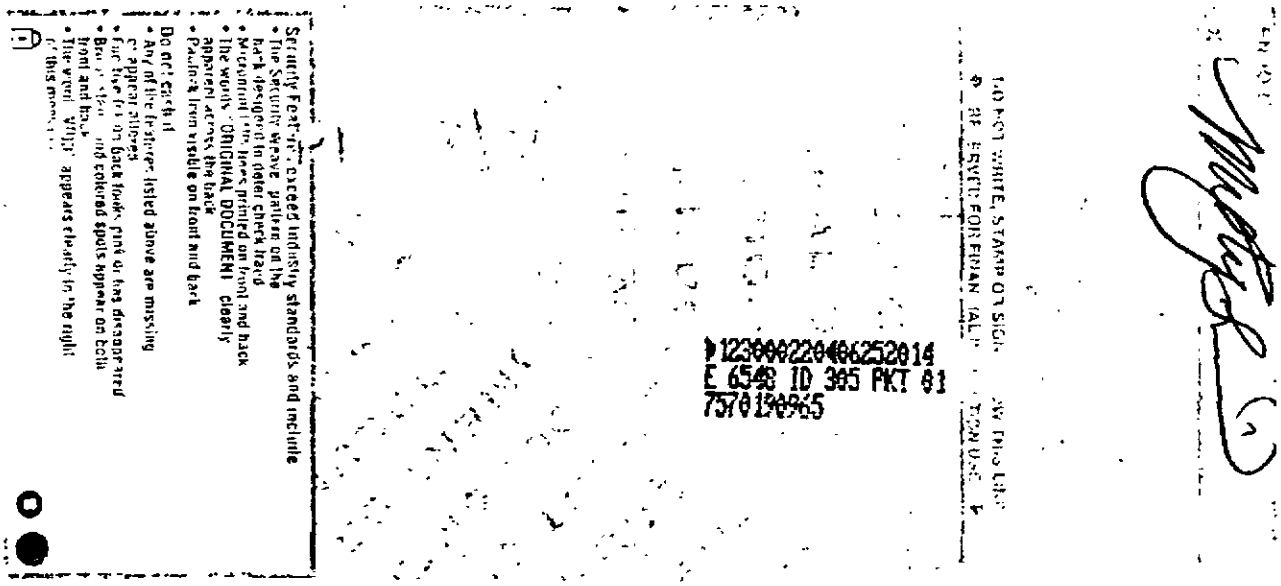
Three hundred & ninety 77/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0423



Security Features: ... exceed industry standards and include
• The Security Weave pattern on the back designed to deter check fraud
• Microprinting lines printed on front and back
• The words ORIGINAL DOCUMENT clearly appear across the back
• Padlock icon visible on front and back
Do not cash if
• Any of the features listed above are missing
• ... appear altered
• ... front or back [illegible] and colored spots appear on both front and back
• The word "Void" appears clearly in the right

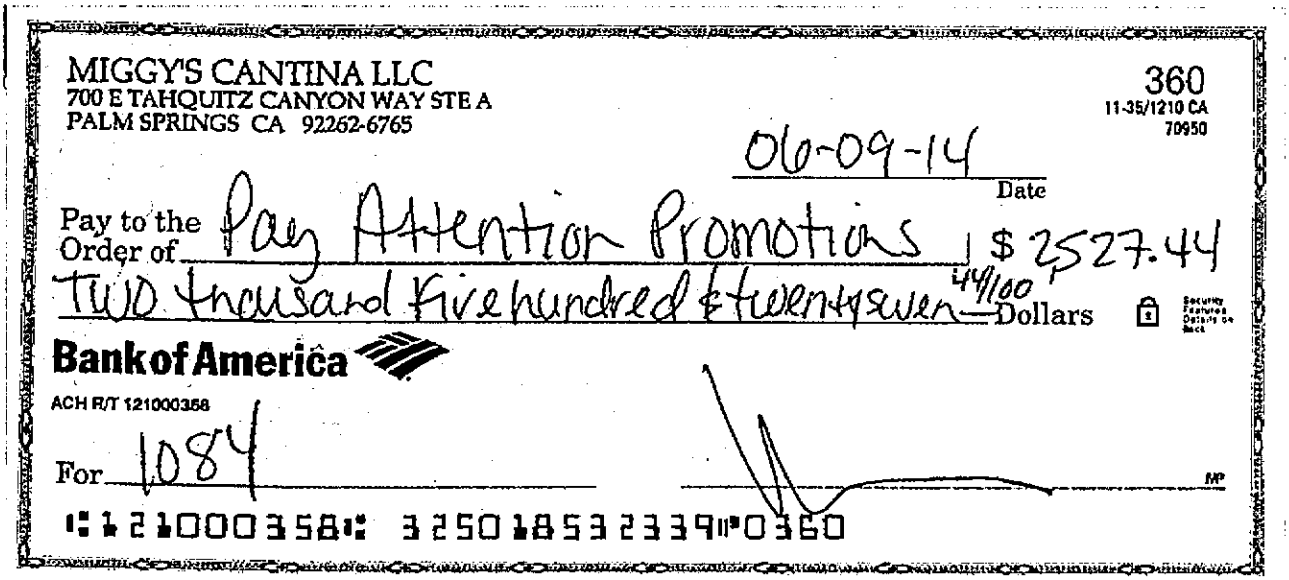
DO NOT WRITE, STAMP OR SIGN ... BE BRIGHT FOR FRANK [illegible]

⑆123000220⑆486252014
E 6548 ID 395 PKT 81
7570190965

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/25/2014	7570190965	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/25/2014	004193864858	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/25/2014	004193864858	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/25/2014	008292575970	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,527.44	Sequence Number:	8292607355
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	360



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

360
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Pay Attention Promotions $ 2527.44

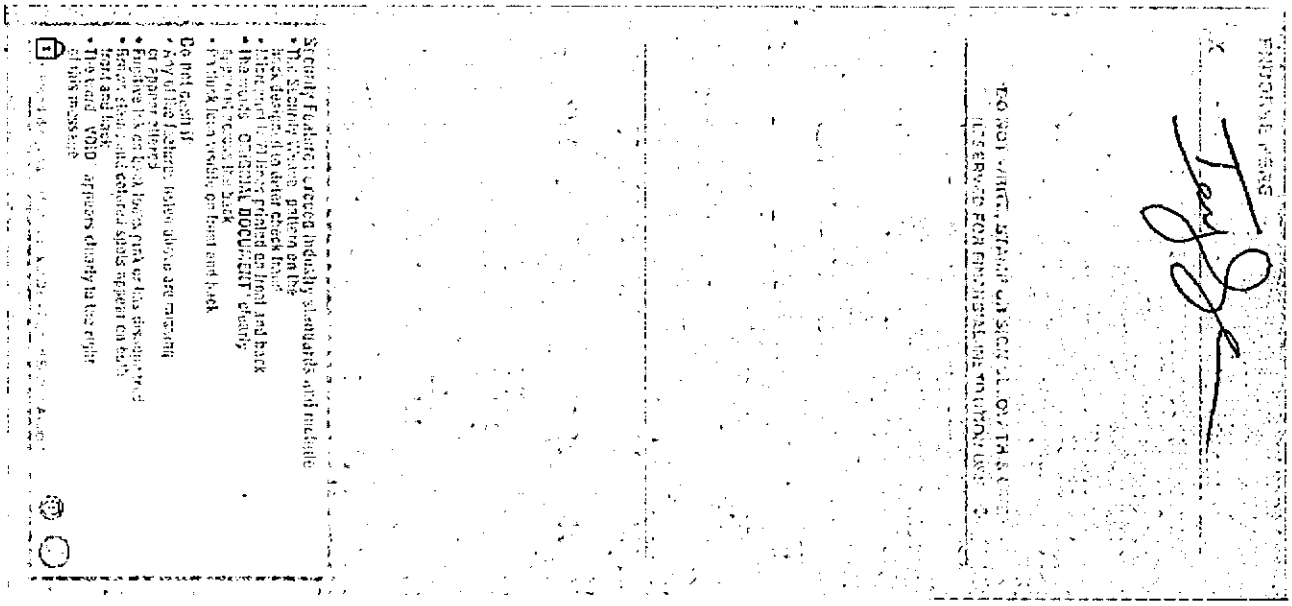
Two thousand five hundred & twenty-seven 44/100 Dollars

Bank of America

ACH R/T 121000358

For 1084

⑆121000358⑆ 325018532339⑈0360



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	5090900595	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/16/2014	008292607355	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$254.93	Sequence Number:	8392864988
Account:	325018532339	Capture Date:	06/26/2014
Bank Number:	12100035	Check Number:	415

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

415
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of European Desserts $ 254.93

Two hundred & fifty-four 93/100 Dollars

Bank of America

ACH R/T 121000358

For 11-5140

⑆121000358⑆ 325018532339⑈0415

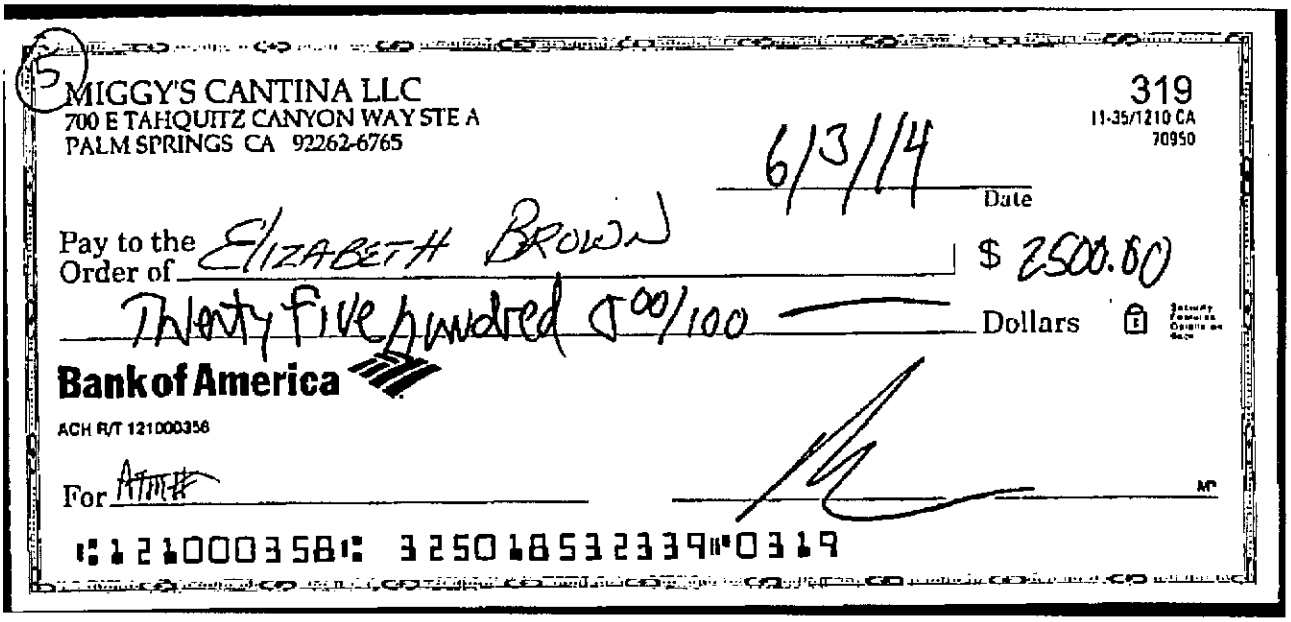
IPMorganChaseBank 062602 749123 04860001300

PAY TO THE ORDER OF
JPMORGAN CHASE BANK, NA
FOR DEPOSIT ONLY
EUROPEAN DESSERTS AND MORE
062602300

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/26/2014	008392864988	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/26/2014	9290447763	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$2,500.00	Sequence Number:	8492675751
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	319



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

319
11-35/1210 CA
70950

6/13/14
Date

Pay to the Order of ELIZABETH BROWN $ 2500.00

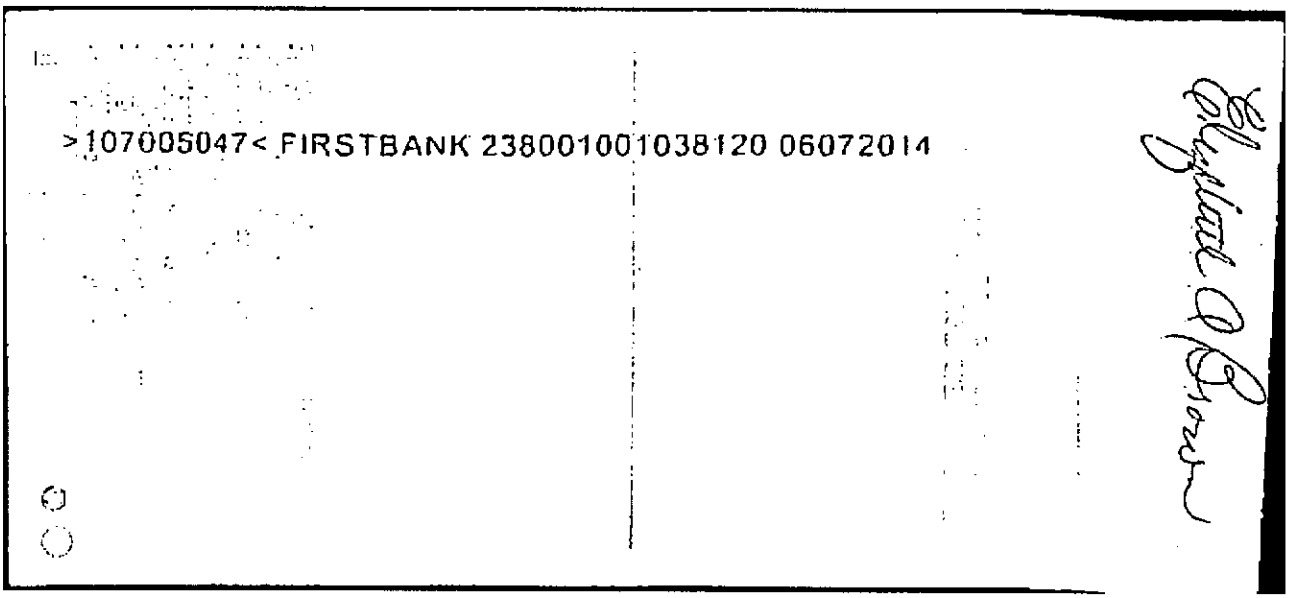
Twenty five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For ATM #

⑆121000358⑆ 325018532339⑈0319

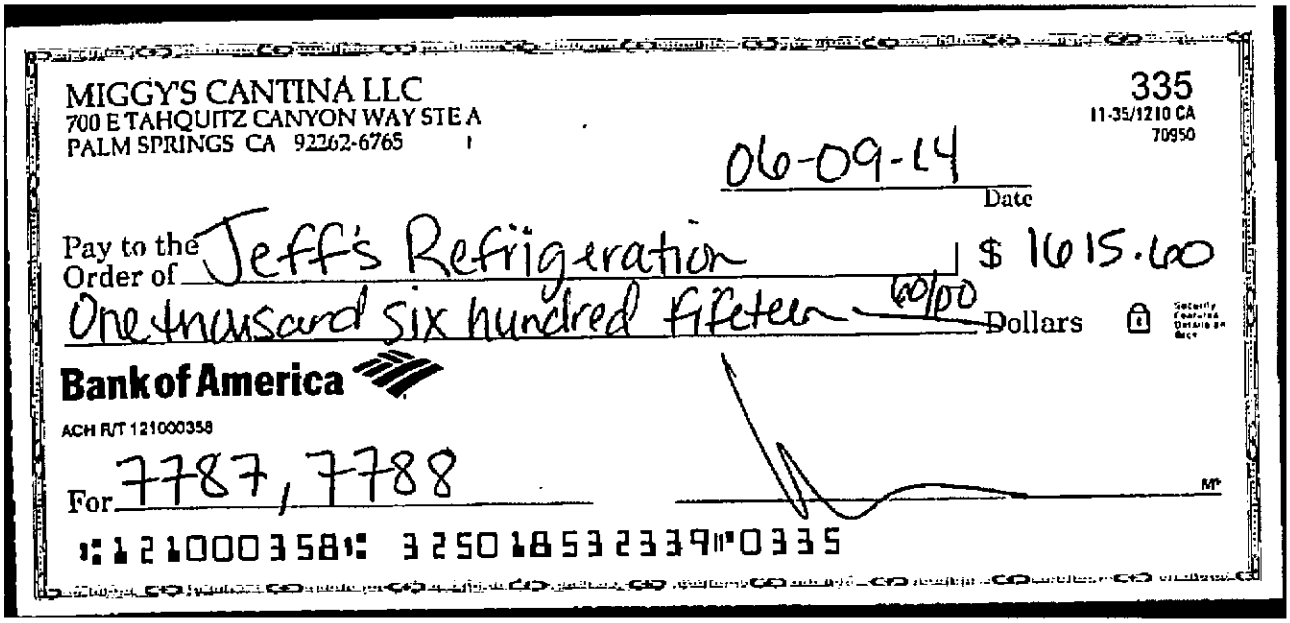


>107005047< FIRSTBANK 2380010010381 20 06072014

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	000000096614480	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
06/09/2014	009094409442	91408501	Undetermined	N		U.S. BANK NATIONAL A
06/09/2014	009094409442	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/09/2014	008492675751	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,615.60	Sequence Number:	8492882621
Account:	325018532339	Capture Date:	06/17/2014
Bank Number:	12100035	Check Number:	335



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

335
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Jeff's Refrigeration $ 1615.60

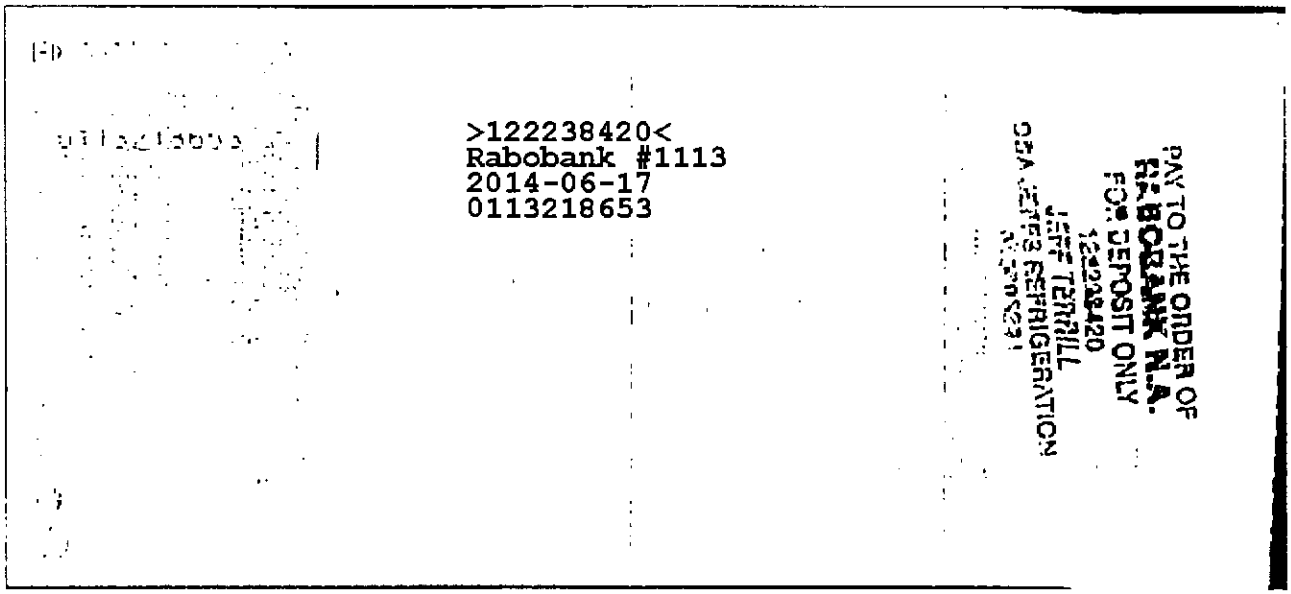
One thousand six hundred fifteen 60/100 Dollars

Bank of America

ACH R/T 121000358

For 7787, 7788

⑆121000358⑆ 325018532339⑈0335



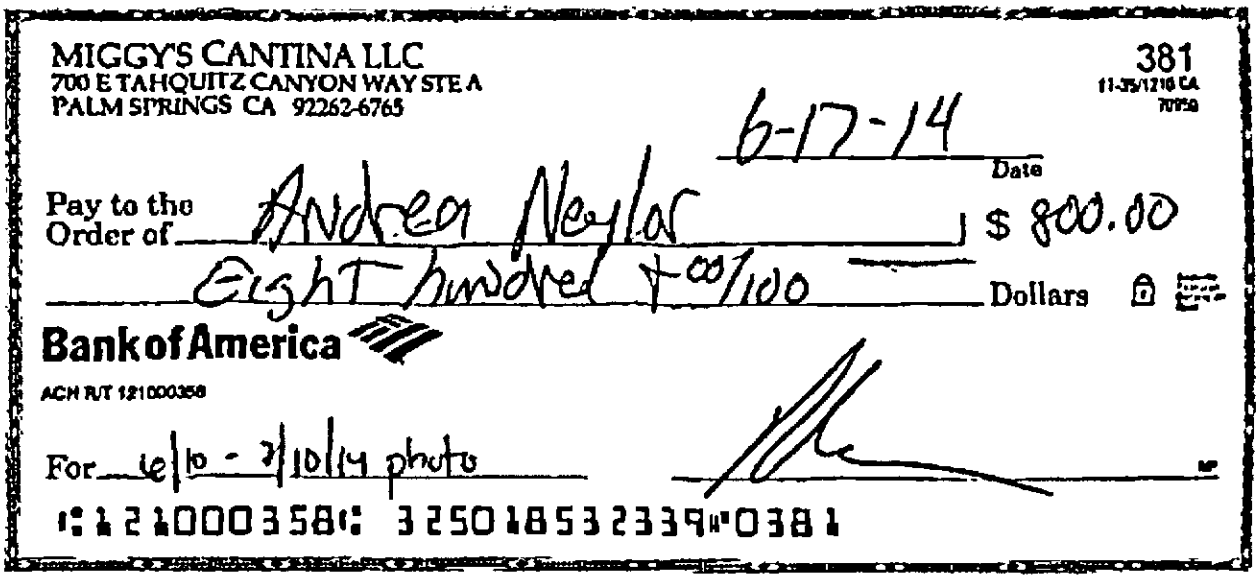
>122238420<
Rabobank #1113
2014-06-17
0113218653

PAY TO THE ORDER OF
RABOBANK N.A.
FOR DEPOSIT ONLY
122238420
JEFF TERRILL
JEFF'S REFRIGERATION

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/17/2014	000008534993509	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/17/2014	000000113218653	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
06/17/2014	008492882621	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$800.00	Sequence Number:	8492929657
Account:	325018532339	Capture Date:	06/17/2014
Bank Number:	12100035	Check Number:	381



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

381
11-35/1210 CA
70950

6-17-14
Date

Pay to the Order of Andrea Naylor $ 800.00

Eight hundred +00/100 Dollars

Bank of America

ACH R/T 121000358

For 12/10 - 7/10/14 photo

⑆121000358⑆ 325018532339⑈0381

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/17/2014	008492929657	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/17/2014	569900033827789	91000022	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/17/2014	009493616093	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/17/2014	009493616093	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$416.50	Sequence Number:	8682473366
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	377

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

POA 53307

377
11-35/1210 CA
70950

06-14-14
Date

Pay to the Order of Southern Wine $ 416.50

Four hundred & sixteen 50/100 Dollars

Bank of America

ACH R/T 121000358

For 5206425

⑈121000358⑈ 325018532339⑈0377 ⑈000041650⑈

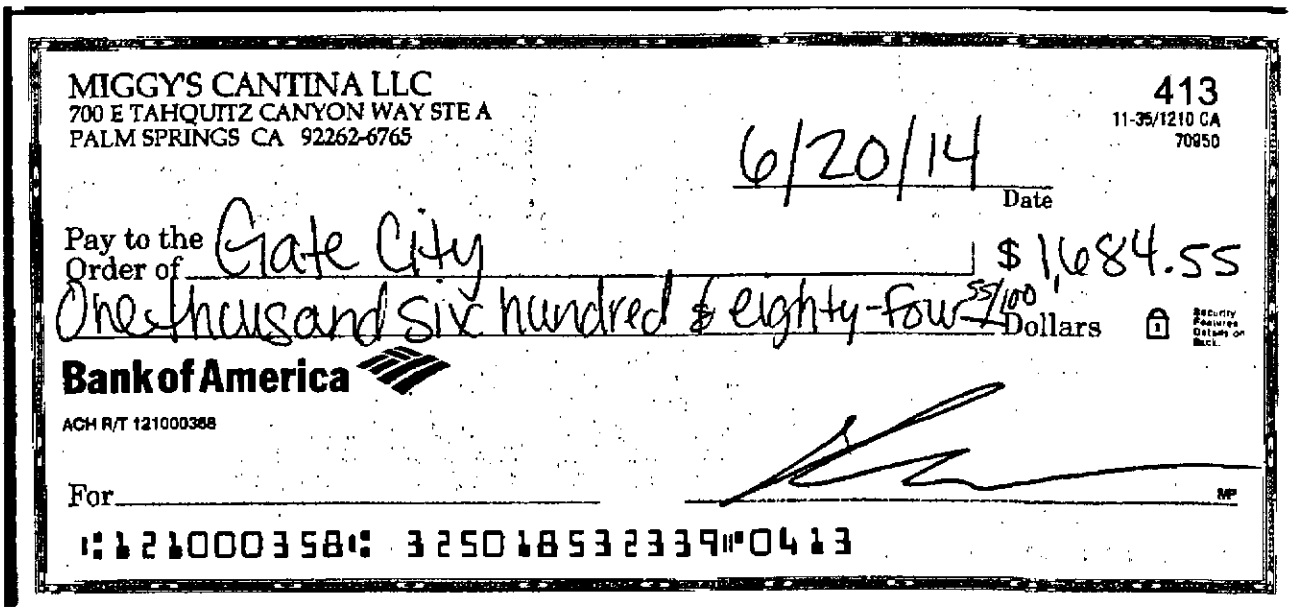
Seq: 1
Dep: 149618
Date: 06/18/14

For Deposit only to
Southern Wine and Spirits of Americ
SOUTHERN WINE & SPIRITS
Southern Wine and Spirits of So Cali
Deposited by: null

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/18/2014	8682473366	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,684.55	Sequence Number:	8682729534
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	413



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

413
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Gate City $ 1,684.55

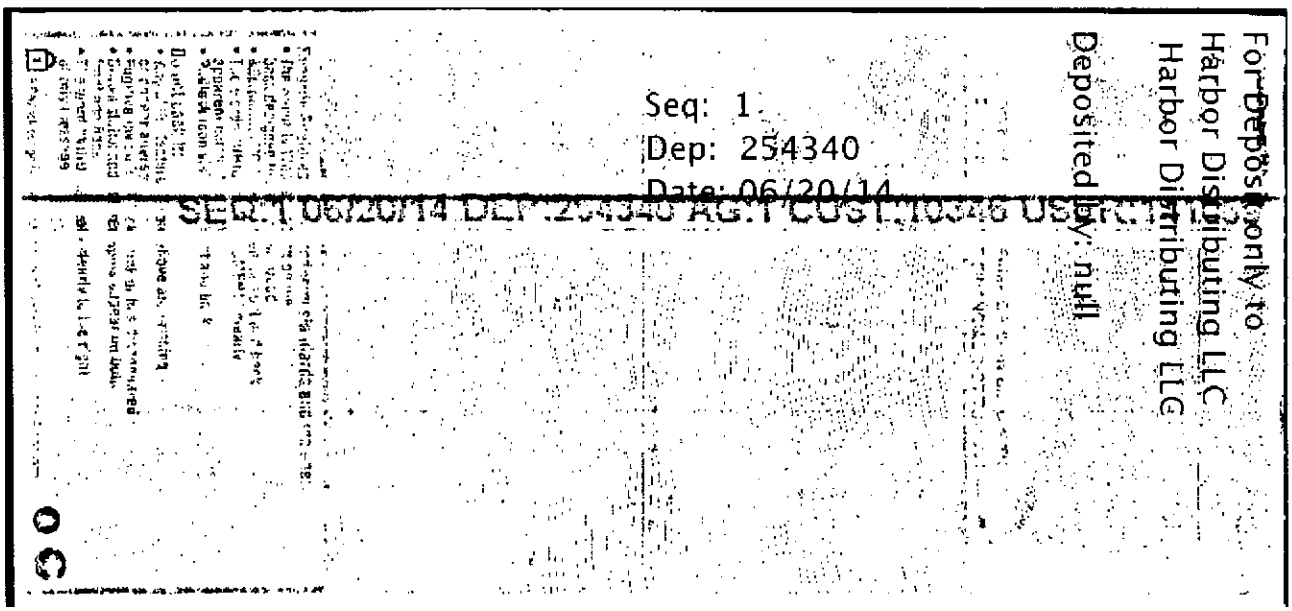
One thousand six hundred & eighty-four 55/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0413



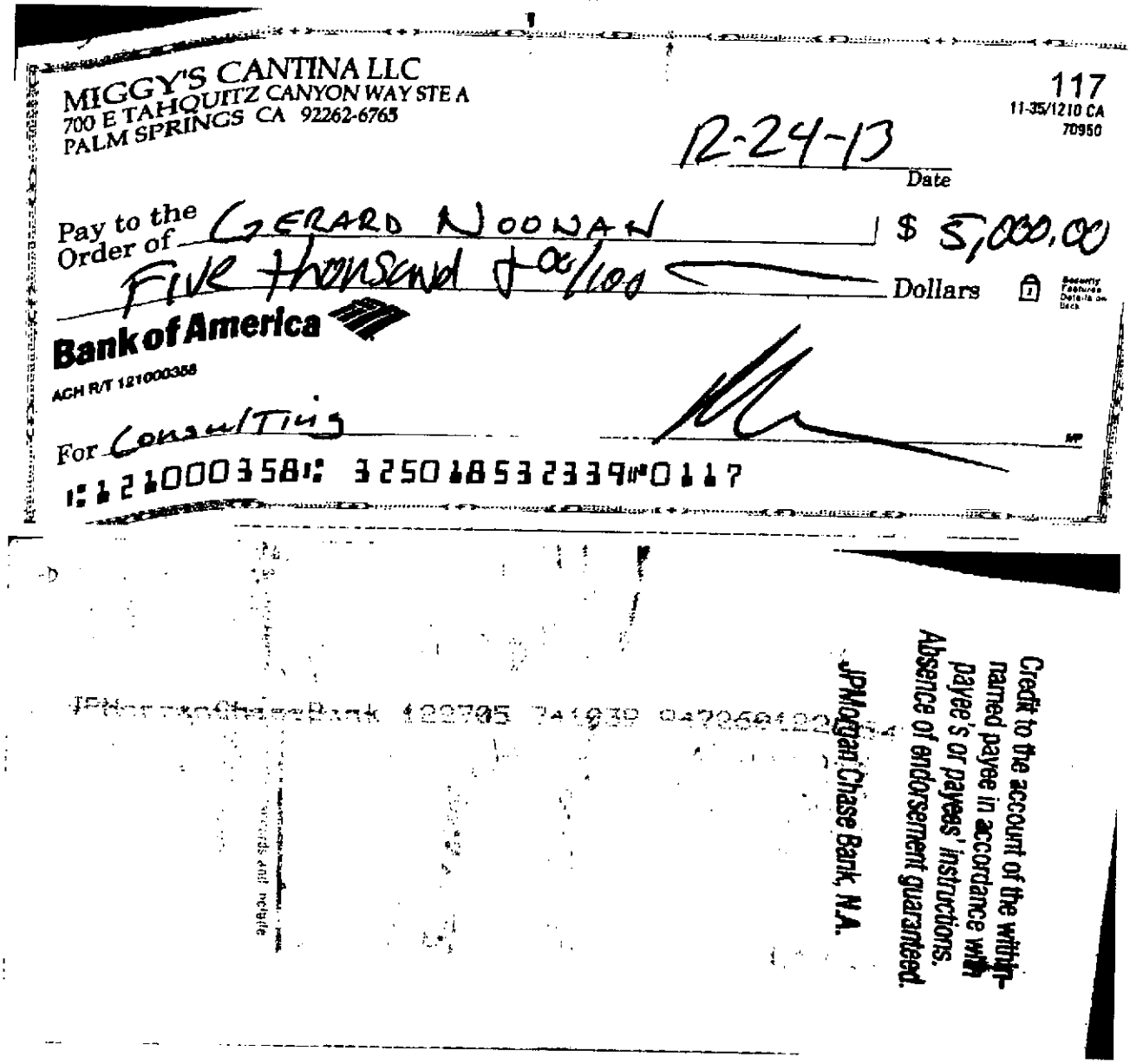
Seq: 1
Dep: 254340
Date: 06/20/14

For Deposit only to
Harbor Distributing LLC
Harbor Distributing LLC
Deposited by: null

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	8682729534	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,000.00	Sequence Number:	8292909922
Account:	325018532339	Capture Date:	12/27/2013
Bank Number:	12100035	Check Number:	117



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

117
11-35/1210 CA
70950

12-24-13
Date

Pay to the Order of GERARD NOONAN $ 5,000.00

Five Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For Consulting

⑈121000358⑈ 325018532339⑈0117

Credit to the account of the within-named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

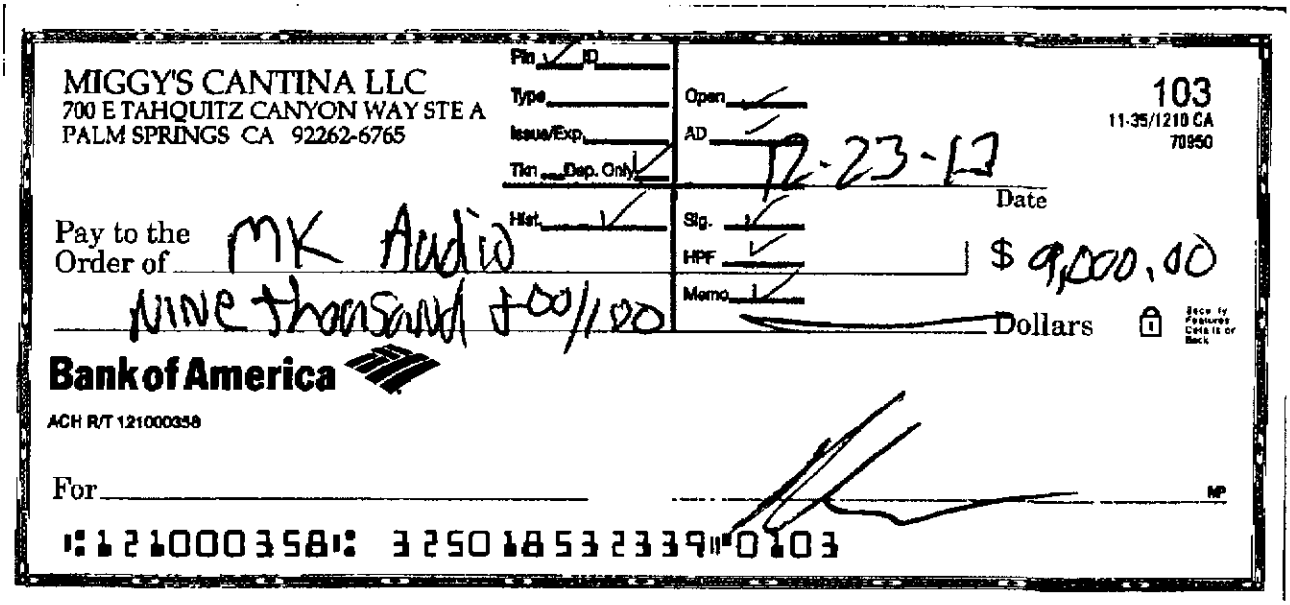
Electronic Endorsements:

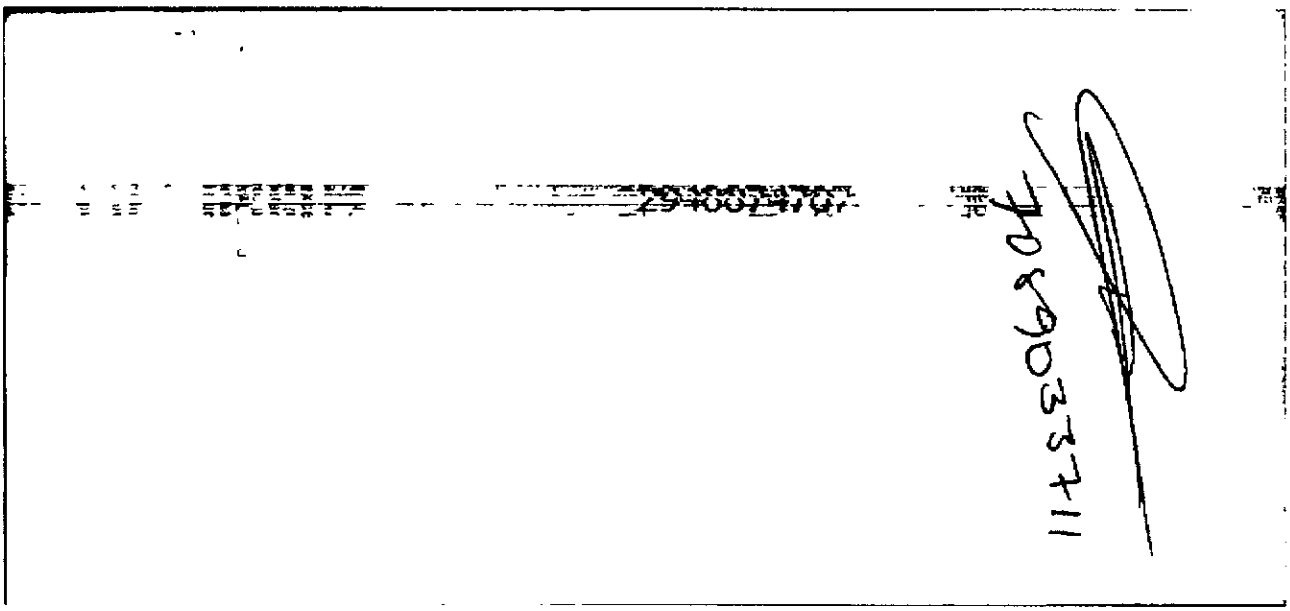
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/27/2013	008292909922	121103886	Pay Bank	N		BANK OF AMERICA, NA
12/27/2013	4590475543	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $9,000.00 Sequence Number: 9492065595

Account: 325018532339 Capture Date: 12/23/2013

Bank Number: 12100035 Check Number: 103





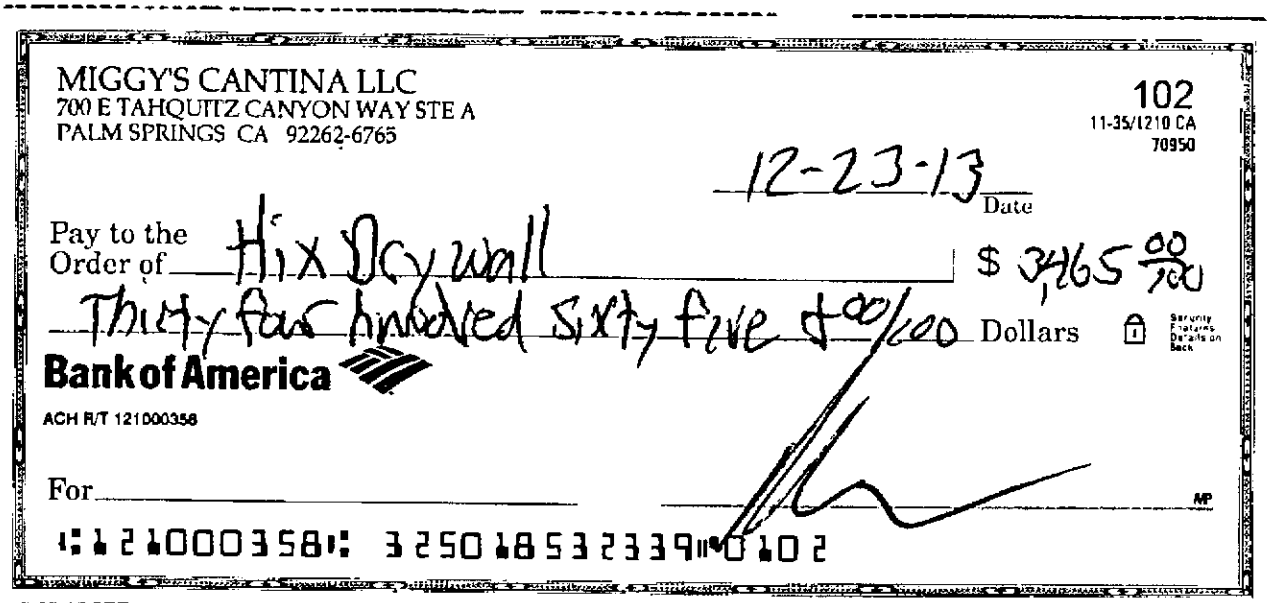
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/23/2013	000002948874707	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
12/23/2013	009492065595	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $3,465.00 Sequence Number: 9592571796

Account: 325018532339 Capture Date: 12/23/2013

Bank Number: 12100035 Check Number: 102



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

102
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Hix Dcy wall

$ 3,465 00/100

Thirty four hundred Sixty five & 00/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0102

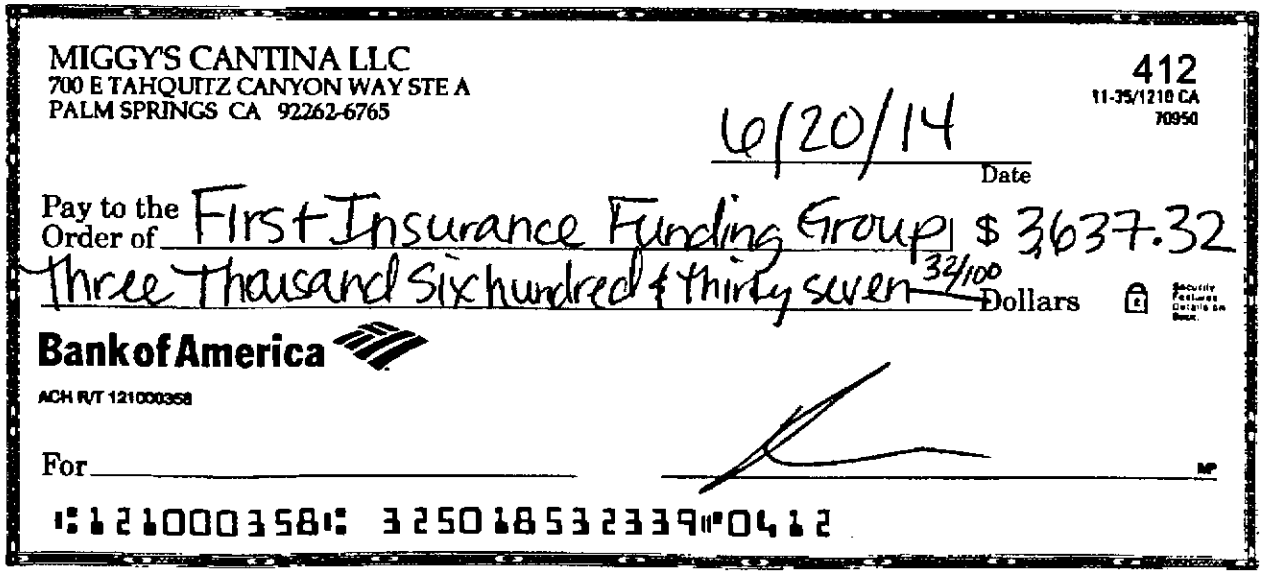
>322285781<
Pacific Premier BK #015
2013-12-23
0015802591

0015802591

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/23/2013	009592571796	121103886	Pay Bank	N		BANK OF AMERICA, NA
12/23/2013	000008338396041	91000019	Undetermined	N		WELLS FARGO BANK, NA
12/23/2013	907355015802591	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$3,637.32	Sequence Number:	992585086
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	412



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

412
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of First Insurance Funding Group $ 3637.32

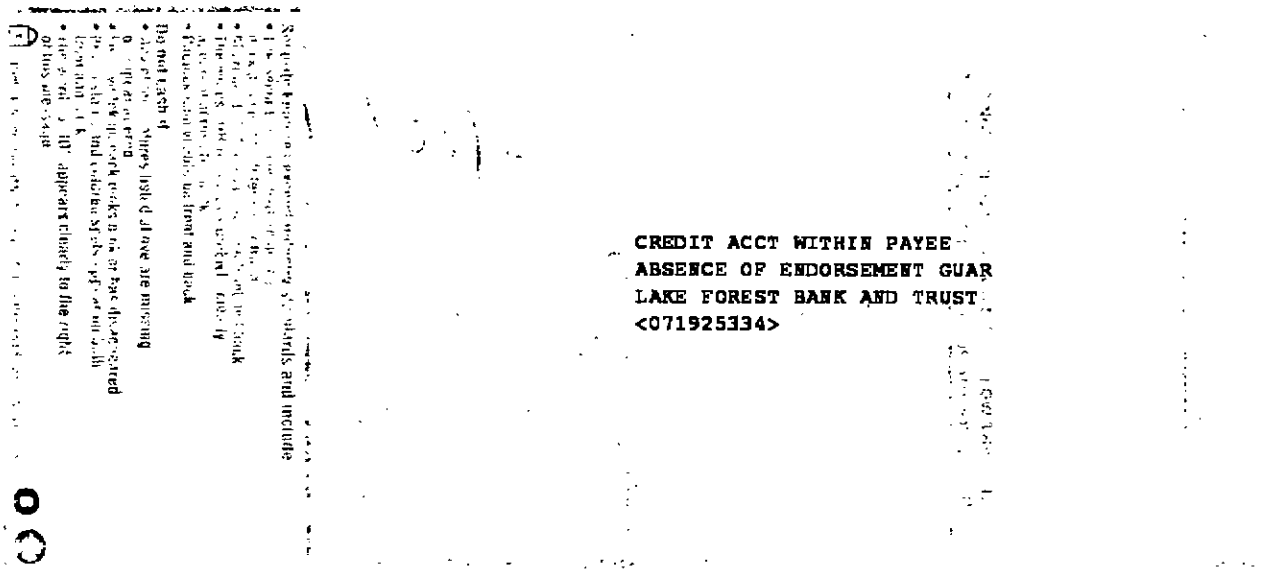
Three Thousand Six hundred & thirty seven 32/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0412

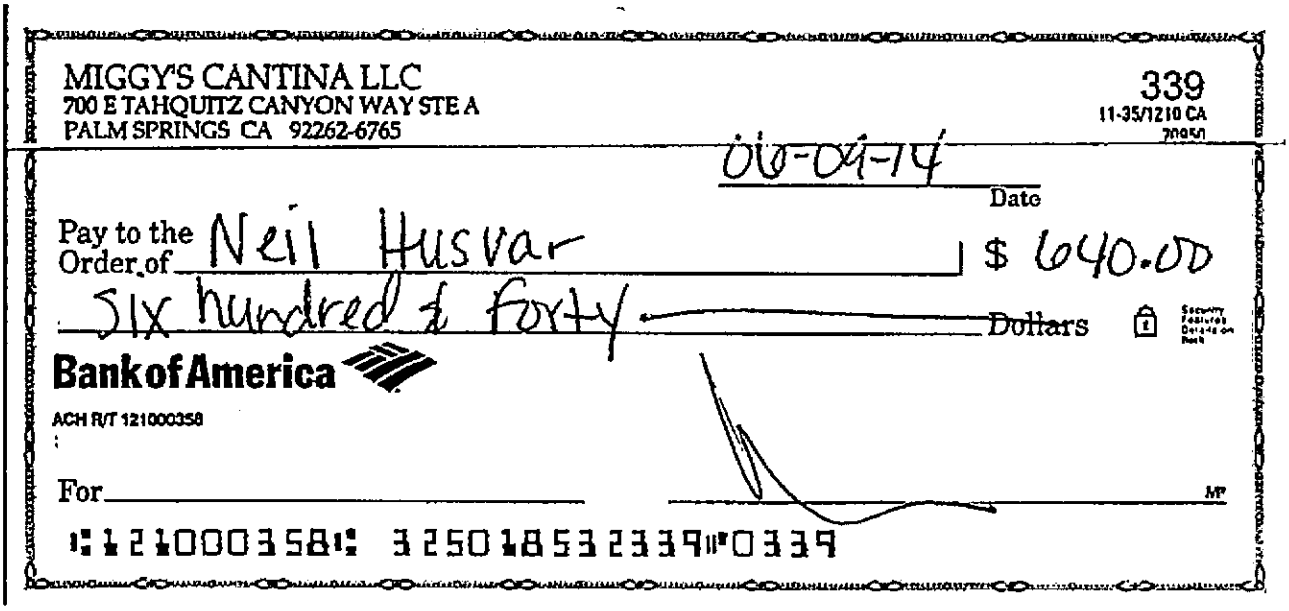


CREDIT ACCT WITHIN PAYEE
ABSENCE OF ENDORSEMENT GUAR
LAKE FOREST BANK AND TRUST
<071925334>

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	000004150120440	71925334	Undetermined	N		LAKE FOREST BANK AND
06/24/2014	062400011400021	71925334	Rtn Loc/BOFD	Y		LAKE FOREST BANK AND
06/24/2014	000000992585086	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$640.00	Sequence Number:	2082793267
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	339



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

339
11-35/1210 CA
70951

06-04-14
Date

Pay to the Order of Neil Husvar $ 640.00

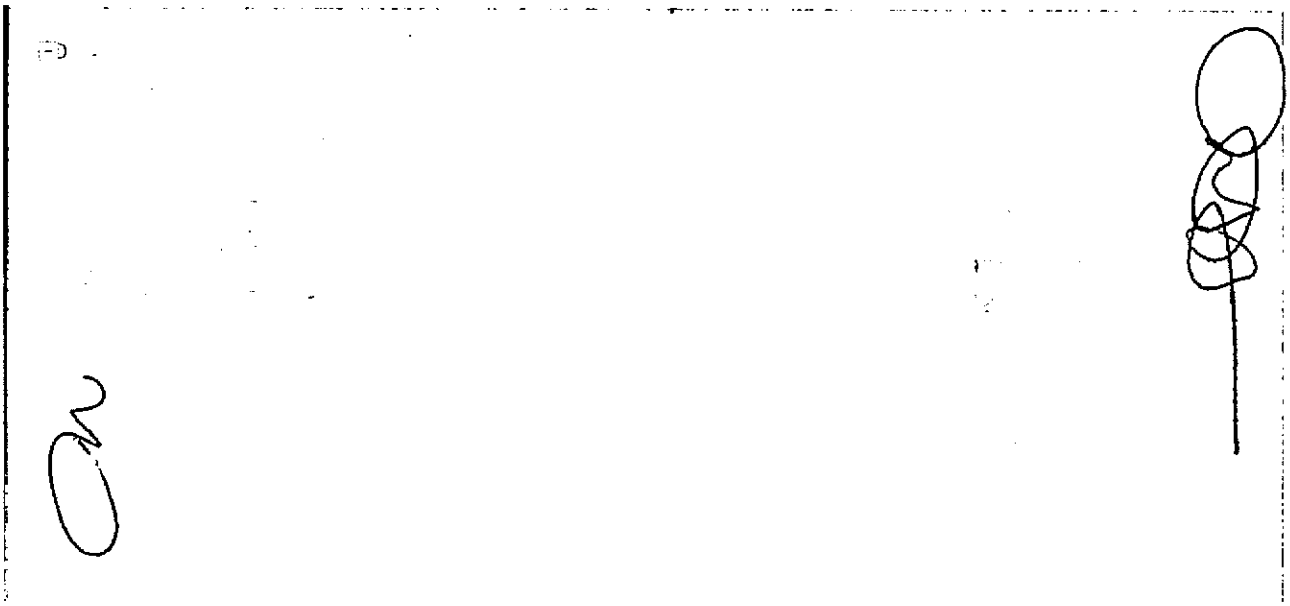
Six hundred & forty Dollars

Bank of America

ACH R/T 121000358

For

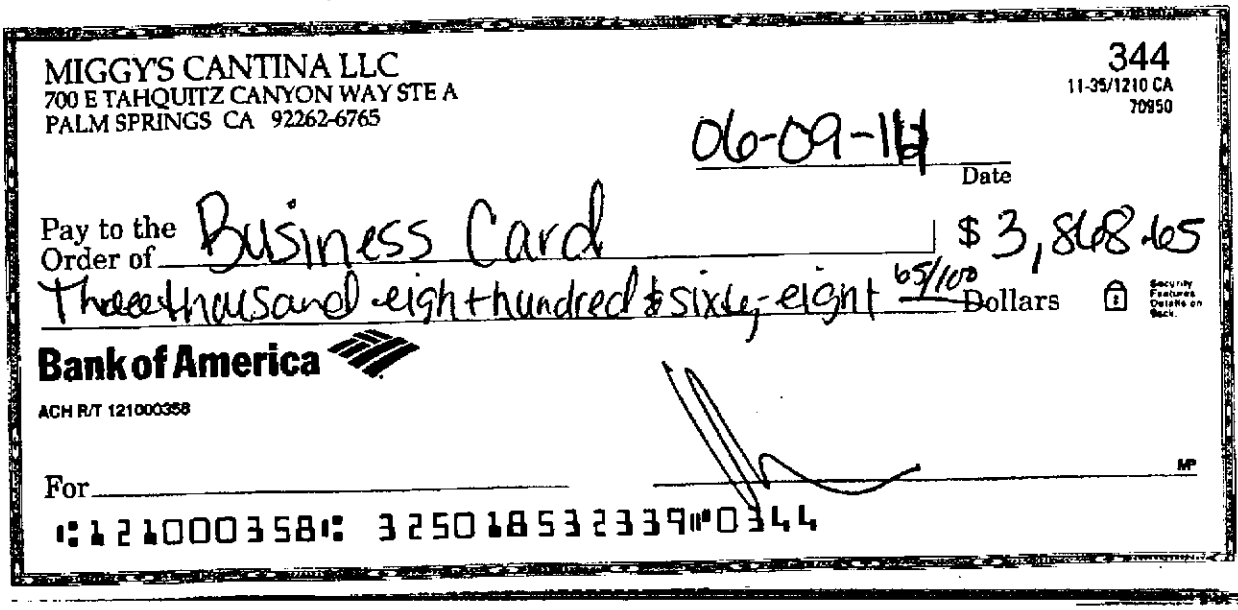
⑆121000358⑆ 325018532339⑈0339



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	2082793267	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$3,868.65	Sequence Number:	2192725419
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	344



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

344
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Business Card $ 3,868.65

Three thousand eight hundred sixty-eight 65/100 Dollars

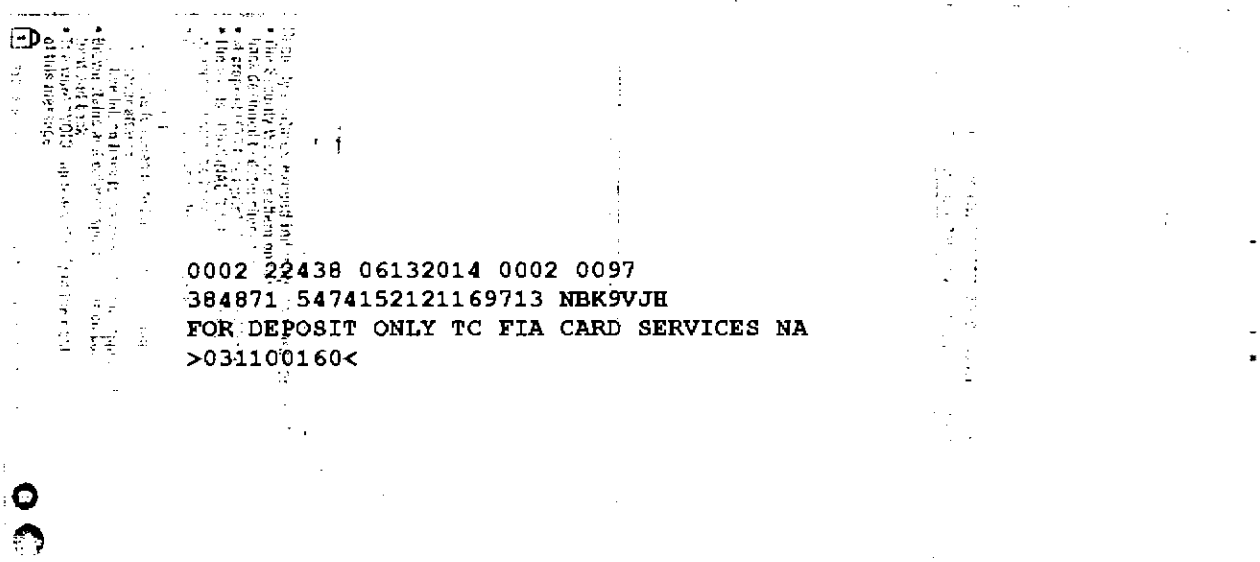
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0344



0002 22438 06132014 0002 0097
384871 5474152121169713 NBK9VJH
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>031100160<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	015547878440000	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA
06/13/2014	002192725419	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$1,600.00	Sequence Number:	2312775564
Account:	325018532339	Capture Date:	06/19/2014
Bank Number:	12100035	Check Number:	390

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

390
11-25/1210 CA
70150

6/19/14
Date

Pay to the Order of The Delivery Donkey $ 1,600.00

One thousand six hundred Dollars

Bank of America

ACH R/T 121000358

For 12450

⑆121000358⑆ 325018532339⑈0390

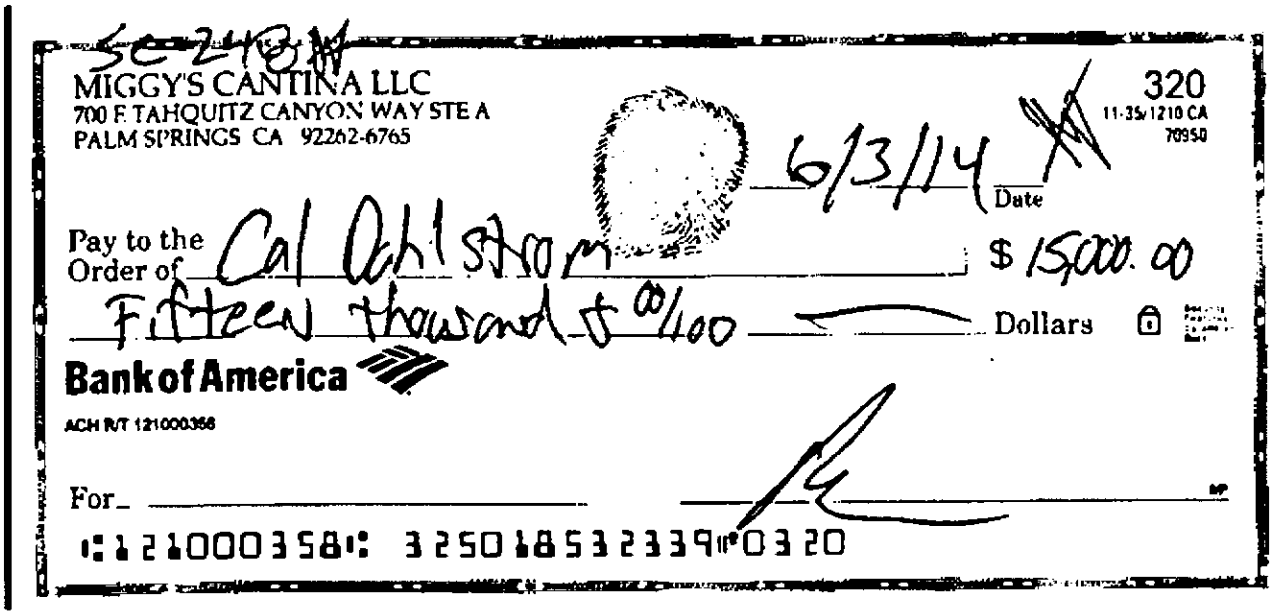
Electronic Endorsements:

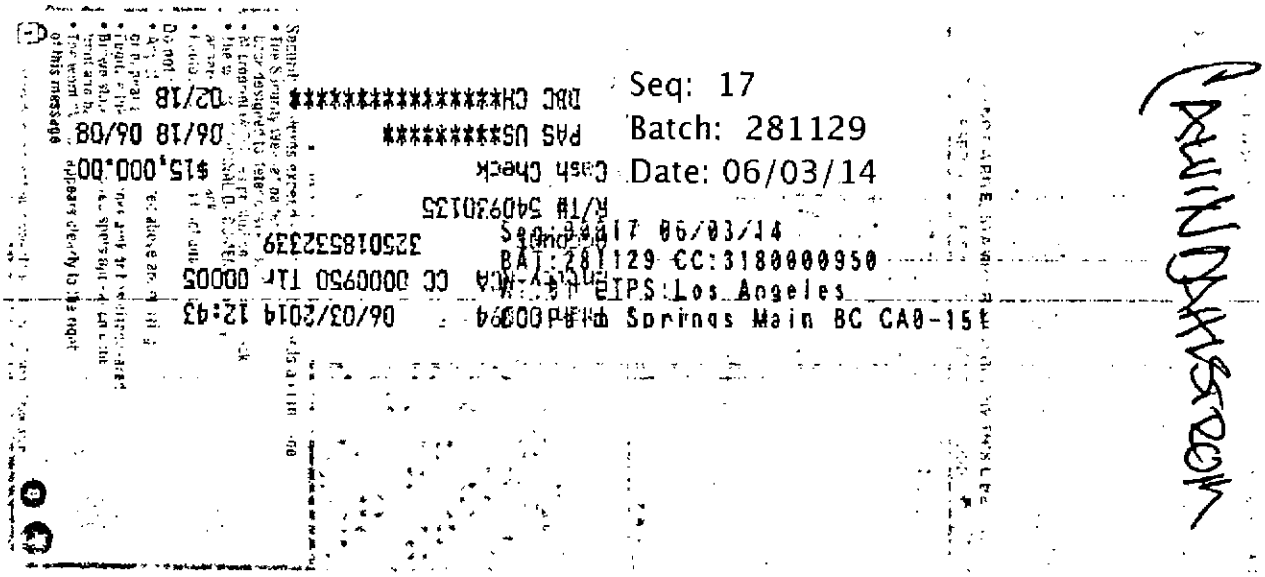
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/19/2014	2312775564	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $15,000.00 Sequence Number: 3142635615

Account: 325018532339 Capture Date: 06/03/2014

Bank Number: 12100035 Check Number: 320

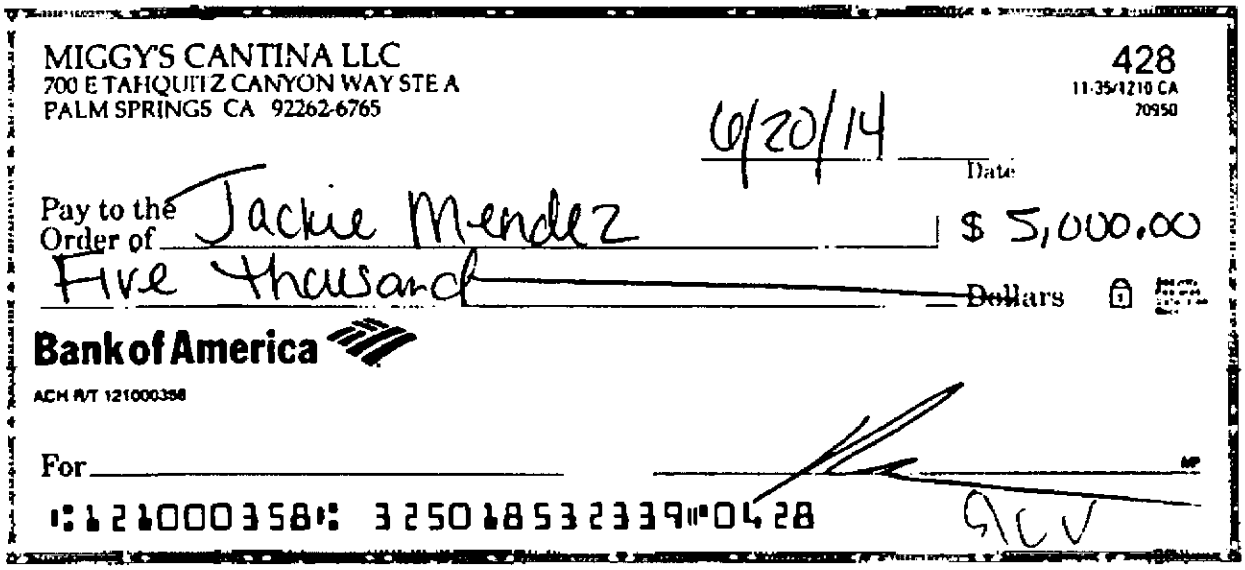




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	3142635615	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,000.00	Sequence Number:	3342469820
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	428



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

428
11-35/1210 CA
70950

6/20/14
Date

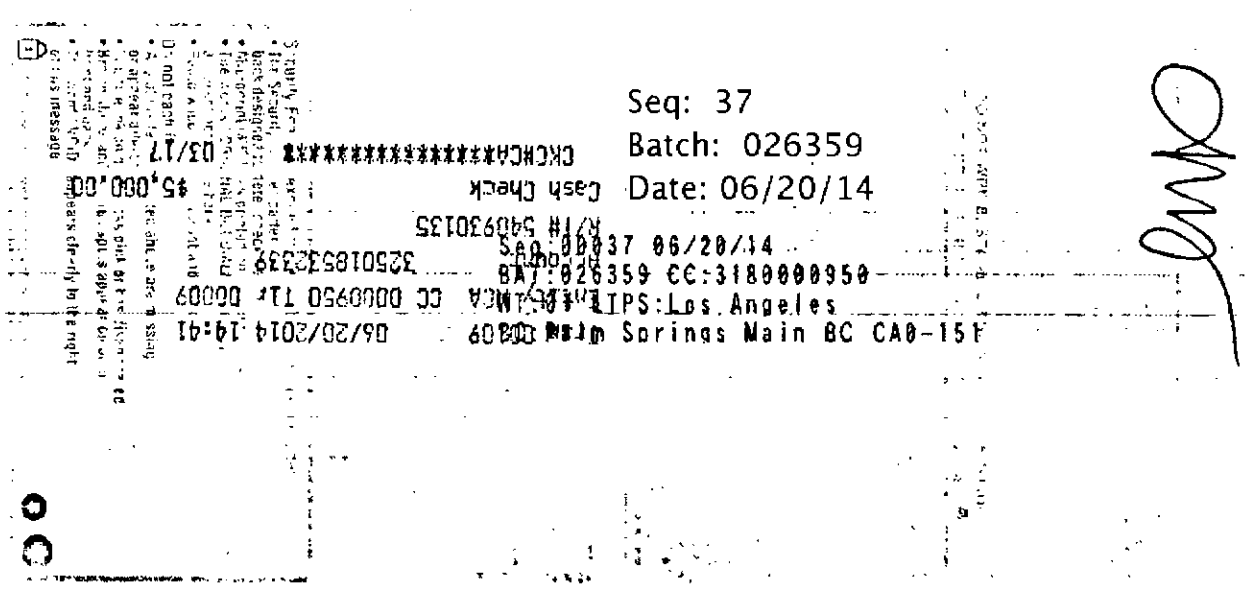
Pay to the Order of Jackie Mendez $ 5,000.00

Five Thousand Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0428



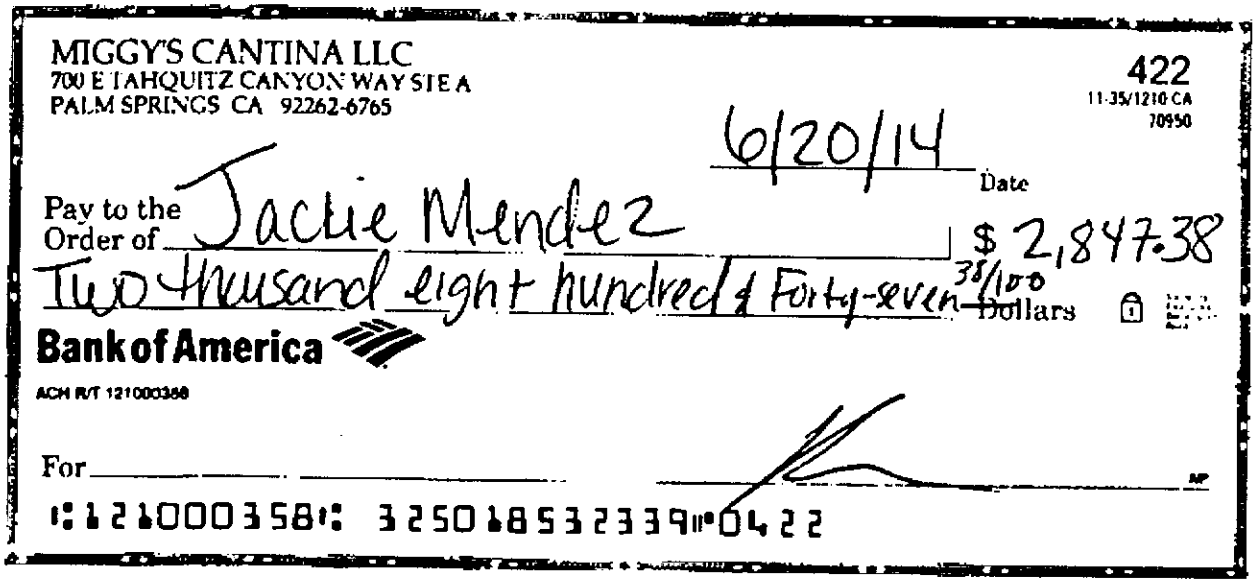
Seq: 37
Batch: 026359
Date: 06/20/14

Cash Check $5,000.00 03/17
CKCHCK**********
R/T# 121000358
Seq:00037 06/20/14
Bat:026359 CC:3180000950
TIPS:Los Angeles
06/20/2014 14:41 CC 00009501 00009
Palm Springs Main BC CA0-151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	3342469820	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,847.38	Sequence Number:	3342469862
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	422



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

422
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Jackie Mendez $ 2,847.38

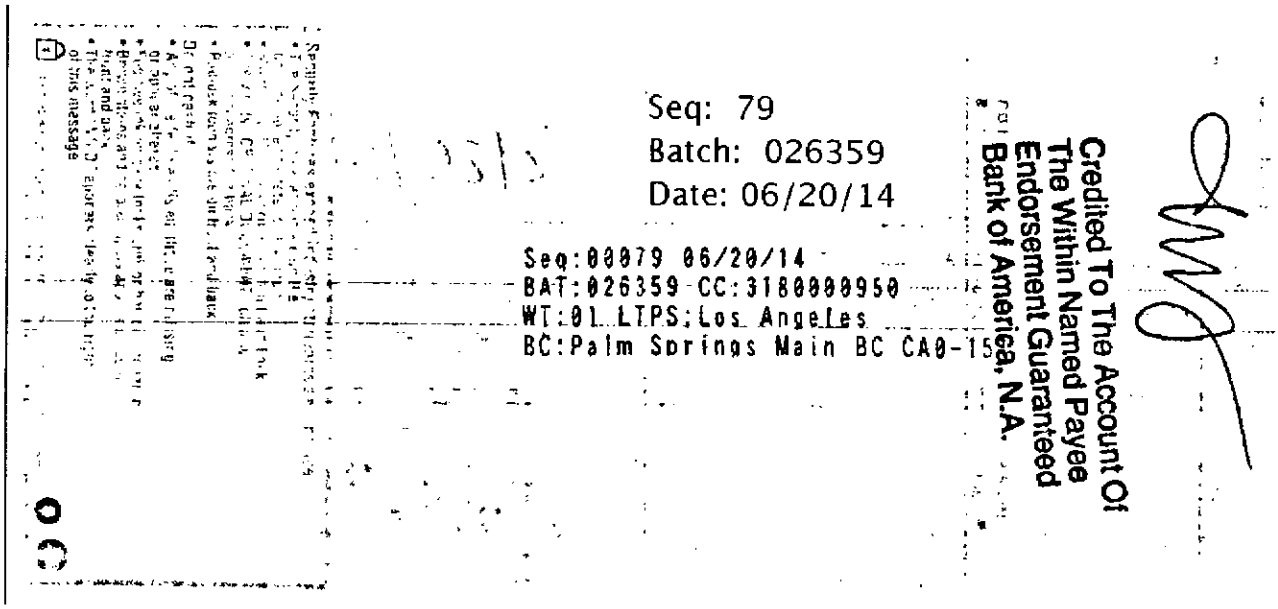
Two Thousand eight hundred & Forty-seven 38/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0422



Seq: 79
Batch: 026359
Date: 06/20/14

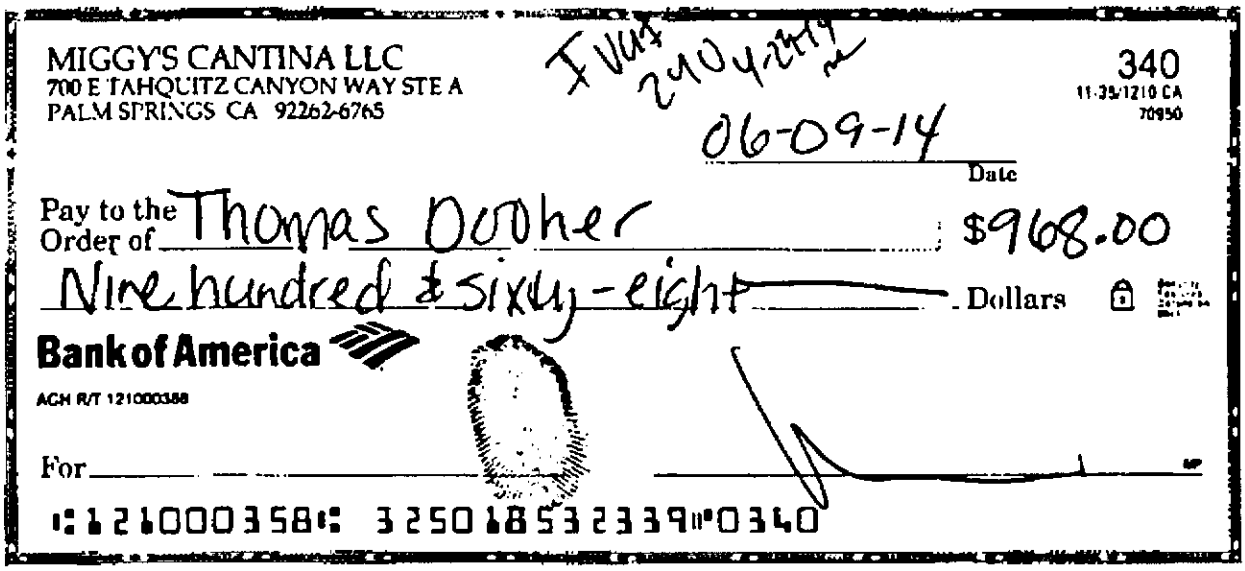
Seq:00079 06/20/14
BAT:026359 CC:3180000950
WT:01 LTPS;Los Angeles
BC:Palm Springs Main BC CA0-15

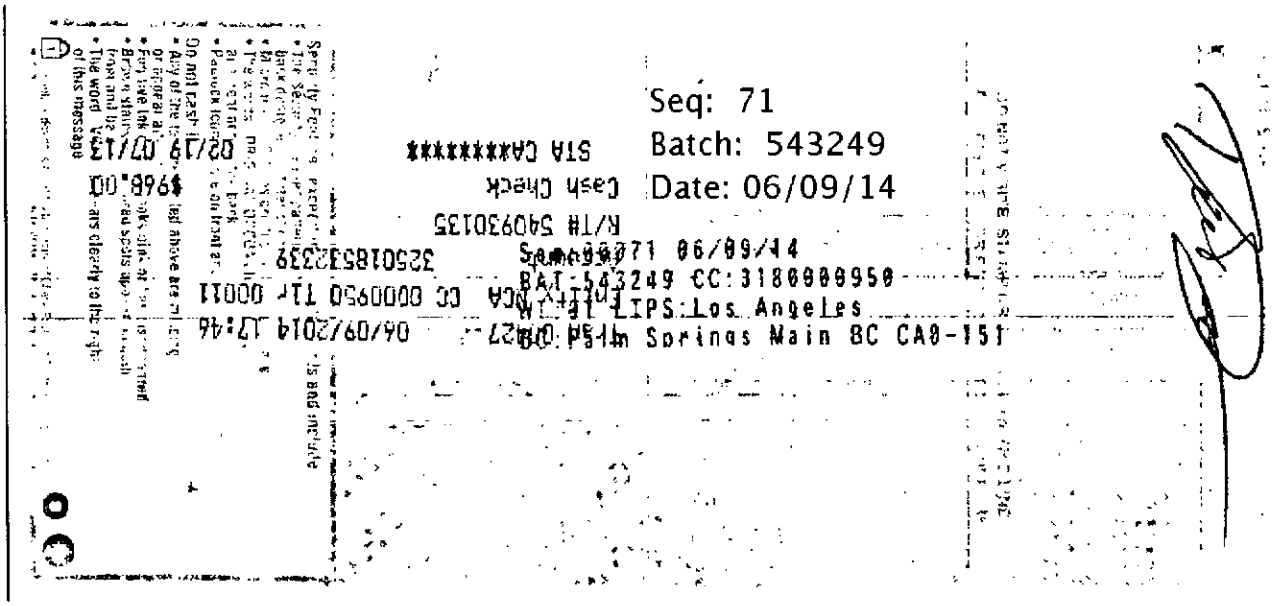
Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	3342469862	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$968.00	Sequence Number:	3742141708
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	340

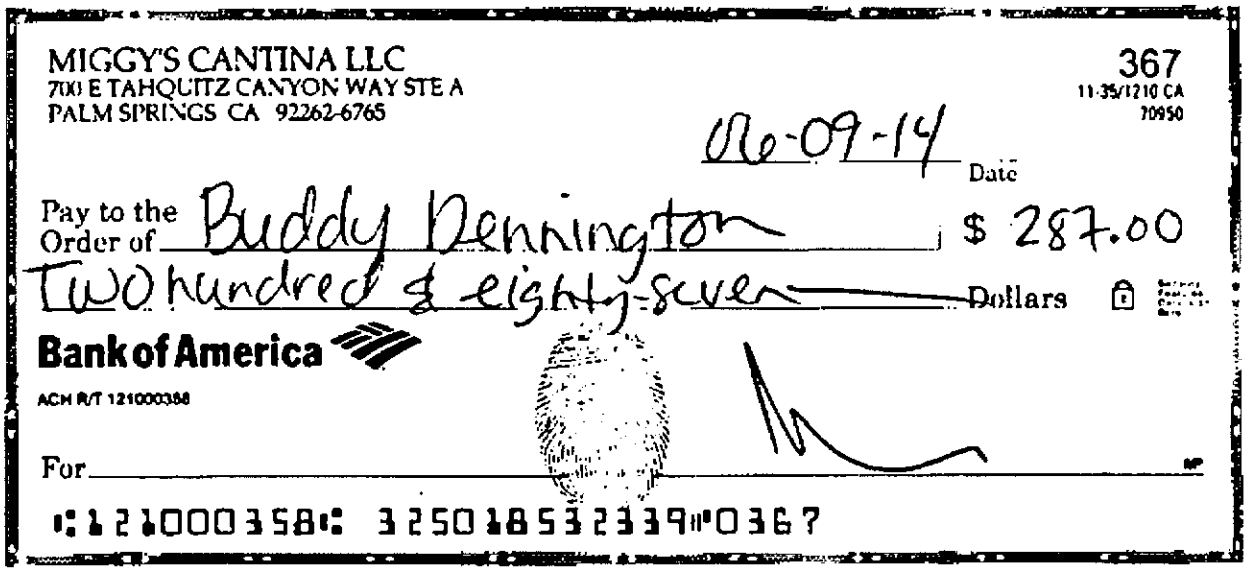




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	3742141708	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$287.00	Sequence Number:	3842130739
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	367



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

367
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Buddy Dennington $ 287.00

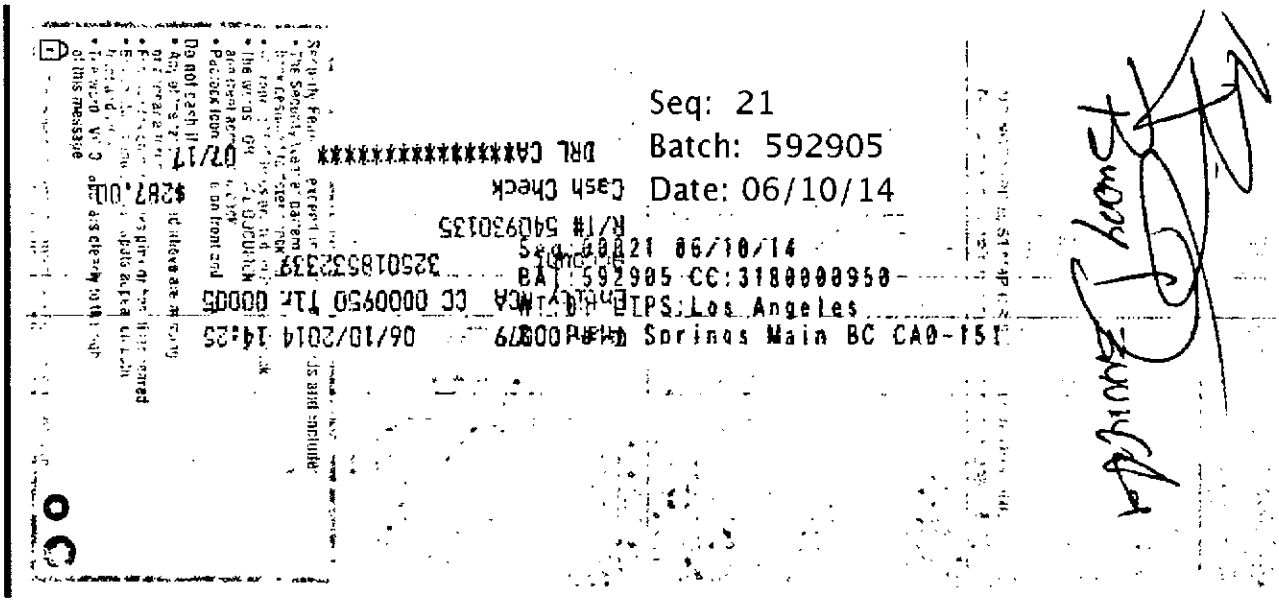
Two hundred & eighty-seven Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0367

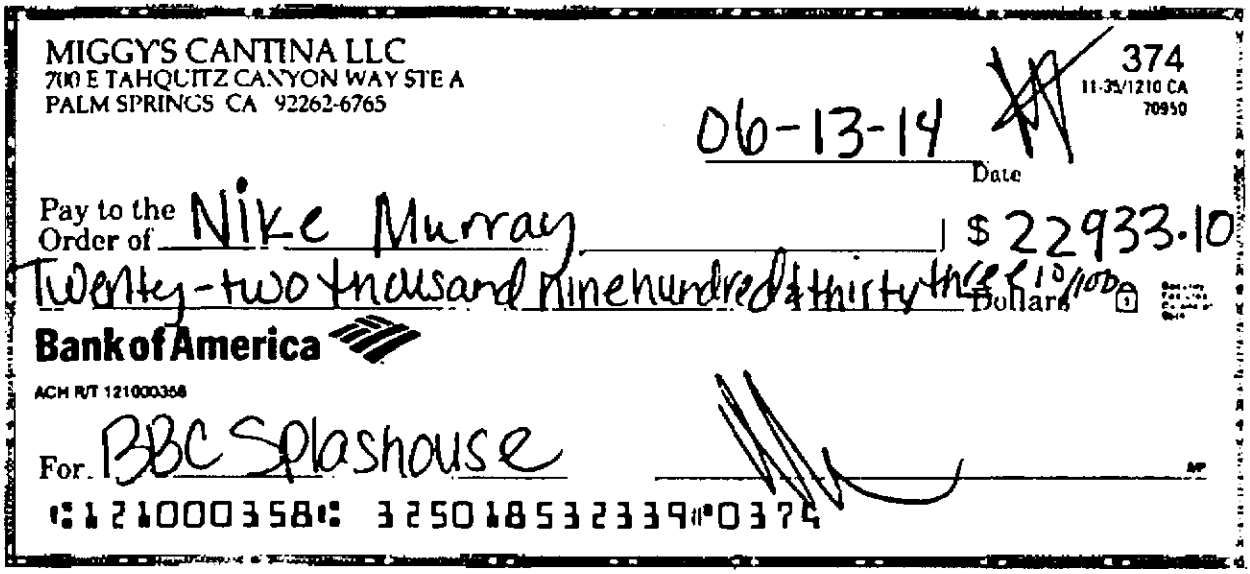


Seq: 21
Batch: 592905
Date: 06/10/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	3842130739	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$22,933.10	Sequence Number:	4142149617
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	374



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

374
11-35/1210 CA
70950

06-13-14
Date

Pay to the Order of Nike Murray $ 22933.10

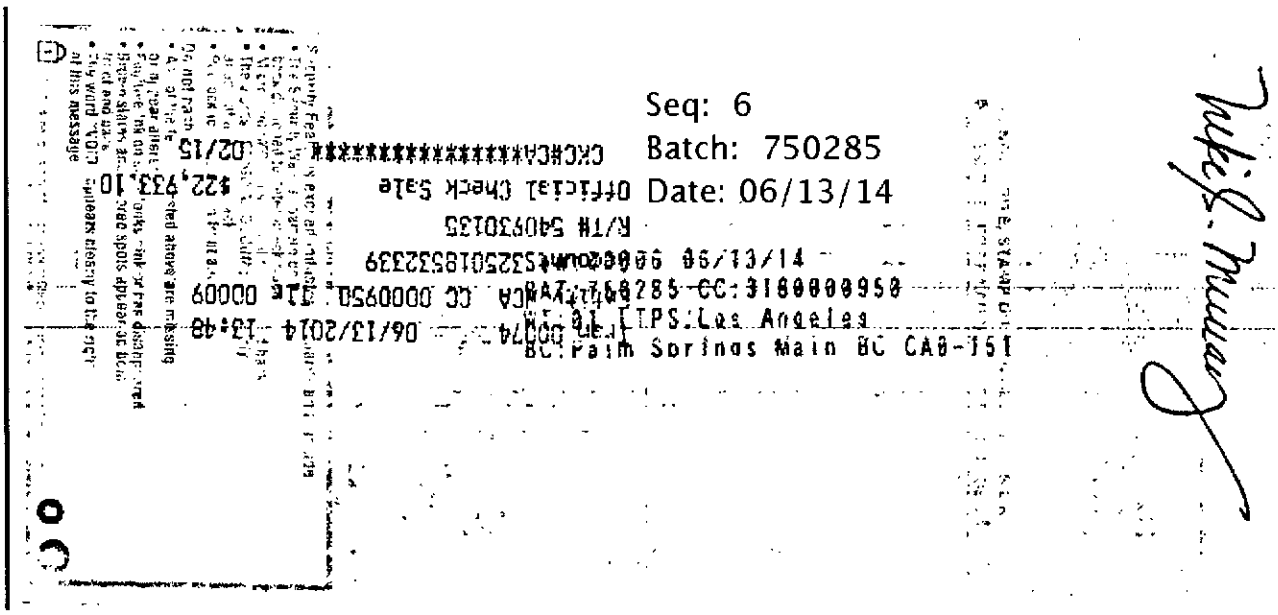
Twenty-two thousand Nine hundred & thirty three & 10/100 Dollars

Bank of America

ACH R/T 121000358

For BBC Splashouse

⑆121000358⑆ 325018532339⑈0374



Seq: 6
Batch: 750285
Date: 06/13/14

Official Check Sale
R/T# 540932035

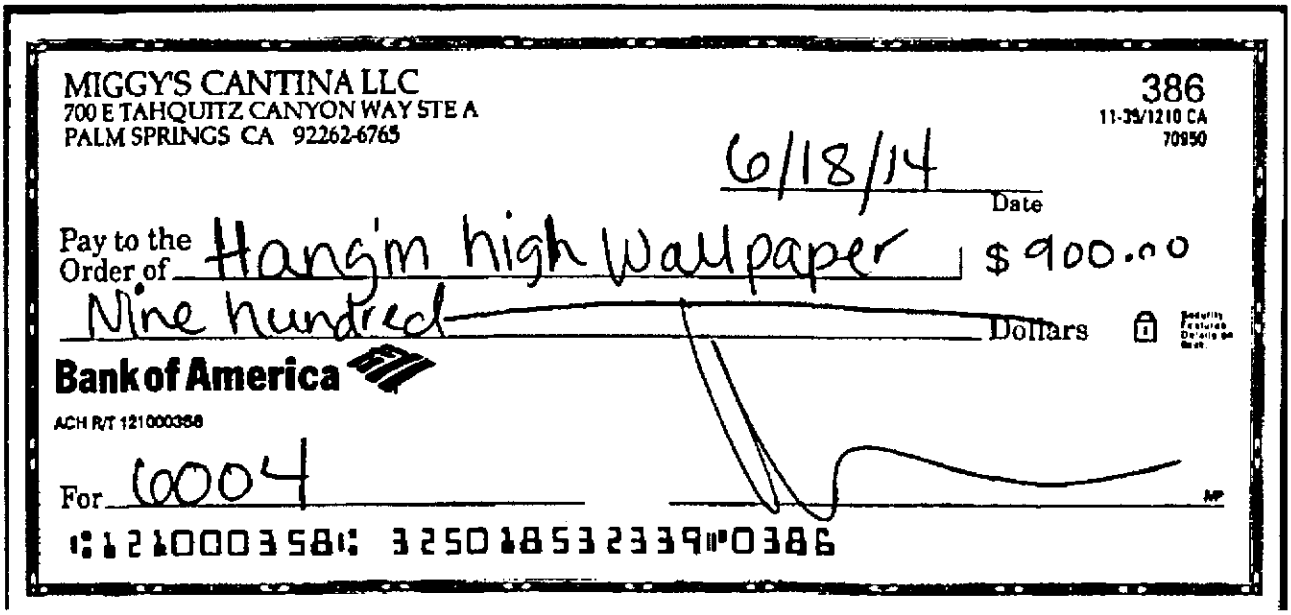
BC: Palm Springs Main BC CA8-151

Nike Murray

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	4142149617	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$900.00	Sequence Number:	4192537518
Account:	325018532339	Capture Date:	06/26/2014
Bank Number:	12100035	Check Number:	386



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

386
11-39/1210 CA
70950

6/18/14
Date

Pay to the Order of Hang'm high Wallpaper $900.00

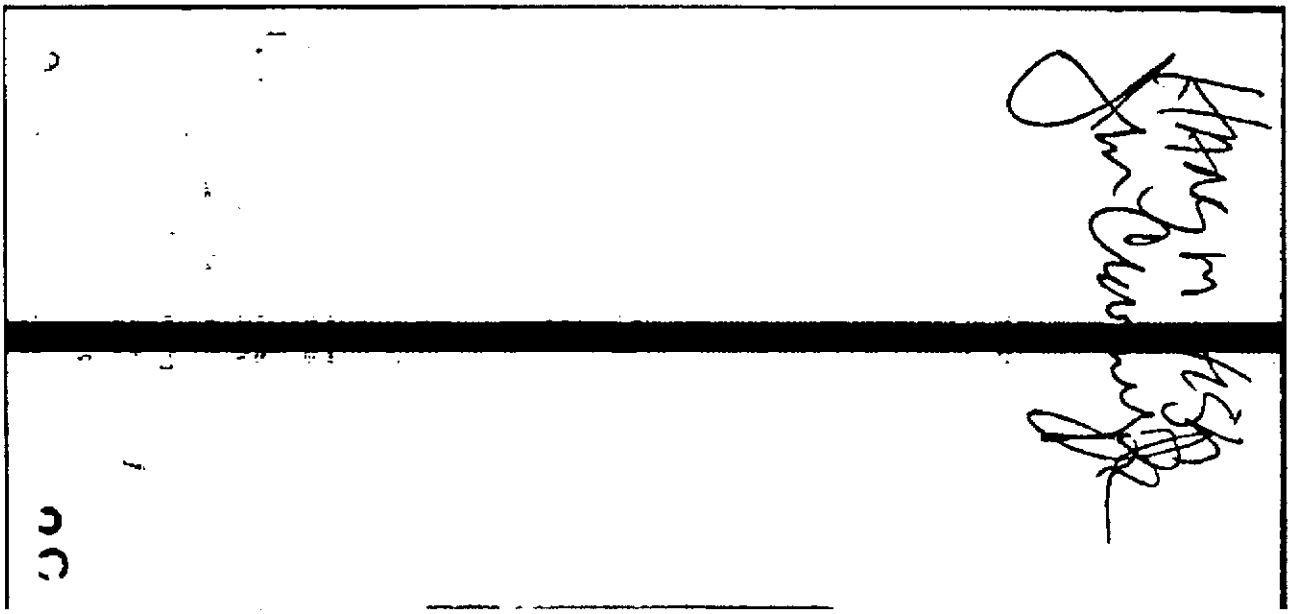
Nine hundred Dollars

Bank of America

ACH R/T 121000358

For 6004

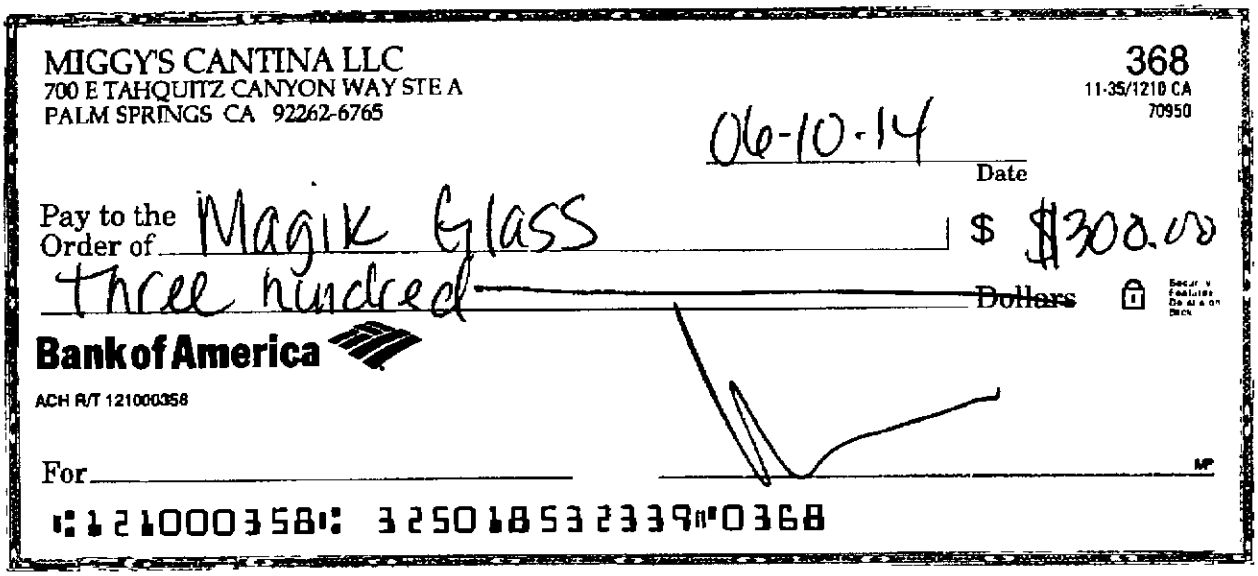
⑆121000358⑆ 325018532339⑈0386



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/26/2014	004192537518	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/26/2014	000008200065880	21000089	Rtn Loc/BOFD	Y		CITIBANK, N.A.

Amount:	$300.00	Sequence Number:	4292633531
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	368



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

368
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of Magik Glass $ $300.00

three hundred Dollars

Bank of America

ACH R/T 121000358

For

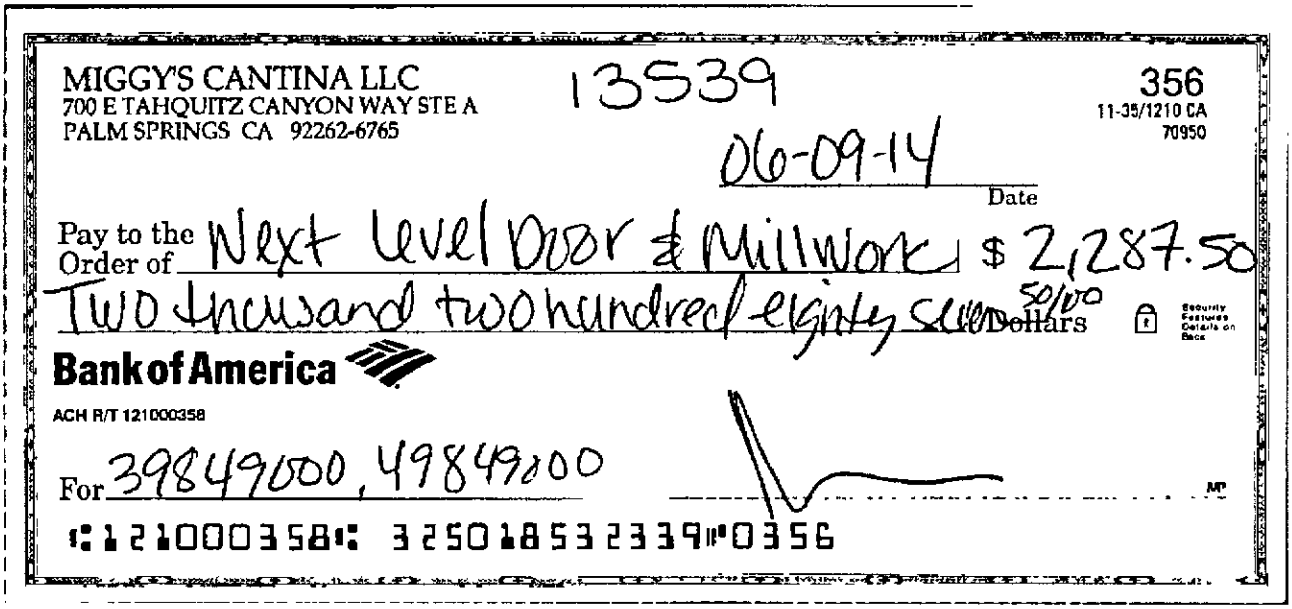
⑆121000358⑆ 325018532339⑈0368

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	004292633531	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	4512170179	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,287.50	Sequence Number:	4392409211
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	356



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

13539

356
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Next Level Door & Millwork $ 2,287.50

Two thousand two hundred eighty seven 50/100 Dollars

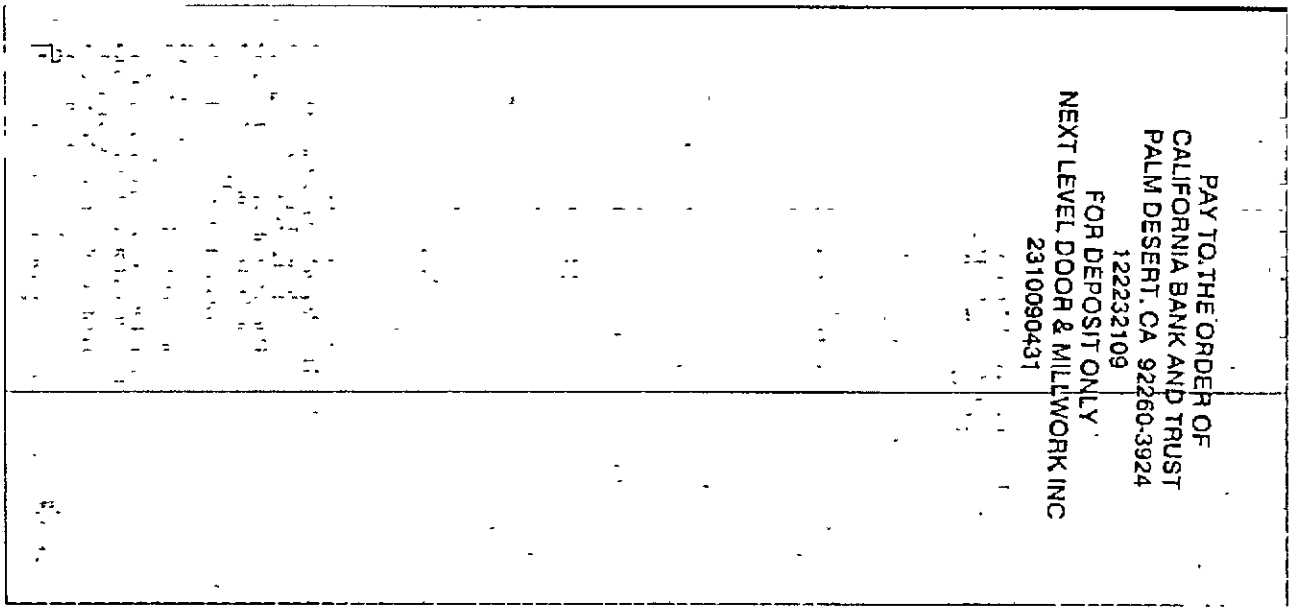
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 39849000, 49849000

⑆121000358⑆ 325018532339⑈0356

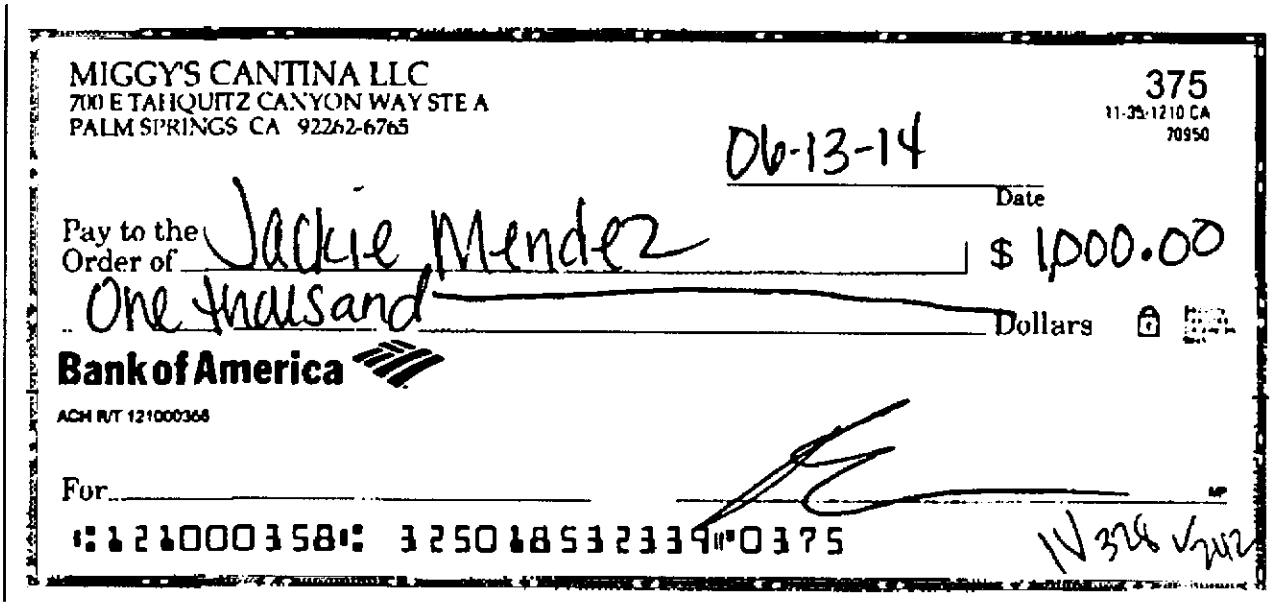


PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	304332695	61000146	Undetermined	N		FEDERAL RES BANK OF
06/13/2014	406135353089485	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
06/16/2014	004392409211	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	4442693832
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	375



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

375
11-35-1210 CA
70950

06-13-14
Date

Pay to the Order of Jackie Mendez $ 1,000.00

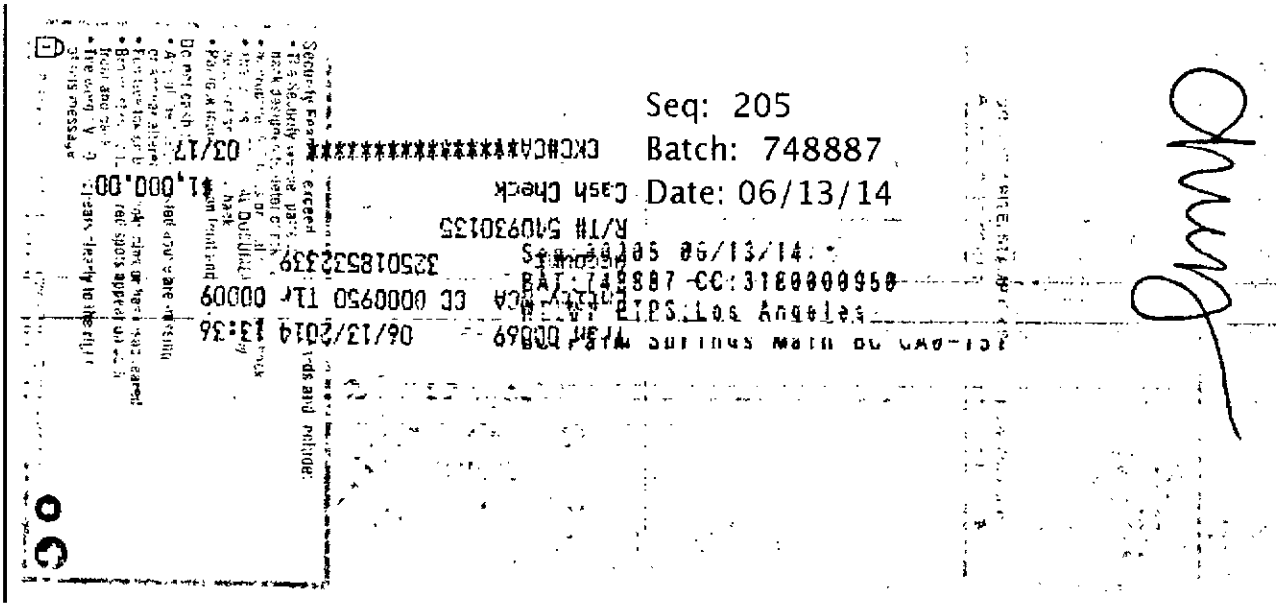
One Thousand Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0375

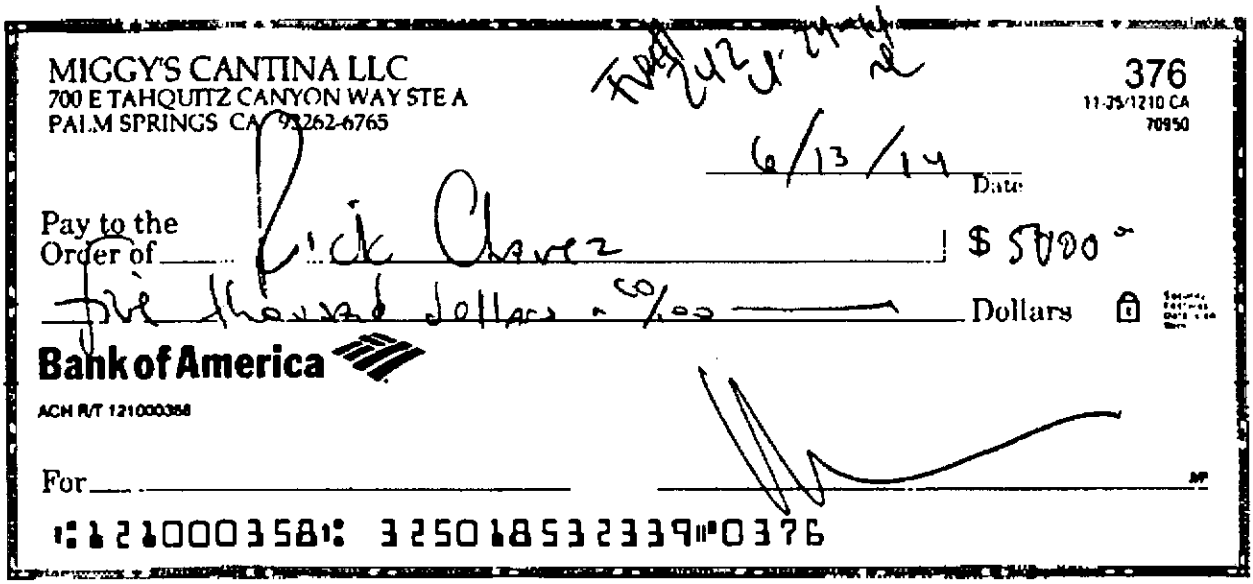


Seq: 205
Batch: 748887
Date: 06/13/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	4442693832	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,000.00	Sequence Number:	4442706415
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	376



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

376
11-35/1210 CA
70950

6/13/14
Date

Pay to the Order of Rick Chavez $ 5000.00

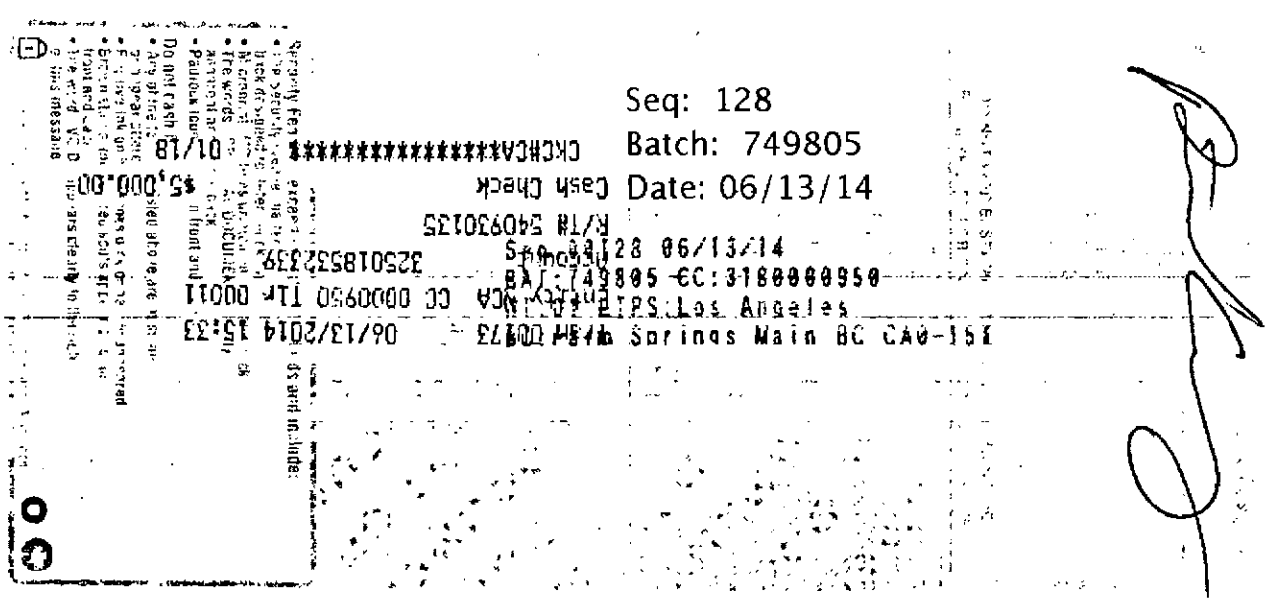
Five thousand dollars and 00/00 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0376



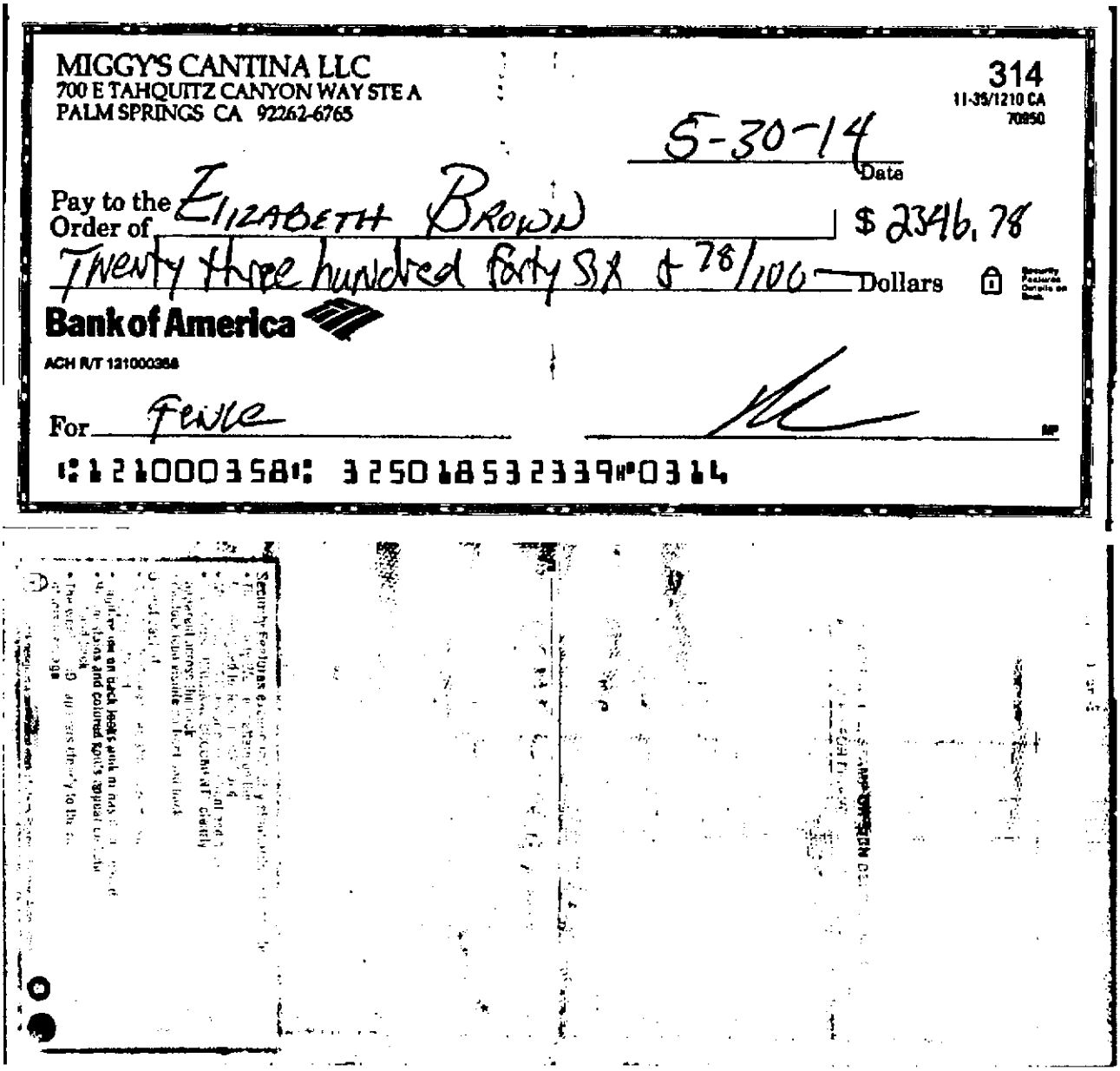
Seq: 128
Batch: 749805
Date: 06/13/14

$5,000.00
01/18
CKCHCA**********
Cash Check
R/T# 240930135
128 06/13/14
325018532339
749805 CC:3180000950
CC 00000950 ITR 00011
06/13/2014 15:33
Springs Main BC CA0-151
Los Angeles

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	4442706415	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,346.78	Sequence Number:	4492020931
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	314



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

314
11-35/1210 CA
70850

5-30-14
Date

Pay to the Order of ELIZABETH BROWN $ 2346.78

Twenty three hundred forty six & 78/100 Dollars

Bank of America

ACH R/T 121000358

For Fence

⑆121000358⑆ 325018532339⑈0314

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	004492020931	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	4479432895	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,390.45	Sequence Number:	4592745367
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	370

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303 / 183

370
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of SYSCO $2390-45

Two thousand three hundred & ninety 45/100 Dollars

Bank of America

ACH R/T 121000358

For 405090911

⑆121000358⑆ 325018532339⑈0370

PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
00317292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	004592745367	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/17/2014	340005818	61000146	Undetermined	N		FEDERAL RES BANK OF
06/16/2014	000051464501906	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$4,456.97	Sequence Number:	4592922041
Account:	325018532339	Capture Date:	06/30/2014
Bank Number:	12100035	Check Number:	436

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303/183

436
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of SYSCO

$ 4456.97

Four thousand four hundred fifty six 97/100 Dollars

Bank of America

ACH R/T 121000358

For May 30 - June 7

MP

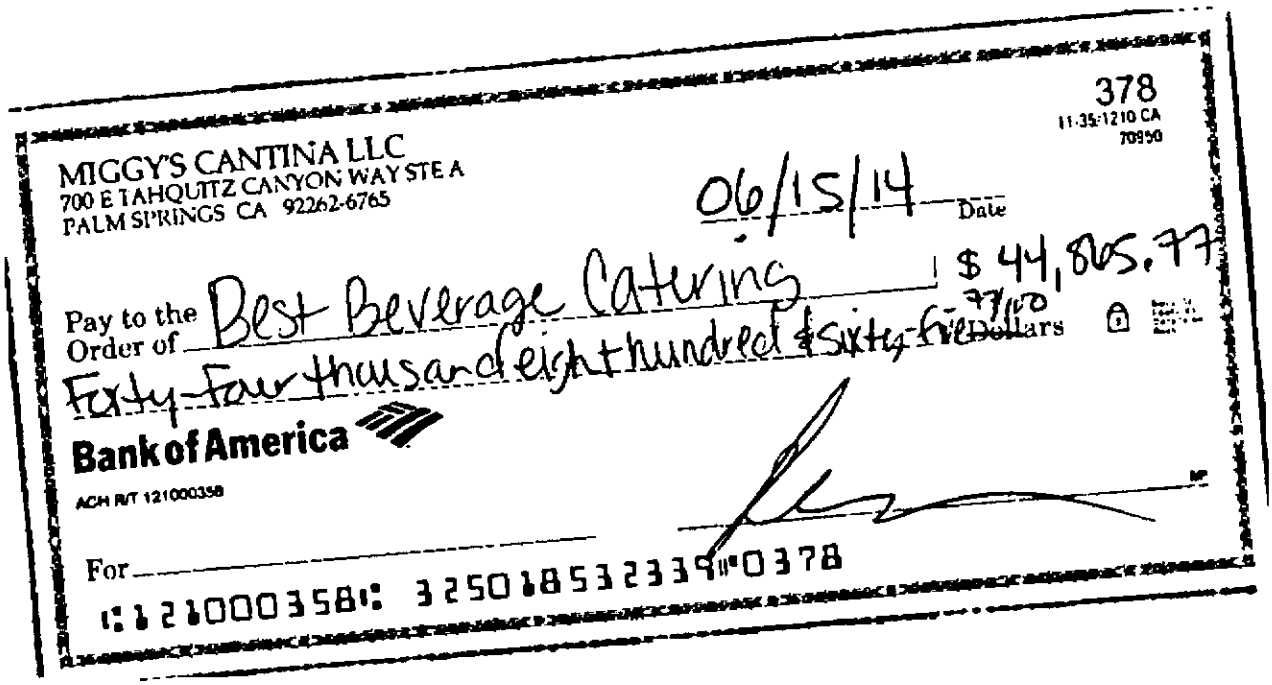
⑆121000358⑆ 325018532339⑈0436

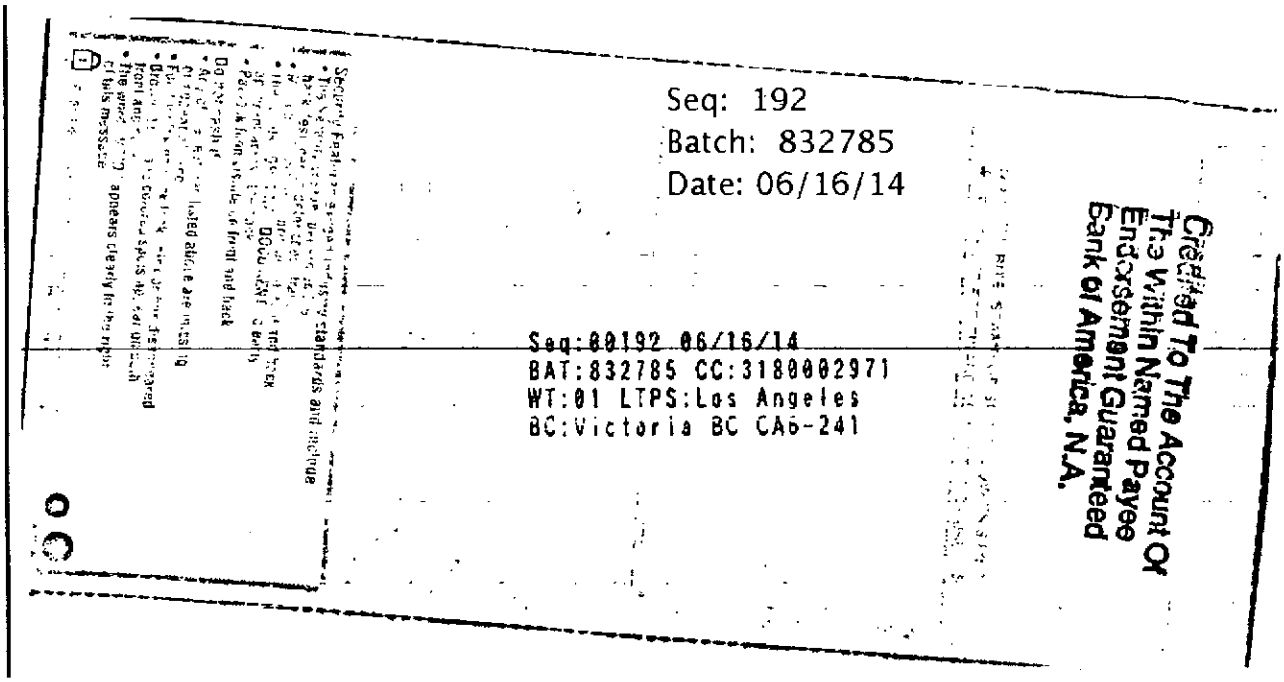
PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	560194984	61000146	Undetermined	N		FEDERAL RES BANK OF
06/30/2014	004592922041	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/01/2014	000051466279320	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$44,865.77	Sequence Number:	4642178614
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	378

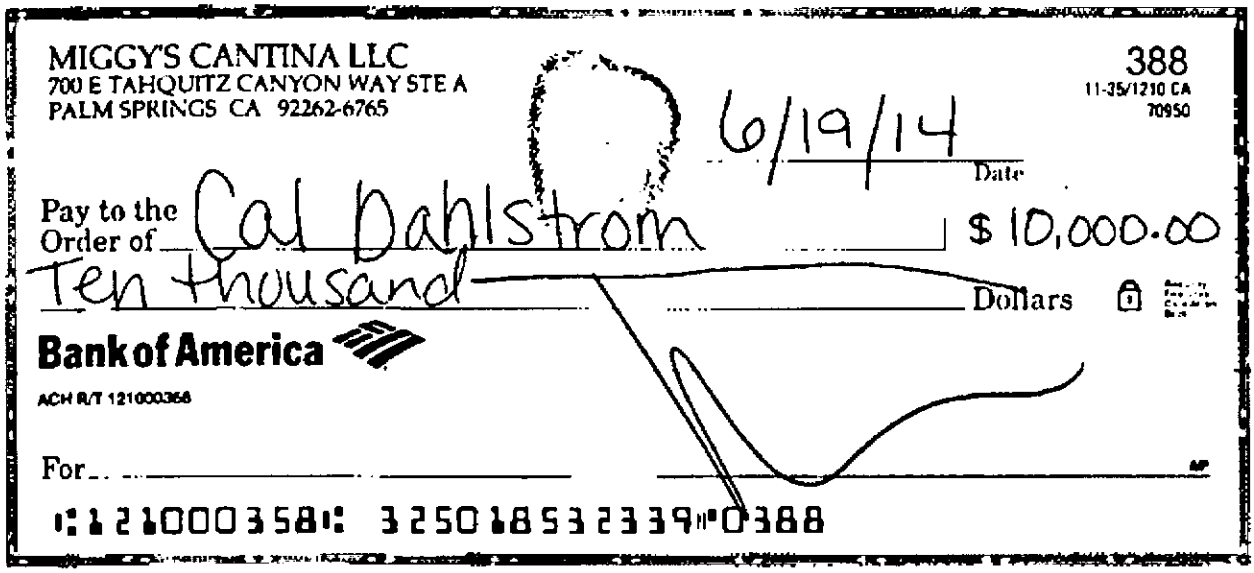


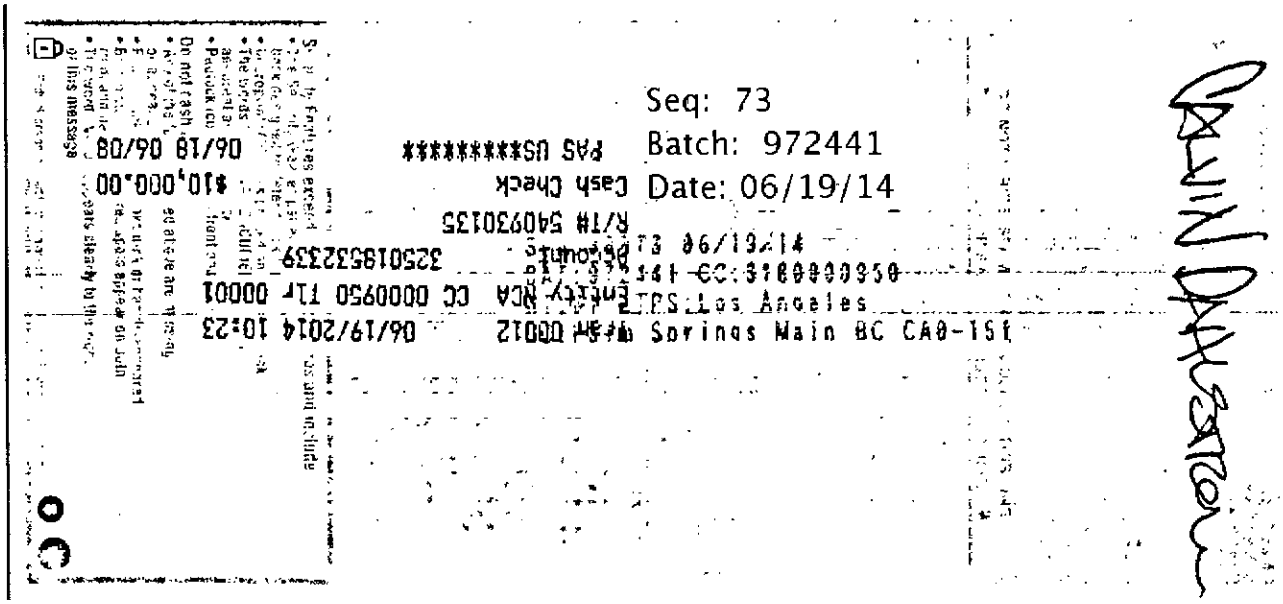


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	4642178614	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$10,000.00	Sequence Number:	4842356556
Account:	325018532339	Capture Date:	06/19/2014
Bank Number:	12100035	Check Number:	388





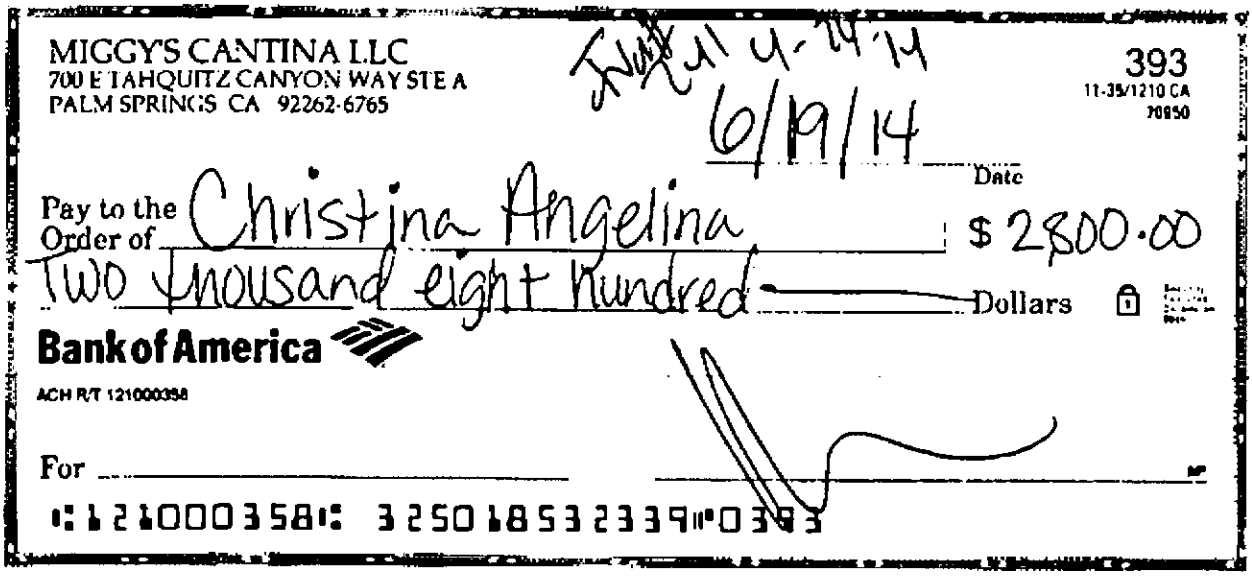
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/19/2014	4842356556	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $2,800.00 Sequence Number: 4842356629

Account: 325018532339 Capture Date: 06/19/2014

Bank Number: 12100035 Check Number: 393



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

393
11-35/1210 CA
70850

6/19/14
Date

Pay to the Order of Christina Angelina $ 2800.00

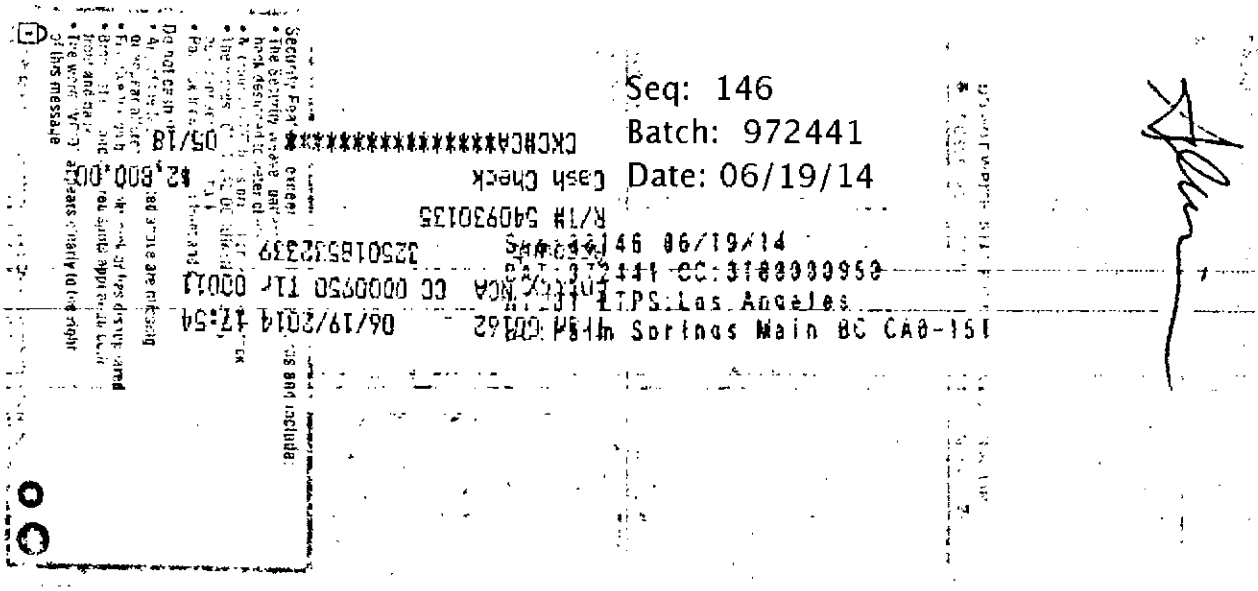
Two thousand eight hundred Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0393



Seq: 146
Batch: 972441
Date: 06/19/14

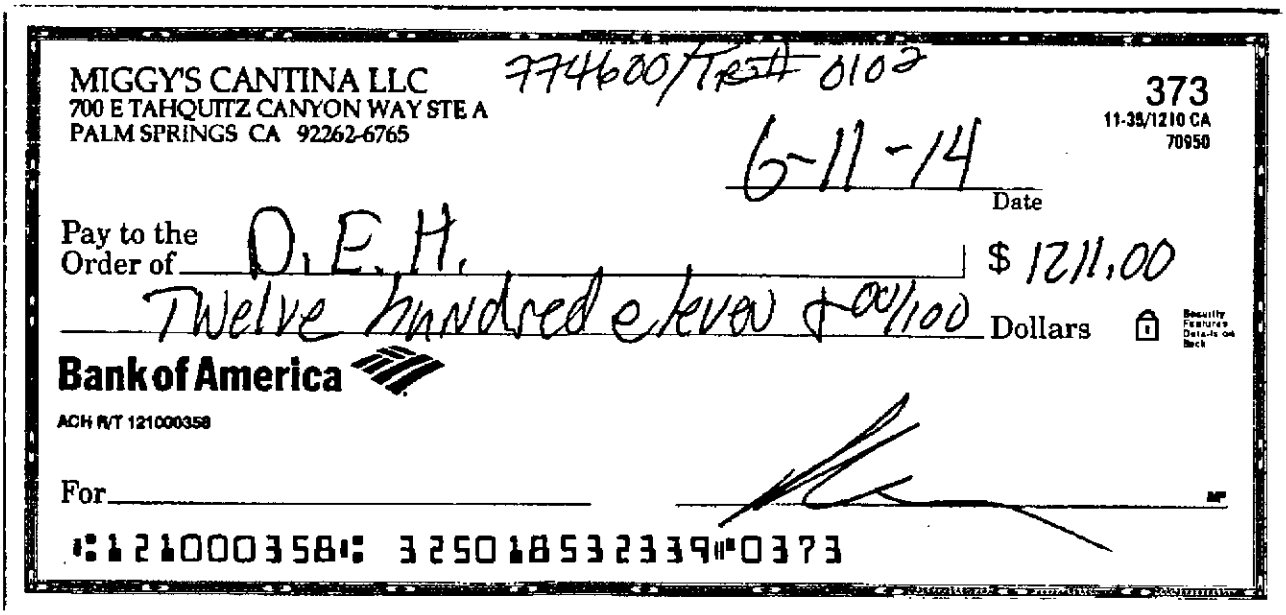
Cash Check

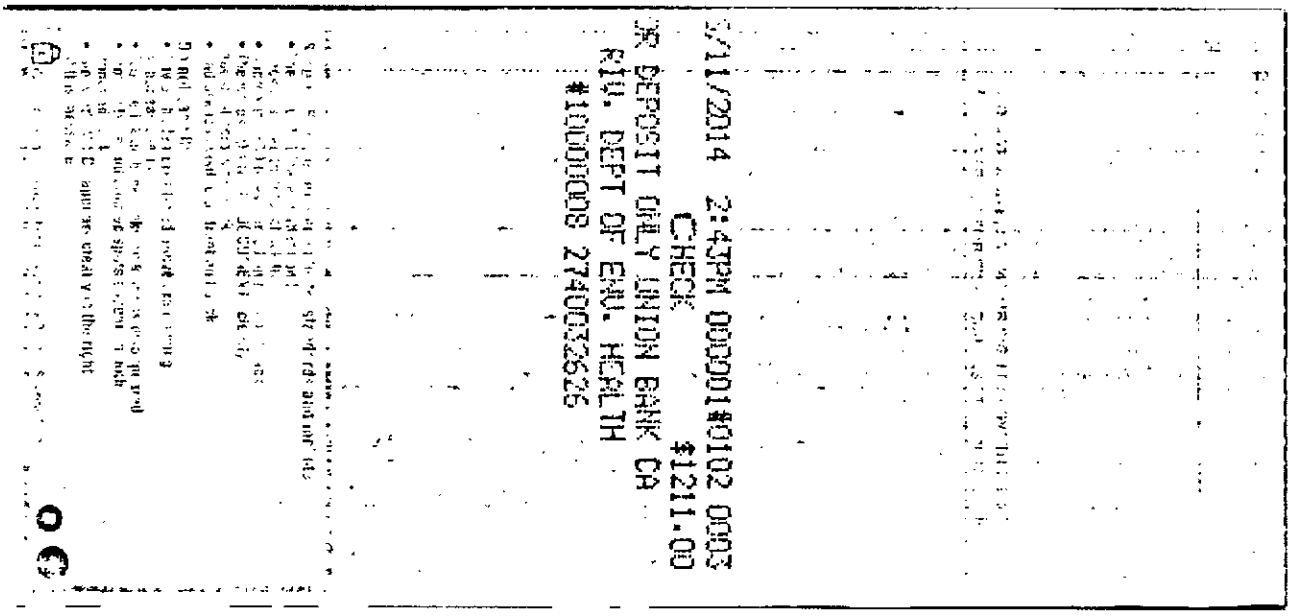
Springs Main BC CA0-151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/19/2014	4842356629	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,211.00	Sequence Number:	4892600924
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	373

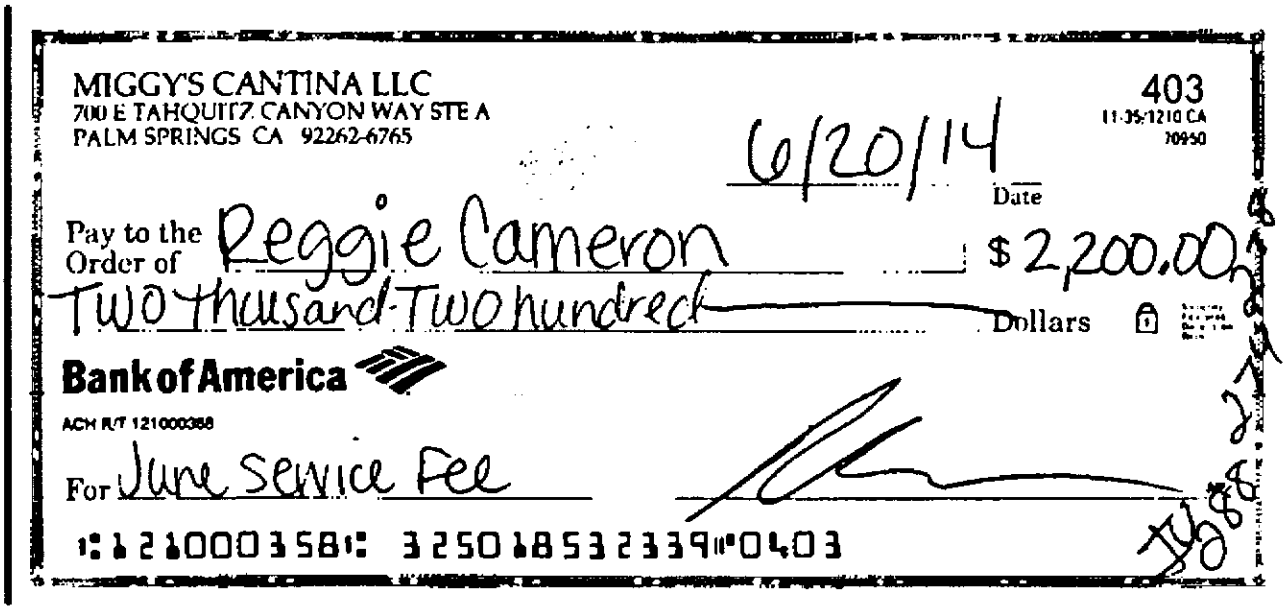




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/17/2014	4446805650	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/18/2014	004892600924	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,200.00	Sequence Number:	4942327113
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	403



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

403
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Reggie Cameron $ 2,200.00

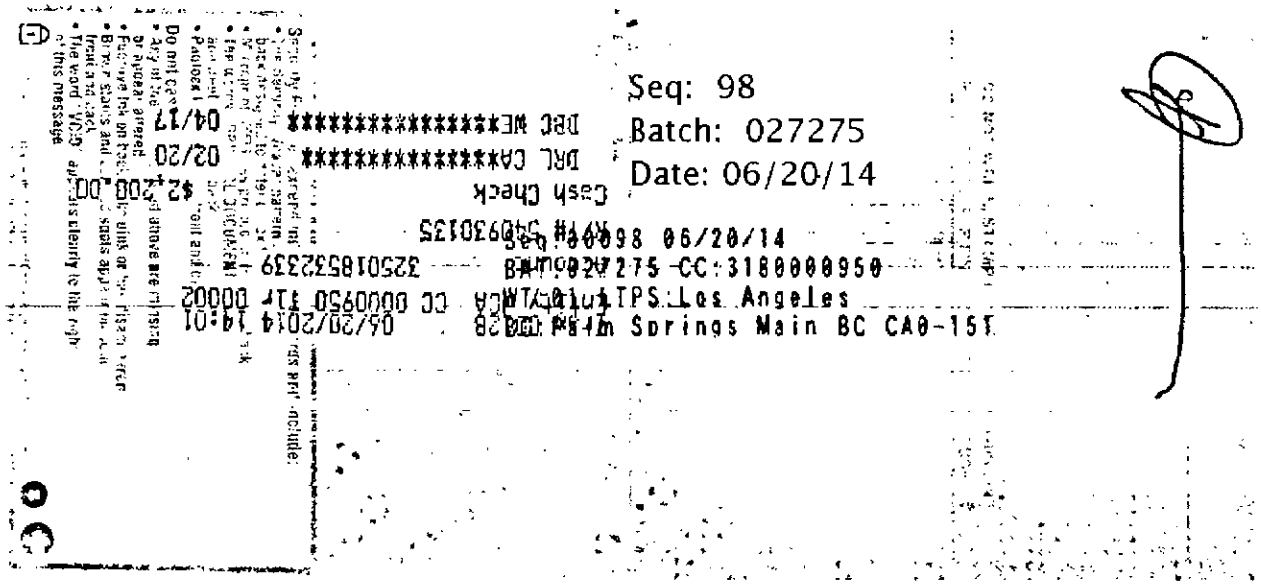
Two Thousand Two hundred Dollars

Bank of America

ACH R/T 121000358

For June Service Fee

⑆121000358⑆ 325018532339⑈0403



Seq: 98
Batch: 027275
Date: 06/20/14

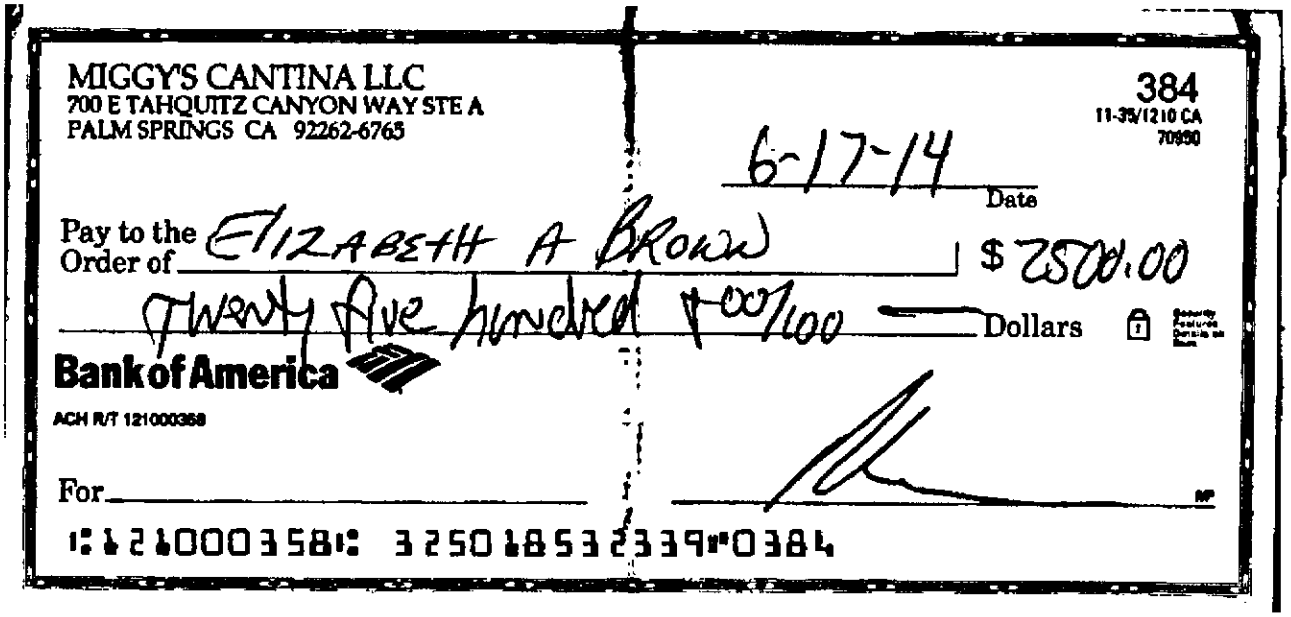
Cash Check
$2,200.00
02/20
04/17

Seq: 00098 06/20/14
B#: 027275 CC: 3180000950
TPS Los Angeles
Palm Springs Main BC CA0-151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	4942327113	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	5092210387
Account:	325018532339	Capture Date:	06/19/2014
Bank Number:	12100035	Check Number:	384



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

384
11-35/1210 CA
70950

6-17-14
Date

Pay to the Order of ELIZABETH A BROWN $ 2500.00

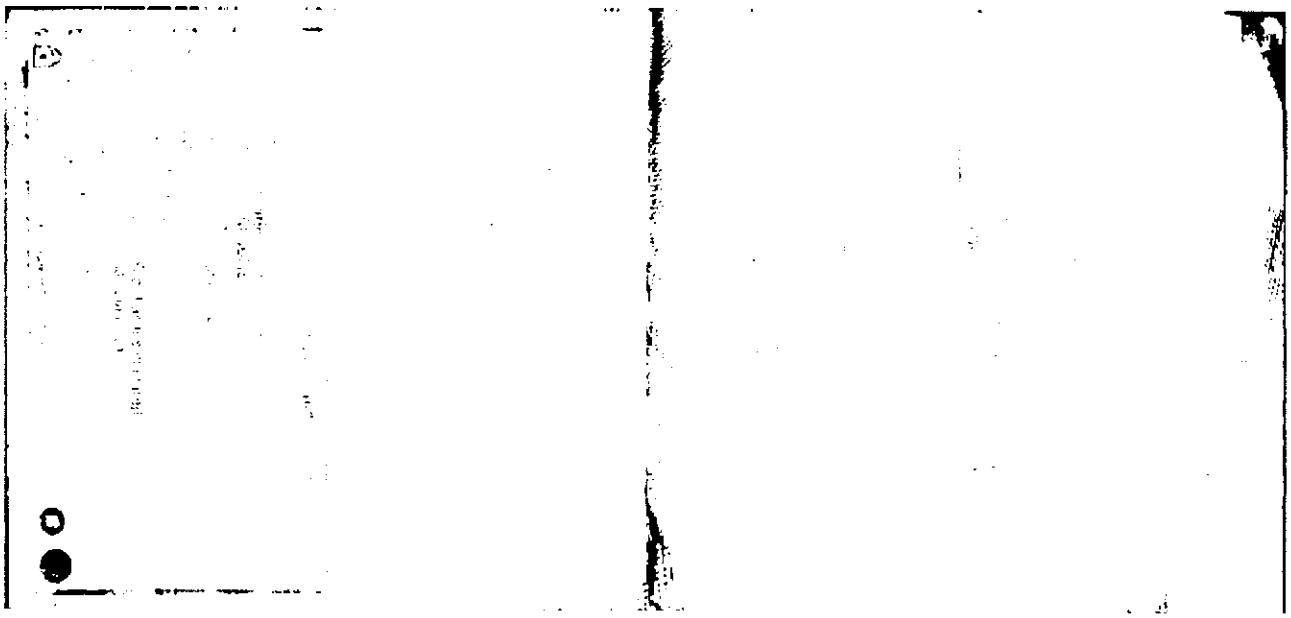
Twenty Five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

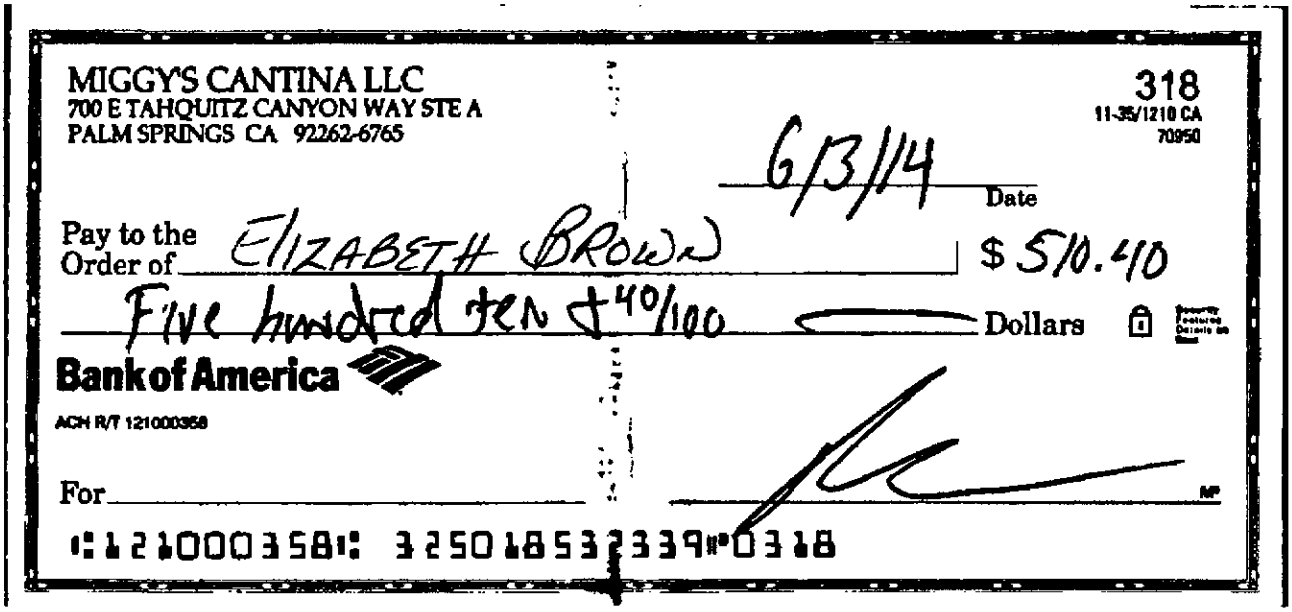
⑆121000358⑆ 325018532339⑈0384



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/19/2014	005092210387	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/18/2014	4479837634	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$510.40	Sequence Number:	5192684679
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	318



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

318
11-35/1210 CA
70950

6/3/14
Date

Pay to the Order of ELIZABETH BROWN $ 510.40

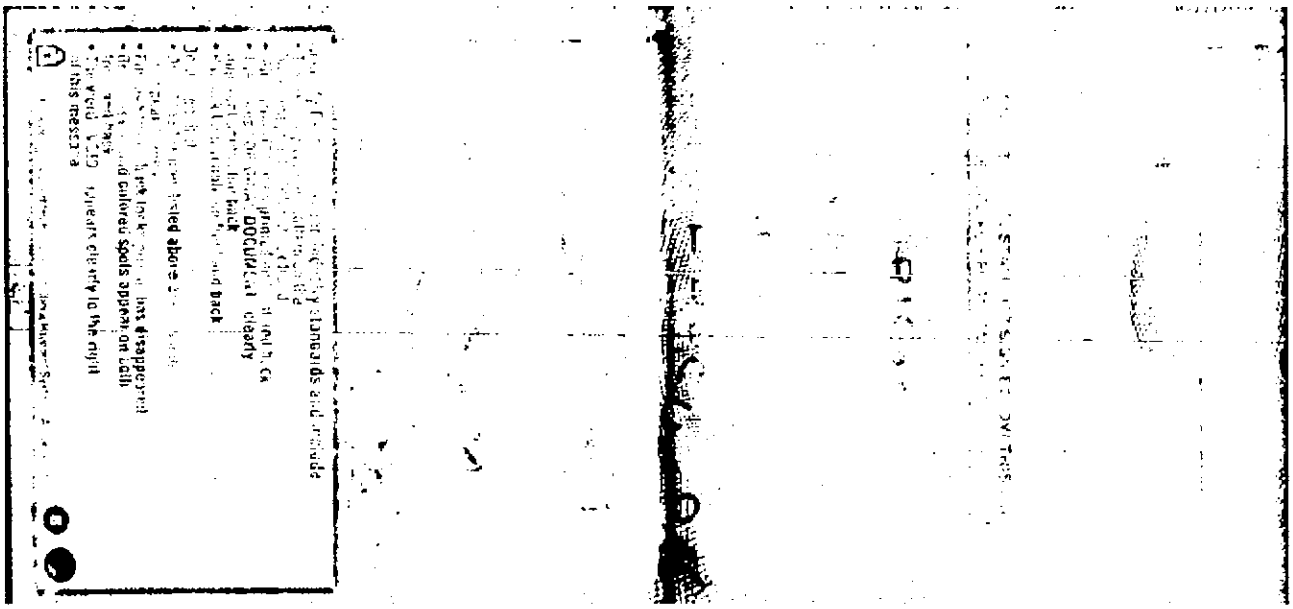
Five hundred ten & 40/100 Dollars

Bank of America

ACH R/T 121000358

For

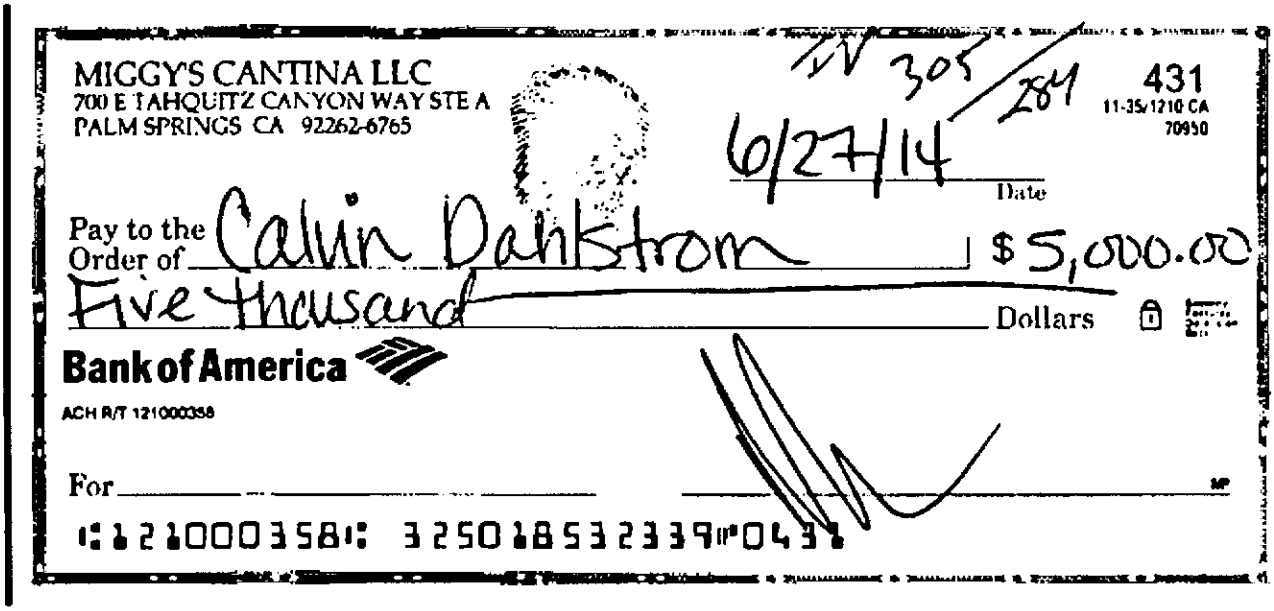
⑆121000358⑆ 325018532339⑈0318



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	005192684679	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/06/2014	4479554999	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$5,000.00	Sequence Number:	5342884450
Account:	325018532339	Capture Date:	06/27/2014
Bank Number:	12100035	Check Number:	431



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

IV 305 284

431
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Calvin Dahlstrom $5,000.00

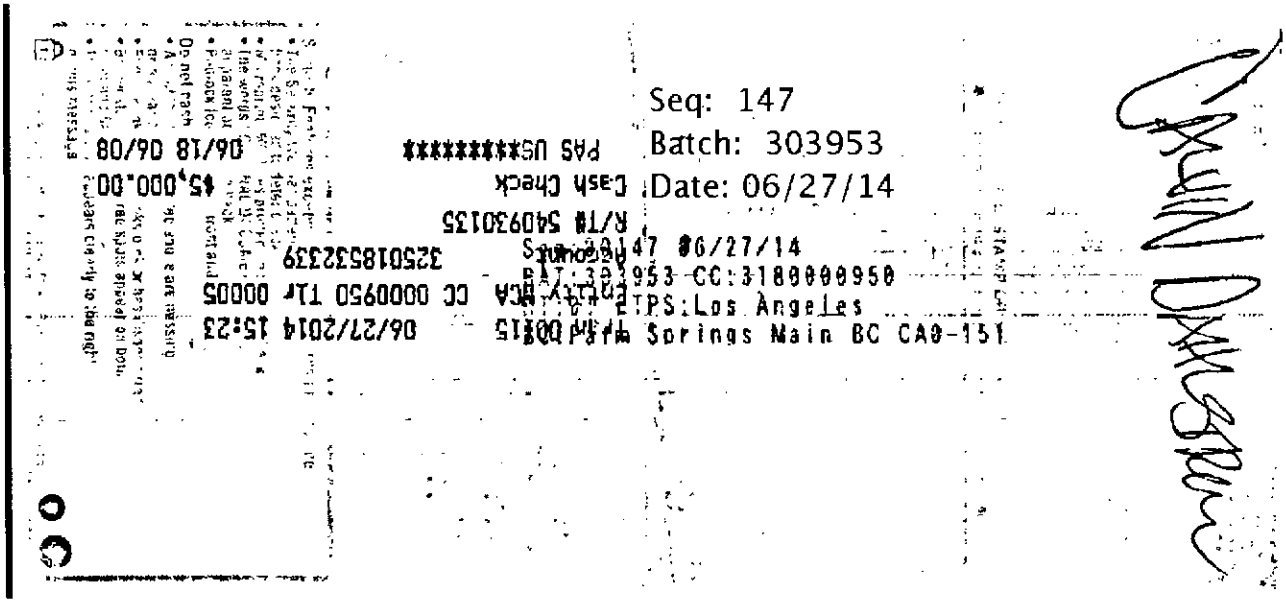
Five Thousand Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0431



Seq: 147
Batch: 303953
Date: 06/27/14

Calvin Dahlstrom

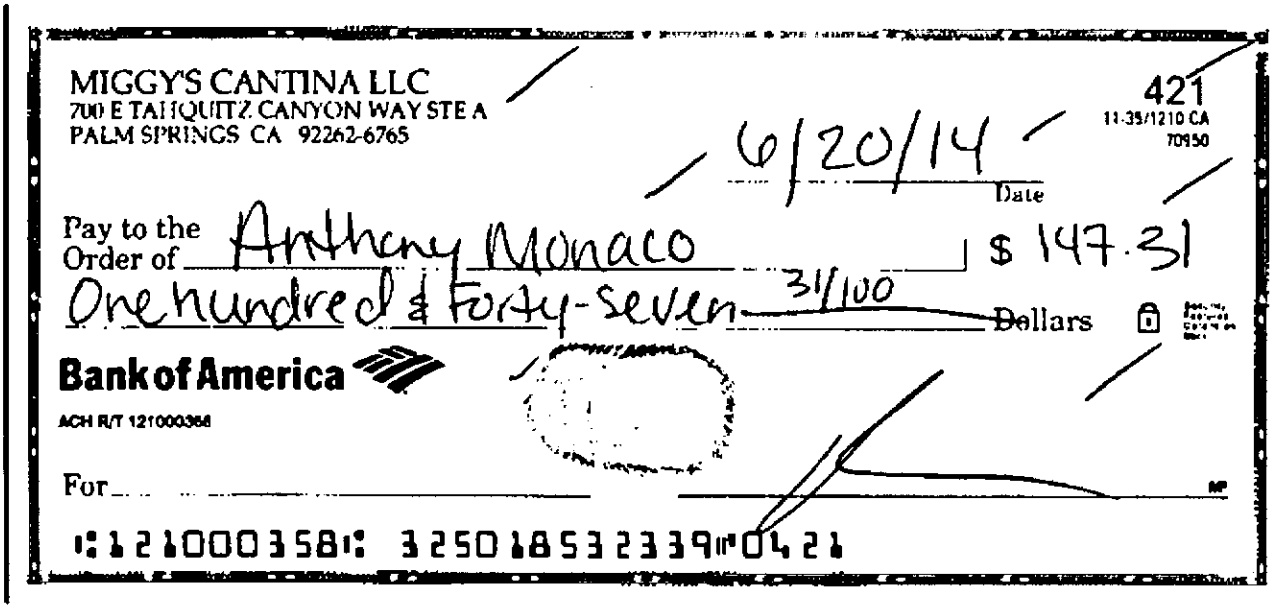
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/27/2014	5342884450	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $147.31 Sequence Number: 5442311054

Account: 325018532339 Capture Date: 06/30/2014

Bank Number: 12100035 Check Number: 421



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

421
11-39/1210 CA
70950

6/20/14
Date

Pay to the Order of Anthony Monaco $ 147.31

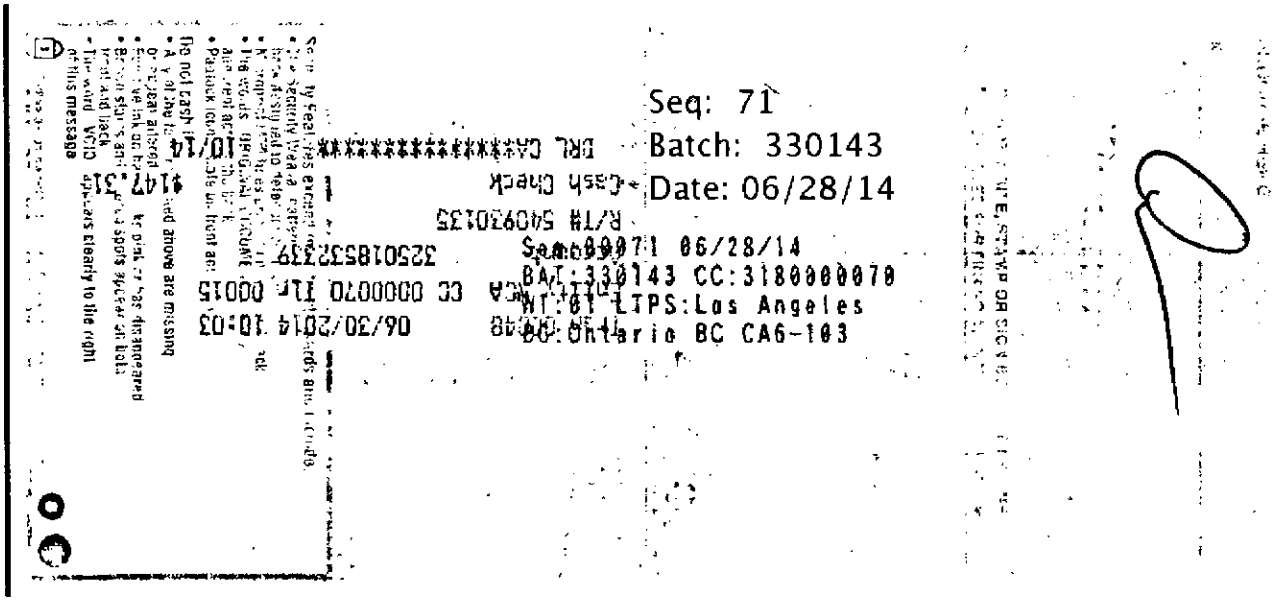
One hundred & Forty-seven 31/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0421



Seq: 71
Batch: 330143
Date: 06/28/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/30/2014	5442311054	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$75.71	Sequence Number:	5492561293
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	324

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

324
11-35/1210 CA
70950

06-05-14
Date

Pay to the Order of Desert Water Agency $ 75.71

Seventy Five 71/100 Dollars

Bank of America

ACH R/T 121000358

For 4422805 0

⑆121000358⑆ 325018532339⑈0324

Pay to the order
of Union Bank
For Dep. Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	4513013813	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/09/2014	005492561293	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$289.74	Sequence Number:	5492561336
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	325

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

325
11-35/1210 CA
70950

06-05-14
Date

Pay to the Order of Desert Water Agency / TY/100 $ 289.74

Two hundred & eighty-nine Dollars

Bank of America

ACH R/T 121000358

For 9901 60690

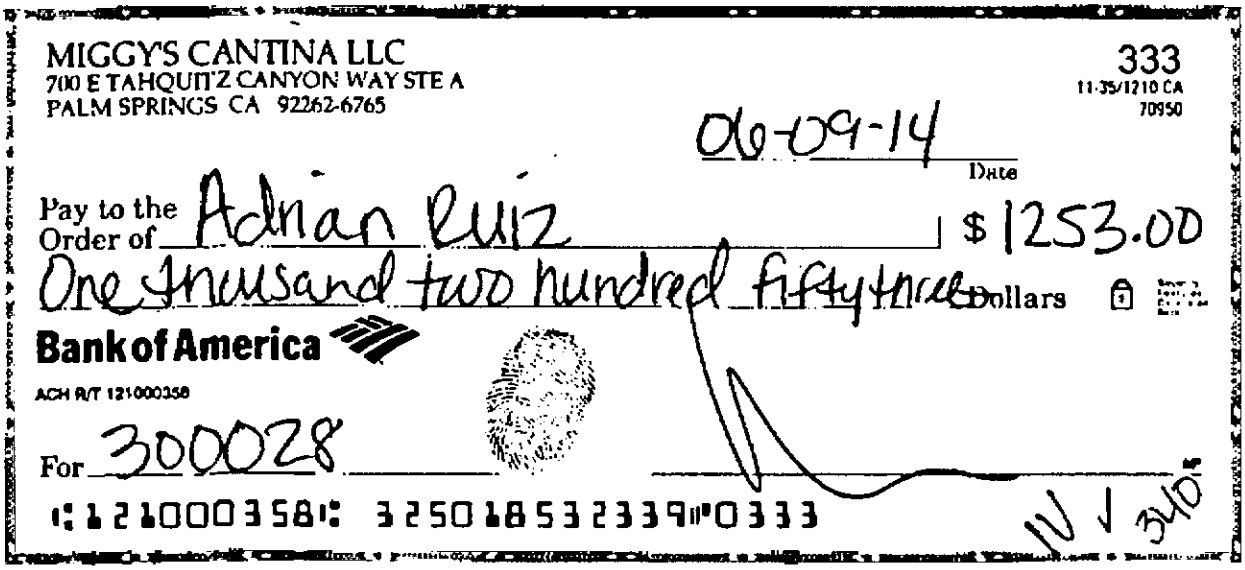
⑆121000358⑆ 325018532339⑈0325

Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	005492561336	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/09/2014	4513013931	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,253.00	Sequence Number:	5542105009
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	333



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

333
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Adrian Ruiz $1253.00

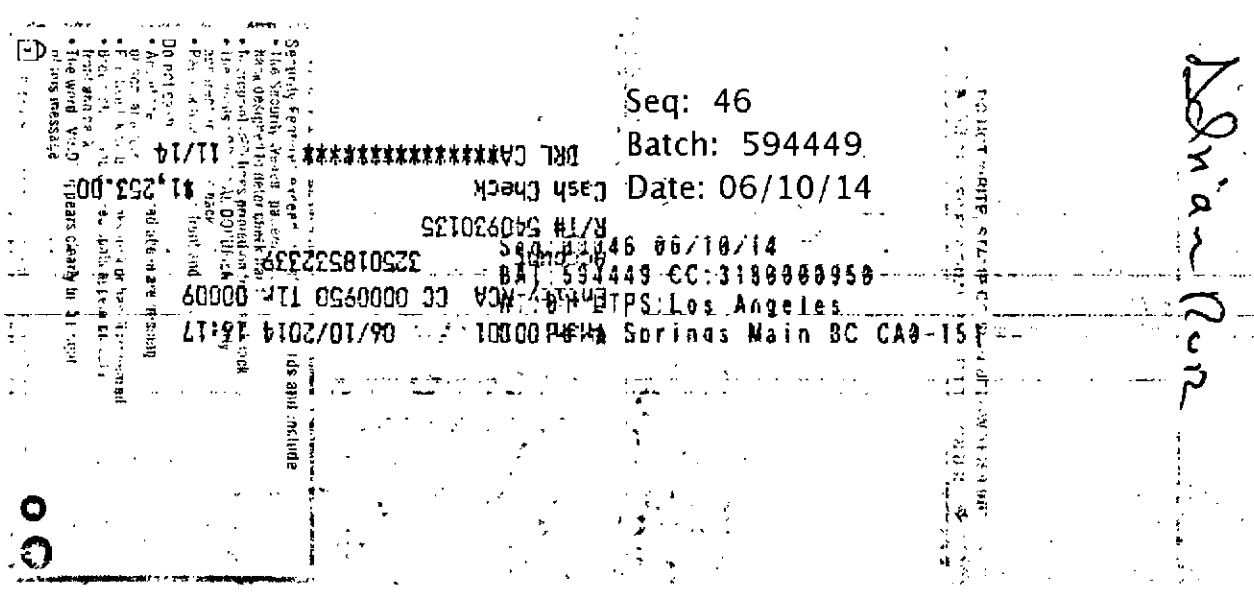
One thousand two hundred fifty three Dollars

Bank of America

ACH R/T 121000358

For 300028

⑆121000358⑆ 325018532339⑈0333



Seq: 46
Batch: 594449
Date: 06/10/14

Adrian Ruiz

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	5542105009	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$17,430.00	Sequence Number:	392128063
Account:	325018532339	Capture Date:	04/01/2014
Bank Number:	12100035	Check Number:	188

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

14416-AK

188
11-35/1210 CA
70050

3-27-14
Date

Pay to the Order of ABC ESCROW $ 17,430.00

Seventeen Thousand four hundred thirty — Dollars

Bank of America

ACH R/T 121000358

For LIQ Lic 14916-AK

⑆121000358⑆ 325018532339⑈0188

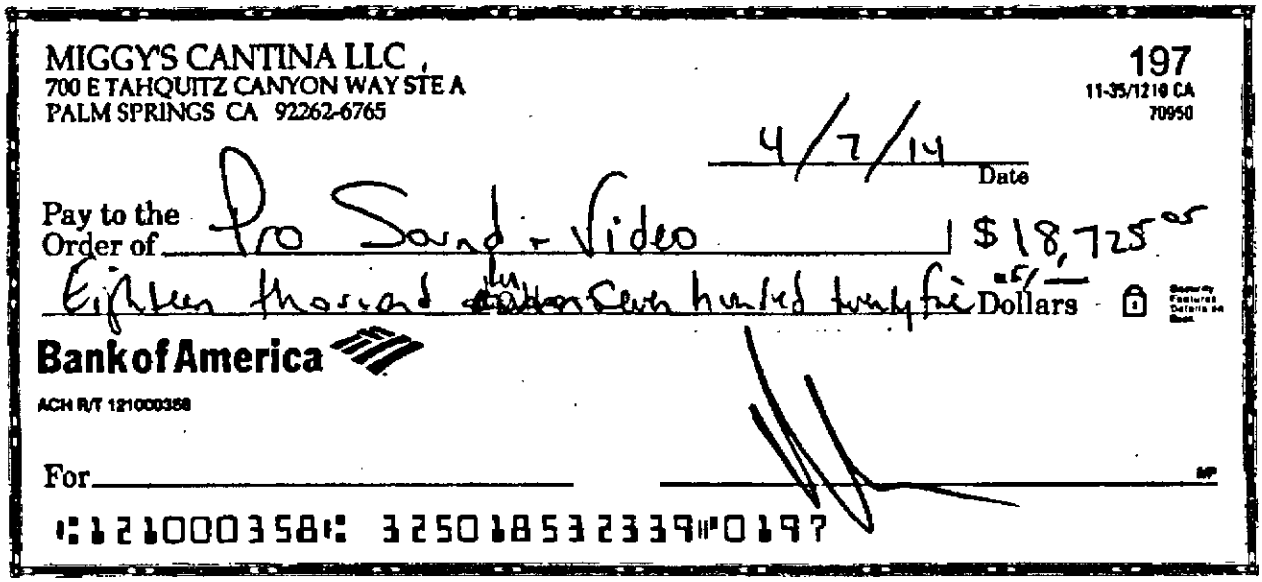
>322070381<
East West Bank
Pasadena, CA
03/31/2014
0000426270

PAY TO THE ORDER OF
EAST WEST BANK
FOR DEPOSIT ONLY
ABC ESCROW
ESCROW TRUST ACCOUNT
83239319

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	000007502206010	322070381	Rtn Loc/BOFD	Y		EAST WEST BANK
04/01/2014	000000392128063	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$18,725.05	Sequence Number:	1282927462
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	197



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

197
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Pro Sound + Video $18,725.05

Eighteen thousand seven hundred twenty five 05/100 Dollars

Bank of America
ACH R/T 121000358

For

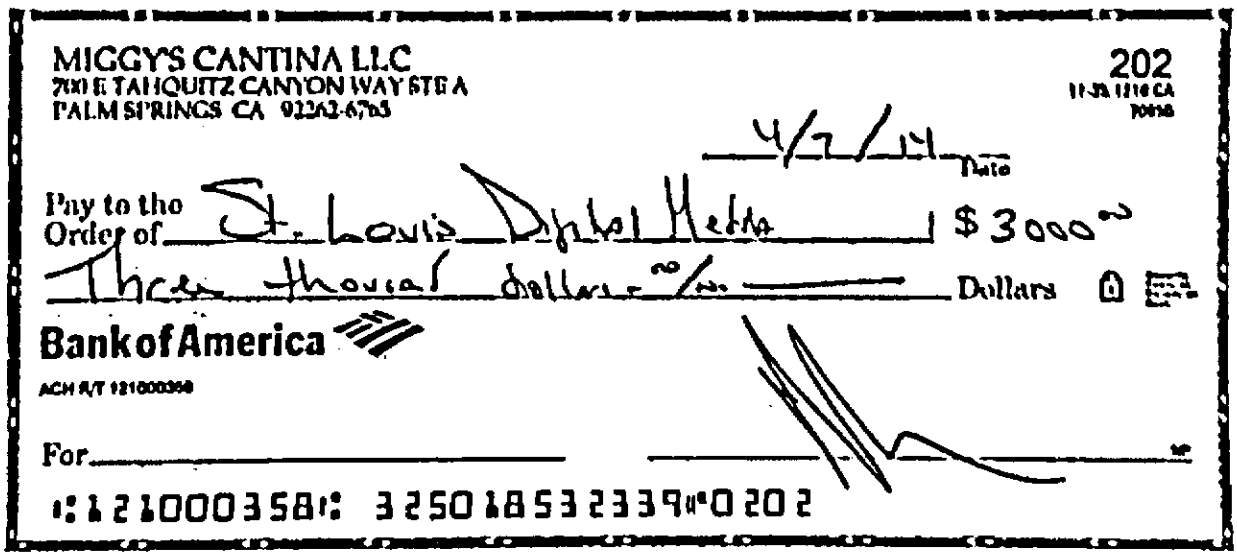
⑆121000358⑆ 325018532339⑈0197

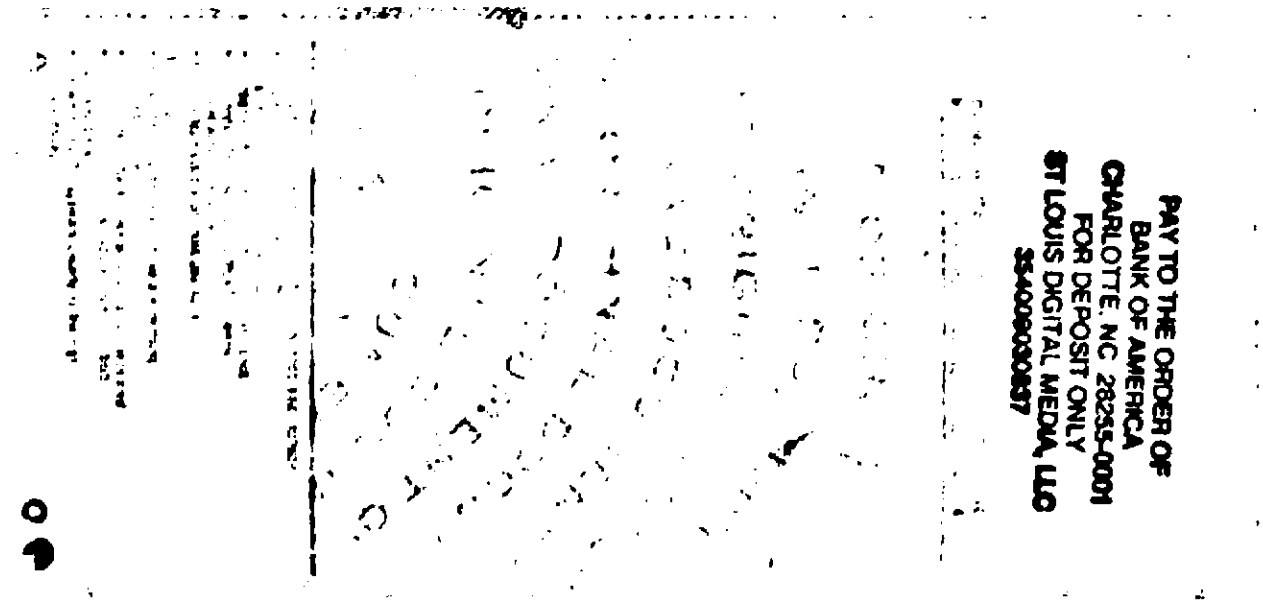
PAY TO THE ORDER OF
BANK OF AMERICA
Miami, FL 33145
FOR DEPOSIT ONLY
PRO SOUND CA, LLC
[illegible]

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	1282927462	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$3,000.00	Sequence Number:	1812488577
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	202

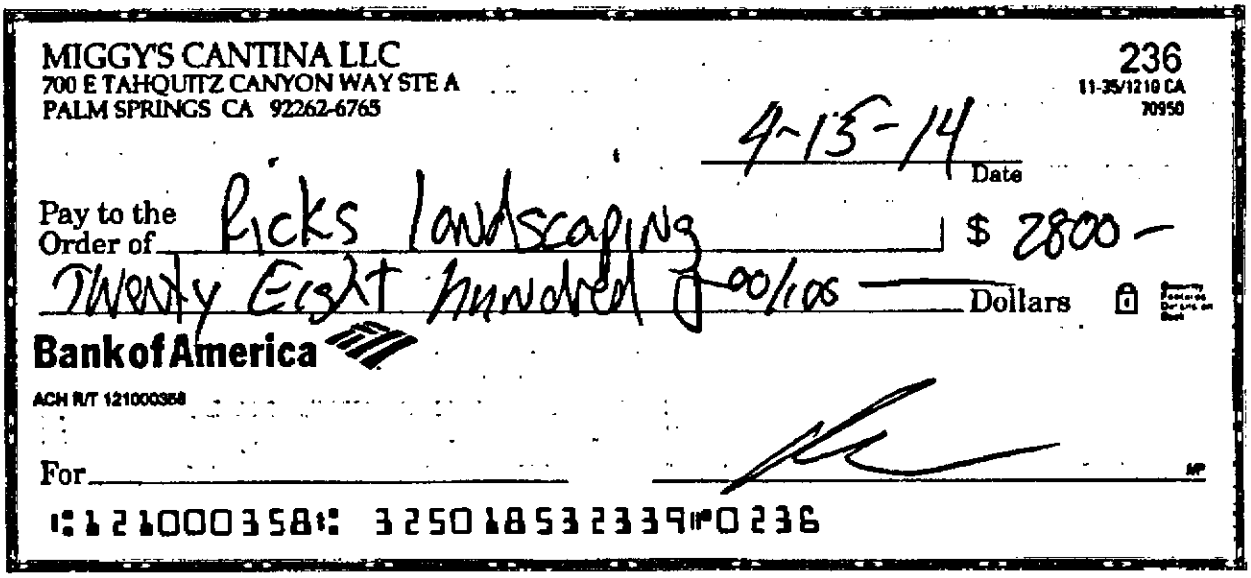




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	1812488577	111000025	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,800.00	Sequence Number:	2182764165
Account:	325018532339	Capture Date:	04/15/2014
Bank Number:	12100035	Check Number:	236



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

236
11-35/1210 CA
70950

4-15-14
Date

Pay to the Order of Ricks landscaping $ 2800-

Twenty Eight hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

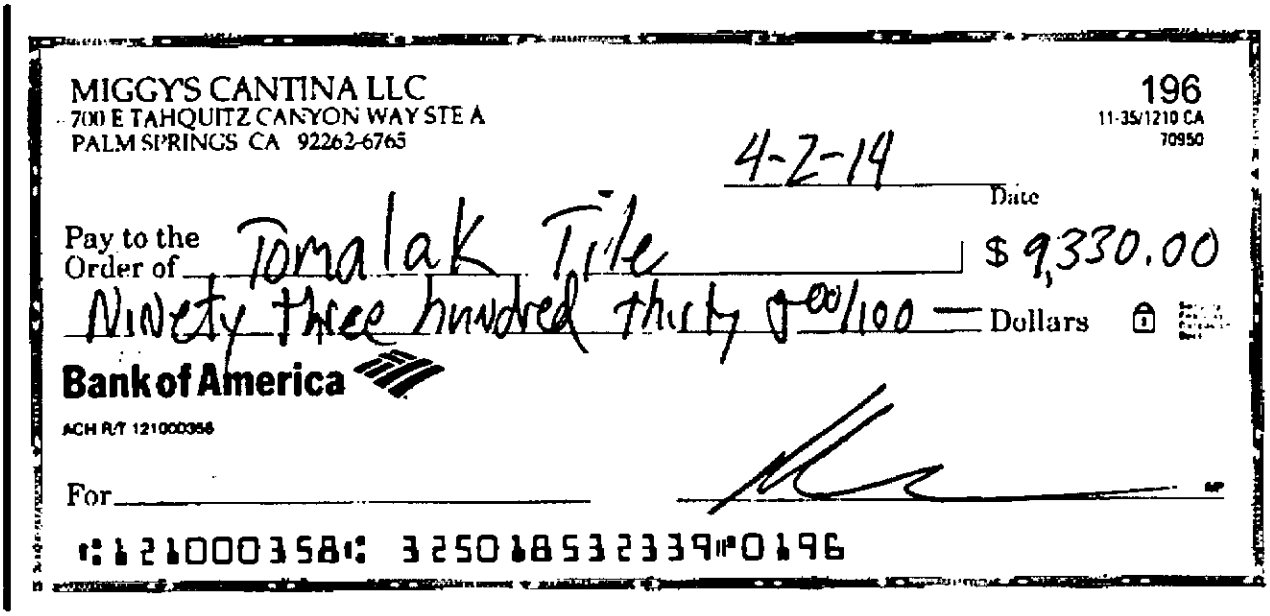
For

⑆121000358⑆ 325018532339⑈0236

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	2182764165	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$9,330.00	Sequence Number:	3542530276
Account:	325018532339	Capture Date:	04/04/2014
Bank Number:	12100035	Check Number:	196



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

196
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of Tomalak Title $ 9,330.00

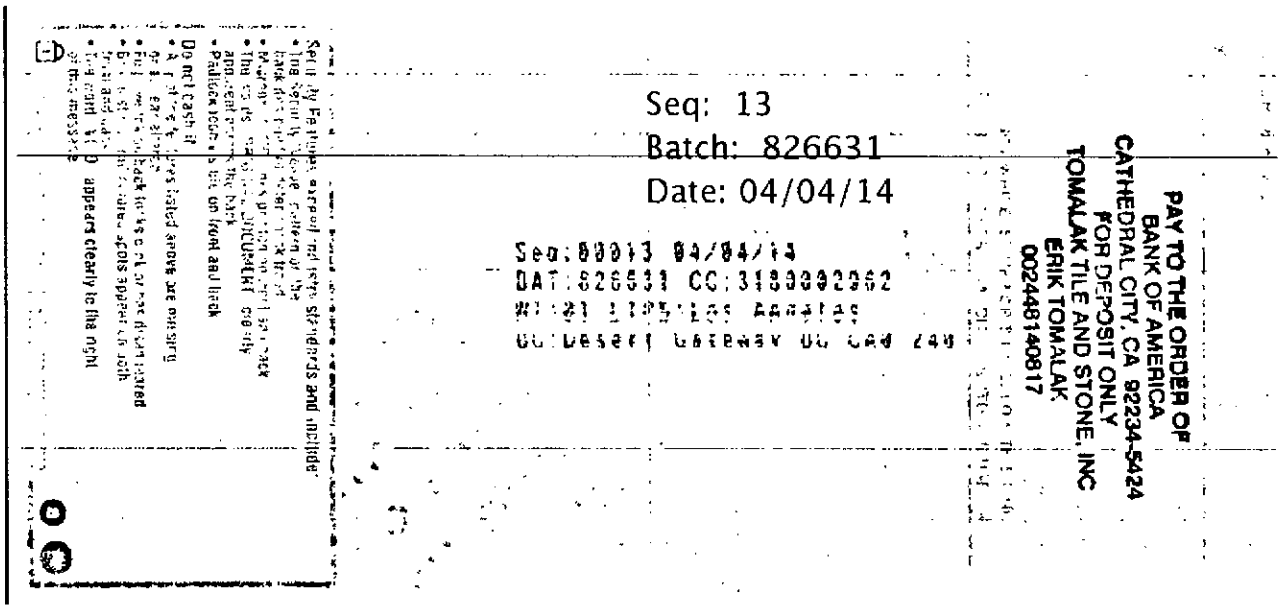
Ninety three hundred thirty 00/100 — Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0196



Seq: 13
Batch: 826631
Date: 04/04/14

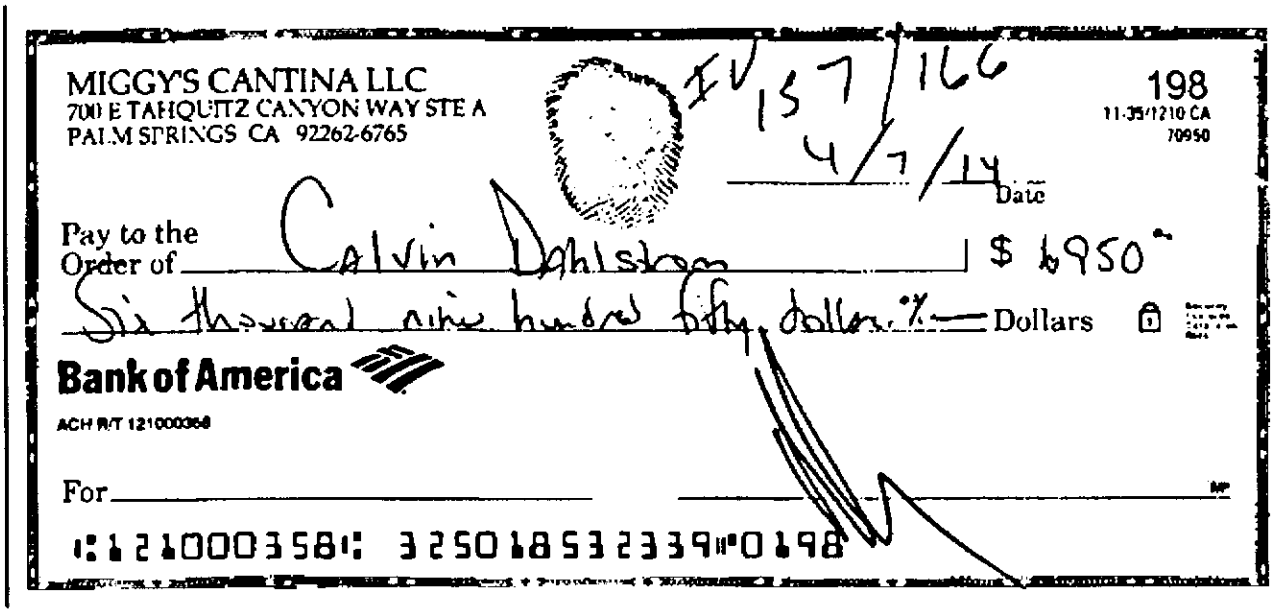
Seq:00013 04/04/14
DAT:826631 CC:3183002062
#1:21 1105:105 Amount
CC:Desert Gateway CC CAD 248

PAY TO THE ORDER OF
BANK OF AMERICA
CATHEDRAL CITY, CA 92234-5424
FOR DEPOSIT ONLY
TOMALAK TILE AND STONE, INC
ERIK TOMALAK
002448140817

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/04/2014	3542530276	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$6,950.00	Sequence Number:	3742166412
Account:	325018532339	Capture Date:	04/07/2014
Bank Number:	12100035	Check Number:	198



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

IV 157/166

198
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Calvin Dahlstrom $ 6950

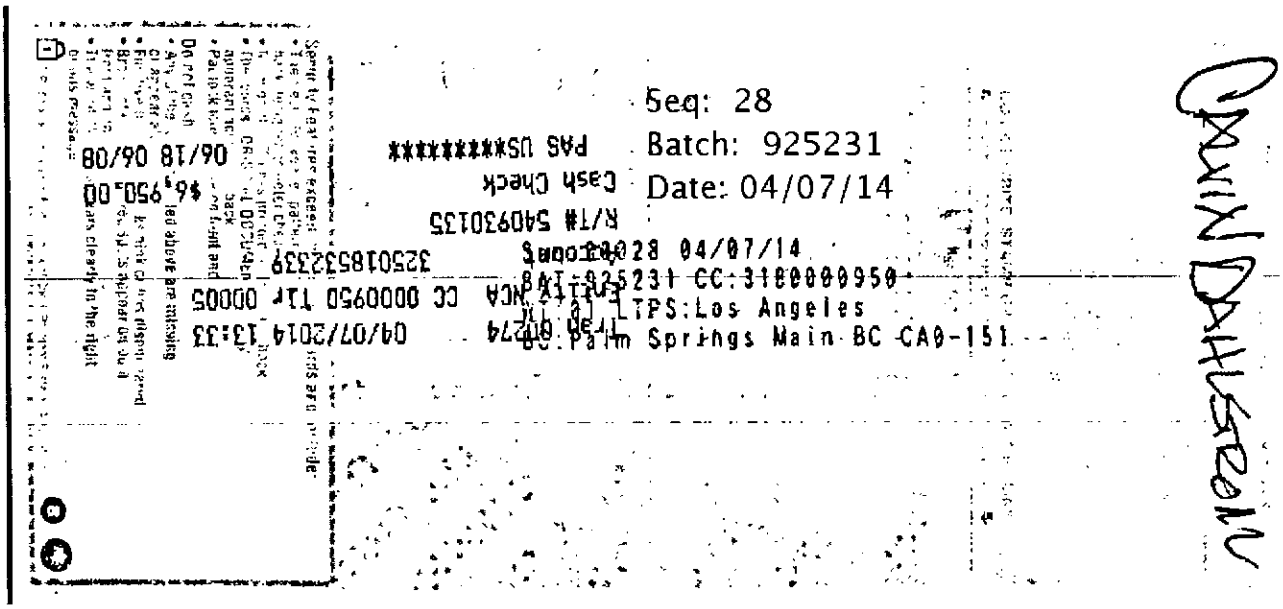
Six thousand nine hundred fifty dollars 00 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0198



Seq: 28
Batch: 925231
Date: 04/07/14

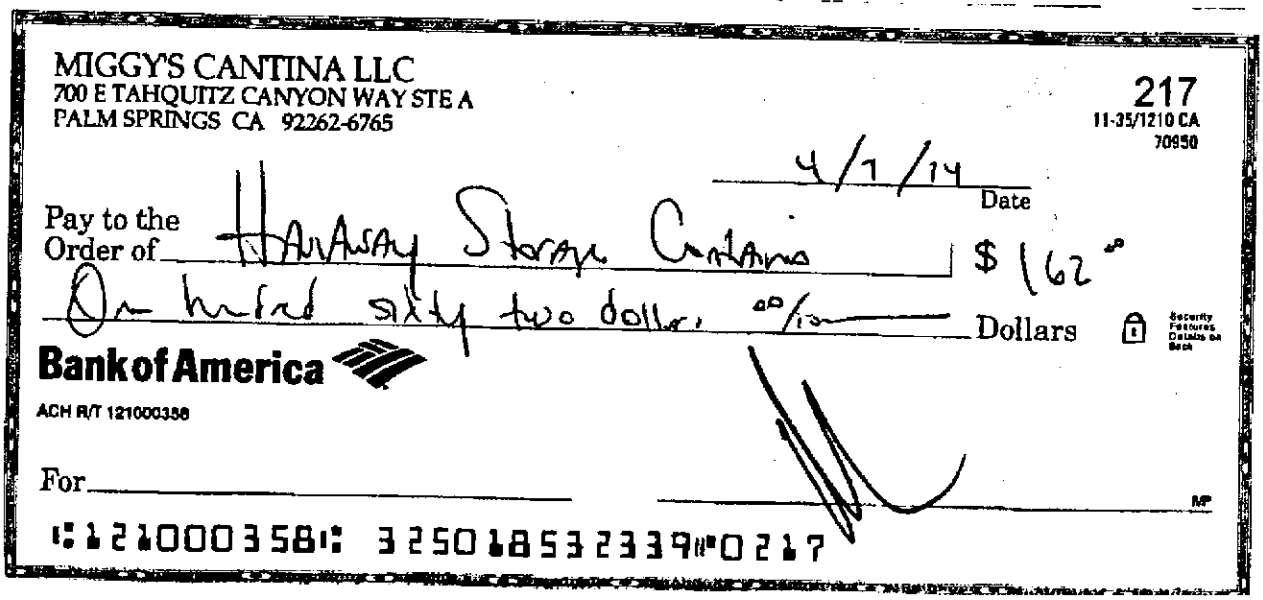
Cash Check
R/T# 340930135
$6,950.00 04/07/14
325018532339
CC: 3100000950
TPS:Los Angeles
04/07/2014 13:33
CC 00000950 TLr 00005
Palm Springs Main BC CA0-151

Calvin Dahlstrom

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/07/2014	3742166412	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$162.00	Sequence Number:	4192791158
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	217



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

217
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of HAWAY Storage Cantina $ 162.00

One hund sixty two dollars 00/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

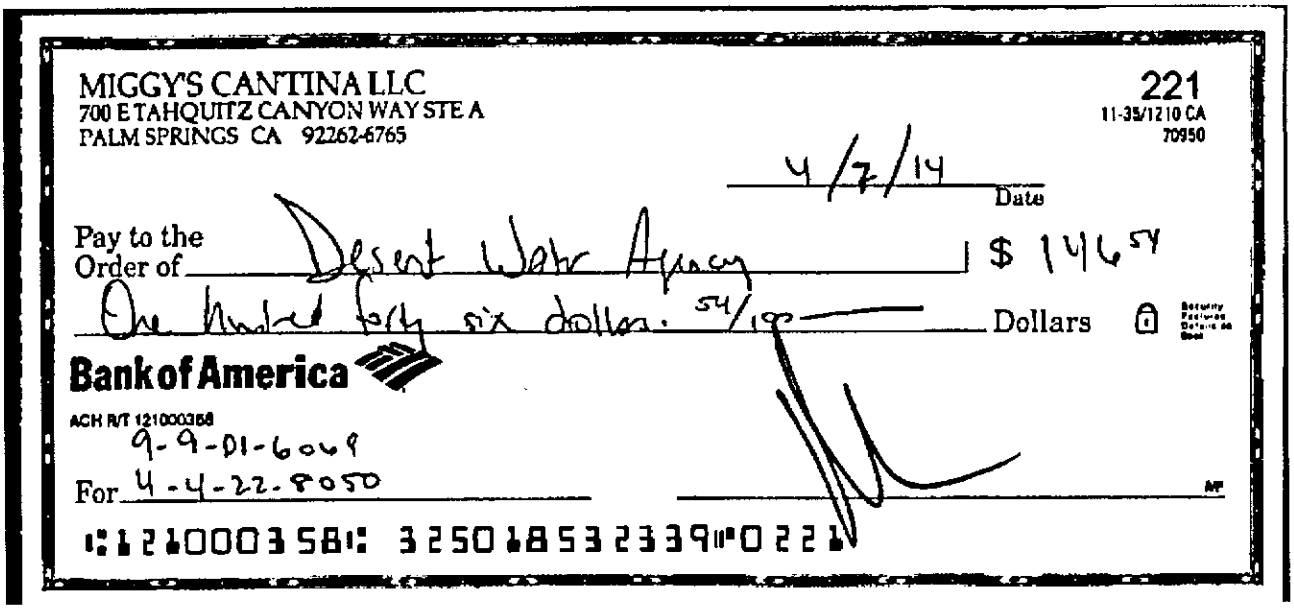
⑆121000358⑆ 325018532339⑈0217

000102 153 040914 1051
5000543996 LOS CRED TO PAYEE
748012671/81 ABS END GUAR
040914 029020 153 306

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	004192791158	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	0460092420	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST

Amount:	$146.54	Sequence Number:	4292064573
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	221



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

221
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Desert Water Agency $ 146.54

One hundred forty six dollars 54/100 Dollars

Bank of America

ACH R/T 121000358

9-9-01-6049

For 4-4-22-8050

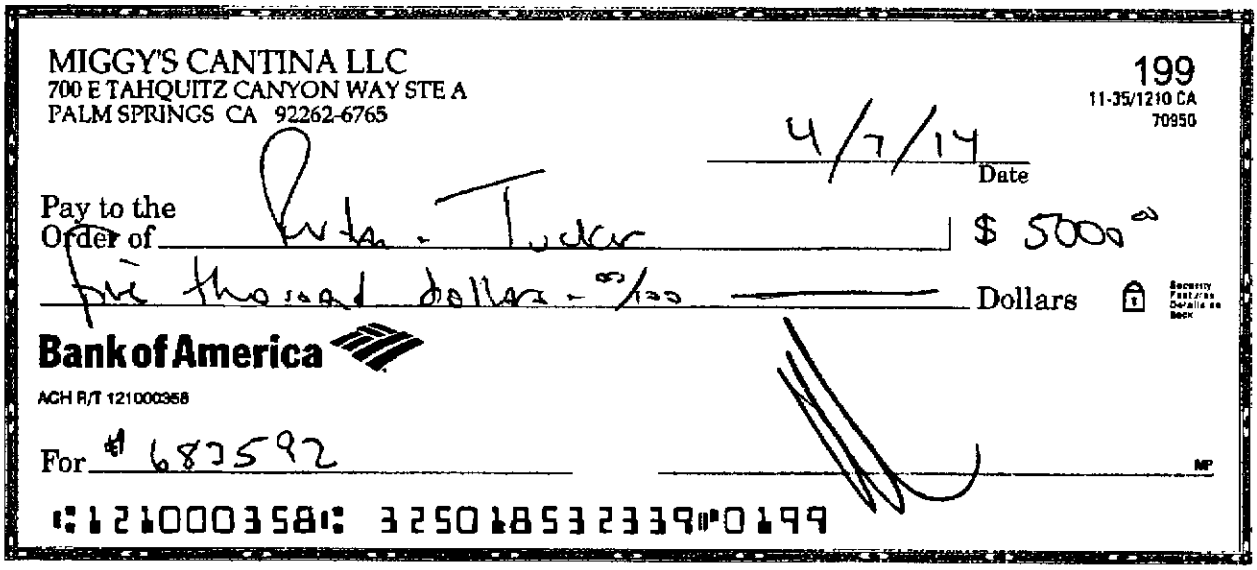
⑈121000358⑈ 325018532339⑈0221

Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	004292064573	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	4513004937	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$5,000.00	Sequence Number:	4292085951
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	199



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

199
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Ruth - Tucker $ 5000.00

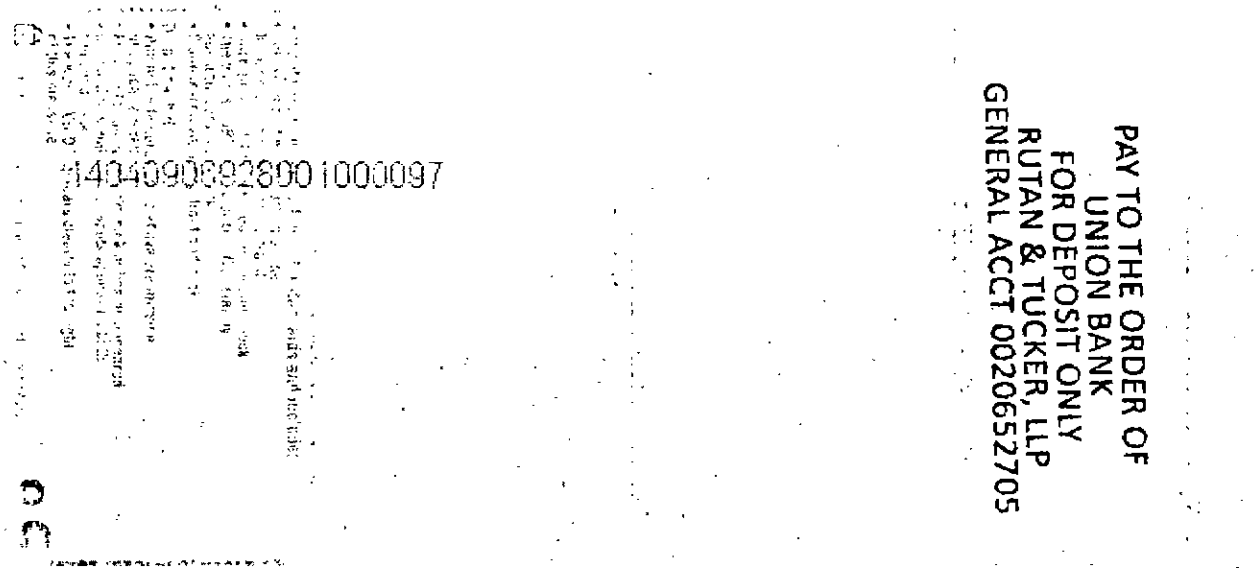
five thousand dollars - 00/100 Dollars

Bank of America

ACH R/T 121000358

For #683592

⑆121000358⑆ 325018532339⑈0199



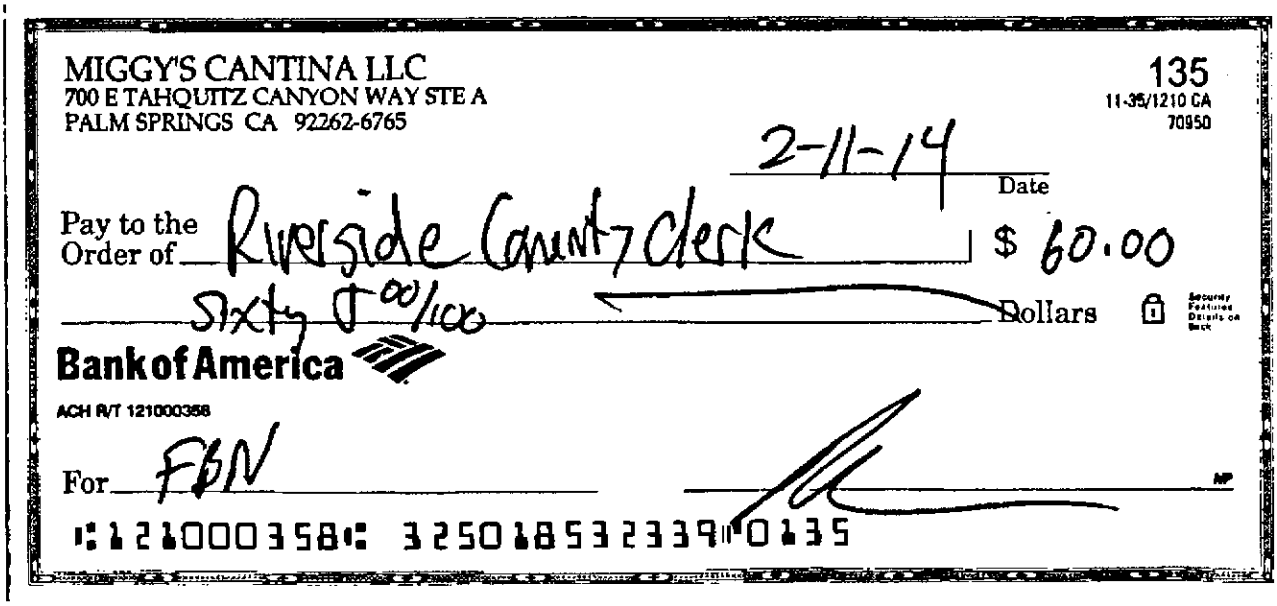
14040908928001000097

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	4477753909	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/09/2014	004292085951	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$60.00	Sequence Number:	4292517069
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	135



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

135
11-35/1210 CA
70950

2-11-14
Date

Pay to the Order of Riverside County Clerk $ 60.00

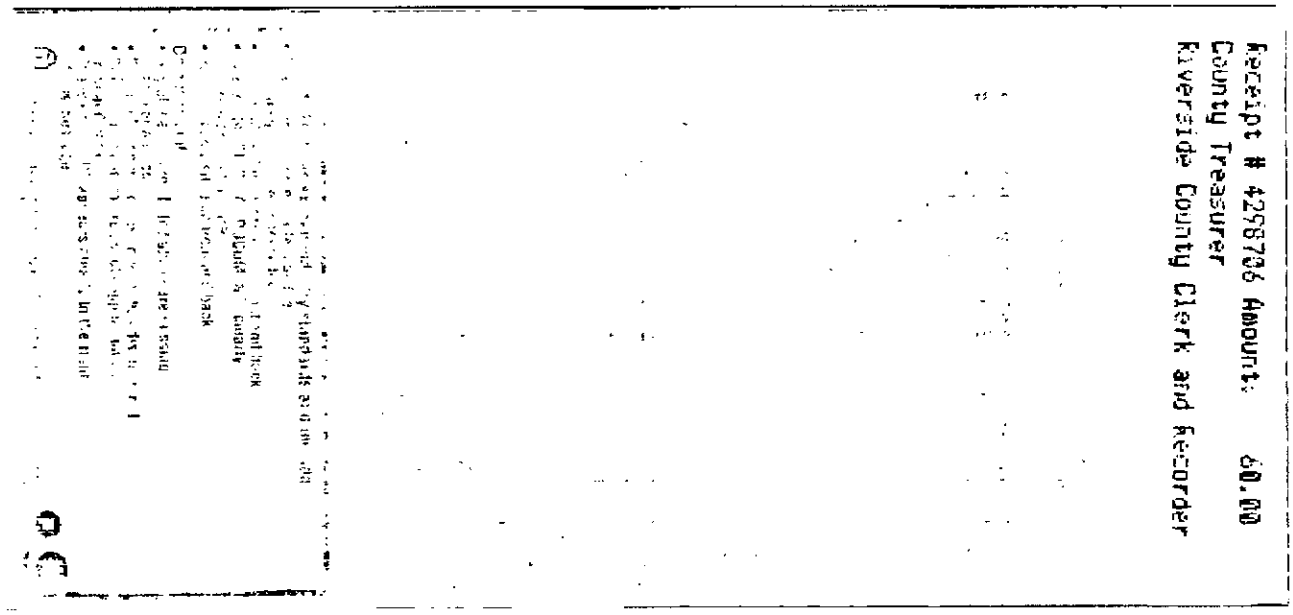
Sixty 00/100 Dollars

Bank of America

ACH R/T 121000358

For FBN

⑆121000358⑆ 325018532339⑈0135



Receipt # 4258796 Amount: 60.00
County Treasurer
Riverside County Clerk and Recorder

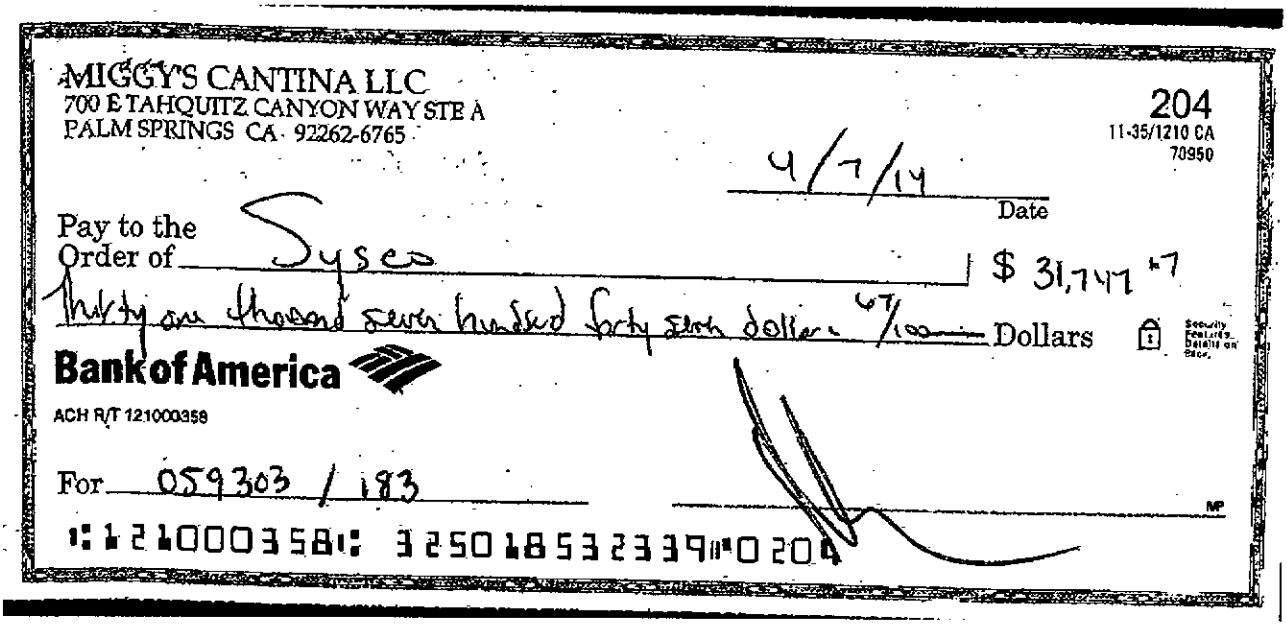
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	004292517069	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	4447038990	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount: $31,747.67 Sequence Number: 4492652713

Account: 325018532339 Capture Date: 04/11/2014

Bank Number: 12100035 Check Number: 204



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

204
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Sysco $ 31,747 67

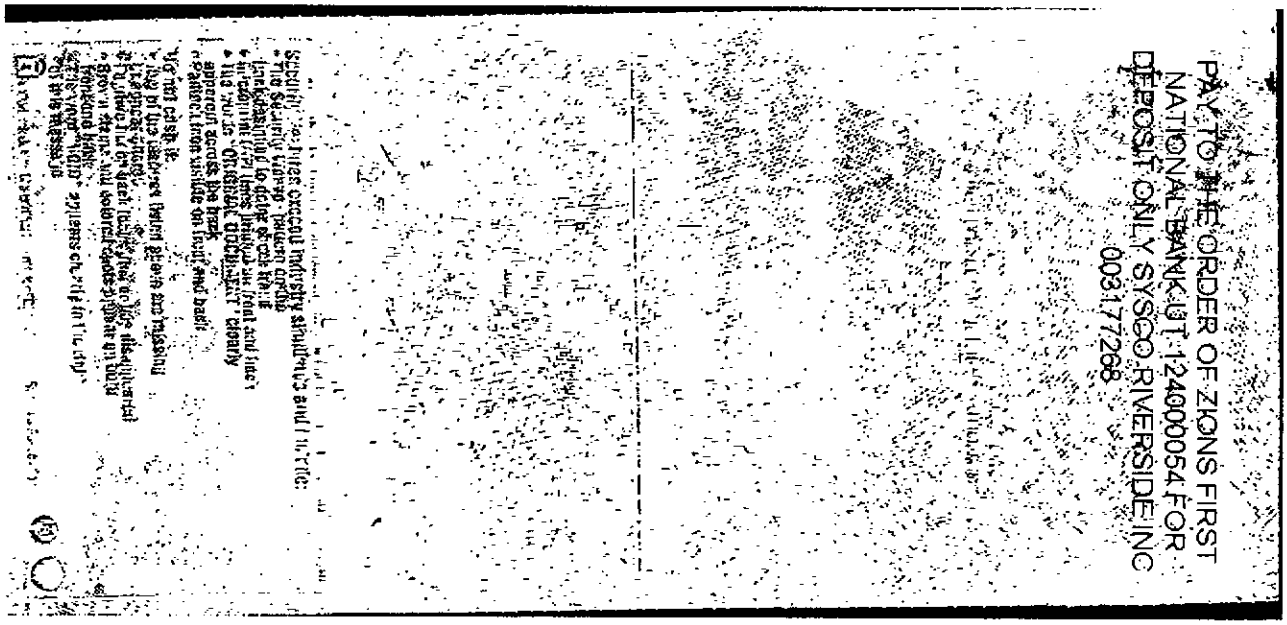
Thirty one thousand seven hundred forty seven dollars 67/100 Dollars

Bank of America

ACH R/T 121000358

For 059303 / 183

⑆121000358⑆ 325018532339⑈0204

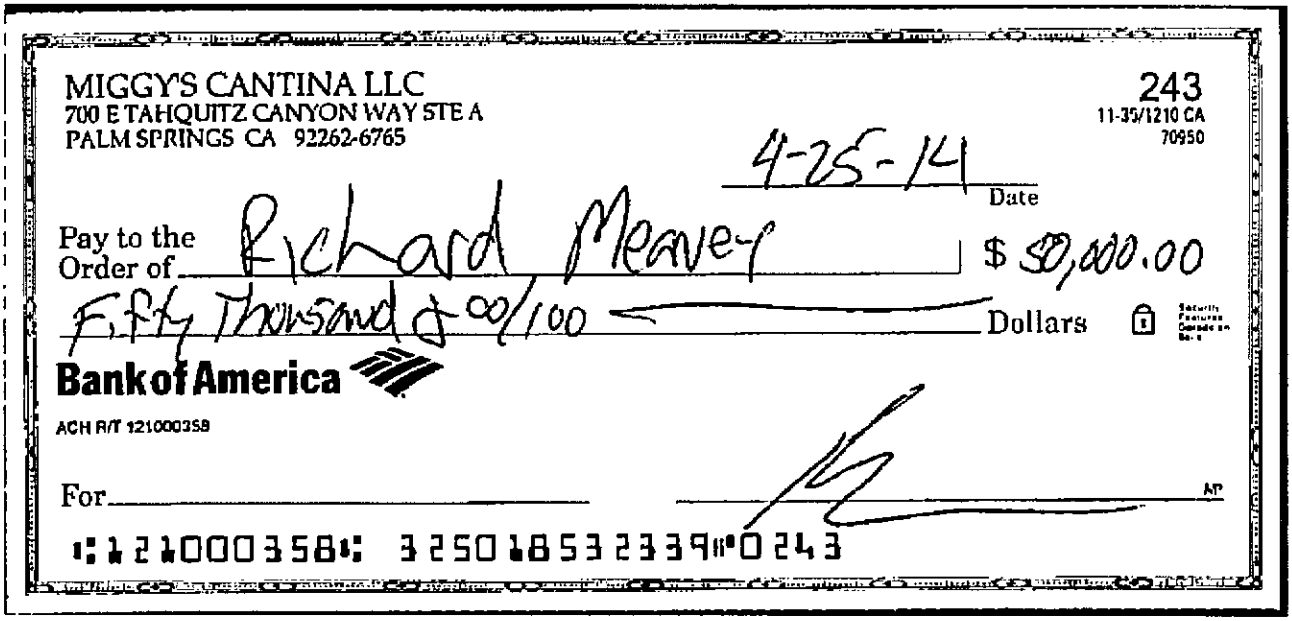


PAY TO THE ORDER OF ZIONS FIRST NATIONAL BANK UT 124000054 FOR DEPOSIT ONLY SYSCO RIVERSIDE INC 003177268

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	9199389474	61000146	Undetermined	N		FEDERAL RES BANK OF
04/11/2014	004492652713	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	000051455329241	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$50,000.00	Sequence Number:	4892656353
Account:	325018532339	Capture Date:	04/28/2014
Bank Number:	12100035	Check Number:	243



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

243
11-35/1210 CA
70950

4-25-14
Date

Pay to the Order of Richard Meaver $ 50,000.00

Fifty Thousand & 00/100 Dollars

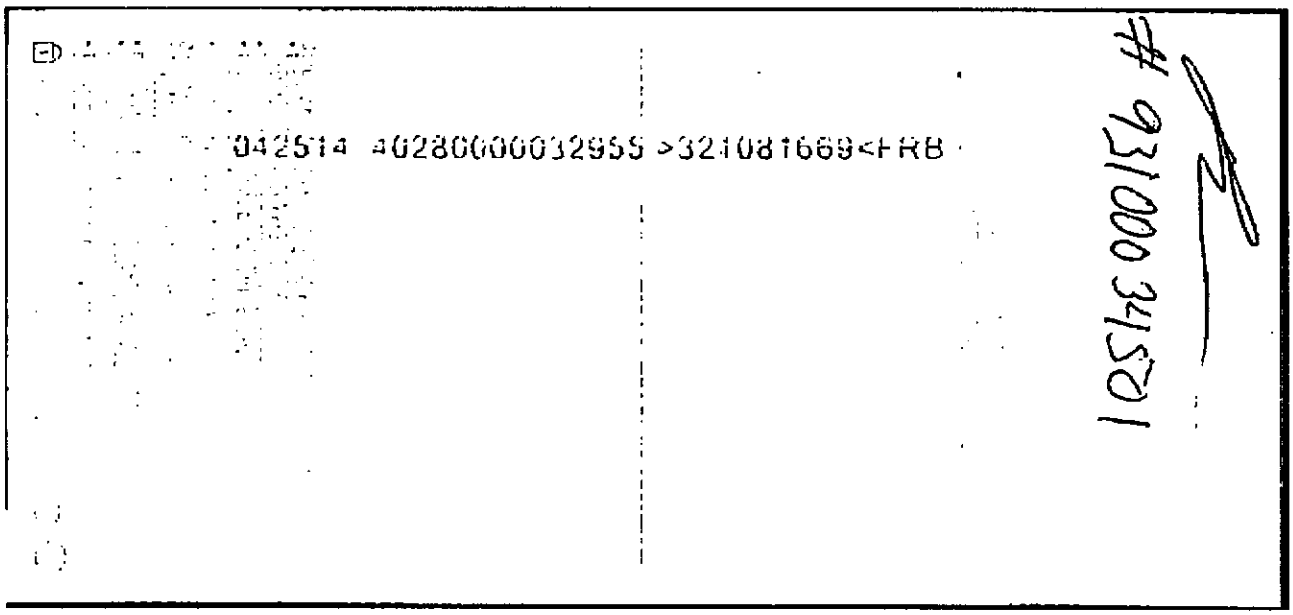
Bank of America

ACH R/T 121000358

For

AP

⑆121000358⑆ 325018532339⑈0243



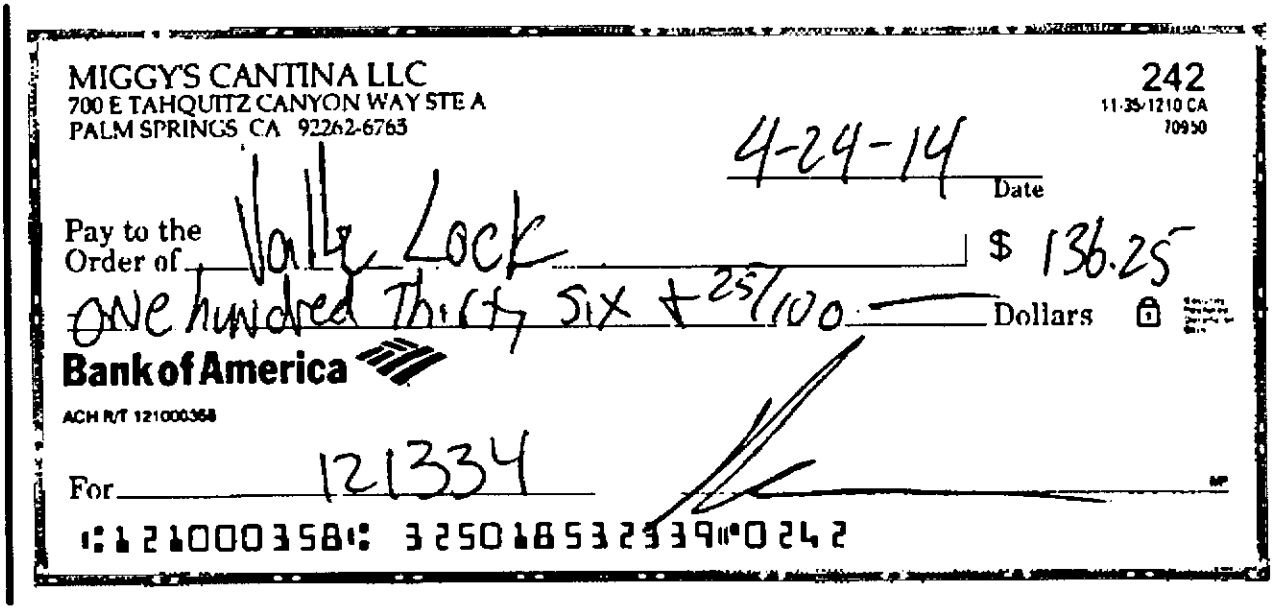
⑆042514 ⑆028000032955 >321081669<4RB

#0243 000156 1251

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/28/2014	9456572873	61000146	Undetermined	N		FEDERAL RES BANK OF
04/28/2014	004892656353	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/25/2014	0624126550	321081669	Rtn Loc/BOFD	Y		FIRST REPUBLIC BANK

Amount:	$136.25	Sequence Number:	5042328801
Account:	325018532339	Capture Date:	04/29/2014
Bank Number:	12100035	Check Number:	242



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6763

242
11-35/1210 CA
70950

4-24-14
Date

Pay to the Order of Wally Lock $ 136.25

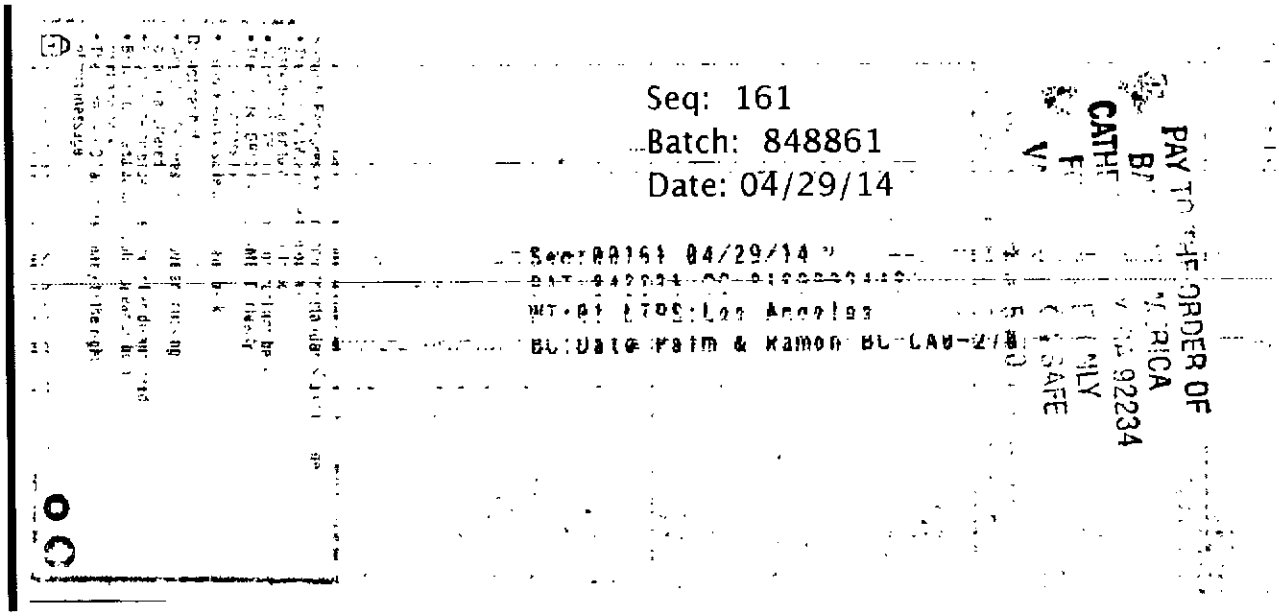
One hundred Thirty Six & 25/100 Dollars

Bank of America

ACH R/T 121000358

For 121334

⑆121000358⑆ 325018532339⑈0242



Seq: 161
Batch: 848861
Date: 04/29/14

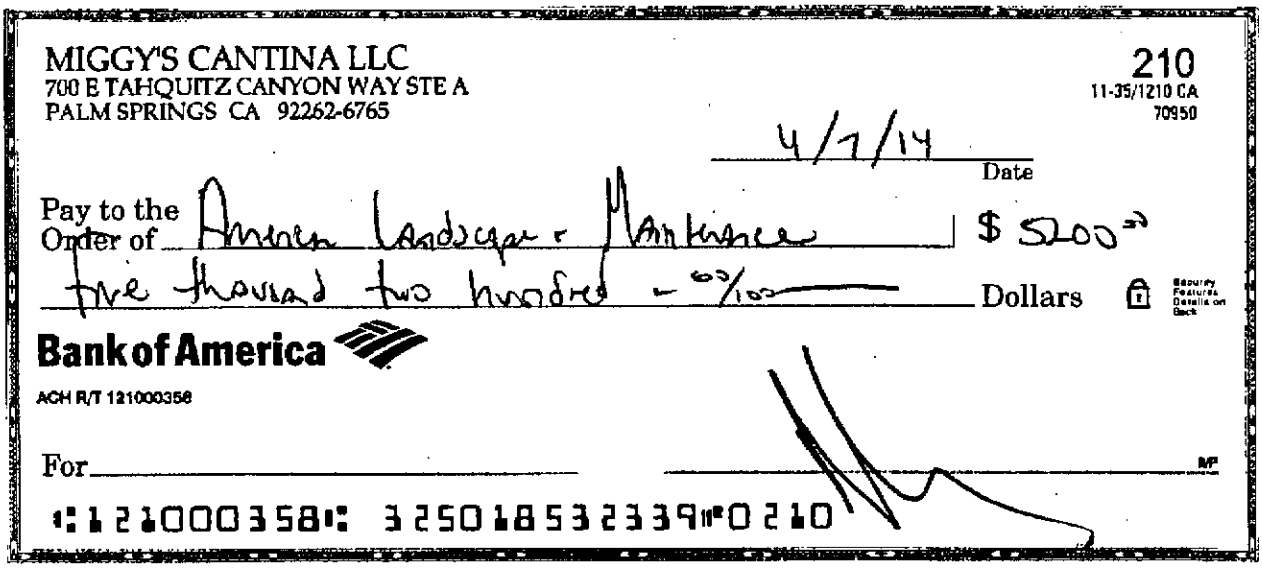
PAY TO THE ORDER OF
BA
CATHE
F
V
AMERICA
92234
FAMILY
SAFE

Seq:00161 04/29/14
BL:Palm & Ramon BL LAU-2/8

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/29/2014	5042328801	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,200.00	Sequence Number:	5192720828
Account:	325018532339	Capture Date:	04/15/2014
Bank Number:	12100035	Check Number:	210



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

210
11-35/1210 CA
70950

4/1/14
Date

Pay to the Order of American Landscape + Maintenance $ 5200

five thousand two hundred - 00/100 Dollars

Security Features Details on Back

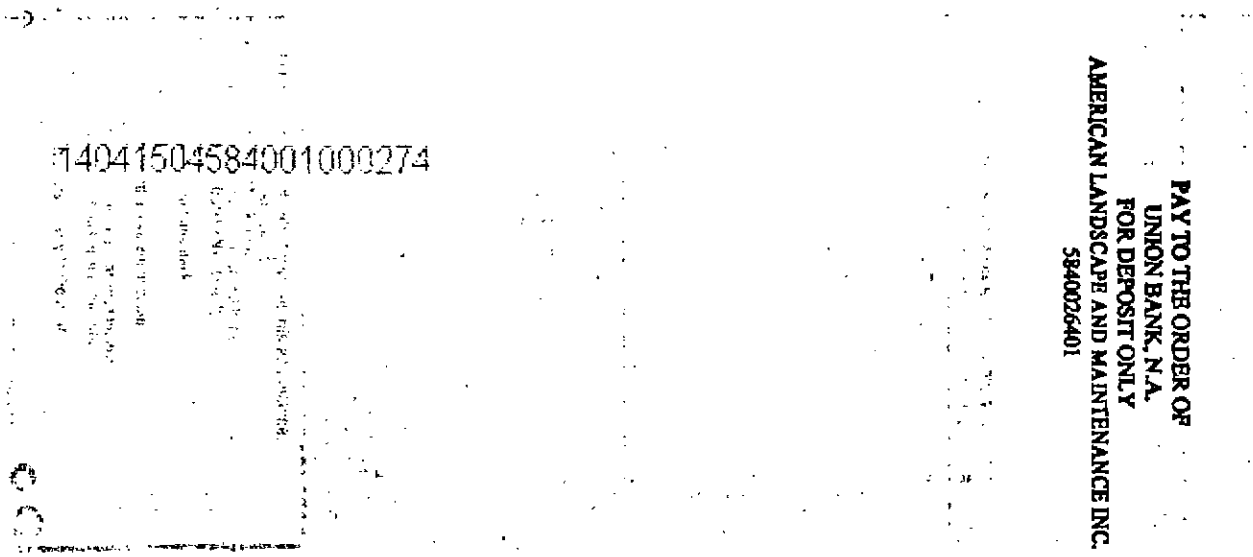
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0210



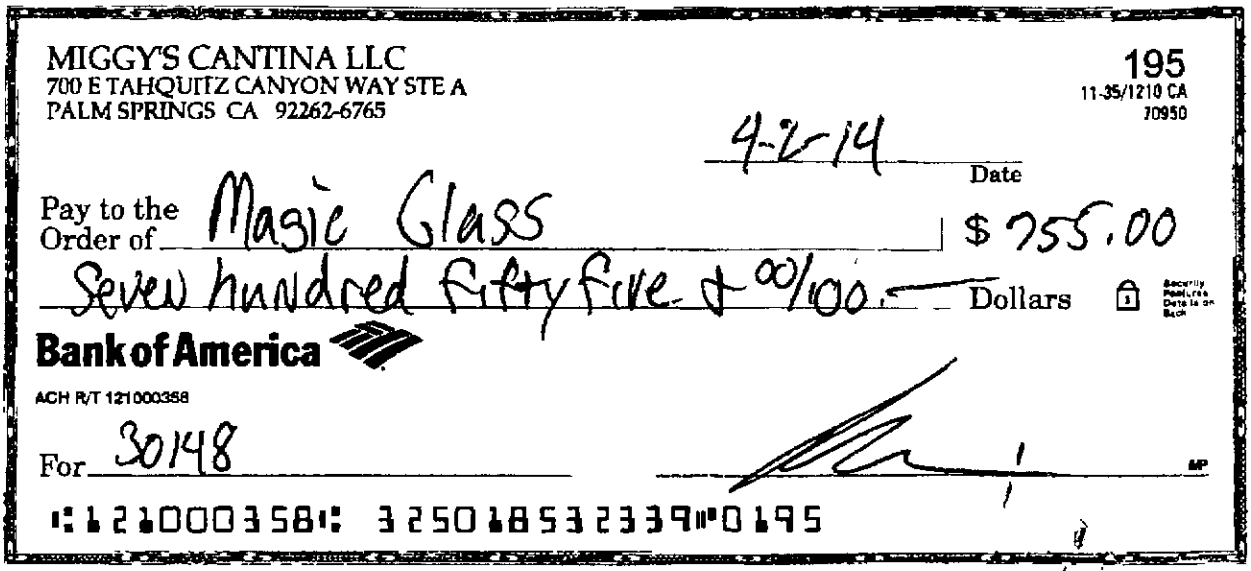
14041504584001000274

PAY TO THE ORDER OF
UNION BANK, N.A.
FOR DEPOSIT ONLY
AMERICAN LANDSCAPE AND MAINTENANCE INC.
5840026401

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	005192720828	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/15/2014	4476745874	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$755.00	Sequence Number:	5292089171
Account:	325018532339	Capture Date:	04/03/2014
Bank Number:	12100035	Check Number:	195



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

195
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of Magic Glass $ 755.00

Seven hundred fifty five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 30148

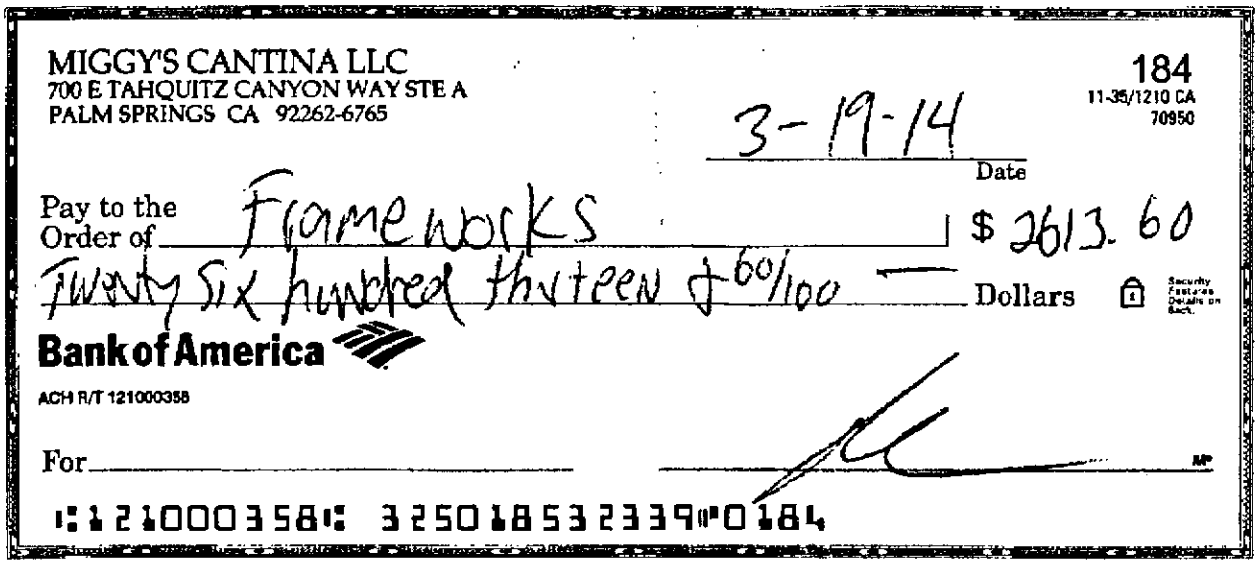
⑆121000358⑆ 325018532339⑈0195

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/03/2014	005292089171	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/03/2014	4512640640	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,613.60	Sequence Number:	5292098916
Account:	325018532339	Capture Date:	04/03/2014
Bank Number:	12100035	Check Number:	184



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

184
11-35/1210 CA
70950

3-19-14
Date

Pay to the Order of Frameworks $ 2613.60

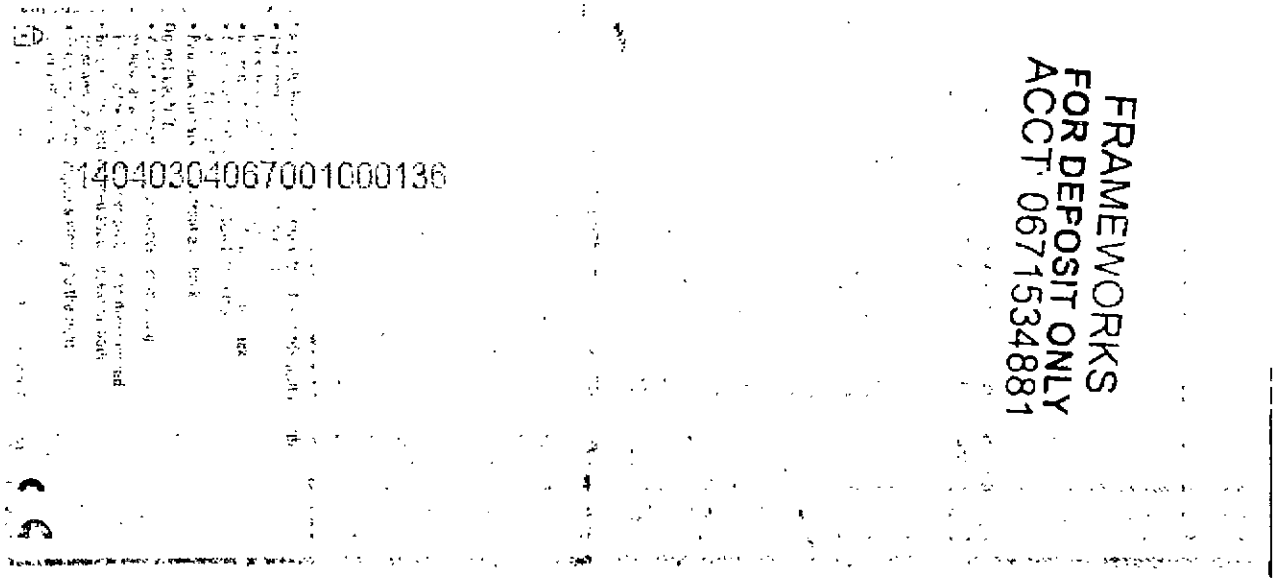
Twenty Six hundred thirteen 60/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0184



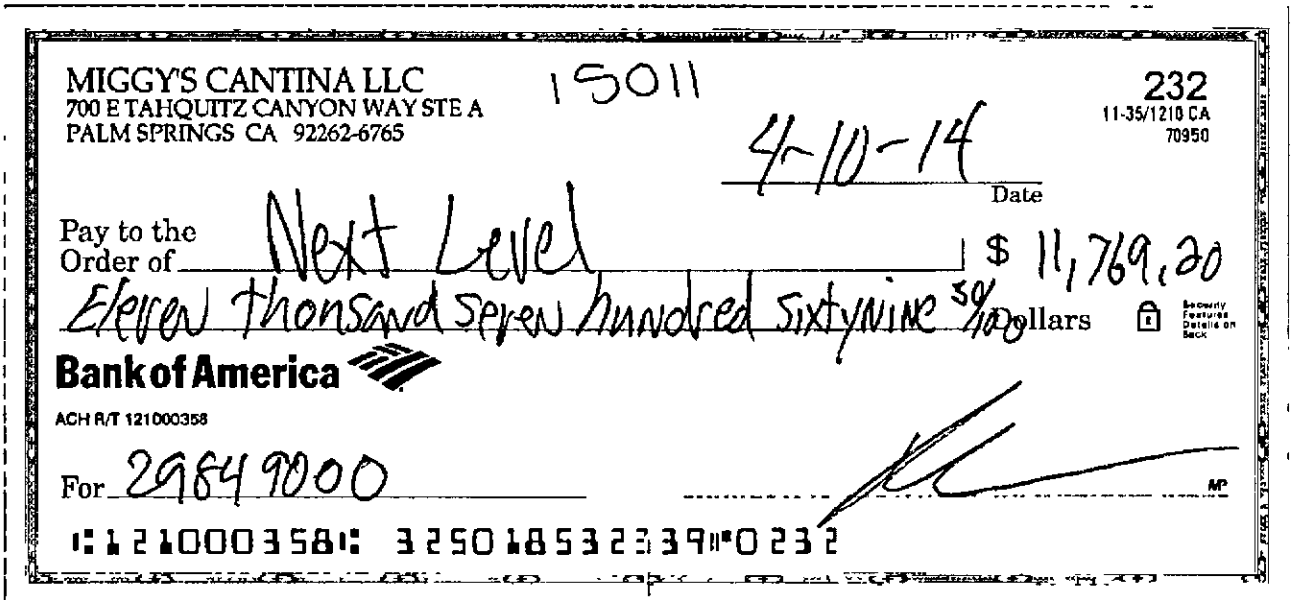
14040304067001000136

FRAMEWORKS
FOR DEPOSIT ONLY
ACCT 067153481

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/03/2014	005292098916	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/03/2014	4477365812	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$11,769.20	Sequence Number:	5292192864
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	232



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15011

232
11-35/1210 CA
70950

4-10-14
Date

Pay to the Order of Next Level $ 11,769.20

Eleven thonsand seven hundred sixty nine 20/100 Dollars

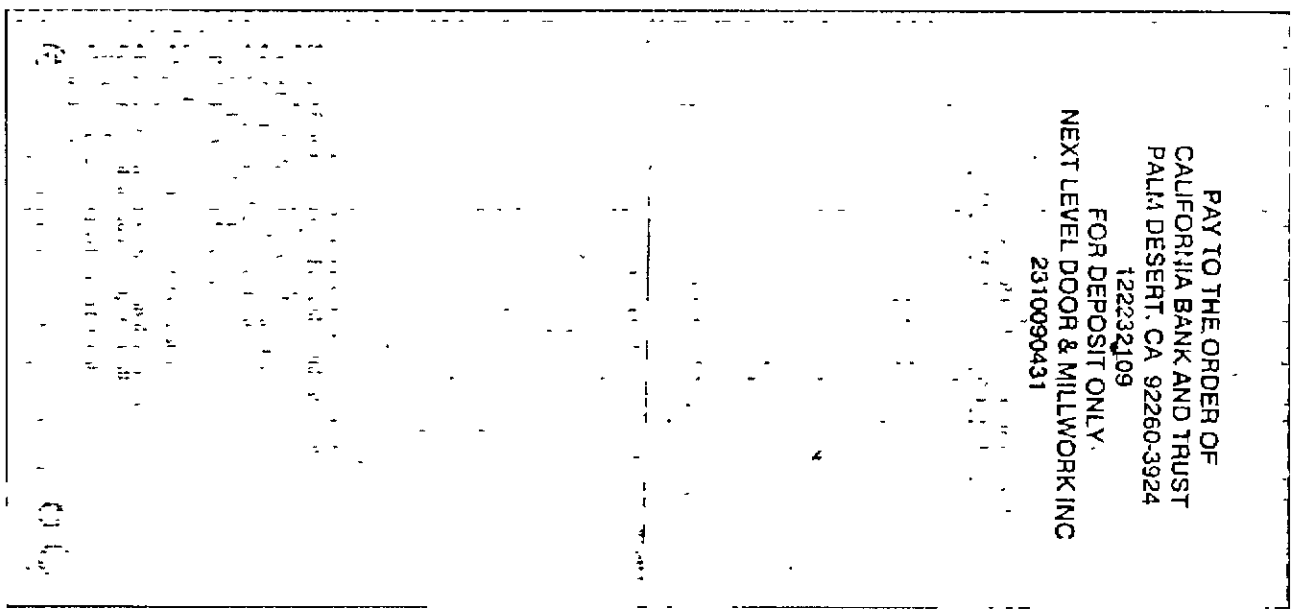
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 29849000

⑆121000358⑆ 325018532339⑈0232

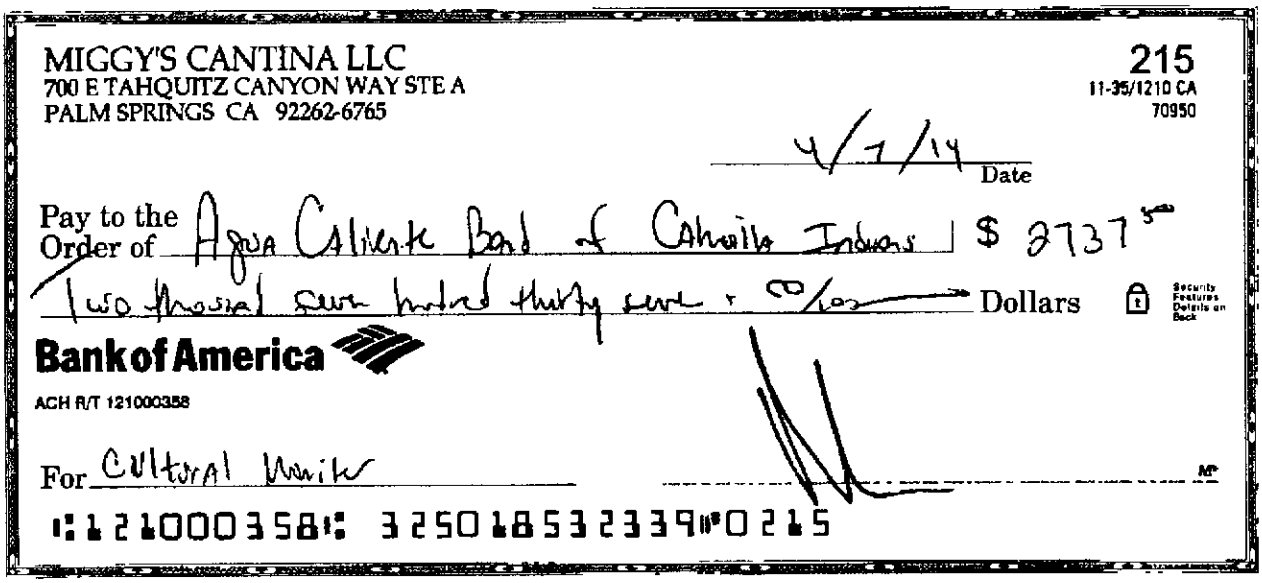


PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	005292192864	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/16/2014	9280543912	61000146	Undetermined	N		FEDERAL RES BANK OF
04/15/2014	404155353095194	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$2,737.50	Sequence Number:	5292349873
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	215



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

215
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Agua Caliente Band of Cahuilla Indians $ 2737.50

Two thousand seven hundred thirty seven + 50/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For Cultural Unit

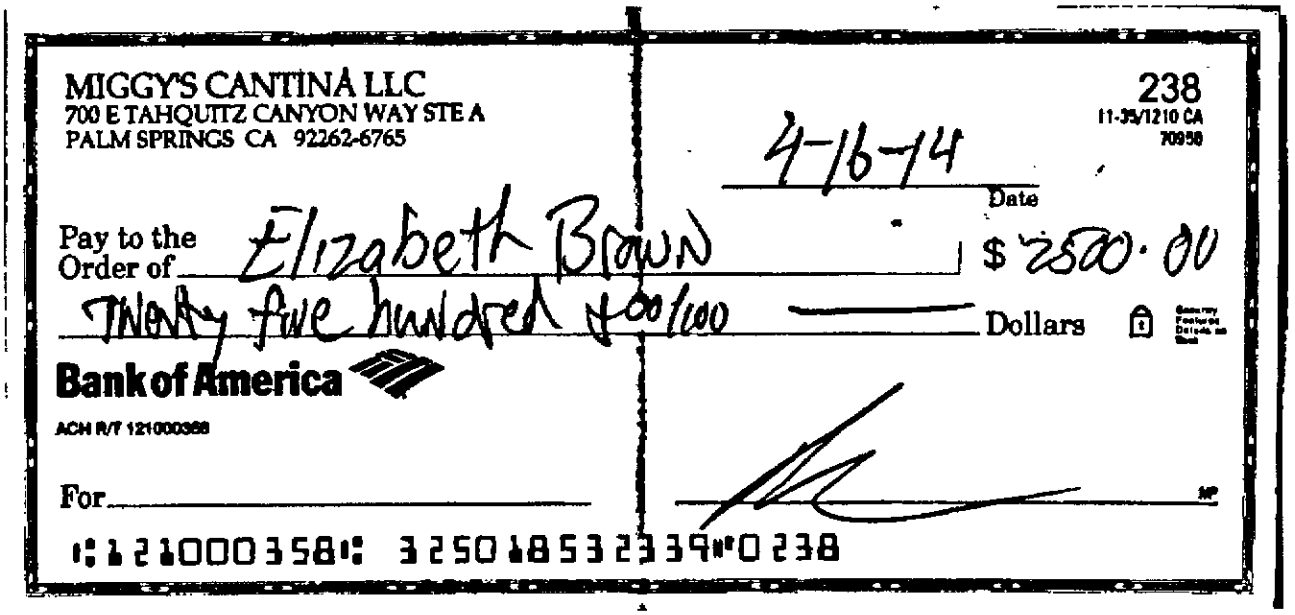
⑆121000358⑆ 325018532339⑈0215

FOR DEPOSIT ONLY
322010235
GOVERNMENT OPERATION
12200496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	4512167219	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/16/2014	005292349873	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	5592381093
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	238



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

238
11-35/1210 CA
70958

4-16-14
Date

Pay to the Order of Elizabeth Brown $ 2500.00

Twenty five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

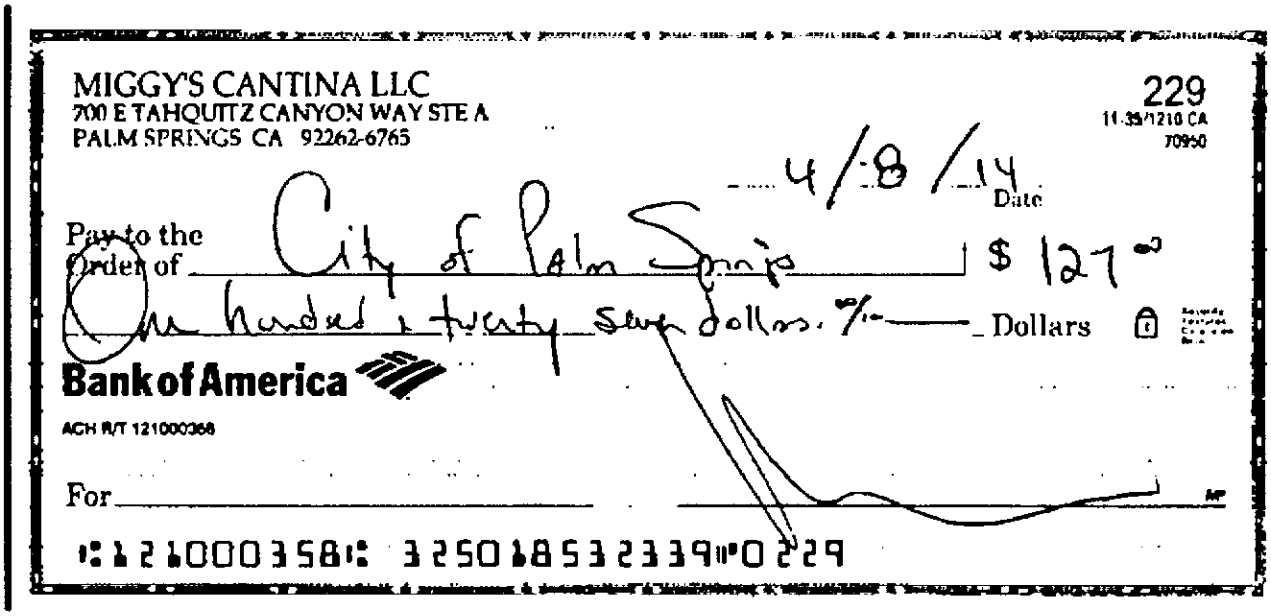
For

⑆121000358⑆ 325018532339⑈0238

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	4479283341	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/17/2014	005592381093	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$127.00	Sequence Number:	5642600600
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	229



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

229
11-35/1210 CA
70950

4/8/14
Date

Pay to the Order of City of Palm Springs $ 127.00

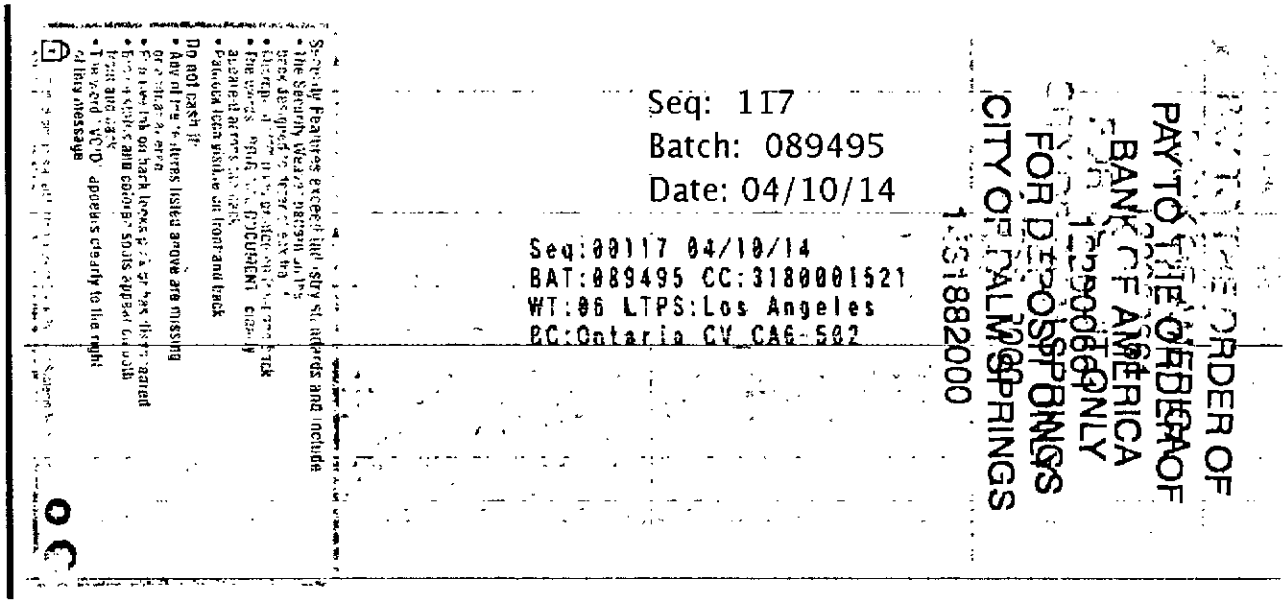
One hundred twenty seven dollars. 00 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0229



Seq: 117
Batch: 089495
Date: 04/10/14

Seq:00117 04/10/14
BAT:089495 CC:3180001521
WT:06 LTPS:Los Angeles
RC:Ontario CV CA6 582

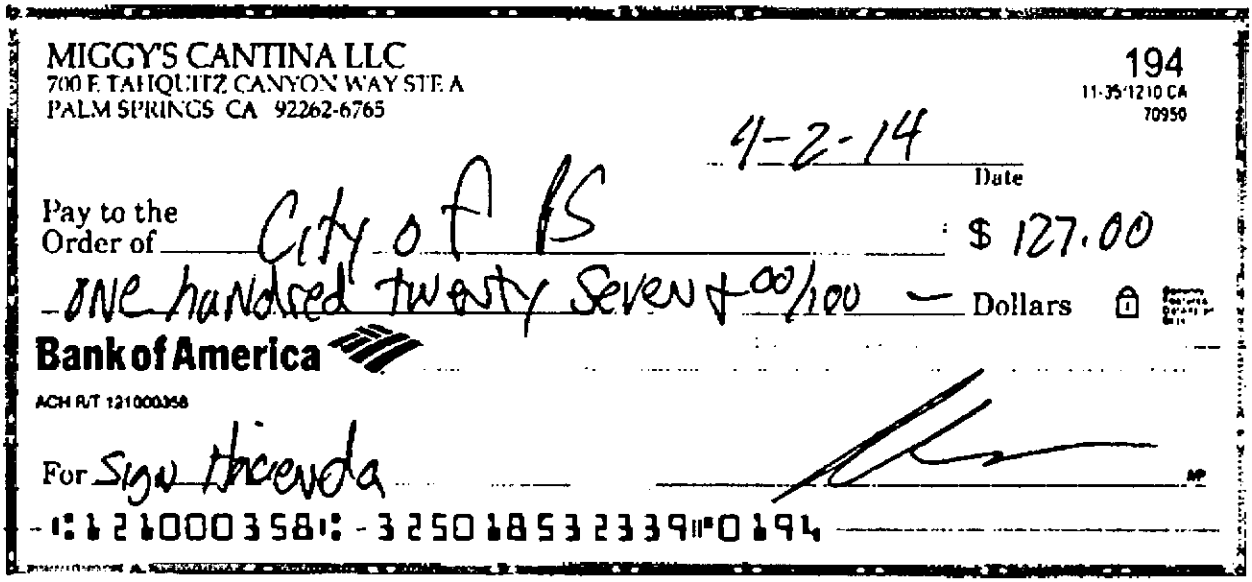
PAY TO THE ORDER OF
BANK OF AMERICA
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
121000358

Do not cash if:
• Any of the items listed above are missing
• The Security Features described above appear altered
• The word "VOID" appears clearly to the right of the payee message

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	5642600600	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$127.00	Sequence Number:	5642600604
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	194



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

194
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of City of PS $ 127.00

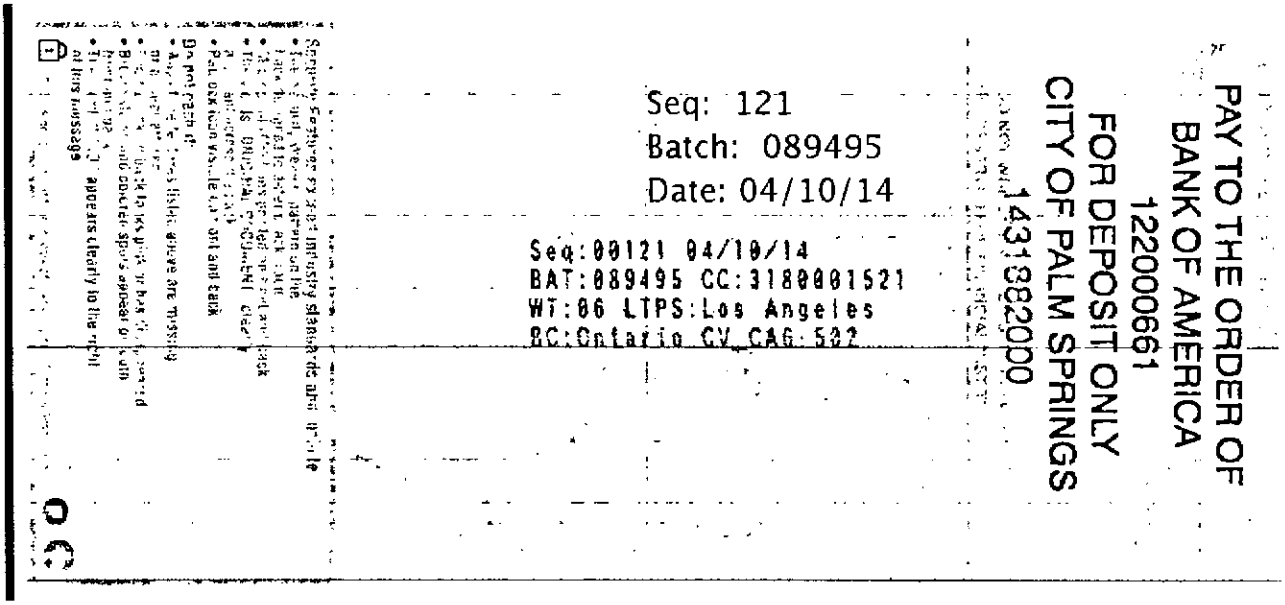
One hundred twenty Seven + 00/100 Dollars

Bank of America

ACH R/T 121000358

For Sign Hacienda

⑆121000358⑆ 325018532339⑈0194



Seq: 121
Batch: 089495
Date: 04/10/14

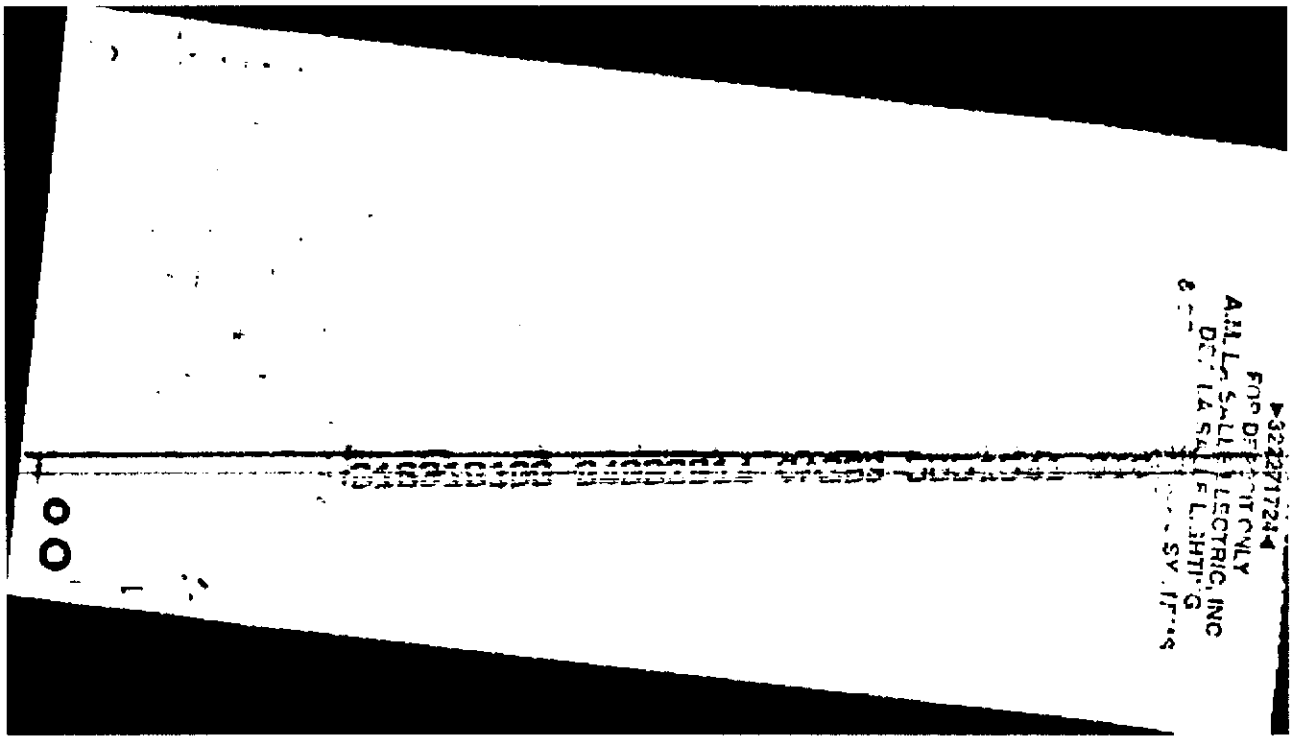
Seq:00121 04/10/14
BAT:089495 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CAG 502

PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
1431382000

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	5642600604	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

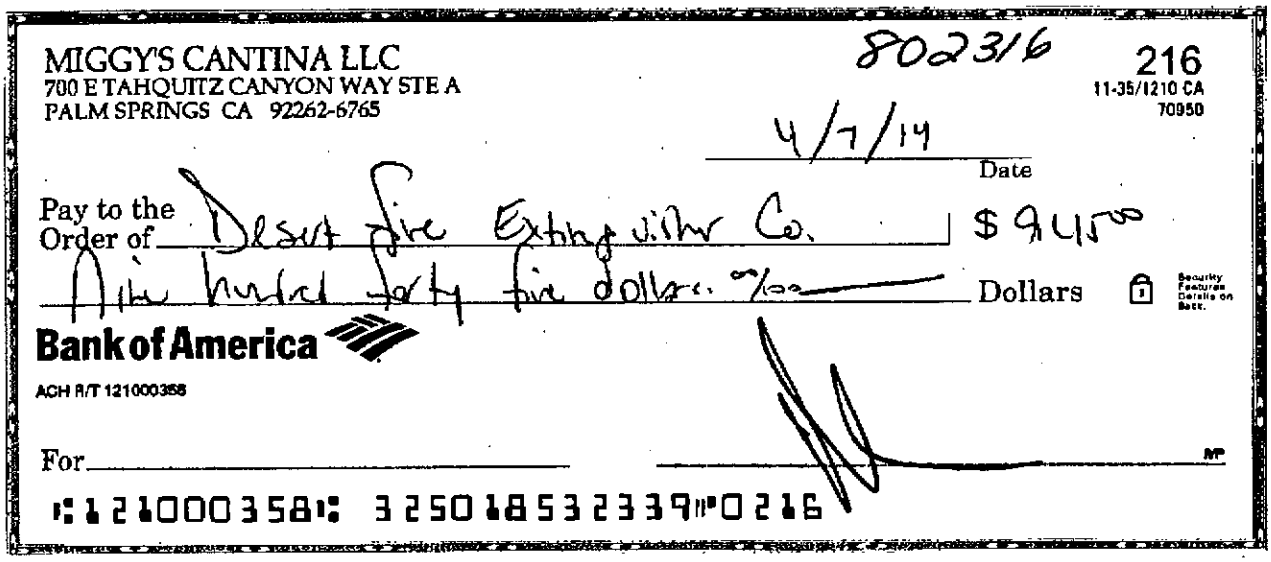
Amount:	$5,000.00	Sequence Number:	6092064402
Account:	325018532339	Capture Date:	04/08/2014
Bank Number:	12100035	Check Number:	207



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	006092064402	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/08/2014	000008000183139	21000089	Rtn Loc/BOFD	Y		CITIBANK, N.A.

Amount:	$945.00	Sequence Number:	6092765957
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	216



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

802316

216
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Desert Fire Extinguisher Co. $ 945.00

Nine hundred forty five dollars and 00/100 Dollars

Security Features Details on Back.

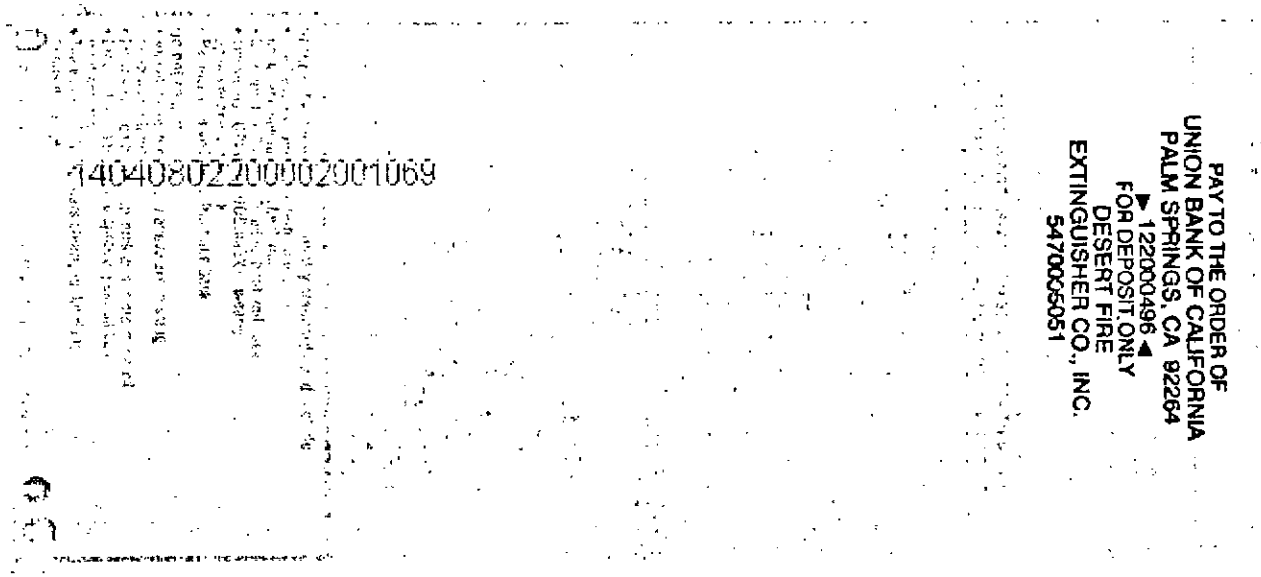
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0216



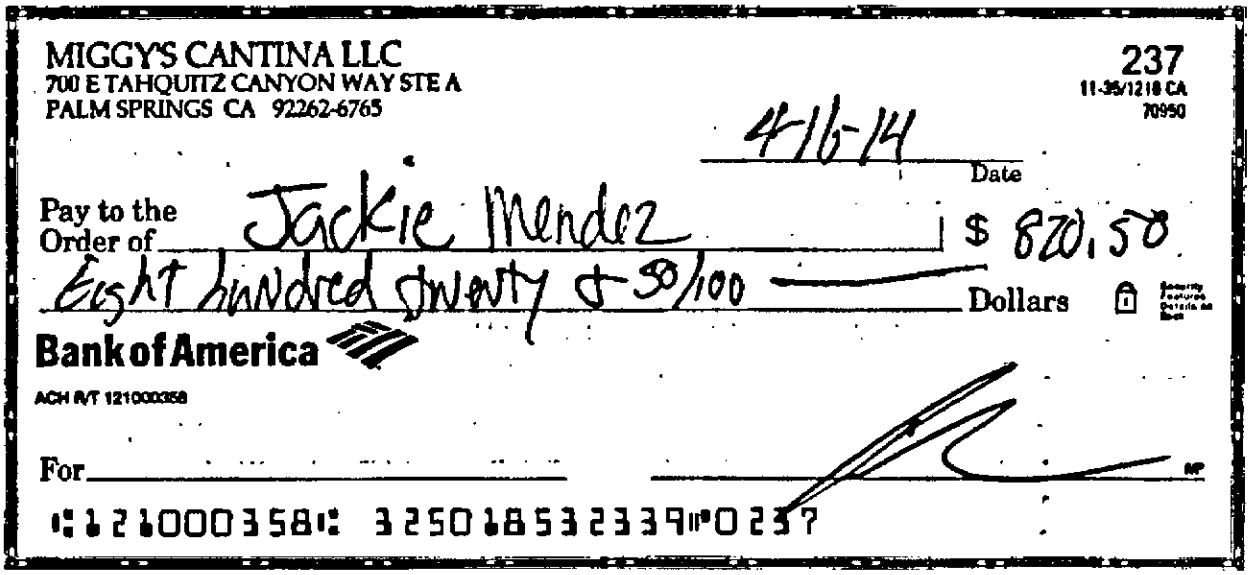
14040802200002001069

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
▶122000496◀
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470005051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	4476381839	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/09/2014	006092765957	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$820.50	Sequence Number:	6182797592
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	237



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

237
11-39/1218 CA
70950

4-16-14
Date

Pay to the Order of Jackie Mendez $ 820.50

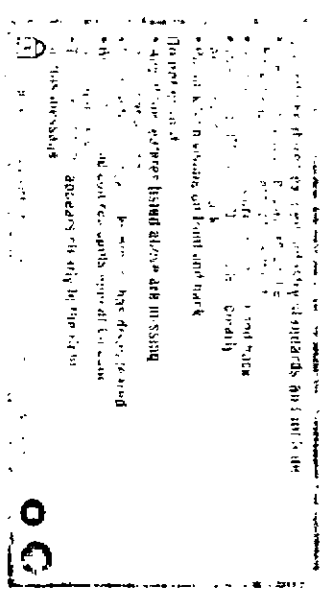
Eight hundred twenty & 50/100 Dollars

Bank of America

ACH R/T 121000358

For

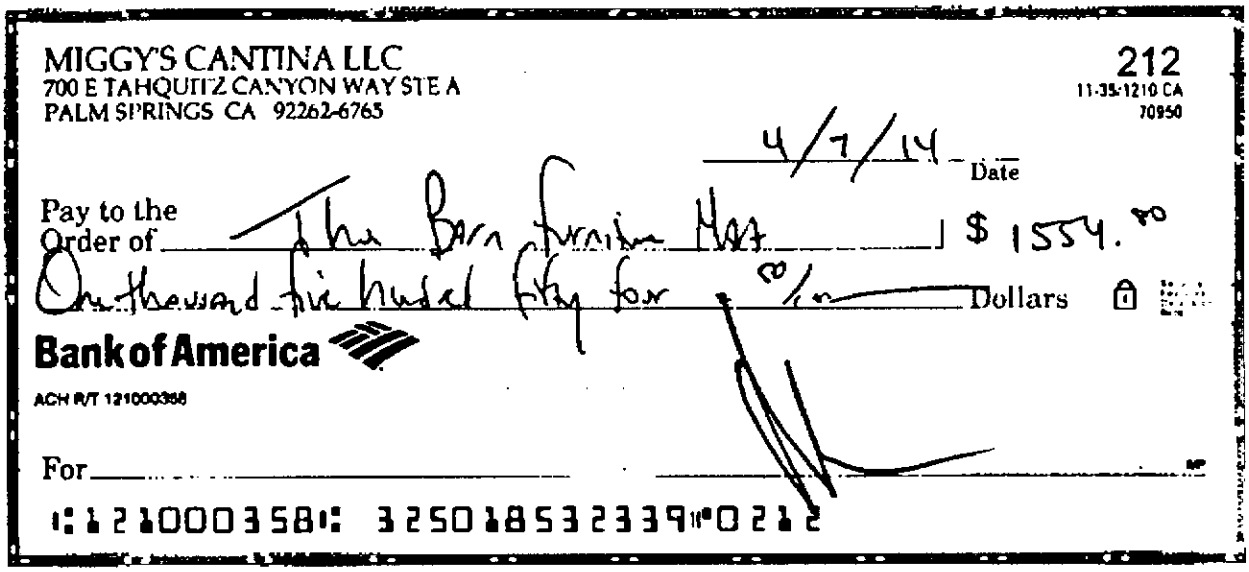
⑆121000358⑆ 325018532339⑈0237



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	6182797592	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,554.80	Sequence Number:	6842606268
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	212



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

212
11-35-1210 CA
70950

4/7/14 Date

Pay to the Order of The Barn Furniture Mart $ 1554.80

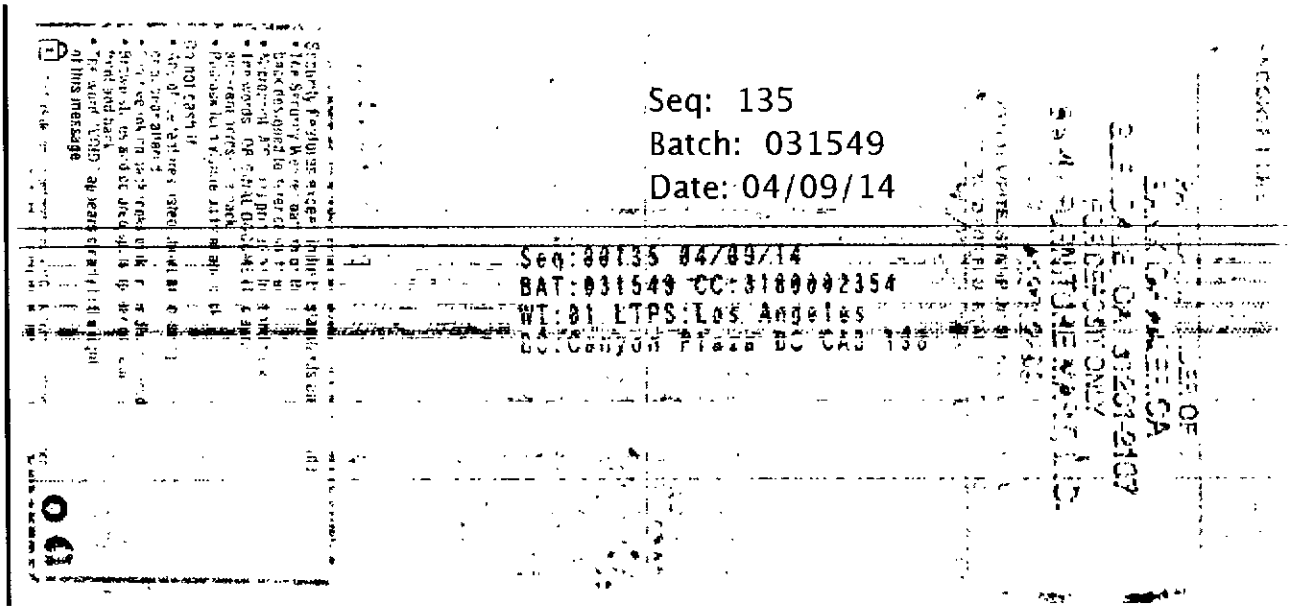
One thousand five hundred fifty four 80/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0212



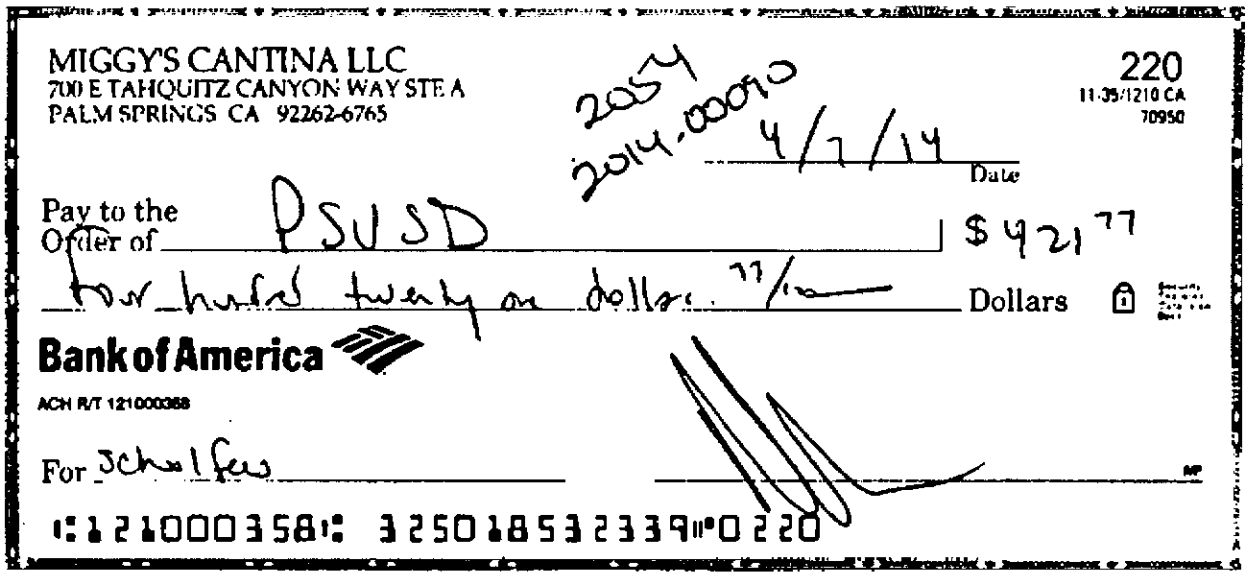
Seq: 135
Batch: 031549
Date: 04/09/14

Seq:00135 04/09/14
BAT:031549 CC:3180002354
WT:01 LTPS:Los Angeles
BC:Canyon Plaza BC CRD 139

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	6842606268	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$421.77	Sequence Number:	7142912245
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	220



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

220
11-35/1210 CA
70950

2054
2014.00010

4/7/14
Date

Pay to the Order of PSUSD $ 421 77

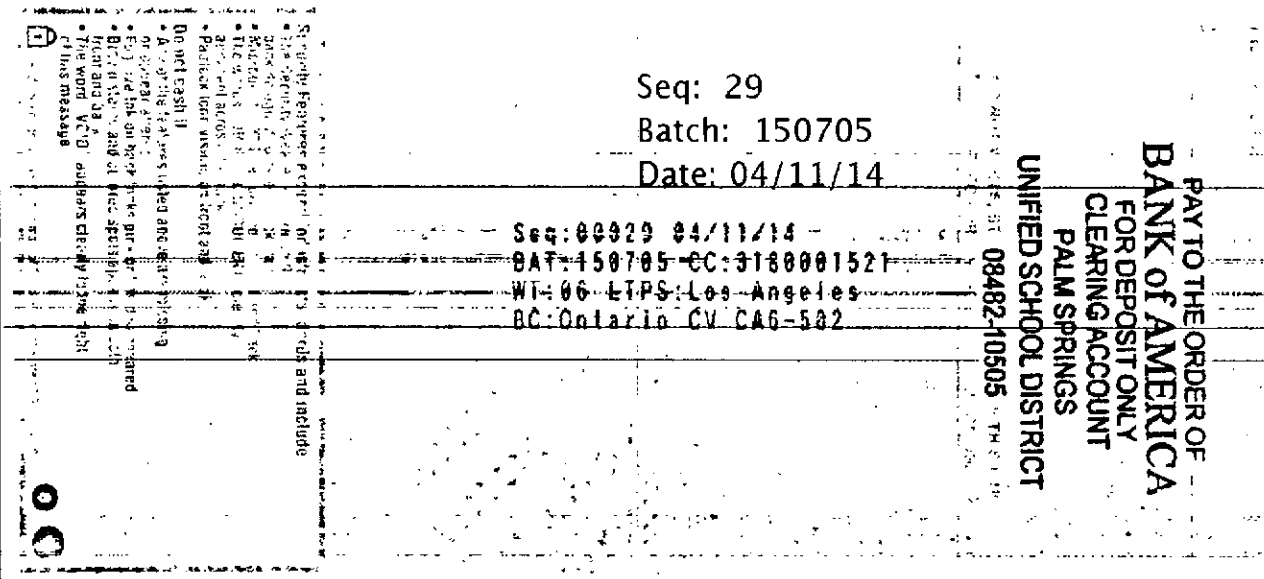
four hundred twenty one dollars 77/100 Dollars

Bank of America

ACH R/T 121000358

For School fees

⑆121000358⑆ 325018532339⑈0220



Seq: 29
Batch: 150705
Date: 04/11/14

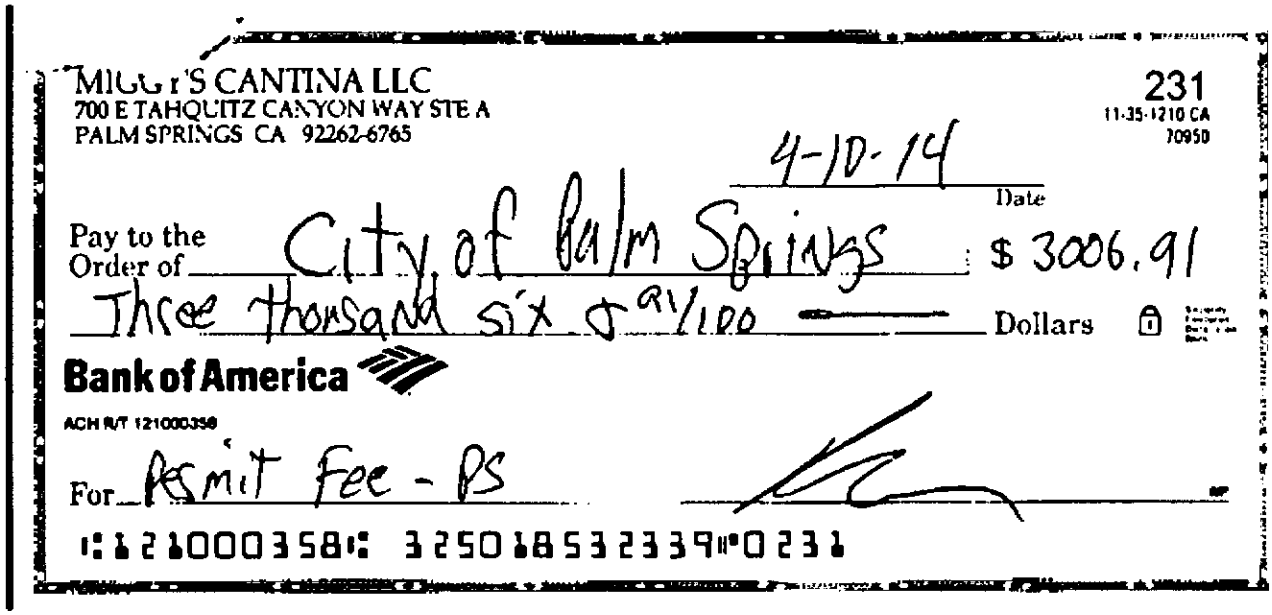
Seq:00029 04/11/14
BAT:150705 CC:318000152
WT:06 LTPS:Los Angeles
BC:Ontario CV CA6-582

PAY TO THE ORDER OF
BANK of AMERICA
FOR DEPOSIT ONLY
CLEARING ACCOUNT
PALM SPRINGS
UNIFIED SCHOOL DISTRICT
08482-10505

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	7142912245	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$3,006.91	Sequence Number:	7542499595
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	231



MIGGI'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

231
11-35-1210 CA
70950

4-10-14
Date

Pay to the Order of City of Palm Springs $ 3006.91

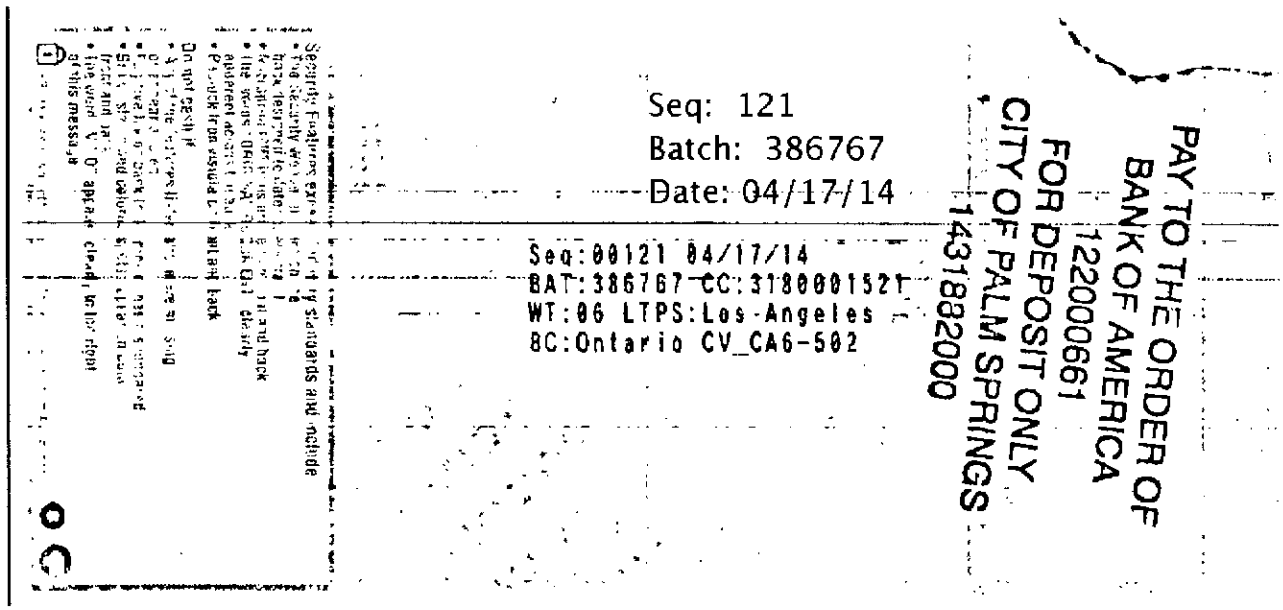
Three thousand six & 91/100 Dollars

Bank of America

ACH R/T 121000358

For Permit Fee - PS

⑆121000358⑆ 325018532339⑈0231



Seq: 121
Batch: 386767
Date: 04/17/14

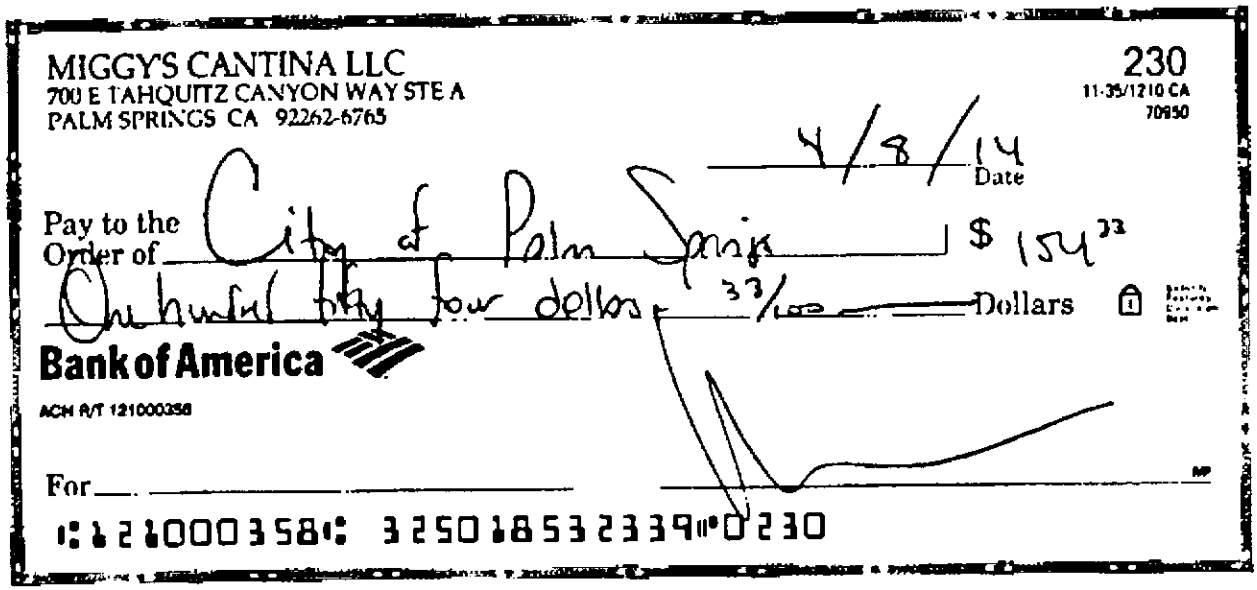
Seq:00121 04/17/14
BAT:386767 CC:3180001521
WT:06 LTPS:Los-Angeles
8C:Ontario CV_CA6-502

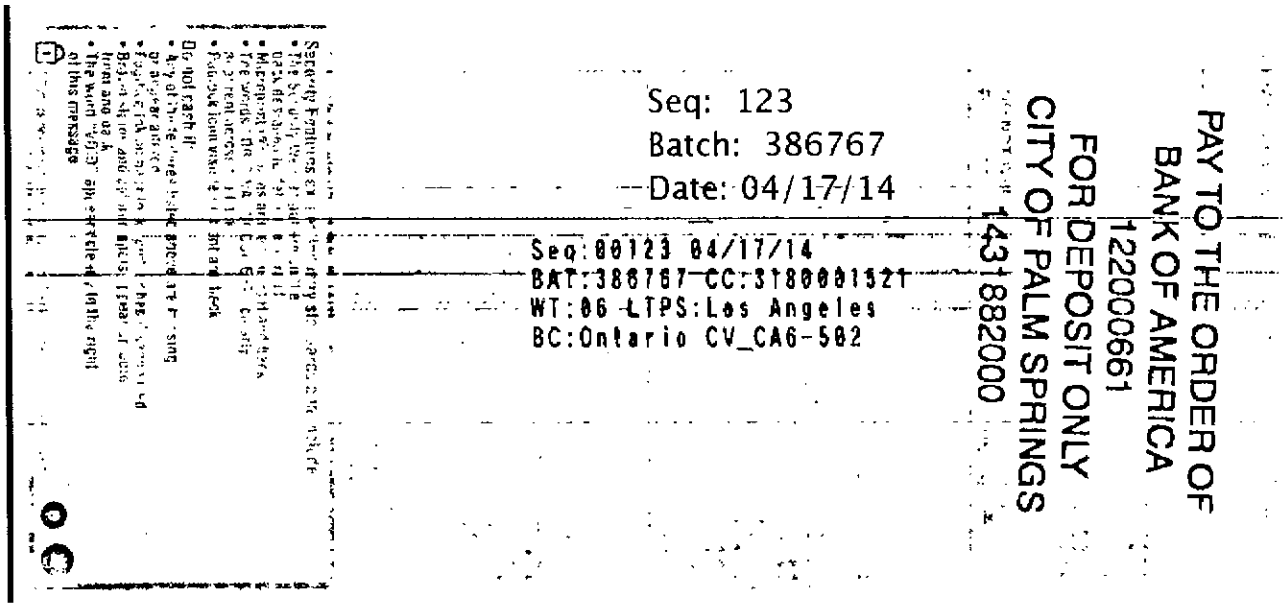
PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
143182000

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7542499595	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$154.33	Sequence Number:	7542499597
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	230

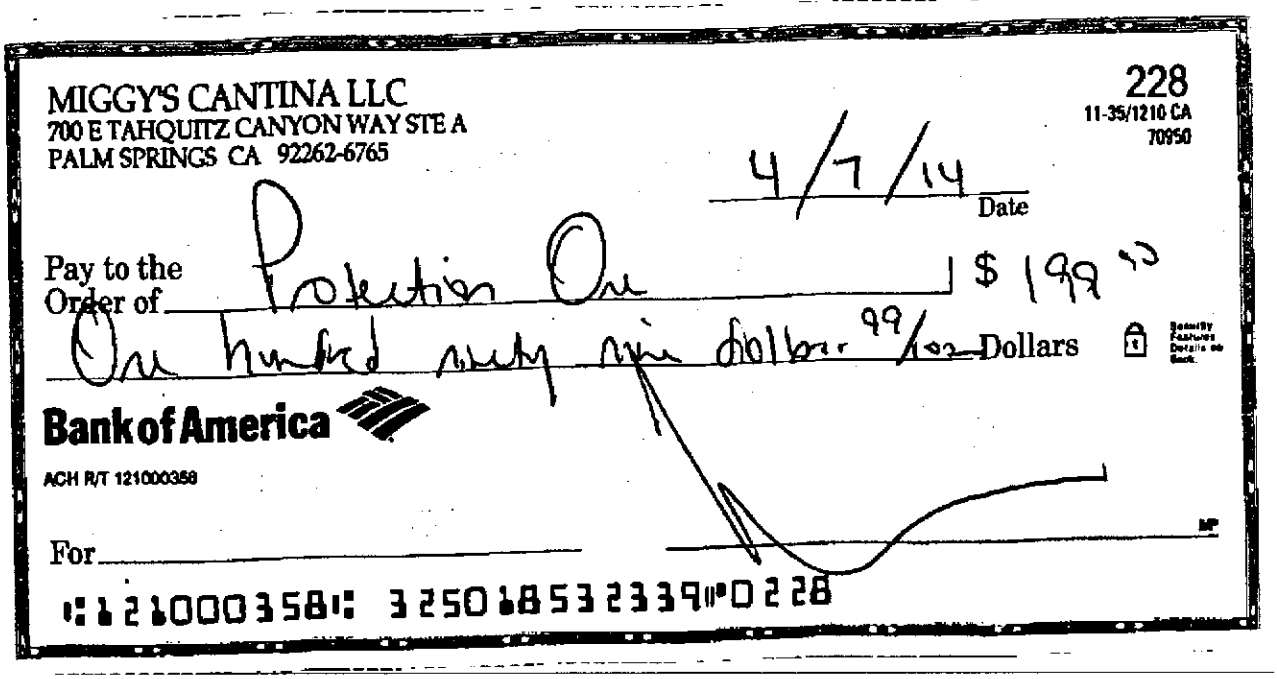




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7542499597	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$199.99	Sequence Number:	8092554524
Account:	325018532339	Capture Date:	04/18/2014
Bank Number:	12100035	Check Number:	228


MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

228
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Prokution One $ 199.99

One hundred ninety nine dollars 99/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0228

CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

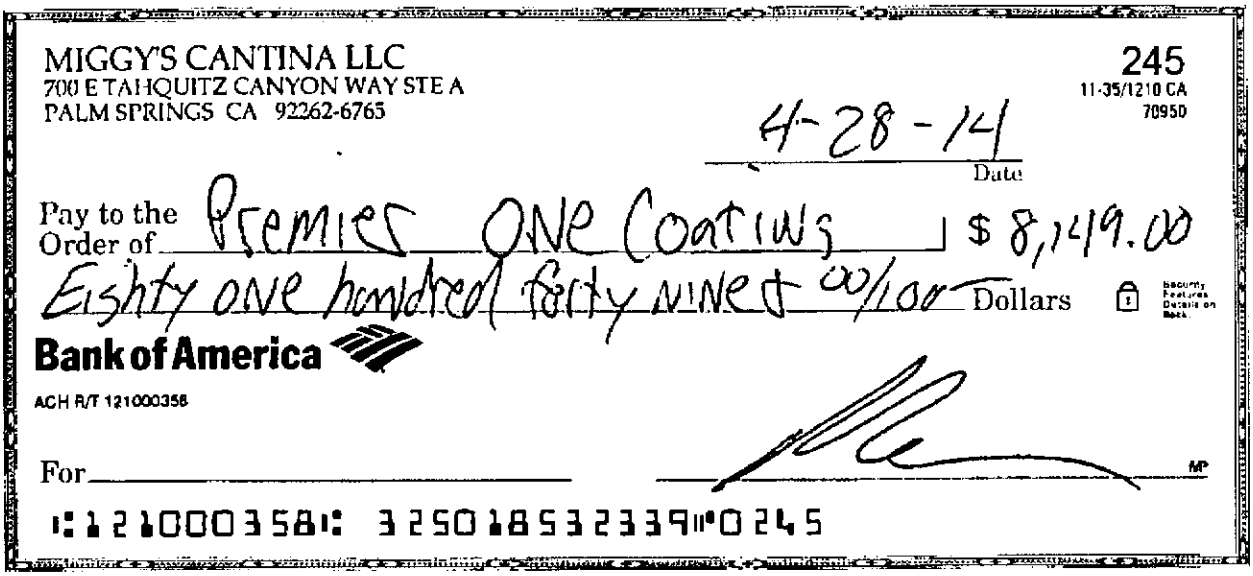
041814

000000000060844552

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/18/2014	000007373560367	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
04/18/2014	007373560367	101000695	Undetermined	N		UMB BANK, NATIONAL A
04/18/2014	008092554524	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$8,149.00	Sequence Number:	8292187071
Account:	325018532339	Capture Date:	04/29/2014
Bank Number:	12100035	Check Number:	245



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

245
11-35/1210 CA
70950

4-28-14
Date

Pay to the Order of Premier ONE Coatings $ 8,149.00

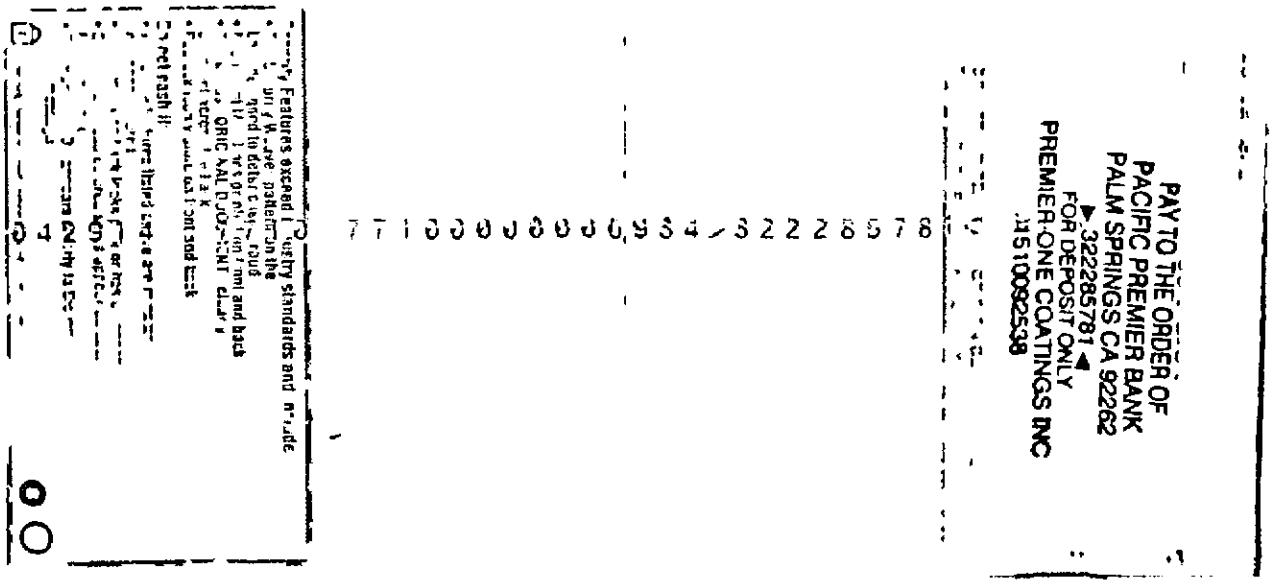
Eighty one hundred forty nine & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0245



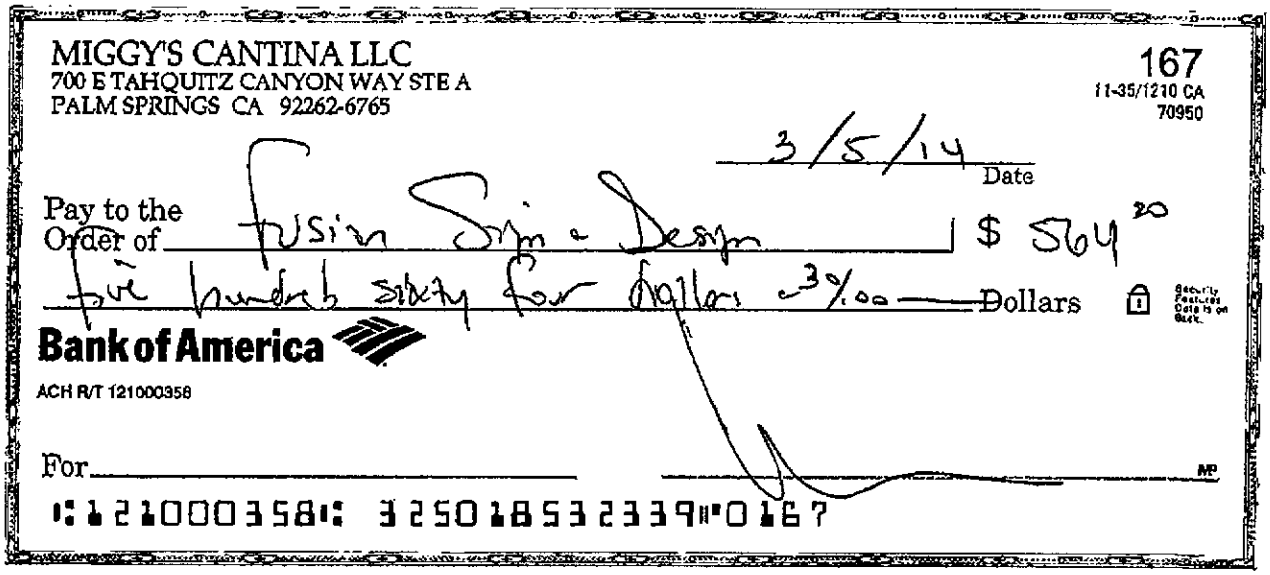
77100000006934 322285781

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
322285781
FOR DEPOSIT ONLY
PREMIER-ONE COATINGS INC
1510082538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/29/2014	008292187071	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/29/2014	77100000006934	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$564.30	Sequence Number:	792653077
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	167



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

167
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Fusion Sign + Design $ 564.30

five hundred sixty four dollars 30/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0167

PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY FUSION SIGN & DESIGN INC 257013715 1

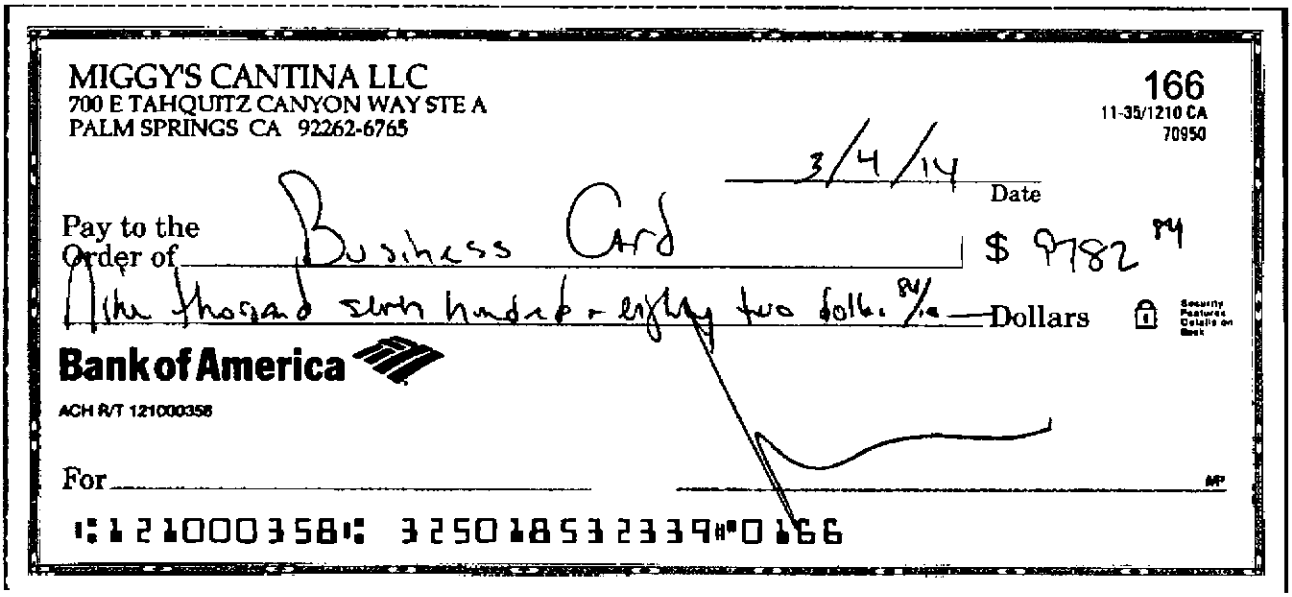
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	403105353114957	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
03/11/2014	000000792653077	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount: $9,782.84 Sequence Number: 2092088593

Account: 325018532339 Capture Date: 03/10/2014

Bank Number: 12100035 Check Number: 166



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

166
11-35/1210 CA
70950

3/4/14
Date

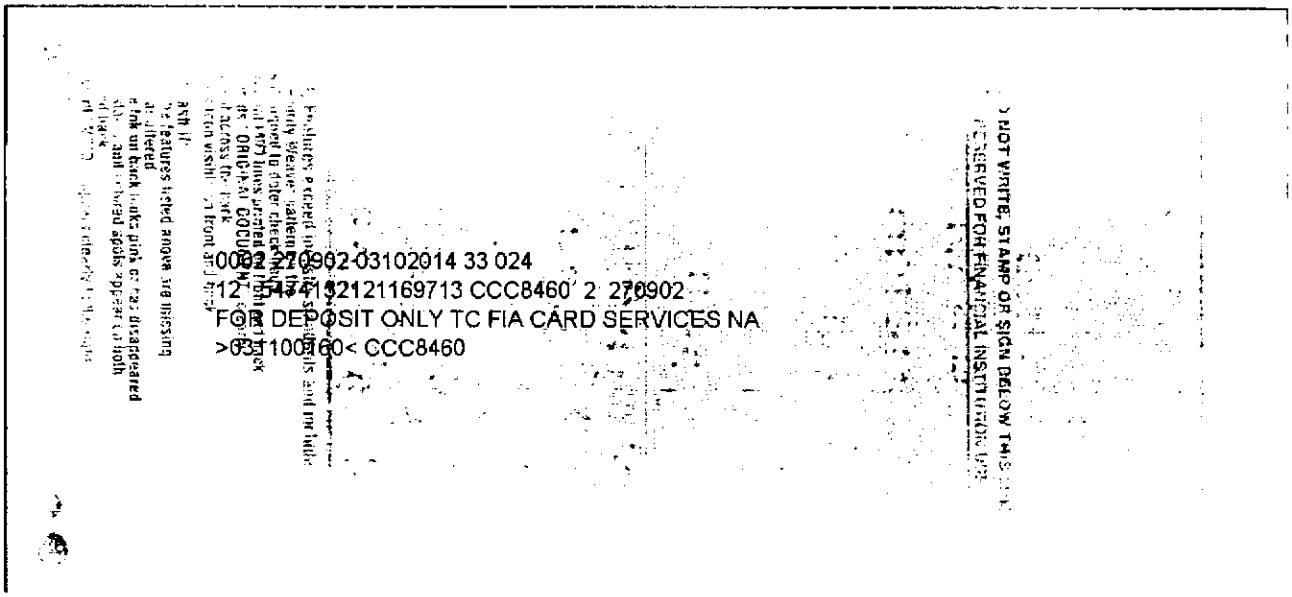
Pay to the Order of Business Card $ 9782 84

Nine thousand seven hundred eighty two dollars 84/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0166



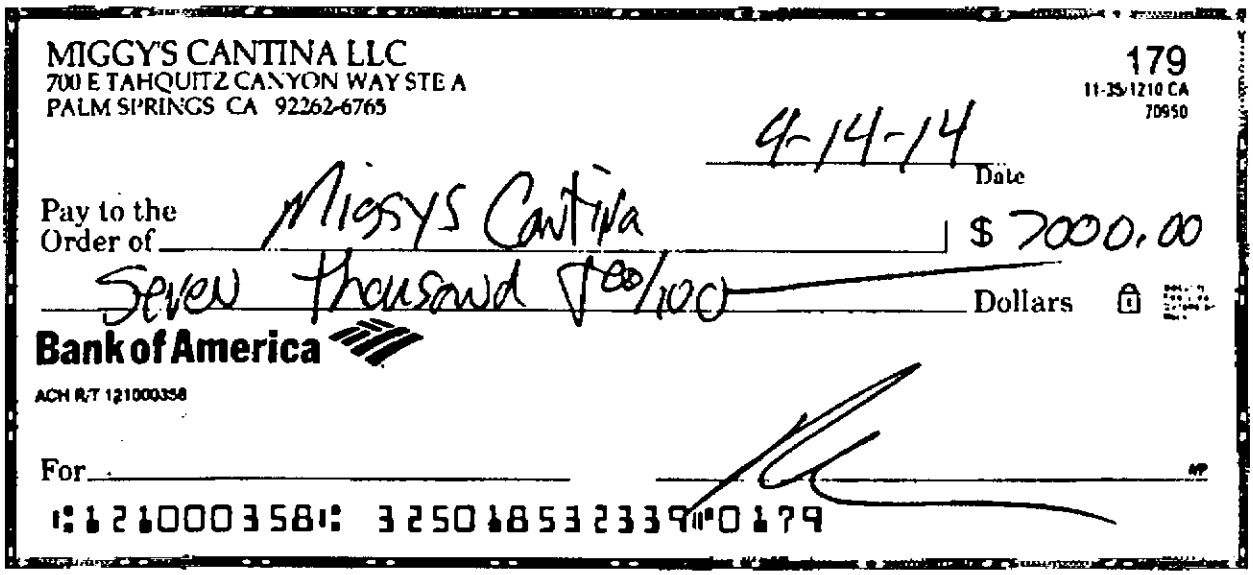
00002 270902 03102014 33 024
12 54741 32121169713 CCC8460 2 270902
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>03100160< CCC8460

DO NOT WRITE, STAMP OR SIGN BELOW THIS
RESERVED FOR FINANCIAL INSTITUTION USE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	002092088593	111310346	Col Bank	N		BANK OF AMERICA, NA
03/10/2014	03102709020024	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$7,000.00	Sequence Number:	3042940405
Account:	325018532339	Capture Date:	03/14/2014
Bank Number:	12100035	Check Number:	179



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

179
11-35/1210 CA
70950

4-14-14
Date

Pay to the Order of Miggys Cantina $ 7000.00

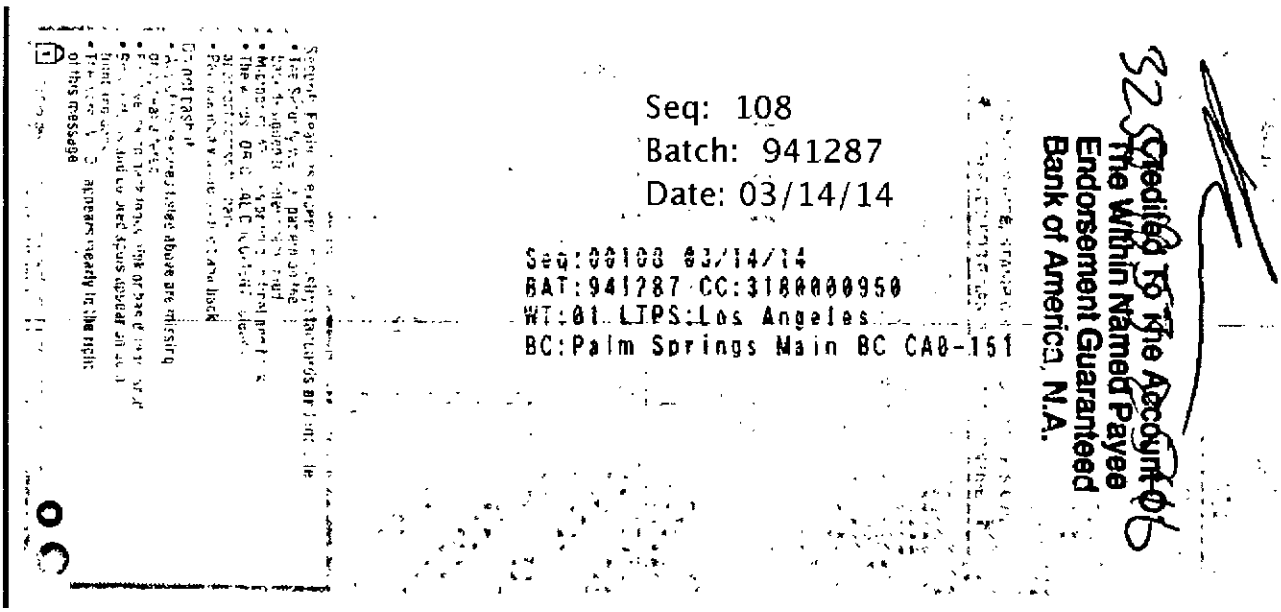
Seven Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0179



Seq: 108
Batch: 941287
Date: 03/14/14

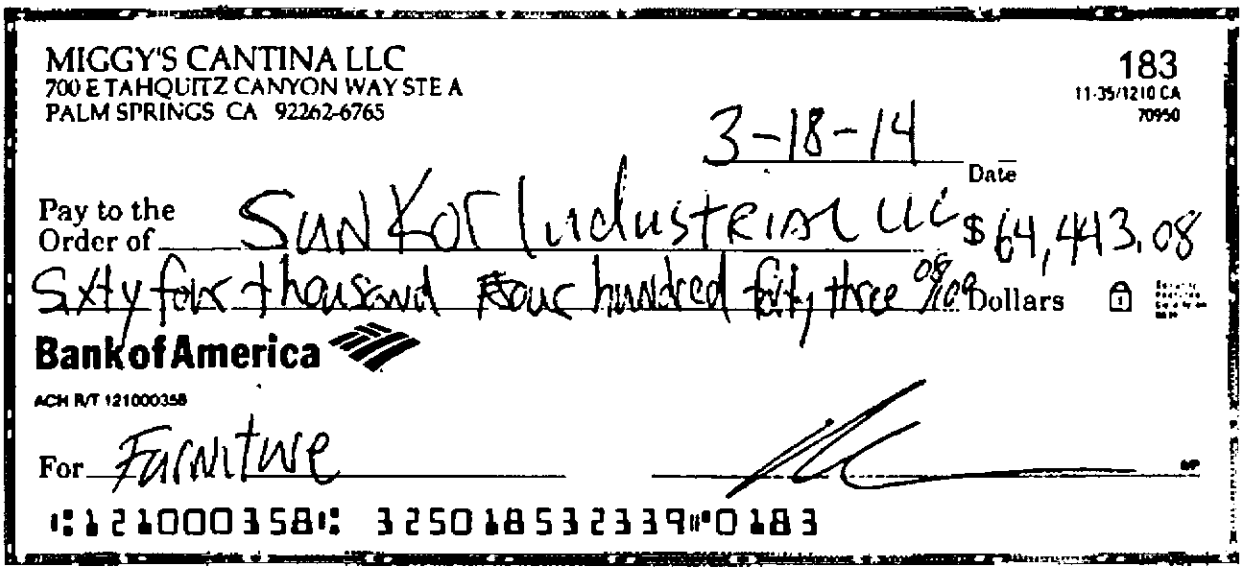
Seq:00108 03/14/14
BAT:941287 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC CA0-151

Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/14/2014	3042940405	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$64,443.08	Sequence Number:	3442817787
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	183



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

183
11-35/1210 CA
70950

3-18-14
Date

Pay to the Order of SUNKOR Industrial LLC $64,443.08

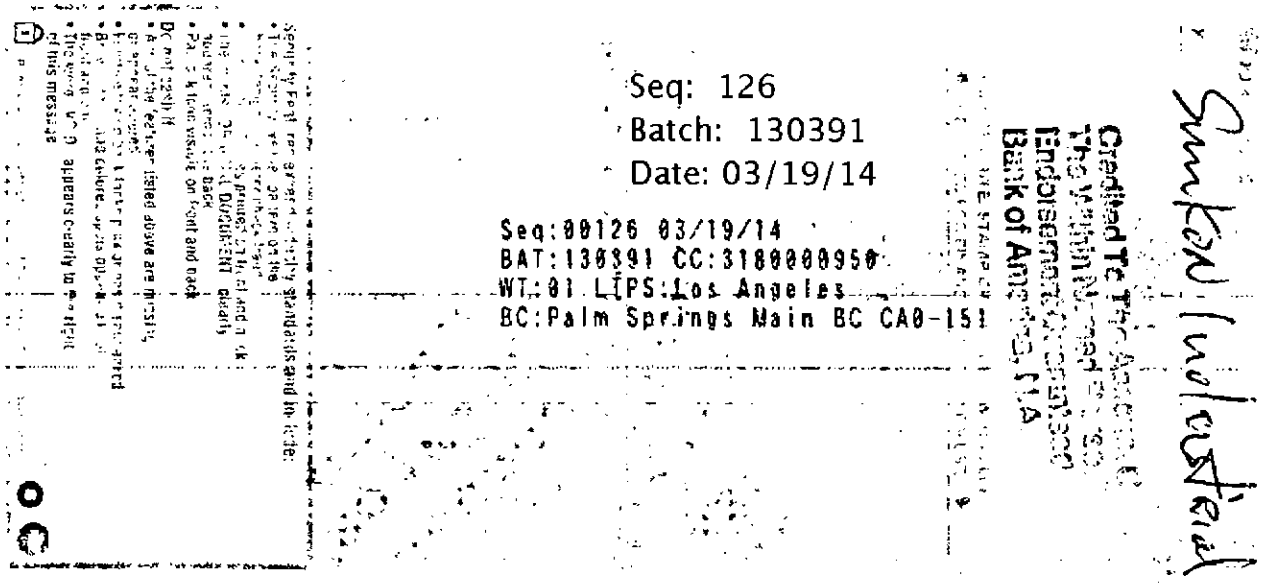
Sixty four thousand four hundred fifty three 08/100 Dollars

Bank of America

ACH R/T 121000358

For Furniture

⑆121000358⑆ 325018532339⑈0183



Seq: 126
Batch: 130391
Date: 03/19/14

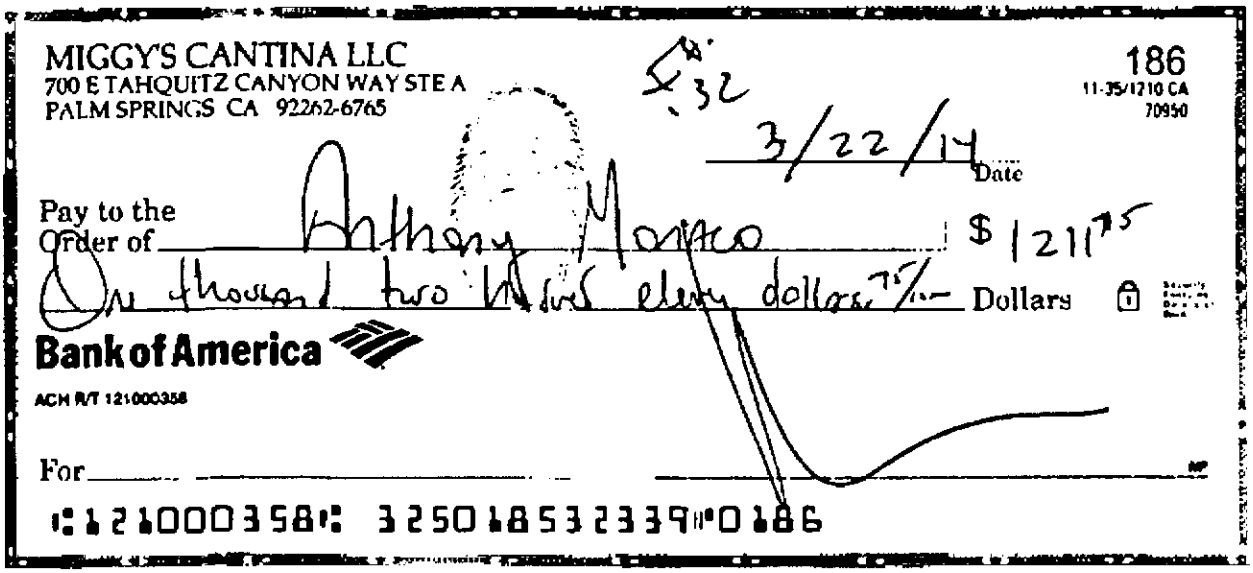
Seq:00126 03/19/14
BAT:130391 CC:3180000950
WT:01 LIPS:Los Angeles
BC:Palm Springs Main BC CA0-151

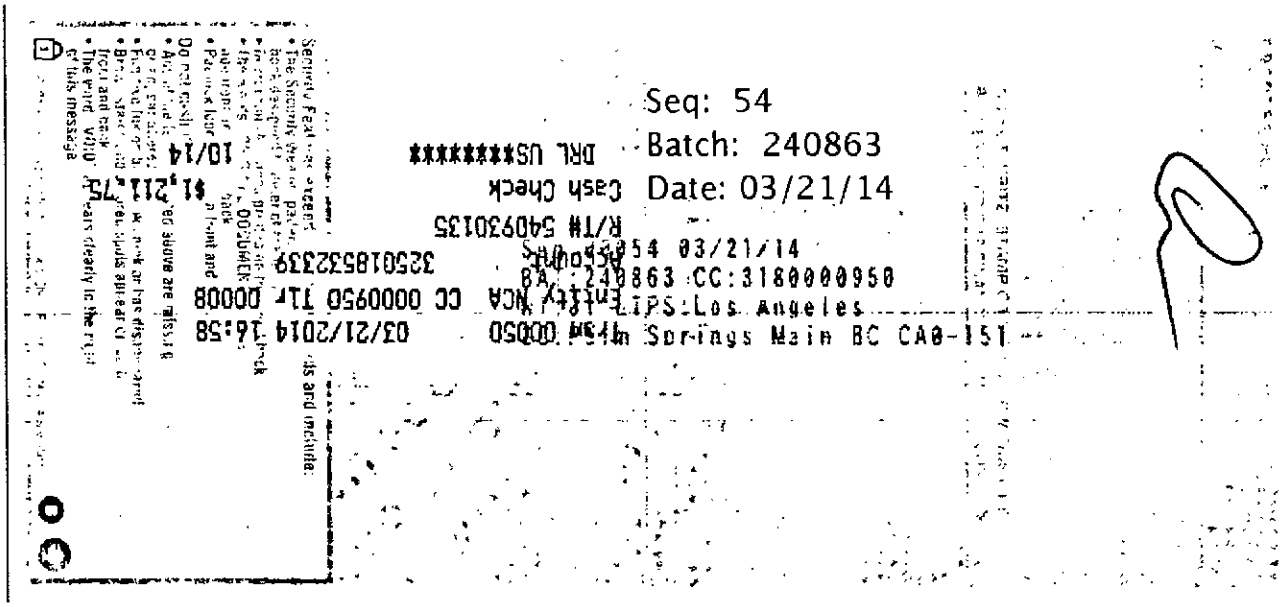
Sunkor Industrial

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	3442817787	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,211.75	Sequence Number:	3642880690
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	186





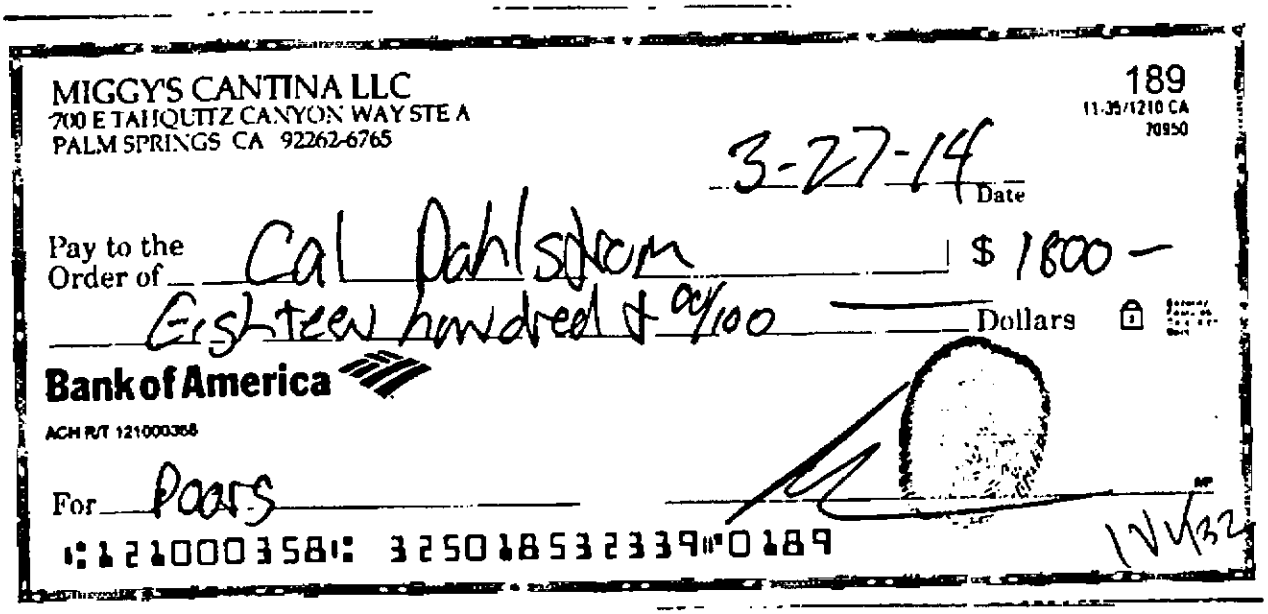
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	3642880690	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $1,800.00 Sequence Number: 4142101691

Account: 325018532339 Capture Date: 03/27/2014

Bank Number: 12100035 Check Number: 189



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

189
11-39/1210 CA
70950

3-27-14
Date

Pay to the Order of Cal Dahlstrom $ 1800 —

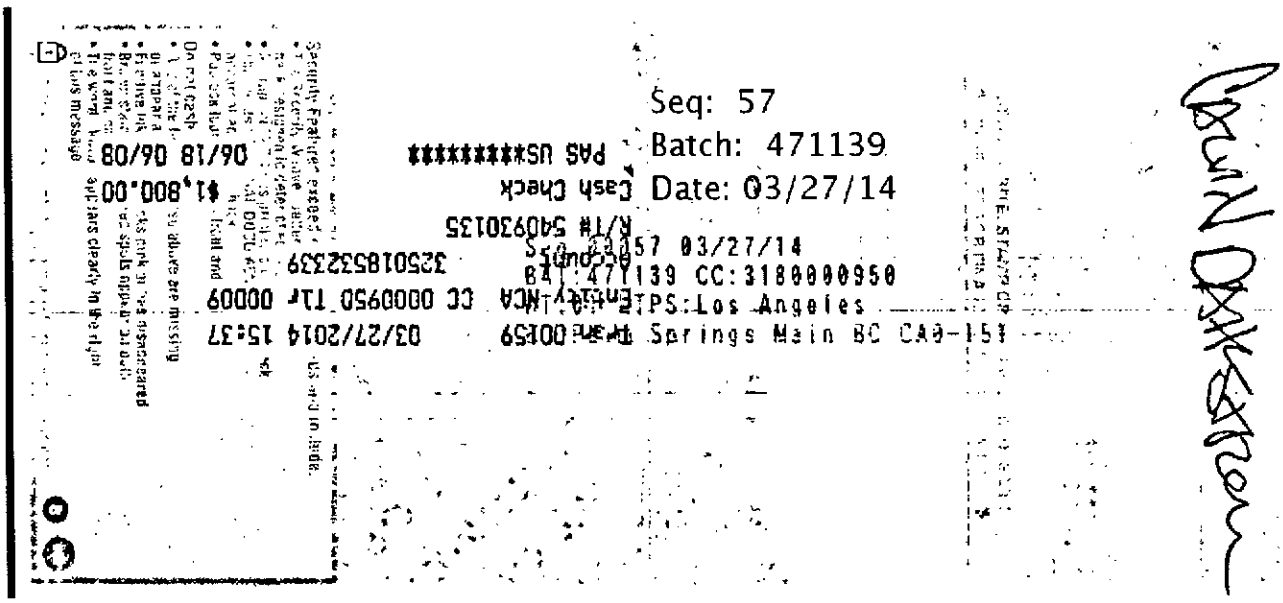
Eighteen hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Pools

⑆121000358⑆ 325018532339⑈0189

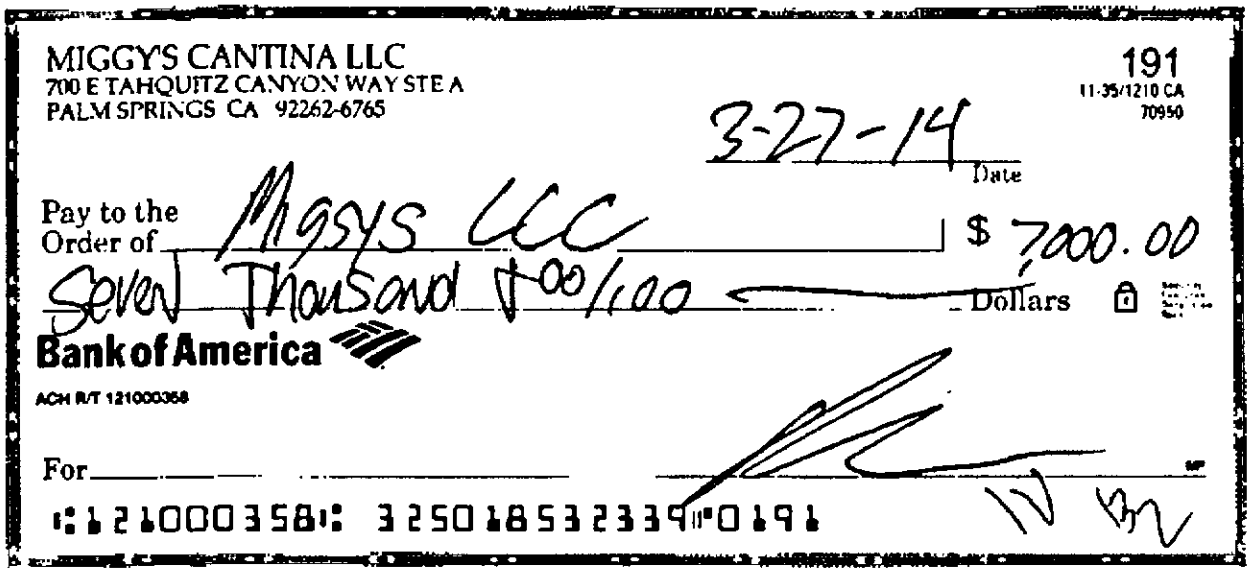


Seq: 57
Batch: 471139
Date: 03/27/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101691	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$7,000.00	Sequence Number:	4142101777
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	191



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

191
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Miggys LLC $ 7000.00

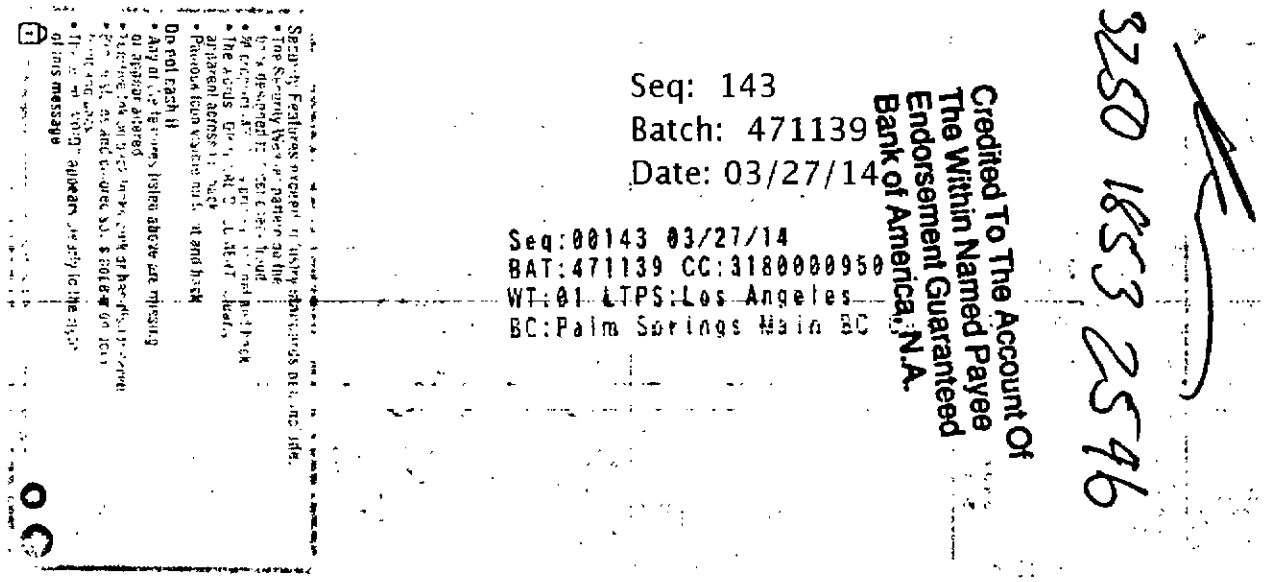
Seven Thousand $00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0191



Seq: 143
Batch: 471139
Date: 03/27/14

Seq:00143 03/27/14
BAT:471139 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC

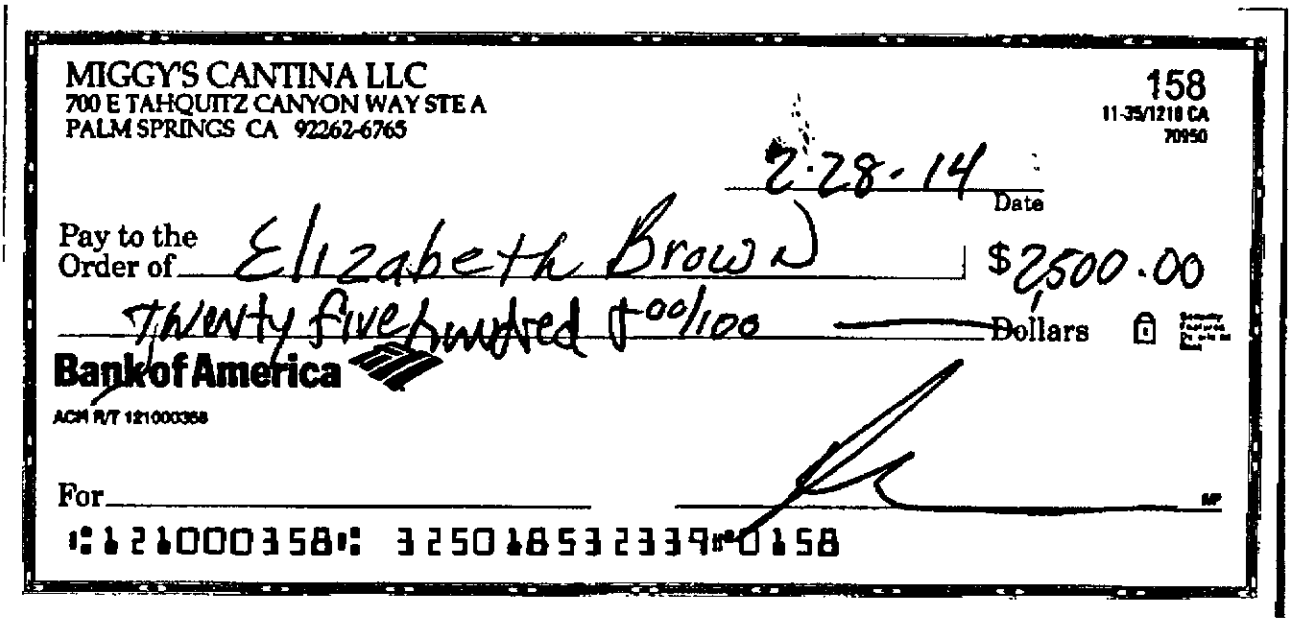
Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

$7000 1853 2539

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101777	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	4192790884
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	158



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

158
11-35/1218 CA
70950

2-28-14
Date

Pay to the Order of Elizabeth Brown $2,500.00

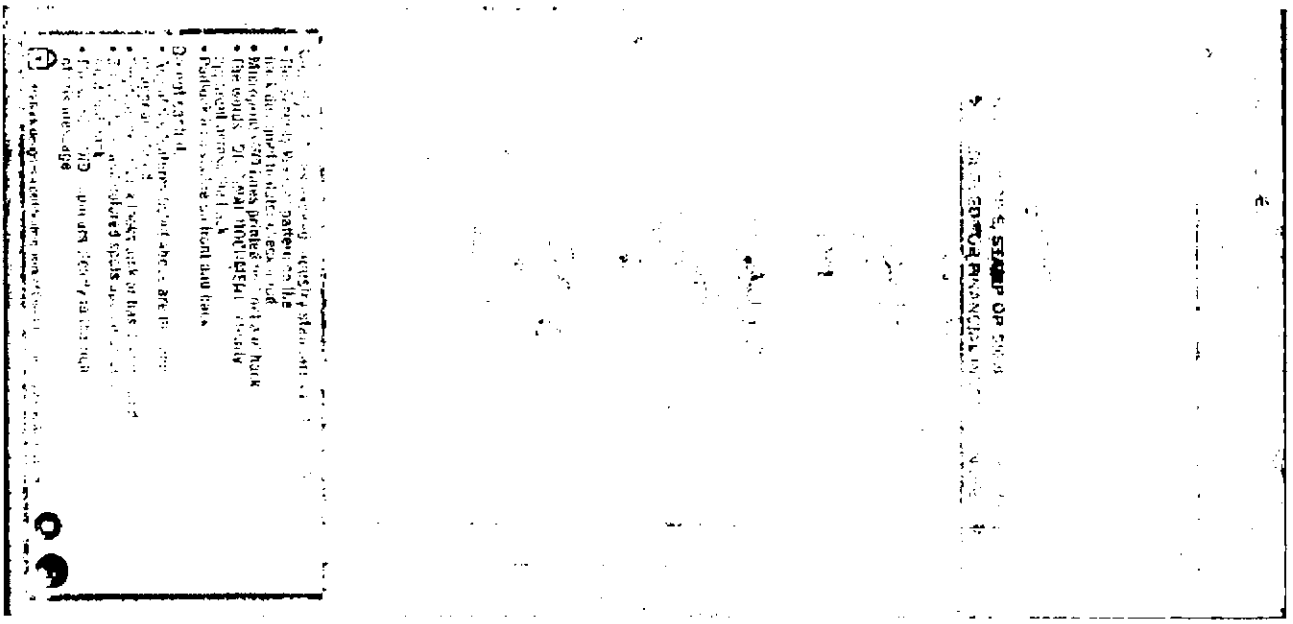
twenty five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

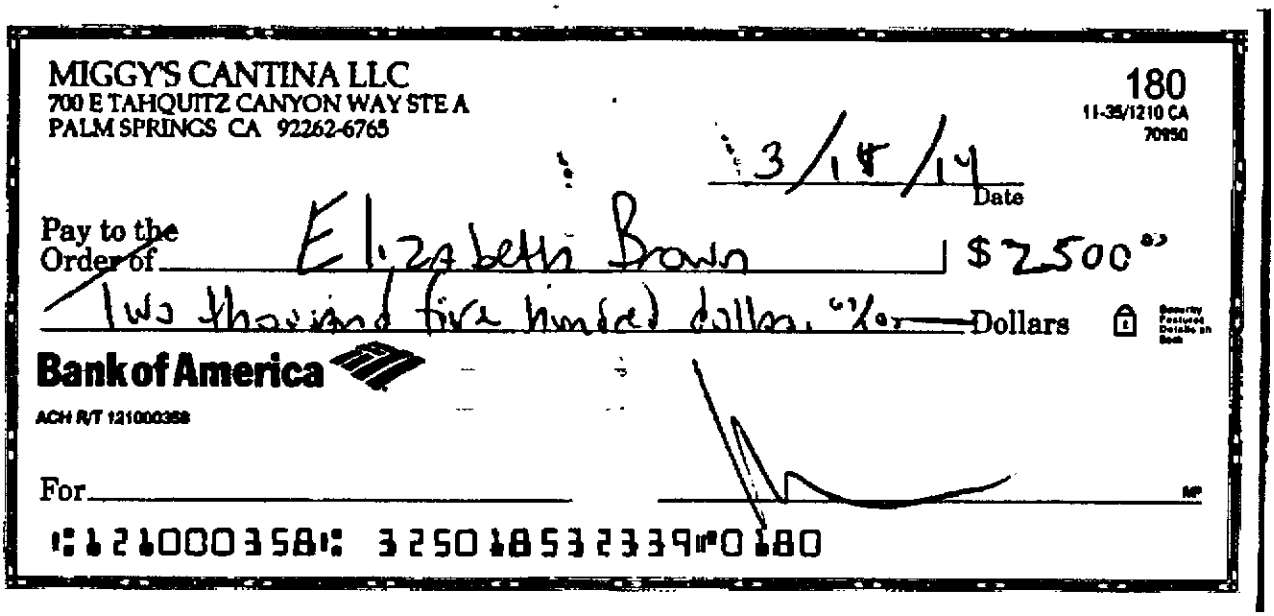
⑈121000358⑈ 325018532339⑈0158



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	004192790884	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	4479098390	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,500.00	Sequence Number:	4492349291
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	180



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

180
11-35/1210 CA
70950

3/14/14
Date

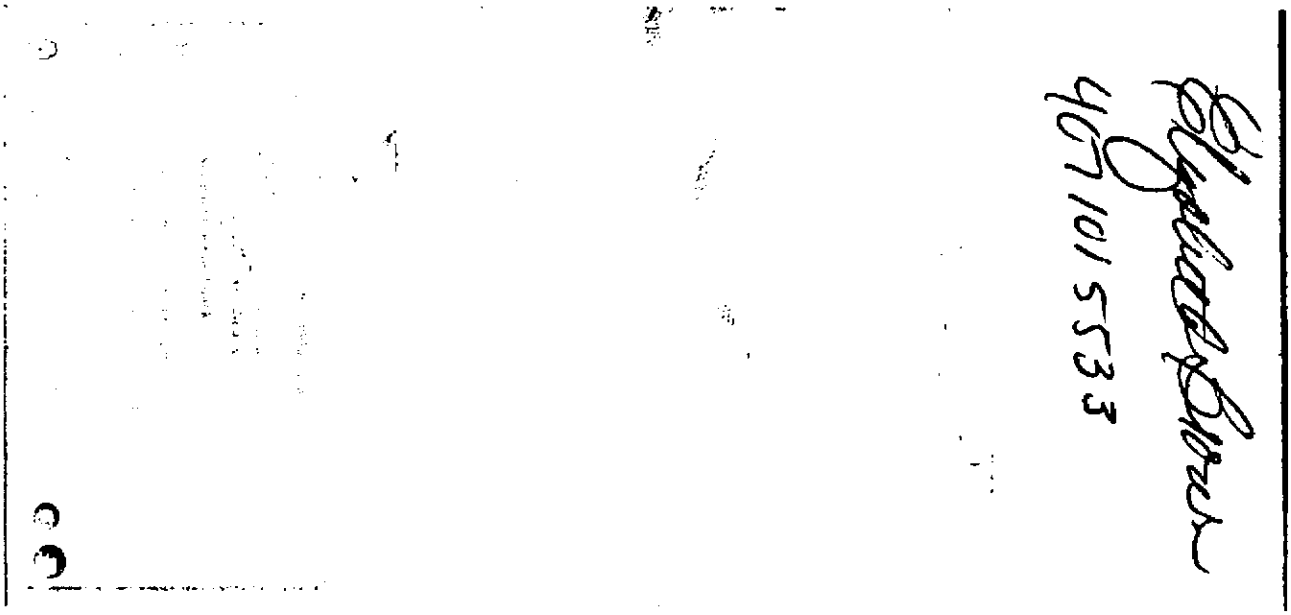
Pay to the Order of Elizabeth Brown $2500.00

Two thousand five hundred dollars, 0/0 Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0180



Elizabeth Brown
407 101 5533

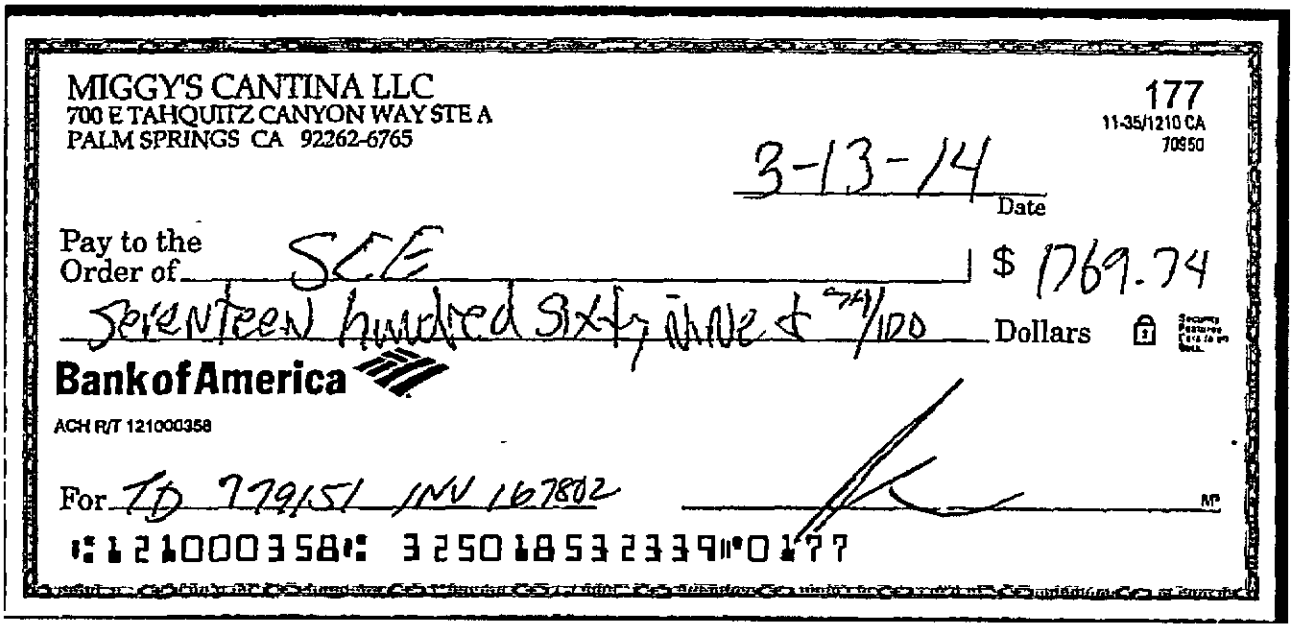
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4479419005	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	004492349291	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $1,769.74 Sequence Number: 4592293869

Account: 325018532339 Capture Date: 03/18/2014

Bank Number: 12100035 Check Number: 177



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

177
11-35/1210 CA
70950

3-13-14
Date

Pay to the Order of SCE $ 1769.74

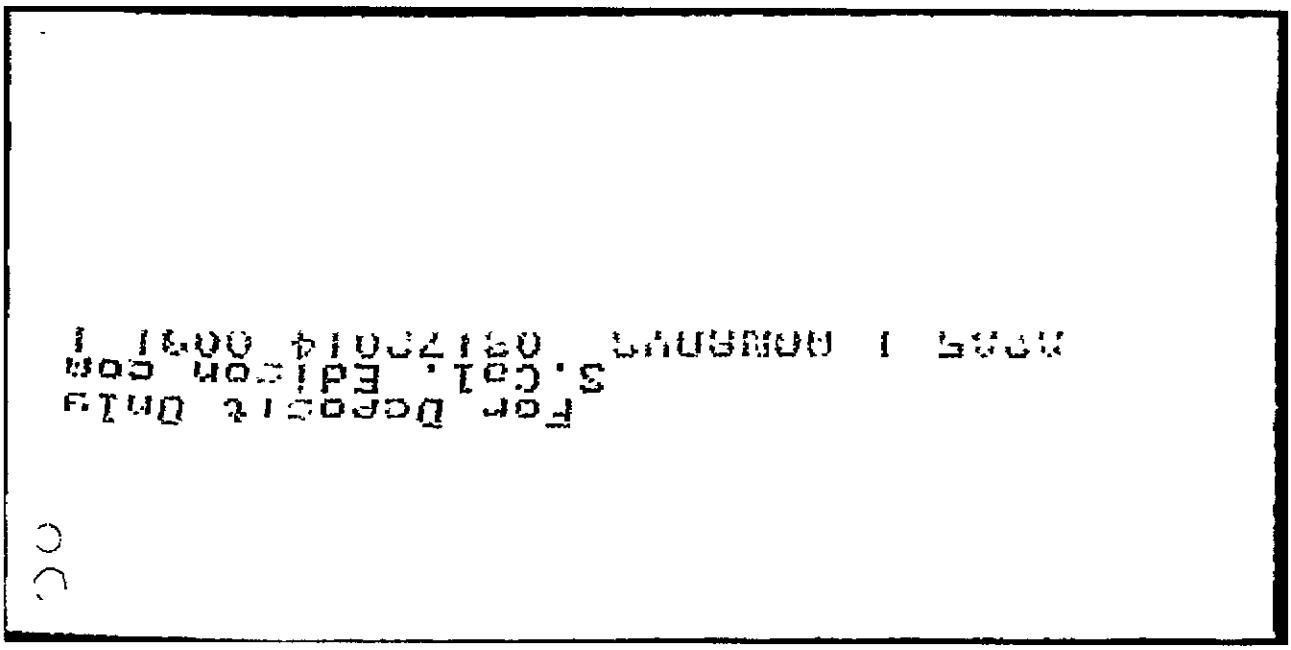
Seventeen hundred Sixty nine & 74/100 Dollars

Bank of America

ACH R/T 121000358

For ID 79151 INV 167802

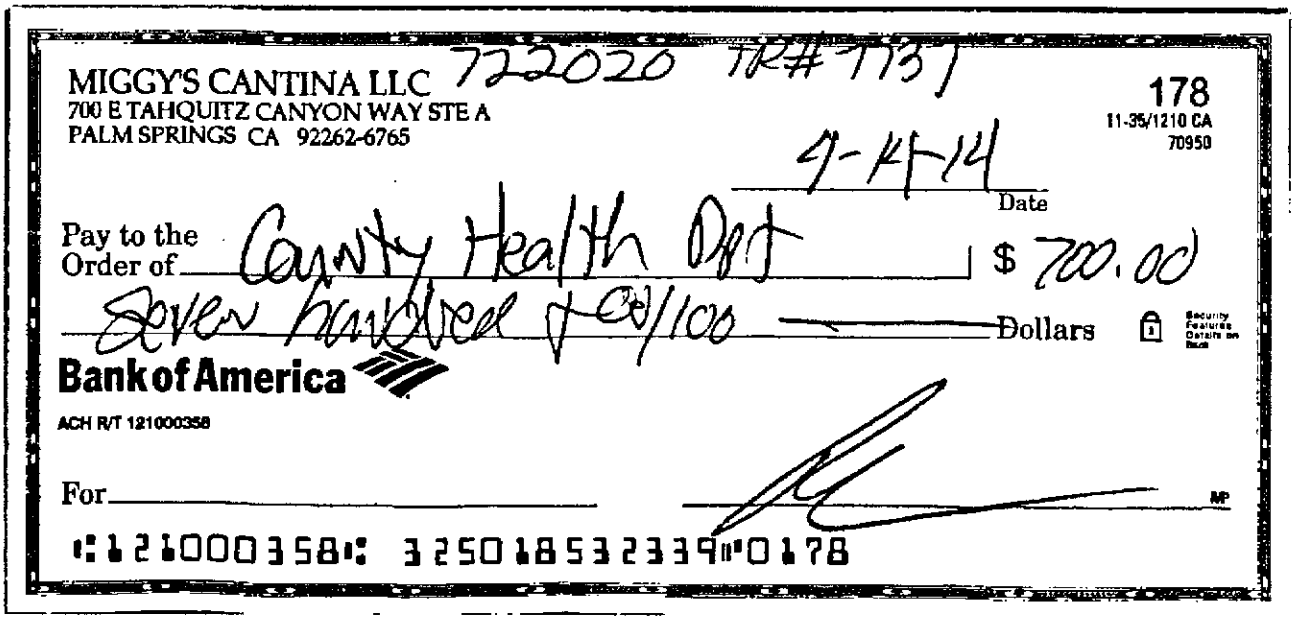
⑆121000358⑆ 325018532339⑈0177



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	2323487341	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	002323487341	122000496	Undetermined	N		MUFG UNION BANK, NA
03/18/2014	004592293869	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$700.00	Sequence Number:	4792293400
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	178



MIGGY'S CANTINA LLC 722020 TR#7737
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

178
11-35/1210 CA
70950

9-4-14
Date

Pay to the Order of County Health Dept $ 700.00

Seven hundred & 00/100 Dollars

Security Features Details on Back

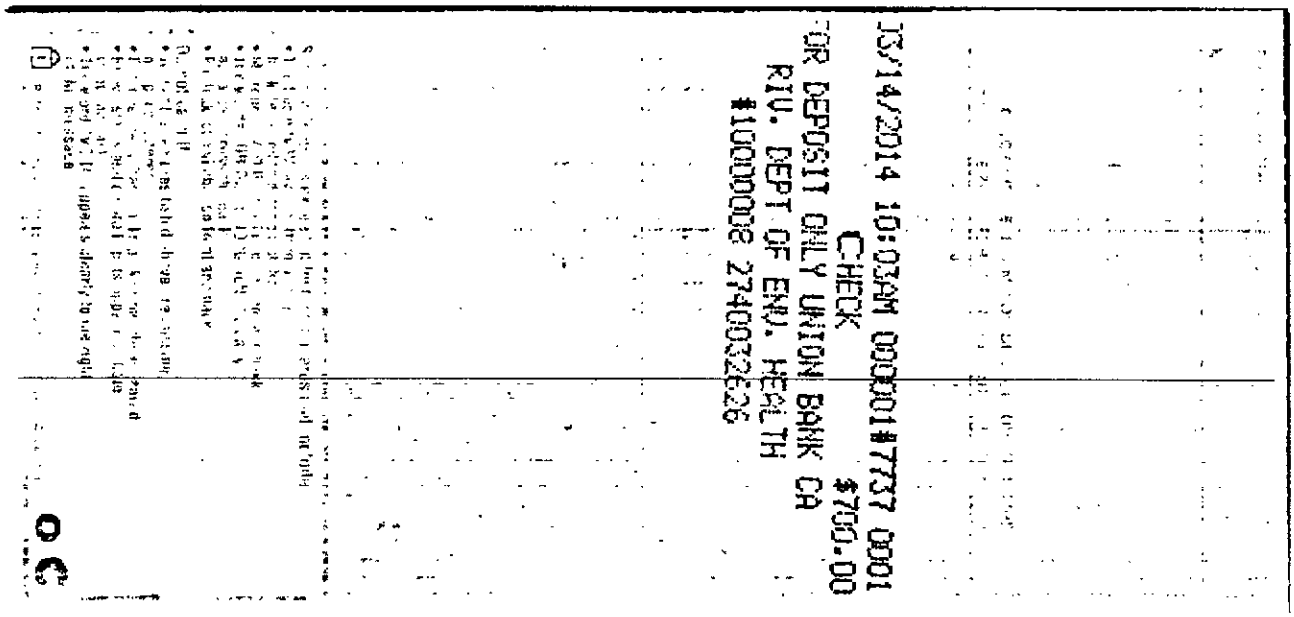
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0178

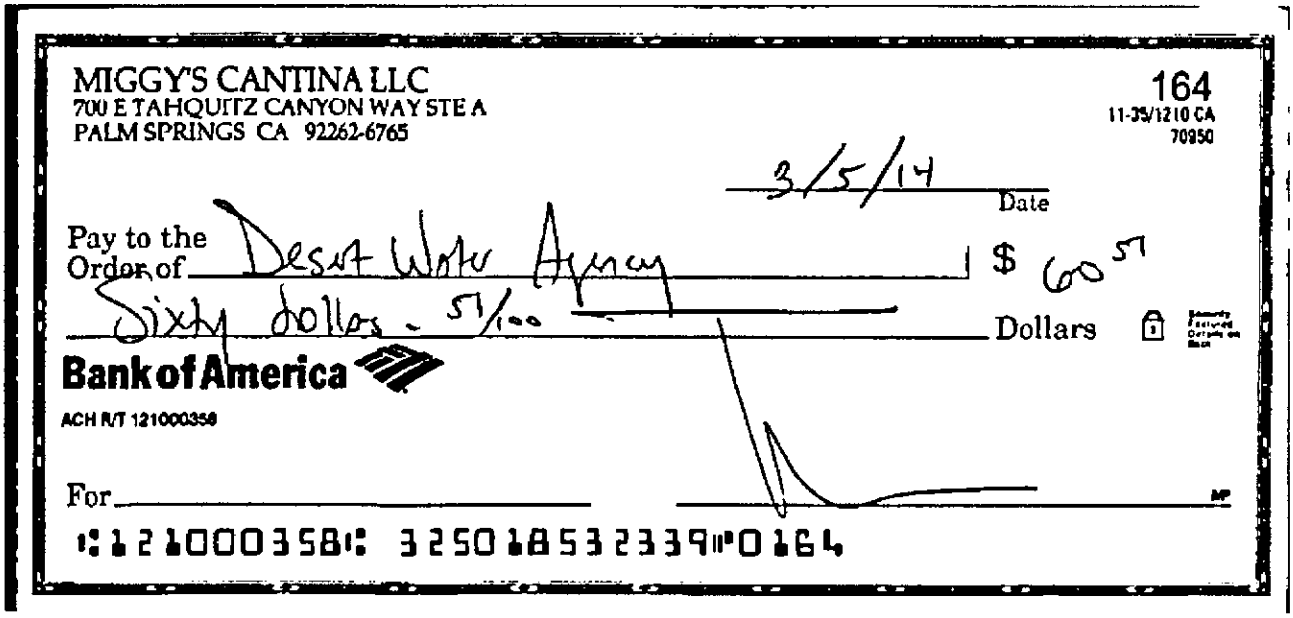


03/14/2014 10:03AM 000001#7737 0001
$700.00
CHECK
FOR DEPOSIT ONLY UNION BANK CA
RIV. DEPT OF ENV. HEALTH
#10000008 274003226

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	004792293400	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/18/2014	4445081835	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$60.51	Sequence Number:	5392489167
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	164



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

164
11-35/1210 CA
70950

3/5/14
Date

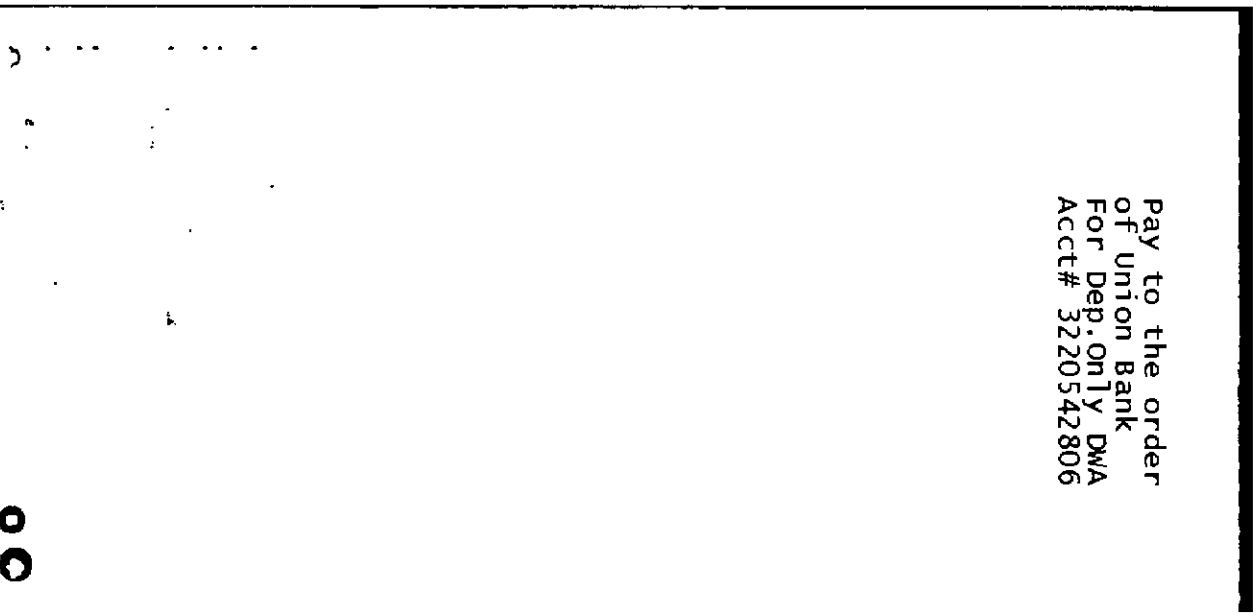
Pay to the Order of Desert Water Agency $ 60 51

Sixty dollars - 51/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0164

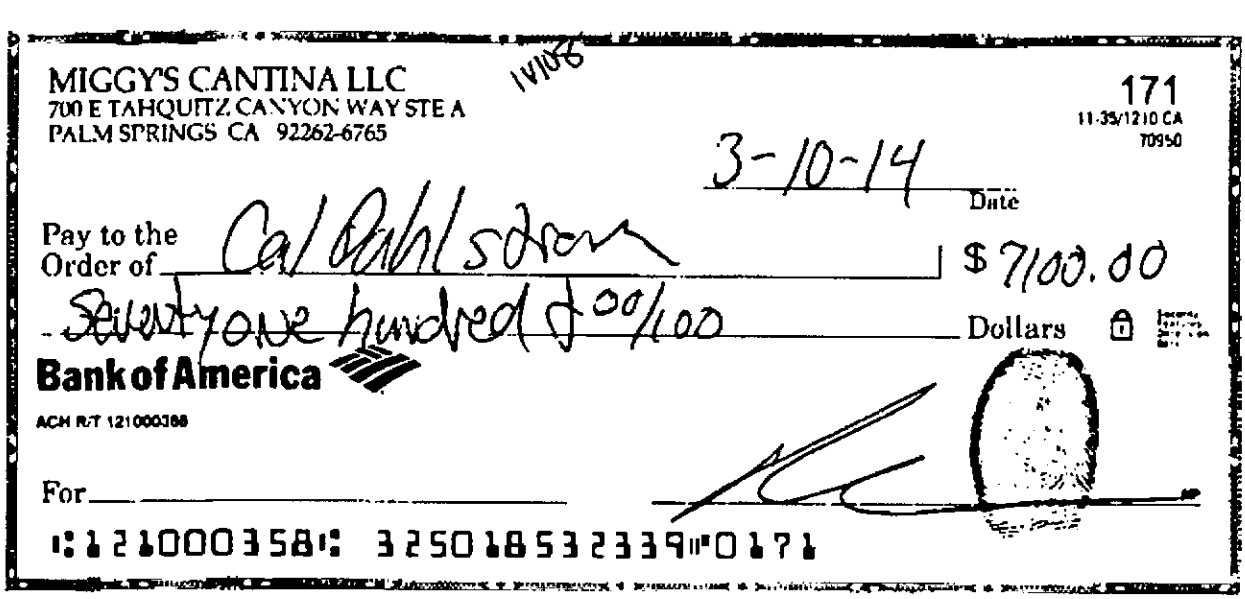


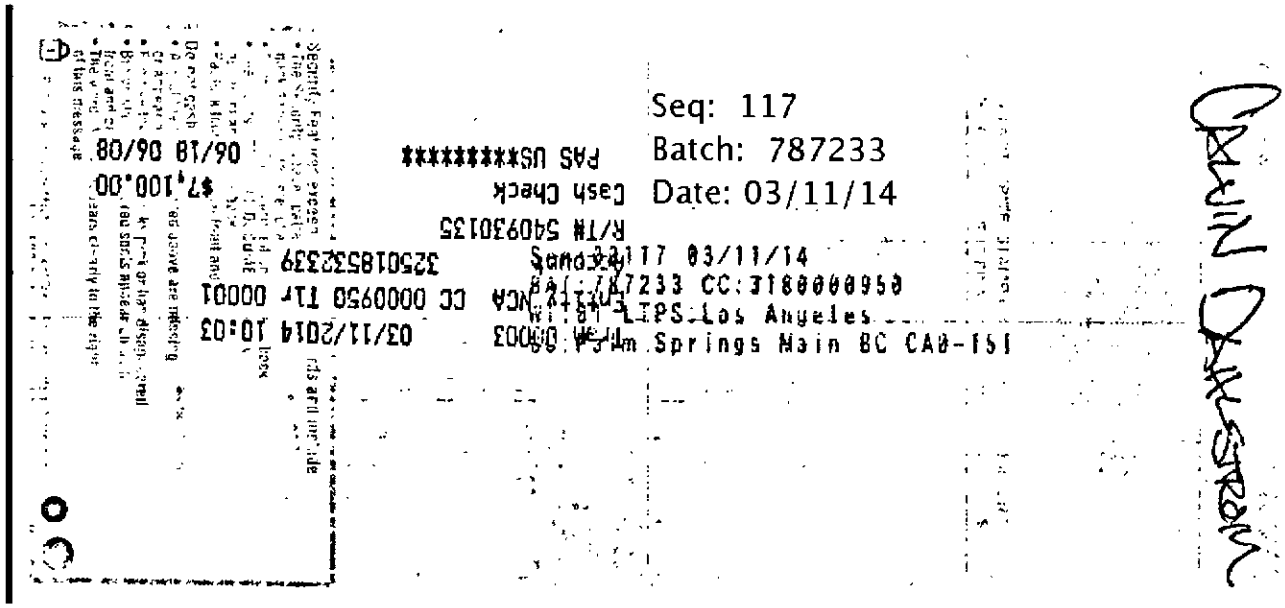
Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	4513643693	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/10/2014	005392489167	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,100.00	Sequence Number:	5442487373
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	171

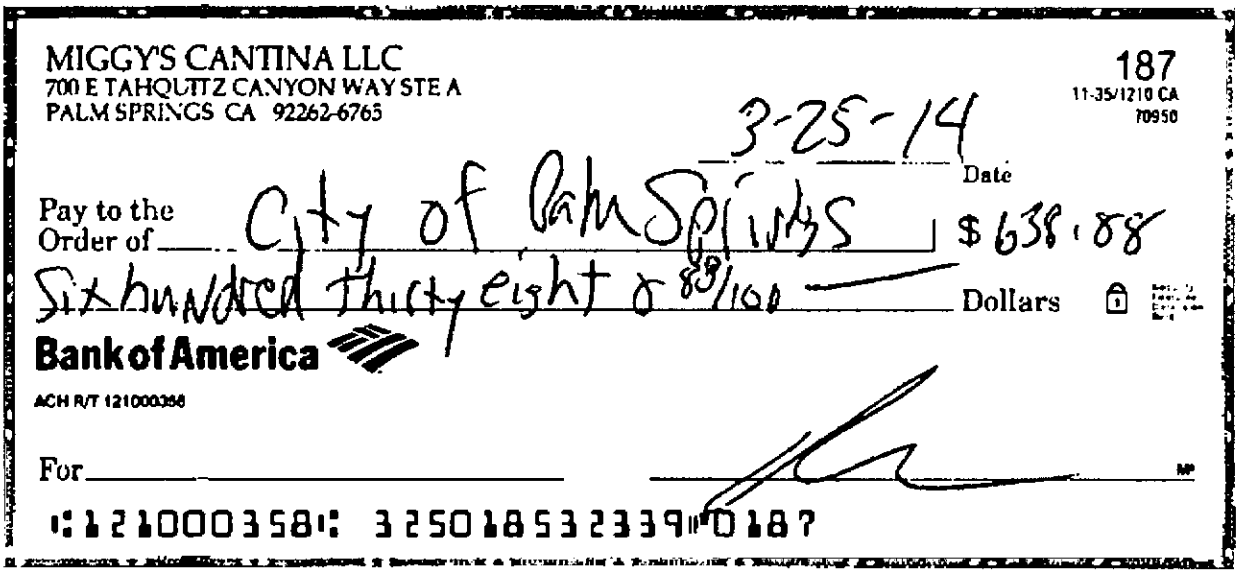




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	5442487373	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$638.88	Sequence Number:	5842162658
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	187



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

187
11-35/1210 CA
70950

3-25-14
Date

Pay to the Order of City of Palm Springs $638.88

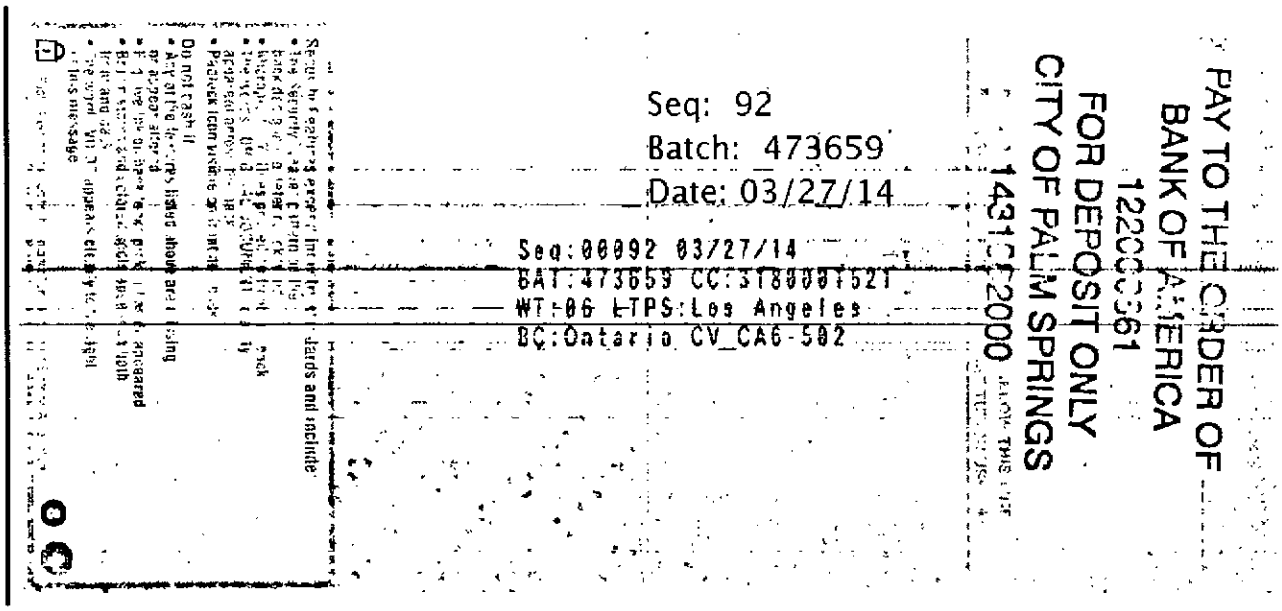
Six hundred thirty eight & 88/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0187



Seq: 92
Batch: 473659
Date: 03/27/14

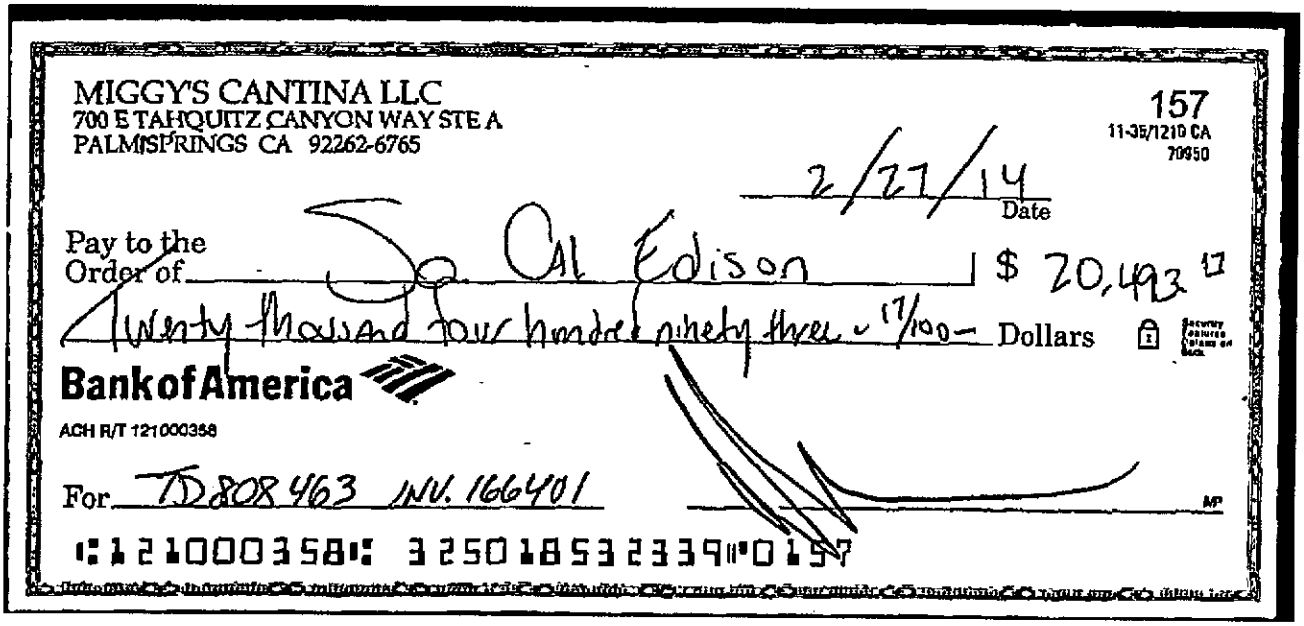
Seq:00092 03/27/14
BAT:473659 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000361
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
1431[illegible]2000

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	5842162658	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$20,493.17	Sequence Number:	5992142491
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	157



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

157
11-35/1210 CA
70950

2/27/14
Date

Pay to the Order of So. Cal Edison $ 20,493.17

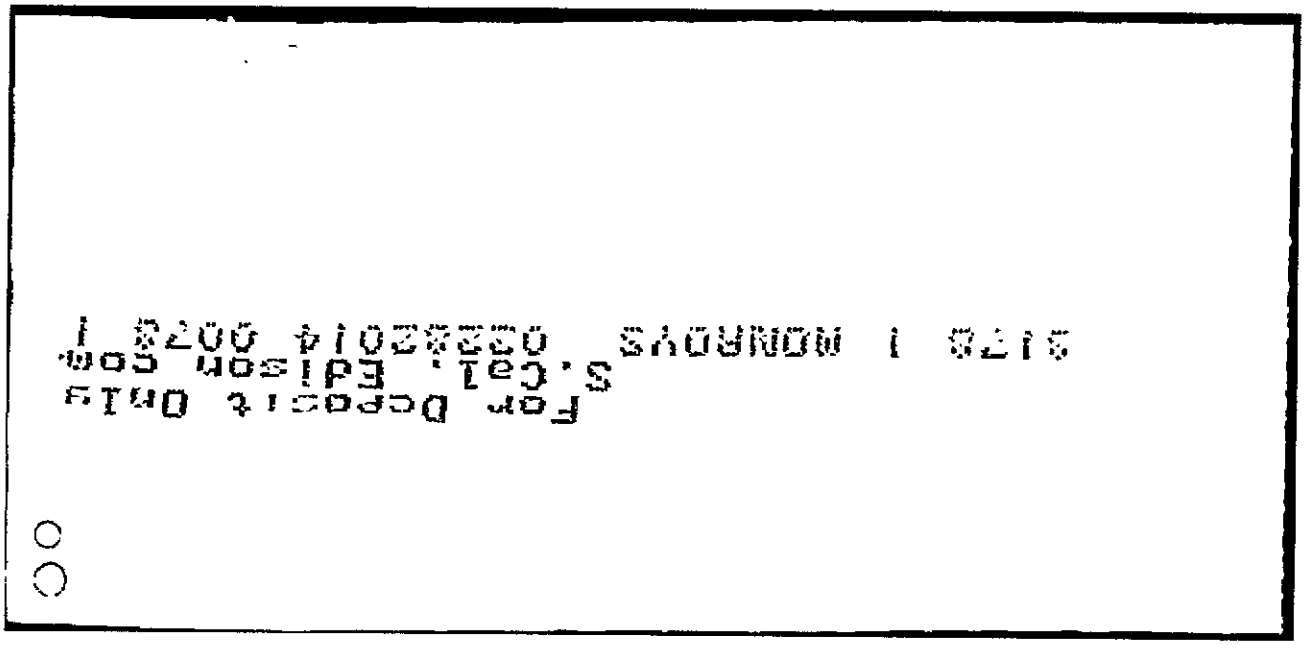
Twenty thousand four hundred ninety three 17/100 – Dollars

Bank of America

ACH R/T 121000358

For TD808463 INV. 166401

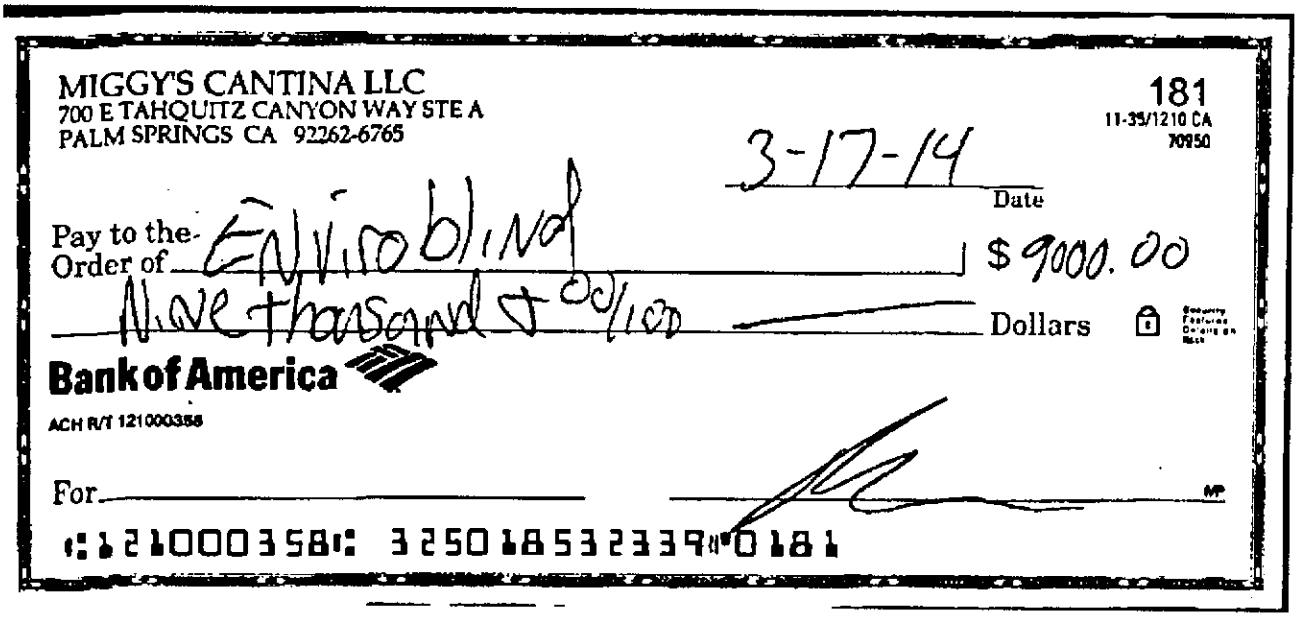
⑆121000358⑆ 325018532339⑈0157



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	2323357512	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
02/28/2014	002323357512	122000496	Undetermined	N		MUFG UNION BANK, NA
03/03/2014	005992142491	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	8092148463
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	181



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

181
11-35/1210 CA
70950

3-17-14
Date

Pay to the Order of Enviroblind

$ 9000.00

Nine thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0181

Pacific Western Bank
>122238200<
2014-03-21
858517617 189094

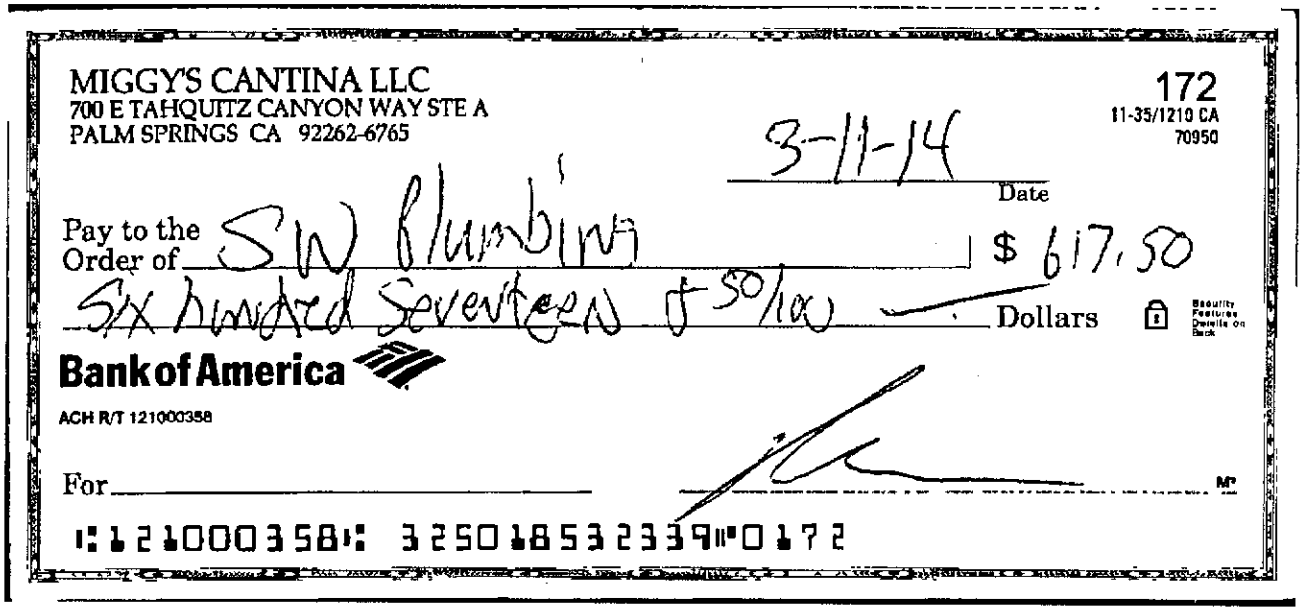
3-21 1898941

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	000000858517617	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/21/2014	008092148463	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/21/2014	000008772082012	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$617.50	Sequence Number:	8292364089
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	172



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

172
11-35/1210 CA
70950

3-11-14
Date

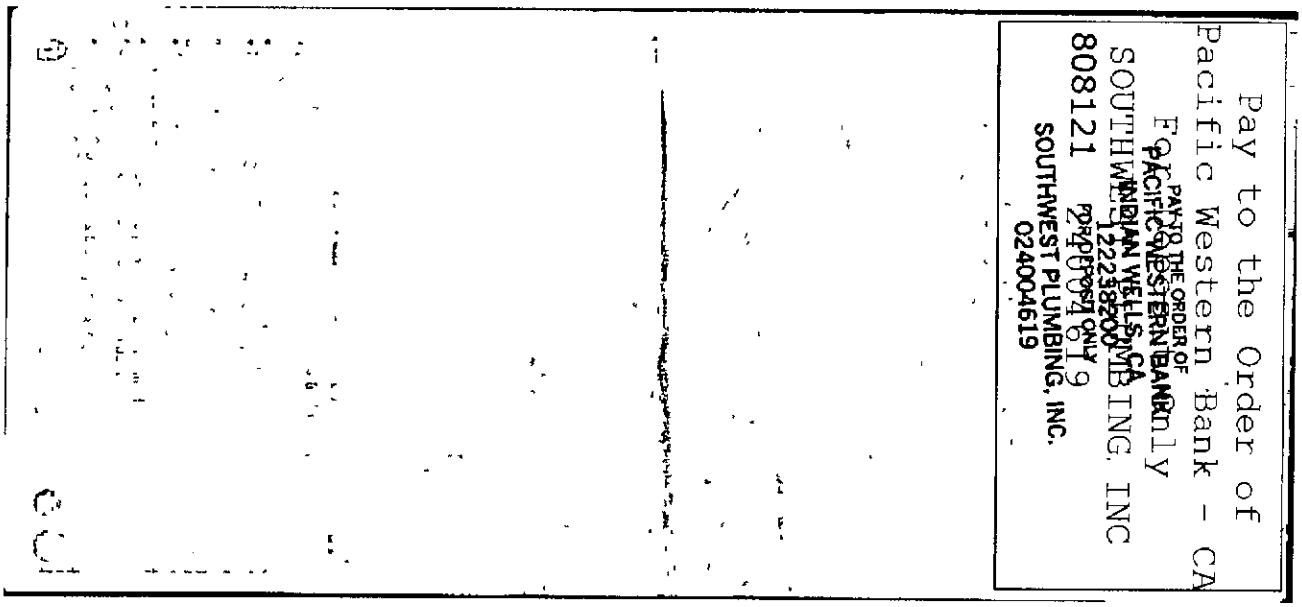
Pay to the Order of SW Plumbing $ 617.50

Six hundred Seventeen & 50/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0172



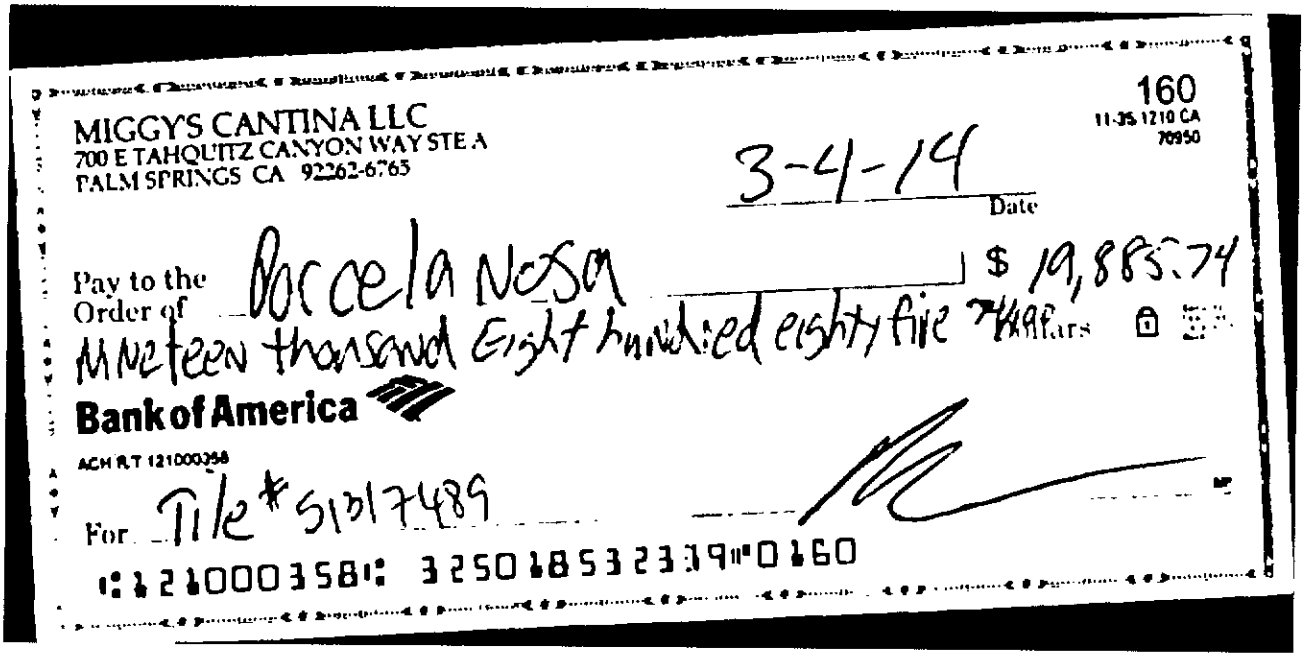
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING, INC
808121

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
PROPOSAL ONLY
SOUTHWEST PLUMBING, INC.
02404619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	000008176665041	91000019	Undetermined	N		WELLS FARGO BANK, NA
03/13/2014	008292364089	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	046923972650488	122238200	Undetermined	N		PACIFIC WESTERN BANK
03/13/2014	000002180628993	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$19,885.74	Sequence Number:	8292412500
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	160



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

160
11-35 1210 CA
70950

3-4-14
Date

Pay to the Order of Porcela Nosa $ 19,885.74

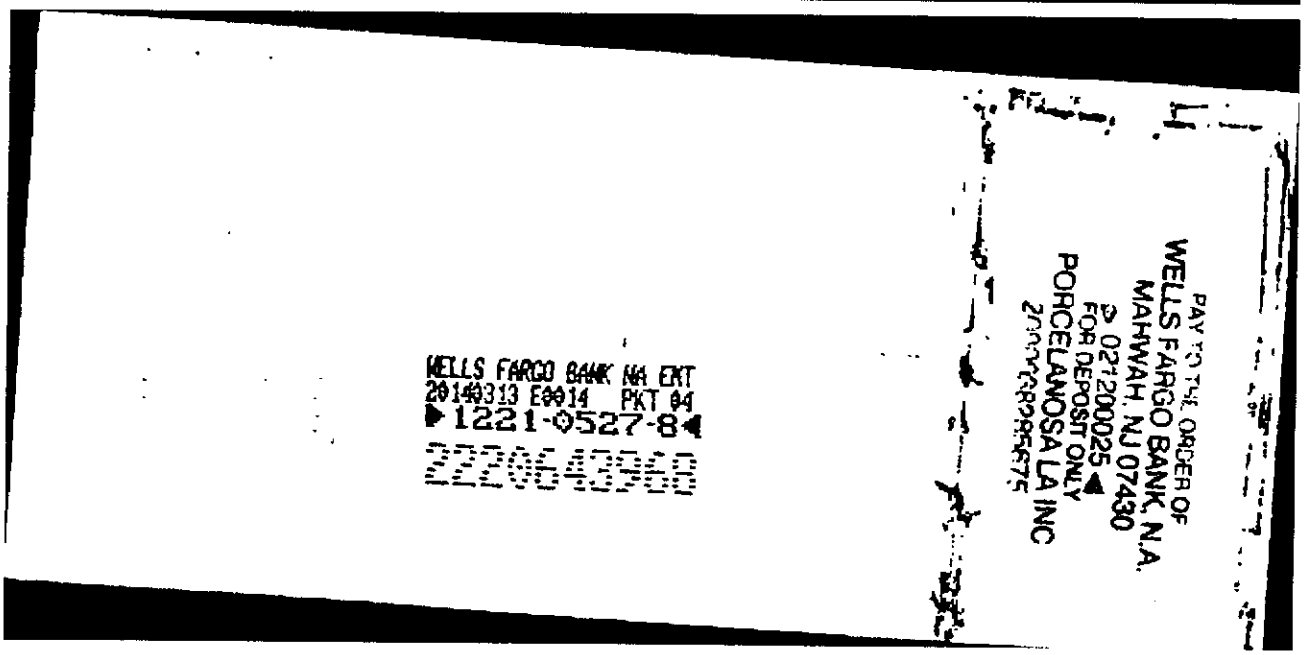
Nineteen thousand Eight hundred eighty five 74/100 dollars

Bank of America

ACH R/T 121000358

For Tile * 5131489

⑈121000358⑈ 325018532339⑈0160



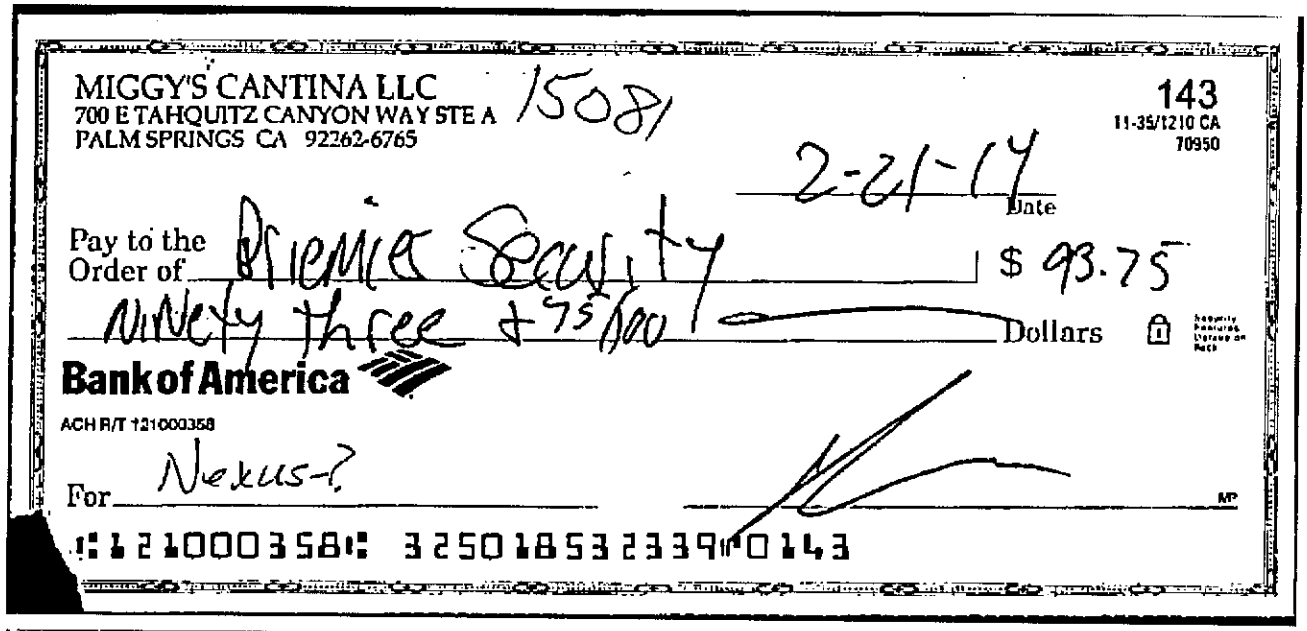
WELLS FARGO BANK NA EXT
20140313 E0014 PKT 04
▶1221-0527-8◀
2220[illegible]

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
▶ 021200025 ◀
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2[illegible]

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	008292412500	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	000002220643968	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$93.75	Sequence Number:	8492234318
Account:	325018532339	Capture Date:	03/05/2014
Bank Number:	12100035	Check Number:	143



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15081

143
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Premier Security $ 93.75

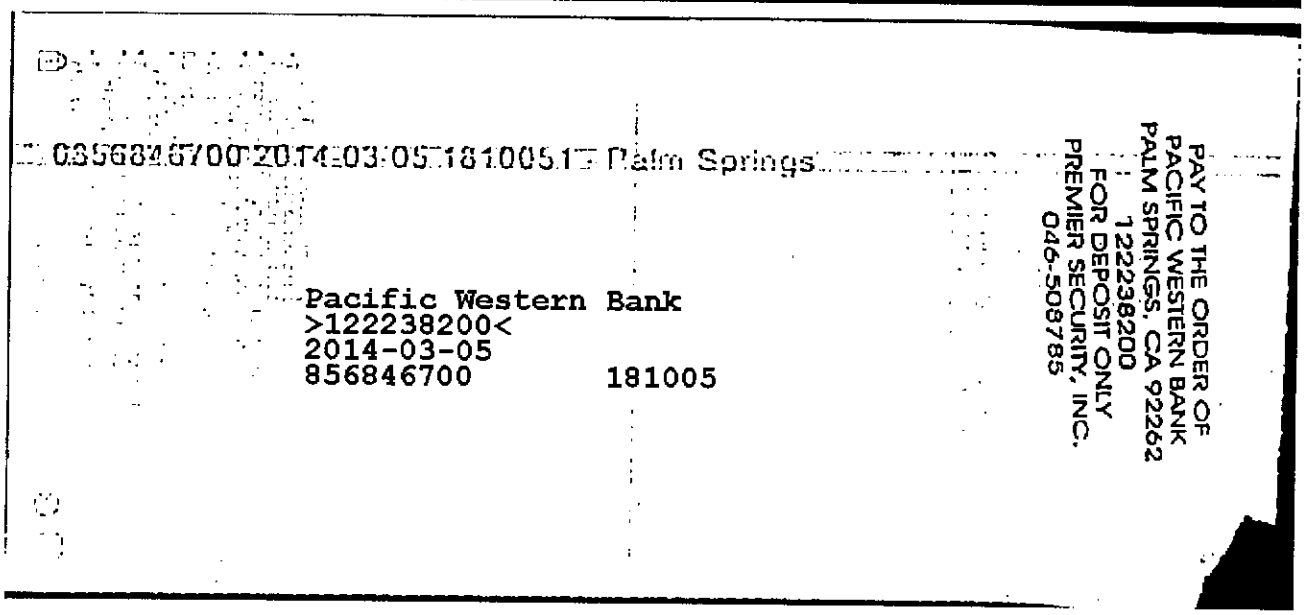
Ninety three & 75/100 Dollars

Bank of America

ACH R/T 121000358

For Nexus-?

⑈121000358⑈ 325018532339⑈0143



⑆056846700⑆ 2014-03-05 181005 ⑈ Palm Springs

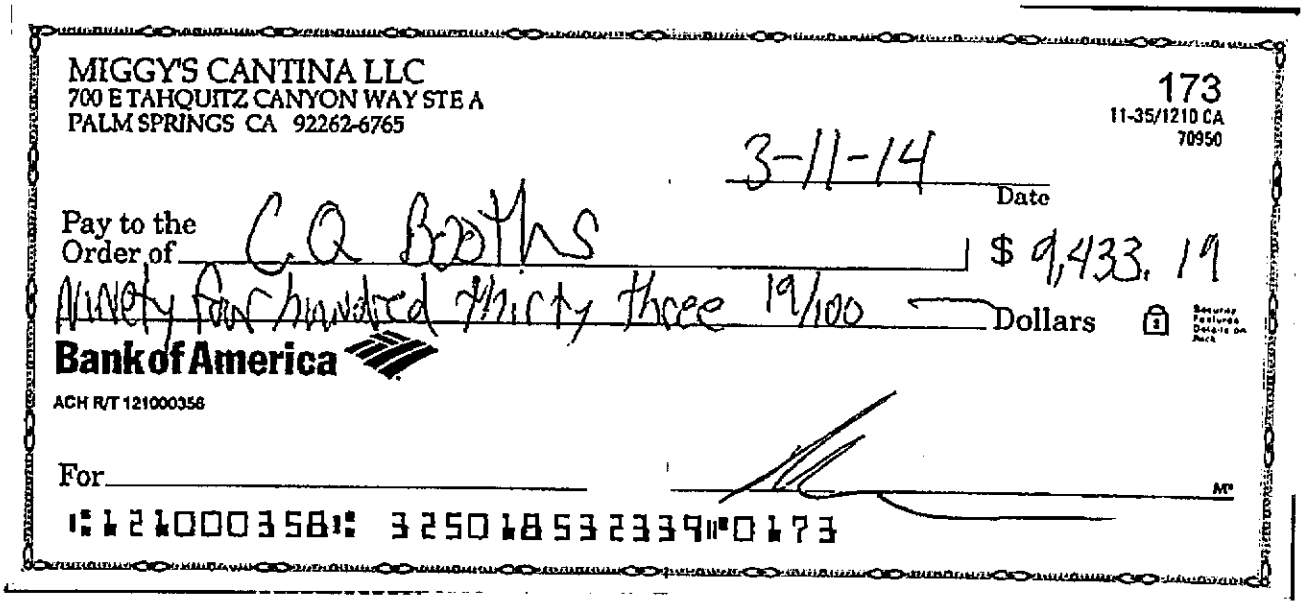
Pacific Western Bank
>122238200<
2014-03-05
856846700 181005

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
PALM SPRINGS, CA 92262
122238200
FOR DEPOSIT ONLY
PREMIER SECURITY, INC.
046-508785

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/05/2014	008492234318	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/05/2014	000000856846700	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/05/2014	000008650856128	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$9,433.19	Sequence Number:	8592576446
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	173



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

173
11-35/1210 CA
70950

3-11-14
Date

Pay to the Order of C.Q Booths $ 9,433.19

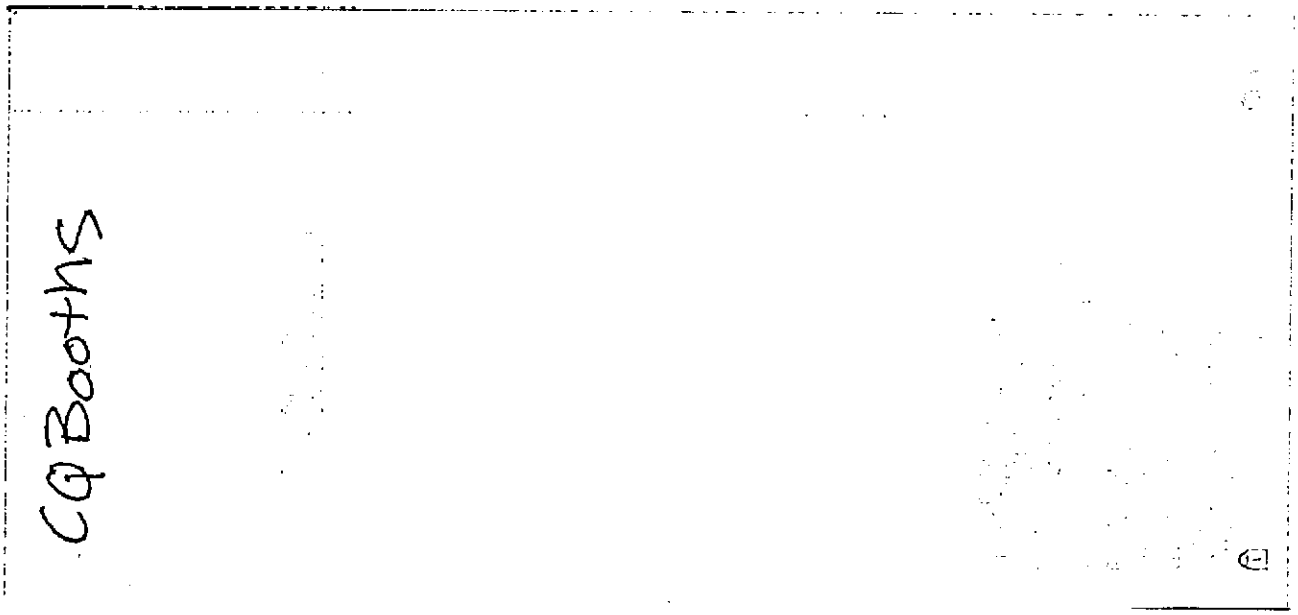
Ninety four hundred thirty three 19/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0173

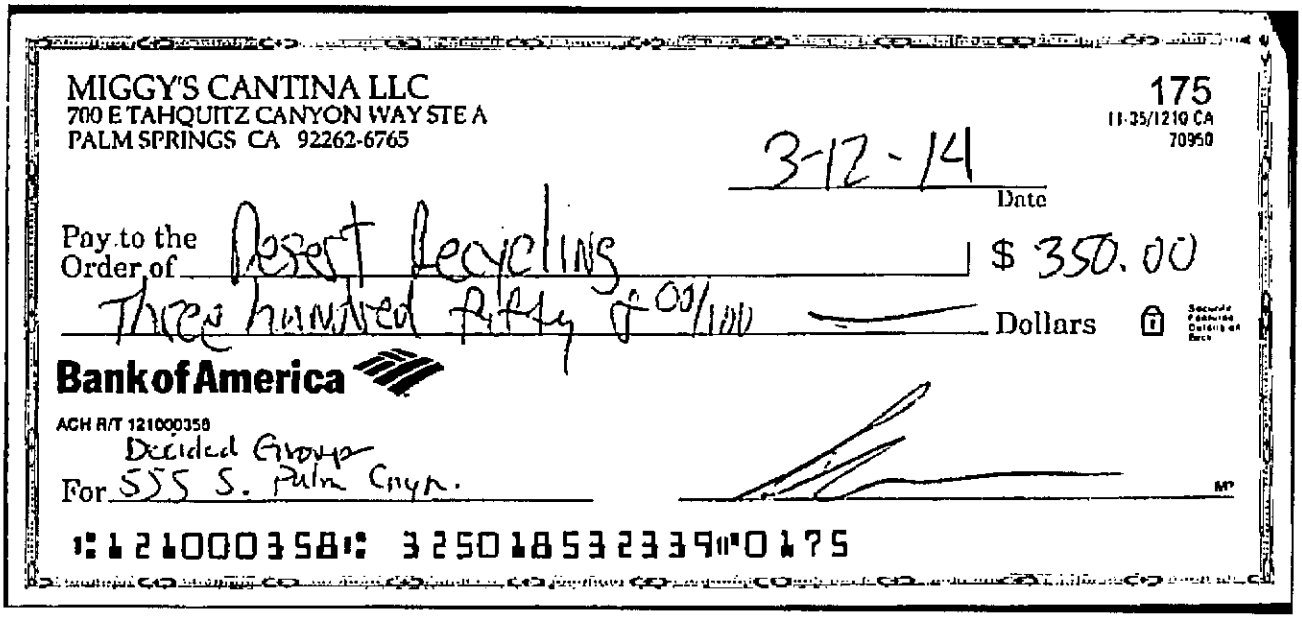


CQ Booths

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4790676197	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
03/17/2014	008592576446	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$350.00	Sequence Number:	8992359179
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	175



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

175
11-35/1210 CA
70950

3-12-14
Date

Pay to the Order of Desert Recycling $ 350.00

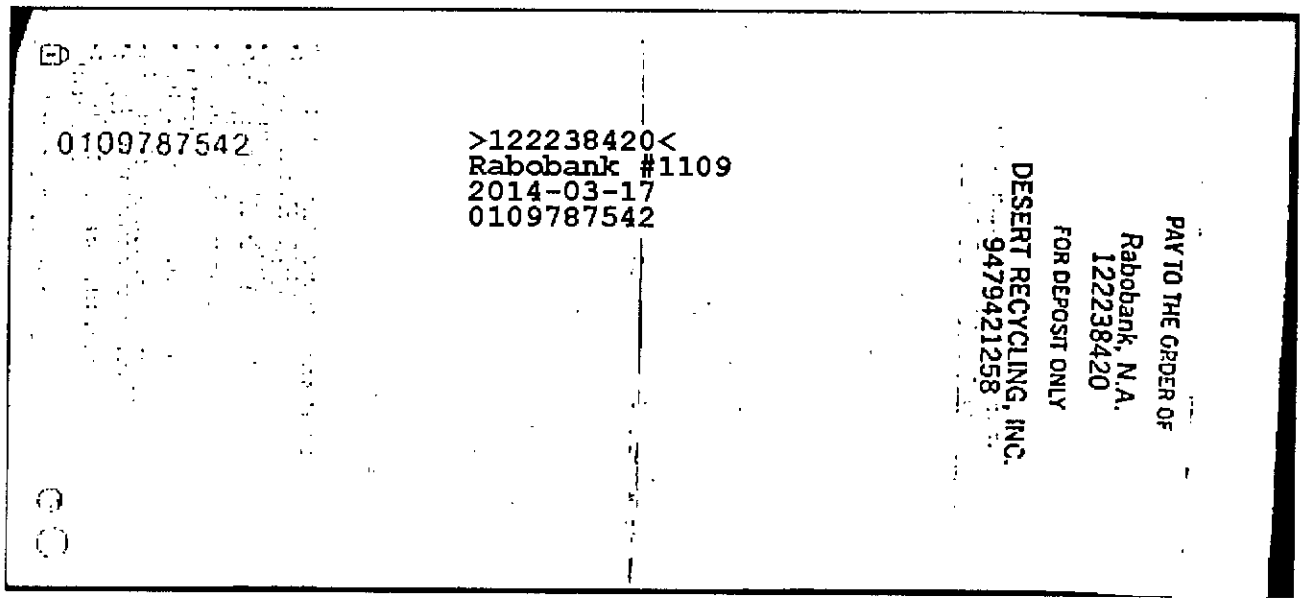
Three hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

Decided Group
For 555 S. Palm Cnyn.

⑈121000358⑈ 325018532339⑈0175



0109787542

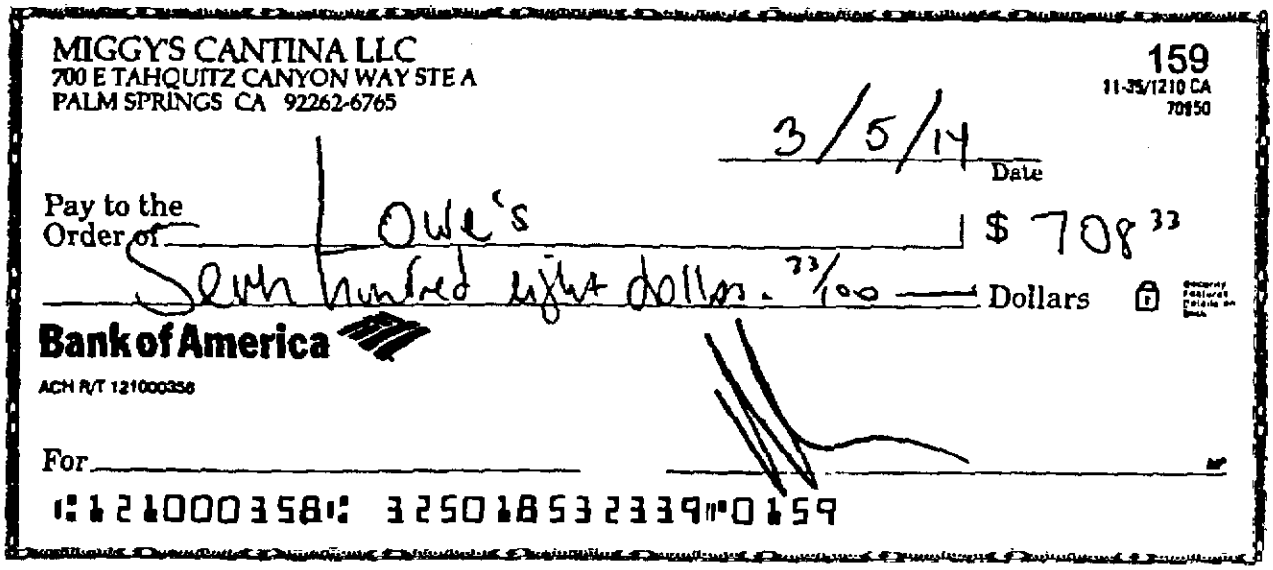
>122238420<
Rabobank #1109
2014-03-17
0109787542

PAY TO THE ORDER OF
Rabobank, N.A.
122238420
FOR DEPOSIT ONLY
DESERT RECYCLING, INC.
9479421258

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	000008832106275	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/17/2014	008992359179	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/17/2014	000000109787542	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$708.33	Sequence Number:	8992759926
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	159



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

159
11-35/1210 CA
70150

3/5/14
Date

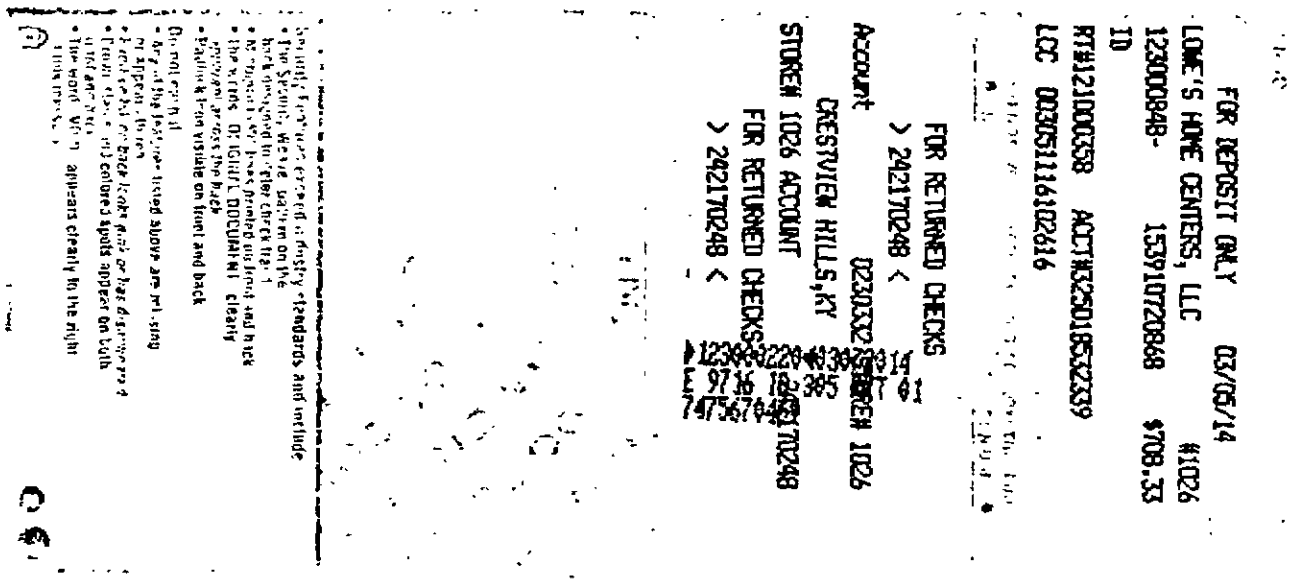
Pay to the Order of: OWE'S — $ 708 33

Seven hundred eight dollars 33/100 — Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0159



FOR DEPOSIT ONLY 03/05/14
LOWE'S HOME CENTERS, LLC #1026
123000848- 153910720868 $708.33
ID
RT#121000358 ACCT#325018532339
LCC 0030511161026616

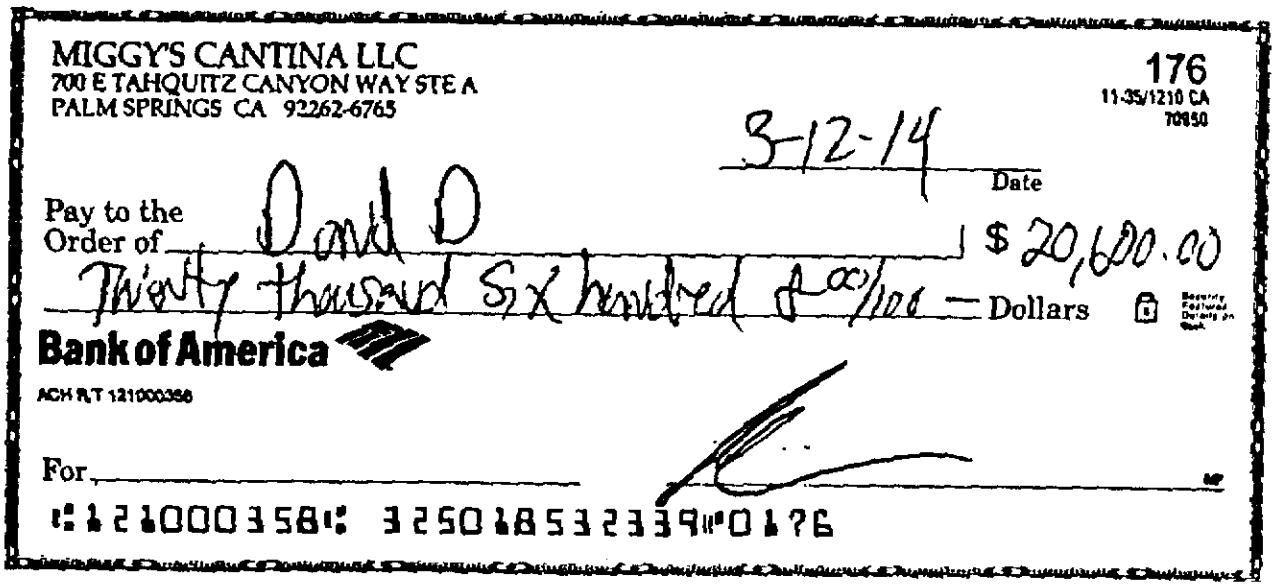
FOR RETURNED CHECKS
> 242170248 <
Account 0230332[illegible]1026

CRESTVIEW HILLS,KY
STORE# 1026 ACCOUNT
FOR RETURNED CHECKS > 242170248

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/07/2014	009597303316	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/10/2014	008992759926	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/07/2014	004191263324	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	009597303316	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	7475670469	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
03/07/2014	004191263324	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$20,600.00	Sequence Number:	8992852624
Account:	325018532339	Capture Date:	03/18/2014
Bank Number:	12100035	Check Number:	176



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

176
11-35/1210 CA
70950

3-12-14
Date

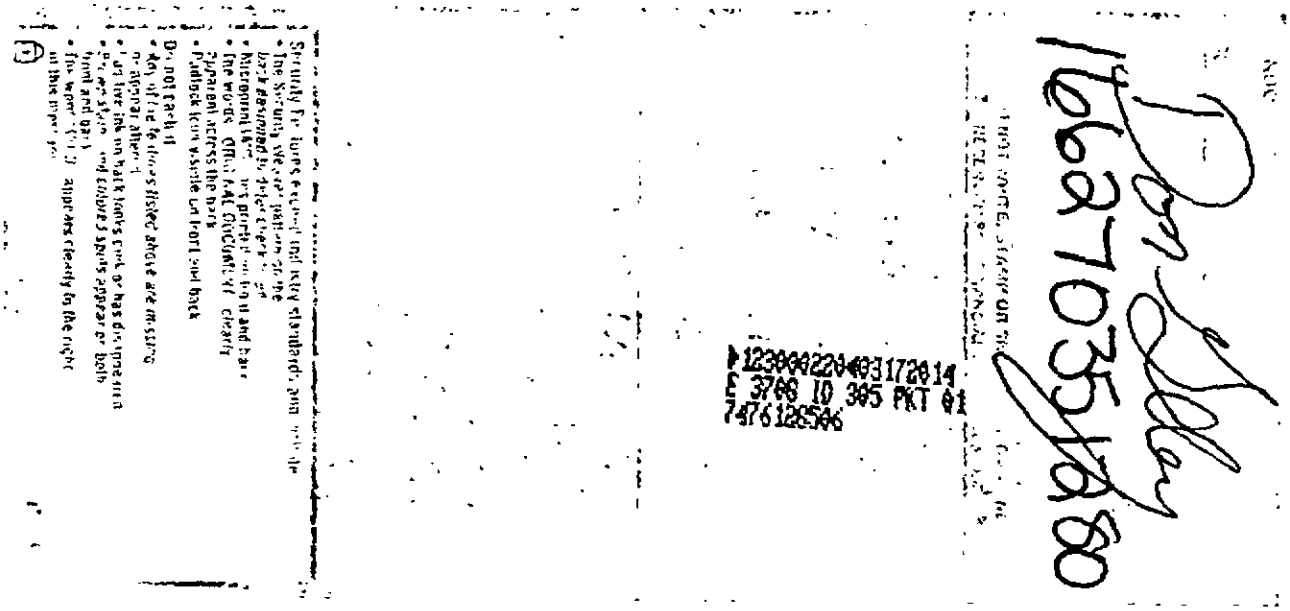
Pay to the Order of David D
$ 20,600.00

Twenty thousand Six hundred & ∞/100 — Dollars

Bank of America
ACH R/T 121000358

For

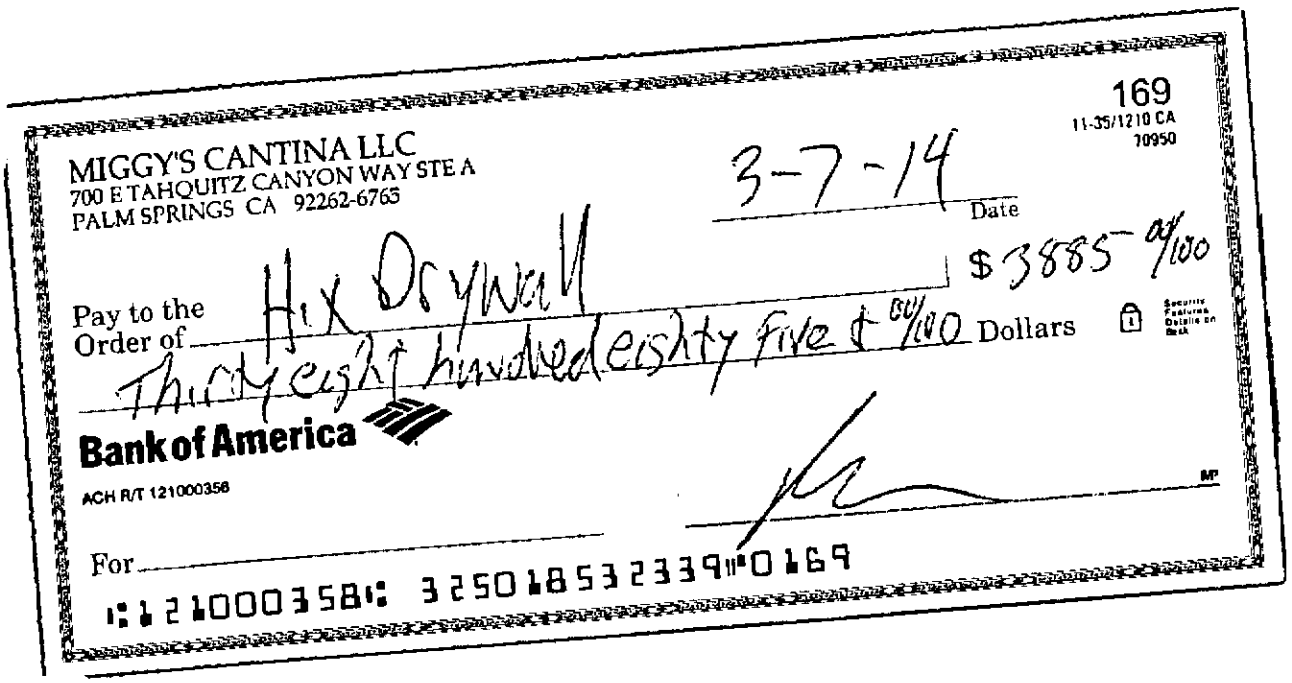
⑆121000358⑆ 325018532339⑈0176



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/18/2014	008992852624	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/17/2014	009596783491	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	009596783491	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	7476128506	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$3,885.00	Sequence Number:	9392856285
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	169



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

169
11-35/1210 CA
70950

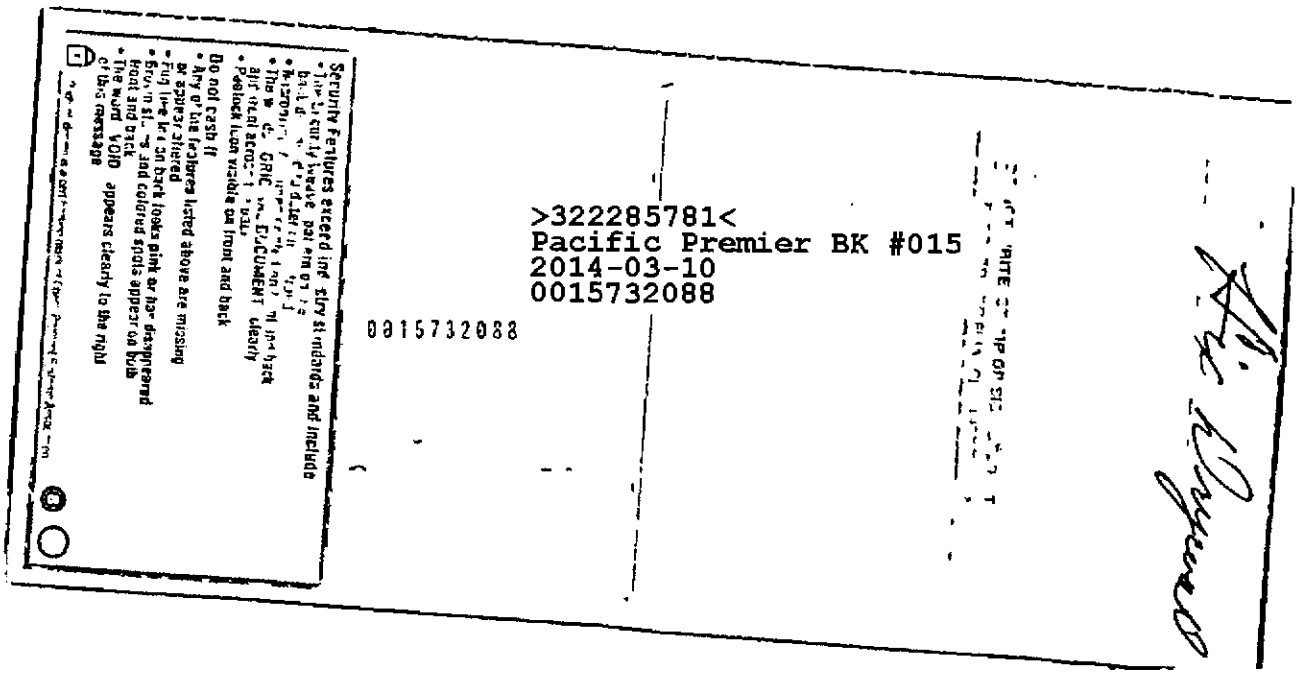
3-7-14
Date

Pay to the Order of Hix Drywall
$ 3885 00/100
Thirty eight hundred eighty five & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0169



Security Features exceed industry standards and include
• This check has a watermark
• Microprinting
• The word COPY appears in the
• Pantograph
Do not cash if
• Any of the features listed above are missing
• Any of the features appear altered
• Fluorescent ink on back looks pink or has disappeared
• Brown and blue colored spots appear on both front and back
• The word VOID appears clearly to the right of this message

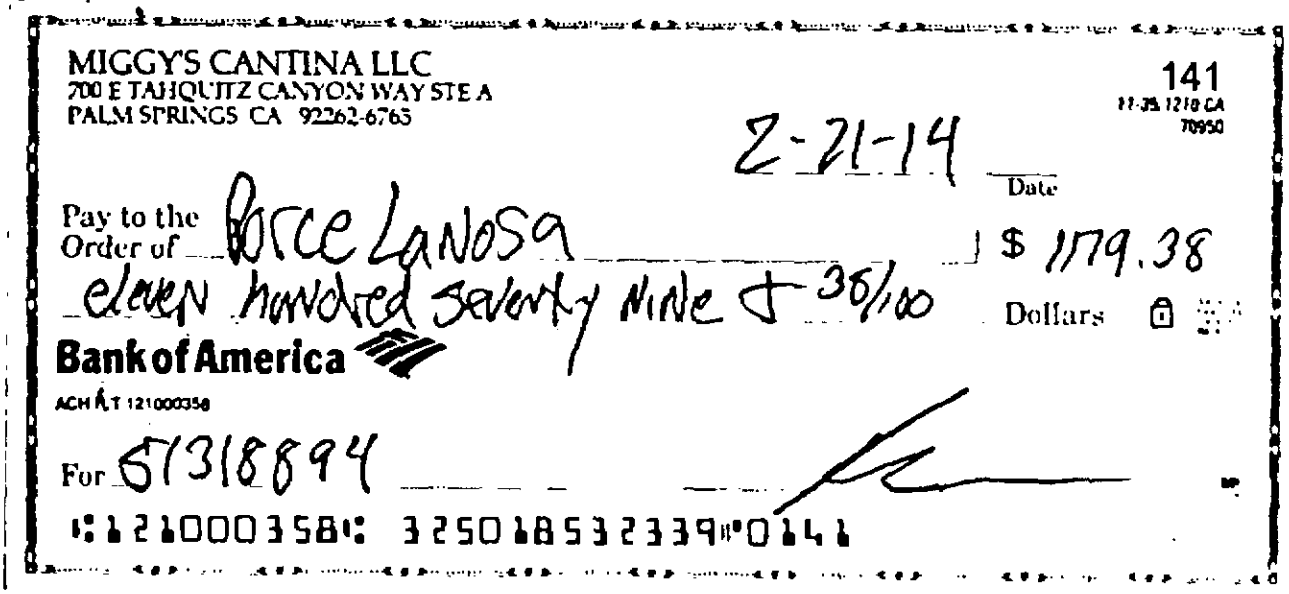
>322285781<
Pacific Premier BK #015
2014-03-10
0015732088

0015732088

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	907355015732088	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
03/10/2014	000008841567802	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/10/2014	009392856285	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,179.38	Sequence Number:	9492235996
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	141



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

141
11-35 1210 CA
70950

2-21-14
Date

Pay to the Order of Porce LaNosa

$ 1179.38

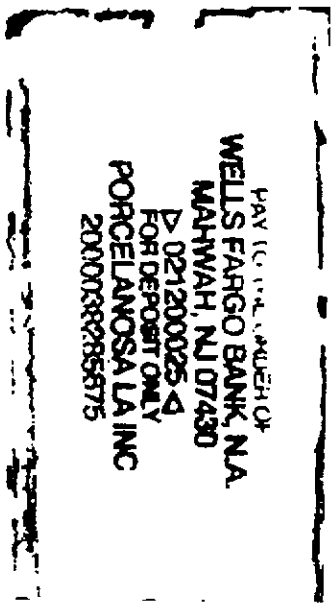
eleven hundred seventy nine & 38/100 Dollars

Bank of America

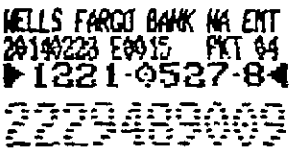
ACH RT 121000358

For 51318894

⑆121000358⑆ 325018532339⑈0141



PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
⑆021200025⑆
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2000038935875

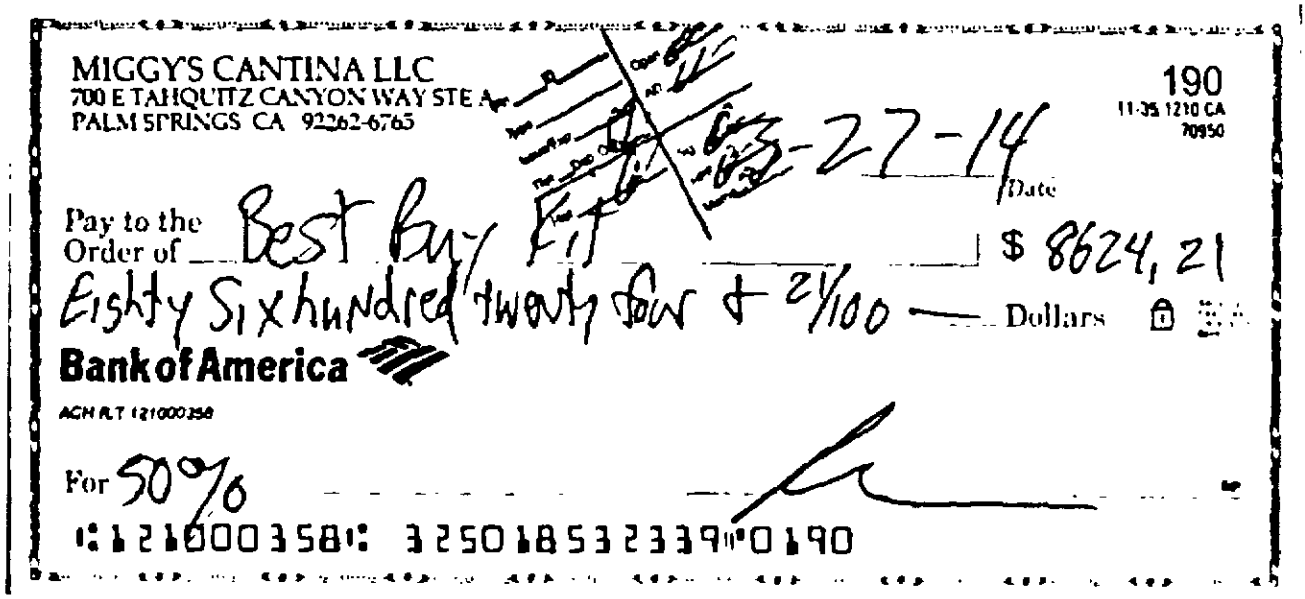


WELLS FARGO BANK NA EMT
20140223 E0015 PMT 04
▶1221-0527-8◀

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009492235996	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	000002229489009	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$8,624.21	Sequence Number:	9492933984
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	190



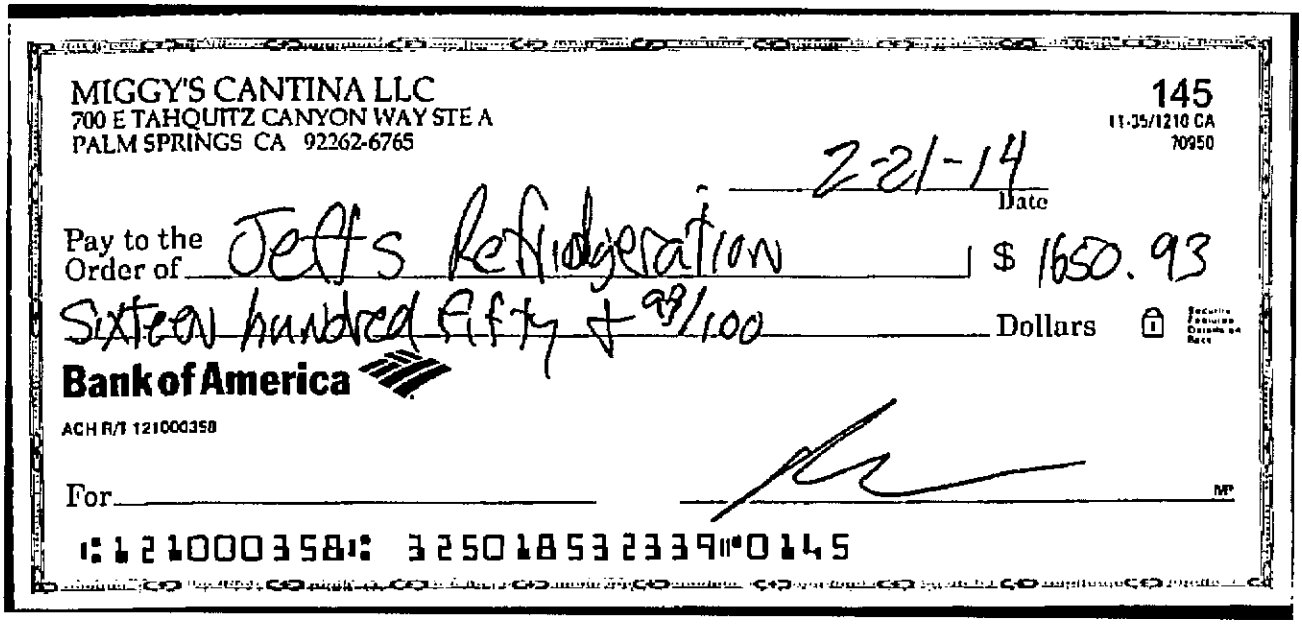
PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

WELLS FARGO BANK NA EXT
20140328 E0936 EXT 04
▶1221-0527-8◀
222305920

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	009492933984	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/31/2014	000002222305920	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$1,650.93	Sequence Number:	9592191607
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	145



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

145
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Jeffs Refridgeration $ 1650.93

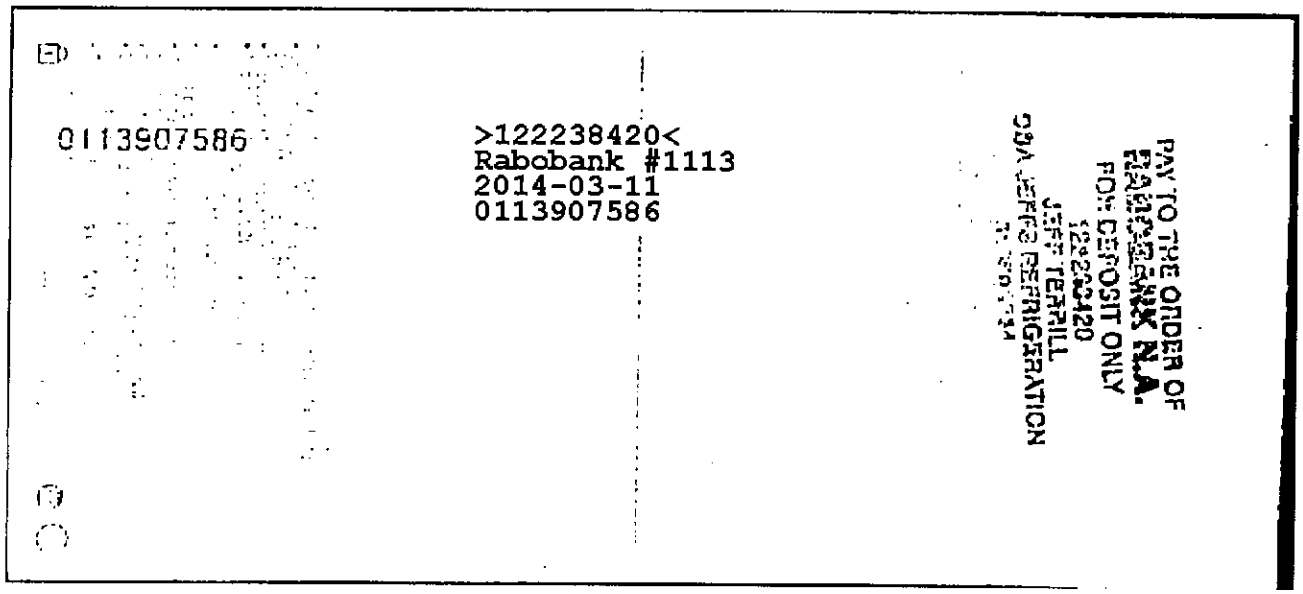
Sixteen hundred fifty + 93/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0145



0113907586

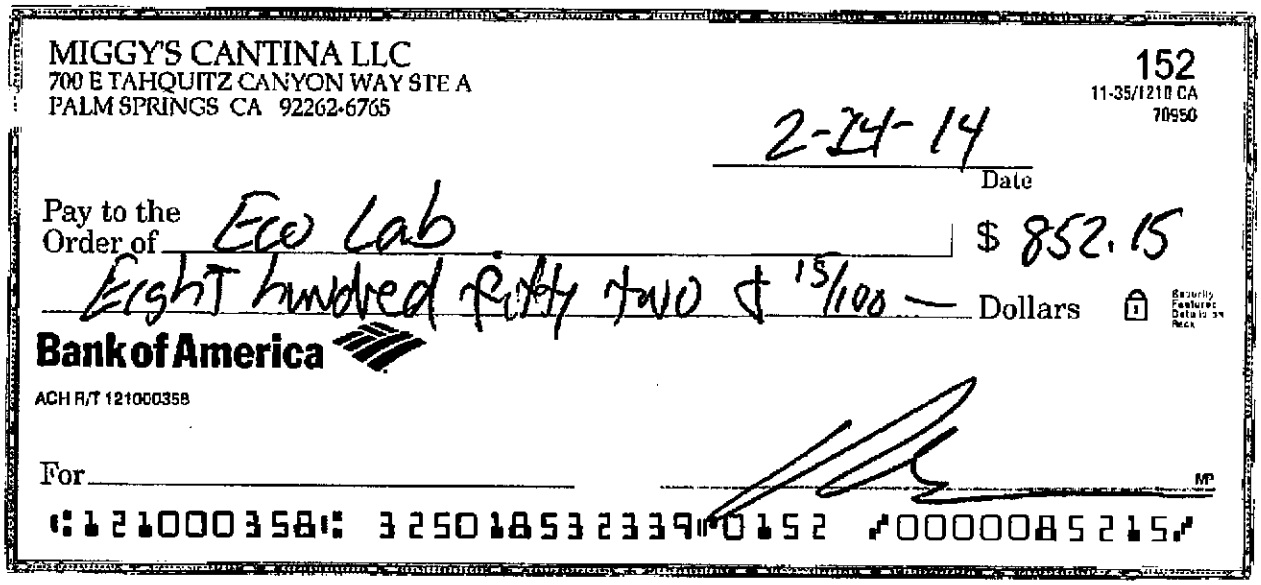
>122238420<
Rabobank #1113
2014-03-11
0113907586

PAY TO THE ORDER OF
FOR DEPOSIT ONLY
122238420
JEFF TERRILL
DBA JEFFS REFRIGERATION

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592191607	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000000113907586	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
03/11/2014	000008245086988	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$852.15	Sequence Number:	9592386879
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	152



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

152
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Eco Lab $ 852.15

Eight hundred fifty two & 15/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

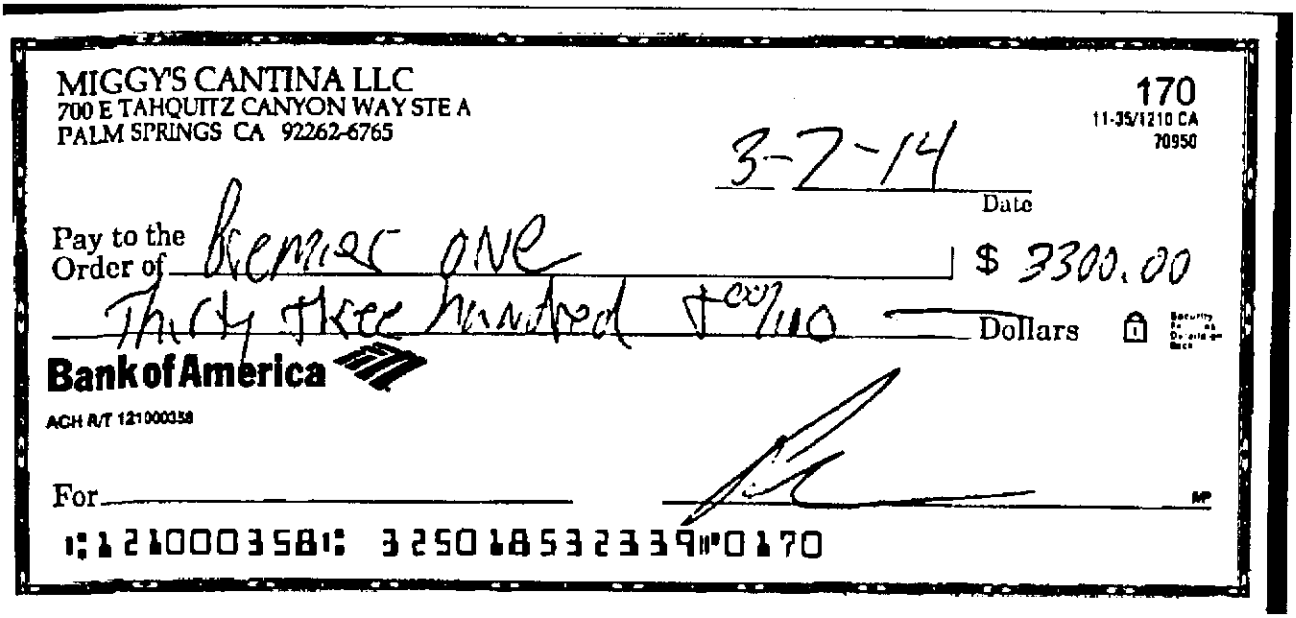
⑆121000358⑆ 325018532339⑈0152 ⑈000008521⑄

JPMORGANCHASE BK NA CR TO NMD
030414 >074909962< PAYEE ALL
27742794 0026252 RTS RSVD
00951484 009 0000000464641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009592386879	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	5490879228	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$3,300.00	Sequence Number:	9592533236
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	170



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

170
11-35/1210 CA
70950

3-7-14
Date

Pay to the Order of Premier One $ 3300.00

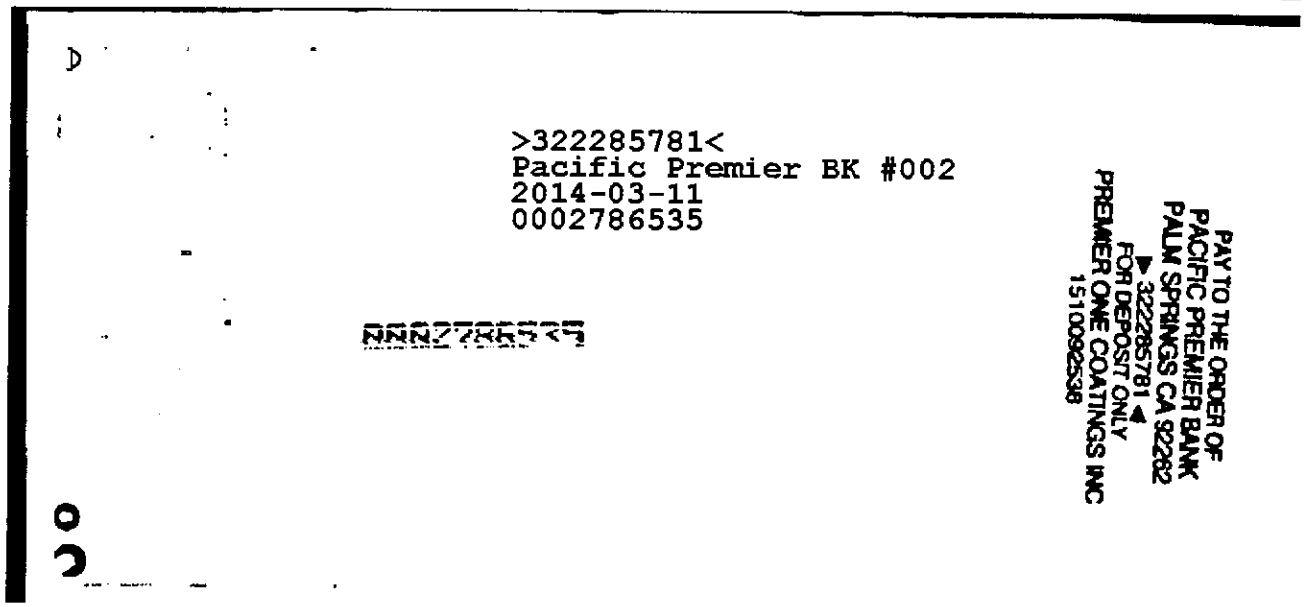
Three Hundred ~~Forty~~ ~~and~~ 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0170



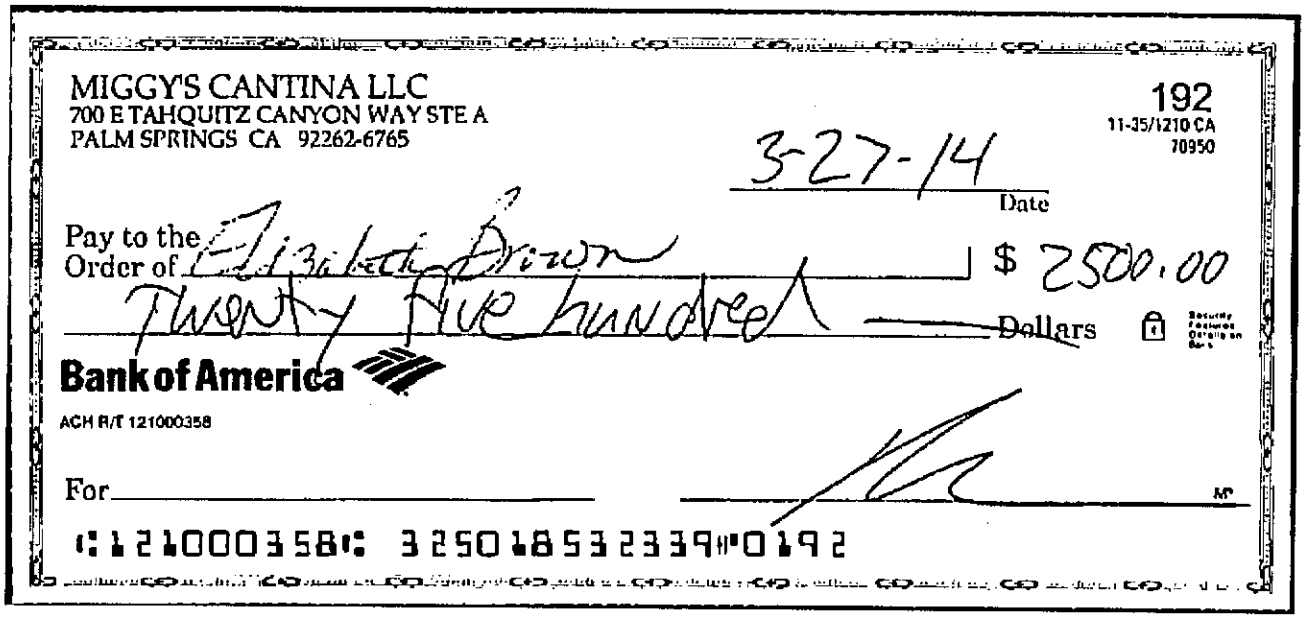
>322285781<
Pacific Premier BK #002
2014-03-11
0002786535

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
▼322285781▲
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
1510092538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592533236	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000008841676673	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/11/2014	907355002786535	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$2,500.00	Sequence Number:	9692200592
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	192



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

192
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Elizabeth Brown $ 2500.00

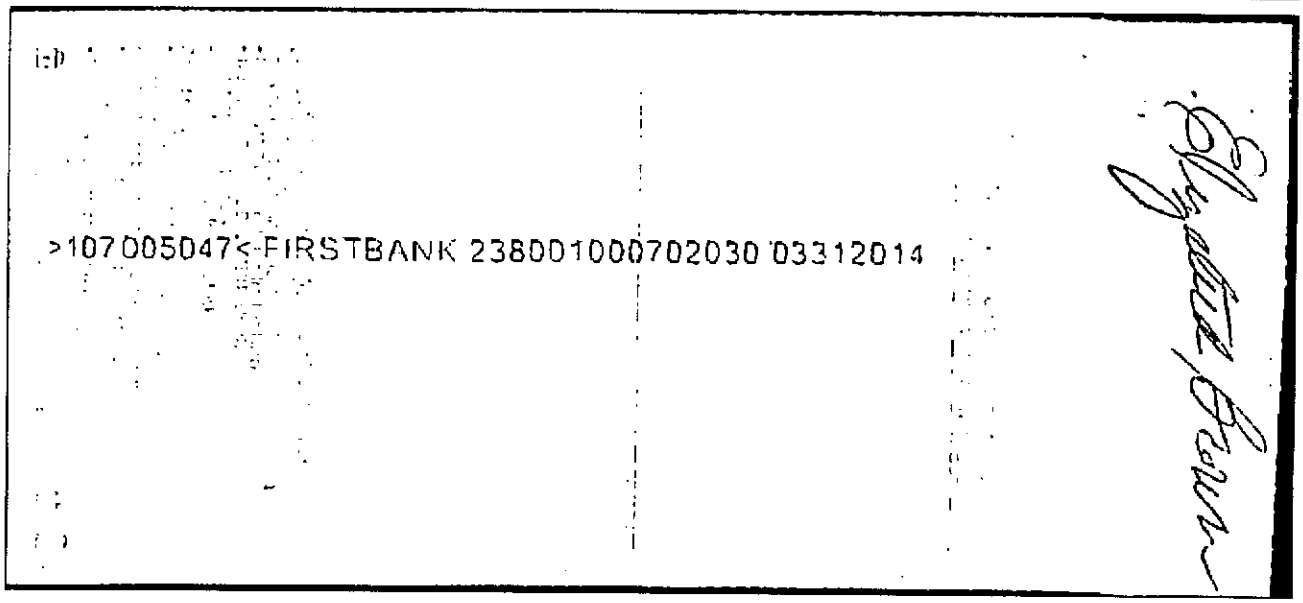
Twenty Five hundred Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0192



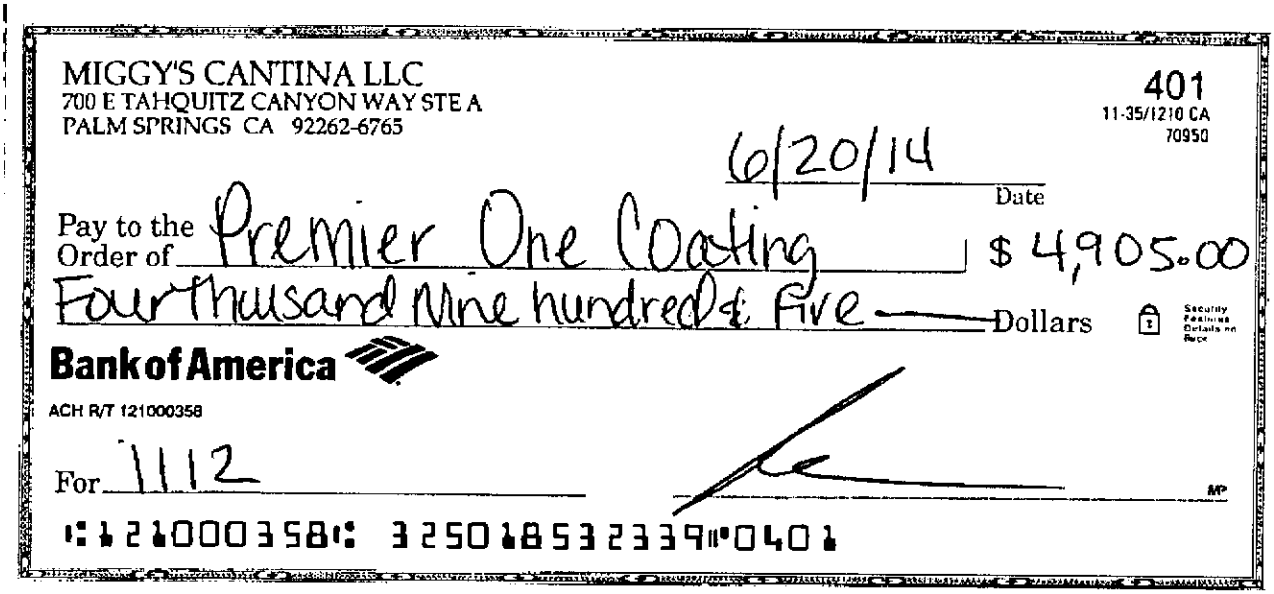
⑆107005047⑆ FIRSTBANK 238001000702030 03312014

Elizabeth Brown

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	000000091923120	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
04/01/2014	009092449192	91000022	Undetermined	N		U.S. BANK NATIONAL A
04/01/2014	009092449192	91408501	Undetermined	N		U.S. BANK NATIONAL A
03/31/2014	009692200592	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,905.00	Sequence Number:	9692125575
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	401



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

401
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Premier One Coating $ 4,905.00

Four thousand Nine hundred & Five Dollars

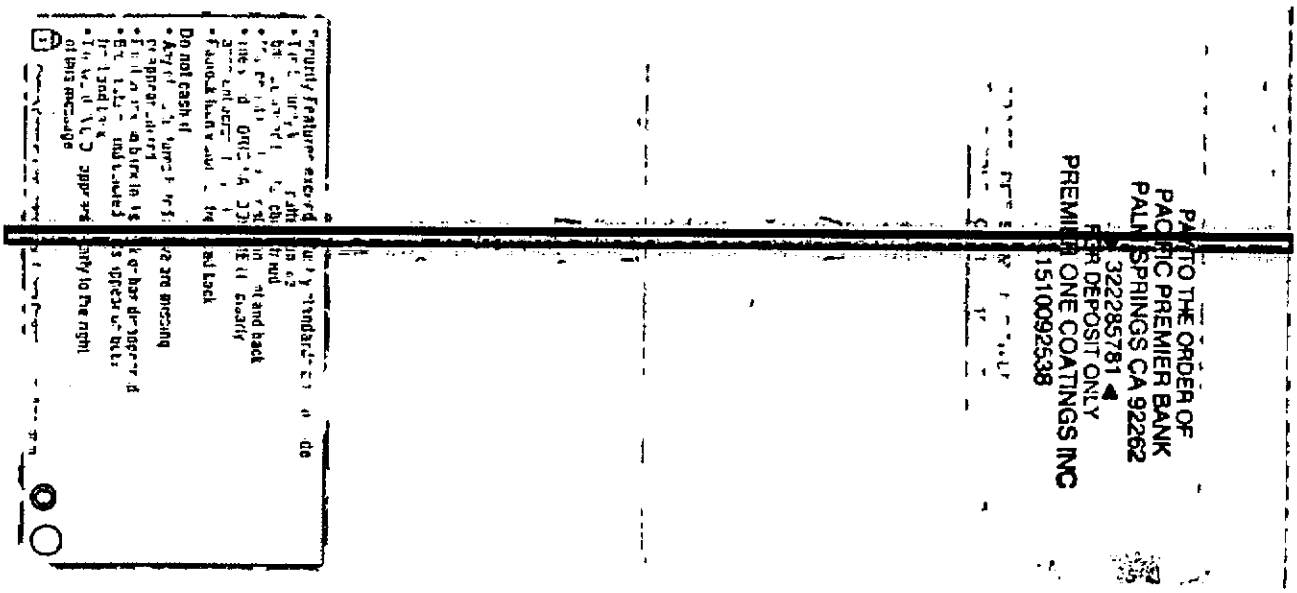
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 1112

⑆121000358⑆ 325018532339⑈0401

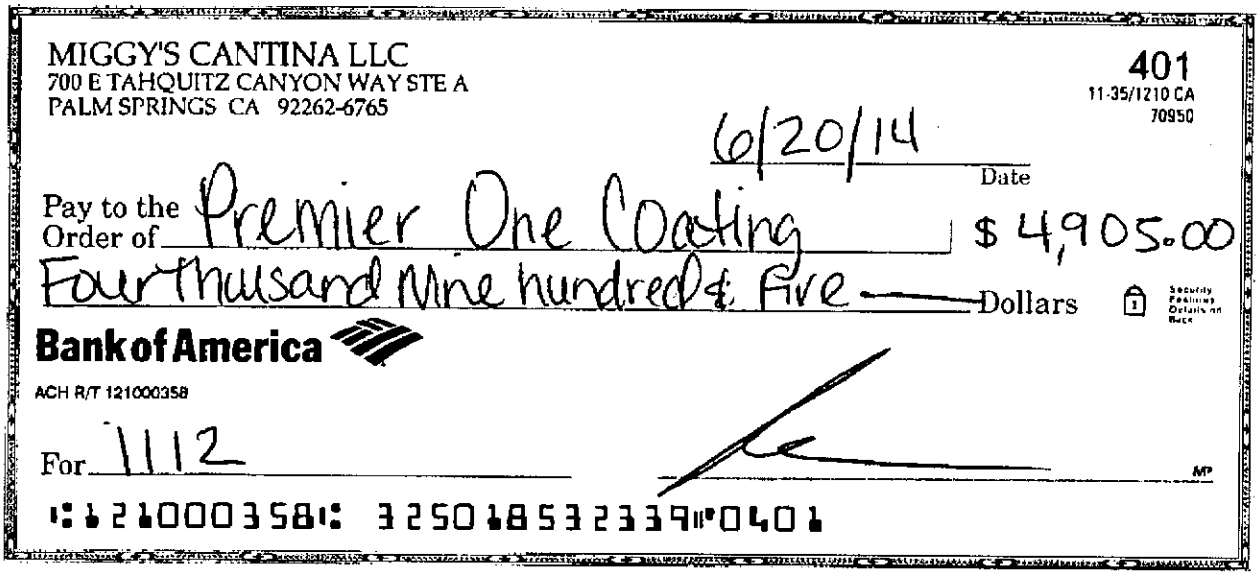


PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
322285781
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
1510092538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	77130000062507	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/23/2014	009692125575	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,905.00	Sequence Number:	9692125575
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	401



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

401
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Premier One Coating $ 4,905.00

Four thousand Nine hundred & Five Dollars

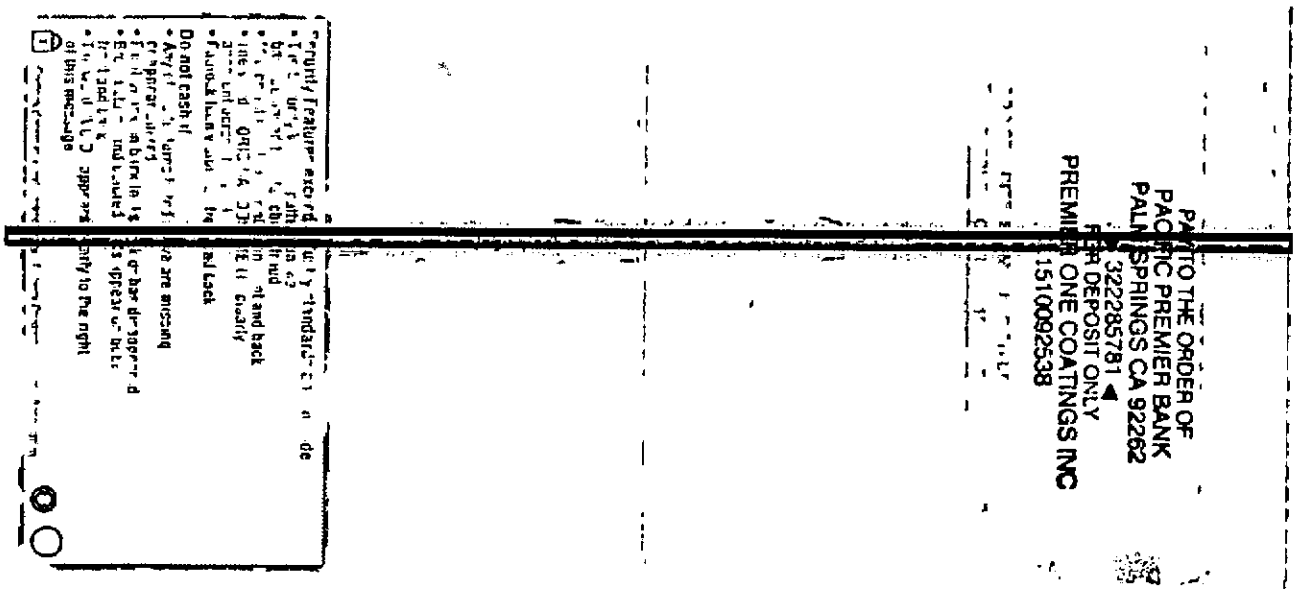
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 1112

⑆121000358⑆ 325018532339⑈0401



PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
322285781
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
1510092538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	77130000062507	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/23/2014	009692125575	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,905.00	Sequence Number:	9692125575
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	401

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

401
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Premier One Coating $ 4,905.00

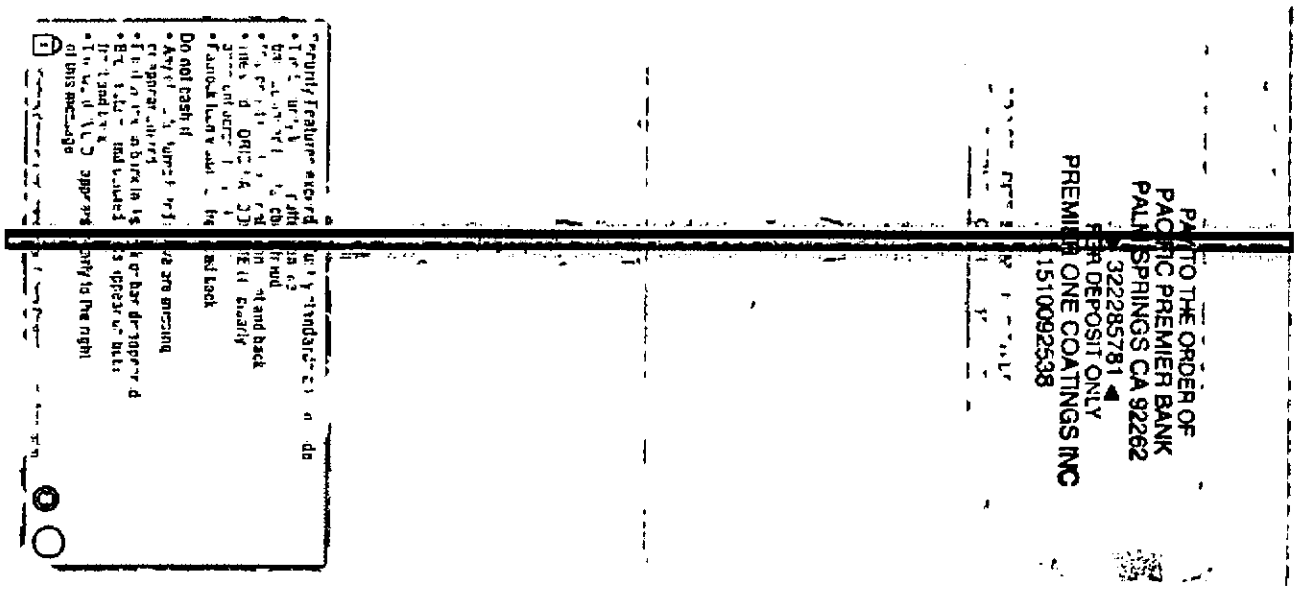
Four thousand Nine hundred & Five Dollars

Bank of America

ACH R/T 121000358

For 1112

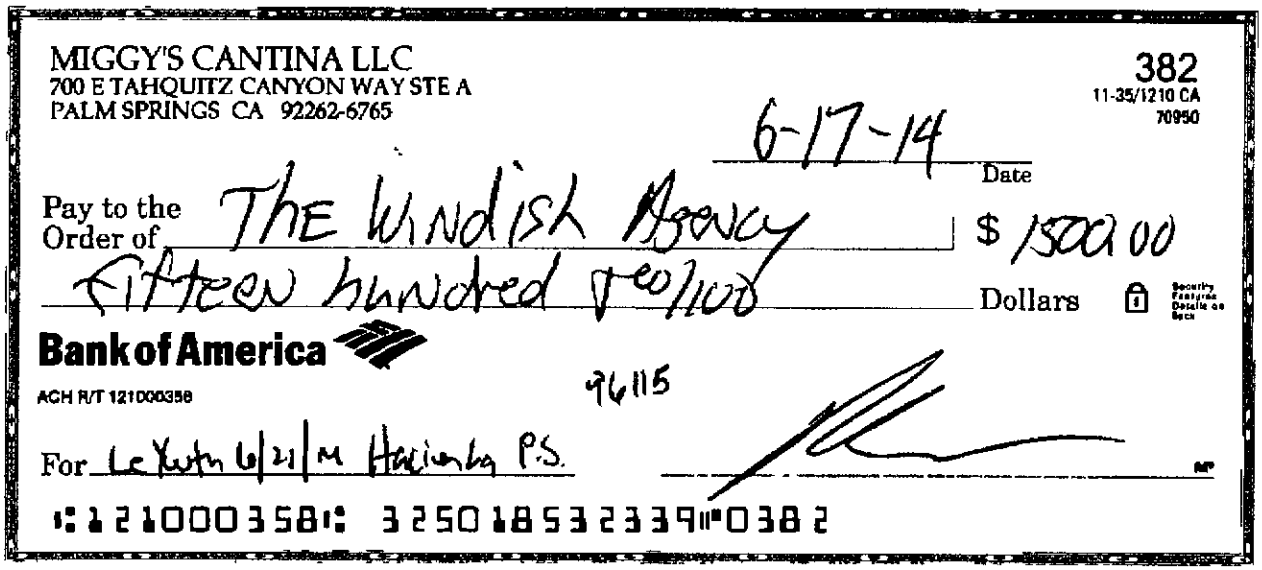
⑆121000358⑆ 325018532339⑈0401



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	77130000062507	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/23/2014	009692125575	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,500.00	Sequence Number:	9692257676
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	382



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

382
11-35/1210 CA
70950

6-17-14
Date

Pay to the Order of The Windish Agency $ 1500 00

Fifteen hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

96115

For Lease 6/21 M Hacienda P.S.

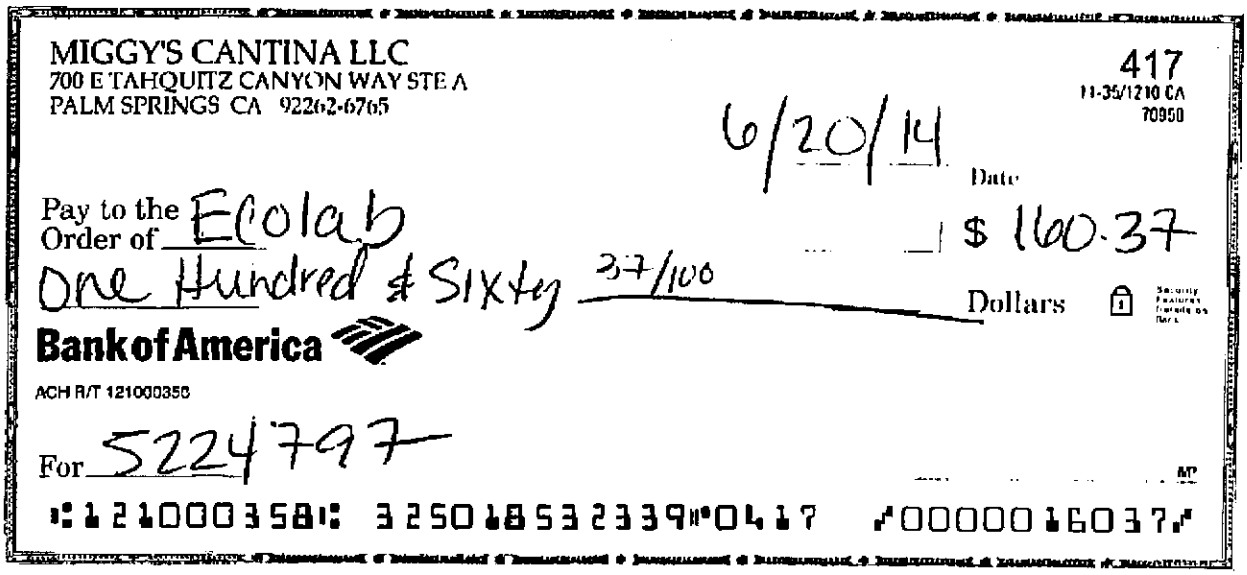
⑆121000358⑆ 325018532339⑈0382

For Deposit Only - JPMC

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	2590500061	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/23/2014	009692257676	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$160.37	Sequence Number:	9692272542
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	417



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

417
11-35/1210 CA
70950

6/20/14 Date

Pay to the Order of Ecolab $ 160.37

One Hundred & Sixty 37/100 Dollars

Bank of America

ACH R/T 121000358

For 5224797

⑆121000358⑆ 325018532339⑈0417 ⑈0000160.37⑈

JPMORGANCHASE BK NA **CR TO NMD**

062414 **>074909962<** **PAYEE ALL**

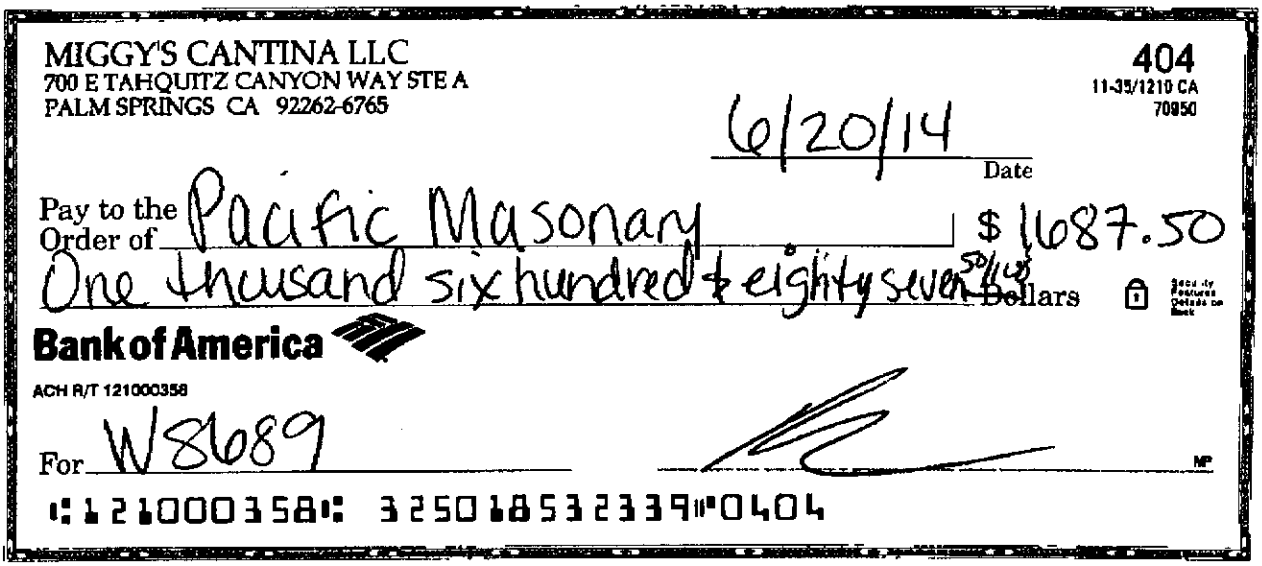
01208246 **0100512** **RTS RSVD**

00954246 **299** **0000000005101921**

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	4180895999	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/23/2014	009692272542	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,687.50	Sequence Number:	9692842681
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	404



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

404
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Pacific Masonary $ 1687.50

One thousand six hundred & eighty seven 50/100 Dollars

Bank of America

ACH R/T 121000358

For W8689

⑆121000358⑆ 325018532339⑈0404

(280027600)3 cBank Remote Deposit

For Deposit Only
BUS CHECKING
Acct# 280002852
2014-06-23 16:28
>122203471<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	907090886276003	122203471	Rtn Loc/BOFD	Y		COMMUNITY BANK
06/23/2014	907090886276003	122203471	Undetermined	N		COMMUNITY BANK
06/23/2014	000008435922170	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/23/2014	009692842681	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,475.00	Sequence Number:	9792020980
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	399

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

399
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Southwest Plumbing $1,475.00

One thousand Four hundred & seventy five Dollars

Bank of America

ACH R/T 121000358

For 34065

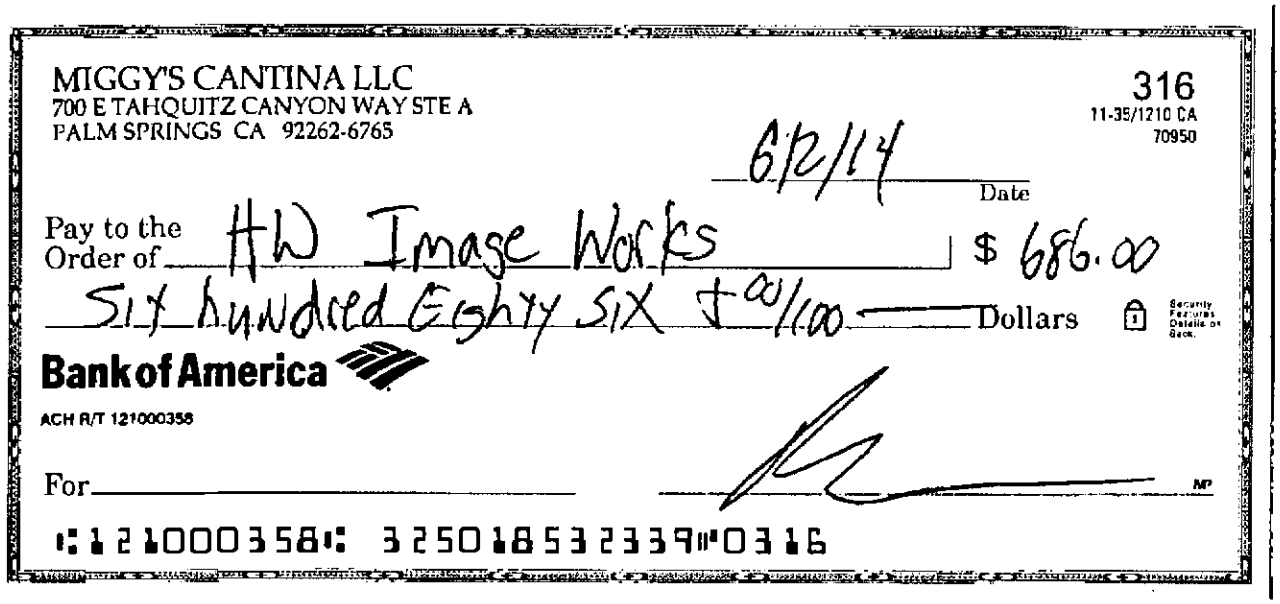
⑆121000358⑆ 325018532339⑈0399

Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING INC
808121
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	000002449381857	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/23/2014	000008555479819	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/23/2014	046923976711644	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/23/2014	009792020980	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$686.00	Sequence Number:	9792201914
Account:	325018532339	Capture Date:	06/04/2014
Bank Number:	12100035	Check Number:	316



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

316
11-35/1210 CA
70950

6/2/14
Date

Pay to the Order of HW Image Works $ 686.00

Six hundred Eighty Six + 00/100 Dollars

Security Features Details on Back.

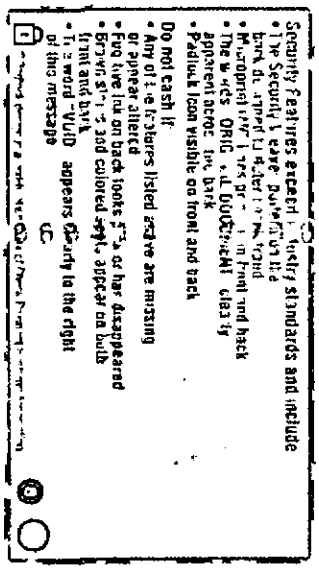
Bank of America

ACH R/T 121000358

For

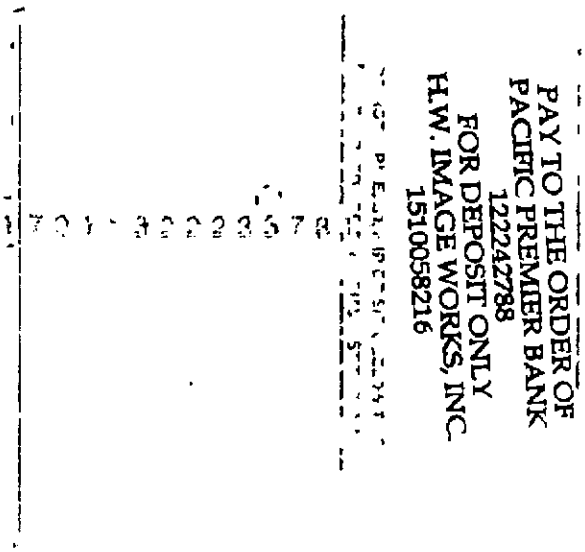
MP

⑆121000358⑆ 325018532339⑈0316



Security features exceed industry standards and include
• The Security Feature Statement on the back
• Microprinting in the signature line on the front and back
• The words ORIG and DOCUMENT clearly apparent across the back
• Padlock icon visible on front and back

Do not cash if
• Any of the features listed above are missing or appear altered
• Food/beverage on back looks pale or has disappeared
• Green spots and colored ink appear on both front and back
• The word "VOID" appears directly to the right of the message

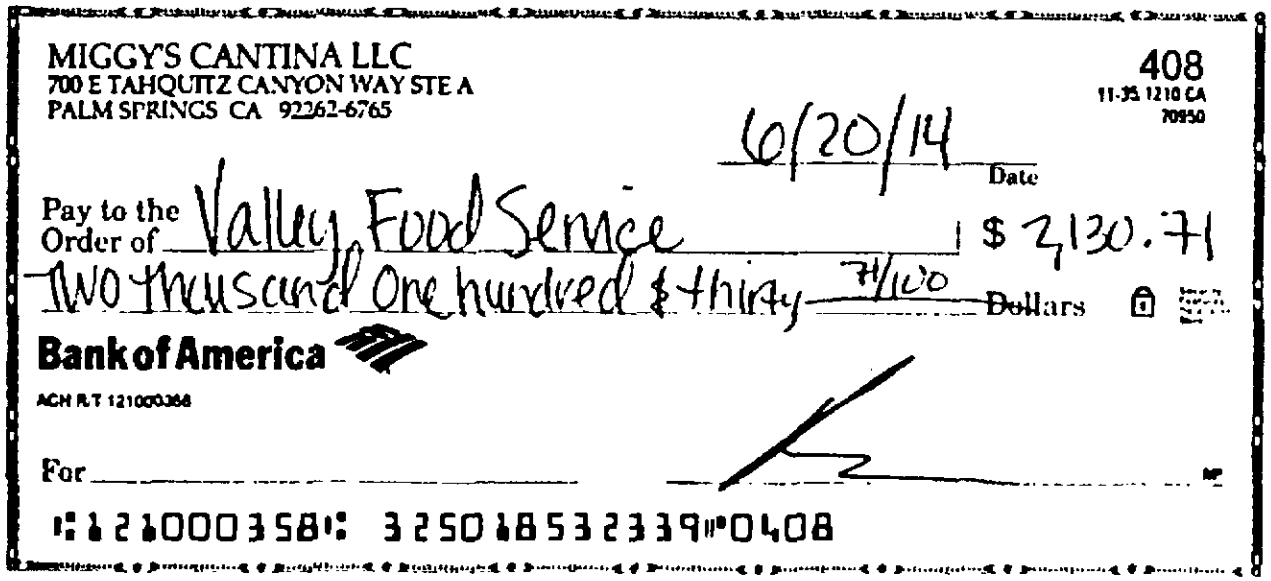


PAY TO THE ORDER OF
PACIFIC PREMIER BANK
122242788
FOR DEPOSIT ONLY
H.W. IMAGE WORKS, INC.
1510058216

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/04/2014	77100000031721	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/04/2014	009792201914	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,130.71	Sequence Number:	9792222796
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	408



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

408
11-35 1210 CA
70950

6/20/14
Date

Pay to the Order of Valley Food Service $ 2130.71

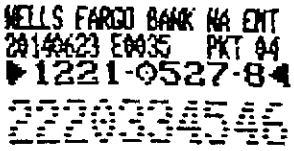
Two thousand One hundred & thirty 71/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0408



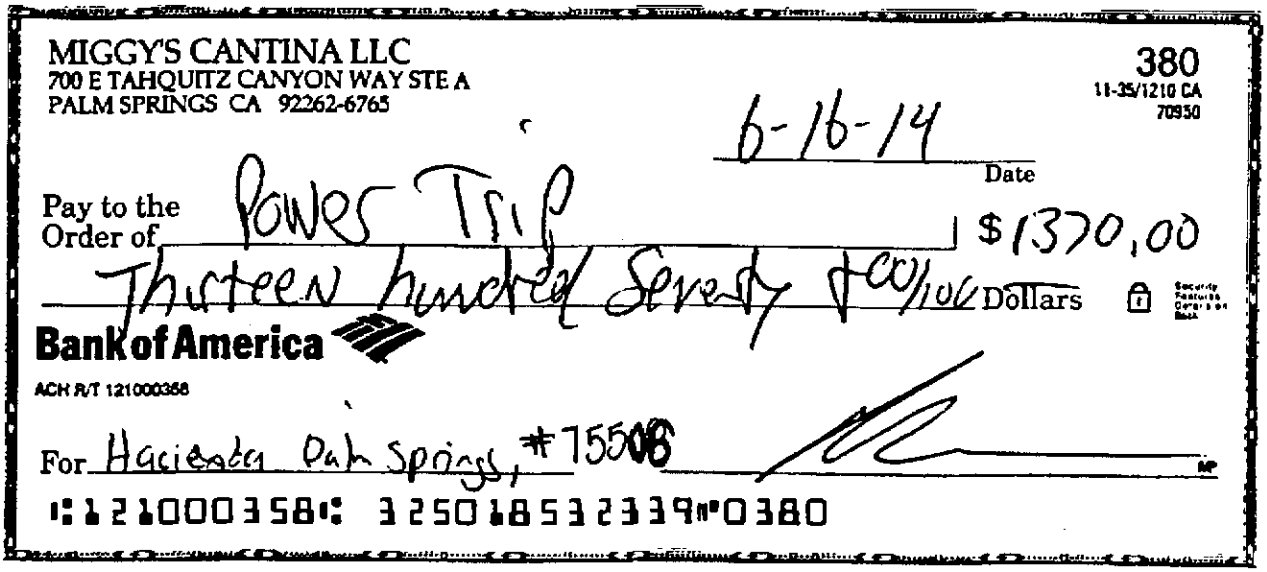
WELLS FARGO BANK NA ENT
20140623 E0035 PKT 04
▶1221-0527-8◀

PAY TO THE ORDER OF
WELLS FARGO BANK, NA
FOR DEPOSIT ONLY
VALLEY FOOD SERVICES
5553496839

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	009792222796	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/23/2014	000002220334546	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$1,370.00	Sequence Number:	9792349991
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	380



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

380
11-35/1210 CA
70950

6-16-14
Date

Pay to the Order of Power Trip $1370.00

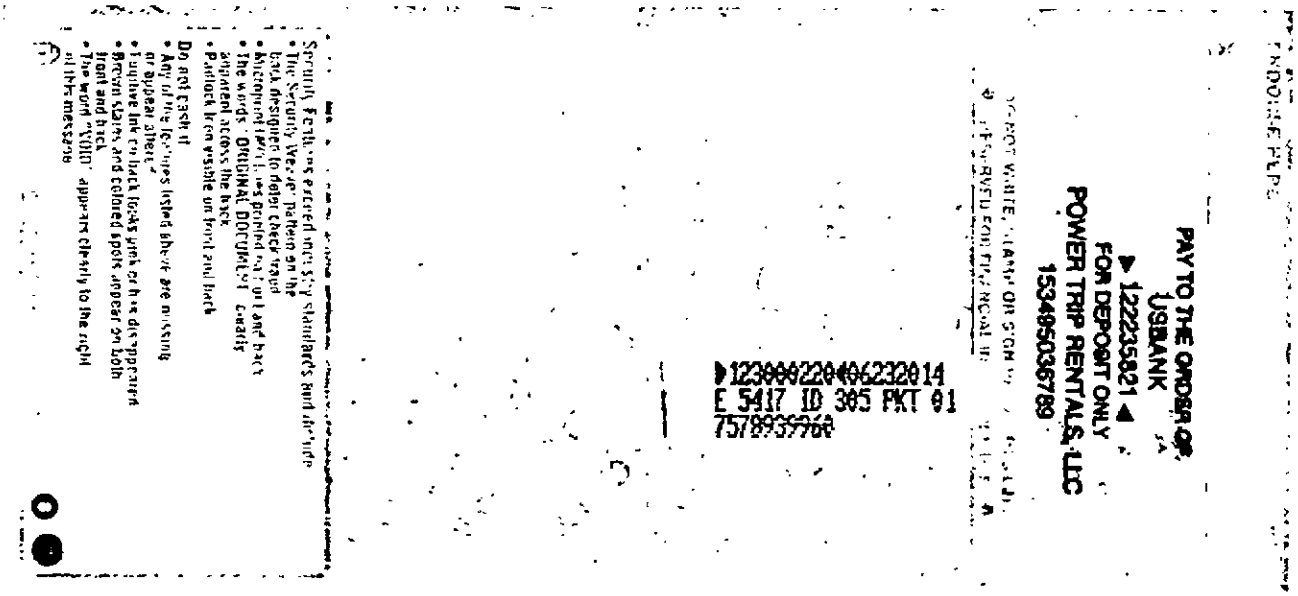
Thirteen hundred Seventy & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Hacienda Palm Springs, #75508

⑆121000358⑆ 325018532339⑈0380



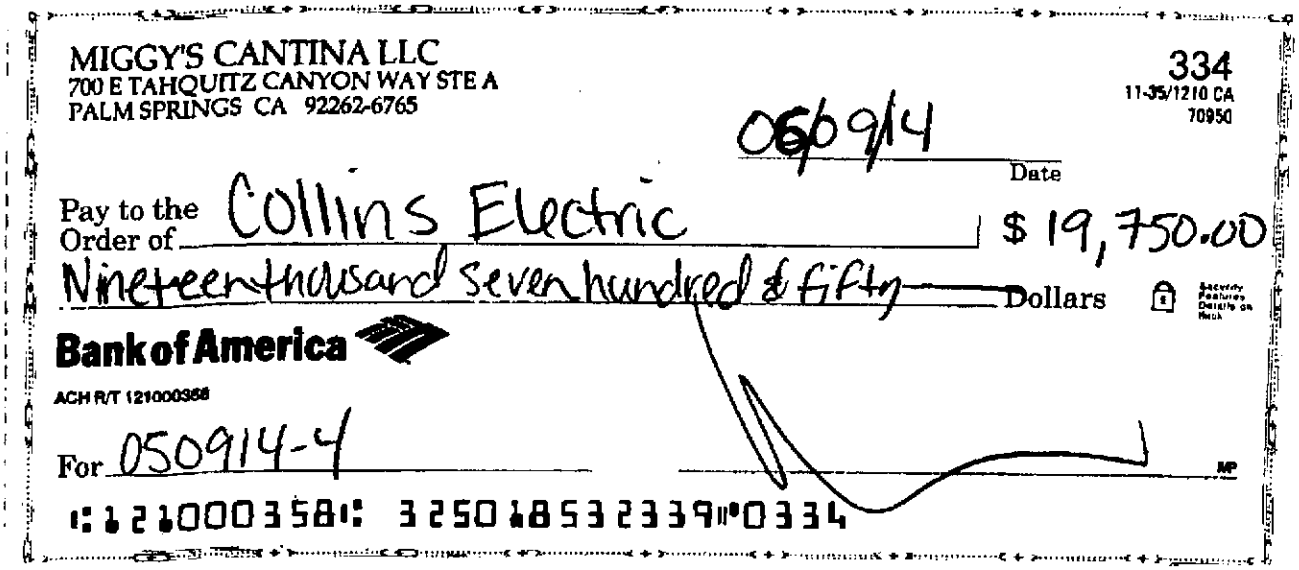
PAY TO THE ORDER OF
USBANK
▶122235821◀
FOR DEPOSIT ONLY
POWER TRIP RENTALS, LLC
153495036789

▶123000220◀062320141
E 5417 ID 385 PKT 01
7578939960

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	7578939960	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/23/2014	004191709074	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/23/2014	004191709074	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/24/2014	009792349991	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$19,750.00	Sequence Number:	9792442165
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	334



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

334
11-35/1210 CA
70950

06/09/14
Date

Pay to the Order of Collins Electric $ 19,750.00

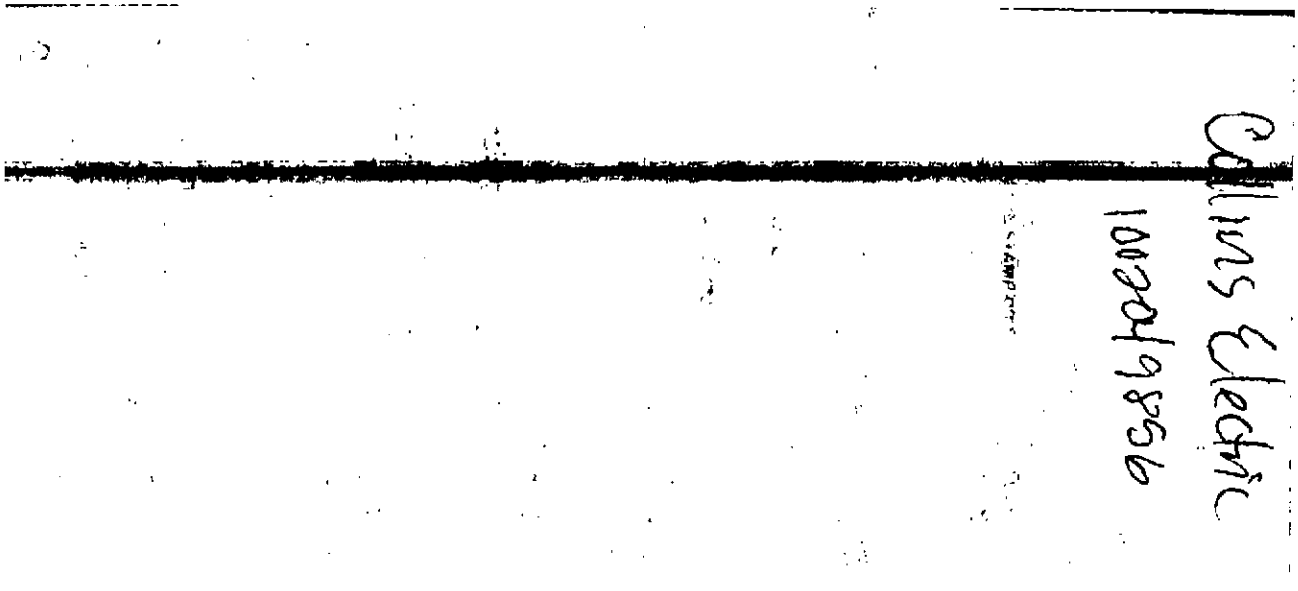
Nineteen thousand seven hundred & fifty Dollars

Bank of America

ACH R/T 121000358

For 050914-4

⑆121000358⑆ 325018532339⑈0334

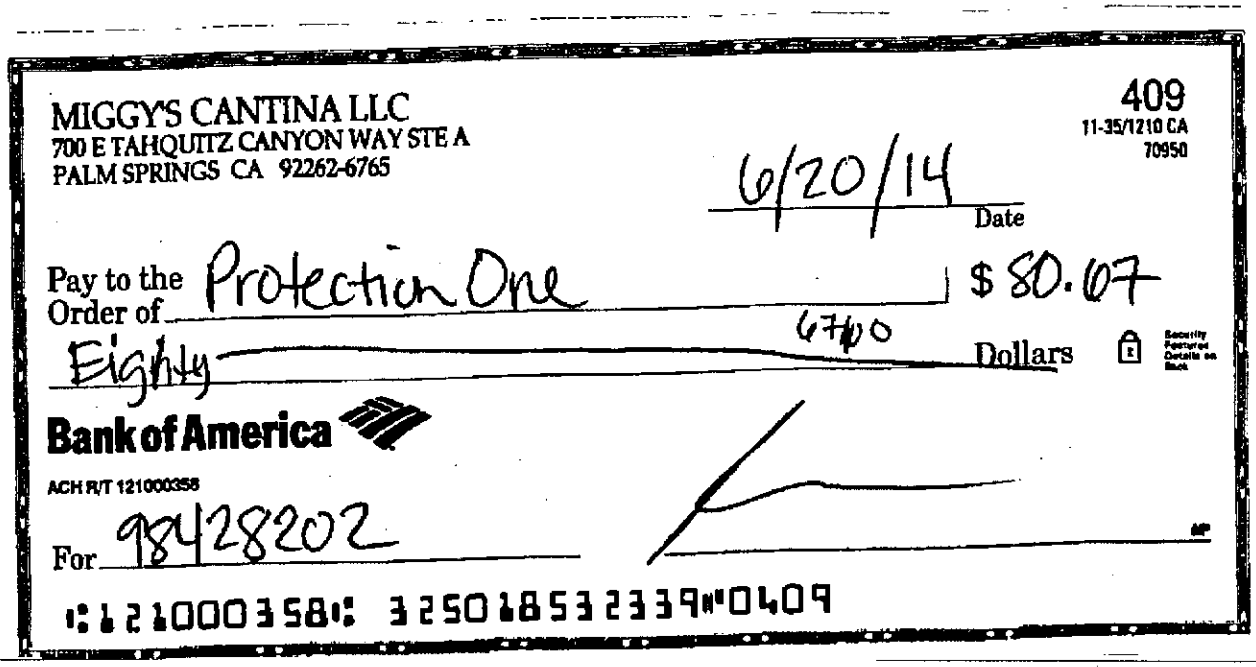


Collins Electric
10024985

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	009792442165	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	1470427569	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$80.67	Sequence Number:	9792529424
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	409



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

409
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Protection One $ 80.67

Eighty 67/100 Dollars

Bank of America

ACH R/T 121000358

For 98428202

⑆121000358⑆ 325018532339⑈0409

CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

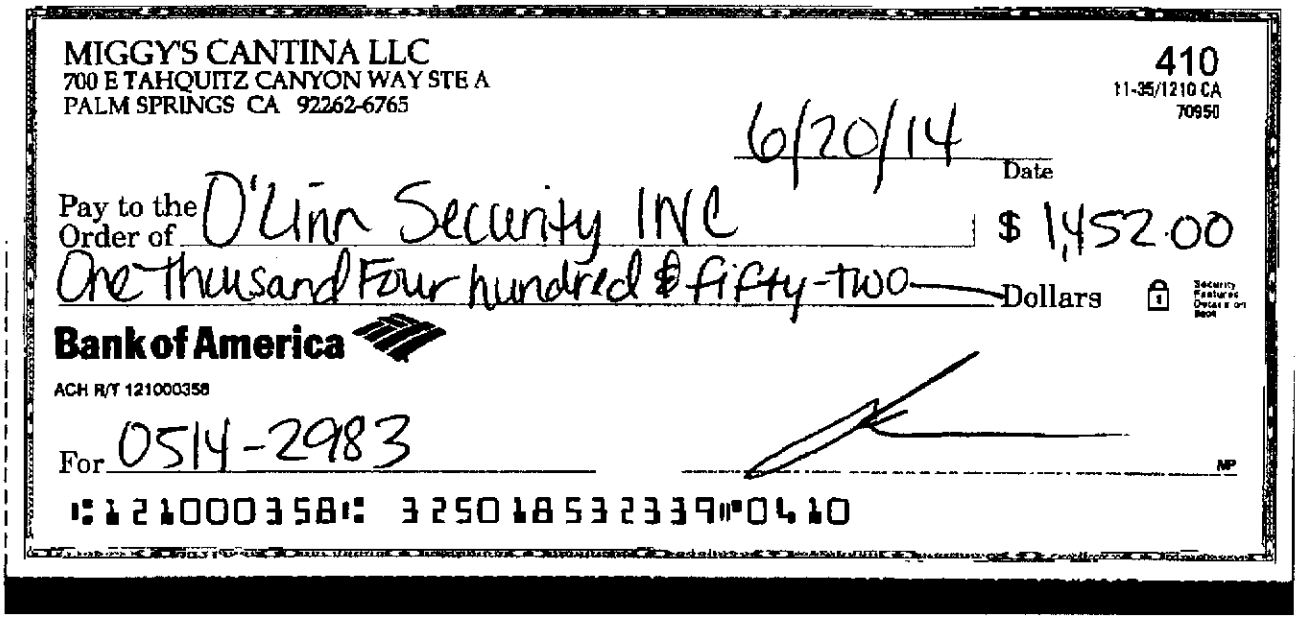
062414

000000000060844552

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	007878159798	101000695	Undetermined	N		UMB BANK, NATIONAL A
06/24/2014	009792529424	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/24/2014	000007878159798	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$1,452.00	Sequence Number:	9792888346
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	410



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

410
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of O'Linn Security INC $ 1,452.00

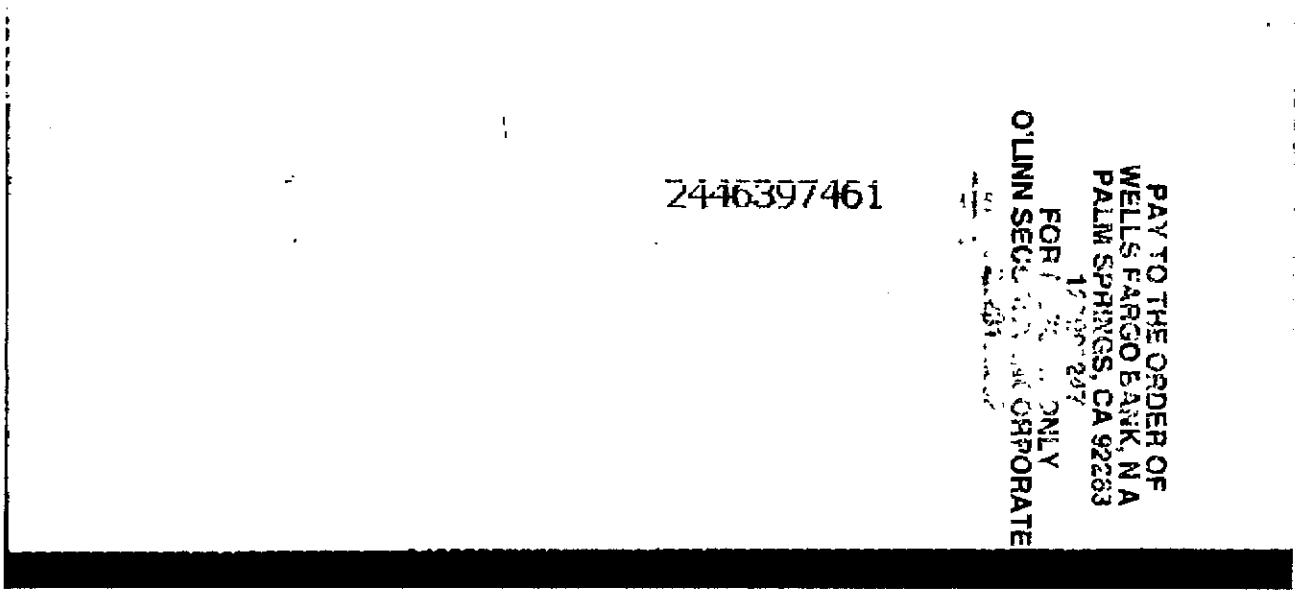
One Thousand Four hundred & fifty-two Dollars

Bank of America

ACH R/T 121000358

For 0514-2983

⑆121000358⑆ 325018532339⑈0410



2446397461

PAY TO THE ORDER OF
WELLS FARGO BANK, N A
PALM SPRINGS, CA 92263

FOR DEPOSIT ONLY
O'LINN SECURITY CORPORATE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	000002446397461	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/24/2014	009792888346	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$580.34	Sequence Number:	9792930592
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	426

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

426
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Robert Weppio $ 580.34

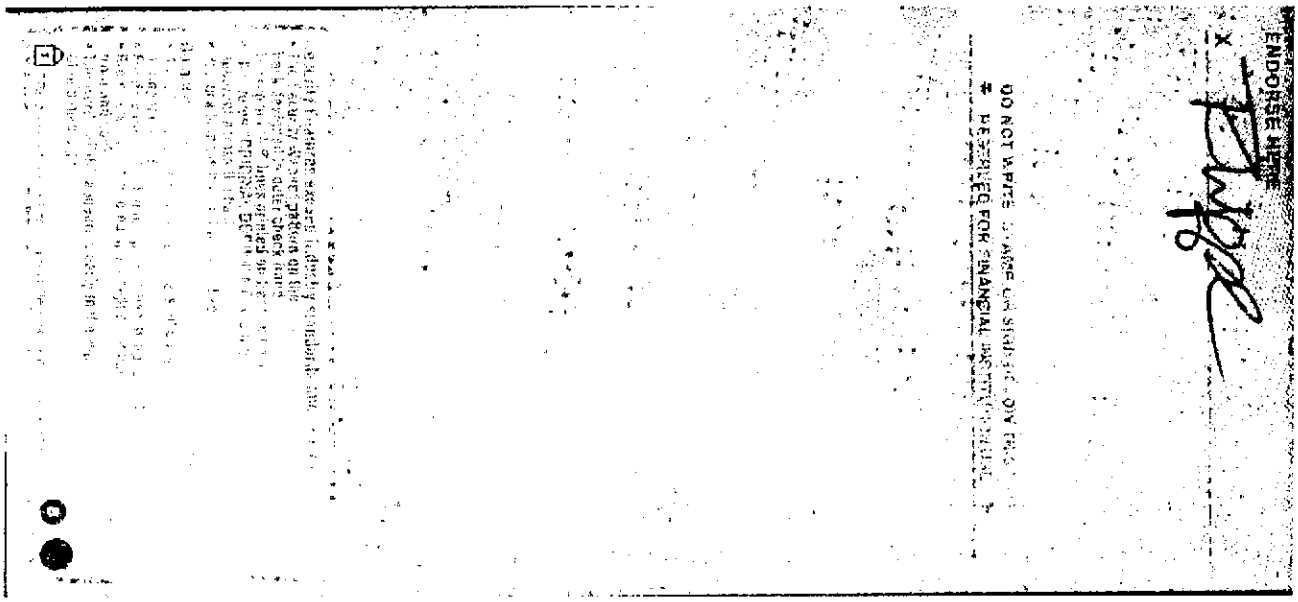
Five hundred & eighty 34/100 Dollars

Bank of America
ACH R/T 121000358

For

MP

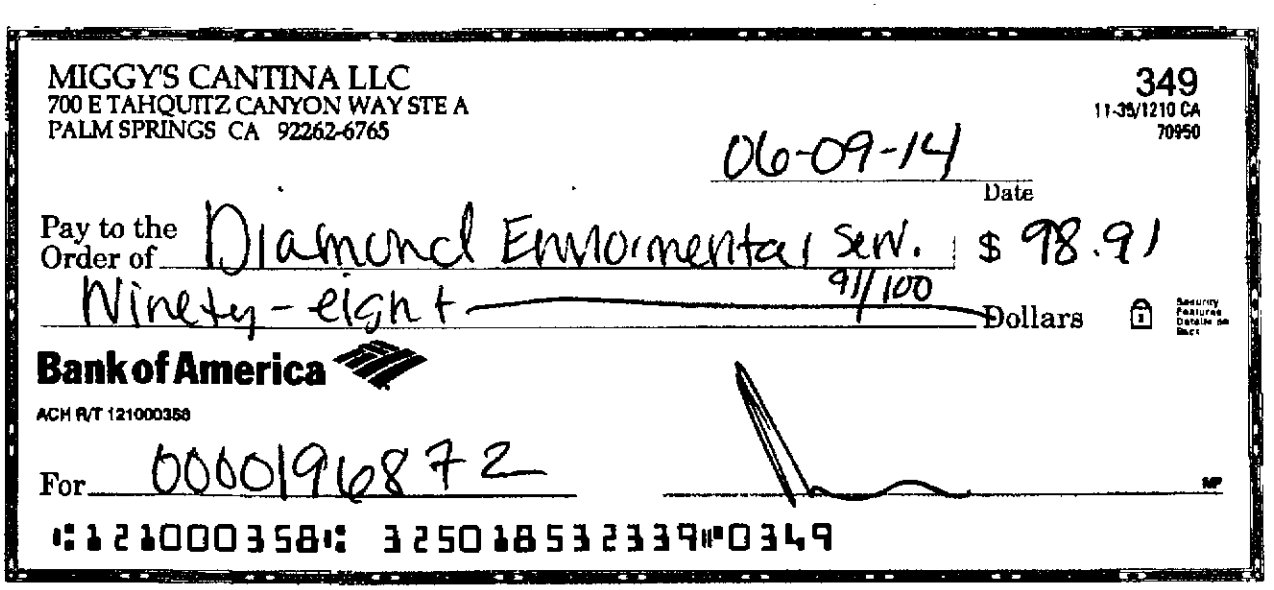
⑆121000358⑆ 325018532339⑈0426



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	000000481247873	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/24/2014	009792930592	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$98.91	Sequence Number:	9892042058
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	349



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

349
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Diamond Environmental Serv. $ 98.91

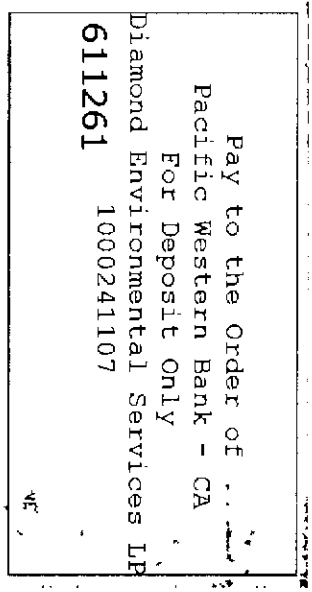
Ninety-eight 91/100 Dollars

Bank of America

ACH R/T 121000358

For 0000196872

⑆121000358⑆ 325018532339⑈0349

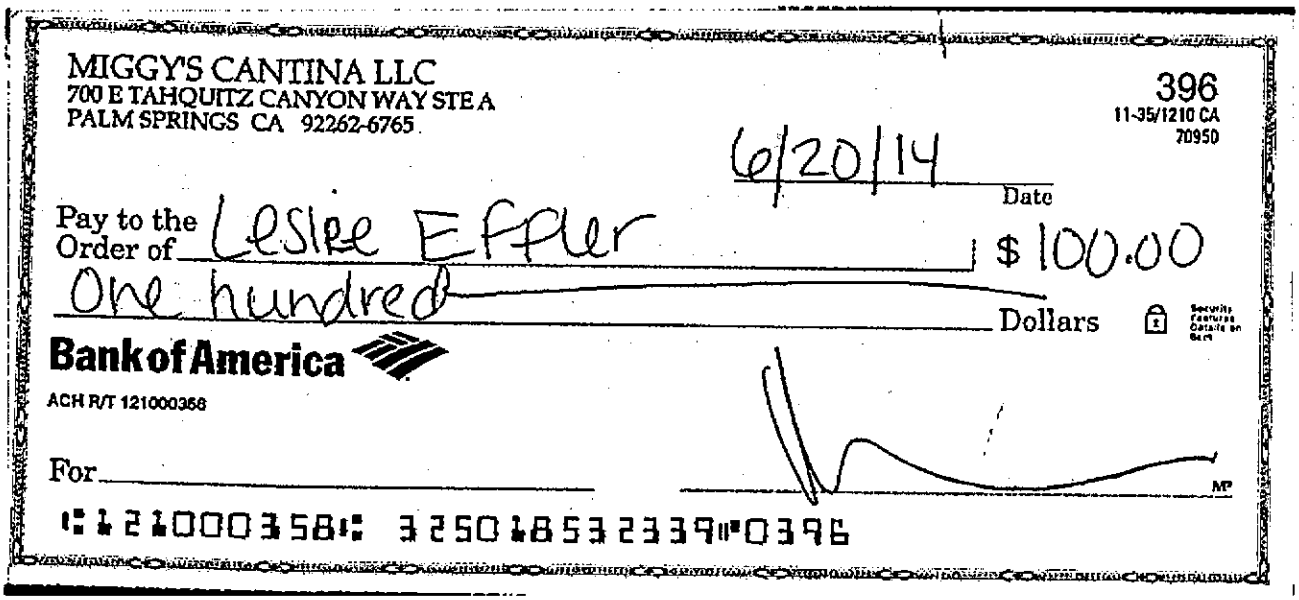


Pay to the Order of . . .
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	009892042058	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	046923976407469	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/13/2014	000008254000362	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/13/2014	000002430405773	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$100.00	Sequence Number:	9892384217
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	396



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

396
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Leslee Effler $100.00

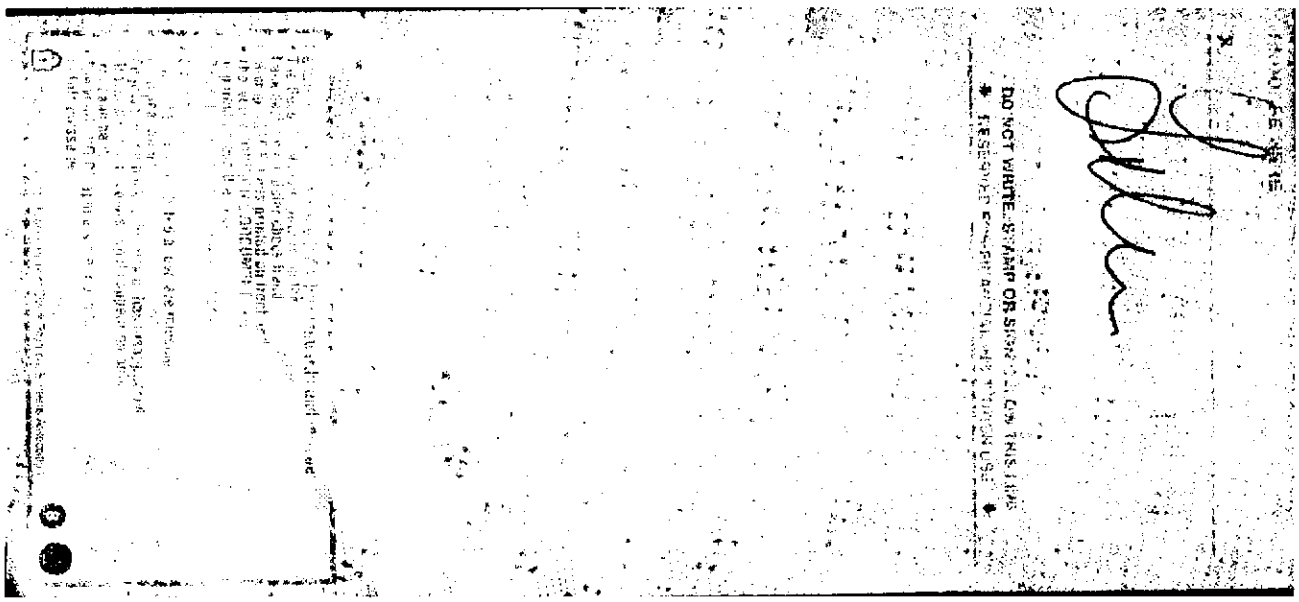
One hundred Dollars

Bank of America

ACH R/T 121000358

For

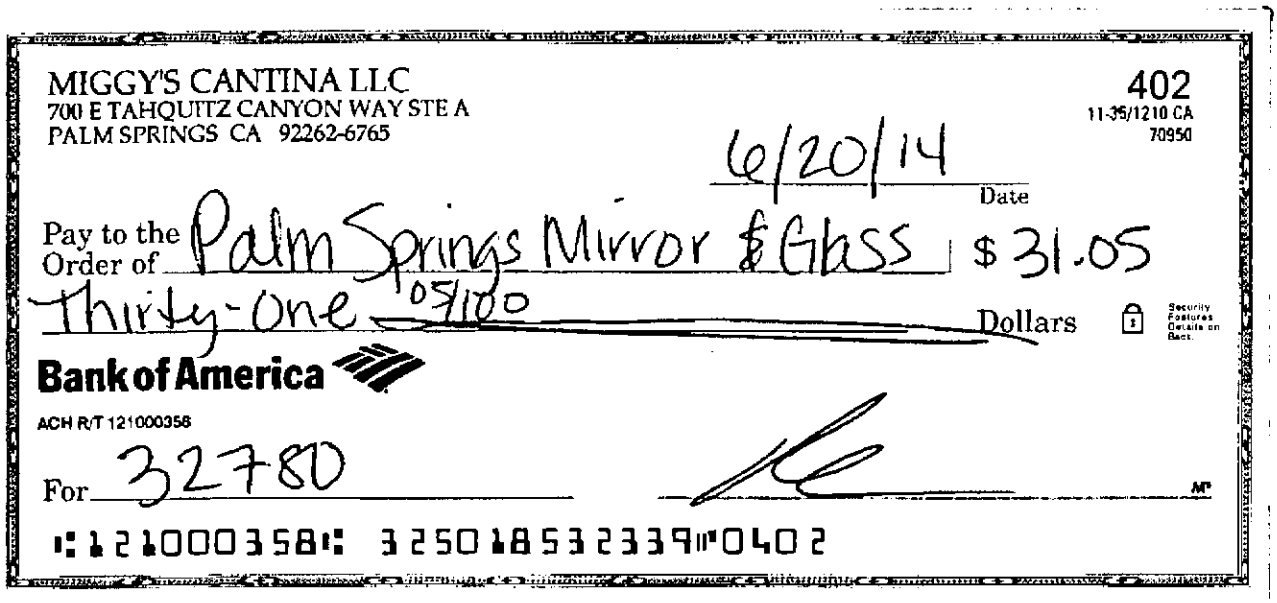
⑆121000358⑆ 325018532339⑈0396



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	000000587970166	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/24/2014	009892384217	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$31.05	Sequence Number:	9892843266
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	402



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

402
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Palm Springs Mirror & Glass $ 31.05

Thirty-One 05/100 Dollars

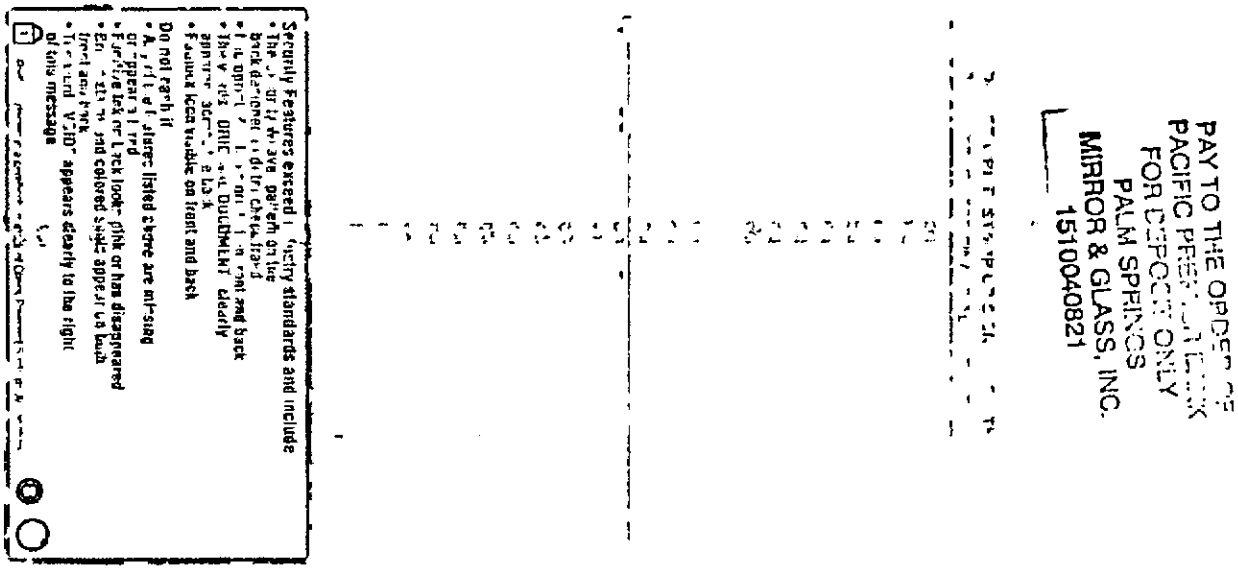
Security Features Details on Back.

Bank of America

ACH R/T 121000358

For 32780

⑆121000358⑆ 325018532339⑈0402



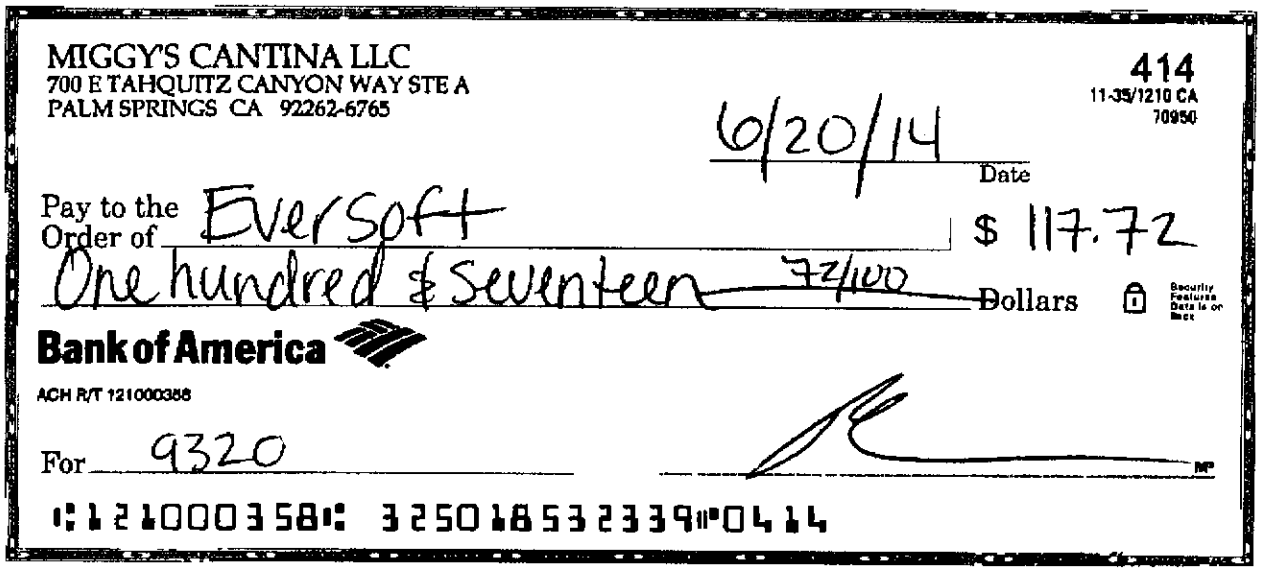
Security Features exceed industry standards and include
• The ... [illegible]
Bank ... [illegible]
• ... [illegible]
• ... [illegible] ORIGINAL DOCUMENT clearly
• ... [illegible]
Do not ... [illegible]
• ... [illegible] listed above are missing
• ... [illegible]
• ... [illegible] and colored ... appear to the right
of this message

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
FOR DEPOSIT ONLY
PALM SPRINGS
MIRROR & GLASS, INC.
1510040821

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	009892843266	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/24/2014	77100000045395	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$117.72	Sequence Number:	9892874308
Account:	325018532339	Capture Date:	06/24/2014
Bank Number:	12100035	Check Number:	414



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

414
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of EverSoft $ 117.72

One hundred & seventeen 72/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 9320

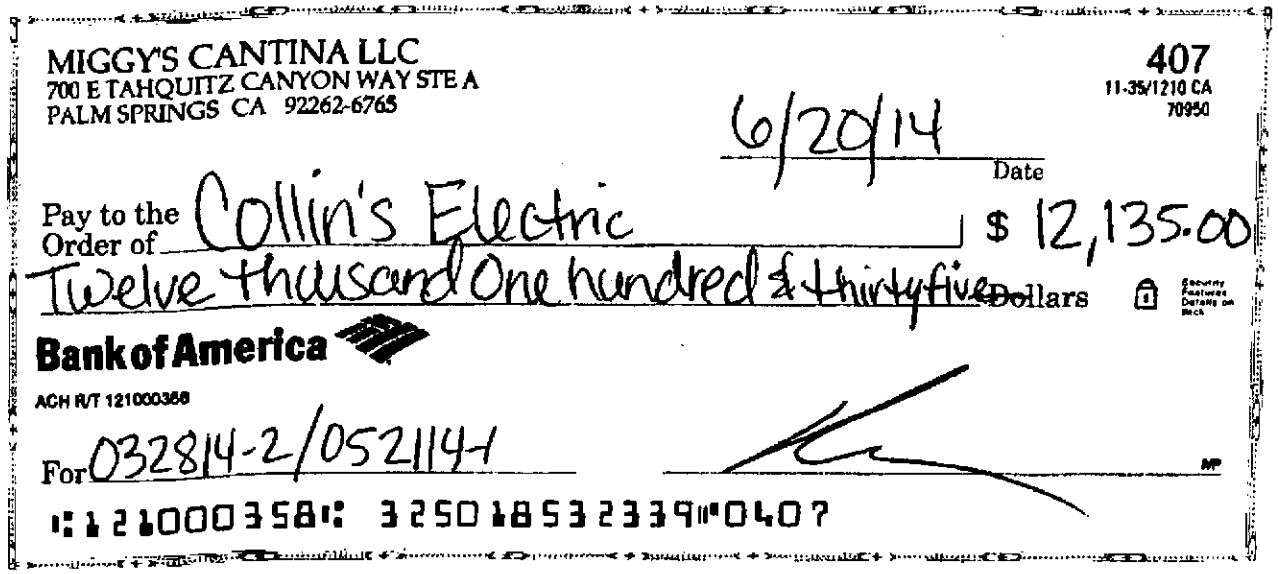
⑆121000358⑆ 325018532339⑈0414

For Deposit Only - JPMC

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/24/2014	009892874308	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/24/2014	8470217396	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$12,135.00	Sequence Number:	8692374477
Account:	325018532339	Capture Date:	06/27/2014
Bank Number:	12100035	Check Number:	407



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

407
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Collin's Electric $ 12,135.00

Twelve thousand One hundred & thirtyfive ~~Dollars~~

Bank of America

ACH R/T 121000358

For 032814-2/0521141

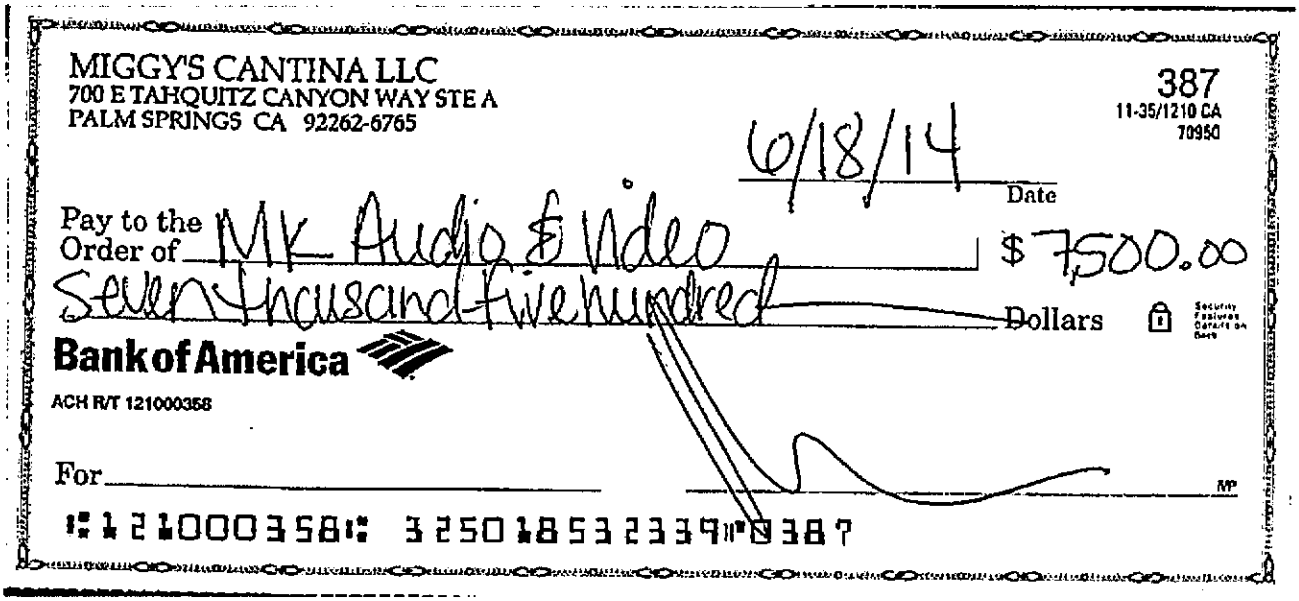
⑈121000358⑈ 325018532339⑈0407

CREDITED TO ACCOUNT OF WITHIN NAMED PAYEE FOR DEPOSIT ONLY
JPMorgan Chase Bank, N.A

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/27/2014	3490636727	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/27/2014	008692374477	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,500.00	Sequence Number:	8792276468
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	387



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

387
11-35/1210 CA
70950

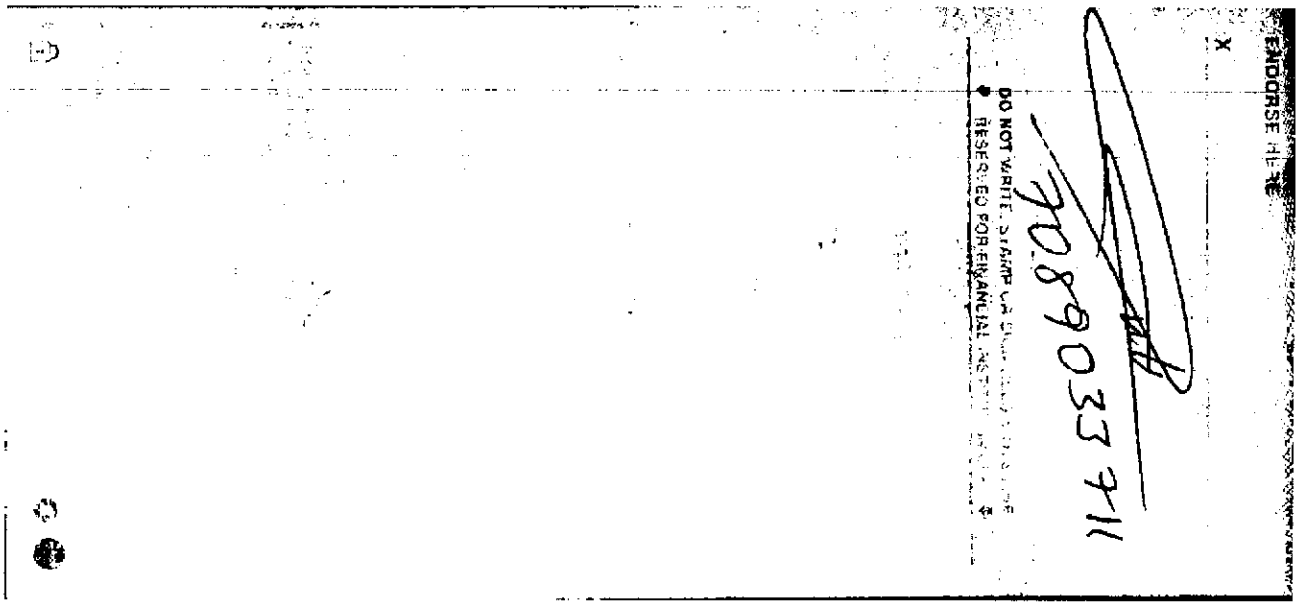
6/18/14
Date

Pay to the Order of MK Audio & Video
$ 7500.00
Seven thousand five hundred
Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0387



DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

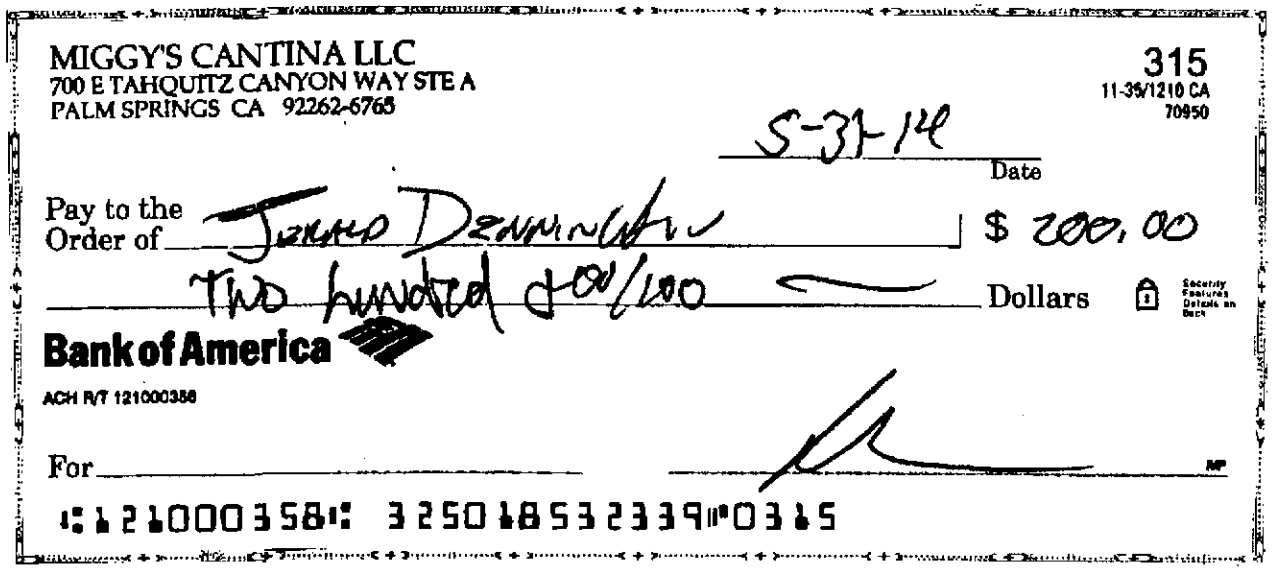
ENDORSE HERE

708903711

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/18/2014	008792276468	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/18/2014	000000488028309	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$200.00	Sequence Number:	8792817912
Account:	325018532339	Capture Date:	06/02/2014
Bank Number:	12100035	Check Number:	315



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

315
11-35/1210 CA
70950

5-31-14
Date

Pay to the Order of Jamie Dennington $ 200.00

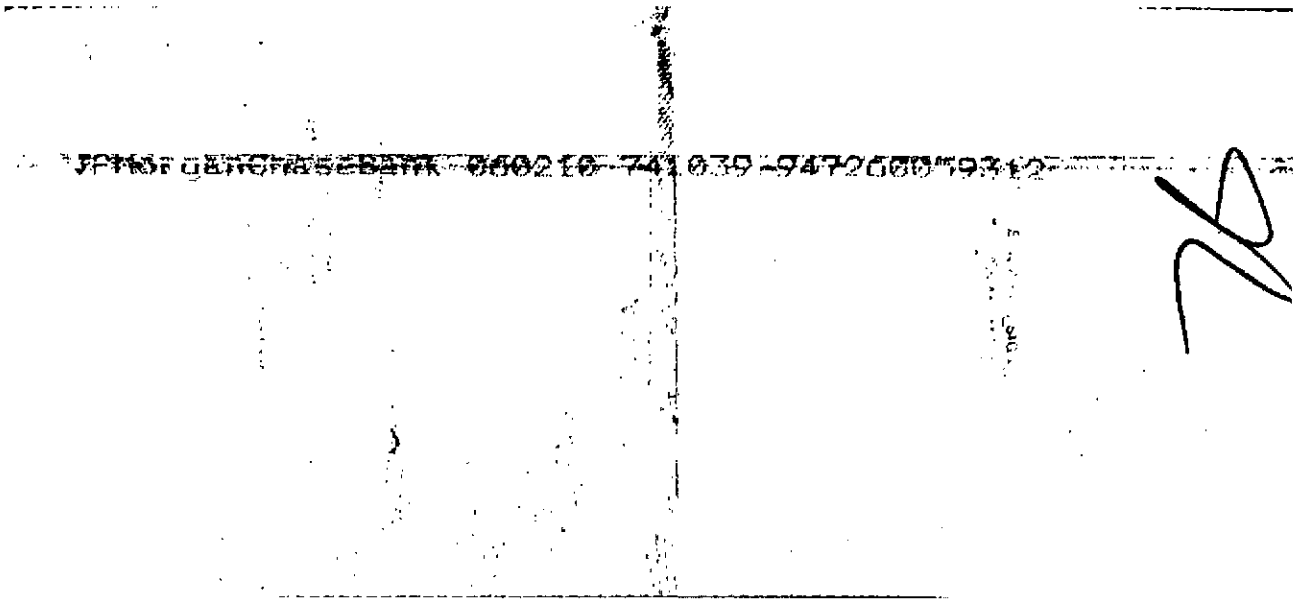
Two hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

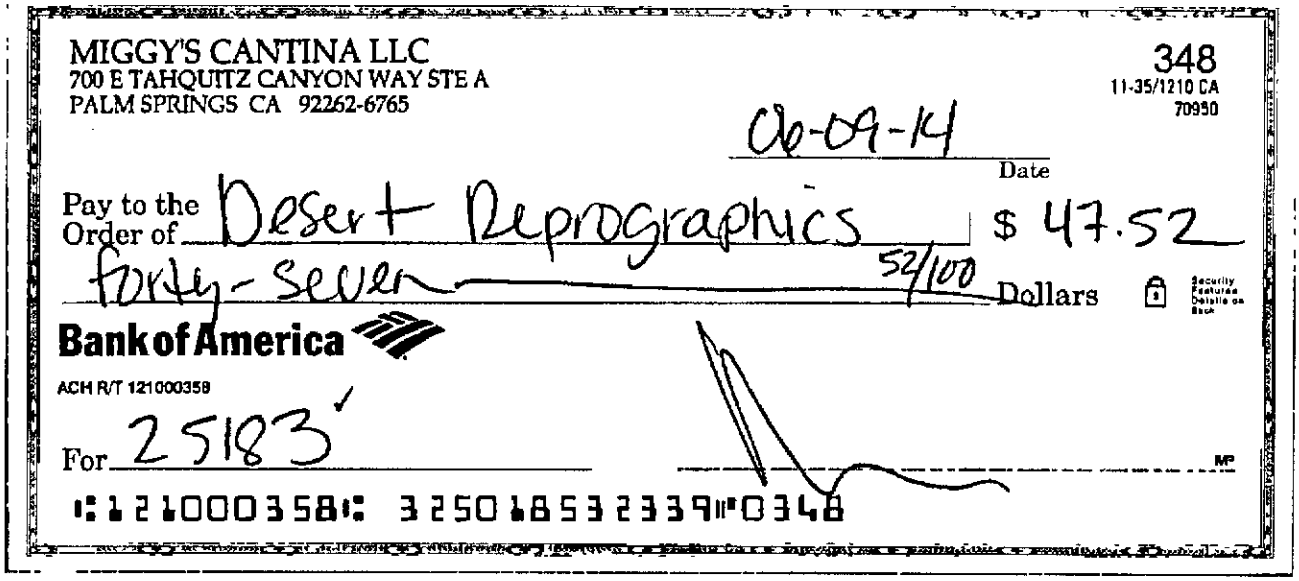
⑆121000358⑆ 325018532339⑈0315



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	008792817912	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	9990091751	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$47.52	Sequence Number:	8892331292
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	348



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

348
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Reprographics $ 47.52

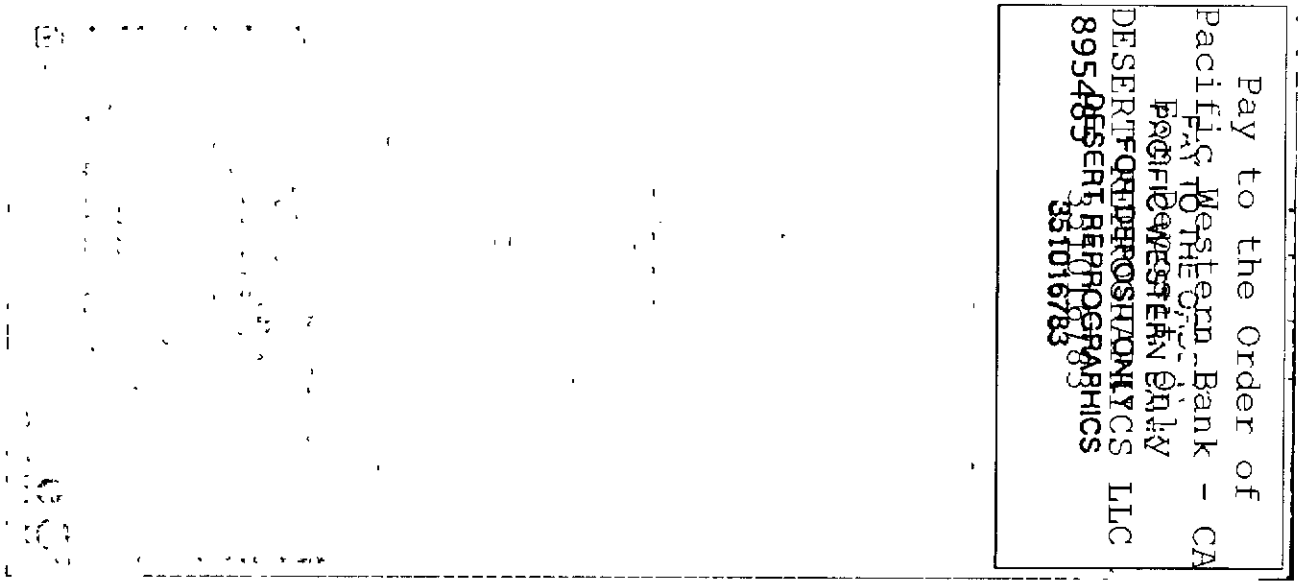
forty-seven 52/100 Dollars

Bank of America

ACH R/T 121000358

For 25183

⑆121000358⑆ 325018532339⑈0348

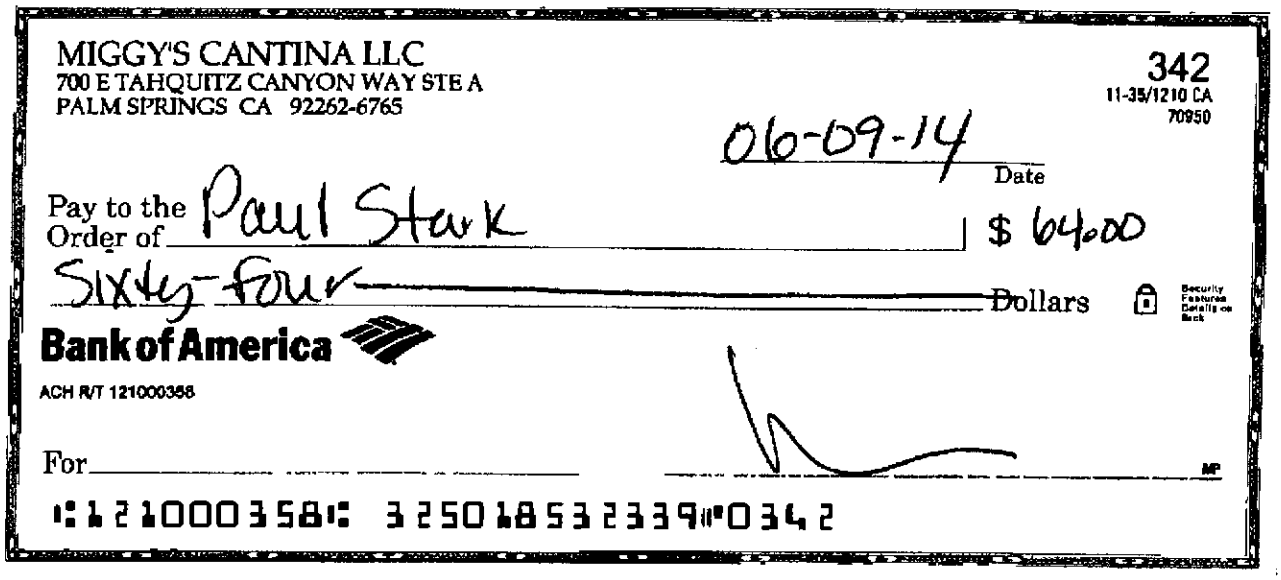


Pay to the Order of
Pacific Western Bank - CA
FOR DEPOSIT ONLY
PACIFIC WESTERN BANK
DESERT REPROGRAPHICS LLC
8954855
351016783

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/18/2014	0000008554828382	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/18/2014	008892331292	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/18/2014	000002442814601	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/18/2014	046923976576565	122238200	Undetermined	N		PACIFIC WESTERN BANK

Amount:	$64.00	Sequence Number:	8892902132
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	342



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

342
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Paul Stark $ 64.00

Sixty-four Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

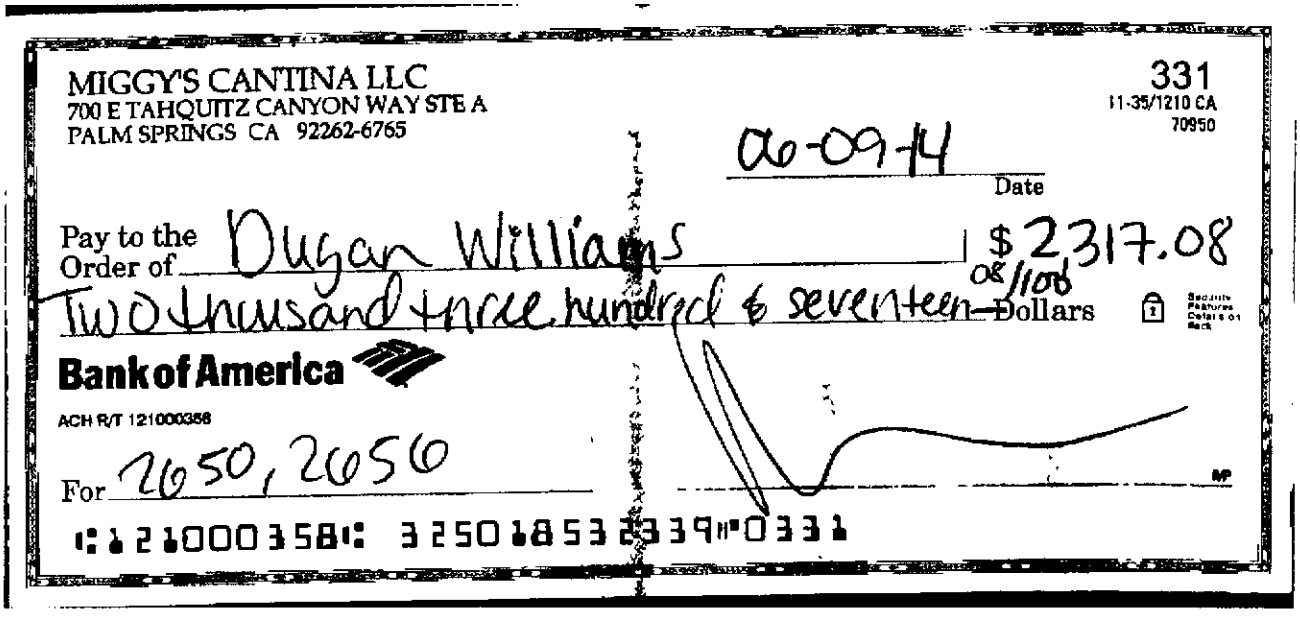
MP

⑆121000358⑆ 325018532339⑈0342

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	008892902132	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/10/2014	000002948384263	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$2,317.08	Sequence Number:	8892908966
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	331



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

331
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Dugan Williams $2317.08

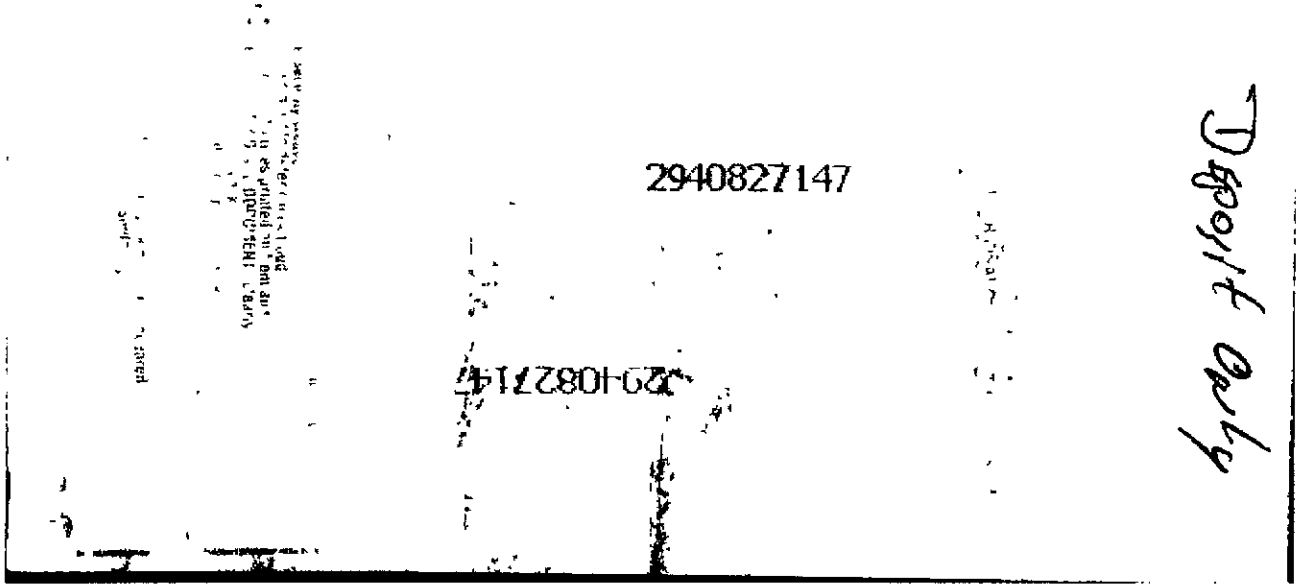
Two thousand three hundred & seventeen 08/100 Dollars

Bank of America

ACH R/T 121000358

For 2650, 2656

⑆121000358⑆ 325018532339⑈0331



2940827147

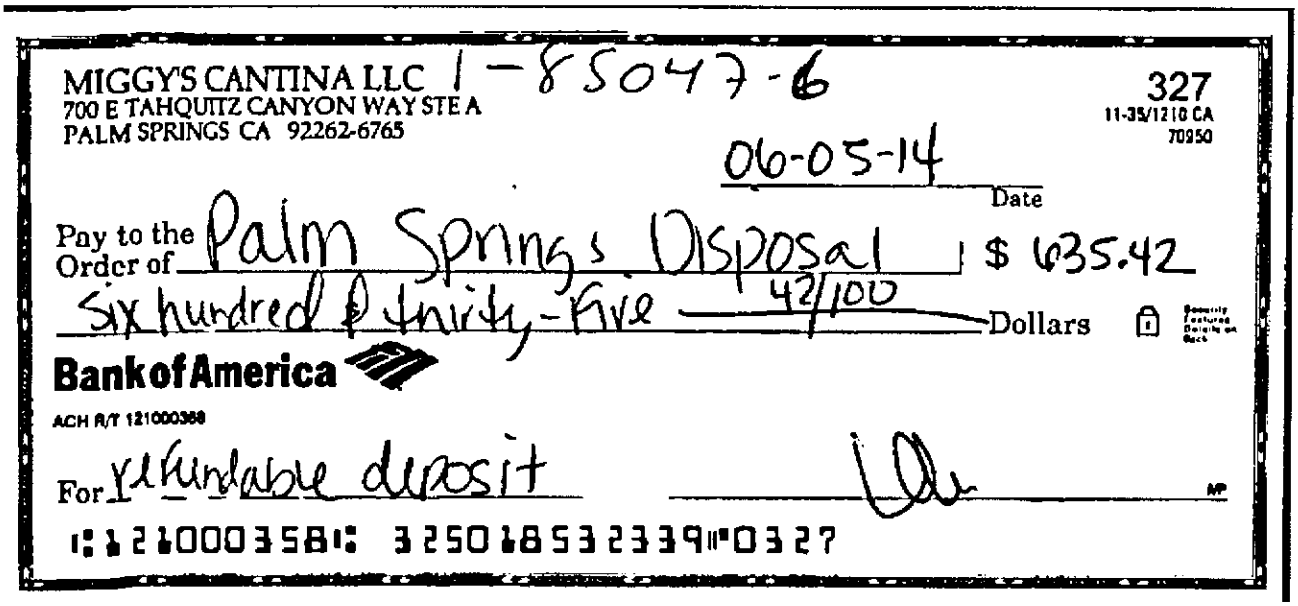
2940827147

Dugan 06/09/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000002940827147	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/10/2014	008892908966	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$635.42	Sequence Number:	8992821935
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	327



MIGGY'S CANTINA LLC 1-85047-6
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

327
11-35/1210 CA
70950

06-05-14
Date

Pay to the Order of Palm Springs Disposal $ 635.42

Six hundred & thirty-five 42/100 Dollars

Bank of America

ACH R/T 121000358

For Refundable deposit

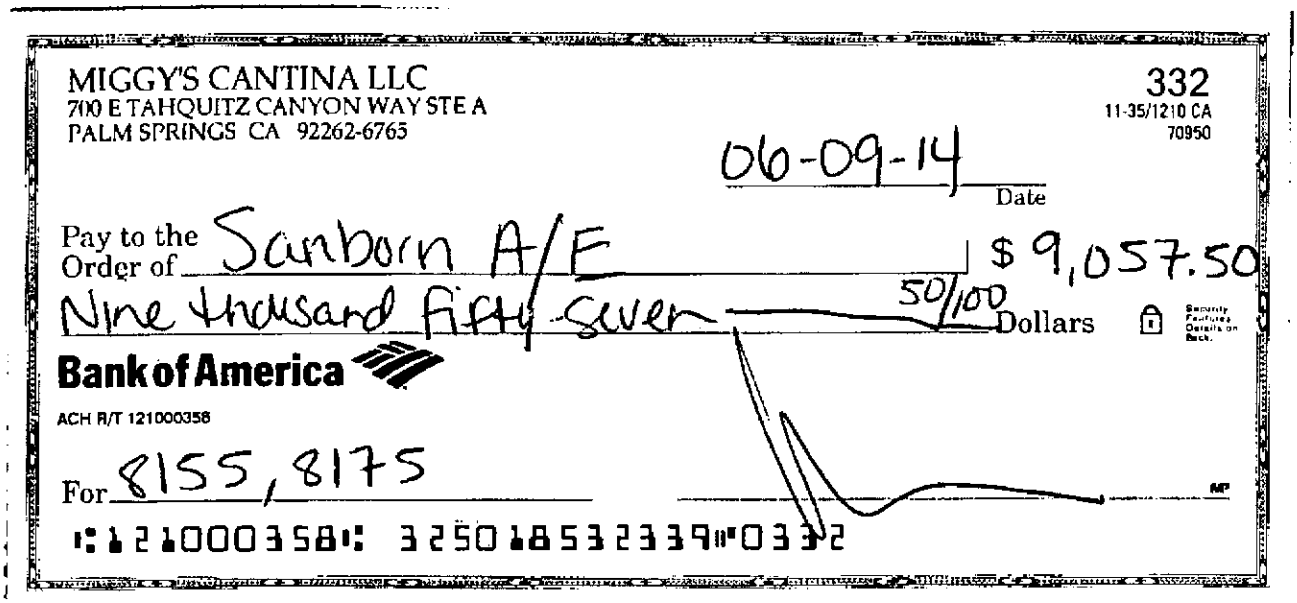
⑆121000358⑆ 325018532339⑈0327

6/10/2014 C4692 00001 00001
PAY TO WELLS FARGO BANK
FOR DEPOSIT ONLY PALM SPRINGS DISPOSAL
4806-992970

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	008992821935	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/10/2014	000000388035002	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$9,057.50	Sequence Number:	9092426197
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	332



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

332
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Sanborn A/E $ 9,057.50

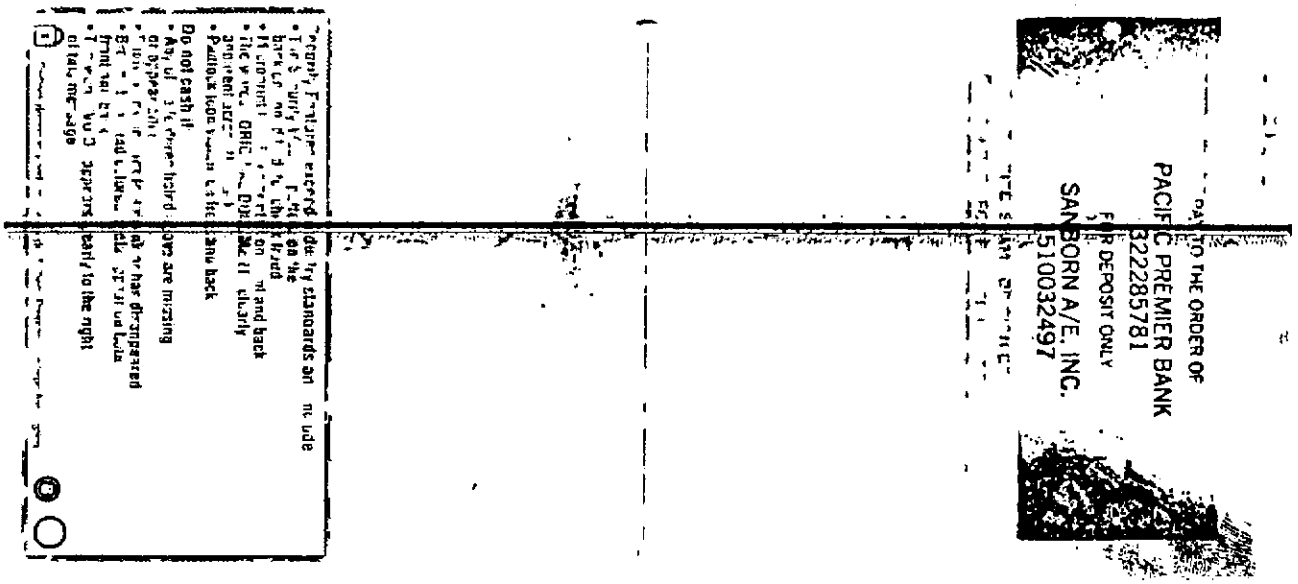
Nine thousand fifty-seven 50/100 Dollars

Bank of America

ACH R/T 121000358

For 8155, 8175

⑆121000358⑆ 325018532339⑈0332



PAY TO THE ORDER OF
PACIFIC PREMIER BANK
322285781
FOR DEPOSIT ONLY
SANBORN A/E, INC.
510032497

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	77130000051241	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/10/2014	009092426197	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$10,000.00	Sequence Number:	9092438864
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	389

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

389
11-35/1210 CA
70950

6/19/14
Date

Pay to the Order of D & D Custom $ 10,000.00

Ten Thousand Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0389

Security Features exceed industry standards and include:
• The Security Weave® pattern on the back designed to deter check fraud
• Microprint that will appear distorted on photocopies
• The words "ORIGINAL DOCUMENT" clearly apparent across the back
• Padlock icon visible on front and back

Do not cash if
• Any of the features listed above are missing or appear altered
• Back has no pink or blue background
• Border shows tampering or alteration on front or back
• Paper is not white

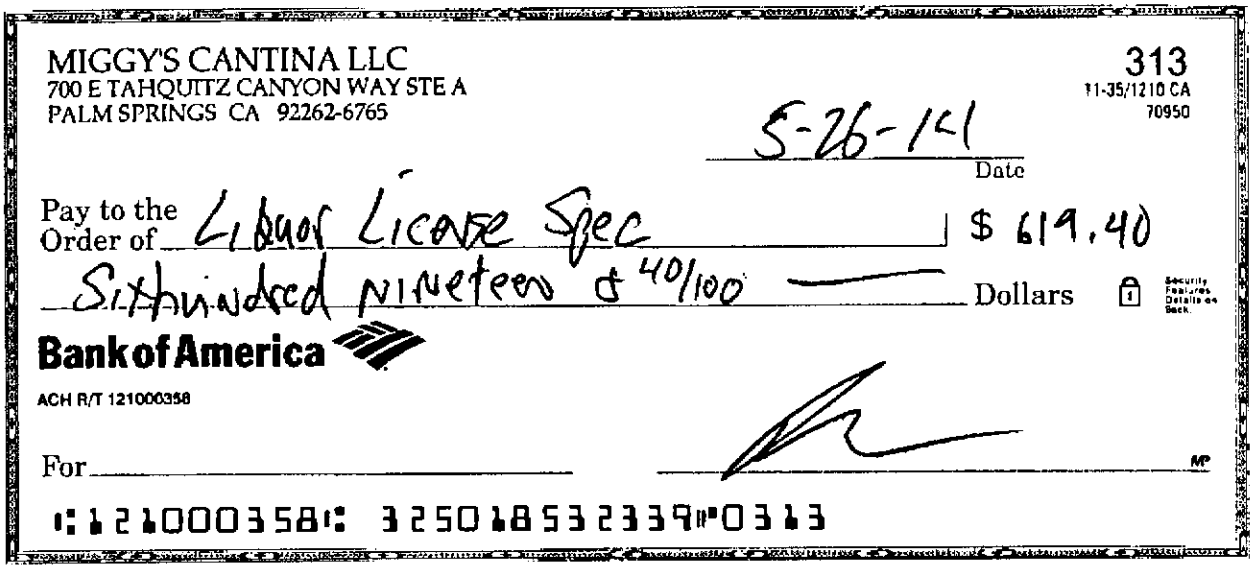
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE. RESERVED FOR FINANCIAL INSTITUTION USE

⑆123000220⑆4006192014
E 4111 ID 305 PKT 01
7578725776

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/19/2014	004198136619	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/19/2014	004198136619	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/19/2014	7578725776	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/20/2014	009092438864	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$619.40	Sequence Number:	9092752315
Account:	325018532339	Capture Date:	06/02/2014
Bank Number:	12100035	Check Number:	313



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

313
11-35/1210 CA
70950

5-26-14
Date

Pay to the Order of Liquor License Spec $ 619.40

Six hundred nineteen & 40/100 Dollars

Bank of America

ACH R/T 121000358

For

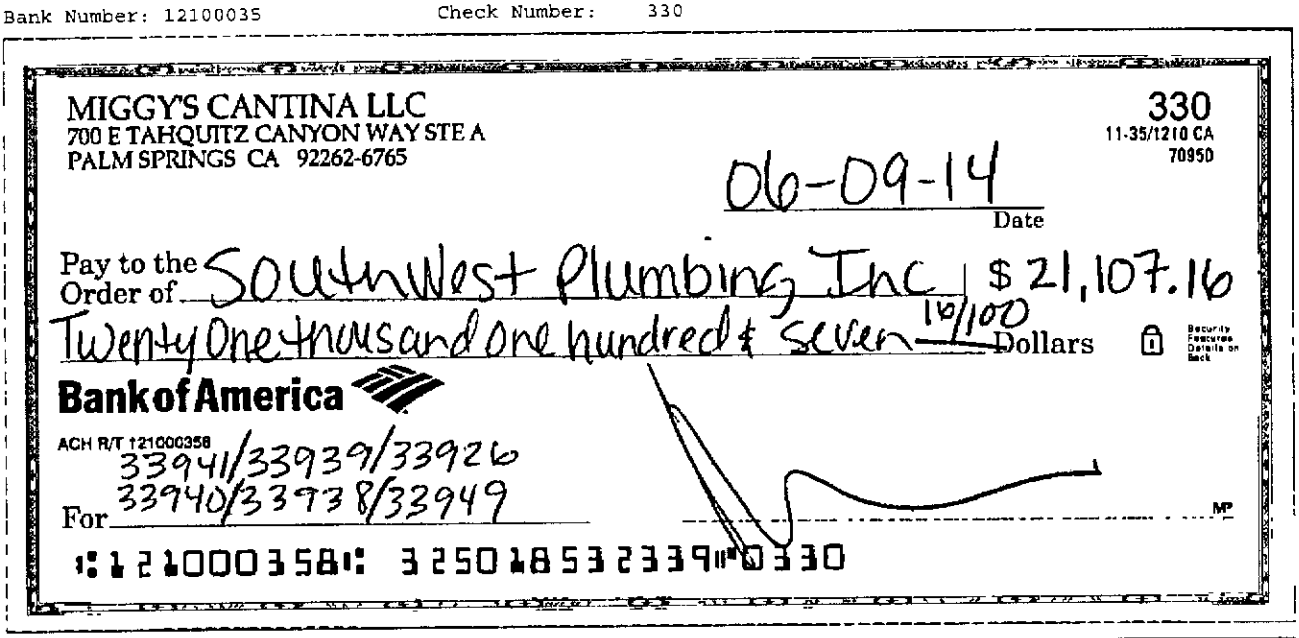
⑆121000358⑆ 325018532339⑈0313

PAY TO THE ORDER OF
NATIONAL BANK OF CALIF
BRENTWOOD CA 90025
⑆122039360⑆
FOR DEPOSIT ONLY
CIRCADYNE INC/LIQUOR LIC
SPEC.LIQUOR LICENSE.COM
⑈6502025

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	61190000043827	122039360	Rtn Loc/BOFD	Y		NATIONAL BANK OF CAL
06/02/2014	009092752315	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$21,107.16	Sequence Number:	9192184338
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	330



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

330
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of SouthWest Plumbing Inc | $ 21,107.16

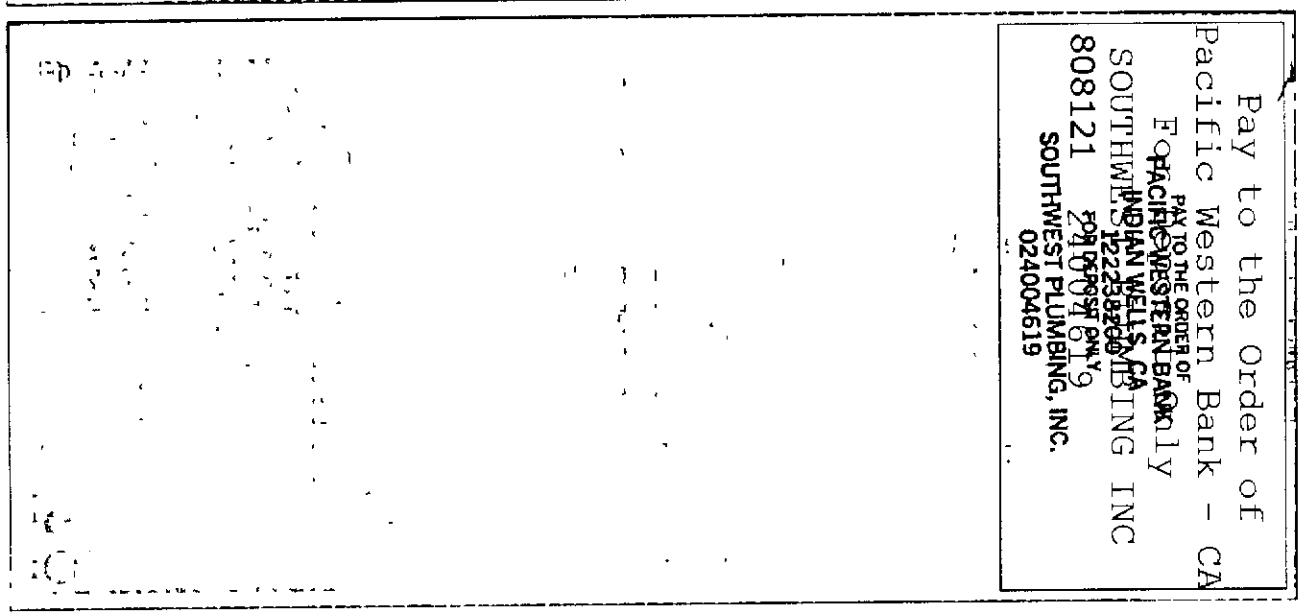
Twenty One thousand one hundred & seven 16/100 Dollars

Bank of America

ACH R/T 121000358

For 33941/33939/33926 33940/33938/33949

⑆121000358⑆ 325018532339⑈0330



Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING INC
808121

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200

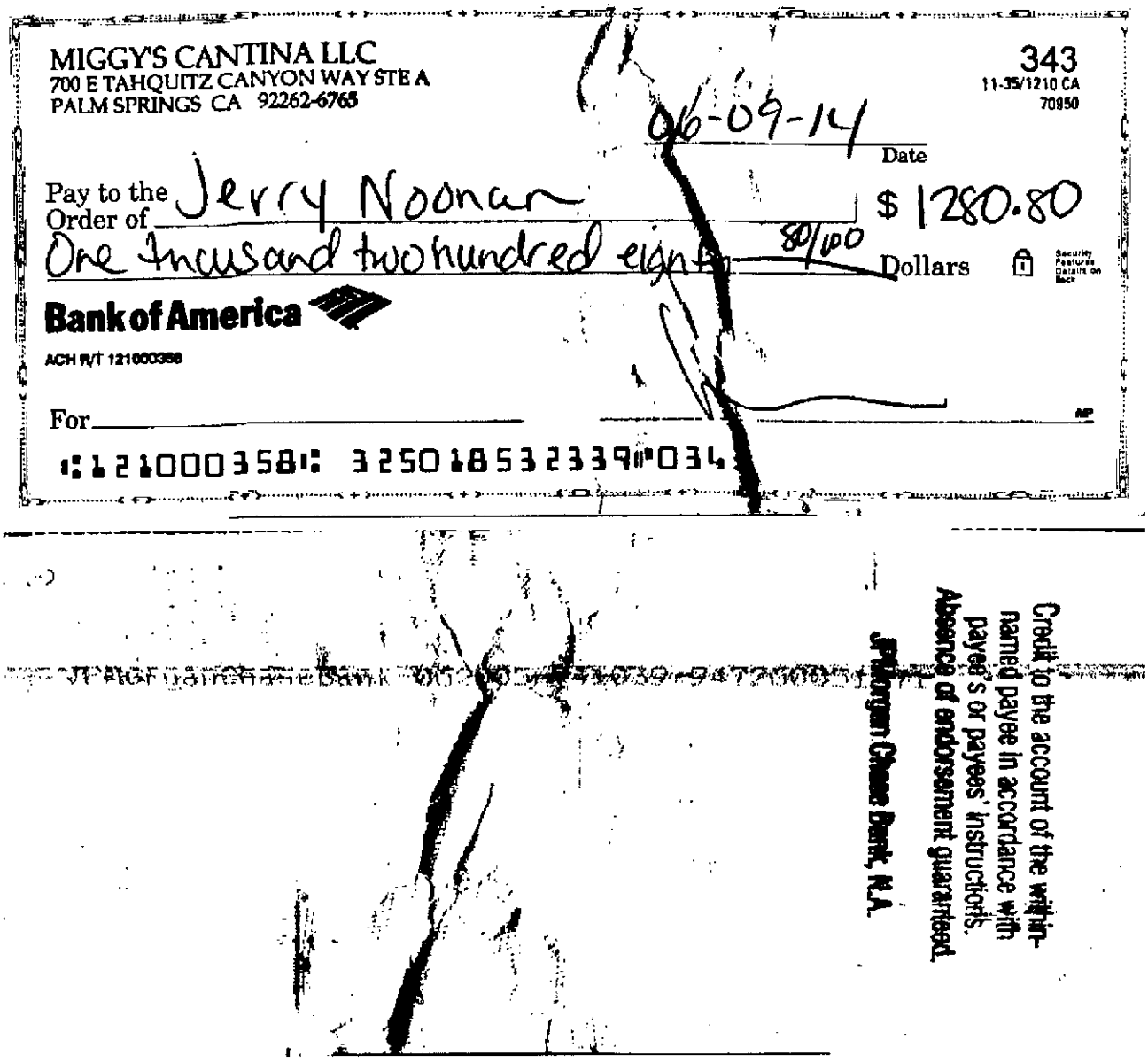
FOR DEPOSIT ONLY
2100046619

SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000002412323737	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/10/2014	000008857668421	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/10/2014	046923976268578	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/10/2014	009192184338	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,280.80	Sequence Number:	9192541140
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	343



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

343
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Jerry Noonan $ 1280.80

One thousand two hundred eight 80/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0343

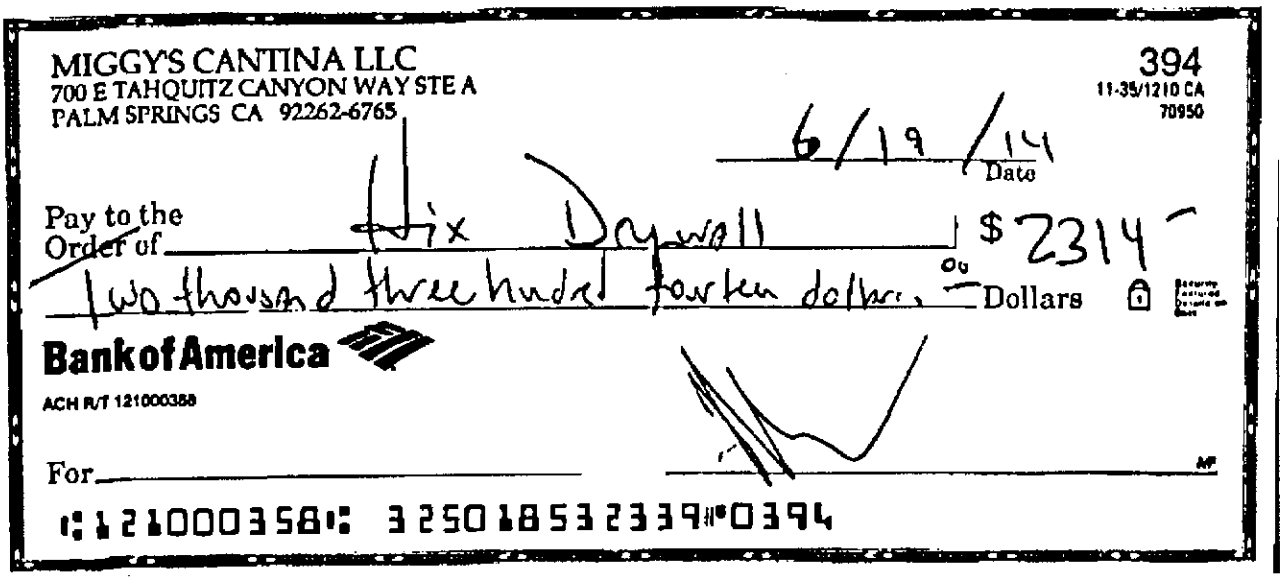
Credit to the account of the within-named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	009192541140	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/20/2014	5380545957	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$2,314.00	Sequence Number:	9292211288
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	394



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

394
11-35/1210 CA
70950

6/19/14
Date

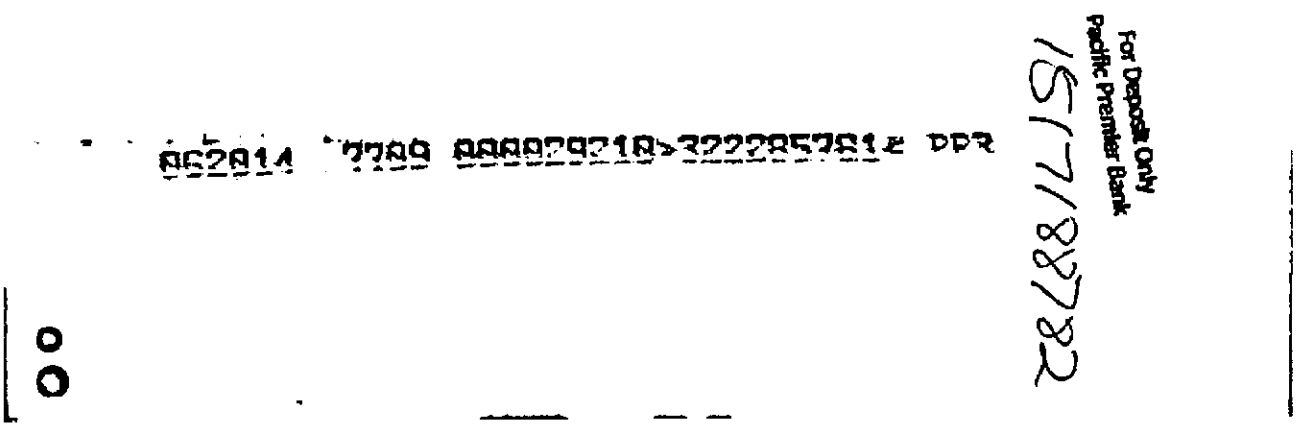
Pay to the Order of Fix Drywall $ 2314 00

Two thousand three hundred fourteen dollars 00 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0394



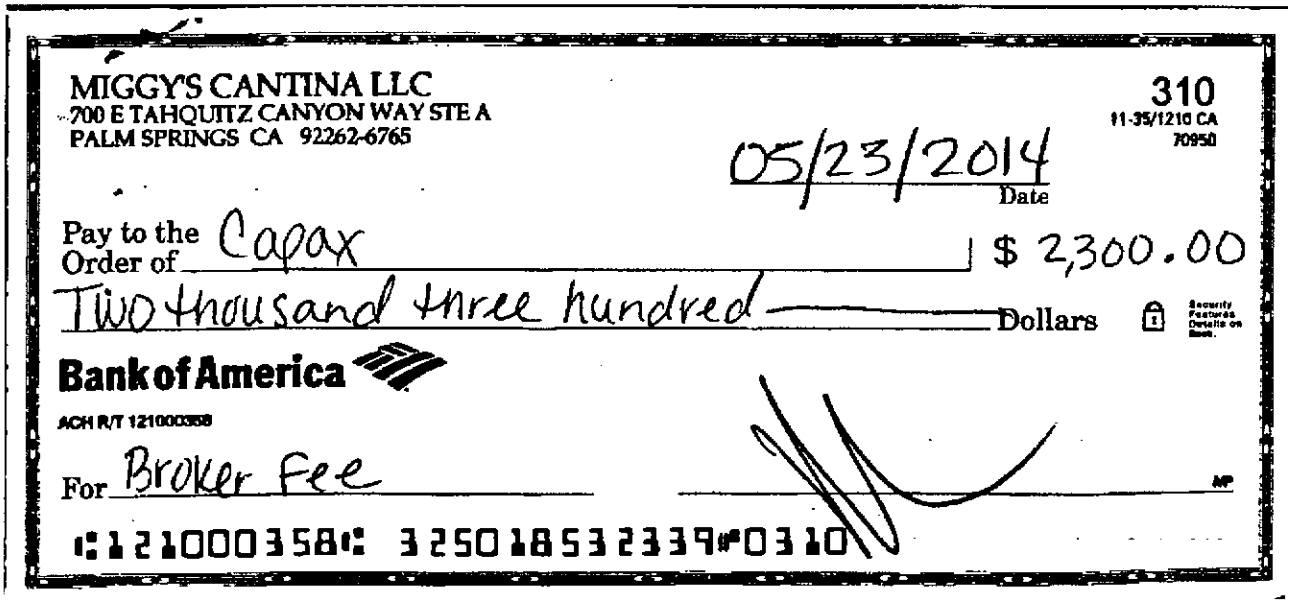
For Deposit Only
Pacific Premier Bank

6/19/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	009292211288	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/20/2014	77090000029210	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$2,300.00	Sequence Number:	9292701528
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	310



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

310
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Capax $ 2,300.00

Two thousand three hundred Dollars

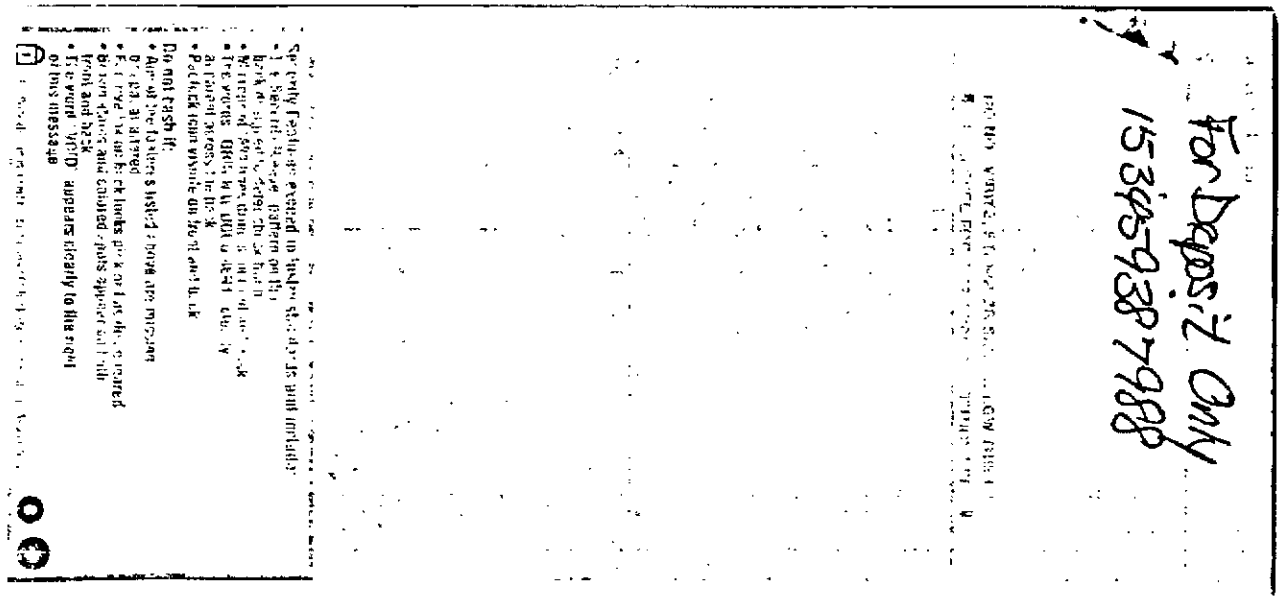
Security Features Details on Back.

Bank of America

ACH R/T 121000358

For Broker Fee

⑆121000358⑆ 325018532339⑈0310

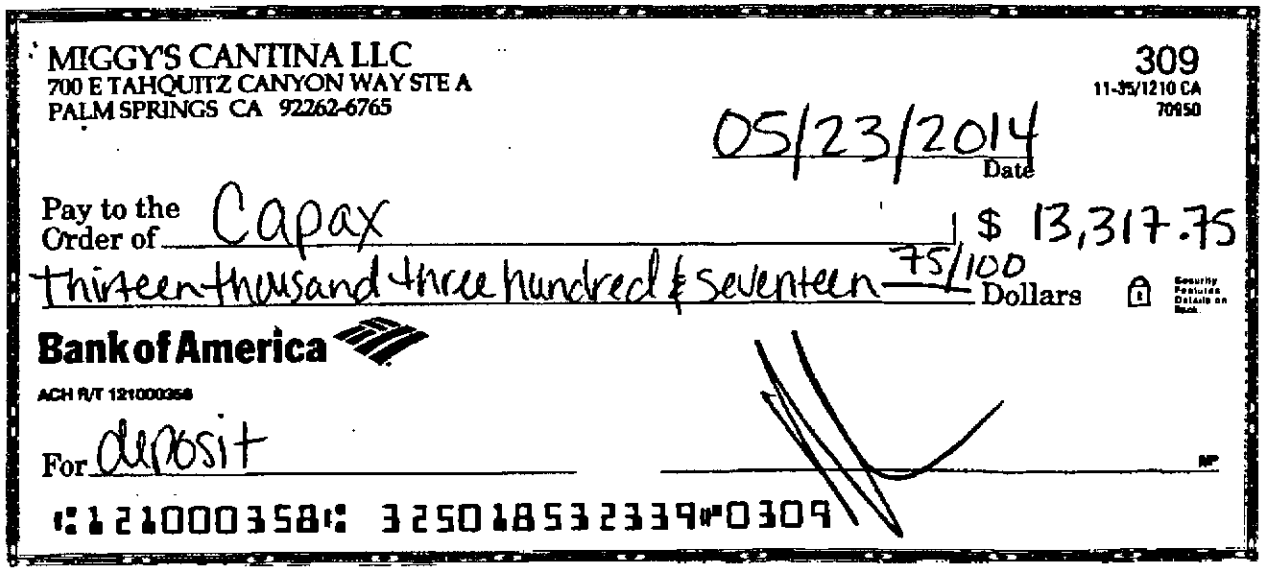


For Deposit Only
153493897989

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	6374152571	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/02/2014	004190468706	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	004190468706	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538237	41202582	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538237	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009292701528	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$13,317.75	Sequence Number:	9292701529
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	309



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

309
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Capax $ 13,317.75

Thirteen thousand three hundred & seventeen 75/100 Dollars

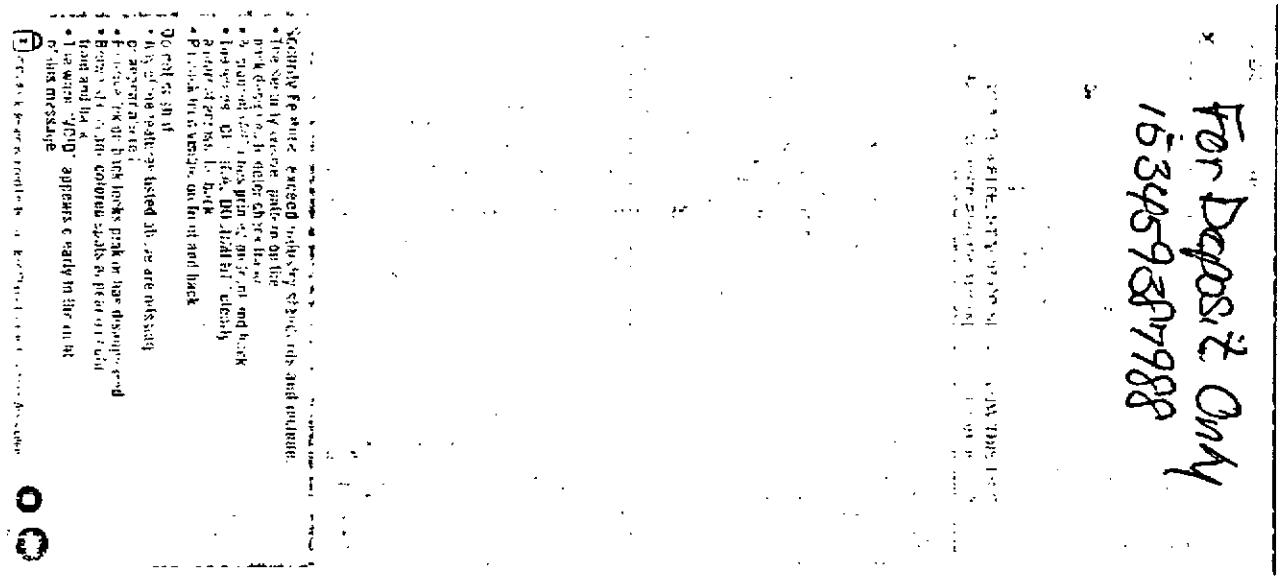
Security Features Details on Back

Bank of America

ACH R/T 121000358

For deposit

⑆121000358⑆ 325018532339⑈0309

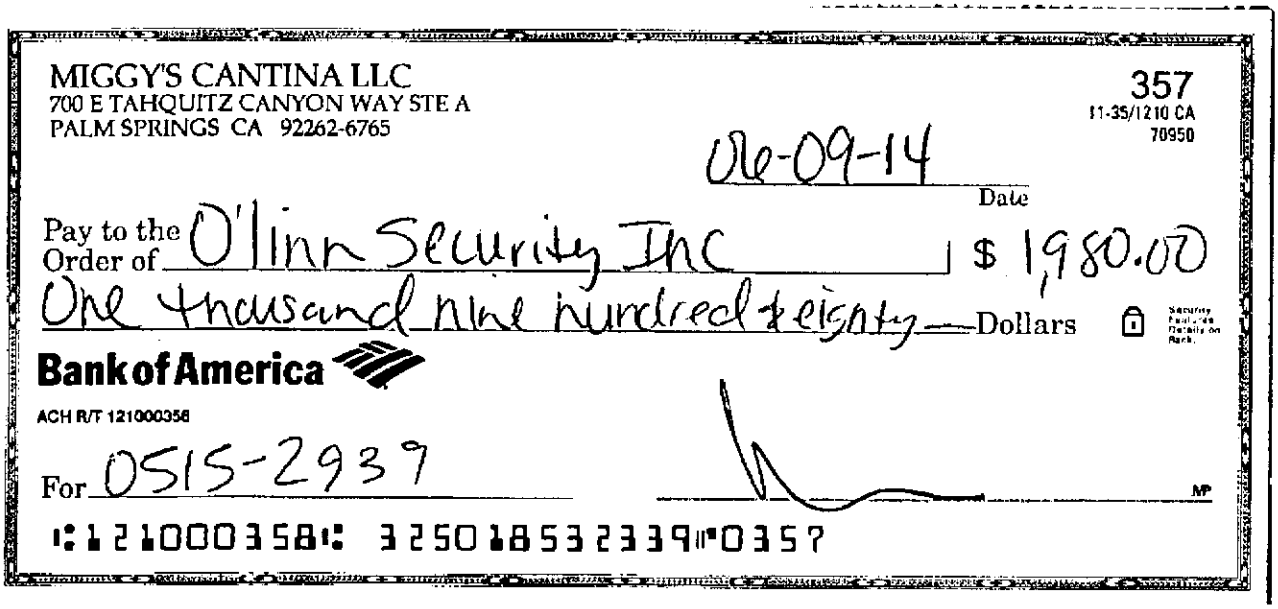


For Deposit Only
163459847988

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	009596538238	41202582	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538238	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009292701529	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	004190468707	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	004190468707	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	6374152572	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$1,980.00	Sequence Number:	9292846954
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	357



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

357
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of O'Linn Security Inc $ 1,980.00

One thousand nine hundred eighty — Dollars

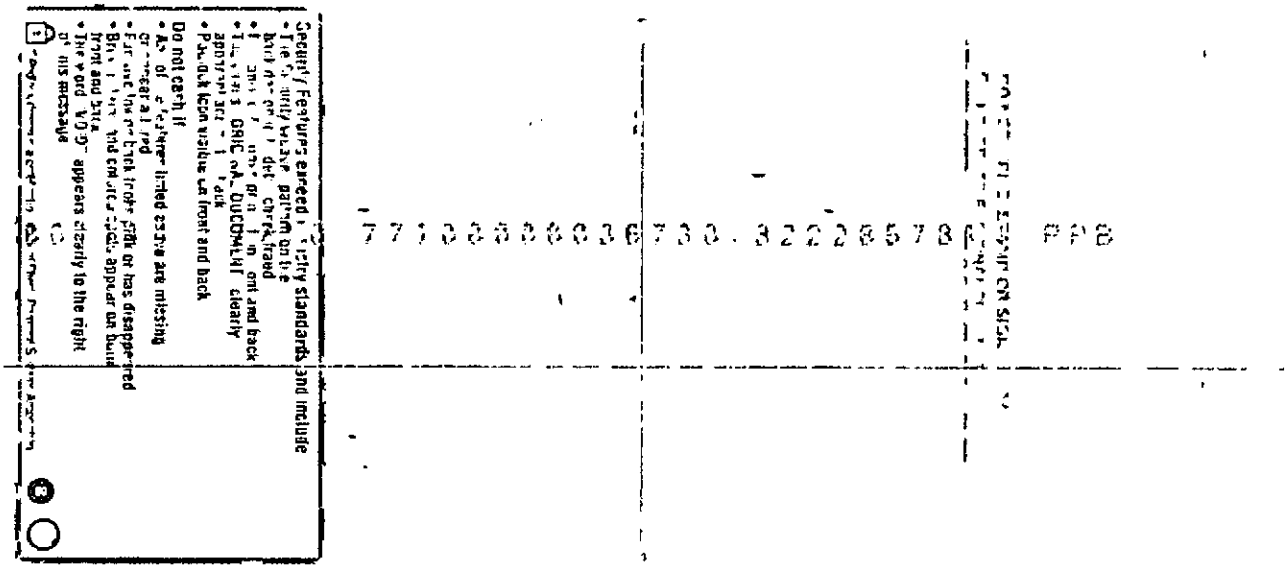
Bank of America

ACH R/T 121000358

For 0515-2939

MP

⑆121000358⑆ 325018532339⑈0357

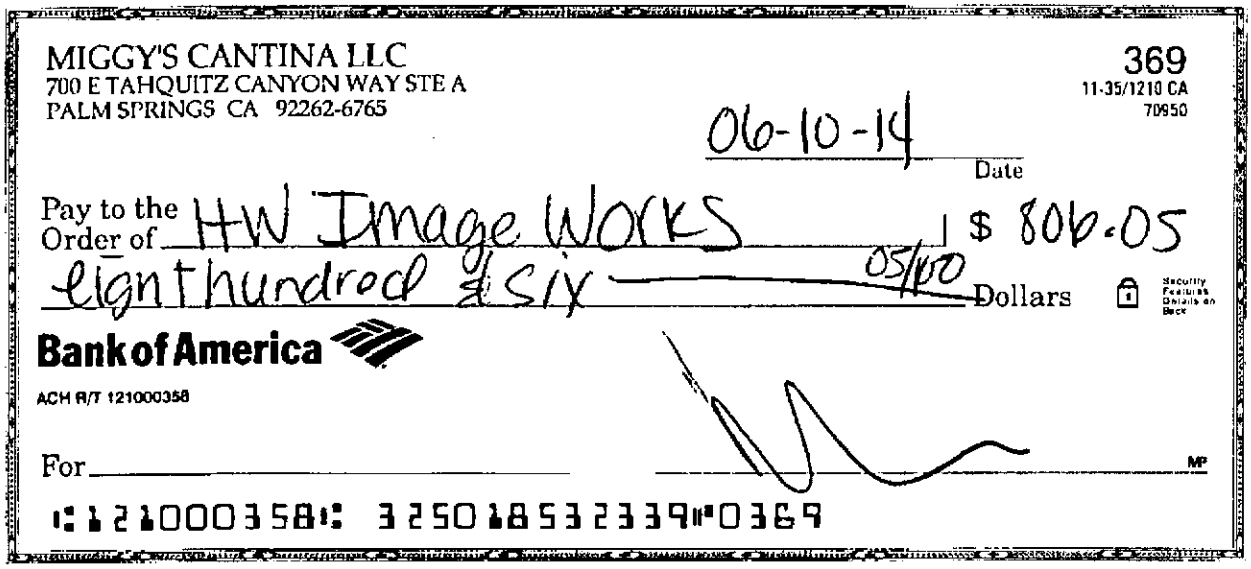


77100000036730 322285781 PPD

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	77100000036730	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/11/2014	009292846954	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$806.05	Sequence Number:	9292846959
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	369



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

369
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of HW Image Works $ 806.05

eight hundred & six 05/100 Dollars

Security Features Details on Back

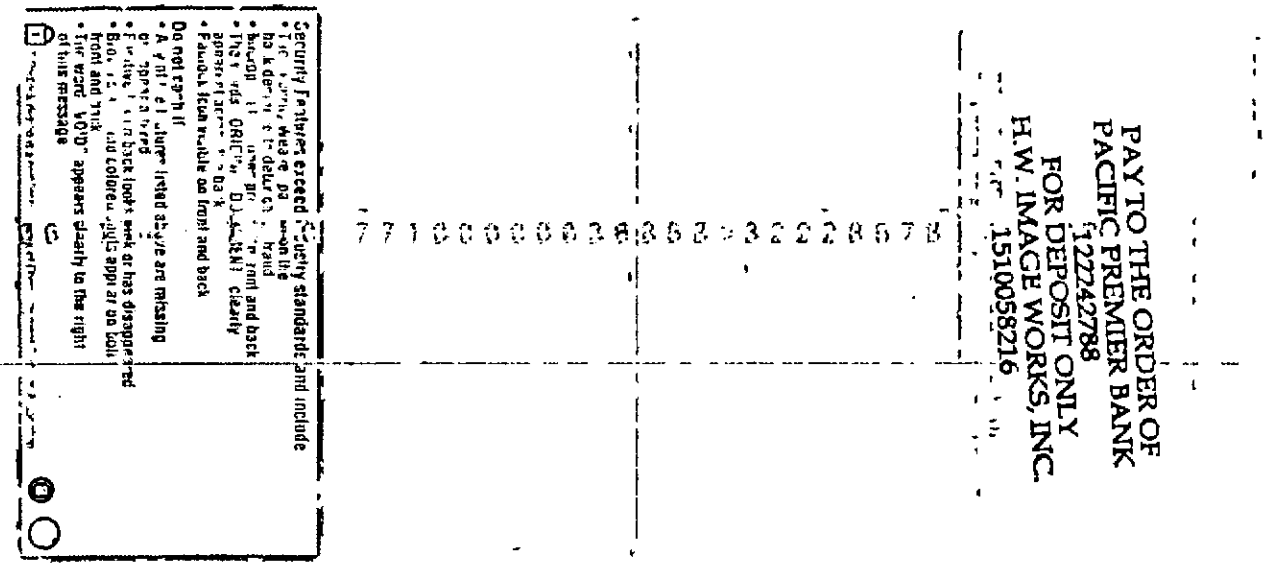
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0369



Security Features exceed industry standards and include
• The word "VOID" appears clearly on front and back
• Fluorescent fibers visible on front and back
Do not cash if
• Any of the above are missing
• Altered
• Dated more than 180 days ago
front and back
• The word "VOID" appears clearly to the right of this message

77100000036858 322285781 0009292846959

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
122242788
FOR DEPOSIT ONLY
H.W. IMAGE WORKS, INC.
1510058216

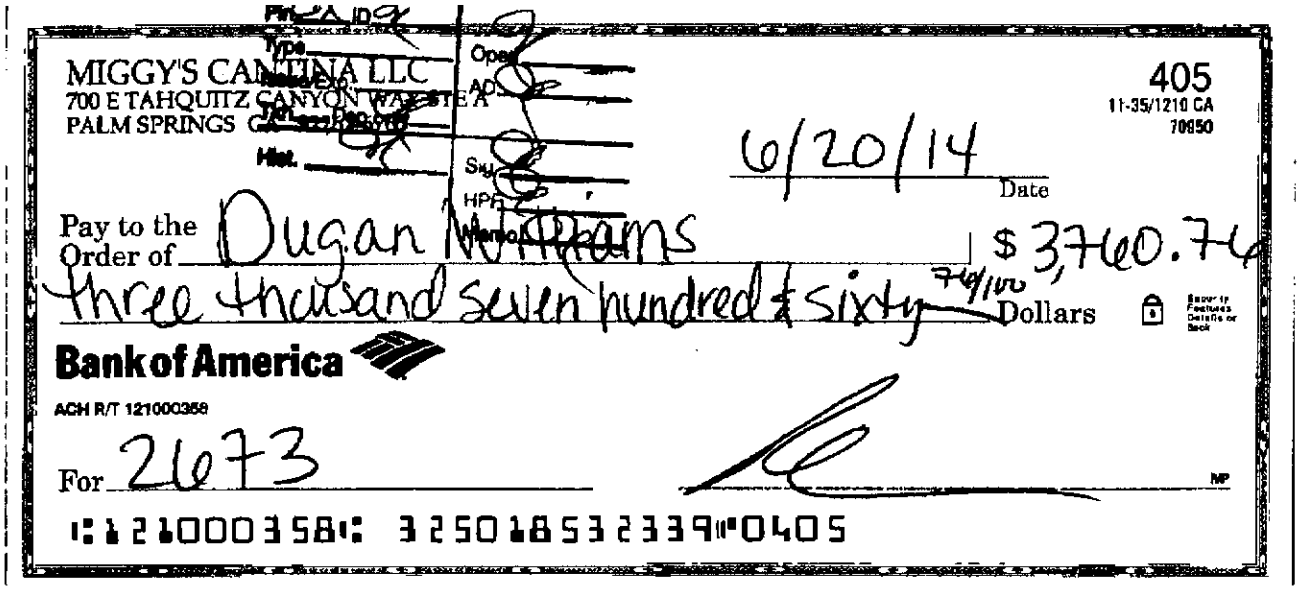
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	77100000036858	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/11/2014	009292846959	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $3,760.76 Sequence Number: 9292858551

Account: 325018532339 Capture Date: 06/20/2014

Bank Number: 12100035 Check Number: 405



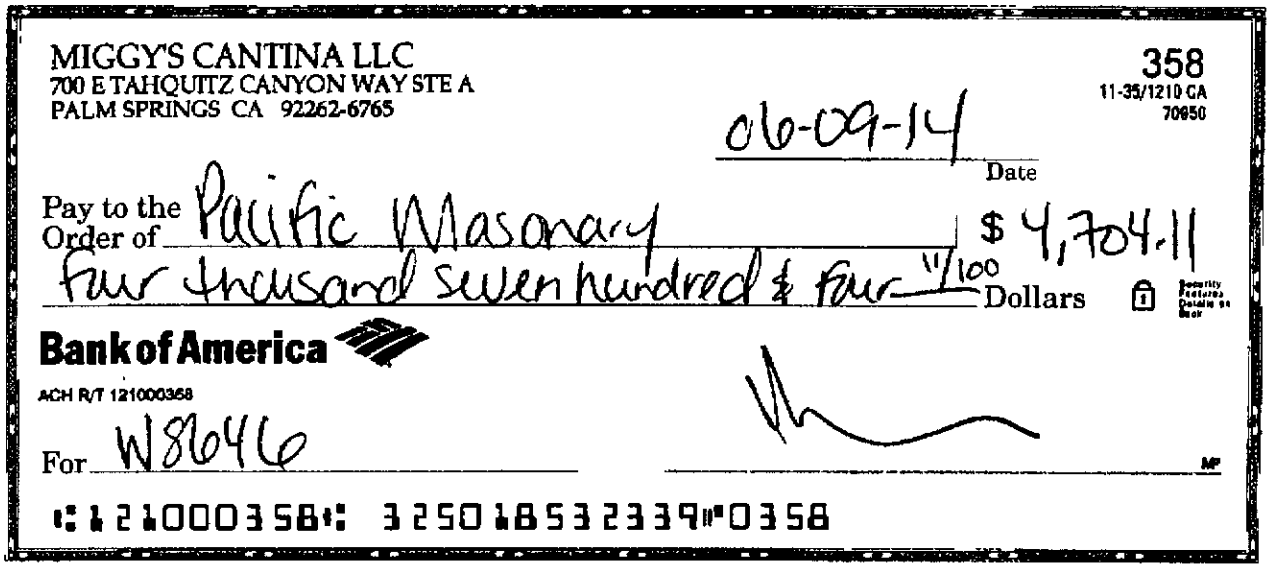
2446376155

Deposit Only

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	000002446376156	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/20/2014	009292858551	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,704.11	Sequence Number:	9392379506
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	358



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

358
11-35/1210 CA
70650

06-09-14
Date

Pay to the Order of Pacific Masonary $ 4,704.11

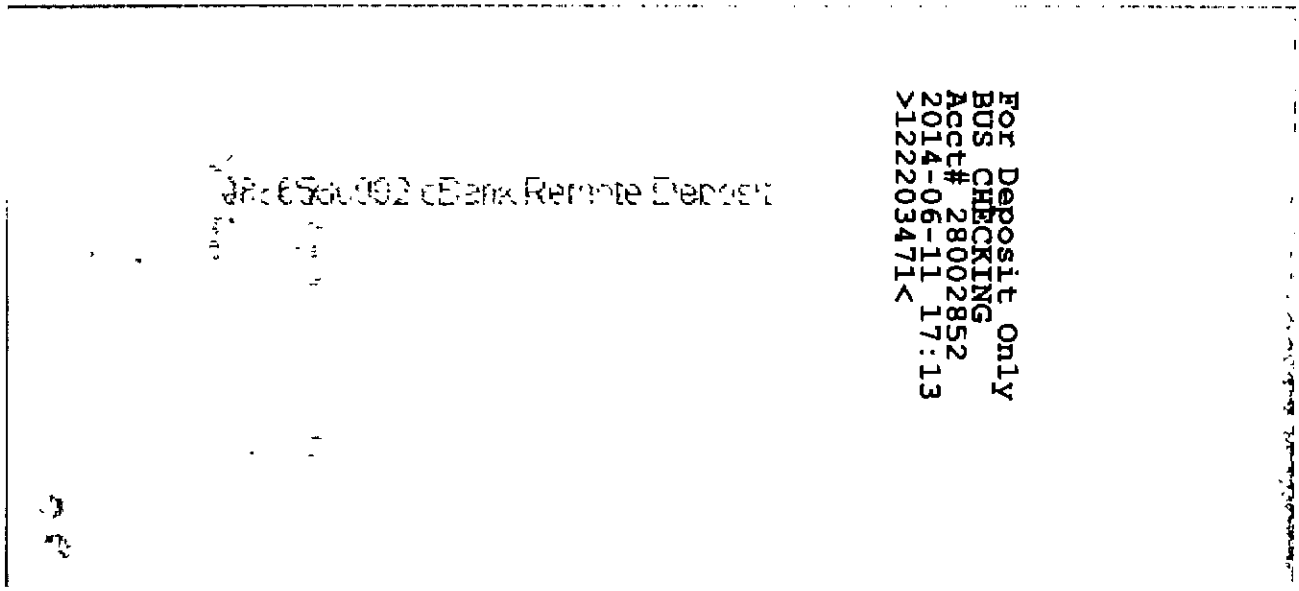
Four thousand seven hundred & four 11/100 Dollars

Bank of America

ACH R/T 121000358

For W86446

⑆121000358⑆ 325018532339⑈0358

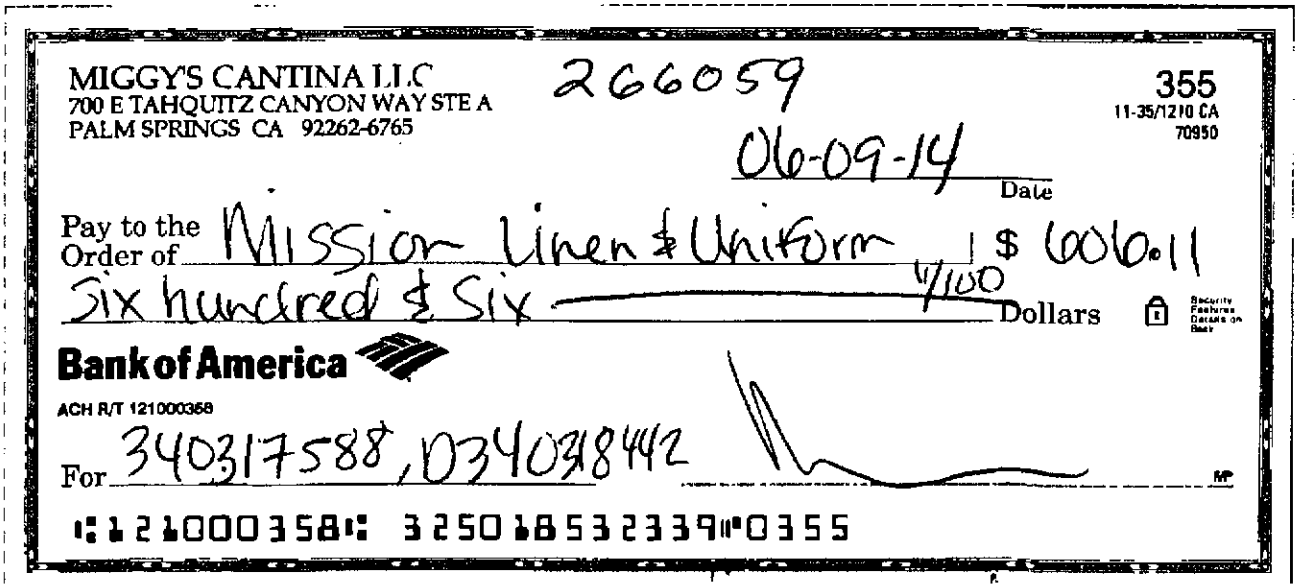


For Deposit Only
BUS CHECKING
Acct# 280002852
2014-06-11 17:13
>122203471<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	907090886580002	122203471	Rtn Loc/BOFD	Y		COMMUNITY BANK
06/11/2014	009392379506	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	907090886580002	122203471	Undetermined	N		COMMUNITY BANK
06/11/2014	000008534459000	91000019	Undetermined	N		WELLS FARGO BANK, NA

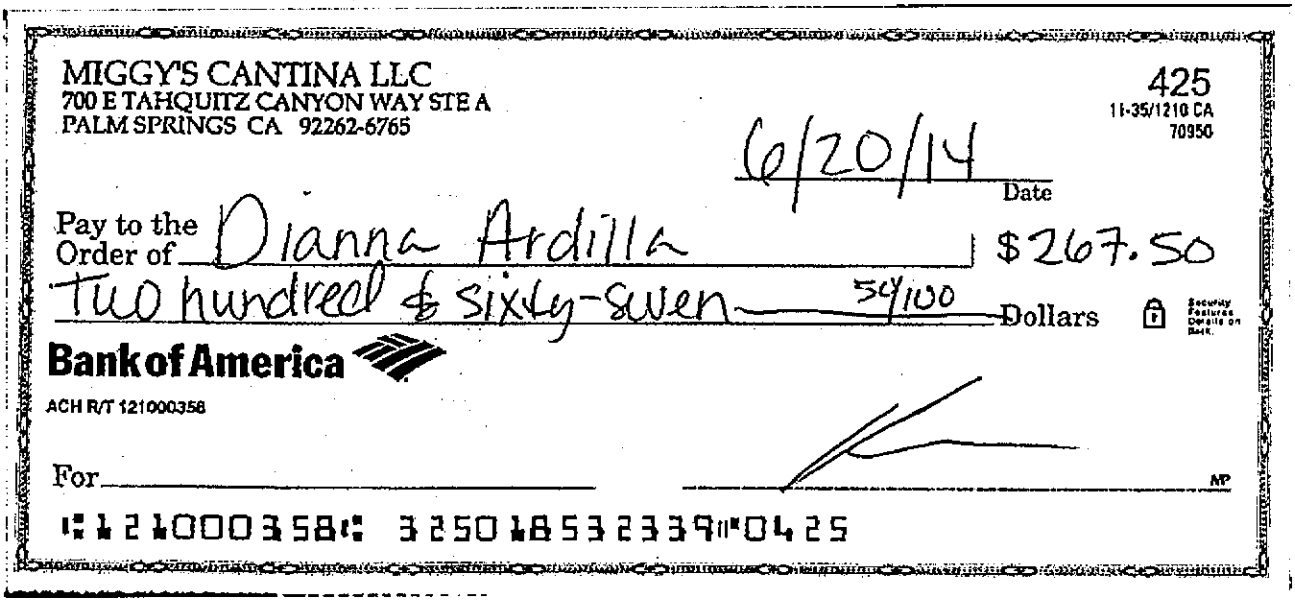
Amount:	$606.11	Sequence Number:	9392391824
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	355



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	000000282235891	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/11/2014	009392391824	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$267.50	Sequence Number:	9392922948
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	425



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

425
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Dianna Ardilla $267.50

Two hundred & sixty-seven 54/100 Dollars

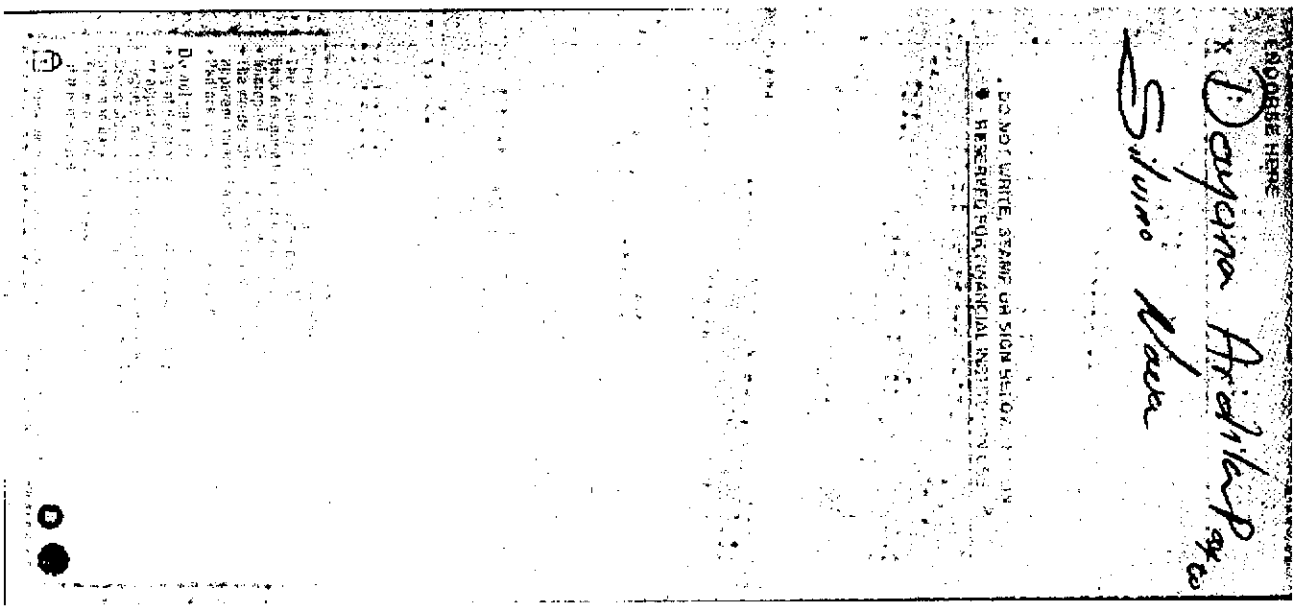
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0425



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	009392922948	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/23/2014	000000480399679	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$517.50	Sequence Number:	9492055127
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	424

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

424
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Silvino Nava $517.50

Five hundred & seventeen 50/100 Dollars

Security Features Details on Back

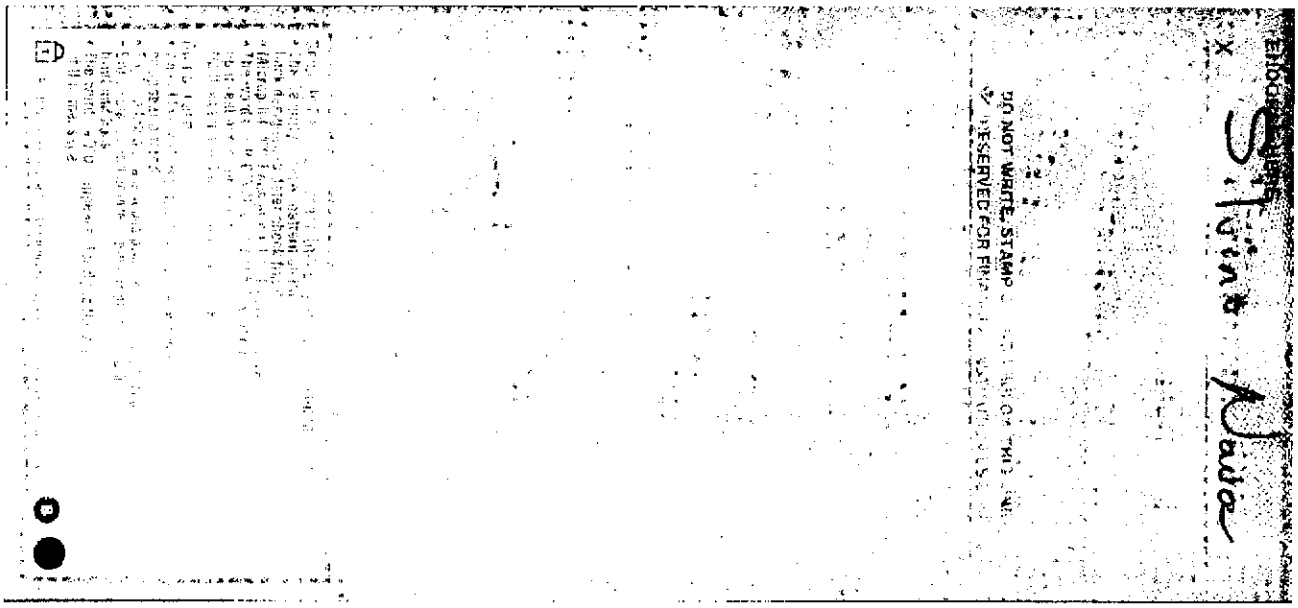
Bank of America

ACH R/T 121000358

For

MP

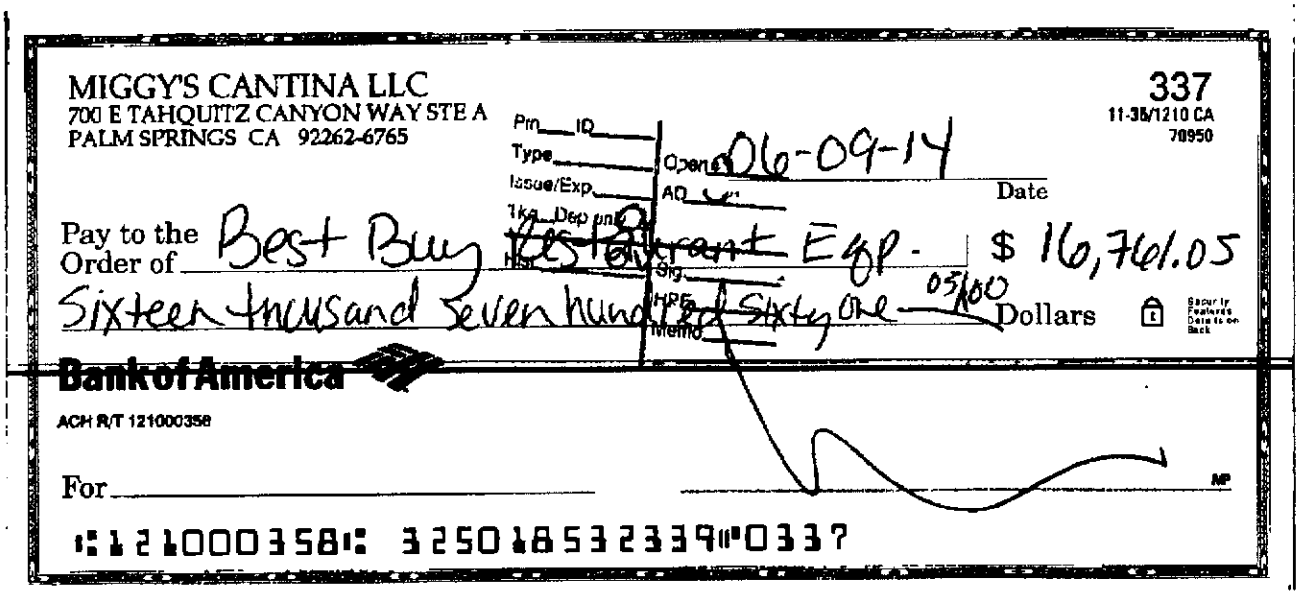
⑈121000358⑈ 325018532339⑈0424



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	000000586510473	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/23/2014	009492055127	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$16,761.05	Sequence Number:	9492069167
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	337



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

337
11-35/1210 CA
70950

Pm ID
Type
Issue/Exp
TKN Dep pmt
Hist
Open 06-09-14
AO
Date
Sig
HPE
Memo

Pay to the Order of Best Buy Restaurant Eqp. $ 16,761.05

Sixteen thousand seven hundred Sixty One 05/100 Dollars

Security Features Details on Back

BankofAmerica

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0337

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

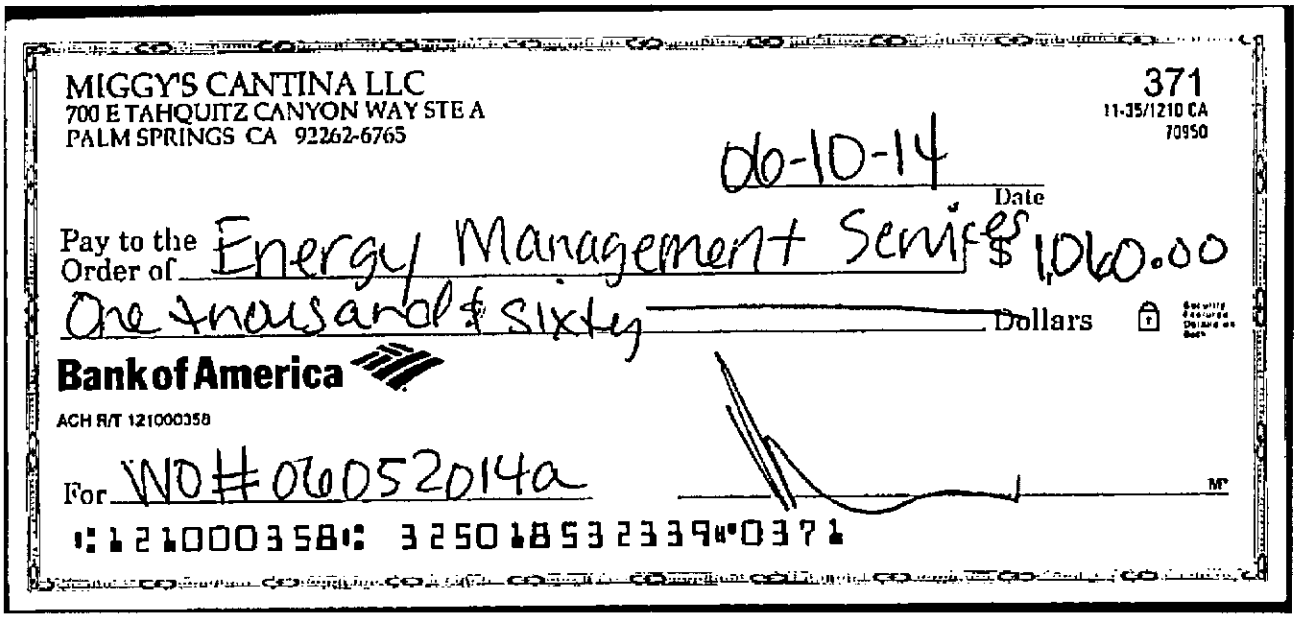
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	009492069167	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	000002941088080	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $1,060.00 Sequence Number: 9492401997

Account: 325018532339 Capture Date: 06/12/2014

Bank Number: 12100035 Check Number: 371



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

371
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of Energy Management Servi $ 1,060.00

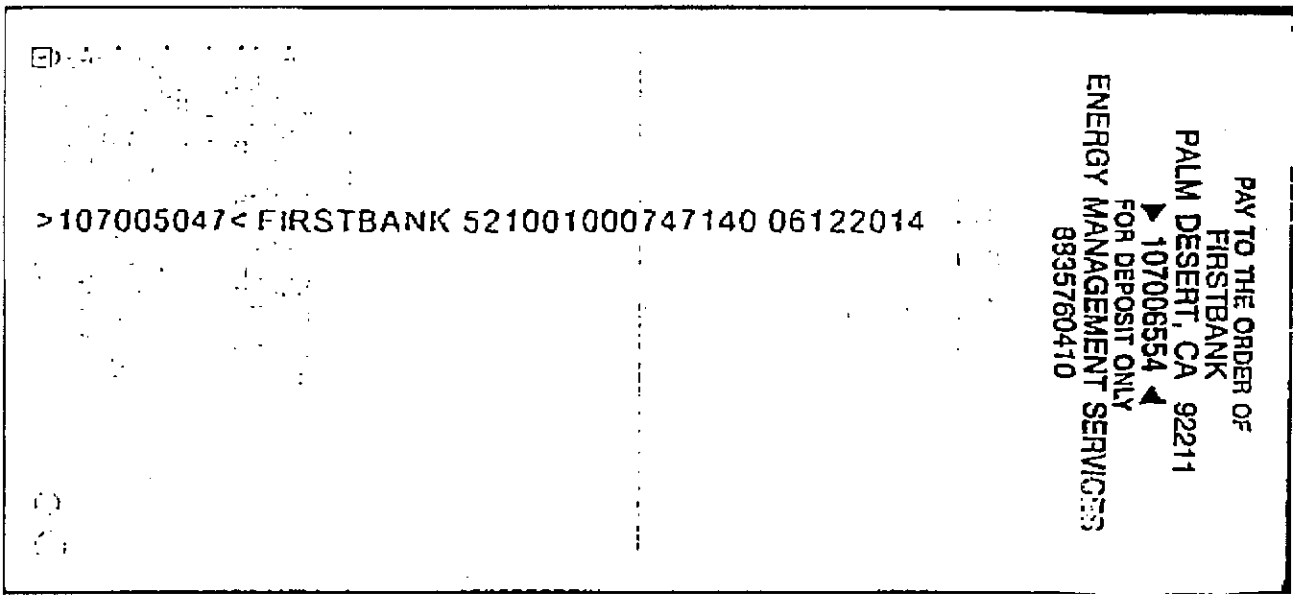
One thousand & Sixty Dollars

Bank of America

ACH R/T 121000358

For WO#06052014a

⑆121000358⑆ 325018532339⑈0371



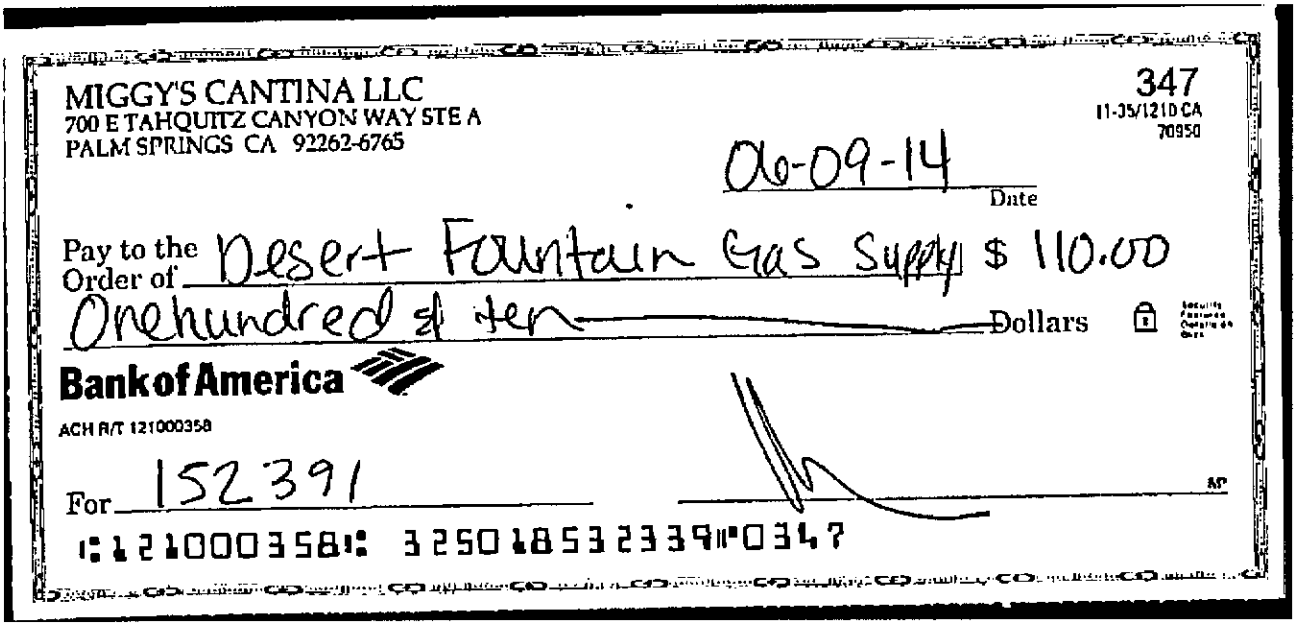
>107005047< FIRSTBANK 521001000747140 06122014

PAY TO THE ORDER OF
FIRSTBANK
PALM DESERT, CA 92211
▼ 107006554 ▲
FOR DEPOSIT ONLY
ENERGY MANAGEMENT SERVICES
8335760410

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	000000090445120	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
06/13/2014	009094504007	91408501	Undetermined	N		U.S. BANK NATIONAL A
06/13/2014	009094504007	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/12/2014	009492401997	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$110.00	Sequence Number:	9492459200
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	347



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

347
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Fountain Gas Supply $ 110.00

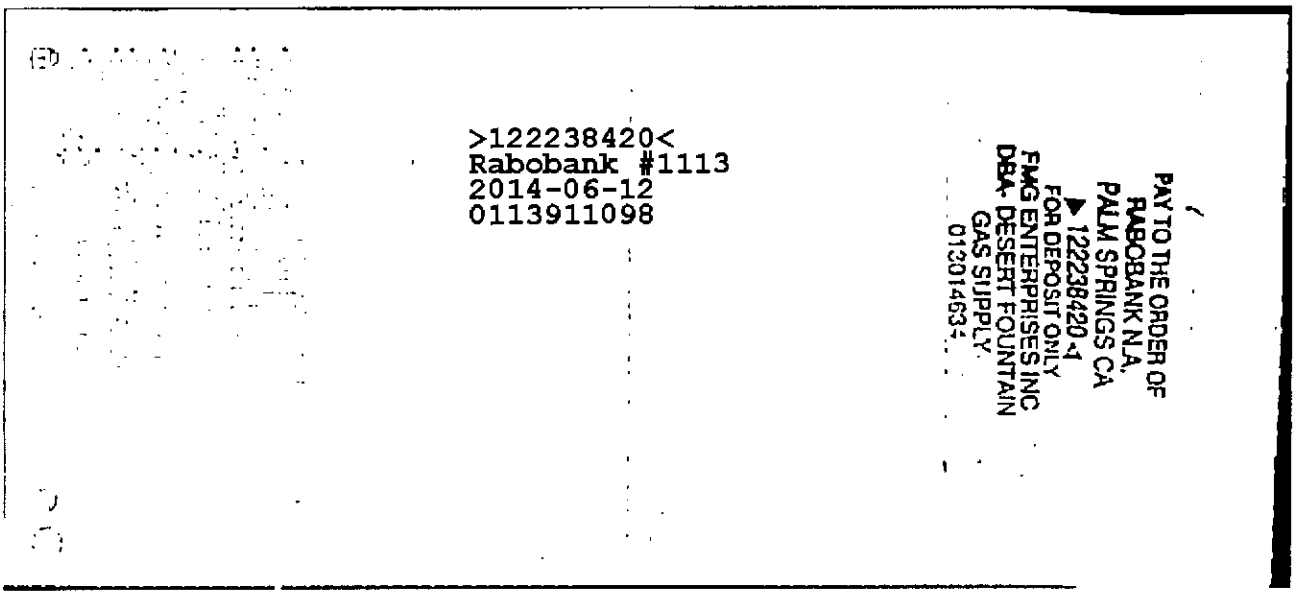
Onehundred & ten Dollars

Bank of America

ACH R/T 121000358

For 152391

⑆121000358⑆ 325018532339⑈0347



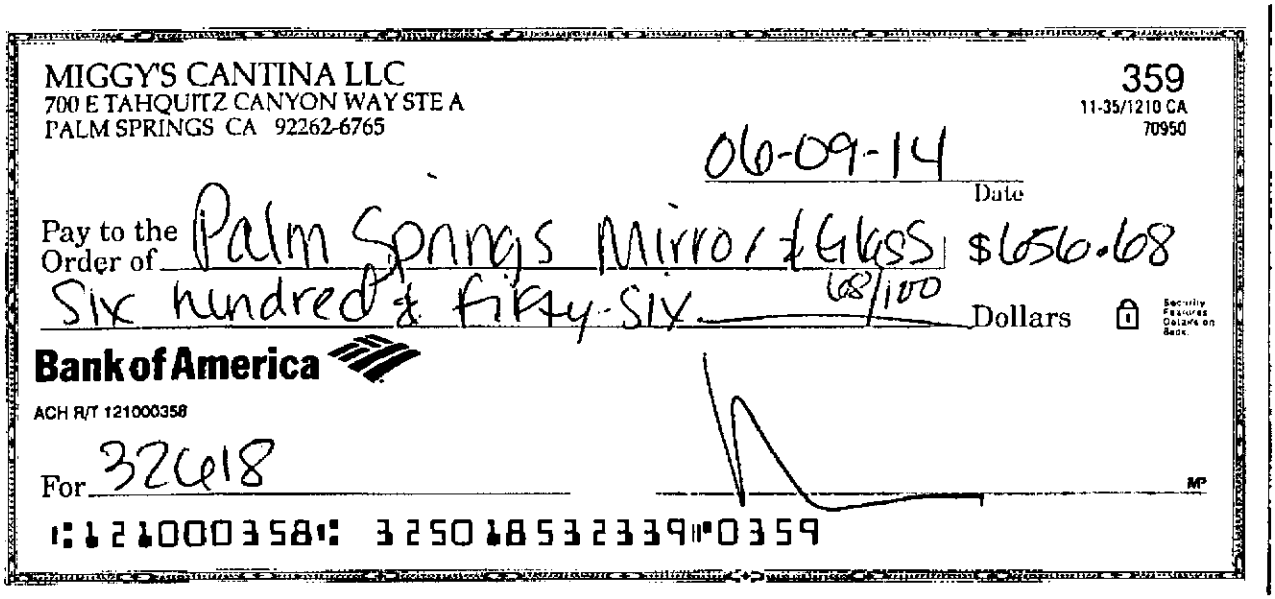
>122238420<
Rabobank #1113
2014-06-12
0113911098

PAY TO THE ORDER OF
RABOBANK N.A.
PALM SPRINGS CA
▶122238420◀
FOR DEPOSIT ONLY
FMG ENTERPRISES INC
DBA DESERT FOUNTAIN
GAS SUPPLY
01201463

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	000008335945756	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/12/2014	009492459200	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	000000113911098	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$656.68	Sequence Number:	9592071972
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	359



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

359
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Palm Springs Mirror & Glass $656.68

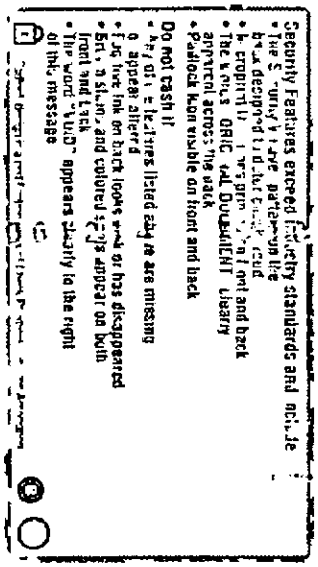
Six hundred & fifty-six 68/100 Dollars

Bank of America

ACH R/T 121000358

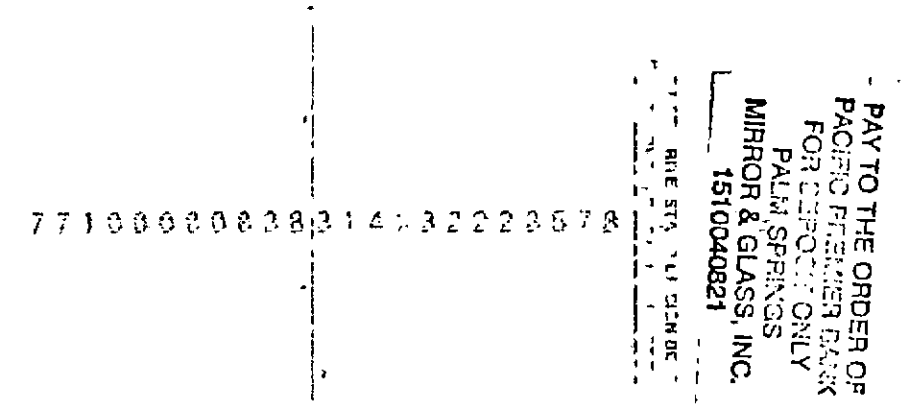
For 32618

⑆121000358⑆ 325018532339⑈0359



Security Features exceed industry standards and include:
• The $ currency feature patterned like
• The word "VOID" appears on front and back
• Padlock icon visible on front and back

Do not cash if:
• Any of these features listed above are missing
• Appears altered
• Fold, tear, ink on back looks wet or has disappeared
• Spot, stain, and colored fibers appear on both front and back
• The word "VOID" appears clearly to the right of this message



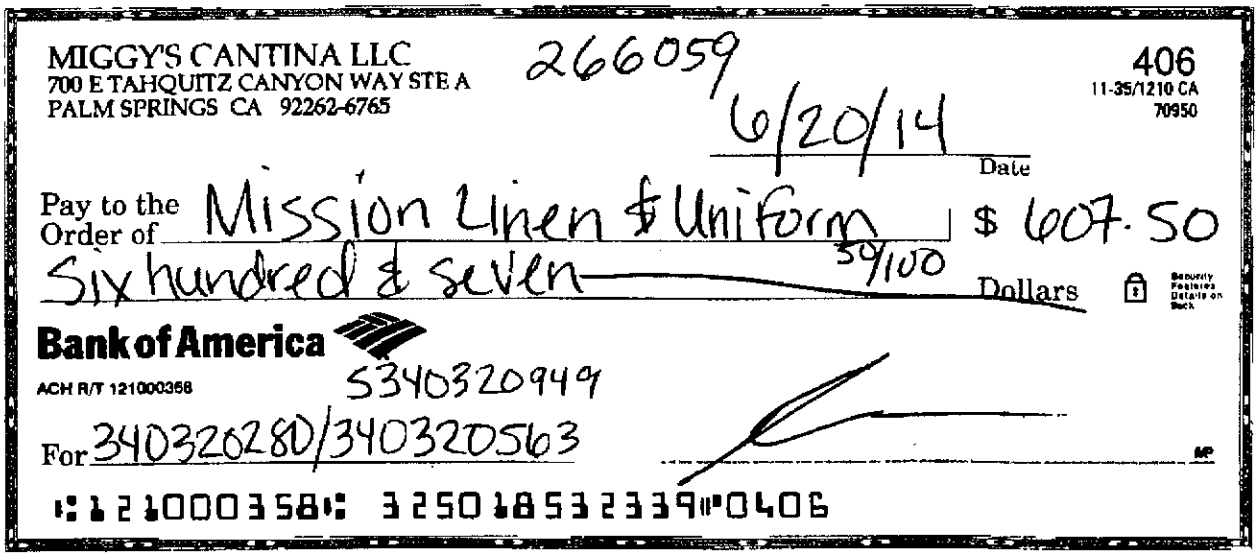
77100000038314 322285781

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
FOR DEPOSIT ONLY
PALM SPRINGS
MIRROR & GLASS, INC.
151004821

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	009592071972	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	77100000038314	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$607.50	Sequence Number:	9592306991
Account:	325018532339	Capture Date:	06/23/2014
Bank Number:	12100035	Check Number:	406



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

266059

406
11-35/1210 CA
70950

6/20/14
Date

Pay to the Order of Mission Linen & Uniform $ 607.50

Six hundred & seven 50/100 Dollars

Bank of America

ACH R/T 121000358

5340320949

For 340320280/340320563

⑆121000358⑆ 325018532339⑈0406

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/23/2014	000000381226226	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/23/2014	009592306991	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,600.00	Sequence Number:	9592684946
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	345

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

345
11-35/1210 CA
70850

06-09-14
Date

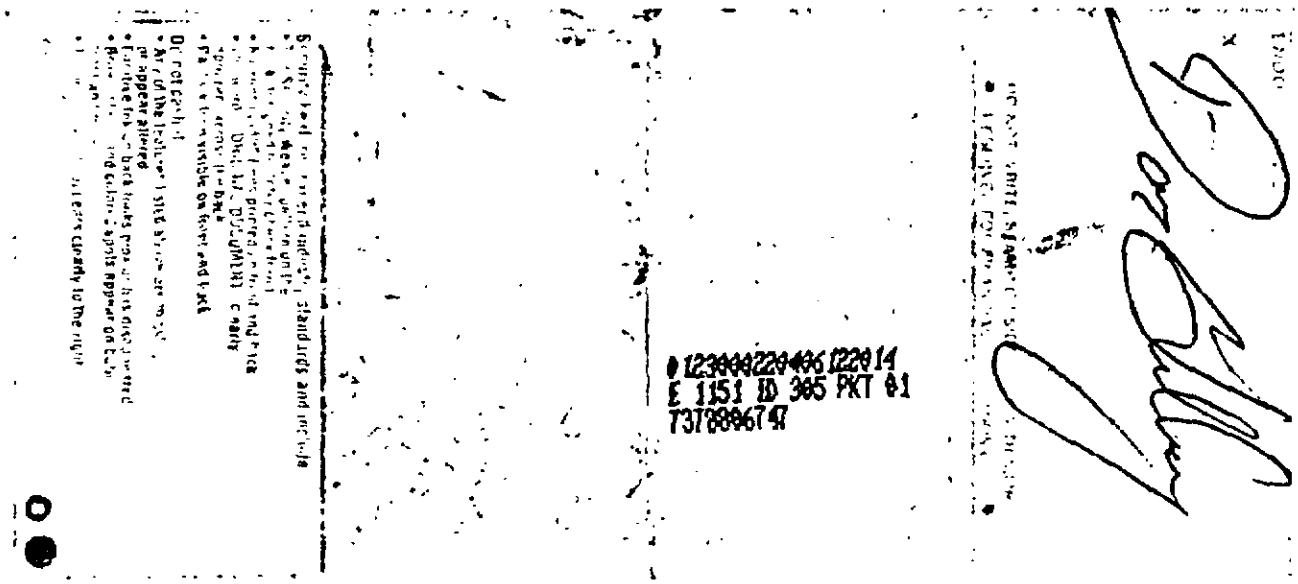
Pay to the Order of D&D Custom $ 7,600.00

Seven thousand six hundred Dollars

Bank of America
ACH R/T 121000358

For 1570, 1613, 1620, 1628

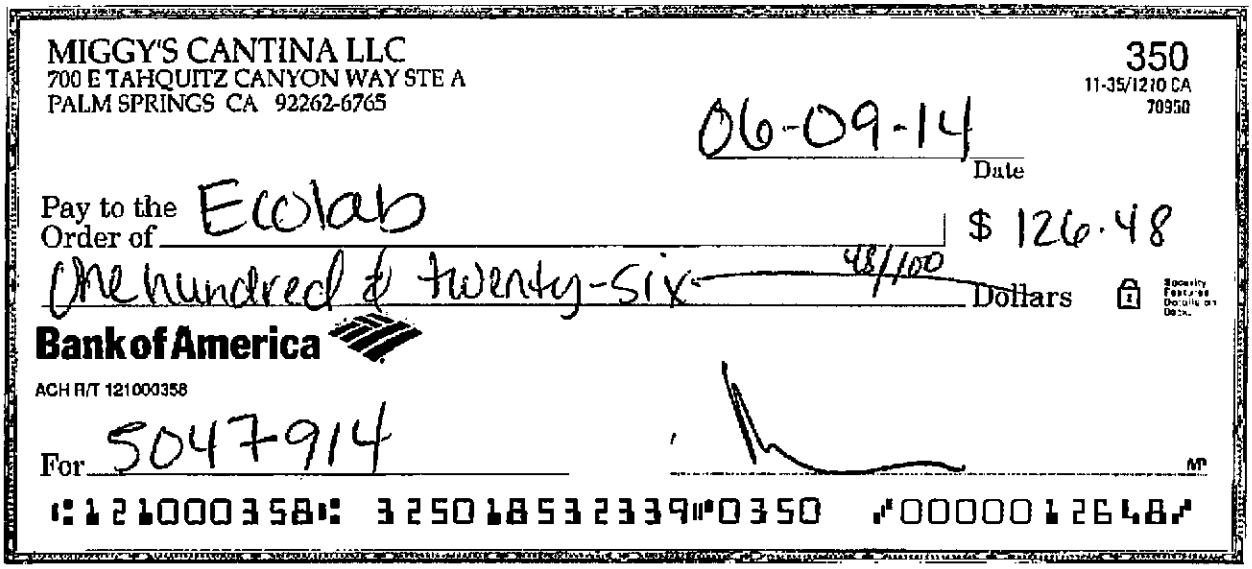
⑆121000358⑆ 325018532339⑈0345



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	7378806747	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/12/2014	004192145455	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/12/2014	004192145455	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/13/2014	009592684946	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$126.48	Sequence Number:	9592762835
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	350



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

350
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Ecolab $ 126.48

One hundred & twenty-six 48/100 Dollars

Bank of America

ACH R/T 121000358

For 5047914

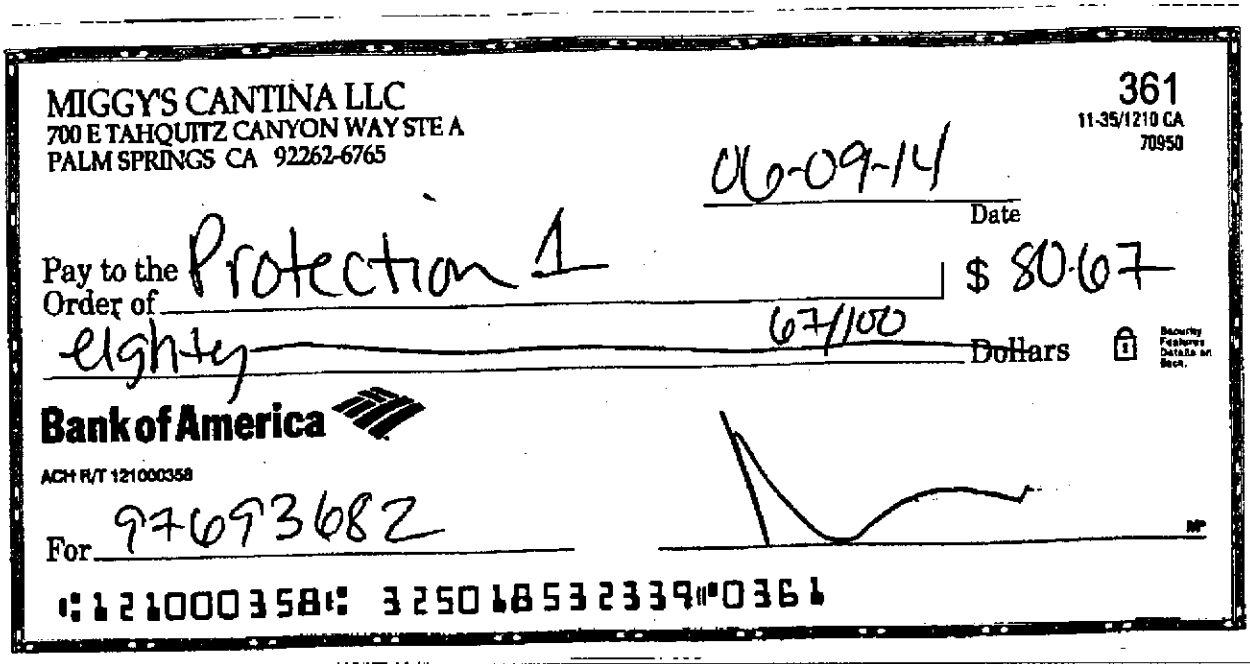
⑆121000358⑆ 325018532339⑈0350 ⑈000001264⑈

JPMORGANCHASE BK NA CR TO NMD
061314 >074909962< PAYEE ALL
01208154 0100512 RTS RSVD
00854720 053 0000000005101921

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	3390895944	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/13/2014	009592762835	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$80.67	Sequence Number:	9592825867
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	361


MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

361
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Protection 1 $ 80.67

eighty 67/100 Dollars

Security Features Details on Back.

Bank of America

ACH R/T 121000358

For 97693682

⑆121000358⑆ 325018532339⑈0361

CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

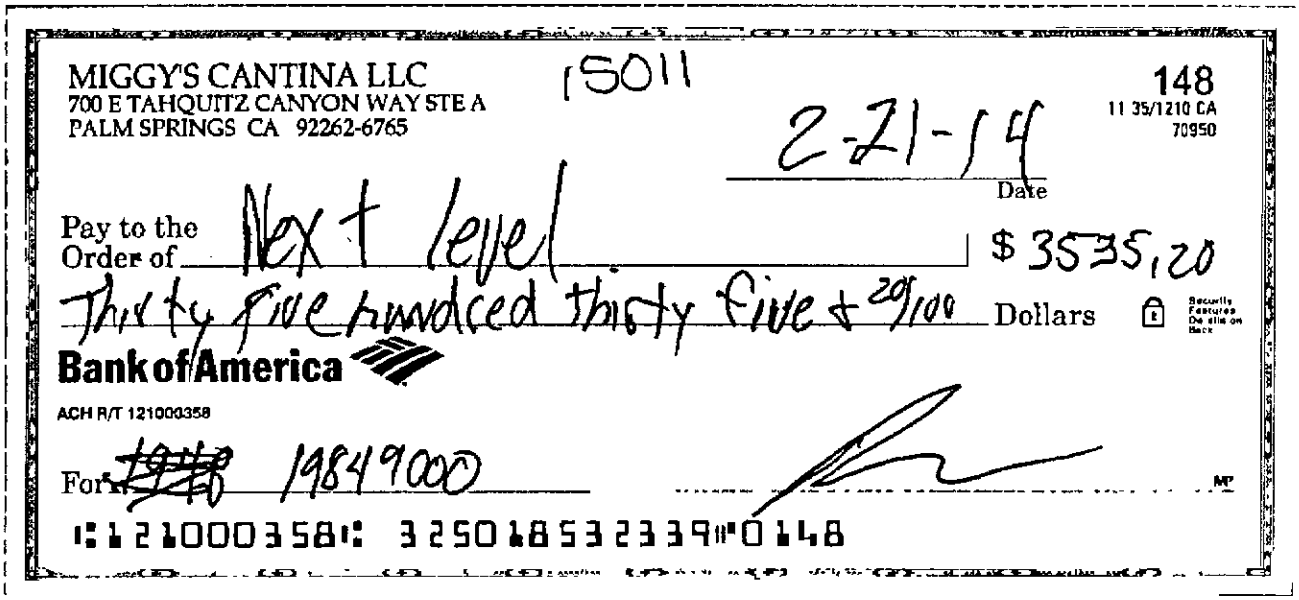
061314

000000000060844552

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	007373572533	101000695	Undetermined	N		UMB BANK, NATIONAL A
06/13/2014	009592825867	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	000007373572533	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$3,535.20	Sequence Number:	292495213
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	148



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15011

148
11 35/1210 CA
70950

2-21-14
Date

Pay to the Order of Next level $ 3535,20

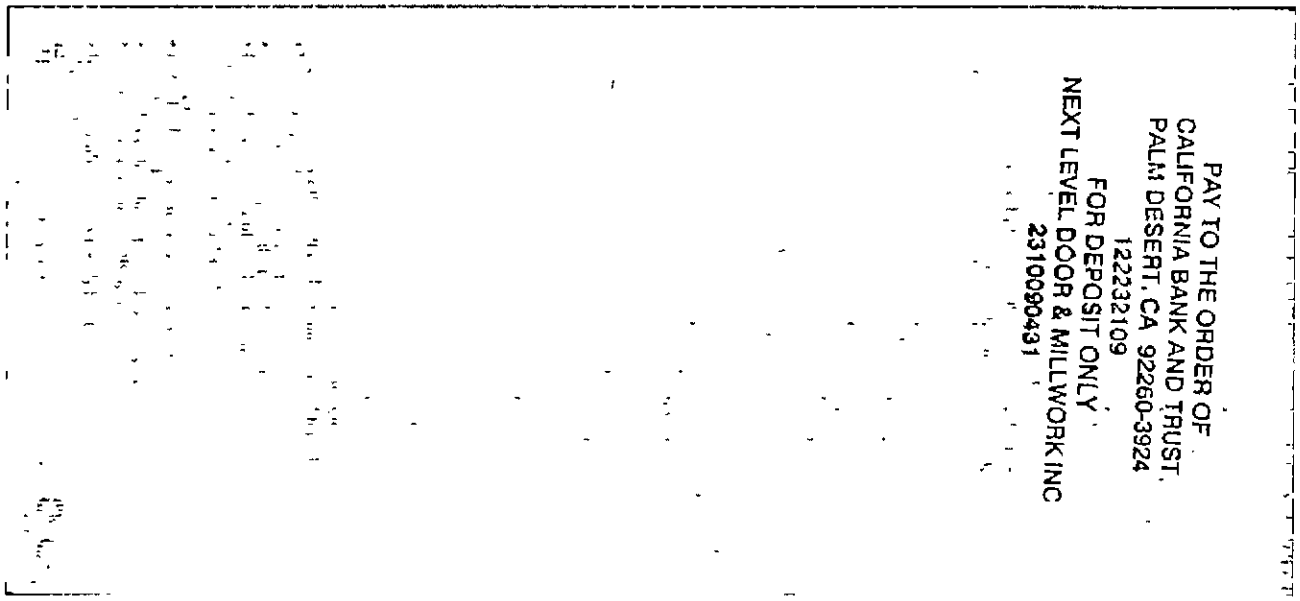
Thirty five hundred thirty five & 20/100 Dollars

Bank of America

ACH R/T 121000358

For ~~1240~~ 19849000

⑆121000358⑆ 325018532339⑈0148



PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	000000292495213	111310346	Col Bank	N		BANK OF AMERICA, NA
02/27/2014	402275353067452	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$579.34	Sequence Number:	292740023
Account:	325018532339	Capture Date:	02/03/2014
Bank Number:	12100035	Check Number:	129

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

129
11-35/1210 CA
70950

1-27-14
Date

Pay to the Order of Sign a Rama $579.34

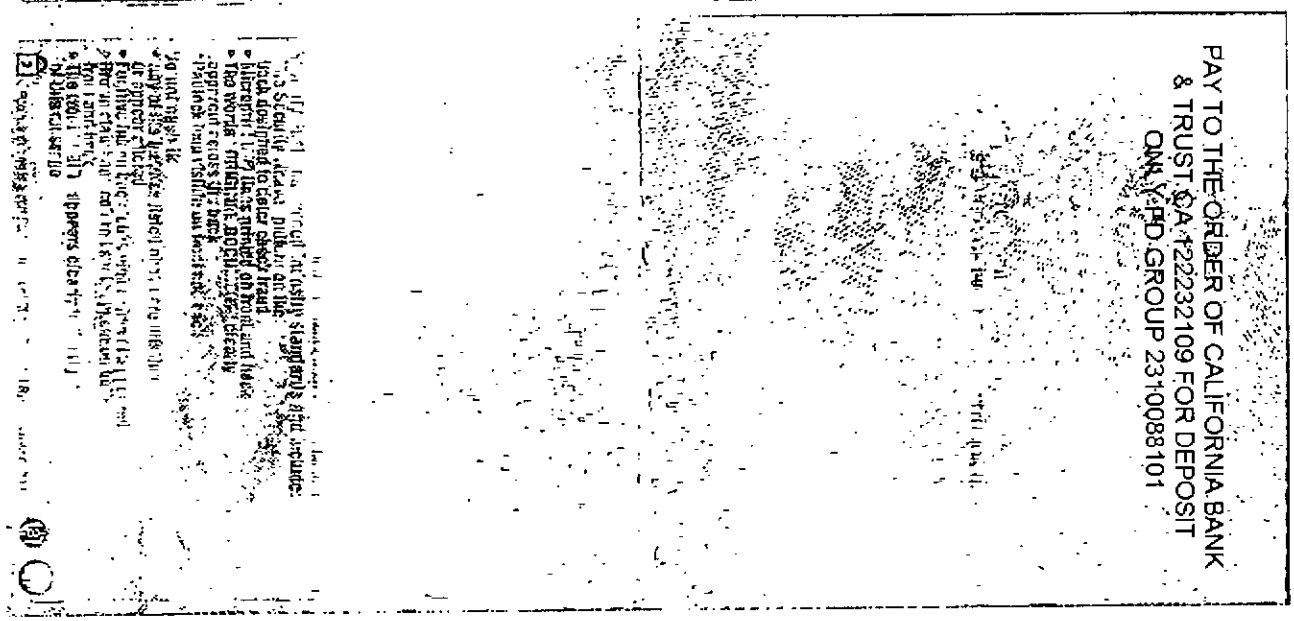
Five hundred Seventy nine & 34/100 Dollars

Bank of America

ACH R/T 121000358

For RM10

⑆121000358⑆ 325018532339⑈0129



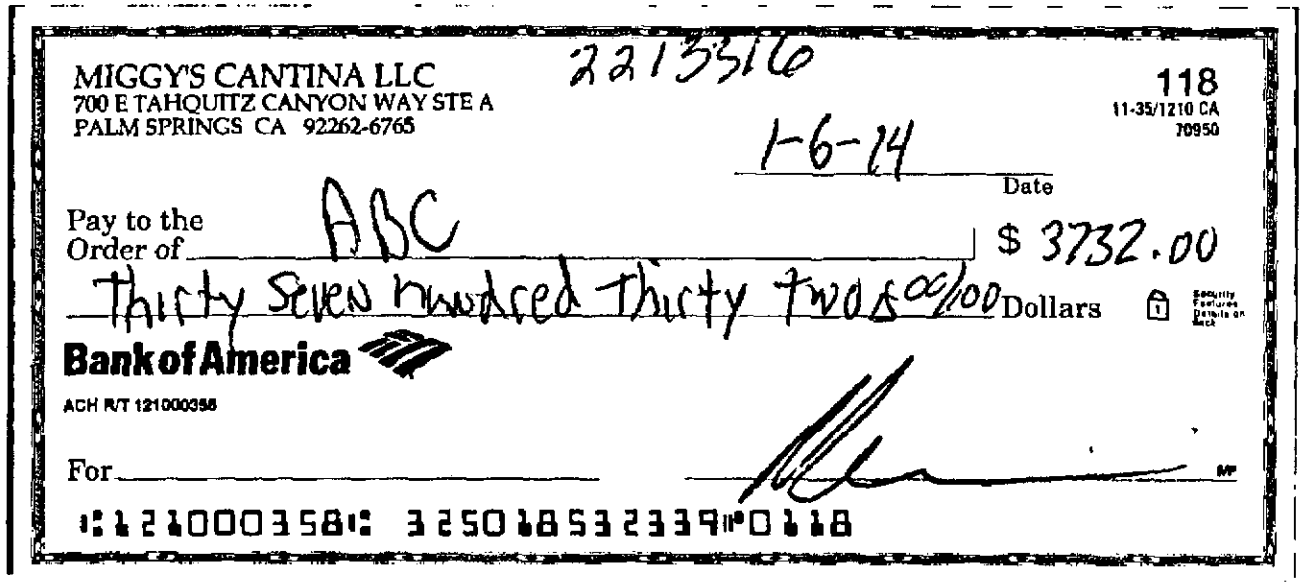
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/03/2014	000000292740023	111310346	Col Bank	N		BANK OF AMERICA, NA
02/01/2014	401315353081767	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount: $3,732.00 Sequence Number: 892195180

Account: 325018532339 Capture Date: 02/06/2014

Bank Number: 12100035 Check Number: 118



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

2213516

118
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of ABC $ 3732.00

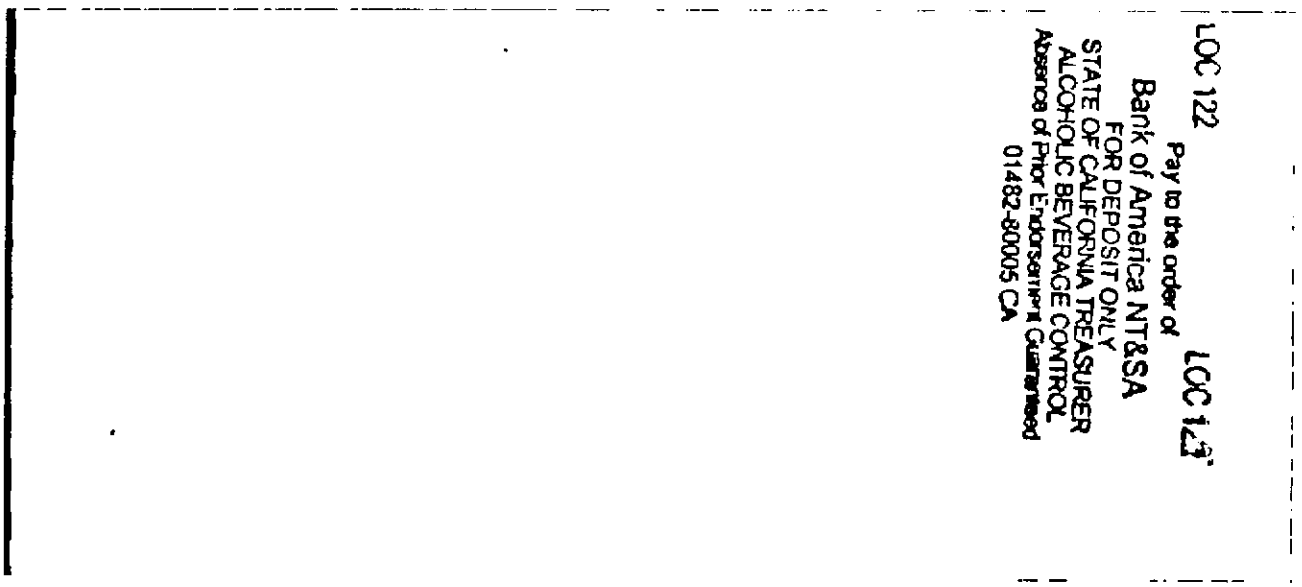
Thirty Seven hundred Thirty two & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0118



LOC 122

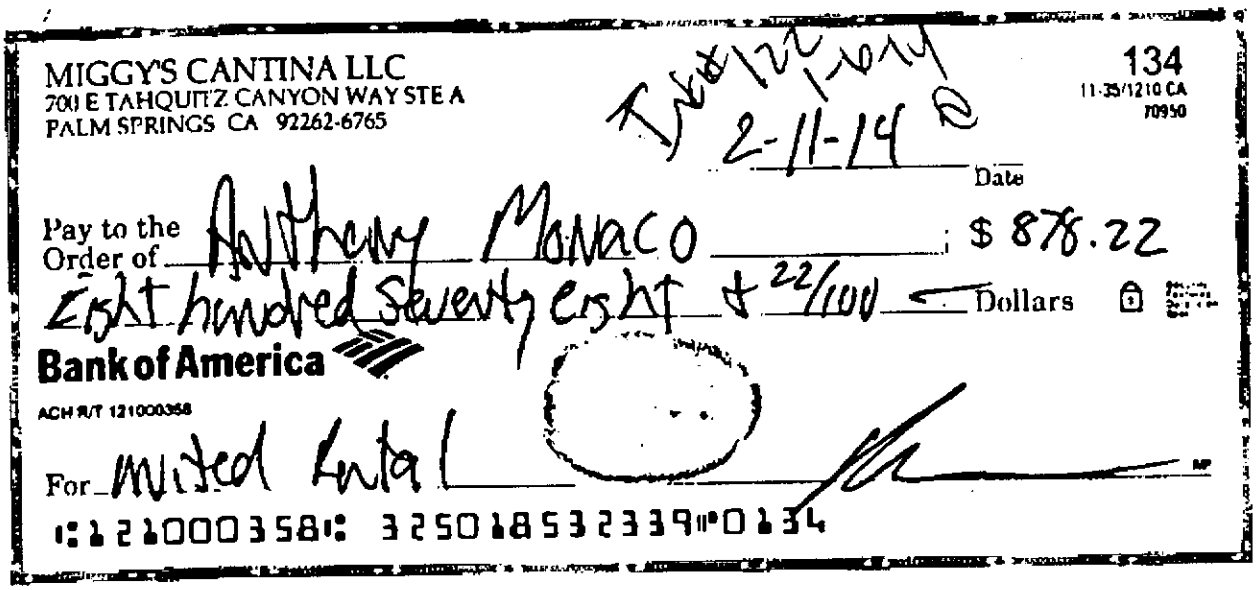
Pay to the order of
Bank of America NT&SA
FOR DEPOSIT ONLY
STATE OF CALIFORNIA TREASURER
ALCOHOLIC BEVERAGE CONTROL
Absence of Prior Endorsement Guaranteed
01482-80005 CA

LOC 123

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/06/2014	000000892195180	111310346	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$878.22	Sequence Number:	3642378437
Account:	325018532339	Capture Date:	02/21/2014
Bank Number:	12100035	Check Number:	134



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

134
11-35/1210 CA
70950

Dec 12-2013
2-11-14
Date

Pay to the Order of Anthony Monaco $ 878.22

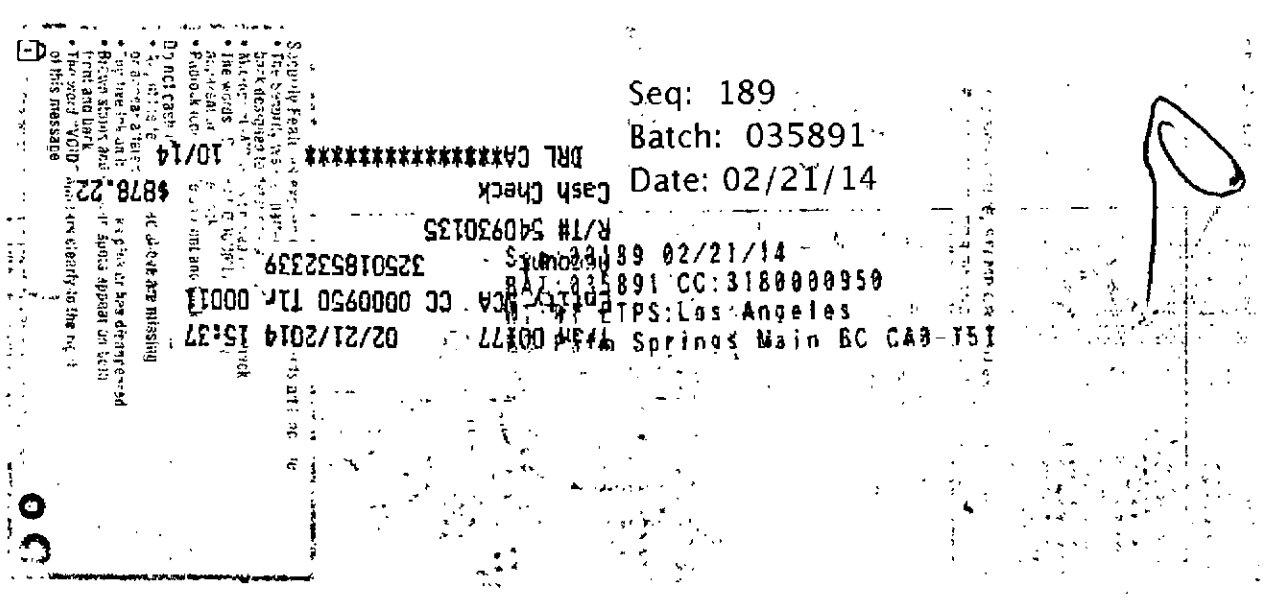
Eight hundred Seventy eight & 22/100 Dollars

Bank of America

ACH R/T 121000358

For Mixed Rental

⑈121000358⑈ 325018532339⑈0134



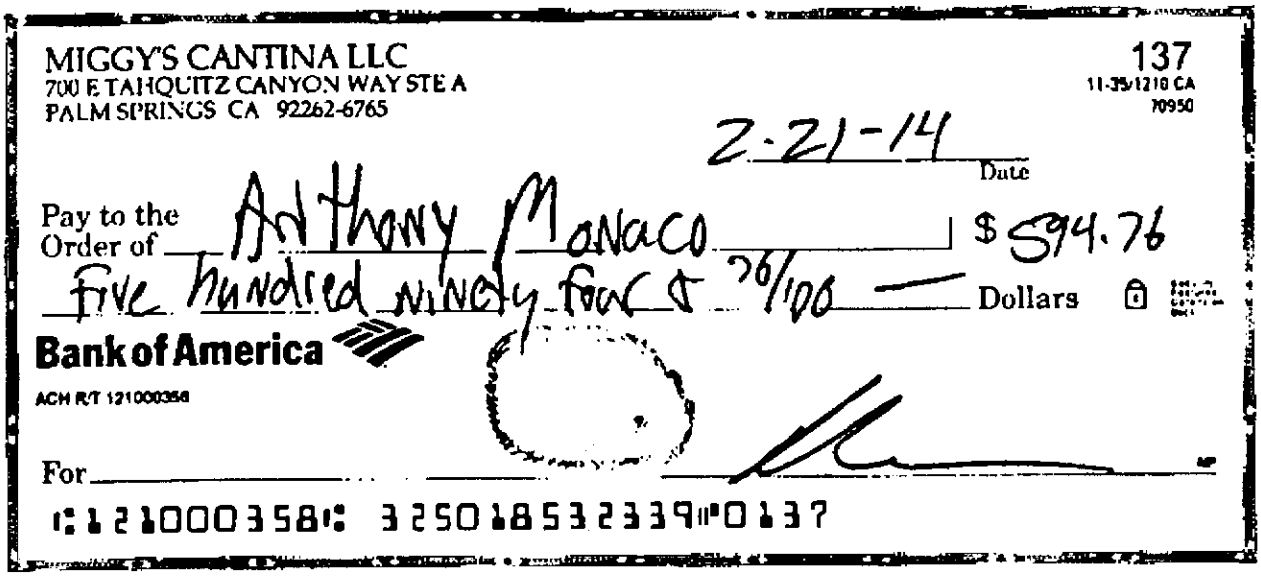
Seq: 189
Batch: 035891
Date: 02/21/14

DRL CA********** 10/14
Cash Check
R/T# 540930135
$878.22
325018532339
Sequence: 189 02/21/14
BAT: 035891 CC:3180000950
ETPS:Las Angeles
Springs Main BC CA8-T51
02/21/2014 15:37
CC 00009750 TLR 00013

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/21/2014	3642378437	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$594.76	Sequence Number:	3642378438
Account:	325018532339	Capture Date:	02/21/2014
Bank Number:	12100035	Check Number:	137



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

137
11-35/1210 CA
70950

2-21-14
Date

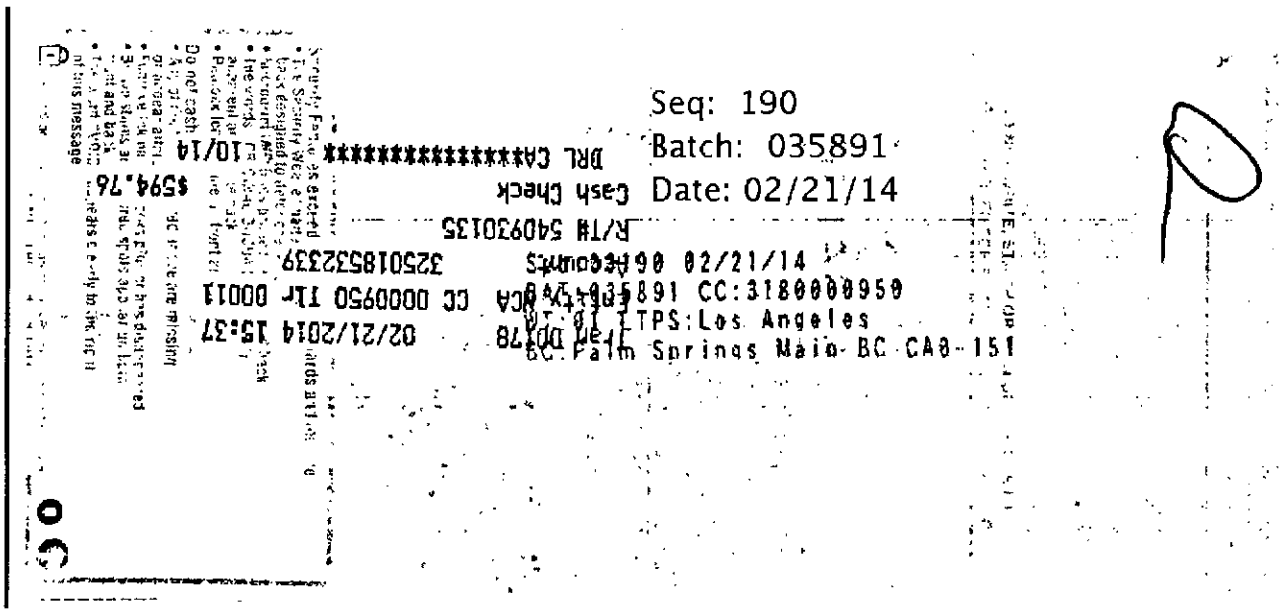
Pay to the Order of Anthony Monaco $ 594.76

Five hundred ninety four & 76/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0137



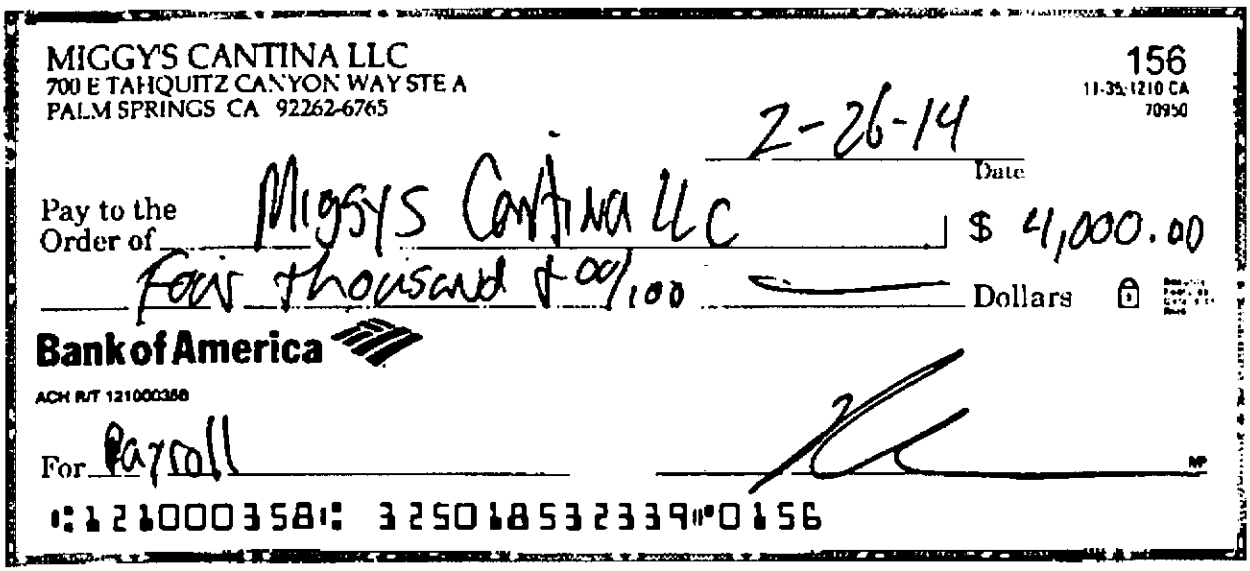
Seq: 190
Batch: 035891
Date: 02/21/14

Cash Check
$594.76
10/14
02/21/2014 15:37
CC 00009950 ILr 00013
TPS:Los Angeles
Palm Springs Main BC CA0-151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/21/2014	3642378438	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$4,000.00	Sequence Number:	4042119007
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	156



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

156
11-35-1210 CA
70950

2-26-14
Date

Pay to the Order of Miggys Cantina LLC $ 4,000.00

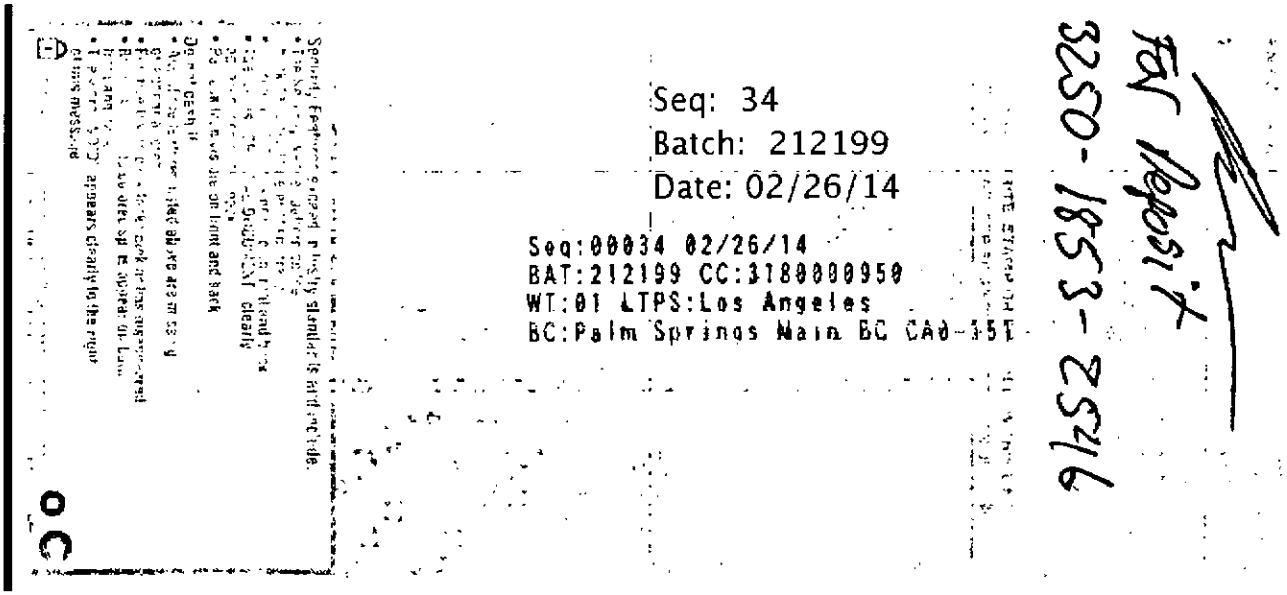
Four Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Payroll

⑆121000358⑆ 325018532339⑈0156



Seq: 34
Batch: 212199
Date: 02/26/14

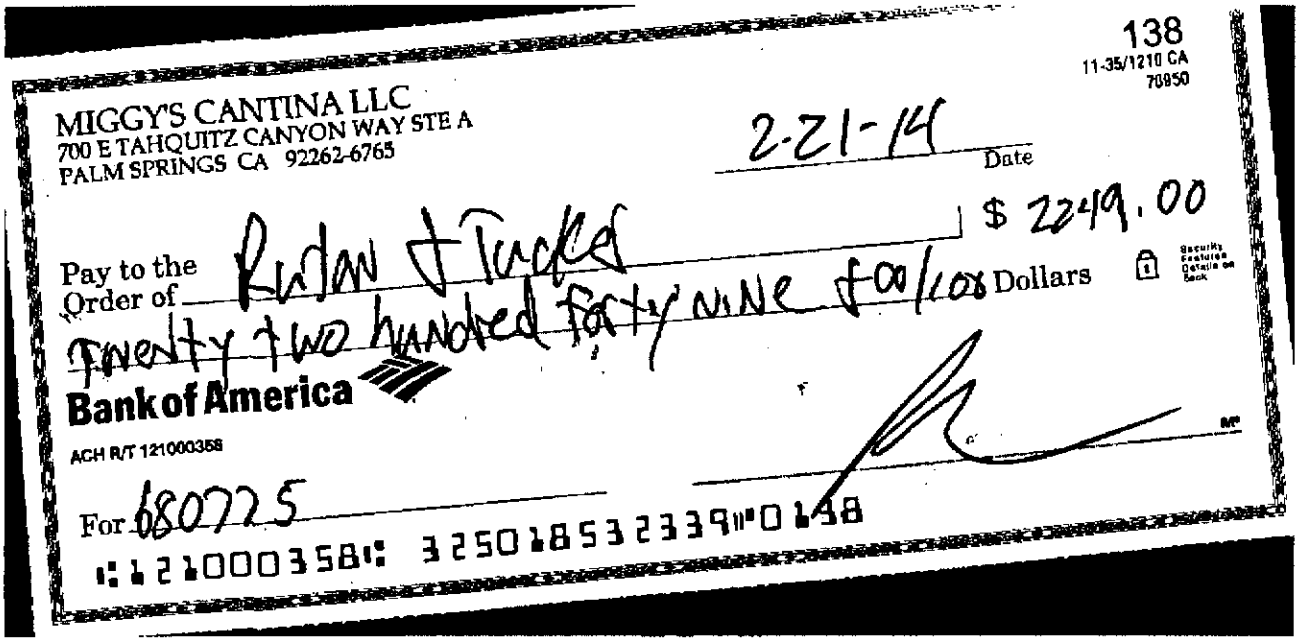
Seq:00034 02/26/14
BAT:212199 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC CA0-151

For Deposit
325018532519

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	4042119007	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,249.00	Sequence Number:	5192653921
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	0



138
11-35/1210 CA
70950

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

2-21-14
Date

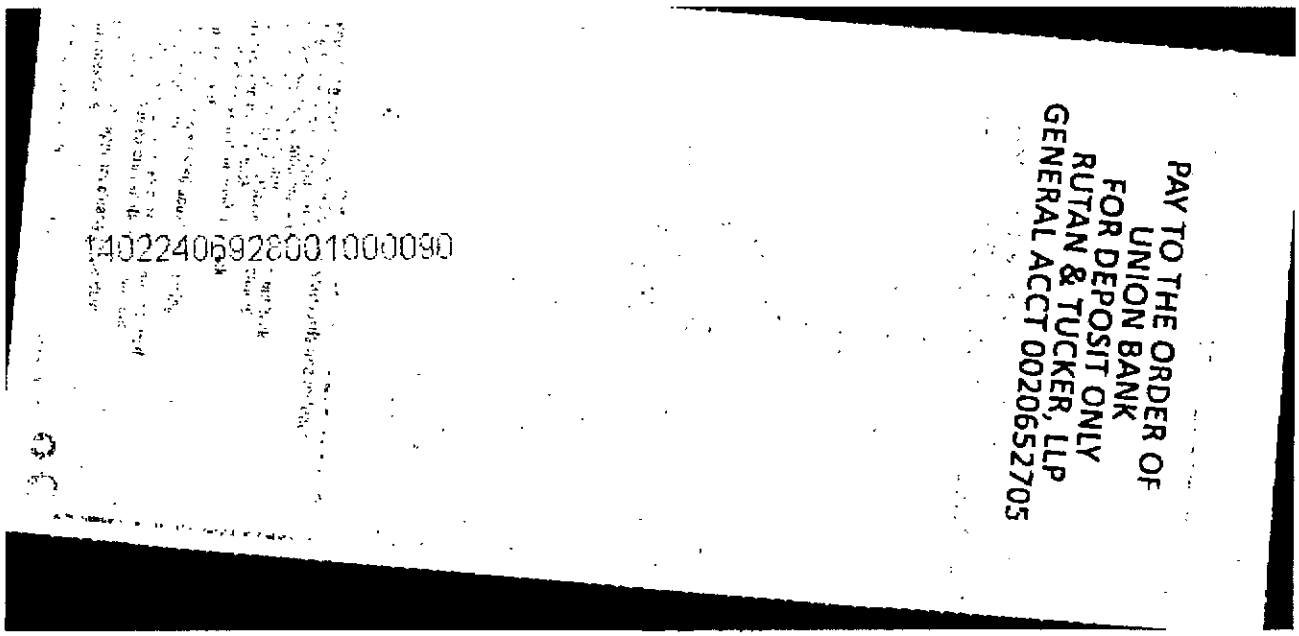
Pay to the Order of Rutan & Tucker
$ 2249.00
Twenty two hundred forty nine 00/100 Dollars

Bank of America

ACH R/T 121000358

For 680725

⑆121000358⑆ 325018532339⑈0138



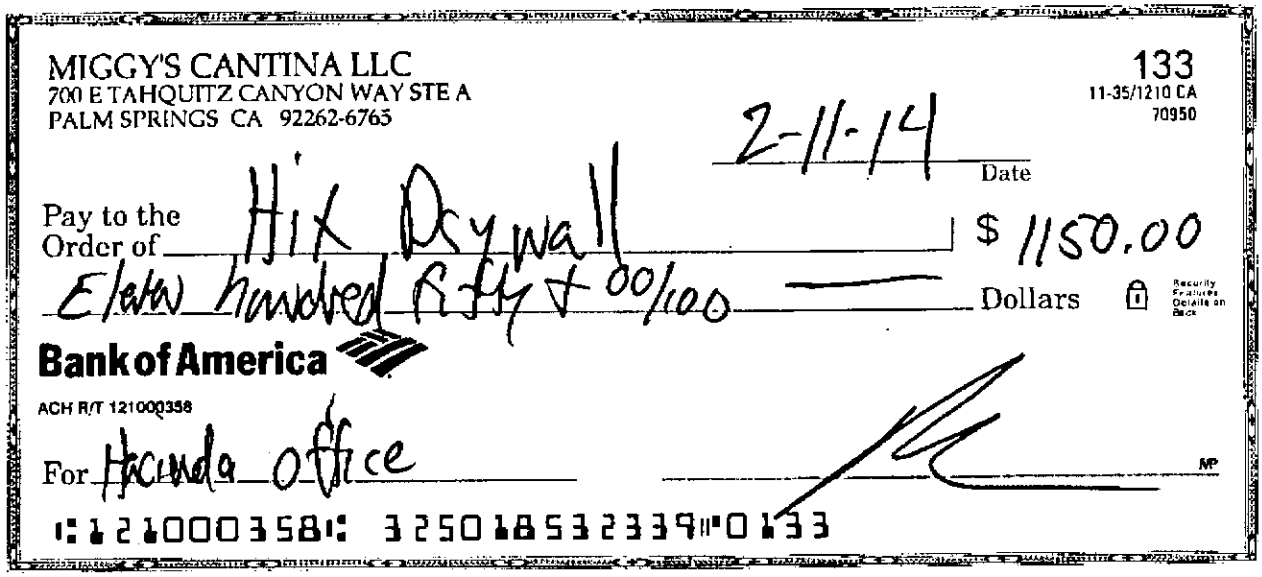
1402240692800100090

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	005192653921	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	4477128533	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,150.00	Sequence Number:	8192261807
Account:	325018532339	Capture Date:	02/12/2014
Bank Number:	12100035	Check Number:	133



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

133
11-35/1210 CA
70950

2-11-14
Date

Pay to the Order of Hix Drywall
$ 1150.00
Eleven hundred fifty & 00/100 Dollars

Security Features Details on Back

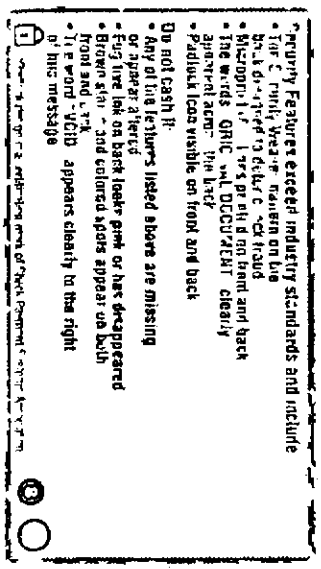
Bank of America

ACH R/T 121000358

For Hacienda office

MP

⑆121000358⑆ 325018532339⑈0133



Security Features exceed industry standards and include
• Toner Cartridge Heaven on the
Back designed to deter check fraud
• Microprinting - lines printed on front and back
• The words ORIGINAL DOCUMENT clearly
appear on the back
• Padlock icon visible on front and back
Do not cash if:
• Any of the features listed above are missing
or appear altered
• Fugitive ink on back looks green or has disappeared
• Brown stain and colored spots appear on both
front and back
• The word VOID appears clearly to the right
of this message

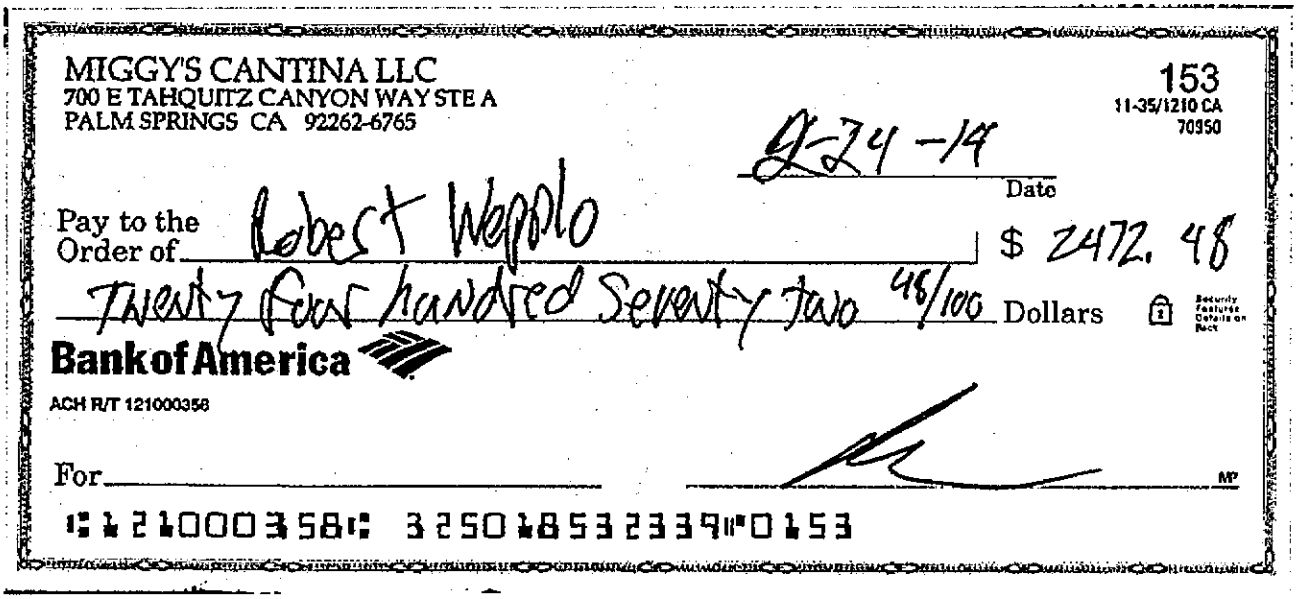
>322285781<
Pacific Premier BK #015
2014-02-12
0015714035

0015714035

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/12/2014	000008233094579	91000019	Undetermined	N		WELLS FARGO BANK, NA
02/12/2014	008192261807	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/12/2014	907355015714035	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$2,472.48	Sequence Number:	8192503446
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	153



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

153
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Robert Wepplo $ 2472.48

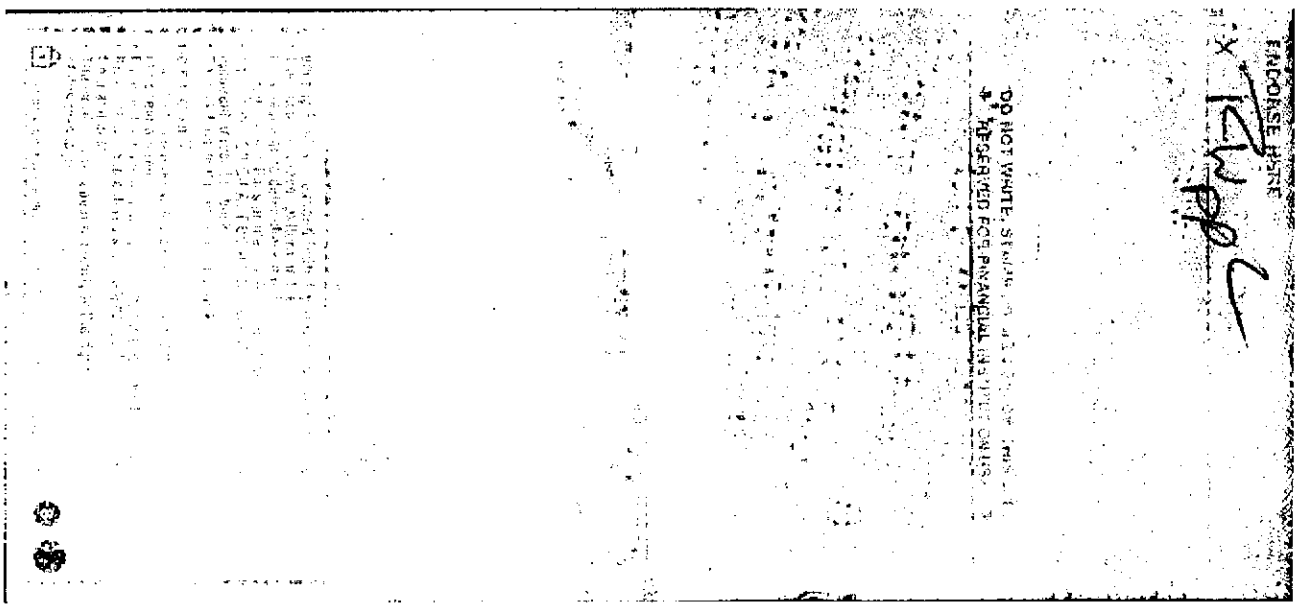
Twenty four hundred Seventy two 48/100 Dollars

Bank of America

ACH R/T 121000358

For

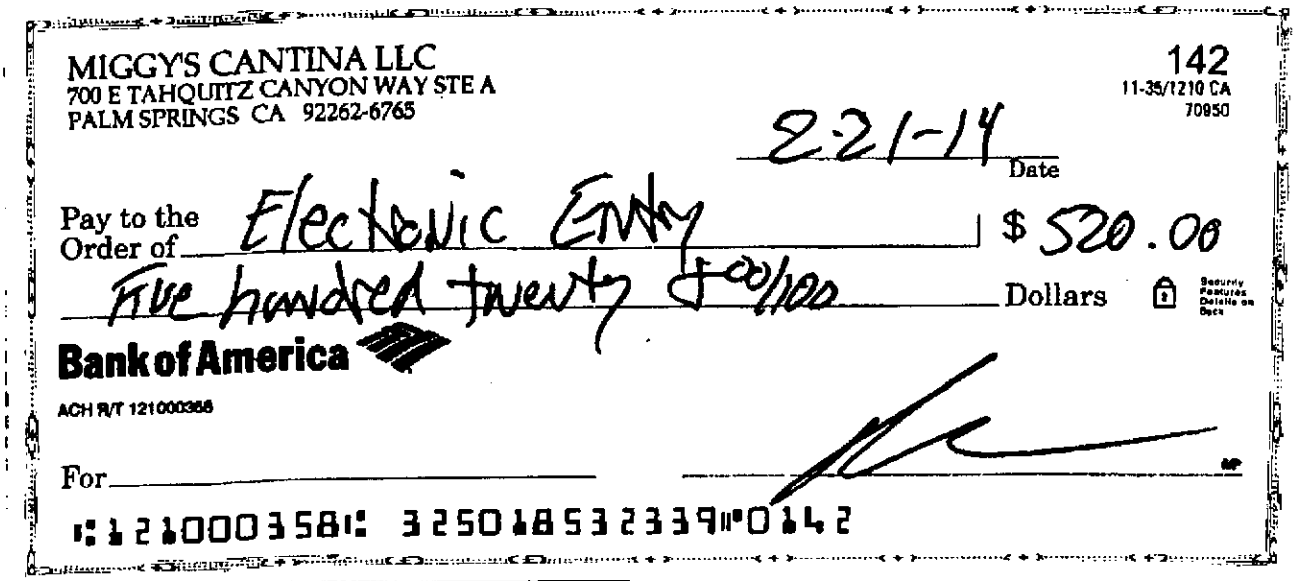
⑆121000358⑆ 325018532339⑈0153



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	008192503446	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	000000481591909	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$520.00	Sequence Number:	8292201404
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	142



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

142
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Electronic Entry $ 520.00

Five hundred twenty & 00/100 Dollars

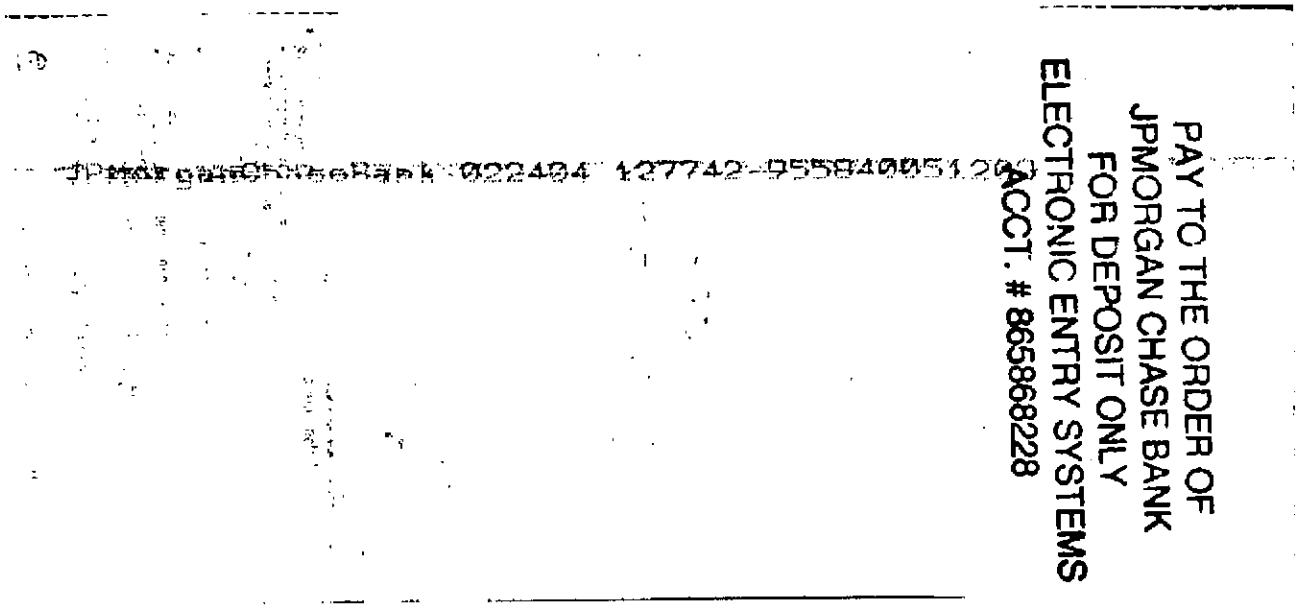
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0142

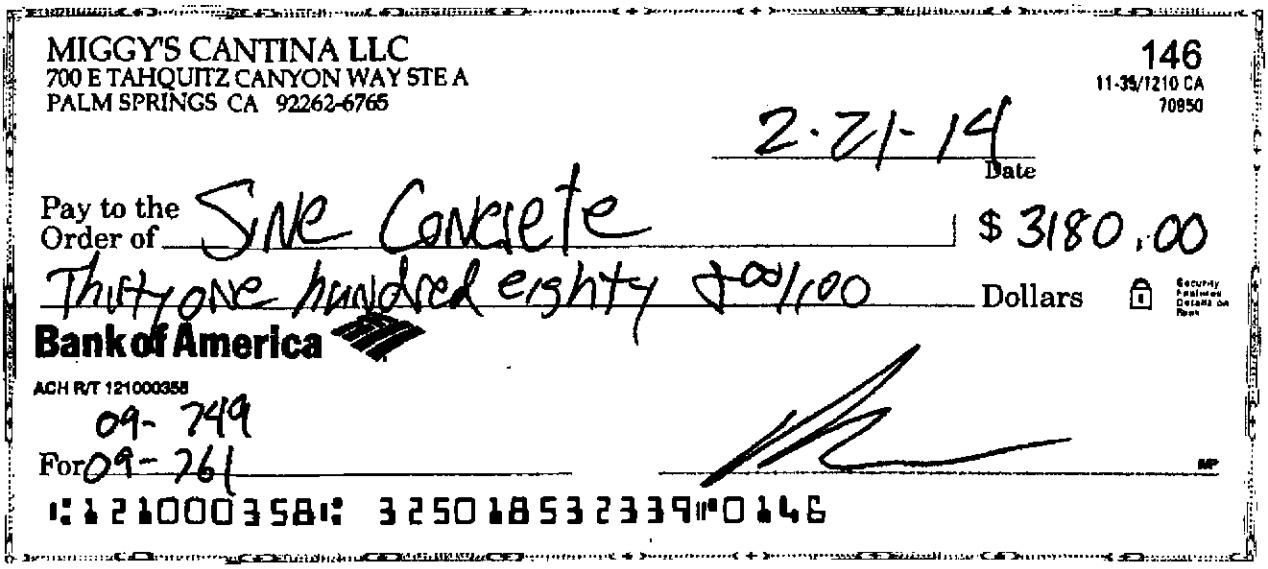


PAY TO THE ORDER OF
JPMORGAN CHASE BANK
FOR DEPOSIT ONLY
ELECTRONIC ENTRY SYSTEMS
ACCT. # 865868228

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	3590231716	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/24/2014	008292201404	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,180.00	Sequence Number:	8292470915
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	146



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

146
11-35/1210 CA
70850

2-21-14
Date

Pay to the Order of SNE Concrete $ 3180.00

Thirty one hundred eighty and 00/100 Dollars

Bank of America

ACH R/T 121000358

09-749
For 09-261

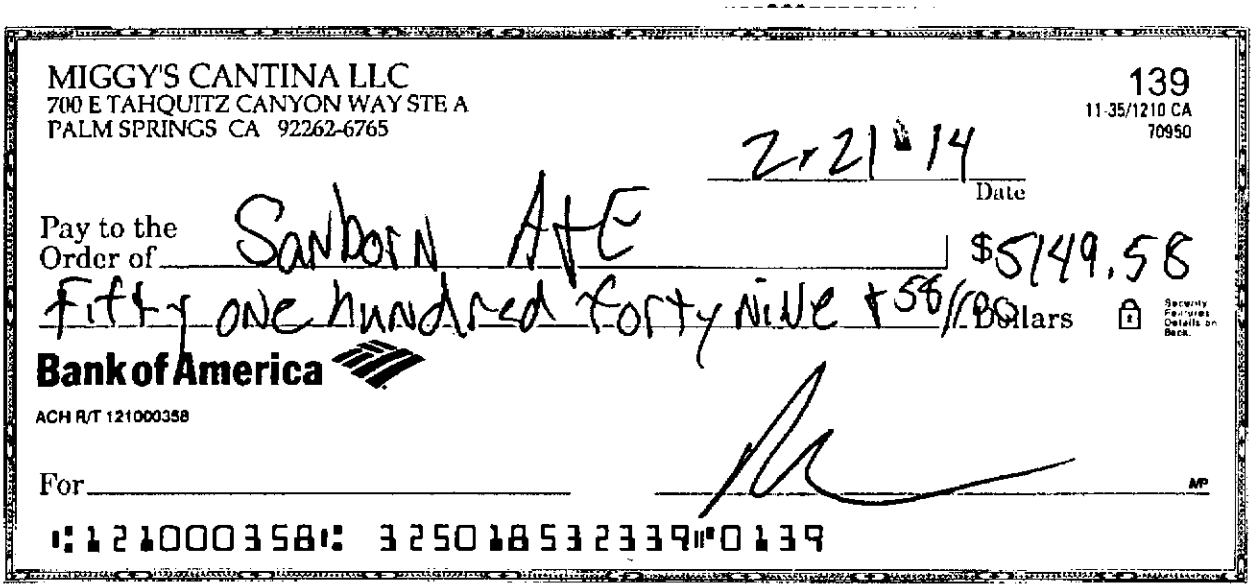
⑆121000358⑆ 325018532339⑈0146

FOR DEPOSIT ONLY
SNE CONCRETE INC.
3170246471

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	3270904893	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/24/2014	008292470915	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$5,149.58	Sequence Number:	8392702620
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	139



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

139
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of SANBORN A/E $5149.58

Fifty one hundred forty nine + 58/100 Dollars

Security Features Details on Back.

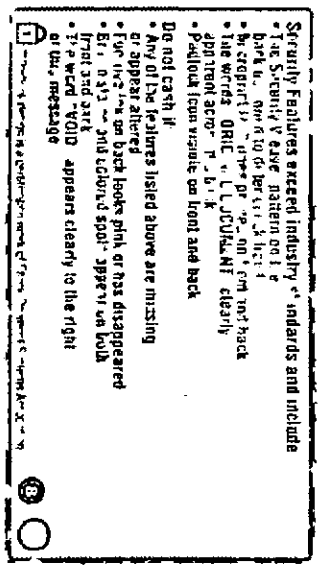
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0139



Security Features exceed industry standards and include
• The Security Save pattern on the back
• Microprinting around the payee line and back
• The words ORIGINAL DOCUMENT clearly appear across the back
• Padlock icon visible on front and back
Do not cash if:
• Any of the features listed above are missing
or appear altered
• The "Void" on back looks pink or has disappeared
• Erasures or discoloration spots appear on both front and back
• The word "VOID" appears clearly in the message

>322285781<
Pacific Premier BK #015
2014-02-24
0015121007

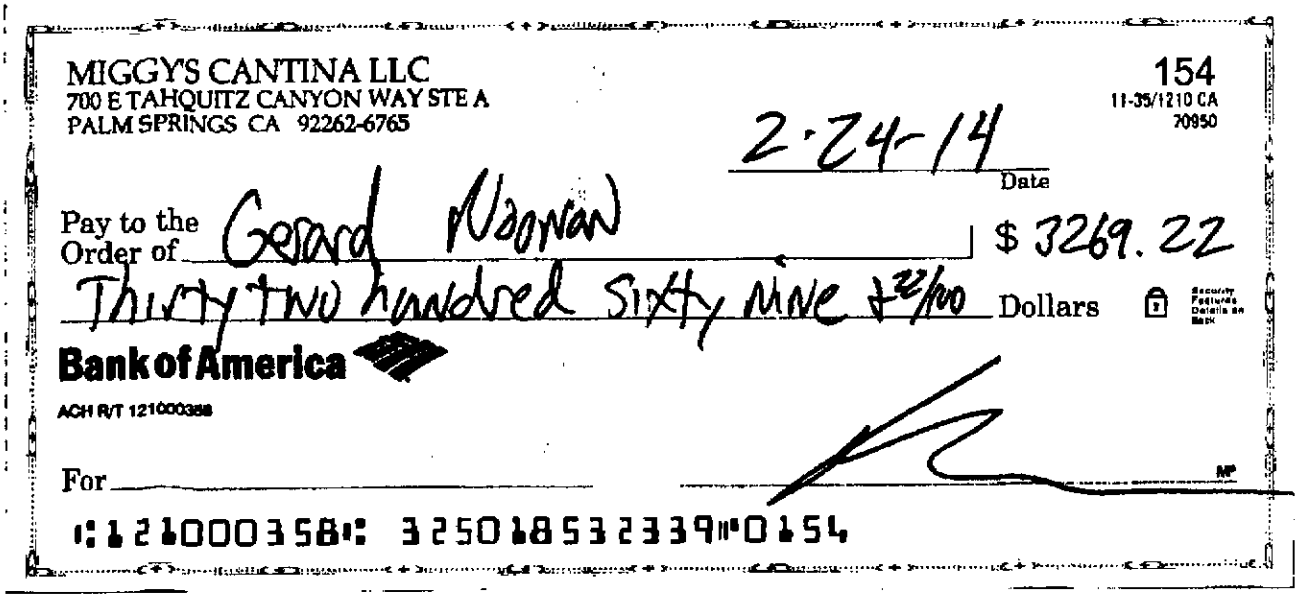
0015121007

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
322285781
FOR DEPOSIT ONLY
SANBORN A/E, INC.
1510032497

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008392702620	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	000008433513851	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/24/2014	907355015121007	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$3,269.22	Sequence Number:	8492615415
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	154



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

154
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Gerard Noonan $ 3269.22

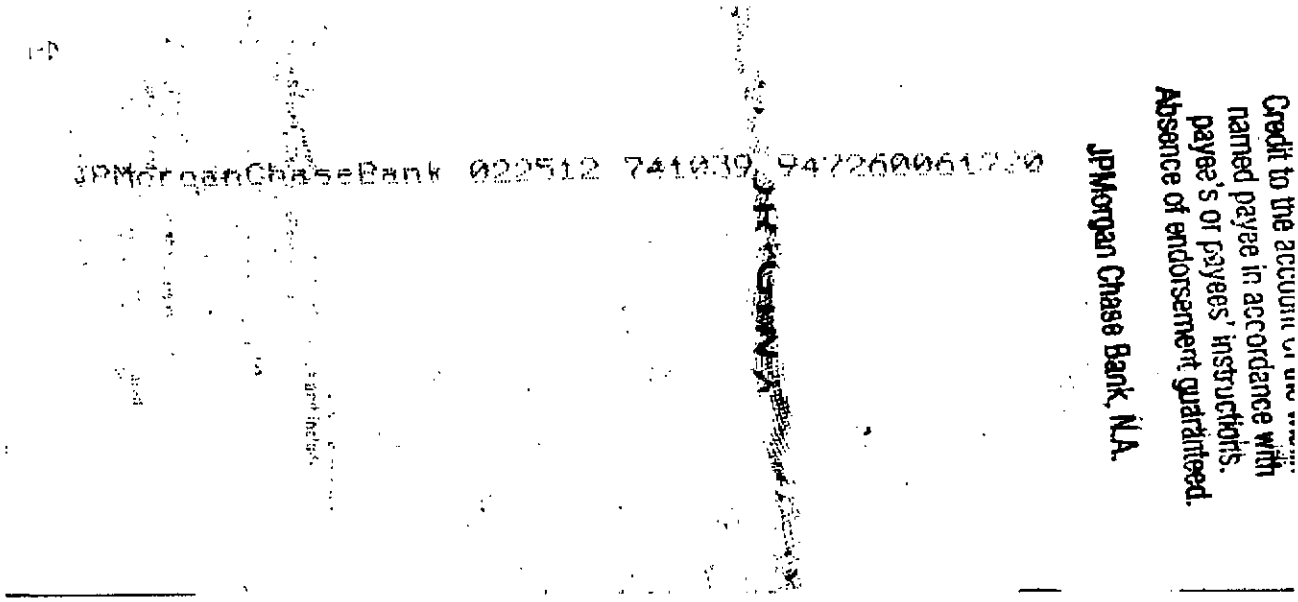
Thirty two hundred Sixty Nine 22/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0154



JPMorganChaseBank 022512 741039 94726906172

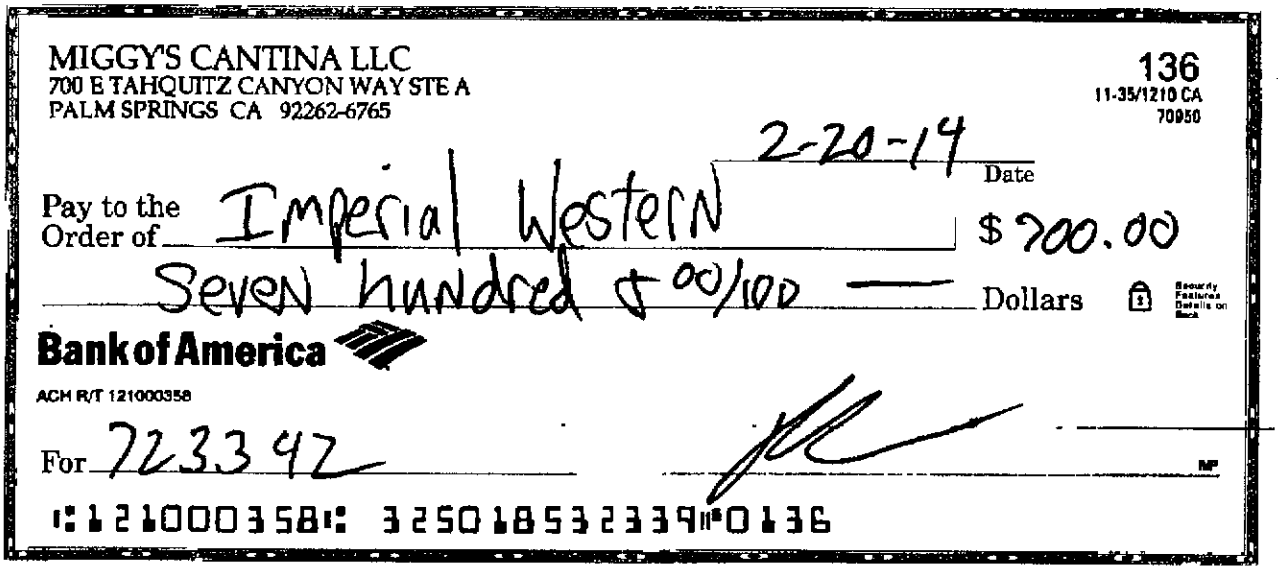
Credit to the account of the within named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008492615415	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/25/2014	3580276749	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$700.00	Sequence Number:	8592019331
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	136



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

136
11-35/1210 CA
70950

2-20-14
Date

Pay to the Order of Imperial Western $ 700.00

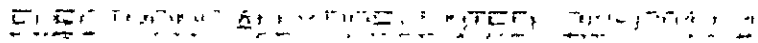
Seven hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 723342

⑆121000358⑆ 325018532339⑈0136

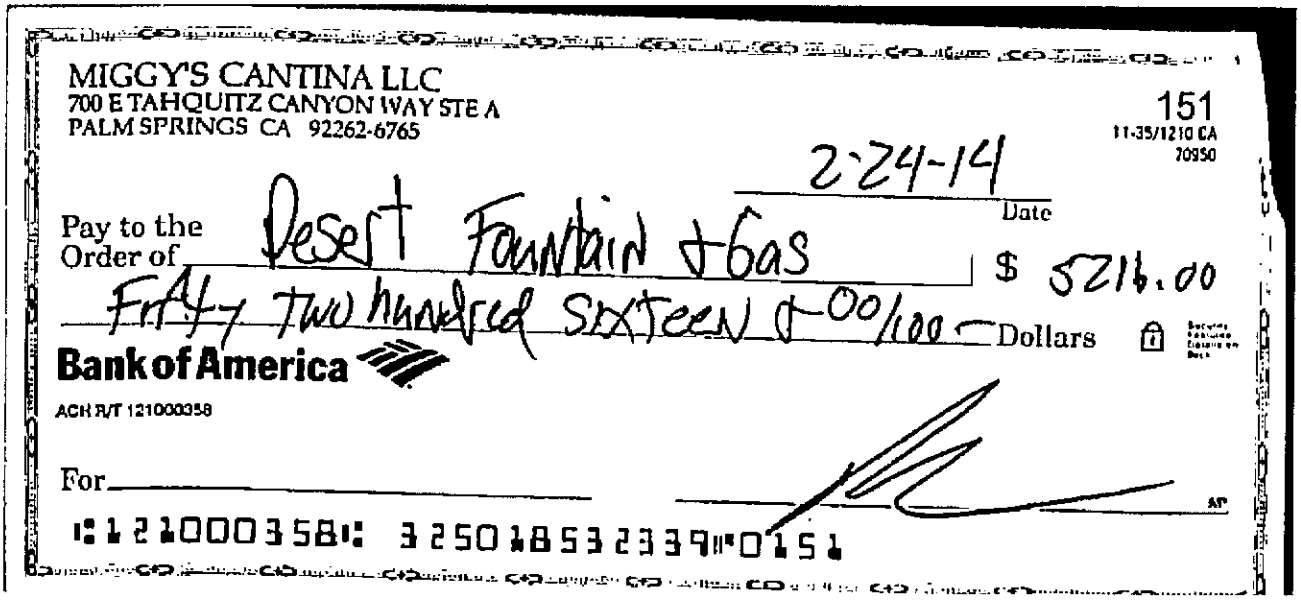


PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
121000248
FOR DEPOSIT ONLY
IMPERIAL WESTERN PRODUCTS
4747718288

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008592019331	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/25/2014	000000384077051	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$5,216.00	Sequence Number:	8692640946
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	151



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

151
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Desert Fountain Gas $ 5216.00

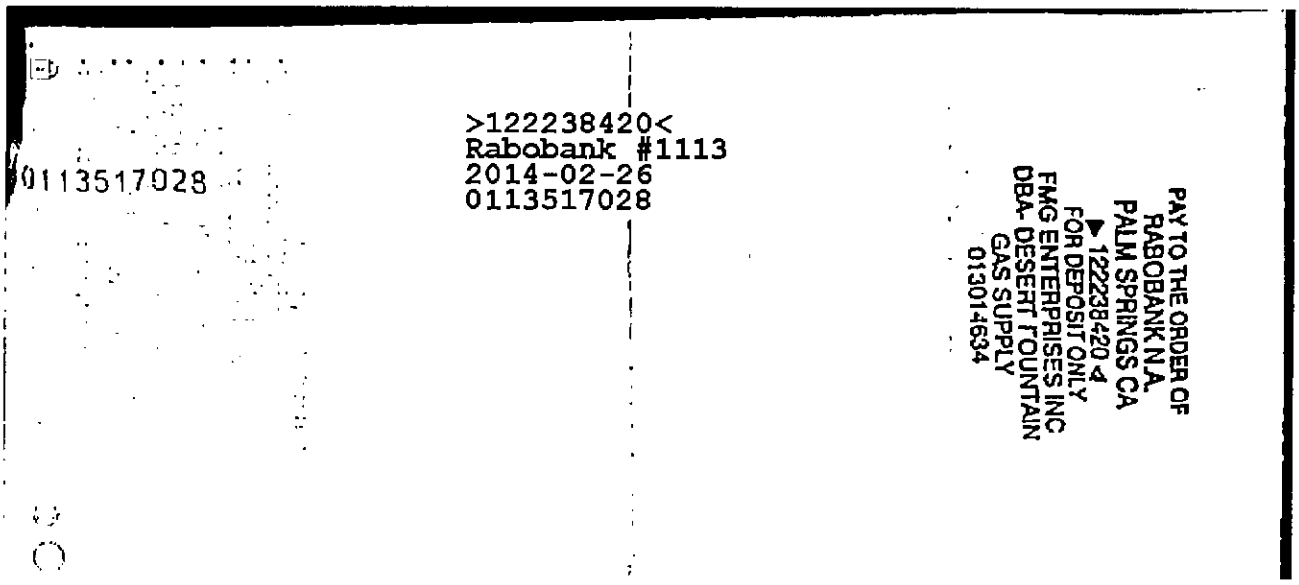
Five Thousand two hundred sixteen & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0151



0113517028

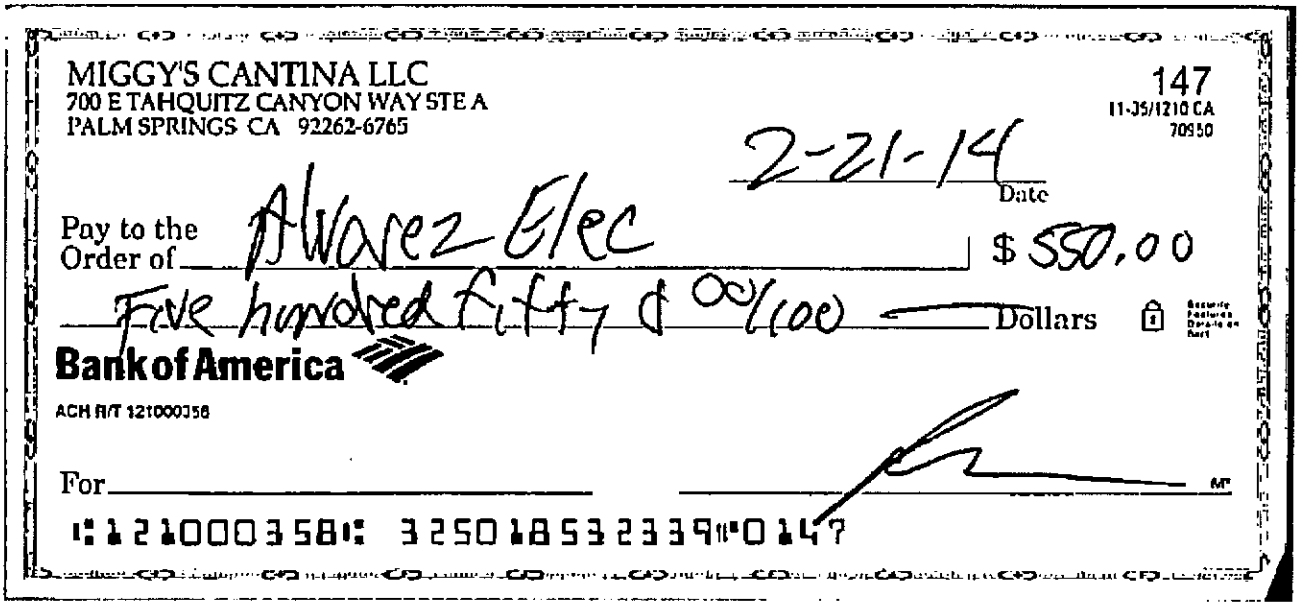
>122238420<
Rabobank #1113
2014-02-26
0113517028

PAY TO THE ORDER OF
RABOBANK N.A.
PALM SPRINGS CA
▼122238420▲
FOR DEPOSIT ONLY
FMG ENTERPRISES INC
DBA- DESERT FOUNTAIN
GAS SUPPLY
01301-4634

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000000113517028	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
02/26/2014	000008334804938	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/26/2014	008692640946	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$550.00	Sequence Number:	8892004079
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	147



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

147
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Alvarez Elec $ 550.00

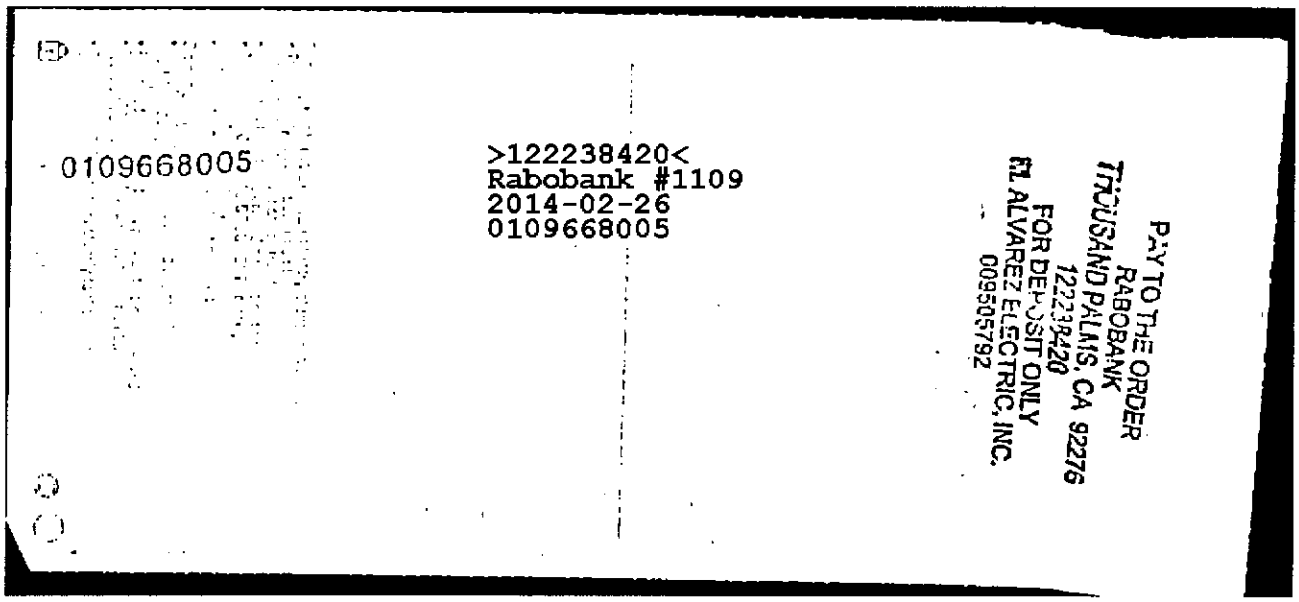
Five hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0147



0109668005

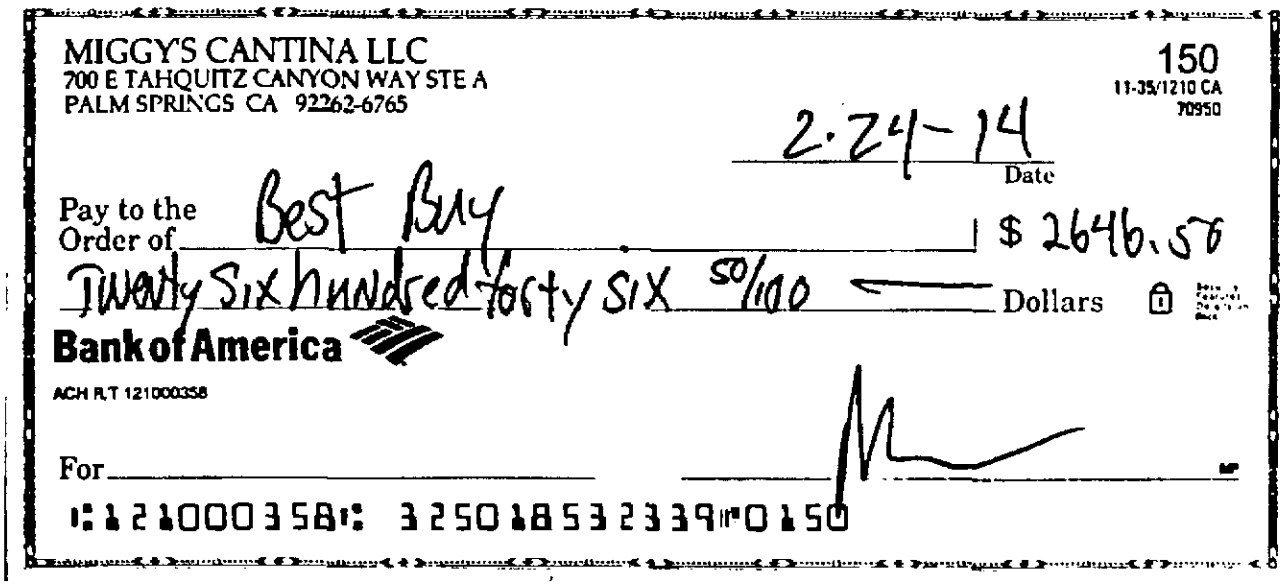
>122238420<
Rabobank #1109
2014-02-26
0109668005

PAY TO THE ORDER
RABOBANK
THOUSAND PALMS, CA 92276
122238420
FOR DEPOSIT ONLY
AL ALVAREZ ELECTRIC, INC.
009505792

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000008840142437	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/26/2014	008892004079	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/26/2014	000000109668005	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$2,646.50	Sequence Number:	8892103930
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	150



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

150
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Best Buy $ 2646.50

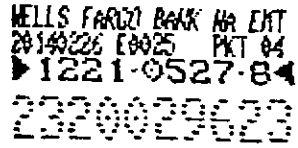
Twenty Six hundred forty six 50/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0150



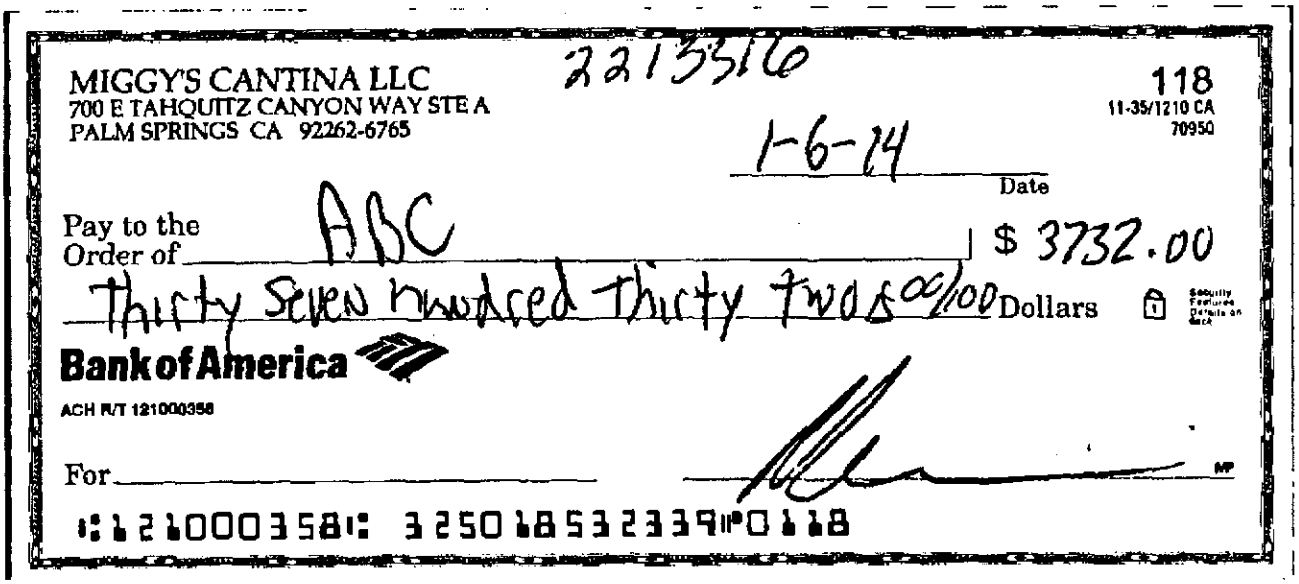
WELLS FARGO BANK NA EXT
20140226 E0025 PKT 04
▶1221-0527-8◀
23200296 23

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839463

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000002320029623	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
02/26/2014	008892103930	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,732.00	Sequence Number:	8992667697
Account:	325018532339	Capture Date:	02/07/2014
Bank Number:	12100035	Check Number:	118



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

2213516

118
11-35/1210 CA
70950

1-6-14
Date

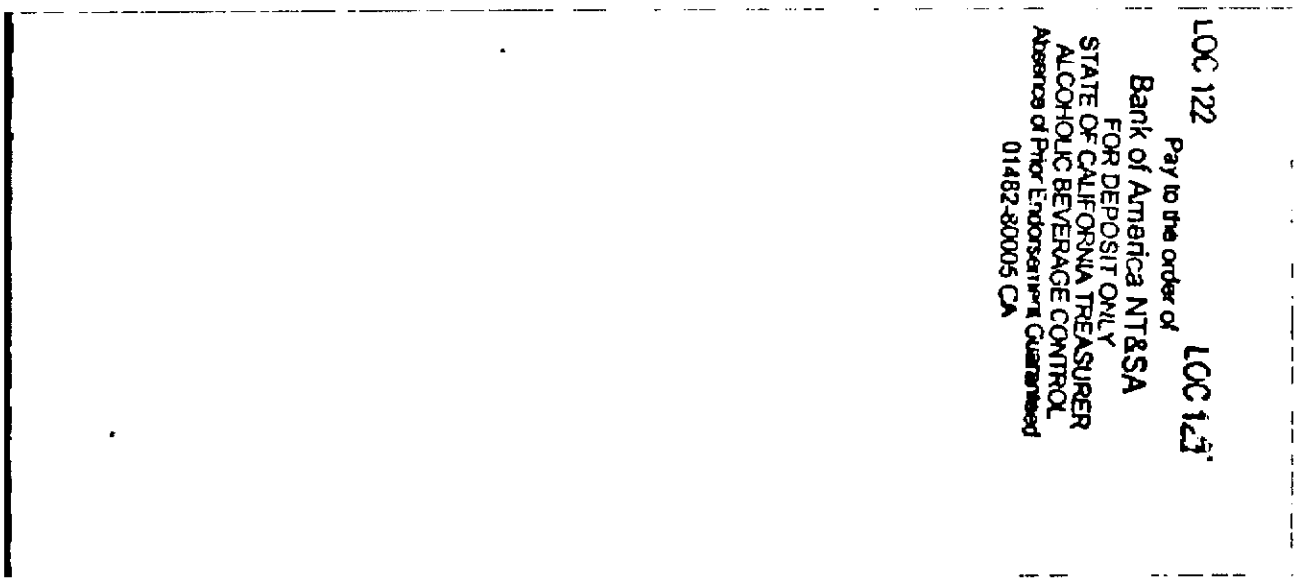
Pay to the Order of ABC $ 3732.00

Thirty Seven hundred Thirty Two & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0118



LOC 122

Pay to the order of
Bank of America NT&SA
FOR DEPOSIT ONLY
STATE OF CALIFORNIA TREASURER
ALCOHOLIC BEVERAGE CONTROL
Absence of Prior Endorsement Guaranteed
01482-80005 CA

LOC 123

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/07/2014	008992667697	111012822	Pay Bank	N		BANK OF AMERICA, NA
02/06/2014	000892195180	111012822	Rtn Loc/BOFD	N		BANK OF AMERICA, NA
02/07/2014	000892195180	111012822	Pay Bank	Y	A	BANK OF AMERICA, NA

Amount:	$20,000.00	Sequence Number:	9092308825
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	155

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

155
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Dodd

$ 20,000.00

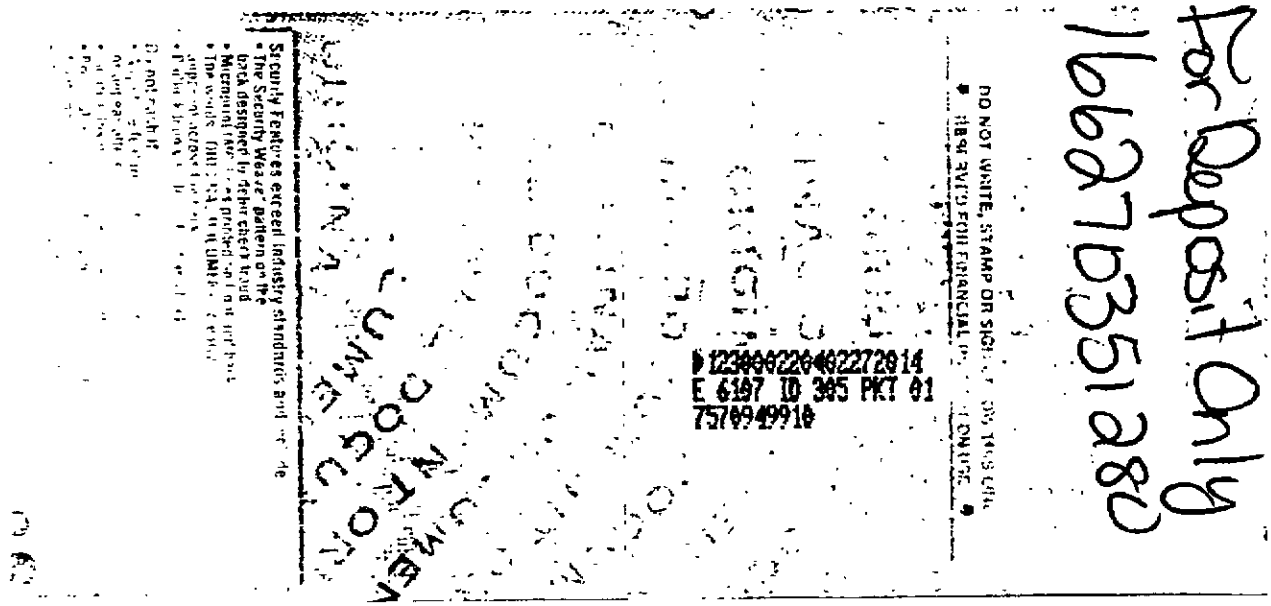
Twenty Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Loan

⑈121000358⑈ 325018532339⑈0155



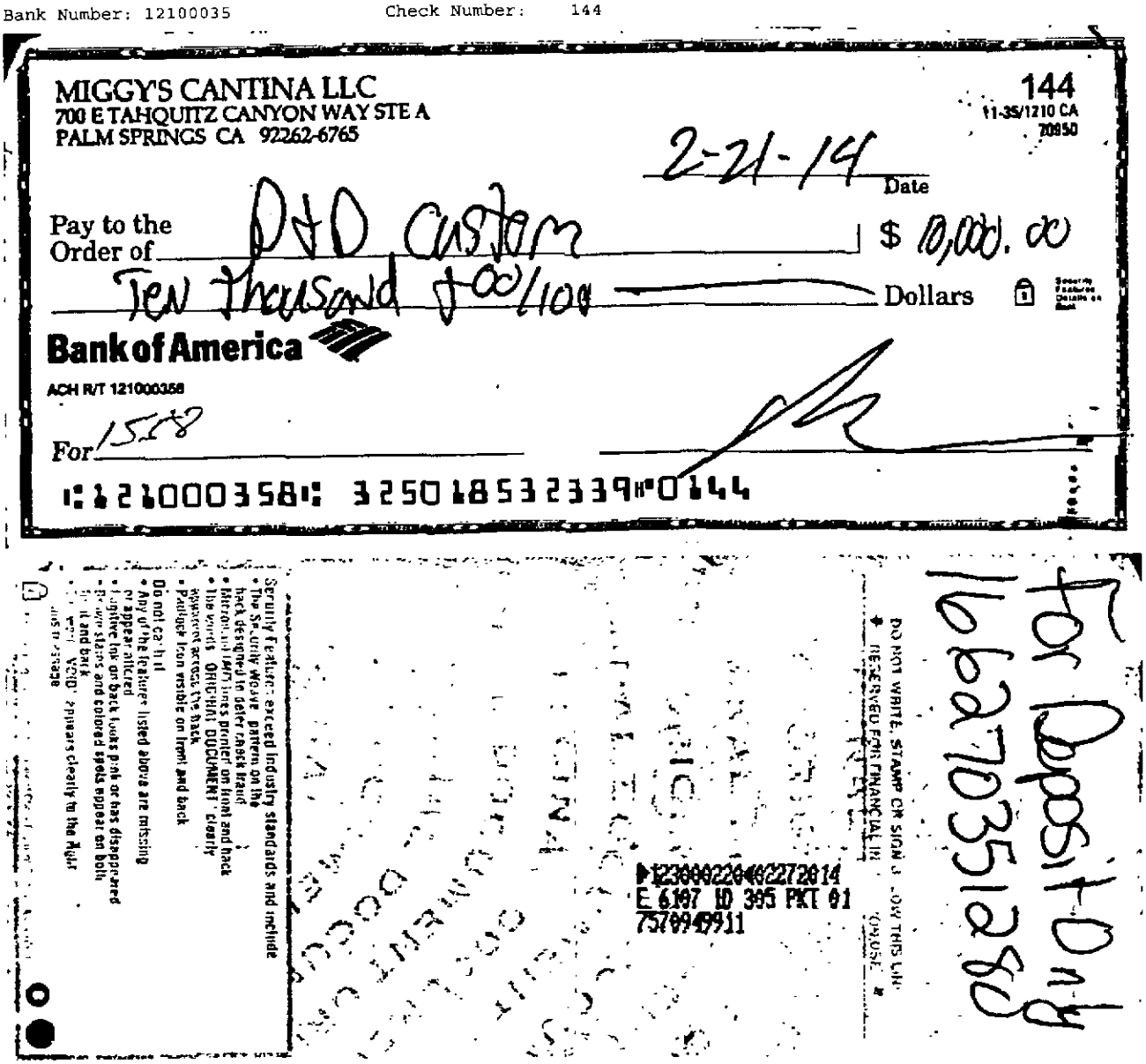
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	004191135610	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	7570949910	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/27/2014	009598654356	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135610	123000220	Undetermined	N		U.S. BANK NATIONAL A
02/28/2014	009092308825	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	009598654356	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount: $10,000.00 Sequence Number: 9092308826

Account: 325018532339 Capture Date: 02/28/2014

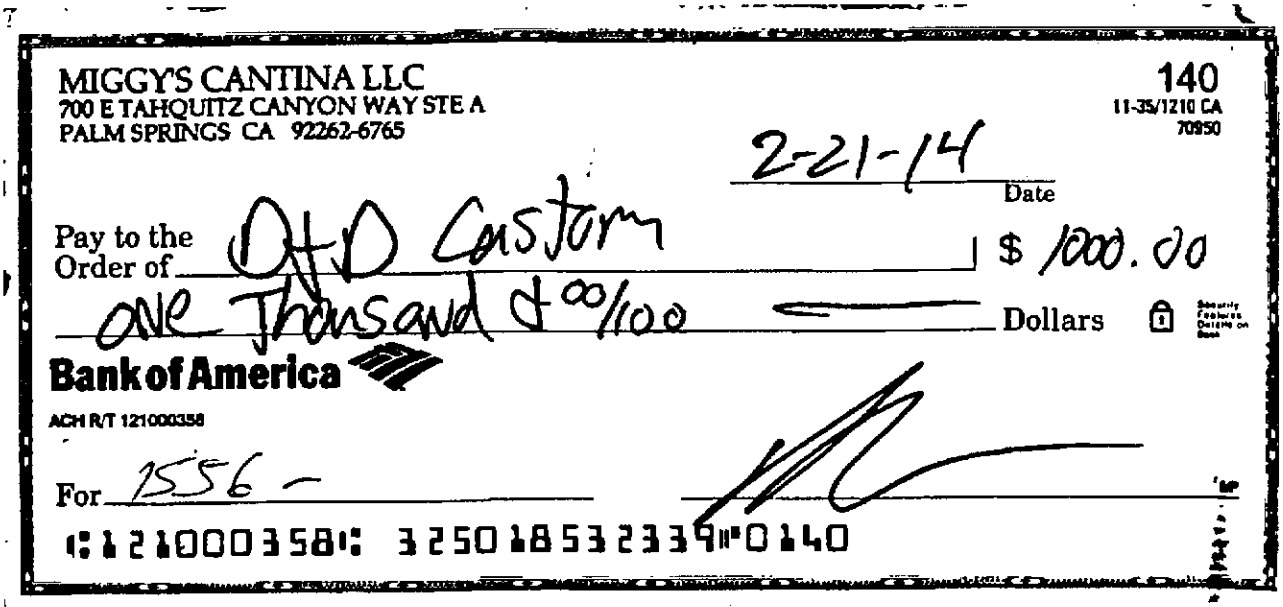
Bank Number: 12100035 Check Number: 144



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	009598654357	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	009598654357	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/28/2014	009092308826	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	7570949911	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/27/2014	004191135611	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135611	123000220	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$1,000.00	Sequence Number:	9092308827
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	140



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

140
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of: OTD Custom
$ 1000.00

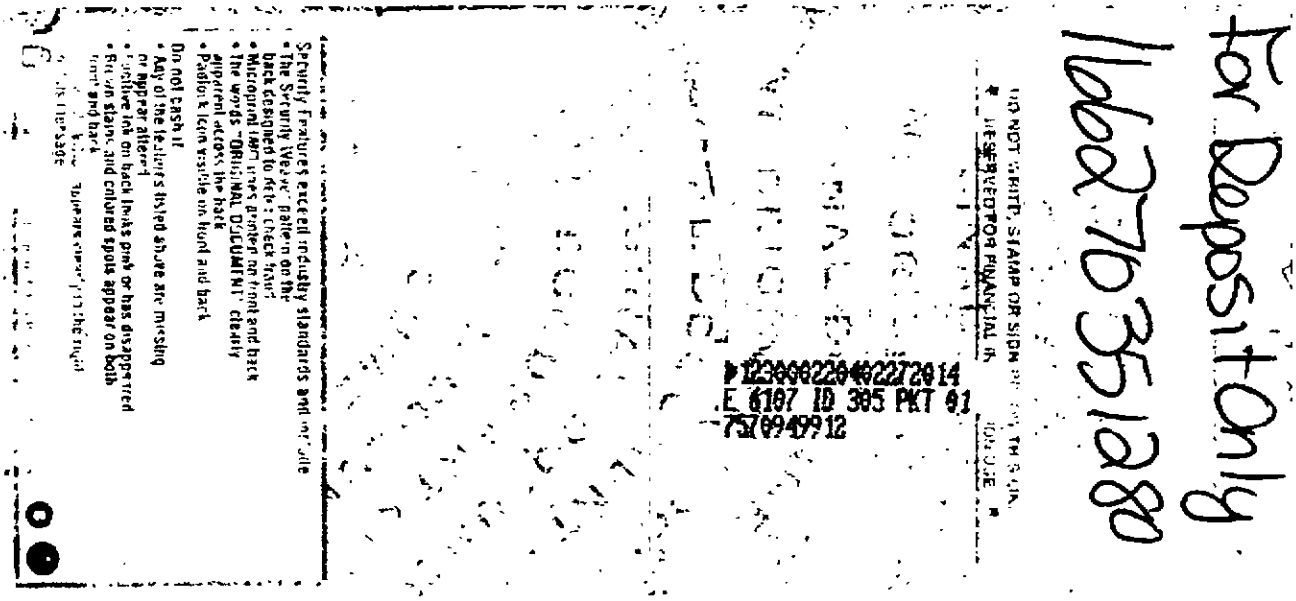
one Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 1556 -

⑆121000358⑆ 325018532339⑈0140



Security Features exceed industry standards and include
• The Security Weave pattern on the back designed to deter check fraud
• Microprinting does not appear on front and back
• The words "ORIGINAL DOCUMENT" clearly appear on the back
• Padlock icon visible on front and back
Do not cash if
• Any of the letters listed above are missing or appear altered
• Erasure ink on back looks pink or has disappeared
• Rubber stamp and colored spots appear on both front and back

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

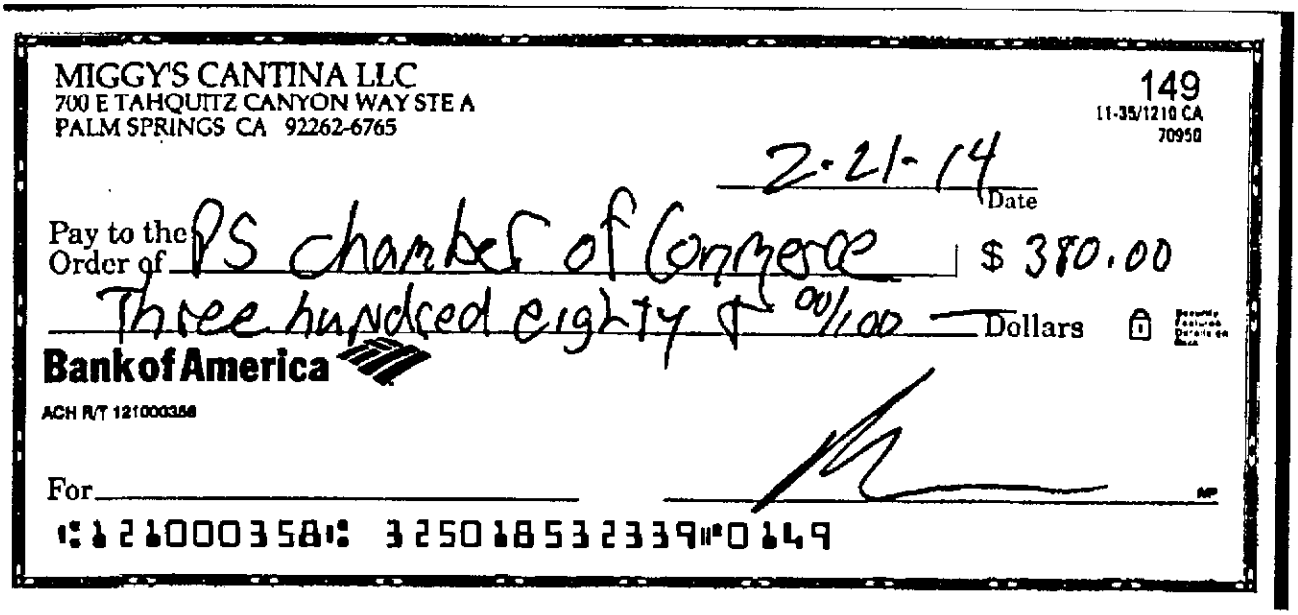
⑆123000220⑆022720 14
E 6107 ID 305 PKT 01
-7570949912

For Deposit Only
11da76351280

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	004191135612	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	7570949912	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/28/2014	009092308827	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	009598654358	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	009598654358	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135612	123000220	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$380.00	Sequence Number:	9292819603
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	149



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

149
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of PS chamber of Commerce $ 380.00

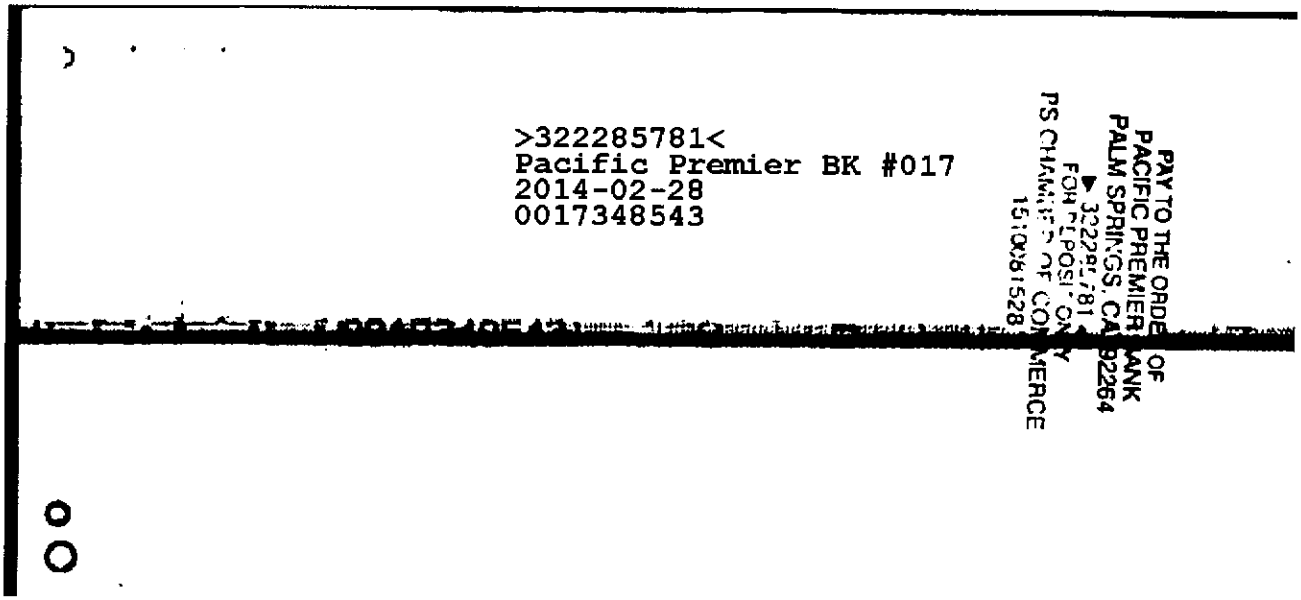
Three hundred eighty 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0149



>322285781<
Pacific Premier BK #017
2014-02-28
0017348543

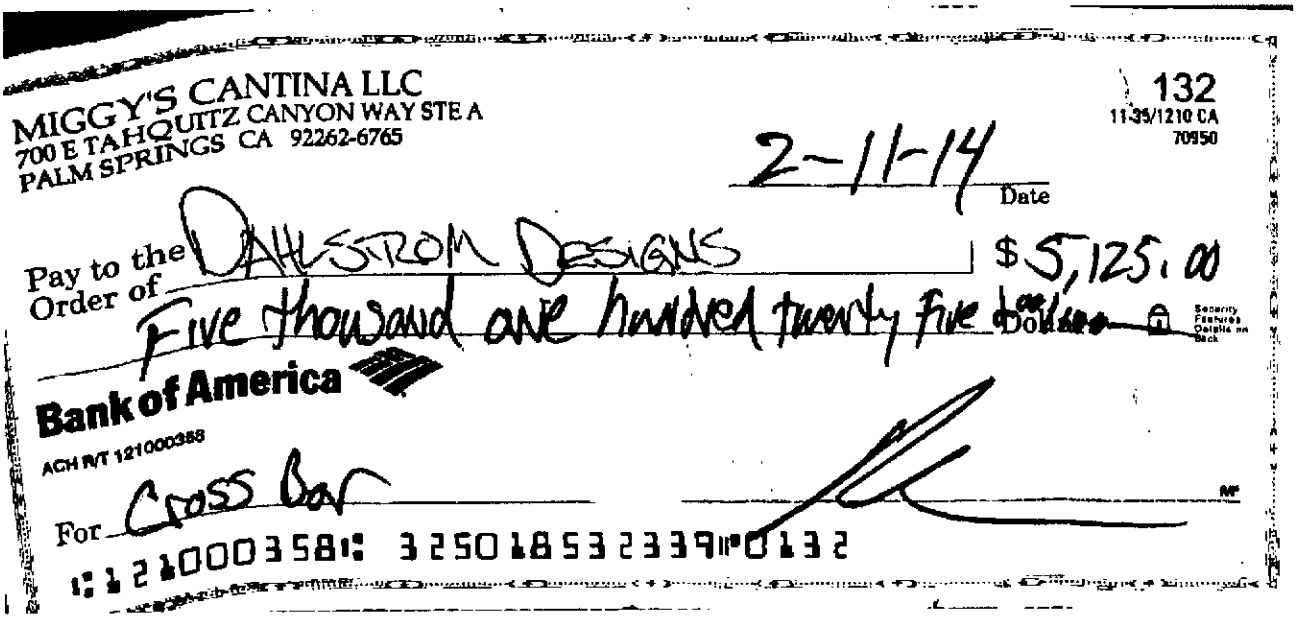
PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS, CA 92264

322285781
FOR DEPOSIT ONLY
PS CHAMBER OF COMMERCE
1510081528

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	907355017348543	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
02/28/2014	009292819603	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/28/2014	000008434024812	122105278	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$5,125.00	Sequence Number:	9792614994
Account:	325018532339	Capture Date:	02/11/2014
Bank Number:	12100035	Check Number:	132



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

132
11-35/1210 CA
70950

2-11-14
Date

Pay to the Order of DAHLSTROM DESIGNS $ 5,125.00

Five thousand one hundred twenty five Dollars

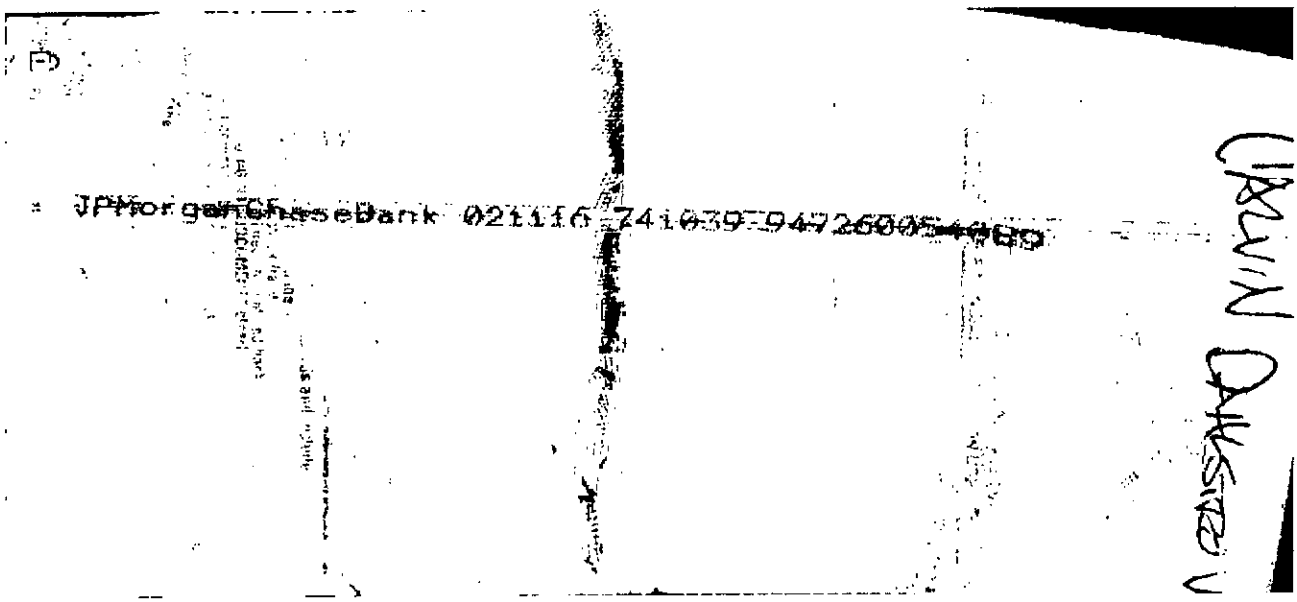
Security Features Details on Back

Bank of America

ACH R/T 121000358

For Cross Bar

⑈121000358⑈ 325018532339⑈0132



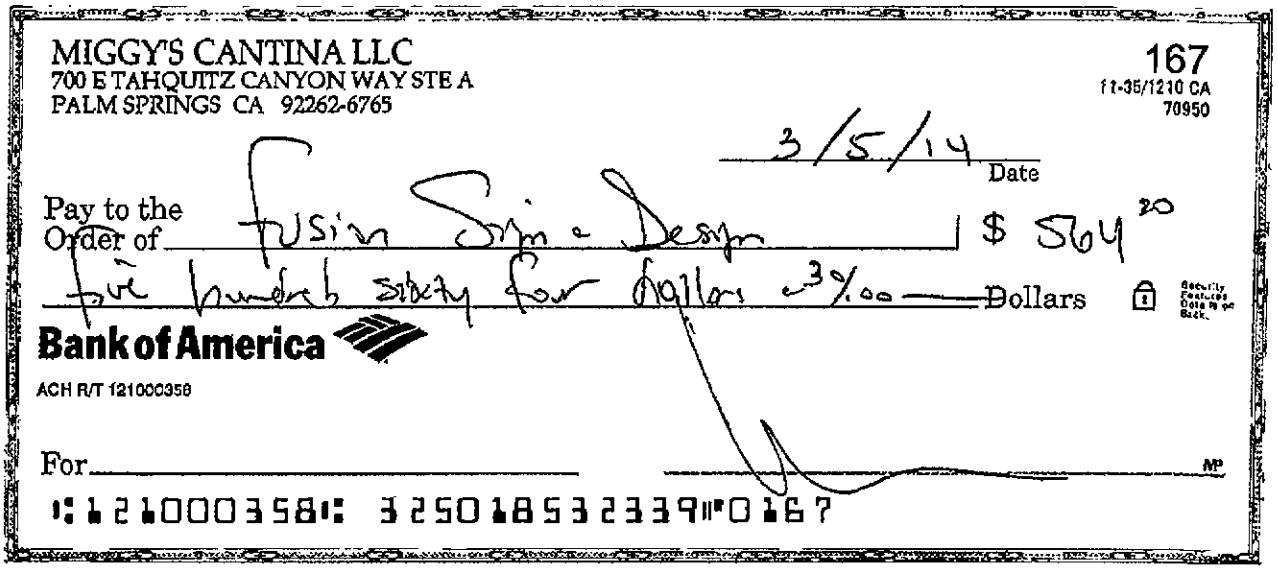
JPMorgan Chase Bank 021116 741039 9472600

CALVIN DAHLSTROM

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/11/2014	3490043839	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/11/2014	009792614994	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$564.30	Sequence Number:	792653077
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	167



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

167
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Fusion Sign & Design $ 564 20

five hundred sixty four dollars 20/00 Dollars

Bank of America

ACH R/T 121000358

For

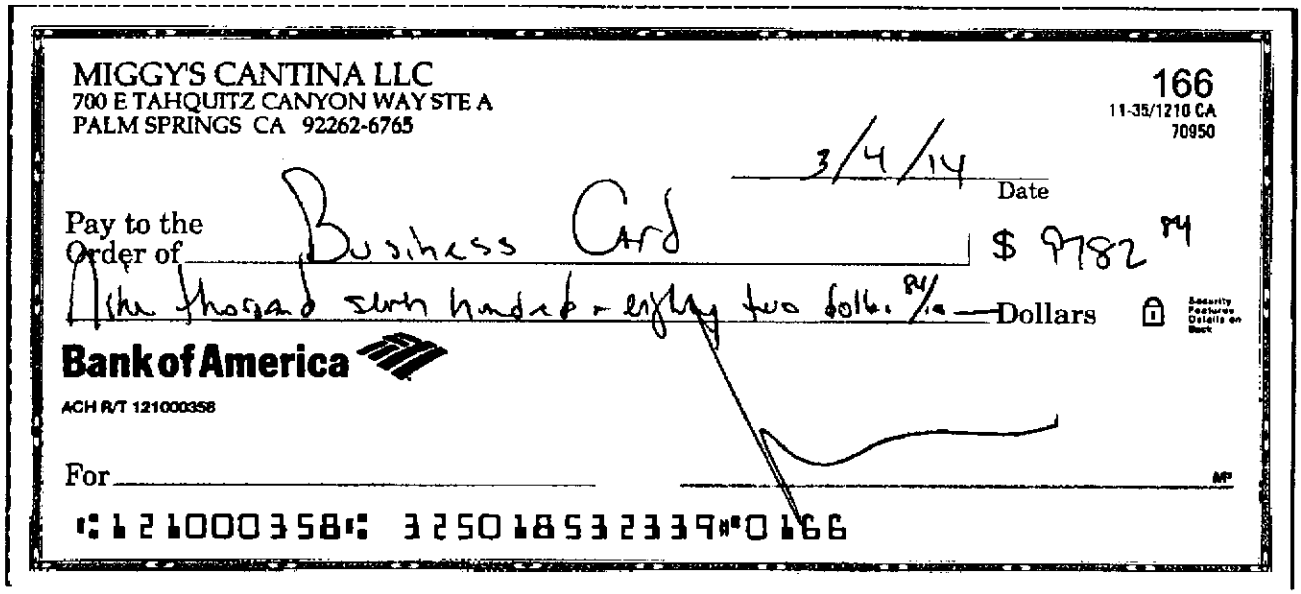
⑆121000358⑆ 325018532339⑈0167

PAY TO THE ORDER OF CALIFORNIA BANK
& TRUST CA 122232109 FOR DEPOSIT
ONLY FUSION SIGN & DESIGN INC
2570137151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	403105353114957	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
03/11/2014	000000792653077	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$9,782.84	Sequence Number:	2092088593
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	166



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

166
11-35/1210 CA
70950

3/4/14
Date

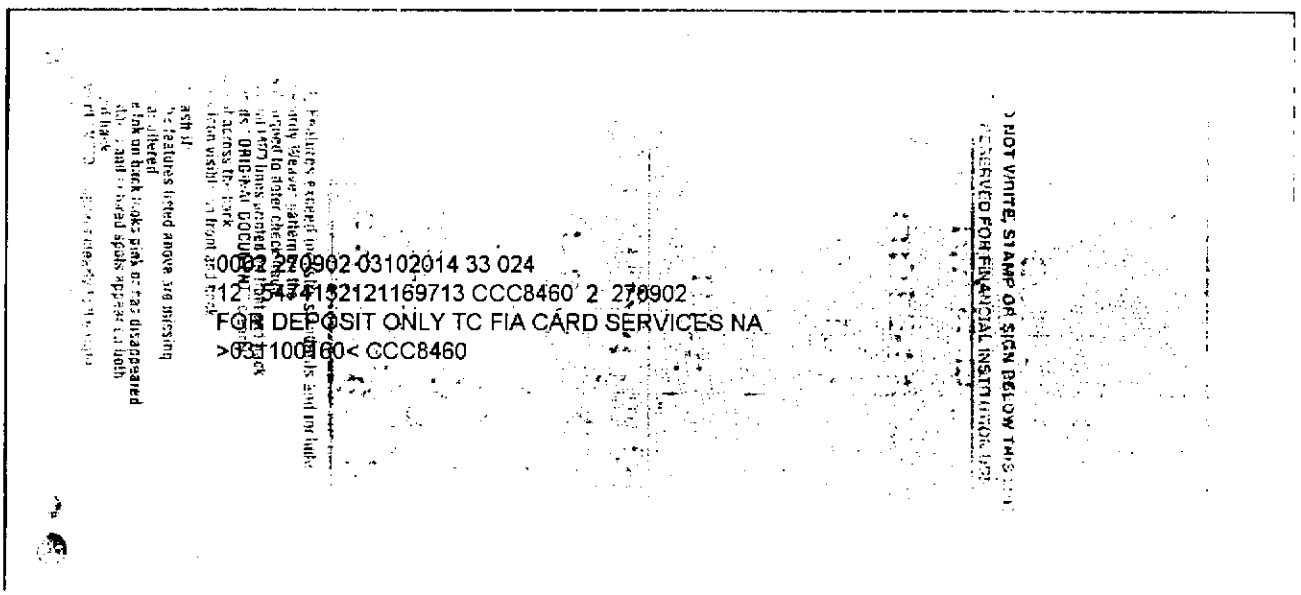
Pay to the Order of Business Card $ 9782 84

Nine thousand seven hundred eighty two 84/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0166



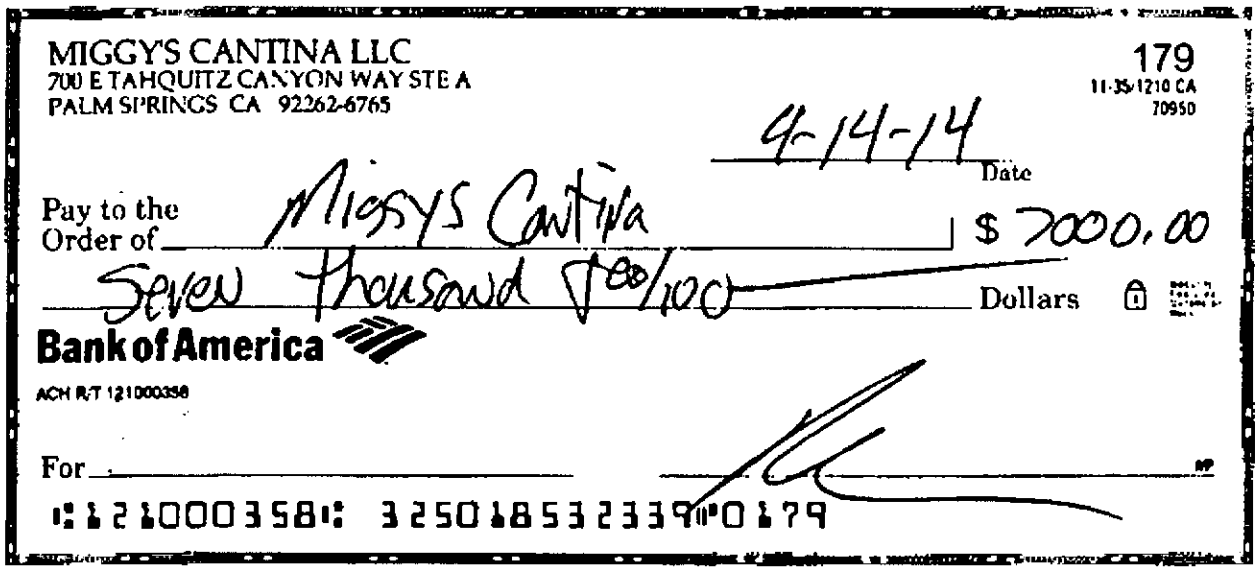
0002 270902 03102014 33 024
12 5474152121169713 CCC8460 2 270902
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>03100160< CCC8460

DO NOT WRITE, STAMP OR SIGN BELOW THIS

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	002092088593	111310346	Col Bank	N		BANK OF AMERICA, NA
03/10/2014	03102709020024	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$7,000.00	Sequence Number:	3042940405
Account:	325018532339	Capture Date:	03/14/2014
Bank Number:	12100035	Check Number:	179



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

179
11-35/1210 CA
70950

4-14-14
Date

Pay to the Order of Miggys Cantina $ 7000.00

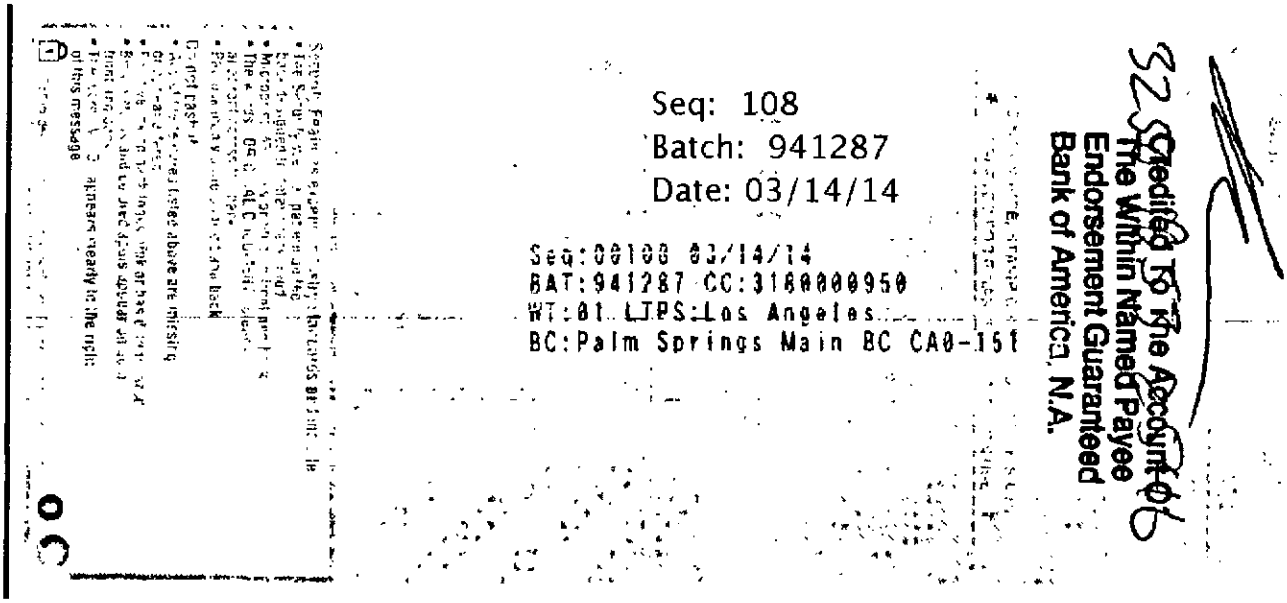
Seven Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0179



Seq: 108
Batch: 941287
Date: 03/14/14

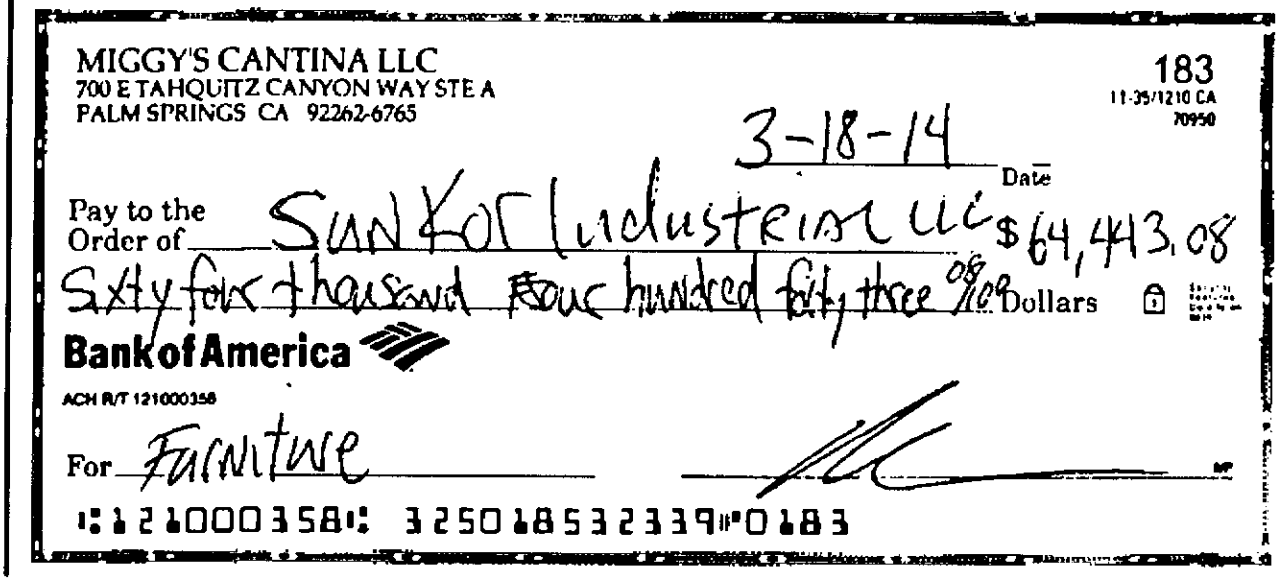
Seq:00108 03/14/14
BAT:941287 CC:3100000950
RT:01 LIPS:Los Angeles
BC:Palm Springs Main BC CA0-151

Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/14/2014	3042940405	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$64,443.08	Sequence Number:	3442817787
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	183



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

183
11-35/1210 CA
70950

3-18-14
Date

Pay to the Order of Sunkor Inclustrial LLC $64,443.08

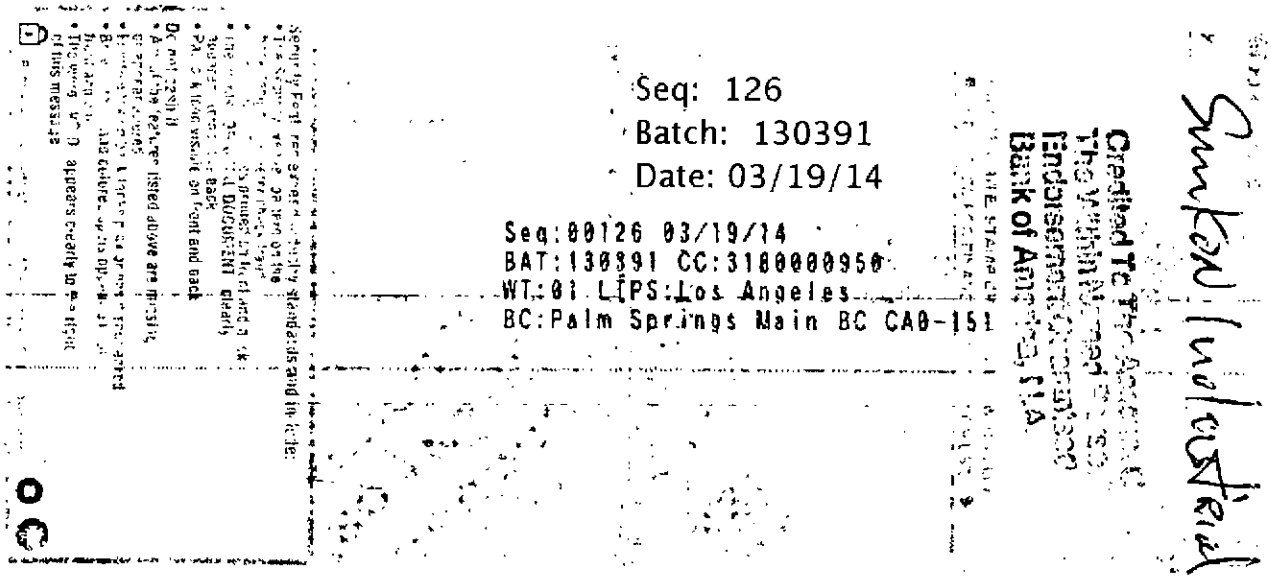
Sixty four thousand four hundred fifty three 08/100 Dollars

Bank of America

ACH R/T 121000358

For Furniture

⑆121000358⑆ 325018532339⑈0183



Seq: 126
Batch: 130391
Date: 03/19/14

Seq:00126 03/19/14
BAT:130391 CC:3180000950
WT:01 LIPS:Los Angeles
BC:Palm Springs Main BC CA0-151

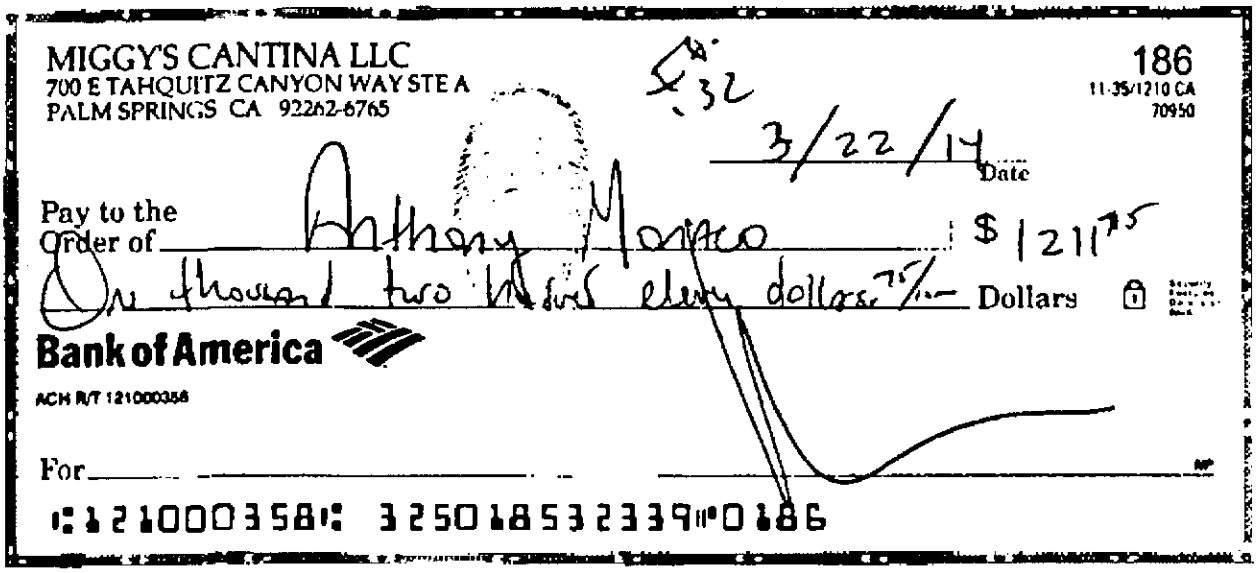
Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America N.A.

Sunkor Industrial

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	3442817787	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,211.75	Sequence Number:	3642880690
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	186



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

186
11-35/1210 CA
70950

$32

3/22/14 Date

Pay to the Order of Anthony Monaco $1211.75

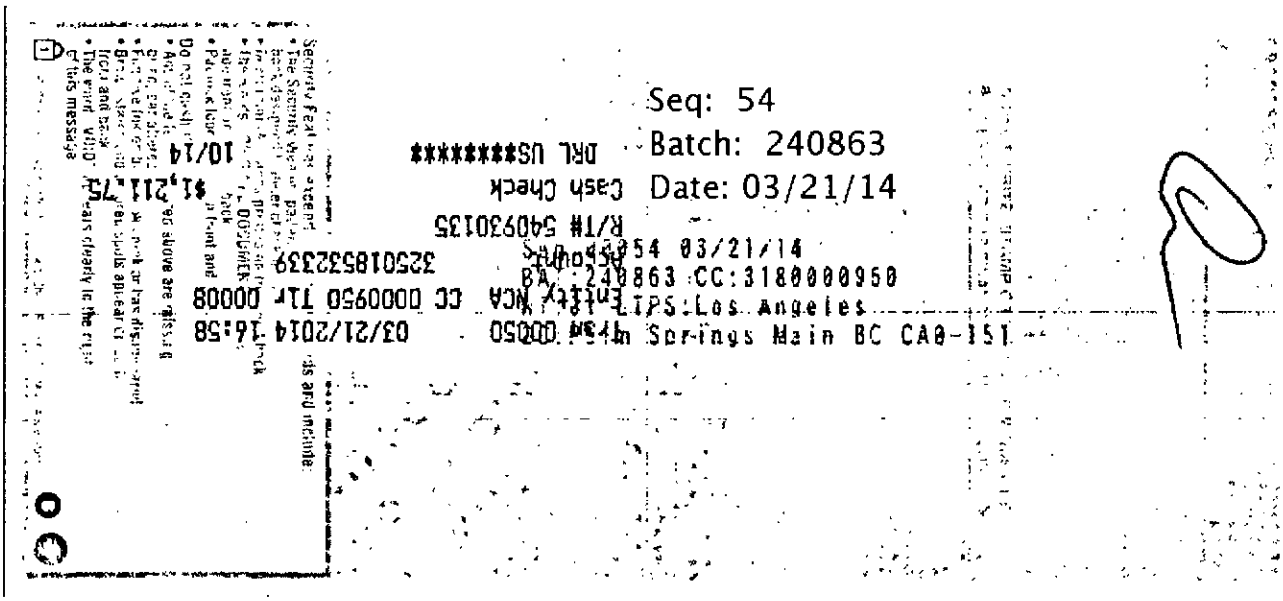
One thousand two hundred eleven dollars 75/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0186



Seq: 54
Batch: 240863
Date: 03/21/14

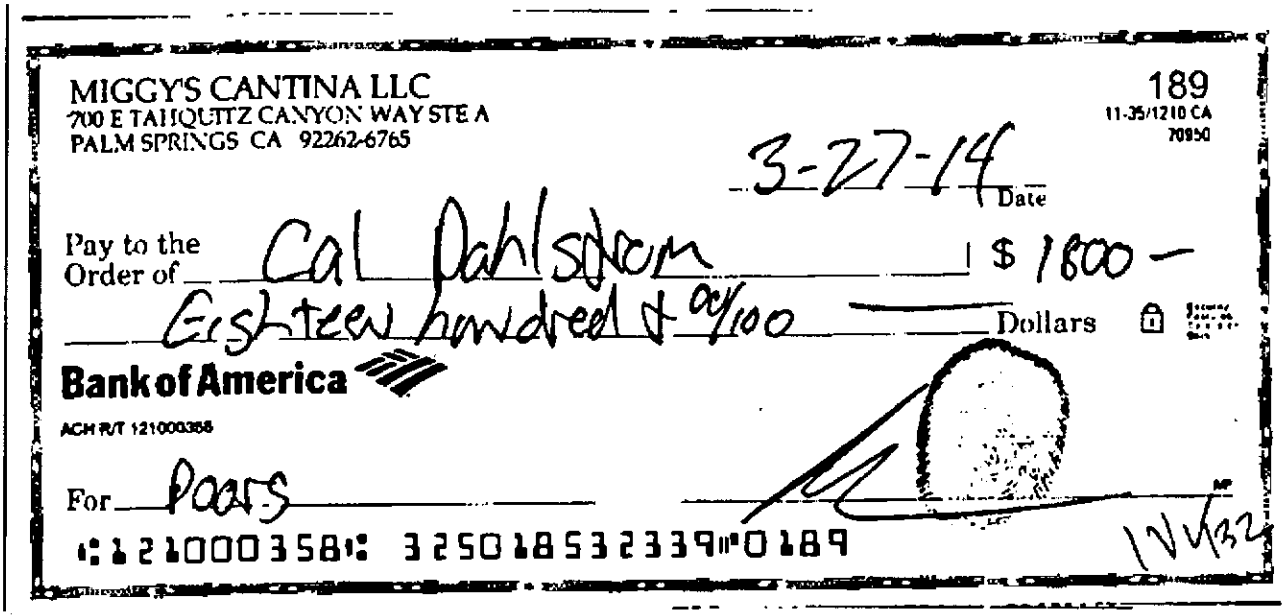
DRL US********
Cash Check
R/T# 540930135
Auth# 43954 03/21/14
BA: 240863 CC:3180000950
TPS:Los Angeles
Springs Main BC CA0-151

03/21/2014 16:58
CC 00009S0 TLR 00008
325018532339
10/14
$1,211.75

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	3642880690	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,800.00	Sequence Number:	4142101691
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	189



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

189
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Cal Dahlstrom $ 1800 —

Eighteen hundred & 00/100 Dollars

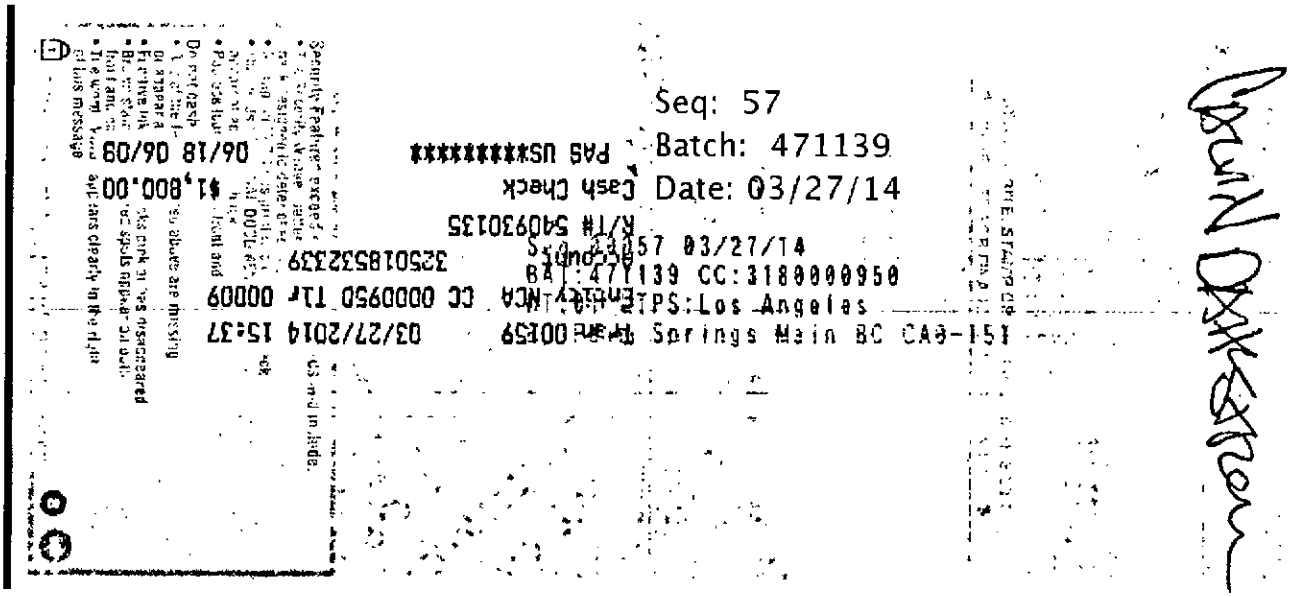
Bank of America

ACH R/T 121000358

For Pears

⑆121000358⑆ 325018532339⑈0189

12453



Seq: 57
Batch: 471139
Date: 03/27/14

03/18 06/30 $1,800.00 Cash Check PAS US********** R/T# 321081669

Sq#: 23057 03/27/14
BA#:471139 CC:3180000950
STPS:Los Angeles
Palm Springs Main BC CA8-151

325018532339 CC 00000950 TL 00000

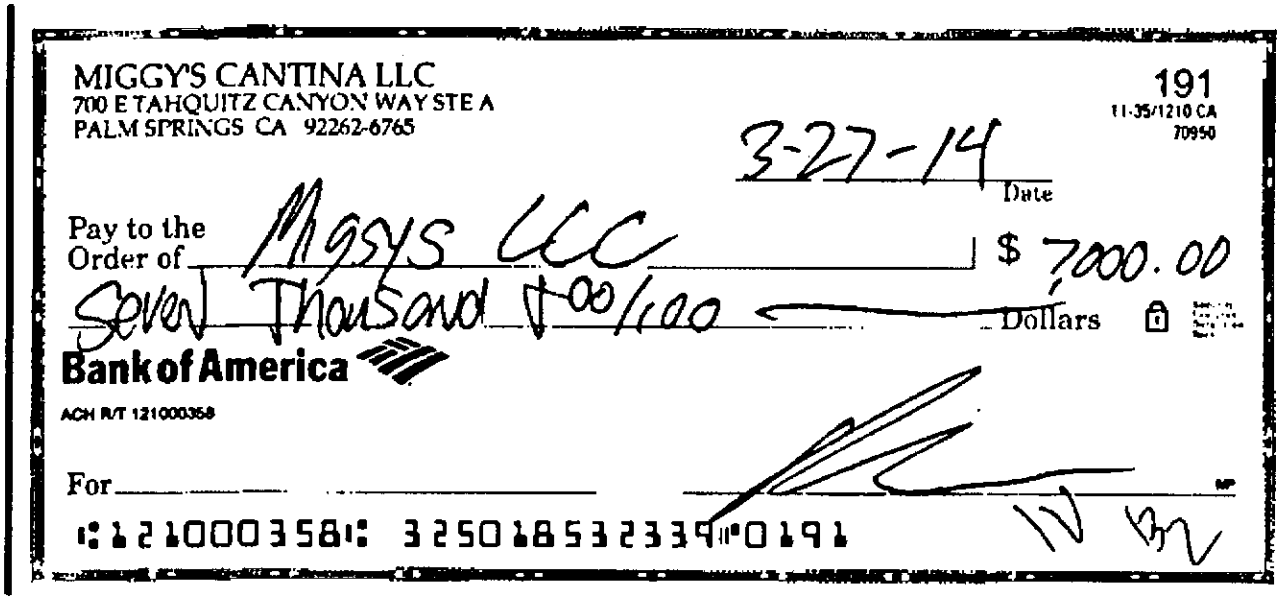
03/27/2014 15:37

Cal Dahlstrom

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101691	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$7,000.00	Sequence Number:	4142101777
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	191



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

191
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Miggys LLC $ 7,000.00

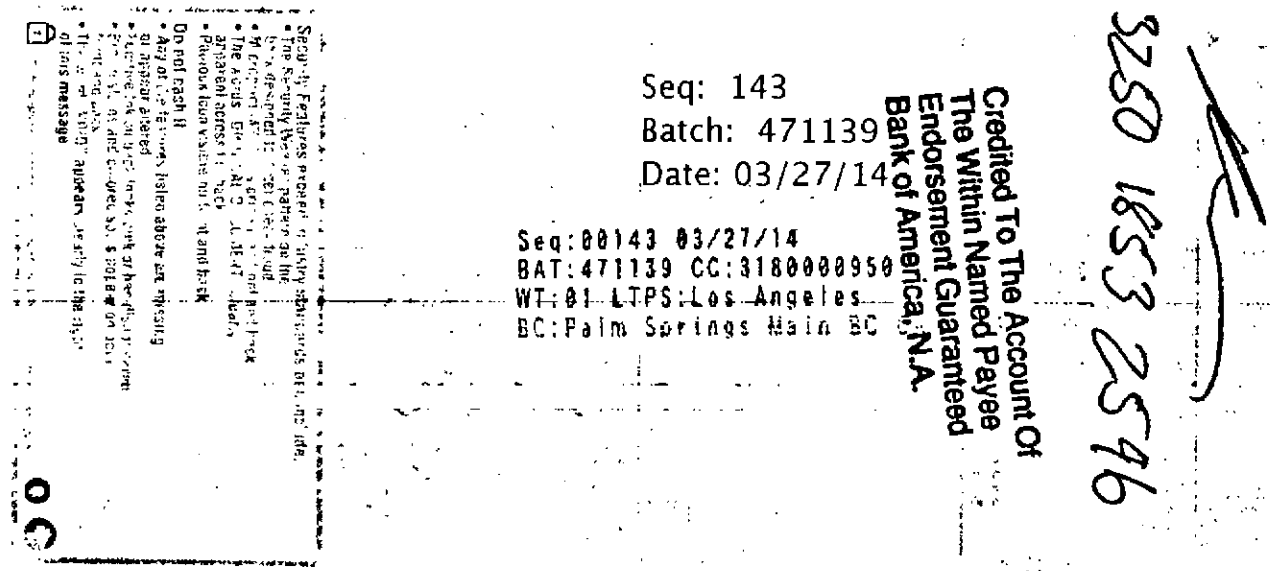
Seven Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0191



Seq: 143
Batch: 471139
Date: 03/27/14

Seq:00143 03/27/14
BAT:471139 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC

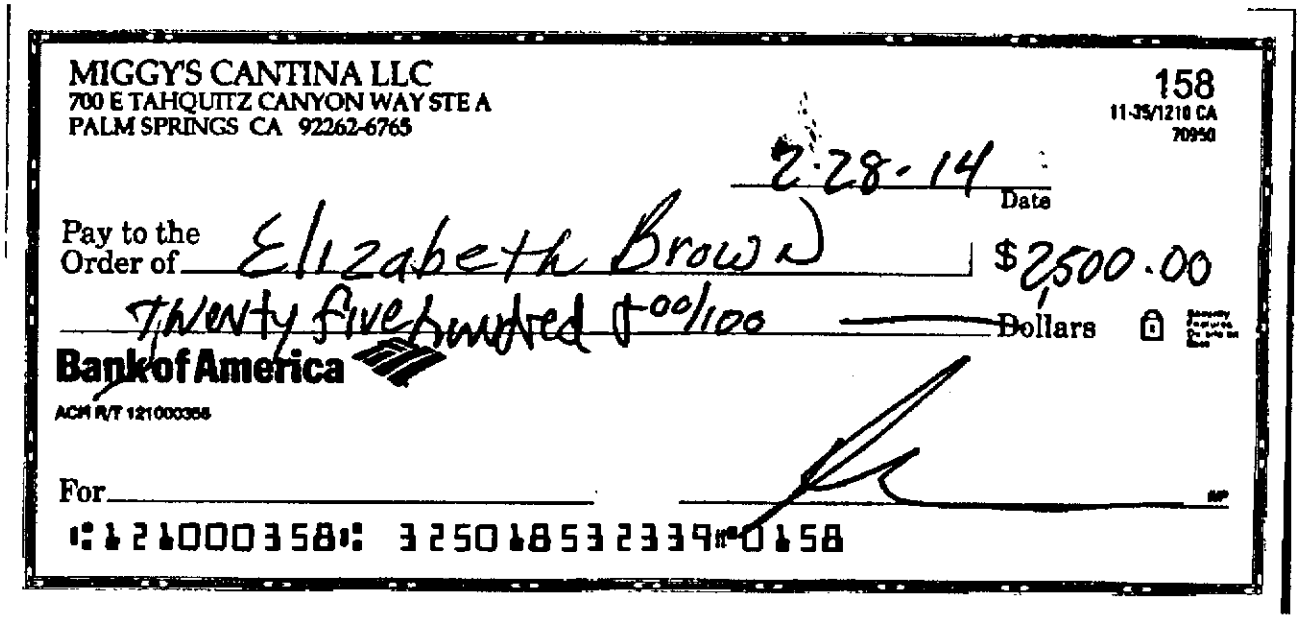
Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

3250 1853 2339

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101777	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	4192790884
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	158



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

158
11-35/1210 CA
70950

2-28-14
Date

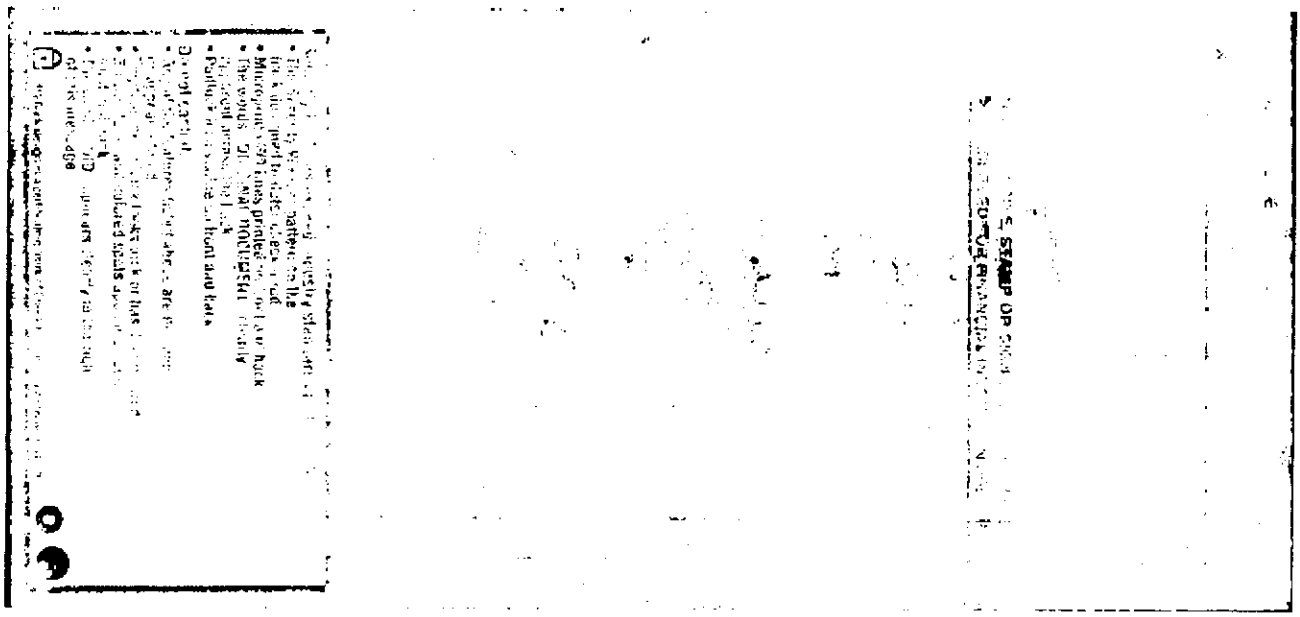
Pay to the Order of Elizabeth Brown $2,500.00

Twenty five hundred 00/100 Dollars

Bank of America
ACH R/T 121000358

For

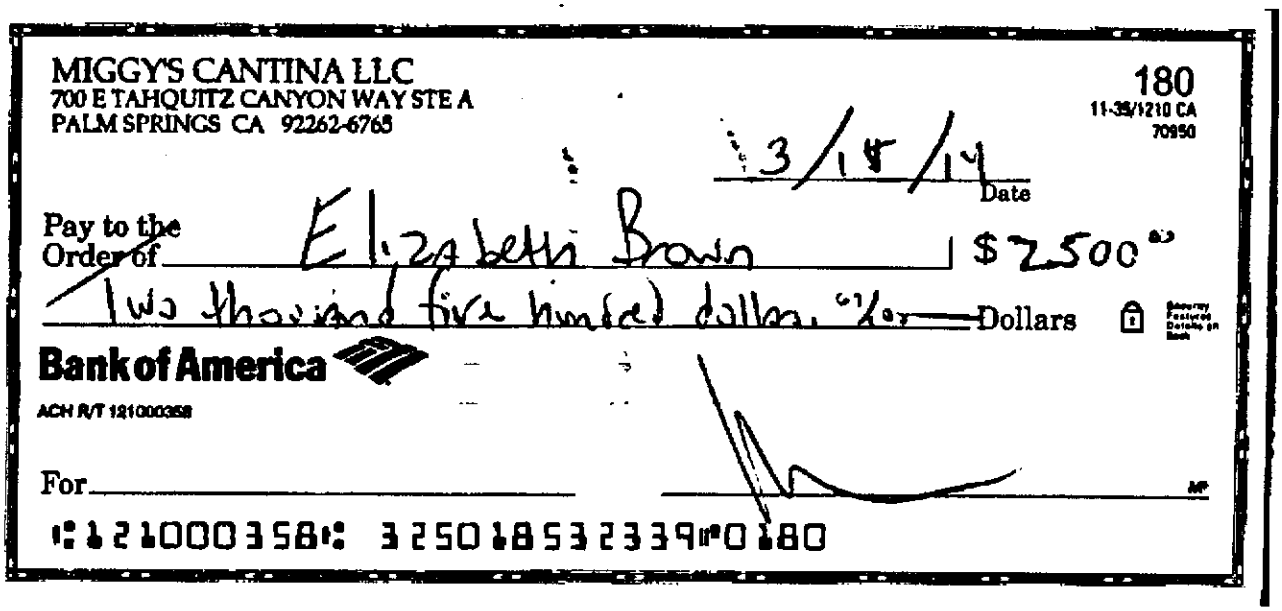
⑆121000358⑆ 325018532339⑈0158



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	004192790884	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	4479098390	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,500.00	Sequence Number:	4492349291
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	180



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

180
11-35/1210 CA
70950

3/15/14
Date

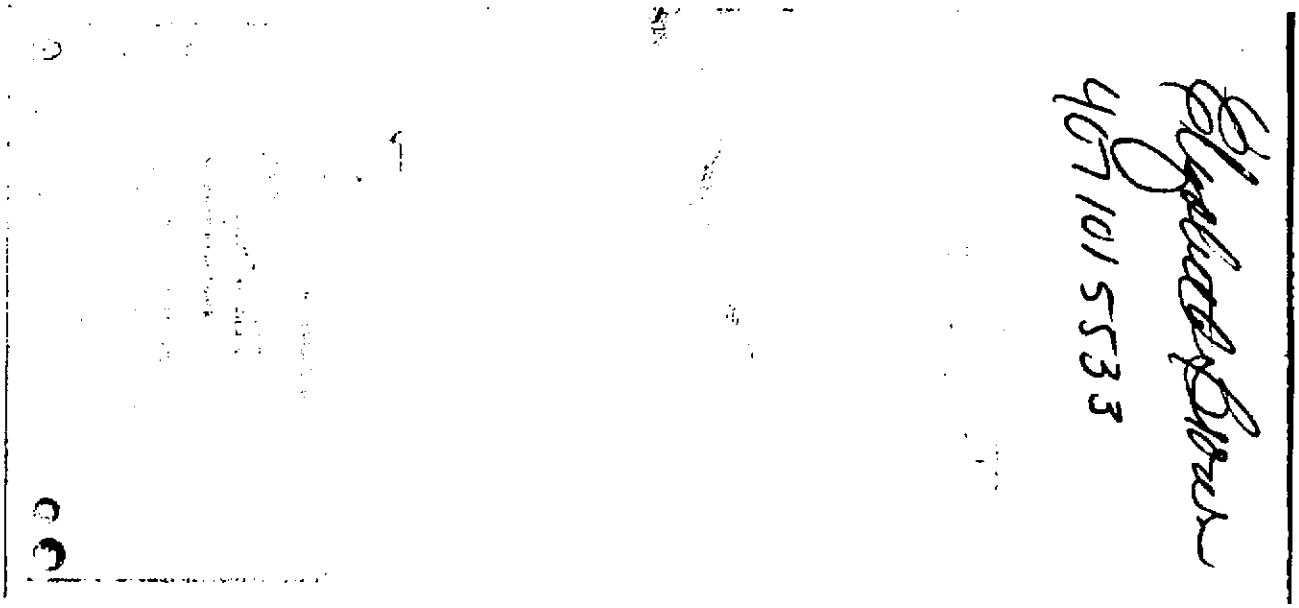
Pay to the Order of Elizabeth Brown $2500.00

Two thousand five hundred dollars, 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0180

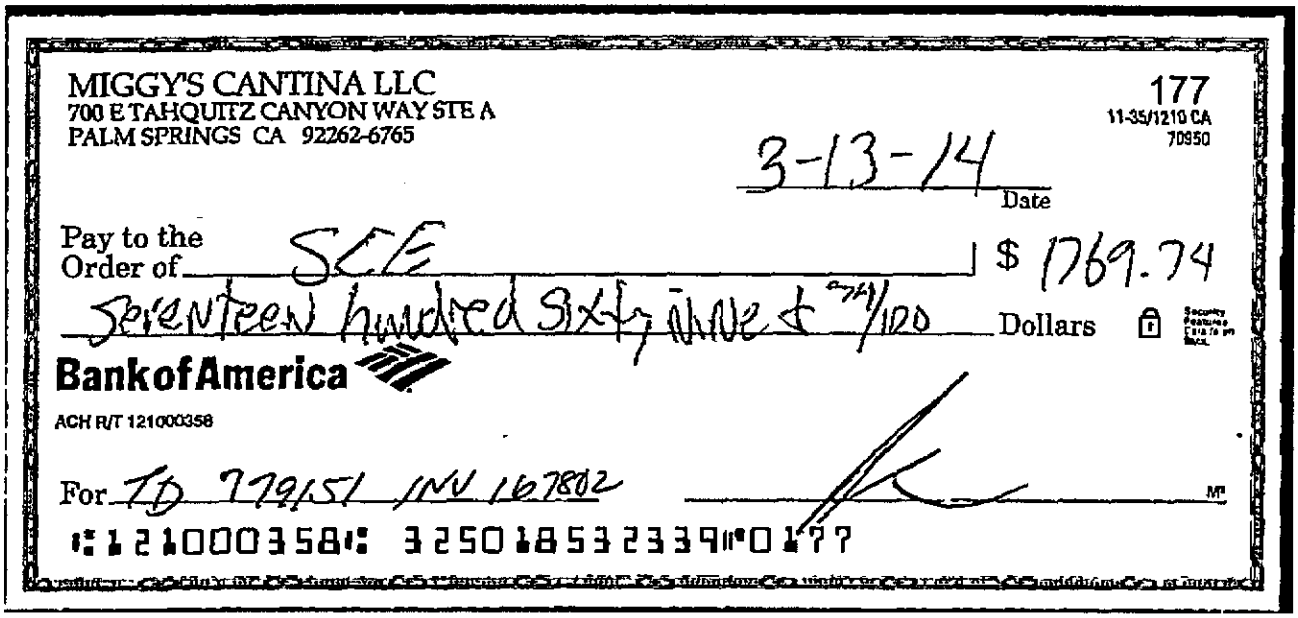


467 101 5533

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4479419005	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	004492349291	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,769.74	Sequence Number:	4592293869
Account:	325018532339	Capture Date:	03/18/2014
Bank Number:	12100035	Check Number:	177



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

177
11-35/1210 CA
70950

3-13-14
Date

Pay to the Order of SCE $ 1769.74

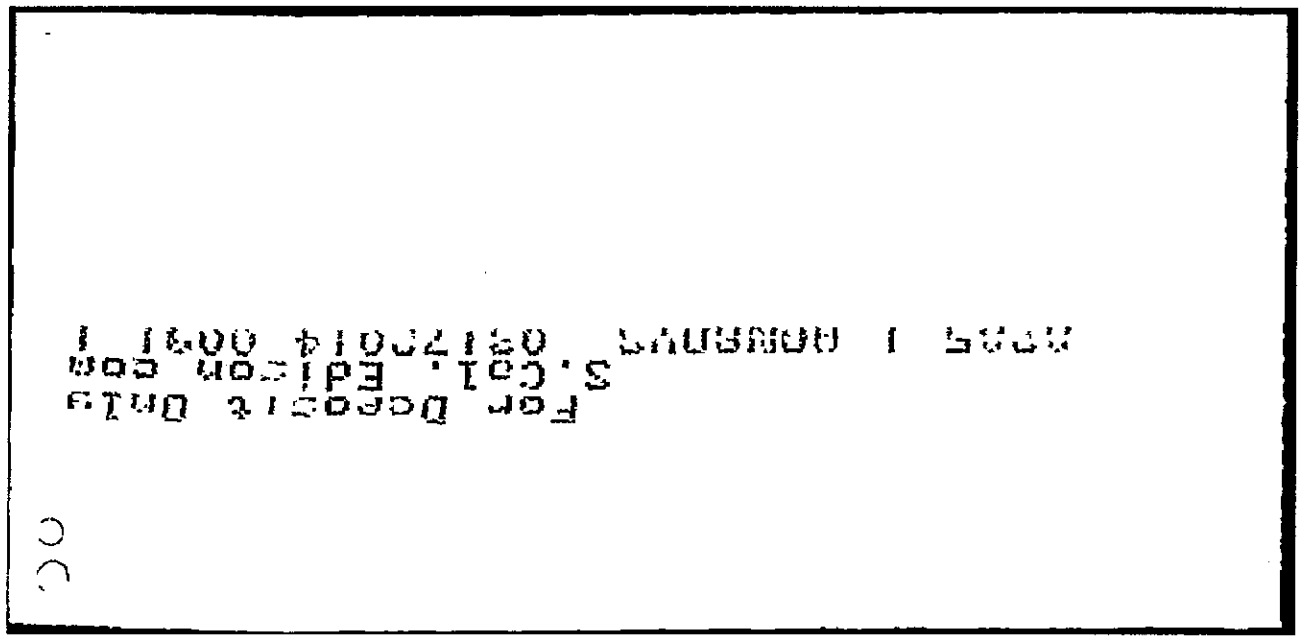
Seventeen hundred Sixty nine & 74/100 Dollars

Bank of America

ACH R/T 121000358

For ID 779151 INV 167802

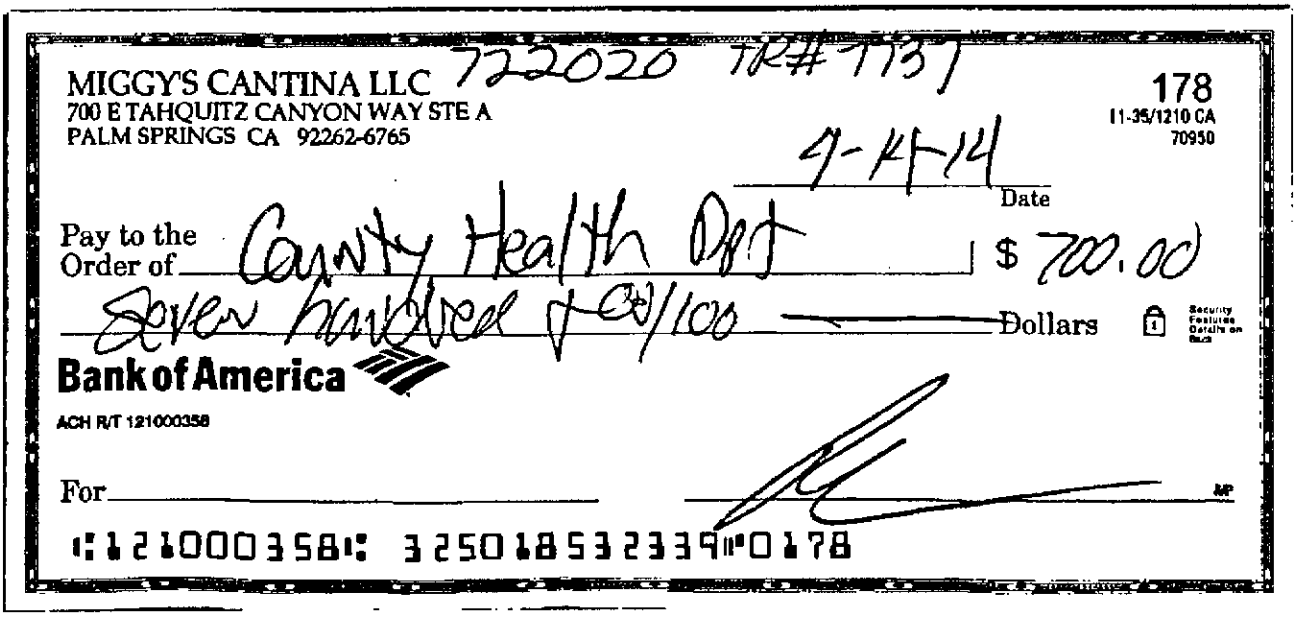
⑆121000358⑆ 325018532339⑈0177



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	2323487341	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	002323487341	122000496	Undetermined	N		MUFG UNION BANK, NA
03/18/2014	004592293869	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$700.00	Sequence Number:	4792293400
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	178



MIGGY'S CANTINA LLC 722020 TR# 7737
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

178
11-35/1210 CA
70950

9-4-14
Date

Pay to the Order of County Health Dept $ 700.00

Seven hundred and 00/100 Dollars

Security Features Details on Back

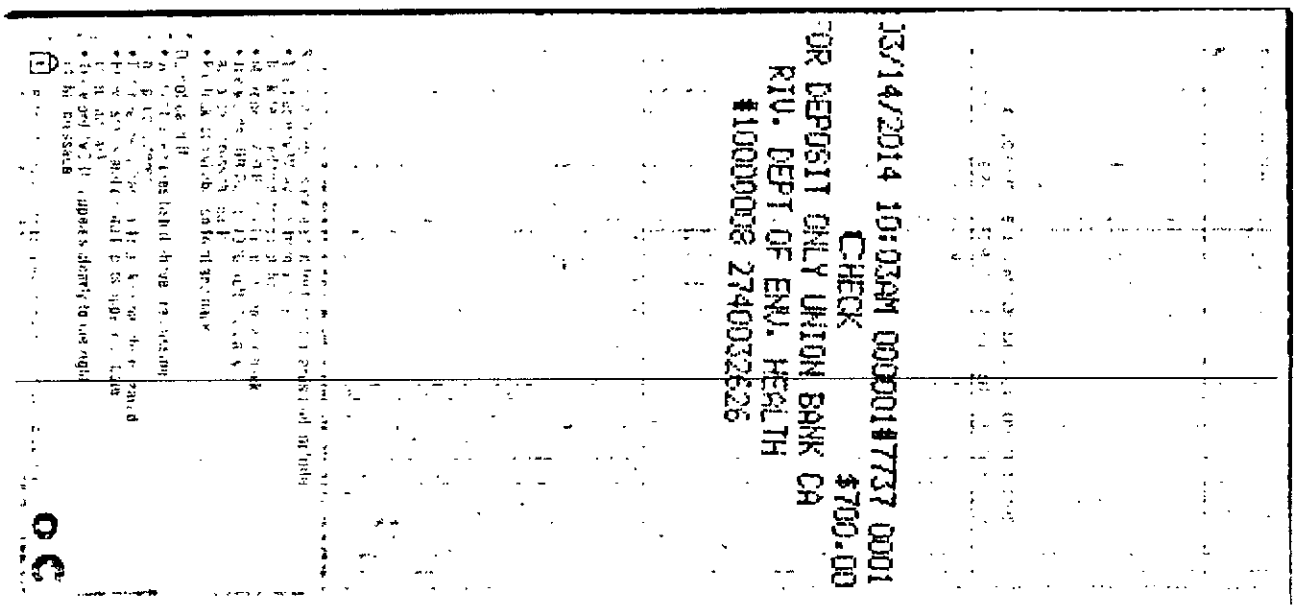
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0178

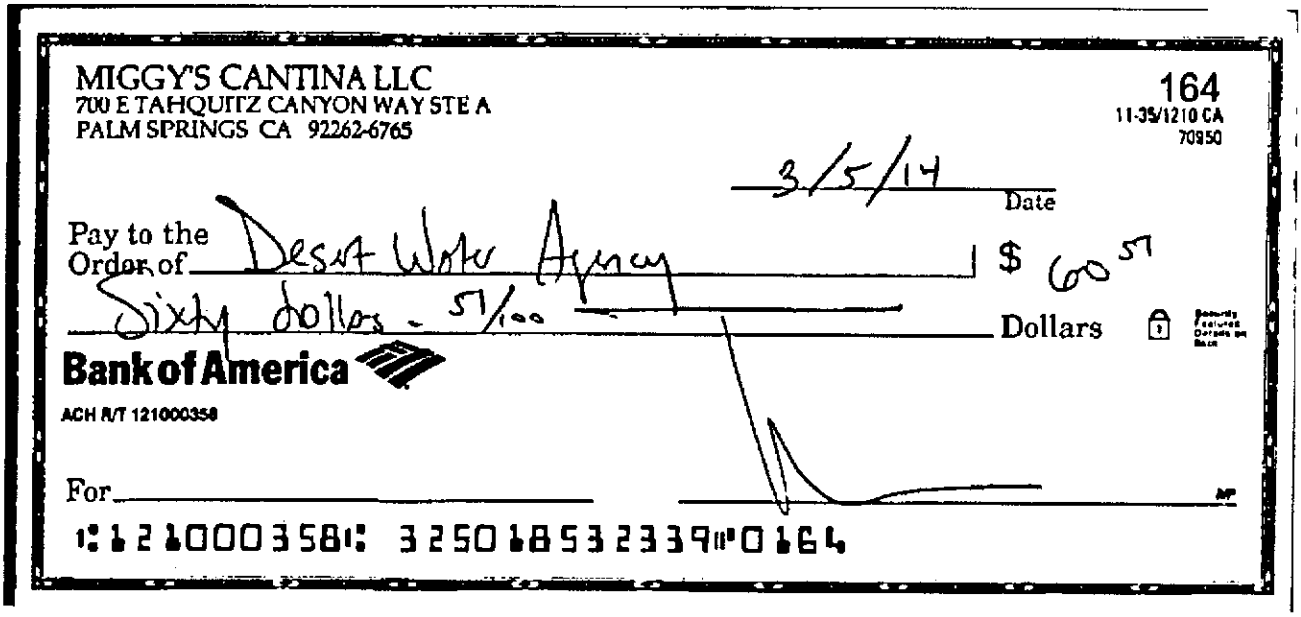


3/14/2014 10:03AM 00001#7737 0001 $700.00
CHECK
FOR DEPOSIT ONLY UNION BANK CA
RTU. DEPT OF ENV. HEALTH
#100000028 274032626

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	004792293400	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/18/2014	4445081835	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$60.51	Sequence Number:	5392489167
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	164



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

164
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Desert Water Agency $ 60.51

Sixty dollars - 51/100 Dollars

Bank of America
ACH R/T 121000358

For

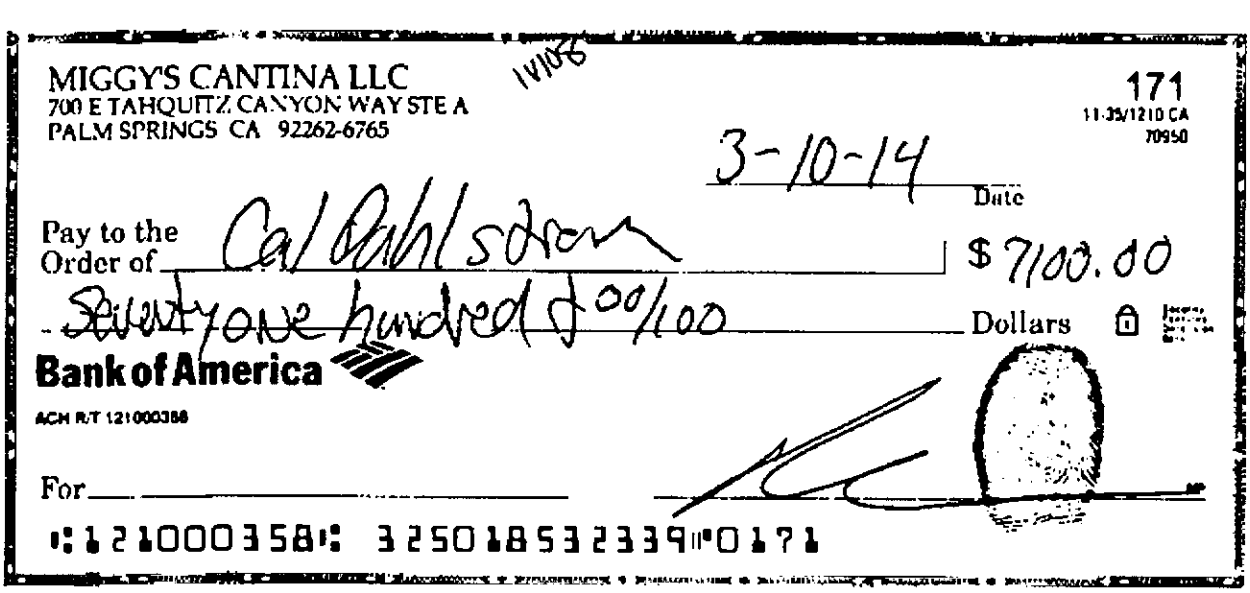
⑆121000358⑆ 325018532339⑈0164

Pay to the order
of Union Bank
For Dep. Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	4513643693	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/10/2014	005392489167	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,100.00	Sequence Number:	5442487373
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	171



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

171
11-35/1210 CA
70950

3-10-14
Date

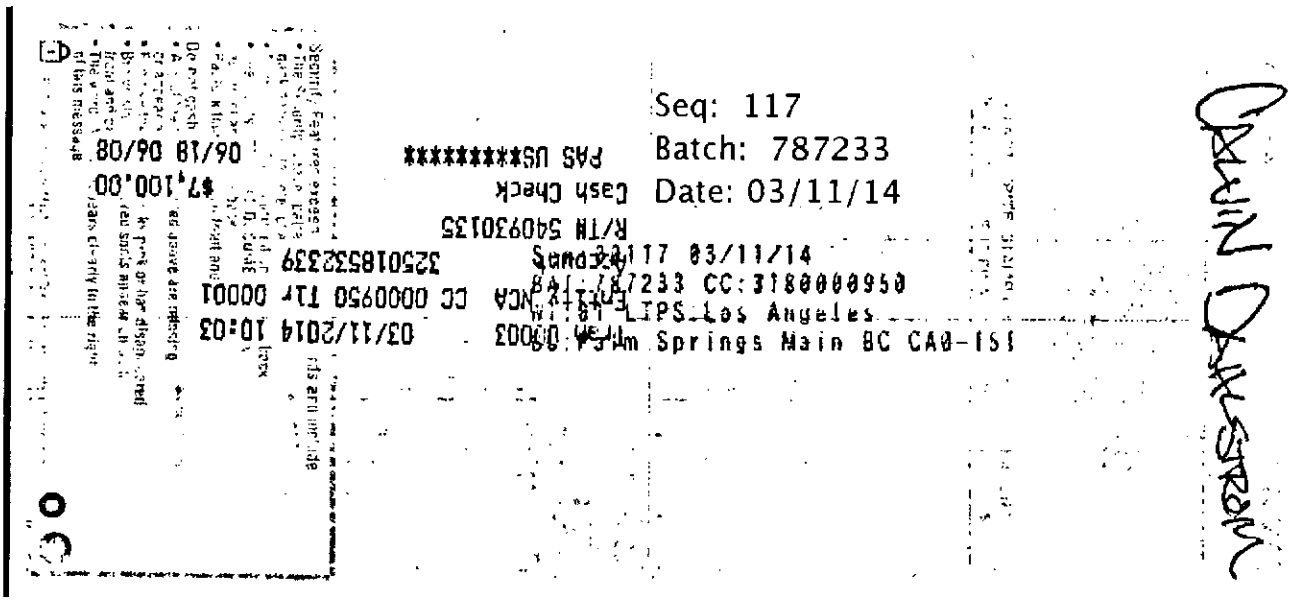
Pay to the Order of Carl Ahlstrom $ 7100.00

Seventy one hundred & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0171



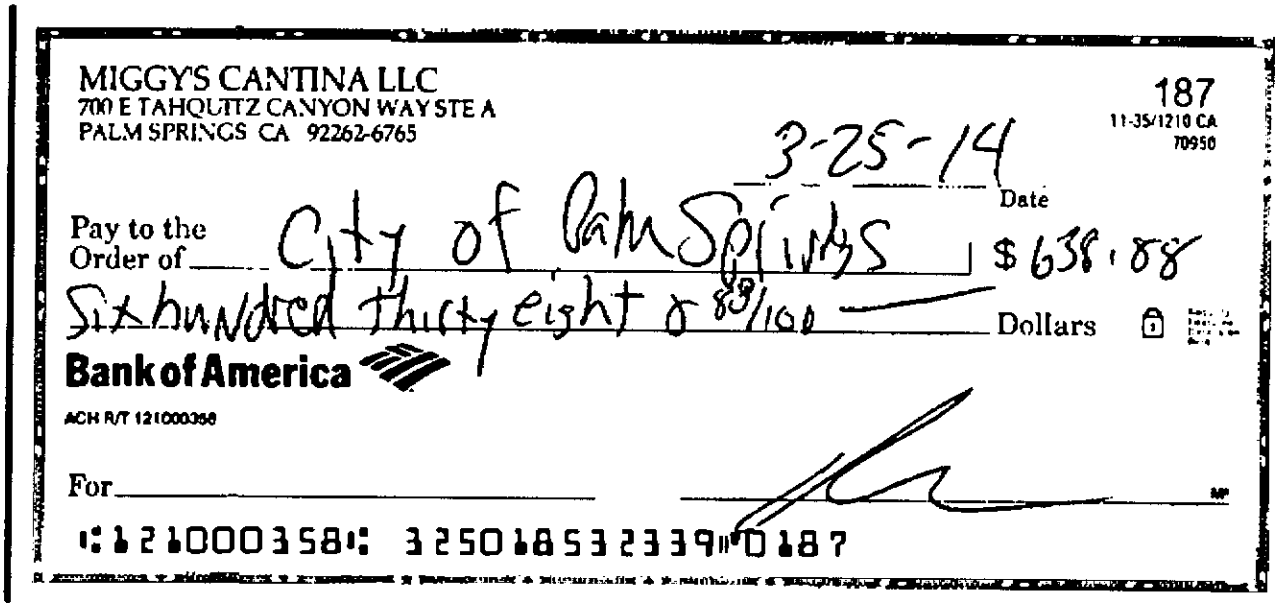
Seq: 117
Batch: 787233
Date: 03/11/14

CARLIN AHLSTROM

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	5442487373	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$638.88	Sequence Number:	5842162658
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	187



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

187
11-35/1210 CA
70950

3-25-14
Date

Pay to the Order of City of Palm Springs $ 638.88

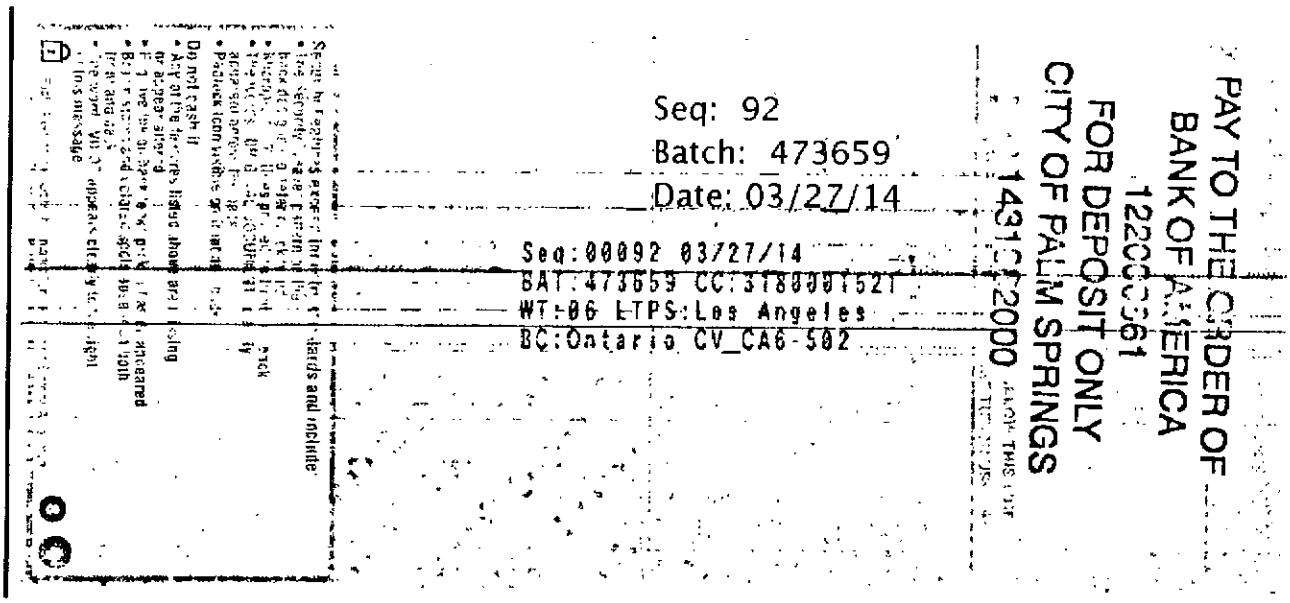
Six hundred thirty eight & 88/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0187



Seq: 92
Batch: 473659
Date: 03/27/14

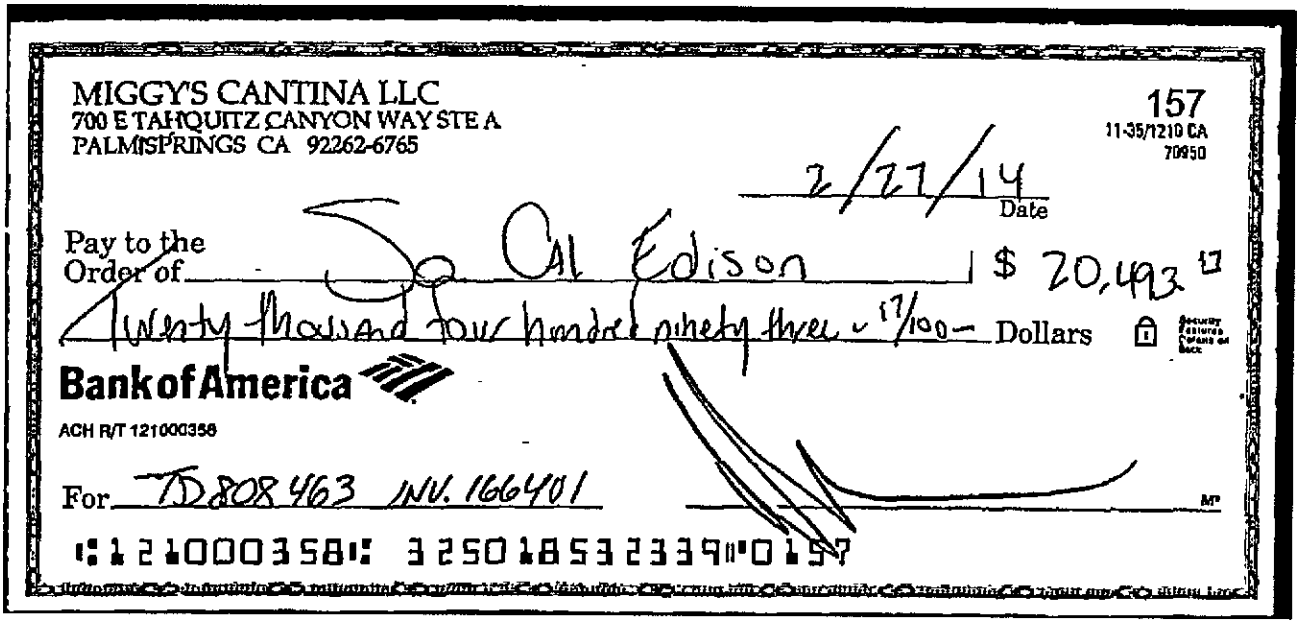
Seq:00092 03/27/14
BAT:473659 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000361
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
1431[illegible]2000

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	5842162658	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$20,493.17	Sequence Number:	5992142491
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	157



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

157
11-35/1210 CA
70950

2/27/14
Date

Pay to the Order of So Cal Edison $ 20,493.17

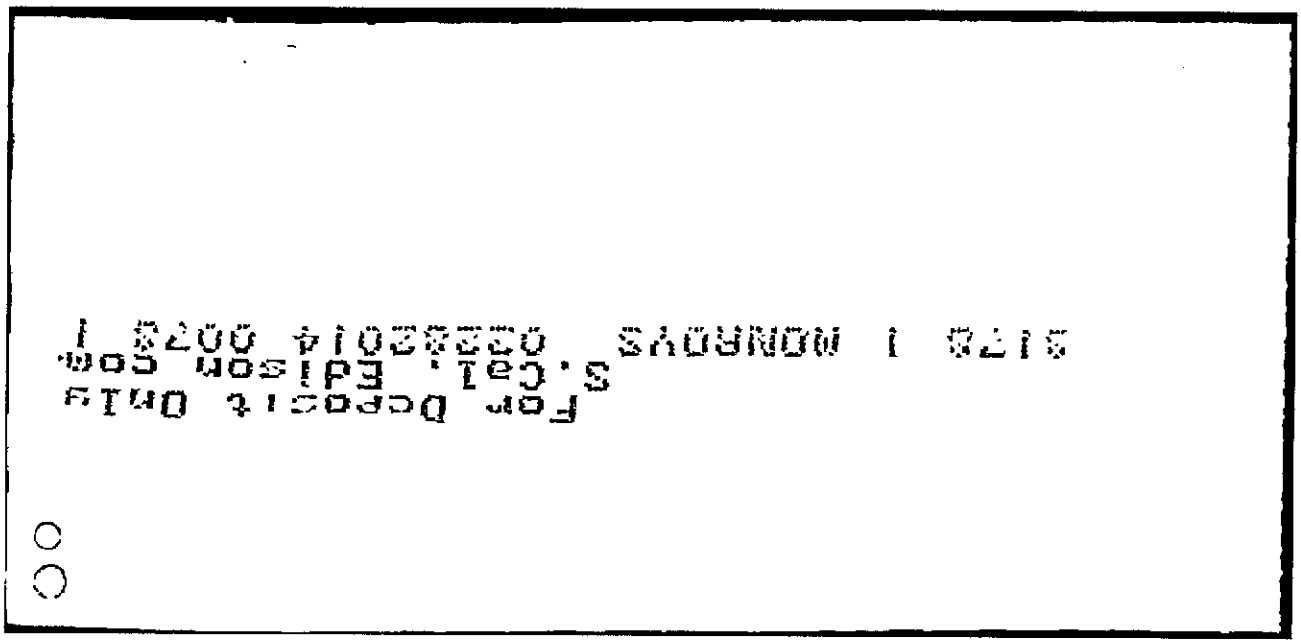
Twenty thousand four hundred ninety three 17/100 – Dollars

Bank of America

ACH R/T 121000358

For TD808463 INV. 166401

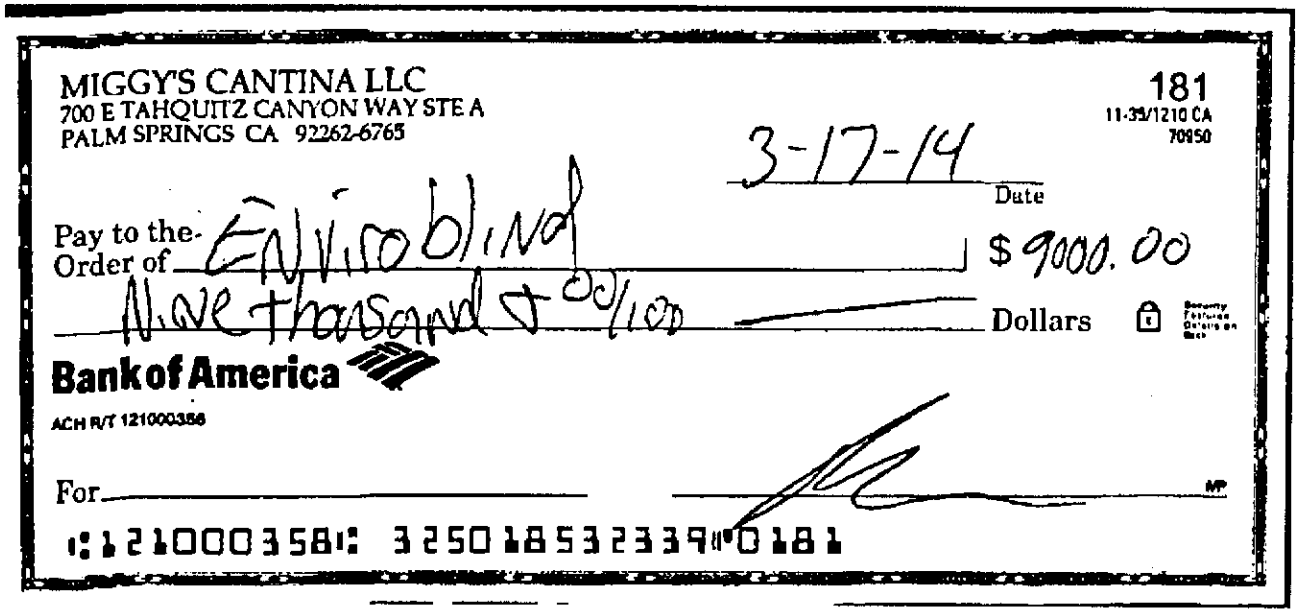
⑆121000358⑆ 325018532339⑈0157



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	2323357512	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
02/28/2014	002323357512	122000496	Undetermined	N		MUFG UNION BANK, NA
03/03/2014	005992142491	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	8092148463
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	181



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

181
11-39/1210 CA
70950

3-17-14
Date

Pay to the Order of ENVIROBLIND $ 9000.00

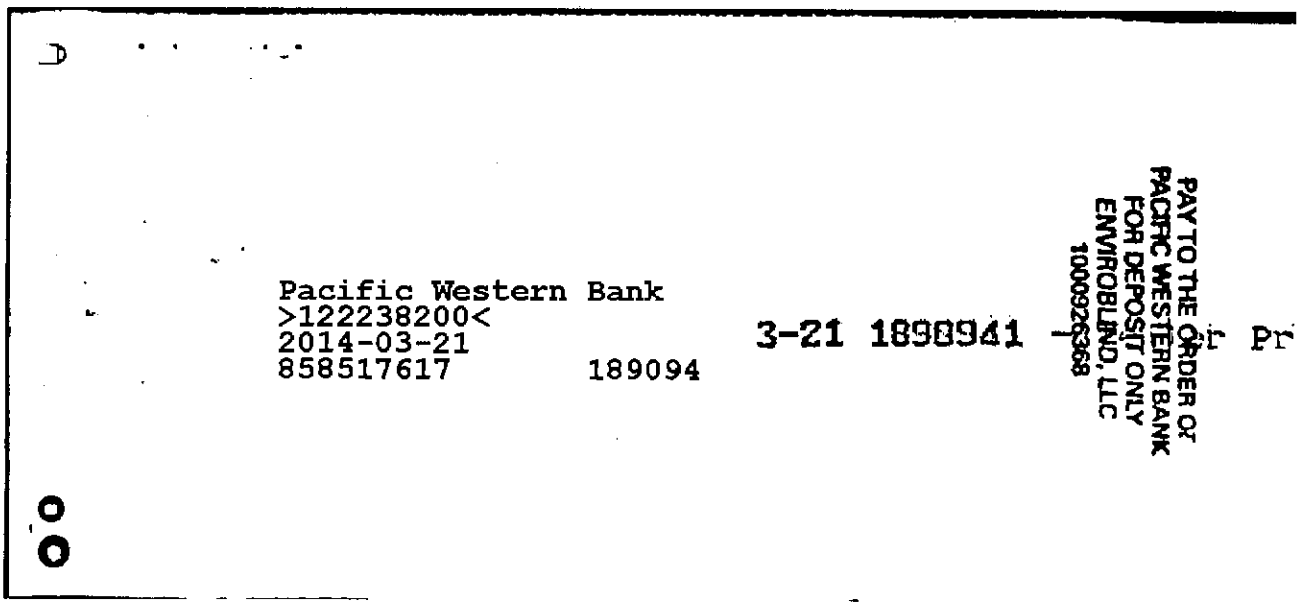
Nine thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0181



Pacific Western Bank
>122238200<
2014-03-21
858517617 189094

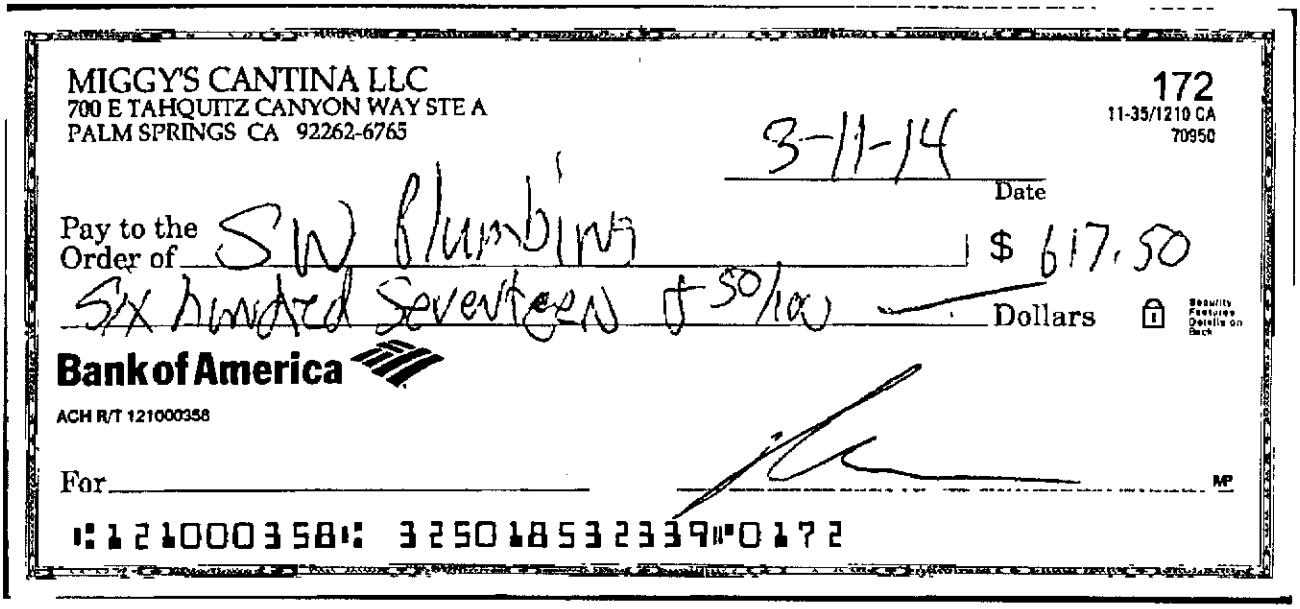
3-21 1898941

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	000000858517617	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/21/2014	008092148463	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/21/2014	000008772082012	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$617.50	Sequence Number:	8292364089
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	172



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

172
11-35/1210 CA
70950

3-11-14
Date

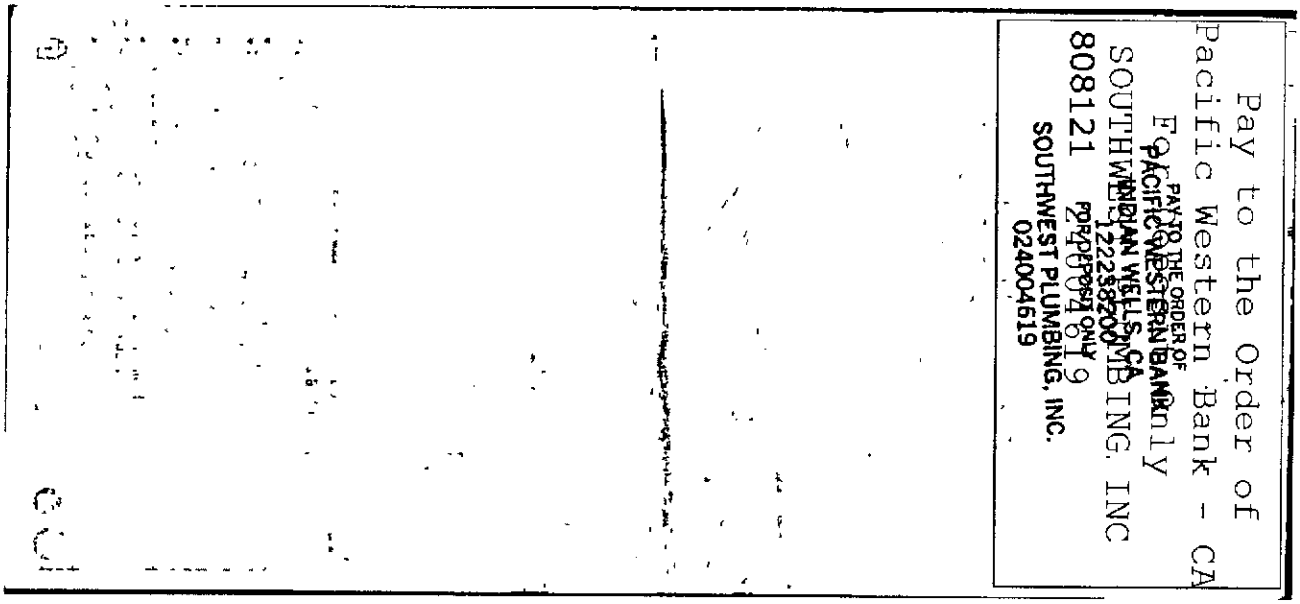
Pay to the Order of SW Plumbing $ 617.50

Six hundred seventeen & 50/100 Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0172



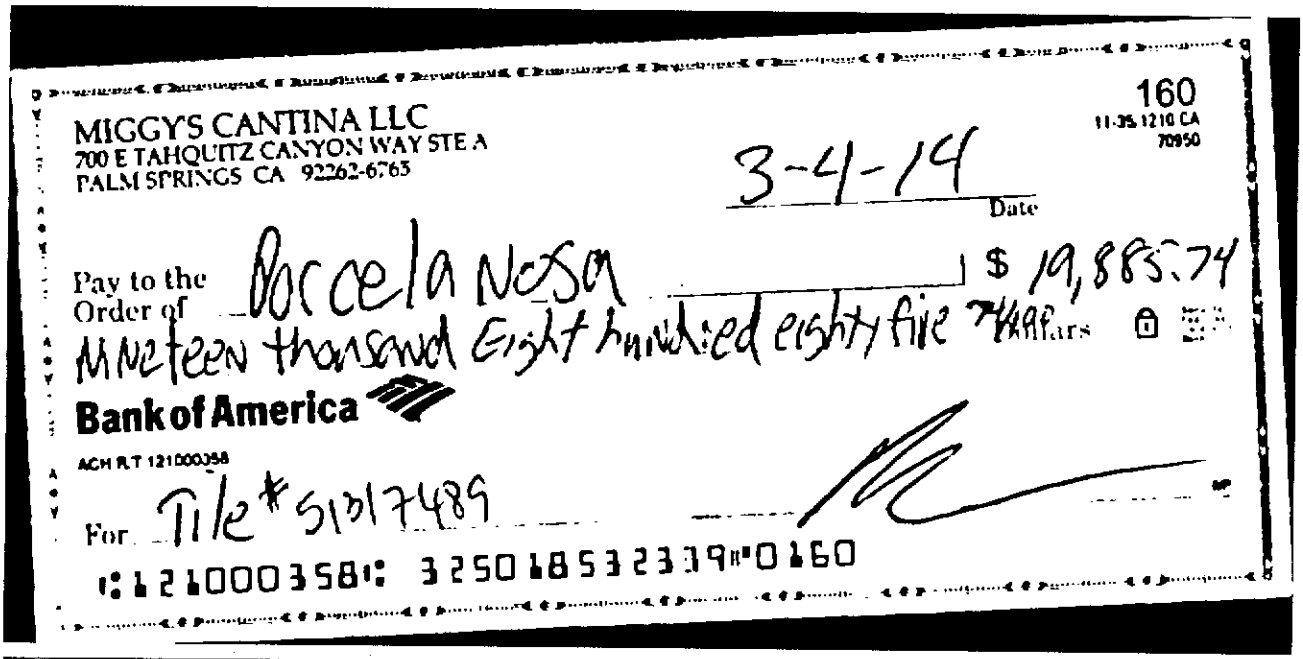
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING, INC
808121

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	000008176665041	91000019	Undetermined	N		WELLS FARGO BANK, NA
03/13/2014	008292364089	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	046923972650488	122238200	Undetermined	N		PACIFIC WESTERN BANK
03/13/2014	000002180628993	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$19,885.74	Sequence Number:	8292412500
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	160



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

160
11-35 1210 CA
70950

3-4-14
Date

Pay to the Order of Porcela Nosa $ 19,885.74

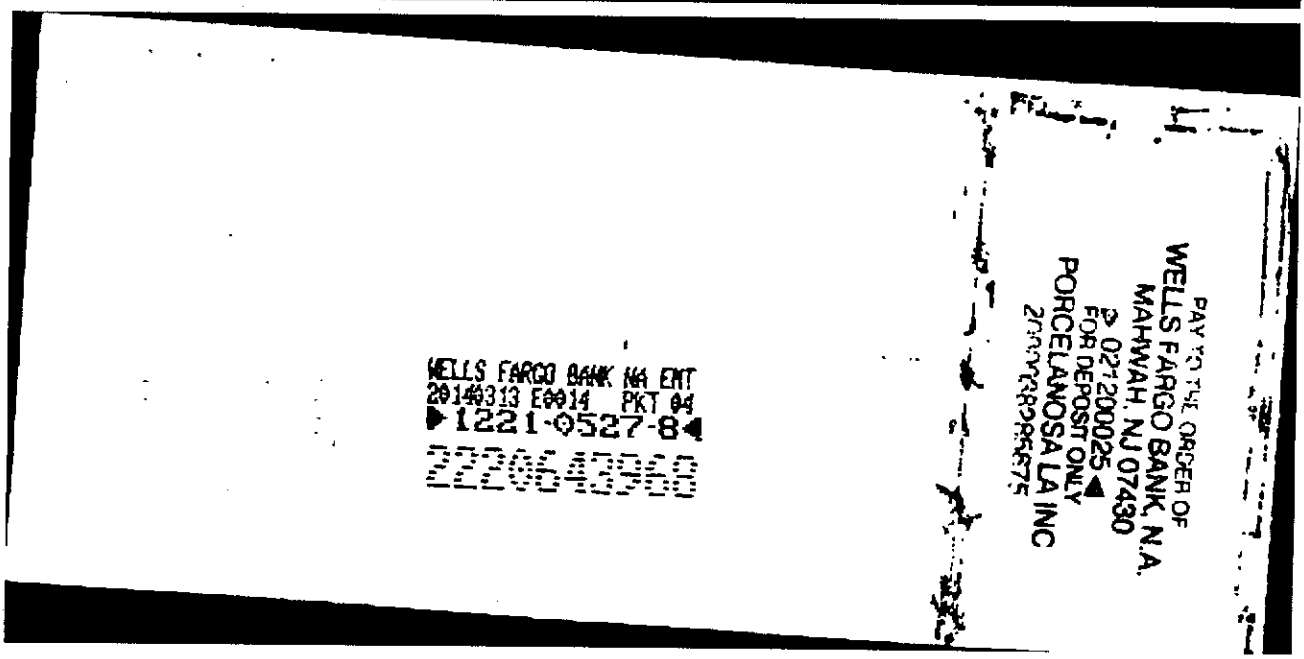
Mineteen thousand Eight hundred eighty five 74/100 dollars

Bank of America

ACH R/T 121000358

For Tile * 5131 7489

⑆121000358⑆ 325018532339⑈0160



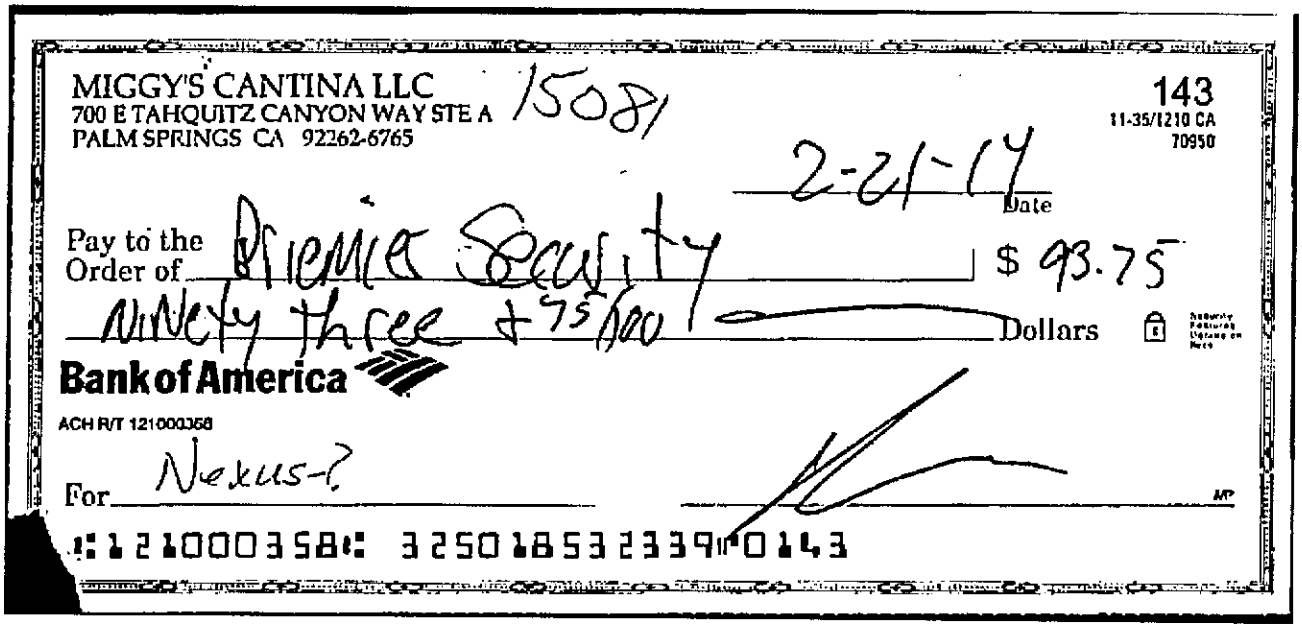
WELLS FARGO BANK NA EMT
20140313 E0014 PKT 04
▶1221-0527-8◀
2220643968

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
▶021200025◀
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2[illegible]

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	008292412500	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	000002220643968	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$93.75	Sequence Number:	8492234318
Account:	325018532339	Capture Date:	03/05/2014
Bank Number:	12100035	Check Number:	143



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15081

143
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Premier Security

$ 93.75

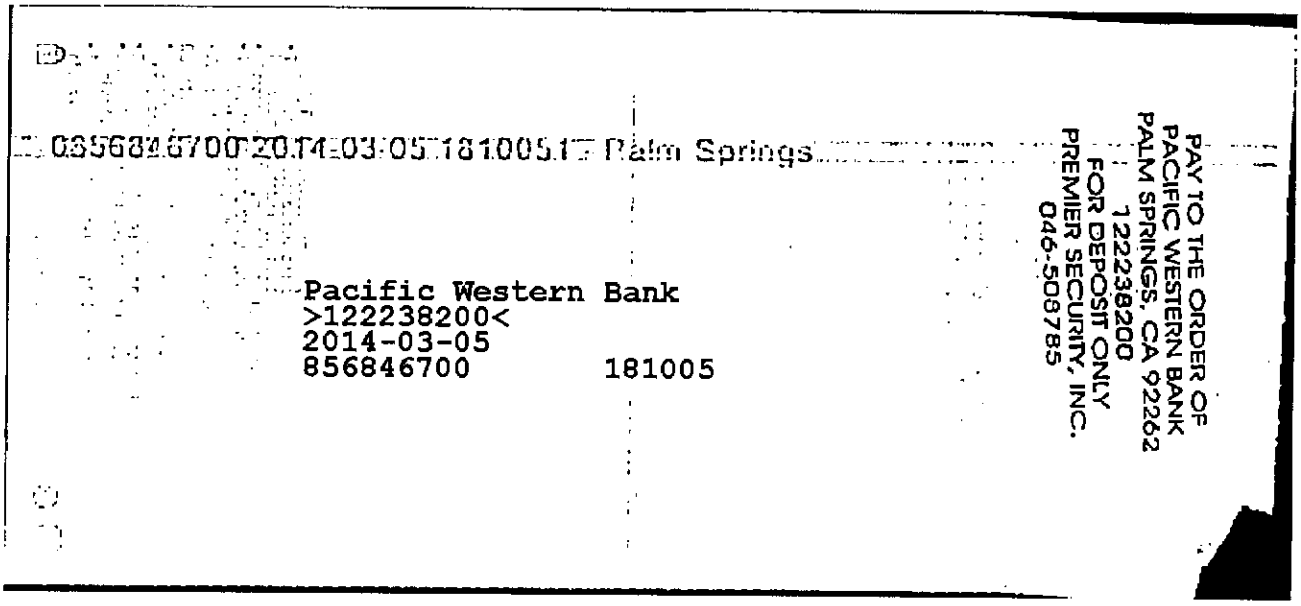
Ninety three & 75/100 Dollars

Bank of America

ACH R/T 121000358

For Nexus-?

⑈121000358⑈ 325018532339⑈0143



⑆035684700⑆ 2014-03-05 181005 ⑈ Palm Springs

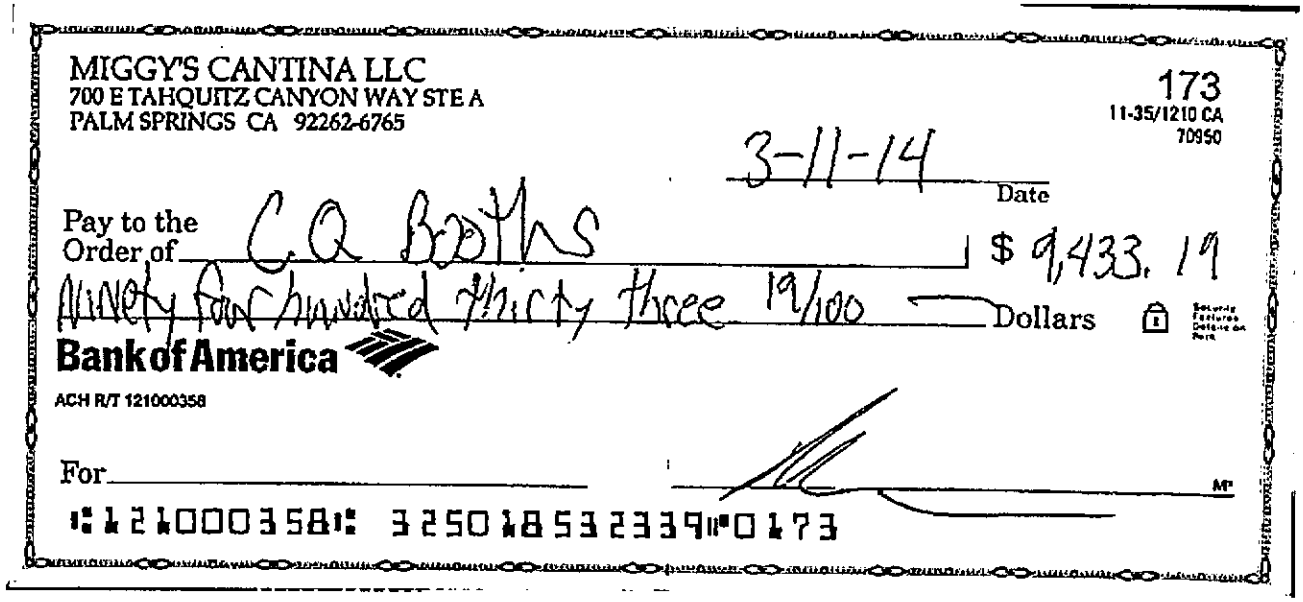
Pacific Western Bank
>122238200<
2014-03-05
856846700 181005

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
PALM SPRINGS, CA 92262
122238200
FOR DEPOSIT ONLY
PREMIER SECURITY, INC.
046-508785

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/05/2014	008492234318	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/05/2014	000000856846700	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/05/2014	000008650856128	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$9,433.19	Sequence Number:	8592576446
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	173



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

173
11-35/1210 CA
70950

3-11-14
Date

Pay to the Order of C.Q Booths $ 9,433.19

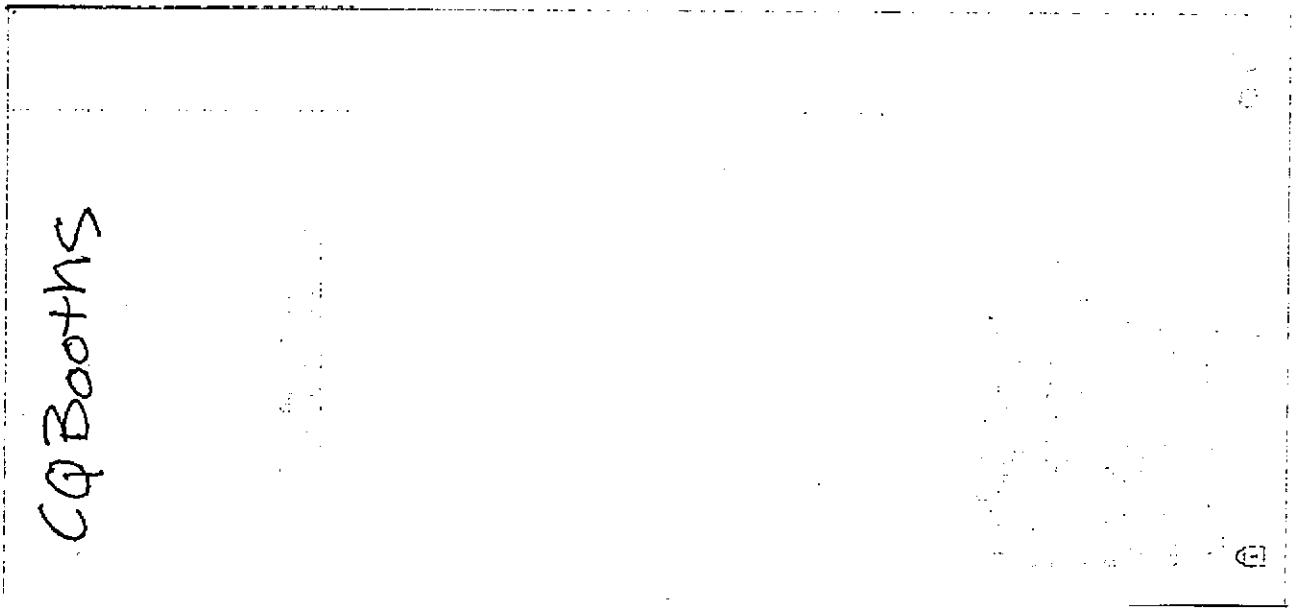
Ninety four hundred thirty three 19/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0173

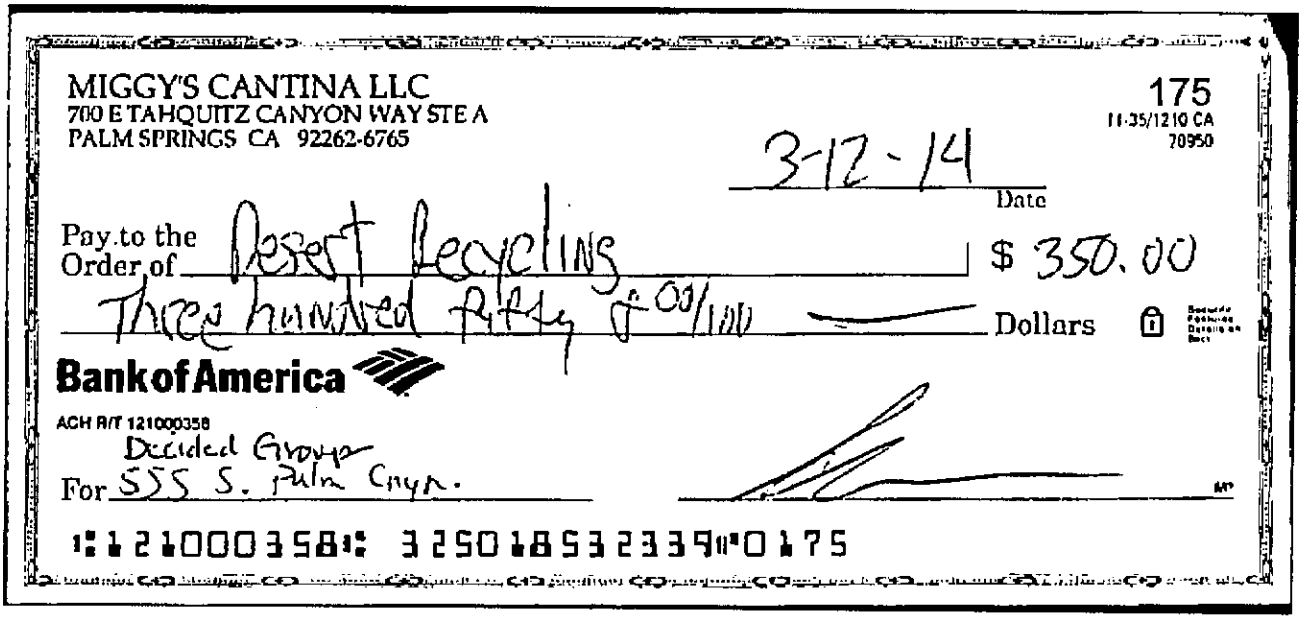


C.Q Booths

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4790676197	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
03/17/2014	008592576446	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$350.00	Sequence Number:	8992359179
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	175



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

175
11-35/1210 CA
70950

3-12-14
Date

Pay to the Order of Desert Recycling $ 350.00

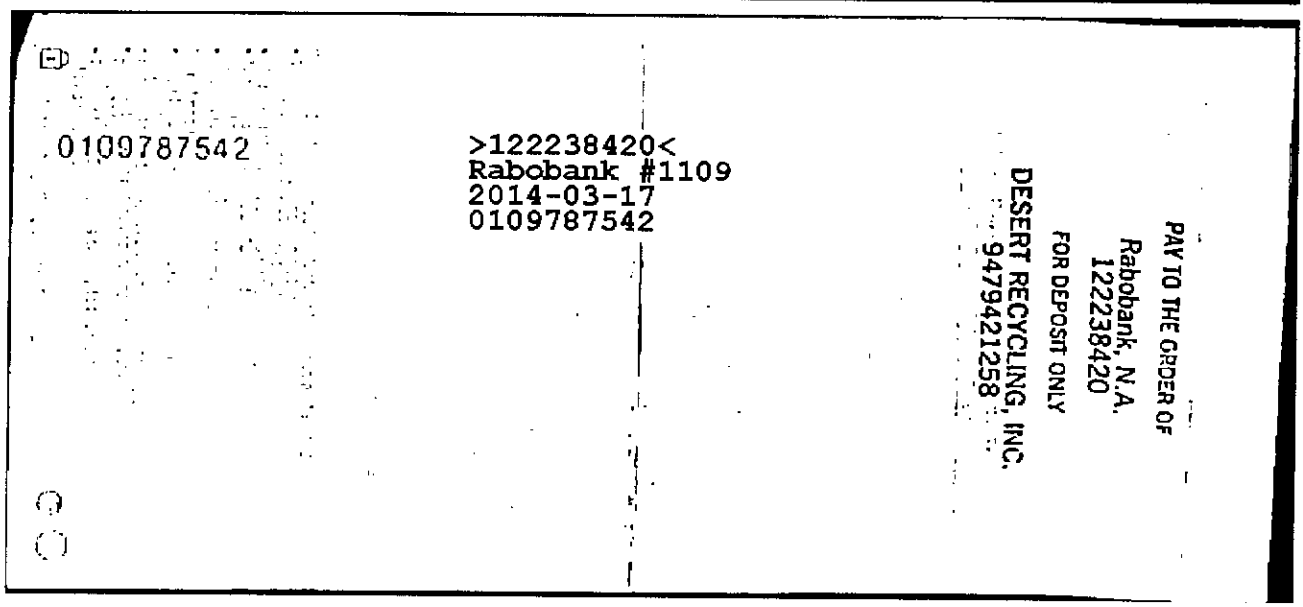
Three hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

Decided Group
For 555 S. Palm Cnyn.

⑆121000358⑆ 325018532339⑈0175



0109787542

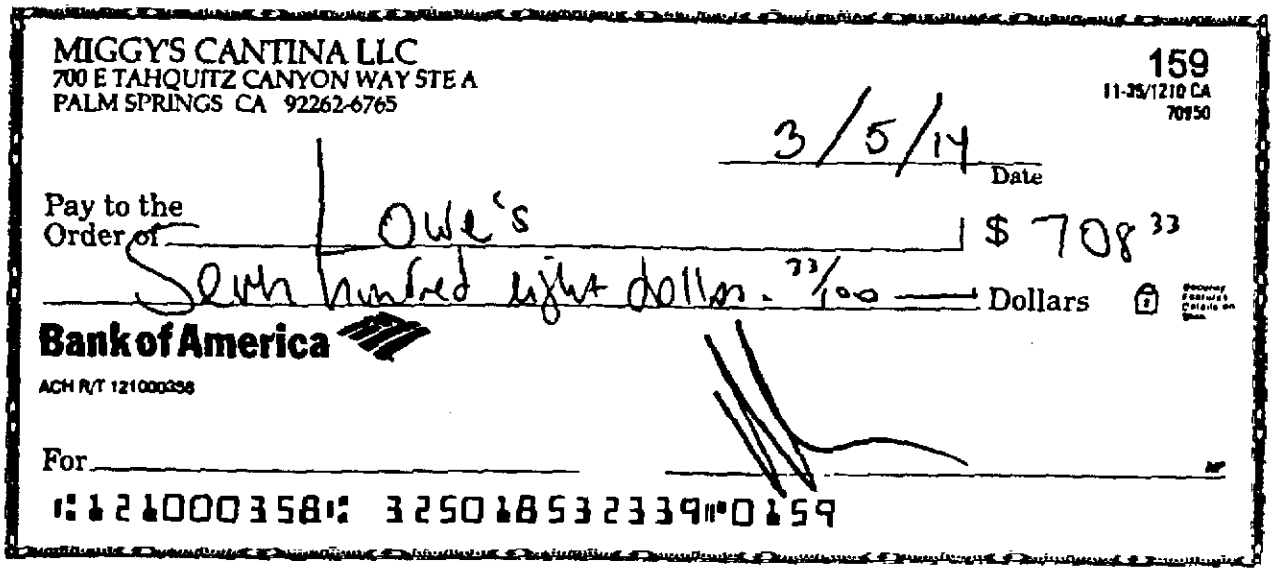
>122238420<
Rabobank #1109
2014-03-17
0109787542

PAY TO THE ORDER OF
Rabobank, N.A.
122238420
FOR DEPOSIT ONLY
DESERT RECYCLING, INC.
9479421258

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	000008832106275	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/17/2014	008992359179	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/17/2014	000000109787542	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$708.33	Sequence Number:	8992759926
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	159


MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

159
11-35/1210 CA
70150

3/5/14
Date

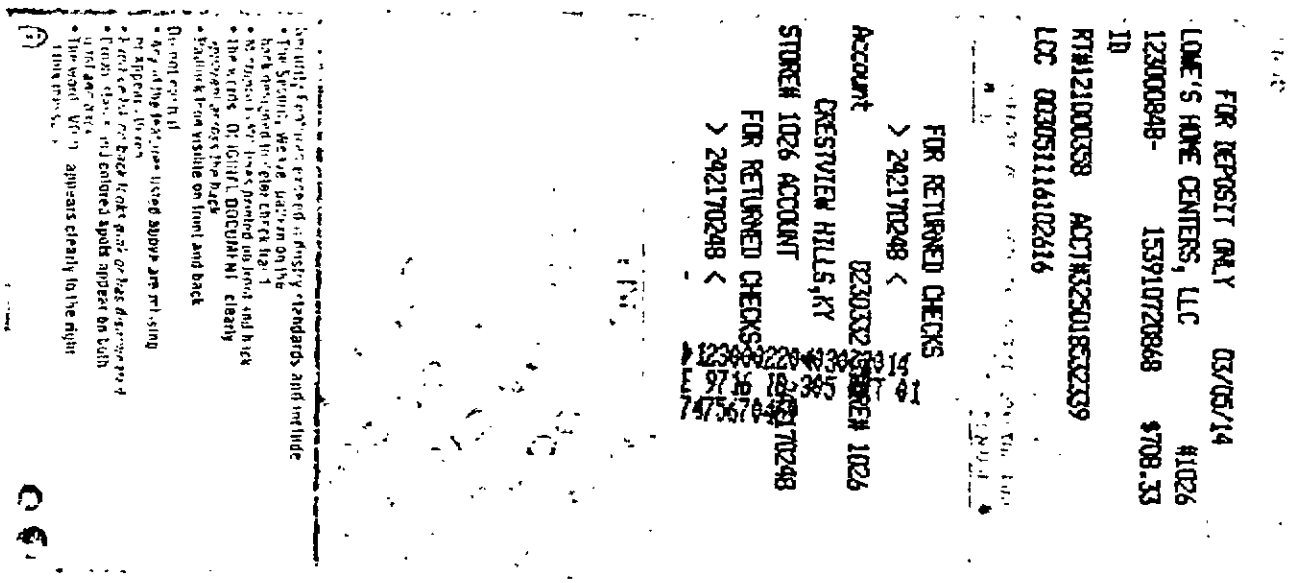
Pay to the Order of OWE'S $ 708 33

Seven hundred eight dollars 33/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0159

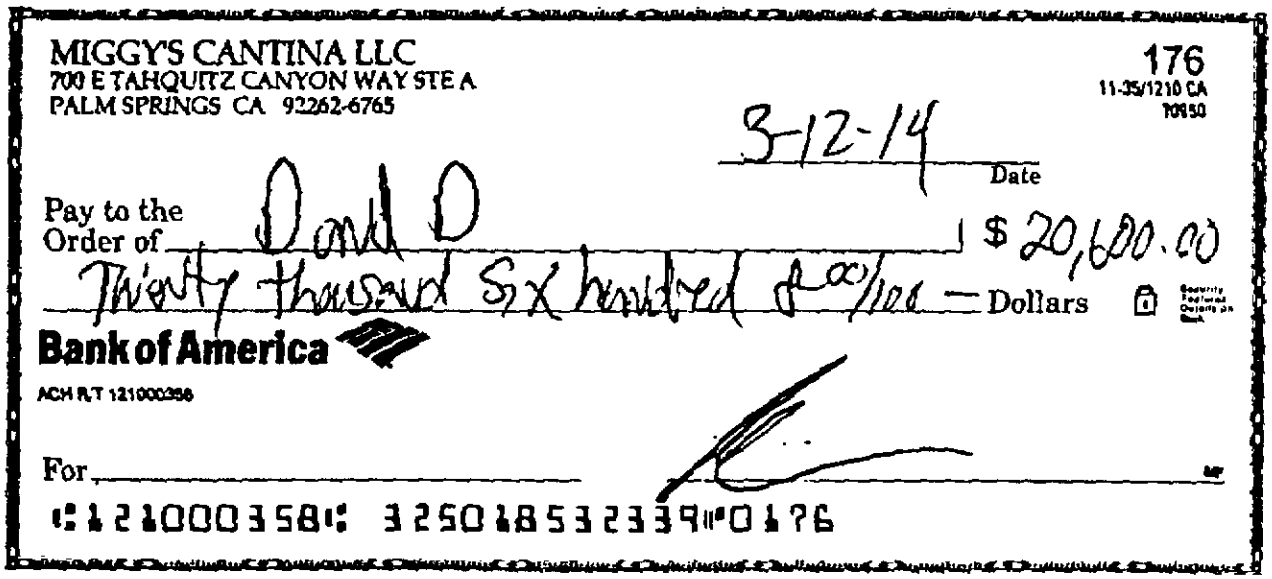

FOR DEPOSIT ONLY 03/05/14
LOWE'S HOME CENTERS, LLC #1026
123000848- 153910720868 $708.33
ID
RT#121000358 ACCT#325018532339
LOC 0000511161026416

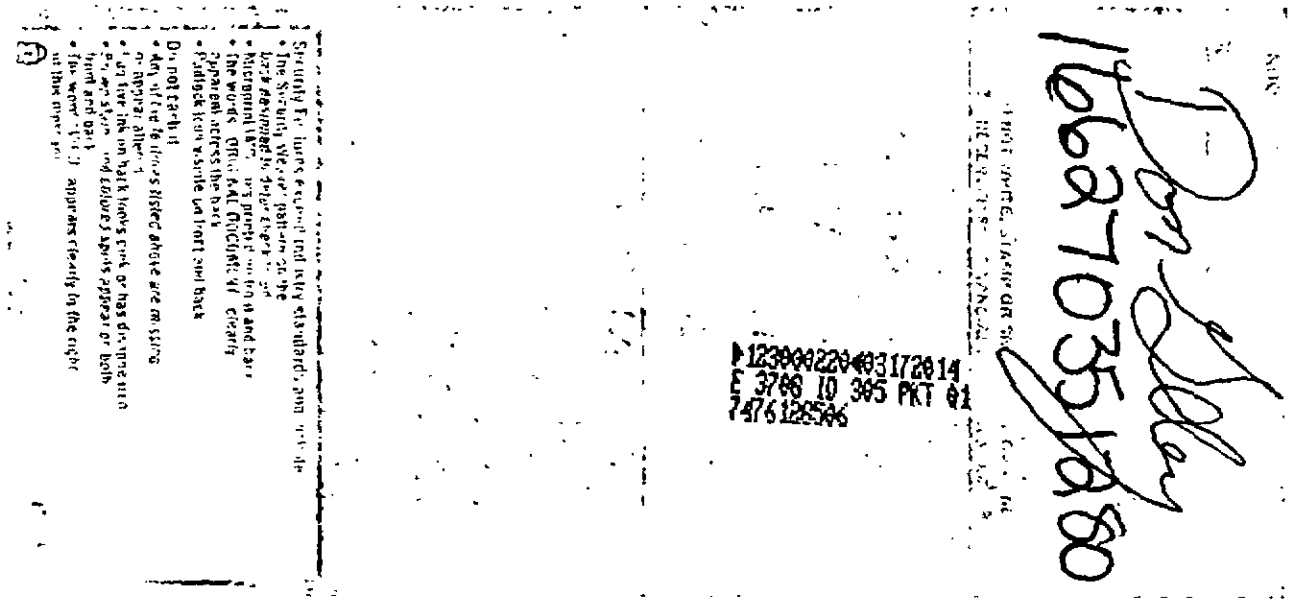
FOR RETURNED CHECKS
> 242170248 <
Account
CRESTVIEW HILLS,KY 1026
STORE# 1026 ACCOUNT
FOR RETURNED CHECKS
> 242170248 <

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/07/2014	009597303316	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/10/2014	008992759926	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/07/2014	004191263324	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	009597303316	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	7475670469	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
03/07/2014	004191263324	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$20,600.00	Sequence Number:	8992852624
Account:	325018532339	Capture Date:	03/18/2014
Bank Number:	12100035	Check Number:	176

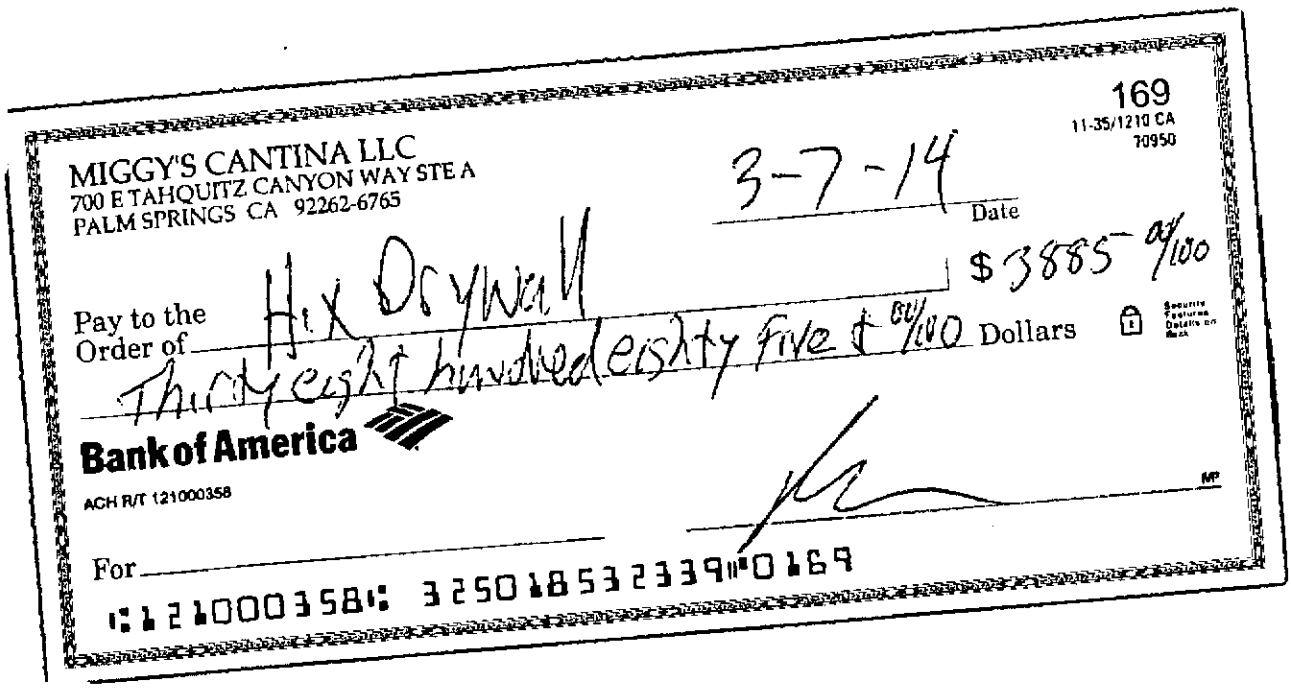


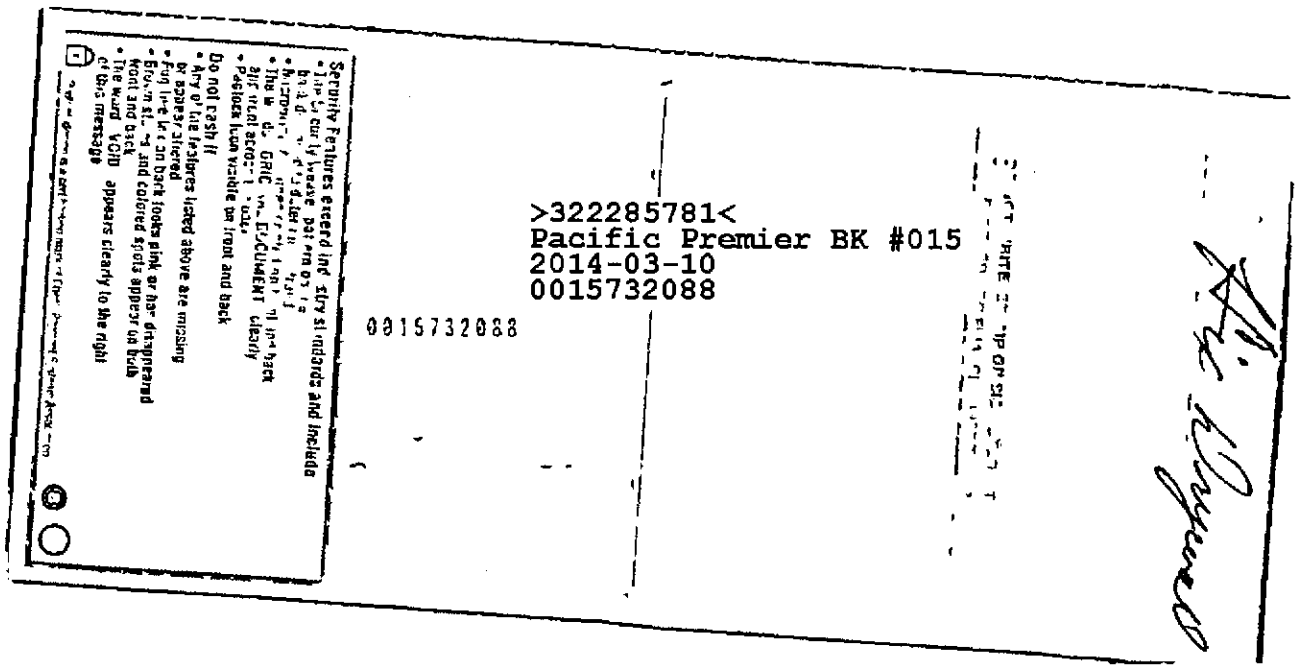


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/18/2014	008992852624	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/17/2014	009596783491	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	009596783491	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	7476128506	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$3,885.00	Sequence Number:	9392856285
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	169

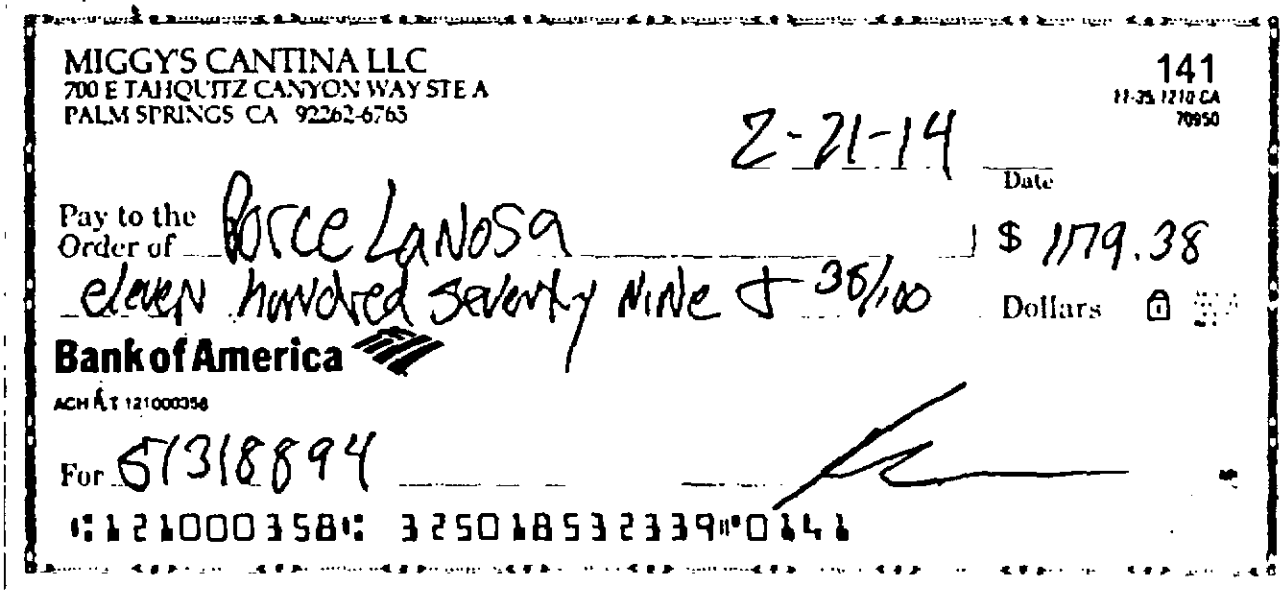




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	907355015732088	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
03/10/2014	000008841567802	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/10/2014	009392856285	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,179.38	Sequence Number:	9492235996
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	141



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

141
11-35 1210 CA
70950

2-21-14
Date

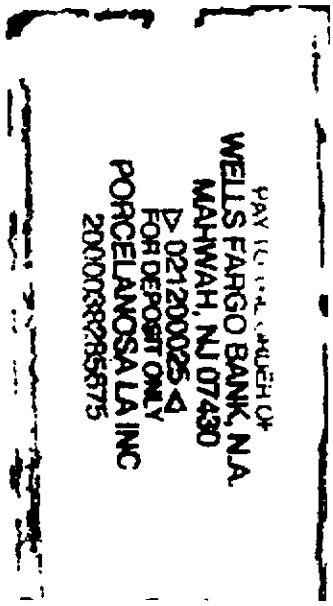
Pay to the Order of Porce LaNosa $ 1179.38

eleven hundred seventy Nine & 38/100 Dollars

Bank of America
ACH R/T 121000358

For 673188894

⑆121000358⑆ 325018532339⑈0141



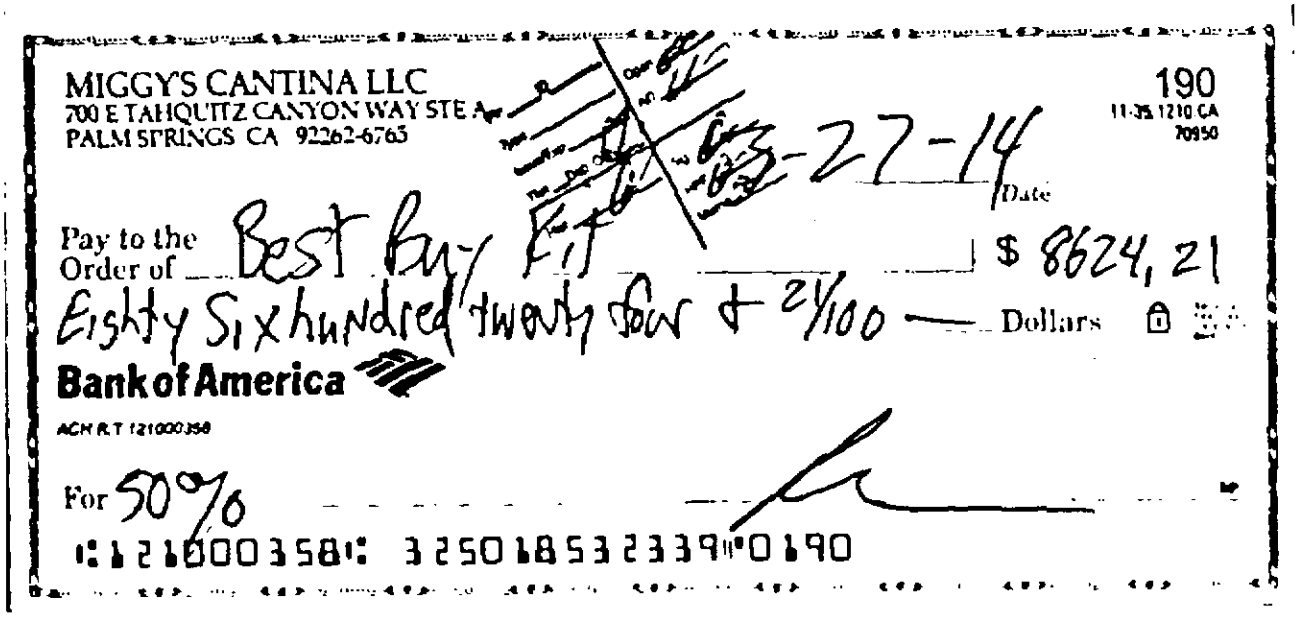
PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
⑆021200025⑆
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2000038928556775

WELLS FARGO BANK NA EXT
20140223 E0915 PKT 04
▶1221-0527-84

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009492235996	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	000002229489009	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$8,624.21	Sequence Number:	9492933984
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	190



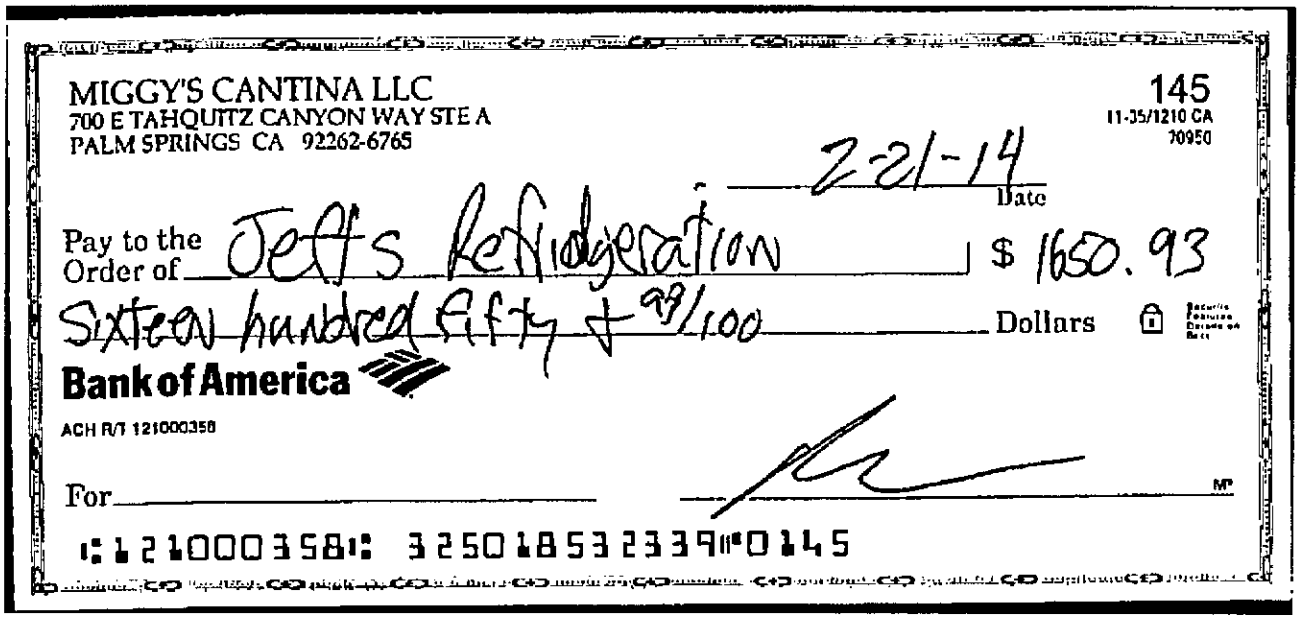
PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839482

WELLS FARGO BANK NA ENT
20140323 E0036 EXT 04
▶1221-0527-8◀
000002222305920

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	009492933984	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/31/2014	000002222305920	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$1,650.93	Sequence Number:	9592191607
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	145



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

145
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Jeff's Refridgeration $ 1650.93

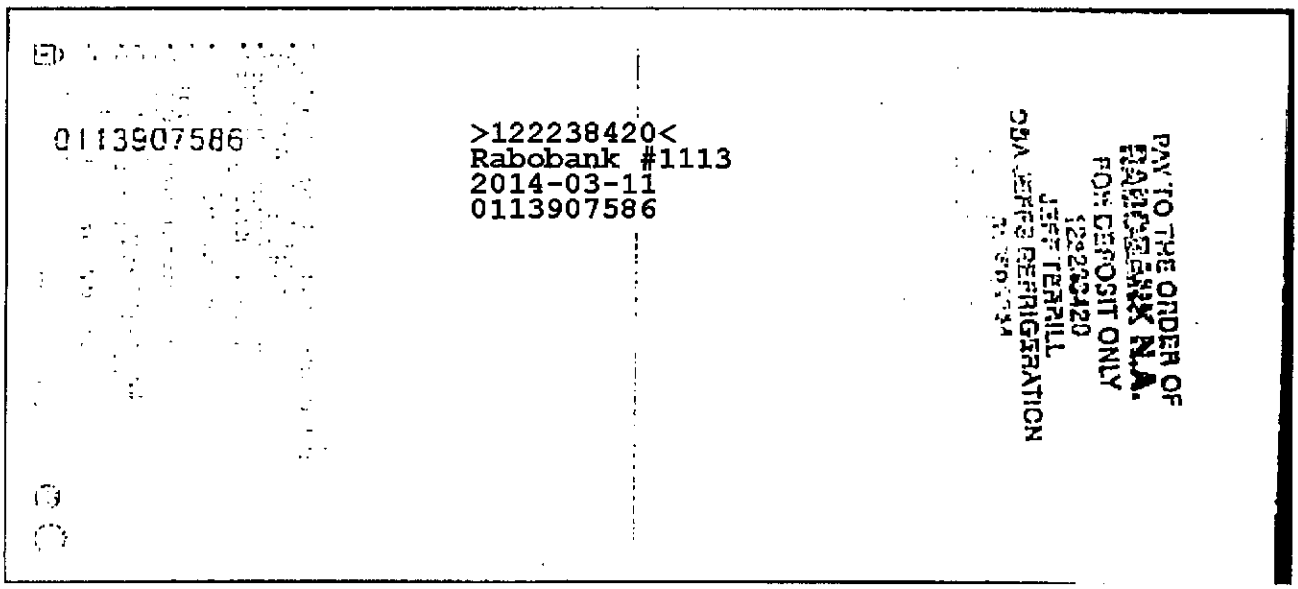
Sixteen hundred fifty & 93/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0145



0113907586

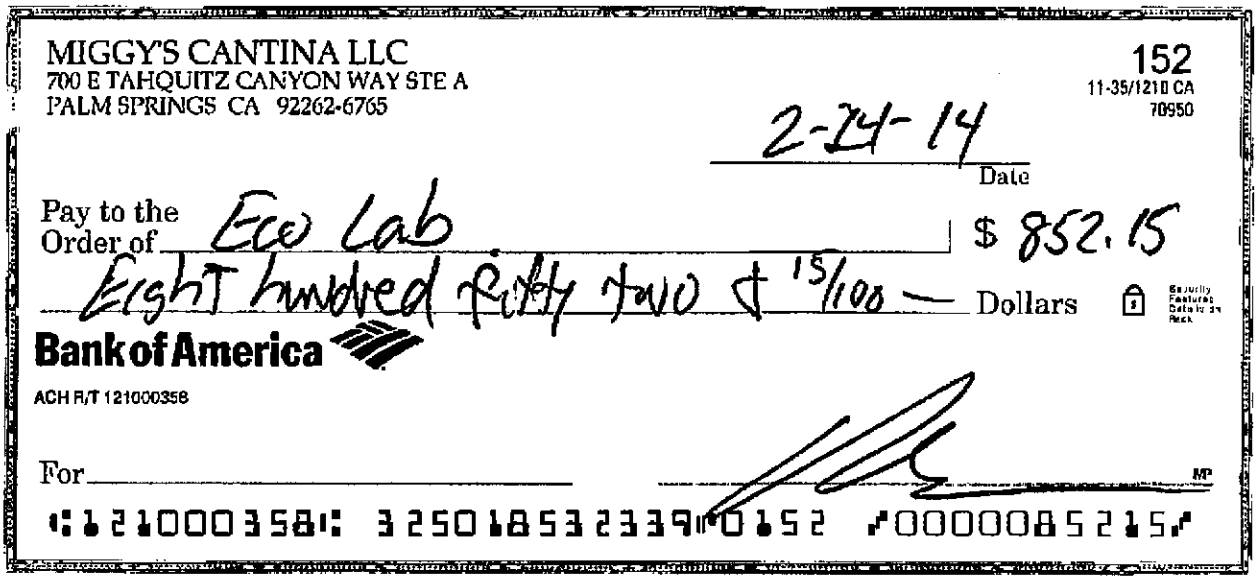
>122238420<
Rabobank #1113
2014-03-11
0113907586

PAY TO THE ORDER OF
RABOBANK N.A.
FOR DEPOSIT ONLY
122238420
JEFF TERRILL
DBA JEFFS REFRIGERATION

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592191607	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000000113907586	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
03/11/2014	000008245086988	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$852.15	Sequence Number:	9592386879
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	152



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

152
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Eco Lab $ 852.15

Eight hundred fifty two & 15/100 — Dollars

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0152 ⑈000000852.15⑈

JPMORGANCHASE BK NA CR TO NMD

030414 >074909962< PAYEE ALL

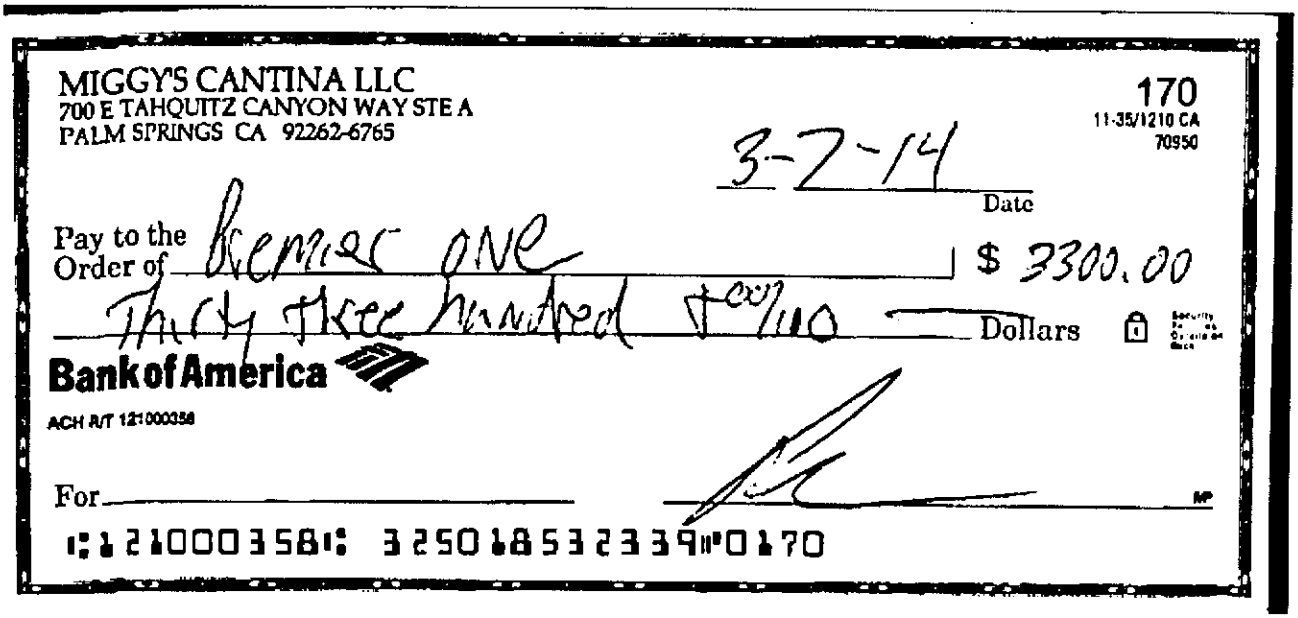
27742794 0026252 RTS RSVD

00951484 009 0000000464641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009592386879	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	5490879228	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$3,300.00	Sequence Number:	9592533236
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	170



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

170
11-35/1210 CA
70950

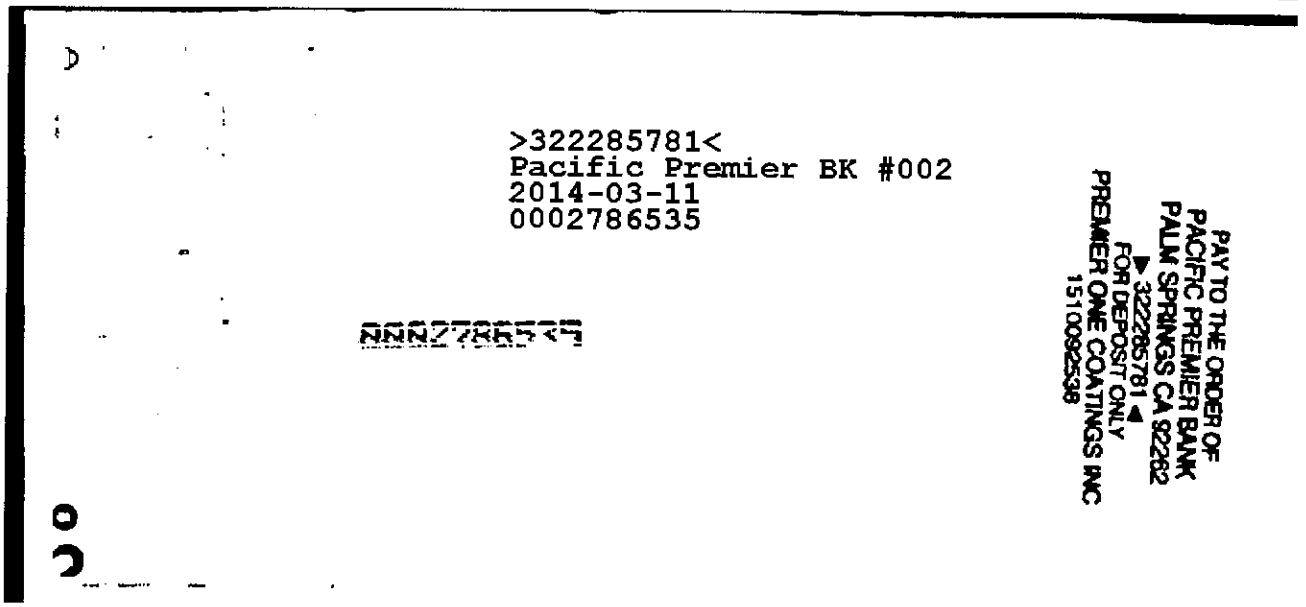
3-7-14
Date

Pay to the Order of Premier ONE
$ 3300.00
Thirty three hundred 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0170



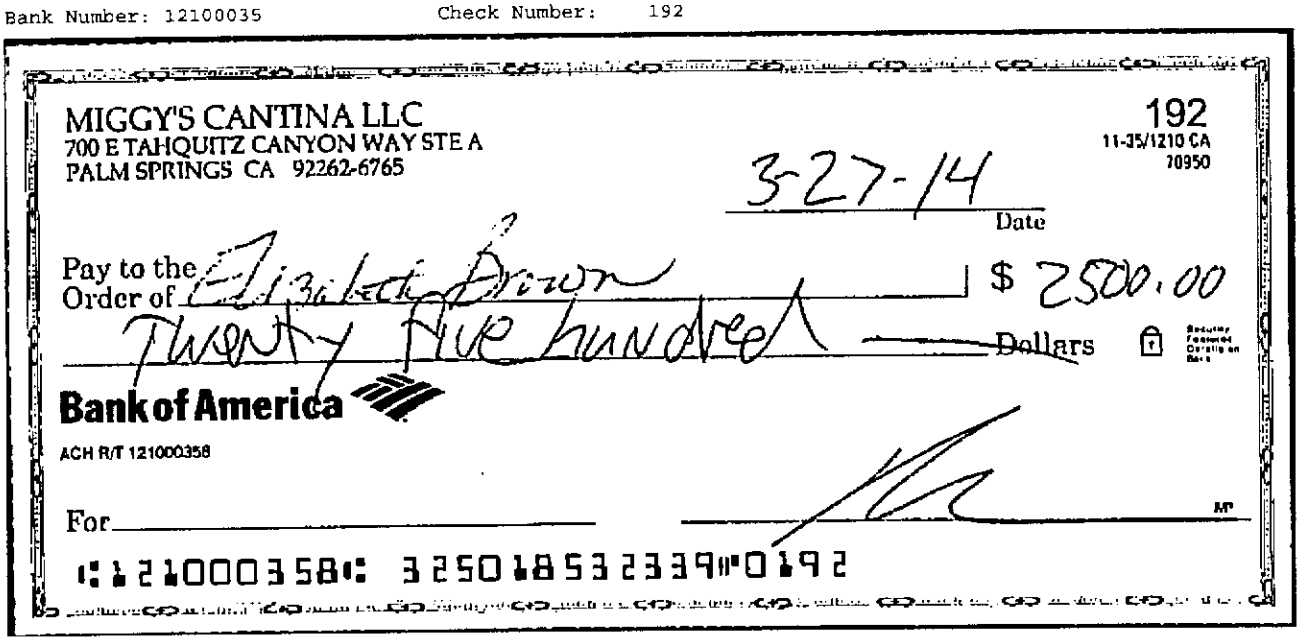
>322285781<
Pacific Premier BK #002
2014-03-11
0002786535

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
▶322285781◀
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
1510092538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592533236	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000008841676673	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/11/2014	907355002786535	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$2,500.00	Sequence Number:	9692200592
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	192



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

192
11-35/1210 CA
70950

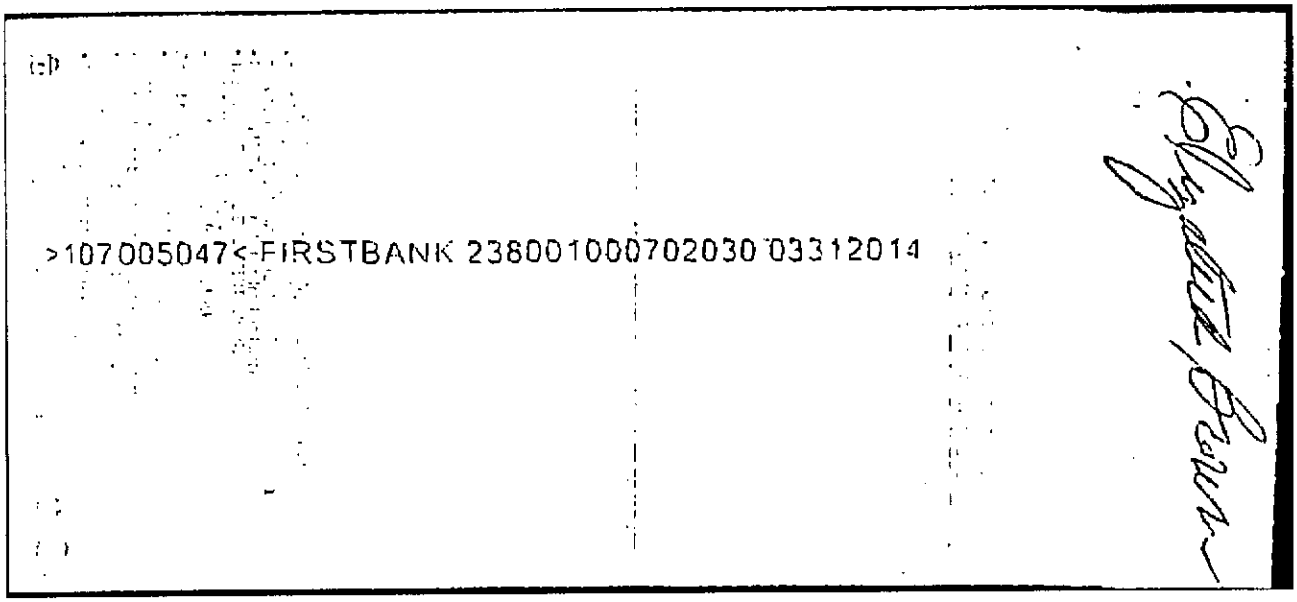
3-27-14
Date

Pay to the Order of Elizabeth Brown
$ 2500.00
Twenty Five hundred
Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0192

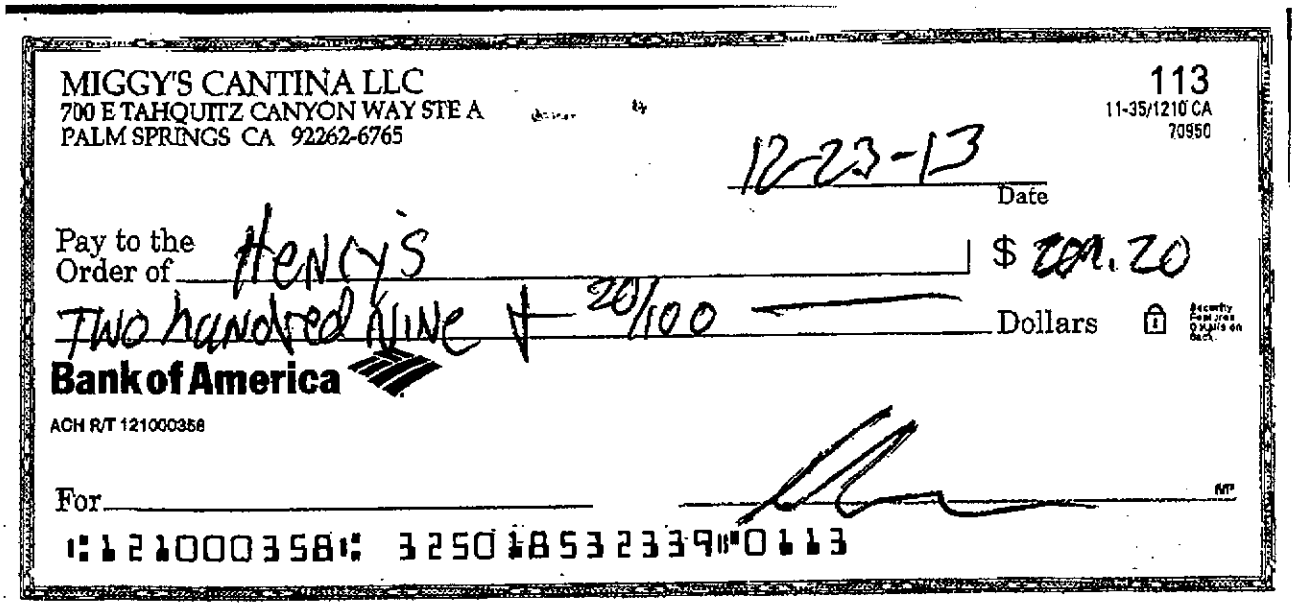


>107005047<-FIRSTBANK 2380010007020303312014

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	000000091923120	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
04/01/2014	009092449192	91000022	Undetermined	N		U.S. BANK NATIONAL A
04/01/2014	009092449192	91408501	Undetermined	N		U.S. BANK NATIONAL A
03/31/2014	009692200592	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$209.20	Sequence Number:	792426651
Account:	325018532339	Capture Date:	01/02/2014
Bank Number:	12100035	Check Number:	113



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

113
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of HENCY'S $ 209.20

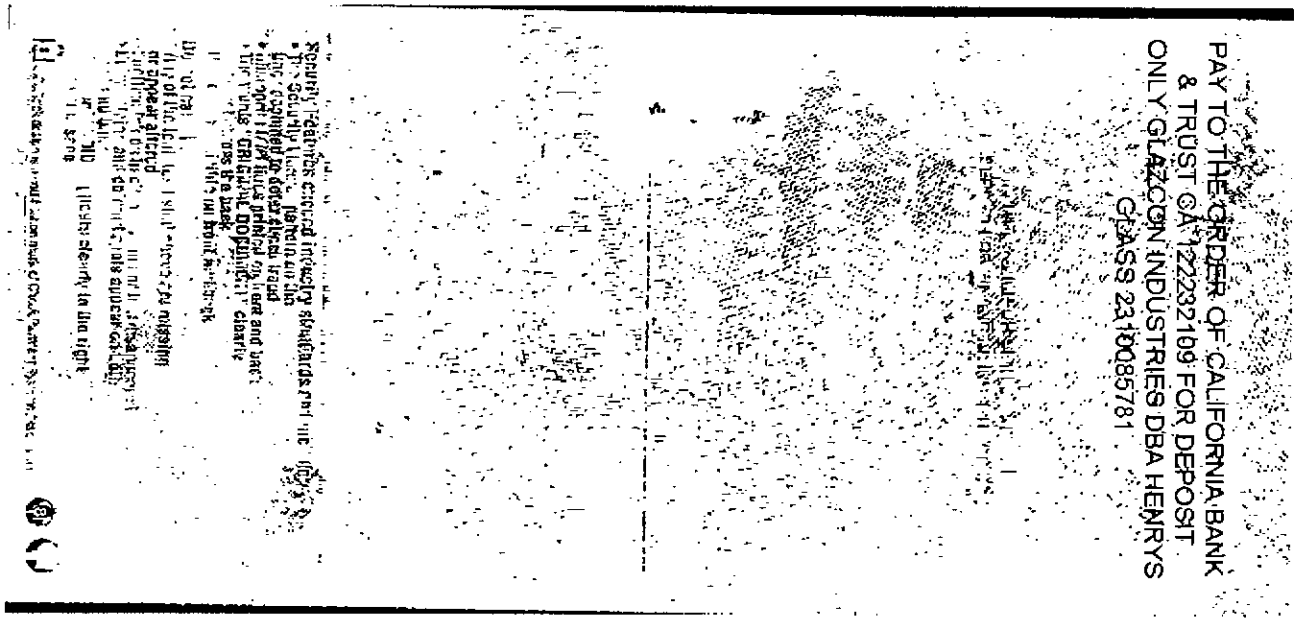
Two hundred NINE + 20/100 Dollars

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0113



PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY GLAZCON INDUSTRIES DBA HENRYS CLASS 2310085781

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/31/2013	312315353083008	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
01/02/2014	000000792426651	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$103.59	Sequence Number:	4292680253
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	122

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

122
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of DWA $ 103.59

one hundred three & 59/100 Dollars

Bank of America

ACH R/T 121000358

For

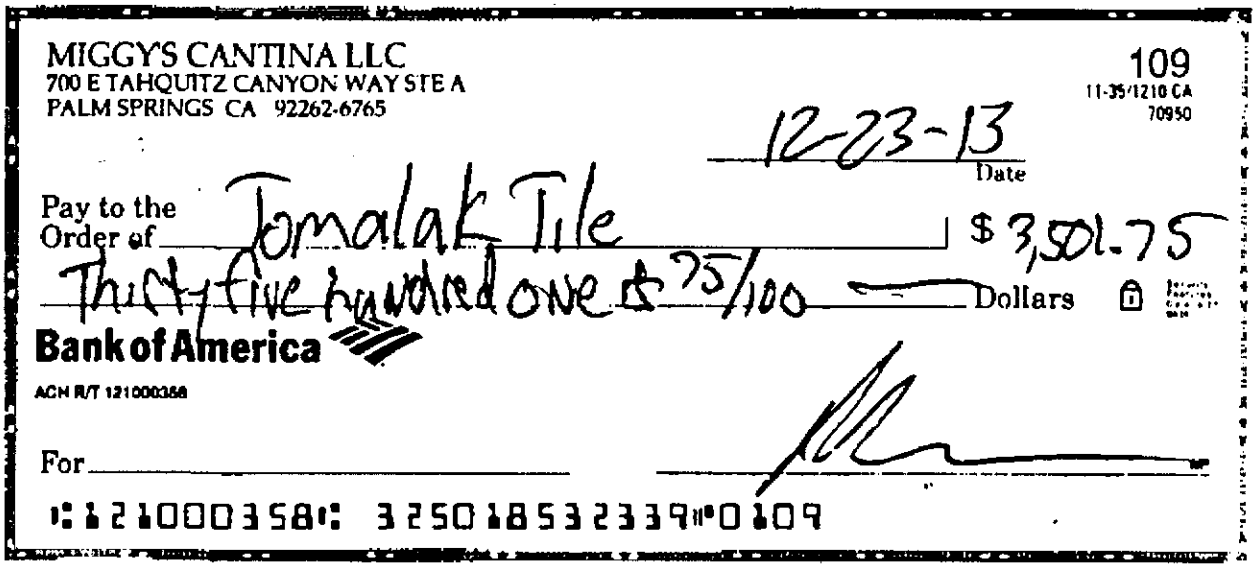
⑆121000358⑆ 325018532339⑈0122

Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	004292680253	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/07/2014	4513342679	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$3,501.75	Sequence Number:	4642614072
Account:	325018532339	Capture Date:	01/03/2014
Bank Number:	12100035	Check Number:	109



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

109
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Tomalak Tile $ 3,501.75

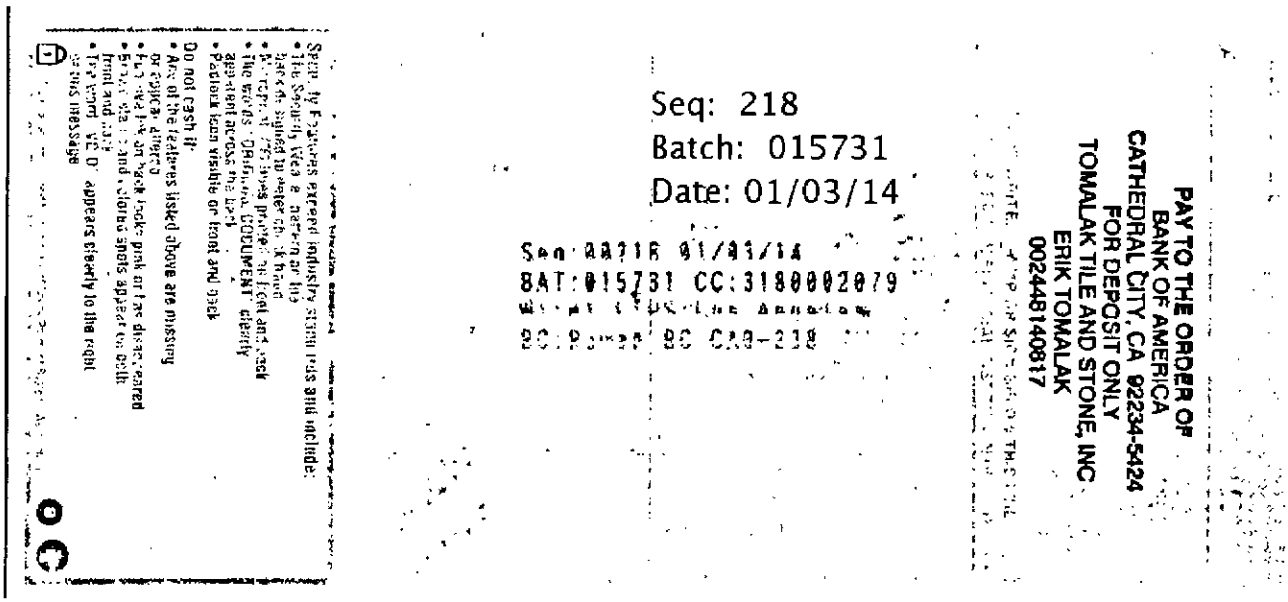
Thirty five hundred one & 75/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0109



Seq: 218
Batch: 015731
Date: 01/03/14

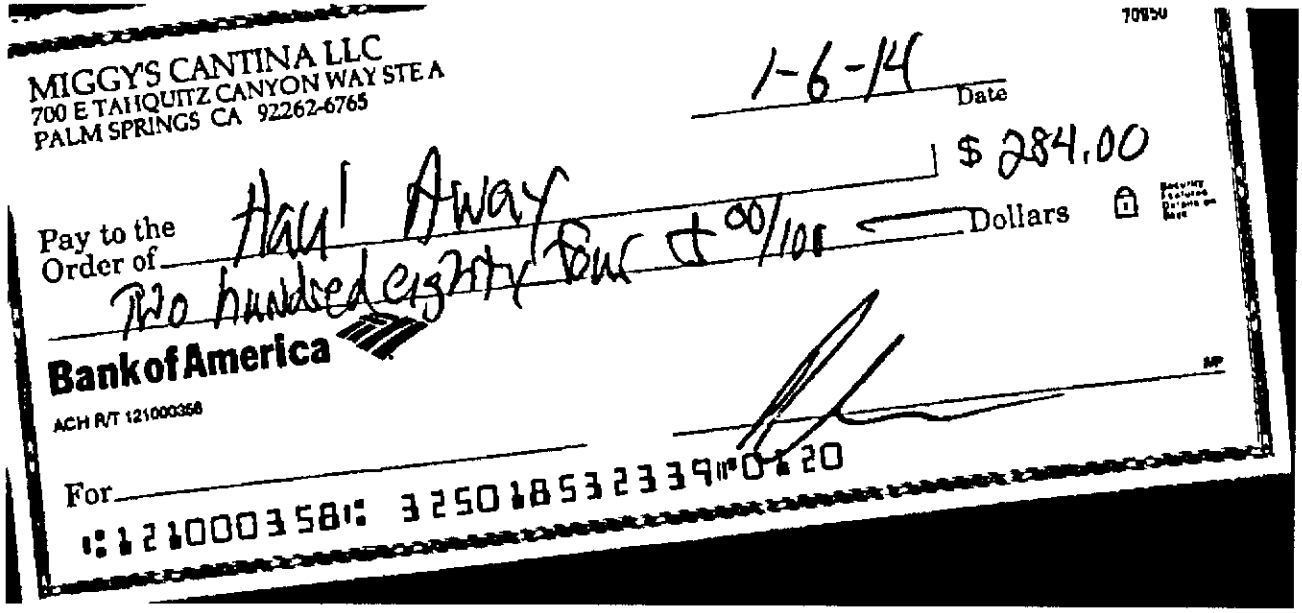
Seq 00218 01/03/14
BAT:015731 CC:3180002079

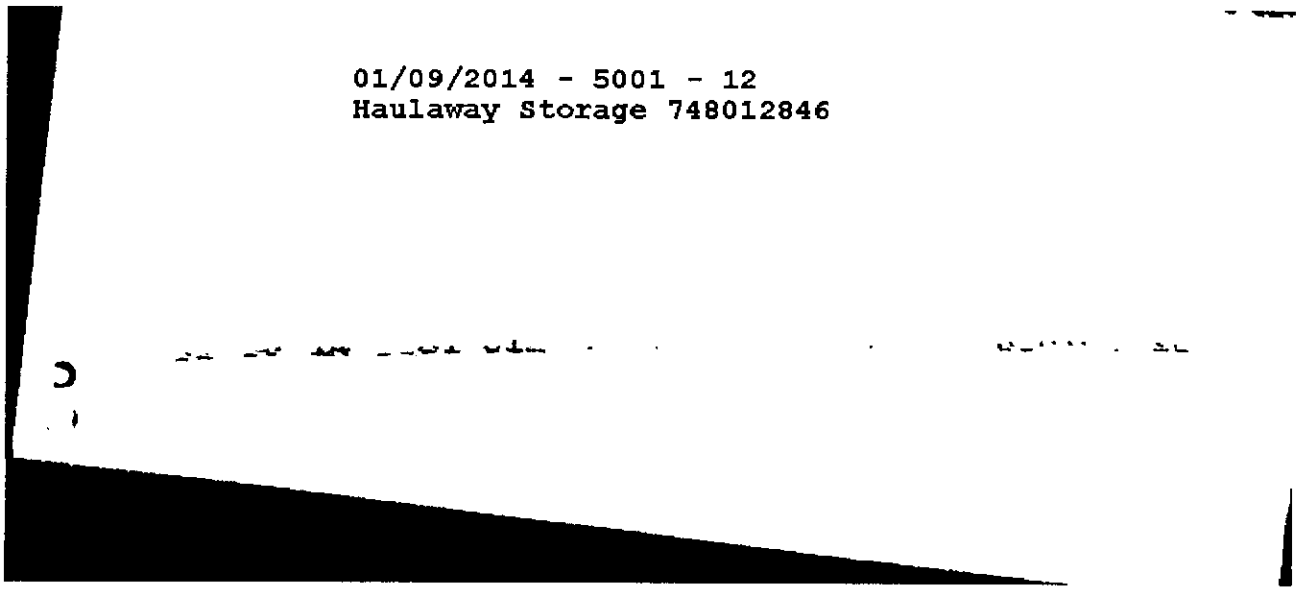
PAY TO THE ORDER OF
BANK OF AMERICA
CATHEDRAL CITY, CA 92234-5424
FOR DEPOSIT ONLY
TOMALAK TILE AND STONE, INC
ERIK TOMALAK
002448140817

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/03/2014	4642614072	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$284.00	Sequence Number:	4692092619
Account:	325018532339	Capture Date:	01/09/2014
Bank Number:	12100035	Check Number:	120





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/09/2014	0450013450	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST
01/09/2014	004692092619	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$13,330.00	Sequence Number:	4892516248
Account:	325018532339	Capture Date:	01/10/2014
Bank Number:	12100035	Check Number:	119

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

119
11-39/1210 CA
70950

1-6-14
Date

Pay to the Order of DWA $ 13,330.00

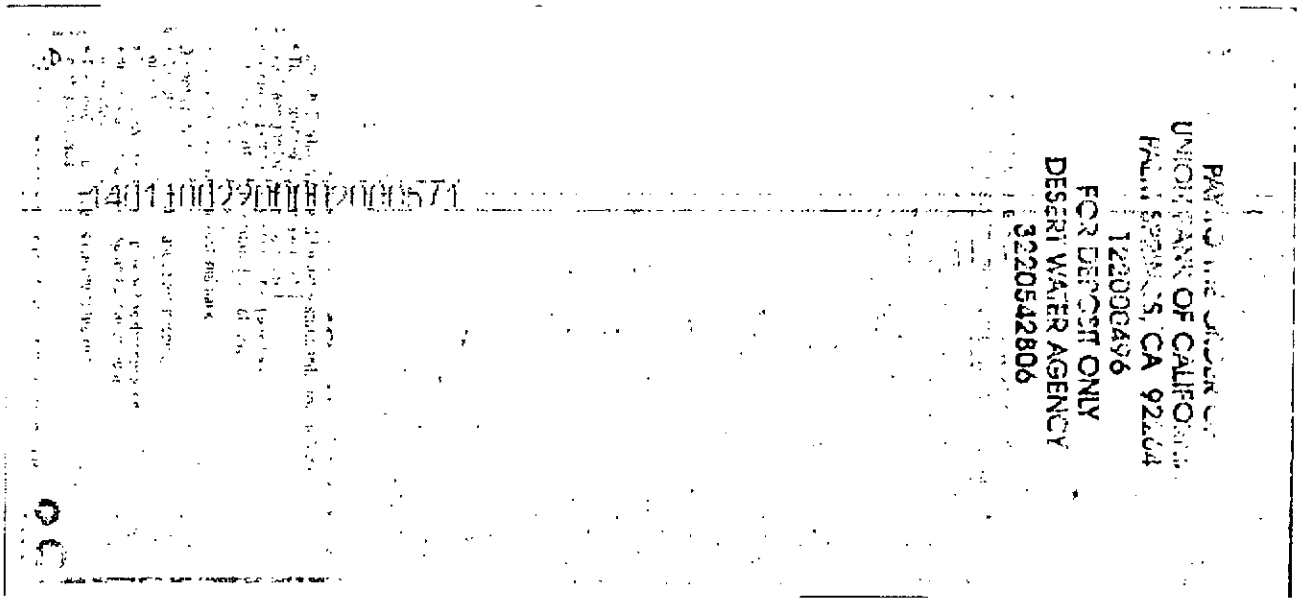
Thirteen thousand three hundred thirty Dollars

Bank of America

ACH R/T 121000358

For water Service

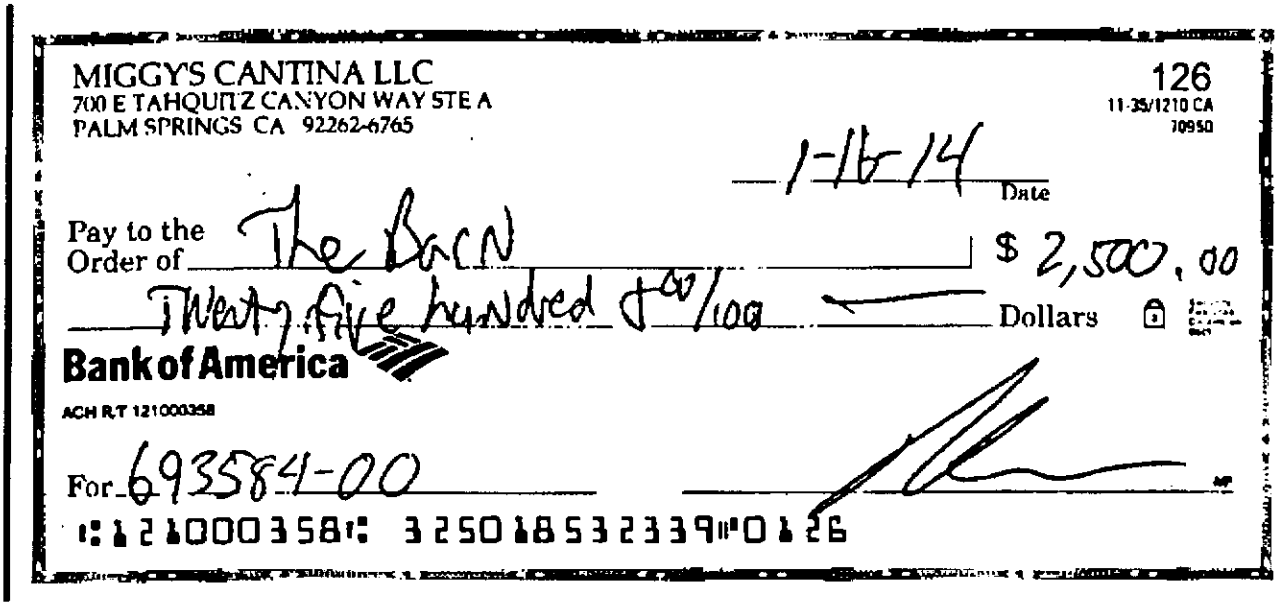
⑆121000358⑆ 325018532339⑈0119



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/10/2014	4476342740	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
01/10/2014	004892516248	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	5342069593
Account:	325018532339	Capture Date:	01/24/2014
Bank Number:	12100035	Check Number:	126



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

126
11-35/1210 CA
70950

1-16-14
Date

Pay to the Order of The BACN
$ 2,500.00

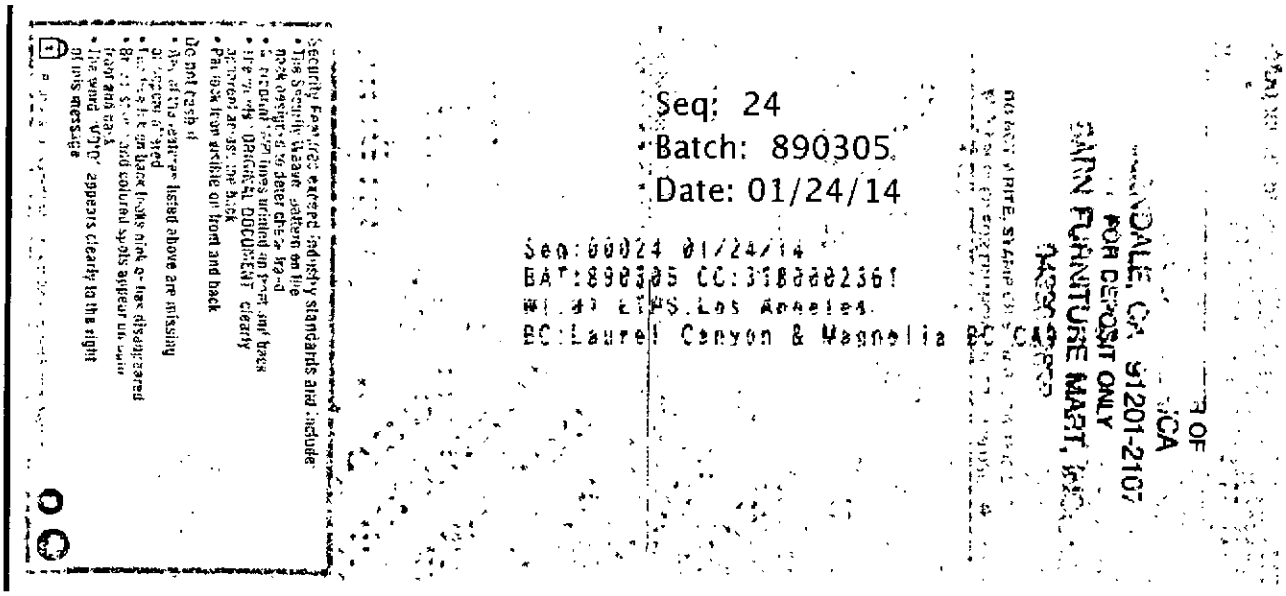
Twenty five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 693584-00

⑆121000358⑆ 325018532339⑈0126



Seq: 24
Batch: 890305
Date: 01/24/14

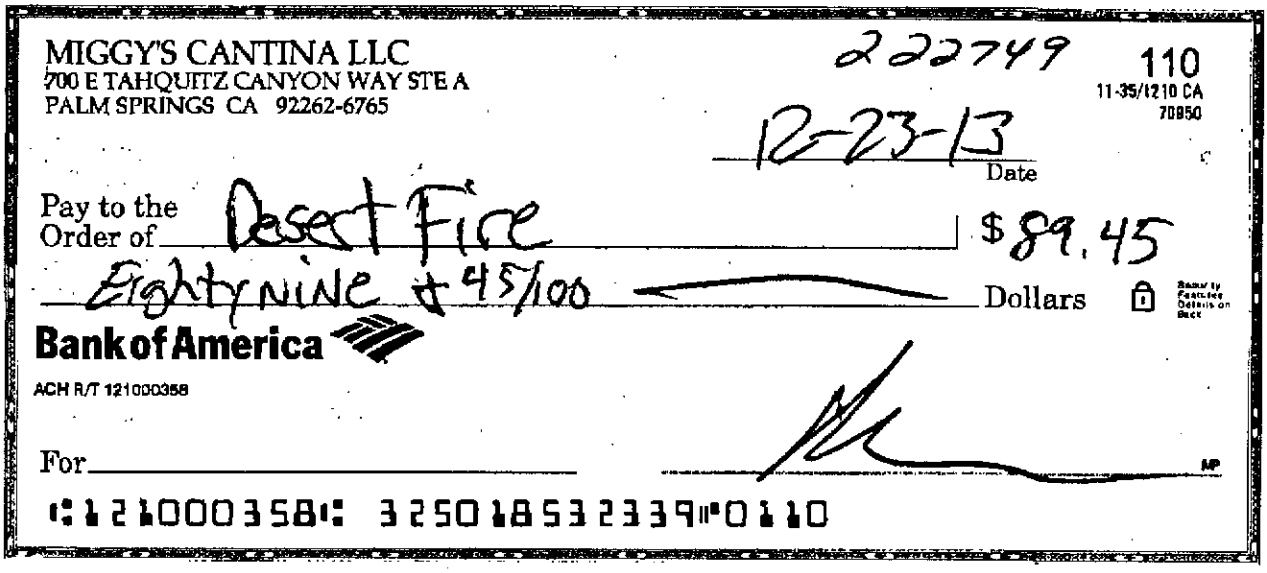
Seq:00024 01/24/14
BAT:890305 CC:318000361
[illegible] S.Los Angeles
BC:Laurel Canyon & Magnolia

FOR DEPOSIT ONLY

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/24/2014	5342069593	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$89.45	Sequence Number:	5592710519
Account:	325018532339	Capture Date:	01/15/2014
Bank Number:	12100035	Check Number:	110



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

222749

110
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Desert Fire $89.45

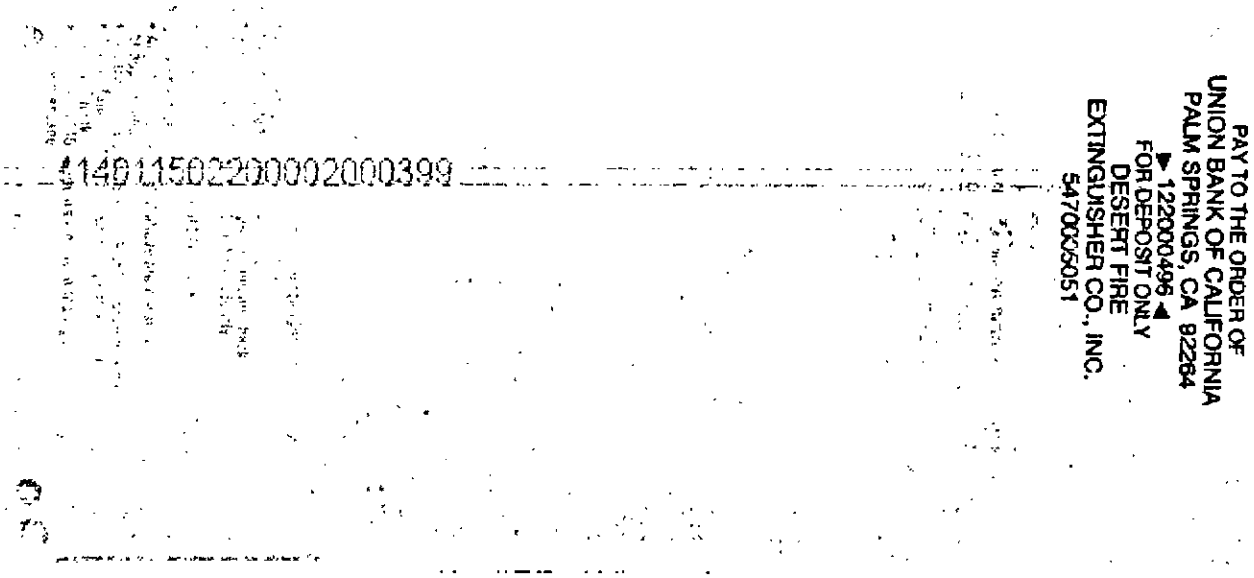
Eighty Nine & 45/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0110



⑆1491150220000200399

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
▼122000496▲
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470005051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/15/2014	005592710519	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/15/2014	4476576768	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$475.00	Sequence Number:	5892500791
Account:	325018532339	Capture Date:	01/31/2014
Bank Number:	12100035	Check Number:	111

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

802187 111
11-35/1210 CA
70950

12-23-13
Date

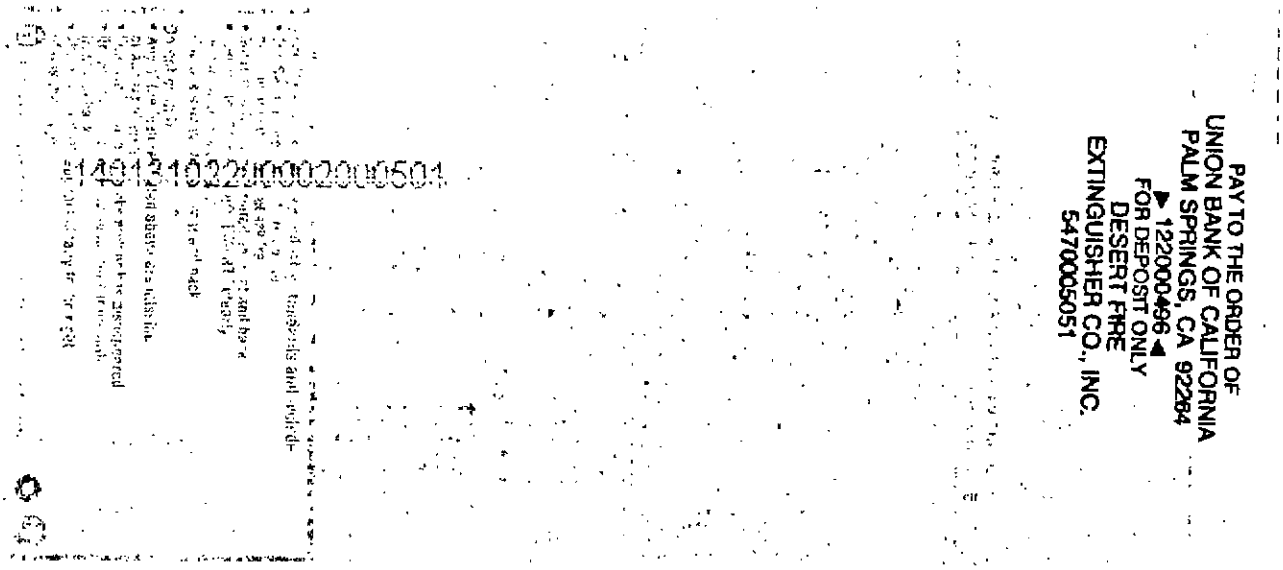
Pay to the Order of Desert Fire $ 475.00

Four hundred Seventy Five & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

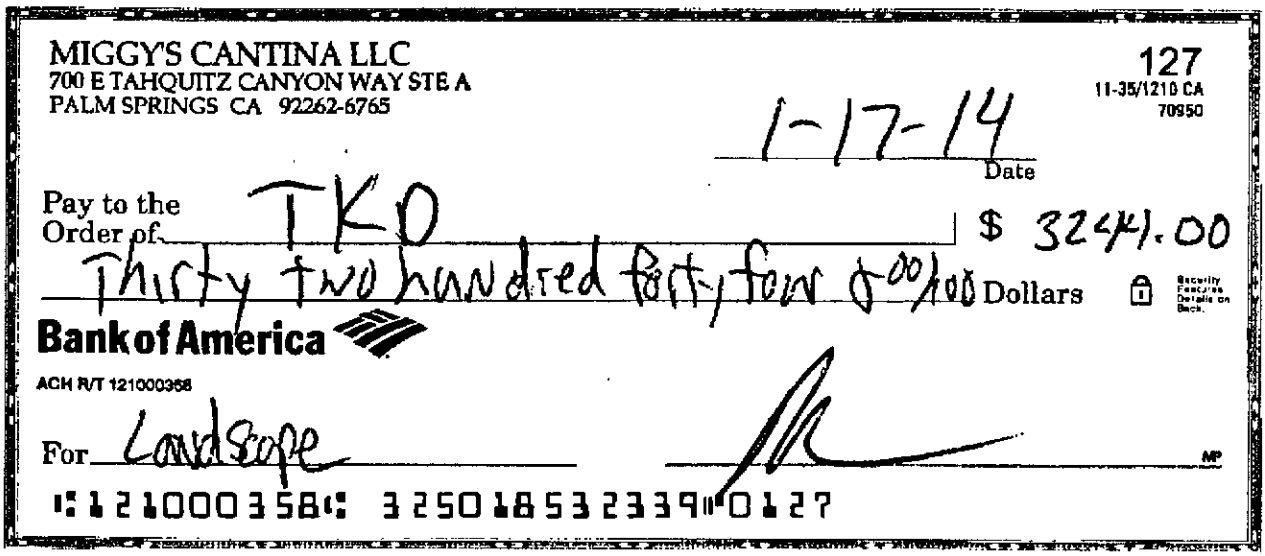
⑆121000358⑆ 325018532339⑈0111



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/31/2014	005892500791	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/31/2014	4476385189	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$3,244.00	Sequence Number:	5992582810
Account:	325018532339	Capture Date:	01/21/2014
Bank Number:	12100035	Check Number:	127



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

127
11-35/1210 CA
70950

1-17-14
Date

Pay to the Order of TKO $ 3241.00

Thirty two hundred forty-four & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Landscape

⑆121000358⑆ 325018532339⑈0127

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/17/2014	4476701911	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
01/21/2014	005992582810	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$595.00	Sequence Number:	6542276228
Account:	325018532339	Capture Date:	01/08/2014
Bank Number:	12100035	Check Number:	123

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

123
11-35/1210 CA
70950

1-6-14 Date

Pay to the Order of City of PS $ 595.00

Five hundred Ninety five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Plan check

⑆121000358⑆ 325018532339⑈0123

Seq: 22
Batch: 225175
Date: 01/08/14

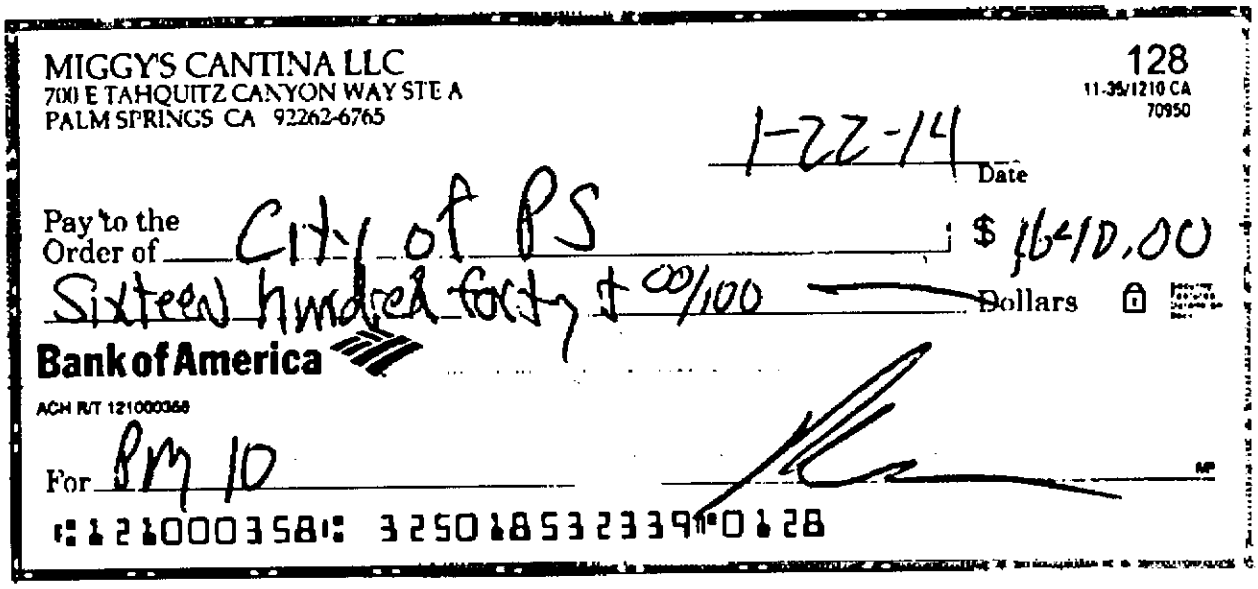
Seq:00022 01/08/14
BAT:225175 SC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/08/2014	6542276228	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,640.00	Sequence Number:	8042286053
Account:	325018532339	Capture Date:	01/23/2014
Bank Number:	12100035	Check Number:	128



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

128
11-35/1210 CA
70950

1-22-14
Date

Pay to the Order of City of PS $ 1640.00

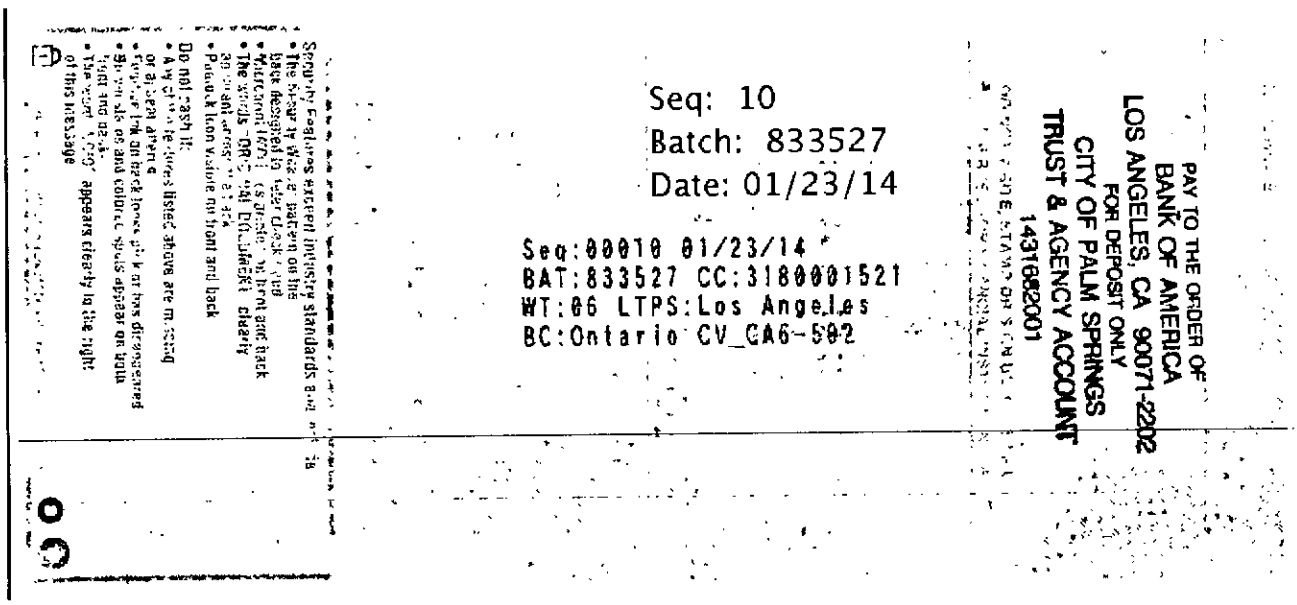
Sixteen hundred forty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For BM 10

⑆121000358⑆ 325018532339⑈0128



Seq: 10
Batch: 833527
Date: 01/23/14

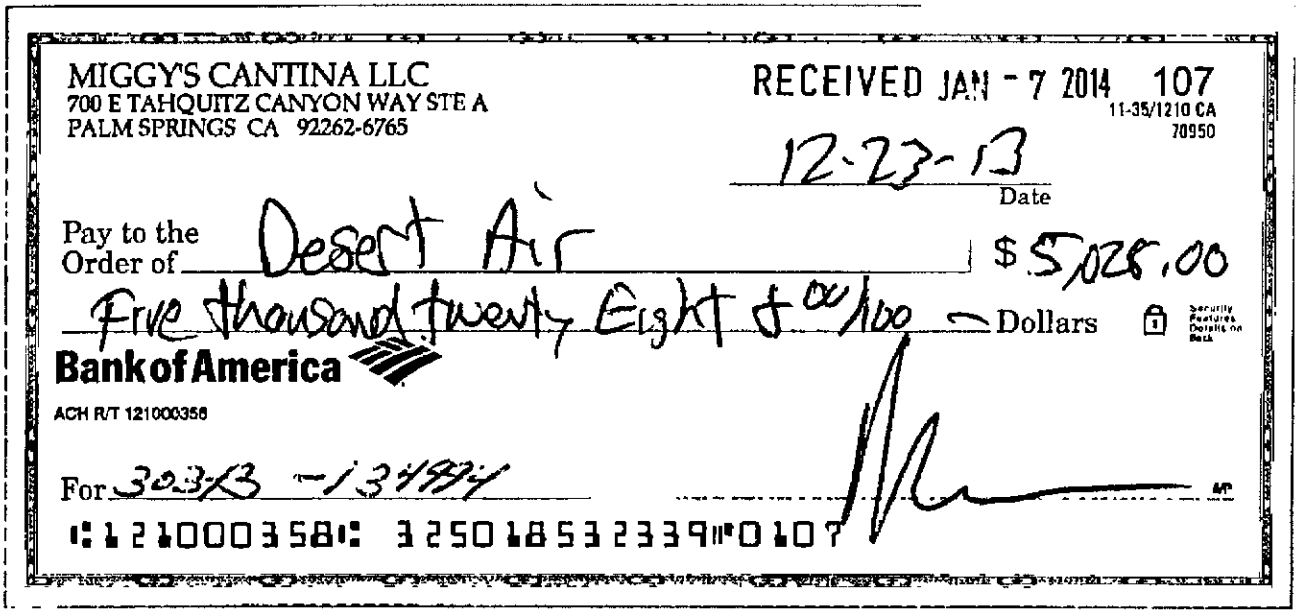
Seq:00010 01/23/14
BAT:833527 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
LOS ANGELES, CA 90071-2202
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
TRUST & AGENCY ACCOUNT
1431682001

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/23/2014	8042286053	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,028.00	Sequence Number:	8692274528
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	107



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

RECEIVED JAN - 7 2014

107
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Desert Air $ 5,028.00

Five thousand twenty Eight & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 303-13 -134884

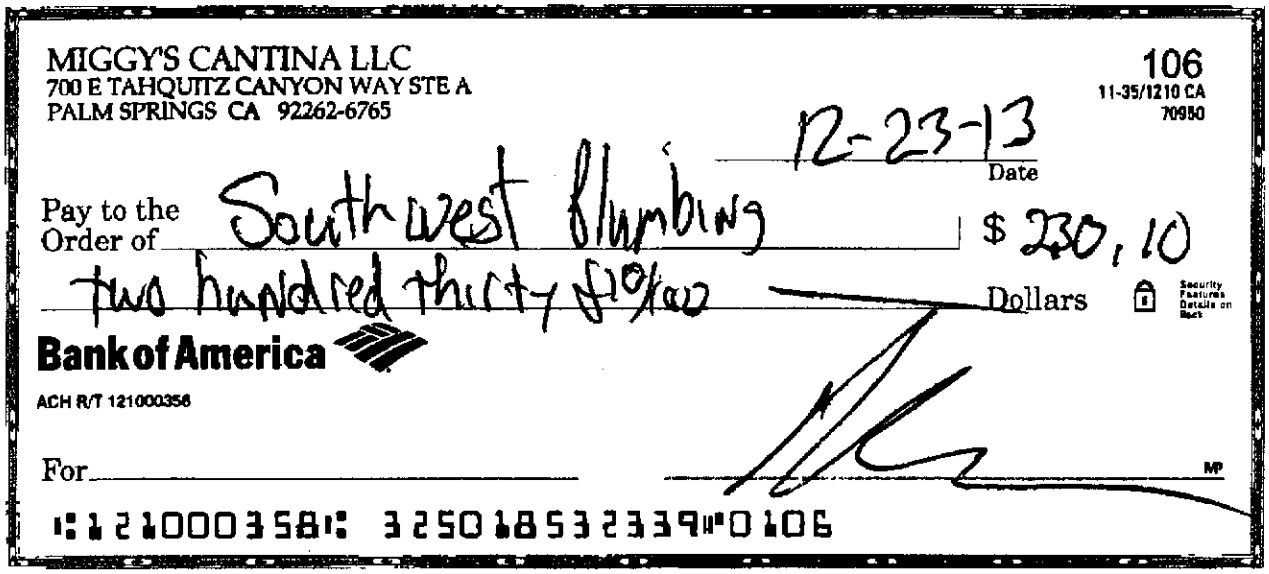
⑆121000358⑆ 325018532339⑈0107

Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
DESERT AIR CONDITIONING, INC.
304317 1000566040

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	008692274528	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/07/2014	046923977323974	122238200	Undetermined	N		PACIFIC WESTERN BANK
01/07/2014	000008653304861	91000019	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	000002023362333	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$230.10	Sequence Number:	8692274618
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	106



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

106
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Southwest Plumbing $ 230.10

two hundred thirty $10/100 Dollars

Security Features Details on Back

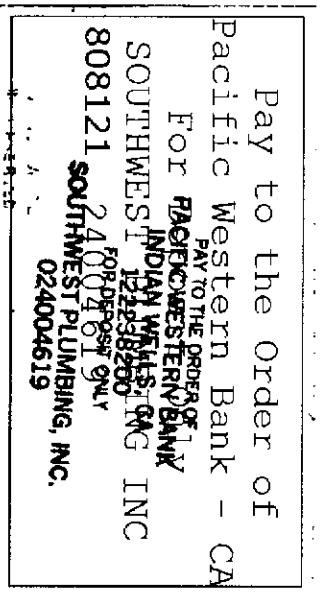
Bank of America

ACH R/T 121000356

For

MP

⑆121000358⑆ 325018532339⑈0106



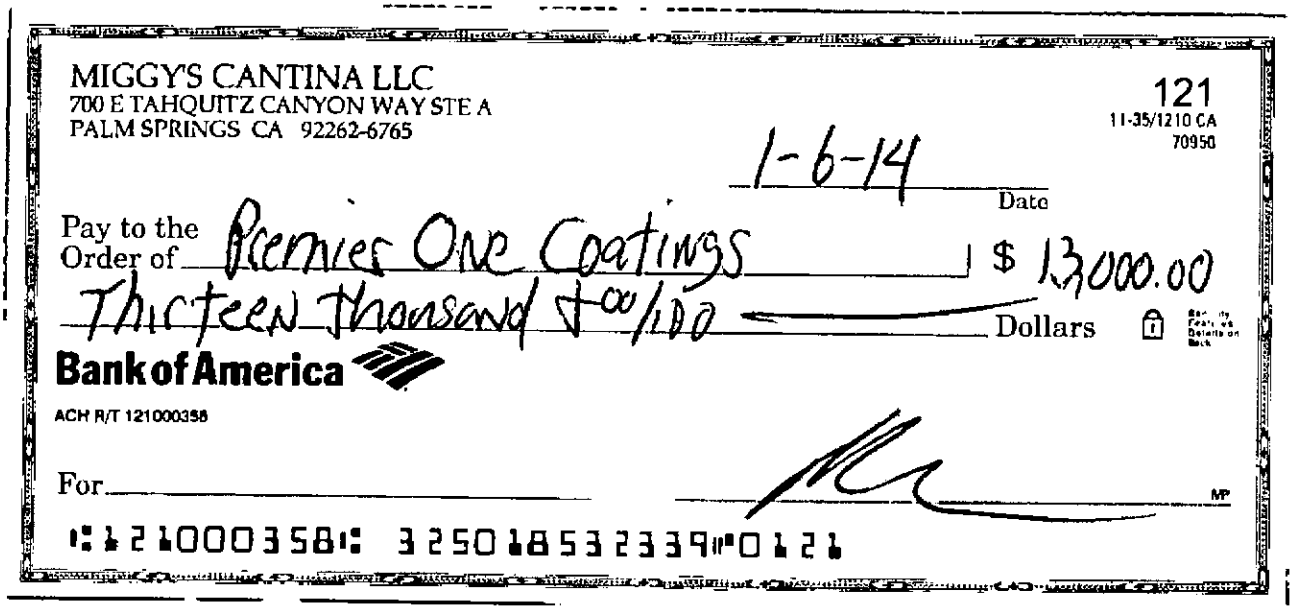
Pay to the Order of
Pacific Western Bank - CA
For
SOUTHWEST PLUMBING INC
808121

PAY TO THE ORDER OF PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	000002022930437	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
01/07/2014	046923977321140	122238200	Undetermined	N		PACIFIC WESTERN BANK
01/07/2014	000008653305344	91000019	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	008692274618	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$13,000.00	Sequence Number:	8692327728
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	121



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

121
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of Premier One Coatings $ 13000.00

Thirteen Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0121

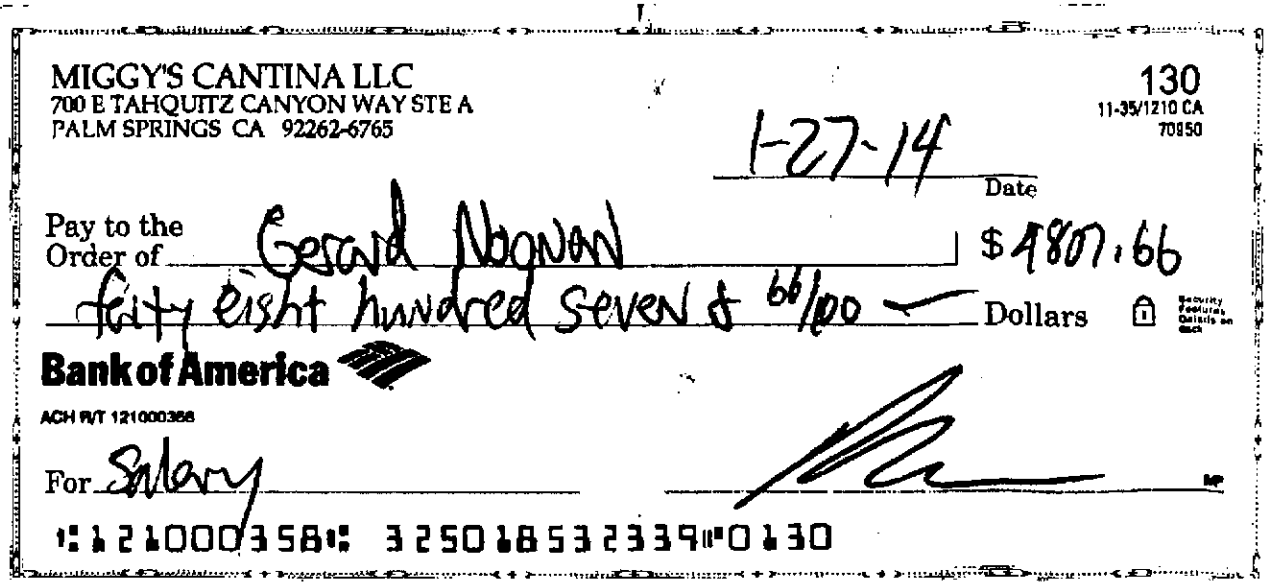
>322285781<
Pacific Premier BK #015
2014-01-07
0015296093

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
▼322285781▲
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
151008538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	907355015296093	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
01/07/2014	000008845019559	122105278	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	008692327728	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,807.66	Sequence Number:	8792191156
Account:	325018532339	Capture Date:	01/28/2014
Bank Number:	12100035	Check Number:	130



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

130
11-35/1210 CA
70950

1-27-14
Date

Pay to the Order of Gerard Nogwan $4807.66

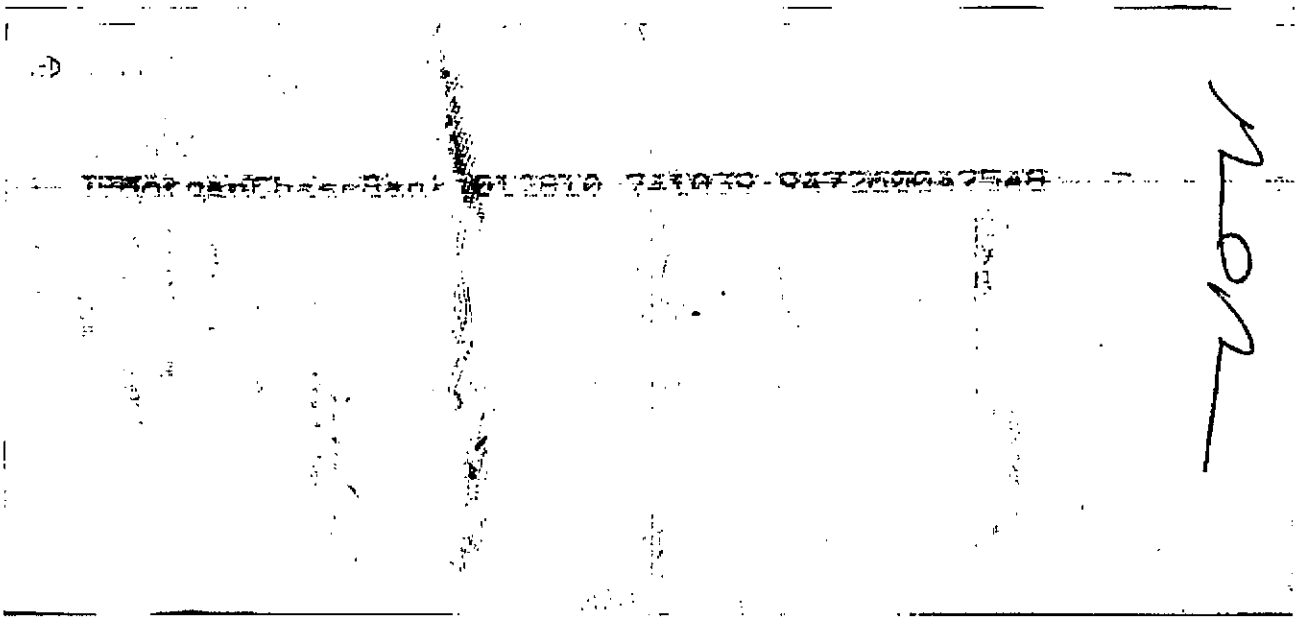
forty eight hundred seven & 66/100 Dollars

Bank of America

ACH R/T 121000358

For Salary

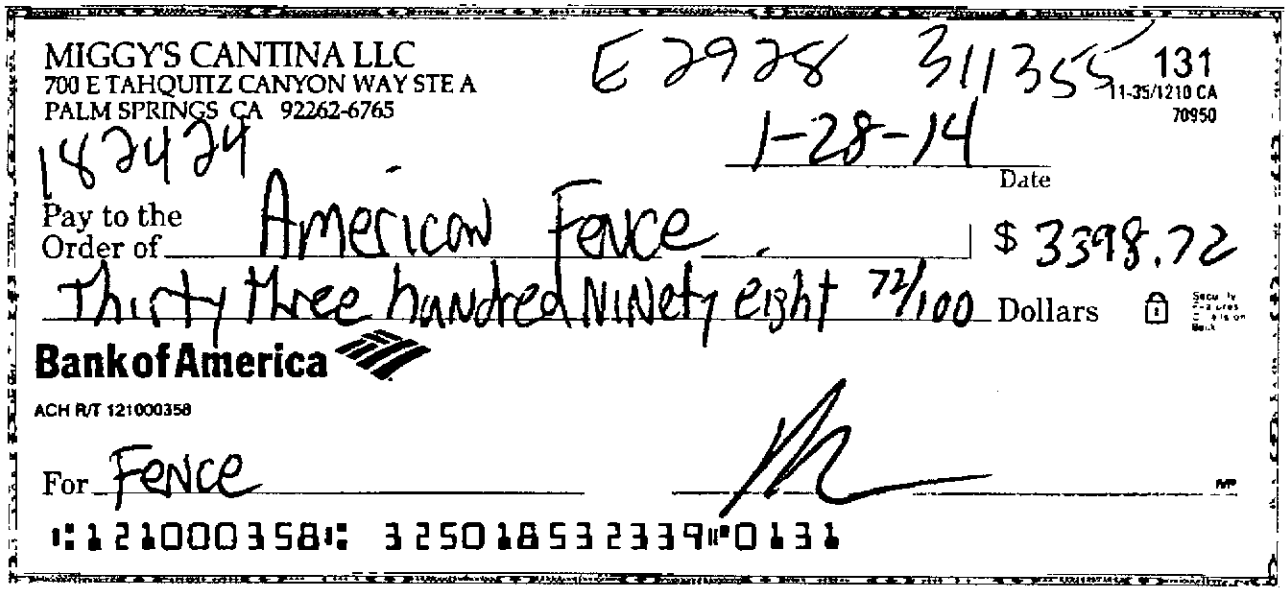
⑆121000358⑆ 325018532339⑈0130



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/28/2014	1790137032	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
01/28/2014	008792191156	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,398.72	Sequence Number:	9192057605
Account:	325018532339	Capture Date:	01/30/2014
Bank Number:	12100035	Check Number:	131



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

E2928 311355 131
11-35/1210 CA
70950

142424

1-28-14
Date

Pay to the Order of American Fence $ 3398.72

Thirty Three hundred NiNety eight 72/100 Dollars

Bank of America

ACH R/T 121000358

For Fence

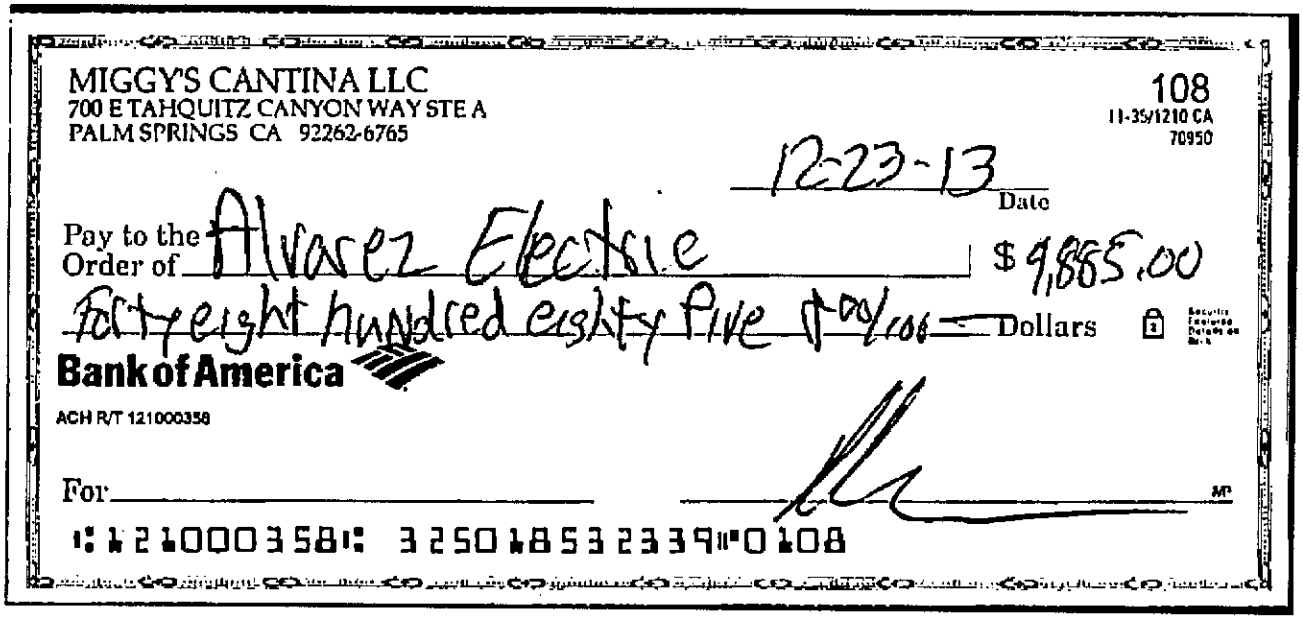
⑆121000358⑆ 325018532339⑈0131

Deposit to UMB Bank for American Fence & Security Co

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/30/2014	007373086037	101000695	Undetermined	N		UMB BANK, NATIONAL A
01/30/2014	000007373086037	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
01/30/2014	009192057605	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,885.00	Sequence Number:	9392657136
Account:	325018532339	Capture Date:	01/10/2014
Bank Number:	12100035	Check Number:	108



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

108
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Alvarez Electric $ 4,885.00

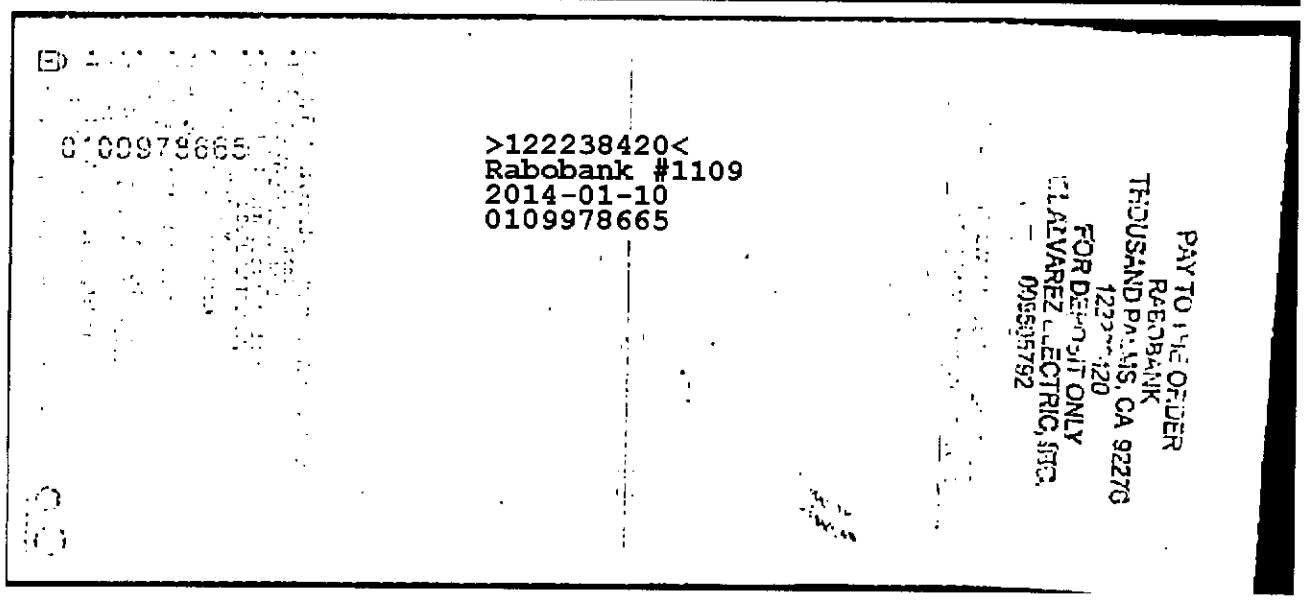
forty eight hundred eighty five $00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0108



0109978665

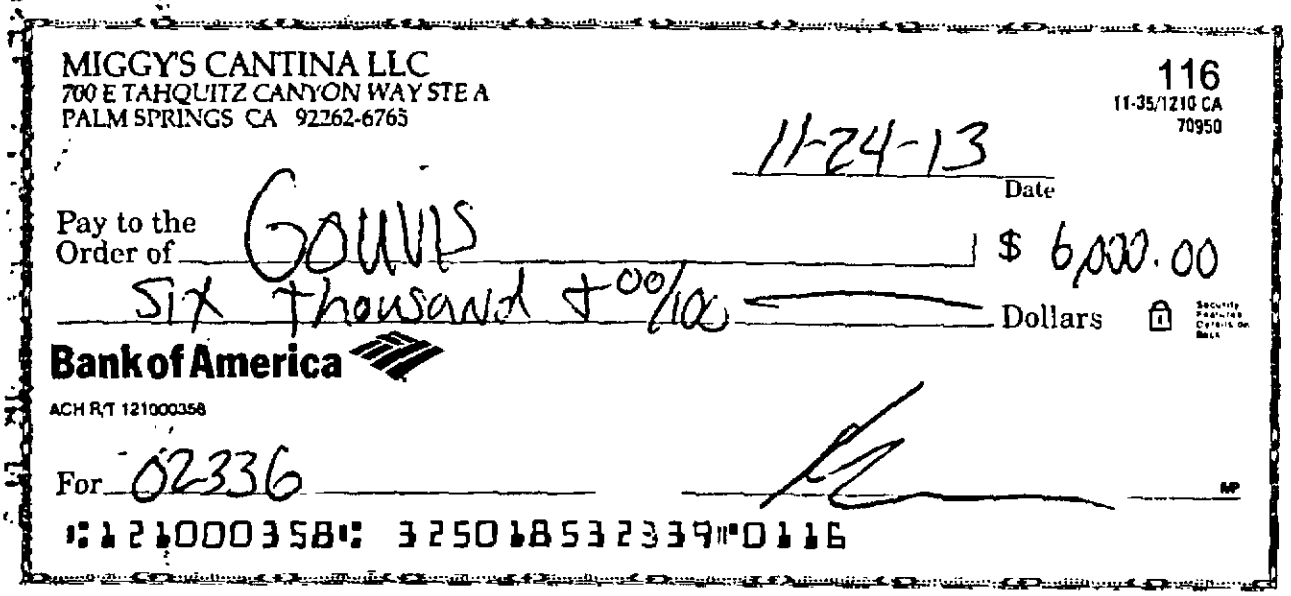
>122238420<
Rabobank #1109
2014-01-10
0109978665

PAY TO THE ORDER
RABOBANK
THOUSAND PALMS, CA 92276
122238420
FOR DEPOSIT ONLY
ALVAREZ ELECTRIC, INC.
[illegible]5792

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/10/2014	009392657136	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/10/2014	000008148079063	122105278	Undetermined	N		WELLS FARGO BANK, NA
01/10/2014	000000109978665	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$6,000.00	Sequence Number:	9492623284
Account:	325018532339	Capture Date:	01/02/2014
Bank Number:	12100035	Check Number:	116



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

116
11-35/1210 CA
70950

11-24-13
Date

Pay to the Order of GOLVIS $ 6,000.00

Six Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 02336

⑆121000358⑆ 325018532339⑈0116

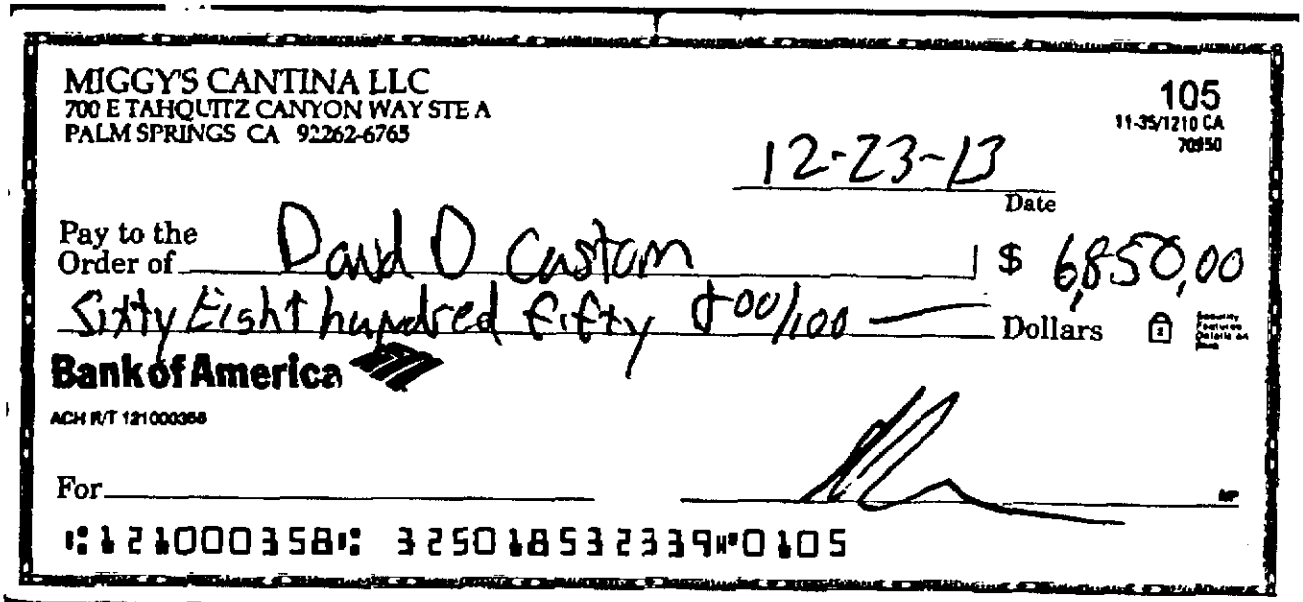
WELLS FARGO BANK, N.A.
>122000247<
FOR DEPOSIT ONLY
TS ENGINEERING CONSULTING GROUP, INC
2018677054

WELLS FARGO BANK NA EXT
20140102 E0623 PKT 04
▶1221-0527-8◀
14200003467

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/02/2014	009492623284	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/02/2014	000001428333467	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$6,850.00	Sequence Number:	9492914719
Account:	325018532339	Capture Date:	01/03/2014
Bank Number:	12100035	Check Number:	105



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

105
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of David O Custom $ 6,850.00

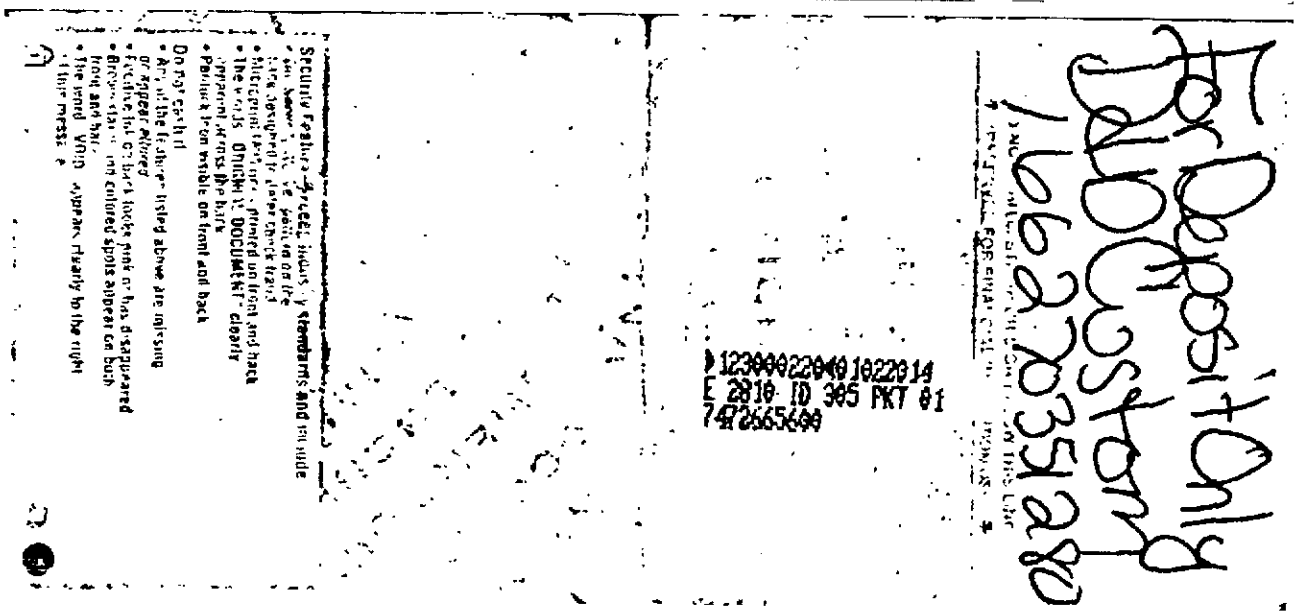
Sixty Eight hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0105



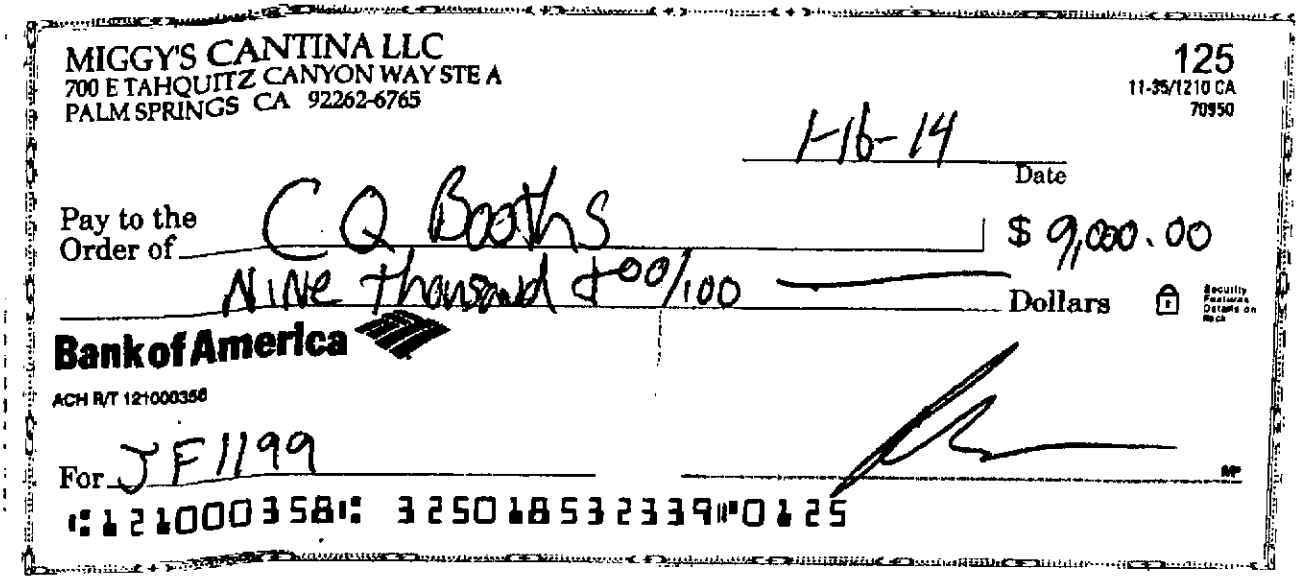
Security Feature ... Do not cash if ... FOR DEPOSIT ONLY ... 1662035480

⑆123000220⑆ 1022014
E 2810 ID 305 PKT 01
7472665600

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/03/2014	009492914719	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/02/2014	009597144459	41202582	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	009597144459	91000022	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	004197089777	91000022	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	004197089777	123000220	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	7472665600	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$9,000.00	Sequence Number:	9592243132
Account:	325018532339	Capture Date:	01/22/2014
Bank Number:	12100035	Check Number:	125



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

125
11-35/1210 CA
70950

1-16-14
Date

Pay to the Order of C Q Booths $ 9,000.00

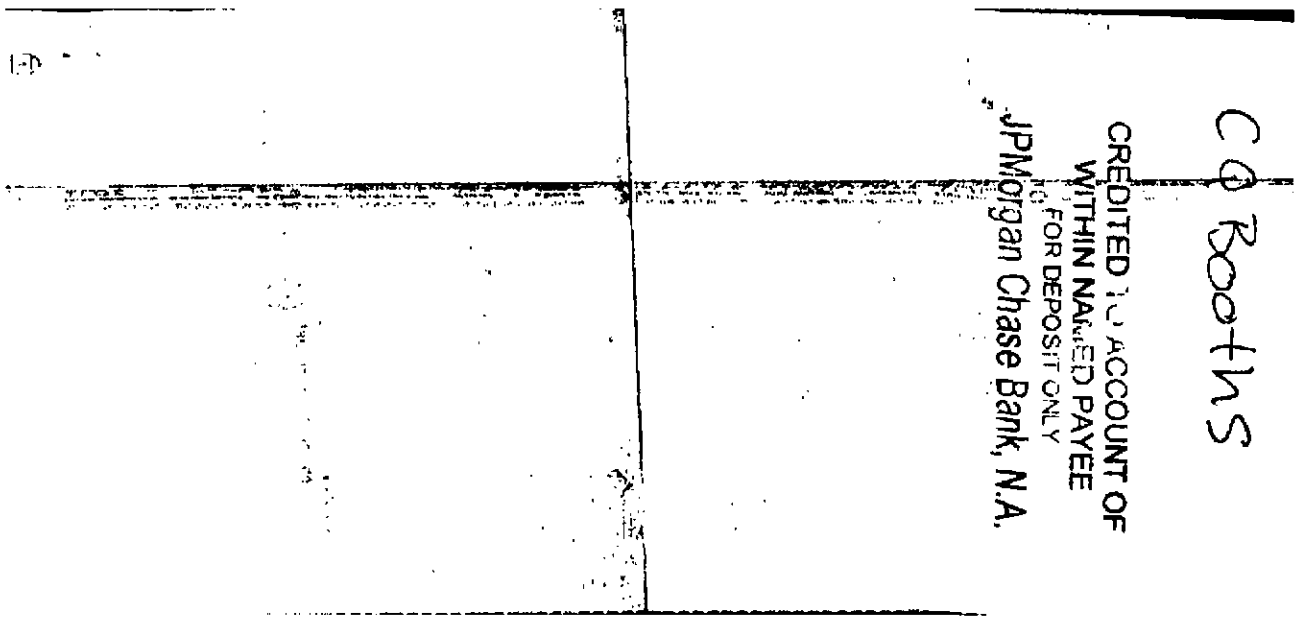
Nine thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For JF1199

⑆121000358⑆ 325018532339⑈0125



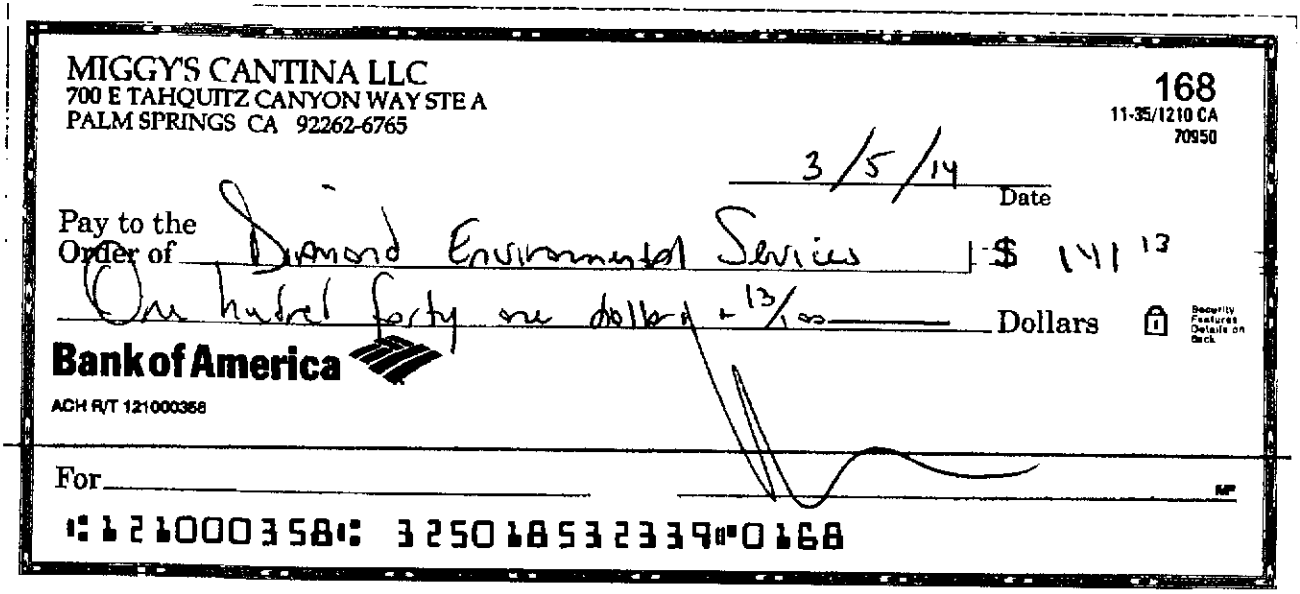
C Q Booths

CREDITED TO THE ACCOUNT OF
WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/22/2014	2180538336	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
01/22/2014	009592243132	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$141.13	Sequence Number:	9692933658
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	168



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

168
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Diamond Environmental Services $ 141 13

One hundred forty one dollars + 13/100 Dollars

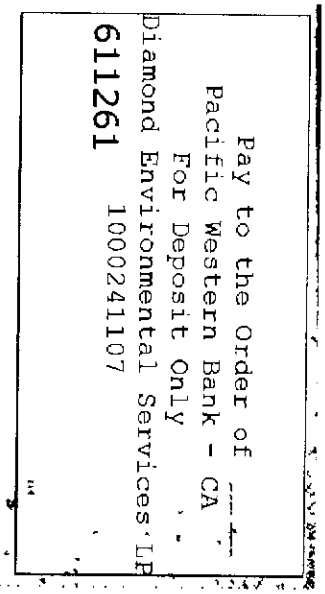
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0168

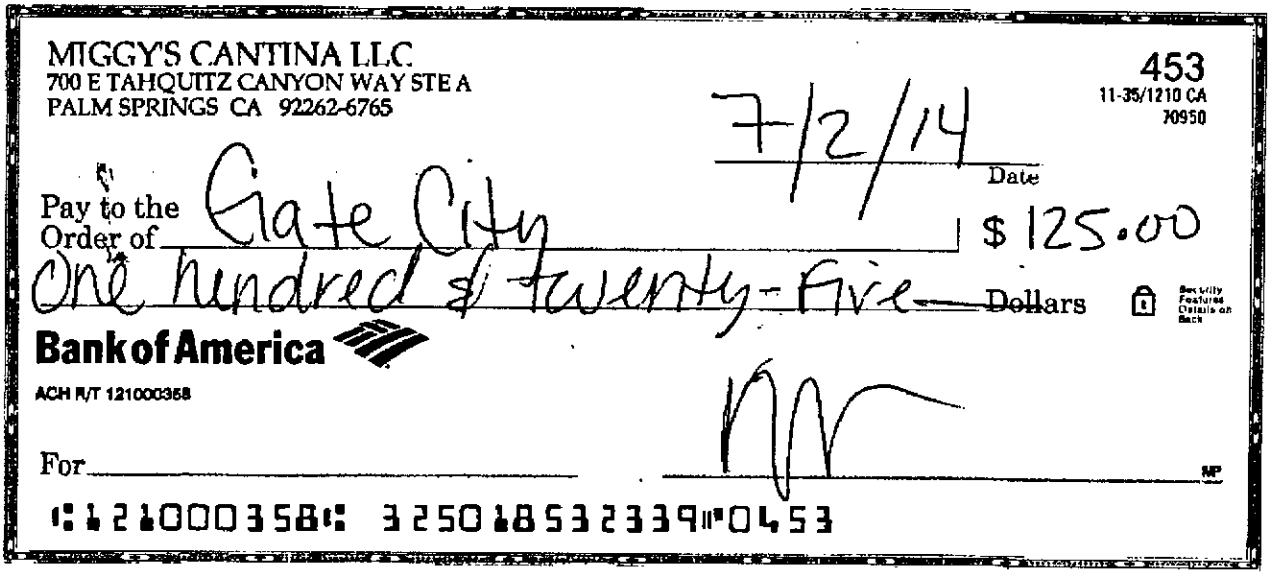


Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services, LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	046923972532715	122238200	Undetermined	N		PACIFIC WESTERN BANK
03/11/2014	000008376065767	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/11/2014	009692933658	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000002172851605	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$125.00	Sequence Number:	1142737231
Account:	325018532339	Capture Date:	07/10/2014
Bank Number:	12100035	Check Number:	453



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

453
11-35/1210 CA
70950

7/2/14
Date

Pay to the Order of Gate City $125.00

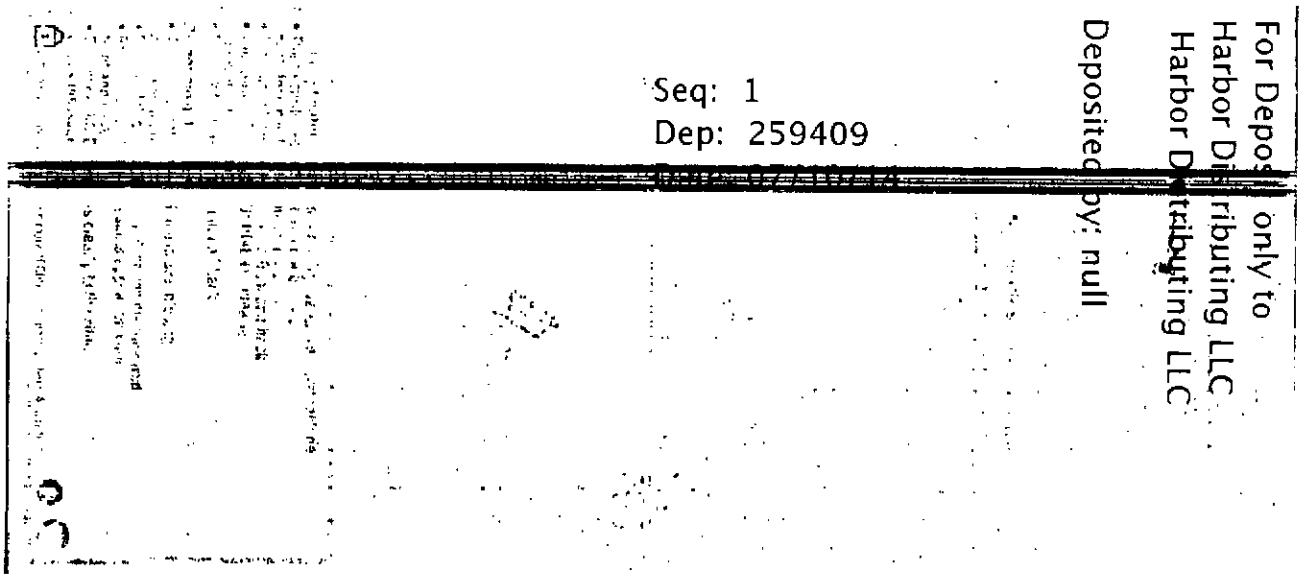
One hundred & Twenty-Five Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0453



Seq: 1
Dep: 259409

For Deposit only to
Harbor Distributing LLC
Harbor Distributing LLC
Deposited by: null

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/10/2014	1142737231	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$500.00	Sequence Number:	1812337917
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	459

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

459
11-35/1210 CA
70950

7/6/14
Date

Pay to the Order of Chris Hofbauer $ 500.00

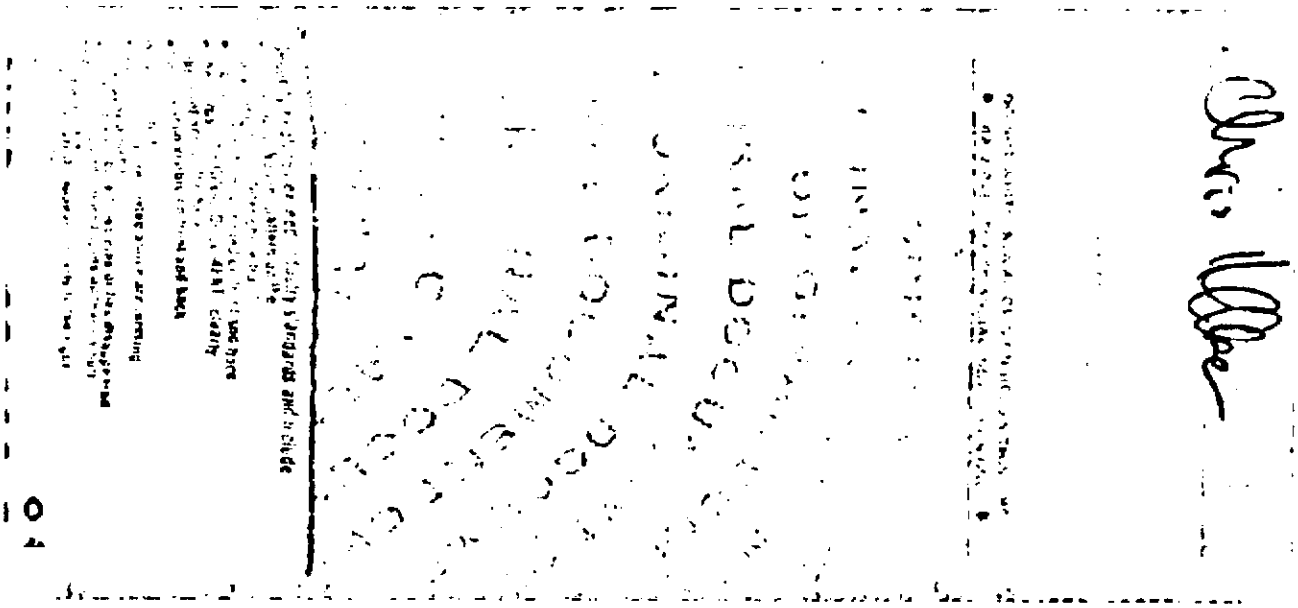
Five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

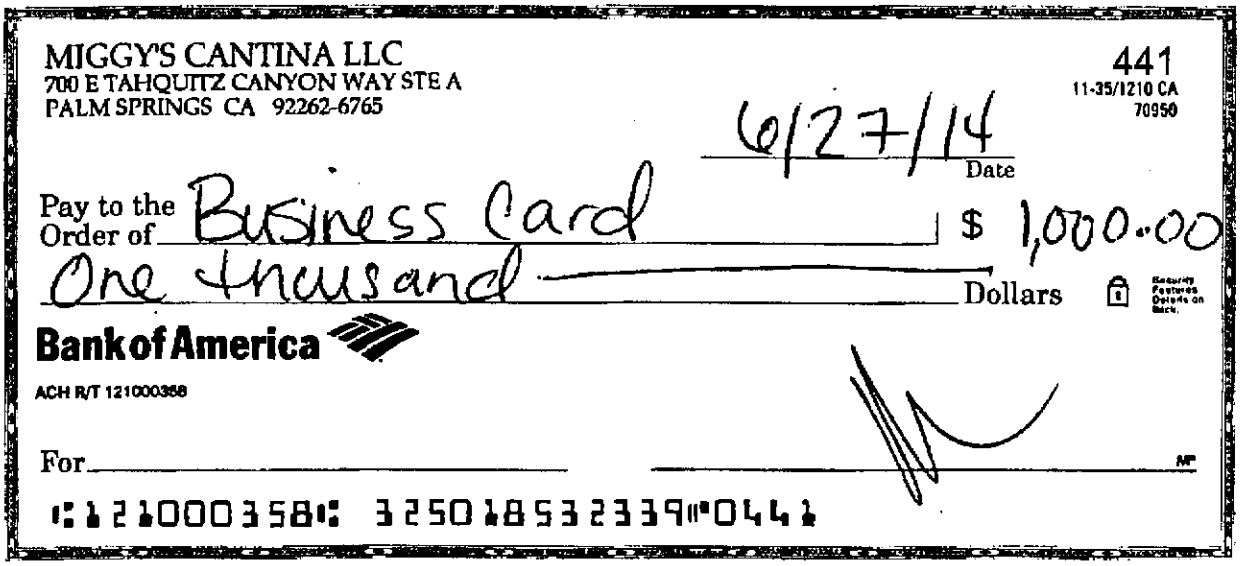
⑆121000358⑆ 325018532339⑈0459



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	1812337917	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	3392866903
Account:	325018532339	Capture Date:	07/03/2014
Bank Number:	12100035	Check Number:	441



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

441
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Business Card $ 1,000.00

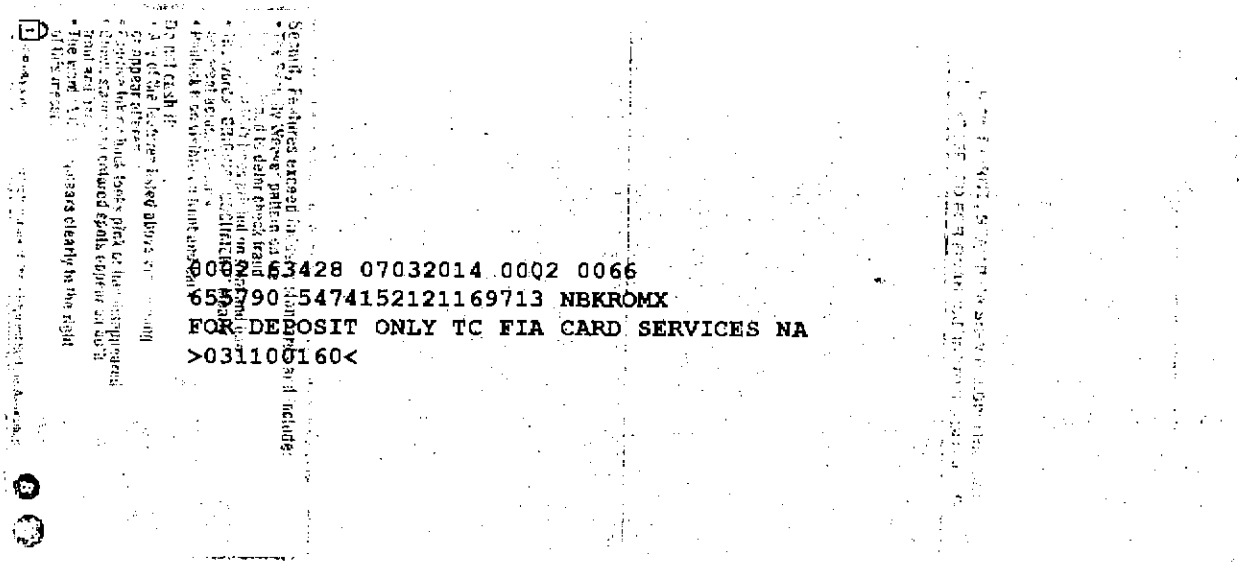
One thousand Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0441



0002 63428 07032014 0002 0066
655790 5474152121169713 NBKROMX
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>031100160<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/03/2014	015513919140000	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA
07/03/2014	003392866903	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$5,000.00	Sequence Number:	4642780351
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	435

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

435
11-35-1210 CA
70950

6/27/14 Date

Pay to the Order of Pro Sound & Video $ 5000.00

Five Thousand Dollars

Bank of America

ACH R/T 121000358

For 54186

⑆121000358⑆ 325018532339⑈0435

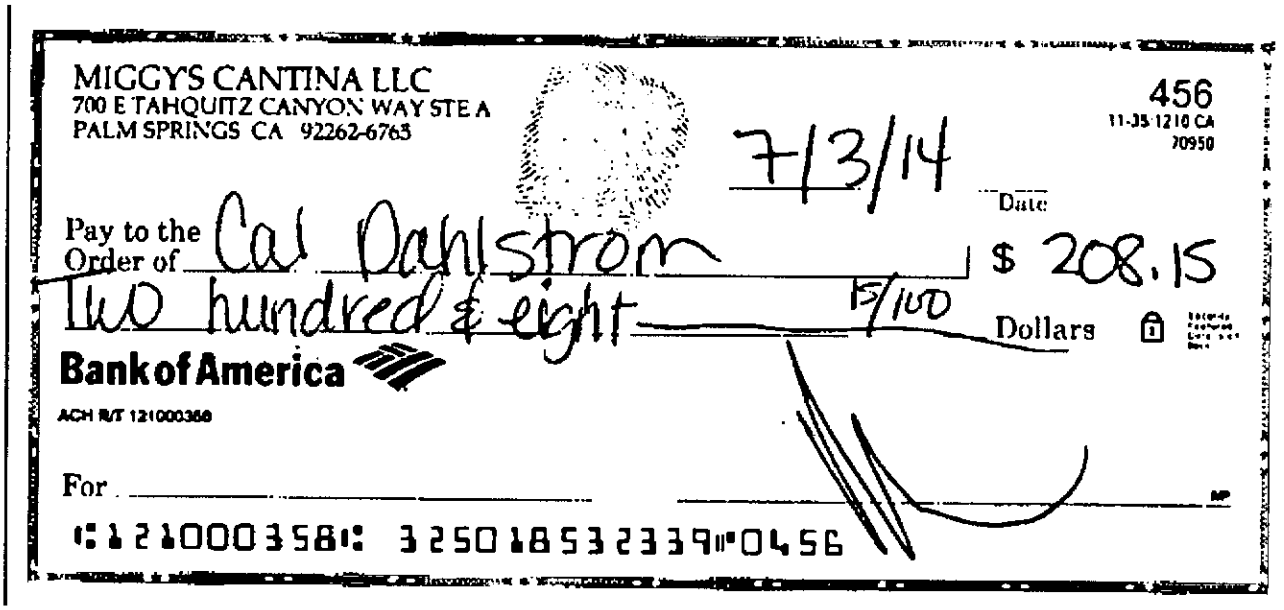
Seq: 89
Batch: 619349
Date: 07/07/14

PRO SOUND & VIDEO
FOR DEPOSIT ONLY
ACCT #[illegible]-2014

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	4642780351	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$208.15	Sequence Number:	4742145432
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	456



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6763

456
11-35/1210 CA
70950

7/3/14
Date

Pay to the Order of Cal Dahlstrom $ 208.15

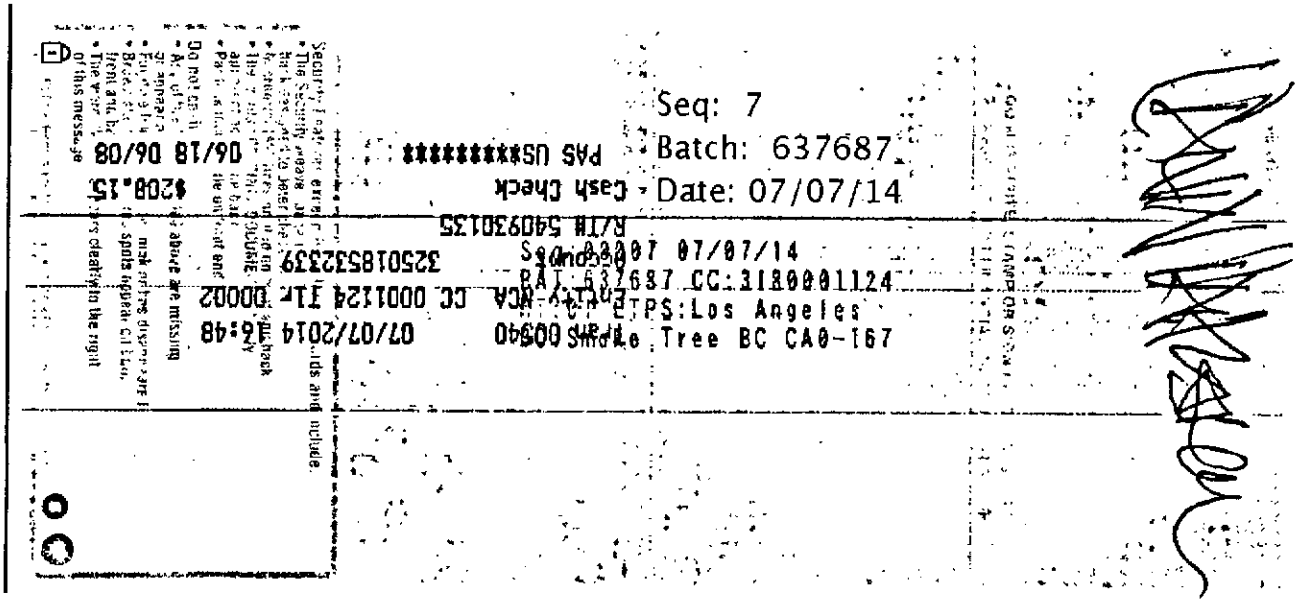
Two hundred & eight 15/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0456



Seq: 7
Batch: 637687
Date: 07/07/14

Cash Check
PAS US**********
06/18 06/08
$208.15

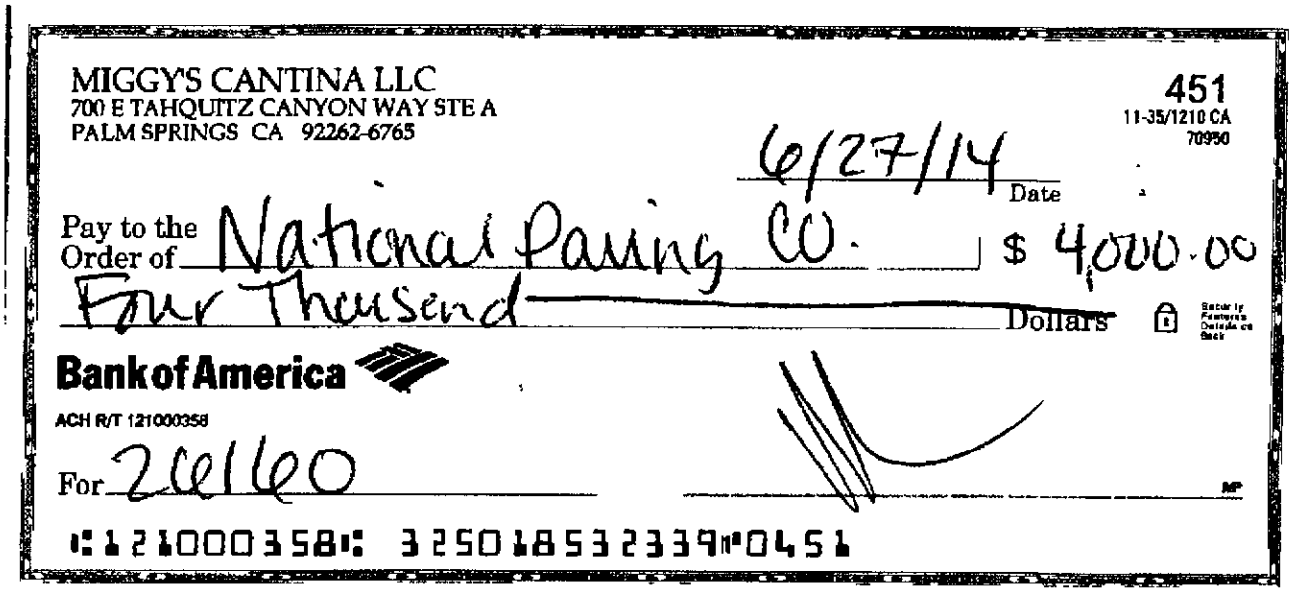
R/T# 5409301357
Seq#0007 07/07/14
BAT: 637687 CC:3180001124
CTS:Los Angeles
Tree BC CA0-167

325018532339
000124 ILR 00002
07/07/2014 16:48
0040 Sale

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	4742145432	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$4,000.00	Sequence Number:	4992279152
Account:	325018532339	Capture Date:	07/01/2014
Bank Number:	12100035	Check Number:	451



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

451
11-35/1210 CA
70950

6/27/14
Date

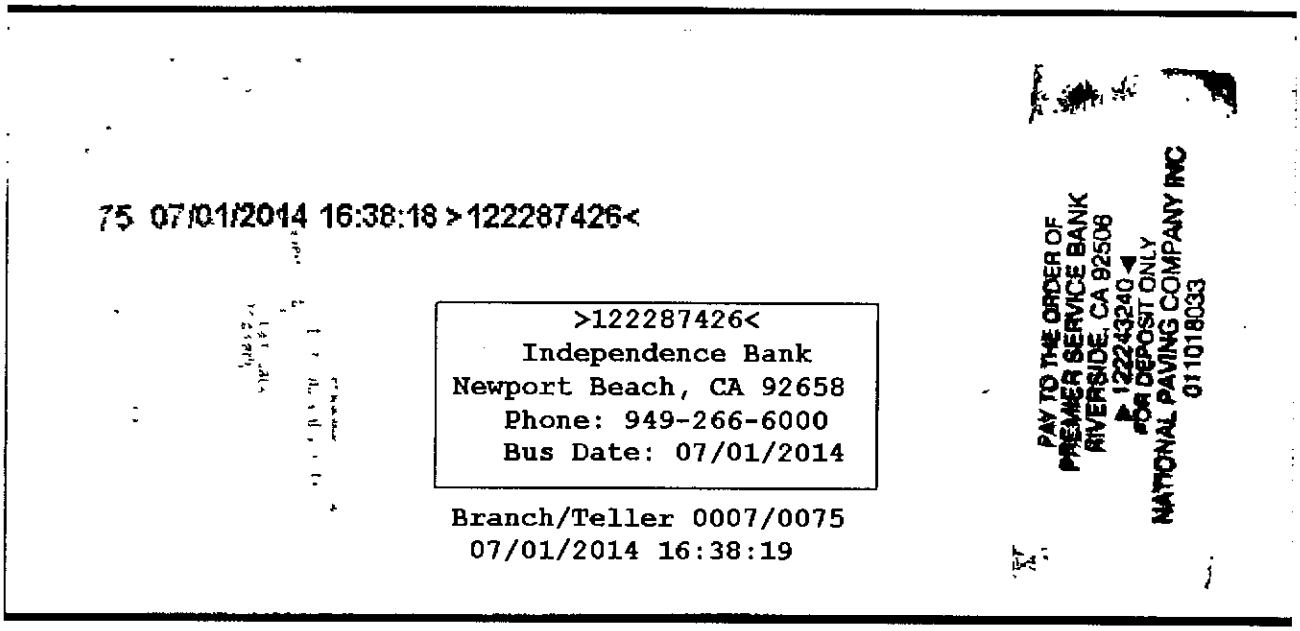
Pay to the Order of National Paving CO. $ 4000.00

Four Thousand Dollars

Bank of America
ACH R/T 121000358

For 2e1160

⑆121000358⑆ 325018532339⑈0451



75 07/01/2014 16:38:18 >122287426<

>122287426<
Independence Bank
Newport Beach, CA 92658
Phone: 949-266-6000
Bus Date: 07/01/2014

Branch/Teller 0007/0075
07/01/2014 16:38:19

PAY TO THE ORDER OF
PREMIER SERVICE BANK
RIVERSIDE, CA 92506
▲122243240▼
FOR DEPOSIT ONLY
NATIONAL PAVING COMPANY INC
011018033

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	000008303123670	122287426	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
07/02/2014	589007108	61000146	Undetermined	N		FEDERAL RES BANK OF
07/01/2014	004992279152	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$315.86	Sequence Number:	5192049070
Account:	325018532339	Capture Date:	07/02/2014
Bank Number:	12100035	Check Number:	445

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

445
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of La Salle Lighting Services $ 315.86

Three hundred & Fifteen 86/100 Dollars

Bank of America

ACH R/T 121000358

For 1086661

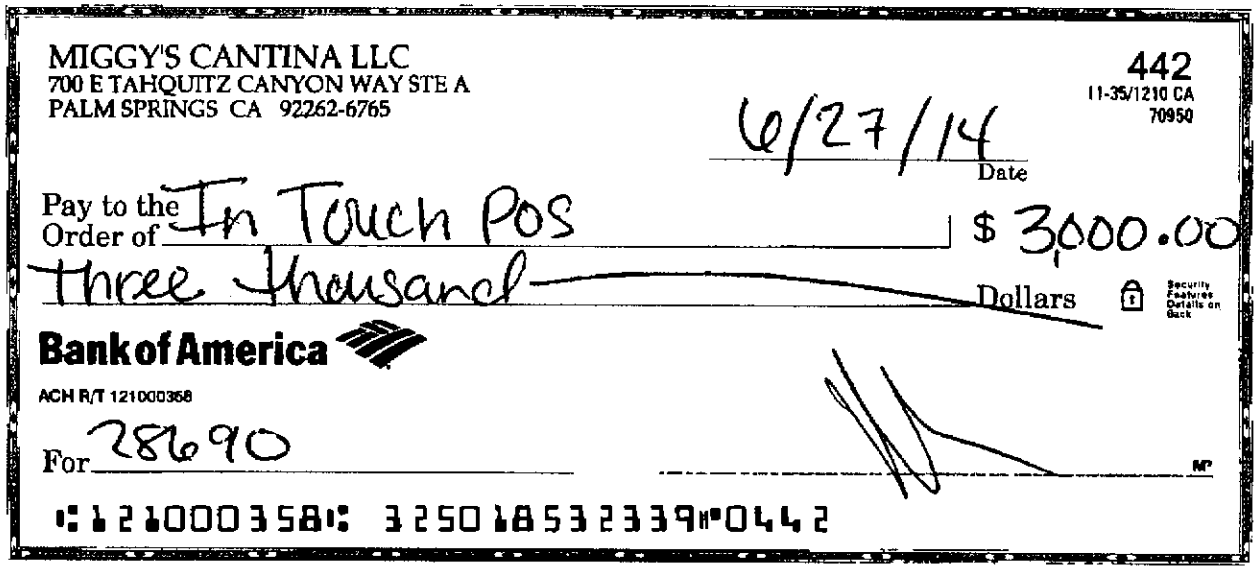
⑆121000358⑆ 325018532339⑈0445

PAY TO THE ORDER OF
CITIBANK, N.A.
PALM SPRINGS, CA 92[illegible]-9119
⑈322717244⑈
FOR DEPOSIT ONLY
A.M. LA SALLE ELECTRIC, INC.
DBA LA SALLE LIGHTING
& SOLAR ELECTRICAL SYSTEMS
20150165

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/02/2014	005192049070	111012822	Pay Bank	N		BANK OF AMERICA, NA
07/02/2014	000008100684475	21000089	Rtn Loc/BOFD	Y		CITIBANK, N.A.

Amount:	$3,000.00	Sequence Number:	5192307920
Account:	325018532339	Capture Date:	07/02/2014
Bank Number:	12100035	Check Number:	442



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

442
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of In Touch POS $ 3,000.00

three thousand Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 28690

⑆121000358⑆ 325018532339⑈0442

Pay to the Order of
Bay Commercial Bank
121143781
For Deposit Only
Assal Corporation General Account
10011765

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/02/2014	5250218547995	121143781	Rtn Loc/BOFD	Y		BAY COMMERCIAL BANK
07/02/2014	005192307920	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/03/2014	610954109	61000146	Undetermined	N		FEDERAL RES BANK OF

Amount:	$2,000.00	Sequence Number:	5192715644
Account:	325018532339	Capture Date:	07/03/2014
Bank Number:	12100035	Check Number:	444

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

13539

444
11 35/1210 CA
70950

6/27/14
Date

Pay to the Order of Next Level Door & Millwork $ 2000.00

Two thousand Dollars

Bank of America

ACH R/T 121000358

For 9849-00X-1

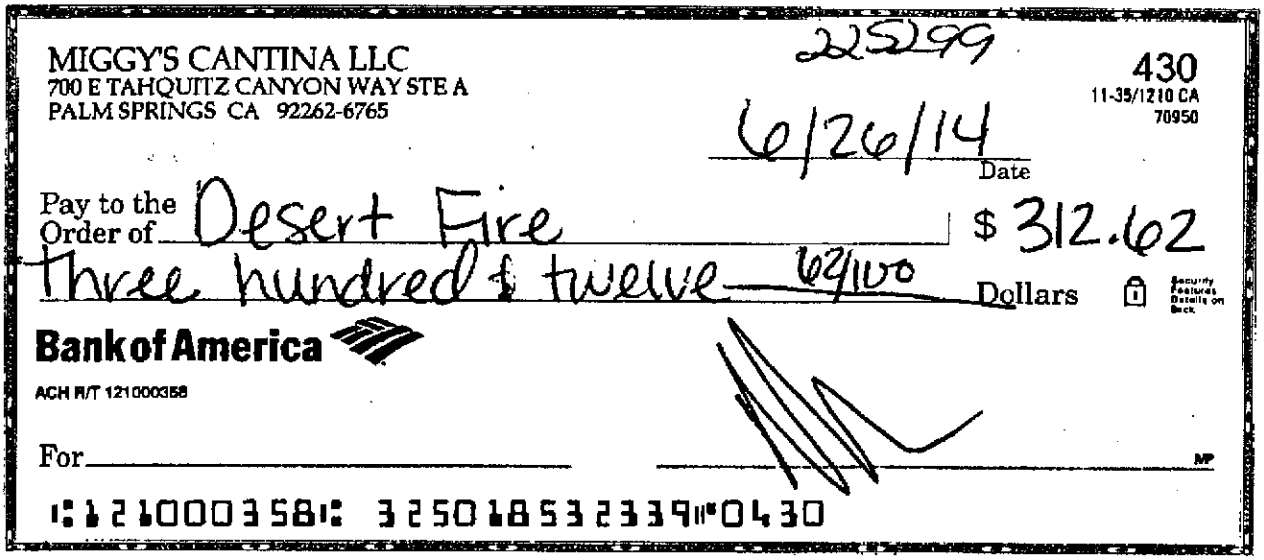
⑆121000358⑆ 325018532339⑈0444

PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/03/2014	005192715644	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/02/2014	407025353078316	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
07/03/2014	613058745	61000146	Undetermined	N		FEDERAL RES BANK OF

Amount:	$312.62	Sequence Number:	5392683095
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	430



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

22599

430
11-35/1210 CA
70950

6/26/14
Date

Pay to the Order of Desert Fire $ 312.62

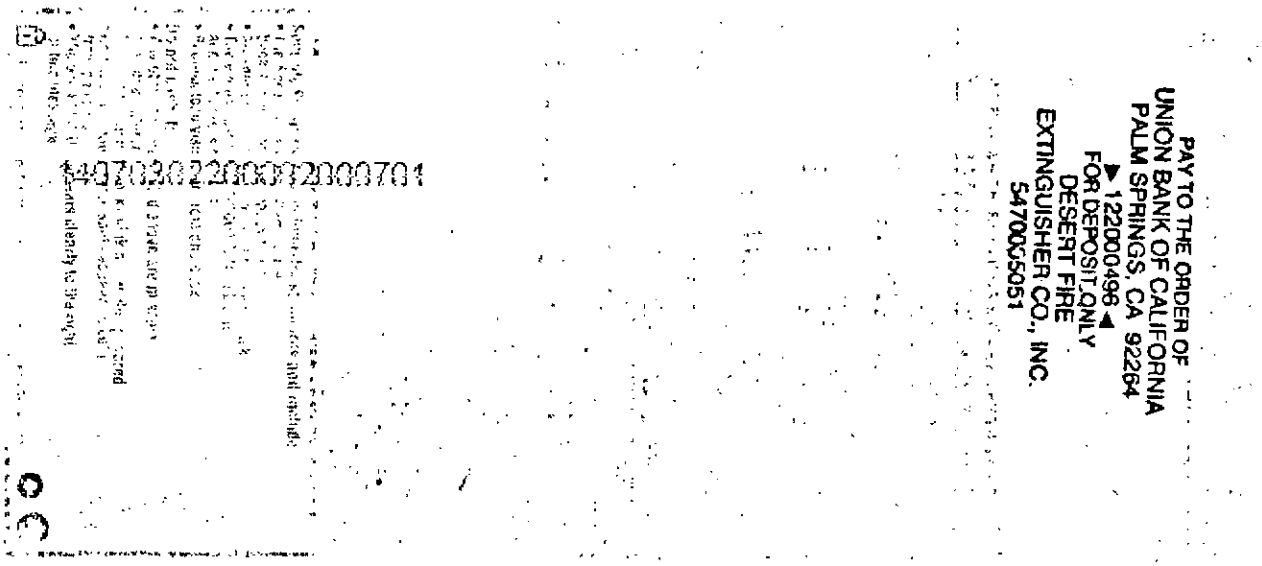
three hundred & twelve 62/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0430



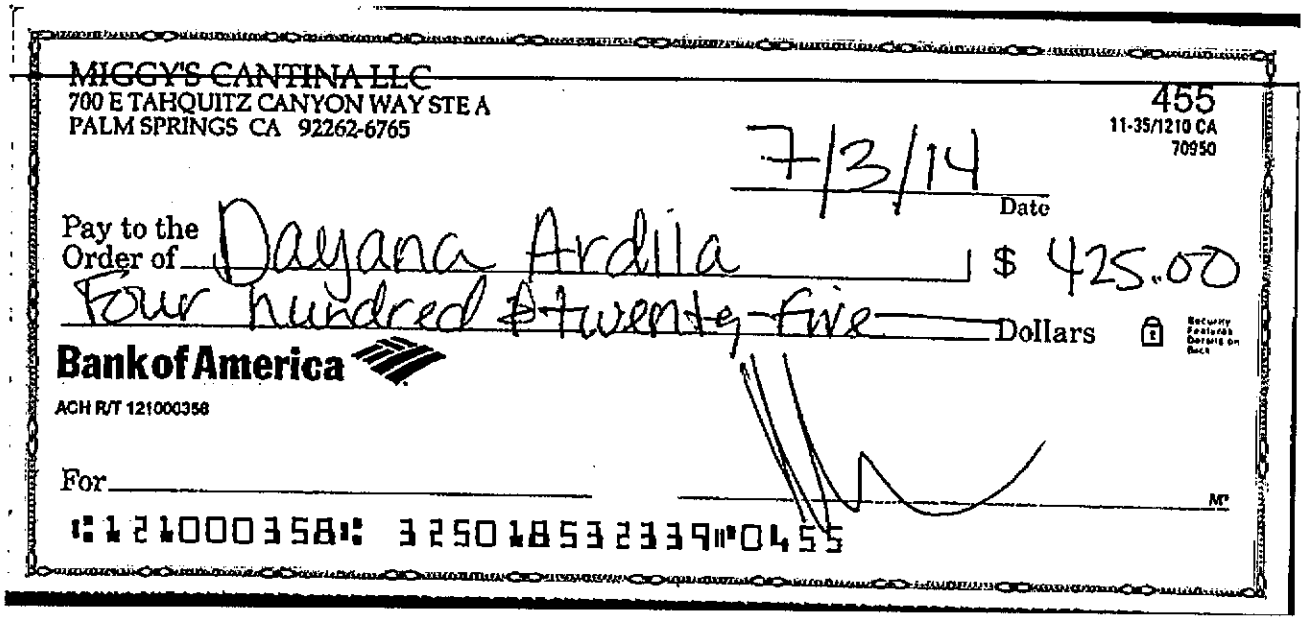
⑆122000496⑆ 5470035051 0701

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
⑆122000496⑆
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470035051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	005392683095	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/03/2014	4476206298	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$425.00	Sequence Number:	5692595543
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	455



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

455
11-35/1210 CA
70950

7/3/14
Date

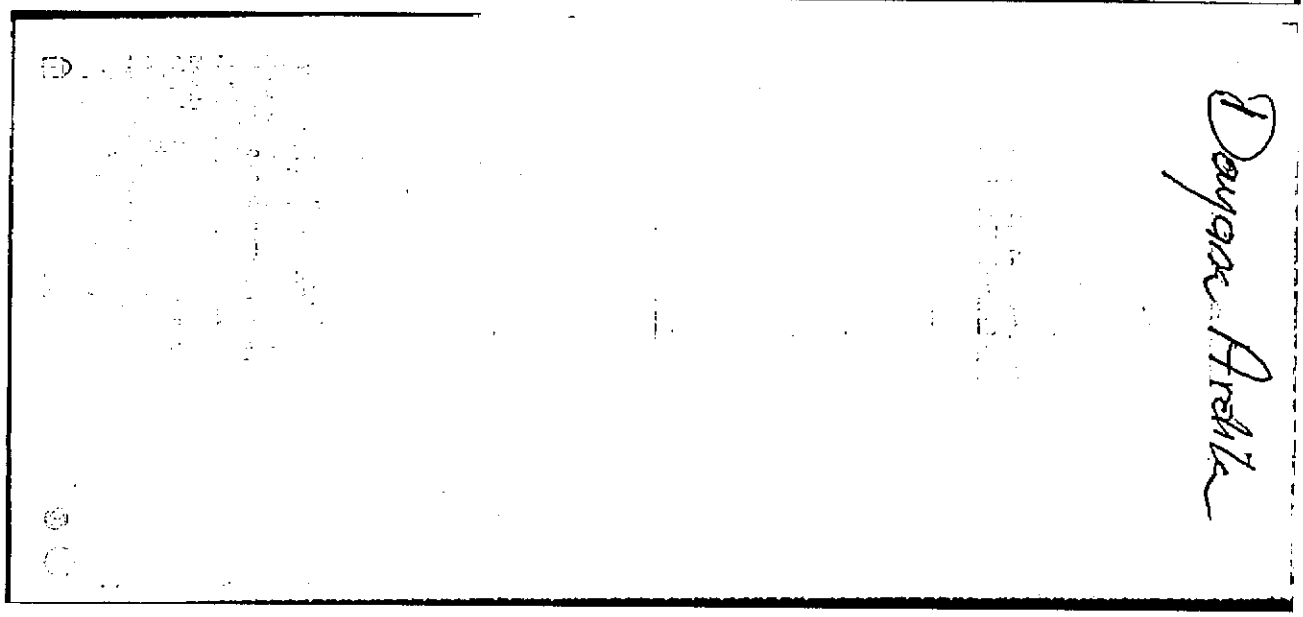
Pay to the Order of Dayana Ardila $ 425.00

Four hundred Twenty-five Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0455

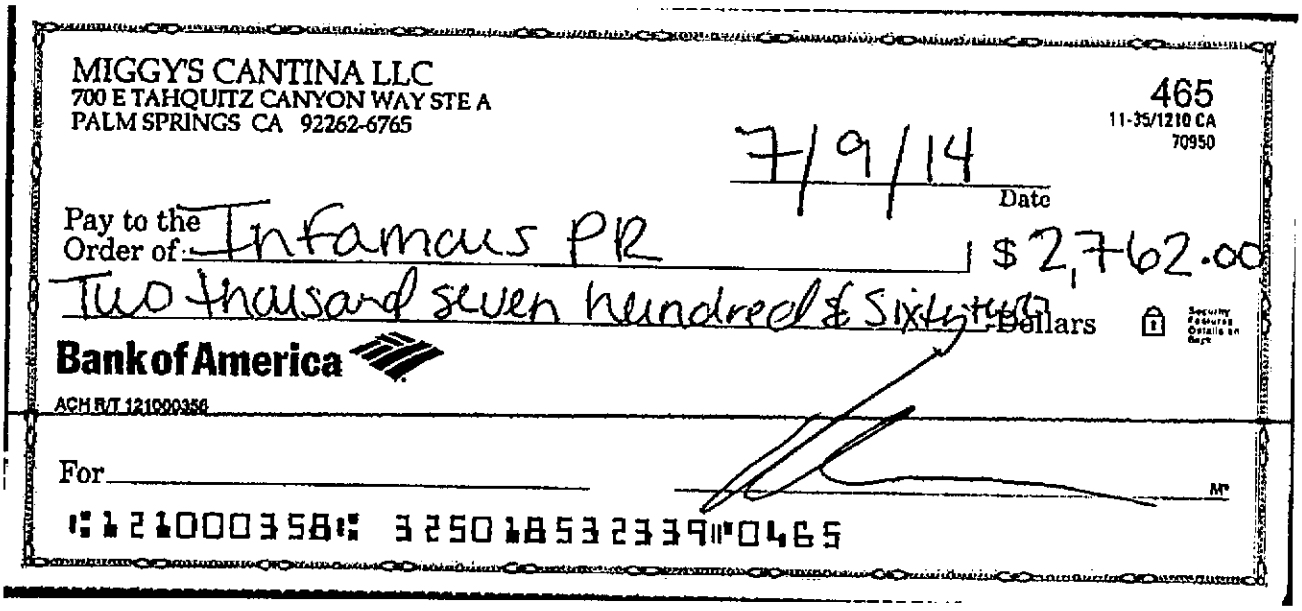


Dayana Ardila

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	000008300436836	21000089	Rtn Loc/BOFD	Y		CITIBANK, N.A.
07/07/2014	005692595543	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,762.00	Sequence Number:	5882145420
Account:	325018532339	Capture Date:	07/14/2014
Bank Number:	12100035	Check Number:	465



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

465
11-35/1210 CA
70950

7/9/14
Date

Pay to the Order of Infamous PR $ 2,762.00

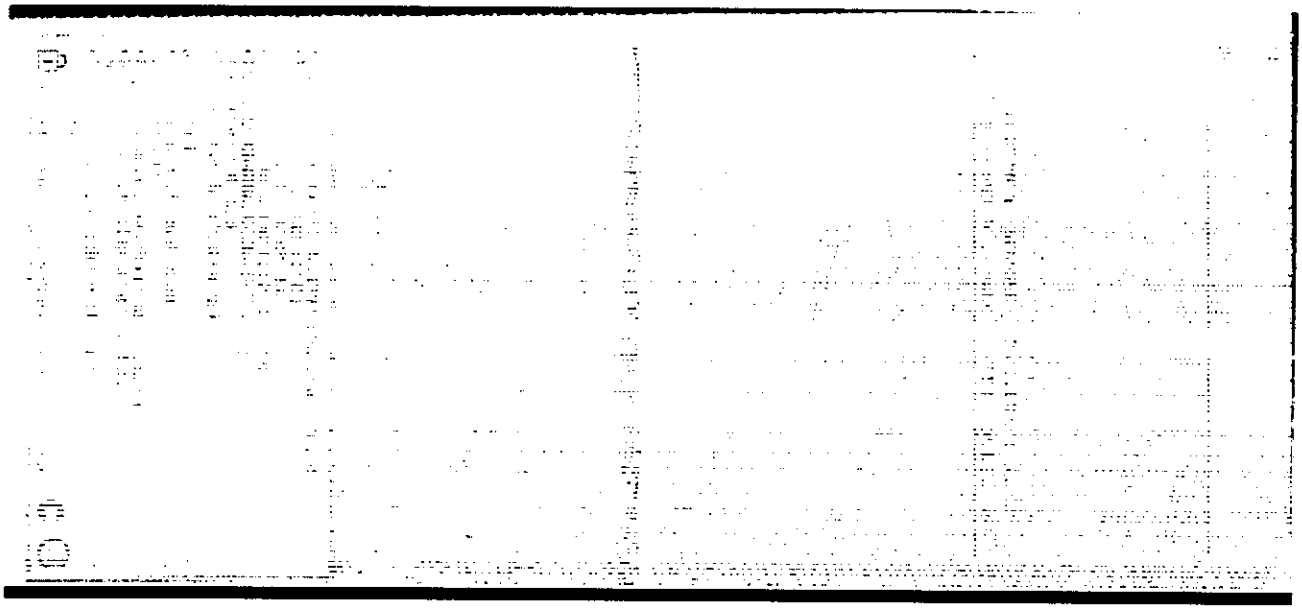
Two thousand seven hundred & Sixty two Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0465



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/14/2014	5882145420	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,750.00	Sequence Number:	5982225269
Account:	325018532339	Capture Date:	07/03/2014
Bank Number:	12100035	Check Number:	449

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

449
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Infamous Public Relations $ 2,750.00

Two thousand seven hundred & Fifty Dollars

Security Features Details on

Bank of America

ACH R/T 121000358

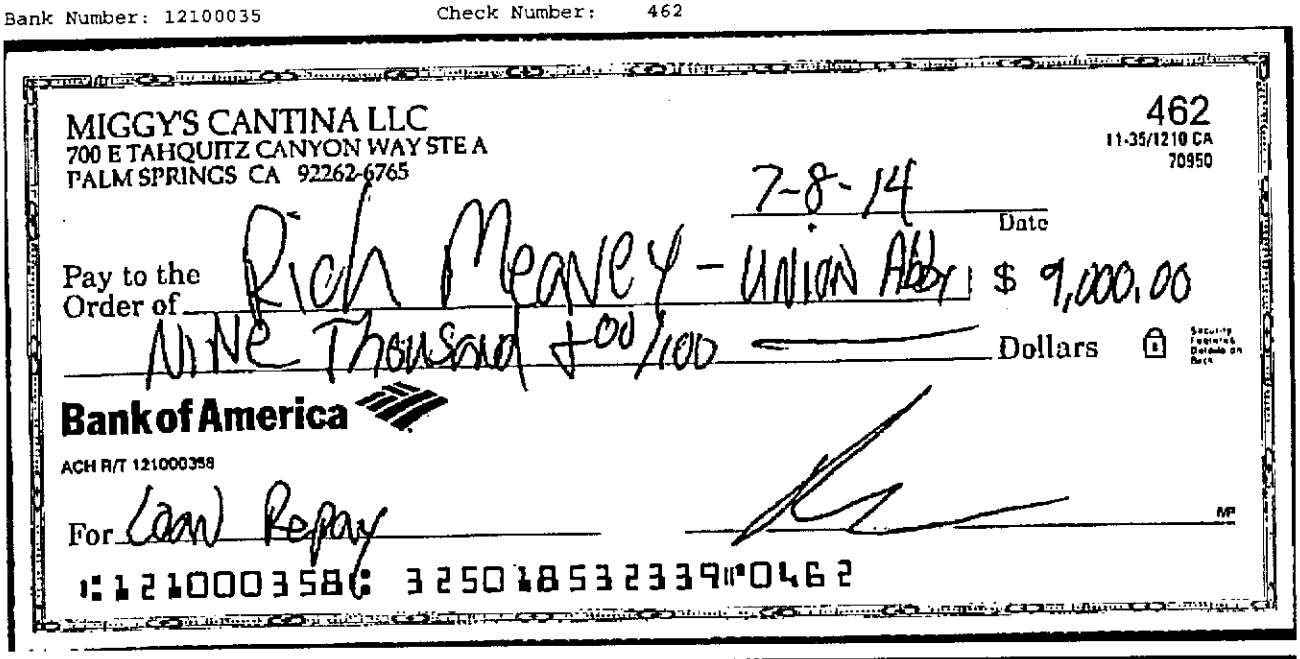
For 1374

⑆121000358⑆ 325018532339⑈0449

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/03/2014	5982225269	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	6092164084
Account:	325018532339	Capture Date:	07/09/2014
Bank Number:	12100035	Check Number:	462



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

462
11-35/1210 CA
70950

7-8-14
Date

Pay to the Order of Rich Meavey - Union Abor $ 9,000.00

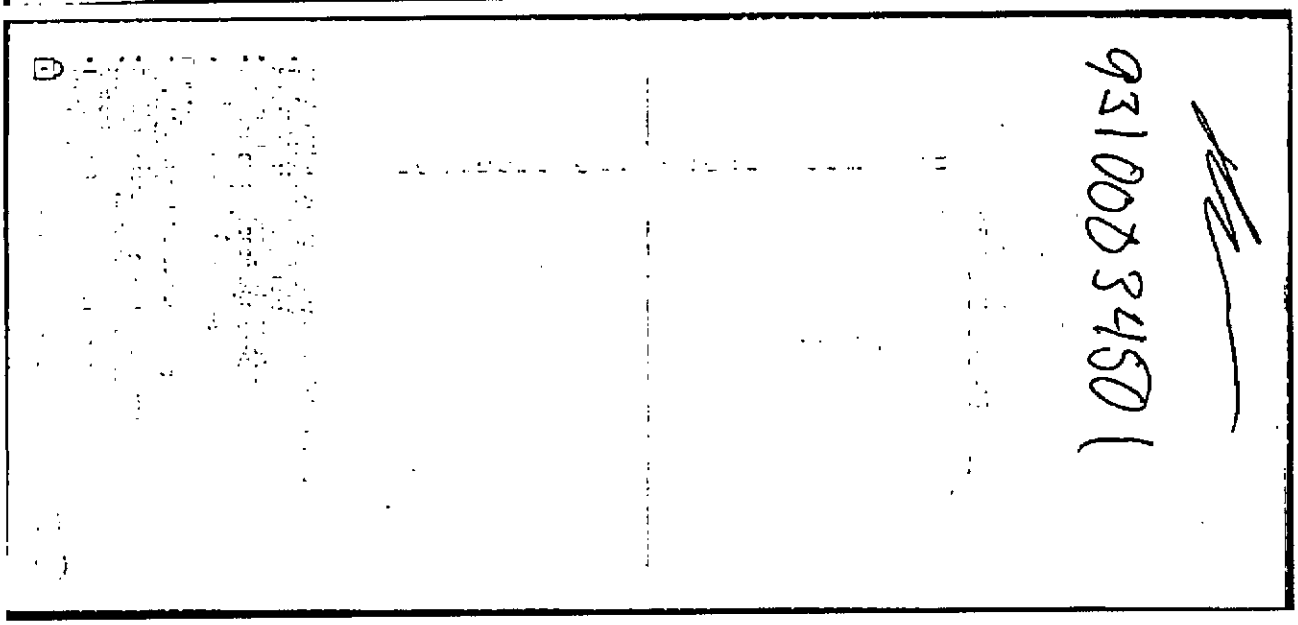
Nine Thousand +00/100 Dollars

Bank of America

ACH R/T 121000358

For Law Repay

⑆121000358⑆ 325018532339⑈0462

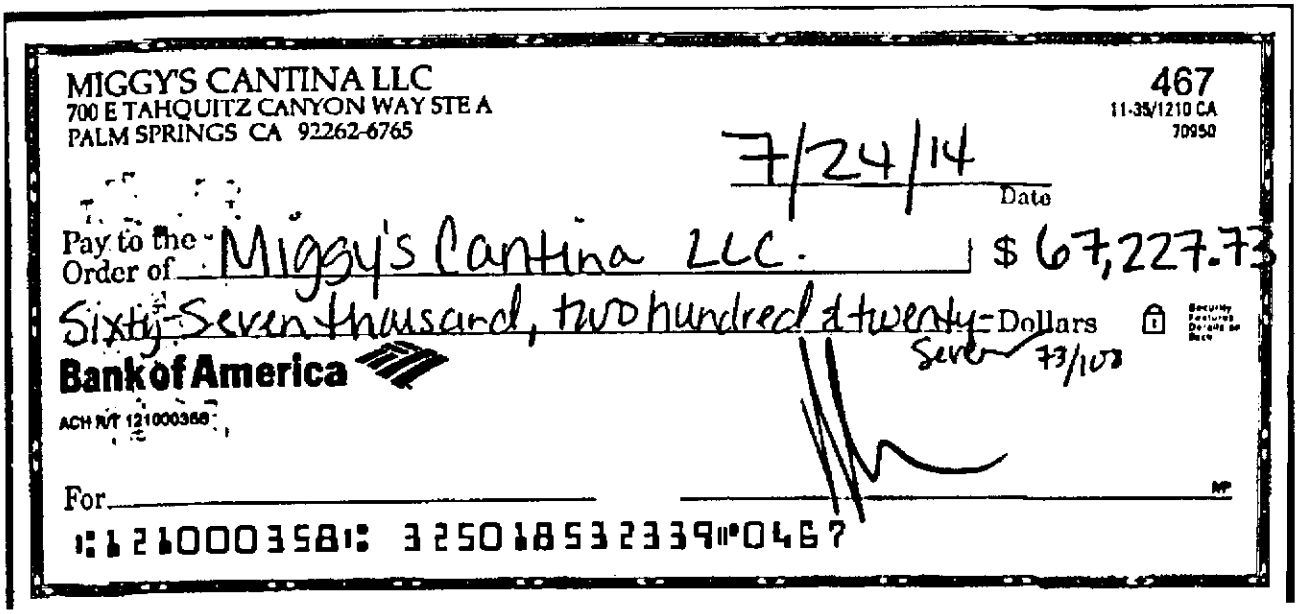


910083450

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/09/2014	006092164084	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/09/2014	705500889	61000146	Undetermined	N		FEDERAL RES BANK OF
07/08/2014	0650974550	321081669	Rtn Loc/BOFD	Y		FIRST REPUBLIC BANK

Amount:	$67,227.73	Sequence Number:	8192247159
Account:	325018532339	Capture Date:	07/24/2014
Bank Number:	12100035	Check Number:	467



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

467
11-35/1210 CA
70950

7/24/14
Date

Pay to the Order of Miggy's Cantina LLC. $ 67,227.73

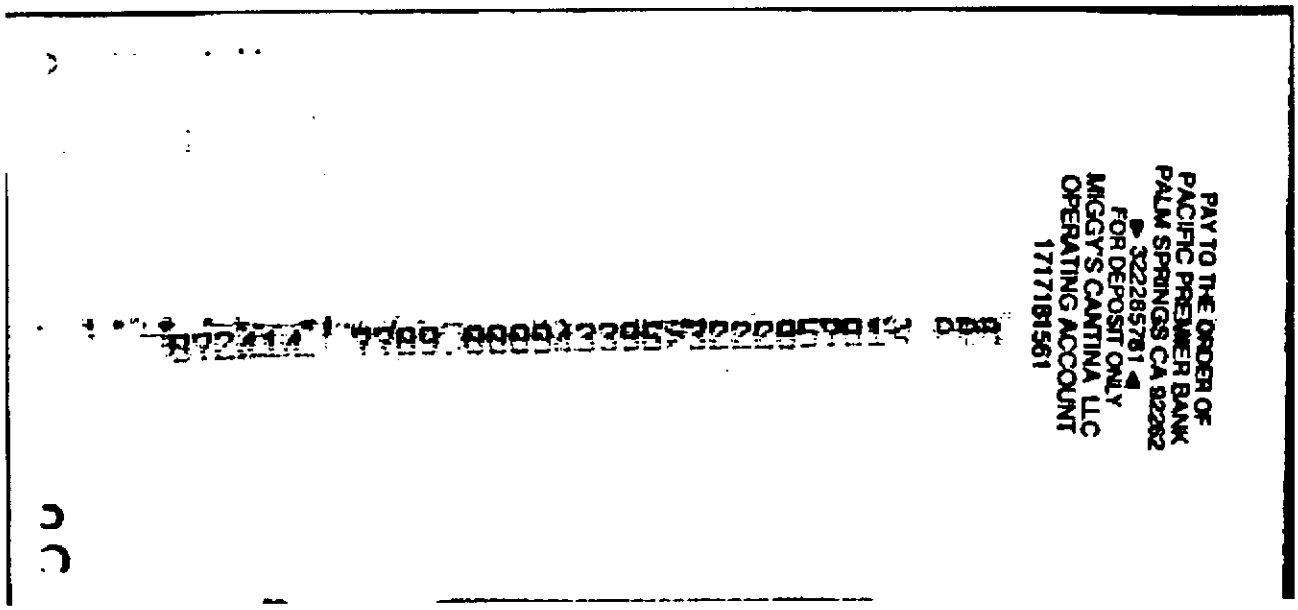
Sixty-Seven thousand, two hundred & twenty-seven 73/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0467

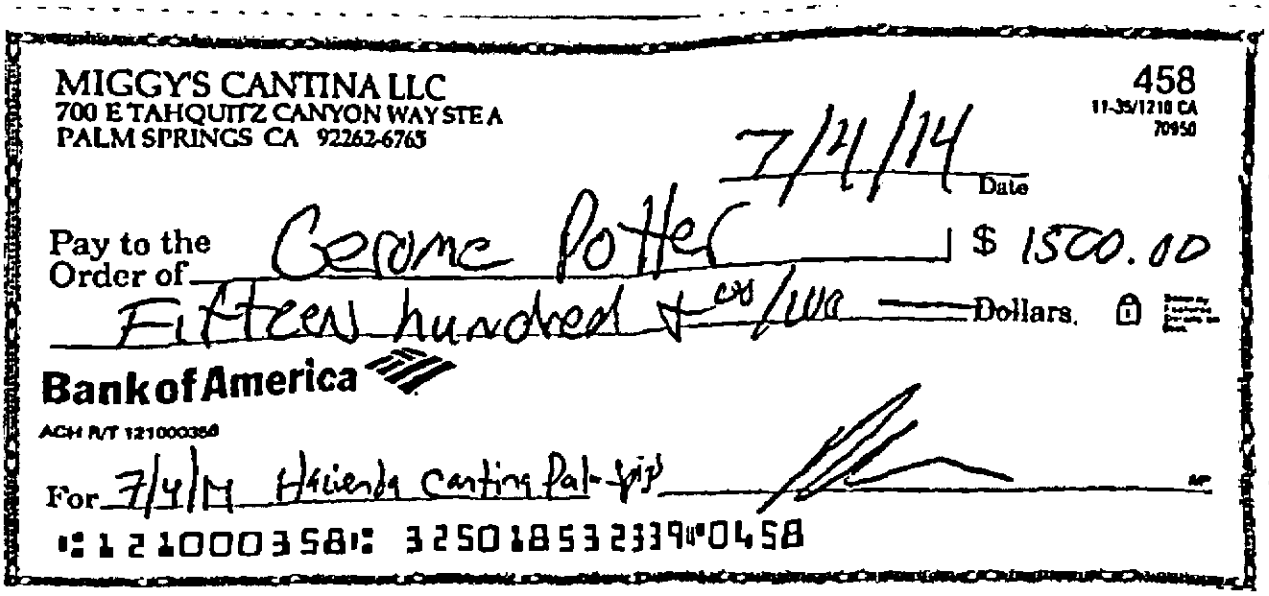


PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
322285781
FOR DEPOSIT ONLY
MIGGY'S CANTINA LLC
OPERATING ACCOUNT
1717181561

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/24/2014	008192247159	111012822	Pay Bank	N		BANK OF AMERICA, NA
07/24/2014	77090000043396	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$1,500.00	Sequence Number:	8292073928
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	458



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

458
11-35/1210 CA
70950

7/21/14
Date

Pay to the Order of George Potter $ 1500.00

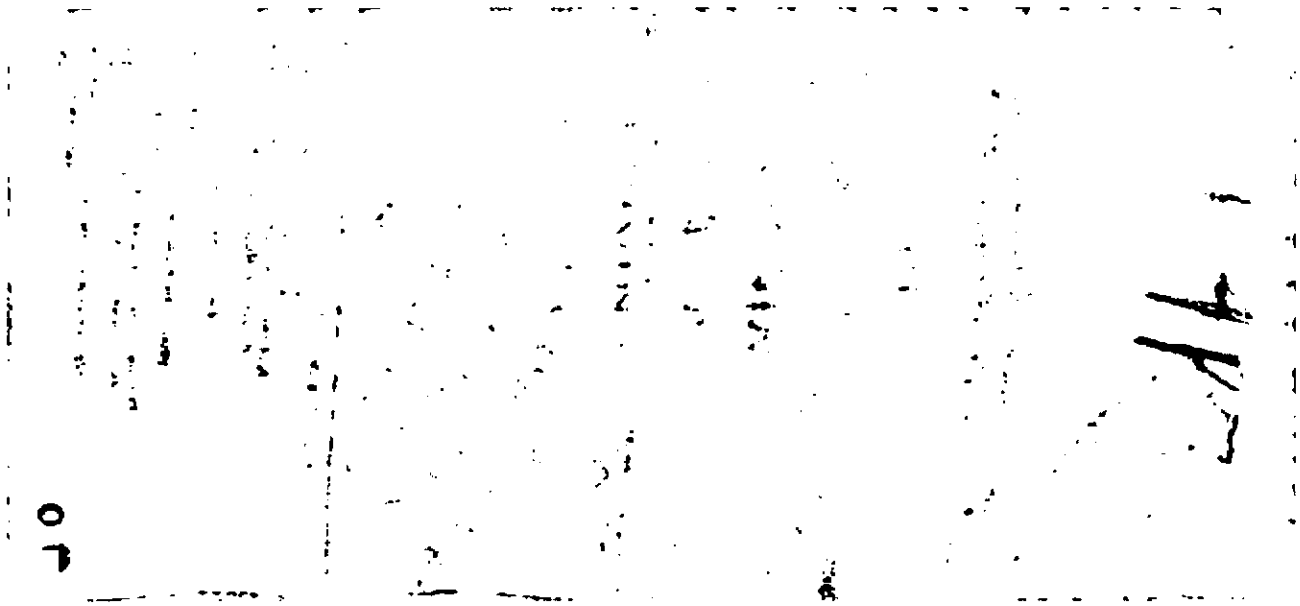
Fifteen hundred & 00/100 Dollars.

Bank of America

ACH R/T 121000358

For 7/4/14 Hacienda Cantina Pal-Spgs

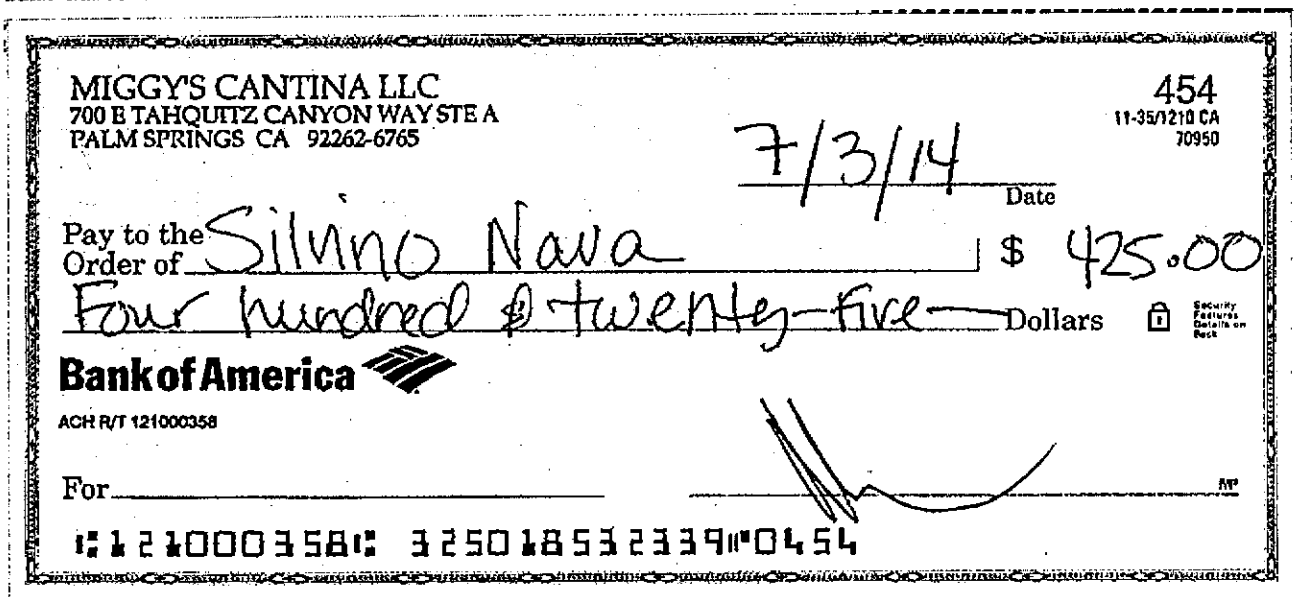
⑆121000358⑆ 325018532339⑈0458



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	008292073928	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/07/2014	000006381182474	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$425.00	Sequence Number:	8292253584
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	454



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

454
11-35/1210 CA
70950

7/3/14
Date

Pay to the Order of Silvino Nava $ 425.00

Four hundred & twenty-five Dollars

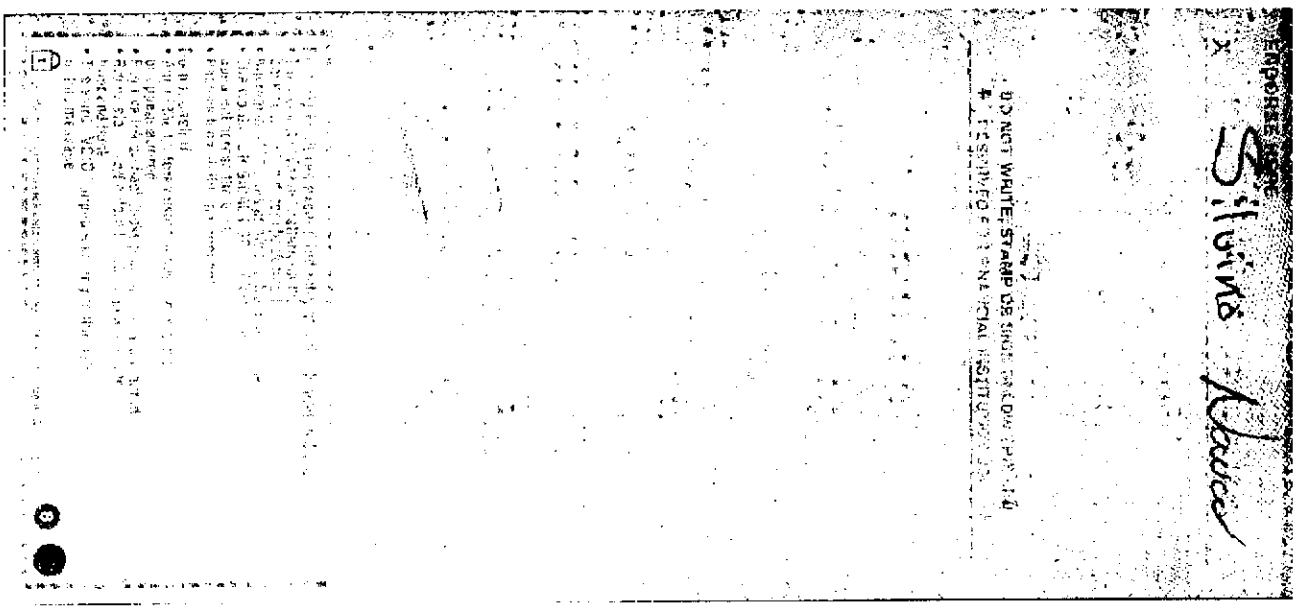
Security Features. Details on Back

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0454



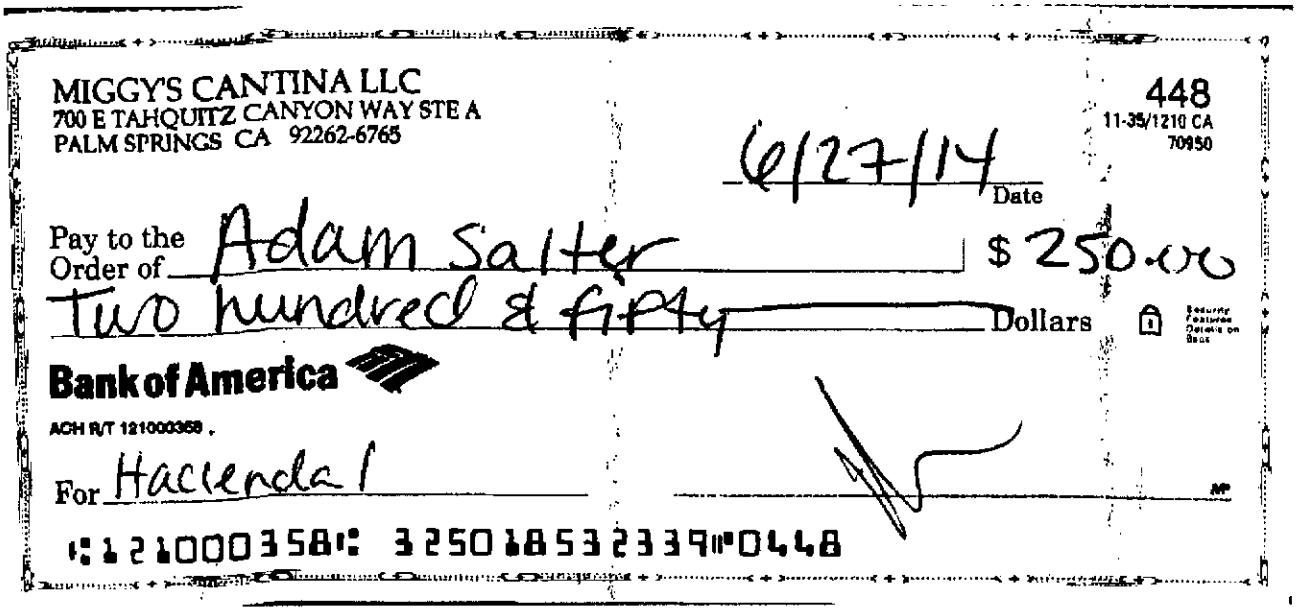
ENDORSE HERE Silvino Nava

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	000000584211149	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
07/07/2014	008292253584	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$250.00	Sequence Number:	8492726210
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	448



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

448
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Adam Salter $ 250.00

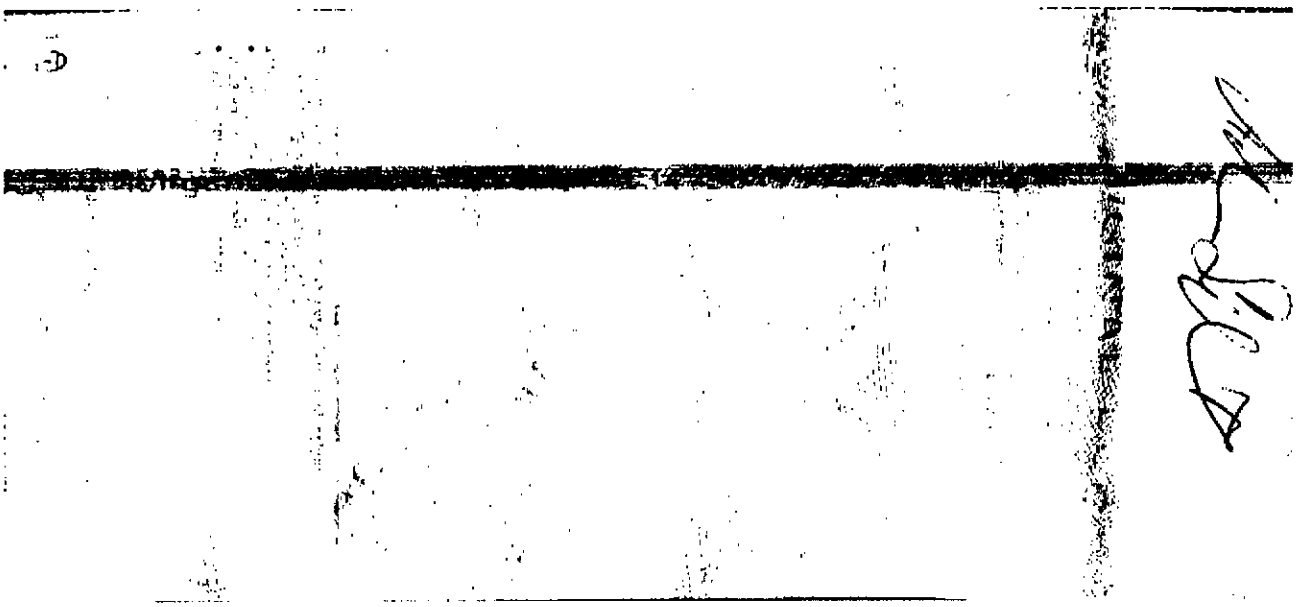
Two hundred & fifty Dollars

Bank of America

ACH R/T 121000358

For Hacienda 1

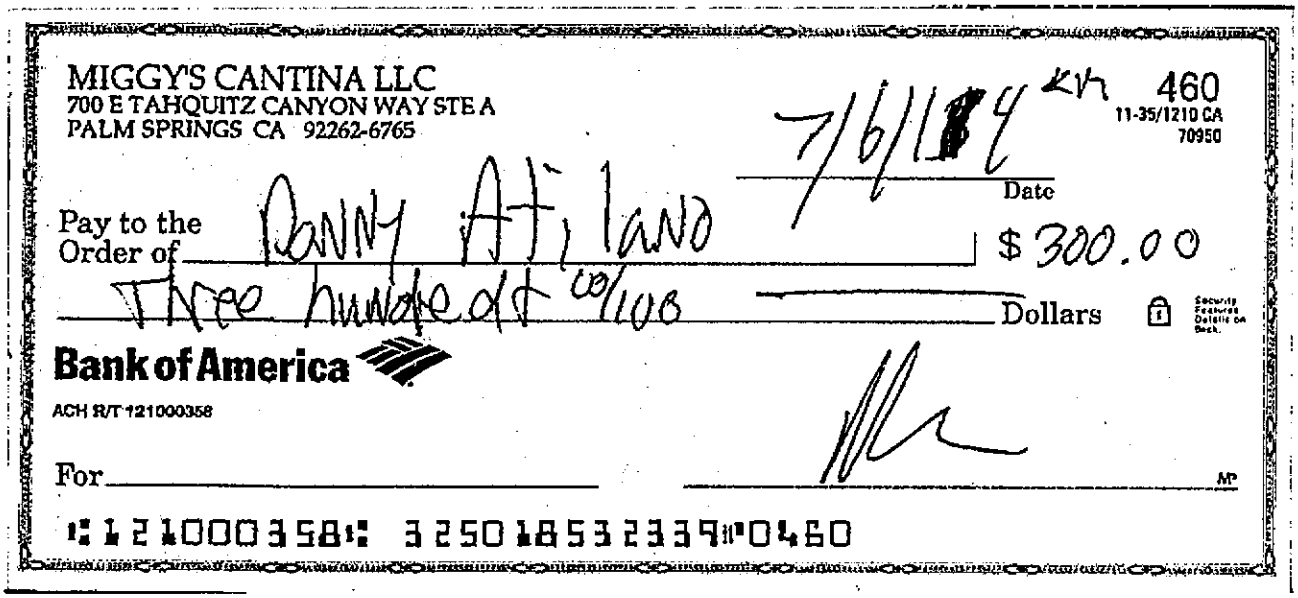
⑆121000358⑆ 325018532339⑈0448



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	6890272640	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
07/07/2014	008492726210	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$300.00	Sequence Number:	8592561985
Account:	325018532339	Capture Date:	07/07/2014
Bank Number:	12100035	Check Number:	460



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

7/6/14 KM

460
11-35/1210 CA
70950

Date

Pay to the Order of DANNY AFILANO

$ 300.00

Three hundred dt 00/100 Dollars

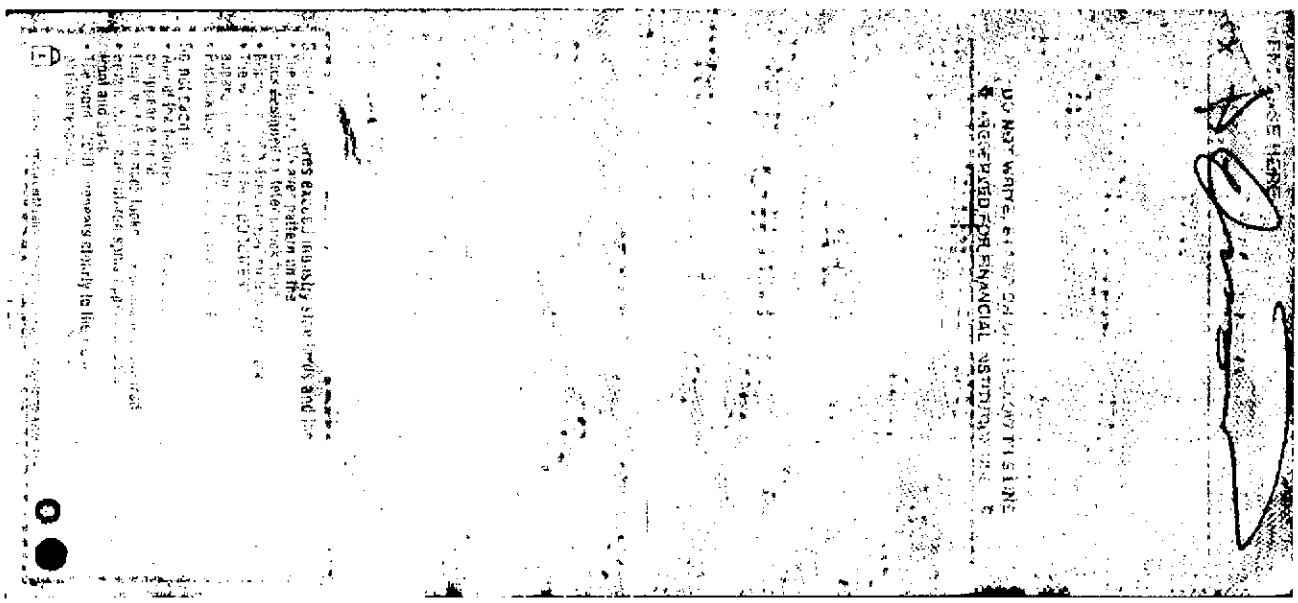
Bank of America

ACH R/T 121000358

For

MP

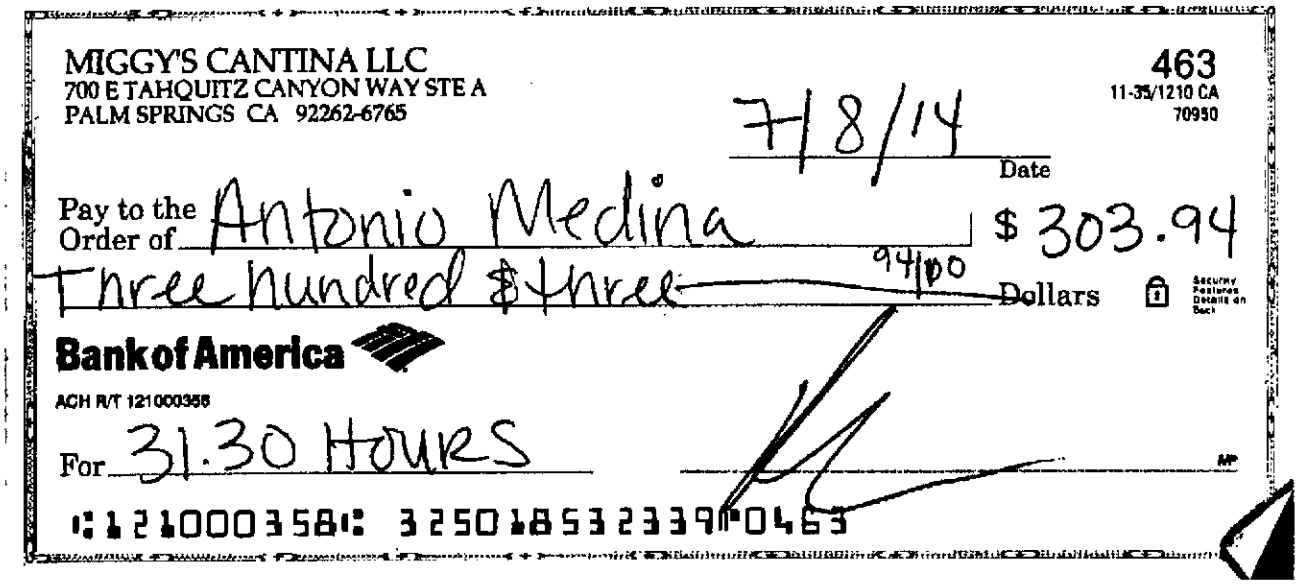
⑆121000358⑆ 325018532339⑈0460



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/07/2014	008592561985	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/07/2014	000000585521312	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$303.94	Sequence Number:	8792456907
Account:	325018532339	Capture Date:	07/08/2014
Bank Number:	12100035	Check Number:	463



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

463
11-35/1210 CA
70950

7/8/14
Date

Pay to the Order of Antonio Medina $ 303.94

Three hundred $ three 94/100 Dollars

Bank of America

ACH R/T 121000358

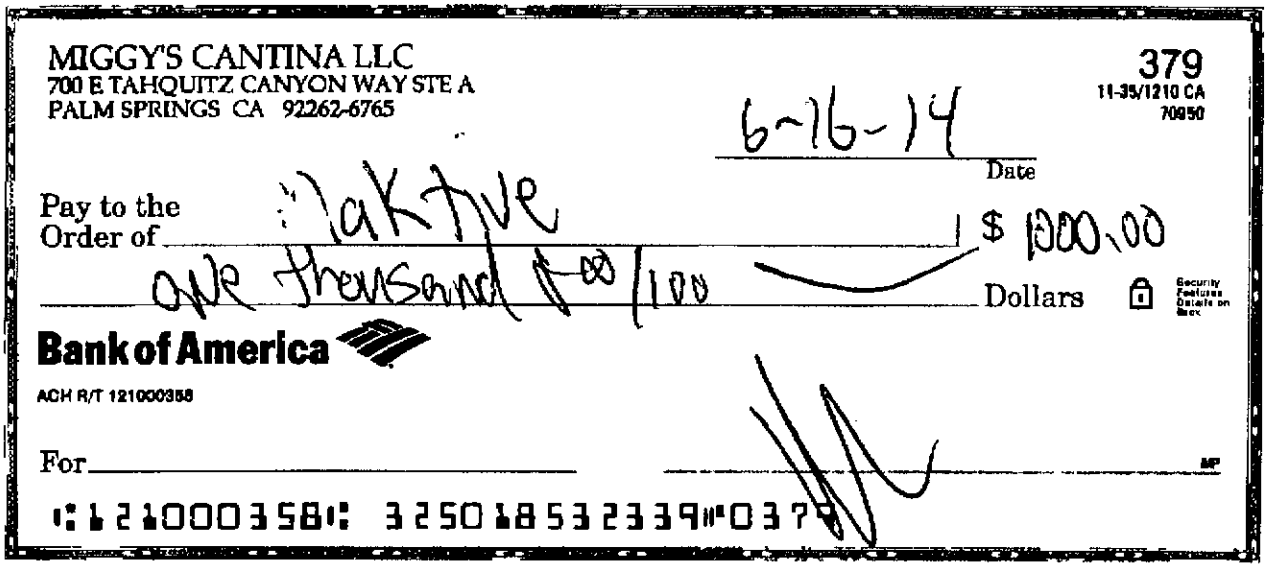
For 31.30 HOURS

⑆121000358⑆ 325018532339⑈0463

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/08/2014	9780592734	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
07/08/2014	008792456907	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	8992663596
Account:	325018532339	Capture Date:	07/09/2014
Bank Number:	12100035	Check Number:	379



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

379
11-35/1210 CA
70950

6-16-14
Date

Pay to the Order of Maktive

$ 1000.00

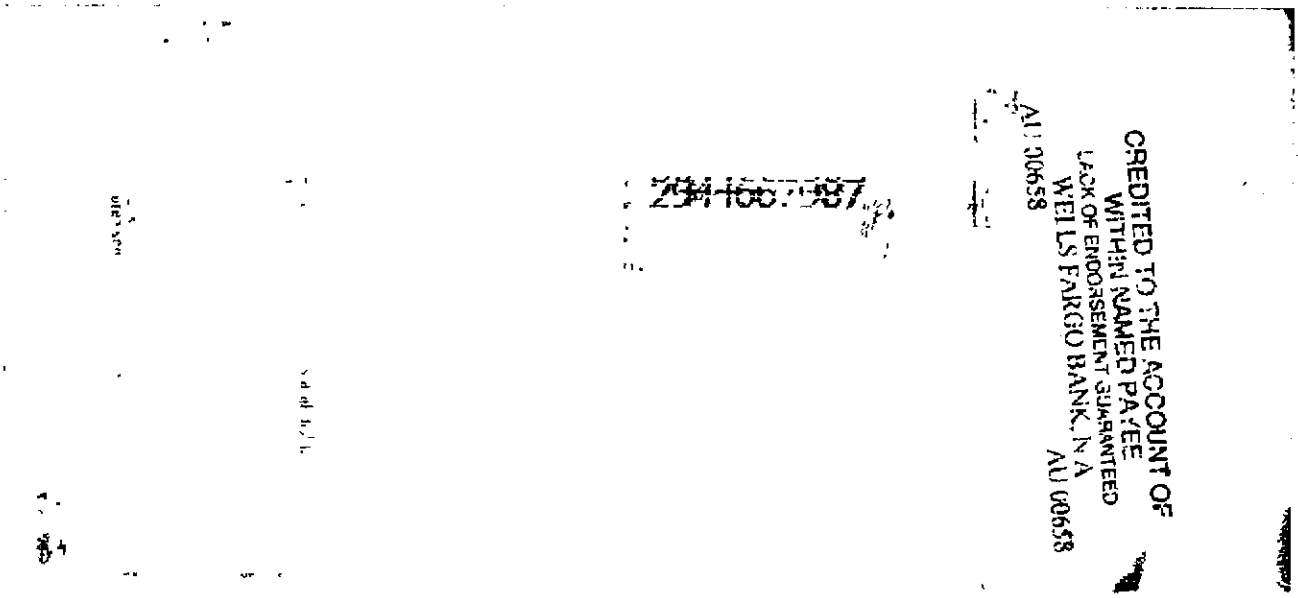
One thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0379



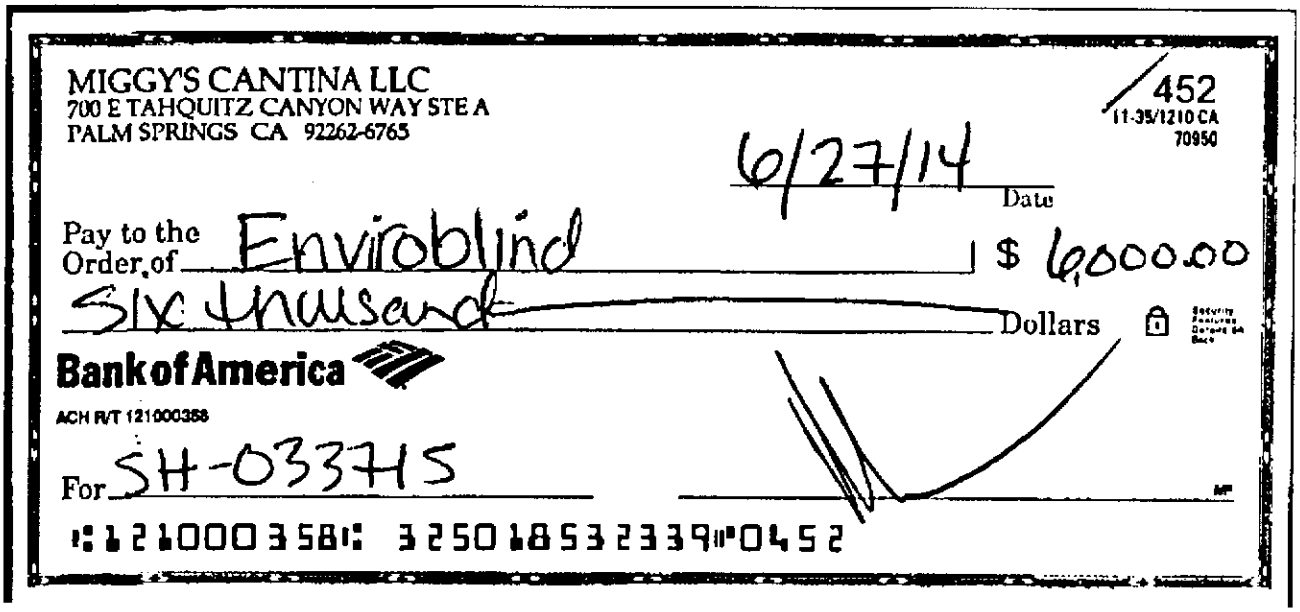
CREDITED TO THE ACCOUNT OF
WITHIN NAMED PAYEE
LACK OF ENDORSEMENT GUARANTEED
WELLS FARGO BANK, N.A.
AU 00658

AU 00658

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/09/2014	000002944667987	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
07/09/2014	008992663596	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$6,000.00	Sequence Number:	9192167986
Account:	325018532339	Capture Date:	07/09/2014
Bank Number:	12100035	Check Number:	452



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

452
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Enviroblind $ 6,000.00

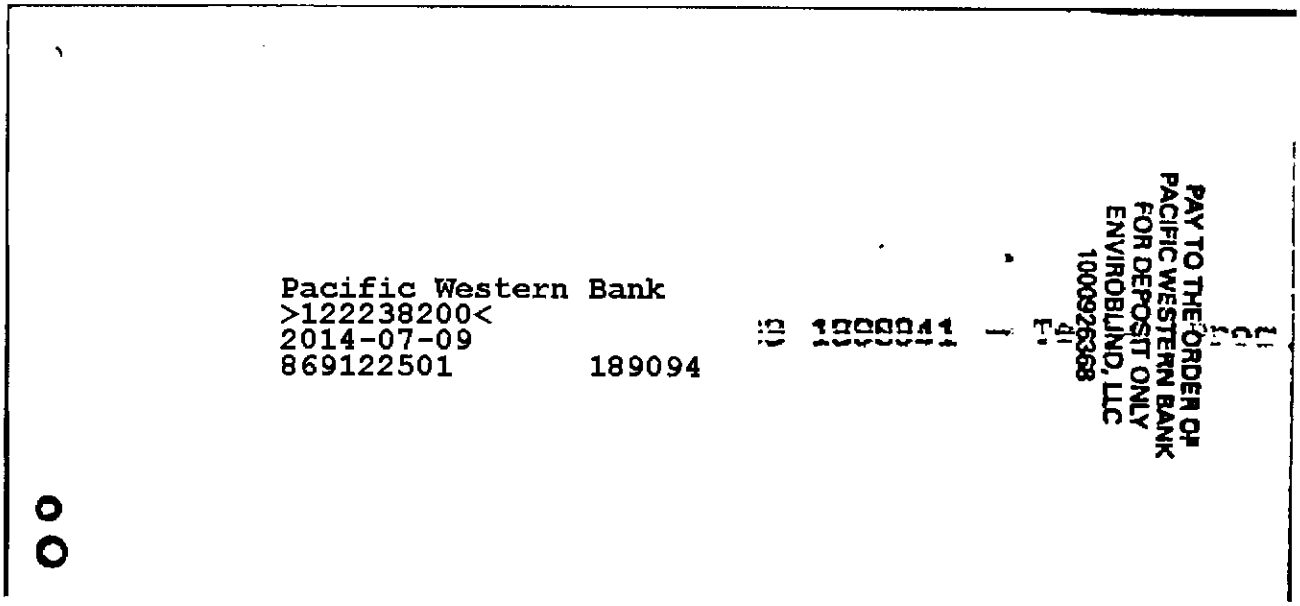
Six thousand Dollars

Bank of America

ACH R/T 121000358

For SH-033715

⑆121000358⑆ 325018532339⑈0452



Pacific Western Bank
>122238200<
2014-07-09
869122501 189094

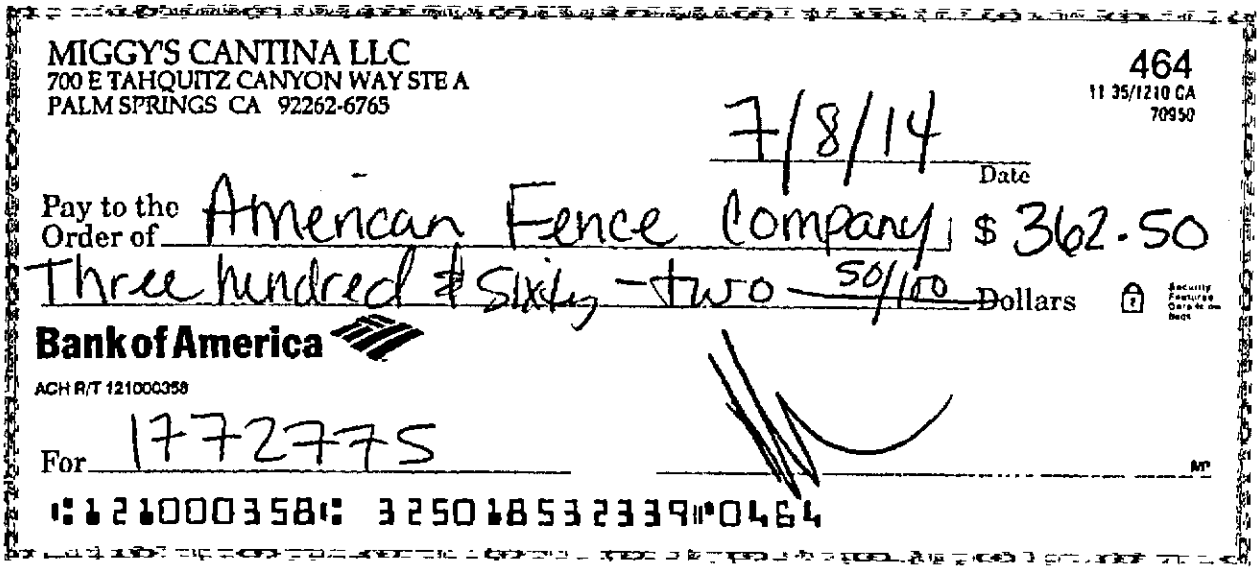
⑈ 1000041 — T[illegible]

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/09/2014	009192167986	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/09/2014	000008758478978	91000019	Undetermined	N		WELLS FARGO BANK, NA
07/09/2014	000000869122501	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$362.50	Sequence Number:	9292681974
Account:	325018532339	Capture Date:	07/10/2014
Bank Number:	12100035	Check Number:	2339



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

464
11 35/1210 CA
70950

7/8/14
Date

Pay to the Order of American Fence Company $ 362.50

Three hundred Sixty-two 50/100 Dollars

Bank of America

ACH R/T 121000358

For 1772775

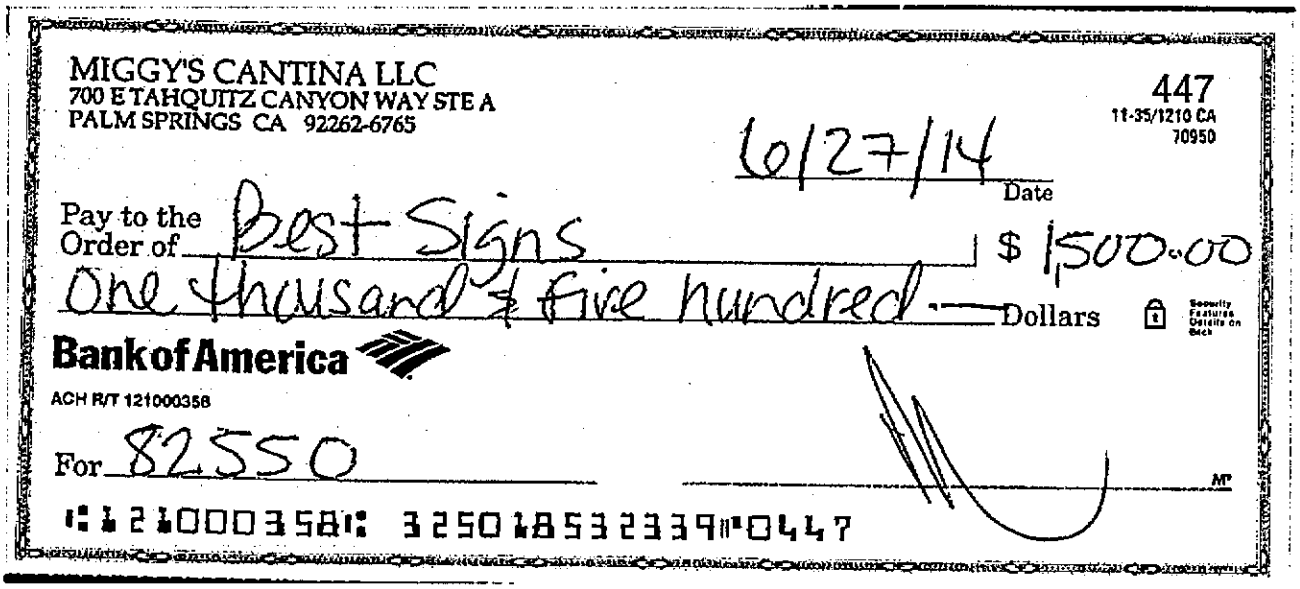
⑆121000358⑆ 325018532339⑈0464

Deposit to UMB Bank for American Fence and Security

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/10/2014	000007878347036	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
07/10/2014	009292681974	111012822	Pay Bank	N		BANK OF AMERICA, NA
07/10/2014	007878347036	101000695	Undetermined	N		UMB BANK, NATIONAL A

Amount:	$1,500.00	Sequence Number:	9392206830
Account:	325018532339	Capture Date:	07/01/2014
Bank Number:	12100035	Check Number:	447



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

447
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Best Signs $ 1,500.00

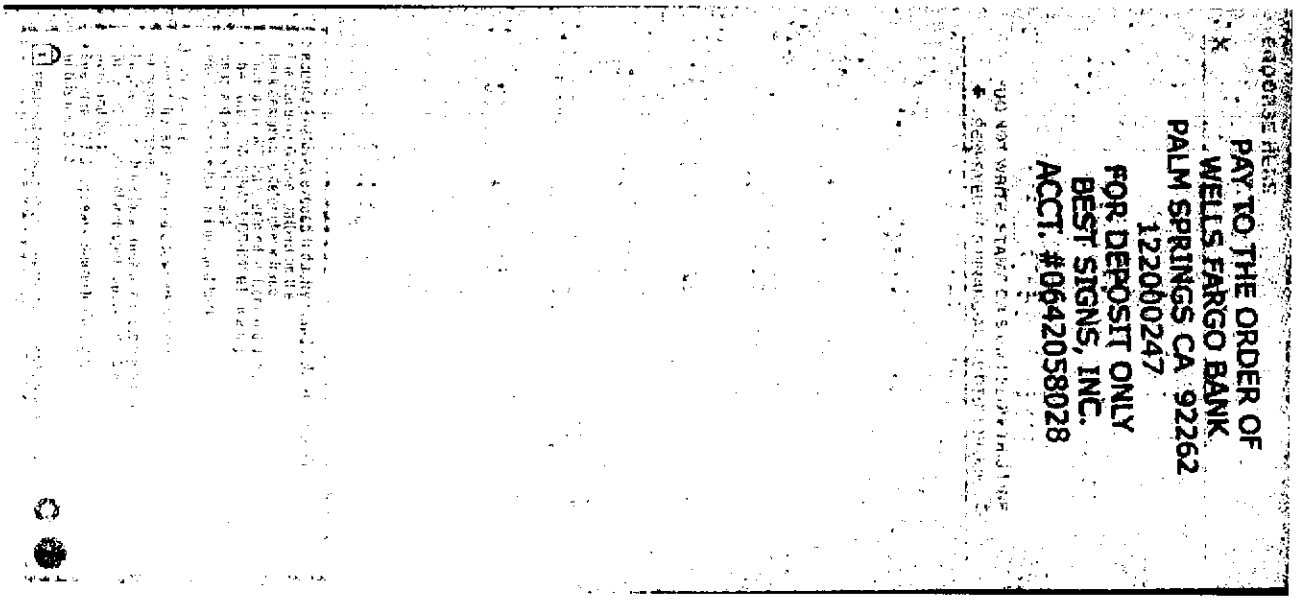
One thousand & five hundred ---- Dollars

Bank of America

ACH R/T 121000358

For $2550

⑆121000358⑆ 325018532339⑈0447

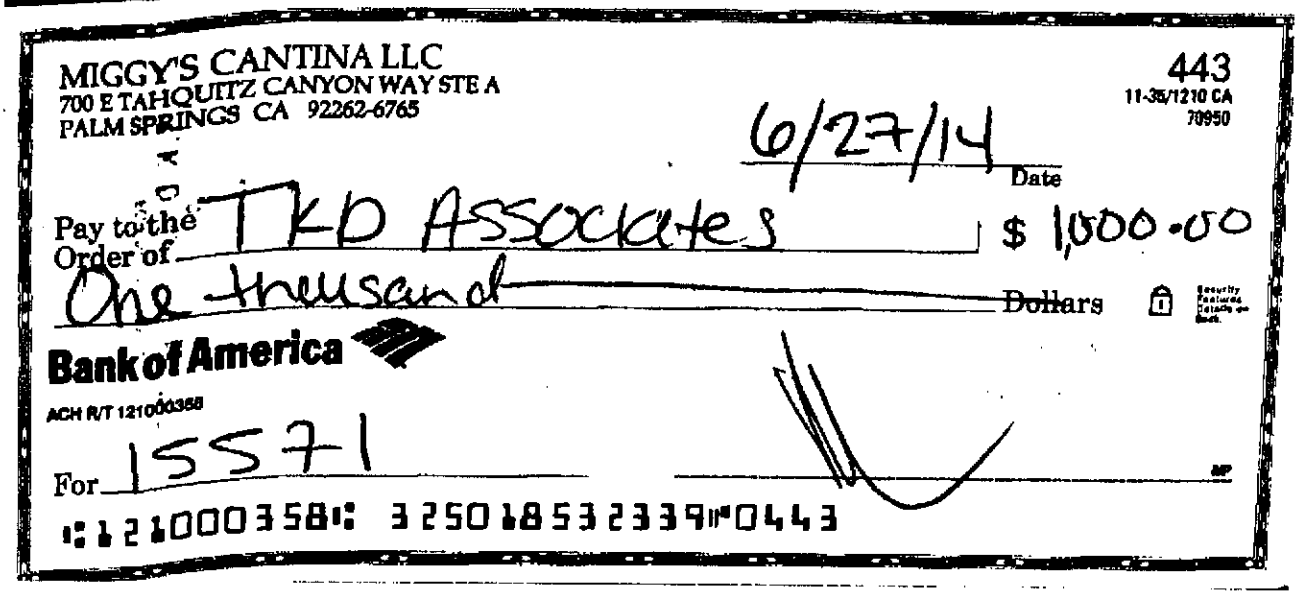


PAY TO THE ORDER OF
WELLS FARGO BANK
PALM SPRINGS CA 92262
122000247
FOR DEPOSIT ONLY
BEST SIGNS, INC.
ACCT. #0642058028

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	000000581942736	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
07/01/2014	009392206830	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	9392616854
Account:	325018532339	Capture Date:	07/01/2014
Bank Number:	12100035	Check Number:	443



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

443
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of TKD Associates $ 1,000.00

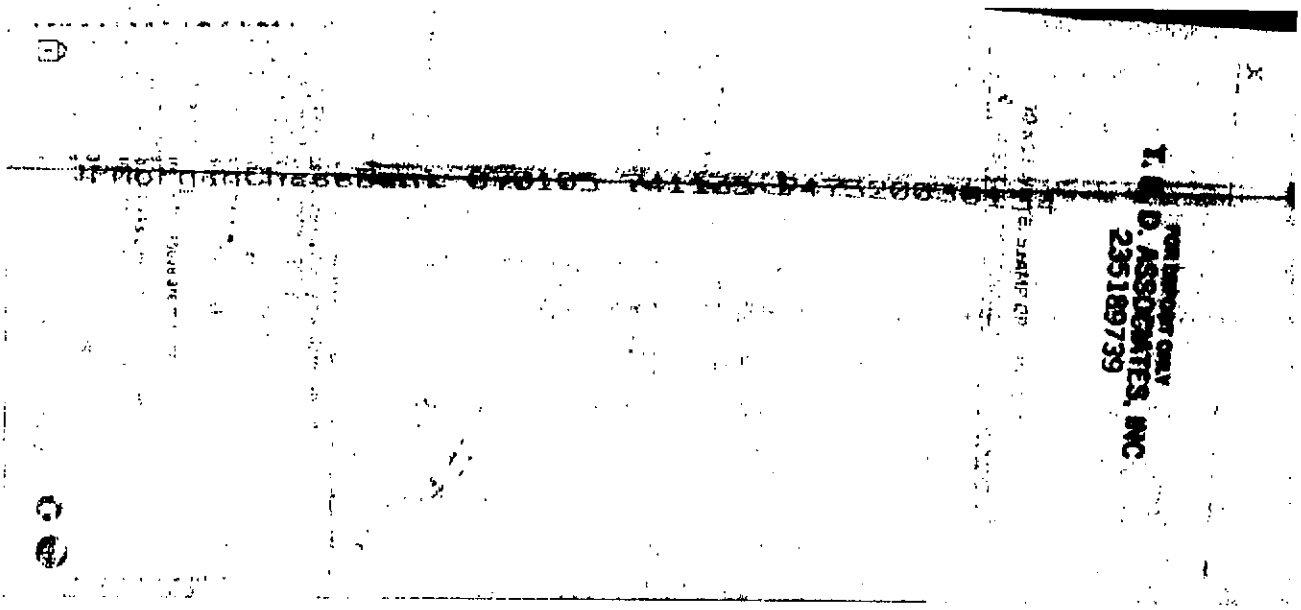
One thousand Dollars

Bank of America

ACH R/T 121000358

For 15571

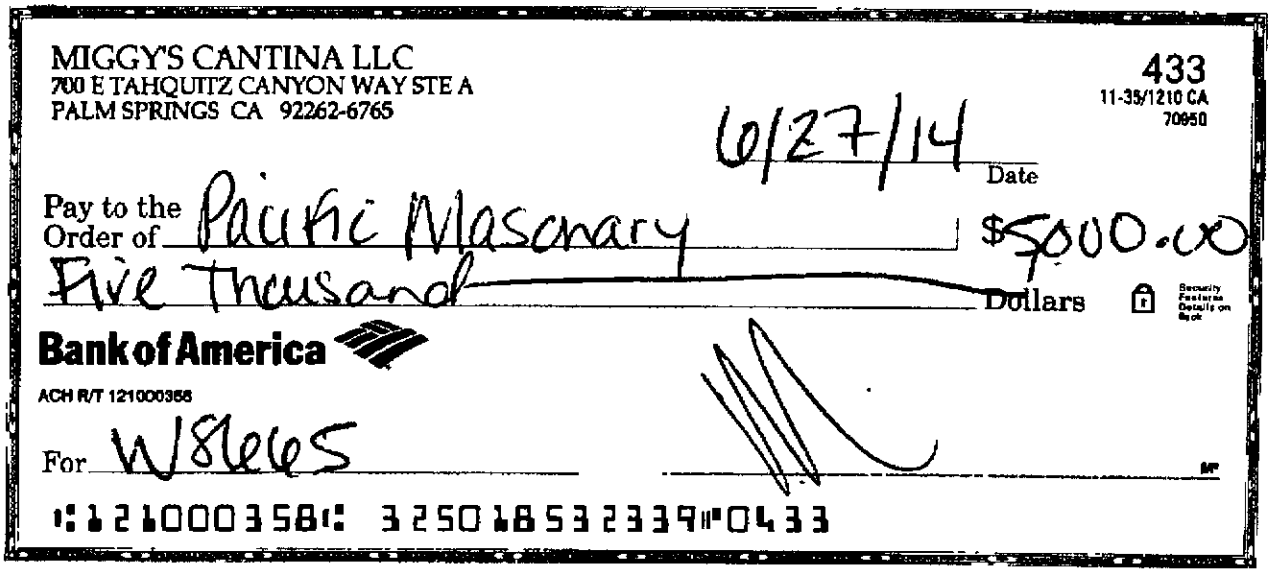
⑆121000358⑆ 325018532339⑈0443



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	009392616854	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/01/2014	6380689092	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$5,000.00	Sequence Number:	9492309627
Account:	325018532339	Capture Date:	07/01/2014
Bank Number:	12100035	Check Number:	433



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

433
11-35/1210 CA
70950

6/27/14
Date

Pay to the Order of Pacific Masonary $5000.00

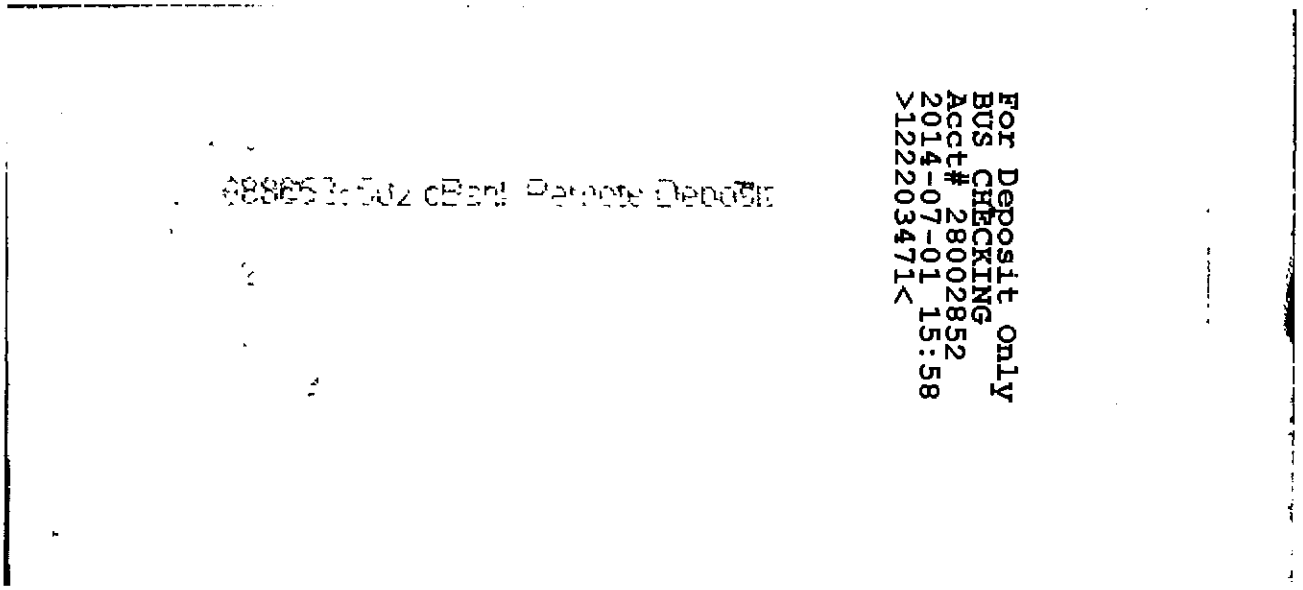
Five Thousand Dollars

Bank of America

ACH R/T 121000358

For W8665

⑆121000358⑆ 325018532339⑈0433

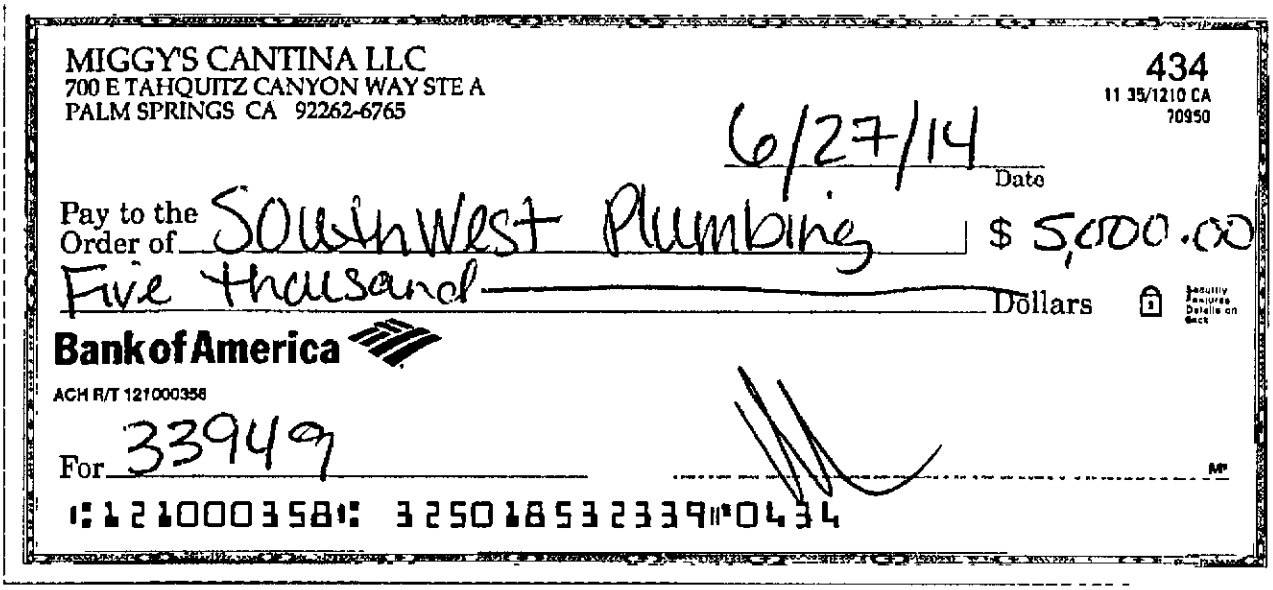


For Deposit Only
BUS CHECKING
Acct# 280028852
2014-07-01 15:58
>122203471<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	907090886528502	122203471	Rtn Loc/BOFD	Y		COMMUNITY BANK
07/01/2014	009492309627	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/01/2014	000008436766004	122105278	Undetermined	N		WELLS FARGO BANK, NA
07/01/2014	907090886528502	122203471	Undetermined	N		COMMUNITY BANK

Amount:	$5,000.00	Sequence Number:	9492316246
Account:	325018532339	Capture Date:	07/01/2014
Bank Number:	12100035	Check Number:	434



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

434
11 35/1210 CA
70950

6/27/14
Date

Pay to the Order of SouthWest Plumbing $ 5,000.00

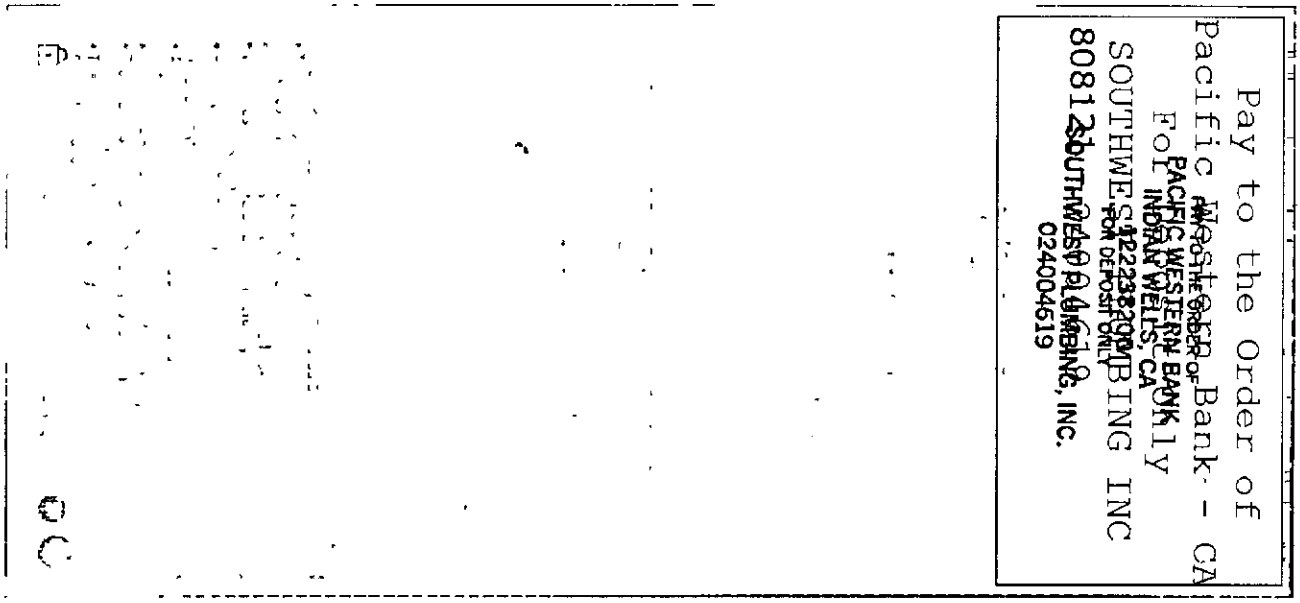
Five thousand Dollars

Bank of America

ACH R/T 121000358

For 33949

⑆121000358⑆ 325018532339⑈0434



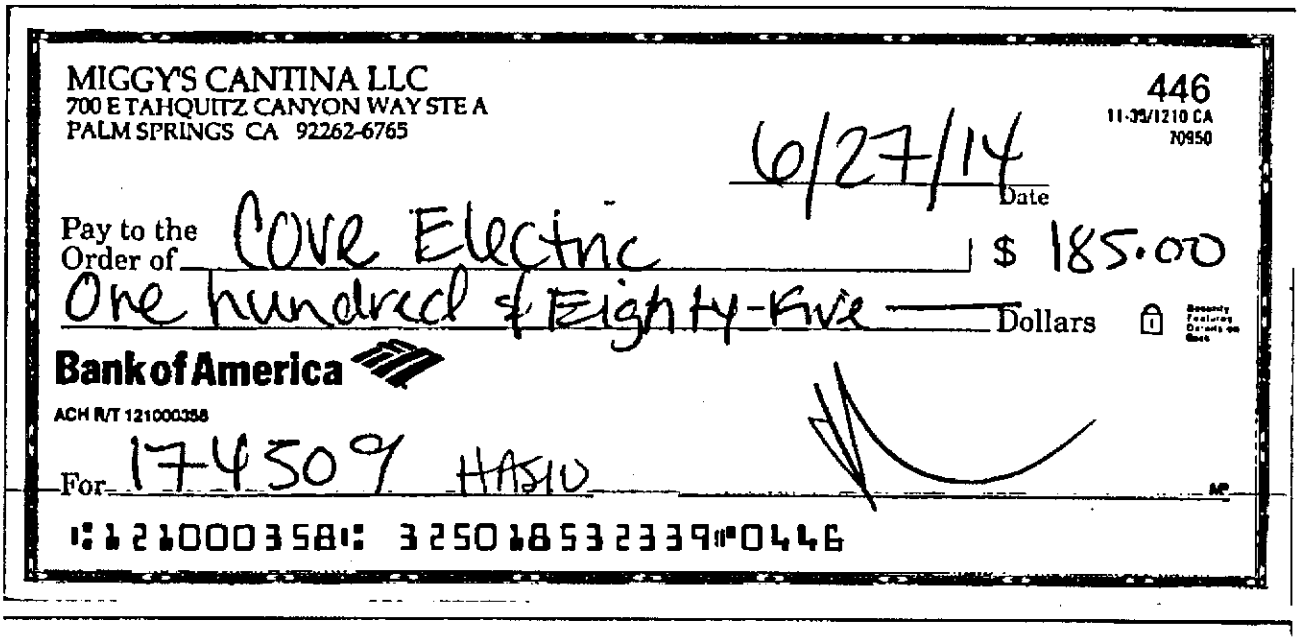
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING INC
80812

PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/01/2014	000002465033493	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
07/01/2014	046923977021418	122238200	Undetermined	N		PACIFIC WESTERN BANK
07/01/2014	000008757418581	122105278	Undetermined	N		WELLS FARGO BANK, NA
07/01/2014	009492316246	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$185.00	Sequence Number:	9692257147
Account:	325018532339	Capture Date:	07/02/2014
Bank Number:	12100035	Check Number:	446



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

446
11-39/1210 CA
70950

6/27/14
Date

Pay to the Order of Cove Electric $ 185.00

One hundred & Eighty-Five Dollars

Bank of America

ACH R/T 121000358

For 174509 HASIO

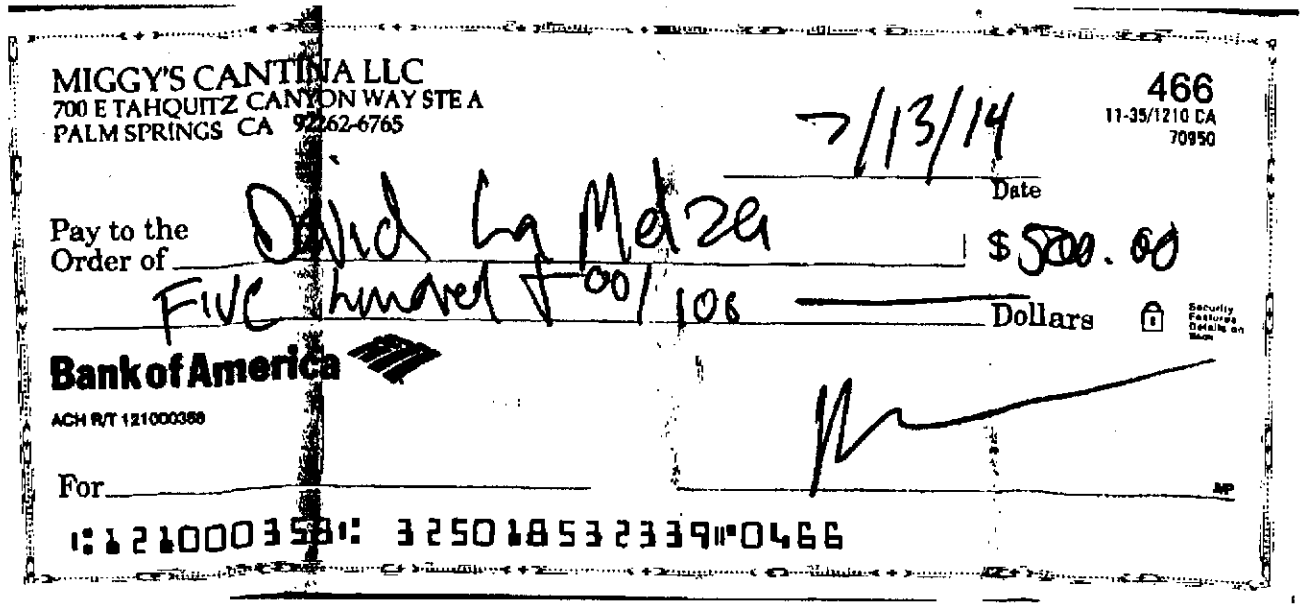
⑆121000358⑆ 325018532339⑈0446

Pacific Premier Bank
322285781
COVE ELECTRIC
210004177

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
07/02/2014	009692257147	111012822	Pay Bank	N		BANK OF AMERICA, NA
07/02/2014	5250001668907	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$500.00	Sequence Number:	9892738128
Account:	325018532339	Capture Date:	07/14/2014
Bank Number:	12100035	Check Number:	466



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

466
11-35/1210 CA
70950

7/13/14
Date

Pay to the Order of David La Medza $500.00

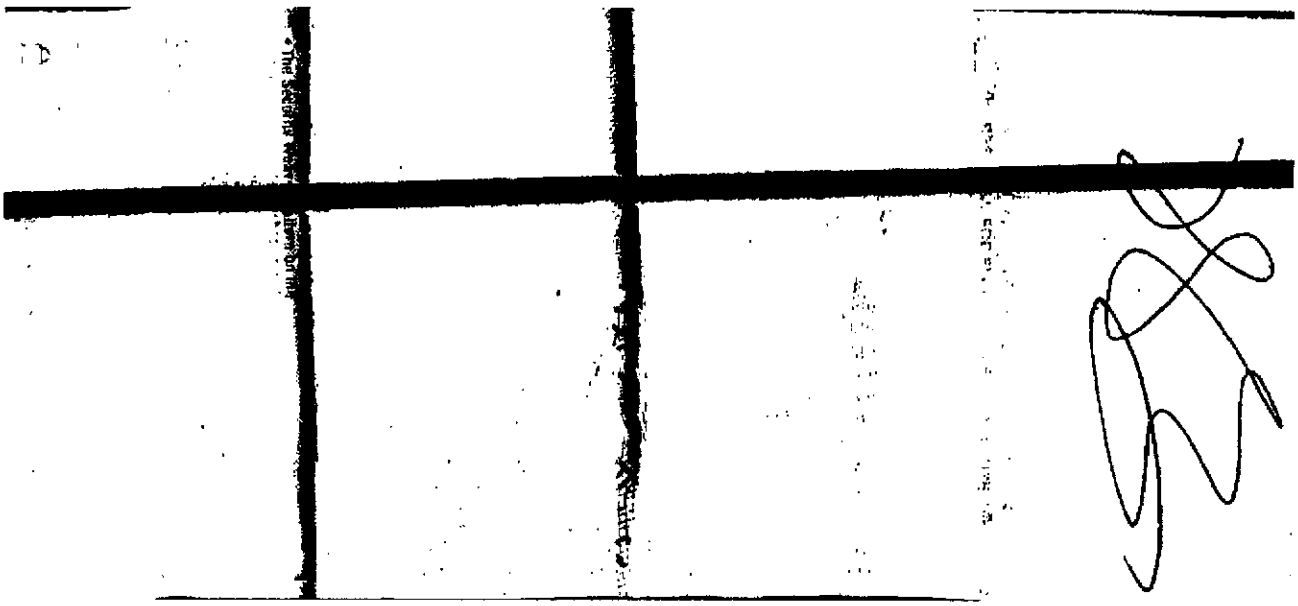
Five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0466



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
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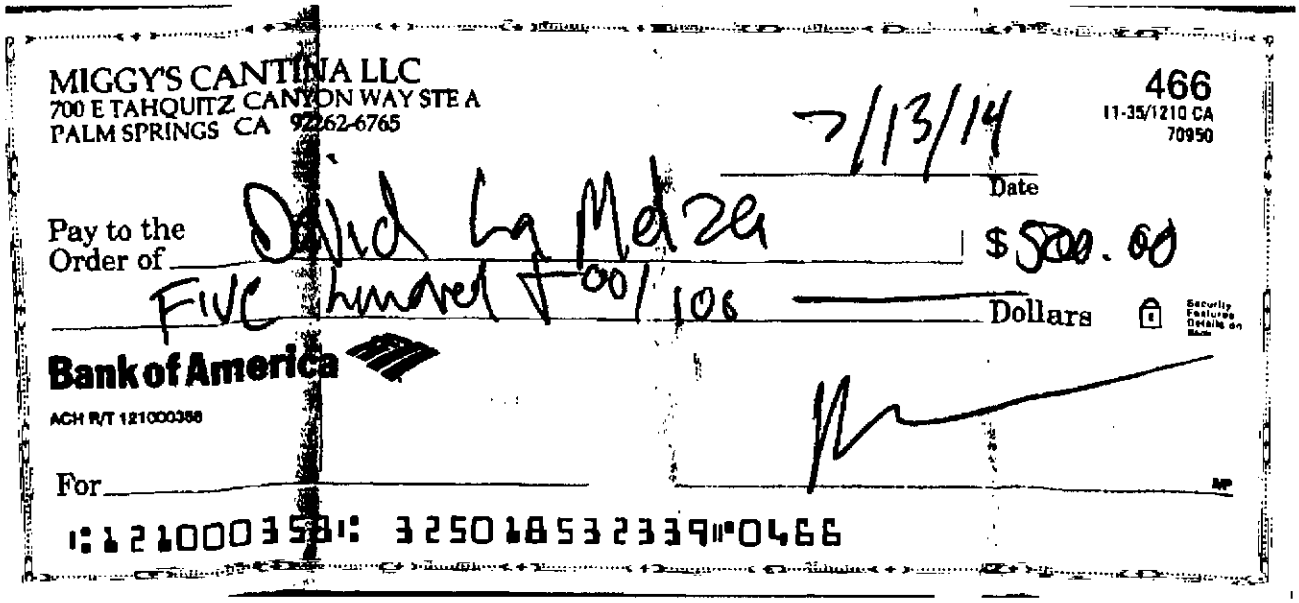
07/14/2014	8780918953	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$500.00	Sequence Number:	9892738128
Account:	325018532339	Capture Date:	07/14/2014
Bank Number:	12100035	Check Number:	466



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

466
11-35/1210 CA
70950

7/13/14
Date

Pay to the Order of David La Meza $ 500.00

Five hundred 00/100 Dollars

Bank of America

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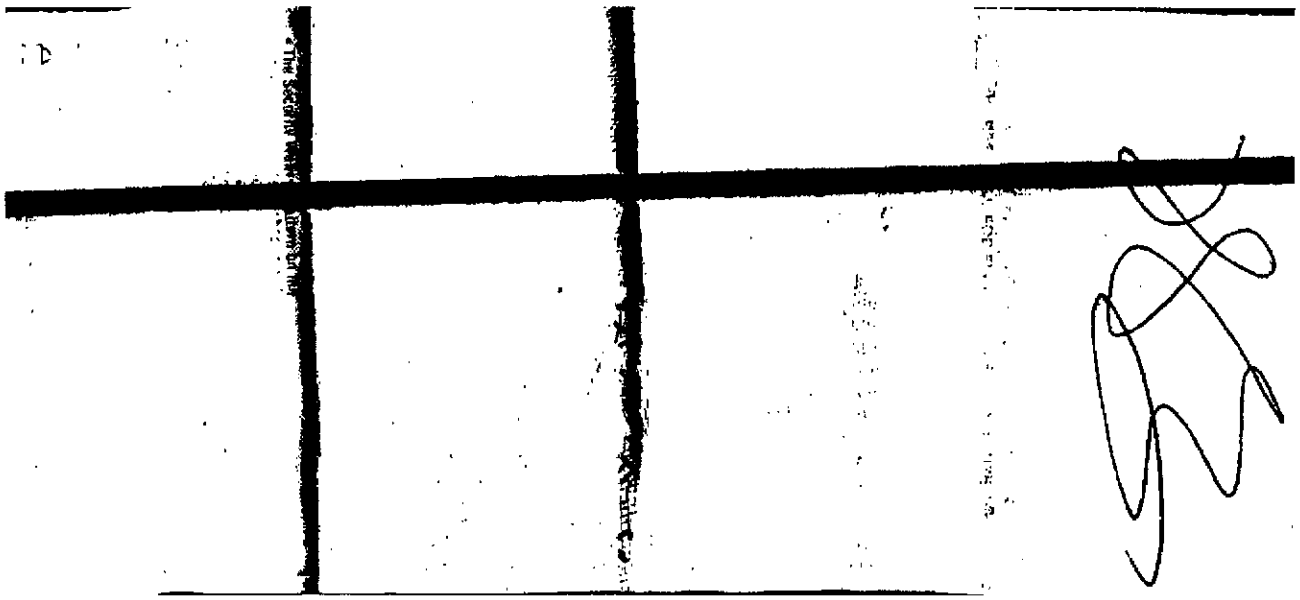
For

⑆121000358⑆ 325018532339⑈0466



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07/14/2014	009892738128	121103886	Pay Bank	N		BANK OF AMERICA, NA
07/14/2014	8780918953	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Marcus Fuller

From: David Ready
Sent: Wednesday, December 17, 2014 11:01 AM
To: 'Douglas C. Holland'; Marcus Fuller
Subject: FW: FW: Attached Image
Attachments: 4646_001.pdf

Your thoughts? We can discuss at lunch today.

thanks

DAVID H. READY, Esq., Ph.D.,
CITY MANAGER

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

Tel: (760) 322-8350
Fax: (760) 323-8207
TDD: (760) 864-9527
David.Ready@palmspringsca.gov

From: John Raymond
Sent: Wednesday, December 17, 2014 10:34 AM
To: David Ready; Jim Zicaro
Cc: Marcus Fuller
Subject: FW: FW: Attached Image

David, Attached is the Tentative Building Permit for Arrive. Based on how we broke out Wessman's fees, I suggest the following to allow Arrive to pull a permit today:

They pay the following Third Party Agency fees today, and the City defers the collection of the fees below that pursuant to a Deferral Agreement we'd bring to Council on January 7. If the Council doesn't approve the agreement then, Arrive would have to pay the remaining fees immediately or they would not receive more permits. The Deferral Agreement would be in anticipation of them participating in the SCIP program.

Fees to be Paid Today (Paid to State or Outside Contractors/Agencies)

School Fee	already paid
TUMF Fee	
SMIP 2	
Plan Check (Esgil)	
Fire Dept. Plan Check Fee	
State Handicap Fee	
State Energy Fee	
SB 1473	

CVMSHCP Fee

Fees Deferred Pursuant to a Deferral Agreement

Construction Tax
Building Permit
Electrical Fees
Mechanical Fees
Plumbing Fees
Sewer Inspection
Permit Issuance
Planning Plan Check Fee
Microfilm
General Plan Maint. Fee
Central Drainage Fee
Public Arts Fee
Technology Fee
Sewer Connection Fee
Sewer Main

The upshot is that they would pay the fees in the first category today, with the fees in the second category deferred, but still be able to pull a Building Permit today. They'd pay about $55,000 today with $120,000 or so deferred (about half of that would be sewer connect fees). Jim just needs the word from you to be able to do it.

JR

From: Chris Pardo [mailto:pardo@elementalarchitecture.com]
Sent: Wednesday, December 17, 2014 9:38 AM
To: John Raymond
Subject: Fwd: FW: Attached Image

---------- Forwarded message ----------
From: **Nate Allen** <allen@elementalarchitecture.com>
Date: Tuesday, December 16, 2014
Subject: Fwd: FW: Attached Image
To: Chris Pardo <pardo@elementalarchitecture.com>, Matt Steinberg <matt@arrivehotels.com>, Robin Abrahams <robin@abrahamsarchitects.com>, Martin Sterud <martins@dwjohnston.com>

They reduced the fee about 20k. See attached. And per the other email we know about school tax correct?

---------- Forwarded message ----------
From: **Angela LaFrance** <Angela.LaFrance@palmsprings-ca.gov>
Date: Tue, Dec 16, 2014 at 4:51 PM
Subject: FW: Attached Image
To: Nate Allen <allen@elementalarchitecture.com>

Please see revised. You also know about school tax that must be paid to school district correct?

From: Palm Springs - Bldg Dept [mailto:iR3570-cc@ci.palm-springs.ca.us]
Sent: Tuesday, December 16, 2014 1:55 PM
To: Angela LaFrance
Subject: Attached Image

--

Nate Allen
project manager/designer

121 Prefontaine Pl S
seattle wa 98104

p. (206)329-1654

--

Regards,

Chris Pardo,

Founder/Principal

"40 under 40" - Palm Springs Life Magazine 2014
"Best of Houzz: Design"- 2014
"He's What's Next" - Palm Springs Life Magazine 2014
"Top Mountain Designers" - Mountain Living 2011-2013
"Most Influential People" Seattle Magazine 2011
"Best Young Firm" Best of Green Readers Choice Nominee 2011
"Top 40 under 40" -Worldwide Architecture 2010
"Decades Best" - Seattle Magazine 2010
"Top 25 Innovators"- 2009
"Top 20 under 40" - 2009
Design Achievement Award Winner - 2008
AIA Commendation Award Winner - 2007

www.elementalarchitecture.com

Facebook: Chris Pardo Design: Elemental Architecture
Houzz - Chris Pardo Design: Elemental Architecture

Northwest
1520 11th Ave Suite G
Seattle, WA 98122

Southwest
700 E Tahquitz Canyon Way Suite A
Palm Springs, CA 92262

p. (206)329-1654
e: pardo@elementalarchitecture.com

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David Ready

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Sent: Wednesday, December 17, 2014 10:34 AM
To: David Ready; Jim Zicaro
Cc: Marcus Fuller
Subject: FW: FW: Attached Image
Attachments: 4646_001.pdf

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Fire Dept. Plan Check Fee	
State Handicap Fee	
State Energy Fee	
SB 1473	
CVMSHCP Fee	

Fees Deferred Pursuant to a Deferral Agreement

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Building Permit
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Mechanical Fees
Plumbing Fees
Sewer Inspection
Permit Issuance
Planning Plan Check Fee
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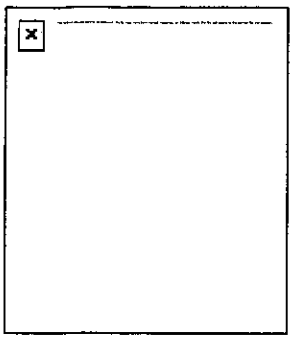
Nate Allen
project manager/designer



121 Prefontaine Pl S
seattle wa 98104

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Regards,

Chris Pardo,

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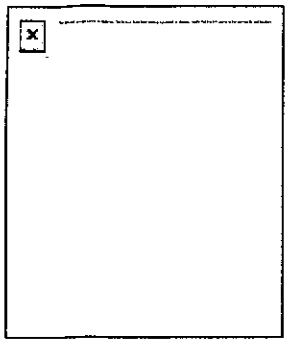

www.elementalarchitecture.com

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Seattle, WA 98122

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2014-1646

City of Palm Springs

TENTATIVE BUILDING PERMIT

Building Address: 1551 N Palm Canyon Drive

Date Submitted: 05/22/2014 | Case No. 5.1284 | Permit Technician: Alberto Gradilla

Owner: Palm Grove Group LLC	Address: 609 Woodland Rd Pasadena CA	Phone: 213 304 6020	
Contractor: DW Johnston	Address: 1445 N Sunrise Way Palm Springs CA	Phone: 760 416 1144	Lic. Number: 699640
Architect: Steven J Turley	Address: 700 E Tahquitz Canyon Way Ste A Palm Springs CA	Phone: 760 416 1144	
Engineer: ZCS Engineering	Address: 1605 Boylston Ave Ste 303 Seattle WA	Phone: 760 771 4013	

Lot # | Block # | Tract | Parcel Number: 505-165-013

Lot Size: 55321 | Zone | Occupancy: R-1 Residential, hotels A-2; B; M; R-1;

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
Addition	14828	0	0	0

Use of building: Commercial | Permit Type: Hotel New | Const. Type: VA | Fixture Units: 120

Fire Sprinkler	Units	Valuation	Permit Fees Due
Yes	32	2200000.00	173993.33

Describe work in detail:

Permit for ARRIVE Hotel. 32 room 1 & 2 story hotel with restaurant and retail areas. Includes common area bathroom and shower building, office and housekeeping building, site work and lighting,. All per approved plans.

Special Conditions:

Swimming pool/spa and garden walls to be under separate permit.

1000 GALLON GREASE INTERCEPTOR

Credit applied for 13 hotel rooms without kitchens demolished 5/7/07 at parcel number 505-165-009 (now part of this property)

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Due Invoice Summary

DATE	12/16/2014

ACCOUNT:

DW Johnston
1445 N Sunrise Way
Palm Springs CA 92262

Phone: 760 416 1144

PERMIT NUMBER	2014-1646

1551 N Palm Canyon Drive
Palm Springs, CA 92262

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
11/6/2014	2014-1646	14-4650	001-31601	Construction Tax by SQFT	Due	5931.20
12/15/2014	2014-1646	14-4650	001-32201	Building Permit Fees	Due	11010.50
11/6/2014	2014-1646	14-4650	001-32201	Electrical Fees	Due	1933.02
11/6/2014	2014-1646	14-4650	001-32201	Mechanical Fees	Due	1784.25
11/6/2014	2014-1646	14-4650	001-32201	Plumbing Fees	Due	1417.59
11/6/2014	2014-1646	14-4650	001-32202	Sewer Inspection	Due	46.00
11/6/2014	2014-1646	14-4650	001-32204	Permit Issuance Fee	Due	104.44
11/6/2014	2014-1646	14-4650	001-32219	S.B. 1473	Due	88.00
12/15/2014	2014-1646	14-4650	001-33117	CVMSHCPFee	Due	7326.63
11/6/2014	2014-1646	14-4650	001-34210	Fire Dept. Plan Check	Due	468.00
11/6/2014	2014-1646	14-4650	001-34210	Fire Dept. Plan Check	Due	416.00
11/6/2014	2014-1646	14-4650	001-34301	Plan Check Fee	Due	1283.71
11/6/2014	2014-1646	14-4650	001-34301	Plan Check Fee	Due	-7208.00
11/6/2014	2014-1646	14-4650	001-34301	Plan Check Fee	Due	7208.83
11/6/2014	2014-1646	14-4650	001-34301	State Energy Fee	Due	720.88
11/6/2014	2014-1646	14-4650	001-34301	State Energy Fee	Due	128.37
11/6/2014	2014-1646	14-4650	001-34301	State Handicap Fee	Due	720.88
11/6/2014	2014-1646	14-4650	001-34303	Planning Plan Check Fee	Due	1796.00
11/6/2014	2014-1646	14-4650	001-34308	Microfilm	Due	584.00
11/6/2014	2014-1646	14-4650	001-34310	General Plan Maint.	Due	1474.00
12/15/2014	2014-1646	14-4650	134-33110	TUMF	Due	45145.79
11/6/2014	2014-1646	14-4650	135-32400	Central Drainage Fee	Due	11699.24
11/6/2014	2014-1646	14-4650	150-34390	Public Art	Due	11000.00
11/6/2014	2014-1646	14-4650	261-32214	Technology Fee	Due	3190.00
12/16/2014	2014-1646	14-4650	420-38703	Sewer Connection	Due	61230.00
11/6/2014	2014-1646	14-4650	420-38704	Sewer Main	Due	4032.00
11/6/2014	2014-1646	14-4650	SMIP2	SMIP2	Due	462.00

Total Due 173,993.33

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

OPTERRA (CHEVRON) FUNDING

	Opterra Contract		
Original Contract	($17,507,842)		
Bond Proceeds	$16,946,480		
Funding Shortfall	($561,362)		
City Buy-down	440,000	In Opterra PO	
Rebate Dedication	121,362	In Opterra PO	
Funding Shortfall	$0		
Funds Held by Paying Agent	$16,946,480		
Opterra PO# 15-0509		987,441	
Opterra CO# 1		124,702	
Opterra CO#2		116,660	
Opterra CO#3		185,411	
Opterra CO#4		24,654	
Opterra CO#5		765,526	Pending City Execution
Totals	$16,946,480	2,204,394	
Grand Total			**$19,150,874**
Draw 1	-3,501,568	-48,620.05	
Draw 2	-647,235	-231,392.16	
Draw 3	-466,507	-132,365.78	
Draw 4	-1,522,598	-526,912.24	
Draw 5	-682,955	-155,352.40	
Draw 6	-1,181,990		
Draw 7	-1,495,300		
Draw 8	-834,670		
Draw 9	-617,120		
Draw 10	-256,832.50		
Draw 11	-375,915		
Draw 12	-1,001,300		
Draw 13	-680,174.82		
Draw 14	-706,015.78		
Draw 15	-1,449,795		
Draw 16	-568,100		Paying on 2/18/15
Current Balance	**$958,403.90**	**1,109,751.37**	**$2,068,155.27**

FINAL FOCUSED ENVIRONMENTAL IMPACT REPORT

SCH #2014091078

Alta Verde/Linea
(TTM 36723)

City of Palm Springs
Case # 5.1342-PD371 / TTM 36723

December 17, 2014

Applicant:

Alta Verde Group
Andrew Adler
315 S Beverly Drive, Suite 208
Beverly Hills, CA 90212

Submitted To:

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8299

Prepared By:

MSA Consulting Inc.
32400 Bob Hope Drive
Rancho Mirage, CA 92270
(760) 320-9811

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B. ACBCI Tribal Historic Preservation 0.2-3

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0.1 INTRODUCTION

This introduction is included to provide an overview of the content and format of this Final Focused Environmental Impact Report (Final EIR) for the proposed Linea project. This overview provides a description of the Environmental process undertaken by the City of Palm Springs for the project.

0.1-1 ENVIRONMENTAL REVIEW PROCESS

The City of Palm Springs is the Lead Agency responsible for the preparation of the Focused Environmental Impact Report (EIR), as defined by Section 15050 of the California Environmental Quality Act. The City directed the preparation of this document in fulfillment of its environmental review requirements pursuant to provisions of the *Californio Environmental Quality Act (CEQA) (Public Resource Code Section 21000-2117,) CEQA Guidelines* and the Lead Agency's local CEQA implementation requirements, all as amended.

Per CEQA Guidelines §15132 the Final EIR shall consist of the following:

a) The draft EIR or revision of the draft.
b) Comments and recommendations received on the draft EIR either verbatim or in summary.
c) A list of persons, organizations, and public agencies commenting on the draft EIR.
d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
e) Any other information added by the Lead Agency.

The project is located in the adopted Canyon South Specific Plan, approved in 1991. Previous environmental analyses was prepared for the Canyon South SP and the EIR was originally approved in 1991, with a Mitigated Negative-Declaration (MND) for the SP amendment in 1994, followed by a 2003 EIR addendum. Under CEQA Guidelines (Section 15162), once an environmental impact report for a project has been certified, the Lead Agency need not require additional environmental review unless they find that substantial changes have occurred to the project or circumstances surrounding the project, which would result in new impacts not analyzed.

Since the approval of the EIR, the United States Fish and Wildlife Service (USFWS) designated the Casey June beetle ("CJB") as an endangered species in 2011. In accordance with Section 15064 of the CEQA Guidelines, the City of Palm Springs determined that the project may have potentially significant impacts to the Casey June beetle and its habitat. A Draft Focused EIR was prepared to assure adequate review of potential biological impacts associated with the approval and implementation of the proposed project.

The City of Palm Springs prepared and distributed on September 26, 2014 a Notice of Preparation (NOP) to public agencies and interested parties stating that the City would be preparing a Focused EIR. In accordance with CEQA requirements, a 30 day period was provided for responses to the NOP. This review period ended October 27, 2014.

Based on previous EIR review and the designation of CJB as endangered species by USFWS, and review of the Proposed Project, and responses to the Notice of Preparation, the City determined that the Focused EIR should address the following topics:

- Biological Impacts

The following Special Studies were performed for the project:

- Project Specific CJB Study, JWC Ecological Consultants

The Draft Focused EIR was prepared and circulated for a 45-day public review period beginning on October 31, 2014 in conformance with the requirement of Section 15561 (Sec.15087/Public Review-Sec. 15205/State Review) of the CEQA guidelines. The 45-day review period ended on December 15, 2014.

Written comments received will be reviewed and evaluated for inclusion in the Final EIR. Comments were received from the following agencies:

- Agua Caliente Band of Cahuilla Indians, Tribal Planning & Development, letter dated November 13, 2014
- Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Office, letter dated November 18, 2014

The City of Palm Springs as Lead Agency is required to evaluate comments received on environmental issues from parties who reviewed the Draft EIR. In conformance with requirements of State CEQA Guidelines, Section 15088, the Lead Agency shall respond to written comments on the Draft EIR. These responses are incorporated into Section 0.3 of the Final EIR.

Section 15088.5 of the CEQA Guidelines requires the recirculation of a Draft EIR if significant information is added to the EIR after it is circulated for public review but before circulation. Significant information may include information showing new significant impacts not identified in the Draft EIR, new feasible mitigation measures different from those previously analyzed, or a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact.

The information provided in Section 0.3 is in response to comments received during the Draft Focused EIR circulation period regarding revisions to the project. The comments do not identify new significant impacts or a substantial increase in the severity in any of the significant impacts identified in the Draft EIR. No new mitigation measures have been identified that are substantially different from those identified in the Draft EIR.

Therefore, recirculation of the EIR for additional public review is not required by CEQA as a result of the information included in the Final EIR.

0.1-2 ORGANIZATION OF THE FINAL EIR

The Final EIR contains the elements requires by Section 15132 of the CEQA Guidelines.

Section 0.1 Introduction
This section provides an introduction of the environmental process.

Section 0.2 Comment letters
This section provides copies of comment letters received during the 45-day review period.

Section 0.3 Response to Comments
This section provides responses to individual letters received.

Section 0.4 Mitigation Monitoring and Reporting Program
This section includes the Mitigation Monitoring and Reporting Program (MMRP) which identifies the mitigation measures, timing and responsibility for implementation of the measures.

0.2 COMMENT LETTERS

Section 0.2 contains copies of the agency comment letters received in response to the Alta Verde/Linea Draft Focused EIR circulation period. All comments are lettered to correspond with the responses in Section 0.3

Letter	Agency	Date
A	ACBCI – Planning & Development	November 13, 2014
B	ACBCI – Tribal Historic Preservation Office	November 18, 2014

Letter A

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL PLANNING & DEVELOPMENT

RECEIVED
NOV 13 2014
PLANNING SERVICES
DEPARTMENT

November 13, 2014

Edward O. Robertson, Principal Planner
CITY OF PALM SPRINGS
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

HAND-DELIVERED

RE: Valley Floor Planning Area Fee for Case No. 5.1342/PD 371/TTM 36723/3.3748-MAJ

Dear Mr. Robertson:

Tribal staff has reviewed the Conditions of Approval provided for the aforementioned Project. As specified in Condition ADM 12, the property is located within the Agua Caliente Indian Reservation and Tribal fees are required for this project. Specifically, the Valley Floor Planning Area (VFPA) fee must be paid by the project applicant prior to issuance of building permits. This differs from the current language of Condition ADM 12 which requires payment prior to consideration of the project by the Planning Commission.

Tribal staff respectfully request that the standard language of Condition ADM 12 be revised to read:

> "As the property is located within the Agua Caliente Indian Reservation, the applicant shall pay the Valley Floor Planning Area mitigation fee prior to issuance of building permits. This fee shall be paid to the Tribe for the development of this property, as required by the Tribal Habitat Conservation Plan."

Additionally, Tribal staff noticed that two separate public review periods have been established for this project's Draft Focused Environmental Impact Report. The transmittal sent to Responsible Agencies and Interested Parties states that the comment period runs from October 31, 2014, to December 15, 2014; however, the Notice of Availability of the DEIR states that the public review period commenced on October 16, 2014, and will end on November 14, 2014.

This letter is being sent within the nearest deadline to ensure its consideration. Clarification of the correct review period would be appreciated as well.

Please contact me at 760-883-1326 if you have any questions regarding the above items.

Very truly yours,

Margaret Park

Margaret E. Park, AICP
Director of Planning and Natural Resources
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

C: Tom Davis, Chief Planning and Development Officer
Project File

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264
T 760/699/6800 F 760/699/6823 WWW.AGUACALIENTE-NSN.GOV

Letter B

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION

03-004-2014-047

November 18, 2014

[VIA EMAIL TO:Edward.Robertson@palmspringsca.gov]
City of Palm Springs
Mr. Edward Robertson
P.O Box 2743
Palm Springs, CA 92263-2743

Re: Alta Verde Linea Homes (Case 5.1342-PD371/TTM 36723)

Dear Mr. Edward Robertson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Case 5.1342-PD371-TTM36723 project. We have reviewed the documents and have the following requests:

*The presence of an approved Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

* EIR does not address cultural resources.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at keskew@aguacaliente.net.

Cordially,

Katie Eskew

Katie Eskew
Archaeologist
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264
T 760.699.6800 F 760.699.6924 WWW.AGUACALIENTE-NSN.GOV

0.3 RESPONSE TO COMMENTS

Section 0.3 contains the following comments received on the Draft EIR during the 45-day circulation period ending December 15, 2014. The following responses have been prepared to address issues raised in the agency/parties comments. Copies of all the original letters received can be found in Section 0.2 of this document.

Agua Caliente Band of Cahuilla Indians – Tribal Planning & Development

Letter A

November 13, 2014

Response to Comment Letter A

Response 1:

Standard language to Condition ADM 12 will be revised as requested. Revised condition will now read:

"As the property is located within the Agua Caliente Indian Reservation, the applicant shall pay the Valley Floor Planning Area mitigation fee prior to issuance of building permit. This fee shall be paid to the Tribe for the development of this property, as required by the Tribal Habitat Conservation Plan".

Response 2:

The correct public review period of the focused EIR is October 31, 2014 to December 15, 2014. We apologize for any confusion.

Agua Caliente Band of Cahuilla Indians – Tribal Historic Preservation Office

Letter B

November 18, 2014

Response to Comment Letter B

Response 1:

The presence of a Native American Culture Resource Monitor during any ground disturbing activities will be added as mitigation (MM 3.5-3).

Response 2:

This EIR is a "Focused EIR" and no new impacts will be introduced that have not already been analyzed in the adopted EIR and subsequent 2003 EIR Addendum for the Canyon South Specific Plan, upon which we are relying for purposes of cultural resources. Under CEQA Guidelines (Section 15162), once an environmental impact report for a project has been certified, the Lead Agency need not require additional environmental review unless they find that changes have occurred to the project or the circumstances surrounding the property, which would result in new impacts not previously analyzed or which would increase the severity of significant impacts beyond the level previously analyzed. Since the Canyon South EIR adoption, the Casey's June beetle (CJB) was designated as endangered by the USFWS in 2011. Therefore, this EIR has been prepared to analyze potential impacts associated with the proposed project on CJB and its habitat. The project itself is consistent with approved land uses within the adopted Canyon South SP and was therefore considered and analyzed in the 2003 EIR addendum. The project will comply with all applicable mitigation measures contained in the original EIR.

0.4 MITIGATION MONITORING REPORTING PROGRAM

Section 0.4 contains the Mitigation Monitoring Reporting Program (MMRP). The MMRP is a matrix that identifies the mitigation actions to be taken to avoid significant environmental impacts. The MMRP is fully enforceable through permit conditions, agreements or other measures. The City of Palm Sprimgs is the designated lead agency for the MMRP and is responsible for the review of all monitoring reports and enforcement actions.

Mitigation Measure	Source/ Responsible Party	Proposed Date	Actual Date	Comments

0.4 MITIGATION MONITORING REPORTING PROGRAM

Biological Resources

MM 3.5-1: The Project shall utilize plant species native to the Coachella Valley in the public/common landscaped areas. The use of native plant species helps maintain a food cover base for indigenous animal species, particularly birds that cannot utilize some exotic plants for cover or food. In the event that non-native species are incorporated, these plants shall be non-invasive, highly adapted to the desert environment and placed only in private landscaped areas.	Project Developer	During All Construction Activities		
MM 3.5-2: A protocol survey for the burrowing owl shall be conducted prior to any ground disturbing activity. Protocol surveys and any subsequent action, such as relocation of any owls, shall be conducted in compliance with the "Staff Report on Burrowing Owl Mitigation" prepared by the Californian Depart of Fish and Wildlife on March 7, 2012.	Project Developer	Prior to Grading and Construction Activities		
MM 3.5-3: The presence of an approved Native American Cultural Resource Monitor shall be required during all grubbing, grading, trenching, excavations, and other earth moving activities in the project area. The monitor shall be prepared to quickly recover any artifacts as they are unearthed to avoid construction delays. If a substantial cultural deposit is encountered, the monitor must have the power to temporarily halt of divert construction activities in that	Project Developer	During Grading and All Earth Moving Activities		

Mitigation Measure	Source/ Responsible Party	Proposed Date	Actual Date	Comments
area to allow for controlled removal, and if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.				

VACATION RENTALS
CITY RESPONSE ACTION PLAN
SIX MONTH PILOT PROGRAM

Monday thru Wednesday		
Police Department	Midnight TO 7:30 AM	
Code Enforcement	7:30 AM TO 5:30 PM	
Police Department	5:30 PM to Midnight	
Thursday		
Police Department	Midnight TO 7:30 AM	
Code Enforcement	7:30 AM TO 5:00 PM	
DSS	5:00 PM TO 1:00 AM	(8 hours @$28.50 = $228.00 per day)
Friday		
Police Department	1:00 AM TO 7:30 AM	
Code Enforcement	7:30 AM TO 5:30 PM	
Police Department	5:30 PM TO 7:00 PM	
DSS	7:00 PM TO 3:00 AM	(8 hours @$28.50 = $228.00 per day)
Saturday		
Police Department	3:00 AM TO 7:30 AM	
Code Enforcement	7:30 AM TO 5:00 PM	
DSS	5:00 PM TO 3:00 AM	(8 hours @28.50 = $228.00 per day)
Sunday		
Police Department	3:00 AM TO Noon	
DSS	Noon TO 8:00 PM	(8 hours @ 28.50 = $228.00 per day)
Police Department	8:00 PM TO Midnight	

The Hotline will be responsible to call either Code Enforcement, PD, or DSS depending on the time. If Code Enforcement or DSS does not respond to the call, then the Hotline should call PD.

If PD Dispatch receives a direct call during the time DSS or Code Enforcement is on duty, PD may at the option of PD, respond to the call or refer to Code Enforcement of DSS.

For all PD responses, all calls are non-priority calls, and no guarantee of an immediate response.

One telephone number will be provided to the Hotline for Code Enforcement for Monday, Tuesday, Wednesday response.

Nadine's cell phone will be provided to the Hotline for Thursday, Friday and Saturday. If Nadine calls in sick, the Building Official will call the Hotline and PD to let them know. If Nadine has a scheduled vacation day, the Building Official will backfill the hours with Overtime.

Holiday Response to be determined either response from DSS or PD. City Holidays:

New Year's Day	Thursday, January 1, 2015
MLK Day	Monday, January 19, 2015
Presidents Day	Monday, February 16, 2015
Memorial Day	Monday, May 25, 2015
Independence Day	Saturday, July 4, 2015

Cost of DSS for 26 weeks @ $912 per week is $23,712.
Senior Code Enforcement Officer cost is $72.35 per hour spend on responding to calls.
Police Officer cost is $91.71 per hour spend on responding to calls.

XC David
Doug
Jay

May 13, 2015

MAY 18 2015

Mayor Pougnet,

You received the original from Mr. Moon on April 30th. I'm sending you a copy because I agree.

I'm also filing a complaint with the Riverside County District Attorney for a full investigation into your office the entire City Council.

CITY MANAGER
MAY 18 2015
CITY OF PALM SPRINGS

Regards,

Bill Masters

April 30, 2015
Mayor Steve Pougnet
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mayor Pougnet,

On Saturday, April 18, on the steps of City Hall, I held a public press conference and called upon you to conduct an independent audit of all ongoing development projects in the City of Palm Springs that receive taxpayer dollars. I also called upon you and the City Council to make the findings of that audit publicly available. I am once again making this request and in addition requesting this audit commence as soon as possible and no later than within the next 90 days.

Most of the development projects underway in Palm Springs are very complex and have been planned and financed over a long period of time with numerous changes involved. Several of the currently ongoing development projects have also involved real estate transactions between developers and The City and/or have included taxpayer funded incentives that have been paid to developers. For instance, recent reports in The Desert Sun refer to a November 2014 sale of a 6.2 acre downtown lot to Nexus for $1.5 Million. This would appear to be a significantly discounted rate for land in downtown Palm Springs. Any audit should include the results of all appraisals done on this property and the justification of the sale at this price.

The Downtown Palm Springs development, formerly known as the Fashion Plaza or Museum Plaza project, is a complex project with multiple transfers of funds between the developer and the City of Palm Springs over a number of years. These transactions includes land transfers, escrow account funding, and the purchase and planned renovation of the existing parking structure as well as the construction of additional parking spaces. I also request that the audit of the Downtown Palm Springs project include the costs of the bond that was used to originally build the existing parking structure and the details of whether that bond has been paid in full and, if so, when the bond payment was completed.

A full accounting of the taxpayer expenditures for all of the currently ongoing development projects in the City of Palm Springs would be of great interest to many residents of Palm Springs who not only care deeply about our beautiful city, but also pay property, sales, Measure J, and other taxes to the City.

Sincerely,

Robert L. Moon
cc: Members of City Council, City Manager, City Clerk

cc: Doug
David
Jay

FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

CITY MANAGER
APR 27 2015
CITY OF PALM SPRINGS

April 24, 2015

Eloise Mohsin
PO Box 2869
Berkeley, CA 94702

Re: Sworn Complaint against Steve Pougnet

Dear Ms. Mohsin:

This letter is in response to the sworn complaint you submitted regarding the above-referenced person. The FPPC enforces the provisions of the Political Reform Act (the Act) found in Government Code Section 81000, and following.

You allege Mr. Pougnet of conflicts of interest, improper influence, improper income, failure to properly disclose facts, and failed to disclose a source of income. After review of your complaint, the information you provided is insufficient to establish a violation of the Act. If you are able to provide any additional related facts, such as specific dates and evidence, to support your allegations please consider re-submitting your complaint.

Thank you for taking the time to bring this matter to our attention. If you have any questions regarding this decision, please contact Teri Rindahl at (916) 327-2018.

Sincerely,

Galena West, Acting Chief
Enforcement Division

GW/tr

cc: Steve Pougnet (with copy of complaint)

FAIR POLITICAL PRACTICES COMMISSION

SWORN COMPLAINT FORM

(Form May Be Subject to Public Disclosure)*

2015 APR 17 PM 1:13

AS REQUIRED BY GOVERNMENT CODE SECTION 83115, please complete the form below to file a sworn complaint with the Fair Political Practices Commission.

Mail the complaint to:

Enforcement Division
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

NOTE: *The Fair Political Practices Commission does not enforce or address violations of the Brown Act, the content of campaign communications, residency requirements, the inappropriate use of public funds or resources (including use of uniforms or equipment), placement of campaign signs or materials on public property, or violation of a local campaign rule or campaign ordinance.*

Person Making Complaint

Last Name: Mohsin

First Name: Eloise

Street Address: P.O Box 2869

City: Berkeley State: Ca Zip: 94702

Telephone: (916) 512 -7814

Fax: (____) ____-____

E-mail: eloise_mohsin@hotmail.com

***IMPORTANT NOTICE**

Under the California Public Records Act (Gov. Code Section 6250 and following), this sworn complaint and your identity as the complainant may be subject to public disclosure. Unless the Chief of Enforcement deems otherwise, within three business days of receiving your sworn complaint we will send a copy of it to the person(s) you allege violated the law.

In some circumstances, the FPPC may claim your identity is confidential, and therefore not subject to disclosure. A court of law could ultimately make the determination of confidentiality. If you wish the FPPC to consider your identity confidential, do not file the complaint before you contact the FPPC to discuss the complaint at (916) 322-5660 or toll free at (866) 275-3772.

Person(s) Who Allegedly Violated the Political Reform Act: (If there are multiple parties involved, attach additional pages as necessary.)

Last Name: Pougnet

First Name: Steve

Committee Name: Current Mayor-City of Palm Springs
(only if applicable)

Street Address:
c/o City Hall 3200 E. Tahquitz Canyon

City: Palm Springs State: Ca. Zip: 92262

Telephone: (760) 323 - 8200

Fax: (____) ____ - _____

E-mail: _____

Describe, With as Much Particularity as Possible, the Facts Constituting the Alleged Violation(s) and How You Have Personal Knowledge that it Occurred.*

The Palm Springs mayor has not been forthcoming about alleged illegalities. Politician Steve Pougnet worked in another capacity for a local developer in 2014. The developer being Richard Meaney of Nexus Companies. The developer's company that Pougnet earned 100k as a consultant is named 'Union Abbey'. According to state records 'Union Abbey' has had a suspended license since 2009! Pougnet apppears to also use developer Meaney's condo as his home address.
The developer has had projects approved by the City Council of Palm Springs which could be recognized as two tiered or improper income for Pougnet. As a result of the Pougnet/ Meaney collaboration one could allege special treatment was provided.
The scope of details needs to be officially investigated. Please note part of the information I provided is from an article in the local newspaper (Desert Sun).
Developer Richard Meaney appears to have several business names connected to projects pending and/ or approved by the City of Palm Springs. In example the business named 'Decided Group Palm Springs' allegedly does not have a business license but is connected to and advertising online with the Dakota Project.

***IMPORTANT! Attach copies of any available documentation that is evidence of the violation, (for example, copies of checks, campaign materials, minutes of meetings, etc., if applicable to the complaint.) Note that a newspaper article is NOT considered evidence of a violation.**

Provision(s)/Section(s) of the Political Reform Act Allegedly Violated and When the Violation(s) Occurred: (If specific sections are not known, please provide a brief summary)

Making decisions despite financial conflicts of interest (2013 / 2014)
Improper Influence
Improper income
Failure to properly disclose facts.
Failed to disclose name of source of income

###

Name and Addresses of Potential Witnesses, Other than Yourself, if Known:

Last Name: _____

First Name: _____

Street Address:

_____

City: _____ State: _____ Zip: _____

Telephone: (____) ____-_____

Fax: (____) ____-_____

E-mail: _____

Last Name: _____

First Name: _____

Street Address:

_____

City: _____ State: _____ Zip: _____

Telephone: (____) ____-_____

Fax: (____) ____-_____

E-mail: _____

###

Last Name: _____

First Name: _____

Street Address:

_____

City: _____ State: _____ Zip: _____

Telephone: (____) ____-_____

Fax: (____) ____-_____

E-mail: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ April 16,2015

(Signature) **(Date)**

Eloise Mohsin

(Please Print Your Name)

Clear Page Print Page

Called		Message
✓	Date 3/24/15 Incoming 4:44 Phone 714-546-5600 x220 Caller Rob Eres Company Nexus Develop	Question Call back.
✓	Date 3/24/15 4:48 Phone Caller Rick Smith Company Veolia	
✓	Date 3/25/15 10sec. 8:59am Phone Caller Company	Message Hang up
✓	Date 3/25/15 9:37am Phone Caller Matt Company Eng. Resarcos.	Message For Marcus.
✓	Date 3/25/15 9:44am. Phone Caller Chad ~~Grover~~ Company ~~Albert Grover & Assoc.~~	Message Speed Survey
✓	Date 3/25/15 30sec. 12:27pm Phone 8733 Caller Rene Company	Message Check to see if he can do a change & reg 2 vacation
✓	Date 3/25/15 4:37 Phone 949-922-8210 Caller Rich Meany Company	Message
✓	Date 3/26/15 Phone Caller Chris Company ARG	Message

Called ✓		
	Date	Message
	Phone 425-269-8854	
	Caller Dan Edds	
	Company	
Called ✓	Date 3/30/15 10:10am	Message Streetlight 247
	Phone	
	Caller Jeff Daughtland	Sunrise Way & N. Riverside Light is on.
	Company	
Called ✓	Date 3/30/15 10:34	Message Shade structure
	Phone	Joe Putrino
	Caller Craig.	
	Company	
Called ✓	Date	Message
	Phone ~~909-370-3125~~ / (951-453-6174) 11:46	Questions Regarding
	Caller John	14-15 AOJ DHUC
	Company Diamond Construction	A/C Improvements.
Called ✓	Date 3/30/15 1:59pm	Message
	Phone	Welwood confusion
	Caller Jeanie	Jay; Jeanie; Pat, Will
	Company Library	
Called ✓	Date 3/30/15	Message 2015 Pavement
	Phone	Drop
	Caller	
	Company	
Called ✓	Date 3/30/15 2:30	Message Petition - Neighborhood
	Phone	Assoc. for Stop Sign
	Caller Daniel Krogen	
	Company	
Called ✓	Date 3/30/15 4:31pm	Message Welwood closeout
	Phone	discussion
	Caller Will Kliendienst	
	Company	

Called ✓	Date 3/31/15 25sec. 2:04pm Phone 8356 Caller Terr. Company	Message Jay will be late
Called ✓	Date 3/31/15 2:27pm Phone 951-453-6171 Caller John Diamond Const Company	Message
Called ✓	Date 4/1/15 Phone Caller Chris Vogt Company	Message on call agreements drop off today around 5:30pm
Called ✓	Date 4/1/15 11:19am Phone 8362 323-574-8404 Caller Cindy / DON Zuidema Company	Message PSDS Issue - Complaint Residential Pickup Walk up 3rd mail Missed pick up
Called ✓	Date 4/1/15 Phone 760 323-8166 x114 Caller Greg Company Veolia	Message
Called ✓	Date 4/1/15 40sec 12:07pm Phone 8171 Caller Karen Company GTS	Message Been trying to get this done since then.
Called ✓	Date Phone Caller Company	Message April 6th Parking structure closed
Called ✓	Date Phone Caller Chris Vogt Company	Message

A-S8714/S8796
T-4416 12-12

Called ✓	Date 4/2/15 60sec. 8:43 Phone 8368 760 345-2500 Caller Craig / Plan It Company ~~Barry~~ Kary	Message Mizell 15-12 Joel Brown set Notice inviting Bids info@planitreprographics.com
Called ✓	Date 4/2/15 50sec 9:04 am Phone 760 416 1144 Caller Sandy Company DW Johnston	Message Plan holder Frank Shroader
Called ✓	Date 4/2/15 Phone Caller Tony Company Plan It	Message
Called ✓	Date 4/2/15 11:26am Phone Caller Steve Company EarthCam	Message
Called ✓	Date 4/2/15 Phone Caller Jane Company Matich	Message
Called ✓	Date 4/2/15 80sec 4:13pm Phone 8434 760-333-1437 Caller Code Enf. Nadine / Kevin Neary Company 8758	Message Tar Wak on Patio Hemo & Ramon Rd. Do they have Permit & it stinks (Affecting roommate who has illnesses)
Called ✓	Date Phone Caller Company	Message forward Back to nadine this is a Building Complaint
Called ✓	Date 4/20/15 12:00 Phone Caller Chris Company Interwest	Message Mike Lytar

A-S8714/S8796
T-4416 12-12

Called			Message
✓	Date 4/6/15 2:44pm Phone 714-918-2414 Caller Rob. Eres Company Nexus		Rwe@Nexusd.com Call
✓	Date 4/6/15 1Dec. 2:55pm Phone 4171 Caller Karen Company		
✓	Date 4/6/15 4:32 pm Phone Caller Lee Mulstaf Company Powell Construction		Escrow Agreement, Wanted to verify 1 original went to their bank. Yes
✓	Date 4/7/15 11:56am Phone Caller Rick Smith Company Veolia		Initial Conference call to go over Question/comments Veolia noted in Agreement draft
✓	Date Phone Caller Company		Then have Marcus & Davis review/make changes to agreement, follow up meeting to go over changes
✓	Date 4/7/15 3:06pm Phone Caller Will Kleindienst Company		Wanted to verify email went thru. Hasn't received one response (call log)
✓	Date 4/8/15 Phone Caller Dena Company		Stop Payment 01-17 $13.34
✓	Date 4/8/15 Phone Gretchen Caller Company DVB		

Called		Message
✓	Date 4/8/15 10:09 Phone 951-453-6171 Caller John Company Diamond	
✓	Date 4/8/15 12:16pm Phone 949-933-9730 Caller Rob Eres Company Nexus	Regarding Email you sent earlier today.
✓	Date 4/8/15 3:56pm Phone 760-417-4329 Caller Chris Vogt Company Interwest	
✓	Date 4/8/15 4:02pm Phone 909 758-8986 Caller Company	Transfer to Building looking to see if property is being billed for sewer.
✓	Date 4/9/15 11:07 Phone 714-415-1033 Caller Nicole Fuller Company WSS.	Nelson & St. Jacq.
✓	Date Phone Caller Company	Jan 5th Escrow Closed
✓	Date 4/13/15 20sec. 2:02pm Phone 831-6777 Caller Will Kleindienst Company	Cost of Con Call Log
✓	Date 4/14/15 voice 10:59am Phone 909 303 2303 Caller Mike Company Norman's Nursery	Bond # for GVC smubin@bigpanet.com left voicemail w/ bond info

RSS774S8796 4418 12-12

Called			
✓	Date 4/14/15 11:10am	Message Sidewalk	
	Phone	S Sierra Madre	
✓	Caller	Between Canyon Vista &	
	Company	~~next street North~~	
	Date	Message San Jose Rd	
✓	Phone	East side of the street	
	Caller	emailed Angie Building	
	Company		
	Date 4/14/15 20sec. 12:02pm	Message CD 15-01 Pavement Rehab	
✓	Phone 760 337 5839	left Voicemail @ 1:01pm	
✓	Caller Jennifer		
	Company Pyramid Constr.		
	Date 4/14/15	Message	
✓	Phone 714-918-2414 cell (949-933-9730)		
✓	Caller Zoo Areas		
	Company Nexus		
	Date 4/14/15 40sec. 4:15pm	Message	
✓	Phone	never received email.	
✓	Caller Jennifer		
	Company Pyramid Construction		
	Date 4/14/15 5:14pm	Message On-call Services	
✓	Phone 951-434-2029	Surveying	
	Caller Ana		
	Company Land survey (Topomex)	Call log.	
	Date	Message	
✓	Phone		
	Caller		
	Company		
	Date 4/ /15 30sec. 1:13	Message Changed agent.	
✓	Phone 6759		
	Caller Terri Hintz		
	Company		

Called		
✓	Date 4/15/15 10:02 Phone 760-417-4329 Caller Chris ~~Hicks~~ S/Interwest Company Yogt Cell 951-616-4929	Message Building Inspection Resume sent over a month ago. Call got disconnected
✓	Date 4/15/15 10:26 Phone Caller Barry Company Cotera	Message From meeting
✓	Date 4/15/15 50sec 2:18 pm 12:45pm Phone 760 323-4971 x115 Caller Sabrina/Eddy Gonzalez Company DWA	Message Engineering Question re: code & Regulations on barb wire fence
✓	Date 4/15/15 10sec 4:49 pm Phone 8374 Caller Leigh Company	Message Callback
✓	Date 4/15/15 5:25pm Phone Caller Michelle Company City of Rialto	Message Marcus picked up Line
✓	Date 4/20/15 30sec. 10:19am Phone 818-360-5402 Caller Jim Deliger Company	Message 719 N Cele Circle going to pay
✓	Date 4/20/15 10sec. 10:21am Phone Caller Jim Company	Message Needs number
✓	Date 4/20/15 10sec. 12:44pm Phone Caller Company	Message Hang up

Called		
✓	Date 4/20/15 10sec. 1:57pm Phone Caller Company	Message Hang up
✓	Date 4/20/15 20sec 3:11pm Phone 8318 Caller Kristen Company	Message Kristen out today 4/21 Payroll is done
✓	Date 4/20/15 10sec. 5:24pm Phone Caller Company	Message Hang up
✓	Date 4/20/15 10sec. 5:25pm Phone Caller Company	Message Hang up
✓	Date 4/21/15 Phone Caller Marcus Company	Message - Claudias work isn't being covered - Check on Staff Reports - Rick is out - Conditions of approvals & Finals & Staff Report
✓	Date Phone Caller Company	Message
✓	Date 4/21/15 80sec 8:42am Phone 83162 760-641-8911 Caller Cindy Company	Message PSDS - 1-53104-3 Never sent any bills. Already paid online. Was marked as paperless but didn't sign up!
✓	Date Phone Caller Company	Message

Called	Date / Phone / Caller / Company	Message
☐	Date 4/21/15 9:32am Phone 760-325-9998 Caller Richard lamb Company	Message PSDS - Sold business 1yr. ago 2155 N Palm Canyon - 1599 Amelia Way 92262 - New owner passed away & has no survivers. Being take
☒	Date 4/21/15 10sec 12:17pm Phone Didn't leave it Caller Frederick Company	Message PSDS 1-73830-9 37160 Calle De carlos 6 8004300 4050 San Diego (Wrong address)
☐	Date 4/21/15 10sec. 12:21pm Phone Caller Company	Message Hang-up
☑	Date 4/21/15 10sec 12:24pm Phone 760 345 2500 Caller Tony Company Planit	Message No color
☑	Date 4/21/15 2:15pm Phone 2:26pm Caller Nancy Carlson Company	Message Confused on account info. Was faxed a ~~wrong~~ incomplete page.
☑	Date 4/21/15 2:24pm Phone Caller Michelle Company	Message 470 Avenida
☐	Date 4/21/15 Phone Caller Company	Message PSDS Call
☑	Date 4/22/15 10sec 8:04am Phone (619-559-3101 Caller Laurie Lucas Company	Message 295 Tram View 1-846648-2 Set up automatic payment now he is delinquent

Called		
✓	Date 4/22/15 Phone Caller Rosa Clark Company Caltrans	Message SR 111 Relinquishment effort - Sevat is her Contact
✓	Date 4/22/15 10sec 10:16am Phone 8227 Caller Rita Company	Message Explain Iramm
✓	Date 4/22/15 10sec. 10:17am Phone Caller Company	Message Hang up
✓	Date 4/22/15 10sec. 11:12am Phone 8171 Caller Karen Company	Message
	Date 4/22/15 70sec 11:26am Phone 763-360-4698 Caller Tempy Essell Company HOA President	Message 555 W. Arenas City's ruling & ordinance on trash. 6 Room home. PSDS (Email 4/22)
✓	Date 4/22/15 20sec. 1:35pm Phone 310-280 2830 Caller Deandra Company	Message PSDS
✓	Date 4:40 Phone Caller Angela Company	Message Service address 2110 N devoran Rd. P.S. 92262 Wants to sign up for Green Waste
✓	Date 4/23/15 10sec 9:18am Phone 760-831-4331 Caller John Company	Message Callback talked to Marcus

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Called	Date / Phone / Caller / Company	Message
☐	Caller: Will	
☐	Date: 4/23/15 Phone: 760-409-8901 Caller: Company:	Message: 1811 N. La alamos Rd
☑	Date: 4/23/14 12:13 11:40 Phone: Caller: Carrie Company:	Message:
☑	Date: 4/27 Phone: Caller: Sherry Company: Hunt Co-Gren So Cal Soil & Testing	Message: Revised Proposal
☑	Date: 4/27/15 11:56am Phone: 310- Caller: Matt Bursket Company:	Message: Manhattan View Place 310-746-6597 Vacation Rental matt@bousquette.net
☑	Date: 4/27/15 50 sec. 1:04pm Phone: 310-926-8682 Caller: Mark/Robert Company:	Message: 765 E Lois Drive Retiring next year - Still require
☑	Date: 4/27/15 2:39pm Phone: 760-778-1889 Caller: Christine Hammond Company:	Message: Survey - set up meeting Mon & Tues 4-5:30 Tuesday 4-5:00 for next 5 weeks / Sent Agenda
☑	Date: 4/27/15 22sec 3:25pm Phone: (619) 579-1221 Caller: Shannon Company: Global Power	Message: 13-29

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Called		
✓	Date 4/28/15 40sec. 8:30am Phone 619-318-3504 Caller Nate Company SunEdison	Message Sent email Regarding proposal
✓	Date 4/28/15 Phone Caller Genie Company LSDA survey	Message
✓	Date 4/28/15 11:17am Phone Caller Casy Johnson Company Smoke Tree Stables	Message Boget Trail Bridge? Transferred to Savat
✓	Date 4/28/15 11:56 Phone Caller Tony Barnes Company	Message Installing curbs on S. Camino Real Questions on 15-18 when will it take place.
✓	Date 4/28/15 20sec. 12:25pm Phone 267-334-0475 Caller Nelson Company Couldn't hear the Phone number	Message Deling Needs to know time frame.
✓	Date 4/29/15 2min. 10:06am Phone 5299 Caller Gene/Front Desk Company	Message Hold Music
✓	Date 4/29/15 11:40 Phone Caller Company Curve Hotel	Message PSDS Questions
✓	Date 4/29/15 Phone 949-260-4675 Caller Mike Masterson Company Uemen Brothers	Message P.S. Village

Called		
✓	Date 4/30/15 9:31am Phone Caller Karen Company So. Cal Soils & Testing	Message Muni Co-Gen proposal.
✓	Date 4/30/15 80sec 11:36 Phone 8373 Caller Marina/Earl Company F 951-845-6399	Message ~~15-00~~ 15-01 Superior Pavement Plan Holders List
	Date Phone Caller Company	Message earl@superiorpavementmarkings.com
✓	Date 4/30/15 11:52 Phone Caller Jill Company Griffith	Message Wanted to confirm only 1 addendum issued.
✓	Date 4/30/15 20sec. 1:14pm Phone 760-346-3250 Caller Noel Company NRO Engineering	Message Question for Marcus
✓	Date 4/30/15 Phone 949-224-1970 Caller Ira G Company	Message For West. Murano
✓	Date 4/30/15 3:44pm Phone Caller ryan@calstripe.com Company	Message Subcontractor List for all 3
✓	Date 5/1/15 40sec. 8:31am Phone 562-882-2389 Caller Mike Cole Company Eagle Canyon - Owner	Message Meeting for next week (call regarding) left voicemail, re called Franco and requested Wes @ 8:30am

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Called ✓

Date 5/4/15 8:24
Phone
Caller Dawn
Company Mr. Harold Mattsner

Message
Wants a meeting w/ Mr. Mills
- Told her to contact Jen.

Called ✓

Date 5/4/15
Phone
Caller Sherry
Company MSA consulting

Message COD westvalley campus
drainage
Meeting setup 3:00pm
pspurved@msaconsulting
inc.com

Called ✓

Date
Phone
Caller
Company

Message Paul
~~nmcginnis@~~
jcriste@terranovaplanning.com
John

Called ✓

Date
Phone
Caller
Company

Message
Mwitherspoon@msa
Michelle
Ken.Salyer@hmcarchitects.com
Cmurphy@msa

Called ✓

Date
Phone
Caller
Company

Message
cc. BSmith@msa
nmcginnis@collegeofthedesert.edu

Called ✓

Date 5/4/15 8:30am 933
Phone 562-882-2339 Meeting
Caller Mike Cole
Company

Message
Meeting Invite
mike
- mazvahid@avaconsultinginc.com

Called ✓

Date 5/4/15 40sec 9:52am
Phone 760 275-2979
Caller Doug Jones
Company

Message Development@
Greene Autry & I-10 regarding
fault line study
Tried to send email bounced back

Called ✓

Date 5/4/15 11:23am
Phone 949-637-1405
Caller Sudi
Company

Message Email to Marcus
Meeting in Sacramento on
May 14th (wants to verify this
~~going~~
Powerpoint prepared?

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Needs info for Application

Called ✓	Date 5/4/15 40sec. 12:26pm Phone Caller Sudi Company	Message 3 other dates from the State. Jun 27, 28
Called ✓	Date 5/4/15 80sec. 3:33pm Phone 760-898-4416 Caller Kristine Hammond Company	Message Review Committee Measure J Projects Hasn't heard back Are planning to come & be prepared
Called ✓	Date 5/4/15 5:35 Phone Caller Michael Braun Company	Message Can he Meet tomorrow w/ Jerry Oxburn for Event Center Check your email Marcus
Called ✓	Date 5/5/15 Phone 650-288-8112 Caller Joe Company	Message PSDS - 151 Calle Bravo Doesn't live in address - Changed address 2 years ago - 4217 Carre Granada 4B Walnut Creek, CA 94545 211 Elm Street (used to
Called ✓	Date Phone Caller Company	Message
Called ✓	Date 5/5/15 40sec. 8:26am Phone 949-433-5907 Caller Max Company	Message Marcus - 6:30 meeting 5-10 minutes late
Called ✓	Date 5/6/15 10:13 Phone John 909-381-6007 x301 Caller Company Water Mark Homes	Message Wants a call back & will call again this afternoon.
Called ✓	Date 5/6/15 30sec. 10:40am Phone Caller Barry Company	Message Wed morning

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Called ✓	Date 5/6/15 1:28 pm Phone 770-740-3390 Caller Dave Zibman Company Siemens	Message Invoices
Called ✓	Date 5/6/15 2:27 pm Phone Caller Company	Message design drafting consultings @gmail.com Email exemption.
Called ✓	Date 5/6/15 5:02 pm Phone 760-320-5908 Caller Norm King Company	Message Architectural questions Review
Called ✓	Date Phone Caller Barry Company	Message
Called ✓	Date 5/7 9:08 am Phone 818-261-8054 Caller Mike Company ~~S~~ Construction	Message check Pick up
Called ✓	Date 5/7 38 sec 9:04 am Phone 8318 Caller Kristen Company	Message
Called ✓	Date 5/7/15 Phone Caller Company	Message P.S.D.S.
Called ✓	Date 5/7/15 10 sec. 1:32 pm Phone Caller Barry Company	Message

Called ✓	Date 5/7/15 2:45pm Phone 626-378-3048 Caller Carmen Company	Message PSDS. 1711 E Amador
Called ✓	Date 5/7/15 Phone Caller Sudi Company	Message Has bought ticket
Called ✓	Date 5/11/15 1:51pm Phone Caller Norm King Company	Message Returning Phone call
Called ✓	Date 5/11/15 2:27 Phone 763-449-0083/ Caller Cynthia Essell Company 763 360-4698	Message to essell@comcast.net #70 $330 $143.10 6 units @23.85/Per unit/Per month
Called ✓	Date 5/11/15 40sec. 2:41pm Phone 8160 763-360-4698 Caller Carrie/Tompy Essell Company	Message PSDS Complaint/6 unit Wants to know the Ordinance that requires her to have a
Called ✓	Date 5/11/15 3:06 Phone Caller Company	Message trash can per unit.
Called ✓	Date 5/12/15 10:05am Phone 619-246-6807/ Caller Carla Coshow Company	Message 2720 N Cardillo July 2013 Purchase July 2014 - #309.92 emailed Carla & Della
Called ✓	Date Phone Caller Dave Ilker/Palisades Projects. Restrictions on Grading Company	Message Phone call Steve Johnston 760-272-0852

Called		Message
✓	Date 5/12/15 10sec. 2:58pm Phone 4171 Caller Karen Company	Callback
✓	Date 5/13/15 2:26pm Phone 770-740-3390 Caller Dave Zibman (NOT allowed to call City) Company Siemens	Message Call tomorrow or respond to Invoices - Severly late email April 24th / Jan. 30th
✓	Date 5/13/15 2:30pm Phone Caller Jill Petry Company Siemens	Message
✓	Date 5/13/15 40sec 12:36pm Phone 8299 760-902-7208 Caller Sheryl Young Company	Message PSDS - Trash for Rental properties - Wants to know ordiance / Left voicemail 5.25.070
✓	Date 5/13/15 40sec 1:53pm Phone 909 754-5121 Caller Charles Martinez Company Caltrans	Message Trash & Debris complaint. Needs direction →Submitting request to landscape crew
✓	Date 5/13/15 Phone Caller Greg Company	Message PSDS Incoming
✓	Date 5/13/15 8511 413 Phone Caller Jaime Macias/Steve Company	Message Verify if received email
✓	Date 5/14/15 40sec 8:09am Phone 410-499 7980 Caller Sandy Company	Message PSDS Notice Bill paid in March 1-12604-2 674 Palomar Circle JC Consulting

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Called ✓ ☑	Date 5/14/15 4:04 Phone 858-693-8871 Caller Kelly Company Construction Info.	Message PoS. Central Plant / Confirm Info. Optera GA Prelim
Called ✓ ☐	Date 5/14/15 20sec. 11:13am Phone Caller Mr. Foster Company	Message
Called ✓ ☑	Date 5/14/15 60sec. 5:45pm Phone 87167 Caller Debbie Allen Company	Message Aberdeen Project P 2015 Traffic Letter Needs a copy & can't find Eileen Rick's office
Called ✓ ☑	Date 5/15/15 11:18 am Phone 760-417-4329 Caller Chris Vogt Company	Message Call back
Called ✓ ☐	Date 5/18/15 Phone Caller Company	Message
Called ✓ ☑	Date 5/19/15 2:15 Phone 951-248-4237 Caller Dilesh Company Weber	Message Striping in Section 14 needed to get info before Marcus' meeting this afternoon
Called ✓ ☑	Date 5/20/15 Phone 610-558-0168 Caller Company	Message PSDS
Called ✓ ☐	Date 5/29/15 Phone Caller Company transferred to PW&E Lindsey	Message Candle Light Vigil on Grant tomorrow night wants to know if they need to have a permit or any paperwork beforehand.

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Called ✓	Date 5/20/15 ★	Message Gets back from France on Friday @ 1:30pm wants to have a phone call 3-4 pm - Neil won't be attending Sacramento Meeting - Phone call Friday @ 330 10 min. - Rick will be attending - ~~Forward~~ meeting detail & flight information ★ Phone call Thursday @ 8:00 am in his office
	Phone Caller Rick Smith Company	
Called ✓	Date ★	Message
	Phone Caller Company	
Called ✓	Date	Message
	Phone Caller Company	
Called ✓	Date 760-408-7038 8:22am	Message
	Phone George Mercanel Caller Company	
Called ✓	Date 5/21	Message 10:30 or 12:00pm
	Phone 322-6918 Caller George Morance Company	
Called ✓	Date 5/21/15 1:21pm	Message Will call again in about 20 minutes
	Phone 760-320-8018 Caller George Maranz Company G&M	
Called ✓	Date 5/21/15 2:00pm	Message
	Phone 714-937-1010 Caller Company	
Called ✓	Date 5/21 10sec. 7:04pm	Message
	Phone 2362 Caller Cindy Company	

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Called			
✓	Date 5/26/15 9:39am	Message Power Point Presentation	
	Phone 949-637-1405		
	Caller Sudi		
	Company		
✓	Date 5/26/15 10:09	Message	
	Phone 760-322-8425		
	Caller Sara		
	Company Bear of Tourism		
✓	Date 5/26 2 Sec. 4:45pm	Message	
	Phone 760 285 2705		
	Caller Thomas Allen Warthy		
	Company		
✓	Date 5/26 40 Sec 5:40 pm	Message Marcus	
	Phone 4734 (610-836-2297	Rise in sidewalk	
	Caller Jeff Swanson		
	Company St. Paul's		
✓	Date 5/27/15 10:01 am.	Message	
	Phone		
	Caller Aaron		
	Company Bird America		
✓	Date 5/27/15 10sec. 10:21am	Message	
	Phone	Hang-up	
	Caller		
	Company		
✓	Date 5/27/15	Message	
	Phone		
	Caller Charly		
	Company		
✓	Date 5/29/15 538	Message Spo	
	Phone 760-404-5520	21 Electric Project	
	Caller Steve Rosenbarge	TH-20	
	Company	Glo over questions on project	

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Called ✓	Date 6/1/15 9:41am Phone 424-302-3551 Caller Ralph Holley Company SCE	Message Sunrise Plant
Called ✓	Date 6/2/15 1Dsec 12:55pm Phone 8225 Caller Andy Company	Message Question on Planit
Called ✓	Date 6/3/15 2:19 Phone Teapas Dutta Caller Harris & Associate Company 949 278-7748	Message Demuth Park
Called ✓	Date 6/3/15 5:11 Phone 760-320-5118 Caller Larry Hocanetle Company	Message Questions RE: WQMP
Called ✓	Date 6/3/15 11:32 760 568 Phone Jennifer Pardo Caller Friends of the Desert Company Mountains	Message -9918 Buford asked her to call.
Called ✓	Date 6/4/15 3:28 Phone 909-567-0651 Caller Phill Kaplan Company	Message Availability for ADA work for City Consulting needs.
Called ✓	Date 6/8/15 8:32 am Phone Caller Shari Company MSA	Message Left voicemail for Marcus.
Called ✓	Date Phone Caller Armando Company Blythe Public Work Director	Message Tract Restrictions City Streets

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Called ✓	Date 6/9/15 30sec. 1:10pm Phone 760-345-2508 Caller Cary - Planit Company P	Message 24 x 36 Mylar
Called ✓	Date 6/9/15 2 44 Phone Caller Company	Message Requested Voicemail
Called ✓	Date 6/10/15 10sec. 8:28am Phone Caller Michele Mician Company <214	Message Check on pdf sent
Called ✓	Date 6/10/15 8:43am Phone 951-323-4713 Caller Keith Christianson Company	Message Rim Rock Project
Called ✓	Date 6/10/15 10c 10:54 Phone 8373 Caller Marina William Company	Message
Called ✓	Date 6/10/15 Phone Caller Company Planit	Message
Called ✓	Date 6/12/15 Phone Caller Gloria Company KMIR News	Message GIAT Merging Lanes Will call back @2:30pm
Called ✓	Date Phone Caller Company	Message

Called ✓	Date 6/11/15 2:51pm Phone 480-277-5710 Caller Doug Stagman Company CEC & Heil's Energy	Message RE: Solar New John Raymond - said City not doing solar
Called ✓	Date 6/15/ 9:01am Phone 760-880-4292 Caller Emily Hemphill Company ASAP	Message Linea Urgent
Called ✓	Date 6/15/15 Phone Caller Sherra Company	Message Left voicemail for Marcus
Called ✓	Date 6/12/15 30sec. 12:13pm Phone Caller Jim Sepstead Company Veolia	Message Meeting w/ Marcus ~~Thursday~~ @ 1:00pm - 2:00pm
Called ✓	Date 6/12/15 40sec. 4:22pm Phone 612-356-1032 Caller Jim S Company Veolia	Message Meeting w/ Marcus Set up meeting ✓
Called ✓	Date 6/15/15 50sec. 7:52am Phone Bob 951-692-0235 Caller Jen Nelson Company	Message → Savat CP 13-25 Adrian Alcazar Construction issues - sent email to Savat
Called ✓	Date 6/15/15 9:52 Phone Caller Doug Holland. Company	Message Transfer to Rick Minjares Regarding Final Map.
Called ✓	Date 6/15/15 10:50 Phone 87162 Caller Joan / Doug Company	Message

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Called ✓	Date 6/15/15 ↑2:17 Phone 760-831-6777 Caller W.P Company	Message Historical Society Phone & Internet - No internet fax Machine dedicated
Called ✓	Date Phone Caller Company	Message Sercuity 2-3:30
Called ✓	Date 6/16/15 Phone Caller Tony - Converse Consultants Company ↓	Message Geo.
Called ✓	Date 6/16/15 11:16 am Phone 760-567-0651 Caller Phill Capland Company psphil@dc.rr.com	Message Part-Time Work ADA Compliance available to come back and work for City (consulting)
Called ✓	Date 6/16/15 4:2x c. Phone Caller Kristen Company	Message
Called ✓	Date 6/16/15 3:21 pm Phone 760 774-4830 Caller Budford Crites Company	Message Returned call regarding is sending Comments
Called ✓	Date 6/17/15 8:44 Phone Jeffry Clayburn Caller Company	Message
Called ✓	Date 6/17/15 Phone Caller Amy Company	Message Phone number list

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Called		
✓	Date 6/17/15 30sec. 12:47 pm Phone 8373 Caller Company Marina William	Message Engineering Yesterday - Contractor was told to register in bayspeed to bid a project. (Girl w/ dark hair)
✓	Date 6/18/15 9:46am Phone Caller Pat Company	Message Wanted to return Macys phone call this morning - told him Kenny already called
✓	Date 6/18/15 30sec. 11:07am Phone 714-437-7100 x223 Caller Leanne Company Gantek Environmental	Message
✓	Date 6/19/15 Phone 310-488-8282 Caller Rick Smith Company	Message
✓	Date 6/19/15 20sec. 4:12 pm Phone 775-450 0929 Caller Blane Company Border Electric	Message 15-13 - DropBox Wants Plans & Specs
✓	Date 6/22/15 30sec 2:32 pm Phone 0225 Caller Andy Company	Message Question regarding Opterra Payment.
✓	Date 6/22/15 2:51 pm Phone 858-735-7424 Caller Richard Sholeman Company	Message
✓	Date 6/22/15 4:00 Phone Caller Company Jim Veolia	Message Proposal for Boarding Owners Representative during design of WWTP Upgrade.

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Called		
✓	Date 9:29 Phone Caller John Diamond Construction Company	Message
✓	Date 6/23/15 40sec. 1:00pm Phone 760 775 5884 Caller Linda Smith Company Demo Unlimited	Message Register as bidder 15-19
✓	Date 6/23/15 2:45pm Phone Caller John Company Diamond Construction	Message Investigate whether its prevailing wage. If not they have to decide whether it should have been
✓	Date 6/23/15 3:06pm Phone 760-333-6820 Caller Joy Meredith Company	Message Greek Restaurant 6 ft banner tied between two trees Menu sign on Indian
✓	Date 6/23/15 Phone 805 245-0327 Caller Nate Pick Company	Message Lot Line adjustment - Airport Center drop in Escrow for 302 days Wants to know when it will
✓	Date 6/24/15 Phone Caller Jim Company 3D Service	Message be signed and ready.
✓	Date 6/24/15 Phone Caller David Peck Company	Message Lot Line Adjustment
✓	Date 6/24/15 Phone 805-245-0327 Caller David Company	Message Lot Line Adjustment

Called ✓	Date 6/25/15 10:31am Phone 760-318-6400 Caller Nathan Heibeck Company 818-401-8922	Message PSDS - House foreclosed A 780 Rose Ave 6/11/15 - Not on Tax Roll - Bank sold property
Called ✓	Date Phone Caller (Contact PSDS) Company	Message PSDS still being them. - Going to forward
Called ✓	Date 6/25/15 60sec. 10:41am Phone 972-499-5371 Caller Ruben Lully Company Manufacturer Ner LED (Dallas)	Message Fire Station 911 15-13 Lighting - if LED Forwarded to Savat & Franco
Called ✓	Date 6/25/15 4:17pm Phone Caller ⇒ Jeffy Ogburn Company	Message Tranfer to Marcus
Called ✓	Date 6/30/15 30sec. 10:31am Phone 760-345-2500 Caller Eric Company Plant Repr.	Message Everything but Mylar ready to deliver. Mylar will be delivered 7/1 afternoon.
Called ✓	Date 6/30/15 Phone Caller Ellet Company	Message RFI
Called ✓	Date Phone Caller Tom Vance Corp. Company	Message
Called ✓	Date 6/30/15 4:18pm Phone Caller Ron Gregory Company	Message Insurance Items Idemnification. + - add sentence. Attorney fees - Prevailing Party

Called		
✓	Date 10/30/15 1 0sec. 4:32pm Phone 8171 Caller Karen Company	Message Not making it over
✓	Date 10/30/15 480sec. 4:34pm Phone 310-312-1400 Caller Kristina Company	Message Convention Center 14-09
✓	Date 10/30/15 10sec Phone 8743 Caller George Farago Company	Message
✓	Date 7/1/15 1:02 Phone 503-227-6593 Caller Company	Message New Resident had questions on billing - monthly warranty?
✓	Date 7/1/15 50sec. 12:00pm Phone 8758 Caller Nadine Company	Message Out of Office
✓	Date 7/2/15 8:05 am Phone Caller Company	Message Wanted to leave a voicemail
✓	Date 7/2/15 9:45 am Phone Caller Company	Message Register
✓	Date 7/2/15 Phone 425-453- Caller 425-785-3523 Company Jim Plaatt	Message Returned Marcus' call please call on cell #

Called ✓	Date 7/2/15 9:50 Phone 760-880-4292 Caller Emily Hemphill Company	Message Returning his call John Wessmans Attorney
Called ✓	Date 7/2/15 30sec 10:46 am Phone 8167 Caller Staci Company	Message GVC A#3 meeting
Called ✓	Date 7/2/15 Phone Caller Company	Message Const Permit Dec 2007 Feb 2008
Called ✓	Date Phone Caller Company	Message
Called ✓	Date 7/2/15 Phone Caller Company Plan it Repro.	Message CD 15-13 Plans & Specs will be delivered on Monday
Called ✓	Date 7/3/15 10sec. 9:12 am Phone Caller Company	Message Telemarketer - Hang up
Called ✓	Date 7/6/15 40sec 10:54 am Phone 951-545-2799 x104 Caller Taylor Company Superior Pavement Markings	Message Payment for 01-17-13-B4 no payment since Feb w/ Mike Hoff
Called ✓	Date 7/7/15 50sec. 9:04 am Phone 909-392-0886 Caller Jeremy Beck Company T-9	Message 13-19 Addendum No. 2 needs Addendum No. 1 & Sign in Sheet

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Called ✓	Date 7/7/15 11:21 am Phone Caller Greg Griggs Company GGriggs@hotlineconstructionInc.com	Message 14-19 Hotline - Mail.
Called ✓	Date Phone Never received Award Package Caller Company	Message 25110 Trumble Rd Romoland, CA 92585
Called ✓	Date 7/7/15 Phone Caller Incoming Company	Message Fited auto → A/P Transfer to Andy
Called ✓	Date 7/7/15 2:32p.m. Phone Caller Mike Honz Company	Message Making everday difficult
Called ✓	Date 7/7/15 2:42pm Phone Caller Dolores, Company Finance	Message So Cal Soils & Testing Accounts don't have enough funds
Called ✓	Date 7/7/15 70sec. 1:54pm Phone 714-984-5500 x5025 Caller Edgar Martinez Company Griffith Company	Message 15-22 - Rigster 350 E Bird St Brea, CA 92821 714-854-7843
Called ✓	Date 7/7/15 3:03pm Phone Caller Paul Company Clauss Construction	Message Edmartinez@Griffith company.net
Called ✓	Date Phone 714-984-5500 Caller Company	Message

209-470-0985

Called ✓	Date 7/8/15 50sec. 11:01am Phone 909-987-6377 Caller Vito ~~Smachat~~ Company Samarzich Inc.	Message 14-09 Register
Called ✓	Date 7/8/15 50sec. 11:45am Phone 760-567-4070 Caller Tony Cassio Company Cassio landscape Const	Message 14-09 Register
Called ✓	Date 7/8 Phone Caller Company CS legacy	Message 14-09
Called ✓	Date 7/8/15 Phone Caller Udi Company Interior	Message 15-19
Called ✓	Date 7/8/15 20sec. 2:50 pm Phone 209-470-0983 Caller Greg Hotline Construction Company	Message Replied temporary email and would like a phone call back
Called ✓	Date Phone 951-306 Caller Frank Barrett Company	Message
Called ✓	Date 7/8/15 Phone 818-249-4932 Caller Udi Company Interior Demolition	Message CP 15-19 Good faith Efforts questions
Called ✓	Date 7/8/15 Phone 909-35-7615 Caller Debra Macgreny Company 760-578-5985	Message Meeting request - Fee Schedule -

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Called		
✓	Date 7/8/15 4:07pm Phone 951-506-8895 Caller Mike Roberts Company	Message Marcus - call back
	Date 7/9/15 Phone Caller Steven Boyd Company	Message CP 15-22
✓	Date 7/9/15 9:43 Phone 760 320-9811 Caller Jerry Oglburn Company MSA	Message
✓	Date 7/9/15 Phone Caller Claus Company	Message 1522
✓	Date 7/9/15 Phone Caller Company All American Asphalt	Message 130-2:00 Plans & Specs
✓	Date 7/9/15 Phone 909-356-8880 Caller Lee Company Powell Constructors	Message 07-03 Bogert Trail Bridge Received Payment 6/30/15 Wants to know when Escow will receive retention check
✓	Date 7/13/15 1:26pm Phone 760241-4500 Caller Nicole Cristo. Company	Message
✓	Date 7/ Phone Caller Devon Company Bid America	Message

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Called		
✓	Date Phone Caller Nicole Cristi Company	Message
	Date Phone Caller Roland Lopez Company Rancho Mirage	Message Indio Filing Fee $800 Parcel Map 1,300 Per sheet Final Map $800 Filing Fee $1,500 Per Sheet
✓	Date Phone Caller Company	Message R-of-W Prep - They don't Review Fee is $1,071 Parcel Merger Plann $1,100 Eng $1,071
✓	Date 7/14/15 60sec. 11:54am Phone 760-568 3624 Caller Ron Gregory Company RGA	Message Status of Contract - requested changes to contract for CP #95-07. Email or Call
✓	Date 7/14/15 10sec. 12:00pm Phone Caller Company	Message Um..... Hang up
✓	Date 7/15/15 Phone 114-415-1068 Caller Cristy Company Attorneys Office	Message
✓	Date 1/15/15 1149 Phone 760-518-0163 Caller Tim OGrady Company	Message Council Meeting Final Map Cameron
✓	Date Phone Greg Caller Company Veolia	Message

Called		
✓	Date 7/16/15 60sec. 8:40 am Phone (626-634-3315 Caller Marvin Company Mariposa Landscape	Message July 30 15-22 Looking on drop box
✓	Date 7/16/15 9:29 am Phone Caller Chris Vogt Company Interwest	Message
✓	Date 7/16/15 11:20 Phone 714-593-4507 Caller Amanda DeForest Company Fountain Valley	Message Reference Check.
✓	Date 7/16/15 40sec. 12:29pm Phone 8225 Caller Andy Company	Message Claim Voucher The first account has negative balance Need another account
✓	Date 7/16/15 10sec. 3:24pm Phone 8214 Caller Michele Moran Company	Message Schedule Tree INV 23 @ 2pm
✓	Date 7/16/15 40sec. 5:10pm Phone 8299 / 213-590-3525 Caller Sabrina / Sid Craig. Company	Message Tried to reach DHR VM is full
✓	Date 7/14/15 30sec. 5:22pm Phone 8299 / Caller Sabrina / Company	Message Took care of Sid Craig and let him know Cindy is out of the office and is sending Email to ask Her to
✓	Date Phone Caller Company	Message Call him Monday Morning

Called		
✓	Date 7/18/15 32sec. 1:07pm Phone Caller Richard Sch. Company CVAG Contract Admin.	Message Generating an updated invoice.
✓	Date 7/20 9:22am Phone 760-320-9811 Caller Julian & Marvin Company MSA	Message Linea Project
✓	Date 7/20/15 Phone Caller Hector Company Kasa Const.	Message Register 15-22
✓	Date Phone Caller Edith Murray Company	Message 2:30pm cancel
✓	Date 7/21/15 9:04 Phone 760-567-9168 Caller Tony Aguilar Company	Message returning Marcus' phone call
✓	Date 7/21/15 9:38am Phone 42602 E Par Drive 9221 Caller 760-835-7071 Company Residential	Message Charged June 30th $47.94 No record of payment. 7/20/15 $47.94 Auto pay
✓	Date Phone Caller Val Company	Message Doesn't know June 30, Desert Regional Hospital to call and set up meeting time. Tentatively 7/28 @ 11:00 am
✓	Date 7/21/15 00sec 11:20am Phone 329-6411 & 259 Caller Alex Myerhaus Company	Message MLF - ask a favor

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Called		
✓	Date 7/21/15 1:20pm Phone Caller ~~Sudart~~ Sue Dart Company Desert Regional	Message Meet Main Lobby
✓	Date 7/21/15 20sec. 12:02pm Phone 310-277-6288 Caller Dan Lopgard Company	Message
✓	Date 7/21/15 Phone Caller Ana Company CS Legacy	Message 15-22 Register
✓	Date 7/21/15 70sec. 2:41pm Phone 8368 / 714 632-0929 Caller Craig Gladders / Mtr Company Roadside Protection Systems	Message Sub to Diamond on 13-03 Welwood Memorial Library ready to file Stop Noted & Mechanics
✓	Date 7/21/15 Phone Caller ~~Tim~~ Stan Rothborge Company DART	Message transfered to Marcus
✓	Date 7/22/15 Phone 1800-989-0314 Caller Scott Bloom Company	Message Time Warner Cable and went to El Cielo. -call disconnected
✓	Date Phone Caller Company	Message ~~So~~ El Cielo is a mess. No signage for traffic control. No Directual Signs
✓	Date 7/22/15 90sec 11:59am Phone 949 760-323-7937 Caller Sabrina / Scott Bloom Company	Message Ramon Exit Complaint RE: El Cielo Construction.

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Called ✓	Date 7/22/15 Phone 951-453-6171 Caller Company John Diamond Constr.	Message Released their checks on Monday or Friday. Didn't pay because the invoice was incorrect
Called ✓	Date 7/22/15 70sec 1:52pm Phone 6368 Caller Craig G. / John Abbud Company	Message
Called ✓	Date Phone Caller Lance (called Rick) Company	Message D. dirt leave number - Think he is from Depart. of Agriculture. Rick gave him Marcus' #.
Called ✓	Date 7/22/15 5:00pm Phone 562-908-6200 / 310-502-6335 (cell) Caller Chris Baca Company	Message
Called ✓	Date 7/22/15 50sec 5:55pm Phone 626 / 323-602-5079 x 75810 Caller Lindsey / Harry Company Construction Data	Message 1002337133
Called ✓	Date Phone Caller Richard Sch Company	Message transfer to Marcus.
Called ✓	Date Phone Lt. from P.D. Caller Company	Message Lindsey & Lyttar are taking care of it.
Called ✓	Date 12:54 Phone 760-880-4292 Caller Emily Hemphill Company	Message Alta Verde

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Called			Message
✓	Date 7/23/15 1:25 pm		Opening another support
☑	Phone No Contact Number		went under old Organization
	Caller Patrick		Request case be opened
	Company ~~Essri Support~~ Esri		
✓	Date 7/24/15 30sec. 8:12am		Message 15-02 - Drop Box
☑	Phone 714 352 7026		folder is empty
	Caller Tina		Called back - registered
	Company Hardy & Harper		
✓	Date 7/24/15 40sec. 8:13 am		Message
☑	Phone 760-345-2500		Call back
	Caller Tony		- Already received plans
	Company Plant Repr.		
✓	Date 7/24/15 40sec 11:08am		Message 15-02 wants to
☑	Phone 916-383-1756		purchase plans & specs.
	Caller Rick Arias		Drop Box is empty
	Company Telfer Techn.		Emailed
✓	Date 7/27/15 50sec 9:01am		Message Plans & Specs 15-02
☑	Phone 909 ~~827~~-8276		Drop Box - folder is
	Caller Jer.		empty - emailed
	Company American Asphalts		
	Date 7/27/15 40sec. 10:06 am		Message Farrell & Barista
☐	Phone 714-456-9902		What day that was
	Caller Jenny		- didn't receive
	Company Siemens		
	Date 7/27/15 30sec. 10:20am		Message
☐	Phone 916-383-1756		
	Caller Rick		
	Company Telfer Highway		
	Date 7/27/15 1:19pm		Message
☐	Phone 310-488-8282		In until 3:15pm
	Caller Rick Smith		Upgrade Project
	Company		

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Called ✓	Date 7/27/15 30sec. 2:53pm Phone 909 841-0993 Caller Landon Company Siemens	Message @ Farrell & Barista was a camera issue 2-3 weeks ago. Maybe sunglare on camera in the morning, causing it not to function
Called ✓	Date Phone Caller Company	Message
Called ✓	Date 7/27/15 40sec. 3:00pm Phone 626-809-1421 Caller Jessica Company Los Angeles Engineering	Message Question regarding insurance. Postponed.
Called ✓	Date 7/27/15 Phone 909-370-5692 Caller Jill Siemens Company	Message Farrell & Barista - moved camera once checking cameras & timing sheet verified.
Called ✓	Date Phone Caller Company	Message - Time of day issue. - Sun causes a glare & it see no existing car or can't see the car at all.
Called ✓	Date Phone Caller Company	Message - Need time of day that Farrell - call detection & not timing - No equipment issues.
Called ✓	Date 7/27/15 4:10pm Phone 760-346-1127 Caller Katie Barrows Company	Message CVWD meeting
Called ✓	Date 7/27/15 3:55pm Phone Caller Chris Cunningham Company	Message talked to KMIR over the phone and will be doing the interview

Called ✓	Date 7/28/15 8:22am Phone Caller Jessica Company	Message 15-22 Has an addendum been issued, is it going to be postponed?
Called ✓	Date 7/28/15 10sec. 9:59am Phone 8350 Caller Terr. Company	Message Allen here for Marcus.
Called ✓	Date 7/28/15 60sec. 10:00am Phone 8250 Caller Lola Company	Message Gave Marcus # to Melissa at the Hard Rock & has ques. regarding parking of tour bus & Splash House.
Called ✓	Date 7/28/15 10sec 1:59pm Phone 8350 Caller Terr. Company	Message Thinks JR used to handle. Lynn Merrill In lobby
Called ✓	Date 7/28/15 3:48pm Phone 909-381-3089 Caller Company	Message → Marcus. Hung up.
Called ✓	Date 7/28/15 3:49pm Phone 909-381-3089 Caller John Pavelek office Company 909-388-(6007 x 301)	Message Any questions please call 909-541-2334 cell
Called ✓	Date Phone 909-985-1755 Caller Company	Message 15-22 Plan Holder List
Called ✓	Date 7/28/15 10sec 4:41pm Phone Caller [illegible] Company	Message Hang up

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Called		
✓	Date 7/29/15 9:13 am Phone 760-779-9461 / 340-1127 Caller Mark Chappell Company CVAG	Message Progress payment issue Gene Autry
✓	Date 7/28/15 2:27pm Phone Caller Company Subcontractor	Message 13-31 When will Plans & Specs be posted.
✓	Date 3:22pm Phone Caller Kathy Tegler Company Arcadis	Message left message compliment
✓	Date 7/29/15 20sec. 3:45pm Phone 299 Caller (Joey) Company	Message John Pawlok in lobby. who wants to talk to Marcus.
✓	Date 8/10/15 incoming 10:17am Phone 909-772 3242 Caller Steve Company Watermarks	Message # Signs on 111 Speed limit sighs southside 111 by Mountain Gate
✓	Date 8/7/15 10sec 11:48am Phone Caller Company	Message Hang-up
✓	Date 8/10/15 11:50am Phone 760-567-9968 Caller Tony Aguilar Company	Message Personal call
✓	Date 8/10/15 30sec 12:42pm Phone 8171 Caller Karen Company	Message If me & marcus have a schedule for Jan.

Called ✓	Date 8/10/15 4:22pm Phone 805-633-1037 x 101 Caller Eric Taylor Company Somis Investments	Message Serena Park comments of flood control meeting w/DHR on thurs
Called ✓	Date Phone Caller Company West Yost	Message VM for Marcus
Called ✓	Date 8/12/15 10sec 11:43am Phone Caller Company	Message Hang-up
Called ✓	Date 8/12/15 4:48pm Phone Caller Erie Company Plant Repro	Message Color in Specs. Don't print color.
Called ✓	Date 8/12/15 Phone Caller Michael Braun Company	Message Marcus picked up call
Called ✓	Date 8/13/15 40sec. 8:33am Phone Caller Richard Shulman Company	Message Receive P.O.
Called ✓	Date 8/13/15 10sec. 12:15pm Phone Caller Company	Message Hang-up
Called ✓	Date 8/13/15 1:10pm Phone 541-4800 Caller Nicole Criste Company	Message wants to talk about Event Space

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Called ✓	Date 8/13/15 Phone Caller Garret Company	Message 14-17 Register
Called ✓	Date 8/13/15 10sec 3:10pm Phone 8171 Caller Karen Company	Message Pat headed over
Called ✓	Date 8/13/15 3:59pm Phone 951-323-4713 Caller Keith Christianson Company Tetretech	Message FEMA report sign & sent back
Called ✓	Date 8/17/15 Phone Caller Marcus Fuller Company	Message Out of Office password fuller
Called ✓	Date 8/17/15 20sec. 12:14pm Phone 916-383-1750 Caller Rick Company Telfer Highway Techn.	Message 15-02, verify registered
Called ✓	Date 8/17/15 Phone 760-423-2233 Caller Scott Company PentaBuilding Group	Message Lawrence Aldra Hotel - Palm Trees on site; wants to save trees
Called ✓	Date 8/17/15 20sec. 3:14pm Phone 949-637-1405 Caller Sudi Company	Message message left last week & 3 weeks Environmental Application work is @ State level; need
Called ✓	Date Phone Caller Company	Message Federal version - needs an update, state is calling asking for update Needs consultants contact

Called ✓	Date Phone Caller Belinda 348-5787 Carrie 1425-05 Company RGA	Message Invoices through June 13-33 - Tanquitz (construction) 15-07 design 15-04 design
Called ✓	Date 8/18/15 70sec. 12:04 pm Phone Caller Belinda Company RGA	Message 3 outstand $2,231.25 2 previous invoices for 13-33 1425-04 (4/24/15), 1425-03 (1/8/15)
Called ✓	Date Phone Caller Company	Message
Called ✓	Date 8/18/15 Phone 858 558-4500 Caller Alisa Company Husaker & Associate	Message Cameron - Eng Contractor Receipt Work from City. Today.
Called ✓	Date 8/18/15 8:20am Phone 760-534-4252 Caller Collin Atogy Company	Message Emailed Savat & Marcus Sand @ GIAT S of I-10 comment
Called ✓	Date Phone Caller LY Environmental Company	Message Syst o Plasmo testing test the fungi that grows on rodent feces. Waiting for Media -
Called ✓	Date Phone Caller Company	Message Possibility that could come on Friday Otherwise not until Monday or Tuesday
Called ✓	Date Phone Caller Company	Message 909-239-2202 Yonan Benjamin

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Called		
✓	Date 8/19/15 5:04 pm Phone 8373 Caller Marina [redacted] / Cheryl Company	Message Wants a phone call - Vendor registered list, is different. Sent email to see me Thurs.
✓	Date 10:10 Phone 909-305-2955 Caller Eric Company Tetra Tech.	Message Keith Christianson & Wess on Rimrock Email Colmack for ^ has it been signed?
✓	Date Phone Caller Staci Company	Message Overwatering
✓	Date 8/24/15 10sec 7:17am Phone 8318 Caller Kristen Company	Message ~~Out of town~~ Will call me back.
✓	Date 8/24/15 Phone Caller La Grande CVAG Company	Message ~~left~~ voicemail
✓	Date 8/24/15 30sec 8:41am Phone 1-800-346-1127 Caller Teri / La Grande Velaze Company CVAG	Message CV Link Project calling for Marcus.
✓	Date 8/24/15 Phone Caller Phillip Company Western Energy	Message Insurance - needs insurance
✓	Date 8/24/15 30sec. 11:55am Phone 8126 Caller Chief Alfranz / Angela Company	Message Question about CC meeting & How to reach Amy B.

Called ✓	Date 8/24/15 30sec 12:43pm Phone 215-335-7487 Caller Phillip Field Company Westlin Energy	Message Insurance Not understanding what endorsements are missing. Call back.
Called ✓	Date 8/25/15 40sec 8:34am Phone 8742 Caller Felipe Company	Message
Called ✓	Date 8/25/15 40sec. 8:40am Phone 714-437-7100x223 Caller Leigh Ann Velbec Company Semtek Environmental	Message City Attorney requested Changes
Called ✓	Date 8/25/15 30sec. 10:33am Phone 8738 / 951-830-1681 Caller Lindsey / Sarge Company Sierra Pacific Electrical	Message 15-02
Called ✓	Date 8/25/15 1:35pm Phone 8171 Caller Karen Company	Message call back
Called ✓	Date 8/26/15 80sec. 9:00am Phone 8167 / 701-237-7382 Caller Staci / Addara Company KDO Equipment	Message Fleet Invoice April Invoices left. P77504 P77673
Called ✓	Date 8/26/15 40sec. 10:01am Phone 8767 Caller Debbie Allen Company	Message Curve hotel meeting is in Small conference room.
Called ✓	Date 8/26/15 1:24pm Phone 949-246-7235 Caller Lawerence Rael Company	Message Marcus Call back Rough Grading Plan

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Called ✓	Date 8/26/15 1:37pm Phone 760-391-6246 Caller Brian Caris Company Granite	Message Overlay / Kyle Warskinsky City of Beaumont
Called ✓	Date 8/26/15 2:58pm Phone 951-616-4925 Caller Chris Vogt Company	Message 14-15 (Downtown Plaza . . . ongoing Willdan $37K 3months
Called ✓	Date 8/27/15 1:27pm Phone 760-341-4800 Caller Nicole Criste Company	Message Wessman talked to MLF talked to endo about Traffic Calming done (study?) early Nicole needs to talk to MLF today
Called ✓	Date Phone 858-344-5103 Caller Lary Ba Company	Message left voicemail
Called ✓	Date 8/27/15 1:41pm Phone 760-567-2054 / cell Caller Mike Fontana Company	Message wants to talk to Marcus ~~for 5 to 10 min.~~ ~~@ 5:00pm~~ befor 5pm meeting.
Called ✓	Date 8/27/15 1:52pm Phone John Diamond Caller Company	Message meet w/Marcus @ 5:00pm for 5-10 minuts
Called ✓	Date 8/27/15 2:39pm Phone Caller Ryan Company Metro Builders & Eng. Group 92-744	Message Register for RP#13-31
Called ✓	Date 8/27/15 Phone 209-229-0829 Caller Jim McGr. Company Willdan	Message Public Work conference in Arizona

Called ✓	Date 8/27/15 40sec. 3:16pm	Message Wants to talk to Marcos
	Phone 806-765-7446 x 29199	
	Caller Cinnamon	
	Company Critical Traffic Technology	
Called ✓	Date 8/27/15 3:30	Message re: 043 - Raman Rd Pavement Rehab Needs revise engineers estimate (to include costing.)
	Phone 909-383-4030	
	Caller Sean Yveng. / Albert	
	Company	
Called ✓	Date 8/27/15	Message
	Phone 909-800-3944 Albert	
	Caller Scott	
	Company	
Called ✓	Date	Message
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Lance to call Siemens
Given to Brandon
- 951-830-0375
-Re-initialed controller & input the timing.
-It could freeze up
Controler needs to be replaced.

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EXHIBIT "D"
CERTIFICATE OF OCCUPANCY

SEE NEXT PAGE

Deletion Change - D to contracts Vendor agreements

Cathy Van Horn

From: Rich meaney <rhm@nexusd.com>
Sent: Thursday, May 29, 2014 3:57 PM
To: Cathy Van Horn
Cc: John Raymond
Subject: Re: Check

Guys, looks like the only paragraph to change is 13, which is not numbered but is 3 above AGREEMENT heading.

If we change completed to substantially completed and that project "will" receive sign off we are good. We should delete the last sentence in that paragraph also.

Paragraph 3-6 should read 88 jobs, 78 part, 10 full ✓ ,

Rich Meaney
Nexus Companies Palm Springs
700 E Tahquitz Canyon Way Suite A
Palm Springs, Ca 92262
rhm@nexusd.com

Sent from my iPhone

> On May 28, 2014, at 11:18 AM, "Cathy Van Horn" <Cathy.VanHorn@palmsprings-ca.gov> wrote:
>
> Hi Rich,
>
> Attached is a draft Agreement for your review. I will need additional
> information for the Exhibits, but I will send a separate note with the
> list of items needed.
>
> Thanks,
>
> Cathy Van Horn
> Economic Development Administrator
> City of Palm Springs
> Community & Economic Development
> 3200 E. Tahquitz Canyon Way
> Palm Springs, CA 92262
> Office: 760-323-8175
> Fax: 760-322-8325
>

>
> -----Original Message-----
> From: Rich meaney [mailto:rhm@nexusd.com]
> Sent: Wednesday, May 28, 2014 7:48 AM
> To: Cathy Van Horn
> Cc: John Raymond
> Subject: Re: Check
>
> Thanks Kathy
>
> Rich Meaney
> Nexus Companies Palm Springs
> 700 E Tahquitz Canyon Way Suite A
> Palm Springs, Ca 92262
> rhm@nexusd.com
>
>
> Sent from my iPhone
>
>>> On May 28, 2014, at 7:27 AM, "Cathy Van Horn"
>> <Cathy.VanHorn@palmsprings-ca.gov> wrote:
>>
>> Good morning Rich....I'll have a draft agreement for your review a
>> bit
>
>> late this morning.
>>
>> Cathy Van Horn
>> Economic Development Administrator
>> City of Palm Springs
>> Community & Economic Development
>> 3200 E. Tahquitz Canyon Way
>> Palm Springs, CA 92262
>> Office: 760-323-8175
>> Fax: 760-322-8325
>>
>> -----Original Message-----
>> From: Rich meaney [mailto:rhm@nexusd.com]
>> Sent: Tuesday, May 27, 2014 12:34 PM
>> To: John Raymond; John Raymond
>> Cc: Cathy Van Horn
>> Subject: Check
>>
>> Any word yet?
>>
>> Rich Meaney
>> Nexus Companies Palm Springs
>> 700 E Tahquitz Canyon Way Suite A

>> Palm Springs, Ca 92262
>> rhm@nexusd.com
>>
>>
>> Sent from my iPhone
> <Hacienda Major Remodel Improvement Agreement 5-27-14.pdf>

CONTRACT ABSTRACT

Contract

Company Name:	Appetito PS, LLC
Company Contact:	John Shay and Patrick Service
Summary of Services:	Renovation Major Vacancies as Catalyst Projects Grant Agreement
Contract Price:	$145,740.00
Funding Source:	Special Focus Area Program
Contract Term:	1 year
Recording Requested:	n/a

Contract Administration

Lead Department:	Community & Economic Development
Contract Administrator:	John Raymond, Director

Contract Approvals

Council Approval Date:	April 2, 2014
Agenda Item No./ Resolution No.:	1C
Agreement No:	

Contract Compliance

Exhibits:	N/A
Signatures:	Obtained applicants
Insurance:	N/A
Bonds	N/A

Contract prepared by: Cathy Van Horn

Submitted on: June 2, 2014 By: Cathy Van Horn

Cathy Van Horn

From: Marina Karas
Sent: Tuesday, June 02, 2015 10:07 AM
To: John Raymond
Cc: Cathy Van Horn
Subject: Judgment-Lien Title Reports

According to Patrick Culver, from First American Title Company, Customer Service Lead, 3400 Central Avenue, Suite 100, Riverside, CA 92506, P: 760.323.8253 X8742, the following businesses **DO NOT** have liens or judgments on title:

Miggy's Cantina, LLC, 1555 South Palm Canyon, Suite B-101

Palm Springs Motorsports, 6550 North Indian Canyon

Appetito, 1700 South Camino Real

Mister Lyons, 233 East Palm Canyon

The Judgment/Lien reports have been ordered today, and will be received in approximately 72 hours.

Marina Karas
Housing Programs Assistant II
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8264 T
760-322-8325 F
www.palmspringsca.gov

Recording Requested By and When Recorded Mail To:

DATELAND CONSTRUCTION CO., INC.
83-801 AVENUE 45
INDIO, CA 92201

DOC # 2014-0320078
08/22/2014

Customer Copy Label
The paper to which this label is affixed has not been compared with the filed/recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

Space above this line for recorder's use only
(To be recorded in the county recorder's office in the county in which the property is located.)

MECHANICS LIEN

NOTICE IS HEREBY GIVEN that Claimant Dateland Construction Company, Inc. (legal name and address), claims a lien for labor, service, equipment, or material under Section 8000 et. seq. of the Civil Code of the State of California, upon the premises hereinafter described, and upon every estate or interest in such structures, improvements and premises held by any party holding any estate therein. The work was furnished for the construction of those certain buildings, improvements, or structures, now upon that certain parcel of land situated in the County of Riverside, State of California, said land described as follows:

STREET ADDRESS: 1555 S. Palm Canyon Suite B101
and/or Palm Springs, CA 92264
LEGAL DESCRIPTION:

The lien is claimed for the following labor, services, equipment or materials furnished by the Claimant: Site Improvements, Grading, Wall Footings, Concrete and Electrical Improvements (describe generally). Claimant is owed $191,368.32 for work furnished to the work of improvement, after deducting all just credits and offsets, plus interest at the legal rate from the date of this lien.

The name of the person or company by whom Claimant was employed, or to whom Claimant furnished the work is: Miggy's Cantina, LLC 700 E. Tahquitz Canyon Way, Ste A Palm Springs, CA 92262.

The name(s) and address(es) of the owner(s) or reputed owner(s) of the real property is/are: John E. Wessman 555 Sunrise Way, Ste 200 Palm Springs, CA 92262

Date: 8/22/14

Name of Claimant: Dateland Construction Company, Inc.

By: _____
Signature

Judi Thompson, Corporate Secretary
Print Name & Authorized Capacity

Verification

I, the undersigned, declare: I am the Judi Thompson (authorized capacity/title), for the Claimant named in the foregoing claim of mechanics lien: I am authorized to make this verification for the Claimant: I have read the foregoing claim of mechanics lien and know the contents thereof, and the same is true of my knowledge. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 8/22/14, 20 14 at Indio California.

_____
Signature of Claimant or Authorized Agent

NOTICE OF MECHANICS LIEN

ATTENTION!

(Civil Code § 8416)

Upon the recording of the enclosed MECHANICS LIEN with the County Recorder's Office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS STATE LICENSE BOARD WEBSITE AT www.cslb.ca.gov.

PROOF OF SERVICE AFFIDAVIT
California Civil Code section 8416

Failure to serve the Mechanics Lien and Notice of Mechanics Lien on the owner, or alternatively if the owner cannot be served on the lender or original contractor, shall cause the Mechanics Lien to be unenforceable as a matter of law (Civil Code Section 8416(e)). Service of the Mechanics Lien and Notice of Mechanics Lien must be by (1) registered mail, (2) certified mail, or (3) first-class mail evidenced by a certificate of mailing, postage prepaid, and to a residence or business address for the owner, lender or contractor. Further, a Proof of Service Affidavit (below) must be completed and signed by the person serving the Mechanics Lien and Notice of Mechanics Lien. This page should be completed (either one of the sections below) and recorded with the County Recorder along with the Mechanics Lien and Notice of Mechanics Lien.

AFFIDAVIT FOR SERVICE ON THE OWNER

California Civil Code Section 8416 (a)(7) and (c)(1)

I, Judi Thompson (name), declare that I served a copy of this Mechanics Lien and Notice of Mechanics Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the owner(s) or reputed owner(s) of the property:

Company /Person served: John Wessman

Title or capacity of person or entity served: Property Owner

Service Address: 555 Sunrise Way, STE 200 Palm Springs, CA 92262

Said service address is the owner's residence, place of business, or address shown by the building permit on file with the permitting authority for the work or the address identified on the construct trust deed.

Executed on 9/5/14, 2014 (date), at Indio (city), California.

By: _____
(signature of person serving)

ALTERNATE AFFIDAVIT FOR SERVICE ON THE CONSTRUCTION LENDER OR ORIGINAL CONTRACTOR

California Civil Code Section 8416 (a)(7) and (c)(2)

I, Judi Thompson (name), declare that that the owner or reputed owner cannot be served with a copy of this Mechanics Lien and Notice of mechanics Lien by registered mail, certified mail, or first-class mail. Pursuant to California Civil Code section 8416, I served a copy of this Mechanics Lien and Notice of Mechanics Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the construction lender or original contractor as follows:

Company /Person served: Miggy's Cantina, LLC

Title or capacity of person served (if appropriate): _____

Service Address: 700 E. Tahquitz Canyon Way, Suite A Palm Springs, CA 92262

Executed on 9/5/14, 2014 (date), at Indio (city), California.

By: _____
(signature of person serving)

EXHIBIT "B"
SCOPE OF WORK

Site and Exterior

- Construct temporary fence (PM-10 Fence) around the job site.
- Demo curb gutter, parking lot lights, palm trees.
- Install new curb and gutter around the perimeter of the project
- Relocate 5 olive trees to area between building and pool.
- Undertake AC parking lot repairs.
- Rough and finish grading: over-excavate for each building.
- Install storm drain per precise grade plan
- Install finish grade landscaping per landscape plan

Pool and Pool Deck

- Install foundations for Palapa, cabanas and bathrooms.
- Install pool, pool equipment, dry well, and patio deck.
- Construct masonry walls, planters, cabanas and bathrooms.
- Install steel structures: fencing, gates and handrails in bath house, bar, Cabanas and overhead doors for Palapa bar.
- Complete finish carpentry for bathroom: Lockers, door jamb and hardware, Partitions and grab bars.
- Complete rough carpentry on Palapa bar and cabanas (burnt cedar).

Utility Work

- Replace new main SCE line for the existing building and outside area and new 1200 amp panel. Electrical includes all electrical to each building.
- Repair, upgrade and install interior and exterior plumbing including gas, sewer and water tie-ins.

Exterior and Interior Work

- Install AV and sound for cabanas and Palapa bar.
- Paint inside and outside, including all fence and steel and floor.
- Install drywall and FRP at inside of bar. Repair other drywall throughout.
- Install counter tops for Palapa bar, bathrooms and cabanas.
- Install stainless steel fixtures (interior and exterior).
- Install bar equipment (interior and exterior) including glass shelving.
- Install tile throughout.
- Install artwork including metal work
- Construct booths and banquettes

City of Palm Springs

Community & Economic Development Department
3200 Tahquitz Canyon Way P.O. Box 2743
Palm Springs, California 92262

TEL: 760.323.8259 FAX: 760.322.8325

MEMORANDUM

Date: April 10, 2014

To: Rich Meaney, Miggy's Cantina, LLC

From: John Raymond, Director of Community & Economic Development

Subject: ***Deferral of Sewer Fees Under the City's Fee Deferral Program for Intensifying Land Uses and the Special Focus Incentive Area***

Property: ***1555 South Palm Canyon Drive, Unit 101-B (Miggy's Cantina, LLC d/b/a Hacienda Cantina)***

In April, 2013 the City Council adopted a program to defer City fees for businesses intensifying land uses in the downtown and Section 14 areas. This primarily applied to restaurants, which faced an increase in sewer connection fees due to the installation of additional plumbing to make the business functional. The intent of the program was to allow these businesses to receive their permits and pay City fees – mainly sewer fees and public art fees – over a twelve month period after receiving the Certificate of Occupancy.

The Building Official would place a note in the file of the business that the fee had not been paid, and the Community & Economic Development Department would set up a payment account with the City's Accounts Payables Specialist in the Finance Department. If the business failed to make payments, or ceased making payments prior to payoff, the Occupancy Permit could be placed at risk and even be revoked.

On July 3, 2013, the City Council adopted Resolution 23413 approving the creation of two Special Economic Development Focus Incentive Areas generally located along the major corridors south of Ramon Road and north of Tachevah Road, along the entryways into the Downtown and Uptown areas. On September 4, 2013, the City Council adopted Resolution 23433, amending the budget for Fiscal Year 2014-14 to provide the $1,000,000 in funding for the Special Economic Development Focus Incentive Areas.

The Special Focus Incentive Area Program is a collection of several City incentives to

create an inducement to redevelop vacant properties or spur stalled development projects in the area. It is Staff's belief that the Council intended to extend the fee deferral program into these two areas, in addition to the direct incentive funding, but will return to Council for confirmation at the same time it will seek several other small amendments to the program.

I have asked Jim Zicaro, the City's Chief Building Official, to issue the building permit for Hacienda Cantina without the payment for the Sewer Connection Fee in the amount of $15,912.00. The City will set up a payment plan for your business to make twelve equal payments of $1,326.83 beginning in the month after your opening.

By signing below, you acknowledge that you are at risk in the event either of the following actions fail to occur:

1. If the City Council fails to reaffirm its understanding that the Fee Deferral Program applies to the Special Focus Areas, then you'll be required to make the full payment of $15,192 (or unpaid balance) immediately to the Building Department to keep your Certificate of Occupancy in effect; or
2. If you fail to make timely payments of the monthly $1,326.83 payment to the City, as billed to you by the Finance Department, the Building Department may take action to revoke your Certificate of Occupancy for failure to fulfill all of the requirements of the Building Permit application.

John S. Raymond
Director of Community & Economic Development
City of Palm Springs

I, RICH MEANEY, attest that that I am duly authorized to execute this Letter on behalf of said parties and that by so executing this Letter Miggy's Cantina, LLC is formally bound to the provisions stated above. I further agree that the above statements are true and accurate to the best of my belief and that failure to meet any of the terms of this Letter shall result in the requirement to repay any unpaid deferred fees in full or risk forfeiture of the Certificate of Occupancy of the above-described property until such fees are paid.

Rich Meaney, Managing Partner
Miggy's Cantina, LLC

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Type	Date	Num	Name	Memo	Account	Split	Amount
Check	12/19/2013		BOA	CHECKS	10300 · Bu 69800 · Uncategorized Expens		-112.00
Check	12/23/2013	101		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/23/2013	102	Hix Drywall		10300 · Bu 69000 · Hacienda		-3,465.00
Check	12/23/2013	103	MK Audio Video	AV	10300 · Bu 69000 · Hacienda		-9,000.00
Check	12/23/2013	104		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/27/2013	112	Desert Fire	Fire Extiguishers	10300 · Bu 69000 · Hacienda		-275.00
Check	12/27/2013	114	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-2,226.00
Check	12/27/2013	115	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-252.00
Check	12/27/2013	117	Jerry Noonan	Advance	10300 · Bu 69000 · Hacienda		-5,000.00
Check	12/27/2013	124	VOID		10300 · Business Fundamentals #/ 2339		0.00
Check	01/02/2014	113	Henrys Glazing	Window repair	10300 · Bu 15030 · Restaurant Equipment		-209.20
Check	01/02/2014	116	Gouvis	Engineering	10300 · Bu 17200 · Leasehold Improveme		-6,000.00
Check	01/03/2014	105	D & D Custom	Demo	10300 · Bu 90936 · Construction		-6,850.00
Check	01/03/2014	109	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improveme		-3,501.75
Check	01/07/2014	106	Southwest Plumbing		10300 · Bu 63100 · Building Repairs		-230.10
Check	01/07/2014	107	Desert Air	HVAC	10300 · Bu 15050 · HVAC		-5,028.00
Check	01/07/2014	121	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improveme		-13,000.00
Check	01/07/2014	122	DWA	water bill	10300 · Bu 90917 · Water		-103.59
Check	01/08/2014	123	City Of PS	Plan check	10300 · Bu 61250 · Business Licenses and		-595.00
Check	01/09/2014	120	Haulaway	Storage bin	10300 · Bu 90936 · Construction		-284.00
Check	01/10/2014	108	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improveme		-4,885.00
Check	01/10/2014	119	DWA	Water Service	10300 · Bu 17200 · Leasehold Improveme		-13,330.00
Check	01/15/2014	110	Desert Fire	Fire Extiguishers	10300 · Bu 17200 · Leasehold Improveme		-89.45
Check	01/21/2014	127	TKD	Landscape Plan	10300 · Bu 17200 · Leasehold Improveme		-3,244.00
Check	01/22/2014	125	CQ Booths	Booths	10300 · Bu 15020 · Restaurant Equipment		-9,000.00
Check	01/23/2014	128	City of Palm Springs	PM 10 permits	10300 · Bu 61250 · Business Licenses and		-1,640.00
Check	01/24/2014	126	The Barn	Table tops	10300 · Bu 15020 · Restaurant Equipment		-2,500.00
Check	01/28/2014	130	Jerry Noonan	Advance	10300 · Bu 52000 · Management Regular		-4,807.66
Check	01/29/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll		-25.00
Check	01/29/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #2		-25.00
Check	01/30/2014	131	American Fence	PM 10 fence	10300 · Bu 90936 · Construction		-3,398.72
Check	01/31/2014	111	Desert Fire	Fire Extiguishers	10300 · Bu 15020 · Restaurant Equipment		-475.00

5147

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	02/03/2014	129	Sign a Rama	PM 10 sign	10300 · Bu 17200 · Leasehold Improvemei -579.34
Check	02/07/2014	118	ABC	Liquor ap fees	10300 · Bu 15010 · Liqour License -3,732.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #2! -75.00
Check	02/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -75.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #2! -100.00
Check	02/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -100.00
Check	02/11/2014	132	Cal Dahlstrom	Bar top rack	10300 · Bu 15020 · Restaurant Equipment -5,125.00
Check	02/12/2014	133	Carl Hix	drywall	10300 · Bu 15030 · Restaurant Equipment -1,150.00
Check	02/21/2014	134	Anthony Monaco	United Rental	10300 · Bu 51020 · Contract Labor -878.22
Check	02/21/2014	135	County Of Riverside	DBA	10300 · Bu 61250 · Business Licenses anc -60.00
Check	02/21/2014	137	Anthony Monaco	MISC	10300 · Bu 51020 · Contract Labor -594.76
Check	02/24/2014	138	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees -2,249.00
Check	02/24/2014	142	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment -520.00
Check	02/24/2014	146	Sine Concrete	demo	10300 · Bu 90936 · Construction -3,180.00
Check	02/24/2014	153	Robert Wepplo	salary 12 days	10300 · Bu 52000 · Management Regular -2,472.48
Check	02/25/2014	136	Imperial Western	grease trap	10300 · Bu 15030 · Restaurant Equipment -700.00
Check	02/25/2014	139	Sanborne A & E	plan	10300 · Bu 17200 · Leasehold Improvemei -5,149.58
Check	02/25/2014	154	Jerry Noonan	salary	10300 · Bu 52000 · Management Regular -3,269.22
Check	02/26/2014	147	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improvemei -550.00
Check	02/26/2014	150	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment -2,646.50
Check	02/26/2014	151	Desert Fountain	soda lines	10300 · Bu 15020 · Restaurant Equipment -5,216.00
Check	02/26/2014	156	Transfer Payroll		10300 · Bu 10200 · Payroll Account #2546 -4,000.00
Check	02/28/2014		NSF		10300 · Bu 90931 · Bank Charge -35.00
Check	02/28/2014	140	D & D Custom	Demo	10300 · Bu 90936 · Construction -1,000.00
Check	02/28/2014	144	D & D Custom	Demo	10300 · Bu 90936 · Construction -10,000.00
Check	02/28/2014	148	Next Level	doors	10300 · Bu 17200 · Leasehold Improvemei -3,535.20
Check	02/28/2014	149	PS Chamber Of Commerce		10300 · Bu 69800 · Uncategorized Expens -380.00
Check	02/28/2014	155	d And d	steel advance	10300 · Bu 90936 · Construction -20,000.00
Check	03/03/2014	141	Porcelanosa	Base cove	10300 · Bu 90936 · Construction -1,179.38
Check	03/03/2014	152	Eco Lab	pest control	10300 · Bu 63281 · Pest Elimination -852.15
Check	03/03/2014	157	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric -20,493.17
Check	03/04/2014	158	Bud Brown	salary	10300 · Bu 51020 · Contract Labor -2,500.00
Check	03/05/2014	143	Premie rSecurity	alarm	10300 · Bu 30400 · Union Abbey -93.75
Check	03/10/2014	159	Lowes	misc	10300 · Bu 15020 · Restaurant Equipment -708.33

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	03/10/2014	164	DWA	water bill	10300 · Bu 90917 · Water -60.51
Check	03/10/2014	166	Visa	MISC	10300 · Bu 69800 · Uncategorized Expens -9,782.84
Check	03/10/2014	169	Hix Drywall		10300 · Bu 17200 · Leasehold Improveme -3,885.00
Check	03/11/2014	145	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment -1,650.93
Check	03/11/2014	167	Fusion Screen	Hacienda, LLC	10300 · Bu 17200 · Leasehold Improveme -564.30
Check	03/11/2014	168	Diamond Enviro	toilet	10300 · Bu 90936 · Construction -141.13
Check	03/11/2014	170	Leo Diaz	paint	10300 · Bu 17200 · Leasehold Improveme -3,300.00
Check	03/11/2014	171	Cal Dahlstrom	chandelier	10300 · Bu 15020 · Restaurant Equipment -7,100.00
Check	03/12/2014	162	Verizon	phone	10300 · Bu 90916 · Telephone -451.84
Check	03/12/2014	163	Verizon	phone	10300 · Bu 90916 · Telephone -436.63
Check	03/13/2014	160	Porsalenosa	tile	10300 · Bu 15020 · Restaurant Equipment -19,885.74
Check	03/13/2014	172	SW Plumbing		10300 · Bu 17200 · Leasehold Improveme -617.50
Check	03/14/2014	179	Transfer Payroll		10300 · Bu 10200 · Payroll Account #2546 -7,000.00
Check	03/17/2014	173	CQ Booths	Booths	10300 · Bu 15020 · Restaurant Equipment -9,433.19
Check	03/17/2014	175	Desert Recycling		10300 · Bu 90936 · Construction -350.00
Check	03/17/2014	180	Bud Brown	salary	10300 · Bu 51020 · Contract Labor -2,500.00
Check	03/18/2014	161	VOID		10300 · Business Fundamentals #/ 2339 0.00
Check	03/18/2014	165	VOID		10300 · Business Fundamentals #/ 2339 0.00
Check	03/18/2014	174	VOID		10300 · Business Fundamentals #/ 2339 0.00
Check	03/18/2014	176	d And d	Demo	10300 · Bu 90936 · Construction -20,600.00
Check	03/18/2014	177	SCE	New service	10300 · Bu 69800 · Uncategorized Expens -1,769.74
Check	03/18/2014	182	VOID		10300 · Business Fundamentals #/ 2339 0.00
Check	03/19/2014	178	Health Dept	raw bar	10300 · Bu 61250 · Business Licenses and -700.00
Check	03/19/2014	183	Sunkor	Furniture	10300 · Bu 15020 · Restaurant Equipment -64,443.08
Check	03/21/2014			Meaney	10300 · Business Fundamentals #/ 2339 0.00
Check	03/21/2014		NSF		10300 · Bu 90931 · Bank Charge -35.00
Check	03/21/2014	181	VOID /	garage door	10300 · Business Fundamentals #/ 2339 0.00
Check	03/21/2014	186	Anthony Monaco	MISC	10300 · Bu 51020 · Contract Labor -1,211.75
Check	03/27/2014	184	Frameworks	art	10300 · Bu 15020 · Restaurant Equipment -2,163.60
Check	03/27/2014	185	VOID	pm10 deposit	10300 · Bu 69000 · Hacienda 0.00
Check	03/27/2014	187	City Of PS	Plan check	10300 · Bu 61250 · Business Licenses and -638.88
Check	03/27/2014	188	ABC Escrow	Liquor ap fees	10300 · Bu 15010 · Liquor License -17,430.00
Check	03/27/2014	189	Cal Dahlstrom	doors	10300 · Bu 15020 · Restaurant Equipment -1,800.00
Check	03/27/2014	190	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment -8,624.21

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	03/27/2014	191	Miggys Llc	payroll	10300 · Bu 10200 · Payroll Account #2546	-7,000.00
Check	03/31/2014	192	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	03/31/2014	193	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment	-9,000.00
Check	04/07/2014	194	City of Palm Springs	Sign Application	10300 · Bu 61250 · Business Licenses and	-127.00
Check	04/07/2014	195	Magic Glass		10300 · Bu 17200 · Leasehold Improvemer	-755.00
Check	04/07/2014	196	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improvemer	-9,330.00
Check	04/07/2014	197	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au	-18,725.05
Check	04/07/2014	198	Calvin Dahlstron		10300 · Bu 17200 · Leasehold Improvemer	-6,950.00
Check	04/07/2014	199	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-5,000.00
Check	04/07/2014	200	Southwest Plumbing		10300 · Bu 63100 · Building Repairs	-9,180.00
Check	04/07/2014	201	ACR Consulting	I.T.	10300 · Bu 61750 · Computer and Internet	-712.50
Check	04/07/2014	202	St. Louis Digital Media, LLC	Marketing	10300 · Bu 63400 · Marketing & Advertisin	-3,000.00
Check	04/07/2014	203	Rachel Rusnak	Marketing	10300 · Bu 63400 · Marketing & Advertisin	-1,600.00
Check	04/07/2014	204	Sysco	Plates And Silverware	10300 · Bu 17500 · China, silver glass and	-31,747.67
Check	04/07/2014	205	Lowe's		10300 · Bu 90936 · Construction	-2,871.95
Check	04/07/2014	206	Porcelanosa		10300 · Bu 17200 · Leasehold Improvemer	-903.42
Check	04/07/2014	207	La Salle		10300 · Bu 17200 · Leasehold Improvemer	-5,000.00
Check	04/07/2014	208	Collins Electric		10300 · Bu 17200 · Leasehold Improvemer	-7,290.00
Check	04/07/2014	209	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment	-5,338.23
Check	04/07/2014	210	American Landscape And Maintence		10300 · Bu 17200 · Leasehold Improvemer	-5,200.00
Check	04/07/2014	211	Gouvis		10300 · Bu 17200 · Leasehold Improvemer	-38.54
Check	04/07/2014	212	Barn Furniture Mart		10300 · Bu 15020 · Restaurant Equipment	-1,554.80
Check	04/07/2014	213	Diamond Enviro		10300 · Bu 90936 · Construction	-100.76
Check	04/07/2014	214	Nick's Mobile Repair	Water Truck	10300 · Bu 90936 · Construction	-1,379.82
Check	04/07/2014	215	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses and	-2,737.50
Check	04/07/2014	216	Desert Fire		10300 · Bu 17200 · Leasehold Improvemer	-945.00
Check	04/07/2014	217	Haulaway	storage containers	10300 · Bu 90936 · Construction	-162.00
Check	04/07/2014	218	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense	-320.55
Check	04/07/2014	219	Edison		10300 · Bu 65300 · Gas and Electric	-130.72
Check	04/07/2014	220	PSUSD	school fees	10300 · Bu 61250 · Business Licenses and	-421.77
Check	04/07/2014	221	Desert Water		10300 · Bu 90917 · Water	-146.54
Check	04/07/2014	222	Verizon	1241413739	10300 · Bu 90916 · Telephone	-109.99
Check	04/07/2014	223	Verizon	760-322-0627	10300 · Bu 90916 · Telephone	-237.36
Check	04/07/2014	224	Verizon	tahquitz	10300 · Bu 65400 · Office Expense	-230.23

140 146.46

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Check	04/07/2014	225	Verizon	resturant line 1	10300 · Bu 90916 · Telephone -348.76
Check	04/07/2014	226	Verizon	resturant line 2	10300 · Bu 90916 · Telephone -523.77
Check	04/07/2014	227	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination -284.05
Check	04/07/2014	228	Protection One	Alarm	10300 · Bu 64500 · Security -199.99
Check	04/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -7,000.00
Check	04/25/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -15,000.00
Check	05/06/2014	229	City of Palm Springs	plan check	10300 · Bu 61250 · Business Licenses and -127.00
Check	05/06/2014	230	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and -154.33
Check	05/06/2014	231	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and -3,006.91
Check	05/06/2014	232	Next Level	doors	10300 · Bu 15020 · Restaurant Equipment -11,769.30
Check	05/06/2014	233	WJim	wood floor and wall	10300 · Bu 15020 · Restaurant Equipment -4,500.00
Check	05/06/2014	234	Carl Hix	drywall	10300 · Bu 17200 · Leasehold Improveme -825.00
Check	05/06/2014	235	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment -22,543.21
Check	05/06/2014	236	Rick Chavez	land scaping	10300 · Bu 16000 · Pool and Grounds Fixe -2,800.00
Check	05/06/2014	237	Jackie	accounting	10300 · Bu 52000 · Management Regular -820.50
Check	05/06/2014	238	Bud Brown	salary	10300 · Bu 51020 · Contract Labor -2,500.00
Check	05/06/2014	239	Ps Mirror And Glass	shelves	10300 · Bu 15020 · Restaurant Equipment -656.68
Check	05/06/2014	240	J Tech	pagers	10300 · Bu 15020 · Restaurant Equipment -1,476.00
Check	05/06/2014	241	American Fence	PM 10 fence	10300 · Bu 90936 · Construction -982.30
Check	05/06/2014	242	Valley Lock	rekey	10300 · Bu 17200 · Leasehold Improveme -136.25
Check	05/06/2014	243	Rich Meaney	repay loan	10300 · Bu 31020 · Rich Meaney -50,000.00
Check	05/06/2014	244	VOID		10300 · Business Fundamentals #/ 2339 0.00
Check	05/06/2014	245	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improveme -8,149.00
Check	05/06/2014	246	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment -900.00
Check	05/06/2014	247	Bud Brown	salary	10300 · Bu 51020 · Contract Labor -2,500.00
Check	05/06/2014	248	Cal Dahlstrom	cabana	10300 · Bu 15020 · Restaurant Equipment -7,500.00
Check	05/06/2014	249	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment -3,500.00
Check	05/06/2014	250	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination -284.05
Check	05/06/2014	251	Lowe's		10300 · Bu 90936 · Construction -3,712.62
Check	05/06/2014	252	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric -232.92
Check	05/06/2014	253	Desert Water		10300 · Bu 90917 · Water -222.77
Check	05/06/2014	254	Palm Springs Alarm	hacienda	10300 · Bu 30400 · Union Abbey -28.00
Check	05/06/2014	255	Verizon	internet	10300 · Bu 90916 · Telephone -109.99
Check	05/06/2014	256	Verizon	office	10300 · Bu 65400 · Office Expense -144.29

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Check	05/06/2014 257	Verizon	rest line 1	10300 · Bu 90916 · Telephone	-206.80
Check	05/06/2014 258	Verizon	rest line 2	10300 · Bu 90916 · Telephone	-123.38
Check	05/06/2014 259	Verizon	anthony	10300 · Bu 65400 · Office Expense	-201.96
Check	05/06/2014 260	Diamond Enviro		10300 · Bu 90936 · Construction	-100.76
Check	05/06/2014 261	Sysco		10300 · Bu 15020 · Restaurant Equipment	-33,946.05
Check	05/06/2014 262	Sysco		10300 · Bu -SPLIT-	-1,177.60
Check	05/06/2014 263	Jackie Mendez	42 hours	10300 · Bu 52000 · Management Regular	-914.00
Check	05/06/2014 264	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense	-378.37
Check	05/06/2014 265	Intouch Pos		10300 · Bu 15070 · Restaurant POS Syste	-17,183.96
Check	05/06/2014 266	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-5,000.00
Check	05/06/2014 267	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses and	-1,087.50
Check	05/06/2014 268	Dugan Williams		10300 · Bu 17200 · Leasehold Improvemer	-441.48
Check	05/06/2014 269	Steam King Carpet Care		10300 · Bu 17200 · Leasehold Improvemer	-975.00
Check	05/06/2014 270	Desert Air	HVAC	10300 · Bu 15050 · HVAC	-161.00
Check	05/06/2014 271	Direct T.V.	hac	10300 · Bu 65100 · Cable TV	-307.98
Check	05/06/2014 272	Jerry Noonan	expense report	10300 · Bu 16600 · Office Computers	-583.68
Check	05/06/2014 273	Protection One	Alarm	10300 · Bu 64500 · Security	-12.02
Check	05/14/2014 280	Protection One	97277186-60844552	10300 · Bu 64500 · Security	-365.63
Check	05/14/2014 281	desert reprographics		10300 · Bu 90936 · Construction	-1,521.62
Check	05/14/2014 282	Eric Leckband		10300 · Bu 66600 · Printing and Reproduc	-112.50
Check	05/14/2014 283	Vallgroup		10300 · Bu 17200 · Leasehold Improvemer	-90.00
Check	05/14/2014 284	Dew Roofing	repaired leaks	10300 · Bu 17200 · Leasehold Improvemer	-1,750.00
Check	05/14/2014 285	Haulaway		10300 · Bu 90936 · Construction	-90.00
Check	05/14/2014 286	Electronic Entry		10300 · Bu 17200 · Leasehold Improvemer	-915.00
Check	05/14/2014 287	Anthony Monaco	gas for water truck	10300 · Bu 90936 · Construction	-95.00
Check	05/14/2014 288	Sanborne A & E		10300 · Bu 17200 · Leasehold Improvemer	-5,270.00
Check	05/14/2014 289	BMC		10300 · Bu 17200 · Leasehold Improvemer	-5,540.00
Check	05/14/2014 290	Dateland Construction co.		10300 · Bu 17200 · Leasehold Improvemer	-35,858.50
Check	05/14/2014 291	Collins Electric		10300 · Bu 17200 · Leasehold Improvemer	-10,835.00
Check	05/14/2014 292	D & D Custom	steel constuction	10300 · Bu 17200 · Leasehold Improvemer	-15,000.00
Check	05/14/2014 293	Dynamic Plumbing	water heater	10300 · Bu 17200 · Leasehold Improvemer	-4,950.00
Check	05/14/2014 294	Inland Valley Sladden Inc.		10300 · Bu 17200 · Leasehold Improvemer	-2,940.00
Check	05/14/2014 295	City of Palm Springs	VOID: business lisence GJE	10300 · Bu 61250 · Business Licenses and	0.00
Check	05/14/2014 296	Southwest Plumbing		10300 · Bu 17200 · Leasehold Improvemer	-7,524.06

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Check	05/14/2014	274	Health Dept	out kitchen	10300 · Bu 61250 · Business Licenses and	-700.00
Check	05/14/2014	275	Tomalak Tile	counter material	10300 · Bu 17200 · Leasehold Improveme	-9,184.20
Check	05/14/2014	276	Infamous PR		10300 · Bu 63401 · Marketing Agency	-2,750.00
Check	05/14/2014	277	VOID		10300 · Bu 69000 · Hacienda	
Check	05/14/2014	278	Sign a Rama	Front sign	10300 · Bu 17200 · Leasehold Improveme	-1,000.00
Check	05/14/2014	279	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-350.00
Check	05/14/2014	EFT	Bank Of America CC	Mastercard	10300 · Bu 15020 · Restaurant Equipiment	-21,000.00
Check	05/14/2014	297	Thom Dooher	sous chef cleaning hours	10300 · Bu 51010 · Hourly Regular	-408.00
Check	05/14/2014	298	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Au	-9,000.00
General	05/14/2014	2	City of Palm Springs	For CHK 295 voided on 06/2	10300 · Bu 61250 · Business Licenses and	-688.00
Check	05/15/2014	299	So Cal Edison	relocate	10300 · Bu 65300 · Gas and Electric	-5,030.19
Check	05/23/2014	300	Bud Brown		10300 · Bu 51020 · Contract Labor	-2,500.00
Check	05/23/2014	301	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au	-24,000.00
Check	05/23/2014	302	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-755.00
Check	05/23/2014	303	Angelina		10300 · Bu 17200 · Leasehold Improveme	-2,000.00
Check	05/23/2014	304	Desert Recycling	3656	10300 · Bu 90936 · Construction	-350.00
Check	05/23/2014	305	Southwest Plumbing	33773, 33618, 33431, 33629	10300 · Bu 17200 · Leasehold Improveme	-28,127.78
Check	05/23/2014	306	Dynamic Plumbing	70275-2	10300 · Bu 90936 · Construction	-1,400.00
Check	05/23/2014	307	Jackie Mendez	controller hours	10300 · Bu 52000 · Management Regular	-1,419.75
Check	05/23/2014	308	Bear Zeller	sous chef	10300 · Bu 51010 · Hourly Regular	-1,053.00
Check	05/23/2014	309	Capax	Deposit	10300 · Bu 63310 · General Liability Insura	-13,317.75
Check	05/23/2014	310	Capax	Brokers fee	10300 · Bu 63310 · General Liability Insura	-2,300.00
Check	06/04/2014		Transfer To Check 2533		10300 · Bu 51000 · 0 Direct Labor	-10,000.00
Check	06/09/2014	311	VOID		10300 · Bu 69000 · Hacienda	0.00
Check	06/09/2014	313	Liquor License	spec	10300 · Bu 15010 · Liqour License	-619.40
Check	06/09/2014	314	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improveme	-2,346.78
Check	06/09/2014	315	Buddy Dennington		10300 · Bu 52000 · Management Regular	-200.00
Check	06/09/2014	316	HW Image Works	Mens Uniforms & aprons	10300 · Bu 60610 · Employee Uniform Exp	-686.00
Check	06/09/2014	317	Rick Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-2,500.00
Check	06/09/2014	318	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improveme	-510.40
Check	06/09/2014	319	Bud Brown		10300 · Bu 66700 · Professional Fees	-2,500.00
Check	06/09/2014	320	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improveme	-15,000.00
Check	06/09/2014	321	Best Signs		10300 · Bu 17200 · Leasehold Improveme	-3,538.00
Check	06/09/2014	322	D & D Custom		10300 · Bu 17200 · Leasehold Improveme	-15,000.00

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Check	06/09/2014	323	American Fence	VOID: 1772775, lease agree	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	324	Desert Water	442280500	10300 · Bu 90917 · Water	-75.71
Check	06/09/2014	325	Desert Water	990160609 water truck	10300 · Bu 90936 · Construction	-289.74
Check	06/09/2014	326	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,296.16
Check	06/09/2014	329	District Enviromental Servies	VOID:	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	328	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-659.00
Check	06/09/2014	330	Southwest Plumbing	33941, 33940, 33939, 3393	10300 · Bu 17200 · Leasehold Improveme	-21,107.16
Check	06/09/2014	331	Dugan Williams	2650 2656	10300 · Bu 17200 · Leasehold Improveme	-2,317.08
Check	06/09/2014	332	Sanborne A & E	8155 8175	10300 · Bu 17200 · Leasehold Improveme	-9,057.50
Check	06/09/2014	333	Adrian Ruiz	equipment repair	10300 · Bu 63260 · Equipment Repairs	-1,253.00
Check	06/09/2014	334	Collins Electric	050914-4	10300 · Bu 17200 · Leasehold Improveme	-19,750.00
Check	06/09/2014	335	Jeff's Refrigeration Service	7787 7788	10300 · Bu 15030 · Restaurant Equipment	-1,615.60
Check	06/09/2014	336	Sysco	405130136 405140470 005E	10300 · Bu -SPLIT-	-564.59
Check	06/09/2014	337	Best Buy		10300 · Bu 15020 · Restaurant Equipment	-16,761.05
Check	06/09/2014	338	Jackie Mendez	72 reg hours 2.50 ot and out	10300 · Bu 52000 · Management Regular	-1,597.63
Check	06/09/2014	339	Neil Husvar 1	40 hours	10300 · Bu 52000 · Management Regular	-640.00
Check	06/09/2014	340	Thom Dooher	60.50 hours	10300 · Bu 52000 · Management Regular	-968.00
Check	06/09/2014	343	Jerry Noonan	reimbursment	10300 · Bu 75000 · Automobile and Truck	-1,280.80
Check	06/09/2014	341	Tad Kutzner	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	342	Paul Stark 1	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	344	Bank Of America CC	business card	10300 · Bu 15020 · Restaurant Equipment	-3,868.65
Check	06/09/2014	345	D & D Custom	1590 1613 1620 1628	10300 · Bu 17200 · Leasehold Improveme	-7,600.00
Check	06/09/2014	346	Desert Fire	730649	10300 · Bu 15030 · Restaurant Equipment	-750.00
Check	06/09/2014	347	Desert Fountain	152391	10300 · Bu 63260 · Equipment Repairs	-110.00
Check	06/09/2014	348	desert reprographics	25183	10300 · Bu 90936 · Construction	-47.52
Check	06/09/2014	349	Diamond Enviro	0000196872	10300 · Bu 90936 · Construction	-98.91
Check	06/09/2014	350	Eco Lab	5047914	10300 · Bu 63280 · Janitorial Expense	-126.48
Check	06/09/2014	351	Fusion Screen	65099	10300 · Bu 17200 · Leasehold Improveme	-64.30
Check	06/09/2014	352	Graphic Logic	10589	10300 · Bu 65400 · Office Expense	-240.00
Check	06/09/2014	353	Intouch Pos	29060	10300 · Bu 15070 · Restaurant POS Syste	-899.26
Check	06/09/2014	354	Lowe's		10300 · Bu 15020 · Restaurant Equipment	-1,988.73
Check	06/09/2014	355	Mission Linen & Uniform	340317588 D340318442	10300 · Bu 60600 · Linen	-606.11
Check	06/09/2014	356	Next Level	39849000 49849000	10300 · Bu 17200 · Leasehold Improveme	-2,287.50
Check	06/09/2014	357	O' Linn Security INC	0515-2939	10300 · Bu 64500 · Security	-1,980.00

100,625.48

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Check	06/09/2014	358	Pacific Masonary	w8646	10300 · Bu 17200 · Leasehold Improvemer -4,704.11
Check	06/09/2014	359	Palm Springs Mirror & Glass	32618	10300 · Bu 17200 · Leasehold Improvemer -656.68
Check	06/09/2014	360	Pay Attention Promotions	1084	10300 · Bu 60500 · Smallwares - Misc Ser -2,527.44
Check	06/09/2014	361	Protection One	97693682	10300 · Bu 64500 · Security -80.67
Check	06/09/2014	362	Verizon	anthonys	10300 · Bu 65400 · Office Expense -201.96
Check	06/09/2014	363	Verizon	1241413739	10300 · Bu 90916 · Telephone -109.99
Check	06/09/2014	364	Verizon	office	10300 · Bu 65400 · Office Expense -173.02
Check	06/09/2014	365	Verizon	rest phone line 1	10300 · Bu 90916 · Telephone -394.12
Check	06/09/2014	366	Verizon	rest phone line 2	10300 · Bu 90916 · Telephone -281.44
Check	06/09/2014	367	Buddy Dennington	20.5 hours	10300 · Bu 52000 · Management Regular -287.00
General	06/09/2014	4	American Fence	For CHK 323 voided on 07/0	10300 · Bu 90936 · Construction -612.50
Check	06/09/2014	327	Palm Springs Disposal		10300 · Bu 65500 · Waste Mgmt -635.42
Check	06/10/2014	368	Magic Glass		10300 · Bu 17200 · Leasehold Improvemer -300.00
Check	06/10/2014	369	HW Image Works		10300 · Bu 60610 · Employee Uniform Exp -806.05
Check	06/10/2014	370	Sysco	405090911	10300 · Bu 60500 · Smallwares - Misc Ser -2,390.45
Check	06/13/2014	371	Energy Managment Servies	4639	10300 · Bu 17200 · Leasehold Improvemer -1,060.00
Check	06/13/2014	376	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe -5,000.00
Check	06/13/2014	372	VOID		10300 · Bu 69000 · Hacienda
Check	06/15/2014	379	Maktive		10300 · Bu 15060 · Restaurant Equipt- Aur -1,000.00
Check	06/15/2014	380	Power Tip		10300 · Bu 90936 · Construction -1,370.00
Check	06/15/2014	381	Dre Naylor	Photography	10300 · Bu 63400 · Marketing & Advertisin -800.00
Check	06/15/2014	382	Windish Agency	Le Youth	10300 · Bu 62450 · Music and Entertainme -1,500.00
Check	06/15/2014	383	VOID		10300 · Bu 69000 · Hacienda
Check	06/15/2014	384	Bud Brown		10300 · Bu 51020 · Contract Labor -2,500.00
Check	06/17/2014	385	Valley Lock		10300 · Bu 17200 · Leasehold Improvemer -212.55
Check	06/17/2014	386	Hanging High Wallpaper	6004	10300 · Bu 17200 · Leasehold Improvemer -900.00
Check	06/17/2014	387	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Aur -7,500.00
Check	06/19/2014	388	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improvemer -10,000.00
Check	06/19/2014	389	D & D Custom		10300 · Bu 17200 · Leasehold Improvemer -10,000.00
Check	06/19/2014	390	The Delivery Donkey	12450	10300 · Bu 90936 · Construction -1,600.00
Check	06/19/2014	391	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor -758.15
Check	06/19/2014	392	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor -333.33
Check	06/19/2014		Transferto Check 2546		10300 · Bu 51000 · 0 Direct Labor -14,000.00
Check	06/20/2014	393	Christina Angelina	Murals	10300 · Bu 17200 · Leasehold Improvemer -2,800.00

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Check	06/20/2014 394	Hix Drywall	5/20 6/9	10300 · Bu 17200 · Leasehold Improveme	-2,314.00
Check	06/20/2014 395	Best Buy		10300 · Bu 15020 · Restaurant Equipment	-14,000.00
Check	06/20/2014 396	Leslie Effler	Candles	10300 · Bu 60500 · Smallwares - Misc Ser	-100.00
Check	06/20/2014 397	Rachel Rusnak	612014	10300 · Bu 63407 · Graphics Design Adve	-2,600.00
Check	06/20/2014 398	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,263.07
Check	06/20/2014 399	Southwest Plumbing	34065	10300 · Bu 17200 · Leasehold Improveme	-1,475.00
Check	06/20/2014 400	Sign a Rama	65883	10300 · Bu 16000 · Pool and Grounds Fixe	-825.21
Check	06/20/2014 401	Premier One Coatings	1112	10300 · Bu 16000 · Pool and Grounds Fixe	-4,905.00
Check	06/20/2014 402	Palm Springs Mirror & Glass	32780	10300 · Bu 17200 · Leasehold Improveme	-31.05
Check	06/20/2014 403	Reggie Cameron	June Service Fee	10300 · Bu 63401 · Marketing Agency	-2,200.00
Check	06/20/2014 404	Pacific Masonary	W8689	10300 · Bu 17200 · Leasehold Improveme	-1,687.50
Check	06/20/2014 405	Dugan Williams	2673	10300 · Bu 15030 · Restaurant Equipment	-3,760.76
Check	06/20/2014 407	Collins Electric	032814-2 052114-1	10300 · Bu 17200 · Leasehold Improveme	-12,135.00
Check	06/20/2014 409	Protection One	98428202	10300 · Bu 64500 · Security	-80.67
Check	06/20/2014 410	O' Linn Security INC	0514-2983	10300 · Bu 64500 · Security	-1,452.00
Check	06/20/2014 411	Haulaway	1472154	10300 · Bu 90936 · Construction	-93.00
Check	06/20/2014 412	First Insurance Funding Corp.	June 2014	10300 · Bu 63310 · General Liability Insura	-3,637.32
Check	06/20/2014 414	Eversoft	R1348806 W 1728617	10300 · Bu 16000 · Pool and Grounds Fixe	-117.72
Check	06/20/2014 418	Diamond Enviro	0000210858	10300 · Bu 90936 · Construction	-98.91
Check	06/20/2014 419	Desert Water	June 2014	10300 · Bu 90917 · Water	-73.13
Check	06/20/2014 420	So Cal Edison	June 2014	10300 · Bu 65300 · Gas and Electric	-122.83
Check	06/20/2014 421	Anthony Monaco	reimbursment	10300 · Bu 90936 · Construction	-147.31
Check	06/20/2014 422	Jackie Mendez	Hours/ reimbursment	10300 · Bu 52000 · Management Regular	-2,847.38
Check	06/20/2014 423	Misty Swaim 1	Reimbursment	10300 · Bu 52000 · Management Regular	-390.77
Check	06/20/2014 424	Silvino Nava	Cleaner	10300 · Bu 63280 · Janitorial Expense	-517.50
Check	06/20/2014 425	Dianna Ardilla	Cleaner	10300 · Bu 63280 · Janitorial Expense	-267.50
Check	06/20/2014 426	Robert Wepplo	Reimbursment	10300 · Bu -SPLIT-	-580.34
Check	06/20/2014 427	Desert Fountain	153623	10300 · Bu 15030 · Restaurant Equipment	-307.00
Check	06/23/2014 464	American Fence	1772775	10300 · Bu 90936 · Construction	-362.50
Check	06/27/2014 429	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-2,500.00
Check	06/27/2014 430	Desert Fire		10300 · Bu 15030 · Restaurant Equipment	-312.62
General	06/27/2014 2R	City of Palm Springs	Reverse of GJE 2 -- For CHI	10300 · Bu 61250 · Business Licenses and	688.00
Check	06/27/2014 431	Cal Dahlstrom	10024	10300 · Bu 17200 · Leasehold Improveme	-5,000.00
Check	06/27/2014 432	So Cal Edison	2363511189	10300 · Bu 65300 · Gas and Electric	-293.01

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/27/2014	433	Pacific Masonary		
Check	06/27/2014	434	Southwest Plumbing		
Check	06/27/2014	435	Pro Sound And Video		
Check	06/27/2014	441	Bank Of America CC		
Check	06/27/2014	443	TKD		
Check	06/27/2014	444	Next Level		
Check	06/27/2014	445	La Salle		
Check	06/27/2014	446	Cove Electric		
Check	06/27/2014	447	Best Signs		
Check	06/27/2014	448	Adam Slater		
Check	06/27/2014	449	Infamous PR		
Check	06/27/2014	450	Enviro Blind		
Check	06/27/2014	451	National Paving Company		
Check	06/27/2014		Transferto Check 2546		
General	06/27/2014	3	Enviro Blind		
General	06/27/2014	3R	Enviro Blind		
Check	06/27/2014	452	Enviro Blind		
General	07/03/2014	4R	American Fence		
Check	07/07/2014	456	Cal Dahlstrom		
		w8665	10300 · Bu 17200 · Leasehold Improveme	-5,000.00	
		33949	10300 · Bu 17200 · Leasehold Improveme	-5,000.00	
		54186	10300 · Bu 15060 · Restaurant Equipt- Au	-5,000.00	
		bussniess card	10300 · Bu 15020 · Restaurant Equipiment	-1,000.00	
		15571	10300 · Bu 90936 · Construction	-1,000.00	
		9849-00x-1	10300 · Bu 17200 · Leasehold Improveme	-2,000.00	
		108661	10300 · Bu 17200 · Leasehold Improveme	-315.86	
		174509	10300 · Bu 17200 · Leasehold Improveme	-185.00	
		82550	10300 · Bu 17200 · Leasehold Improveme	-1,500.00	
		Hacienda1	10300 · Bu 62450 · Music and Entertainme	-250.00	
		1374	10300 · Bu 63401 · Marketing Agency	-2,750.00	
		VOID: sh033715 GJE, RGJE	10300 · Bu 17200 · Leasehold Improveme	0.00	
		26160	10300 · Bu 17200 · Leasehold Improveme	-4,000.00	
			10300 · Bu 51000 · 0 Direct Labor	-14,000.00	
		For CHK 450 voided on 06/2	10300 · Bu 17200 · Leasehold Improveme	-14,041.00	
		Reverse of GJE 3 – For CHI	10300 · Bu 17200 · Leasehold Improveme	14,041.00	
		sh033715	10300 · Bu 17200 · Leasehold Improveme	-6,000.00	
		Reverse of GJE 4 -- For CHI	10300 · Bu 90936 · Construction	612.50	
		Home depot	10300 · Bu 17200 · Leasehold Improveme	-208.15	
				-1,307,833.58	

COMMERCIAL – RETAIL
MAJOR "NEED-BASED" ASSISTANCE
FOR RENOVATING MAJOR VACANCIES
AS CATALYST PROJECTS

APPLICATION CHECKLIST

All applicants must provide:

- ❑ Application (Completed and Signed by Applicant)
- ❑ If incorporated, evidence that applicant has authorization to apply for program
- ❑ Verification of Property Ownership, if owner (Title or Deed of Trust)
- ❑ Evidence of Tenant's Right to Make Improvements, if tenant or lessee (Signed)
- ❑ Description of Scope of Work
- ❑ Estimate or Bid, if available
- ❑ Copy of Valid Palm Springs Business License (Applicant)
- ❑ Copy of Valid Palm Springs Business License (Contractor hired to perform work)

No assistance may be provided for any contract awarded before the application is approved. Once the application is approved by the City, the applicant must provide the following:

- ❑ If applicable, evidence of required permit approvals from the City of Palm Springs
- ❑ If claiming cash match, provide verification of funds availability (loan agreement, canceled checks, etc.)

I hereby declare that the foregoing information is true and correct to the best of my knowledge. I authorize the City of Palm Springs to verify the information to determine my eligibility and to conduct an inspection of my property. I understand that as the applicant I will hire the contractor and am responsible for obtaining design approvals. I understand that the program provides that the City will reimburse the applicant for work performed, based on submittal of evidence of work performed and paid, and that the City will not pay contractors or vendors directly.

Applicant Signature

11/21/13
Date

Mail or deliver completed application with copies of required documents to:

City of Palm Springs
Department of Community & Economic Development
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Fax 760-322-8325 or email to cathy.vanhorn@palmspringsca.gov
Mail to: P.O. Box 2743, Palm Springs, CA 92263
Any questions please call: 760-323-8175 or 760-323-8259

City of Palm Springs

Business License Division

3200 E. Tahquitz Canyon Way • Palm Springs, California • 92262
Tel: (760) 323-8289 • Fax: (760) 322-8344 • Web: www.palmspringsca.gov

NEW BUSINESS LICENSE APPLICATION

PLEASE FILL IN ALL APPLICABLE SPACES. FOR HELP WITH THIS FORM OR INFORMATION, PLEASE CALL (760) 323-8289.

TYPE OF OWNERSHIP ☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☒ LLC ☐ Trust

(A Federal ID # is required for all types of ownerships except individual)

BUSINESS NAME	Miggys Cantina LLC	**MAILING ADDRESS**	700 E Tahquitz, Ste A
BUSINESS ADDRESS	1555 S Palm Canyon	**CITY, STATE, ZIP**	Palm Springs, CA 92262
CITY, STATE, ZIP	Palm Springs,CA 92264	**EMAIL ADDRESS**	rhm@nexusd.com
TELEPHONE	949-922-8210	**FEDERAL ID OR SS #**	46-4056312
EMERGENCY CONTACT NAME AND TELEPHONE	Rich Meaney 949-922-8210		

OWNER 1 NAME	Rich Meaney	**OWNER 2 NAME**	
HOME ADDRESS	419 dion drive	**HOME ADDRESS**	
CITY, STATE, ZIP	palm springs ca 92262	**CITY, STATE, ZIP**	
TELEPHONE	949-922-8210	**TELEPHONE**	

TYPE OF BUSINESS ☑ Service ☐ Wholesale/Retail ☐ Home ☐ Manufacturing ☐ Administrative ☐ Property Mgmt.

DESCRIPTION OF BUSINESS	Restaurant	**NUMBER OF RENTAL UNITS**	
CONTRACTOR LICENSE NO./CLASS		**NUMBER OF FUEL PUMPS**	
SELLER'S PERMIT NUMBER		**NUMBER OF VENDING MACHINES**	
DRIVER'S LICENSE NUMBER/CLASS		**NUMBER OF SEATS**	250
NUMBER OF SQUARE FEET		**NUMBER OF IN-CITY PERSONNEL**	

BUSINESS LICENSE FEE CALCULATION SECTION (Please refer to the Application Instruction Sheet and Fee Scale to determine tax.)

*State Mandated Disability Access Fee (SB 1186 - $1.00 fee effective 1-01-13)
Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:
· The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
· The Department of Rehabilitation at www.rehab.cahwnet.gov
· The California Commission on Disability Access at www.ccda.ca.gov

BUSINESS LICENSE FEE	$	
ADMINISTRATIVE FEE	$	28.00
BUSINESS IMPROVEMENT FEE	$	
BUILDING INSPECTION FEE	$	
FIRE & SAFETY FEE	$	
HOME OCCUPATION FEE	$	
PENALTY _____ %	$	
STATE DISABILITY ACCESS FEE*	$	1.00
TOTAL AMOUNT DUE	$	

SIGNATURE AND DATE 11/21/13

PLEASE SIGN AND RETURN THIS BUSINESS LICENSE APPLICATION ALONG WITH YOUR CHECK PAYABLE TO THE CITY OF PALM SPRINGS TO: CITY OF PALM SPRINGS, BUSINESS LICENSE DIVISION, P.O. BOX 2743, PALM SPRINGS, CA 92263-2743

FOR DEPARTMENT USE ONLY

PLANNING APPROVAL

POLICE APPROVAL

ACCOUNT NUMBER **RECEIPT NUMBER** **PROCESS DATE**

State of California
Secretary of State

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STATEMENT OF INFORMATION
(Limited Liability Company)

Filing Fee $20.00. If this is an amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FILED
Secretary of State
State of California
OCT 21 2013

CC This Space For Filing Use Only

1. LIMITED LIABILITY COMPANY NAME
Miggy's Cantina LLC

File Number and State or Place of Organization

2. SECRETARY OF STATE FILE NUMBER 201322110129

3. STATE OR PLACE OF ORGANIZATION (If formed outside of California)
California

No Change Statement

4. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 15.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 5 and 7 cannot be P.O. Boxes.)

	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 700 East Tahquitz Canyon Way, Suite A	Palm Springs, CA		92262
6. MAILING ADDRESS OF LLC, IF DIFFERENT THAN ITEM 5	CITY	STATE	ZIP CODE
7. STREET ADDRESS OF CALIFORNIA OFFICE 700 East Tahquitz Canyon Way, Suite A	Palm Springs	CA	92262

Name and Complete Address of the Chief Executive Officer, If Any

8. NAME	ADDRESS	CITY	STATE	ZIP CODE

Name and Complete Address of Any Manager or Managers, or If None Have Been Appointed or Elected, Provide the Name and Address of Each Member (Attach additional pages, if necessary.)

	ADDRESS	CITY	STATE	ZIP CODE
9. NAME Richard Meaney	700 E. Tahquitz Canyon Way, Suite A	Palm Springs, CA		92262
10. NAME	ADDRESS	CITY	STATE	ZIP CODE
11. NAME	ADDRESS	CITY	STATE	ZIP CODE

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California address, a P.O. Box is not acceptable. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 13 must be left blank.

12. NAME OF AGENT FOR SERVICE OF PROCESS
Richard Meaney

13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
700 East Tahquitz Canyon Way, Suite A	Palm Springs	CA	92262

Type of Business

14. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY
Restaurant

15. THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

10/7/13	Richard Meaney	Manager	
DATE	TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	TITLE	SIGNATURE

APPROVED BY SECRETARY OF STATE

LLC-12 (REV 01/2013)

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 11-07-2013

Employer Identification Number:
46-4056312

Form: SS-4

Number of this notice: CP 575 A

MIGGYS CANTINA LLC
RICHARD MEANEY MBR
700 E TAHQUITZ CANYON WAY SUITE A
PALM SPRINGS, CA 92262

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 46-4056312. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	07/31/2014
Form 940	01/31/2015
Form 1065	04/15/2014

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

HACIENDA CANTINA
Profit & Loss

	Jan 2014 through Dec 2014	% of Income	
Ordinary Income/Expense			
Income			
3050 · Sales			
3060 · Beverage			
3061 · Beer	327,450.00	10.73%	
3062 · Liquor	347,663.50	11.39%	
3064 · Wine	176,890.00	5.79%	PourCost%
3065 ·Non - Alcoholic Beverages	77,450.00	2.54%	25.0%
3060 · Beverage - Other	35,877.00	1.18%	
Total 3060 · Beverage	965,330.50	31.62%	
3070 · Food			
3071 · Food Sales	1,875,350.00	61.43%	
3073 · Void Food Sales		0.0%	
3070 · Food - Banquets	62,450.00	2.05%	
Total 3070 · Food	1,937,800.00	63.47%	
3550 · Discounts			
3551 · Emp Food	-16,307.82	-0.53%	
3554 · Discounts	-14,500.00	-0.48%	
Total 3550 · Discounts	-30,807.82	-1.01%	
3050 · Sales - Retail-Pool	55,760.00	1.83%	
Total 3050 · Sales	2,928,082.68	95.91%	
3600 · Event Services	125,000.00	4.09%	
Total Income	3,053,082.68	100.0%	
Cost of Goods Sold			
4060 · Beverage			
4061 · Beer COS	85,550.00	2.8%	
4062 · Liquor COS	85,550.00	2.8%	
4063 · Wine COS	57,766.00	1.89%	
4060 · Beverage - Other	12,575.00	0.41%	
Total 4060 · Beverage	241,441.00	7.91%	
4070 · Food Purchases			
4071 · Frozen Seafood	85,000.00	2.78%	
4072 · Fresh Seafood	105,000.00	3.44%	
4073 · Grocery-Dairy	135,000.00	4.42%	
4074 · Produce	88,000.00	2.88%	
4075 · Bread	75,000.00	2.46%	
4076 · Meat & Poultry	165,000.00	5.4%	
4077 · Non-Alcoholic Beverage	10,682.68	0.35%	
4600 · To Go Paper Supplies	65,000.00	2.13%	
4610 · Oil Filter	6,755.00	0.22%	
Total 4070 · Food Purchases	735,437.68	24.09%	
Total COGS	976,878.68	32.0%	

HACIENDA CANTINA
Profit & Loss

	Jan 2014 through Dec 2014	% of Income
Gross Profit	**2,076,204.00**	**68.0%**
Expense		
5100 · Direct Labor		
5101 · Wages Expense	475,000.00	15.56%
5103 · Overtime	83,495.47	2.73%
5200 · Management Regular	210,000.00	6.88%
5100 · Direct Labor - Other	32,550.00	1.07%
Total 5100 · Direct Labor	**801,045.47**	**26.24%**
5300 · Indirect Labor		
5310 · Payroll Taxes	84,581.49	2.77%
5320 · Medical	12,000.00	0.39%
5330 · Worker's Comp Insurance	27,402.00	0.9%
5300 · Indirect Labor - Other	900.00	0.03%
Total 5300 · Indirect Labor	**124,883.49**	**4.09%**
6020 · China	**12,000.00**	**0.39%**
6030 · Glassware	**20,000.00**	**0.66%**
6040 · Silverware	**5,200.00**	**0.17%**
6050 · Smallwares - Misc Serving Equip	2,500.00	0.08%
6060 · Linen	2,400.00	0.08%
6070 · Laundry	12,500.00	0.41%
6090 · Paper Supplies	76.30	0.0%
6095 · Uniforms	22,000.00	0.72%
6100 · Licenses and Permits	2,258.60	0.07%
6110 · Office Supplies	259.42	0.01%
6120 · Bank Charges	137.75	0.0%
6125 · Credit Card Expense	**37,550.00**	**1.23%**
6159 · Dues and Subscriptions	750.00	0.02%
6160 · EPLI Insurance	**21,000.00**	**0.69%**
6180 · Insurance	**8,500.00**	**0.28%**
6190 · Liability Insurance	**14,000.00**	**0.46%**
6245 · Music and Entertainment	**65,000.00**	**2.13%**
6255 · Payroll Processing	7,847.94	0.26%
6260 · Printing and Reproduction	2,820.73	0.09%
6270 · Professional Fees	4,140.79	0.14%
6285 · Truck and Auto Expense	15,000.00	0.49%
6290 · Rent	**0.00**	0.0%
6292 · Percentage Rent	**0.00**	0.0%
6300 · Repairs & Maintainance		0.0%
6310 · Building Repairs	24,500.00	0.8%
6320 · Cleaning Supplies	20,000.00	0.66%
6350 · Janitorial Exp	25,000.00	0.82%
6355 · Maintainance Contracts	12,000.00	0.39%
6300 · Repairs & Maintainance -POS	28,000.00	0.92%
Total 6300 · Repairs & Maintainance	**109,500.00**	**3.59%**

HACIENDA CANTINA
Profit & Loss

	Jan 2014 through Dec 2014	% of Income
6360 · Meals and entertainment	6,500.00	0.21%
6500 · Utilities		
6510 · Cable	12,000.00	0.39%
6530 · Gas and Electric	55,000.00	1.8%
6535 · Propane	2,500.00	0.08%
6536 · Phone-Internet	4,200.00	0.14%
6500 · Water	12,000.00	0.39%
Total 6500 · Utilities	**85,700.00**	**2.81%**
6560 · Cash Over/Short	311.61	0.01%
6950 · Misc Direct Operating Expenses	15,000.00	0.49%
7410 · Depreciation Expense	0.00	0.0%
Total Expense	**1,398,882.10**	**45.82%**
Net Ordinary Income	**677,321.90**	**22.18%**
Other Income/Expense		
Other Expense		
Taxes		
State (Franchise Tax Board)	800.00	0.03%
Total Taxes	800.00	0.03%
7200 · Administrative and General	**85,000.00**	**2.78%**
7300 · Advertising		
7328 · Radio	5,000.00	0.16%
7329 · Digital-TV	15,000.00	0.49%
7330 · Print Media	45,000.00	1.47%
Total 7300 · Advertising	**65,000.00**	**2.13%**
Total Other Expense	150,800.00	4.94%
Net Other Income	-150,800.00	-4.94%
Net Income	**526,521.90**	**17.2%**
Prime Costs	1,902,807.64	62.3%

Hacienda Cantina
Profit Loss

	Jan 2015 through Dec 2015	% of Income	
Ordinary Income/Expense			
Income			
3050 · Sales			
3060 · Beverage			
3061 · Beer	386,391.00	11.04%	
3062 · Liquor	409,120.00	11.69%	
3064 · Wine	195,450.00	5.58%	PourCost%
3065 ·Non - Alcoholic Beverages	137,550.00	3.93%	**24.3%**
3060 · Beverage - Other	47,580.00	1.36%	
Total 3060 · Beverage	**1,176,091.00**	**33.59%**	
3070 · Food			
3071 · Food Sales	1,998,525.00	57.08%	
3073 · Void Food Sales		0.0%	
3070 · Food - Banquets	145,000.00	4.14%	
Total 3070 · Food	**2,143,525.00**	**61.22%**	
3550 · Discounts			
3551 · Emp Food	-16,307.82	-0.47%	
3554 · Discounts	-14,500.00	-0.41%	
Total 3550 · Discounts	**-30,807.82**	**-0.88%**	
3050 · Sales - Retail-Pool	87,550.00	2.5%	
Total 3050 · Sales	**3,376,358.18**	**96.43%**	
3600 · Event Services	**125,000.00**	**3.57%**	
Total Income	**3,501,358.18**	**100.0%**	
Cost of Goods Sold			
4060 · Beverage			
4061 · Beer COS	105,550.00	3.01%	
4062 · Liquor COS	99,550.00	2.84%	
4063 · Wine COS	65,550.00	1.87%	
4060 · Beverage - Other	15,550.00	0.44%	
Total 4060 · Beverage	**286,200.00**	**8.17%**	
4070 · Food Purchases			
4071 · Frozen Seafood	105,550.00	3.01%	
4072 · Fresh Seafood	85,000.00	2.43%	
4073 · Grocery-Dairy	135,000.00	3.86%	
4074 · Produce	88,000.00	2.51%	
4075 · Bread	105,552.00	3.01%	
4076 · Meat & Poultry	225,000.00	6.43%	
4077 · Non-Alcoholic Beverage	17,500.00	0.5%	
4600 · To Go Paper Supplies	65,000.00	1.86%	
4610 · Oil Filter	7,500.00	0.21%	
Total 4070 · Food Purchases	**834,102.00**	**23.82%**	
Total COGS	**1,120,302.00**	**32.0%**	
Gross Profit	**2,381,056.18**	**68.0%**	
Expense			

Hacienda Cantina
Profit Loss

5100 · Direct Labor		
5101 · Wages Expense	525,000.00	14.99%
5103 · Overtime	96,750.00	2.76%
5200 · Management Regular	210,000.00	6.0%
5100 · Direct Labor - Other	57,550.00	1.64%
Total 5100 · Direct Labor	**889,300.00**	**25.4%**
5300 · Indirect Labor		
5310 · Payroll Taxes	105,000.00	3.0%
5320 · Medical	12,000.00	0.34%
5330 · Worker's Comp Insurance	27,402.00	0.78%
5300 · Indirect Labor - Other	900.00	0.03%
Total 5300 · Indirect Labor	**145,302.00**	**4.15%**
6020 · China	10,000.00	0.29%
6030 · Glassware	12,000.00	0.34%
6040 · Silverware	4,200.00	0.12%
6050 · Smallwares - Misc Serving Equip	103.53	0.0%
6060 · Uniform	750.00	0.02%
6070 · Laundry	12,500.00	0.36%
6090 · Paper Supplies	76.30	0.0%
6095 · Uniforms	15,000.00	0.43%
6100 · Licenses and Permits	2,258.60	0.06%
6110 · Office Supplies	259.42	0.01%
6120 · Bank Charges	137.75	0.0%
6125 · Credit Card Expense	47,550.00	1.36%
6159 · Dues and Subscriptions	750.00	0.02%
6160 · EPLI Insurance	16,000.00	0.46%
6180 · Insurance	7,500.00	0.21%
6190 · Liability Insurance	10,053.04	0.29%
6245 · Music and Entertainment	50,000.00	1.43%
6255 · Payroll Processing	7,847.94	0.22%
6260 · Printing and Reproduction	2,820.73	0.08%
6270 · Professional Fees	4,140.79	0.12%
6285 · Truck and Auto Expense	847.81	0.02%
6290 · Rent	96,000.00	2.74%
6292 · Percentage Rent	175,067.91	5.0%
6300 · Repairs & Maintainance		
6310 · Building Repairs	6,000.00	0.17%
6320 · Cleaning Supplies	20,000.00	0.57%
6350 · Janitorial Exp	25,000.00	0.71%
6355 · Maintainance Contracts	10,082.71	0.29%
6300 · Repairs & Maintainance - Other	2,495.23	0.07%
Total 6300 · Repairs & Maintainance	**63,577.94**	**1.82%**
6360 · Meals and entertainment	7,500.00	0.21%
6500 · Utilities		
6510 · Cable	7,500.00	0.21%
6530 · Gas and Electric	55,000.00	1.57%
6535 · Propane	2,500.00	0.07%
6536 · Phone-Internet	4,200.00	0.12%

Hacienda Cantina
Profit Loss

6500 · Water	12,000.00	0.34%
Total 6500 · Utilities	81,200.00	2.32%
6560 · Cash Over/Short	311.61	0.01%
6950 · Misc Direct Operating Expenses	3,500.00	0.1%
7410 · Depreciation Expense	0.00	0.0%
Total Expense	1,666,555.37	47.6%
Net Ordinary Income	714,500.81	20.41%
Other Income/Expense		
Other Expense		
Taxes		
State (Franchise Tax Board)	800.00	0.02%
Total Taxes	800.00	0.02%
7200 · Administrative and General	105,000.00	3.0%
7300 · Advertising		
7328 · Radio	5,000.00	0.14%
7329 ·Digital-TV	15,000.00	0.43%
7330 · Print Media	45,000.00	1.29%
Total 7300 · Advertising	65,000.00	1.86%
Total Other Expense	170,800.00	4.88%
Net Other Income	-170,800.00	-4.88%
Net Income	543,700.81	15.5%

Prime Costs	2,154,904.00	61.5%

Hacienda Cantina
Profit Loss

	Jan 2016 through Dec 2016	% of Income
Ordinary Income/Expense		
Income		
3050 · Sales		
3060 · Beverage		
3061 · Beer	425,000.00	10.62%
3062 · Liquor	426,000.00	10.65%
3064 · Wine	225,000.00	5.62%
3065 ·Non - Alcoholic Beverages	145,000.00	3.63%
3060 · Beverage - Other	76,500.00	1.91%
Total 3060 · Beverage	**1,297,500.00**	**32.43%**
3070 · Food		
3071 · Food Sales	2,295,000.00	57.37%
3073 · Void Food Sales		0.0%
3070 · Food - Banquets	**198,550.00**	**4.96%**
Total 3070 · Food	**2,493,550.00**	**62.33%**
3550 · Discounts		
3551 · Emp Food	-27,550.00	-0.69%
3554 · Discounts	-15,000.00	-0.38%
Total 3550 · Discounts	**-42,550.00**	**-1.06%**
3050 · Sales - Retail-Pool	127,000.00	3.18%
Total 3050 · Sales	**3,875,500.00**	**96.88%**
3600 · Event Services	**125,000.00**	**3.13%**
Total Income	**4,000,500.00**	**100.0%**
Cost of Goods Sold		
4060 · Beverage		
4061 · Beer COS	125,000.00	3.12%
4062 · Liquor COS	109,000.00	2.72%
4063 · Wine COS	75,000.00	1.87%
4060 · Beverage - Other	15,550.00	0.39%
Total 4060 · Beverage	**324,550.00**	**8.11%**
4070 · Food Purchases		
4071 · Frozen Seafood	110,000.00	2.75%
4072 · Fresh Seafood	95,000.00	2.37%
4073 · Grocery-Dairy	170,000.00	4.25%
4074 · Produce	115,000.00	2.87%
4075 · Bread	105,552.00	2.64%
4076 · Meat & Poultry	205,000.00	5.12%
4077 · Non-Alcoholic Beverage	37,550.00	0.94%
4600 · To Go Paper Supplies	75,000.00	1.87%
4610 · Oil Filter	15,000.00	0.37%
Total 4070 · Food Purchases	**928,102.00**	**23.2%**
Total COGS	**1,252,652.00**	**31.3%**
Gross Profit	**2,747,848.00**	**68.69%**
Expense		

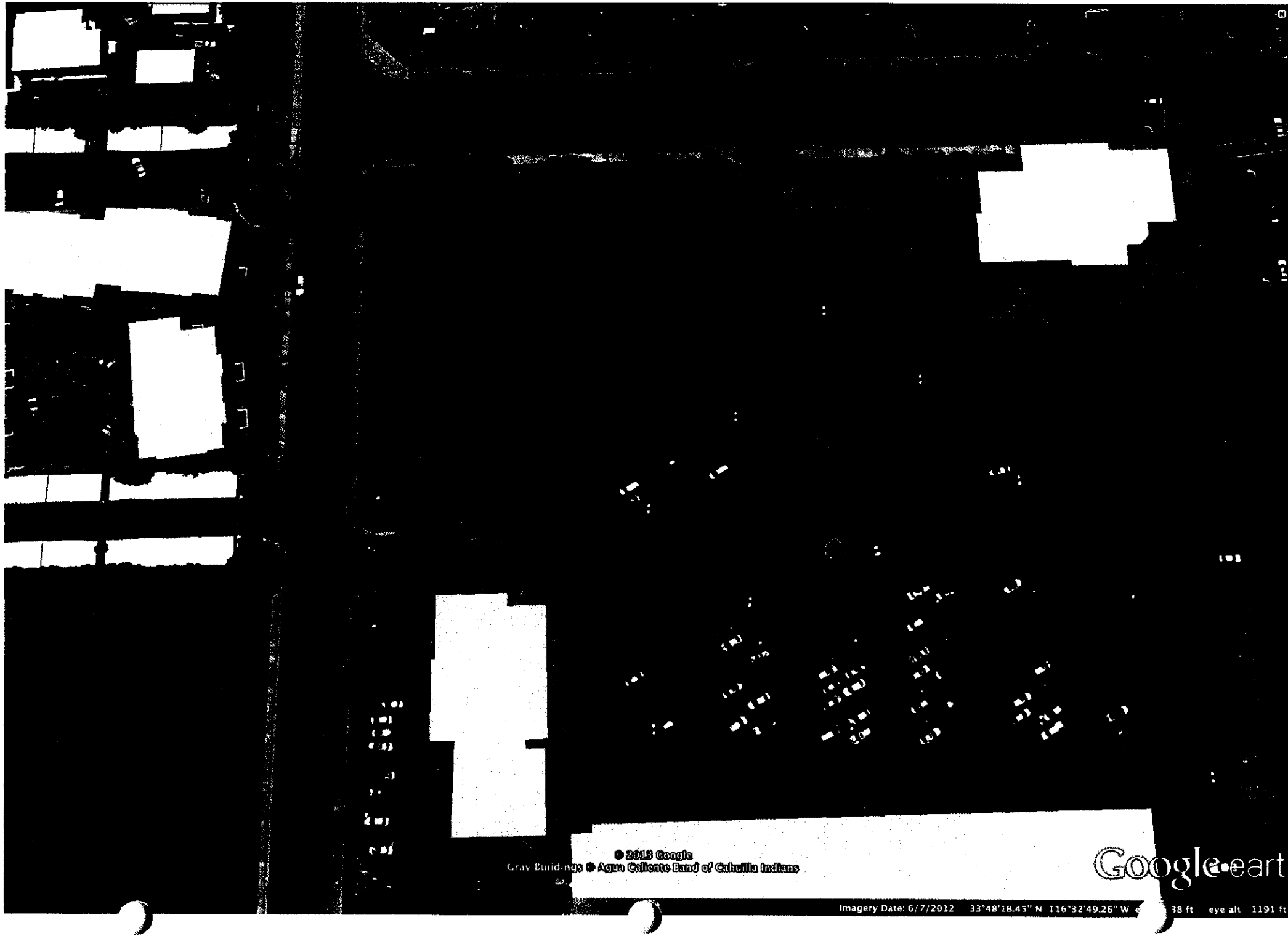
Hacienda Cantina
Profit Loss

5100 · Direct Labor		
5101 · Wages Expense	550,000.00	13.75%
5103 · Overtime	125,000.00	3.12%
5200 · Management Regular	210,000.00	5.25%
5100 · Direct Labor - Other	75,000.00	1.87%
Total 5100 · Direct Labor	**960,000.00**	**24.0%**
5300 · Indirect Labor		
5310 · Payroll Taxes	125,000.00	3.12%
5320 · Medical	12,000.00	0.3%
5330 · Worker's Comp Insurance	32,000.00	0.8%
5300 · Indirect Labor - Other	0.00	0.0%
Total 5300 · Indirect Labor	**169,000.00**	**4.22%**
6020 · China	10,000.00	0.25%
6030 · Glassware	12,000.00	0.3%
6040 · Silverware	4,200.00	0.1%
6050 · Smallwares - Misc Serving Equip	103.53	0.0%
6060 · Uniform	750.00	0.02%
6070 · Laundry	12,500.00	0.31%
6090 · Paper Supplies	76.30	0.0%
6095 · Uniforms	15,000.00	0.37%
6100 · Licenses and Permits	2,258.60	0.06%
6110 · Office Supplies	259.42	0.01%
6120 · Bank Charges	137.75	0.0%
6125 · Credit Card Expense	**55,000.00**	**1.37%**
6159 · Dues and Subscriptions	750.00	0.02%
6160 · EPLI Insurance	**16,000.00**	**0.4%**
6180 · Insurance	**7,500.00**	**0.19%**
6190 · Liability Insurance	**10,053.04**	**0.25%**
6245 · Music and Entertainment	**75,000.00**	**1.87%**
6255 · Payroll Processing	8,500.00	0.21%
6260 · Printing and Reproduction	5,250.00	0.13%
6270 · Professional Fees	4,140.79	0.1%
6285 · Truck and Auto Expense	847.81	0.02%
6290 · Rent	**96,000.00**	**2.4%**
6292 · Percentage Rent	**200,025.00**	**5.0%**
6300 · Repairs & Maintainance		0.0%
6310 · Building Repairs	6,000.00	0.15%
6320 · Cleaning Supplies	20,000.00	0.5%
6350 · Janitorial Exp	25,000.00	0.62%
6355 · Maintainance Contracts	10,082.71	0.25%
6300 · Repairs & Maintainance - Other	2,495.23	0.06%
Total 6300 · Repairs & Maintainance	**63,577.94**	**1.59%**
6360 · Meals and entertainment	7,500.00	0.19%
6500 · Utilities		
6510 · Cable	7,500.00	0.19%
6530 · Gas and Electric	55,000.00	1.37%
6535 · Propane	2,500.00	0.06%
6536 · Phone-Internet	4,200.00	0.1%

Hacienda Cantina
Profit Loss

6500 · Water	12,000.00	0.3%
Total 6500 · Utilities	**81,200.00**	**2.03%**
6560 · Cash Over/Short	311.61	0.01%
6950 · Misc Direct Operating Expenses	3,500.00	0.09%
7410 · Depreciation Expense	0.00	0.0%
Total Expense	**1,821,441.79**	**45.53%**
Net Ordinary Income	**926,406.21**	**23.16%**
Other Income/Expense		
Other Expense		
Taxes		
State (Franchise Tax Board)	800.00	0.02%
Total Taxes	800.00	0.02%
7200 · Administrative and General	**115,000.00**	**2.87%**
7300 · Advertising		
7328 · Radio	5,000.00	0.12%
7329 ·Digital-TV	15,000.00	0.37%
7330 · Print Media	45,000.00	1.12%
Total 7300 · Advertising	**65,000.00**	**1.62%**
Total Other Expense	180,800.00	**4.52%**
Net Other Income	-180,800.00	-4.52%
Net Income	**745,606.21**	**18.6%**

Prime Costs	2,381,652.00	59.5%


© 2013 Google
Gray Buildings © Agua Caliente Band of Cahuilla Indians
Google earth
Imagery Date: 6/7/2012 33°48'18.45" N 116°32'49.26" W
38 ft eye alt 1191 ft

PLANT LEGEND

Trees and Palms

Quantity	Symbol	Scientific Name	Common Name	Planting Size
9		Olea europaea	Olive	Existing
1		Schinus molle	California pepper tree	36"-Box Multi Tr.
13		Arecastrum romanzoffianum	Queen palm	24'-Box
18		Chamaerops humilis	Mediterranean fan palm	24"-Box
5		Phoenix dactylifera	Date palm	15' HT. Diamond cut
9		Washingtonia robusta	Mexican fan palm	12' Ht. Skinned
6		Chamaerops humilis	Mediterranean fan palm	Existing to remain
4		Arecastrum romanzoffianum	Queen palm	Existing to remain

Vines and Shrubs

Quantity	Symbol	Scientific Name	Common Name	Planting Size
14		Bougainvillea 'Barbara Karst'	Bougainvillea	15-Gal. @36" o.c. on wall
8		Callandra inaequilatera	Pink Powder Puff	15-Gal. @36" o.c. on wall
8		Ficus repens	Creeping Fig	5-Gal. @36" o.c. on wall
61		Callistemon viminalis	Little John	5-Gal
30		Carissa g. 'Boxwood Beauty'	Boxwood Beauty	5-Gal
38		Carissa g. 'Green Carpet'	Green Carpet natal plum	5-Gal
35		Ficus microcarpa	Indian laurel Fig	15-Gal
46		Lantana montevidensis	Trailing lantana	5-Gal
78		Lantana 'New Gold'	New Gold lantana	5-Gal
		Sod- Hybrid Bermuda		
		2" depth 3/4" Desert Gold Decomposed granite in all planters By Southwest Boulder and Stone		

Notes: Contractor to verify plant quantities before ordering plant material.

Washingtonia hybrid

Arecastrum romanzoffianum

Phoenix dactylifera

Schinus molle

Olea europaea

Chamaerops humilis

Callandra inaequilaters

Bougainvillea 'Barbara Karst'

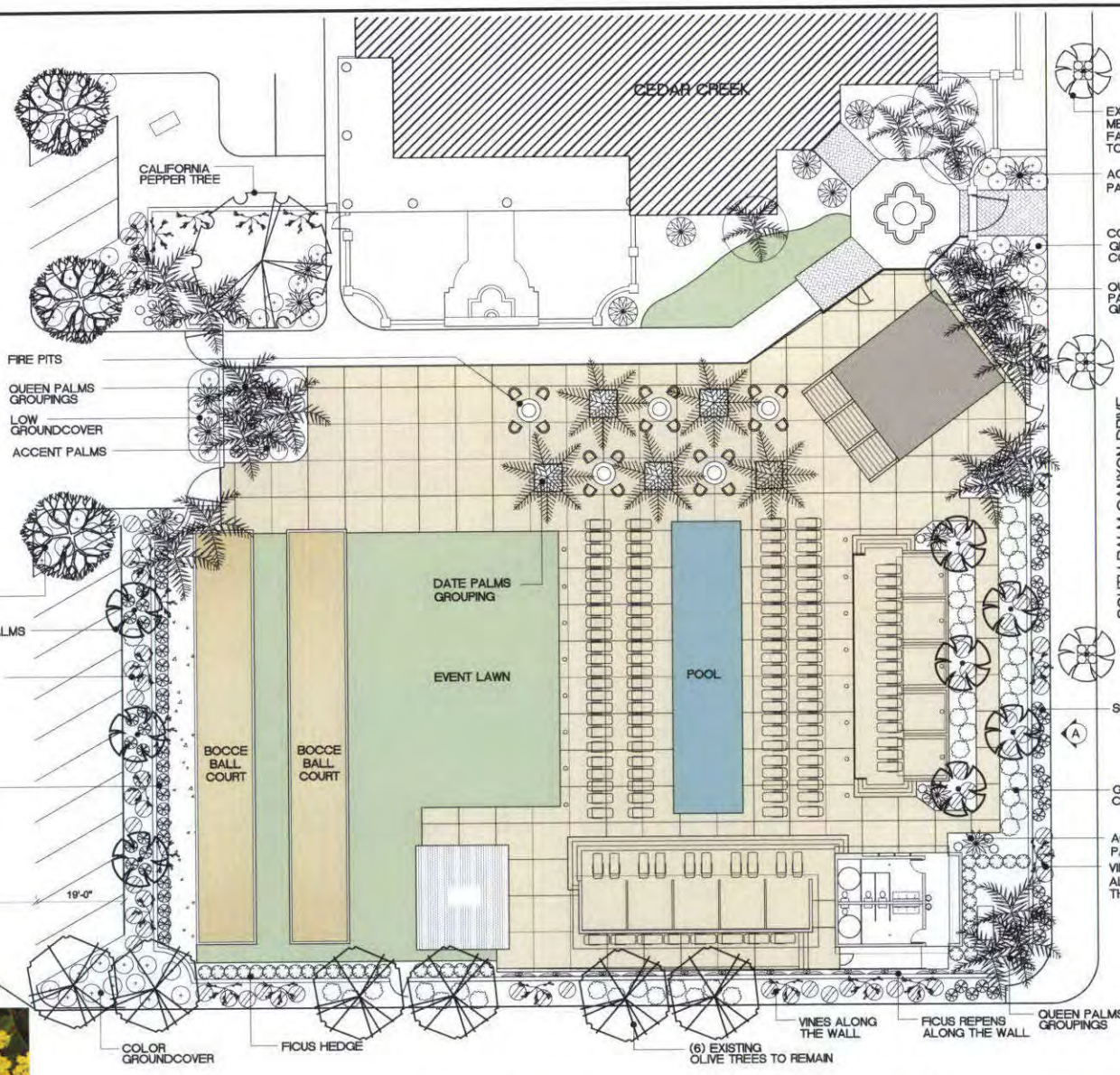
Ficus hedge

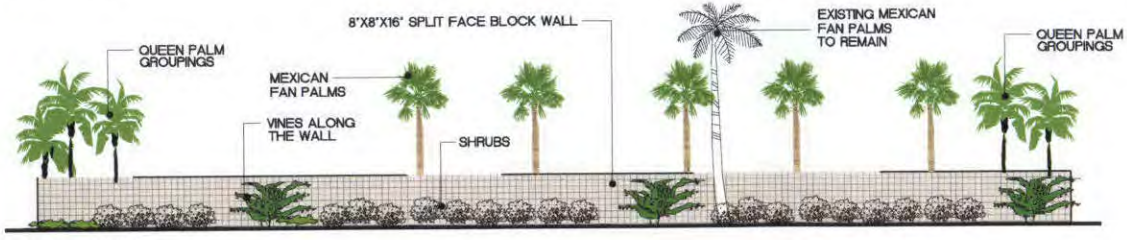
Lantana 'New Gold'

Carissa g. 'Green Carpet'

Callistemon v. 'Little John'

Lantana montevidensis





A WALL ELEVATION SCALE: 3/16"=1'-0"

T.K.D. ASSOCIATES, INC.
LAND PLANNING - LANDSCAPE ARCHITECTURE
75-791 San Jacinto Drive SUITE C
RANCHO MIRAGE, CALIFORNIA 92270
PH: (760) 776-1721 FAX: (760) 776-1763

PROJECT NAME
HACIENDA CANTINA AND BEACH CLUB
PALM SPRINGS, CALIFORNIA

SEAL/STAMP
REGISTERED LANDSCAPE ARCHITECT MICHAEL K. DOOLEY 2539 Signature Date STATE OF CALIFORNIA

CONSULTANTS

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SHEET TITLE
PLANTING PLAN

NORTH

SCALE 1"= 10'-0"

PROJECT NUMBER 1829

REVISIONS

NO	DATE	TYPE	BY

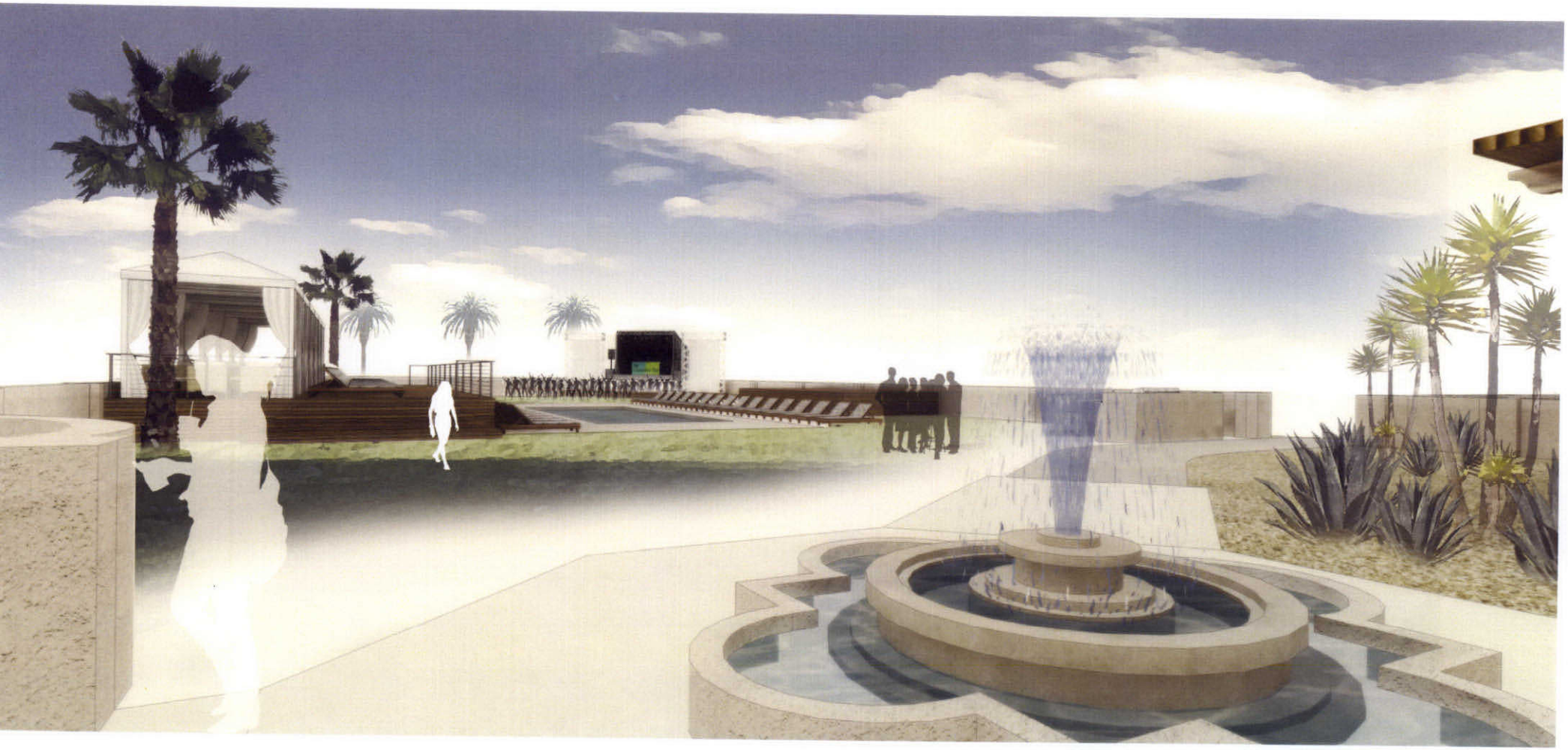
JOB NAME: MISSION
SHEET TITLE:
DATE: 09.30.2013
ISSUED FOR:
EFFECTIVE DATE:
DESIGN BY: TKD
DRAWN BY: EAP
JOB NUMBER:
FILENAME: 1829 PLANTING MISSION.DWG

SHEET NO:
TOTAL SHEETS
L-1

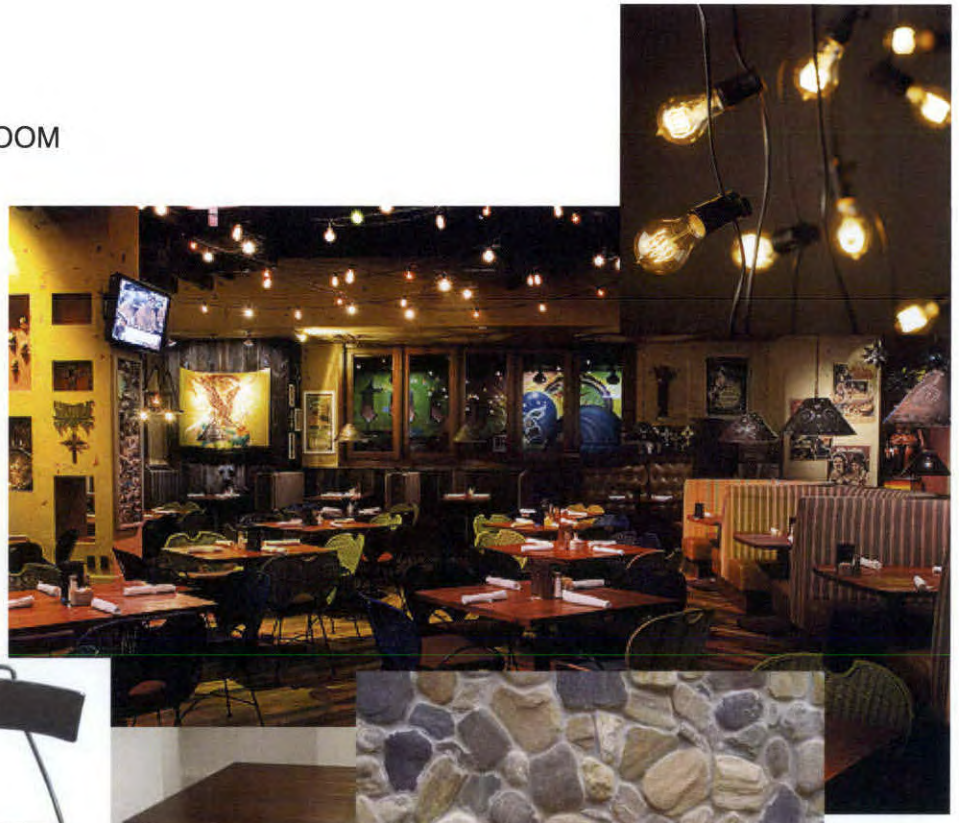
ROSS BAR PERSPECTIVE

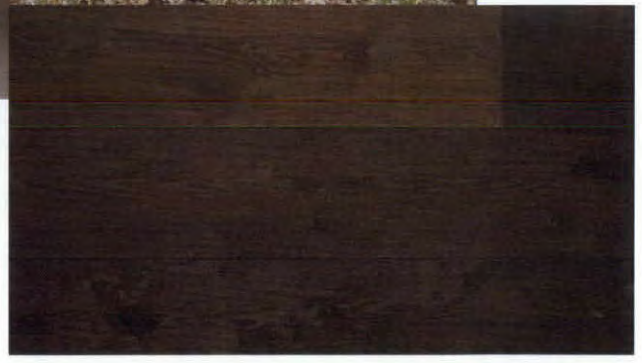
M
BAR

L'BAR PERSPECTIVE



DINING ROOM





CHRIS PARDO DESIGN

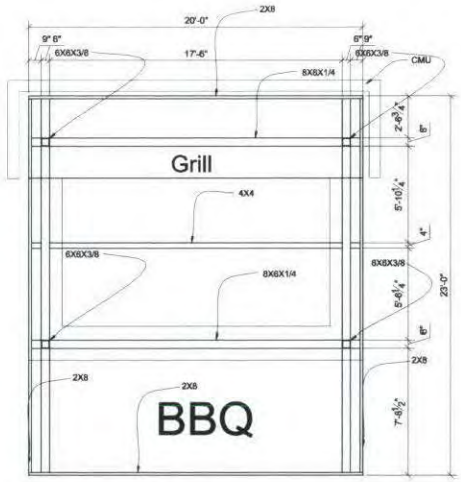
ELEMENTAL ARCHITECTURE

SKULL ROOM

CROSS ROOM

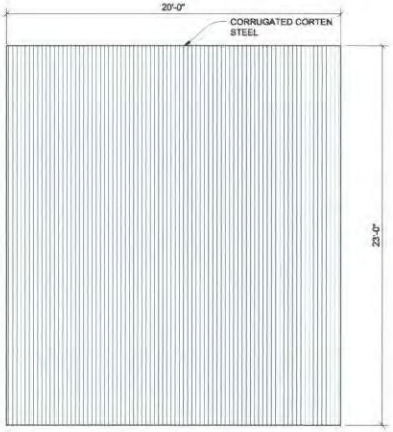
CHRIS PARDO DESIGN

ELEMENTAL ARCHITECTURE



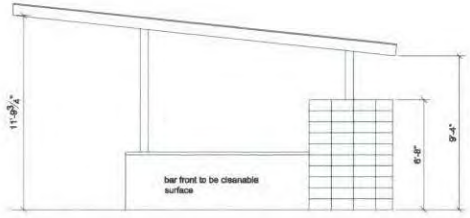
BBQ Floor Plan

SCALE: 1/4" = 1'-0"



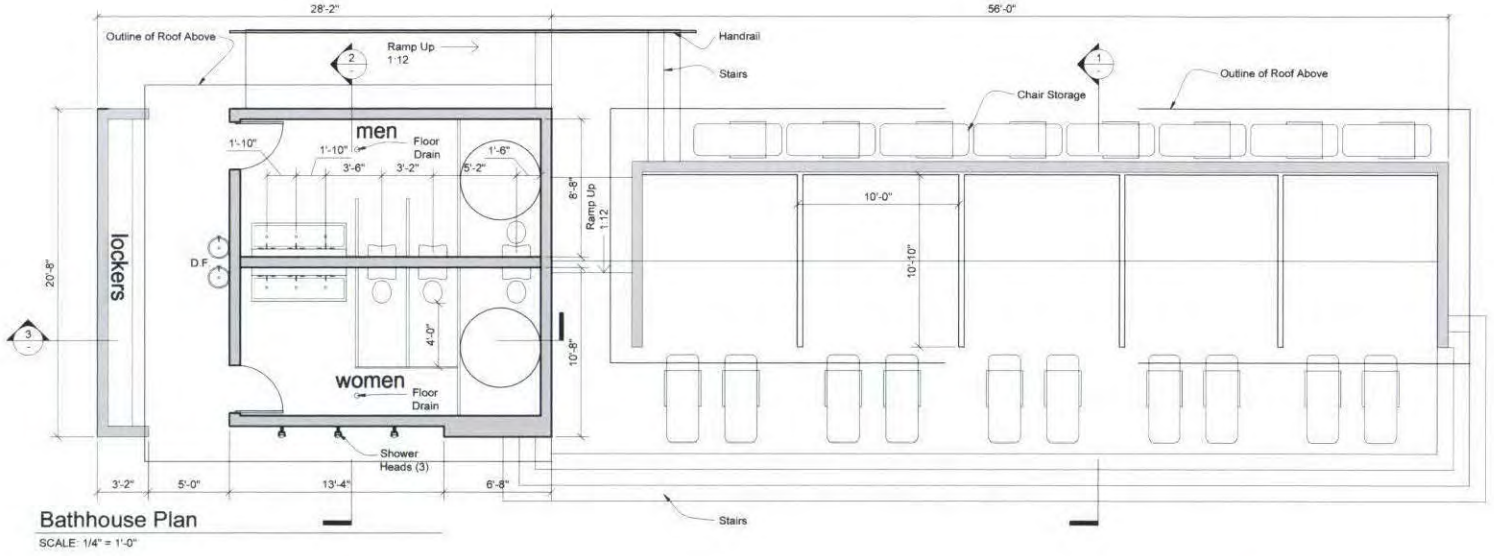
BBQ Roof Plan

SCALE: 1/4" = 1'-0"



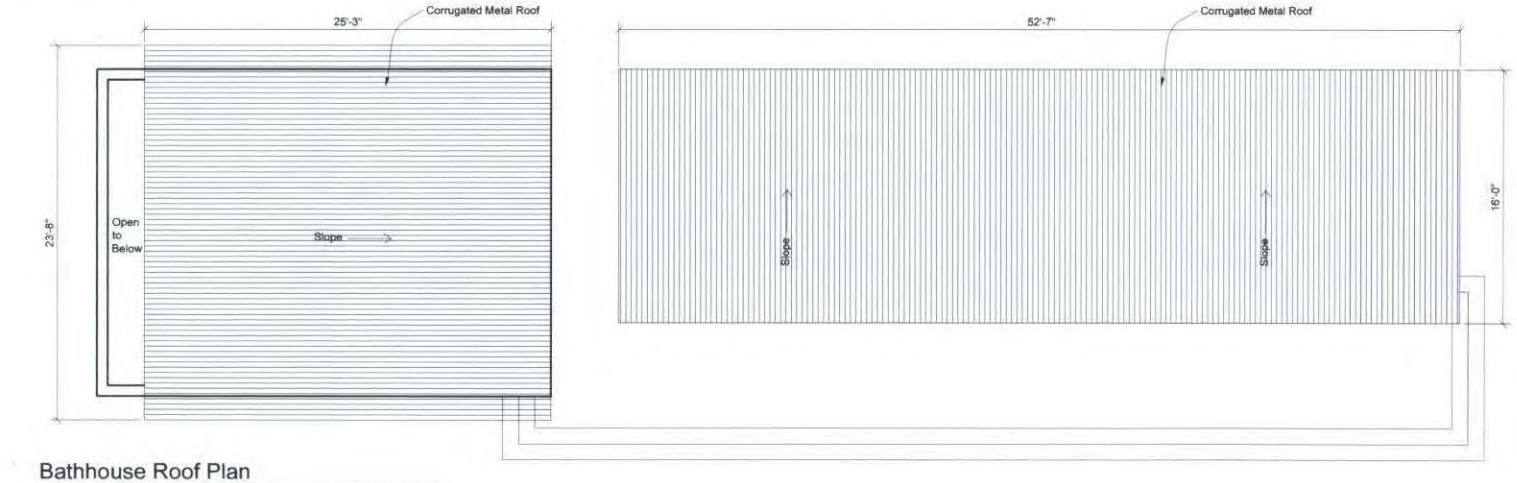
BBQ Elevation

SCALE: 1/4" = 1'-0"



Bathhouse Plan

SCALE: 1/4" = 1'-0"

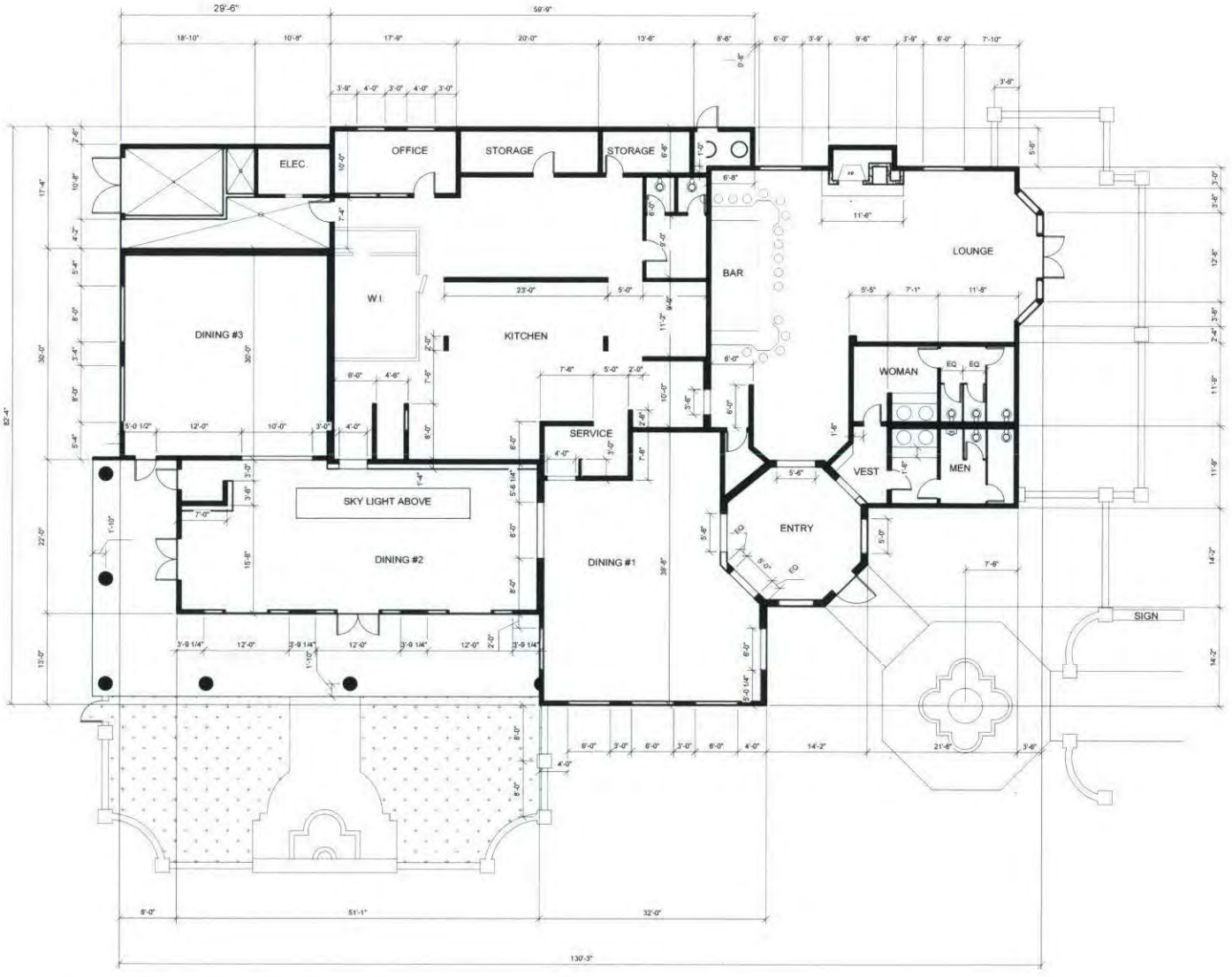


Bathhouse Roof Plan

SCALE: 1/4" = 1'-0"

Bathhouse 1

A3.0

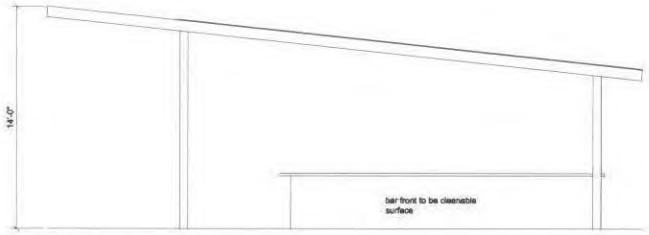


CEDAR CREEK INN - first floor plan

SCALE: 1/8" = 1'-0"

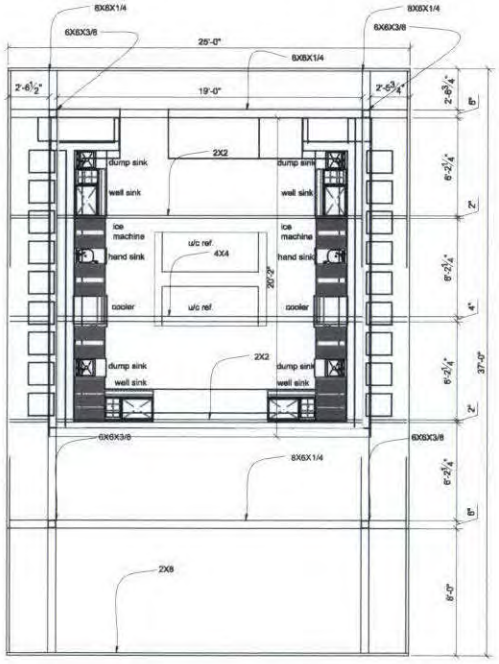
Existing
Floor Plan

A2.0



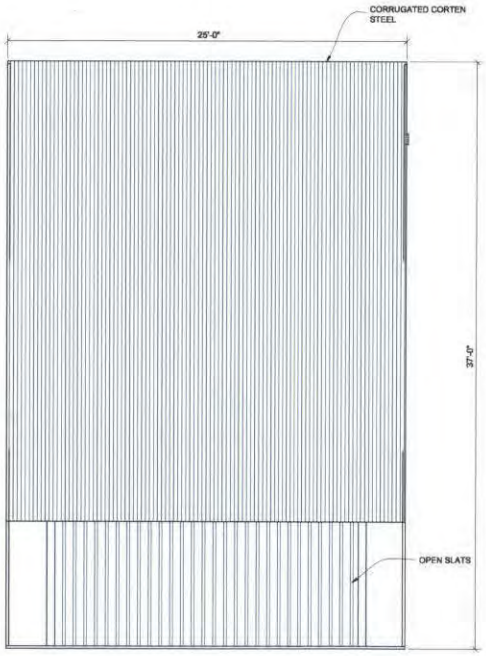
Palapa Bar Section

SCALE: 1/4" = 1'-0"



Palapa Bar Floor Plan

SCALE: 1/4" = 1'-0"



Palapa Bar Roof Plan

SCALE: 1/4" = 1'-0"

Palapa Bar

A3.4

CEDAR CREEK INN - Site plan

SCALE: 1" =30'

CHRIS PARDO DESIGN

1520 11th Ave.
Suite G
Seattle, WA 98122
p 206.351.6535

elementalarchitecture.com

© Chris Pardo Design, LLC 2013
These drawings were prepared for "Miggy's" project in Palm Springs, CA. They are not intended for use on any other project.

Miggy's

No	Date	Issue
1	00.00.00	Schematic

Site Plan

Job #: 000

A1.0

Sheet

HACIENDA
CANTINA & BEACH CLUB
PALM SPRINGS CALIFORNIA

CITY OF PALM SPRINGS BUSINESS LICENSE

3200 E TAHQUITZ CANYON WAY, PALM SPRINGS, CA 92262 (760) 323-8289
PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO RENEW AND UPDATE THIS LICENSE ANNUALLY.

BUSINESS NUMBER: 00005276
BUSINESS TYPE: DEVELOPMENT COMPANY
OWNER NAME: WESSMAN, JOHN

EXPIRATION	TAX/ADMIN. FEE	CERT NO
09/30/2015	18.00	3129
09/30/2015	67.00	3131
09/30/2015	1.00	60844

BUSINESS NAME: WESSMAN DEVELOPMENT COMPANY
BUSINESS ADDRESS: 555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

WESSMAN DEVELOPMENT COMPANY
555 S SUNRISE WAY
STE 200
PALM SPRINGS CA 92264

ISSUANCE OF THIS LICENSE DOES NOT ENTITLE THE LICENSEE TO OPERATE OR MAINTAIN A BUSINESS IN VIOLATION OF ANY OTHER LAW OR ORDINANCE. THIS IS NOT AN ENDORSEMENT OF THE ACTIVITY NOR OF THE APPLICANT'S QUALIFICATIONS.

MUST BE POSTED IN A CONSPICUOUS PLACE

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3200 E TAHQUITZ CANYON WAY, PALM SPRINGS, CA 92262 (760) 323-8289
PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO RENEW AND UPDATE THIS LICENSE ANNUALLY.

BUSINESS NUMBER:
BUSINESS TYPE:
OWNER NAME:

EXPIRATION TAX/ADMIN. FEE CERT NO

BUSINESS NAME:
BUSINESS ADDRESS:

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BUSINESS NUMBER:
BUSINESS TYPE:
OWNER NAME:

EXPIRATION TAX/ADMIN. FEE CERT NO

BUSINESS NAME:
BUSINESS ADDRESS:

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CITY OF PALM SPRINGS BUSINESS LICENSE

3200 E TAHQUITZ CANYON WAY, PALM SPRINGS, CA 92262 (760) 323-8289

PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO RENEW AND UPDATE THIS LICENSE ANNUALLY.

BUSINESS NUMBER: 20018000
BUSINESS TYPE: RESTAURANT & POOL HOUSE
OWNER NAME: MIGGYS CANTINA LLC
RICHARD MEANEY
BUSINESS NAME: HACIENDA CANTINA & BEACH CLUB
BUSINESS ADDRESS: 1555 S PALM CANYON DR

PALM SPRINGS, CA 92264

EXPIRATION	TAX/ADMIN. FEE	CERT NO
06/30/2015	18.00	69083
06/30/2015	28.00	69084
06/30/2015	1.00	69085
06/30/2015	466.00	69086
06/30/2015	92.00	69087
06/30/2015	101.00	69088

HACIENDA CANTINA & BEACH CLUB
1555 S PALM CANYON DR

PALM SPRINGS CA 92264

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CITY OF PALM SPRINGS BUSINESS LICENSE

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BUSINESS NUMBER:
BUSINESS TYPE:
OWNER NAME:

BUSINESS NAME:
BUSINESS ADDRESS:

EXPIRATION TAX/ADMIN. FEE CERT NO

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CITY OF PALM SPRINGS BUSINESS LICENSE

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BUSINESS NUMBER:
BUSINESS TYPE:
OWNER NAME:

BUSINESS NAME:
BUSINESS ADDRESS:

EXPIRATION TAX/ADMIN. FEE CERT NO

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MUST BE POSTED IN A CONSPICUOUS PLACE

Hacienda		
TASK	TOTAL	COMMENTS
Interior and Exterior cCombo		
Furniture, restaurant and pool.	$92,281.00	Sunkor and others
Temp fence	$2,730.00	PM-10 Fence around the job
Demo	$36,850.00	Curb Gutter, Parking lot,Lights, Palm Tree's
Relocate Olive trees	$5,200.00	relocate 5 olive trees
Curb and gutter	$12,256.00	Curb and gutter around the perimeter of the project
Ac parking lot repairs	$13,000.00	repair parking lot
Rough and finish grading	$12,825.00	over X for each buildings
SCE	$24,720.00	New main line for the existing building and outdide area and new 1200 amp panel
Storm drain	$21,700.00	Storm drain per presice grade plan
Foundation	$26,440.00	Palapa,cabanas and bathroom
Pool	$49,700.00	pool,pool equipment,dry well
patio deck	$30,187.00	all flat work
Masonry walls	$65,624.00	walls,planters,cabanas and bathrooms
Steel structures Fencing,gates and hand rails	$68,000.00	bath house,bar,cabanas and cabana handrails
over head doors	$19,200.00	over head doors for Palapa bar
Finish carpentry for bathroom	$6,689.00	Lockers,door ,jamb and hardware, partions and grab bars
Rough Carpentry	$12,000.00	burnt cedar on Palapa bar and cabanas
finish grade Landscaping	$69,851.00	per landscape plan 5000.00 for finish grade
Plumbing	$75,590.00	includes gas,sewer and water tie-ins
Electrical	$96,000.00	includes all electrical to each building
AV	$25,000.00	AV for cabanas and Palapa bar
Paint	$4,000.00	all fence and steel and floor
drywall	$1,500.00	drywall at inside of bar
FRP	$500.00	FRP at inside of bar
Counter top Material	$11,000.00	for palapa bar,bathrooms and cabanas
Counter Labor only	$6,800.00	for palapa bar,bathrooms and cabanas
Stainless steel	$20,000.00	Interior and exterior
bar equipment	$30,000.00	Interior and Exterior
Sub total	$726,517.00	

salaries	38000	Misc Labor
Liquor License	32000	Full 47
tile	20000	interior
tile labor	19000	interior
Bar and Bath counters	14000	Interior and exterior
Artwork	3700	inetrior
dump fees	3269	
POS System	42000	Interior and Exterior
booths	18,500	
plumbing interior	11790	
Paint in and out	20169	
Drywall	12150	
ti cioeling	3500	
Interior Electric	17615	
Refrigeration repair	2500	
Attorney Fees	17000	
Civil Engineering	22100	
Metal Work	16425	
Landscape Arch	3244	
Glass shelving	1400	
AV Exterior Rat Sound	123,000	
Ineterior Exterior Design fees	97,000	

Running Total on 3/17/14	$1,294,879.00

Historic - Contrib

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 02/18/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney	Address: 1555 S Palm Canyon Dr Palm Springs CA	Phone: 760 322 8804	
Contractor: Architectural Blue	Address: CA Palm Spimgs CA	Phone: 760-327-1533	Lic. Number: 879184
Architect	Address	Phone	
Engineer	Address	Phone	

Lot #	Block #	Tract	Parcel Number
?	+	+	513-300-038

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Addition

Use of building: Commercial | Permit Type: New Pool/Spa | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 25000.00 | Permit Fees Paid: 945.14

Describe work in detail:
New commercial pool.

Pursuant to Helath & Safety 115920-115929, whenever a bruilding perit is issued for the remodel or modification of a single family home wiht an existing swimming pool or spa, the permit shall require that the suction outlet be upgraded so as to be equipped with an approved anti-entrapment cover.

Overhead conductor clearances SHALL comply with NEC Table 680

Special Conditions:

Compliance with Swimming Pool Safety Article 7 required at encapsulation inspeciton.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

3-11-14

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled 6/30/14 KCruz

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-482

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

5/19/14 - Gas Press K Arnold

JOB CARD

Project address: 1555 Palm Canyon Dr S MASTER

Permit #: 2014-482

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

SWIMMING POOLS INSPECTIONS

Steel, Bonding, Setbacks:

Underground Piping & Electric: 3/25/14 K Arnold

Gas Pressure Test:

DO NOT GUNITE UNTIL THE ABOVE IS SIGNED

Equipotential Bonding: 5/5/14 K Arnold

Article 7 / Encap:

DO NOT PLASTER UNTIL ABOVE IS SIGNED

Final: 6/30/14 K Arnold

Compliance with Swimming Pool Safety Standard required at encapsulation inspection.

Pursuant to Health & Safety's 115920-115929, whenever a building permit is issued for the remodel or modification of a single family home with an existing swimming pool or spa, the permit shall require that the suction outlet be upgraded so as to be equipped with an approved anti-entrapment cover.

Overhead conductor clearances shall comply with NEC Table 680-8

Community & Economic Development

CERTIFICATE OF COMPLETION

WHEREAS, by an Interior Remodel Grant Agreement (hereinafter referred to as the ("Agreement") dated 6/10/14, ~~2015~~, by and between the City of Palm Springs, California, a California Charter City ("City"), and MOSS'S CANTINA, LLC a California Limited liability company ("Tenant/Owner"). Tenant/Owner has undertaken interior remodeling improvements for the real property (the "Site") described in the Agreement as 1555 S. PALM CANYON, ~~Palm~~ Springs, California.

WHEREAS, pursuant to Section 6 of the Agreement, upon completion of the interior remodel improvements a representative of the City of Palm Springs shall conduct a final inspection as part of the Evidence of Completion; and

WHEREAS, the issuance by City of the Certificate of Completion shall be conclusive evidence that Tenant/Owner has complied with the terms of the Agreement pertaining to interior remodel improvements of the Site; and

WHEREAS, City has conclusively determined that the interior remodel improvements of the Site has been satisfactorily completed as required by the Agreement.

1. As provided by the Agreement, City does hereby certify that the interior remodel improvements of the Site has been fully and satisfactorily performed and completed, and that such improvements is in full compliance with said Agreement.

2. This Certificate of Completion shall not constitute evidence of compliance with or satisfaction of any obligation of Tenant to any holder of a loan, or any insurer of money loaned to finance the improvement work on the Site, or any part thereof.

3. This Certificate is not a Notice of Completion as referred to in California Civil Code Section 3093.

4. Except as stated herein, nothing contained in this instrument shall modify in any way any other provisions of the Agreement.

IN WITNESS WHEREOF, City has executed this Certificate as of this 11 day of June, 2014 ~~2015~~.

THE CITY OF PALM SPRINGS, CALIFONRIA a California Charter City

By: _____

0.*

70.023.65+
39.815.35+
39.815.35-
139.815.35+
109.500.00+
171.580.00+
490.919.00*

490.919.00-
171.580.00+
109.500.00+
139.815.35+
70.023.65+
0.00*

0.*

10,200.00+
53,690.00+
21,900.00+
85,790.00+
171,580.00*

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 15th day of March, 2014, between:

SUBCONTRACTOR

Name Southwest Plumbing

Address P.O. Box 2006

Phone/Email 760-343-2345 / info@southwestplumbinginc.com

On or about the 15th day of March, 2014, Contractor entered into a "Prime Contract" with:

OWNER

Name Miggy's Cantina LLC

Address 700 E Tahquitz Canyon Way Suite A Palm Springs CA 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA

Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

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SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

Palm Springs approved Building and Precise grade plan, County of Riverside Approved pool plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013

for the "Project" known as Hacienda Cantina and Beach Club

and located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101.

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between ~~Contractor~~ Owner and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to ~~Contractor~~ Owner in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Owner ~~Contractor~~, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Inside Restaurant

1.Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

2.Provide and install (1) new 1/2" back flow for soda machine at same area Rework existing plumbing lines to accommodate both Provide and install (1) new E-Max ex144 tankless water heater (electric to be done by others)

3.Add new commercial auto washer box at kitchen sink stub outs in order to recess all within the walls with water only

4.Add floor sink at existing hand sink behind cook line Demo and patch back concrete as needed (tile repairs to be done by others)

5.Pressure test gas system on cook line Repair are replace existing gas pressure regulator to the gas appliance at the west end of the cook line Add (3) new commercial gas flexes with disconnects at the north cook line Add and 1 1/4" removable connection on the existing gas appliance at the north cook line

6.Provide and install (1) new hot and cold water pot fill faucet at the north cook line Repair with new stems and washes all faucets in the main kitchen

7.Repair the 3/4" condensate drain line inside the walk in cooler Check the drains at the circle three comp sink the ensure all drains work Add piping to one drain the has been cut off on same sink

8.Provide and install (1) new repair flange to replace existing at the employees restroom Install customer provided toilet at same restroom

9.Install customer provided water less urinal at men's restroom Provide missing caps on Sloan valves for toilets Reverse the auto flush valve with sensor facing the proper way Repair are replace (1) Sloan angle stop at center toilet

10.Install customer provided strainers with all new connection materials needed

11.Install (2) customer provided faucets and strainers at women's restroom Provide and install all new connection materials needed Provide-missing caps on Sloan valves for toilets Repair and snake center toilet

12.Check and adjust pressure on all toilets Seal around all toilets

$10,200.00

Outside Venue

1.Provide and install a complete abs waste system to accommodate new floor plan on P.2.10 - P3.10 dated 9-9-13 with all proper venting and (2) p.o.c's to existing sewer line .

2.Provide and install floor drains and floor sinks as shown on plans .

3.Provide and install a 500-gallon grease interceptor with sample box complete with (1) p.o.c to existing sewer line

4.Provide concrete riser rings as needed to bring up to grade with new steel lids

5.Provide and install a new grease waste system to accommodate (1) food cart on P4.10 dated 9-9-13 with all proper venting

6.Provide and install (2) trap primer valves behind access panels

7.Provide and install (1) 1 1/4" hammer arrestor behind access panel at restrooms

8.Provide and install a new type (L) copper water system to accommodate same areas including (2) Woodford wall hose bibs

9.Provide and install (1) new 1 1/4" back flow device with water pressure regulator with all brass connections per water district specs

10.Provide and install a 3/4" hot water loop system with sleeve and insolation this to include food cart

11.Provide and install isolation valves in yard boxes as plans show Install the new water heater with circ pump, expansion tank and all connection materials required this to include food cart

12.Provide and install a new 2" p.e. Low pressure gas line from existing gas meter to feed new Food Cart, water heater and pool heater and Tee's for fire pit area .Tie new gas into existing gas meter after inspections

13.Provide tracer wire over piping per plumbing code , test system at 15 p.s.i. for inspection

14.Provide 4" sleeve over gas piping running under any slab or patio areas

15.Vent gas sleeve to proper location

16.Connect gas lines to food cart with approved commercial gas flex

17.Connect kitchen plumbing fixtures with all new connection materials needed

18.Connect all plumbing fixtures at men's and women's restrooms , including drinking fountain and outside shower

19.Provide all new connection materials needed

20..Install electric water heater at Palapa bar.

21.Installation of complete plumbing system to Palapa Bar, Bathroom ,outside Shower and food cart.

$53,690.00

OPTION #1Provide plumbing fixtures listed (4) Vortens ada height 1.28 toilets with seats and Zurn flush valves (2) Vortens urinals with Zurn flush valves (2) Bradley Verge LVGD3 tripple bowl, stainless steel, with faucet and soap dispenser (3) Delta R1000 shower valves with trim T14259-LHD (1) ADA Delta RPW324HDF slide bar with sprayer (1) Haws drinking fountain 1011 high/low (1) Rheem 42V60FN 60 gallon ultra low nox water heater. Supply electric water heater at Palapa bar

$21,900.00

General

1.Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403

2. Subcontractor to clean up all debris from their scope of work at the end of each day using the contractor supplied dumpster.

3.Subcontractor to call dig alert prior to starting work and maintain their dig alert number until their scope of work is complete.

4. This Contract is a Lump Sum Contract

5.All work to done per the City of Palm Springs and the county of Riverside Health Department all local rules, regulations,

6. All work done by subcontractor must meet the city of Palm Springs Standards and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: Eighty Five Thousand Seven Hundred and Ninety Dollars ($85,790.00) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory to Contractor, and it is agreed that no payment hereunder shall be made, except at Contractor's option, until and unless such documents have been furnished. Contractor, at its option, may make any payment due hereunder by check made payable jointly to Subcontractor and of its subcontractors and/or suppliers who have performed Work or furnished materials under this Subcontract. Any payment made hereunder prior to completion and acceptance of the Project, as referred to above, shall not be construed as evidence of acceptance or acknowledgement of completion of any part of the Work, or waiver of any Contractor's rights.

Contractor's monthly progress payments to Subcontractor shall be subject to retention as follows (select one of the following options):

☒ If the Project is a private work of improvement, Contractor shall be entitled to retain ten percent (10%) of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☐ If the Project is a public work of improvement, and if Contractor requested performance and payment bonds from Subcontractor in the solicitation for bids and Subcontractor failed or refuse to provide such bonds, then Contractor shall be entitled to retain N/A percent (N/A%) of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☐ If the Project is a public work of improvement, and if Contractor did not request performance and payment bonds from Subcontractor in the solicitation for bids, then Contractor shall be entitled to retain only that percentage specified in the Prime Contract of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☐ If the Project is a public work of improvement, and if Contractor requested performance and payment bonds from Subcontractor in the solicitation for bids and Subcontractor provided such bonds, then Contractor shall be entitled to retain only that percentage specified in the Prime Contract of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

prevailing party shall be fully compensated for the cost of its participation in such proceedings, including the cost incurred for attorneys' fees and experts' fees. Such attorneys' fee award shall not be computed in accordance with any court schedule, but shall be such as to fully reimburse all attorneys' fees actually incurred in good faith, regardless of the size of a judgment, it being the intention of the parties to fully compensate for all attorneys' fees and experts fees paid or incurred in good faith. In the case of a dispute under the Prime Contract dispute resolution provisions, Subcontractor shall be entitled to such attorneys' fees and other costs as may be provided for under the Prime Contract.

SECTION 25. LABOR AGREEMENTS

The Contractor is signatory to the following labor agreements covering work on this Project:

N/A

SECTION 26. SPECIAL PROVISIONS:

N/A

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTOR'S STATE LICENSE BOARD WHICH HAS JURISDICTION TO INVESTIGATE COMPLAINTS AGAINST CONTRACTORS IF A COMPLAINT REGARDING A PATENT ACT OR OMISSION IS FILED WITHIN FOUR YEARS OF THE DATE OF THE ALLEGED VIOLATION. A COMPLAINT REGARDING A LATENT ACT OR OMISSION PERTAINING TO STRUCTURAL DEFECTS MUST FILED WITHIN 10 YEARS OF THE DATE OF THE ALLEGED VIOLATION. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS STATE LICENSE BOARD, P.O. BOX 26000, SACRAMENTO, CA 95826.

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: 4-15-14 Dated: 3.24.14

Owner: MIDSYS CORTINA LLC **SUBCONTRACTOR:**

By: By: J.P.

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_____	_____ V.P
(NAME & TITLE)	(NAME & TITLE)
_____	_____731805 (C-36)_____
	(CONTRACTOR'S LICENSE NO.)

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 26th day of March, 2014, between:

SUBCONTRACTOR

Name JMN Services INC. dba Archblue J. Matthew Nagle

Address P.O. Box 1215 Palm Springs CA. 92262

Phone/Email 760-327-1533/jmattn@archblue.com

On or about the 15th day of March, 2014, Contractor entered into a "Prime Contract" with:

OWNER

Name Miggy's Cantina LLC

Address 700 E Tahquitz Canyon Way Suite A Palm Springs CA 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA

Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

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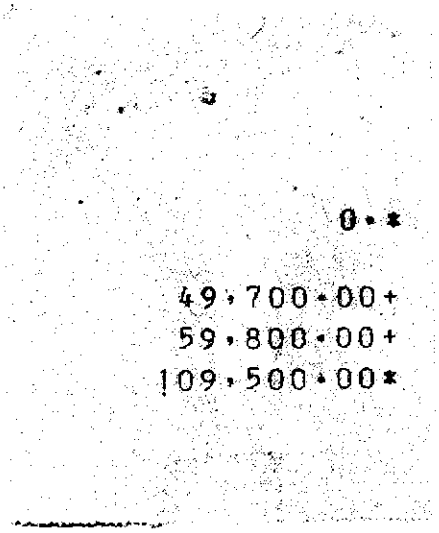
0.*
49,700.00+
59,800.00+
109,500.00*

SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

Palm Springs approved Building and Precise grade plan, County of Riverside Approved pool plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013

for the "Project" known as Hacienda Cantina and Beach Club

and located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101.

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between Contractor and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to Contractor in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Contractor, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

1. Depth of the pools shall vary from 3 to 4'6" feet with two steps at entry to pool.
2. Pools Equipment: Filter Pentair Sand Filter TR140 140243,Skimmer Pentair U-3 08650-3403,Pump Pentair intelliflo VF 011012,Flow Meter H2Flow Controls FlowVis FVJ-C,Heater Jandy HIE-2 Heater EHE350NB, Drain Equalizer Covers Paramount SDX SDX0772 ,Lights (3) 500 Watt, Automation Hayward HCC2000 and Lift Pentair 11200 Aqua Tram w Anchor.
3. subcontractor to supply and install Depth tile markers, tile trim markers at edge of step and waterline tile as required by the City of Palm Springs and the county of Riverside Health Department.
4. Coping by others.
5. Standard White plaster.
6. Excavation and backfill of the pools, including placing excess fill in a location designated by Superintendent.
7. All materials and equipment necessary to complete the pools per the City of Palm Springs and the county of Riverside Health Department all local rules, regulations, including, but not limited to, the following: steel, formwork, plumbing with auto fill line and skimmer 9.line, dual main drains, circulation lines to equipment location, gunite, etc.
8. Supply Sleeve required for Lift prior to pouring decking around pool.
9. Hand rail to be installed per the City of Palm Springs and the county of Riverside Health Department.

10.Provide conduit and wire to pool equipment area from stub location at the Pool Equipment area.

11.Provide gas pipe to pool equipment area from stub location at the Pool Equipment area.

12.All excavation and backfill required for plumbing, electric, gas, etc. associated with this work.

13.Breakers for the pool equipment will be supplied by the electrician and put into the panel. .

14.All hook up of equipment and wiring associated with this work.

15.3-year warranty.

16.Complete pool design as required by the city and the county of Riverside Health Department to get a permit. Includes engineering plans.

17.City permits.

18.All layouts.

19. Subcontractor to clean up all their debris at the end of each day using contractor supplied dumpster.

20. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

21.subcontrator to supply and install Drywell per the City of Palm Springs and the county of Riverside Health Department.

22.Protection of pool perimeter with appropriate material so other trades are protected during construction_____

_____

_____

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A_____

_____

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: Forty Nine Thousand Seven Hundred Dollars. ($49,700.00___) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory

prevailing party shall be fully compensated for the cost of its participation in such proceedings, including the cost incurred for attorneys' fees and experts' fees. Such attorneys' fee award shall not be computed in accordance with any court schedule, but shall be such as to fully reimburse all attorneys' fees actually incurred in good faith, regardless of the size of a judgment, it being the intention of the parties to fully compensate for all attorneys' fees and experts fees paid or incurred in good faith. In the case of a dispute under the Prime Contract dispute resolution provisions, Subcontractor shall be entitled to such attorneys' fees and other costs as may be provided for under the Prime Contract.

SECTION 25. LABOR AGREEMENTS

The Contractor is signatory to the following labor agreements covering work on this Project:

N/A

SECTION 26. SPECIAL PROVISIONS:

N/A

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTOR'S STATE LICENSE BOARD WHICH HAS JURISDICTION TO INVESTIGATE COMPLAINTS AGAINST CONTRACTORS IF A COMPLAINT REGARDING A PATENT ACT OR OMISSION IS FILED WITHIN FOUR YEARS OF THE DATE OF THE ALLEGED VIOLATION. A COMPLAINT REGARDING A LATENT ACT OR OMISSION PERTAINING TO STRUCTURAL DEFECTS MUST FILED WITHIN 10 YEARS OF THE DATE OF THE ALLEGED VIOLATION. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS STATE LICENSE BOARD, P.O. BOX 26000, SACRAMENTO, CA 95826.

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: 5-1-14

Owner:

By: _____

Dated: _____

SUBCONTRACTOR:

By: _____

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 31st day of March, 2014, between:

SUBCONTRACTOR

Name Collins Electric

Address P.O. Box 584 Temecula CA. 92593

Phone/Email 951-506-3960/collinselectriccorp@verizon.net

On or about the 4th day of April, 2014 Contractor entered into a "Prime Contract" with:

OWNER

Name Miggy's Cantina LLC

Address 700 E Tahquitz Canyon Way Suite A Palm Springs CA 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA

Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

Revised electrical plan from La Salle electric dated 3/15/14

for the "Project" known as Hacienda Cantina and Beach Club

and located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101.

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between Contractor and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to Contractor in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Contractor, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

1.**Panel Boards:** All panel boards are NEMA 3R, exterior, weather proof rated. (1) 200 amp, 3 phase, 208/120v *Panel A* with (40) 1P-20 amp and (1) 2P-30 amp breakers, per panel schedule; (1) 200 amp, 3 phase, 208/120v, Event Power Panel with (10) 1P-20 amp and (2) 2P-30 amp, (2) 2P-50 amp breakers – panel schedule not provided; (1) 100 amp, 3 phase, 208/120v *Pool Panel* with (10) 1P-20 amp and (2) 2P-50 amp breakers, panel schedule not provided; (1) 50 amp, 3 phase, 208/120v *Food Court Power* with (40) 1P-20 amp and (1) 2P-30 amp breakers, per panel schedule. Does not include any breakers at the MSB – to be provided by MSB supplier, per single line diagram.

2.**Panel Board Feeders:** Includes conduit and wire from the MSB to each panel board. (2) 3" PVC conduits with (4) #250 MCM aluminum and (1) #2 aluminum ground sub feeds to Panel board A and Event Power Panel board; (1) 3" PVC conduit with (4) #1/0 aluminum and (1) #6 aluminum ground sub feed to Pool Equipment Panel Board; (1) 1" PVC conduit with (4) #6 and (1) #8 sub feed to Food Court Panel Board.

3.**CATV Conduits:** (1) 2" PVC conduit with pull rope only from building to WP J-box located at each (2) Cabana structure. **CATV Conduits:** (2) 2" PVC conduits with pull rope only from building to WP J-box located adjacent to Panel A. (1) 1" PVC conduit from WP J-box location adjacent to Panel A to each Cabana unit for a total of (10) 1" PVC conduits in shared trench. Includes trenching and backfill.

(1) 2" PVC conduits with pull rope only from building to WP J-box located adjacent to Panel A. (1) 1" PVC conduit from WP J-box location adjacent to Panel A to each POS/telephone location in shared trench. Includes trenching and backfill.

4.Landscape Lighting: ¾" PVC conduit to each landscape light with #10 or #12 conductors (wires), as per plans. (24) concrete encased step lights, (7) Olive tree up lights, Includes pull boxes as needed.

5.Trenching: Includes all trenching, backfill and compaction.
6.Cabana's: Includes underground ¾" PVC conduit and ½" EMT above ground conduit for Cabana electrical. Each Cabana to receive (2) WP single pole switches, (1) GFCI receptacle, (2) Directional light fixtures, (1) Reinforced ceiling fan outlet and (1) CATV conduit only outlet. All items to be weather proof rated. Each (2) cabana structure to receive surface mounted J-box for power and CATV connections.

7.Palapa Electrical: Includes all underground PVC and above ground EMT conduit and wiring for all lighting and electrical outlets. EMT conduit to run within. All receptacles, switches and light outlets to be WP rated.

8.Bathroom Electrical: Bathroom structure to receive (21) light outlets, (2) power outlets for hand dryers, (1) power outlet for drinking fountain. Lighting to be controlled by lighting control panel. All EMT conduit to run in block wall and concealed in wood framing.

9.Lighting Control Panel: (1) 365 day, digital, programmable, astronomical time clock located adjacent to Panel Board A to operate all landscape and bathroom lighting, per diagram, with photocell. Includes all relays and contactors in WP enclosure.

10.AV System: (8) 1" flex conduits to run from AV closet located within restaurant to the side of building near MSB and to be chased to ground level in (1) 4" EMT conduit to WP J-box mounted down low at the side of the restaurant structure. From said J-box, (8) 1" PVC conduits to run to each 16' 8"x8" steel column and DJ booth individually. Conduit to receive pull string only – does not include speaker wire, as instructed on plans. Does not include steel columns, speaker wire or components.

11.AV Closet Electrical: (5) dedicated 120v, 20 amp circuits with isolated grounds to run from sub panel located at the restaurant electrical room to the AV closet with receptacle

12.Fixtures: Includes the following fixtures and components: Halo GES2-04-3/PMCB exterior track light fixtures – 4 foot tracks with 6 heads per track; (24) Focus-Concrete encased recessed fluorescent wall/step light fixture for Cabana's and stage indirect lighting (***note: these were not specified on plans - $100 per fixture allotment***; **DOES NOT INCLUDE:** (30) Focus up light fixtures and (13) Exterior ceiling fan fixtures @ Cabana and Palapa – to be supplied by owner, per fixture schedule.

13.Miscellaneous: All material to be exterior and weatherproof rated. Includes all receptacles, switches, J-boxes and covers, lighting controls and relays, conduits, conductors, pull boxes, Bell boxes, WP enclosures and connections. Includes lighting fixtures as outlined.

14. Buildings included are 1.Palapa Bar,2 Cabanas and Bathroom.

15. All work done by subcontractor for the rough and finish Electric of this project must meet the city of Palm Springs standards and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

16.Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403

17. Subcontractor to clean up all debris from their scope of work at the end of each day using the contractor supplied dumpster.

18.Subcontractor to call dig alert prior to starting work and maintain their dig alert number until their scope of work is complete.

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: Fifty Nine Thousand Eight Hundred ($59,800.00___) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory to Contractor, and it is agreed that no payment hereunder shall be made, except at Contractor's option, until and unless such documents have been furnished. Contractor, at its option, may make any payment due hereunder by check made payable jointly to Subcontractor and of its subcontractors and/or suppliers who have performed Work or furnished materials under this Subcontract. Any payment made hereunder prior to completion and acceptance of the Project, as referred to above, shall not be construed as evidence of acceptance or acknowledgement of completion of any part of the Work, or waiver of any Contractor's rights.

Contractor's monthly progress payments to Subcontractor shall be subject to retention as follows (select one of the following options):

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: _____	Dated: 4/4/2014
Owner: _____	**SUBCONTRACTOR:** Collins Electric
By: _____	By: _____
_____ (NAME & TITLE)	Dan Collins - President (NAME & TITLE)
	286119 (CONTRACTOR'S LICENSE NO.)

[redacted]

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139.815.35.
139.815.35.

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 26th day of September, 2013, between:

SUBCONTRACTOR

Name Dateland Construction CO. INC.

Address 83-801 Avenue 45 Indio CA. 92201

Phone/Email 760-342-2999/egarber@datelandconstruction.com

On or about the 12th day of March, 2014, Contractor entered into a "Prime Contract" with:

OWNER

Name Miggys Cantina LLC

Address 700 E. Tahquitz Canyon Way Suite A Palm Springs CA. 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA

Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

Palm Springs approved Building and Precise grade plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

for the "Project" known as Hacienda Cantina and Beach Club

and located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101.

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between Contractor and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to Contractor in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Contractor, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

Dry Utilities

1. Install 5" Conduit per SCE plan 2/5/2014 for Back bone and service plan dated 11/13/2013.

2. All work to be done per SCE and City of Palm Springs Standards.

3. Subcontractor to install ¼" Yellow pull rope per SCE standards.

4. All trenches to be Backfilled and compacted to meet the Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

5. Once 5" conduit is in place backfilled and compacted subcontractor is to Schedule a inspection for Mandrelling.

6. Subcontractor is to supply and install 1200 amp SCE approved Switchgear Per SCE plan dated 11/13/2013 and Foundation as per specs for switchgear.

7. Subcontractor is to install 5" conduit to within 5' of the Vault at south Palm Canyon and 5' of the transformer at the north end of the Parking lot. Subcontractor will supply SCE crew with the necessary parts to connect the 5" conduit to these structures.

9. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

$24,720.00

Rough Grading

1. All work done by subcontractor for the rough grading of this project must meet the city of Palm Springs and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

2. Scope to include the over x of the Palapa Bar, two Cabanas and the bathrooms per city of Palm Springs and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

3. Once the building pads are over x and compacted per city of Palm Springs and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.subcontractor will bring them to the finished pad elevation on the approved precise grading plan.

4. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

$13,740.00

Site Concrete Improvements

1. Subcontractor to supply and install 4" thick PCC sidewalk with Micro Fiber mesh Following the city of Palm Springs standards and approved precise grading plan.

2. Subcontractor to supply and install 6" Curb and gutter following the city of Palm Springs standards and approved precise grading plan.

3. Subcontractor to supply and install 6"x12" Curb only at the Bocce ball court following the city of Palm Springs standards and approved precise grading plan.type B W Trunc. Domes

4. Subcontractor to supply and install curb ramp with following the city of Palm Springs standards and approved precise grading plan.

5. All Site concrete work to meet the city of Palm Springs standards and approved precise grading plan.

6. All Site concrete work to comply with the Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

7. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

8. Sub grade prep for all concrete site work is part of this scope.

9. The site concrete work is a lump sum contract.

$42,941.35

Foundations

1.Foundations include's Palapa Bar, 2 Cabana's and Bathroom.

2. Construct Foundation for the 2 Cabana's will include 100 LF of 12"x15" footing ,digging, setting steel ,pouring concrete ,backfill and tie into CMU footings Per the Palm Springs approved Building and Precise grade plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

3.Construct Foundtion for the bathroom will include 135 LF of 18"x4'9" ,2504 SF of 6" thick concrete with #5 12" O.C.E.W. footing ,digging, setting steel ,sand and Visqueen,pouring concrete ,backfill Per the Palm Springs approved Building and Precise grade plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

4. Construct Foundation for Palapa Bar will include 4 footings at 14"x14"x14",1 20'x14"x14" Moment frame footing,50" of 8"x8" curb,2504 SF of 4" thick concrete with Micro Fiber mesh, dig footings, set steel and Backfill Per the Palm Springs approved Building and Precise grade plan and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

5. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403

$26,440.00

Storm Drain

680 LF	4" SDR-35 PVC
285 LF	4" SDR-35 PVC
75 LF	4" SDR-35 PVC
29 EA	4" ROUND BRASS AREA DRAINS
9 EA	6" SQUARE AREA DRAIN
1 EA	12"x12" DRAIN W/TRAFFIC GRATE (concrete box)
1 EA	KRISTAR DUS-36C DUAL VORTEX SEPERATOR
6 EA	4" ATRIUM GRATE
1 LS	MOBILIZATION

$31,974.00

General

1. Flat work Cabana where it is attached to CMU and pools edge will be Cantilever.

2. Subcontractor to insure that all ready mix trucks use Contractor supplied concrete wash pit.

3. Subcontractor to clean up all debris from their scope of work at the end of each day using the contractor supplied dumpster.

4.Subcontractor to call dig alert prior to starting work and maintain their dig alert number until their scope of work is complete.

[redacted]

5. This Contract is a Lump Sum Contract.

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: One Hundred Thirty Nine Thousand Eight Hundred Fifteen Dollars and Thirty Nine Cents. ($ 139,815.35) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory to Contractor, and it is agreed that no payment hereunder shall be made, except at Contractor's option, until and unless such documents have been furnished. Contractor, at its option, may make any payment due hereunder by check made payable jointly to Subcontractor and of its subcontractors and/or suppliers who have performed Work or furnished materials under this Subcontract. Any payment made hereunder prior to completion and acceptance of the Project, as referred to above, shall not be construed as evidence of acceptance or acknowledgement of completion of any part of the Work, or waiver of any Contractor's rights.

Contractor's monthly progress payments to Subcontractor shall be subject to retention as follows (select one of the following options):

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTOR'S STATE LICENSE BOARD WHICH HAS JURISDICTION TO INVESTIGATE COMPLAINTS AGAINST CONTRACTORS IF A COMPLAINT REGARDING A PATENT ACT OR OMISSION IS FILED WITHIN FOUR YEARS OF THE DATE OF THE ALLEGED VIOLATION. A COMPLAINT REGARDING A LATENT ACT OR OMISSION PERTAINING TO STRUCTURAL DEFECTS MUST FILED WITHIN 10 YEARS OF THE DATE OF THE ALLEGED VIOLATION. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS STATE LICENSE BOARD, P.O. BOX 26000, SACRAMENTO, CA 95826.

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: 4-15-14	Dated: 4/7/14
OWNER: Miss Catina LLC	**SUBCONTRACTOR:** Dateland Construction Co. Inc.
By:	By:
(NAME & TITLE)	PROJECT Manager (NAME & TITLE)
Rich Meaney	396698 (CONTRACTOR'S LICENSE NO.)

0.0

11,116.65+
58,907.00+
70,025.65=

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 11th day of April, 2014, between:

SUBCONTRACTOR

Name Koolfog .

Address 73814 Dinah Shore Drive Palm Springs CA 92211

Phone/Email 760-321-9203/sleonhard@koolfog.com

On or about the 11th day of April, 2014, Contractor entered into a "Prime Contract" with:

OWNER

Name Miggys Cantina LLC

Address 700 E. Tahquitz Canyon Way Suite A Palm Springs CA. 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

N/A

for the "Project" known as Hacienda Cantina and Beach Club

located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101.

[redacted]

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between Contractor and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to Contractor in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Contractor, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

Structural Design & Components: Main Palapa Bar *This system will be installed built in, pre-construction.*

o 150' of atomization line at 18" O.C. on the patio o 25' of distribution line o 98 brass/stainless steel anti-drip misting nozzles (82 regular flow, 16 high flow) o 40' of underground distribution line o All necessary hardware, fittings and fasteners

Main Palapa Bar

Mojave M88 high pressure pump ,heavy duty commercial grade ,1000 psi ,polyethylene enclosure ,hour meter ,inlet and outlet pressure gauges ,low water pressure automatic shut off valve and dual filtration with scale inhibiter .

Structural Design & Components: Pool Cabanas *This system will be installed retrofit, post construction.*

o 100' of atomization line at 18" O.C. on the patio o 20' of distribution line o 66 brass/stainless steel anti-drip misting nozzles o 80' of underground distribution line

Pool Cabanas

Mojave M88 high pressure pump , heavy duty commercial grade , 1000 psi , polyethylene enclosure , hour meter , inlet and outlet pressure gauges and low water pressure automatic shut off valve dual filtration with scale inhibiter .

Subcontractor to install the on off controls for the Palapa Bar and the Cabanas at the Palapa Bar area location to be determined by the superintendent.

Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

Subcontractor to clean up all debris from their scope of work at the end of each day using the contractor supplied dumpster.

All necessary hardware, fittings and fasteners

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: Eleven Thousand One Hundred and Sixteen and Sixty Five Cents. ($11,116.65___) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory to Contractor, and it is agreed that no payment hereunder shall be made, except at Contractor's option, until and unless such documents have been furnished. Contractor, at its option, may make any payment due hereunder by check made payable jointly to Subcontractor and of its subcontractors and/or suppliers who have performed Work or furnished materials under this Subcontract. Any payment made hereunder prior to completion and acceptance of the Project, as referred to above, shall not be construed as evidence of acceptance or acknowledgement of completion of any part of the Work, or waiver of any Contractor's rights.

Contractor's monthly progress payments to Subcontractor shall be subject to retention as follows (select one of the following options):

☒ If the Project is a private work of improvement, Contractor shall be entitled to retain _ten____ percent (_10_%) of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☐ If the Project is a public work of improvement, and if Contractor requested performance and payment bonds from Subcontractor in the solicitation for bids and Subcontractor failed or refuse to provide such bonds, then Contractor shall be entitled to retain ___N/A__ percent (_N/A_%) of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☐ If the Project is a public work of improvement, and if Contractor did not request performance and payment bonds from Subcontractor in the solicitation for bids, then Contractor shall be entitled to retain only that

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: _____

OWNER:

_____

By: _____

_____
(NAME & TITLE)

_____

Dated: 4-29-14

SUBCONTRACTOR:

KOOLFOG, INC

By: _____

RYAN ROE, PRESIDENT
(NAME & TITLE)

852018
(CONTRACTOR'S LICENSE NO.)

LONG FORM STANDARD SUBCONTRACT

This "Subcontract" is made at RIVERSIDE COUNTY,

as of this 7th day of April, 2014, between:

SUBCONTRACTOR

Name American Landscape and Maintenance INC.. DANO ALMINC.BIZ

Address P.O. Box 925 Loma Linda CA. 92354

Phone/Email ~~909-307-1492/Dan@ALMIN.biz~~ Phone: 909-307-1674 Fax 909-793-1492

On or about the 7th day of April, 2014, Contractor entered into a "Prime Contract" with:

OWNER

Name Miggys Cantina LLC

Address 700 E. Tahquitz Canyon Way Suite A Palm Springs CA. 92262

to construct the Project described in Section 1.

The Project is to be constructed in accordance with the Prime Contract and the plans and specifications. Said plans and specifications have been prepared by or on behalf of

ARCHITECT/ENGINEER

Name SANBORN AE

Address 71-780 SAN JACINTO DR., STE E-1, RANCHO MIRAGE, CA Phone/Email 760-423-0600 ASANBORN@SANBORNAE.COM

SECTION 1. ENTIRE CONTRACT

Contract Documents. The phrase "Contract Documents" is defined to mean this Subcontract, including any and all addenda and attachments hereto, and, the plans, specifications and other contract documents attached to or incorporated into the Prime Contract, including:

N/A

for the "Project" known as Hacienda Cantina and Beach Club

© 2012 ASSOCIATED GENERAL CONTRACTORS OF CALIFORNIA, INC.

located at 1555 S. Palm Canyon Palm Springs CA. 92262 Suite B-101

Subcontractor certifies that it is fully familiar with all of the terms of the Prime Contract, the location of the job site, and the conditions under which the Work is to be performed and that it enters into this Subcontract based upon its investigation of all such matters and is not relying on any opinions or representations of Contractor. This Subcontract represents the entire agreement between Contractor and Subcontractor, and supersedes any prior oral or written agreements or representations. The Prime Contract is incorporated in this Subcontract by reference, insofar as it relates in any way, directly or indirectly, to the Work. Subcontractor agrees to be bound to Contractor in the same manner and to the same extent as Contractor is bound to Owner under the Prime Contract, including, but not limited to, all applicable terms and provisions thereof. Where, in the Prime Contract, reference is made to Contractor, and the work or specifications therein pertain to Subcontractor's trade, craft or type of work, such work or specifications shall be interpreted to apply to Subcontractor instead of to Contractor.

SECTION 2. SCOPE

Subcontractor agrees to furnish all labor, materials, equipment and other facilities required to complete the following "Work":

1. All work done by subcontractor for the Landscaping of this project must meet the city of Palm Springs Standards, TDK and Associates Landscape Architect and Preliminary Soils report issued By Lor Geotechnical dated 8/19/2013.

2. Subcontractor is responsible to minimize dust migration resulting from his operations including cutting, blowing, hammering, trucking, digging, drilling, etc., and must comply with the City of Palm Springs approved PM-10 Plan and SCAQMD Fugitive Dust Rule 403.

3. Subcontractor to clean up all debris from their scope of work at the end of each day using the contractor supplied dumpster.

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HACIENDA CANTINA and BEACH HOUSE
PALM SPRINGS, CA
PAGE 2

IRRIGATION:

75	RAINBIRD 1804 SAM PRS
90	RAINBIRD 1402 BUBBLER
365	RAINBIRD PFR/ FRA DRIP RISER
65	RAINBIRD XB-10PC-1032
300	RAINBIRD XB-20PC-1032
6	RAINBIRD 100-PEB-PRS-D VALVE 1"
2	RAINBIRD XCZ-100-PRF VALVE 1"
2	RAINBIRD 33RC QUICK COUPLER 3/4"
1	RAINBIRD ESP-LXME 12 STATION CONTROLLER (WALL MOUNT)
80	L/F MAINLINE SCH 40 1 1/2"
240	L/F SLEEVING SCH 40 2"

*** 100% COVERAGE ***

LANDSCAPE:

4	36" BOX TREE
9	12' BTH PALM TREES
15	8' BTH PALM TREES
19	24" BOX PALM TREES
17	15 GALLON SHRUBS
351	5 GALLON SHRUBS
31	15 GALLON VINES
9	5 GALLON VINES
4,800	SQ.FT. HYBRID BERMUDA SOD
80	TONS 3/4" DESERT GOLD ROCK (GRAVEL) at 2" THICK
42	TONS DESERT GOLD ROCK (DECOMPOSED GRANITE) at 4" THICK
42	TONS CLASS II ROAD BASE at 4" THICK
	SOIL PREP
	MAINTENANCE 90 DAYS

*** GRADE TO BE WITH-IN ONE TENTH OF FINISHED GRADE ***

for the Project in accordance with the Contract Documents and as more particularly specified in:

N/A

In the event of any dispute between Contractor and Subcontractor over the scope of the Work under the Contract Documents, Subcontractor will not stop Work but will prosecute the Work diligently to completion as directed by Contractor, and the dispute will be submitted for resolution in accordance with Section 17.

SECTION 3. SUBCONTRACT PRICE

Contractor agrees to pay Subcontractor for the strict performance of the Work the sum of: Fifty Eight thousand Nine Hunderd and Seven Dollars. ($58,907.00___) or as set out in Section 26, subject to additions and deductions for changes in the Work as may be directed in writing by Contractor, and to make payment in accordance with Section 4.

SECTION 4. PAYMENT SCHEDULE/RETENTION

Contractor agrees to pay Subcontractor, in monthly progress payments, for labor and materials which have been placed in position by Subcontractor, with funds received by Contractor from Owner for Work performed by Subcontractor, as reflected in Contractor's applications for payment to Owner. Such monthly progress payments shall be made by Contractor within seven (7) days after receipt of payment from Owner. Final payment to Subcontractor shall be made after the Project has been fully completed in conformity with the Contract Documents and has been delivered to and accepted by Owner and Architect, with funds received by Contractor from Owner in final payment. Subcontractor agrees to furnish, if and when required by Contractor, payroll affidavits, receipts, vouchers, releases of claims for labor and material, and agrees to furnish same from its subcontractors, suppliers and/or material suppliers performing Work or furnishing materials under this Subcontract, all in form satisfactory to Contractor, and it is agreed that no payment hereunder shall be made, except at Contractor's option, until and unless such documents have been furnished. Contractor, at its option, may make any payment due hereunder by check made payable jointly to Subcontractor and of its subcontractors and/or suppliers who have performed Work or furnished materials under this Subcontract. Any payment made hereunder prior to completion and acceptance of the Project, as referred to above, shall not be construed as evidence of acceptance or acknowledgement of completion of any part of the Work, or waiver of any Contractor's rights.

Contractor's monthly progress payments to Subcontractor shall be subject to retention as follows (select one of the following options):

☒ If the Project is a private work of improvement, Contractor shall be entitled to retain _ten____ percent (_10_%) of the value of all Work included in any monthly progress payment to Subcontractor. This amount retained shall be paid with the final payment to Subcontractor.

☒ If the Project is a public work of improvement, and if Contractor requested performance and payment bonds from Subcontractor in the solicitation for bids and Subcontractor failed or refuse to provide such bonds, then Contractor shall be entitled to retain ___N/A__ percent (_N/A_%) of the value of all Work

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N/A

SECTION 26. SPECIAL PROVISIONS:

N/A

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTOR'S STATE LICENSE BOARD WHICH HAS JURISDICTION TO INVESTIGATE COMPLAINTS AGAINST CONTRACTORS IF A COMPLAINT REGARDING A PATENT ACT OR OMISSION IS FILED WITHIN FOUR YEARS OF THE DATE OF THE ALLEGED VIOLATION. A COMPLAINT REGARDING A LATENT ACT OR OMISSION PERTAINING TO STRUCTURAL DEFECTS MUST FILED WITHIN 10 YEARS OF THE DATE OF THE ALLEGED VIOLATION. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS STATE LICENSE BOARD, P.O. BOX 26000, SACRAMENTO, CA 95826.

WHEREFORE, this Subcontract is executed by Owner and Subcontractor on the dates set forth above their signatures below.

Dated: 5-1-14

OWNER:

By:

(NAME & TITLE)

Dated: 4/17/14

SUBCONTRACTOR:

American Landscape & Maintenance INC.

By:

Darren Stacia CEO

(NAME & TITLE)

878178

(CONTRACTOR'S LICENSE NO.)

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Hacienda Cantina

Check Register 12/19/2013 to 5/15/2014	$888,779.75
Check Register 5/16/2014 to 6/12/2014	$244,313.19
Sub-Total Ending June 12, 2014	$1,133,092.94
Chck Register 6/13/14 to 7/7/14	$174,740.64
Total Remodel Investment Endng July 2014	$1,307,833.58

Deposits and other credits

Date	Description	Amount
12/03/13		
12/18/13		
Total deposits and other credits		

Checks

Date	Check #	Amount
12/23/13	102	
12/23/13	103	

Date	Check #	Amount
12/27/13	117*	
Total checks		
Total # of checks		3

* *There is a gap in sequential check numbers*

Service fees

Date	Transaction description	Amount
	5503	
Total service fees		

Note your Ending Balance already reflects the subtraction of Service Fees.

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
		12/19		12/27	
		12/23			

✓ To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

Withdrawals and other debits

Date	Description	Amount

Total withdrawals and other debits

Checks

Date	Check #	Amount
01/03/14	105	-6,850.00
01/07/14	106	-230.70
01/07/14	107	-5,000.00
01/10/14	108	-4,805.00
01/03/14	109	-3,501.75
01/15/14	110	-89.45
01/31/14	111	-475.00
01/02/14	113*	[illegible]
01/02/14	116*	[illegible]
01/10/14	119*	-13,330.00

Date	Check #	Amount
01/09/14	120	-284.00
01/07/14	121	-13,000.00
01/07/14	122	-103.59
01/08/14	123	-585.00
01/22/14	125*	-9,000.00
01/24/14	126	-2,500.00
01/21/14	127	-3,244.00
01/23/14	128	-1,674.00
01/28/14	130*	-4,887.66
01/30/14	131	-3,398.72

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Daily ledger balances

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
01/01		01/08		01/21	
01/02		01/09		01/22	
01/03	5	01/10	6	01/23	
01/07		01/15		01/24	

continued on the next page

The quarterly business credit card bonus reward for customers enrolled in the Business Platinum Privileges program will be discontinued as of July 1, 2014. If you are enrolled in Business Platinum Privileges and have a business credit card, your last quarterly bonus will be for the quarter ending on June 30, 2014. This change will not impact any other existing business card rewards programs you may have. If you have questions about this change, or if we can help in any way, please call the number on the front of your statement.

Deposits and other credits

Date	Description	Amount
02/07/14		
02/07/14		
02/11/14		

Withdrawals and other debits

Date	Description	Amount
02/10/14	Agent Assisted transfer to CHK 2533 Confirmation# 0589635327	
02/10/14	Agent Assisted transfer to CHK 2546 Confirmation# 1389707442	
02/10/14	Agent Assisted transfer to CHK 2533 Confirmation# 0589898187	
02/10/14	Agent Assisted transfer to CHK 2546 Confirmation# 0589901573	
Total withdrawals and other debits		

Checks

Date	Check #	Amount
02/24/14	138	[redacted]
02/06/14	118	[redacted]
02/07/14	118*	-3,732.00
02/03/14	129*	[redacted]
02/11/14	132*	[redacted]
02/12/14	133	[redacted]
02/21/14	134	[redacted]

Date	Check #	Amount
02/25/14	136*	[redacted]
02/21/14	137	[redacted]
02/25/14	139*	[redacted]
02/28/14	140	[redacted]
02/24/14	142*	[redacted]
02/28/14	144*	[redacted]
02/24/14	146*	[redacted]

continued on the next page

We appreciate your business

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bankofamerica.com/smallbusiness

ARH8KTW8 AD-12-13-0092

Checks - continued

Date	Check #	Amount
02/26/14	147	-550.00
02/28/14	148	-[illegible]
02/28/14	149	-380.00
02/26/14	150	-2,646.50
02/26/14	151	-5,216.00

Date	Check #	Amount
02/24/14	153*	-2,472.48
02/25/14	154	-3,269.22
02/28/14	155	-20,000.00
02/26/14	156	-4,000.00

Total checks

Total # of checks 23

* *There is a gap in sequential check numbers*

Date	Amount

Daily ledger balances

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
02/01		02/10		02/24	
02/03		02/11		02/25	
02/06		02/12		02/26	
02/07		02/21		02/28	

To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

Deposits and other credits

Date	Description	Amount
03/10/14		
03/18/14	Depo[illegible]	
03/24/14		.0
03/26/14		.00
03/27/14		
03/31/14		
	B	
		.0

Withdrawals and other debits

Date	Description	Amount
03/12/14		
03/12/14		
Total withdrawals and other debits		

Checks

Date	Check #	Amount
03/03/14	141	[illegible]
03/05/14	143*	[illegible]
03/11/14	145*	[illegible]
03/03/14	152*	[illegible]
03/03/14	157*	[illegible]
03/04/14	158*	[illegible]
03/10/14	159*	-708.33

Date	Check #	Amount
03/13/14	160	[illegible]
03/10/14	164*	[illegible]
03/10/14	166*	[illegible]
03/11/14	167	[illegible]
03/11/14	168	-[illegible].13
03/10/14	169	-3,885.00
03/11/14	170	-3,300.00

continued on the next page

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Text APP1 to 226526 to get the Mobile Banking App today.

Enrollment via Mobile app not available on all devices. Wireless fees may apply. For the text message, supported carriers include: Alltel, AT&T, Cellular One, T-Mobile, Virgin Mobile, US Cellular, Verizon Wireless. Text STOP to 226526 to cancel and text HELP to 226526 for help. Bank of America, N.A. Member FDIC. © 2013 Bank of America Corporation. ARA6PHQB

Checks - continued

Date	Check #	Amount
03/11/14	171	[redacted]
03/13/14	172	[redacted]
03/17/14	173	[redacted]
03/17/14	175*	[redacted]
03/18/14	176	[redacted]
03/18/14	177	[redacted]
03/19/14	178	[redacted]
03/14/14	179	[redacted]
03/17/14	180	[redacted]

Date	Check #	Amount
03/21/14	181	-9,000.00
03/19/14	183*	[redacted]
03/21/14	186*	[redacted]
03/27/14	187	[redacted]
03/27/14	189*	[redacted]
03/31/14	190	[redacted]
03/27/14	191	[redacted]
03/31/14	192	[redacted]
Total checks		
Total # of checks		31

* *There is a gap in sequential check numbers*

Service fees

Your Overdraft and NSF: Returned Item fees for this statement period and year to date are shown below.

	Total for this period	Total year-to-date
[redacted]		
[redacted]		

Help to avoid Overdraft & NSF.
Set up Alerts through Online Banking and receive messages by email or text to inform you when your balance is low. Set up Overdraft Protection to automatically transfer available funds to your account from a linked savings, credit card, or second checking account to help cover items that would overdraw your account. You can set up both services via Online Banking at bankofamerica.com, by visiting a banking center, or by calling the toll-free number on your statement for details. Changes generally take effect after 2 business days, but can take up to 10 business days, depending on the type of account you've chosen to link for Overdraft Protection service.

Based upon the activity below, the monthly fee on your Business Advantage checking account was waived for the statement period ending 02/28/14:

You are an active user of one of the following services		OR	At least one of the following occurred during the previous month		
○	Bank of America Merchant Services		○	$2,500+	in net new purchases on a linked Business credit card
○	Payroll Service by Intuit®		✓	$15,000+	average monthly balance in primary checking account
○	Small Business Remote Deposit Online Service		✓	$35,000+	combined average monthly balance in linked business accounts

A check mark indicates that you have qualified for a monthly fee waiver on the account based on your usage of these products or services. For information on how to open a new product or to link an existing service to your account please call 1-888-BUSINESS or visit bankofamerica.com/smallbusiness.

continued on the next page

Checks - continued

Date	Check #	Amount
04/08/14	207	[redacted]
04/16/14	208	7,290.00
04/14/14	209	[redacted]
04/15/14	210	[redacted]
04/10/14	211	[redacted]
04/09/14	212	[redacted]
04/10/14	213	[redacted]
04/17/14	214	[redacted]
04/16/14	215	[redacted]
04/09/14	216	[redacted]
04/09/14	217	[redacted]
04/09/14	218	[redacted]
04/11/14	220*	[redacted]
04/09/14	221	[redacted]
04/14/14	227*	284.05
04/18/14	228	[redacted]

Date	Check #	Amount
04/10/14	229	[redacted]
04/17/14	230	[redacted]
04/17/14	231	[redacted]
04/16/14	232	[redacted]
04/17/14	233	[redacted]
04/11/14	234	[redacted]
04/14/14	235	[redacted]
04/15/14	236	[redacted]
04/17/14	237	[redacted]
04/17/14	238	[redacted]
04/21/14	239	[redacted]
04/24/14	240	[redacted]
04/29/14	242*	[redacted]
04/28/14	243	[redacted]
04/29/14	245*	[redacted]

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Service fees

Your Overdraft and NSF: Returned Item fees for this statement period and year to date are shown below.

	Total for this period	Total year-to-date
[redacted]		
[redacted]		

Help to avoid Overdraft & NSF.
Set up Alerts through Online Banking and receive messages by email or text to inform you when your balance is low. Set up Overdraft Protection to automatically transfer available funds to your account from a linked savings, credit card, or second checking account to help cover items that would overdraw your account. You can set up both services via Online Banking at bankofamerica.com, by visiting a banking center, or by calling the toll-free number on your statement for details. Changes generally take effect after 2 business days, but can take up to 10 business days, depending on the type of account you've chosen to link for Overdraft Protection service.

continued on the next page

Withdrawals and other debits

Date	Description	Amount
04/09/14		
04/10/14		
04/11/14		
04/14/14		
04/14/14		
04/14/14		
04/14/14		
04/14/14		
04/25/14		
Total withdrawals and other debits		

Checks

Date	Check #	Amount
04/10/14	135	
04/03/14	184*	
04/01/14	188*	
04/04/14	193*	
04/10/14	194	
04/03/14	195	
04/04/14	196	
04/10/14	197	-18,725.05
04/07/14	198	
04/09/14	199	
04/08/14	200	
04/11/14	201	
04/11/14	202	
04/15/14	203	
04/11/14	204	
04/14/14	206*	-903.42

continued on the next page

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You must be enrolled in Online Banking or Mobile Banking to participate in the BankAmeriDeals program and have either an eligible Bank of America debit or credit card or Merrill Lynch credit card. Select co-brand credit cards are not eligible. Earned cash back will be credited into an eligible checking, savings, money market or credit account in the next month(s) following redemption. For more information, please read the program terms of use at www.bankofamerica.com/deals-agreement. AR7KQBQ | AD-08-13.0516

Checks

Date	Check #	Amount
05/28/14	236	[illegible]
05/05/14	241*	[illegible]
05/09/14	246*	[illegible]
05/02/14	247	[illegible]
05/12/14	248	-7,500.00
05/09/14	249	-3,500.00
05/12/14	250	[illegible]
05/08/14	253*	[illegible]
05/15/14	254	[illegible]
05/09/14	260*	[illegible]
05/08/14	261	[illegible]
05/12/14	261*	-33,946.05
05/08/14	262	[illegible]
05/12/14	262*	-1,177.60
05/07/14	263	[illegible]
05/09/14	264	-378.37
05/12/14	265	[illegible]
05/09/14	266	-5,000.00
05/09/14	267	-1,087.50
05/07/14	268	-441.48
05/14/14	269	-975.00
05/08/14	270	-161.00
05/09/14	271	[illegible]
05/12/14	272	[illegible]
05/12/14	273	[illegible]
05/13/14	274	[illegible]
05/14/14	275	[illegible]
05/16/14	276	[illegible]
05/15/14	278*	[illegible]

Date	Check #	Amount
05/15/14	279	-350.00
05/20/14	280	-365.63
05/15/14	281	-1,521.62
05/22/14	282	-112.50
05/22/14	283	-90.00
05/19/14	284	-1,750.00
05/16/14	285	[illegible]
05/19/14	287*	[illegible]
05/16/14	288	[illegible]
05/16/14	289	[illegible]
05/22/14	290	[illegible]
05/22/14	291	[illegible]
05/20/14	292	[illegible]
05/15/14	293	[illegible]
05/19/14	294	[illegible]
05/16/14	296*	[illegible]
05/15/14	297	[illegible]
05/15/14	298	[illegible]
05/20/14	299	[illegible]
05/20/14	300	[illegible]
05/27/14	301	[illegible]
05/23/14	302	[illegible]
05/22/14	303	[illegible]
05/29/14	304	[illegible]
05/27/14	305	[illegible]
05/28/14	306	[illegible]
05/27/14	307	[illegible]
05/23/14	308	[illegible]
05/30/14	312*	-500.00
Total checks		
Total # of checks		**58**

* *There is a gap in sequential check numbers*

Checks

Date	Check #	Amount
06/03/14	309	-13,317.75
06/03/14	310	-2,300.00
06/02/14	313*	-619.40
06/03/14	314	-2,346.78
06/02/14	315	-200.00
06/04/14	316	-686.00
06/03/14	317	-2,500.00
06/09/14	318	-510.40
06/09/14	319	-2,500.00
06/03/14	320	-15,000.00
06/05/14	321	-3,538.00
06/06/14	322	-15,000.00
06/09/14	324*	-75.71
06/09/14	325	-[illegible]
06/10/14	327*	-635.42
06/11/14	328	-659.00
06/10/14	330*	-[illegible]107.16
06/10/14	331	-2,317.08
06/10/14	332	-9,057.50
06/10/14	333	-1,253.00
06/13/14	334	-19,750.00
06/17/14	335	-1,615.60
06/10/14	336	-564.59
06/12/14	337	-16,761.05
06/09/14	338	-1,597.63
06/09/14	339	-640.00
06/09/14	340	-968.00
06/16/14	341	-64.00
06/10/14	342	-64.00
06/20/14	343	-1,280.80
06/13/14	344	-3,868.65
06/13/14	345	-7,600.00
06/11/14	346	-750.00
06/12/14	347	-110.00
06/18/14	348	-47.52
06/13/14	349	-98.91
06/13/14	350	-126.48
06/11/14	351	-64.30
06/11/14	352	-240.00
06/12/14	353	-899.26
06/11/14	355*	-606.11

Date	Check #	Amount
06/16/14	356	-2,287.50
06/11/14	357	-1,080.00
06/11/14	358	-4,704.11
06/12/14	359	-656.68
06/16/14	360	-2,527.44
06/13/14	361	-80.67
06/10/14	367*	-287.00
06/16/14	368	-300.00
06/11/14	369	-806.05
06/16/14	370	-2,390.45
06/12/14	371	-1,060.00
06/18/14	373*	-1,211.00
06/13/14	374	-22,933.10
06/13/14	375	-1,000.00
06/13/14	376	-5,000.00
06/18/14	377	-416.50
06/16/14	378	-44,865.77
06/24/14	380*	-1,370.00
06/17/14	381	-800.00
06/23/14	382	-1,500.00
06/19/14	384*	-2,500.00
06/20/14	385	-212.55
06/26/14	386	-900.00
06/18/14	387	-7,500.00
06/19/14	388	-10,000.00
06/20/14	389	-10,000.00
06/19/14	390	-1,600.00
06/23/14	391	-758.15
06/23/14	392	-333.33
06/19/14	393	-2,800.00
06/20/14	394	-2,314.00
06/25/14	395	-14,000.00
06/24/14	396	-100.00
06/23/14	399*	-1,475.00
06/23/14	400	-825.21
06/23/14	401	-4,905.00
06/24/14	402	-31.05
06/20/14	403	-2,200.00
06/23/14	404	-1,687.50
06/20/14	405	-3,760.76
06/23/14	406	-607.50

continued on the next page

Checks

Date	Check #	Amount
07/09/14	379	-1,000.00
07/07/14	430*	-312.62
07/01/14	433*	-5,000.00
07/01/14	434	-5,000.00
07/07/14	435	-5,000.00
07/03/14	441*	-1,000.00
07/02/14	442	-3,000.00
07/01/14	443	-1,000.00
07/03/14	444	-2,000.00
07/02/14	445	-315.86
07/02/14	446	-185.00
07/01/14	447	-1,500.00
07/07/14	448	-250.00
07/03/14	449	-2,750.00
07/01/14	451*	-4,000.00
07/09/14	452	-6,000.00
07/10/14	453	-125.00
07/07/14	454	-425.00
07/07/14	455	-425.00
07/07/14	456	-208.15
07/07/14	458*	-1,500.00
07/07/14	459	-500.00
07/07/14	460	-300.00
07/09/14	462*	-9,000.00
07/08/14	463	-303.94
07/14/14	465*	-2,762.00
07/15/14	466*	-500.00
07/24/14	467*	-67,227.73
07/10/14	2339*	-362.50

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Service fees

Hacienda Cantina expenses to date 5/16/2014

Quicken Report #1	$ 888,772.75
Quicken Report #2	$ 123,786.00
Quicken Report #3	$ 10,644.00
TOTAL to Date	$1,023,202.75

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Type	Date	Num	Name	Memo	Account	Split	Amount
Check	12/19/2013		BOA	CHECKS	10300 · Bu 69800 · Uncategorized Expens		-112.00
Check	12/23/2013	101		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/23/2013	102	Hix Drywall		10300 · Bu 69000 · Hacienda		-3,465.00
Check	12/23/2013	103	MK Audio Video	AV	10300 · Bu 69000 · Hacienda		-9,000.00
Check	12/23/2013	104		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/27/2013	112	Desert Fire	Fire Extiguishers	10300 · Bu 69000 · Hacienda		-275.00
Check	12/27/2013	114	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-2,226.00
Check	12/27/2013	115	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-252.00
Check	12/27/2013	117	Jerry Noonan	Advance	10300 · Bu 69000 · Hacienda		-5,000.00
Check	12/27/2013	124	VOID		10300 · Business Fundamentals #/ 2339		0.00
Check	01/02/2014	113	Henrys Glazing	Window repair	10300 · Bu 15030 · Restaurant Equipment		-269.20
Check	01/02/2014	116	Gouvis	Engineering	10300 · Bu 17200 · Leasehold Improvemer		-6,000.00
Check	01/03/2014	105	D & D Custom	Demo	10300 · Bu 90936 · Construction		-6,850.00
Check	01/03/2014	109	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improvemer		-3,501.75
Check	01/07/2014	106	Southwest Plumbing		10300 · Bu 63100 · Building Repairs		-230.10
Check	01/07/2014	107	Desert Air	HVAC	10300 · Bu 15050 · HVAC		-5,028.00
Check	01/07/2014	121	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improvemer		-13,000.00
Check	01/07/2014	122	DWA	water bill	10300 · Bu 90917 · Water		-103.59
Check	01/08/2014	123	City Of PS	Plan check	10300 · Bu 61250 · Business Licenses and		-596.00
Check	01/09/2014	120	Haulaway	Storage bin	10300 · Bu 90936 · Construction		-284.00
Check	01/10/2014	108	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improvemer		-4,885.00
Check	01/10/2014	119	DWA	Water Service	10300 · Bu 17200 · Leasehold Improvemer		-13,330.00
Check	01/15/2014	110	Desert Fire	Fire Extiguishers	10300 · Bu 17200 · Leasehold Improvemer		-89.45
Check	01/21/2014	127	TKD	Landscape Plan	10300 · Bu 17200 · Leasehold Improvemer		-3,244.00
Check	01/22/2014	125	CQ Booths	Booths	10300 · Bu 15020 · Restaurant Equipment		-9,000.00
Check	01/23/2014	128	City of Palm Springs	PM 10 permits	10300 · Bu 61250 · Business Licenses and		-1,640.00
Check	01/24/2014	126	The Barn	Table tops	10300 · Bu 15020 · Restaurant Equipment		-2,500.00
Check	01/28/2014	130	Jerry Noonan	Advance	10300 · Bu 52000 · Management Regular		-4,807.66
Check	01/29/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll		-25.00
Check	01/29/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #25		-25.00
Check	01/30/2014	131	American Fence	PM 10 fence	10300 · Bu 90936 · Construction		-3,398.72
Check	01/31/2014	111	Desert Fire	Fire Extiguishers	10300 · Bu 15020 · Restaurant Equipment		-475.00

99,551.47 ✓

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	02/03/2014	129	Sign a Rama	PM 10 sign	10300 · Bu 17200 · Leasehold Improvemer	-379.34
Check	02/07/2014	118	ABC	Liquor ap fees	10300 · Bu 15010 · Liquor License	-6732.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #25	-75.00
Check	02/10/2014		Transfer To Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-75.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #25	-100.00
Check	02/10/2014		Transfer To Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-100.00
Check	02/11/2014	132	Cal Dahlstrom	Bar top rack	10300 · Bu 15020 · Restaurant Equipment	-5,125.00
Check	02/12/2014	133	Carl Hix	drywall	10300 · Bu 15030 · Restaurant Equipment	-1,150.00
Check	02/21/2014	134	Anthony Monaco	United Rental	10300 · Bu 51020 · Contract Labor	-878.22
Check	02/21/2014	135	County Of Riverside	DBA	10300 · Bu 61250 · Business Licenses and	-80.00
Check	02/21/2014	137	Anthony Monaco	MISC	10300 · Bu 51020 · Contract Labor	-594.76
Check	02/24/2014	138	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-2,249.00
Check	02/24/2014	142	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment	-320.00
Check	02/24/2014	146	Sine Concrete	demo	10300 · Bu 90936 · Construction	-3,180.00
Check	02/24/2014	153	Robert Wepplo	salary 12 days	10300 · Bu 52000 · Management Regular	-2,472.48
Check	02/25/2014	136	Imperial Western	grease trap	10300 · Bu 15030 · Restaurant Equipment	-700.00
Check	02/25/2014	139	Sanborne A & E	plan	10300 · Bu 17200 · Leasehold Improvemer	-5,249.58
Check	02/25/2014	154	Jerry Nicolaus	salary	10300 · Bu 52000 · Management Regular	-3,269.22
Check	02/26/2014	147	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improvemer	-586.00
Check	02/26/2014	150	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment	-2,646.50
Check	02/26/2014	151	Desert Fountain	soda lines	10300 · Bu 15020 · Restaurant Equipment	-5,216.00
Check	02/26/2014	156	Transfer Payroll		10300 · Bu 10200 · Payroll Account #2546	-4,000.00
Check	02/28/2014		NSF		10300 · Bu 90931 · Bank Charge	-35.00
Check	02/28/2014	140	D & D Custom	Demo	10300 · Bu 90936 · Construction	-1,000.00
Check	02/28/2014	144	D & D Custom	Demo	10300 · Bu 90936 · Construction	-10,000.00
Check	02/28/2014	148	Next Level	doors	10300 · Bu 17200 · Leasehold Improvemer	-3,535.20
Check	02/28/2014	149	PS Chamber Of Commerce		10300 · Bu 69800 · Uncategorized Expens	-980.00
Check	02/28/2014	155	d And d	steel advance	10300 · Bu 90936 · Construction	-20,000.00
Check	03/03/2014	141	Porcelanosa	Base cove	10300 · Bu 90936 · Construction	-4,179.38
Check	03/03/2014	152	Eco Lab	pest control	10300 · Bu 63281 · Pest Elimination	-852.15
Check	03/03/2014	157	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric	-20,493.17
Check	03/04/2014	158	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	03/05/2014	143	Premie rSecurity	alarm	10300 · Bu 30400 · Union Abbey	-93.75
Check	03/10/2014	159	Lowes	misc	10300 · Bu 15020 · Restaurant Equipment	-708.33

103,199.08

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	03/10/2014	164	DWA	water bill	10300 · Bu 90917 · Water	-60.51
Check	03/10/2014	166	Visa	MISC	10300 · Bu 69800 · Uncategorized Expens	-9,782.84
Check	03/10/2014	169	Hix Drywall		10300 · Bu 17200 · Leasehold Improveme	-3,885.00
Check	03/11/2014	145	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment	-1,650.93
Check	03/11/2014	167	Fusion Screen	Hacienda, LLC	10300 · Bu 17200 · Leasehold Improveme	
Check	03/11/2014	168	Diamond Enviro	toilet	10300 · Bu 90936 · Construction	-564.30
Check	03/11/2014	170	Leo Diaz	paint	10300 · Bu 17200 · Leasehold Improveme	-141.13
Check	03/11/2014	171	Cal Dahlstrom	chandelier	10300 · Bu 15020 · Restaurant Equipment	-3,300.00
Check	03/12/2014	162	Verizon	phone	10300 · Bu 90916 · Telephone	
Check	03/12/2014	163	Verizon	phone	10300 · Bu 90916 · Telephone	-451.84
Check	03/13/2014	160	Porsalenosa	tile	10300 · Bu 15020 · Restaurant Equipment	-436.63
Check	03/13/2014	172	SW Plumbing		10300 · Bu 17200 · Leasehold Improveme	-48,885.74
Check	03/14/2014	179	Transfer Payroll		10300 · Bu 10200 · Payroll Account #2546	
Check	03/17/2014	173	CQ Booths	Booths	10300 · Bu 15020 · Restaurant Equipment	
Check	03/17/2014	175	Desert Recycling		10300 · Bu 90936 · Construction	
Check	03/17/2014	180	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	
Check	03/18/2014	161	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	03/18/2014	165	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	03/18/2014	174	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	03/18/2014	176	d And d	Demo	10300 · Bu 90936 · Construction	
Check	03/18/2014	177	SCE	New service	10300 · Bu 69800 · Uncategorized Expens	
Check	03/18/2014	182	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	03/19/2014	178	Health Dept	raw bar	10300 · Bu 61250 · Business Licenses and	
Check	03/19/2014	183	Sunkor	Furniture	10300 · Bu 15020 · Restaurant Equipment	
Check	03/21/2014			Meaney	10300 · Business Fundamentals #/ 2339	0.00
Check	03/21/2014		NSF		10300 · Bu 90931 · Bank Charge	-35.00
Check	03/21/2014	181	VOID	garage door	10300 · Business Fundamentals #/ 2339	0.00
Check	03/21/2014	186	Anthony Monaco	MISC	10300 · Bu 51020 · Contract Labor	
Check	03/27/2014	184	Frameworks	art	10300 · Bu 15020 · Restaurant Equipment	-2,163.60
Check	03/27/2014	185	VOID	pm10 deposit	10300 · Bu 69000 · Hacienda	0.00
Check	03/27/2014	187	City Of PS	Plan check	10300 · Bu 61250 · Business Licenses and	
Check	03/27/2014	188	ABC Escrow	Liquor ap fees	10300 · Bu 15010 · Liqour License	-17,430.00
Check	03/27/2014	189	Cal Dahlstrom	doors	10300 · Bu 15020 · Restaurant Equipment	
Check	03/27/2014	190	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment	

9,000.00?
2613.60
186,575.87 ok

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	03/27/2014	191	[redacted]	payroll	10300 · Bu 10200 · Payroll Account #2546
Check	03/31/2014	192	Bud Brown	salary	10300 · Bu 51020 · Contract Labor
Check	03/31/2014	193	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment
Check	04/07/2014	194	City of Palm Springs	Sign Application	10300 · Bu 61250 · Business Licenses and
Check	04/07/2014	195	Magic Glass		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	196	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	197	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au
Check	04/07/2014	198	Calvin Dahlstron		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	199	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees
Check	04/07/2014	200	Southwest Plumbing		10300 · Bu 63100 · Building Repairs
Check	04/07/2014	201	ACR Consulting	I.T.	10300 · Bu 61750 · Computer and Internet
Check	04/07/2014	202	St. Louis Digital Media, LLC	Marketing	10300 · Bu 63400 · Marketing & Advertisin
Check	04/07/2014	203	Rachel Rusnak	Marketing	10300 · Bu 63400 · Marketing & Advertisin
Check	04/07/2014	204	Sysco	Plates And Silverware	10300 · Bu 17500 · China, silver glass and
Check	04/07/2014	205	Lowe's		10300 · Bu 90936 · Construction
Check	04/07/2014	206	Porcelanosa		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	207	La Salle		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	208	Collins Electric		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	209	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment
Check	04/07/2014	210	American Landscape And Maintence		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	211	Gouvis		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	212	Barn Furniture Mart		10300 · Bu 15020 · Restaurant Equipment
Check	04/07/2014	213	Diamond Enviro		10300 · Bu 90936 · Construction
Check	04/07/2014	214	Nick's Mobile Repair	Water Truck	10300 · Bu 90936 · Construction
Check	04/07/2014	215	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses and
Check	04/07/2014	216	Desert Fire		10300 · Bu 17200 · Leasehold Improvemer
Check	04/07/2014	217	Haulaway	storage containers	10300 · Bu 90936 · Construction
Check	04/07/2014	218	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense
Check	04/07/2014	219	Edison		10300 · Bu 65300 · Gas and Electric
Check	04/07/2014	220	PSUSD	school fees	10300 · Bu 61250 · Business Licenses and
Check	04/07/2014	221	Desert Water		10300 · Bu 90917 · Water
Check	04/07/2014	222	Verizon	1241413739	10300 · Bu 90916 · Telephone
Check	04/07/2014	223	Verizon	760-322-0627	10300 · Bu 90916 · Telephone
Check	04/07/2014	224	Verizon	tahquitz	10300 · Bu 65400 · Office Expense

	[redacted]
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	-755.00
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	-1,600.00
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	-903.42
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	-237.36
	-230.23

140,746.40 ok

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	04/07/2014	225	Verizon	resturant line 1	10300 · Bu 90916 · Telephone	-348.76
Check	04/07/2014	226	Verizon	resturant line 2	10300 · Bu 90916 · Telephone	-523.77
Check	04/07/2014	227	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination	[redacted]
Check	04/07/2014	228	Protection One	Alarm	10300 · Bu 64500 · Security	[redacted]
Check	04/10/2014		[redacted]	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-7,000.00
Check	04/25/2014		[redacted]	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-15,000.00
Check	05/06/2014	229	City of Palm Springs	plan check	10300 · Bu 61250 · Business Licenses and	[redacted]
Check	05/06/2014	230	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and	[redacted]
Check	05/06/2014	231	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and	[redacted]
Check	05/06/2014	232	Next Level	doors	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	233	WJim	wood floor and wall	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	234	Carl Hix	drywall	10300 · Bu 17200 · Leasehold Improvemer	[redacted]
Check	05/06/2014	235	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	236	Rick Chavez	land scaping	10300 · Bu 16000 · Pool and Grounds Fixe	[redacted]
Check	05/06/2014	237	Jackie	accounting	10300 · Bu 52000 · Management Regular	[redacted]
Check	05/06/2014	238	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	[redacted]
Check	05/06/2014	239	Ps Mirror And Glass	shelves	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	240	J Tech	pagers	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	241	American Fence	PM 10 fence	10300 · Bu 90936 · Construction	[redacted]
Check	05/06/2014	242	Valley Lock	rekey	10300 · Bu 17200 · Leasehold Improvemer	[redacted]
Check	05/06/2014	243	[redacted]	repay loan	10300 · Bu 31020 · Rich Meaney	[redacted]
Check	05/06/2014	244	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	05/06/2014	245	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improvemer	[redacted]
Check	05/06/2014	246	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment	[redacted]
Check	05/06/2014	247	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	05/06/2014	248	Cal Dahlstrom	cabana	10300 · Bu 15020 · Restaurant Equipment	-7,500.00
Check	05/06/2014	249	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment	-3,500.00
Check	05/06/2014	250	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination	-284.05
Check	05/06/2014	251	Lowe's		10300 · Bu 90936 · Construction	-3,712.62
Check	05/06/2014	252	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric	-232.92
Check	05/06/2014	253	Desert Water		10300 · Bu 90917 · Water	-222.77
Check	05/06/2014	254	Palm Springs Alarm	hacienda	10300 · Bu 30400 · Union Abbey	-28.00
Check	05/06/2014	255	[redacted]	internet	10300 · Bu 90916 · Telephone	-109.99
Check	05/06/2014	256	[redacted]	office	10300 · Bu 65400 · Office Expense	-144.29

Check 286? – 915.00

152,937.69

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	05/06/2014	257	Verizon	rest line 1	10300 · Bu 90916 · Telephone	-206.80
Check	05/06/2014	258	Verizon	rest line 2	10300 · Bu 90916 · Telephone	-123.38
Check	05/06/2014	259	Verizon	anthony	10300 · Bu 65400 · Office Expense	-201.96
Check	05/06/2014	260	Diamond Enviro		10300 · Bu 90936 · Construction	-180.76
Check	05/06/2014	261	Sysco		10300 · Bu 15020 · Restaurant Equipment	-36,946.05
Check	05/06/2014	262	Sysco		10300 · Bu -SPLIT-	-1,177.60
Check	05/06/2014	263	Jackie Mendez	42 hours	10300 · Bu 52000 · Management Regular	-924.00
Check	05/06/2014	264	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense	-376.37
Check	05/06/2014	265	Intouch Pos		10300 · Bu 15070 · Restaurant POS Syste	-17,183.96
Check	05/06/2014	266	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-5,000.00
Check	05/06/2014	267	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses and	-1,087.50
Check	05/06/2014	268	Dugan Williams		10300 · Bu 17200 · Leasehold Improvemer	-441.48
Check	05/06/2014	269	Steam King Carpet Care		10300 · Bu 17200 · Leasehold Improvemer	-975.00
Check	05/06/2014	270	Desert Air	HVAC	10300 · Bu 15050 · HVAC	-161.06
Check	05/06/2014	271	Direct T.V.	hac	10300 · Bu 65100 · Cable TV	-307.98
Check	05/06/2014	272	Jerry Noonan	expense report	10300 · Bu 16600 · Office Computers	-583.68
Check	05/06/2014	273	Protection One	Alarm	10300 · Bu 64500 · Security	-12.02
Check	05/14/2014	280	Protection One	97277186-60844552	10300 · Bu 64500 · Security	-365.63
Check	05/14/2014	281	desert reprographics		10300 · Bu 90936 · Construction	-1,521.62
Check	05/14/2014	282	Eric Leckband		10300 · Bu 66600 · Printing and Reproduc	-412.50
Check	05/14/2014	283	Vallgroup		10300 · Bu 17200 · Leasehold Improvemer	-90.00
Check	05/14/2014	284	Dew Roofing	repaired leaks	10300 · Bu 17200 · Leasehold Improvemer	-1,750.00
Check	05/14/2014	285	Haulaway		10300 · Bu 90936 · Construction	-96.00
Check	05/14/2014	286	Electronic Entry		10300 · Bu 17200 · Leasehold Improvemer	-945.00
Check	05/14/2014	287	Anthony Monaco	gas for water truck	10300 · Bu 90936 · Construction	-95.00
Check	05/14/2014	288	Sanborne A & E		10300 · Bu 17200 · Leasehold Improvemer	-5,270.00
Check	05/14/2014	289	BMC		10300 · Bu 17200 · Leasehold Improvemer	-5,540.00
Check	05/14/2014	290	Dateland Construction co.		10300 · Bu 17200 · Leasehold Improvemer	-35,858.50
Check	05/14/2014	291	Collins Electric		10300 · Bu 17200 · Leasehold Improvemer	-10,835.00
Check	05/14/2014	292	D & D Custom	steel constuction	10300 · Bu 17200 · Leasehold Improvemer	-15,000.00
Check	05/14/2014	293	Dynamic Plumbing	water heater	10300 · Bu 17200 · Leasehold Improvemer	-4,950.00
Check	05/14/2014	294	Inland Valley Sladden Inc.		10300 · Bu 17200 · Leasehold Improvemer	-2,940.00
Check	05/14/2014	295	City of Palm Springs	VOID: business lisence GJE	10300 · Bu 61250 · Business Licenses and	0.00
Check	05/14/2014	296	Southwest Plumbing		10300 · Bu 17200 · Leasehold Improvemer	-7,524.06

155,658.85
ok

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	05/14/2014	274	Health Dept	out kitchen	10300 · Bu 61250 · Business Licenses anc -700.00
Check	05/14/2014	275	Tomalak Tile	counter material	10300 · Bu 17200 · Leasehold Improvemei -9,184.20
Check	05/14/2014	276	[redacted]		10300 · Bu 63401 · Marketing Agency -2,750.00
Check	05/14/2014	277	VOID		10300 · Bu 69000 · Hacienda
Check	05/14/2014	278	Sign a Rama	Front sign	10300 · Bu 17200 · Leasehold Improvemei -1,606.00
Check	05/14/2014	279	Magic Glass		10300 · Bu 17200 · Leasehold Improvemei -350.00
Check	05/14/2014	EFT	Bank Of America CC	Mastercard	10300 · Bu 15020 · Restaurant Equipiment -21,000.00
Check	05/14/2014	297	Thom Dooher	sous chef cleaning hours	10300 · Bu 51010 · Hourly Regular -400.00
Check	05/14/2014	298	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Au -9,000.00
General	05/14/2014	2	City of Palm Springs	For CHK 295 voided on 06/2	10300 · Bu 61250 · Business Licenses anc -688.00
Check	05/15/2014	299	So Cal Edison	relocate	10300 · Bu 65300 · Gas and Electric -5,030.19
Check	05/23/2014	300	Bud Brown		10300 · Bu 51020 · Contract Labor -2,500.00
Check	05/23/2014	301	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au -24,000.00
Check	05/23/2014	302	Magic Glass		10300 · Bu 17200 · Leasehold Improvemei -755.00
Check	05/23/2014	303	Angelina		10300 · Bu 17200 · Leasehold Improvemei -2,000.00
Check	05/23/2014	304	Desert Recycling	3656	10300 · Bu 90936 · Construction -350.00
Check	05/23/2014	305	Southwest Plumbing	33773, 33618, 33431, 33629	10300 · Bu 17200 · Leasehold Improvemei -28,127.78
Check	05/23/2014	306	Dynamic Plumbing	70275-2	10300 · Bu 90936 · Construction -1,400.00
Check	05/23/2014	307	Jackie Mendez	controller hours	10300 · Bu 52000 · Management Regular -1,449.75
Check	05/23/2014	308	[redacted]	sous chef	10300 · Bu 51010 · Hourly Regular -1,053.00
Check	05/23/2014	309	[redacted]	Deposit	10300 · Bu 63310 · General Liability Insura -43,317.75
Check	05/23/2014	310	[redacted]	Brokers fee	10300 · Bu 63310 · General Liability Insura -2,300.00
Check	06/04/2014		Transfer To Check 2533		10300 · Bu 51000 · 0 Direct Labor -10,000.00
Check	06/09/2014	311	VOID		10300 · Bu 69000 · Hacienda 0.00
Check	06/09/2014	313	Liquor License	spec	10300 · Bu 15010 · Liqour License -619.40
Check	06/09/2014	314	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improvemei -2,346.78
Check	06/09/2014	315	Buddy Dennington		10300 · Bu 52000 · Management Regular -200.00
Check	06/09/2014	316	HW Image Works	Mens Uniforms & aprons	10300 · Bu 60610 · Employee Uniform Exp -686.00
Check	06/09/2014	317	Rick Chavez		10300 · Bu 16000 · Pool and Grounds Fixe -2,500.00
Check	06/09/2014	318	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improvemei -510.40
Check	06/09/2014	319	Bud Brown		10300 · Bu 66700 · Professional Fees -2,500.00
Check	06/09/2014	320	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improvemei -15,000.00
Check	06/09/2014	321	Best Signs		10300 · Bu 17200 · Leasehold Improvemei -3,538.00
Check	06/09/2014	322	D & D Custom		10300 · Bu 17200 · Leasehold Improvemei -15,000.00

50,110.39

888,779.75

130,123.86

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/09/2014	323	American Fence	VOID: 1772775, lease agree	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	324	Desert Water	442280500	10300 · Bu 90917 · Water	-75.71
Check	06/09/2014	325	Desert Water	990160609 water truck	10300 · Bu 90936 · Construction	-289.74
Check	06/09/2014	326	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,296.16
Check	06/09/2014	329	District Enviromental Servies	VOID:	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	328	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	[illegible]
Check	06/09/2014	330	Southwest Plumbing	33941, 33940, 33939, 3393	10300 · Bu 17200 · Leasehold Improveme	[illegible]
Check	06/09/2014	331	Dugan Williams	2650 2656	10300 · Bu 17200 · Leasehold Improveme	-2,347.08
Check	06/09/2014	332	Sanborne A & E	8155 8175	10300 · Bu 17200 · Leasehold Improveme	-9,057.50
Check	06/09/2014	333	Adrian Ruiz	equipment repair	10300 · Bu 63260 · Equipment Repairs	-1,253.00
Check	06/09/2014	334	Collins Electric	050914-4	10300 · Bu 17200 · Leasehold Improveme	-19,750.00
Check	06/09/2014	335	Jeff's Refrigeration Service	7787 7788	10300 · Bu 15030 · Restaurant Equipment	-1,615.60
Check	06/09/2014	336	Sysco	405130136 405140470 0058	10300 · Bu -SPLIT-	-564.59
Check	06/09/2014	337	Best Buy		10300 · Bu 15020 · Restaurant Equipment	-16,761.05
Check	06/09/2014	338	Jackie Mendez	72 reg hours 2.50 ot and out	10300 · Bu 52000 · Management Regular	-1,597.63
Check	06/09/2014	339	[illegible]	40 hours	10300 · Bu 52000 · Management Regular	-640.00
Check	06/09/2014	340	Tricia Booher	60.50 hours	10300 · Bu 52000 · Management Regular	-968.00
Check	06/09/2014	343	Jerry Noonan	reimbursment	10300 · Bu 75000 · Automobile and Truck	-1,280.80
Check	06/09/2014	341	Ted Kutzner	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	342	Paul Stark	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	344	Bank Of America CC	business card	10300 · Bu 15020 · Restaurant Equipment	-3,868.65
Check	06/09/2014	345	D & D Custom	1590 1613 1620 1628	10300 · Bu 17200 · Leasehold Improveme	-7,600.00
Check	06/09/2014	346	Desert Fire	730649	10300 · Bu 15030 · Restaurant Equipment	-750.00
Check	06/09/2014	347	Desert Fountain	152391	10300 · Bu 63260 · Equipment Repairs	-110.00
Check	06/09/2014	348	desert reprographics	25183	10300 · Bu 90936 · Construction	-47.52
Check	06/09/2014	349	Diamond Enviro	0000196872	10300 · Bu 90936 · Construction	-98.91
Check	06/09/2014	350	Eco Lab	5047914	10300 · Bu 63280 · Janitorial Expense	-126.48
Check	06/09/2014	351	Fusion Screen	65099	10300 · Bu 17200 · Leasehold Improveme	-64.30
Check	06/09/2014	352	Graphic Logic	10589	10300 · Bu 65400 · Office Expense	-240.00
Check	06/09/2014	353	Intouch Pos	29060	10300 · Bu 15070 · Restaurant POS Syste	-899.26
Check	06/09/2014	354	Lowe's		10300 · Bu 15020 · Restaurant Equipment	-1,988.73
Check	06/09/2014	355	Mission Linen & Uniform	340317588 D340318442	10300 · Bu 60600 · Linen	-606.11
Check	06/09/2014	356	Next Level	39849000 49849000	10300 · Bu 17200 · Leasehold Improveme	-2,287.50
Check	06/09/2014	357	O' Linn Security INC	0515-2939	10300 · Bu 64500 · Security	-1,980.00

100,028.48

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/09/2014	358	Pacific Masonary	w8646	10300 · Bu 17200 · Leasehold Improveme	[illegible]
Check	06/09/2014	359	Palm Springs Mirror & Glass	32618	10300 · Bu 17200 · Leasehold Improveme	-656.68
Check	06/09/2014	360	Pay Attention Promotions	1084	10300 · Bu 60500 · Smallwares - Misc Ser	-2,527.44
Check	06/09/2014	361	Protection One	97693682	10300 · Bu 64500 · Security	-80.67
Check	06/09/2014	362	Verizon	anthonys	10300 · Bu 65400 · Office Expense	-201.96
Check	06/09/2014	363	Verizon	1241413739	10300 · Bu 90916 · Telephone	-109.99
Check	06/09/2014	364	Verizon	office	10300 · Bu 65400 · Office Expense	-173.02
Check	06/09/2014	365	Verizon	rest phone line 1	10300 · Bu 90916 · Telephone	-394.12
Check	06/09/2014	366	Verizon	rest phone line 2	10300 · Bu 90916 · Telephone	-281.44
Check	06/09/2014	367	Buddy Dennington	20.5 hours	10300 · Bu 52000 · Management Regular	[illegible]
General	06/09/2014	4	American Fence	For CHK 323 voided on 07/0	10300 · Bu 90936 · Construction	-612.50
Check	06/09/2014	327	Palm Springs Disposal		10300 · Bu 65500 · Waste Mgmt	-635.42
Check	06/10/2014	368	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	[illegible]
Check	06/10/2014	369	HW Image Works		10300 · Bu 60610 · Employee Uniform Exp	[illegible]
Check	06/10/2014	370	Sysco	405090911	10300 · Bu 60500 · Smallwares - Misc Ser	-2,390.45
Check	06/13/2014	371	Energy Managment Servies	4639	10300 · Bu 17200 · Leasehold Improveme	-1,060.00
Check	06/13/2014	376	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-5,000.00
Check	06/13/2014	372	VOID		10300 · Bu 69000 · Hacienda	
Check	06/15/2014	379	Maktive		10300 · Bu 15060 · Restaurant Equipt- Au	-1,000.00
Check	06/15/2014	380	Power Tip		10300 · Bu 90936 · Construction	-1,370.00
Check	06/15/2014	381	Dre Naylor	Photography	10300 · Bu 63400 · Marketing & Advertisin	-800.00
Check	06/15/2014	382	Windish Agency	Le Youth	10300 · Bu 62450 · Music and Entertainme	-1,500.00
Check	06/15/2014	383	VOID		10300 · Bu 69000 · Hacienda	
Check	06/15/2014	384	Bud Brown		10300 · Bu 51020 · Contract Labor	-2,500.00
Check	06/17/2014	385	Valley Lock		10300 · Bu 17200 · Leasehold Improveme	-212.55
Check	06/17/2014	386	Hanging High Wallpaper	6004	10300 · Bu 17200 · Leasehold Improveme	-900.00
Check	06/17/2014	387	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Au	-7,500.00
Check	06/19/2014	388	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improveme	-10,000.00
Check	06/19/2014	389	D & D Custom		10300 · Bu 17200 · Leasehold Improveme	-10,000.00
Check	06/19/2014	390	The Delivery Donkey	12450	10300 · Bu 90936 · Construction	-1,600.00
Check	06/19/2014	391	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor	-758.15
Check	06/19/2014	392	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor	-333.33
Check	06/19/2014		Transferto Check 2546		10300 · Bu 51000 · 0 Direct Labor	-14,000.00
Check	06/20/2014	393	Christina Angelina	Murals	10300 · Bu 17200 · Leasehold Improveme	-2,800.00

14,160.85

174,240.64

61,334.05

75,494.88

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/20/2014 394	Hix Drywall	5/20 6/9	10300 · Bu 17200 · Leasehold Improvemer	-2,314.00
Check	06/20/2014 395	Best Buy		10300 · Bu 15020 · Restaurant Equipment	-14,000.00
Check	06/20/2014 396	Leslie Effler	Candles	10300 · Bu 60500 · Smallwares - Misc Ser	-100.00
Check	06/20/2014 397	Rachel Rusnak	612014	10300 · Bu 63407 · Graphics Design Adve	-2,600.00
Check	06/20/2014 398	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,263.07
Check	06/20/2014 399	Southwest Plumbing	34065	10300 · Bu 17200 · Leasehold Improvemer	-1,475.00
Check	06/20/2014 400	Sign a Rama	65883	10300 · Bu 16000 · Pool and Grounds Fixe	-825.21
Check	06/20/2014 401	Premier One Coatings	1112	10300 · Bu 16000 · Pool and Grounds Fixe	-4,905.00
Check	06/20/2014 402	Palm Springs Mirror & Glass	32780	10300 · Bu 17200 · Leasehold Improvemer	-31.05
Check	06/20/2014 403	Reggie Cameron	June Service Fee	10300 · Bu 63401 · Marketing Agency	-2,200.00
Check	06/20/2014 404	Pacific Masonary	W8689	10300 · Bu 17200 · Leasehold Improvemer	-1,687.50
Check	06/20/2014 405	Dugan Williams	2673	10300 · Bu 15030 · Restaurant Equipment	-3,760.76
Check	06/20/2014 407	Collins Electric	032814-2 052114-1	10300 · Bu 17200 · Leasehold Improvemer	-12,135.00
Check	06/20/2014 409	Protection One	98428202	10300 · Bu 64500 · Security	-80.67
Check	06/20/2014 410	O' Linn Security INC	0514-2983	10300 · Bu 64500 · Security	-1,452.00
Check	06/20/2014 411	Haulaway	1472154	10300 · Bu 90936 · Construction	-93.00
Check	06/20/2014 412	First Insurance Funding Corp.	June 2014	10300 · Bu 63310 · General Liability Insura	-3,637.32
Check	06/20/2014 414	Eversoft	R1348806 W 1728617	10300 · Bu 16000 · Pool and Grounds Fixe	-117.72
Check	06/20/2014 418	Diamond Enviro	0000210858	10300 · Bu 90936 · Construction	-98.91
Check	06/20/2014 419	Desert Water	June 2014	10300 · Bu 90917 · Water	-73.13
Check	06/20/2014 420	So Cal Edison	June 2014	10300 · Bu 65300 · Gas and Electric	-122.83
Check	06/20/2014 421	Anthony Monaco	reimbursment	10300 · Bu 90936 · Construction	-147.31
Check	06/20/2014 422	Jackie Mendez	Hours/ reimbursment	10300 · Bu 52000 · Management Regular	-2,847.38
Check	06/20/2014 423	Misty Swaim 1	Reimbursment	10300 · Bu 52000 · Management Regular	-390.77
Check	06/20/2014 424	Silvino Nava	Cleaner	10300 · Bu 63280 · Janitorial Expense	-517.50
Check	06/20/2014 425	Dianna Ardilla	Cleaner	10300 · Bu 63280 · Janitorial Expense	-267.50
Check	06/20/2014 426	Robert Wepplo	Reimbursment	10300 · Bu -SPLIT-	-580.34
Check	06/20/2014 427	Desert Fountain	153623	10300 · Bu 15030 · Restaurant Equipment	-307.00
Check	06/23/2014 464	American Fence	1772775	10300 · Bu 90936 · Construction	-362.50
Check	06/27/2014 429	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-2,500.00
Check	06/27/2014 430	Desert Fire		10300 · Bu 15030 · Restaurant Equipment	-312.62
General	06/27/2014 2R	City of Palm Springs	Reverse of GJE 2 -- For CHI	10300 · Bu 61250 · Business Licenses and	688.00
Check	06/27/2014 431	Cal Dahlstrom	10024	10300 · Bu 17200 · Leasehold Improvemer	-5,000.00
Check	06/27/2014 432	So Cal Edison	2363511189	10300 · Bu 65300 · Gas and Electric	-293.01

65,810.12 ok

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/27/2014	433	Pacific Masonary	w8665	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	434	Southwest Plumbing	33949	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	435	Pro Sound And Video	54186	10300 · Bu 15060 · Restaurant Equipt- Au
Check	06/27/2014	441	Bank Of America CC	bussniess card	10300 · Bu 15020 · Restaurant Equipment
Check	06/27/2014	443	TKD	15571	10300 · Bu 90936 · Construction
Check	06/27/2014	444	Next Level	9849-00x-1	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	445	La Salle	108661	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	446	Cove Electric	174509	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	447	Best Signs	82550	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	448	Adam Slater	Hacienda1	10300 · Bu 62450 · Music and Entertainme
Check	06/27/2014	449	Infamous PR	1374	10300 · Bu 63401 · Marketing Agency
Check	06/27/2014	450	Enviro Blind	VOID: sh033715 GJE, RGJE	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	451	National Paving Company	26160	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014		Transferto Check 2546		10300 · Bu 51000 · 0 Direct Labor
General	06/27/2014	3	Enviro Blind	For CHK 450 voided on 06/2	10300 · Bu 17200 · Leasehold Improveme
General	06/27/2014	3R	Enviro Blind	Reverse of GJE 3 -- For CHI	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	452	Enviro Blind	sh033715	10300 · Bu 17200 · Leasehold Improveme
General	07/03/2014	4R	American Fence	Reverse of GJE 4 -- For CHI	10300 · Bu 90936 · Construction
Check	07/07/2014	456	Cal Dahlstrom	Home depot	10300 · Bu 17200 · Leasehold Improveme

-5,000.00	
-5,000.00	
-5,000.00	
-1,000.00	
-1,000.00	
-2,000.00	
-315.86	
-185.00	
-1,500.00	
-250.00	
-2,750.00	
0.00	
-4,000.00	
-14,000.00	
-14,041.00	
14,041.00	
-6,000.00	
612.50	
-208.15	
-1,307,833.58	

≠ 47,596.51

Hacienda

GRANTS PROGRAM CHECK LIST

Major Projects, Interior Remodel and Facade Improvement Program

Task	Yes	No	Not Applicable
Signed Application	X		
Applicant Business License	X		
Evidence of Ownership or Tenancy		X	
Contractor Agreement or Cost Estimate	X		
Contractor State License & City Business License	X		
Executed Agreement	X		
Work Completed within 90 days	X		
Building or Planning Permits	X		
Signed Job card/Certificate of Occupancy	X		
Photos	X		
Proof of Payment with invoices	✓		
Mechanic Lien Release	X		
Certificate of Program Compliance	X		
Promissory Note	X		
Certificate of Completion (staff)	X		

Hacienda Cantina

Check Register 12/19/2013 to 5/15/2014	$888,779.75
Check Register 5/16/2014 to 6/12/2014	$244,313.19
Sub-Total Ending June 12, 2014	$1,133,092.94
Chck Register 6/13/14 to 7/7/14	$174,740.64
Total Remodel Investment Endng July 2014	$1,307,833.58

Deposits and other credits

Date	Description	Amount
12/03/13		
12/18/13		
Total deposits and other credits		

Checks

Date	Check #	Amount
12/23/13	102	-3,465.00
12/23/13	103	-9,000.00

Date	Check #	Amount
12/27/13	117*	-5,000.00
Total checks		
Total # of checks		3

* *There is a gap in sequential check numbers*

Service fees

Date	Transaction description	Amount
	9503	
Total service fees		

Note your Ending Balance already reflects the subtraction of Service Fees.

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
		12/19		12/27	
	.00	12/23			

✓ To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

Withdrawals and other debits

Date	Description	Amount

Total withdrawals and other debits

Checks

Date	Check #	Amount
01/03/14	105	-6,850.00
01/07/14	106	-230.10
01/07/14	107	-5,028.00
01/10/14	108	-4,885.00
01/03/14	109	-3,501.75
01/15/14	110	-89.45
01/31/14	111	-475.00
01/02/14	113*	-209.20
01/02/14	116*	-6,000.00
01/10/14	119*	-13,330.00

Date	Check #	Amount
01/09/14	120	-284.00
01/07/14	121	-13,000.00
01/07/14	122	-103.59
01/08/14	123	-595.00
01/22/14	125*	-9,000.00
01/24/14	126	-2,500.00
01/21/14	127	-3,244.00
01/23/14	128	-1,640.00
01/28/14	130*	-4,807.66
01/30/14	131	-3,398.72

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Daily ledger balances

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
01/01		01/08		01/21	
01/02		01/09		01/22	
01/03		01/10		01/23	
01/07		01/15		01/24	

continued on the next page

The quarterly business credit card bonus reward for customers enrolled in the Business Platinum Privileges program will be discontinued as of July 1, 2014. If you are enrolled in Business Platinum Privileges and have a business credit card, your last quarterly bonus will be for the quarter ending on June 30, 2014. This change will not impact any other existing business card rewards programs you may have. If you have questions about this change, or if we can help in any way, please call the number on the front of your statement.

Deposits and other credits

Date	Description	Amount
02/07/14		
02/07/14		
02/11/14		

Withdrawals and other debits

Date	Description	Amount
02/10/14	Agent Assisted transfer to CHK 2533 Confirmation# 0589635327	
02/10/14	Agent Assisted transfer to CHK 2546 Confirmation# 1389707442	
02/10/14	Agent Assisted transfer to CHK 2533 Confirmation# 0589898187	
02/10/14	Agent Assisted transfer to CHK 2546 Confirmation# 0589901573	

Total withdrawals and other debits

Checks

Date	Check #	Amount
02/24/14	138	-2,249.00
02/06/14	118	-3,732.00
02/07/14	118*	-3,732.00
02/03/14	129*	-579.34
02/11/14	132*	-5,125.00
02/12/14	133	-1,150.00
02/21/14	134	-878.22

Date	Check #	Amount
02/25/14	136*	-700.00
02/21/14	137	-594.76
02/25/14	139*	-5,149.58
02/28/14	140	-1,000.00
02/24/14	142*	-520.00
02/28/14	144*	-10,000.00
02/24/14	146*	-3,180.00

continued on the next page

We appreciate your business

To learn more about our other business products and services, please visit us at

bankofamerica.com/smallbusiness

ARH8KTW8 AD-12-13-0092

Checks - continued

Date	Check #	Amount
02/26/14	147	-550.00
02/28/14	148	-3,535.20
02/28/14	149	-380.00
02/26/14	150	-2,646.50
02/26/14	151	-5,216.00
02/24/14	153*	-2,472.48
02/25/14	154	-3,269.22
02/28/14	155	-20,000.00
02/26/14	156	-4,000.00

Total checks

Total # of checks 23

* *There is a gap in sequential check numbers*

Date Amount

Daily ledger balances

Date	Balance ($)	Date	Balance($)	Date	Balance ($)
02/01		02/10		02/24	
02/03		02/11		02/25	
02/06		02/12		02/26	
02/07		02/21		02/28	

✓ To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

Deposits and other credits

Date	Description	Amount
03/10/14		
03/18/14	Deposit	
03/24/14		.0
03/26/14		.00
03/27/14		
03/31/14		
	B	
		.)

Withdrawals and other debits

Date	Description	Amount
03/12/14		
03/12/14		

Total withdrawals and other debits

Checks

Date	Check #	Amount
03/03/14	141	-1,179.38
03/05/14	143*	-93.75
03/11/14	145*	-1,650.93
03/03/14	152*	-852.15
03/03/14	157*	-20,493.17
03/04/14	158*	-2,500.00
03/10/14	159*	-708.33

Date	Check #	Amount
03/13/14	160	-19,885.74
03/10/14	164*	-60.51
03/10/14	166*	-9,782.84
03/11/14	167	-564.30
03/11/14	168	-141.13
03/10/14	169	-3,885.00
03/11/14	170	-3,300.00

continued on the next page

Keep up with your business 24/7 – get Mobile Banking

Access your business accounts with your mobile device simply by connecting to our Mobile Banking App. It's the easy, convenient way to manage your finances when you're on the go.

Text APP1 to 226526 to get the Mobile Banking App today.

Enrollment via Mobile app not available on all devices. Wireless fees may apply. For the text message, supported carriers include: Alltel, AT&T, Cellular One, T-Mobile, Virgin Mobile, US Cellular, Verizon Wireless. Text STOP to 226526 to cancel and text HELP to 226526 for help. Bank of America, N.A. Member FDIC. © 2013 Bank of America Corporation. ARA6PHQB

Checks - continued

Date	Check #	Amount
03/11/14	171	-7,100.00 *
03/13/14	172	-617.50
03/17/14	173	-9,433.19
03/17/14	175*	-350.00
03/18/14	176	-20,600.00
03/18/14	177	-1,769.74
03/19/14	178	-700.00
03/14/14	179	-7,000.00
03/17/14	180	-2,500.00

Date	Check #	Amount
03/21/14	181	-9,000.00
03/19/14	183*	-64,443.08
03/21/14	186*	-1,211.75
03/27/14	187	-638.88
03/27/14	189*	-1,800.00
03/31/14	190	-8,624.21
03/27/14	191	-7,000.00
03/31/14	192	-2,500.00

Total checks

Total # of checks 31

* *There is a gap in sequential check numbers*

Service fees

Your Overdraft and NSF: Returned Item fees for this statement period and year to date are shown below.

	Total for this period	Total year-to-date

Help to avoid Overdraft & NSF.
Set up Alerts through Online Banking and receive messages by email or text to inform you when your balance is low. Set up Overdraft Protection to automatically transfer available funds to your account from a linked savings, credit card, or second checking account to help cover items that would overdraw your account. You can set up both services via Online Banking at bankofamerica.com, by visiting a banking center, or by calling the toll-free number on your statement for details. Changes generally take effect after 2 business days, but can take up to 10 business days, depending on the type of account you've chosen to link for Overdraft Protection service.

Based upon the activity below, the monthly fee on your Business Advantage checking account was waived for the statement period ending 02/28/14:

You are an active user of one of the following services	OR	At least one of the following occurred during the previous month		
◯ Bank of America Merchant Services		◯	$2,500+	in net new purchases on a linked Business credit card
◯ Payroll Service by Intuit®		✓	$15,000+	average monthly balance in primary checking account
◯ Small Business Remote Deposit Online Service		✓	$35,000+	combined average monthly balance in linked business accounts

A check mark indicates that you have qualified for a monthly fee waiver on the account based on your usage of these products or services. For information on how to open a new product or to link an existing service to your account please call 1-888-BUSINESS or visit bankofamerica.com/smallbusiness.

continued on the next page

Checks - continued

Date	Check #	Amount
04/08/14	207	-5,000.00
04/16/14	208	-7,290.00
04/14/14	209	-5,338.23
04/15/14	210	-5,200.00
04/10/14	211	-38.54
04/09/14	212	-1,554.80
04/10/14	213	-100.76
04/17/14	214	-1,379.82
04/16/14	215	-2,737.50
04/09/14	216	-945.00
04/09/14	217	-162.00
04/09/14	218	-320.55
04/11/14	220*	-421.77
04/09/14	221	-146.54
04/14/14	227*	-284.05
04/18/14	228	-199.99
04/10/14	229	-127.00
04/17/14	230	-154.33
04/17/14	231	-3,006.91
04/16/14	232	-11,769.20
04/17/14	233	-4,500.00
04/11/14	234	-825.00
04/14/14	235	-22,543.21
04/15/14	236	-2,800.00
04/17/14	237	-820.50
04/17/14	238	-2,500.00
04/21/14	239	-656.68
04/24/14	240	-1,476.00
04/29/14	242*	-136.25
04/28/14	243	-50,000.00
04/29/14	245*	-8,149.00

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Service fees

Your Overdraft and NSF: Returned Item fees for this statement period and year to date are shown below.

	Total for this period	Total year-to-date

Help to avoid Overdraft & NSF.

Set up Alerts through Online Banking and receive messages by email or text to inform you when your balance is low. Set up Overdraft Protection to automatically transfer available funds to your account from a linked savings, credit card, or second checking account to help cover items that would overdraw your account. You can set up both services via Online Banking at bankofamerica.com, by visiting a banking center, or by calling the toll-free number on your statement for details. Changes generally take effect after 2 business days, but can take up to 10 business days, depending on the type of account you've chosen to link for Overdraft Protection service.

continued on the next page

Withdrawals and other debits

Date	Description	Amount
04/09/14		
04/10/14		
04/11/14		
04/14/14		
04/14/14		
04/14/14		
04/14/14		
04/14/14		
04/25/14		
Total withdrawals and other debits		

Checks

Date	Check #	Amount
04/10/14	135	-60.00
04/03/14	184*	-2,613.60
04/01/14	188*	-17,430.00
04/04/14	193*	-9,000.00
04/10/14	194	-127.00
04/03/14	195	-755.00
04/04/14	196	-9,330.00
04/10/14	197	-18,725.05

Date	Check #	Amount
04/07/14	198	-6,950.00
04/09/14	199	-5,000.00
04/08/14	200	-9,180.00
04/11/14	201	-712.50
04/11/14	202	-3,000.00
04/15/14	203	-1,600.00
04/11/14	204	-31,747.67
04/14/14	206*	-903.42

continued on the next page

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It's free, and now available on your Small Business card.

- Visit the Cash Back Deals tab in your Online or Mobile Banking
- Choose the cash back deals you want and pay with your Small Business debit or credit card
- Get cash back credited to an account of your choice

Visit bankofamerica.com/deals to learn more.

You must be enrolled in Online Banking + Mobile Banking to participate in the BankAmeriDeals program and have either an eligible Bank of America debit or credit card or Merrill Lynch credit card. Select co-brand credit cards are not eligible. Earned cash back will be credited into an eligible checking, savings, money market or credit account in the next month following redemption. For more information, please read the program terms of use at www.bankofamerica.com/deals-agreement. AR7KQBQ | 4D-08-13 Deals

Checks

Date	Check #	Amount
05/28/14	236	-915.00
05/05/14	241*	-982.30
05/09/14	246*	-900.00
05/02/14	247	-2,500.00
05/12/14	248	-7,500.00
05/09/14	249	-3,500.00
05/12/14	250	-284.05
05/08/14	253*	-222.77
05/15/14	254	-28.00
05/09/14	260*	-100.76
05/08/14	261	-33,946.05
05/12/14	261*	-33,946.05
05/08/14	262	-1,177.60
05/12/14	262*	-1,177.60
05/07/14	263	-914.00
05/09/14	264	-378.37
05/12/14	265	-17,183.96
05/09/14	266	-5,000.00
05/09/14	267	-1,087.50
05/07/14	268	-441.48
05/14/14	269	-975.00
05/08/14	270	-161.00
05/09/14	271	-307.98
05/12/14	272	-583.68
05/12/14	273	-12.02
05/13/14	274	-700.00
05/14/14	275	-9,184.20
05/16/14	276	-2,750.00
05/15/14	278*	-1,000.00
05/15/14	279	-350.00
05/20/14	280	-365.63
05/15/14	281	-1,521.62
05/22/14	282	-112.50
05/22/14	283	-90.00
05/19/14	284	-1,750.00
05/16/14	285	-90.00
05/19/14	287*	-95.00
05/16/14	288	-5,270.00
05/16/14	289	-5,540.00
05/22/14	290	-35,858.50
05/22/14	291	-10,835.00
05/20/14	292	-15,000.00
05/15/14	293	-4,950.00
05/19/14	294	-2,940.00
05/16/14	296*	-7,524.06
05/15/14	297	-408.00
05/15/14	298	-9,000.00
05/20/14	299	-5,030.19
05/20/14	300	-2,500.00
05/27/14	301	-24,000.00
05/23/14	302	-755.00
05/22/14	303	-2,000.00
05/29/14	304	-350.00
05/27/14	305	-28,127.78
05/28/14	306	-1,400.00
05/27/14	307	-1,419.75
05/23/14	308	-1,053.00
05/30/14	312*	-500.00
Total checks		
Total # of checks		58

* *There is a gap in sequential check numbers*

Checks

Date	Check #	Amount
06/03/14	309	-13,317.75
06/03/14	310	-2,300.00
06/02/14	313*	-619.40
06/03/14	314	-2,346.78
06/02/14	315	-200.00
06/04/14	316	-686.00
06/03/14	317	-2,500.00
06/09/14	318	-510.40
06/09/14	319	-2,500.00
06/03/14	320	-15,000.00
06/05/14	321	-3,538.00
06/06/14	322	-15,000.00
06/09/14	324*	-75.71
06/09/14	325	-289.74
06/10/14	327*	-635.42
06/11/14	328	-659.00
06/10/14	330*	-21,107.16
06/10/14	331	-2,317.08
06/10/14	332	-9,057.50
06/10/14	333	-1,253.00
06/13/14	334	-19,750.00
06/17/14	335	-1,615.60
06/10/14	336	-564.59
06/12/14	337	-16,761.05
06/09/14	338	-1,597.63
06/09/14	339	-640.00
06/09/14	340	-968.00
06/16/14	341	-64.00
06/10/14	342	-64.00
06/20/14	343	-1,280.80
06/13/14	344	-3,868.65
06/13/14	345	-7,600.00
06/11/14	346	-750.00
06/12/14	347	-110.00
06/18/14	348	-47.52
06/13/14	349	-98.91
06/13/14	350	-126.48
06/11/14	351	-64.30
06/11/14	352	-240.00
06/12/14	353	-899.26
06/11/14	355*	-606.11

Date	Check #	Amount
06/16/14	356	-2,287.50
06/11/14	357	-1,980.00
06/11/14	358	-4,704.11
06/12/14	359	-656.68
06/16/14	360	-2,527.44
06/13/14	361	-80.67
06/10/14	367*	-287.00
06/16/14	368	-300.00
06/11/14	369	-806.05
06/16/14	370	-2,390.45
06/12/14	371	-1,060.00
06/18/14	373*	-1,211.00
06/13/14	374	-22,933.10
06/13/14	375	-1,000.00
06/13/14	376	-5,000.00
06/18/14	377	-416.50
06/16/14	378	-44,865.77
06/24/14	380*	-1,370.00
06/17/14	381	-800.00
06/23/14	382	-1,500.00
06/19/14	384*	-2,500.00
06/20/14	385	-212.55
06/26/14	386	-900.00
06/18/14	387	-7,500.00
06/19/14	388	-10,000.00
06/20/14	389	-10,000.00
06/19/14	390	-1,600.00
06/23/14	391	-758.15
06/23/14	392	-333.33
06/19/14	393	-2,800.00
06/20/14	394	-2,314.00
06/25/14	395	-14,000.00
06/24/14	396	-100.00
06/23/14	399*	-1,475.00
06/23/14	400	-825.21
06/23/14	401	-4,905.00
06/24/14	402	-31.05
06/20/14	403	-2,200.00
06/23/14	404	-1,687.50
06/20/14	405	-3,760.76
06/23/14	406	-607.50

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Checks

Date	Check #	Amount
07/09/14	379	-1,000.00
07/07/14	430*	-312.62
07/01/14	433*	-5,000.00
07/01/14	434	-5,000.00
07/07/14	435	-5,000.00
07/03/14	441*	-1,000.00
07/02/14	442	-3,000.00
07/01/14	443	-1,000.00
07/03/14	444	-2,000.00
07/02/14	445	-315.86
07/02/14	446	-185.00
07/01/14	447	-1,500.00
07/07/14	448	-250.00
07/03/14	449	-2,750.00
07/01/14	451*	-4,000.00
07/09/14	452	-6,000.00
07/10/14	453	-125.00
07/07/14	454	-425.00
07/07/14	455	-425.00
07/07/14	456	-208.15
07/07/14	458*	-1,500.00
07/07/14	459	-500.00
07/07/14	460	-300.00
07/09/14	462*	-9,000.00
07/08/14	463	-303.94
07/14/14	465*	-2,762.00
07/15/14	466*	-500.00
07/24/14	467*	-67,227.73
07/10/14	2339*	-362.50

Total checks

Total # of checks

* *There is a gap in sequential check numbers*

Service fees

Hacienda Cantina expenses to date 5/16/2014

Quicken Report #1	$ 888,772.75
Quicken Report #2	$ 123,786.00
Quicken Report #3	$ 10,644.00
TOTAL to Date	$1,023,202.75

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Type	Date	Num	Name	Memo	Account	Split	Amount
Check	12/19/2013		BOA	CHECKS	10300 · Bu 69800 · Uncategorized Expens		-112.00
Check	12/23/2013	101		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/23/2013	102	Hix Drywall		10300 · Bu 69000 · Hacienda		-3,465.00
Check	12/23/2013	103	MK Audio Video	AV	10300 · Bu 69000 · Hacienda		-9,000.00
Check	12/23/2013	104		**VOID**	10300 · Business Fundamentals #/ 2339		0.00
Check	12/27/2013	112	Desert Fire	Fire Extiguishers	10300 · Bu 69000 · Hacienda		-275.00
Check	12/27/2013	114	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-2,226.00
Check	12/27/2013	115	ABC	Liquor ap fees	10300 · Bu 69000 · Hacienda		-252.00
Check	12/27/2013	117	Jerry Noonan	Advance	10300 · Bu 69000 · Hacienda		-5,000.00
Check	12/27/2013	124	VOID		10300 · Business Fundamentals #/ 2339		0.00
Check	01/02/2014	113	Henrys Glazing	Window repair	10300 · Bu 15030 · Restaurant Equipment		-209.20
Check	01/02/2014	116	Gouvis	Engineering	10300 · Bu 17200 · Leasehold Improveme		-6,000.00
Check	01/03/2014	105	D & D Custom	Demo	10300 · Bu 90936 · Construction		-6,850.00
Check	01/03/2014	109	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improveme		-3,501.75
Check	01/07/2014	106	Southwest Plumbing		10300 · Bu 63100 · Building Repairs		-230.10
Check	01/07/2014	107	Desert Air	HVAC	10300 · Bu 15050 · HVAC		-5,028.00
Check	01/07/2014	121	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improveme		-13,000.00
Check	01/07/2014	122	DWA	water bill	10300 · Bu 90917 · Water		-103.59
Check	01/08/2014	123	City Of PS	Plan check	10300 · Bu 61250 · Business Licenses and		-595.00
Check	01/09/2014	120	Haulaway	Storage bin	10300 · Bu 90936 · Construction		-284.00
Check	01/10/2014	108	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improveme		-4,885.00
Check	01/10/2014	119	DWA	Water Service	10300 · Bu 17200 · Leasehold Improveme		-13,330.00
Check	01/15/2014	110	Desert Fire	Fire Extiguishers	10300 · Bu 17200 · Leasehold Improveme		-89.45
Check	01/21/2014	127	TKD	Landscape Plan	10300 · Bu 17200 · Leasehold Improveme		-3,244.00
Check	01/22/2014	125	CQ Booths	Booths	10300 · Bu 15020 · Restaurant Equipment		-9,000.00
Check	01/23/2014	128	City of Palm Springs	PM 10 permits	10300 · Bu 61250 · Business Licenses and		-1,640.00
Check	01/24/2014	126	The Barn	Table tops	10300 · Bu 15020 · Restaurant Equipment		-2,500.00
Check	01/28/2014	130	Jerry Noonan	Advance	10300 · Bu 52000 · Management Regular		-4,807.66
Check	01/29/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll		-25.00
Check	01/29/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #25		-25.00
Check	01/30/2014	131	American Fence	PM 10 fence	10300 · Bu 90936 · Construction		-3,398.72
Check	01/31/2014	111	Desert Fire	Fire Extiguishers	10300 · Bu 15020 · Restaurant Equipment		-475.00

99,5514 ✓

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	02/03/2014	129	Sign a Rama	PM 10 sign	10300 · Bu 17200 · Leasehold Improvemei -579.34
Check	02/07/2014	118	ABC	Liquor ap fees	10300 · Bu 15010 · Liqour License -3,732.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #2 -75.00
Check	02/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -75.00
Check	02/10/2014		Transfer To Check 2533	Transfer	10300 · Bu 10400 · Operating Account #2 -100.00
Check	02/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll -100.00
Check	02/11/2014	132	Cal Dahlstrom	Bar top rack	10300 · Bu 15020 · Restaurant Equipment -5,125.00
Check	02/12/2014	133	Carl Hix	drywall	10300 · Bu 15030 · Restaurant Equipment -1,150.00
Check	02/21/2014	134	Anthony Monaco	United Rental	10300 · Bu 51020 · Contract Labor -878.22
Check	02/21/2014	135	County Of Riverside	DBA	10300 · Bu 61250 · Business Licenses anc -60.00
Check	02/21/2014	137	Anthony Monaco	MISC	10300 · Bu 51020 · Contract Labor -594.76
Check	02/24/2014	138	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees -2,249.00
Check	02/24/2014	142	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment -520.00
Check	02/24/2014	146	Sine Concrete	demo	10300 · Bu 90936 · Construction -3,180.00
Check	02/24/2014	153	Robert Wepplo	salary 12 days	10300 · Bu 52000 · Management Regular -2,472.48
Check	02/25/2014	136	Imperial Western	grease trap	10300 · Bu 15030 · Restaurant Equipment -700.00
Check	02/25/2014	139	Sanborne A & E	plan	10300 · Bu 17200 · Leasehold Improvemei -5,149.58
Check	02/25/2014	154	Jerry Noonan	salary	10300 · Bu 52000 · Management Regular -3,269.22
Check	02/26/2014	147	Alvarez Electric	Electrical	10300 · Bu 17200 · Leasehold Improvemei -550.00
Check	02/26/2014	150	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment -2,646.50
Check	02/26/2014	151	Desert Fountain	soda lines	10300 · Bu 15020 · Restaurant Equipment -5,216.00
Check	02/26/2014	156	Transfer Payroll		10300 · Bu 10200 · Payroll Account #2546 -4,000.00
Check	02/28/2014		NSF		10300 · Bu 90931 · Bank Charge -35.00
Check	02/28/2014	140	D & D Custom	Demo	10300 · Bu 90936 · Construction -1,000.00
Check	02/28/2014	144	D & D Custom	Demo	10300 · Bu 90936 · Construction -10,000.00
Check	02/28/2014	148	Next Level	doors	10300 · Bu 17200 · Leasehold Improvemei -3,535.20
Check	02/28/2014	149	PS Chamber Of Commerce		10300 · Bu 69800 · Uncategorized Expens -380.00
Check	02/28/2014	155	d And d	steel advance	10300 · Bu 90936 · Construction -20,000.00
Check	03/03/2014	141	Porcelanosa	Base cove	10300 · Bu 90936 · Construction -1,179.38
Check	03/03/2014	152	Eco Lab	pest control	10300 · Bu 63281 · Pest Elimination -852.15
Check	03/03/2014	157	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric -20,493.17
Check	03/04/2014	158	Bud Brown	salary	10300 · Bu 51020 · Contract Labor -2,500.00
Check	03/05/2014	143	Premie rSecurity	alarm	10300 · Bu 30400 · Union Abbey -93.75
Check	03/10/2014	159	Lowes	misc	10300 · Bu 15020 · Restaurant Equipment -708.33

103,199.08

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	03/10/2014	164	DWA	water bill	10300 · Bu 90917 · Water
Check	03/10/2014	166	Visa	MISC	10300 · Bu 69800 · Uncategorized Expens
Check	03/10/2014	169	Hix Drywall		10300 · Bu 17200 · Leasehold Improveme
Check	03/11/2014	145	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment
Check	03/11/2014	167	Fusion Screen	Hacienda, LLC	10300 · Bu 17200 · Leasehold Improveme
Check	03/11/2014	168	Diamond Enviro	toilet	10300 · Bu 90936 · Construction
Check	03/11/2014	170	Leo Diaz	paint	10300 · Bu 17200 · Leasehold Improveme
Check	03/11/2014	171	Cal Dahlstrom	chandelier	10300 · Bu 15020 · Restaurant Equipment
Check	03/12/2014	162	Verizon	phone	10300 · Bu 90916 · Telephone
Check	03/12/2014	163	Verizon	phone	10300 · Bu 90916 · Telephone
Check	03/13/2014	160	Porsalenosa	tile	10300 · Bu 15020 · Restaurant Equipment
Check	03/13/2014	172	SW Plumbing		10300 · Bu 17200 · Leasehold Improveme
Check	03/14/2014	179	Transfer Payroll	Booths	10300 · Bu 10200 · Payroll Account #2546
Check	03/17/2014	173	CQ Booths		10300 · Bu 15020 · Restaurant Equipment
Check	03/17/2014	175	Desert Recycling	salary	10300 · Bu 90936 · Construction
Check	03/17/2014	180	Bud Brown		10300 · Bu 51020 · Contract Labor
Check	03/18/2014	161	VOID		10300 · Business Fundamentals #/ 2339
Check	03/18/2014	165	VOID		10300 · Business Fundamentals #/ 2339
Check	03/18/2014	174	VOID	Demo	10300 · Business Fundamentals #/ 2339
Check	03/18/2014	176	d And d	New service	10300 · Bu 90936 · Construction
Check	03/18/2014	177	SCE		10300 · Bu 69800 · Uncategorized Expens
Check	03/18/2014	182	VOID	raw bar	10300 · Business Fundamentals #/ 2339
Check	03/19/2014	178	Health Dept	Furniture	10300 · Bu 61250 · Business Licenses and
Check	03/19/2014	183	Sunkor	Meaney	10300 · Bu 15020 · Restaurant Equipment
Check	03/21/2014				10300 · Business Fundamentals #/ 2339
Check	03/21/2014		NSF	garage door	10300 · Bu 90931 · Bank Charge
Check	03/21/2014	181	VOID	MISC	10300 · Business Fundamentals #/ 2339
Check	03/21/2014	186	Anthony Monaco	art	10300 · Bu 51020 · Contract Labor
Check	03/27/2014	184	Frameworks	pm10 deposit	10300 · Bu 15020 · Restaurant Equipment
Check	03/27/2014	185	VOID	Plan check	10300 · Bu 69000 · Hacienda
Check	03/27/2014	187	City Of PS	Liquor ap fees	10300 · Bu 61250 · Business Licenses and
Check	03/27/2014	188	ABC Escrow	doors	10300 · Bu 15010 · Liqour License
Check	03/27/2014	189	Cal Dahlstrom	kit equipment	10300 · Bu 15020 · Restaurant Equipment
Check	03/27/2014	190	Best Buy		10300 · Bu 15020 · Restaurant Equipment

	-60.51
	-9,782.84
	-3,885.00
	-1,650.93
	-564.30
	-141.13
	-3,300.00
	-7,100.00
	-451.84
	-436.63
	-19,885.74
	-617.50
	-7,000.00
	-9,433.19
	-350.00
	-2,500.00
	0.00
	0.00
	0.00
	-20,600.00
	-1,769.74
	0.00
	-700.00
	-64,443.08
	0.00
	-35.00
	0.00
	-1,211.75
	-2,163.60
	0.00
	-638.88
	-17,430.00
	-1,800.00
	-8,624.21

9,000.00?
2613.60
186,575.87 ok

Hacienda Cantina
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December 1, 2013 through October 2, 2014

Check	03/27/2014	191	Miggys Llc	payroll	10300 · Bu 10200 · Payroll Account #2546	-7,000.00
Check	03/31/2014	192	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	03/31/2014	193	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment	-9,000.00
Check	04/07/2014	194	City of Palm Springs	Sign Application	10300 · Bu 61250 · Business Licenses and	-127.00
Check	04/07/2014	195	Magic Glass		10300 · Bu 17200 · Leasehold Improvemer	-755.00
Check	04/07/2014	196	Tomalak Tile	Counter material	10300 · Bu 17200 · Leasehold Improvemer	-9,330.00
Check	04/07/2014	197	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au	-18,725.05
Check	04/07/2014	198	Calvin Dahlstron		10300 · Bu 17200 · Leasehold Improvemer	-6,950.00
Check	04/07/2014	199	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-5,000.00
Check	04/07/2014	200	Southwest Plumbing		10300 · Bu 63100 · Building Repairs	-9,180.00
Check	04/07/2014	201	ACR Consulting	I.T.	10300 · Bu 61750 · Computer and Internet	-712.50
Check	04/07/2014	202	St. Louis Digital Media, LLC	Marketing	10300 · Bu 63400 · Marketing & Advertisin	-3,000.00
Check	04/07/2014	203	Rachel Rusnak	Marketing	10300 · Bu 63400 · Marketing & Advertisin	-1,600.00
Check	04/07/2014	204	Sysco	Plates And Silverware	10300 · Bu 17500 · China, silver glass and	-31,747.67
Check	04/07/2014	205	Lowe's		10300 · Bu 90936 · Construction	-2,871.95
Check	04/07/2014	206	Porcelanosa		10300 · Bu 17200 · Leasehold Improvemer	-903.42
Check	04/07/2014	207	La Salle		10300 · Bu 17200 · Leasehold Improvemer	-5,000.00
Check	04/07/2014	208	Collins Electric		10300 · Bu 17200 · Leasehold Improvemer	-7,290.00
Check	04/07/2014	209	Jeff's Refrigeration Service		10300 · Bu 15030 · Restaurant Equipment	-5,338.23
Check	04/07/2014	210	American Landscape And Maintence		10300 · Bu 17200 · Leasehold Improvemer	-5,200.00
Check	04/07/2014	211	Gouvis		10300 · Bu 17200 · Leasehold Improvemer	-38.54
Check	04/07/2014	212	Barn Furniture Mart		10300 · Bu 15020 · Restaurant Equipment	-1,554.80
Check	04/07/2014	213	Diamond Enviro		10300 · Bu 90936 · Construction	-100.76
Check	04/07/2014	214	Nick's Mobile Repair	Water Truck	10300 · Bu 90936 · Construction	-1,379.82
Check	04/07/2014	215	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses and	-2,737.50
Check	04/07/2014	216	Desert Fire		10300 · Bu 17200 · Leasehold Improvemer	-945.00
Check	04/07/2014	217	Haulaway	storage containers	10300 · Bu 90936 · Construction	-162.00
Check	04/07/2014	218	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense	-320.55
Check	04/07/2014	219	Edison		10300 · Bu 65300 · Gas and Electric	-130.72
Check	04/07/2014	220	PSUSD	school fees	10300 · Bu 61250 · Business Licenses and	-421.77
Check	04/07/2014	221	Desert Water		10300 · Bu 90917 · Water	-146.54
Check	04/07/2014	222	Verizon	1241413739	10300 · Bu 90916 · Telephone	-109.99
Check	04/07/2014	223	Verizon	760-322-0627	10300 · Bu 90916 · Telephone	-237.36
Check	04/07/2014	224	Verizon	tahquitz	10300 · Bu 65400 · Office Expense	-230.23

140,746.40 OK

Hacienda Cantina
Custom Transaction Detail Report
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Check	04/07/2014	225	Verizon	resturant line 1	10300 · Bu 90916 · Telephone	-348.76
Check	04/07/2014	226	Verizon	resturant line 2	10300 · Bu 90916 · Telephone	-523.77
Check	04/07/2014	227	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination	-284.05
Check	04/07/2014	228	Protection One	Alarm	10300 · Bu 64500 · Security	-199.99
Check	04/10/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-7,000.00
Check	04/25/2014		Transferto Check 2546	Transfer	10300 · Bu 53610 · Account 2546 Payroll	-15,000.00
Check	05/06/2014	229	City of Palm Springs	plan check	10300 · Bu 61250 · Business Licenses and	-127.00
Check	05/06/2014	230	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and	-154.33
Check	05/06/2014	231	City of Palm Springs	permit fee	10300 · Bu 61250 · Business Licenses and	-3,006.91
Check	05/06/2014	232	Next Level	doors	10300 · Bu 15020 · Restaurant Equipment	-11,769.30
Check	05/06/2014	233	WJim	wood floor and wall	10300 · Bu 15020 · Restaurant Equipment	-4,500.00
Check	05/06/2014	234	Carl Hix	drywall	10300 · Bu 17200 · Leasehold Improvemer	-825.00
Check	05/06/2014	235	Best Buy	kit equipment	10300 · Bu 15020 · Restaurant Equipment	-22,543.21
Check	05/06/2014	236	Rick Chavez	land scaping	10300 · Bu 16000 · Pool and Grounds Fixe	-2,800.00
Check	05/06/2014	237	Jackie	accounting	10300 · Bu 52000 · Management Regular	-820.50
Check	05/06/2014	238	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	05/06/2014	239	Ps Mirror And Glass	shelves	10300 · Bu 15020 · Restaurant Equipment	-656.68
Check	05/06/2014	240	J Tech	pagers	10300 · Bu 15020 · Restaurant Equipment	-1,476.00
Check	05/06/2014	241	American Fence	PM 10 fence	10300 · Bu 90936 · Construction	-982.30
Check	05/06/2014	242	Valley Lock	rekey	10300 · Bu 17200 · Leasehold Improvemer	-136.25
Check	05/06/2014	243	Rich Meaney	repay loan	10300 · Bu 31020 · Rich Meaney	-50,000.00
Check	05/06/2014	244	VOID		10300 · Business Fundamentals #/ 2339	0.00
Check	05/06/2014	245	Premier One Coatings	Paint	10300 · Bu 17200 · Leasehold Improvemer	-8,149.00
Check	05/06/2014	246	Electronic Entry	alarm	10300 · Bu 15020 · Restaurant Equipment	-900.00
Check	05/06/2014	247	Bud Brown	salary	10300 · Bu 51020 · Contract Labor	-2,500.00
Check	05/06/2014	248	Cal Dahlstrom	cabana	10300 · Bu 15020 · Restaurant Equipment	-7,500.00
Check	05/06/2014	249	Enviro Blind	garage door	10300 · Bu 15020 · Restaurant Equipment	-3,500.00
Check	05/06/2014	250	Ecolab Pest.	pest	10300 · Bu 63281 · Pest Elimination	-284.05
Check	05/06/2014	251	Lowe's		10300 · Bu 90936 · Construction	-3,712.62
Check	05/06/2014	252	So Cal Edison	New service	10300 · Bu 65300 · Gas and Electric	-232.92
Check	05/06/2014	253	Desert Water		10300 · Bu 90917 · Water	-222.77
Check	05/06/2014	254	Palm Springs Alarm	hacienda	10300 · Bu 30400 · Union Abbey	-28.00
Check	05/06/2014	255	Verizon	internet	10300 · Bu 90916 · Telephone	-109.99
Check	05/06/2014	256	Verizon	office	10300 · Bu 65400 · Office Expense	-144.29

Check 2867 — 915.00

152,937.69

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Check	05/06/2014	257	Verizon	rest line 1	10300 · Bu 90916 · Telephone	-206.80
Check	05/06/2014	258	Verizon	rest line 2	10300 · Bu 90916 · Telephone	-123.38
Check	05/06/2014	259	Verizon	anthony	10300 · Bu 65400 · Office Expense	-201.96
Check	05/06/2014	260	Diamond Enviro		10300 · Bu 90936 · Construction	-100.76
Check	05/06/2014	261	Sysco		10300 · Bu 15020 · Restaurant Equipiment	-33,946.05
Check	05/06/2014	262	Sysco		10300 · Bu -SPLIT-	-1,177.60
Check	05/06/2014	263	Jackie Mendez	42 hours	10300 · Bu 52000 · Management Regular	-914.00
Check	05/06/2014	264	Eco Lab	dish machine rental	10300 · Bu 63280 · Janitorial Expense	-378.37
Check	05/06/2014	265	Intouch Pos		10300 · Bu 15070 · Restaurant POS Syste	-17,183.96
Check	05/06/2014	266	Rutan & Tucker, LLP	legal	10300 · Bu 90002 · Legal-Prof Fees	-5,000.00
Check	05/06/2014	267	Agua Caliente Band Of Cahuilla Indi	Cultural Monitor	10300 · Bu 61250 · Business Licenses anc	-1,087.50
Check	05/06/2014	268	Dugan Williams		10300 · Bu 17200 · Leasehold Improvemei	-441.48
Check	05/06/2014	269	Steam King Carpet Care		10300 · Bu 17200 · Leasehold Improvemei	-975.00
Check	05/06/2014	270	Desert Air	HVAC	10300 · Bu 15050 · HVAC	-161.00
Check	05/06/2014	271	Direct T.V.	hac	10300 · Bu 65100 · Cable TV	-307.98
Check	05/06/2014	272	Jerry Noonan	expense report	10300 · Bu 16600 · Office Computers	-583.68
Check	05/06/2014	273	Protection One	Alarm	10300 · Bu 64500 · Security	-12.02
Check	05/14/2014	280	Protection One	97277186-60844552	10300 · Bu 64500 · Security	-365.63
Check	05/14/2014	281	desert reprographics		10300 · Bu 90936 · Construction	-1,521.62
Check	05/14/2014	282	Eric Leckband		10300 · Bu 66600 · Printing and Reproduc	-112.50
Check	05/14/2014	283	Vallgroup		10300 · Bu 17200 · Leasehold Improvemei	-90.00
Check	05/14/2014	284	Dew Roofing	repaired leaks	10300 · Bu 17200 · Leasehold Improvemei	-1,750.00
Check	05/14/2014	285	Haulaway		10300 · Bu 90936 · Construction	-90.00
Check	05/14/2014	286	Efectronic Entry		10300 · Bu 17200 · Leasehold Improvemei	-915.00
Check	05/14/2014	287	Anthony Monaco	gas for water truck	10300 · Bu 90936 · Construction	-95.00
Check	05/14/2014	288	Sanborne A & E		10300 · Bu 17200 · Leasehold Improvemei	-5,270.00
Check	05/14/2014	289	BMC		10300 · Bu 17200 · Leasehold Improvemei	-5,540.00
Check	05/14/2014	290	Dateland Construction co.		10300 · Bu 17200 · Leasehold Improvemei	-35,858.50
Check	05/14/2014	291	Collins Electric		10300 · Bu 17200 · Leasehold Improvemei	-10,835.00
Check	05/14/2014	292	D & D Custom	steel constuction	10300 · Bu 17200 · Leasehold Improvemei	-15,000.00
Check	05/14/2014	293	Dynamic Plumbing	water heater	10300 · Bu 17200 · Leasehold Improvemei	-4,950.00
Check	05/14/2014	294	Inland Valley Stadden Inc.		10300 · Bu 17200 · Leasehold Improvemei	-2,940.00
Check	05/14/2014	295	City of Palm Springs	VOID: business lisence GJE	10300 · Bu 61250 · Business Licenses anc	0.00
Check	05/14/2014	296	Southwest Plumbing		10300 · Bu 17200 · Leasehold Improvemei	-7,524.06

155,658.85 ok

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Check	05/14/2014	274	Health Dept	out kitchen	10300 · Bu 61250 · Business Licenses and	-700.00
Check	05/14/2014	275	Tomalak Tile	counter material	10300 · Bu 17200 · Leasehold Improveme	-9,184.20
Check	05/14/2014	276	Infamous PR		10300 · Bu 63401 · Marketing Agency	-2,750.00
Check	05/14/2014	277	VOID		10300 · Bu 69000 · Hacienda	
Check	05/14/2014	278	Sign a Rama	Front sign	10300 · Bu 17200 · Leasehold Improveme	-1,000.00
Check	05/14/2014	279	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-350.00
Check	05/14/2014	EFT	Bank Of America CC	Mastercard	10300 · Bu 15020 · Restaurant Equipment	-21,000.00
Check	05/14/2014	297	Thom Dooher	sous chef cleaning hours	10300 · Bu 51010 · Hourly Regular	-408.00
Check	05/14/2014	298	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Au	-9,000.00
General	05/14/2014	2	City of Palm Springs	For CHK 295 voided on 06/2	10300 · Bu 61250 · Business Licenses and	-688.00
Check	05/15/2014	299	So Cal Edison	relocate	10300 · Bu 65300 · Gas and Electric	-5,030.19
Check	05/23/2014	300	Bud Brown		10300 · Bu 51020 · Contract Labor	-2,500.00
Check	05/23/2014	301	Pro Sound And Video		10300 · Bu 15060 · Restaurant Equipt- Au	-24,000.00
Check	05/23/2014	302	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-755.00
Check	05/23/2014	303	Angelina		10300 · Bu 17200 · Leasehold Improveme	-2,000.00
Check	05/23/2014	304	Desert Recycling	3656	10300 · Bu 90936 · Construction	-350.00
Check	05/23/2014	305	Southwest Plumbing	33773, 33618, 33431, 33629	10300 · Bu 17200 · Leasehold Improveme	-28,127.78
Check	05/23/2014	306	Dynamic Plumbing	70275-2	10300 · Bu 90936 · Construction	-1,400.00
Check	05/23/2014	307	Jackie Mendez	controller hours	10300 · Bu 52000 · Management Regular	-1,419.75
Check	05/23/2014	308	Bear Zeller	sous chef	10300 · Bu 51010 · Hourly Regular	-1,053.00
Check	05/23/2014	309	Capax	Deposit	10300 · Bu 63310 · General Liability Insura	-13,317.75
Check	05/23/2014	310	Capax	Brokers fee	10300 · Bu 63310 · General Liability Insura	-2,300.00
Check	06/04/2014		Transfer To Check 2533		10300 · Bu 51000 · 0 Direct Labor	-10,000.00
Check	06/09/2014	311	VOID		10300 · Bu 69000 · Hacienda	0.00
Check	06/09/2014	313	Liquor License	spec	10300 · Bu 15010 · Liqour License	-619.40
Check	06/09/2014	314	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improveme	-2,346.78
Check	06/09/2014	315	Buddy Dennington		10300 · Bu 52000 · Management Regular	-200.00
Check	06/09/2014	316	HW Image Works	Mens Uniforms & aprons	10300 · Bu 60610 · Employee Uniform Exp	-686.00
Check	06/09/2014	317	Rick Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-2,500.00
Check	06/09/2014	318	Bud Brown	fence	10300 · Bu 17200 · Leasehold Improveme	-510.40
Check	06/09/2014	319	Bud Brown		10300 · Bu 66700 · Professional Fees	-2,500.00
Check	06/09/2014	320	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improveme	-15,000.00
Check	06/09/2014	321	Best Signs		10300 · Bu 17200 · Leasehold Improveme	-3,538.00
Check	06/09/2014	322	D & D Custom		10300 · Bu 17200 · Leasehold Improveme	-15,000.00

50,112.39

388,779.75

130,123.86

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Check	06/09/2014	323	American Fence	VOID: 1772775, lease agree	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	324	Desert Water	442280500	10300 · Bu 90917 · Water	-75.71
Check	06/09/2014	325	Desert Water	990160609 water truck	10300 · Bu 90936 · Construction	-289.74
Check	06/09/2014	326	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,296.16
Check	06/09/2014	329	District Enviromental Servies	VOID:	10300 · Bu 90936 · Construction	0.00
Check	06/09/2014	328	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-659.00
Check	06/09/2014	330	Southwest Plumbing	33941, 33940, 33939, 33938	10300 · Bu 17200 · Leasehold Improveme	-21,107.16
Check	06/09/2014	331	Dugan Williams	2650 2656	10300 · Bu 17200 · Leasehold Improveme	-2,317.08
Check	06/09/2014	332	Sanborne A & E	8155 8175	10300 · Bu 17200 · Leasehold Improveme	-9,057.50
Check	06/09/2014	333	Adrian Ruiz	equipment repair	10300 · Bu 63260 · Equipment Repairs	-1,253.00
Check	06/09/2014	334	Collins Electric	050914-4	10300 · Bu 17200 · Leasehold Improveme	-19,750.00
Check	06/09/2014	335	Jeff's Refrigeration Service	7787 7788	10300 · Bu 15030 · Restaurant Equipment	-1,615.60
Check	06/09/2014	336	Sysco	405130136 405140470 0058	10300 · Bu -SPLIT-	-564.59
Check	06/09/2014	337	Best Buy		10300 · Bu 15020 · Restaurant Equipment	-16,761.05
Check	06/09/2014	338	Jackie Mendez	72 reg hours 2.50 ot and out	10300 · Bu 52000 · Management Regular	-1,597.63
Check	06/09/2014	339	Neil Husvar 1	40 hours	10300 · Bu 52000 · Management Regular	-640.00
Check	06/09/2014	340	Thom Docher	60.50 hours	10300 · Bu 52000 · Management Regular	-968.00
Check	06/09/2014	343	Jerry Noonan	reimbursment	10300 · Bu 75000 · Automobile and Truck	-1,280.80
Check	06/09/2014	341	Tad Kutzner	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	342	Paul Stark 1	8 hours	10300 · Bu 51010 · Hourly Regular	-64.00
Check	06/09/2014	344	Bank Of America CC	business card	10300 · Bu 15020 · Restaurant Equipment	-3,868.65
Check	06/09/2014	345	D & D Custom	1590 1613 1620 1628	10300 · Bu 17200 · Leasehold Improveme	-7,600.00
Check	06/09/2014	346	Desert Fire	730649	10300 · Bu 15030 · Restaurant Equipment	-750.00
Check	06/09/2014	347	Desert Fountain	152391	10300 · Bu 63260 · Equipment Repairs	-110.00
Check	06/09/2014	348	desert reprographics	25183	10300 · Bu 90936 · Construction	-47.52
Check	06/09/2014	349	Diamond Enviro	0000196872	10300 · Bu 90936 · Construction	-98.91
Check	06/09/2014	350	Eco Lab	5047914	10300 · Bu 63280 · Janitorial Expense	-126.48
Check	06/09/2014	351	Fusion Screen	65099	10300 · Bu 17200 · Leasehold Improveme	-64.30
Check	06/09/2014	352	Graphic Logic	10589	10300 · Bu 65400 · Office Expense	-240.00
Check	06/09/2014	353	Intouch Pos	29060	10300 · Bu 15070 · Restaurant POS Syste	-899.26
Check	06/09/2014	354	Lowe's		10300 · Bu 15020 · Restaurant Equipment	-1,988.73
Check	06/09/2014	355	Mission Linen & Uniform	340317588 D340318442	10300 · Bu 60600 · Linen	-606.11
Check	06/09/2014	356	Next Level	39849000 49849000	10300 · Bu 17200 · Leasehold Improveme	-2,287.50
Check	06/09/2014	357	O' Linn Security INC	0515-2939	10300 · Bu 64500 · Security	-1,980.00

100,028.48

Hacienda Cantina
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Check	06/09/2014	358	Pacific Masonary	w8646	10300 · Bu 17200 · Leasehold Improveme	-4,704.11
Check	06/09/2014	359	Palm Springs Mirror & Glass	32618	10300 · Bu 17200 · Leasehold Improveme	-656.68
Check	06/09/2014	360	Pay Attention Promotions	1084	10300 · Bu 60500 · Smallwares - Misc Ser	-2,527.44
Check	06/09/2014	361	Protection One	97693682	10300 · Bu 64500 · Security	-80.67
Check	06/09/2014	362	Verizon	anthonys	10300 · Bu 65400 · Office Expense	-201.96
Check	06/09/2014	363	Verizon	1241413739	10300 · Bu 90916 · Telephone	-109.99
Check	06/09/2014	364	Verizon	office	10300 · Bu 65400 · Office Expense	-173.02
Check	06/09/2014	365	Verizon	rest phone line 1	10300 · Bu 90916 · Telephone	-394.12
Check	06/09/2014	366	Verizon	rest phone line 2	10300 · Bu 90916 · Telephone	-281.44
Check	06/09/2014	367	Buddy Dennington	20.5 hours	10300 · Bu 52000 · Management Regular	-287.00
General	06/09/2014	4	American Fence	For CHK 323 voided on 07/0	10300 · Bu 90936 · Construction	-612.50
Check	06/09/2014	327	Palm Springs Disposal		10300 · Bu 65500 · Waste Mgmt	-635.42
Check	06/10/2014	368	Magic Glass		10300 · Bu 17200 · Leasehold Improveme	-300.00
Check	06/10/2014	369	HW Image Works		10300 · Bu 60610 · Employee Uniform Exp	-806.05
Check	06/10/2014	370	Sysco	405090911	10300 · Bu 60500 · Smallwares - Misc Ser	-2,390.45
Check	06/13/2014	371	Energy Managment Servies	4639	10300 · Bu 17200 · Leasehold Improveme	-1,060.00
Check	06/13/2014	376	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-5,000.00
Check	06/13/2014	372	VOID		10300 · Bu 69000 · Hacienda	
Check	06/15/2014	379	Maktive		10300 · Bu 15060 · Restaurant Equipt- Au	-1,000.00
Check	06/15/2014	380	Power Tip		10300 · Bu 90936 · Construction	-1,370.00
Check	06/15/2014	381	Dre Naylor	Photography	10300 · Bu 63400 · Marketing & Advertisin	-800.00
Check	06/15/2014	382	Windish Agency	Le Youth	10300 · Bu 62450 · Music and Entertainme	-1,500.00
Check	06/15/2014	383	VOID		10300 · Bu 69000 · Hacienda	
Check	06/15/2014	384	Bud Brown		10300 · Bu 51020 · Contract Labor	-2,500.00
Check	06/17/2014	385	Valley Lock		10300 · Bu 17200 · Leasehold Improveme	-212.55
Check	06/17/2014	386	Hanging High Wallpaper	6004	10300 · Bu 17200 · Leasehold Improveme	-900.00
Check	06/17/2014	387	MK Audio Video		10300 · Bu 15060 · Restaurant Equipt- Au	-7,500.00
Check	06/19/2014	388	Cal Dahlstrom		10300 · Bu 17200 · Leasehold Improveme	-10,000.00
Check	06/19/2014	389	D & D Custom		10300 · Bu 17200 · Leasehold Improveme	-10,000.00
Check	06/19/2014	390	The Delivery Donkey	12450	10300 · Bu 90936 · Construction	-1,600.00
Check	06/19/2014	391	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor	-758.15
Check	06/19/2014	392	Elizabeth Brown	expense	10300 · Bu 51020 · Contract Labor	-333.33
Check	06/19/2014		Transferto Check 2546		10300 · Bu 51000 · 0 Direct Labor	-14,000.00
Check	06/20/2014	393	Christina Angelina	Murals	10300 · Bu 17200 · Leasehold Improveme	-2,800.00

dlc 14,160.85

$174,740.64

61,334.07

75,494.88

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/20/2014 394	Hix Drywall	5/20 6/9	10300 · Bu 17200 · Leasehold Improveme	-2,314.00
Check	06/20/2014 395	Best Buy		10300 · Bu 15020 · Restaurant Equipmen	-14,000.00
Check	06/20/2014 396	Leslie Effler	Candles	10300 · Bu 60500 · Smallwares - Misc Ser	-100.00
Check	06/20/2014 397	Rachel Rusnak	612014	10300 · Bu 63407 · Graphics Design Adve	-2,600.00
Check	06/20/2014 398	The Gas Co.		10300 · Bu 65300 · Gas and Electric	-1,263.07
Check	06/20/2014 399	Southwest Plumbing	34065	10300 · Bu 17200 · Leasehold Improveme	-1,475.00
Check	06/20/2014 400	Sign a Rama	65883	10300 · Bu 16000 · Pool and Grounds Fixe	-825.21
Check	06/20/2014 401	Premier One Coatings	1112	10300 · Bu 16000 · Pool and Grounds Fixe	-4,905.00
Check	06/20/2014 402	Palm Springs Mirror & Glass	32780	10300 · Bu 17200 · Leasehold Improveme	-31.05
Check	06/20/2014 403	Reggie Cameron	June Service Fee	10300 · Bu 63401 · Marketing Agency	-2,200.00
Check	06/20/2014 404	Pacific Masonary	W8689	10300 · Bu 17200 · Leasehold Improveme	-1,687.50
Check	06/20/2014 405	Dugan Williams	2673	10300 · Bu 15030 · Restaurant Equipment	-3,760.76
Check	06/20/2014 407	Collins Electric	032814-2 052114-1	10300 · Bu 17200 · Leasehold Improveme	-12,135.00
Check	06/20/2014 409	Protection One	98428202	10300 · Bu 64500 · Security	-80.67
Check	06/20/2014 410	O' Linn Security INC	0514-2983	10300 · Bu 64500 · Security	-1,452.00
Check	06/20/2014 411	Haulaway	1472154	10300 · Bu 90936 · Construction	-93.00
Check	06/20/2014 412	First Insurance Funding Corp.	June 2014	10300 · Bu 63310 · General Liability Insura	-3,637.32
Check	06/20/2014 414	Eversoft	R1348806 W 1728617	10300 · Bu 16000 · Pool and Grounds Fixe	-117.72
Check	06/20/2014 418	Diamond Enviro	0000210858	10300 · Bu 90936 · Construction	-98.91
Check	06/20/2014 419	Desert Water	June 2014	10300 · Bu 90917 · Water	-73.13
Check	06/20/2014 420	So Cal Edison	June 2014	10300 · Bu 65300 · Gas and Electric	-122.83
Check	06/20/2014 421	Anthony Monaco	reimbursment	10300 · Bu 90936 · Construction	-147.31
Check	06/20/2014 422	Jackie Mendez	Hours/ reimbursment	10300 · Bu 52000 · Management Regular	-2,847.38
Check	06/20/2014 423	Misty Swaim 1	Reimbursment	10300 · Bu 52000 · Management Regular	-390.77
Check	06/20/2014 424	Silvino Nava	Cleaner	10300 · Bu 63280 · Janitorial Expense	-517.50
Check	06/20/2014 425	Dianna Ardilla	Cleaner	10300 · Bu 63280 · Janitorial Expense	-267.50
Check	06/20/2014 426	Robert Wepplo	Reimbursment	10300 · Bu -SPLIT-	-580.34
Check	06/20/2014 427	Desert Fountain	153623	10300 · Bu 15030 · Restaurant Equipment	-307.00
Check	06/23/2014 464	American Fence	1772775	10300 · Bu 90936 · Construction	-362.50
Check	06/27/2014 429	Ricardo Chavez		10300 · Bu 16000 · Pool and Grounds Fixe	-2,500.00
Check	06/27/2014 430	Desert Fire		10300 · Bu 15030 · Restaurant Equipment	-312.62
General	06/27/2014 2R	City of Palm Springs	Reverse of GJE 2 -- For CHI	10300 · Bu 61250 · Business Licenses and	688.00
Check	06/27/2014 431	Cal Dahlstrom	10024	10300 · Bu 17200 · Leasehold Improveme	-5,000.00
Check	06/27/2014 432	So Cal Edison	2363511189	10300 · Bu 65300 · Gas and Electric	-293.01

65,810.10 ok

Hacienda Cantina
Custom Transaction Detail Report
December 1, 2013 through October 2, 2014

Check	06/27/2014	433	Pacific Masonary	w8665	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	434	Southwest Plumbing	33949	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	435	Pro Sound And Video	54186	10300 · Bu 15060 · Restaurant Equipt- Au
Check	06/27/2014	441	Bank Of America CC	bussniess card	10300 · Bu 15020 · Restaurant Equipiment
Check	06/27/2014	443	TKD	15571	10300 · Bu 90936 · Construction
Check	06/27/2014	444	Next Level	9849-00x-1	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	445	La Salle	108661	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	446	Cove Electric	174509	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	447	Best Signs	82550	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	448	Adam Slater	Hacienda1	10300 · Bu 62450 · Music and Entertainme
Check	06/27/2014	449	Infamous PR	1374	10300 · Bu 63401 · Marketing Agency
Check	06/27/2014	450	Enviro Blind	VOID: sh033715 GJE, RGJE	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	451	National Paving Company	26160	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014		Transferto Check 2546		10300 · Bu 51000 · 0 Direct Labor
General	06/27/2014	3	Enviro Blind	For CHK 450 voided on 06/2	10300 · Bu 17200 · Leasehold Improveme
General	06/27/2014	3R	Enviro Blind	Reverse of GJE 3 -- For CHI	10300 · Bu 17200 · Leasehold Improveme
Check	06/27/2014	452	Enviro Blind	sh033715	10300 · Bu 17200 · Leasehold Improveme
General	07/03/2014	4R	American Fence	Reverse of GJE 4 -- For CHI	10300 · Bu 90936 · Construction
Check	07/07/2014	456	Cal Dahlstrom	Home depot	10300 · Bu 17200 · Leasehold Improveme

-5,000.00	
-5,000.00	
-5,000.00	
-1,000.00	
-1,000.00	
-2,000.00	
-315.86	
-185.00	
-1,500.00	
-250.00	
-2,750.00	
0.00	
-4,000.00	
-14,000.00	
-14,041.00	
14,041.00	
-6,000.00	
612.50	
-208.15	
-1,307,833.58	

≠ 47,596.51

Hacienda

GRANTS PROGRAM CHECK LIST

Major Projects, Interior Remodel and Facade Improvement Program

Task	Yes	No	Not Applicable
Signed Application	X		
Applicant Business License	X		
Evidence of Ownership or Tenancy		X	
Contractor Agreement or Cost Estimate	X		
Contractor State License & City Business License	X		
Executed Agreement	✓		
Work Completed within 90 days	X		
Building or Planning Permits	X		
Signed Job card/Certificate of Occupancy	X		
Photos	X		
Proof of Payment with invoices	✓		
Mechanic Lien Release	X		
Certificate of Program Compliance	X		
Promissory Note	X		
Certificate of Completion (staff)	X		

COMMERCIAL – RETAIL
MAJOR "NEED-BASED" ASSISTANCE FOR
RENOVATING MAJOR VACANCIES AS
CATALYST PROJECTS

RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS GRANT AGREEMENT

THIS RENOVATING MAJOR VACANCIES (the "Agreement") is made and entered into this ____ day of _____, 2014, by and between the City of Palm Springs, ("City"), and Miggys Cantina, LLC, the ("Tenant"). Collectively the City and Tenant are referred to as the Parties.

RECITALS

City has established a Major Need-Based Catalyst Vacancy Program for Owners and Tenants of commercial-retail businesses in the City of Palm Springs.

Miggys Cantina, LLC ("Tenant") is a tenant of a 8,000 square foot commercial space located within the eligible area at 1555 South Palm Canyon Drive, Palm Springs, California 92264 ("Property"), otherwise known as Hacienda Cantina. The Property is owned by Wessman Holdings ("Owner"), of Palm Springs, California. Owner has provided its consent to the Tenant for the property improvements and for the Tenant's application for incentive funding.

Grant Criteria. In order to receive the maximum amount under the program, a building, cluster of buildings or single space must be at least 8,000 s.f. or Tenant proposes an expenditure of at least $1,000,000 – excluding the acquisition of the property, have approved renovation plans, and undergo a pro forma analysis by the City.

City Investment. Under the Major Need-Based Catalyst Vacancy Program, the maximum dollars per building square foot committed by the City would be $30/sq.ft., which would be reserved for high potential dollars-per-square-foot projects projected to produce significant revenue for the City through sales taxes, property taxes and other revenue. Under the same program, the maximum for general retail dollars per square foot committed by the City would be $10/sq.ft.

Leverage. Under the Major Need-Based Catalyst Vacancy Program, the applicant (Owner or Tenant) must spend $3.00 for each $1.00 committed by the City, which is different from other incentive programs offered by the City, which require a 1:1 match.

Grant Maximums. In any project assisted under the Major Need-Based Catalyst Vacancy Program, the maximum City matching grant shall not exceed $250,000, i.e. if the applicant's interior improvement cost is $1,000,000, the City Match Grant would be $250,000. For projects investing less than $1,000,000 in total renovation cost, the City

Match Grant would be $25,000 per commercial space provided the minimum qualified expenditure was no less than $50,000.

Tenant has applied for a Grant in the amount of $250,000 to make interior improvements to the Property as described in Exhibit "B," Scope of Work.

The City has confirmed that the Property is a vacant space in a building constructed at least thirty years ago and has been vacant for more than five years, and that the conversion of the very large (8,000 square foot) space, with a 3,000 square foot kitchen, into a functioning business would not have been economically feasible without an incentive program.

The City has determined that, in addition to the high cost of converting the oversized space into a functioning business, the location of the business on a section of South Palm Canyon Drive which has suffered from a high level of vacancies, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

Tenant has received all necessary approvals from the City's Planning, Building and Engineering Departments, which are shown in Exhibit "C", Evidence of Approval. The estimated cost of the work proposed is $2,000,000**,** as shown in Exhibit "D".

Tenant has completed the construction of the project and received sign off from the City's Planning and Building and from Riverside County Department of Environmental Health, which are shown in Exhibit "C", Evidence of Approval. The estimated cost of the completed work is _____, as shown in Exhibit "D".

The City has reviewed the application, the evidence of financial participation by Tenant, the location of the Property, and the approvals, and has approved the Grant Application.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, City agrees to grant to Tenant the amount of $250,000 and Tenant agrees to complete the approved improvements, if necessary, and operate the business under the following terms and conditions:

AGREEMENT

1. **Property Ownership/Right to Undertake Work**. Tenant represents that it holds Tenancy in the Property, which entitles it to undertake interior physical improvements to the Property.

2. **Schedule**. The Parties agree that all interior improvements shall be completed within **90** days of the date of this Agreement.

3. **Contractor.** The Parties agree that Tenant has sole responsibility for choosing and hiring the contractor, which shall be shown in Exhibit "D", Contractor/Vendor Agreements, and the acceptance of the material used and the work performed is Tenant's responsibility, and the City is not a party to any agreement with the vendor or contractor and does not guarantee the quality of workmanship of the property improvements, nor have any liability whatsoever therefor. At all times hereunder, the Contractor shall have a valid Contractor's License from the State of California and a valid City of Palm Springs Business License.

4. **Design Approval and Permits.** The Parties agree that Tenant has sole responsibility for obtaining design approval and evidence of required permit approvals from the City of Palm Springs as shown in Exhibit "C", and ensuring the compliance with those permits.

5. **Grant Limitations**. The maximum City matching grant shall not exceed $250,000, which is the 8,125 square feet of the building space multiplied by the maximum $30/s.f. of City contribution. The estimated cost of the work proposed is $2,000,000, as shown in Exhibit "D". The leverage is $7.75 of Tenant dollars for each $1.00 of City dollars.

6. **Evidence of Completion**. The Parties agree that the City will release the Grant funds upon the completion of the work by the Tenant or his contractor. Evidence of completion shall include but is not limited to: photographs of the finished work; a final inspection by a representative of the City of Palm Springs; and, a copy of the final invoice for the work completed and proof of payment to the contractor.

7. **Release of Liens**. The Parties Agree that the Tenant is responsible for obtaining the release of any Mechanics Liens or other liens placed upon Tenant's property by any contractor or subcontractor hired under this program.

8. **Maintenance**. Tenant agrees and covenants that, after the City issues its Certificate of Completion, Tenant shall be responsible for maintenance of all improvements that may exist at the Property from time to time, including without limitation buildings, parking lots, lighting, signs, and walls in first-class condition and repair, and shall keep the Property free from any accumulation of debris or waste materials. Tenant shall also maintain all landscaping required pursuant to Property's approved landscaping plan, if any, in a healthy condition, including replacement of any dead or diseased plants with plants of a maturity similar to those being replaced. Tenant hereby waives any notice, public hearing, and other requirements of the public nuisance laws and ordinances of the City that would otherwise apply.

MISCELLANEOUS PROVISIONS

9. **Covenant Against Discrimination**. Tenant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination or segregation in the performance of or in connection with this Agreement regarding any person or group of persons on account of race, color, creed, religion, sex, marital status, disability, sexual orientation, national origin, or ancestry.

10. **Notice**. Any notice, demand, request, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by pre-paid, first-class mail to the address set forth below. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

To City:

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
Attn: Economic Development
Administrator

To Tenant:

Miggys Cantina, LLC
700 East Tahquitz Canyon Way, Suite A
Palm Springs, California 92262
Attn: Rich Meaney

11. **Integrated Agreement**. This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement.

12. **Amendment**. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

13. **Severability**. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement, which shall be interpreted to carry out the intent of the parties hereunder.

14. **Indemnification.** Tenant shall indemnify and hold harmless, the City of Palm Springs ("City") and the City, the City Council, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever based and asserted upon any act or omission of the City for property damage, bodily

injury, or death or any other element of damage of any kind or nature, relating to or in any way connected with participation in the Program.

15. **Authority**. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement. Tenant certifies that the above statements are true and accurate to the best of Tenant's belief. Failure to meet any of the terms of this Agreement shall result in the forfeiture of any Grant funds from the City for this program.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates stated below.

"City"
City of Palm Springs

Date:_____ By: _____
Community & Economic Development

Date: _____ By: _____
Director, Community & Economic Development

Date:_____ By: _____
David H. Ready, Esq., PhD.
City Manager

ATTEST:

By: _____
James Thompson
City Clerk

APPROVED AS TO FORM:

By: _____
Douglas C. Holland
City Attorney

"TENANT"

Date: _____ By: _____
Rich Meaney
Manager

Date: _____ By: _____

EXHIBIT "A"
MAP

See Attached

EXHIBIT "B"
SCOPE OF WORK

EXHIBIT "C"
EVIDENCE OF APPROVAL
(PLANNING, BUILDING, ENGINEERING DEPARTMENT)

Building permit required on all or a portion of the work described in Exhibit "B" Scope of Work. Yes __ No __

If yes, Building Permit #_____

Community & Economic Development Eligibility Letter

EXHIBIT "D"
CONTRACTOR/VENDOR AGREEMENT

SEE NEXT PAGE

COMMERCIAL – RETAIL
MAJOR "NEED-BASED" ASSISTANCE FOR RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS

GRANT AGREEMENT

THIS RENOVATING MAJOR VACANCIES (the "Agreement") is made and entered into this ____ day of _____, 2014, by and between the City of Palm Springs, ("City"), and Miggys Cantina, LLC, the ("Tenant"). Collectively the City and Tenant are referred to as the Parties.

RECITALS

City has established a Major Need-Based Catalyst Vacancy Program for Owners and Tenants of commercial-retail businesses in the City of Palm Springs.

Miggys Cantina, LLC ("Tenant") is a tenant of a 8,000 square foot commercial space located within the eligible area at 1555 South Palm Canyon Drive, Palm Springs, California 92264 ("Property"), otherwise known as Hacienda Cantina. The Property is owned by Wessman Holdings ("Owner"), of Palm Springs, California. Owner has provided its consent to the Tenant for the property improvements and for the Tenant's application for incentive funding.

Grant Criteria. In order to receive the maximum amount under the program, a building, cluster of buildings or single space must be at least 8,000 s/f. Tenant proposed an expenditure of at least $1,000,000 – excluding the acquisition of the property. Tenant has approved renovation plans and completed all work necessary for the renovation, and underwent a pro forma analysis by the City.

City Investment. Under the Major Need-Based Catalyst Vacancy Program, the maximum dollars per building square foot committed by the City is $30/s/f., which is reserved for high potential dollars-per-square-foot projects projected to produce significant revenue for the City through sales taxes, property taxes and other revenue.

Leverage. Under the Major Need-Based Catalyst Vacancy Program, the applicant (Owner or Tenant) must spend $3.00 for each $1.00 committed by the City, which is higher than other incentive programs offered by the City, which typically require a 1:1 match.

Grant Maximums. The maximum City matching grant under the Major Need-Based Catalyst Vacancy Program shall not exceed $250,000, i.e. if the applicant's interior

improvement cost is $1,000,000, the City Match Grant would be $250,000, provided it did not exceed $30.00/s/f.

Tenant has applied for a Grant in the amount of $250,000 to make interior improvements to the Property as described in Exhibit "B," Scope of Work.

The City has confirmed that the Property is a vacant space in a building constructed at least thirty years ago and has been vacant for more than five years, and that the conversion of the very large (8,000 square foot) space, with a 3,000 square foot kitchen, into a functioning business would not have been economically feasible without an incentive program.

The City has determined that, in addition to the high cost of converting the oversized space into a functioning business, the location of the business on a section of South Palm Canyon Drive which has suffered from a high level of vacancies, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

Tenant has received all necessary approvals from the City's Planning, Building and Engineering Departments, which are shown in Exhibit "C", Evidence of Approval. The estimated cost of the work proposed is $1,500,000, as shown in Exhibit "D".

Tenant has substantially completed the construction of the project and will receive sign off from the City's Planning and Building and from Riverside County Department of Environmental Health.

The City has reviewed the application, the evidence of financial participation by Tenant, the location of the Property, and the approvals, and has approved the Grant Application.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, City agrees to grant to Tenant the amount of $250,000 and Tenant agrees to complete the approved improvements, if necessary, and operate the business under the following terms and conditions:

AGREEMENT

1. **Property Ownership/Right to Undertake Work**. Tenant represents that it holds Tenancy in the Property, which entitles it to undertake interior physical improvements to the Property and has consent of the landlord to perform such work.

2. **Form of City Assistance**. The Program assistance authorized by this Agreement shall be in the form of a grant to an eligible business, secured by a Promissory Note (Note) that is amortized each year of the three year Compliance Period. Such Note terms shall include the right of the City to place a lien against the business' (Tenant's) interest in the affected property and may include

repayment provisions that do not require monetary repayment upon business performance meeting defined criteria.

a. The City and the eligible business shall enter a written agreement detailing the responsibilities of both parties, including but not limited to a the grant assistance by the City described in this Section, and the continued maintenance of minimum business activity and employment levels by the business; and

b. The program features a "clawback" provision: the assistance will be made as a "loan" by the City to the business, but the amortization will be their continued presence and operation in the City for a specified period of time. If the company sells the business, ceases operating the business, or reduces its employment levels below the committed level, it will be required to repay the City the unamortized portion of the assistance; and

c. The City may include repayment provisions that may or may not require monetary repayment, depending on the business' performance meeting criteria defined in this Section; such agreement shall be secured by a lien against the business and/or the property at which the business is located; and

d. The company shall attest that the business would not have located or expanded in the City without the benefit; and

e. The City shall attest that the total economic benefit to the community of the new sales tax, other taxes, and additional jobs, by its own calculations, exceeds the amount of the grant, and that the broad public benefit created by the program in terms of payroll and taxes paid exceeds the private benefit, and that there are no other reasonable alternative measures available to the business to finance the improvements or create the public benefit; and

f. The agreement shall assure that the business will remain in the City for a minimum of three (3) years at the proposed business activity and employment level, or repay the City based on a straight-line amortization of the assistance; the commitment "amortizes" the City's loan to the business at a rate of 33.3% of the dollar amount of the benefit per year; and

g. Prior to the first anniversary of this Agreement, a certification form shall be submitted by the tenant to the City for verification. Upon completion of the verification process the lien placed on the business will be reduced by one third of the benefit amount paid. This process will continue annually for a total of three years, starting during the 2nd year of the initial employee certification process.

3. **Required Findings for Assistance**. In October, 2013, Section 53083 was added to the California Government Code. Section 53083 states that before granting an economic development subsidy, each local agency shall provide public notice and a hearing regarding the economic development subsidy. "Economic development subsidy" under Section 53083 means any expenditure of public funds or loss of revenue to a local agency in the amount of one hundred thousand dollars ($100,000) or more, for the purpose of stimulating economic development within the jurisdiction of a local agency, including, but not limited to. bonds, grants, loans, loan guarantees, enterprise zone or empowerment zone incentives, fee waivers, land price subsidies, matching funds, tax abatements, tax exemptions, and tax credits. The City Council, prior to approving assistance to an eligible business, must make the following findings:

(1) The name and address of all business entities that are the beneficiary of the economic development subsidy: Miggys Cantina, LLC, 1555 South Palm Canyon Drive, Suite B-1, Palm Springs, CA, 92264.

(2) The start and end dates and schedule, if applicable, for the economic development subsidy. The subsidy shall be made after the project is approved by the City and County Department of Health, and all work completed to the City's satisfaction, and evidence of payment made, as well as evidence of at least a 3:1 match of private funds to City dollars. In this case the work has been completed and approved and the restaurant has opened. The project shall have a three (3) year Compliance Period.

(3) A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy. The subsidy is in the amount of $250,000 to make interior and exterior improvements to the Property in order to renovate the existing restaurant into a large restaurant and club with a pool component. The assistance authorized by this Agreement shall be in the form of a grant to the eligible business described in Section 2 of this Agreement.

(4) A statement of the public purposes for the economic development subsidy. The City has confirmed that the Property was a vacant space in a building constructed at least 25 years ago and had has been vacant more than four years, and that the conversion of the very large space into a functioning business would not have been economically feasible without an incentive program.

Additionally, the City has determined that, in addition to the high cost of converting the restaurant into a functioning business, the location of the business outside the downtown and in a relatively

economically depressed section of Palm Canyon Drive, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

However, the financial strength and deep experience of the applicants mitigates the risk factors and makes the incentive a positive for the restaurant, the surrounding development, the neighborhood and adjacent businesses.

(5) Projected tax revenue to the local agency as a result of the economic development subsidy. Over the next ten years the City expects to receive at least $500,000 in direct property taxes, plus its allocated share of increased property tax. The project will also help act as a catalyst for future development in its area, thereby increasing property tax to the City as well.

(6) Estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions. The restaurant expects to create 88 total jobs, with 10 full time jobs and 78 part time jobs.

4. **Schedule**. The Parties agree that all interior improvements shall be completed within **90** days of the date of this Agreement.

5. Term. The obligations to the City by the Tenant under this Agreement shall remain in place for a period of three (3) years from the date of the agreement first above written, unless extended by mutual agreement of the parties. Following termination, Tenant shall have no obligation hereunder.

6. **Contractor.** The Parties agree that Tenant has sole responsibility for choosing and hiring the contractor, which shall be shown in Exhibit "D", Contractor/Vendor Agreements, and the acceptance of the material used and the work performed is Tenant's responsibility, and the City is not a party to any agreement with the vendor or contractor and does not guarantee the quality of workmanship of the property improvements, nor have any liability whatsoever therefor. At all times hereunder, the Contractor shall have a valid Contractor's License from the State of California and a valid City of Palm Springs Business License. Contractor may be a payee for a portion of the grant reimbursement.

7. **Design Approval and Permits.** The Parties agree that Tenant has sole responsibility for obtaining design approval and evidence of required permit approvals from the City of Palm Springs as shown in Exhibit "C", and ensuring the compliance with those permits.

8. **Grant Limitations**. The maximum City matching grant shall not exceed $250,000, which is the 8,125 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed

is $1,500,000, as shown in Exhibit "D". The leverage is $7.75 of Tenant dollars for each $1.00 of City dollars. The Grant is secured by a Promissory Note (shown in Exhibit "E") entered into by the Tenant for the amount of the Grant, which shall be reduced annually by one-third over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance (shown in Exhibit G.) City liens are subordinate, as described below in Section 9D.

9. **Evidence of Completion**. The Parties agree that the City will release the Grant funds upon the completion of the work by the Tenant or his contractor. Evidence of completion shall include but is not limited to: photographs of the finished work; a final inspection by a representative of the City of Palm Springs; and, a copy of the final invoice for the work completed and proof of payment to the contractor.

10. **Release of Contractor Liens**. The Parties Agree that the Tenant is responsible for obtaining the release of any Mechanics Liens or other liens placed upon Tenant's property by any contractor or subcontractor hired under this program. If the Contractor is the payee for any portion of the work, a full release of Mechanic's Liens or other contractor liens shall be exchanged and released simultaneously with the payment for the City.

11. **Maintenance**. Tenant, for itself and its successors and assigns, hereby covenants and agrees to maintain and repair or cause to be maintained and repaired the Property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction, at Tenant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care and replacement of all shrubbery, plantings, and other landscaping in a healthy condition; and (iii) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such pavings at all times be kept in a level and smooth condition. In addition, Tenant shall be required to maintain the Property in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to the public health, safety or general welfare or that such a condition of deterioration or disrepair causes appreciable harm or is materially detrimental to property or improvements within one hundred (100) feet of such portion of the Site.

    a. Parking and Driveways. The driveways and traffic aisles on the Site shall be kept clear and unobstructed at all times. No vehicles or other obstruction shall project into any of such driveways or traffic aisles. Vehicles associated with the operation of the Property, including delivery vehicles, vehicles of employees and vehicles of persons with business on the Property shall park solely on the Property.

b. Right of Entry. In the event Tenant fails to maintain the Site in the above-mentioned condition, and satisfactory progress is not made in correcting the condition within thirty (30) days from the date of written notice from City, City may, at its option, and without further notice to Tenant, declare the unperformed maintenance to constitute a public nuisance. Thereafter, the City, its employees, contractors or agents, may cure Tenant's default by entering upon the Site (Property) and performing the necessary landscaping and/or maintenance. The City shall give Tenant, its representative or manager reasonable notice of the time and manner of entry, and entry shall only be at such times and in such manner as is reasonably necessary to carry out this Agreement. Tenant shall pay such costs as are reasonably incurred by City for such maintenance, including attorneys' fees and costs.

c. Reimbursement of Costs. If such costs are not reimbursed within thirty (30) days after Tenant's receipt of notice thereof, the same shall be deemed delinquent, and the amount thereof shall bear interest thereafter at a rate of the lower of ten percent (10%) per annum or the legal maximum until paid. Any and all delinquent amounts, together with said interest, costs and reasonable attorney's fees, shall be an obligation of Tenant as well as a lien and charge, with power of sale, upon the property interests of Tenant, and the rents, issues and profits of such property. City may bring an action at law against Tenant obligated to pay any such sums or foreclose the lien against Tenant's property interests.

d. City Liens Are Subordinate. Any monetary lien provided for herein shall be subordinate to any bona fide mortgage or deed of trust covering an ownership interest or leasehold or subleasehold estate in and to any Property approved by City pursuant to this Agreement, and any purchaser at any foreclosure or trustee's sale (as well as any deed or assignment in lieu of foreclosure or trustee's sale) under any such mortgage or deed of trust shall take title free from any such monetary lien, but otherwise subject to the provisions hereof; provided that, after the foreclosure of any such mortgage and/or deed of trust, all other assessments provided for herein to the extent they relate to the expenses incurred subsequent to such foreclosure, assessed hereunder to the purchaser at the foreclosure sale, as owner of the subject Site after the date of such foreclosure sale, shall become a lien upon such Property upon recordation of a Notice of Assessment or Notice of Claim of Lien as herein provided.

12. **Obligations Upon Sale or Transfer**

a. City Approval of Transfer Required. For a period of three (3) years after the date of this Agreement, Tenant shall not Transfer the Property or any of Tenant's rights hereunder, or any interest in the Site or in the improvements thereon, directly or indirectly, voluntarily or by operation of law, except as provided below, without the prior written approval of City, and if so purported to be Transferred, the same shall be null and void. In considering whether it will grant approval of any Transfer by Tenant of its interest in the Site, City shall consider factors such as (i) the financial credit, strength, and capability of the proposed transferee to perform Tenant's obligations hereunder; and (ii) the proposed transferee's experience and expertise in the operation, financing, development, ownership, and operation of similar businesses .

b. Written Agreement Required. In the absence of specific written agreement by City, no transfer by Tenant of all or any portion of its interest in the Site (including without limitation a transfer not requiring City approval hereunder) shall be deemed to relieve it or any successor party from the obligation to continue to operate the business or any other obligations under this Agreement. In addition, no attempted transfer of any of Tenant's obligations hereunder shall be effective unless and until the successor party executes and delivers to City an assumption agreement in a form approved by the City assuming such obligations.

c. Exceptions. The foregoing prohibition shall not apply to any of the following:

1. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing, but Tenant shall notify City in advance of any such mortgage, deed of trust, or other form of conveyance for financing pertaining to the Site.

2. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for restructuring or refinancing of any amount of indebtedness described in subsection (a) above, provided that the amount of indebtedness incurred in the restructuring or refinancing does not exceed the outstanding balance on the debt incurred to finance the acquisition of the Site and construction of improvements on the Site, including any additional costs for completion of construction, whether direct or indirect, based upon the estimates of architects and/or contractors.

3. The conveyance or dedication of any portion of the site (or sites) to the City of Palm Springs or other governmental agency.

4. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing provided that the principal amount of the loan does not exceed eighty-five percent (85%) of the value of the land and improvements thereon.

5. The granting of easements to any appropriate governmental agency or utility to facilitate the development of the Site.

6. A sale or transfer resulting from or in connection with a reorganization as contemplated by the provisions of the Internal Revenue Code of 1986, as amended or otherwise, in which the ownership interests of a corporation are assigned directly or by operation of law to a person or persons, firm or corporation which acquires the control of the voting capital stock of such corporation or all or substantially all of the assets of such corporation.

7. A sale or transfer of forty-nine percent (49%) or more ownership interest to a member of the transferor's immediate family, a trust, testamentary or otherwise, in which immediate family members of the transferor are the sole beneficiaries, or a corporation or partnership in which the immediate family members or shareholders of the transferor have controlling majority interest of more than fifty-one percent (51%).

8. A change in the respective percentage ownership interests exclusively of the present owners of Tenant (as of the date of this Agreement), but this shall not authorize the transfer of any interest to any person or entity who is not a present Tenant of Tenant.

9. Mechanic's liens removed prior to foreclosure or liens for current year property taxes not paid.

13. **Enforcement.** In the event Tenant defaults in the performance or observance of any covenant, agreement or obligation of Tenant pursuant to this Agreement, and if such default remains uncured for a period of thirty (30) days after written notice thereof shall have been given by City, or, in the event said default cannot be cured within said time period, Tenant has failed to commence to cure such default within said thirty (30) days and thereafter fails to diligently prosecute said cure to completion, then City shall declare an "Event of Default" to have occurred hereunder, and, at its option, may take one or more of the following steps:

a. By mandamus or other suit, action or proceeding at law or in equity, require Tenant to perform its obligations and covenants hereunder or enjoin any acts or things which may be unlawful or in violation of this Agreement; or

b. Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants and agreements of Tenant hereunder; or

Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by any party of one or more of its rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

MISCELLANEOUS PROVISIONS

14. **Covenant Against Discrimination**. Tenant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination or segregation in the performance of or in connection with this Agreement regarding any person or group of persons on account of race, color, creed, religion, sex, marital status, disability, sexual orientation, national origin, or ancestry.

15. **Notice**. Any notice, demand, request, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by pre-paid, first-class mail to the address set forth below. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

To City: City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
Attn: Economic Development Administrator

To Tenant: Miggys Cantina, LLC
700 East Tahquitz Canyon Way, Suite A
Palm Springs, California 92262
Attn: Rich Meaney

16. **Integrated Agreement**. This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement.

17. **Amendment**. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

18. **Severability**. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this

Agreement, which shall be interpreted to carry out the intent of the parties hereunder.

19. **Indemnification.** Tenant agrees for itself and its successors and assigns to indemnify, defend, and hold harmless the City of Palm Springs ("City") and the City, the City Council, its officers, agents, employees, independent contractors, members, officials, volunteers, and representatives from and against any loss, liability, claim, or judgment relating in any manner to the Project excepting only any such loss, liability, claim, or judgment arising out of the intentional wrongdoing or gross negligence of City, or its respective officers, officials, employees, members, agents, volunteers, or representatives. Tenant, while in possession of the Site, and each successor or assign of Tenant while in possession of the Site, shall remain fully obligated for the payment of property taxes and assessments in connection with the Site. The foregoing indemnification, defense, and hold harmless agreement shall only be applicable to and binding upon the party then owning the Site or applicable portion thereof. Tenant shall indemnify and hold harmless, the City of Palm Springs ("City") and the City, the City Council, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever based and asserted upon any act or omission of the City for property damage, bodily injury, or death or any other element of damage of any kind or nature, relating to or in any way connected with participation in the Program.

20. **Authority**. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement. Tenant certifies that the above statements are true and accurate to the best of Tenant's belief. Failure to meet any of the terms of this Agreement shall result in the forfeiture of any Grant funds from the City for this program.

21. **Continuing Compliance**. The public purpose of the Major Need-Based Catalyst Vacancy Program is to promote the development of viable businesses in major vacant commercial spaces in the incentive area, leading to expansion of good quality jobs in the City of Palm Springs. It is the responsibility of the Tenant as beneficiary under this Agreement to ensure the cooperation and compliance of the ongoing obligations under the program, including submitting a Certificate of Program Compliance (Exhibit "F") to the City for a period of three years from the anniversary date of this agreement. If the Tenant (1) transfers the Property during the compliance period without prior consent of the City, (2) ceases operation of the Business during the Compliance Period, or (3) fails to provide the City with the initial or any of the annual Certificates of Continuing Program Compliance certifying that they remain in business and continue to operate and employ workers in the business, to be provided to City each year during the three year compliance period, the City may seek repayment of the "unamortized" portion of the Grant from the Tenant under the terms below. The City shall have

complete and absolute discretion in determining whether lack of program compliance is cause for termination.

22. **Recordation.** The City Clerk shall record this Agreement and the Promissory Note in the Official Records of the County of Riverside, California.

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates stated below.

"City"
City of Palm Springs

Date: 6/2/14 By: _____
Community & Economic Development

Date: 6/2/14 By: _____
Director
Community & Economic Development

Date: _____ By: _____
David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

By: _____
James Thompson
City Clerk

APPROVED AS TO FORM:

By: _____
Douglas C. Holland
City Attorney

"TENANT"

Date: 6-2-14 By: _____
Rich Meaney
President

Date: _____ By: _____

STATE OF CALIFORNIA)
)
COUNTY OF Riverside)

On 6/2/14, before me, K. Maiorca, Notary Public,

personally appeared Rich Meaney
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

K. MAIORCA
COMM. #1931045
NOTARY PUBLIC • CALIFORNIA
SAN BERNARDINO COUNTY
Commission Expires APR 1, 2015

STATE OF CALIFORNIA)
)
COUNTY OF)

On _____, before me, _____, Notary Public,

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

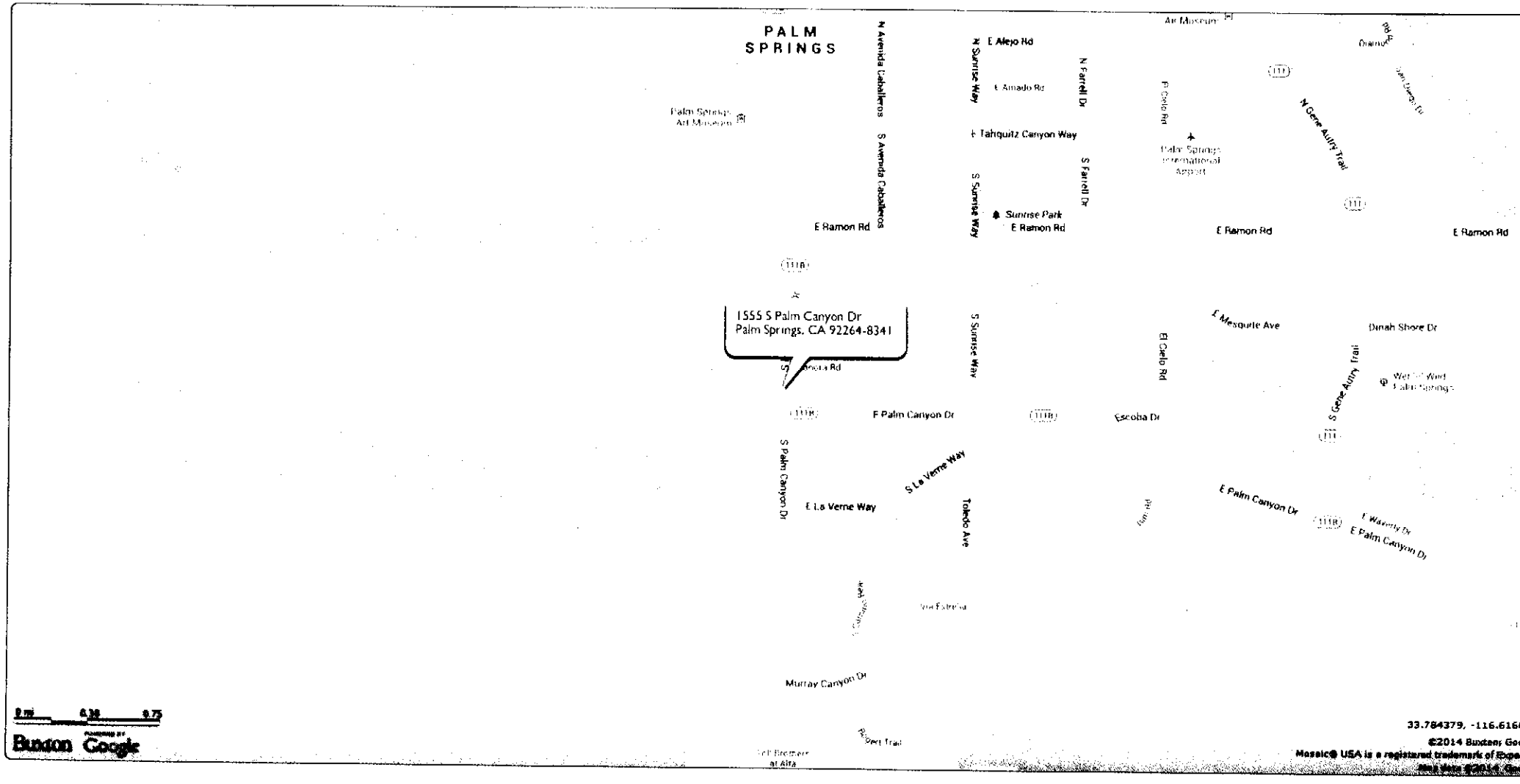
WITNESS my hand and official seal.

Signature (Seal)

EXHIBIT "A"
MAP

SEE NEXT PAGE

Exhibit "A"



© Buxte

Map 2 - Southern Focus Area

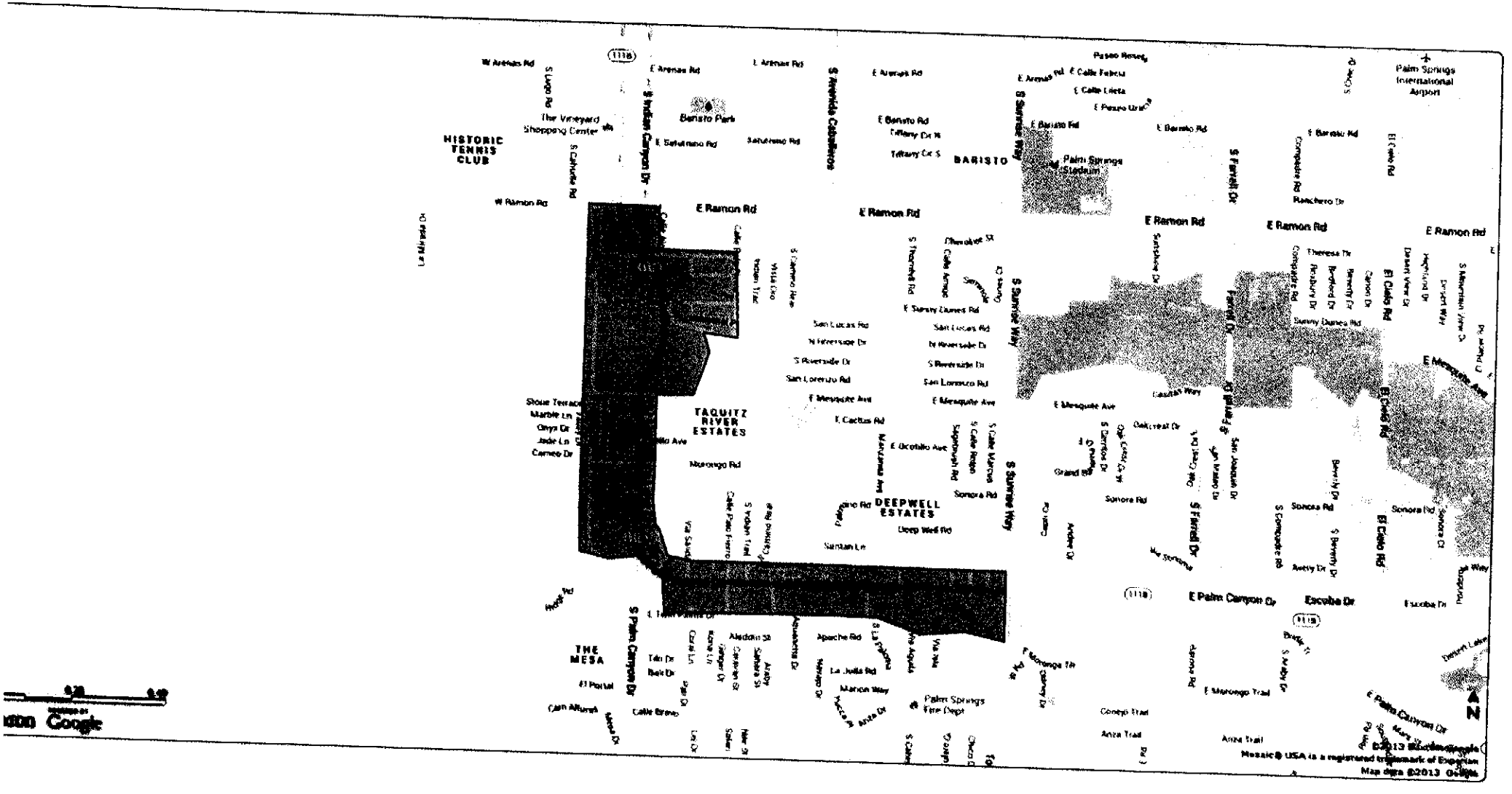


EXHIBIT "B"
SCOPE OF WORK

Site and Exterior

- Construct temporary fence (PM-10 Fence) around the job site.
- Demo curb gutter, parking lot lights, palm trees.
- Install new curb and gutter around the perimeter of the project
- Relocate 5 olive trees to area between building and pool.
- Undertake AC parking lot repairs.
- Rough and finish grading: over-excavate for each building.
- Install storm drain per precise grade plan
- Install finish grade landscaping per landscape plan

Pool and Pool Deck

- Install foundations for Palapa, cabanas and bathrooms.
- Install pool, pool equipment, dry well, and patio deck.
- Construct masonry walls, planters, cabanas and bathrooms.
- Install steel structures: fencing, gates and handrails in bath house, bar, Cabanas and overhead doors for Palapa bar.
- Complete finish carpentry for bathroom: Lockers, door jamb and hardware, Partitions and grab bars.
- Complete rough carpentry on Palapa bar and cabanas (burnt cedar).

Utility Work

- Replace new main SCE line for the existing building and outside area and new 1200 amp panel. Electrical includes all electrical to each building.
- Repair, upgrade and install interior and exterior plumbing including gas, sewer and water tie-ins.

Exterior and Interior Work

- Install AV and sound for cabanas and Palapa bar.
- Paint inside and outside, including all fence and steel and floor.
- Install drywall and FRP at inside of bar. Repair other drywall throughout.
- Install counter tops for Palapa bar, bathrooms and cabanas.
- Install stainless steel fixtures (interior and exterior).
- Install bar equipment (interior and exterior) including glass shelving.
- Install tile throughout.
- Install artwork including metal work
- Construct booths and banquettes

EXHIBIT "C"
EVIDENCE OF APPROVAL
(PLANNING, BUILDING, AND/OR ENGINEERING DEPARTMENT APPROVALS)

Building permit required on all or a portion of the work described in Exhibit "B" Scope of Work: Yes _X_ No __

If yes, Building Permit No.: 2014-1076; 2014-482; 2014-902; 2014-30

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted **04/08/2014** | Case No. **3.1111** | Permit Technician **Angela LaFrance**

Owner **Rich Meaney** | Address **1555 S Palm Canyon Dr Palm Springs CA** | Phone **760 322 8804**

Contractor **Wessman Development** | Address **555 S Sunrise Way Ste 555 Palm Springs CA** | Phone **760 325 3050** | Lic. Number **213720**

Architect | Address | Phone

Engineer | Address | Phone

Lot # **?** | Block # **+** | Tract **+** | Parcel Number **513-300-038**

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building **Commercial** | Permit Type **Walls/Fences** | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation **3500.00** | Permit Fees Paid **154.33**

Describe work in detail:
Construct trash enclosure.

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1076**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 02/18/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney | Address: 1555 S Palm Canyon Dr Palm Springs CA | Phone: 760 322 8804

Contractor: Architectural Blue | Address: CA Palm Spirngs CA | Phone: 760-327-1533 | Lic. Number: 879184

Architect | Address | Phone

Engineer | Address | Phone

Lot #: ? | Block #: + | Tract: + | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Addition | Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: New Pool/Spa | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 25000.00 | Permit Fees Paid: 945.14

Describe work in detail:
New commercial pool.

Pursuant to Helath & Safety 115920-115929, whenever a bruilding perit is issued for the remodel or modification of a single family home wiht an existing swimming pool or spa, the permit shall require that the suction outlet be upgraded so as to be equipped with an approved anti-entrapment cover.

Overhead conductor clearances SHALL comply with NEC Table 680

Special Conditions:

Compliance with Swimming Pool Safety Article 7 required at encapsulation inspeciton.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-482**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted **03/25/2014** | Case No. | Permit Technician **Alberto Gradilla**

Owner **Miggy's Catina** | Address **700 E Tahquitz Canyon Way Palm Springs CA** | Phone **949 922 8210**

Contractor **Wessman Development** | Address **555 S Sunrise Way Ste 555 Palm Springs CA** | Phone **760 325 3050** | Lic. Number

Architect | Address | Phone

Engineer | Address | Phone

Lot # | Block # | Tract | Parcel Number **513-300-038**

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building **Commercial** | Permit Type **Walls/Fences** | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation **35000.00** | Permit Fees Paid **638.88**

Describe work in detail:

Permit to construct appx 540' of garden walls per ORCO detail

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-902**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted: 01/06/2014 | Case No.: 3.1111 | Permit Technician: Angela LaFrance

Owner: Miggy's Cantina | Address: 700 E Tahquitz Canyon Way Ste A, Palm Springs CA | Phone: 949 922 8210

Contractor: Wessman Development | Address: 555 S Sunrise Way Ste 555, Palm Springs CA | Phone: 760 325 3050 | Lic. Number: 213720

Architect: Sanborn A/e | Address: | Phone:

Engineer: Gouvis Eng | Address: 4400 Campus Dr, Newport Beach CA | Phone: 949)752-1612

Lot #: | Block #: | Tract: | Parcel Number: 513-300-038

Lot Size: | Zone: | Occupancy: A-2 Assembly, restaurants, bars, banquet halls

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	0	0	0	0

Use of building: Commercial | Permit Type: Commercial Additoin/alteration | Const. Type: VB | Fixture Units: 52

Fire Sprinkler: Yes | Units: 0 | Valuation: 80000.00 | Permit Fees Paid: 3006.91

Describe work in detail:

Add bar, cabanas, bath house/restrooms, block walls and site work at existing restaurant site.

Special Conditions:

Bar addition under 1000 SF, No TUMF fee per CVAG.

Sewer connection fees of $ 15,912.00 will be paid through City's Deferral Program.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.

The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.

This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.

I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-30**

EXHIBIT "D"
CONTRACTOR/VENDOR AGREEMENT

Hacienda Cantina

Hacienda		
TASK	TOTAL	COMMENTS
Interior and Exterior cCombo		
Furniture, restaurant and pool.	$92,281.00	Sunkor and others
Temp fence	$2,730.00	PM-10 Fence around the job
Demo	$36,850.00	Curb Gutter, Parking lot,Lights, Palm Tree's
Relocate Olive trees	$5,200.00	relocate 5 olive trees
Curb and gutter	$12,256.00	Curb and gutter around the perimeter of the project
Ac parking lot repairs	$13,000.00	repair parking lot
Rough and finish grading	$12,825.00	over X for each buildings
SCE	$24,720.00	New main line for the existing building and outdide area and new 1200 amp panel
Storm drain	$21,700.00	Storm drain per presice grade plan
Foundation	$26,440.00	Palapa,cabanas and bathroom
Pool	$49,700.00	pool,pool equipment,dry well
patio deck	$30,187.00	all flat work
Masonry walls	$65,624.00	walls,planters,cabanas and bathrooms
Steel structures Fencing,gates and hand rails	$68,000.00	bath house,bar,cabanas and cabana handrails
over head doors	$19,200.00	over head doors for Palapa bar
Finish carpentry for bathroom	$6,689.00	Lockers,door ,jamb and hardware, partions and grab bars
Rough Carpentry	$12,000.00	burnt cedar on Palapa bar and cabanas
finish grade Landscaping	$69,851.00	per landscape plan 5000.00 for finish grade
Plumbing	$75,590.00	includes gas,sewer and water tie-ins
Electrical	$96,000.00	includes all electrical to each building
AV	$25,000.00	AV for cabanas and Palapa bar
Paint	$4,000.00	all fence and steel and floor
drywall	$1,500.00	drywall at inside of bar
FRP	$500.00	FRP at inside of bar
Counter top Material	$11,000.00	for palapa bar,bathrooms and cabanas
Counter Labor only	$6,800.00	for palapa bar,bathrooms and cabanas
Stainless steel	$20,000.00	Interior and exterior
bar equipment	$30,000.00	Interior and Exterior
Sub total	$726,517.00	

salaries	38000	Misc Labor
Liquor License	32000	Full 47
tile	20000	interior
tile labor	19000	interior
Bar and Bath counters	14000	Interior and exterior
Artwork	3700	inetrior
dump fees	3269	
POS System	42000	Interior and Exterior
booths	18,500	
plumbing interior	11790	
Paint in and out	20169	
Drywall	12150	
ti cioeling	3500	
Interior Electric	17615	
Refrigeration repair	2500	
Attorney Fees	17000	
Civil Engineering	22100	
Metal Work	16425	
Landscape Arch	3244	
Glass shelving	1400	
AV Exterior Rat Sound	123,000	
Ineterior Exterior Design fees	97,000	

Running Total on 3/17/14	$1,294,879.00

EXHIBIT "E"
PERFORMANCE NOTE

$250,000 Palm Springs, California

FOR VALUE RECEIVED, Miggys Cantina, LLC ("Tenant"), otherwise known as Hacienda Cantina, a California limited corporation ("Maker"), promises to pay THE CITY OF PALM SPRINGS, a California Charter City ("Holder") at 3200 E. Tahquitz Canyon Way, Palm Springs, California 92262, or at such other address as Holder may direct from time to time in writing, the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) (the "Note Amount"), together with interest thereon at the rate set forth herein. All sums payable hereunder shall be payable in lawful money of the United States of America. This Promissory Note ("Performance Note") is made in connection with that certain RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS GRANT AGREEMENT by and among Maker and the City of Palm Springs ("City"), dated as of _____, 2014 (as amended the "Agreement").

The Agreement provides for a City matching grant of $250,000, calculated as no less than 8,133 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed is $2,000,000, as shown in Exhibit "D". The amount of the Note entered into by the Tenant for the amount of the Grant, shall be reduced annually by one-third each year over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance. City liens are subordinate, as described below.

1. Interest Rate. The Note shall not bear any interest.

2. Term. The term of this Performance Note shall be for thirty-six months.

3. Repayment. No payments are due on the Note, with the exception that the principal amount of the Note Amount shall be immediately due and payable upon (i) any default of the Agreement, which is not cured within the time set forth in Section 13 of the Agreement.

4. Prepayment of City Performance Note Amount. The purpose of the Note is to ensure Performance under the Agreement. With the exception of an event of Default described in the Agreement, Maker may not prepay to Holder the full Note Amount, at any time prior to the due date of the Note Amount without penalty.

5. Application of Payments.. In the event of a default of the Agreement, each payment made by Maker hereunder shall be credited first to interest then accrued and the remainder, if any, to principal. Interest shall cease to accrue upon principal so credited.

6. Security. This Performance Note shall be recorded against the Property in the Official Records of Riverside County.

7. Holder May Assign. Holder may, at its option, assign its right to receive payment under this Performance Note without necessity of obtaining the consent of the Maker.

8. Maker Assignment Prohibited. . In no event shall Maker assign or transfer any portion of this City Performance Note without the prior express written consent of the Holder, which consent may be given or withheld in the Holder's sole discretion. Notwithstanding the foregoing, the Maker may assign one time only its interest in this Performance Note upon prior written notice to the Holder, but without the Holder's consent, to a single purpose entity to which the Maker or its principals own a share and are part of the management structure as Managing Member or Co-Managing Member ("Permitted Transferee").

9. Attorneys' Fees and Costs. In the event that any action is instituted with respect to this City Performance Note, the non-prevailing party promises to pay such sums as a court may fix for court costs and reasonable attorneys' fees. Holder's right to such fees shall not be limited to or by its representation by staff counsel, and such representation shall be valued at customary and reasonable rates for private sector legal services.

10. Non-Waiver. Failure or delay in giving any notice required hereunder shall not constitute a waiver of any default or late payment, nor shall it change the time for any default or payment.

11. Successors Bound. This Performance Note shall be binding upon the parties hereto and their respective heirs, successors and assigns.

12. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

13. Non-Recourse. Notwithstanding anything to the contrary herein contained, (i) the liability of Maker shall be limited to its interest in the Site and any rents, issues, and profits arising from the Site and, in addition, with respect to any obligation to hold and apply insurance proceeds, proceeds of condemnation or other monies hereunder, any such monies received by it to the extent not so applied in accordance with the terms of this Note; (ii) no other assets of Maker shall be affected by or subject to being applied to the satisfaction of any liability which Maker may have to Holder or to another person by reason of this Note; and (iii) any judgment, order, decree or other award in favor of Holder shall be collectible only out of, or enforceable in accordance with, the terms of this Note by termination or other extinguishment of Maker's interest in the Site. Notwithstanding the foregoing, it is expressly understood and agreed that the aforesaid limitation on liability shall in no way restrict or abridge Maker's continued personal liability for: (A) fraud or willful or grossly negligent misrepresentation made by Maker in connection with this Note or any of the City Agreements; (B) misapplication of (a) proceeds of insurance and condemnation or (b) rent received by Maker under rental agreements entered into for any portion of the Site after default of the Note; (C) the retention by Maker of all advance rentals and security deposits of tenants not refunded to or forfeited by such tenants; or (D) the indemnification undertakings of Maker under the City Agreements.

14. Notices, Demands, and Communications. Formal notices, demands, and communications between Maker and Holder shall be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing

in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

To Holder:	The City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262 Attn: City Manager
With a copy to:	Woodruff Spradlin & Smart, LLP 555 Anton Boulevard, Suite Costa Mesa, California 92___ Attn: Douglas C. Holland, Esq.
To Maker:	Miggy's Cantina, LLC 700 East Tahquitz Canyon Way Palm Springs, California 92262 Attn: Rich Meaney

Notices personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices mailed shall be deemed effective on the second business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as either party may from time to time designate by mail.

15. Subordination. The Holder understands that the Maker is the Operator of a Restaurant, which required construction debt and other debt instruments to be placed against the Property during the term of this Note. It is understood by Holder that the Construction Debt and Mezzanine debt is Senior to the Holder's Note, and Holder is willing to subordinate its Performance Note to the Senior Construction and Mezzanine debt.

SIGNATURES ON NEXT PAGE

"MAKER"

Miggy's Cantina, LLC
a California limited liability corporatior

BY:

_____
Date

_____
Name: Rich Meaney, President

"HOLDER"

THE CITY OF PALM SPRINGS,
a California Charter City

_____
City Manager

Date _____

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "F"
CERTIFICATE OF PROGRAM COMPLIANCE

3200 Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263
760.323.8259

The City of Palm Springs

Employment Level Verification
CERTIFICATE OF PROGRAM COMPLIANCE

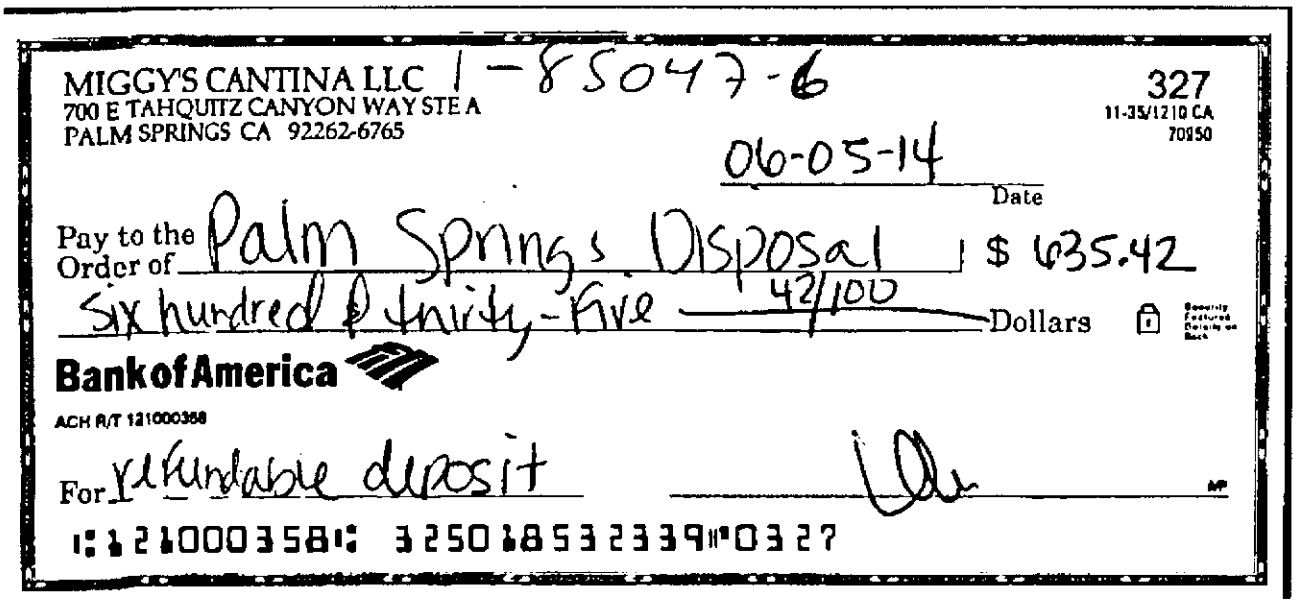
Company Name:	The Company certifies that the information contained in the Summary attached is true and accurate and hereby certifies that a review of the employment levels of the Company during such period and of the Company's performance under this Certificate and the documents referred to therein has been made under the supervision of the undersigned.
Palm Springs Address:	
Headquarters/Regional Mailing Address:	
Local Manager:	
Phone: Fax: Contact Email:	By: _____ Its: _____
Date of Property Lease Expiration:	Date:

EMPLOYMENT CERTIFICATION

Period Covered from _____ to _____

The undersigned, _____, a _____ (the "Company"), has read and is thoroughly familiar with the provisions of the Employment Levels under this Agreement and documents referred to therein executed by the owner/tenant of the Property in the City of Palm Springs where the Company is located ("Owner/Tenant") and the City of Palm Springs ("City"), as such terms are defined in Resolution No.23413 of the City of Palm Springs. As of the date of this Certificate, for the period shown above, the following number of full-time employees employed at the Company is: 88 total jobs; 10 full time and 78 part time jobs.

Amount:	$635.42	Sequence Number:	8992821935
Acccunt:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	327



MIGGY'S CANTINA LLC 1-85047-6
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

327
11-35/1210 CA
70150

06-05-14
Date

Pay to the Order of Palm Springs Disposal $ 635.42

Six hundred & thirty-five 42/100 Dollars

Bank of America

ACH R/T 121000358

For refundable deposit

⑈121000358⑈ 325018532339⑈0327

6/10/2014 c4692 00001 00001
PAY TO WELLS FARGO BANK
FOR DEPOSIT ONLY PALM SPRINGS DISPOSAL
4806-992970

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	008992821935	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/10/2014	000000388035002	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

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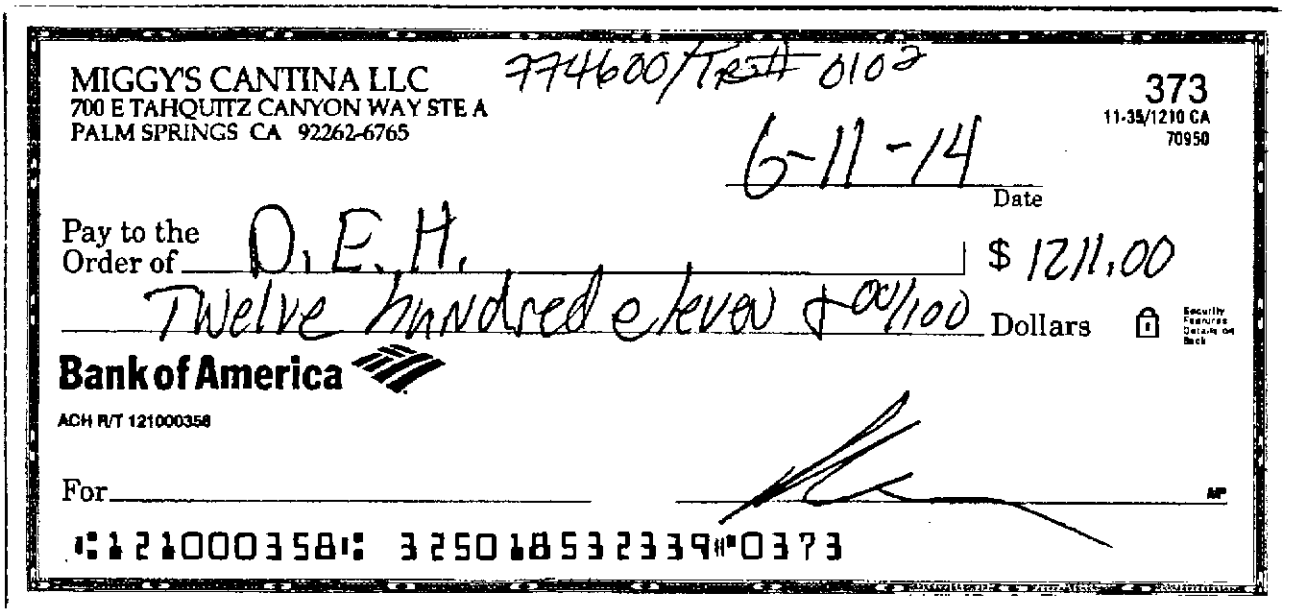
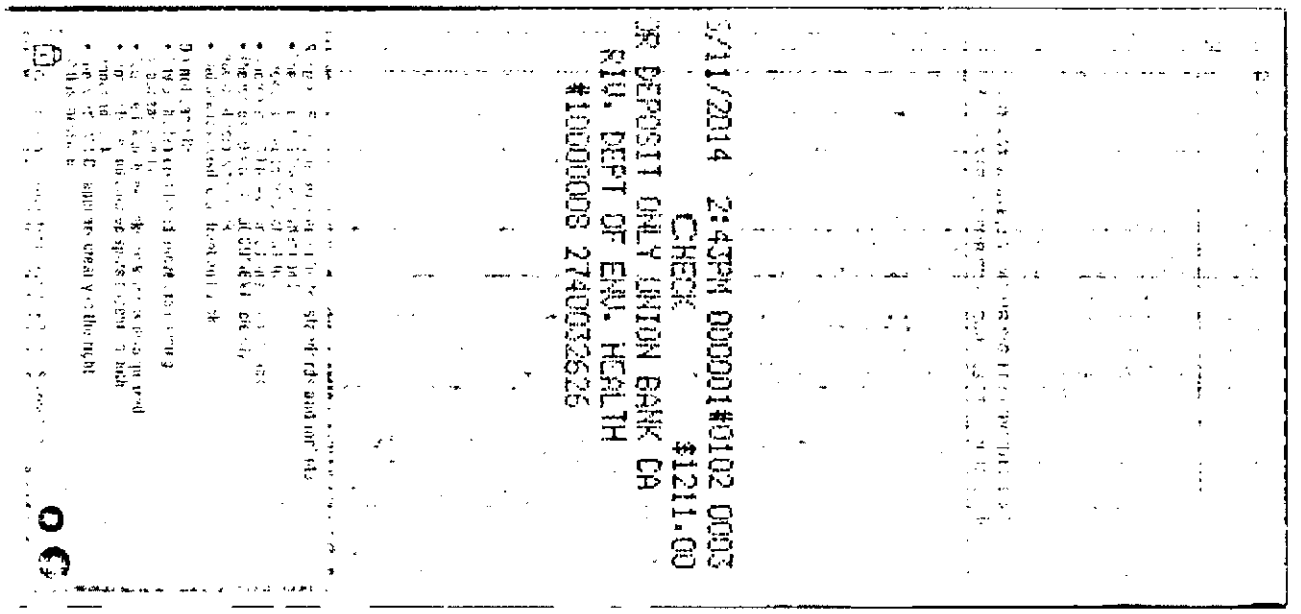
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	373





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
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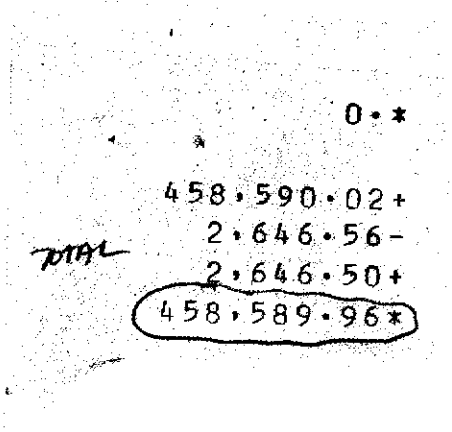
06/18/2014	004892600924	121103886	Pay Bank	N		BANK OF AMERICA, NA


0.*
458.590.02+
TOTAL
2.646.56-
2.646.50+
458.589.96*

0.*

0.*

3,465.00+
9,000.00+
6,850.00+
230.10+
5,028.00+
9,885.00+
3,501.75+
89.45+
475.00+
209.20+
6,000.00+
5,000.00+
3,732.00+
13,330.00+
284.00+
13,000.00+
103.59+
595.00+
2,500.00+
9,000.00+
3,244.00+
1,640.00+
579.34+
4,807.66+
3,398.72+
5,125.00+
1,150.00+
878.22+
60.00+
700.00+
594.76+
2,249.00+
5,149.58+
1,000.00+
1,179.38+
520.00+
93.75+
10,000.00+
1,650.93+
3,180.00+
550.00+
3,535.20+
380.00+
2,646.56+
5,216.00+
852.15+
2,472.48+
3,269.22+
20,000.00+
4,000.00+
20,493.17+
2,500.00+
708.33+
19,885.74+
60.57+
9,782.84+
564.20+
141.13+
3,885.00+
3,300.00+
7,100.00+
617.50+
9,433.19+
20,600.00+
[redacted]
638.88+
17,430.00+
1,800.00+
8,624.21+
7,000.00+
2,500.00+
9,000.00+
127.00+
755.00+
9,330.00+
18,725.05+
6,950.00+
5,000.00+
458,590.02*

458,590.02-
3,465.00+
9,000.00+
6,850.00+
230.10+
5,028.00+
9,885.00+
3,501.75+
89.45+
475.00+
209.20+
6,000.00+
5,000.00+
3,732.00+
13,330.00+
284.00+
13,000.00+
103.59+
595.00+
2,500.00+
9,000.00+
3,244.00+
1,640.00+
579.34+
4,807.66+
3,398.72+
5,125.00+
1,150.00+
878.22+
60.00+
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1,179.38+
520.00+
93.75+
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380.00+
2,646.50+
5,216.00+
852.15+
2,472.48+
3,269.22+
20,000.00+
4,000.00+
20,493.17+
2,500.00+
708.33+
19,885.74+
60.57+
9,782.84+
564.20+
141.13+
3,885.00+
3,300.00+
7,100.00+
617.50+
9,433.19+
20,600.00+
1,769.74+
700.00+
7,000.00+
2,500.00+
9,000.00+
64,443.08+
2,613.60+
1,211.75+
638.88+
17,430.00+
1,800.00+
8,624.21+
7,000.00+
9,330.00+
18,725.05+
6,950.00+
5,000.00+
0.06+

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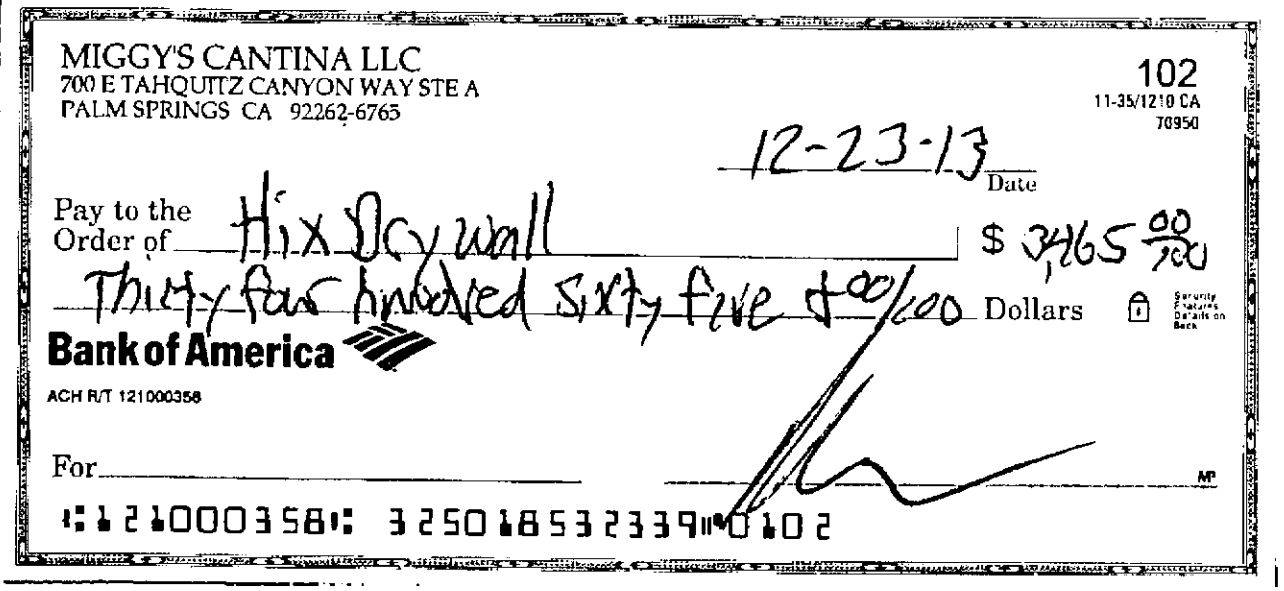
Account:	325018532339	Capture Date:	12/23/2013
Bank Number:	12100035	Check Number:	102



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

102
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Hix Oc y wall

$ 3,465 00/100

Thirty four hundred Sixty five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0102

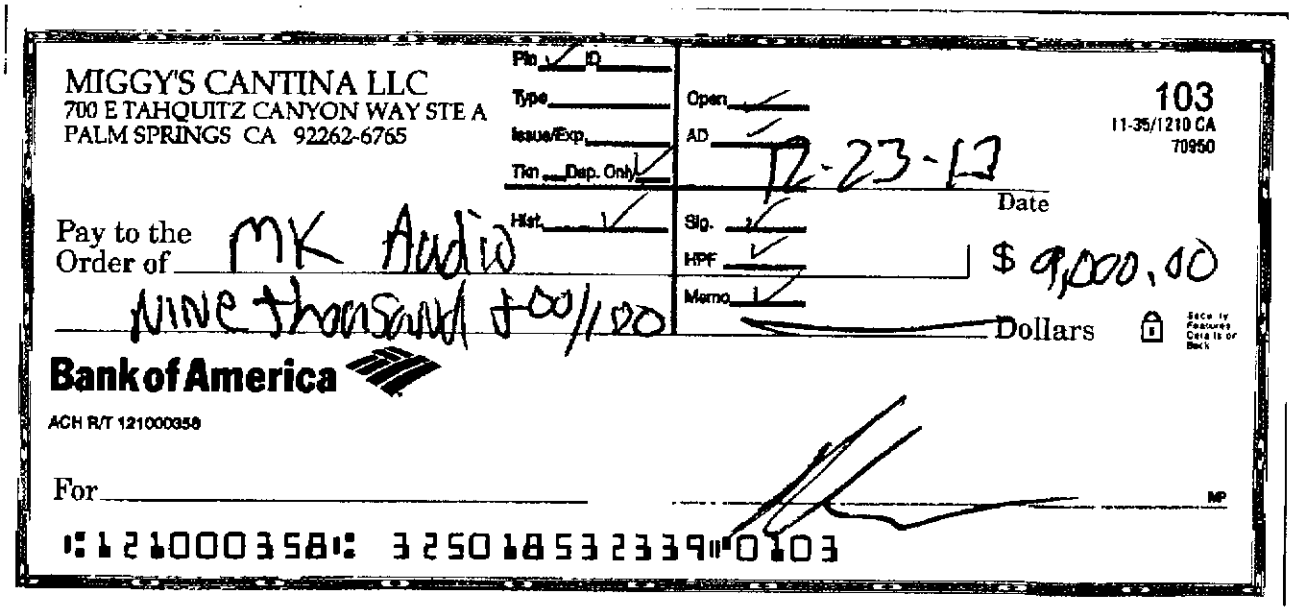
>322285781<
Pacific Premier BK #015
2013-12-23
0015802591

0015802591

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/23/2013	009592571796	121103886	Pay Bank	N		BANK OF AMERICA, NA
12/23/2013	000008338396041	91000019	Undetermined	N		WELLS FARGO BANK, NA
12/23/2013	907355015802591	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$9,000.00	Sequence Number:	9492065595
Account:	325018532339	Capture Date:	12/23/2013
Bank Number:	12100035	Check Number:	103



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

Pin ✓ ID
Type
Issue/Exp.
Tkn Dep. Only ✓
Hist. ✓

Open ✓
AD 12-23-13
Date
Sig. ✓
HPF ✓
Memo ✓

103
11-35/1210 CA
70950

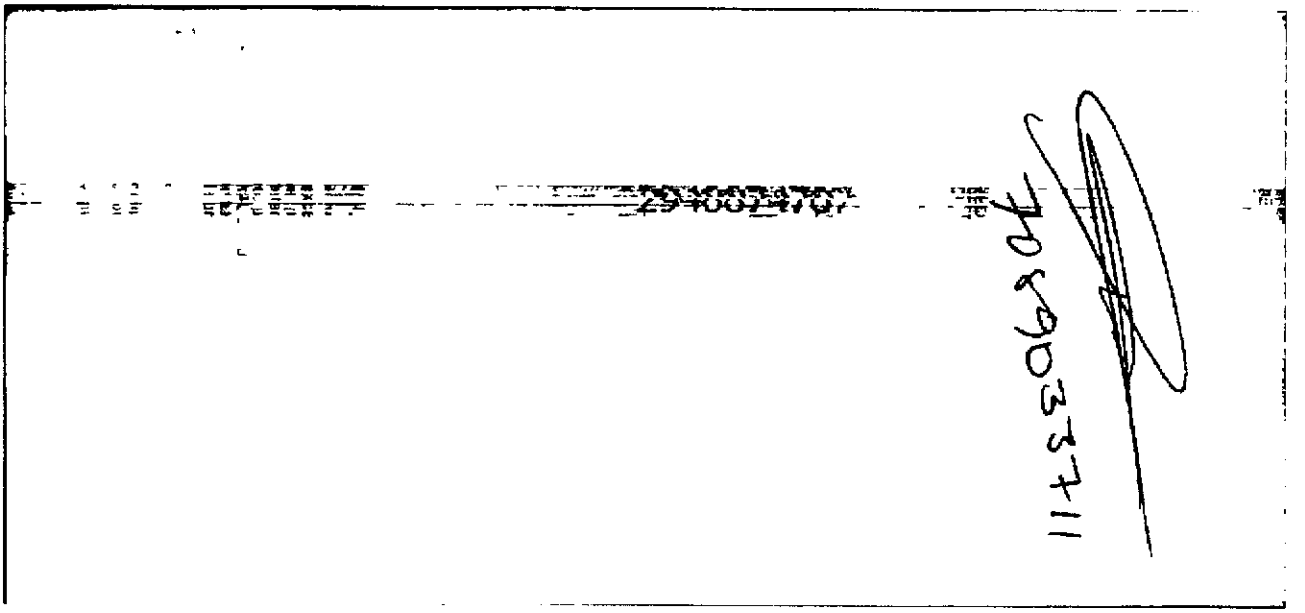
Pay to the Order of MK Audio
$ 9,000.00
Nine Thousand 00/100 Dollars

Bank of America
ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0103



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
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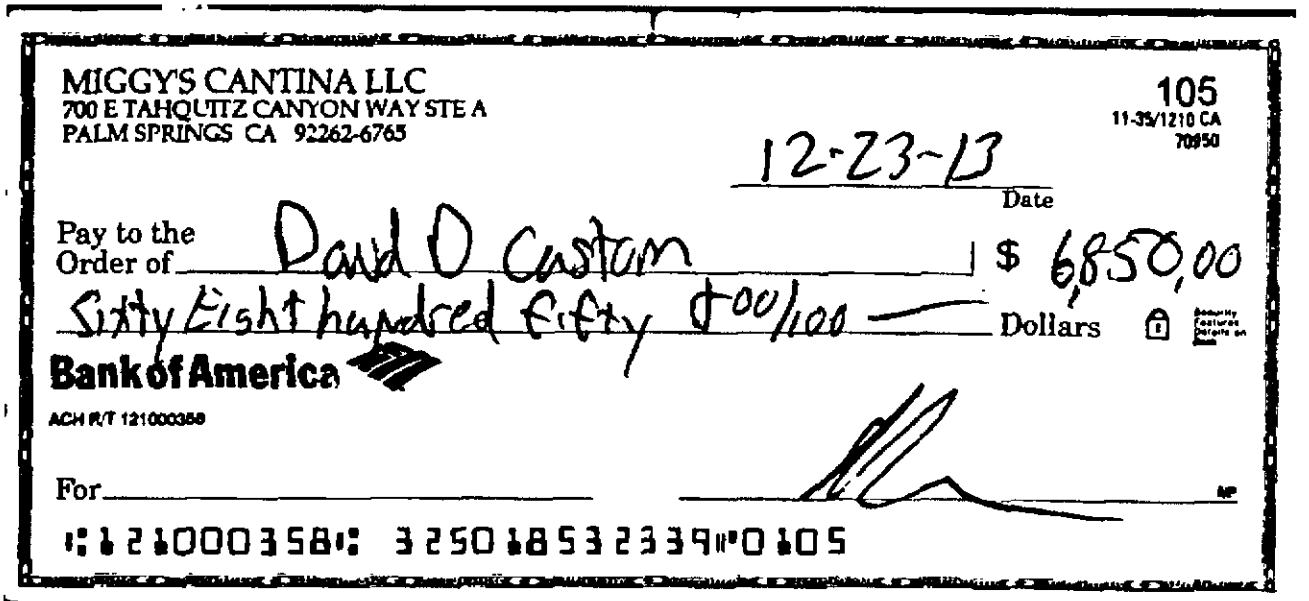
12/23/2013	009492065595	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$6,850.00	Sequence Number:	9492914719
Account:	325018532339	Capture Date:	01/03/2014
Bank Number:	12100035	Check Number:	105



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

105
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of David O Custom $ 6,850.00

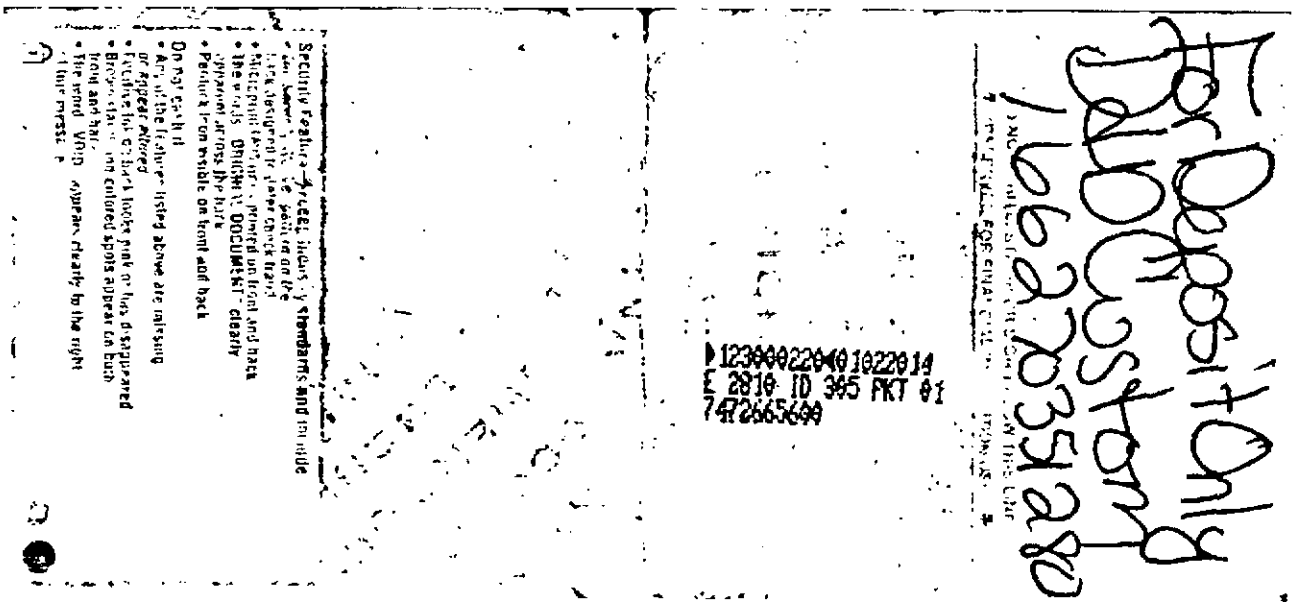
Sixty Eight hundred fifty 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0105



Security Features Details: ... Warranties and Indemnities ... Do not cash if ... Any of the features listed above are missing or appear altered ... Erasures or smudges ... Check has been altered ... Microprinting ... Printed on front and back ... The words ORIGINAL DOCUMENT clearly ... Payable & Presentable on front and back ... Bank of America ...

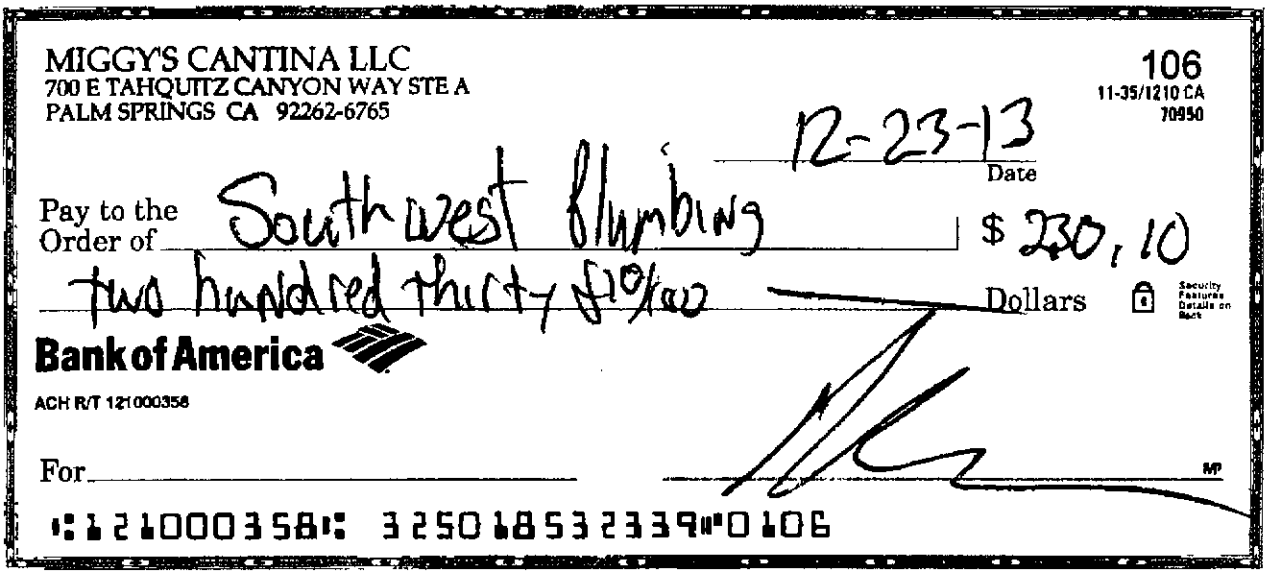
⑆123000220⑆ 01022014
E 2810 ID 395 PKT 01
7472665600

For Deposit Only
David Custom
1062035480

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/03/2014	009492914719	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/02/2014	009597144459	41202582	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	009597144459	91000022	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	004197089777	91000022	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	004197089777	123000220	Undetermined	N		U.S. BANK NATIONAL A
01/02/2014	7472665600	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$230.10	Sequence Number:	8692274618
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	106



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

106
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Southwest Plumbing $ 230.10

two hundred thirty dollars

Security Features Details on Back

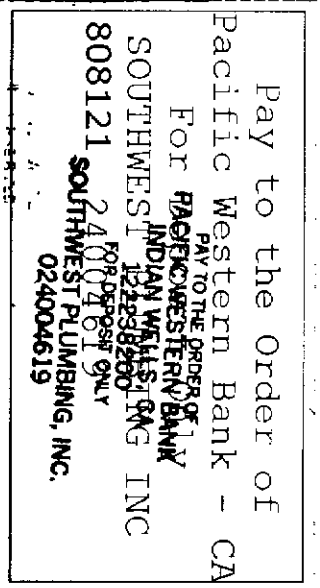
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0106



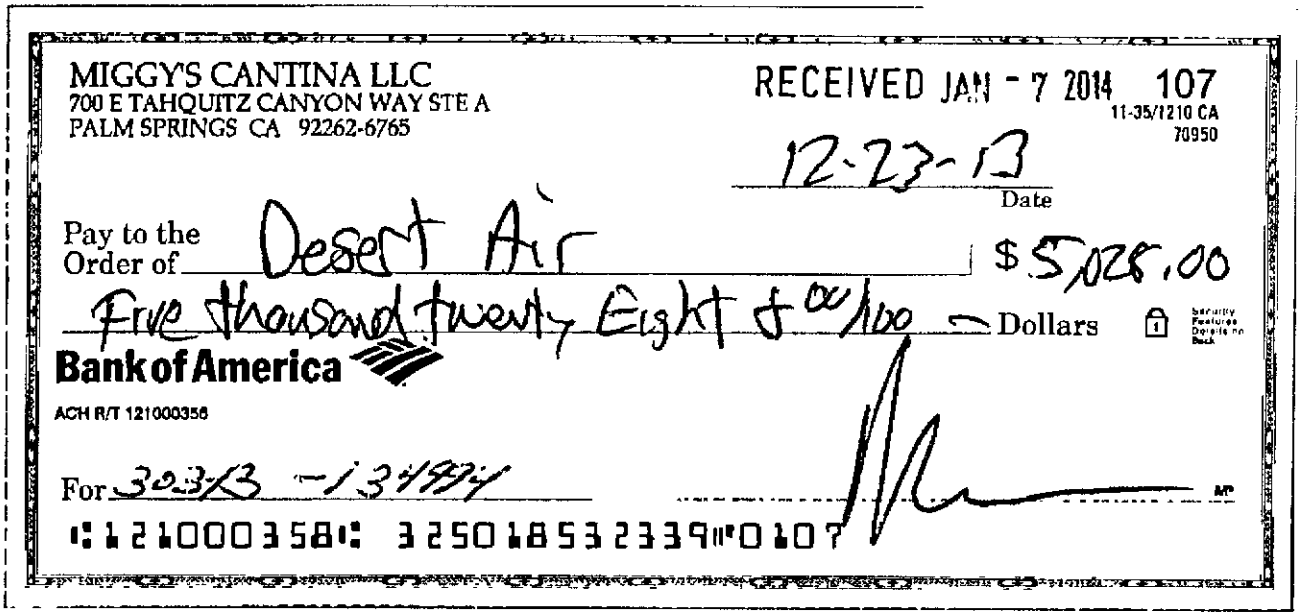
Pay to the Order of
Pacific Western Bank - CA
For
SOUTHWEST PLUMBING INC
808121 240046199

PAY TO THE ORDER OF PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	000002022930437	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
01/07/2014	046923977321140	122238200	Undetermined	N		PACIFIC WESTERN BANK
01/07/2014	000008653305344	91000019	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	008692274618	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$5,028.00	Sequence Number:	8692274528
Account:	325018532339	Capture Date:	01/07/2014
Bank Number:	12100035	Check Number:	107



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

RECEIVED JAN - 7 2014 107
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Desert Air $ 5,028.00

Five thousand twenty Eight & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 3033 - 13 HVAC

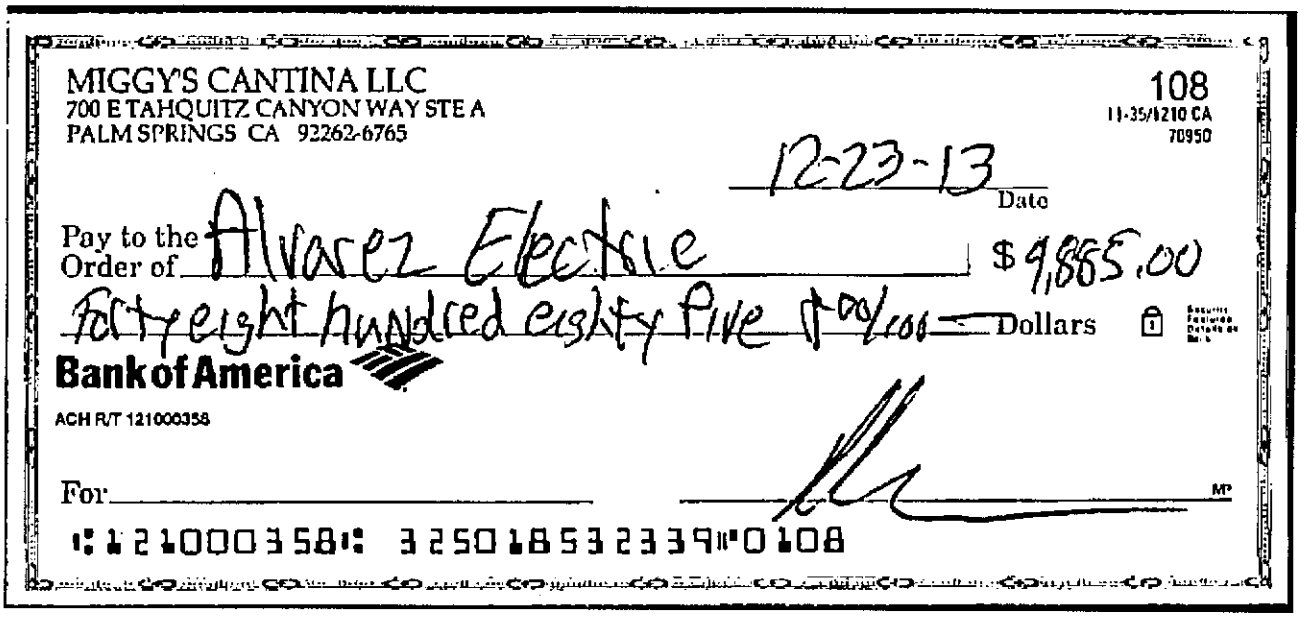
⑆121000358⑆ 325018532339⑈0107

Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
DESERT AIR CONDITIONING, INC.
304317 1000566040

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	008692274528	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/07/2014	046923977323974	122238200	Undetermined	N		PACIFIC WESTERN BANK
01/07/2014	000008653304861	91000019	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	000002023362333	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$4,885.00	Sequence Number:	9392657136
Account:	325018532339	Capture Date:	01/10/2014
Bank Number:	12100035	Check Number:	108



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

108
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Alvarez Electric $ 4,885.00

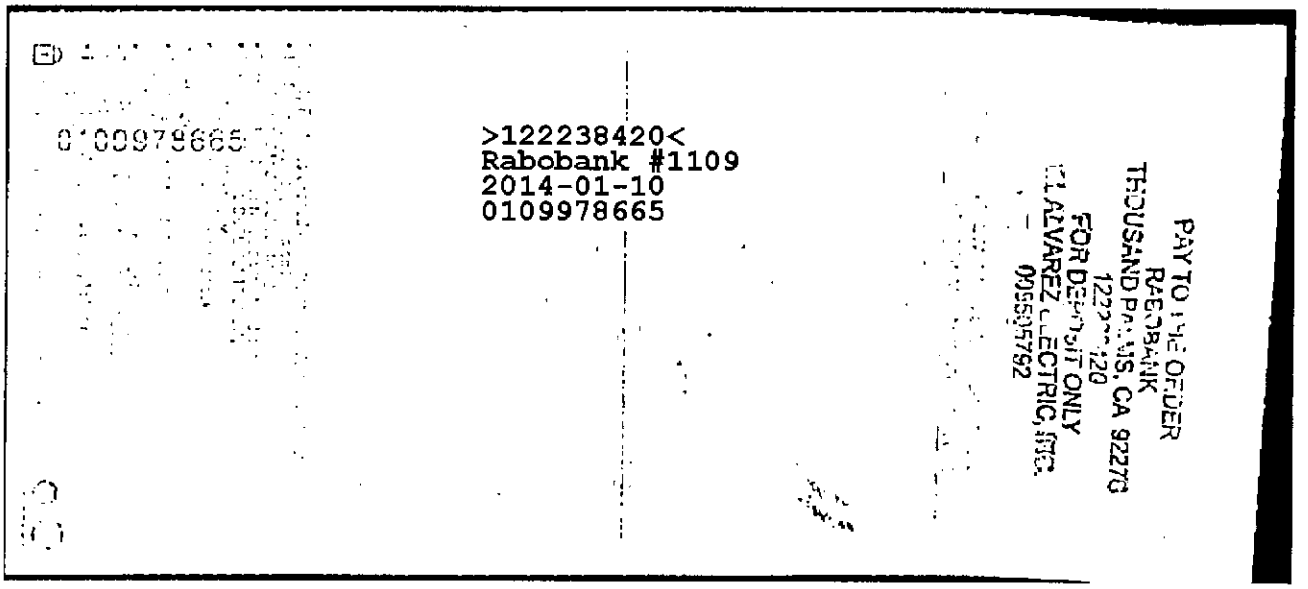
Forty eight hundred eighty five 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0108



0109978665

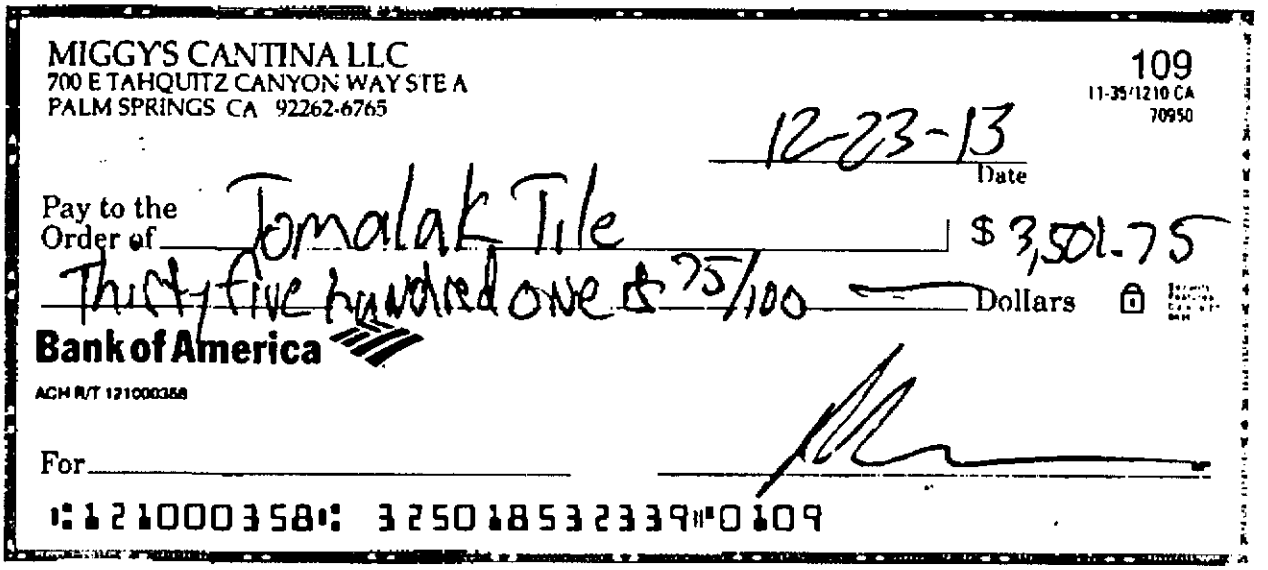
>122238420<
Rabobank #1109
2014-01-10
0109978665

PAY TO THE ORDER
RABOBANK
THOUSAND PALMS, CA 92276
122238420
FOR DEPOSIT ONLY
ALVAREZ ELECTRIC, INC.
00559782

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/10/2014	009392657136	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/10/2014	000008148079063	122105278	Undetermined	N		WELLS FARGO BANK, NA
01/10/2014	000000109978665	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$3,501.75	Sequence Number:	4642614072
Account:	325018532339	Capture Date:	01/03/2014
Bank Number:	12100035	Check Number:	109



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

109
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Tomalak Tile $ 3,501.75

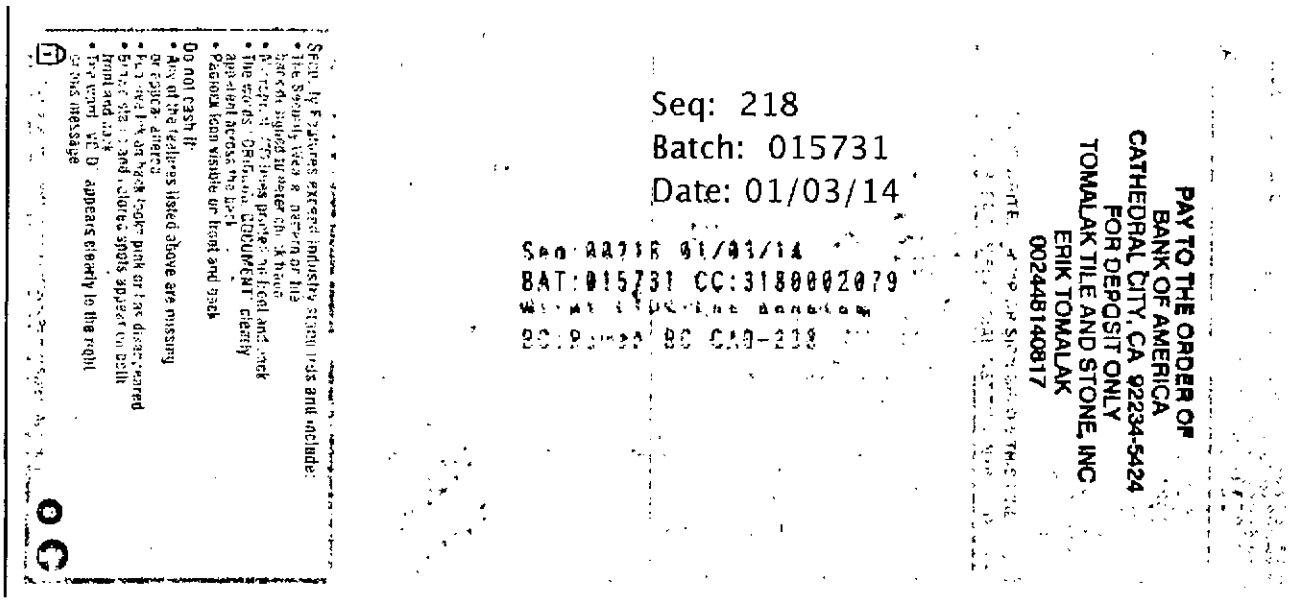
Thirty five hundred one & 75/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0109



Seq: 218
Batch: 015731
Date: 01/03/14

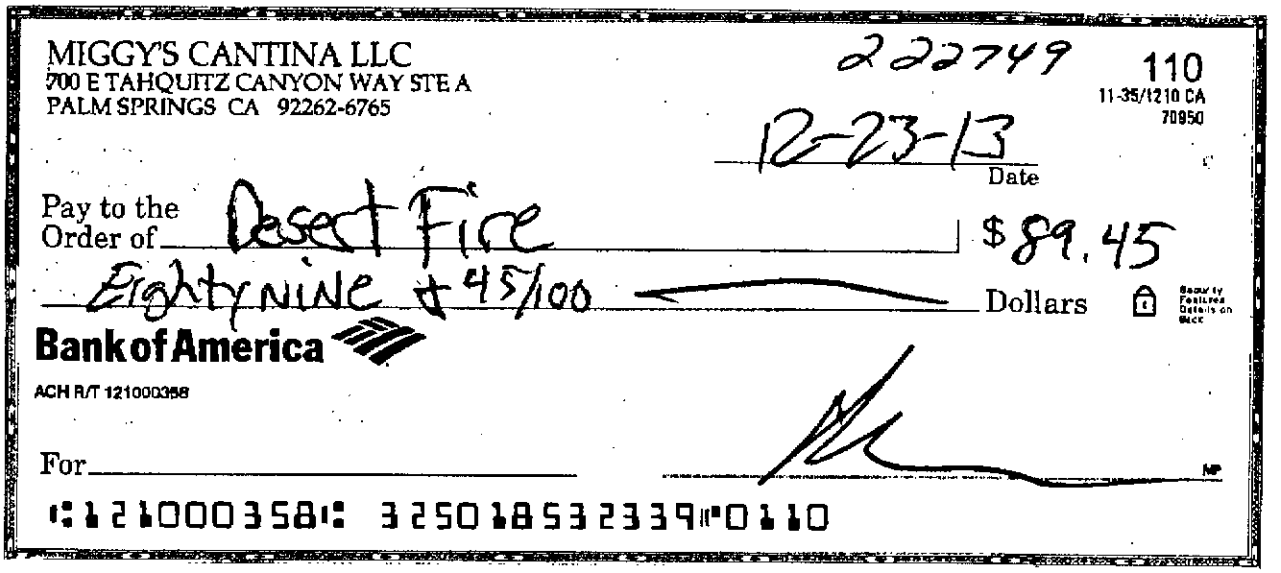
Seq 00218 01/03/14
BAT:015731 CC:3180002079

PAY TO THE ORDER OF
BANK OF AMERICA
CATHEDRAL CITY, CA 92234-5424
FOR DEPOSIT ONLY
TOMALAK TILE AND STONE, INC
ERIK TOMALAK
002448140817

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/03/2014	4642614072	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$89.45	Sequence Number:	5592710519
Account:	325018532339	Capture Date:	01/15/2014
Bank Number:	12100035	Check Number:	110



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

222749

110
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of Desert Fire $89.45

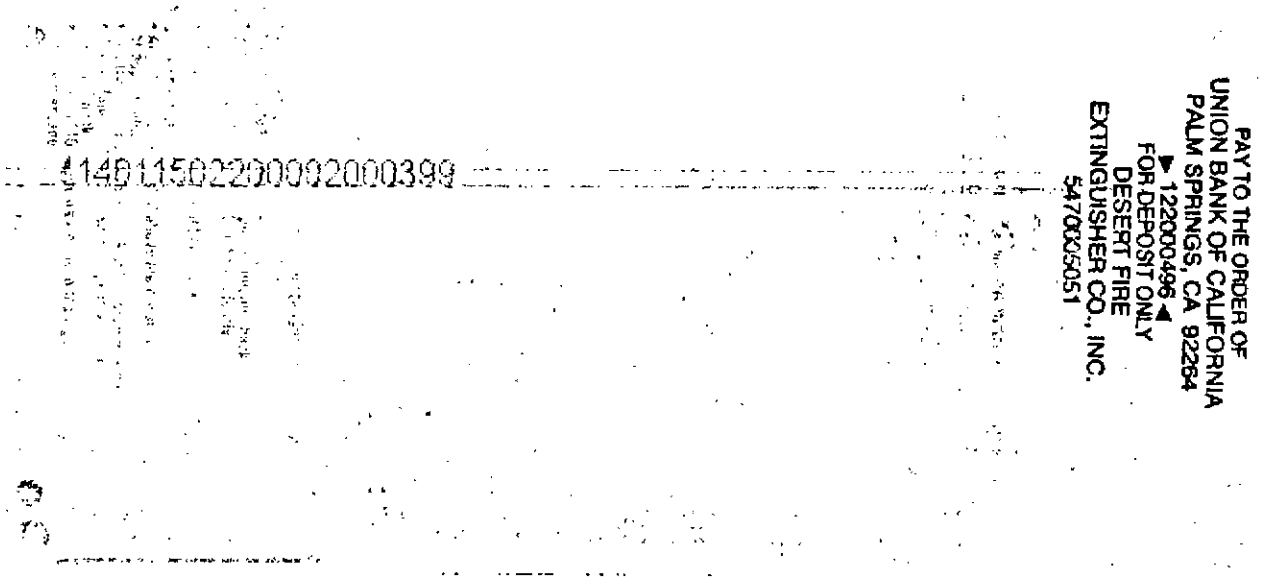
Eighty Nine & 45/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0110



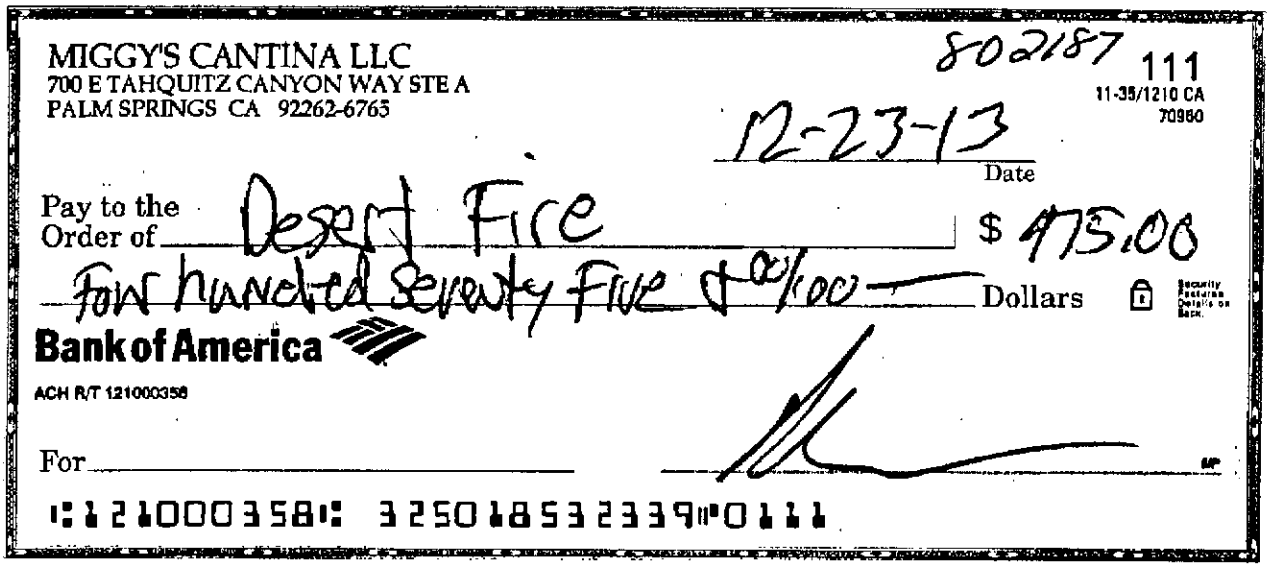
⑆1481150222000920003991

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
⑆122000496⑆
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470005051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/15/2014	005592710519	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/15/2014	4476576768	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$475.00	Sequence Number:	5892500791
Account:	325018532339	Capture Date:	01/31/2014
Bank Number:	12100035	Check Number:	111



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

802187 111
11-35/1210 CA
70960

12-23-13
Date

Pay to the Order of Desert Fire $ 475.00

Four hundred Seventy Five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0111

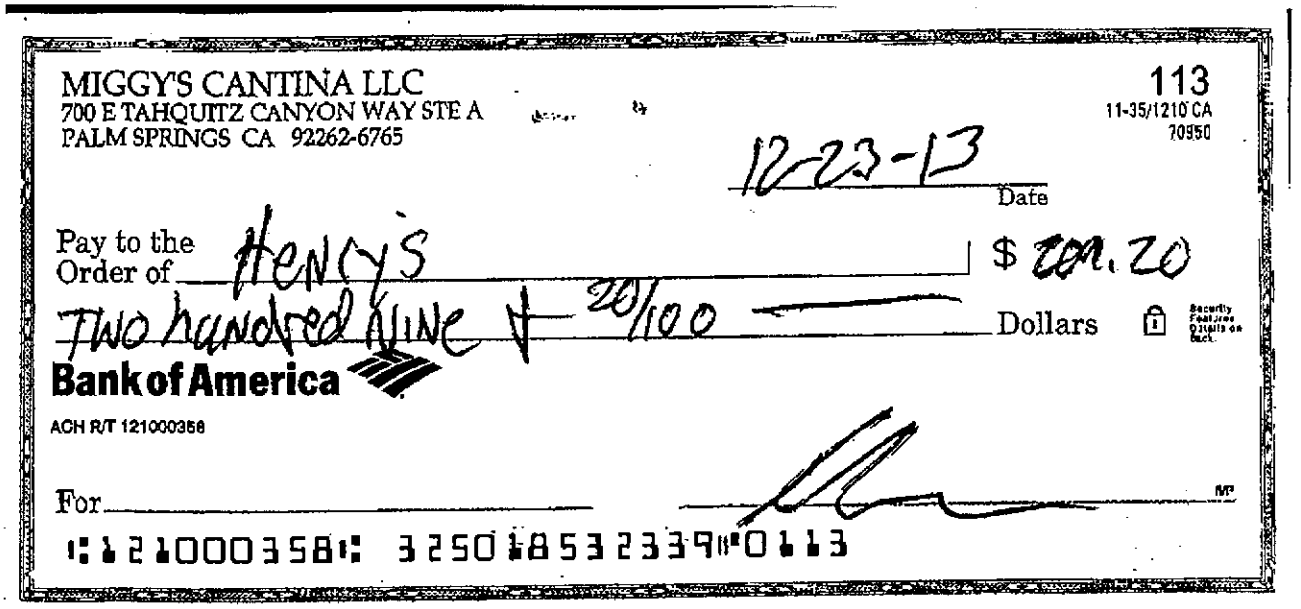
14012102280002000501

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
▶122000496◀
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470005051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/31/2014	005892500791	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/31/2014	4476385189	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$209.20	Sequence Number:	792426651
Account:	325018532339	Capture Date:	01/02/2014
Bank Number:	12100035	Check Number:	113



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

113
11-35/1210 CA
70950

12-23-13
Date

Pay to the Order of HENRY'S $ 209.20

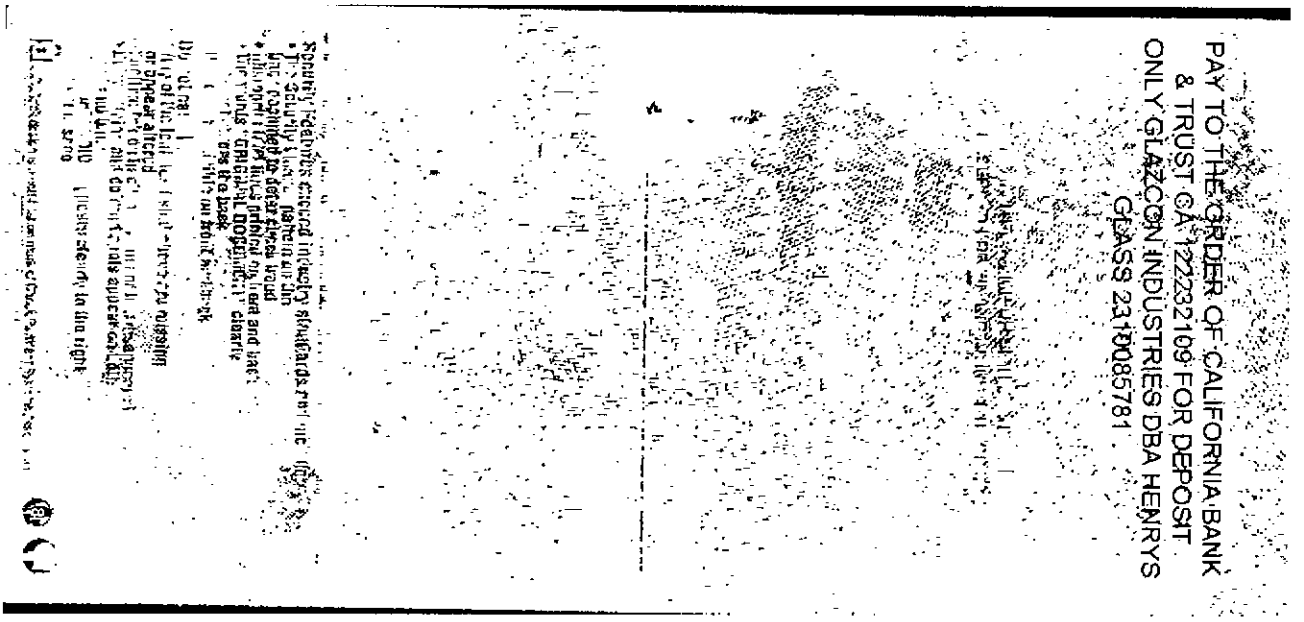
TWO hundred NINE + 20/100 Dollars

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0113

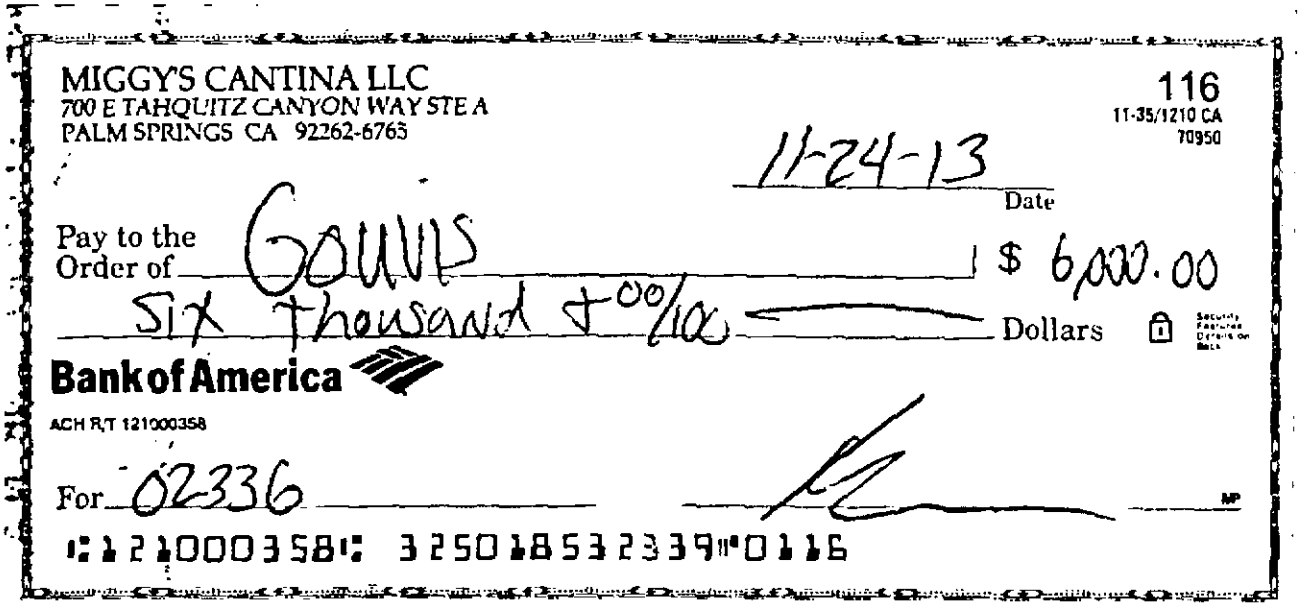


PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY GLAZCON INDUSTRIES DBA HENRYS GLASS 2310085781

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/31/2013	312315353083008	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
01/02/2014	000000792426651	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$6,000.00	Sequence Number:	9492623284
Account:	325018532339	Capture Date:	01/02/2014
Bank Number:	12100035	Check Number:	116



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6763

116
11-35/1210 CA
70950

11-24-13
Date

Pay to the Order of GOWNS $ 6,000.00

Six Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 02336

⑆121000358⑆ 325018532339⑈0116

WELLS FARGO BANK, N.A.
>122000247<
FOR DEPOSIT ONLY
78 ENGINEERING CONSULTING GROUP, INC
201877054

WELLS FARGO BANK NA EXT
20140102 E=23 PKT 04
▶1221-0527-8◀
1428333467

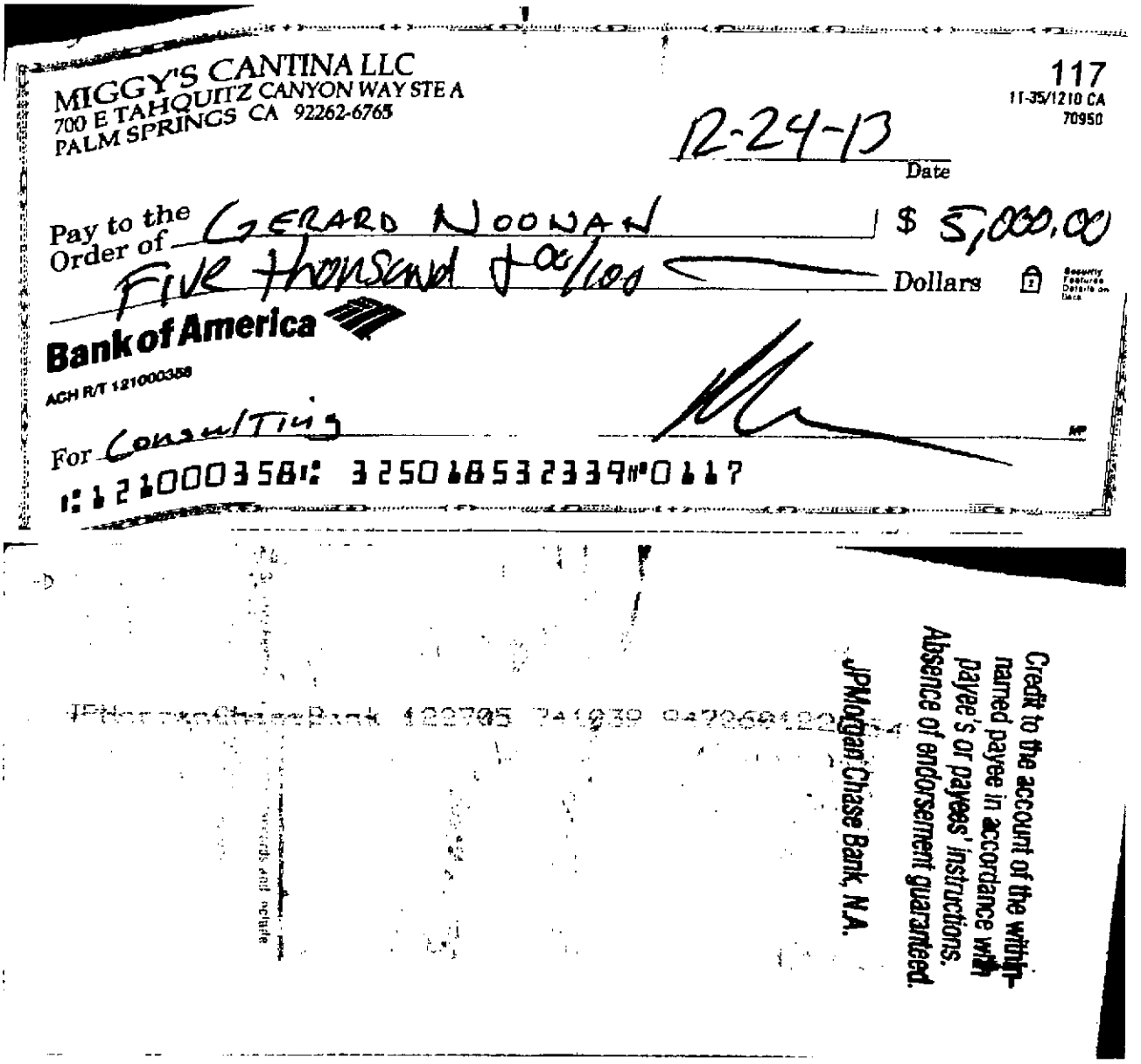
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/02/2014	009492623284	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/02/2014	000001428333467	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $5,000.00 Sequence Number: 8292909922

Account: 325018532339 Capture Date: 12/27/2013

Bank Number: 12100035 Check Number: 117



MIGGY'S CANTINA LLC
MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

117
11-35/1210 CA
70950

12-24-13
Date

Pay to the Order of GERARD NOONAN $ 5,000.00

Five Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Consulting

⑈121000358⑈ 325018532339⑈0117

Credit to the account of the within-named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

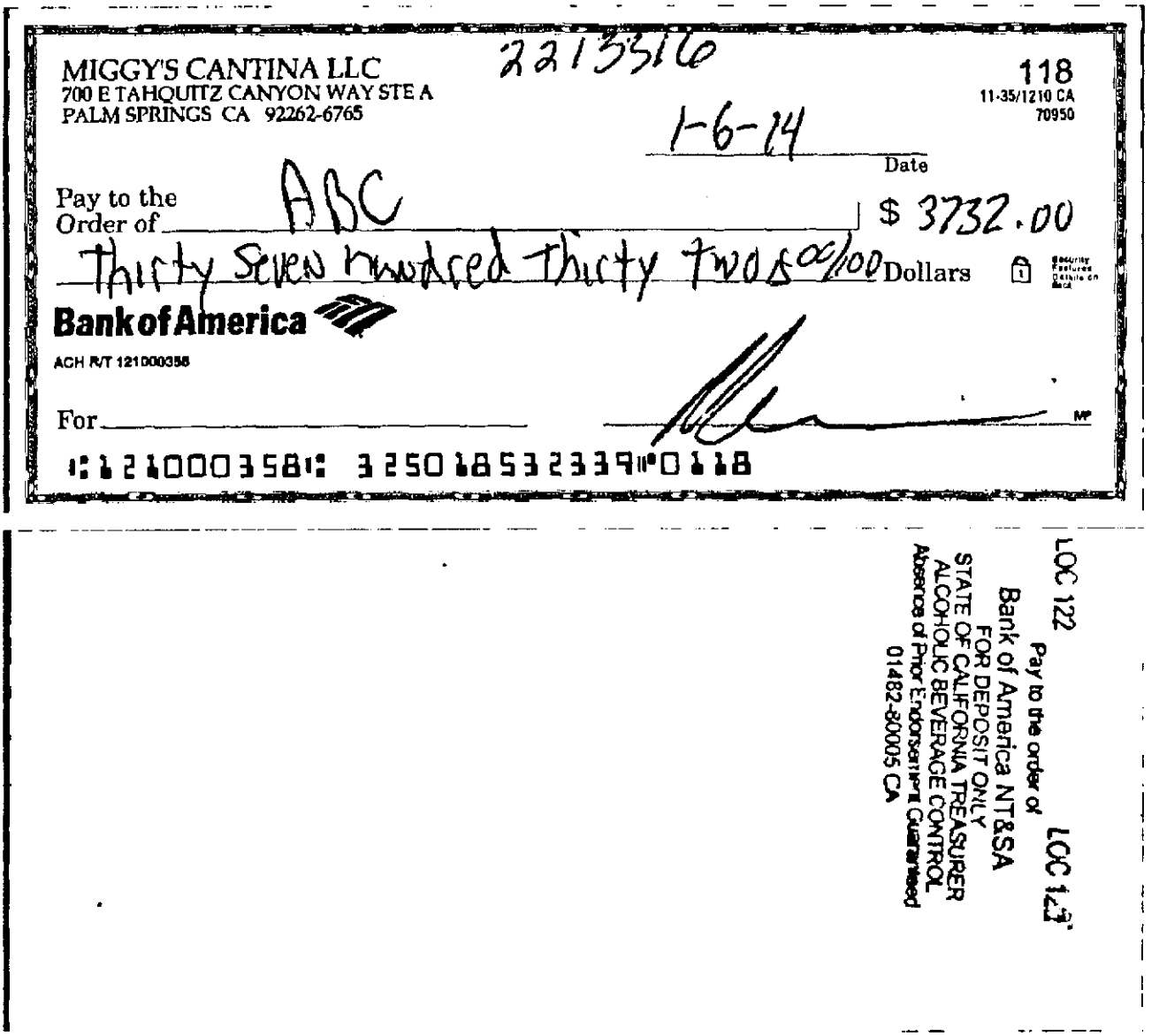
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
12/27/2013	008292909922	121103886	Pay Bank	N		BANK OF AMERICA, NA
12/27/2013	4590475543	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $3,732.00 Sequence Number: 8992667697

Account: 325018532339 Capture Date: 02/07/2014

Bank Number: 12100035 Check Number: 118



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

2213516

118
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of ABC $ 3732.00

Thirty Seven hundred Thirty Two & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0118

LOC 122

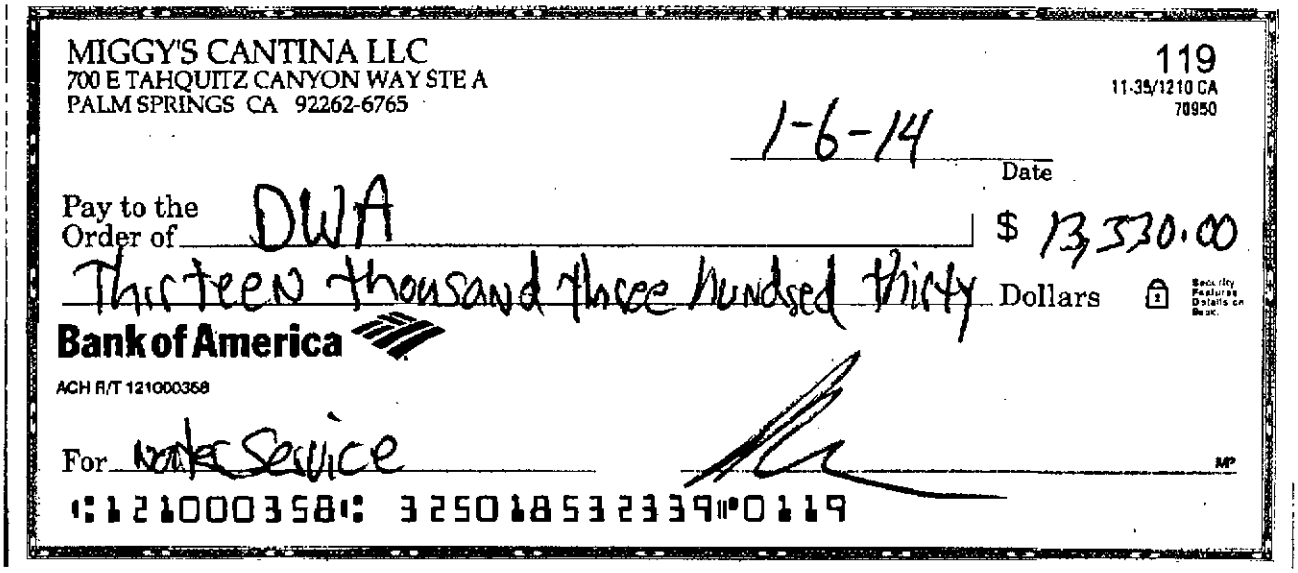
Pay to the order of
Bank of America NT&SA
FOR DEPOSIT ONLY
STATE OF CALIFORNIA TREASURER
ALCOHOLIC BEVERAGE CONTROL
Absence of Prior Endorsement Guaranteed
01482-80005 CA

LOC 123

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/07/2014	008992667697	111012822	Pay Bank	N		BANK OF AMERICA, NA
02/06/2014	000892195180	111012822	Rtn Loc/BOFD	N		BANK OF AMERICA, NA
02/07/2014	000892195180	111012822	Pay Bank	Y	A	BANK OF AMERICA, NA

Amount:	$13,330.00	Sequence Number:	4892516248
Account:	325018532339	Capture Date:	01/10/2014
Bank Number:	12100035	Check Number:	119



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

119
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of DWA $ 13,330.00

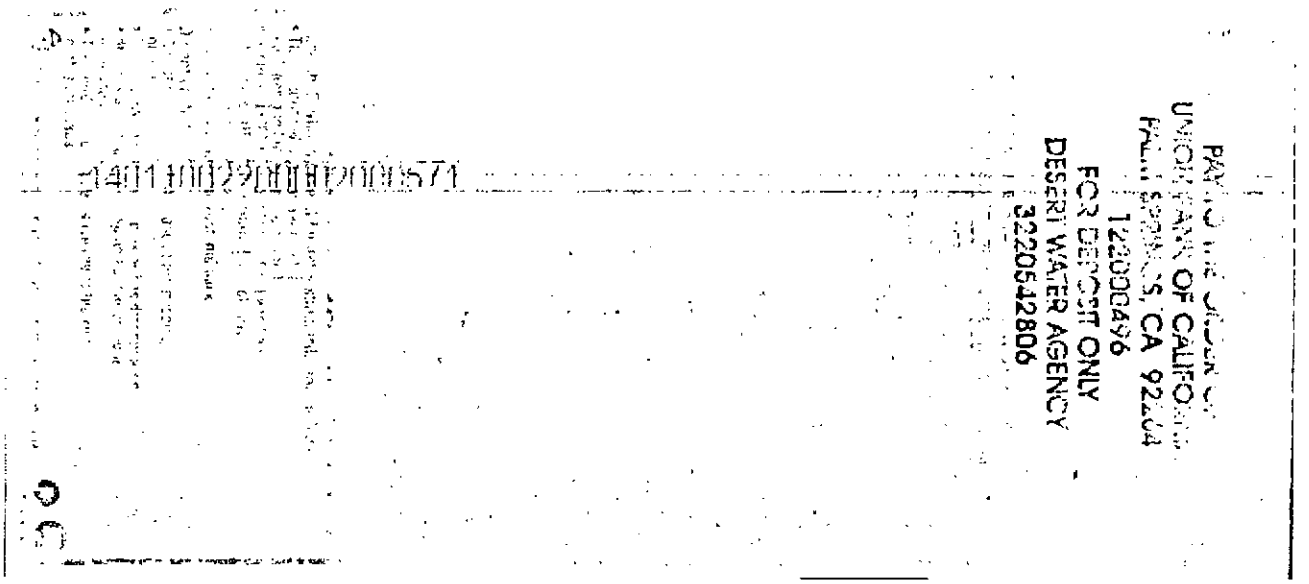
Thirteen thousand three hundred thirty Dollars

Bank of America

ACH R/T 121000358

For Water Service

⑆121000358⑆ 325018532339⑈0119

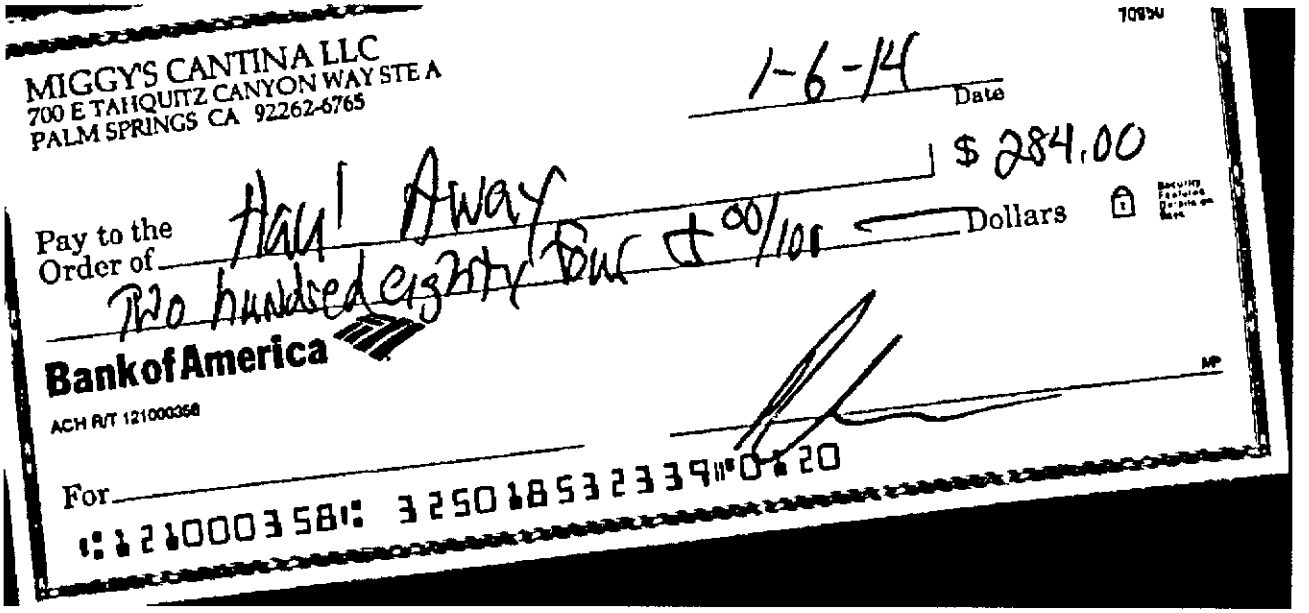


PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
122000496
FOR DEPOSIT ONLY
DESERT WATER AGENCY
3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/10/2014	4476342740	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
01/10/2014	004892516248	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$284.00	Sequence Number:	4692092619
Account:	325018532339	Capture Date:	01/09/2014
Bank Number:	12100035	Check Number:	120



01/09/2014 - 5001 - 12
Haulaway Storage 748012846

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/09/2014	0450013450	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST
01/09/2014	004692092619	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $13,000.00 Sequence Number: 8692327728

Account: 325018532339 Capture Date: 01/07/2014

Bank Number: 12100035 Check Number: 121

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

121
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of Premier One Coatings $ 13,000.00

Thirteen Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For MP

⑆121000358⑆ 325018532339⑈0121

>322285781<
Pacific Premier BK #015
2014-01-07
0015296093

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
▼322285781▲
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
151009253B

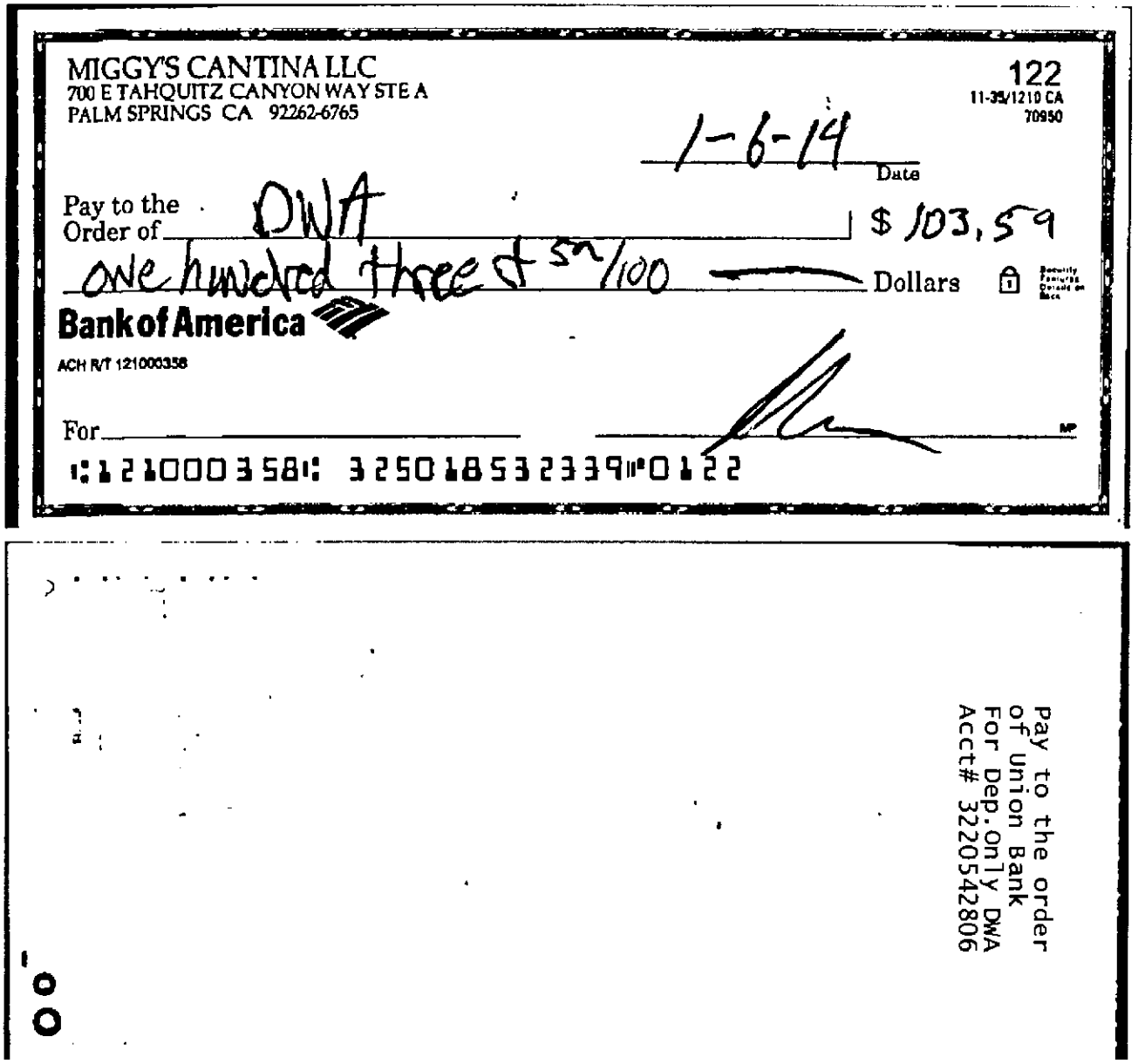
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	907355015296093	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
01/07/2014	000008845019559	122105278	Undetermined	N		WELLS FARGO BANK, NA
01/07/2014	008692327728	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $103.59 Sequence Number: 4292680253

Account: 325018532339 Capture Date: 01/07/2014

Bank Number: 12100035 Check Number: 122



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

122
11-35/1210 CA
70950

1-6-14
Date

Pay to the Order of DWA $ 103,59

one hundred three & 59/100 Dollars

Bank of America

ACH R/T 121000358

For

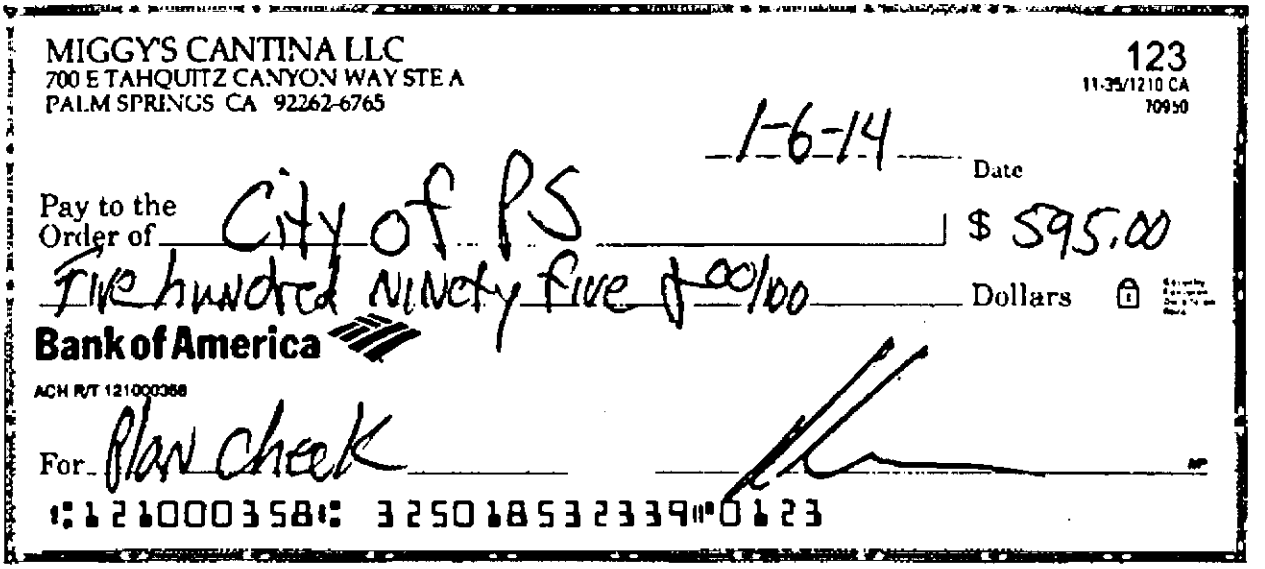
⑆121000358⑆ 325018532339⑈0122

Pay to the order
of Union Bank
For Dep.only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/07/2014	004292680253	121103886	Pay Bank	N		BANK OF AMERICA, NA
01/07/2014	4513342679	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$595.00	Sequence Number:	6542276228
Account:	325018532339	Capture Date:	01/08/2014
Bank Number:	12100035	Check Number:	123



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

123
11-35/1210 CA
70950

1-6-14 Date

Pay to the Order of City of PS $ 595.00

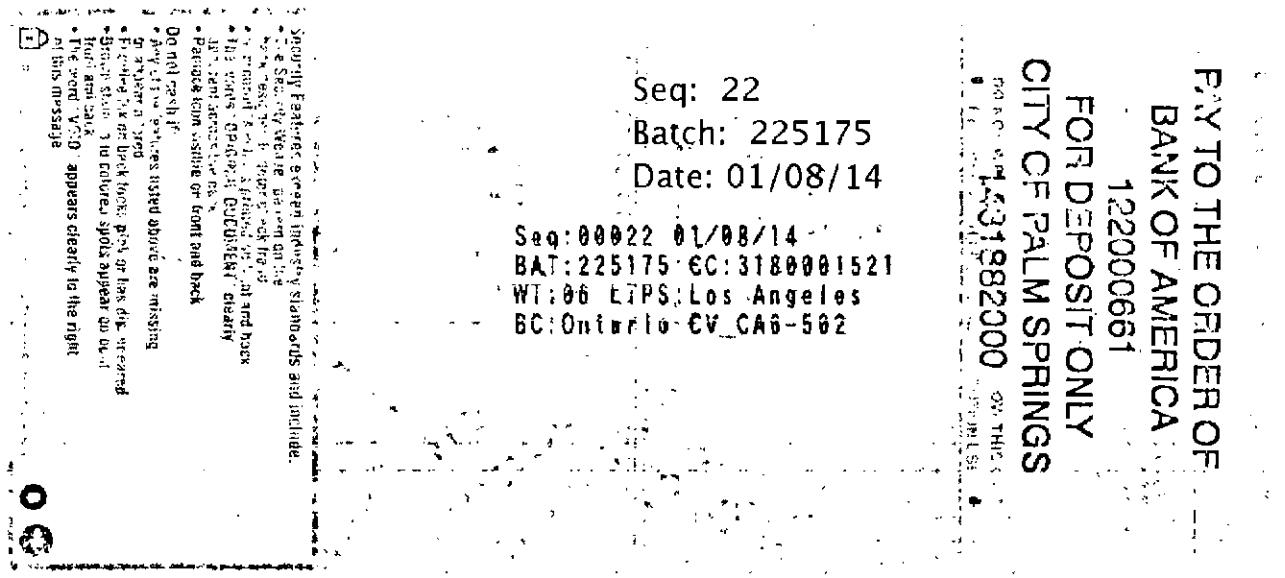
Five hundred Ninety five 00/100 Dollars

Bank of America

ACH R/T 121000358

For Plan check

⑆121000358⑆ 325018532339⑈0123



Seq: 22
Batch: 225175
Date: 01/08/14

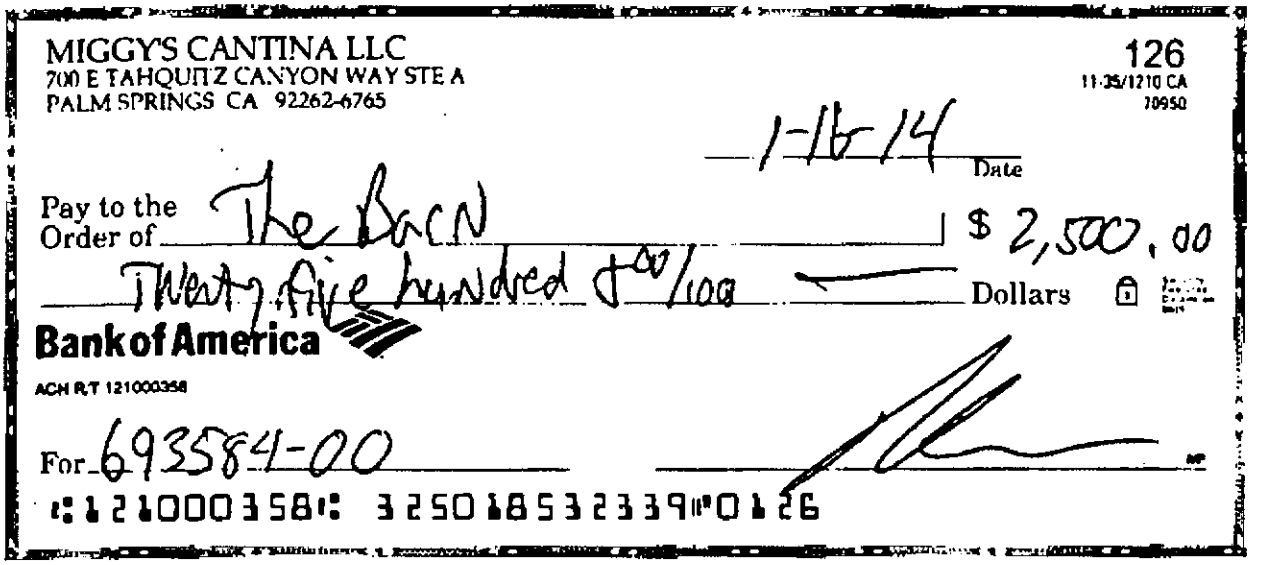
Seq:00022 01/08/14
BAT:225175 EC:3180001521
WT:06 ETPS:Los Angeles
BC:Ontario EV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/08/2014	6542276228	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	5342069593
Account:	325018532339	Capture Date:	01/24/2014
Bank Number:	12100035	Check Number:	126



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

126
11-35/1210 CA
70950

1-16-14
Date

Pay to the Order of The BACN
$ 2,500.00

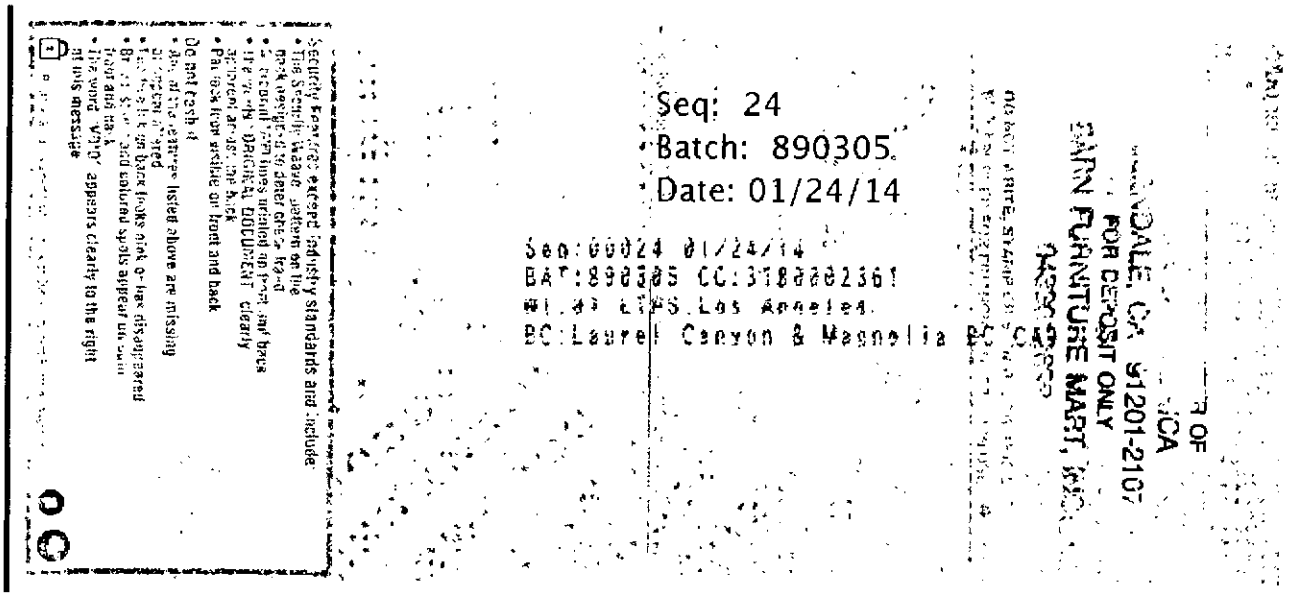
Twenty five hundred $00/100 Dollars

Bank of America

ACH R/T 121000358

For 693584-00

⑆121000358⑆ 325018532339⑈0126



Seq: 24
Batch: 890305
Date: 01/24/14

Seq:00024 01/24/14
BAT:890305 CC:3188882361
#1.49 L.A.S.Los Angeles.
DC:Laurel Canyon & Magnolia

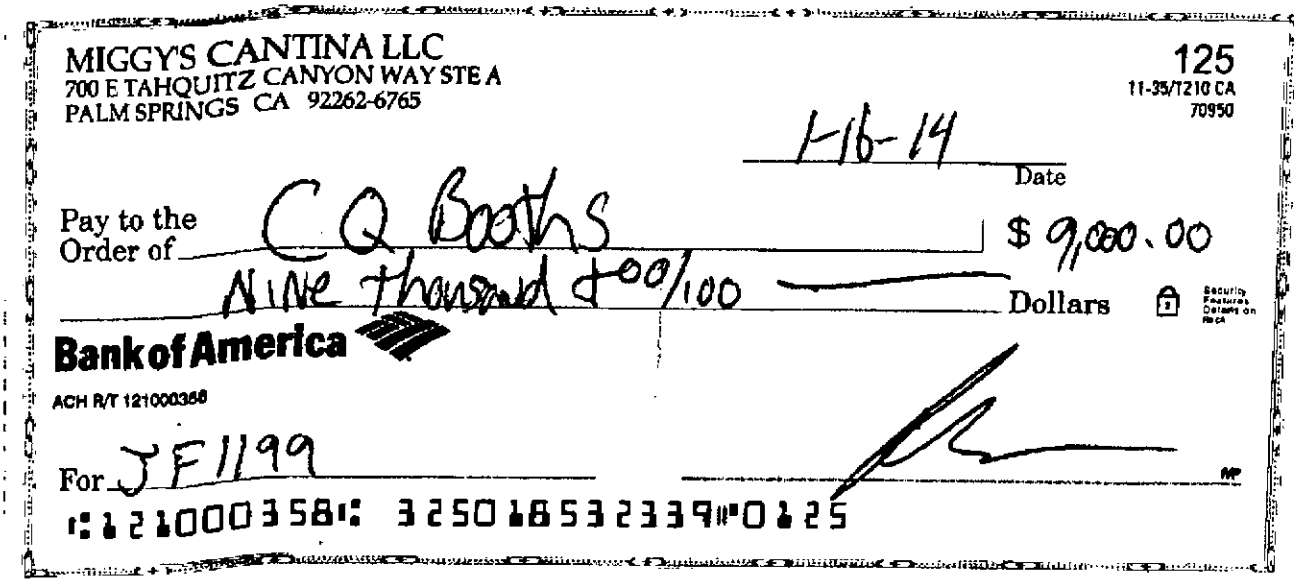
Security features exceed industry standards and include:
• The Security Weave pattern on the back changes color when moisture is detected
• Microprinting appears as a solid line on the front and back
• The words "ORIGINAL DOCUMENT" clearly appear on the back
• Padlock icon visible on front and back
Do not touch if:
• Any of the features listed above are missing
• The Security Weave pattern is altered
• Both the front and back looks dark or have discoloration
• Borders are distorted and colored spots appear on them
• The word "Void" appears clearly to the right of this message

FOR DEPOSIT ONLY
BARN FURNITURE MART, INC.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/24/2014	5342069593	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	9592243132
Account:	325018532339	Capture Date:	01/22/2014
Bank Number:	12100035	Check Number:	125



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

125
11-35/1210 CA
70950

1-16-14
Date

Pay to the Order of C Q Booths $ 9,000.00

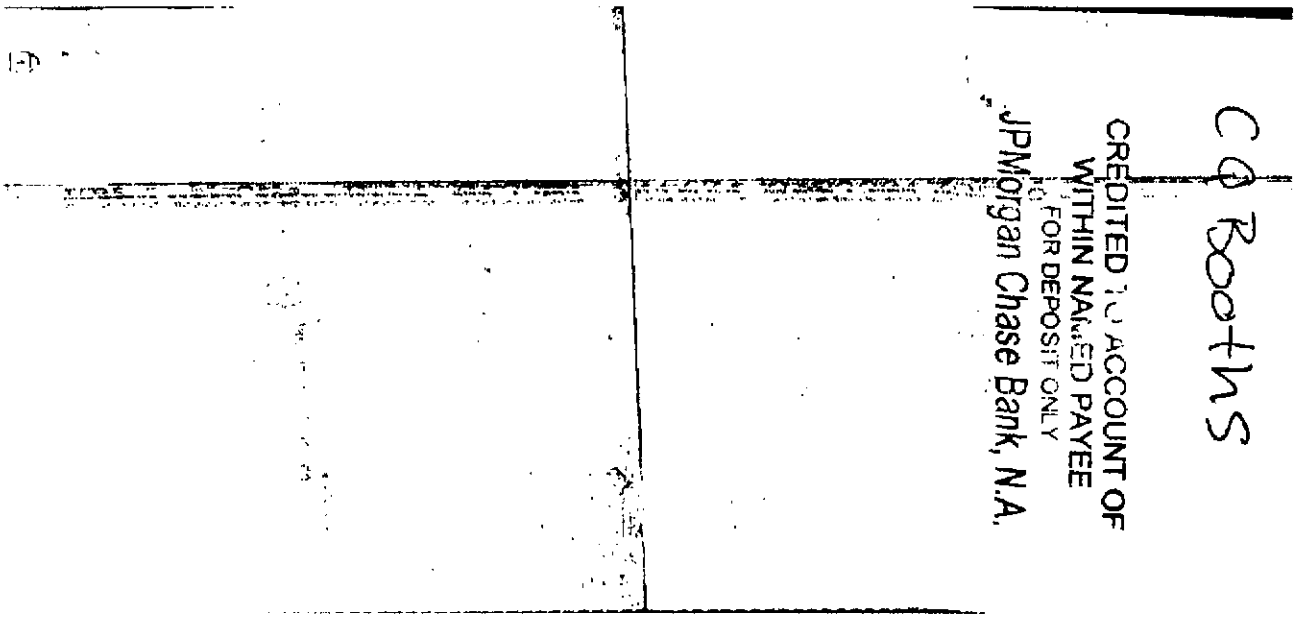
Nine thousand +00/100 Dollars

Bank of America

ACH R/T 121000358

For JF1199

⑆121000358⑆ 325018532339⑈0125



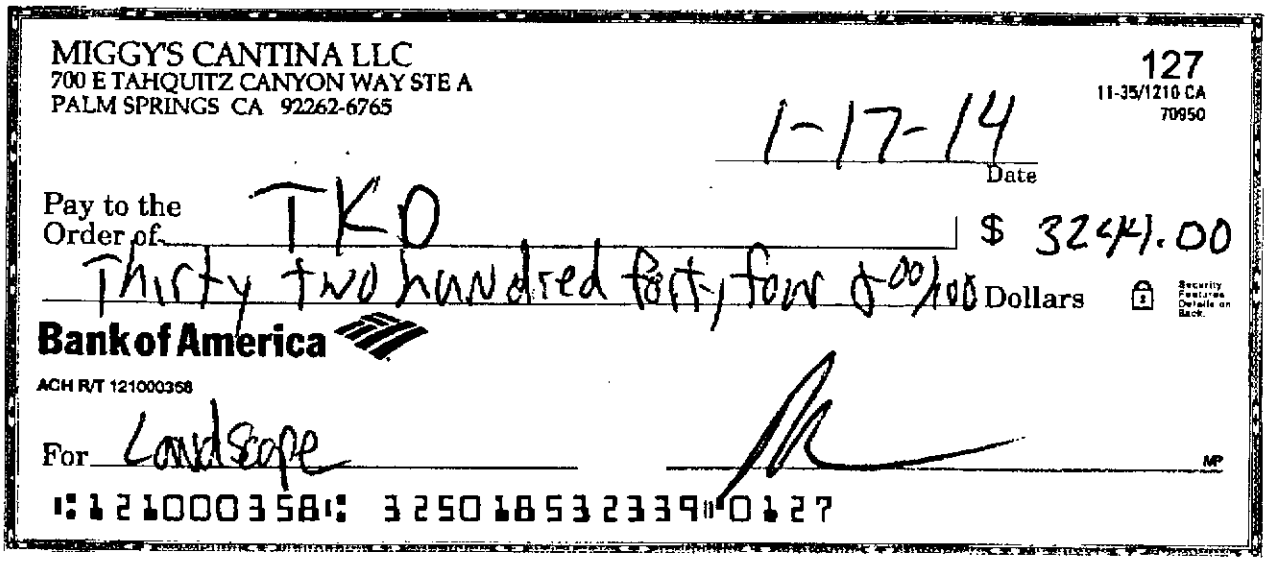
C Q Booths

CREDITED TO THE ACCOUNT OF
WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/22/2014	2180538336	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
01/22/2014	009592243132	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,244.00	Sequence Number:	5992582810
Account:	325018532339	Capture Date:	01/21/2014
Bank Number:	12100035	Check Number:	127



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

127
11-35/1210 CA
70950

1-17-14
Date

Pay to the Order of TKO $ 3241.00

Thirty two hundred forty four & 00/100 Dollars

Bank of America

ACH R/T 121000358

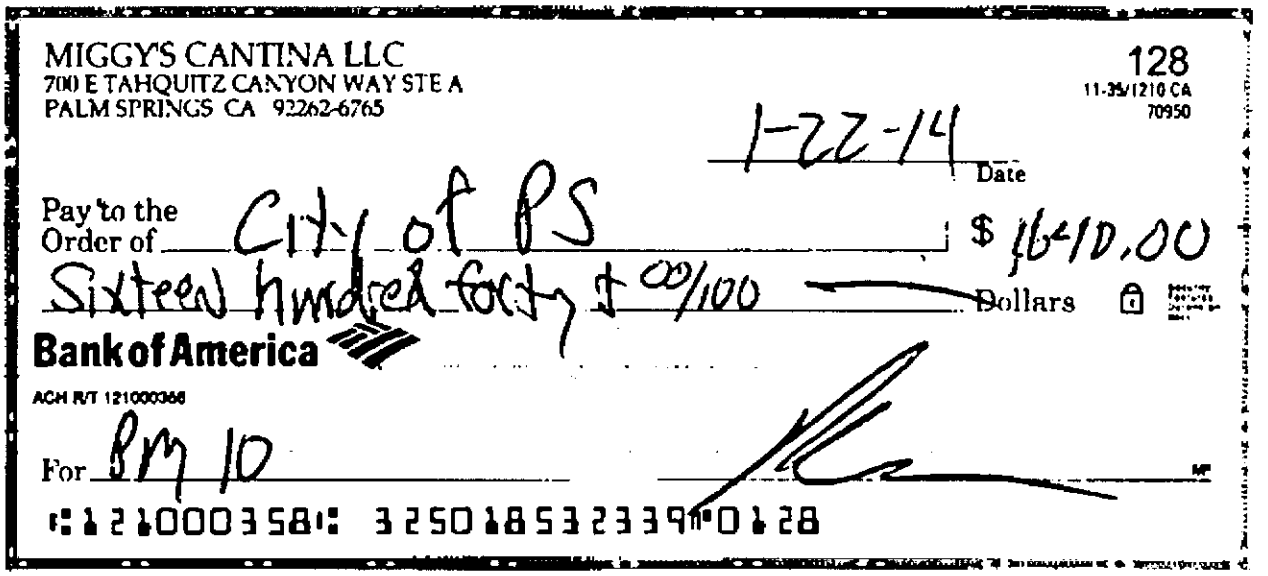
For Landscape

⑆121000358⑆ 325018532339⑈0127

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	ERC	Bank Name
01/17/2014	4476701911	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
01/21/2014	005992582810	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,640.00	Sequence Number:	8042286053
Account:	325018532339	Capture Date:	01/23/2014
Bank Number:	12100035	Check Number:	128



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

128
11-35/1210 CA
70950

1-22-14
Date

Pay to the Order of City of PS $ 1640.00

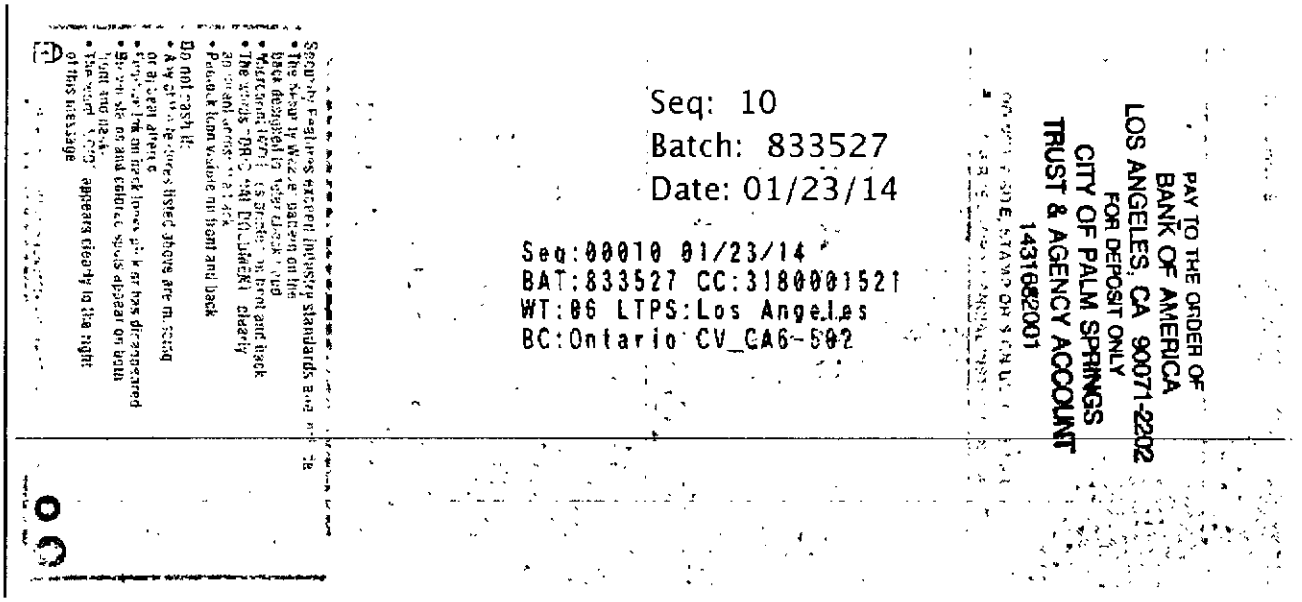
Sixteen hundred forty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For BM 10

⑆121000358⑆ 325018532339⑈0128



Seq: 10
Batch: 833527
Date: 01/23/14

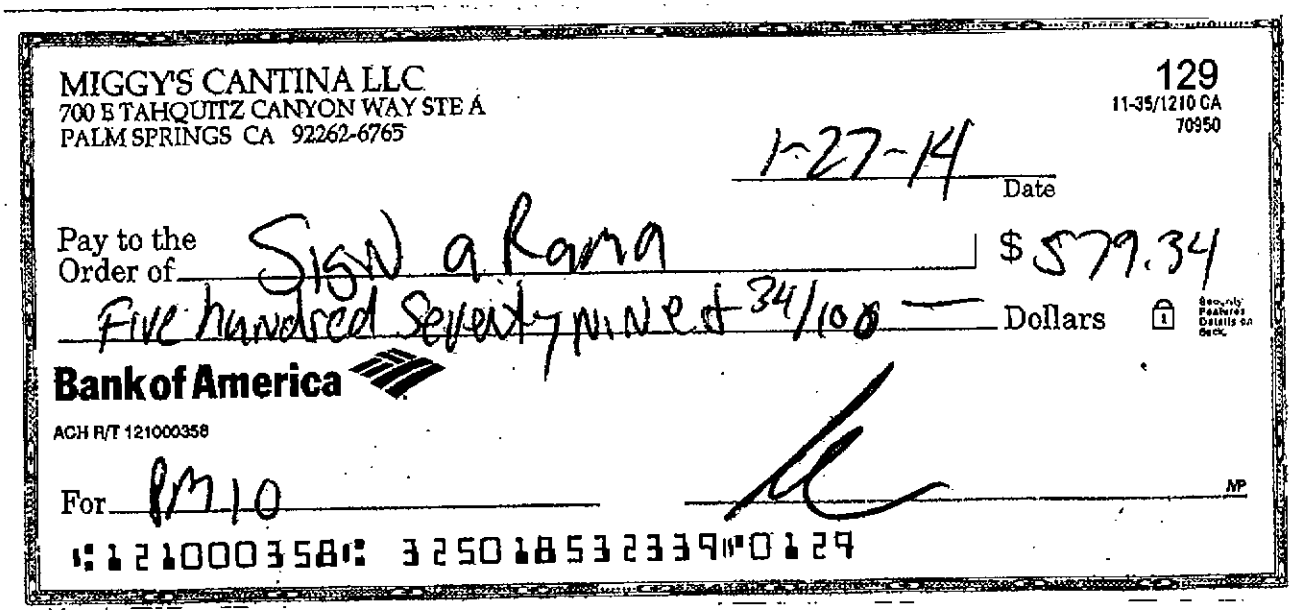
Seq:00010 01/23/14
BAT:833527 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
LOS ANGELES, CA 90071-2202
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
TRUST & AGENCY ACCOUNT
1431682001

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/23/2014	8042286053	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$579.34	Sequence Number:	292740023
Account:	325018532339	Capture Date:	02/03/2014
Bank Number:	12100035	Check Number:	129



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

129
11-35/1210 CA
70950

1-27-14
Date

Pay to the Order of Sign a Rama $579.34

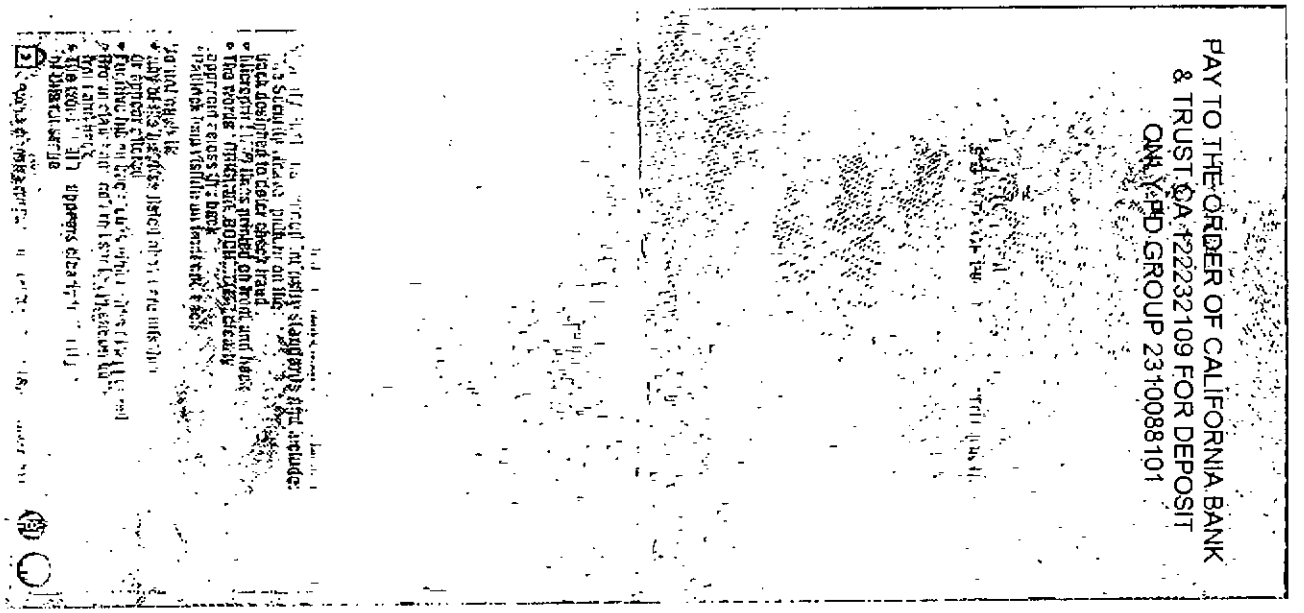
Five hundred Seventy nine & 34/100 Dollars

Bank of America

ACH R/T 121000358

For PMIO

⑆121000358⑆ 325018532339⑈0129

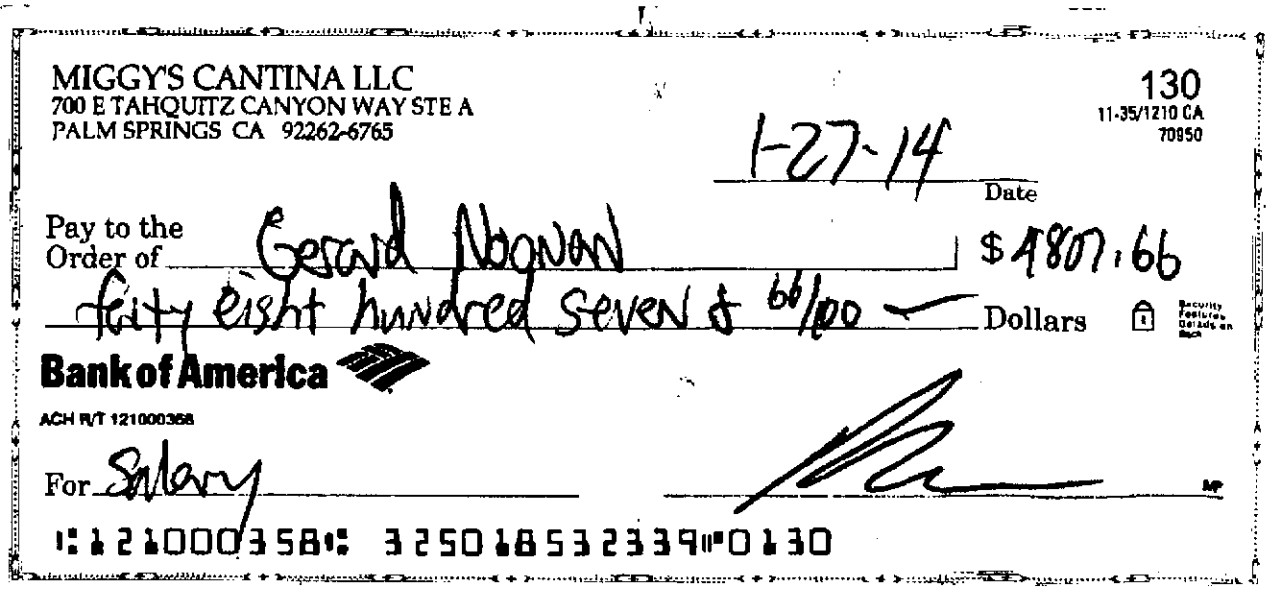


PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY PD GROUP 2310088101

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/03/2014	000000292740023	111310346	Col Bank	N		BANK OF AMERICA, NA
02/01/2014	401315353081767	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$4,807.66	Sequence Number:	8792191156
Account:	325018532339	Capture Date:	01/28/2014
Bank Number:	12100035	Check Number:	130



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

130
11-35/1210 CA
70950

1-27-14
Date

Pay to the Order of Gerard Nguyen $4807.66

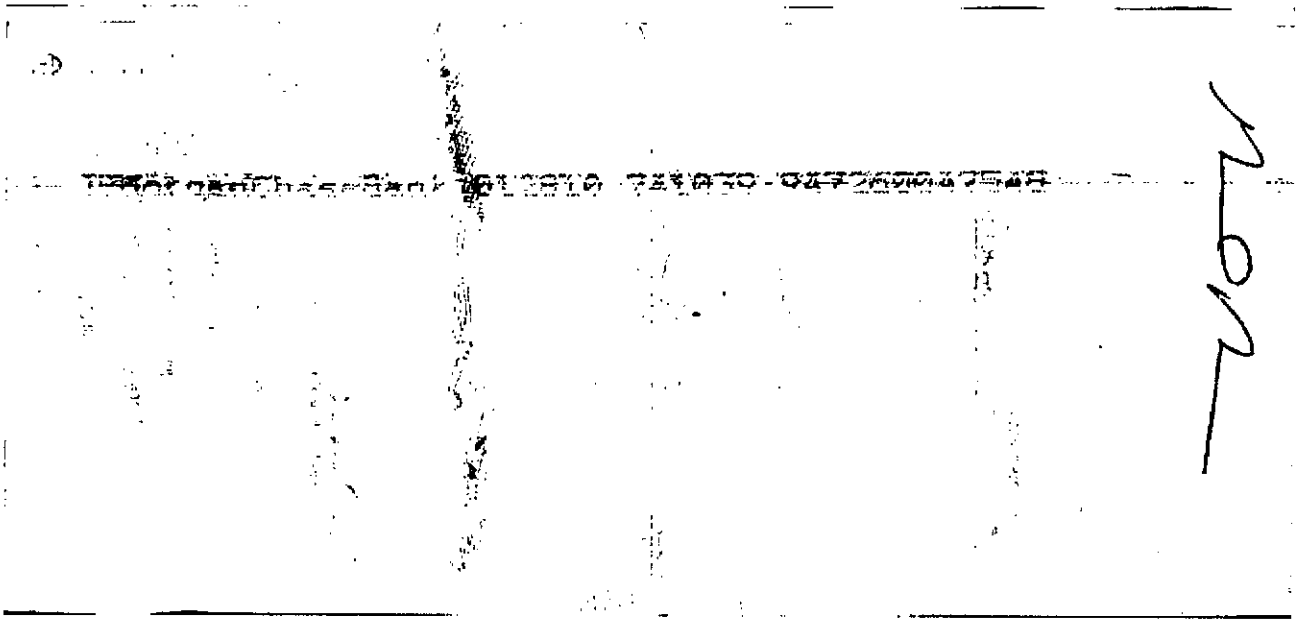
forty eight hundred seven & 66/100 Dollars

Bank of America

ACH R/T 121000358

For Salary

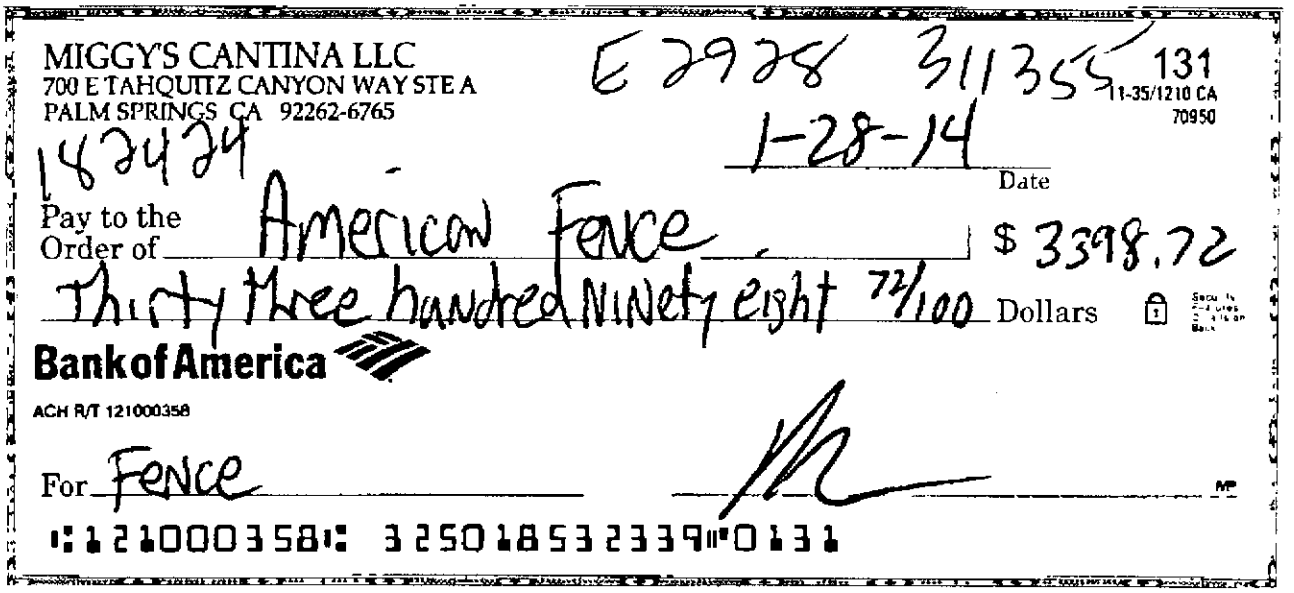
⑆121000358⑆ 325018532339⑈0130



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/28/2014	1790137032	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
01/28/2014	008792191156	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,398.72	Sequence Number:	9192057605
Account:	325018532339	Capture Date:	01/30/2014
Bank Number:	12100035	Check Number:	131

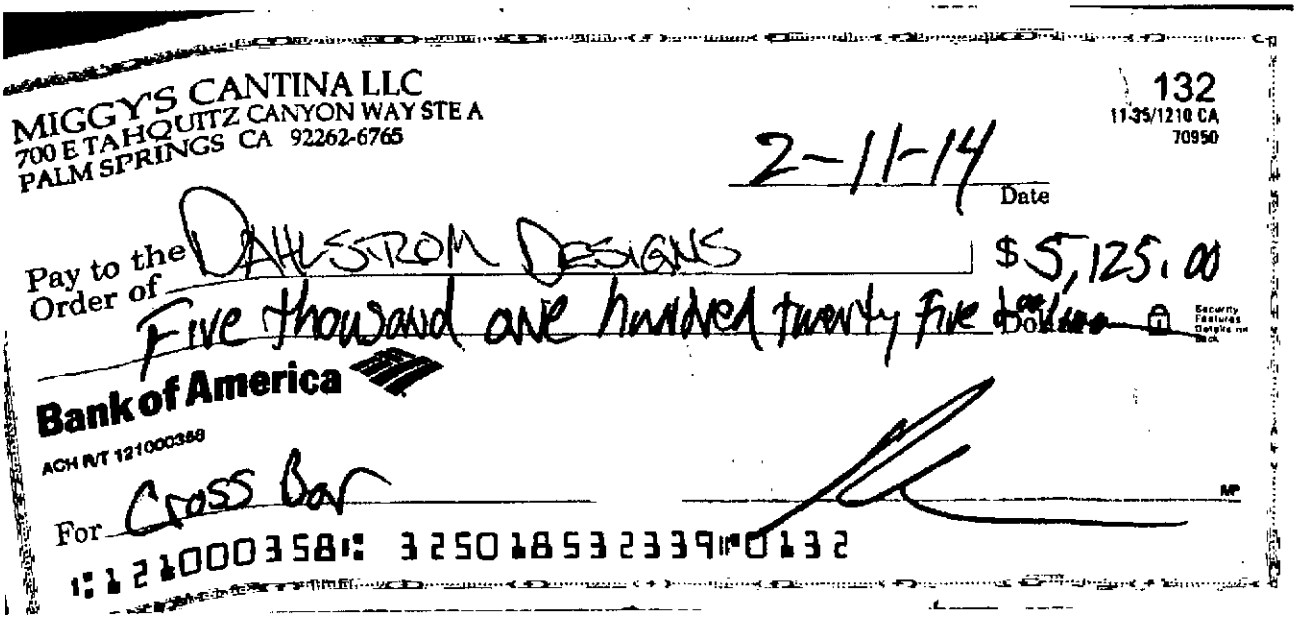


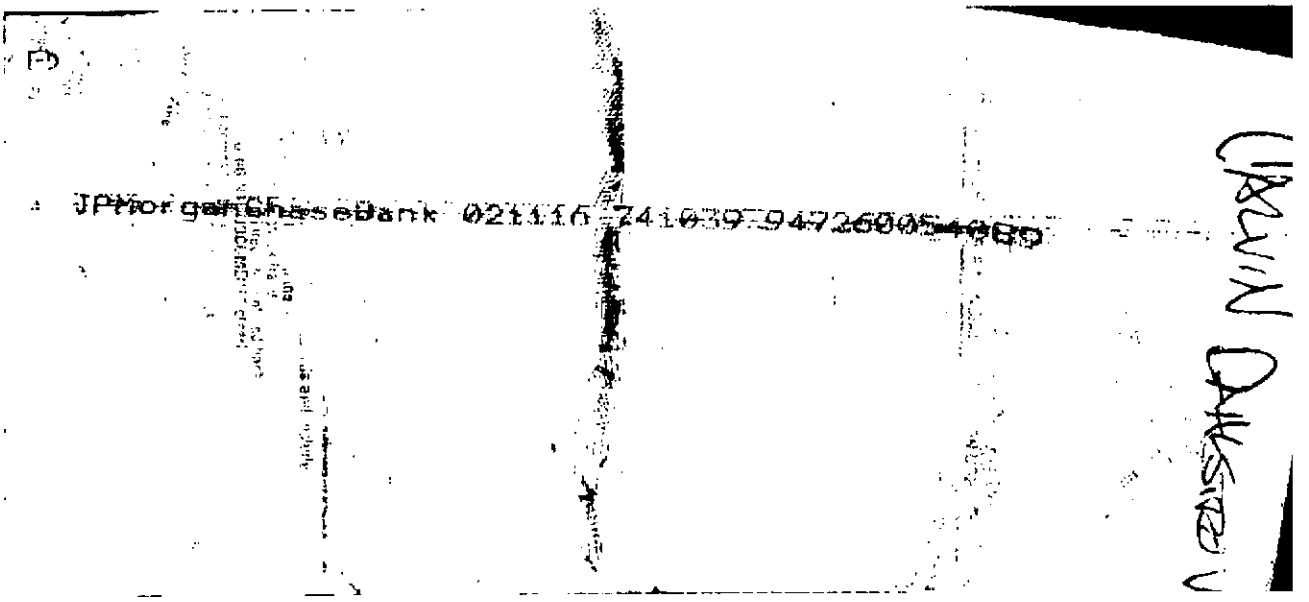
Deposit to UMB Bank for American Fence & Security Co

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
01/30/2014	007373086037	101000695	Undetermined	N		UMB BANK, NATIONAL A
01/30/2014	000007373086037	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
01/30/2014	009192057605	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$5,125.00	Sequence Number:	9792614994
Account:	325018532339	Capture Date:	02/11/2014
Bank Number:	12100035	Check Number:	132

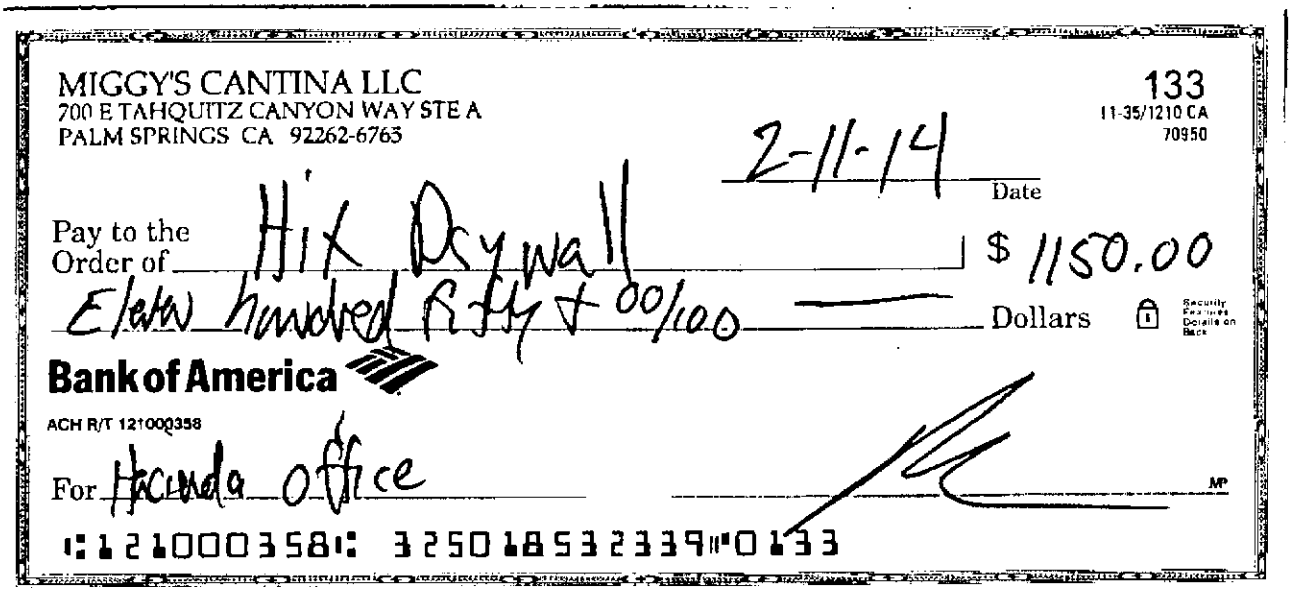


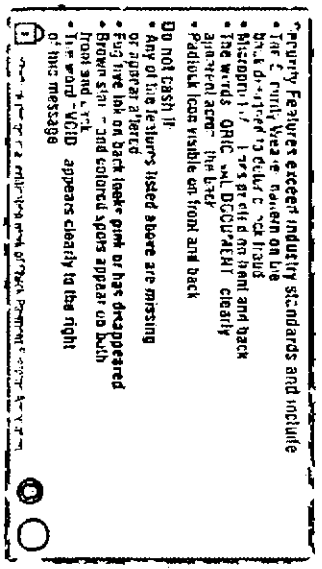


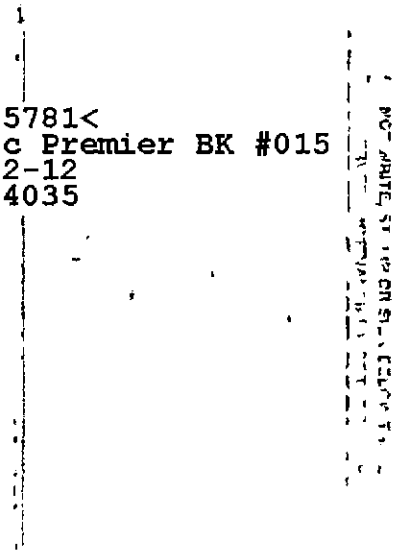
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/11/2014	3490043839	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/11/2014	009792614994	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,150.00	Sequence Number:	8192261807
Account:	325018532339	Capture Date:	02/12/2014
Bank Number:	12100035	Check Number:	133



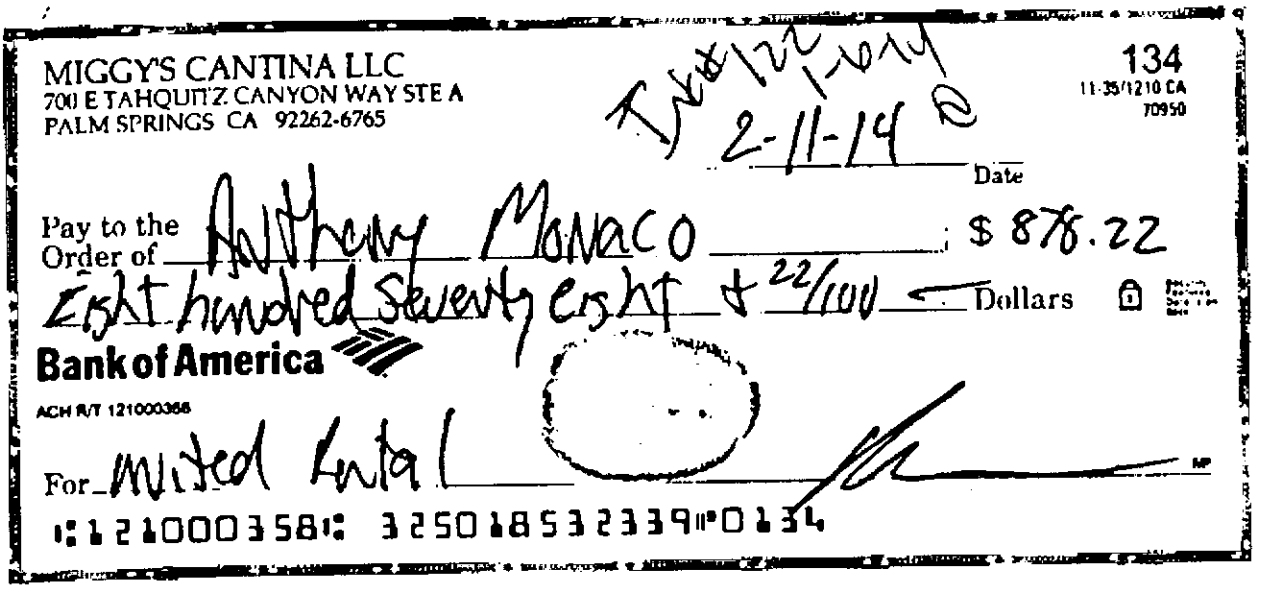




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/12/2014	000008233094579	91000019	Undetermined	N		WELLS FARGO BANK, NA
02/12/2014	008192261807	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/12/2014	907355015714035	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$878.22	Sequence Number:	3642378437
Account:	325018532339	Capture Date:	02/21/2014
Bank Number:	12100035	Check Number:	134



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

134
11-35/1210 CA
70950

Inv# 122 1-2014
2-11-14
Date

Pay to the Order of Anthony Monaco $ 878.22

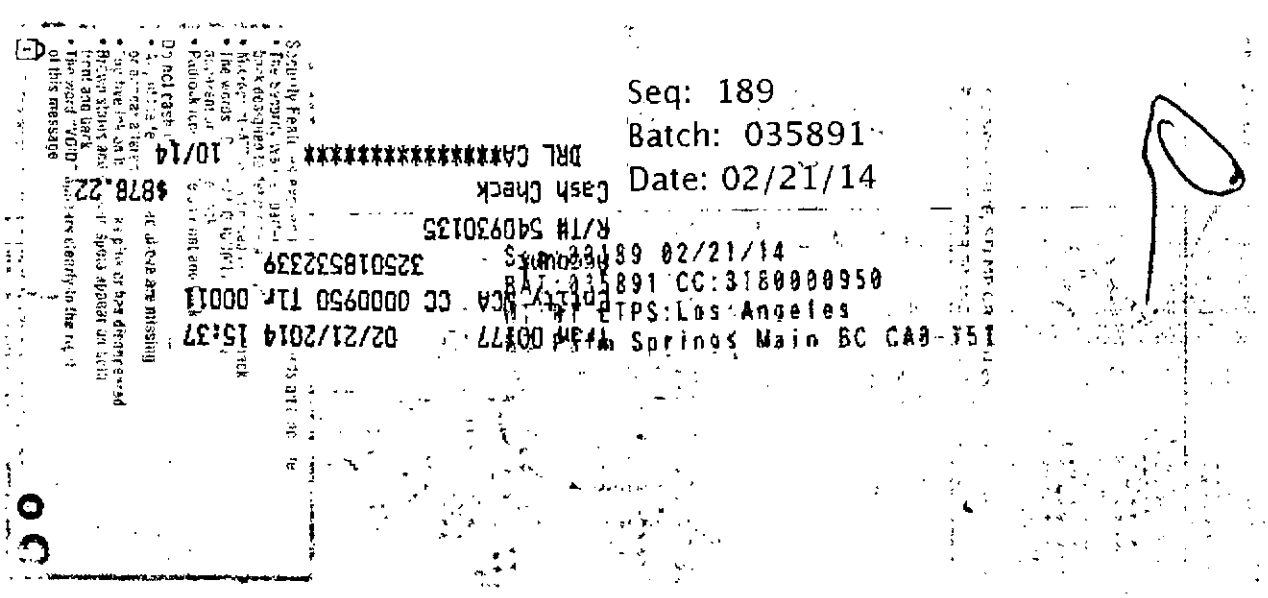
Eight hundred seventy eight & 22/100 Dollars

Bank of America

ACH R/T 121000358

For Mixed Rental

⑆121000358⑆ 325018532339⑈0134



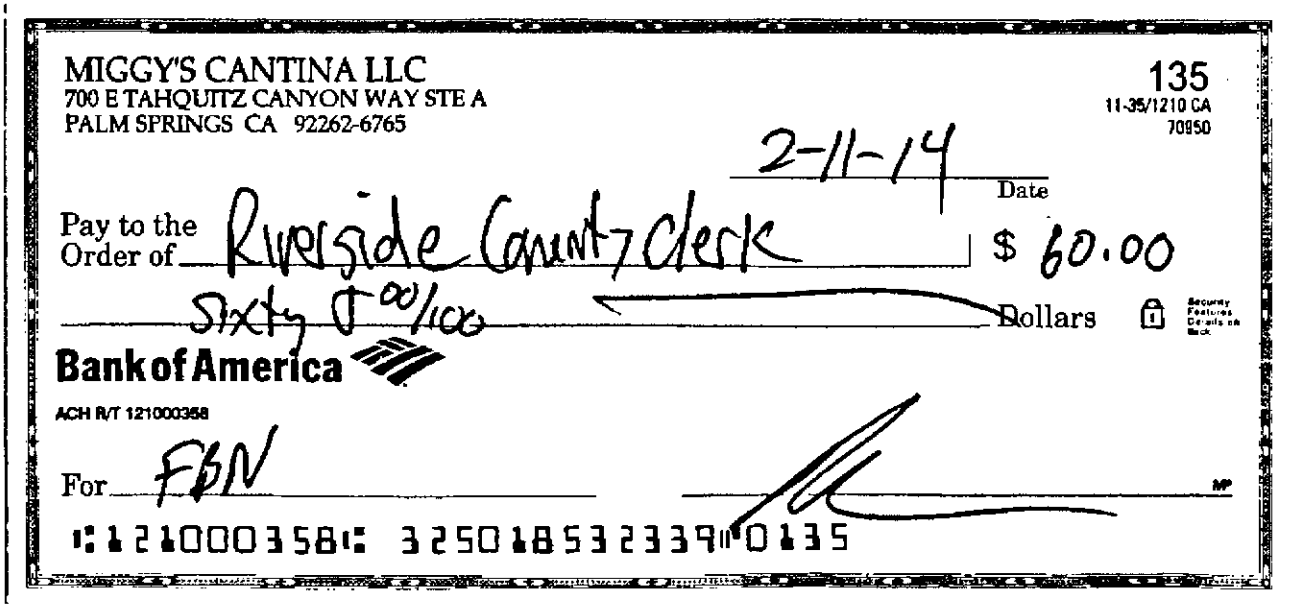
Seq: 189
Batch: 035891
Date: 02/21/14

DRL CA********** 10/14
Cash Check
$878.22
R/T# 540930135
Seq#:00189 02/21/14
BAT:035891 CC:3180000950
ETPS:Los Angeles
Palm Springs Main BC CA8-151
02/21/2014 15:37
325018532339
CC 00000950 TLr 00013

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/21/2014	3642378437	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$60.00	Sequence Number:	4292517069
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	135



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

135
11-35/1210 CA
70950

2-11-14
Date

Pay to the Order of Riverside County Clerk $ 60.00

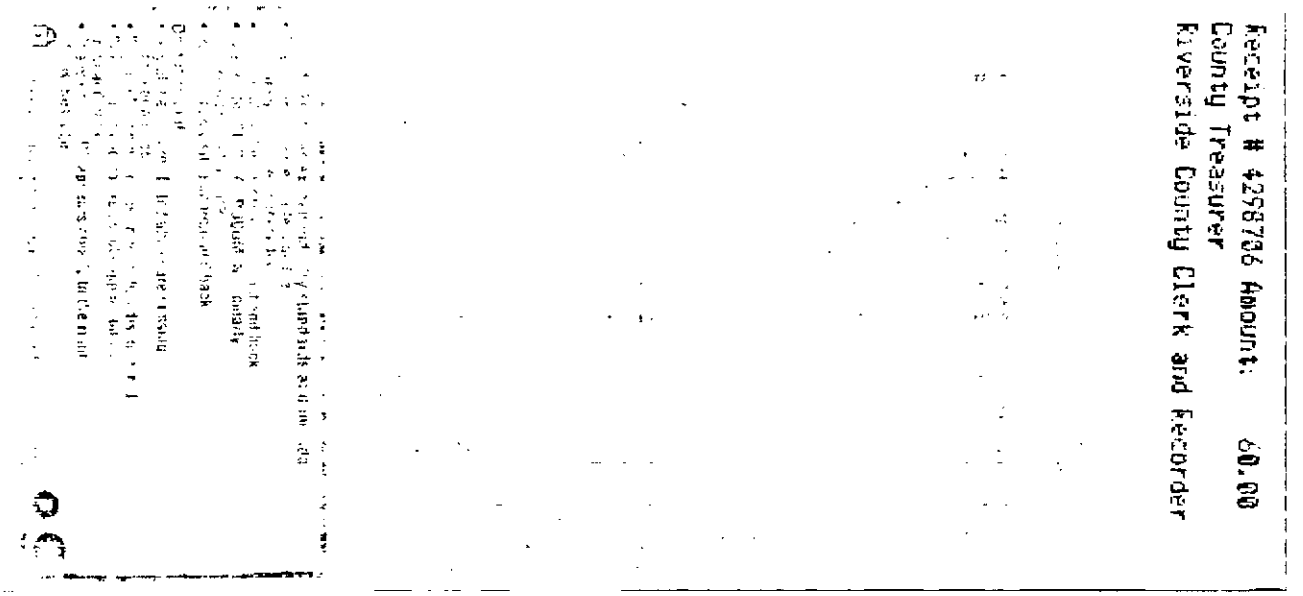
Sixty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For FBN

⑆121000358⑆ 325018532339⑈0135

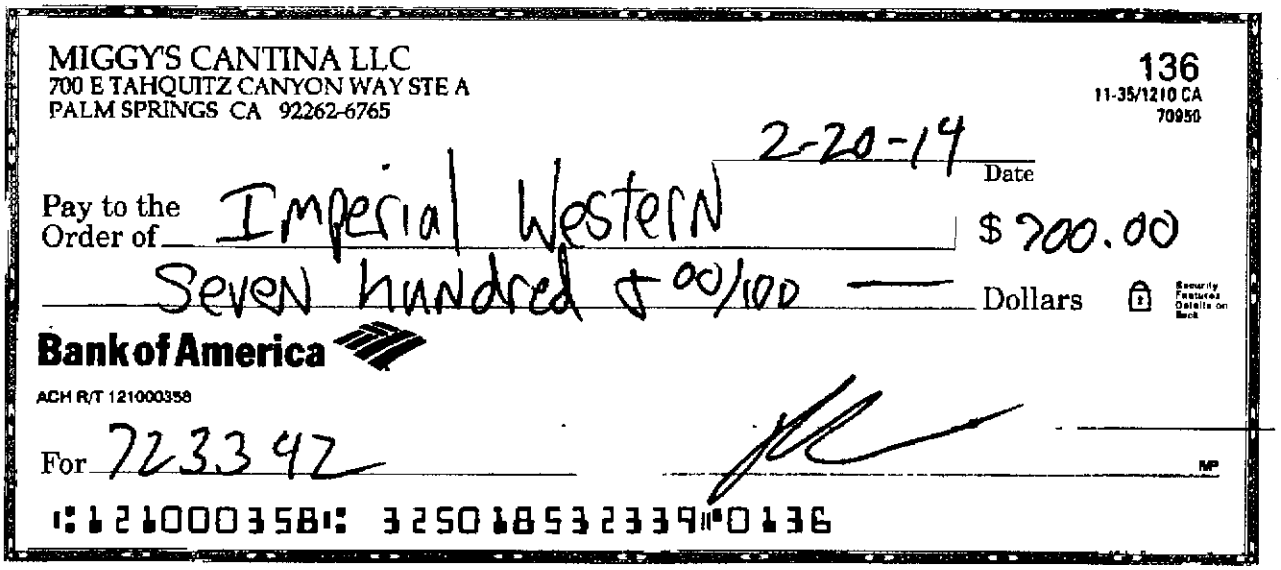


Receipt # 4258786 Amount: 60.00
County Treasurer
Riverside County Clerk and Recorder

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	004292517069	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	4447038990	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$700.00	Sequence Number:	8592019331
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	136



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

136
11-35/1210 CA
70950

2-20-14
Date

Pay to the Order of Imperial Western $ 700.00

Seven hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 723342

⑆121000358⑆ 325018532339⑈0136

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
121000248
FOR DEPOSIT ONLY
IMPERIAL WESTERN PRODUCTS
4747718286

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008592019331	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/25/2014	000000384077051	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$594.76	Sequence Number:	3642378438
Account:	325018532339	Capture Date:	02/21/2014
Bank Number:	12100035	Check Number:	137

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

137
11-35/1210 CA
70950

2-21-14
Date

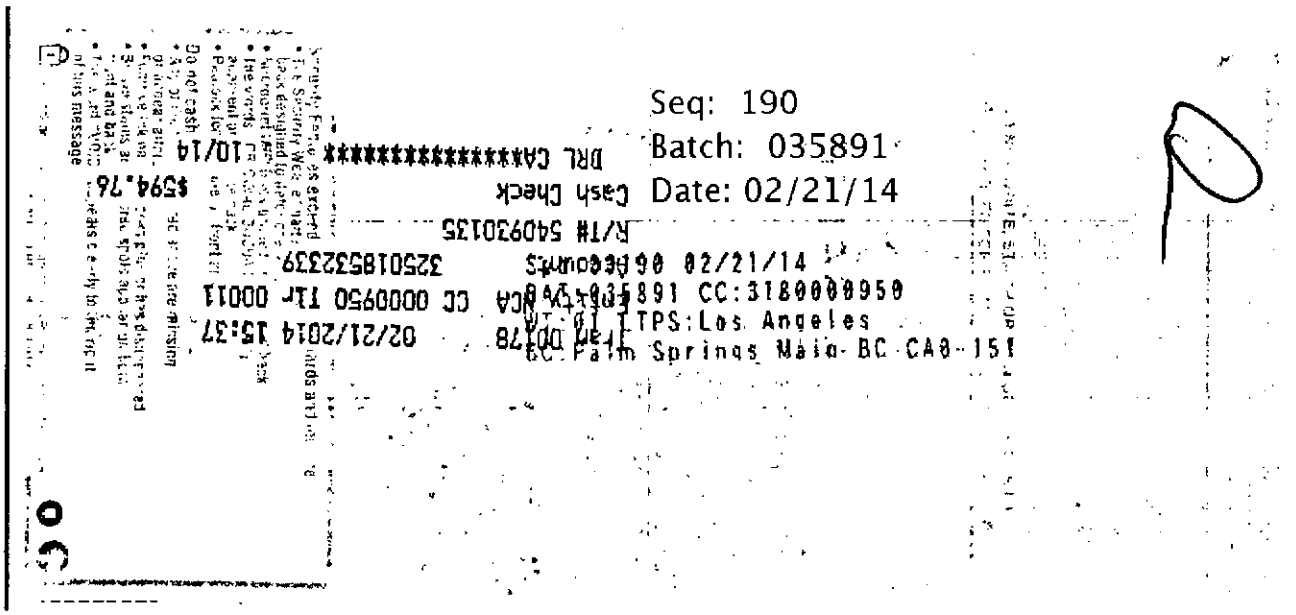
Pay to the Order of Anthony Monaco $ 594.76

Five hundred ninety four & 76/100 Dollars

Bank of America
ACH R/T 121000358

For

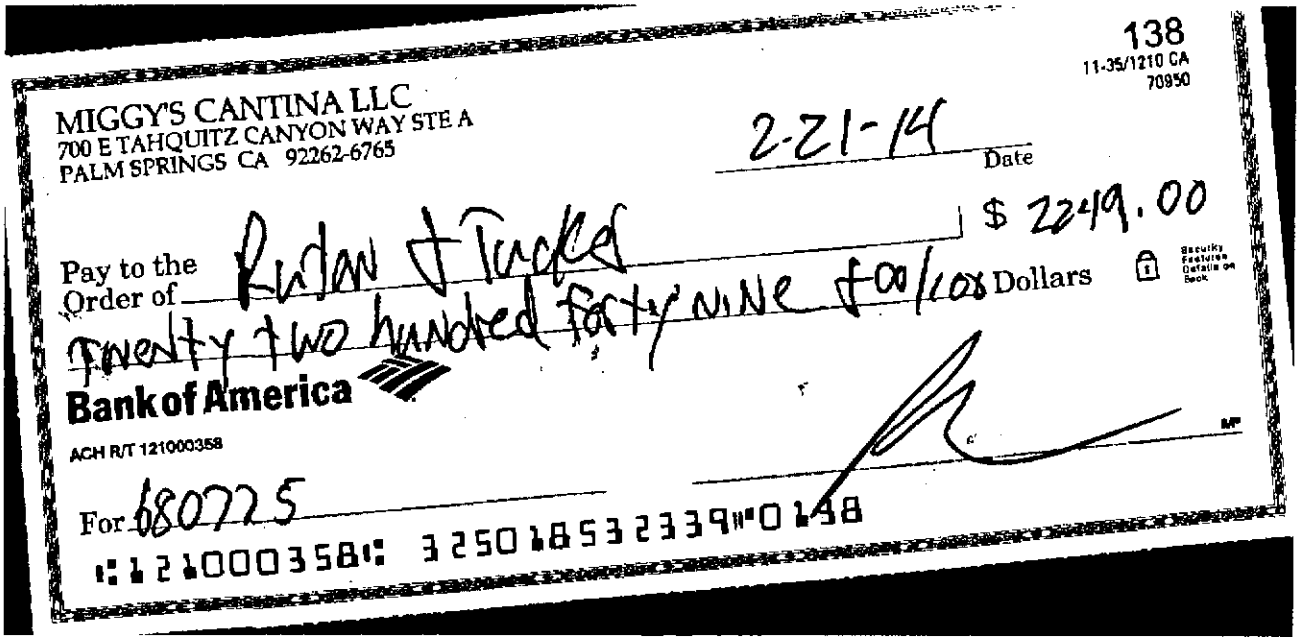
⑆121000358⑆ 325018532339⑈0137



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/21/2014	3642378438	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,249.00	Sequence Number:	5192653921
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	0



138
11-35/1210 CA
70950

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

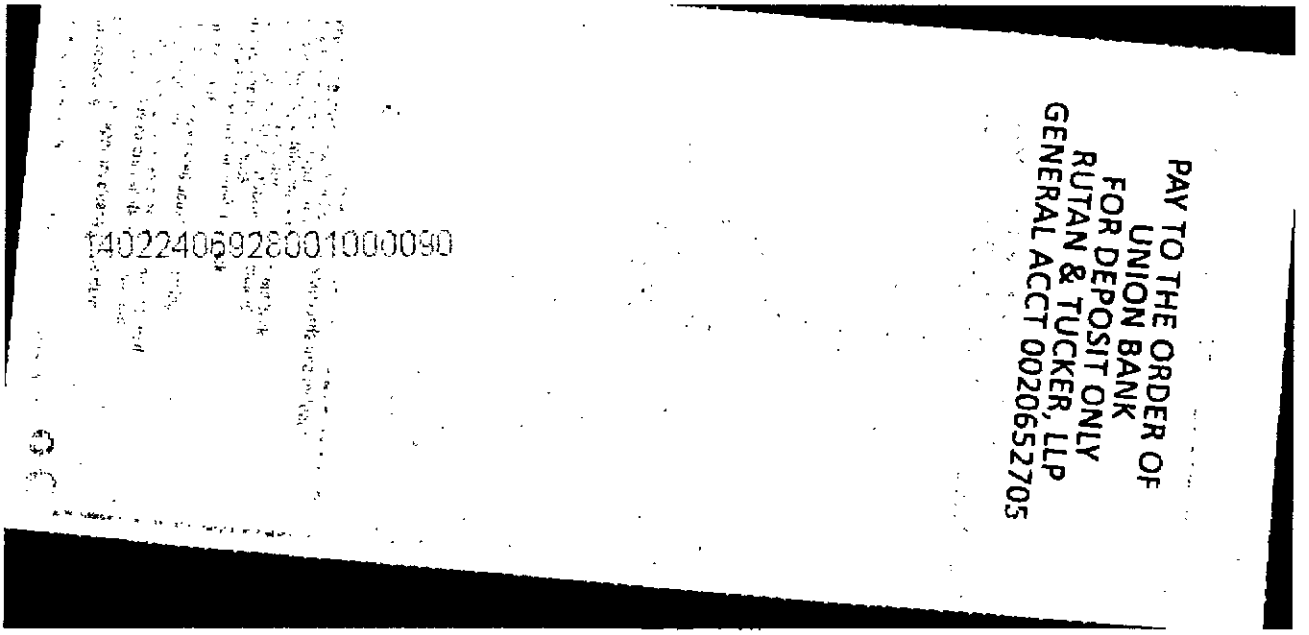
2-21-14
Date

Pay to the Order of Rutan & Tucker
$ 2249.00
Twenty two hundred forty nine 00/100 Dollars
Security Features Details on Back

Bank of America
ACH R/T 121000358

For 080725

⑆121000358⑆ 325018532339⑈0138



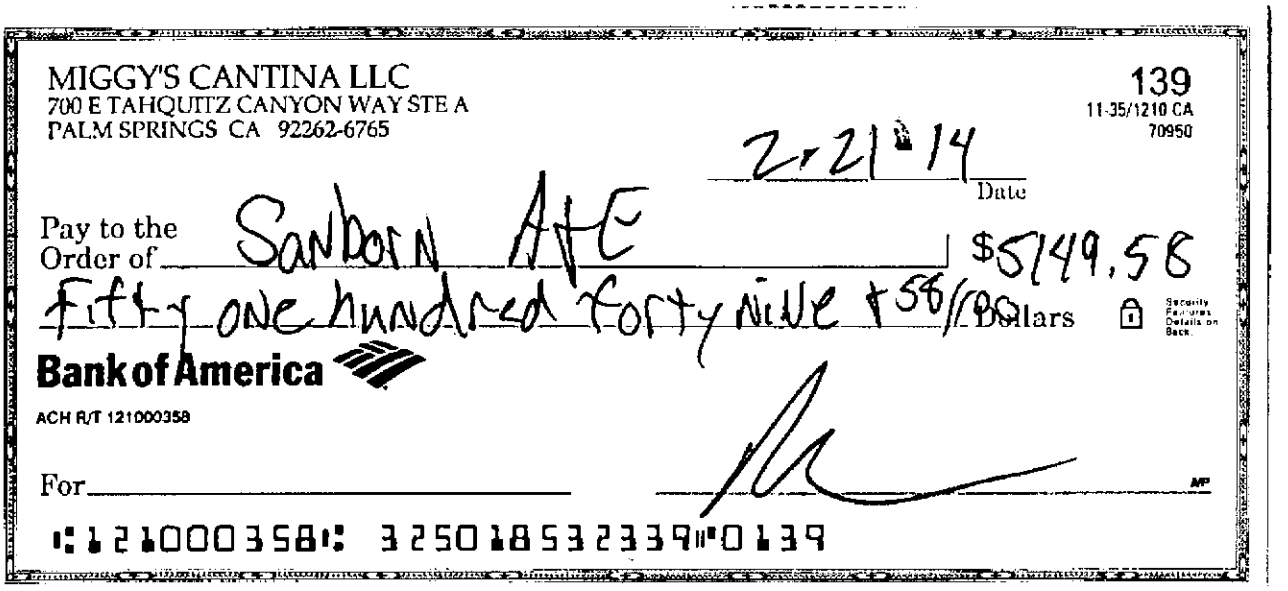
14022406928001000090

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	005192653921	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	4477128533	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$5,149.58	Sequence Number:	8392702620
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	139



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

139
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of SANBORN A/E $5149.58

fifty one hundred forty nine 58/100 Dollars

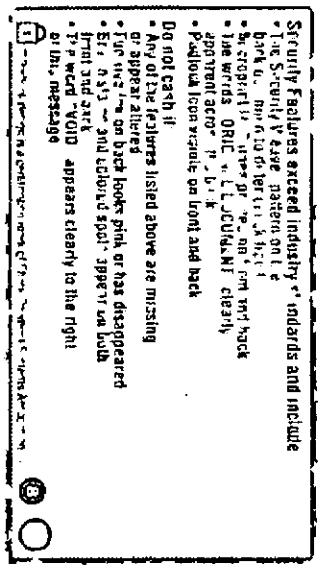
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0139



Security features exceed industry standards and include
• The Security Edge pattern on the back
• The word VOID appears clearly on front and back
Do not cash if
• Any of the features listed above are missing
or appear altered
• Pantograph on back looks pink or has disappeared
• Erasable ink on back looks pink or has disappeared
• The word "VOID" appears clearly to the right of this message

>322285781<
Pacific Premier BK #015
2014-02-24
0015121007

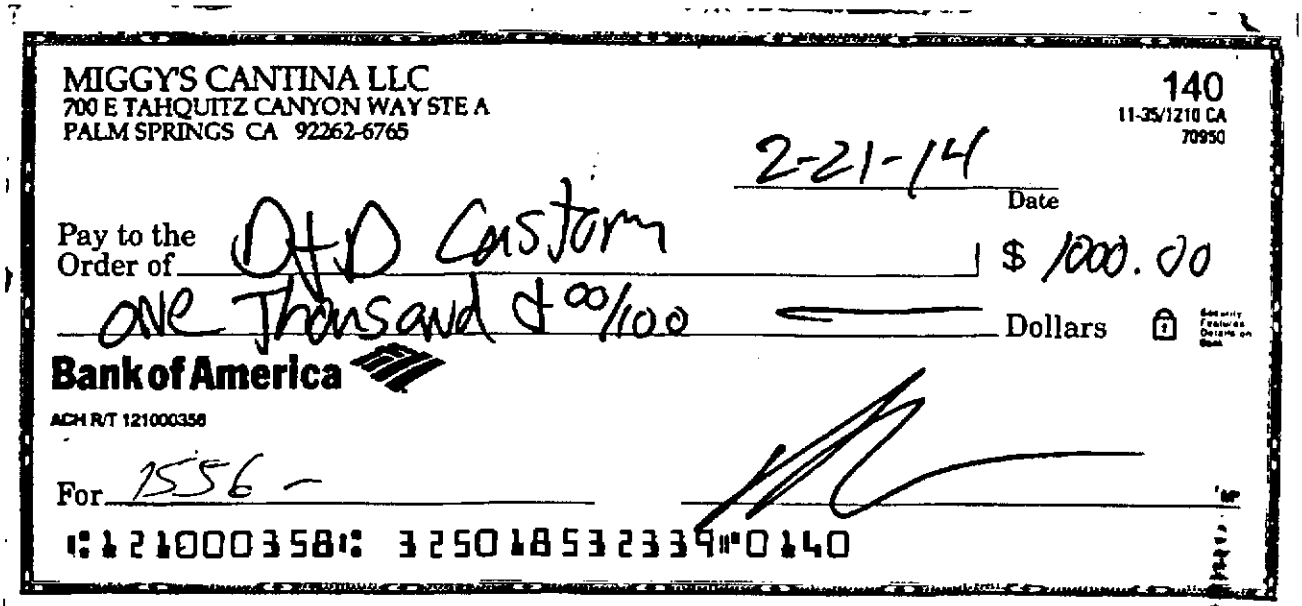
0015121007

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
322285781
FOR DEPOSIT ONLY
SANBORN A/E, INC.
1510032497

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008392702620	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	000008433513851	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/24/2014	907355015121007	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$1,000.00	Sequence Number:	9092308827
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	140



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

140
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of OTD Custom

$ 1000.00

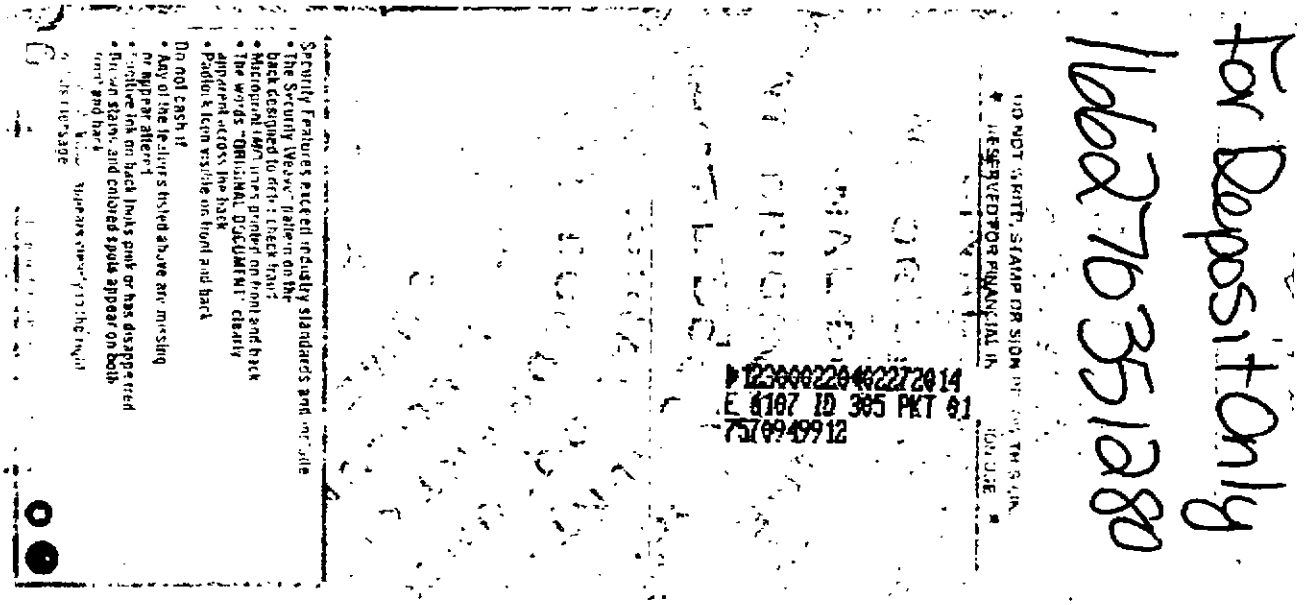
One Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 1556 -

⑆121000358⑆ 325018532339⑈0140



Security Features exceed industry standards and include:
• The Security Warning Statement on the back designed to deter check fraud
• Microprint lines printed on front and back
• The words "ORIGINAL DOCUMENT" clearly apparent across the back
• Padlock icon visible on front and back

Do not cash if:
• Any of the features listed above are missing
• Paper appears
• Sensitive ink on back looks pink or has disappeared
• Bleach stains and colored spots appear on both front and back

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL IN

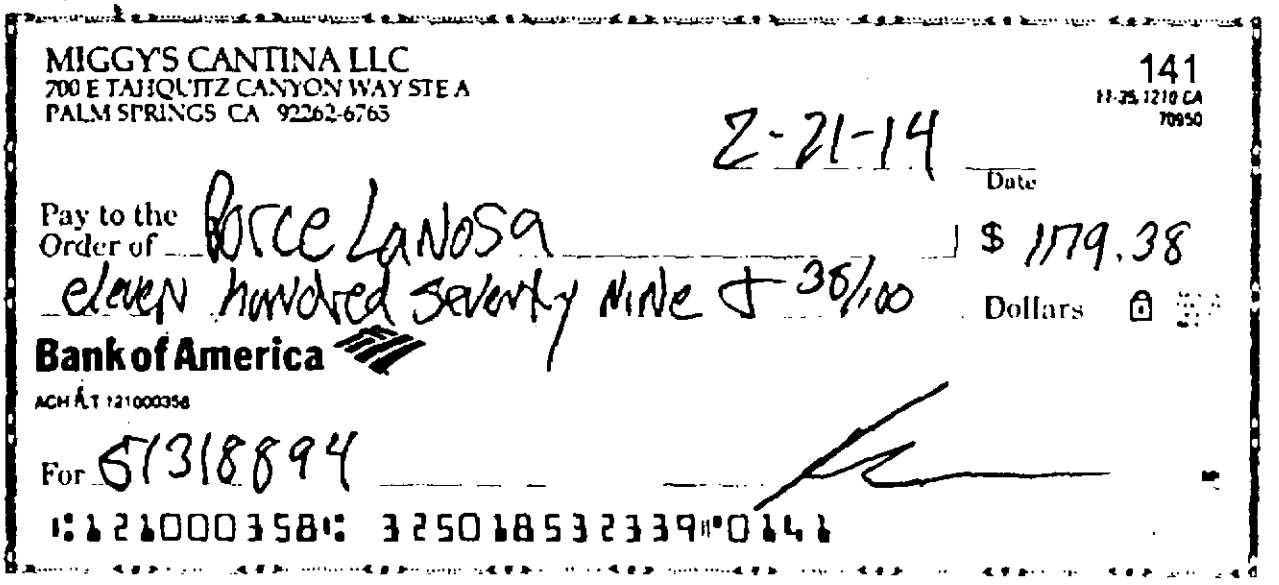
⑈123000220⑆022720 14
E 0107 ID 385 PKT 01
7570949912

For Deposit Only
1062763512801

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	004191135612	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	7570949912	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/28/2014	009092308827	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	009598654358	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	009598654358	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135612	123000220	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$1,179.38	Sequence Number:	9492235996
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	141



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

141
11-35 1210 CA
70950

2-21-14
Date

Pay to the Order of Porce LaNosa

$ 1179.38

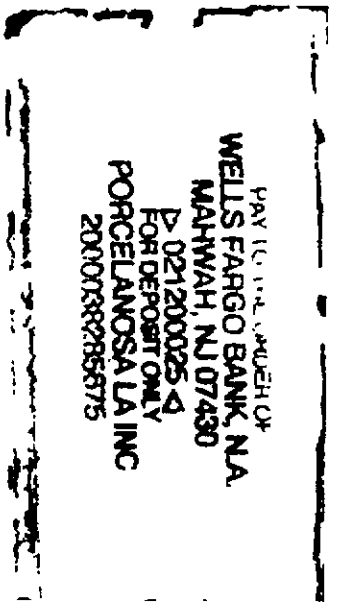
eleven hundred seventy Nine & 38/100 Dollars

Bank of America

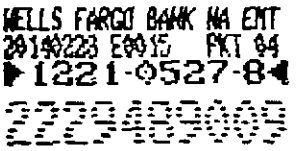
ACH R/T 121000358

For 61318894

⑆121000358⑆ 325018532339⑈0141



PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
⑆021200025⑆
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2000338228575



WELLS FARGO BANK NA EMT
20140223 E0915 PKT 04
▶1221-0527-8◀
2229489009

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009492235996	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	000002229489009	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$520.00	Sequence Number:	8292201404
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	142

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

142
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Electronic Entry $ 520.00

Five hundred twenty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

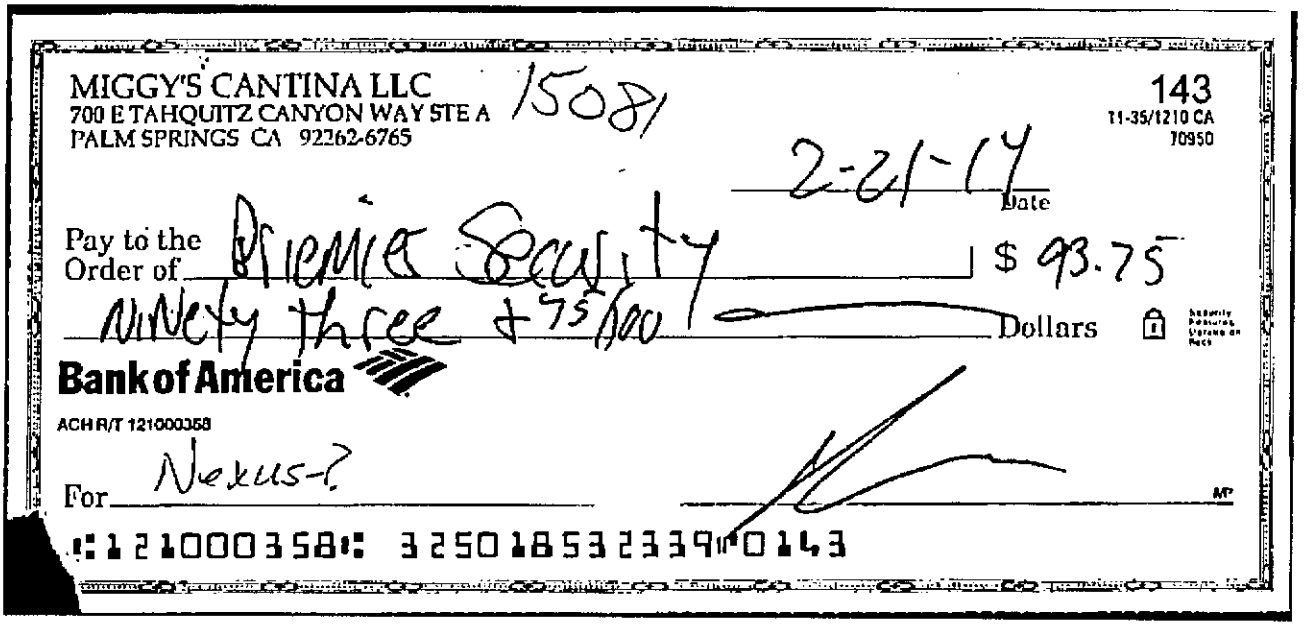
⑆121000358⑆ 325018532339⑈0142

PAY TO THE ORDER OF
JPMORGAN CHASE BANK
FOR DEPOSIT ONLY
ELECTRONIC ENTRY SYSTEMS
ACCT. # 865868228

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	3590231716	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/24/2014	008292201404	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$93.75	Sequence Number:	8492234318
Account:	325018532339	Capture Date:	03/05/2014
Bank Number:	12100035	Check Number:	143



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15081

143
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Premier Security $ 93.75

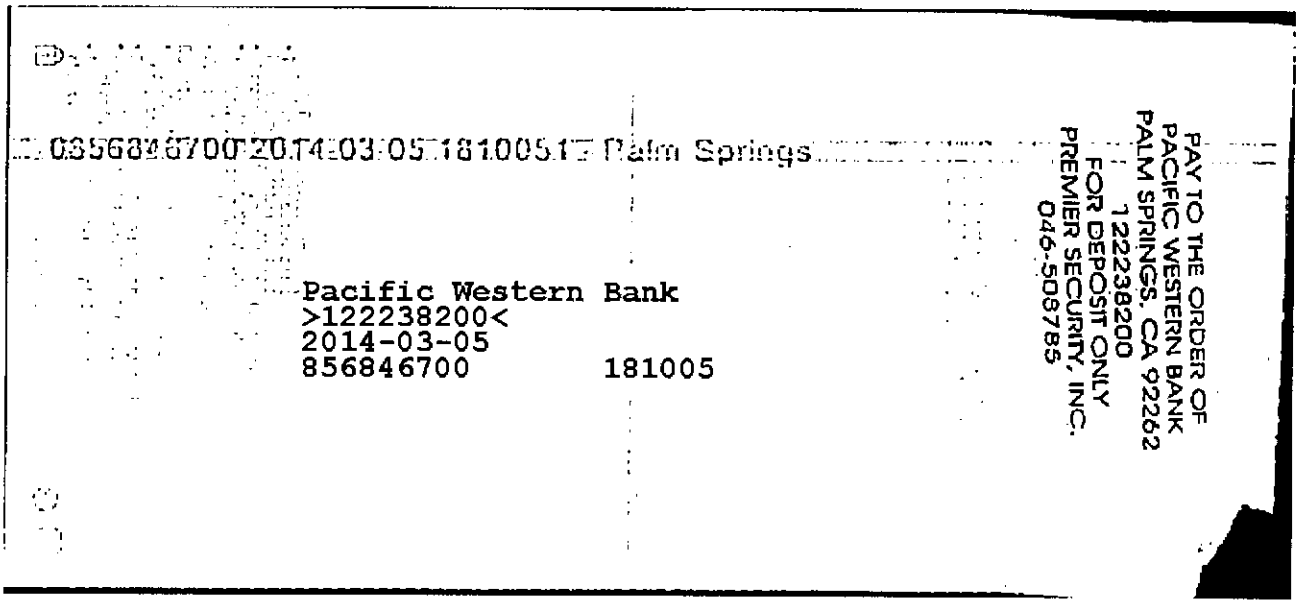
Ninety three & 75/100 Dollars

Bank of America

ACH R/T 121000358

For Nexus-7

⑆121000358⑆ 325018532339⑈0143



⑈035684670⑈ 2014-03-05 181005 Palm Springs

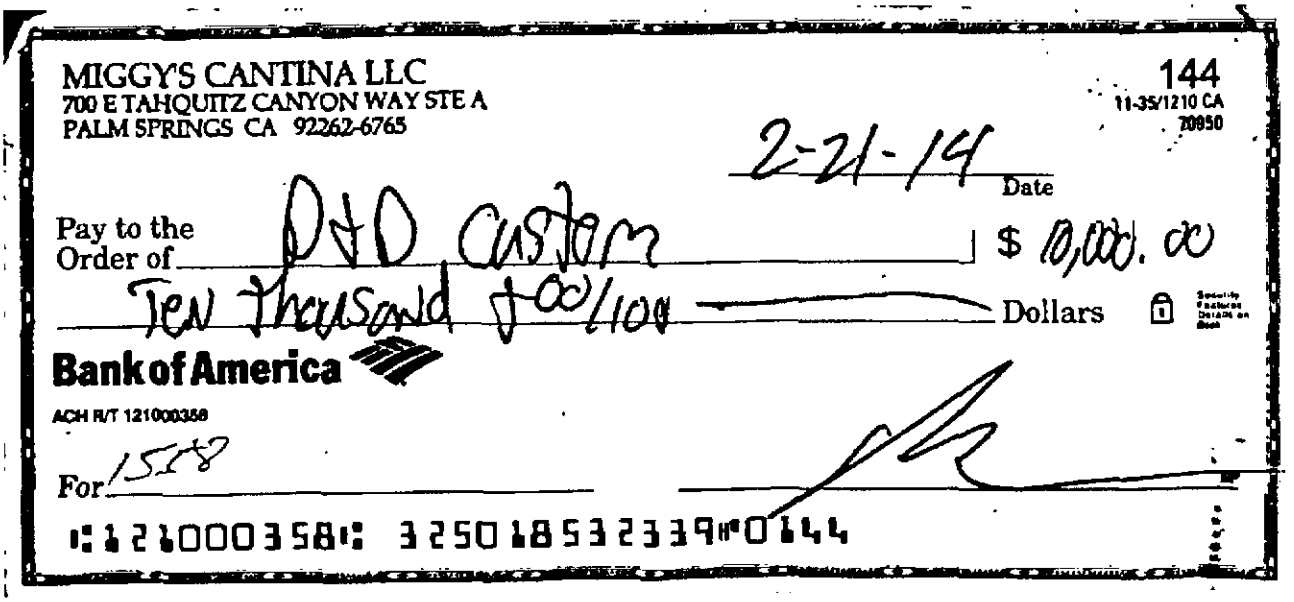
Pacific Western Bank
>122238200<
2014-03-05
856846700 181005

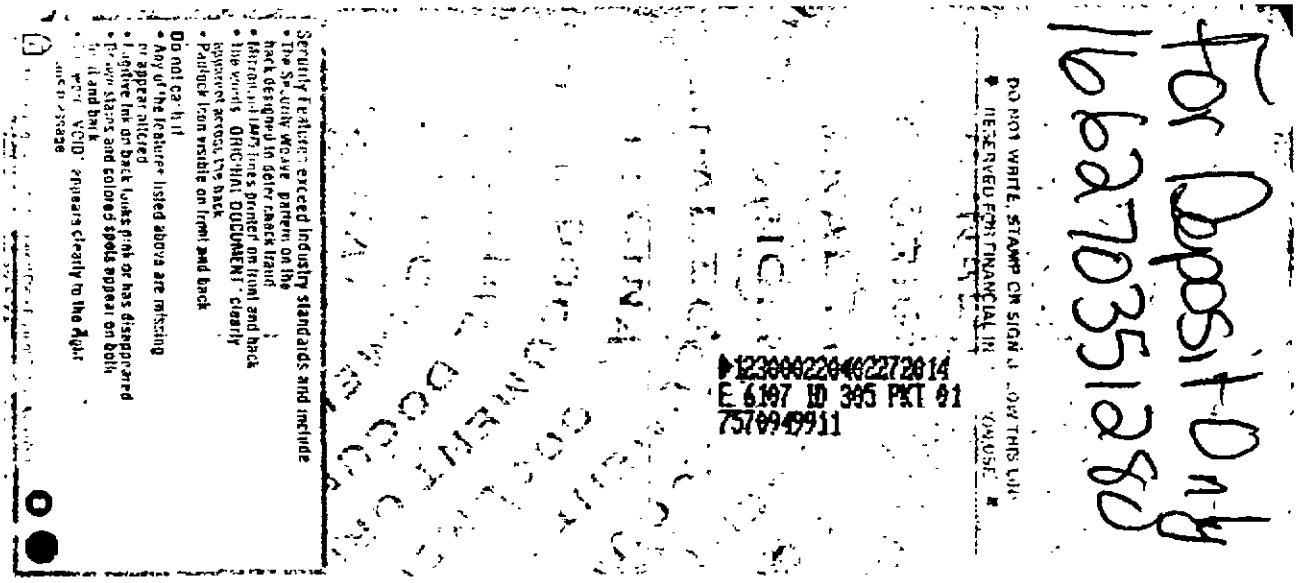
PAY TO THE ORDER OF
PACIFIC WESTERN BANK
PALM SPRINGS, CA 92262
122238200
FOR DEPOSIT ONLY
PREMIER SECURITY, INC.
046-508785

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/05/2014	008492234318	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/05/2014	000000856846700	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/05/2014	000008650856128	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$10,000.00	Sequence Number:	9092308826
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	144

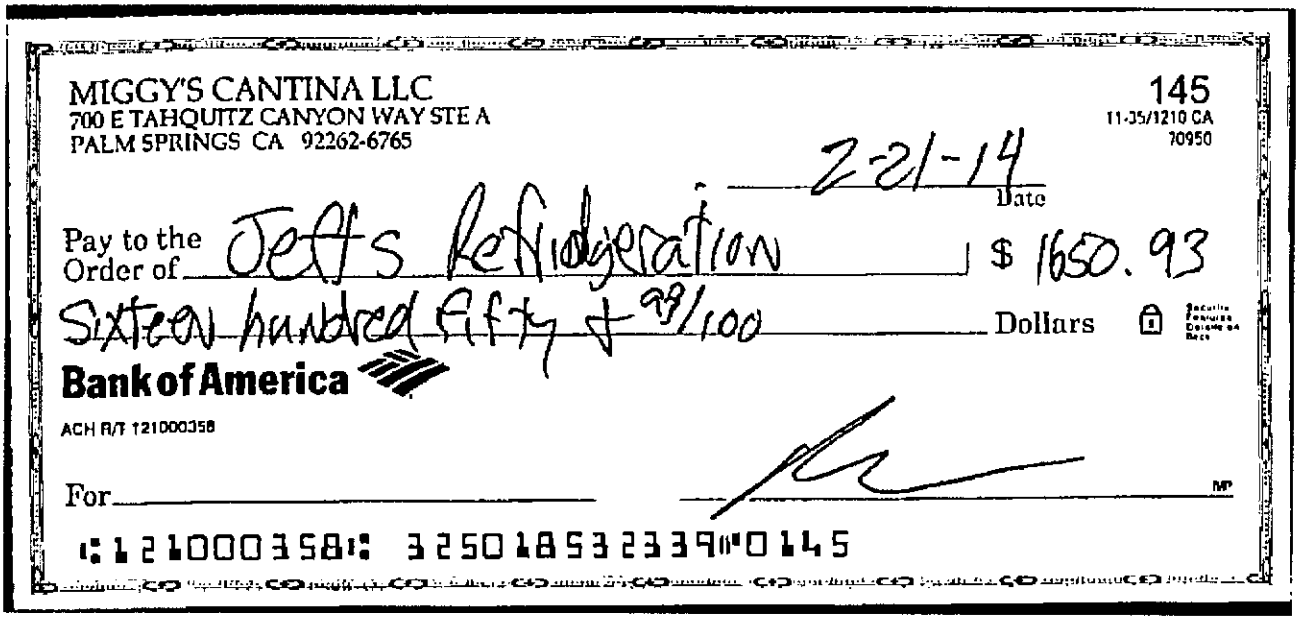




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	009598654357	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	009598654357	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/28/2014	009092308826	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	7570949911	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/27/2014	004191135611	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135611	123000220	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$1,650.93	Sequence Number:	9592191607
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	145



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

145
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Jeff's Refridgeration $ 1650.93

Sixteen hundred fifty & 93/100 Dollars

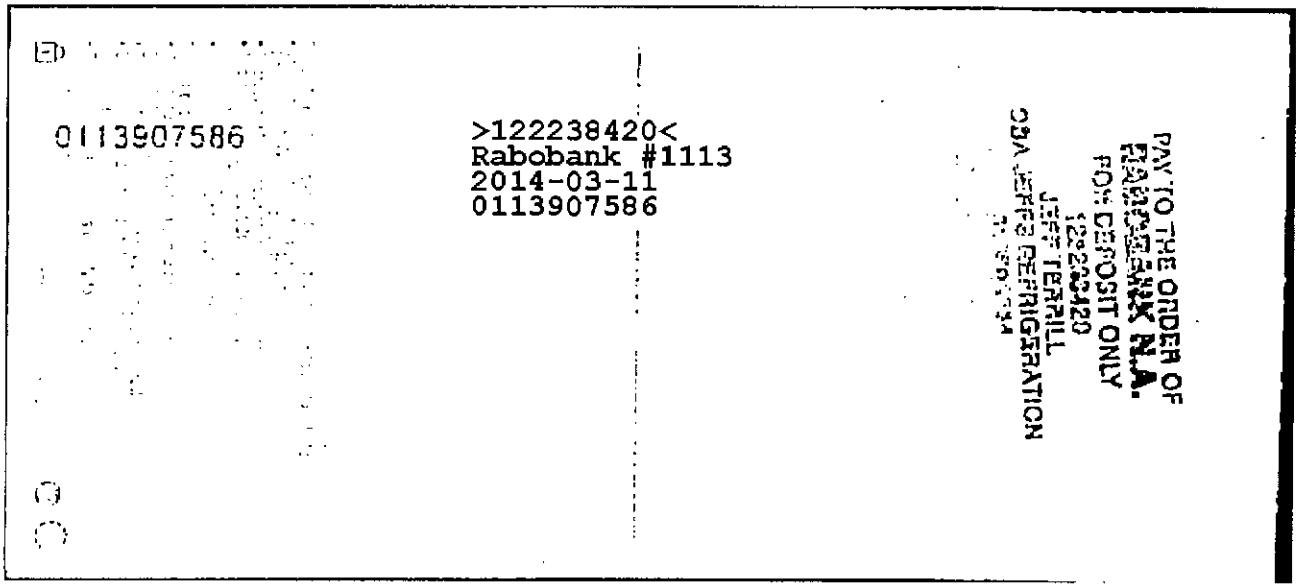
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0145



0113907586

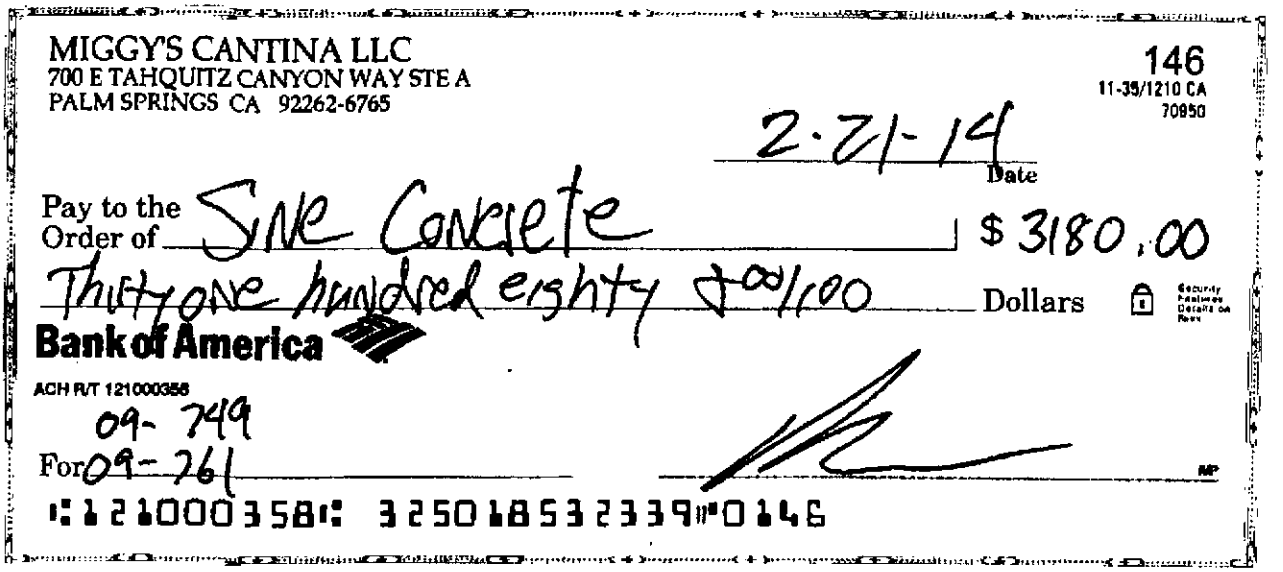
>122238420<
Rabobank #1113
2014-03-11
0113907586

PAY TO THE ORDER OF
RABOBANK N.A.
FOR DEPOSIT ONLY
122238420
JEFF TERRILL
JEFFS REFRIGERATION

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592191607	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000000113907586	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
03/11/2014	000008245086988	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$3,180.00	Sequence Number:	8292470915
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	146



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

146
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of SNE Concrete $ 3180.00

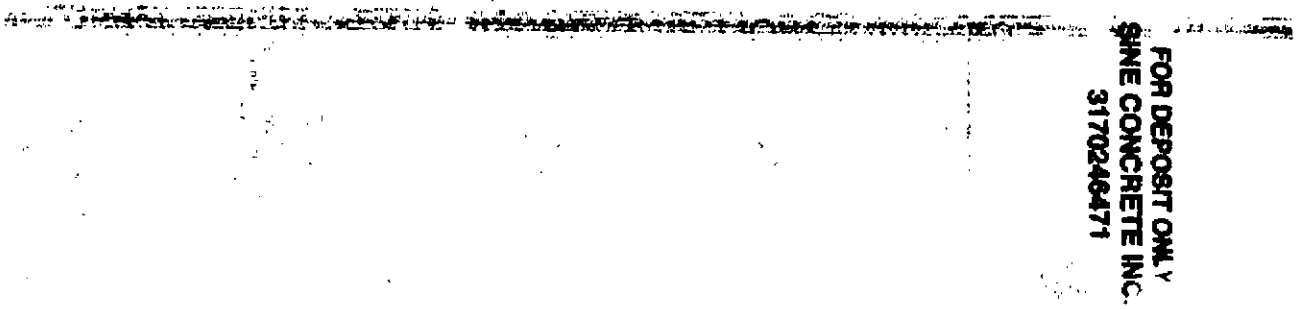
Thirty one hundred eighty & 00/100 Dollars

Bank of America

ACH R/T 121000358

09-749
For 09-761

⑆121000358⑆ 325018532339⑈0146

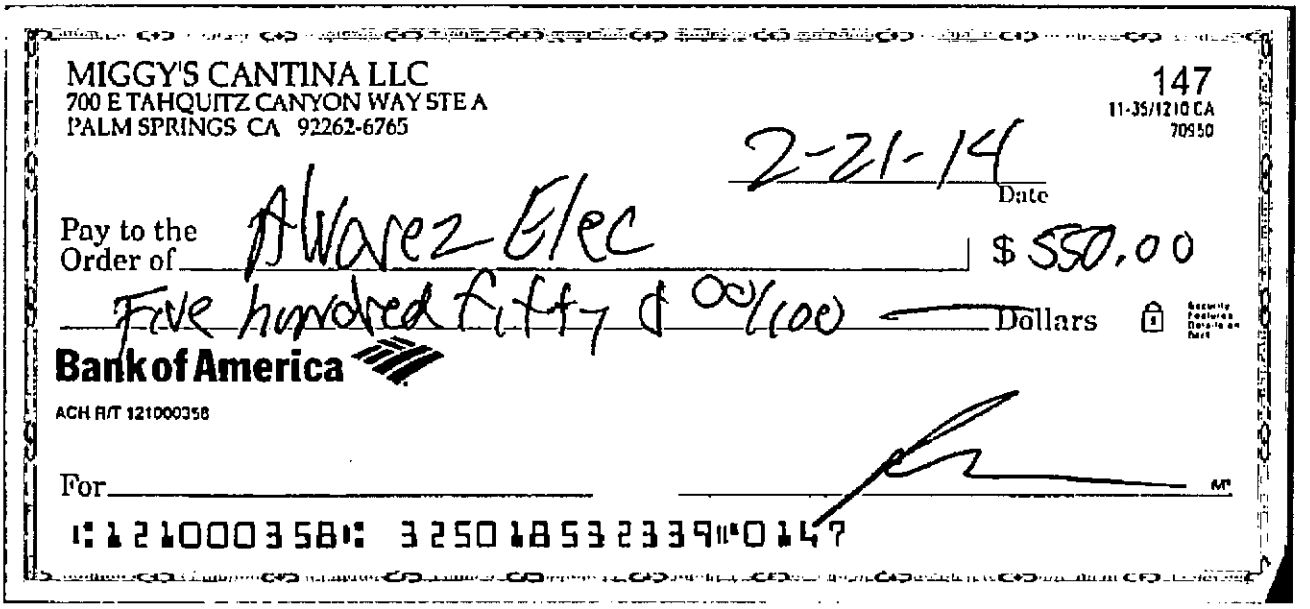


FOR DEPOSIT ONLY
SNE CONCRETE INC.
317024647 1

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	3270904893	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/24/2014	008292470915	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$550.00	Sequence Number:	8892004079
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	147



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

147
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of Alvarez Elec $550.00

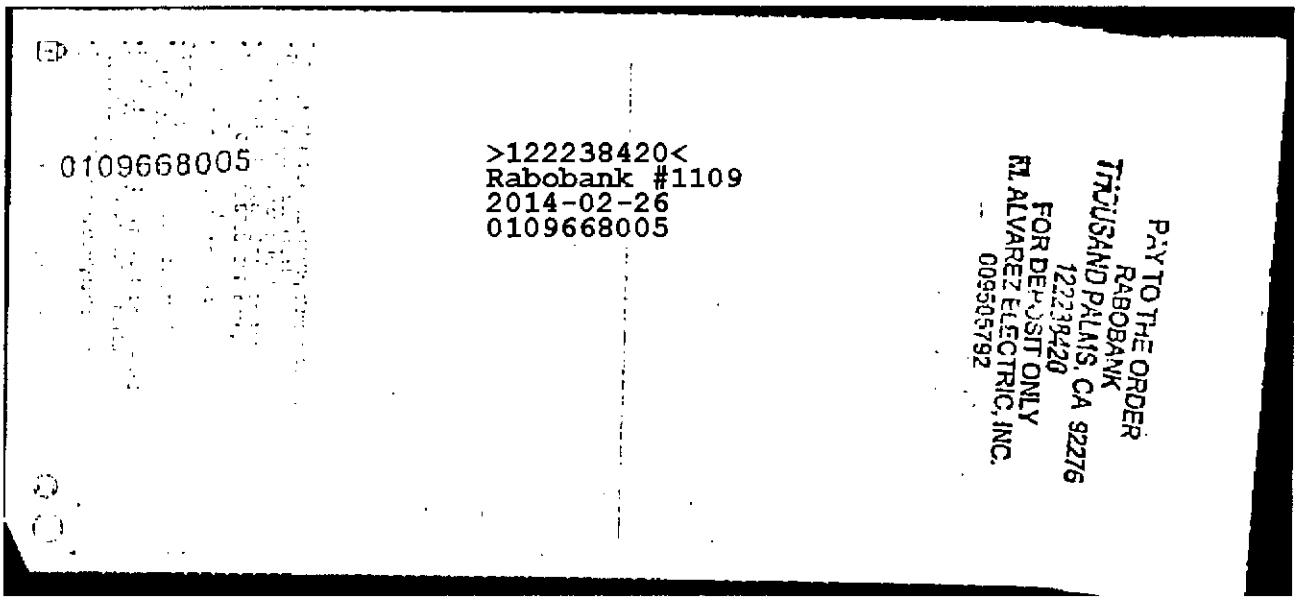
Five hundred fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0147



0109668005

>122238420<
Rabobank #1109
2014-02-26
0109668005

PAY TO THE ORDER
RABOBANK
THOUSAND PALMS, CA 92276
122238420
FOR DEPOSIT ONLY
M. ALVAREZ ELECTRIC, INC.
009505792

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000008840142437	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/26/2014	008892004079	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/26/2014	000000109668005	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$3,535.20	Sequence Number:	292495213
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	148

MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

15011

148
11 35/1210 CA
70950

2-21-14
Date

Pay to the Order of Next Level $ 3535,20

Thirty five hundred thirty five & 20/100 Dollars

Bank of America

ACH R/T 121000358

For [illegible] 19849000

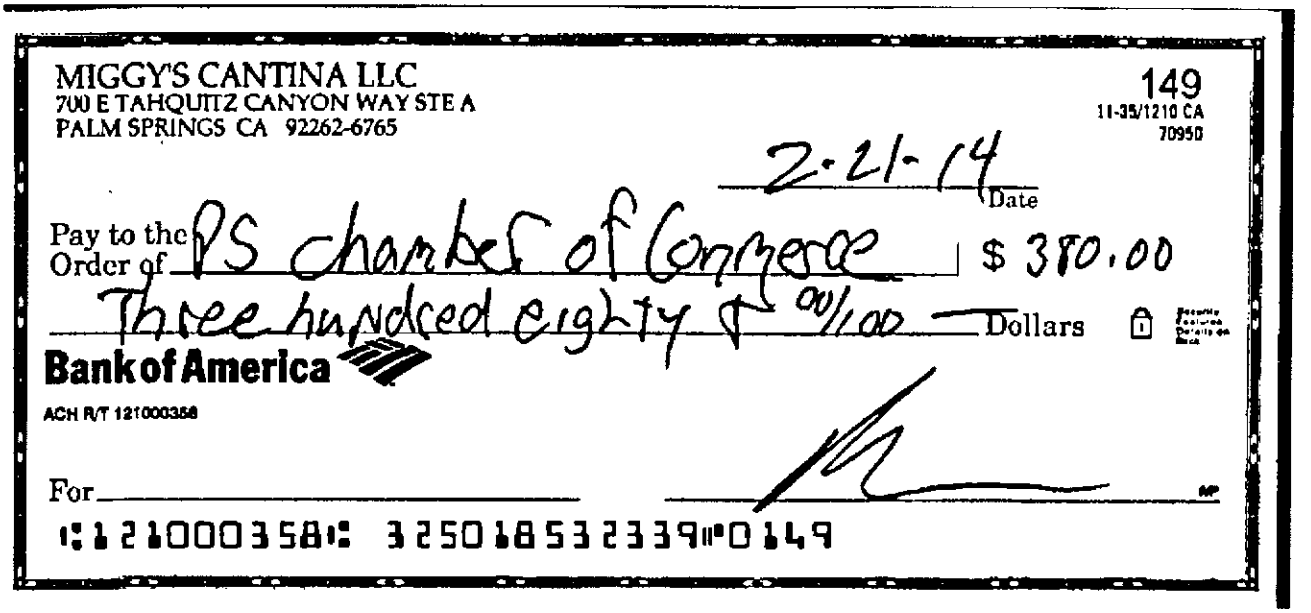
⑆121000358⑆ 325018532339⑈0148

PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	000000292495213	111310346	Col Bank	N		BANK OF AMERICA, NA
02/27/2014	402275353067452	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$380.00	Sequence Number:	9292819603
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	149



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

149
11-35/1210 CA
70950

2-21-14
Date

Pay to the Order of PS chamber of Commerce $ 380.00

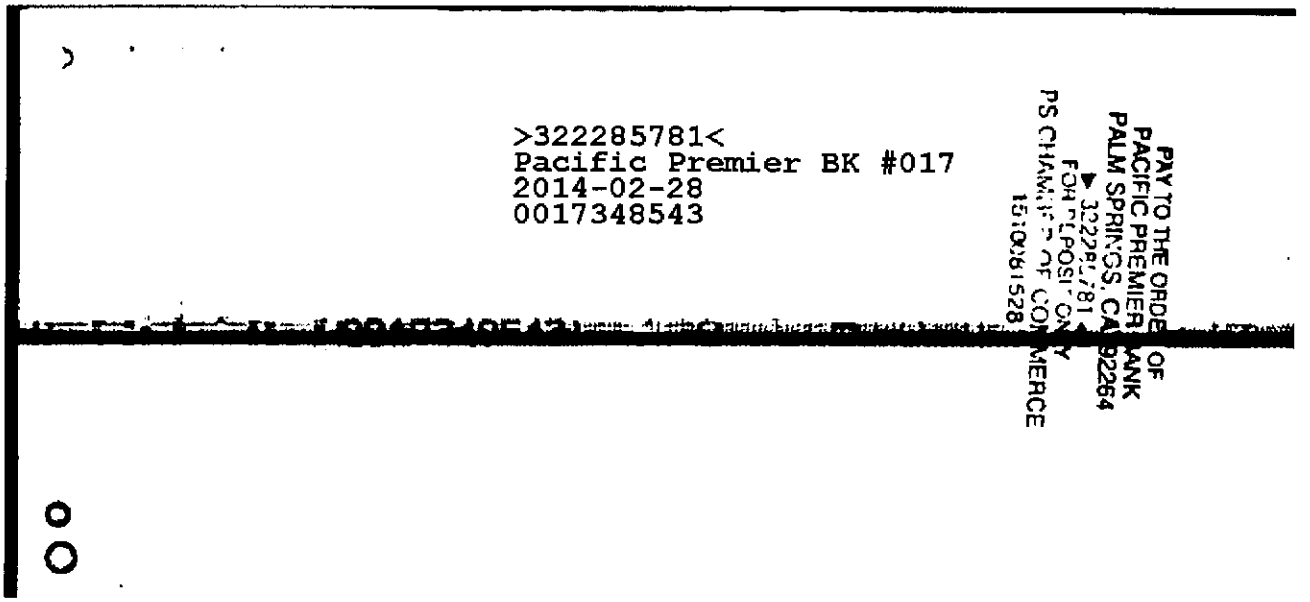
Three hundred eighty 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0149



>322285781<
Pacific Premier BK #017
2014-02-28
0017348543

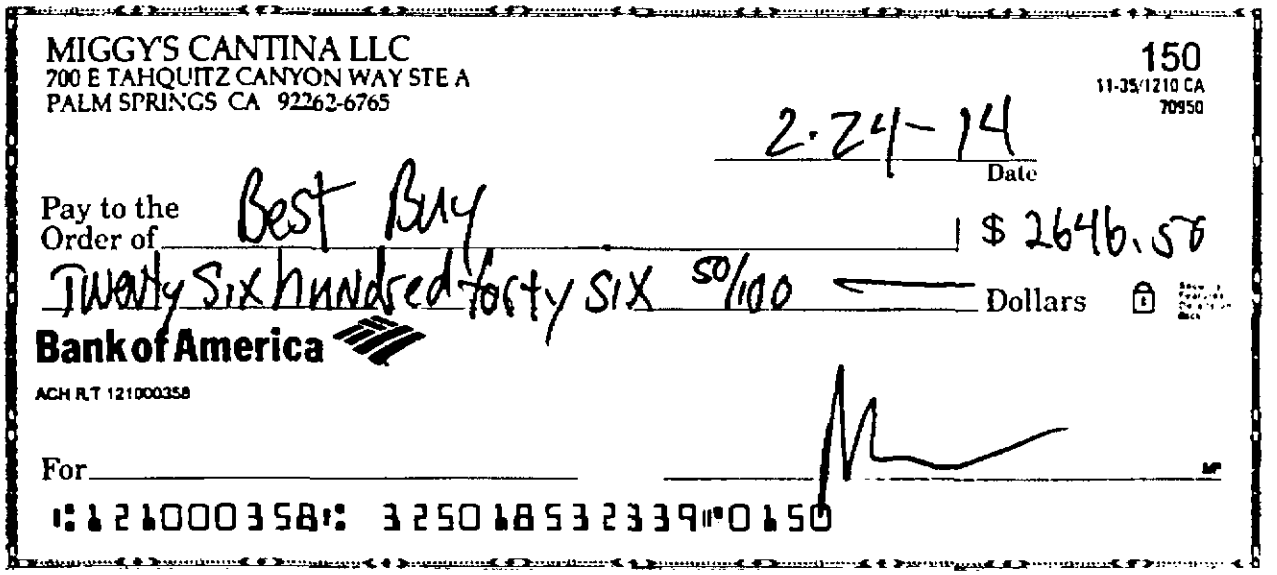
PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS, CA 92264

322285781
FOR DEPOSIT ONLY
PS CHAMBER OF COMMERCE
1510181528

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	907355017348543	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
02/28/2014	009292819603	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/28/2014	000008434024812	122105278	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$2,646.50	Sequence Number:	8892103930
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	150



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

150
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Best Buy $ 2646.50

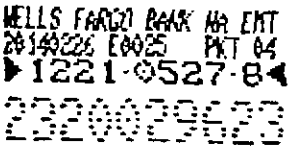
Twenty Six hundred forty six 50/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0150



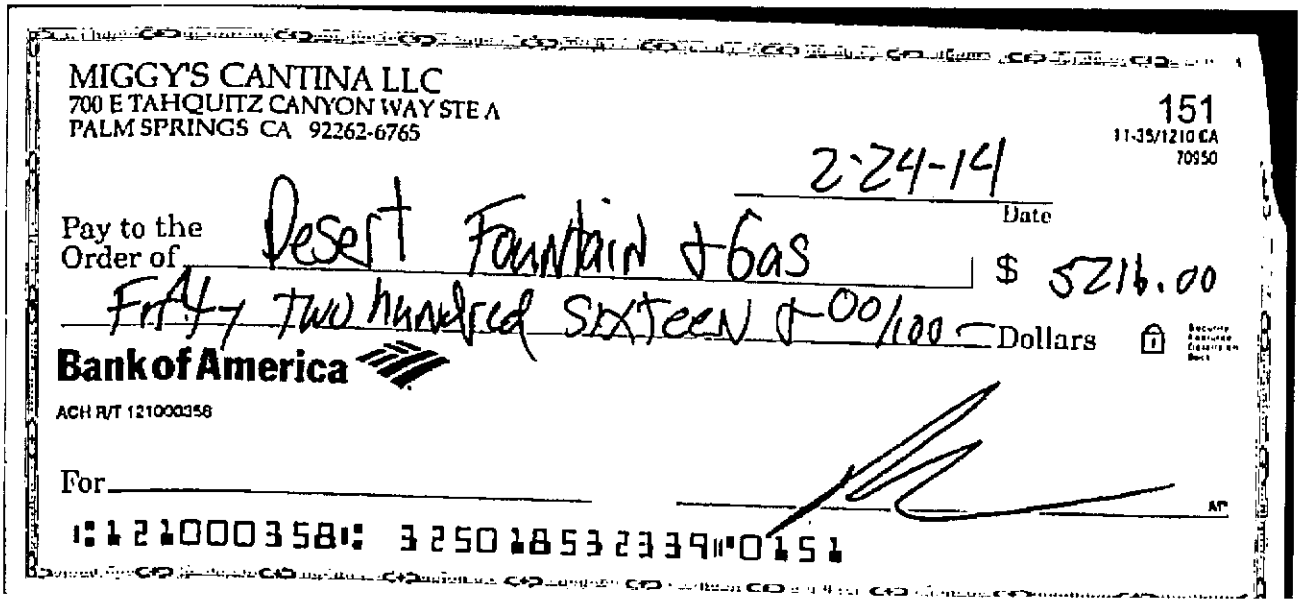
WELLS FARGO BANK NA EXT
20140226 E0025 PMT 04
▶1221-0527-8◀
232002623

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000002320029623	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
02/26/2014	008892103930	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$5,216.00	Sequence Number:	8692640946
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	151



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

151
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Desert Fountain Gas $ 5216.00

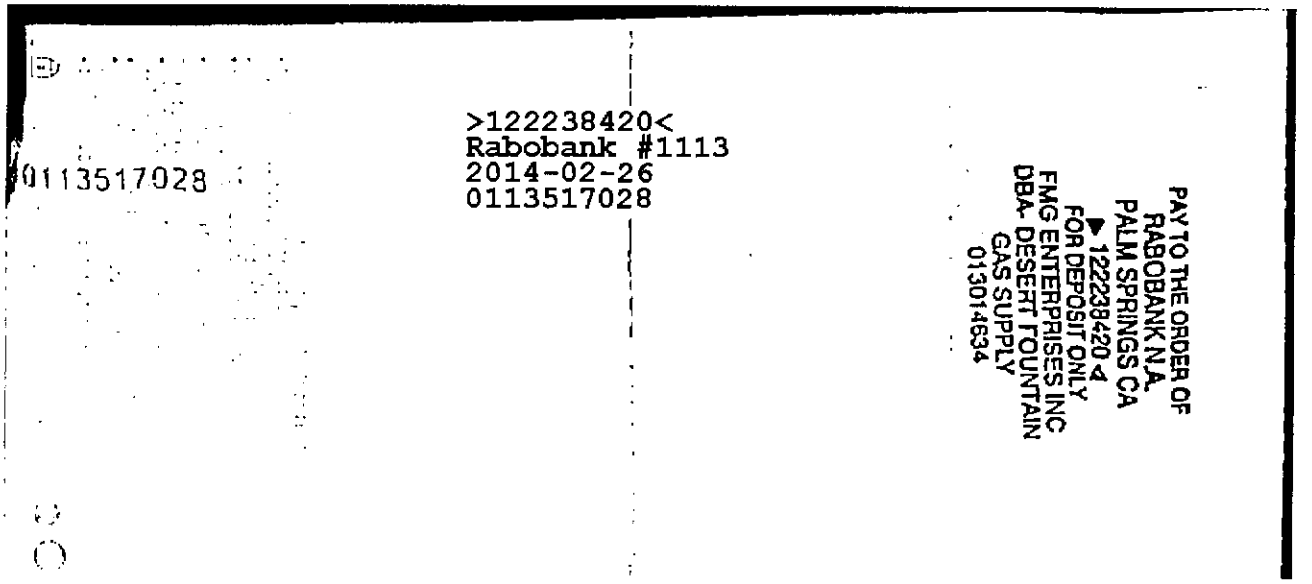
Five Thousand Two Hundred Sixteen & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0151



0113517028

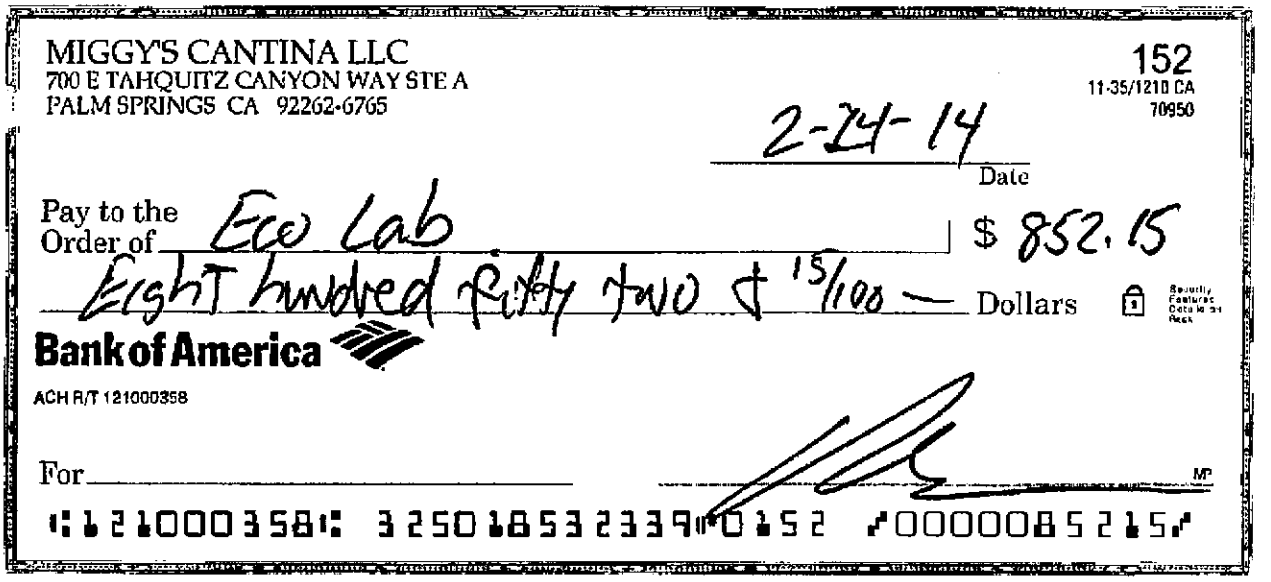
>122238420<
Rabobank #1113
2014-02-26
0113517028

PAY TO THE ORDER OF
RABOBANK N.A.
PALM SPRINGS CA
▼122238420 4
FOR DEPOSIT ONLY
FMG ENTERPRISES INC
DBA DESERT FOUNTAIN
GAS SUPPLY
013014634

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	000000113517028	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
02/26/2014	000008334804938	122105278	Undetermined	N		WELLS FARGO BANK, NA
02/26/2014	008692640946	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$852.15	Sequence Number:	9592386879
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	152



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

152
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Eco Lab $ 852.15

Eight hundred fifty two & 15/100 — Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0152 ⑈000000852.15⑈

JPMORGANCHASE BK NA CR TO NMD

030414 >074909962< PAYEE ALL

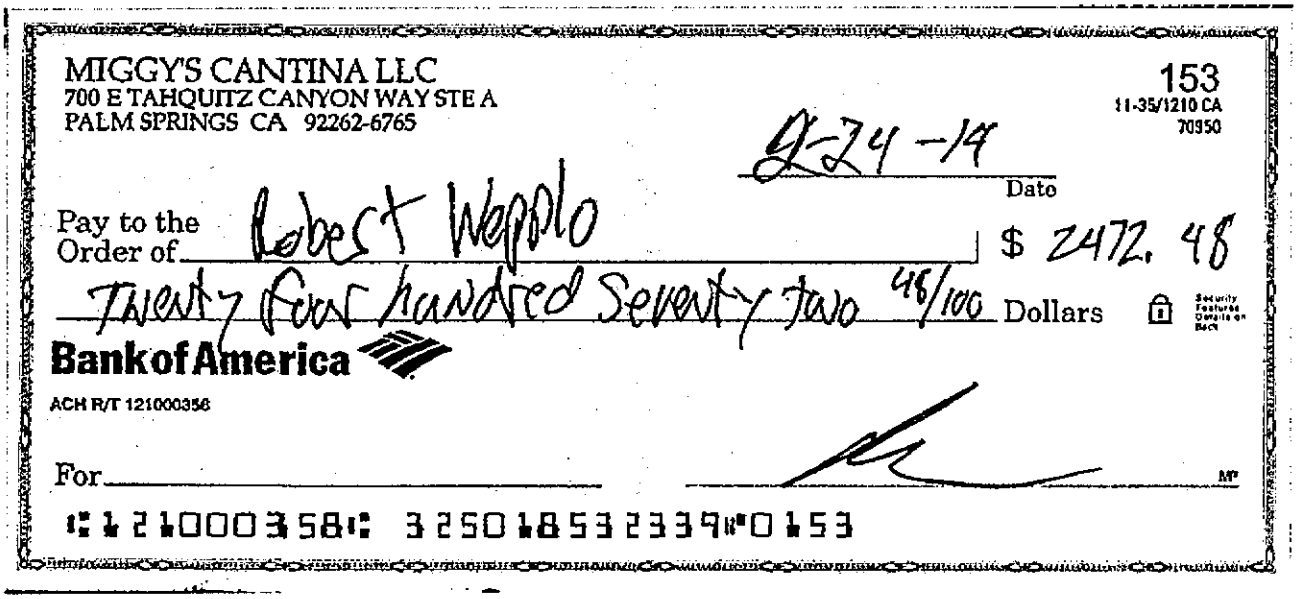
27742794 0026252 RTS RSVD

00951484 009 0000000464641880

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	009592386879	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	5490879228	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$2,472.48	Sequence Number:	8192503446
Account:	325018532339	Capture Date:	02/24/2014
Bank Number:	12100035	Check Number:	153



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

153
11-35/1210 CA
70950

2-24-14
Date

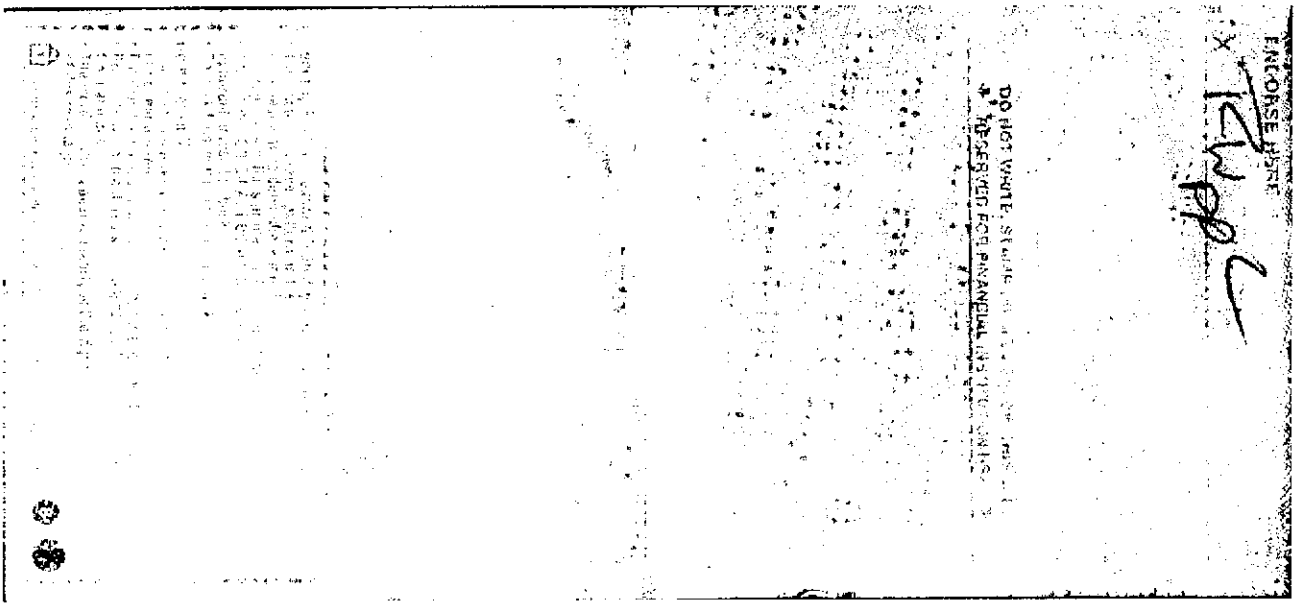
Pay to the Order of Robert Weppler $ 2472.48

Twenty four hundred Seventy two 48/100 Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0153



ENDORSE HERE

DO NOT WRITE, STAMP OR MARK BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/24/2014	008192503446	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/24/2014	000000481591909	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$3,269.22	Sequence Number:	8492615415
Account:	325018532339	Capture Date:	02/25/2014
Bank Number:	12100035	Check Number:	154

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

154
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of Gerard Noonan $ 3269.22

Thirty two hundred Sixty Nine 22/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0154

JPMorganChaseBank 022512 7410939 94726006172 0

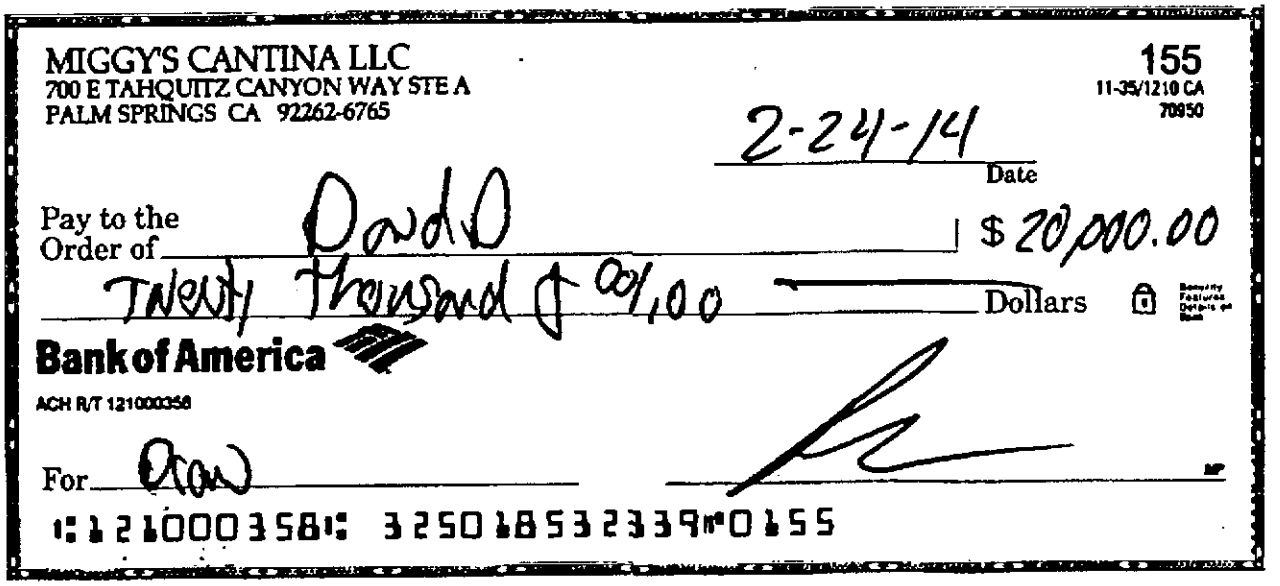
Credit to the account of the within named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	008492615415	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/25/2014	3580276749	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$20,000.00	Sequence Number:	9092308825
Account:	325018532339	Capture Date:	02/28/2014
Bank Number:	12100035	Check Number:	155



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

155
11-35/1210 CA
70950

2-24-14
Date

Pay to the Order of DndO $ 20,000.00

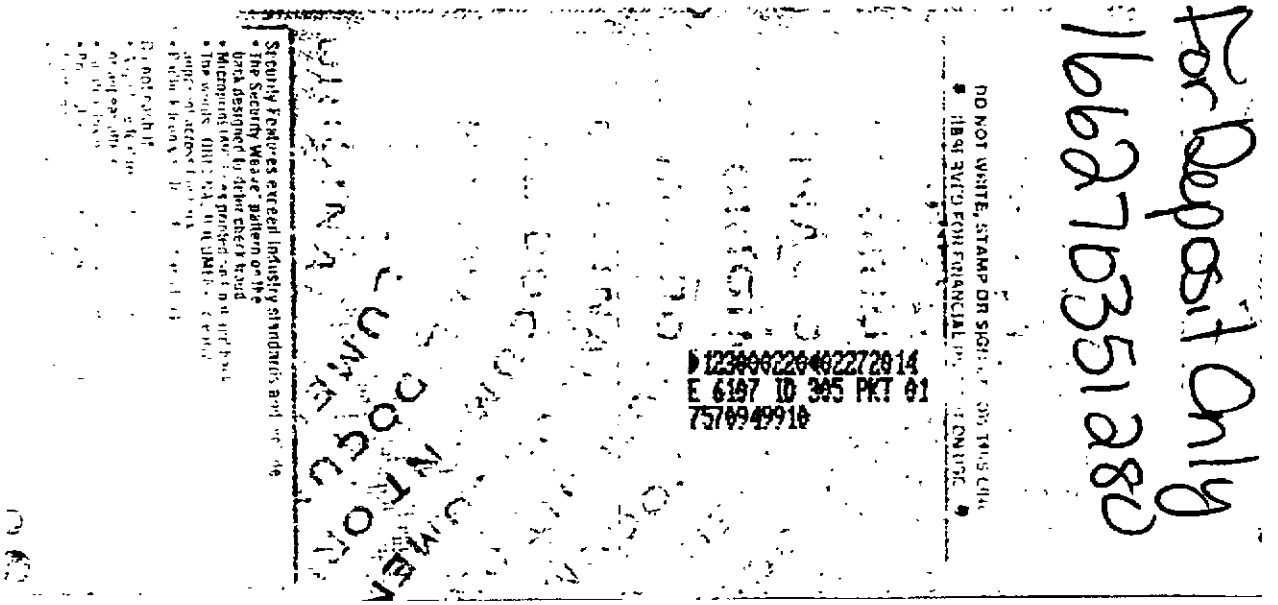
Twenty Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Dow

⑆121000358⑆ 325018532339⑈0155

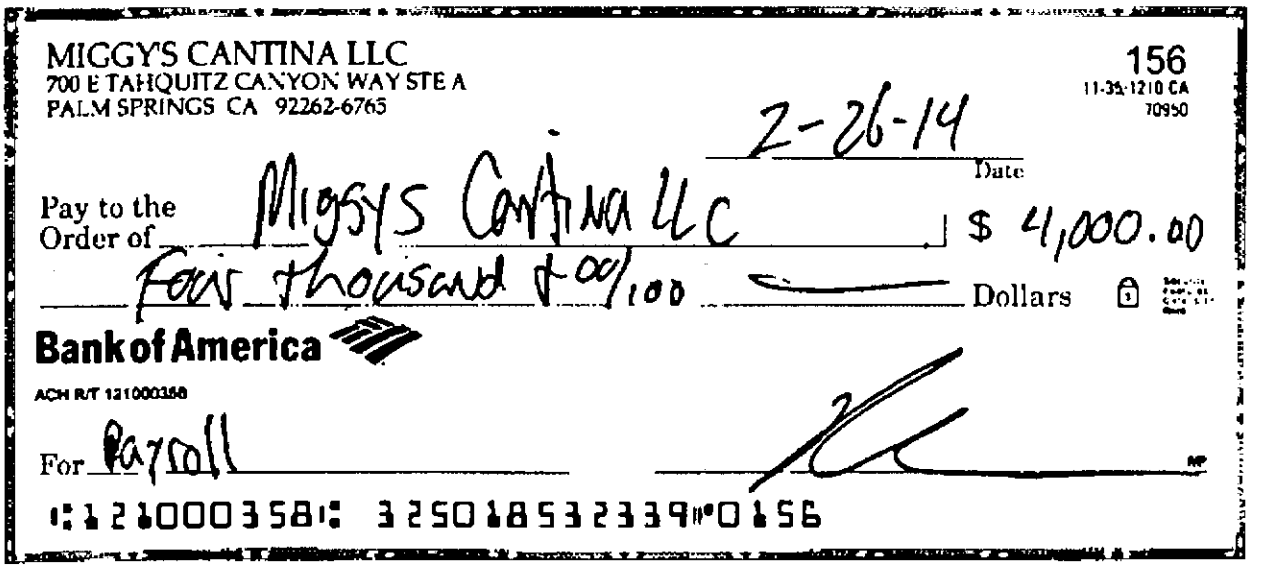


For Deposit Only
1662735128

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/27/2014	004191135610	91000022	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	7570949910	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
02/27/2014	009598654356	41202582	Undetermined	N		U.S. BANK NATIONAL A
02/27/2014	004191135610	123000220	Undetermined	N		U.S. BANK NATIONAL A
02/28/2014	009092308825	121103886	Pay Bank	N		BANK OF AMERICA, NA
02/27/2014	009598654356	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$4,000.00	Sequence Number:	4042119007
Account:	325018532339	Capture Date:	02/26/2014
Bank Number:	12100035	Check Number:	156



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

156
11-35-1210 CA
70950

2-26-14
Date

Pay to the Order of Miggys Cantina LLC $ 4,000.00

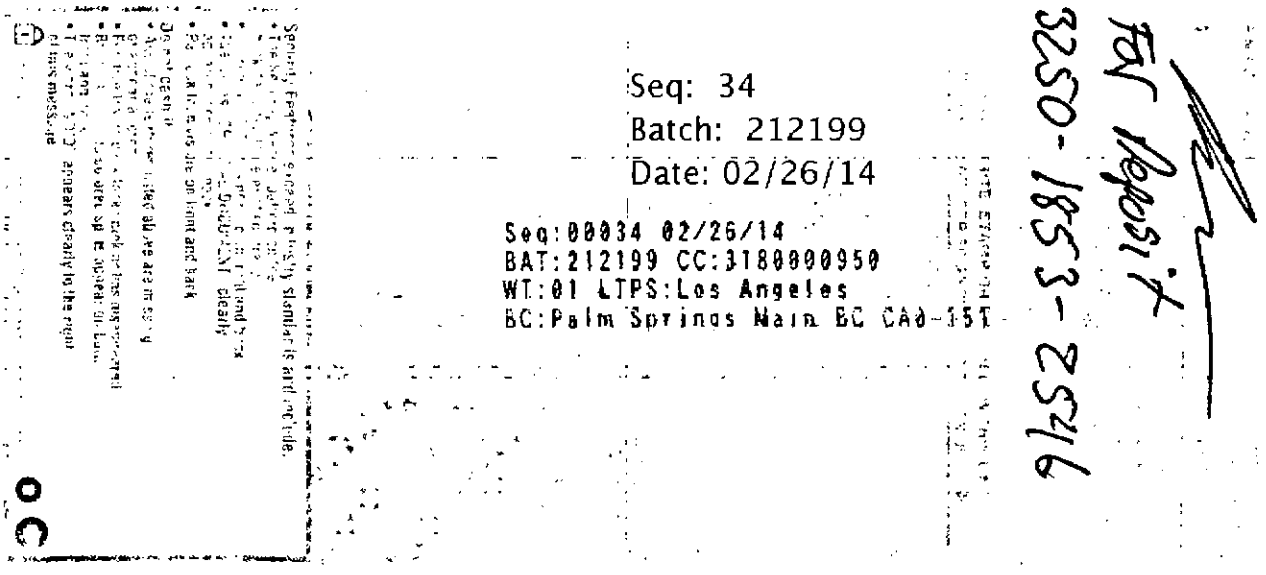
Four thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Payroll

⑆121000358⑆ 325018532339⑈0156



Seq: 34
Batch: 212199
Date: 02/26/14

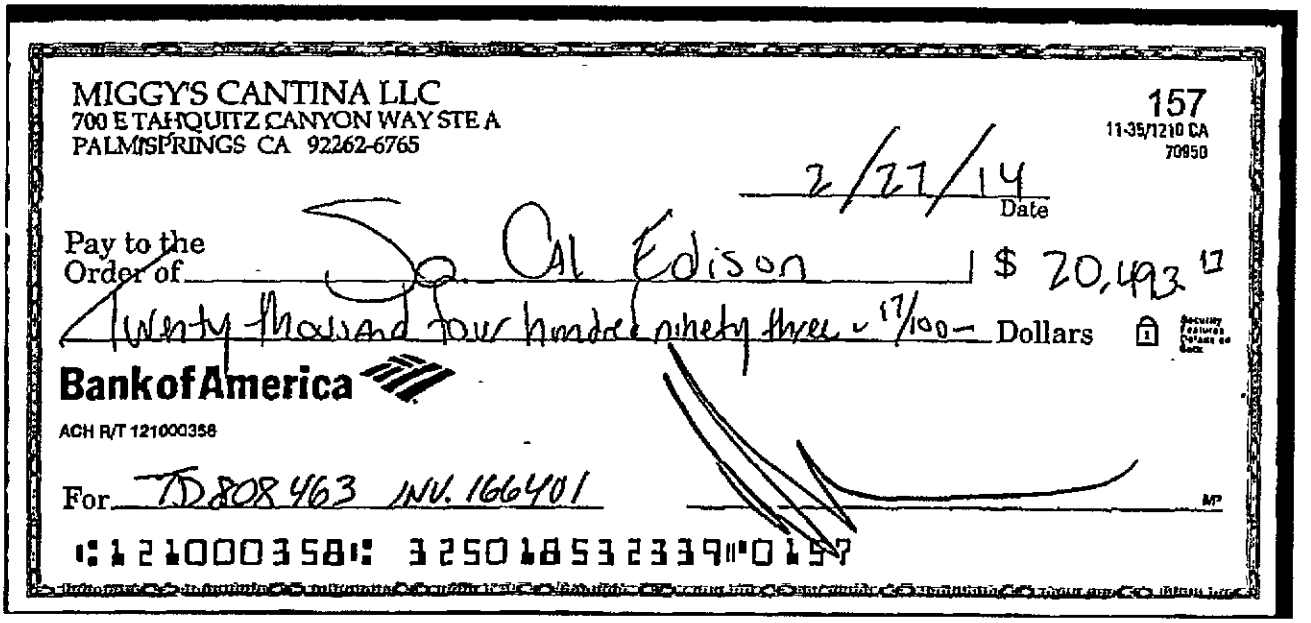
Seq:00034 02/26/14
BAT:212199 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC CA0-151

For Deposit Only
9252-5581-0525

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/26/2014	4042119007	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$20,493.17	Sequence Number:	5992142491
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	157



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

157
11-35/1210 CA
70950

2/27/14
Date

Pay to the Order of So. Cal Edison $ 20,493.17

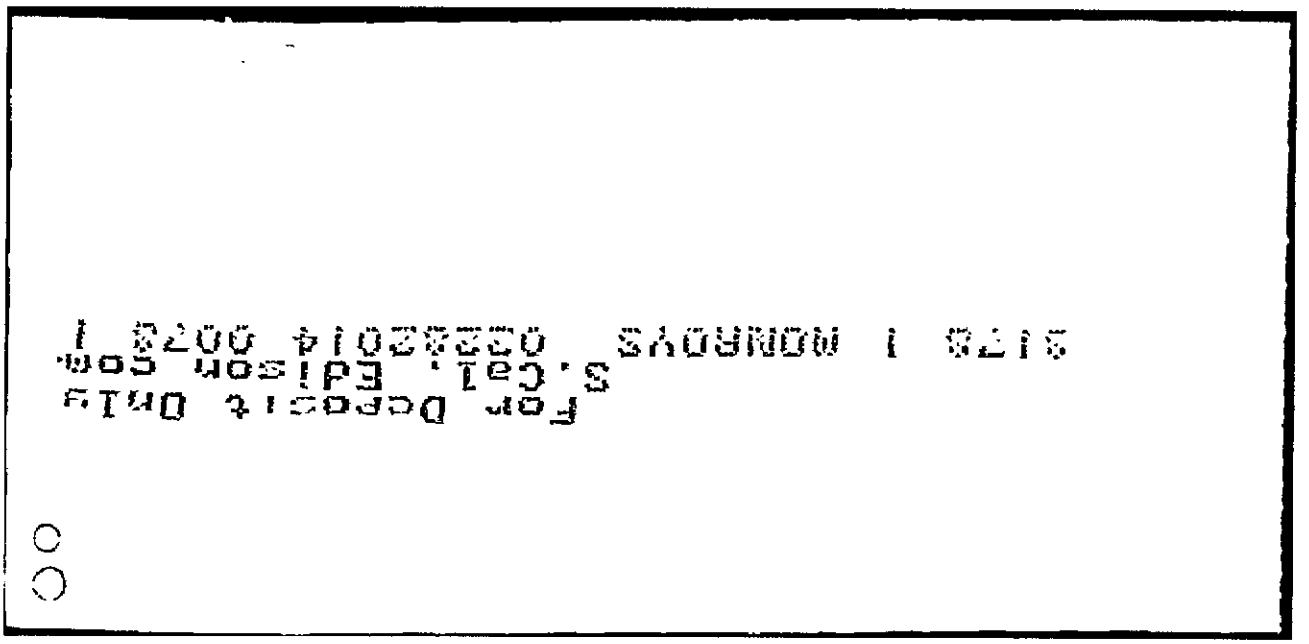
Twenty thousand four hundred ninety three + 17/100 — Dollars

Bank of America

ACH R/T 121000358

For TD808463 INV. 166401

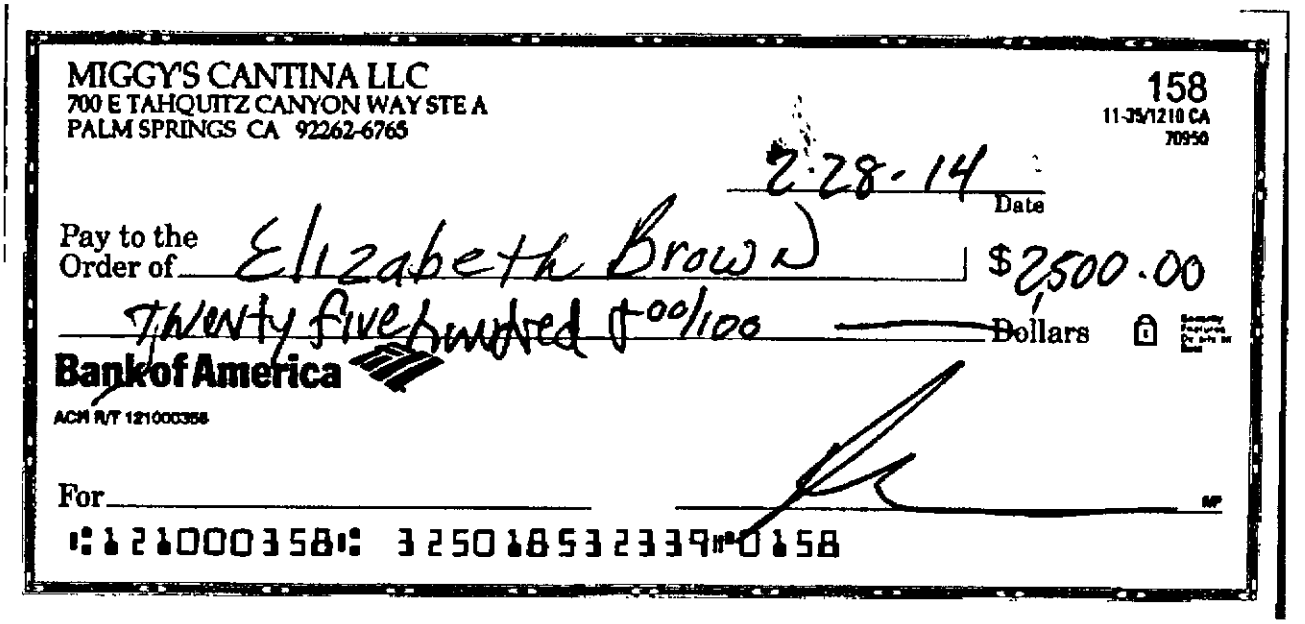
⑆121000358⑆ 325018532339⑈0157



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/28/2014	2323357512	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
02/28/2014	002323357512	122000496	Undetermined	N		MUFG UNION BANK, NA
03/03/2014	005992142491	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	4192790884
Account:	325018532339	Capture Date:	03/03/2014
Bank Number:	12100035	Check Number:	158



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

158
11-35/1210 CA
70950

2-28-14
Date

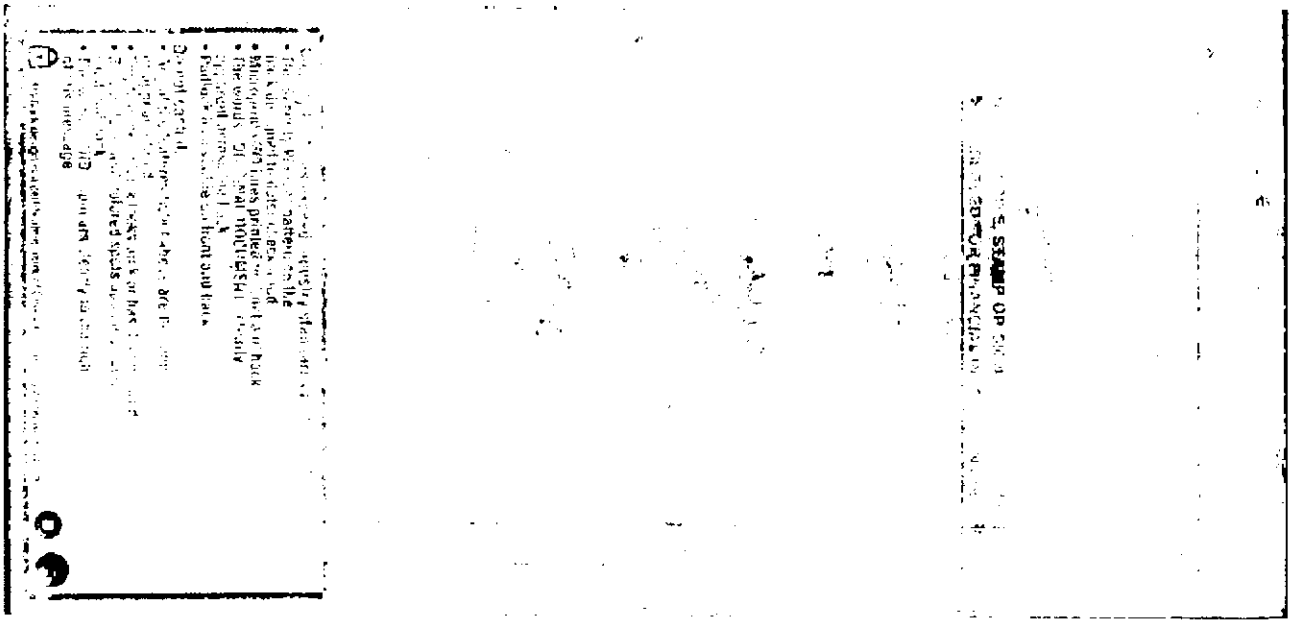
Pay to the Order of Elizabeth Brown $2500.00

Twenty five hundred 00/100 Dollars

Bank of America
ACH R/T 121000358

For

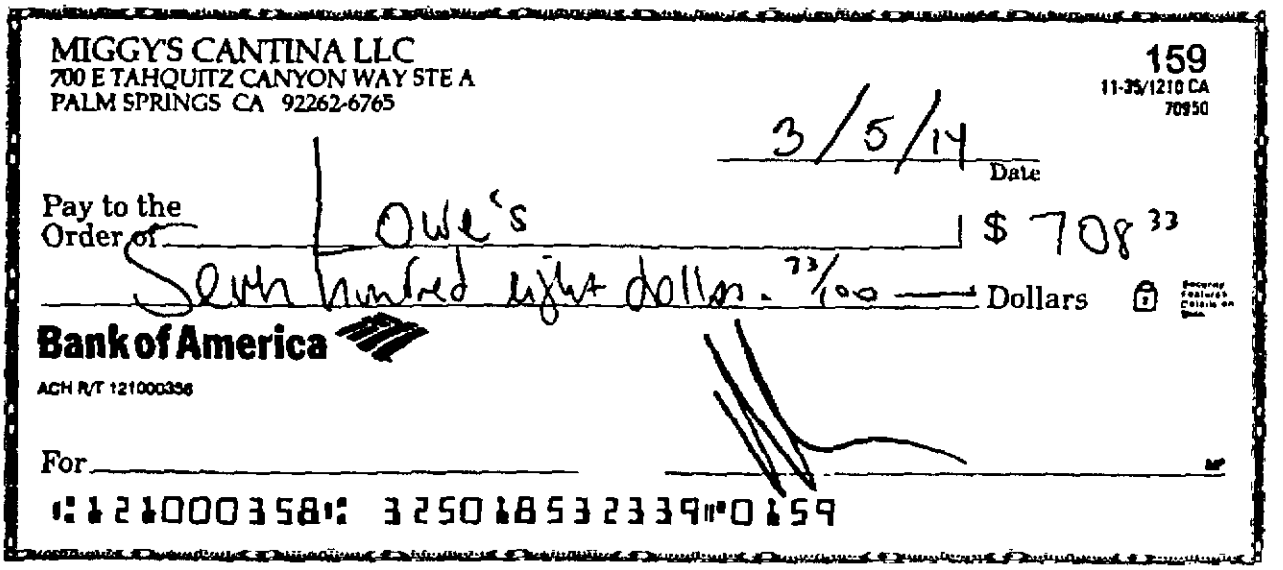
⑆121000358⑆ 325018532339⑈0158



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/03/2014	004192790884	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/03/2014	4479098390	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$708.33	Sequence Number:	8992759926
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	159



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

159
11-35/1210 CA
70950

3/5/14
Date

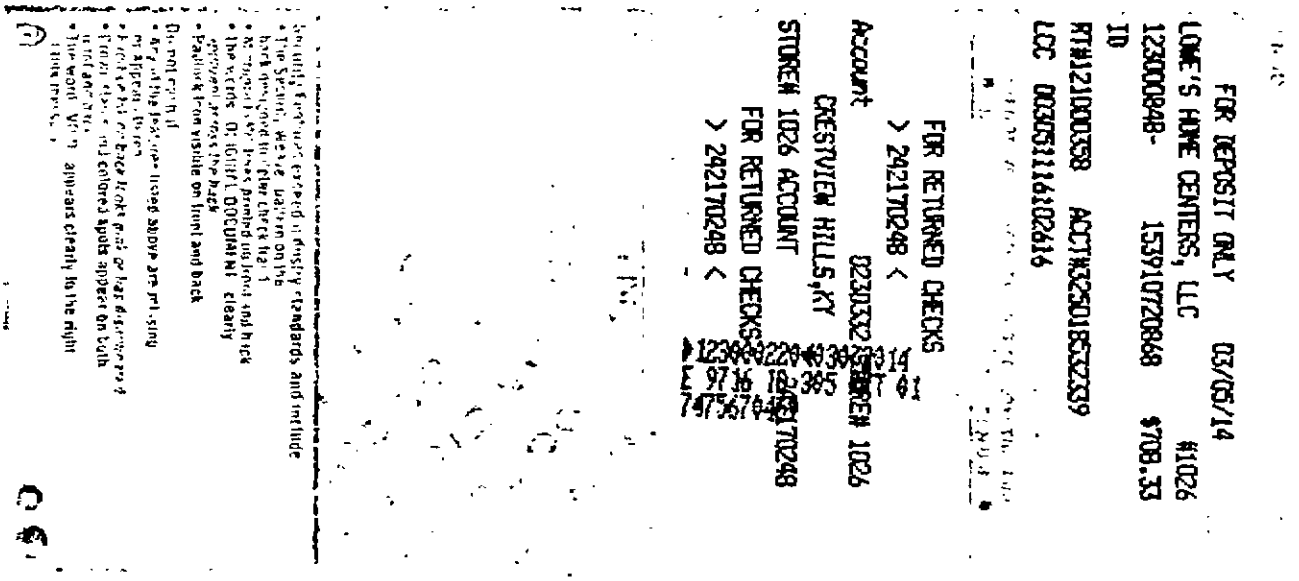
Pay to the Order of Lowe's $ 708 33

Seven hundred eight dollars 33/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0159



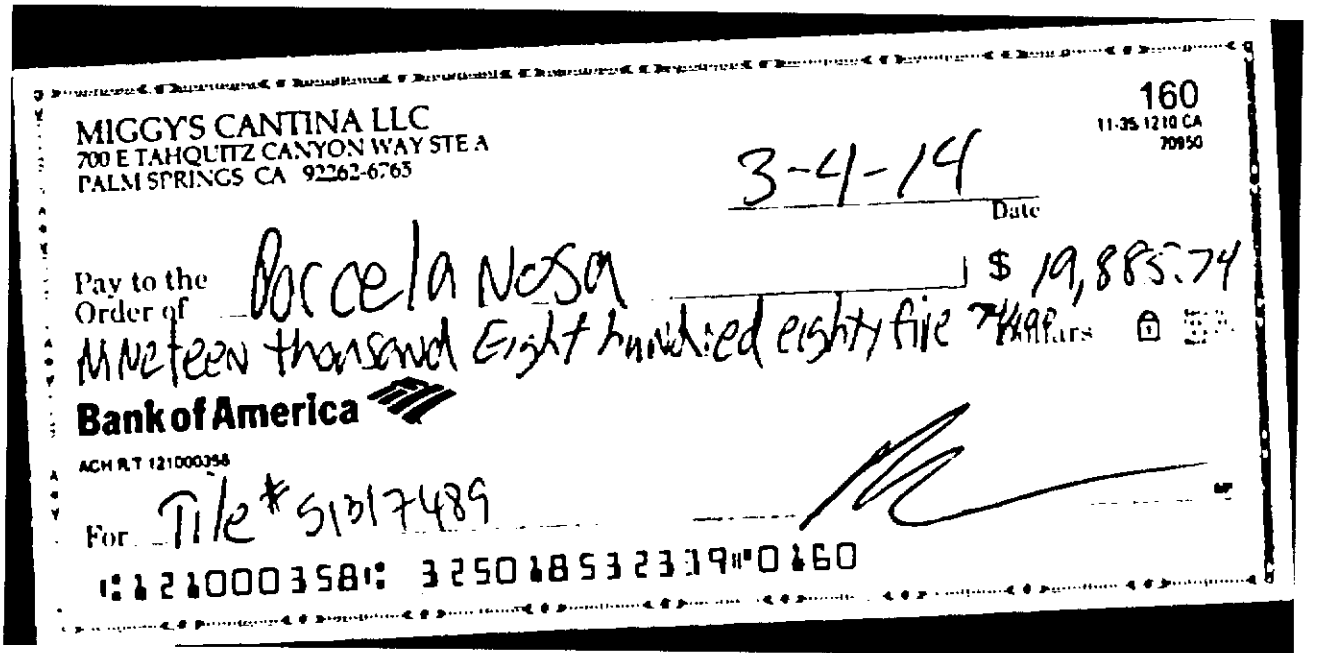
FOR DEPOSIT ONLY 03/05/14
LOWE'S HOME CENTERS, LLC #1026
123000848- 153910720848 $708.33
ID
RT#121000358 ACCT#325018532339
LOC 00005116102416

FOR RETURNED CHECKS
> 242170248 <
Account 023033283314
CRESTVIEW HILLS,KY STORE# 1026
FOR RETURNED CHECKS 242170248
> 242170248 <

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/07/2014	009597303316	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/10/2014	008992759926	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/07/2014	004191263324	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	009597303316	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/07/2014	7475670469	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
03/07/2014	004191263324	91000022	Undetermined	N		U.S. BANK NATIONAL A

Amount:	$19,885.74	Sequence Number:	8292412500
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	160



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

160
11-35 1210 CA
70950

3-4-14
Date

Pay to the Order of Porcela Nosa $ 19,885.74

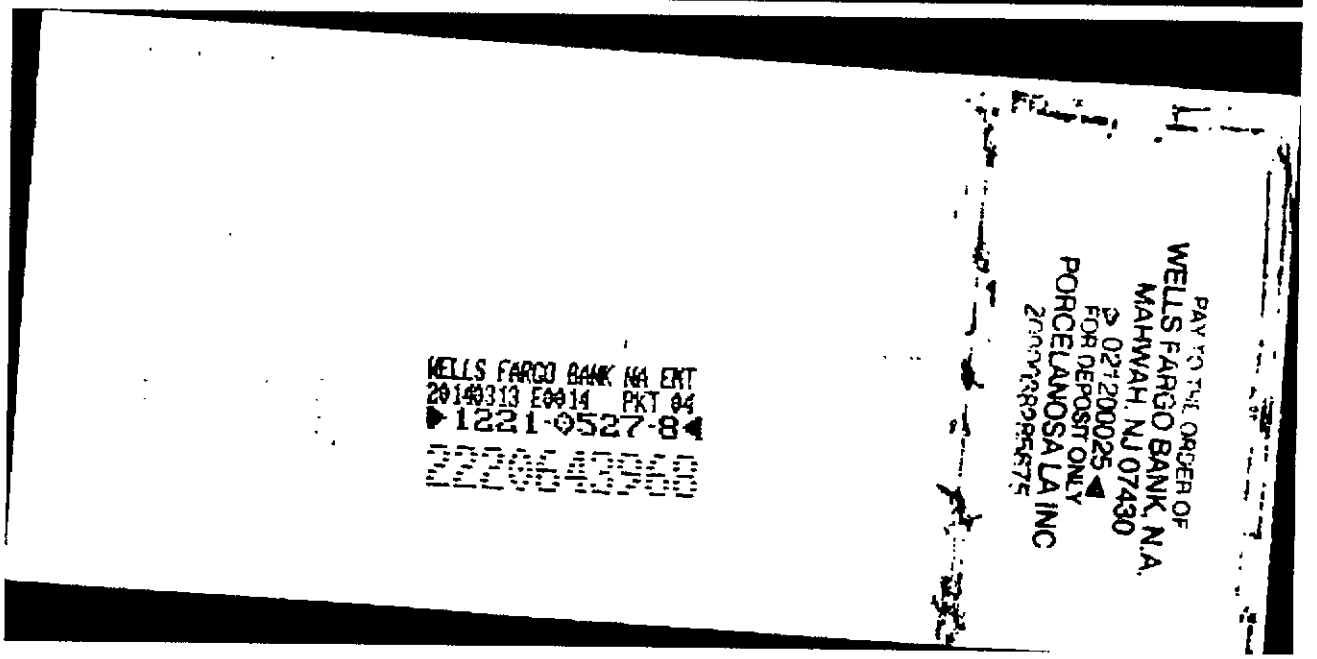
Nineteen thousand Eight hundred eighty five 74/100 Dollars

Bank of America

ACH R/T 121000358

For Tile * 51317489

⑆121000358⑆ 325018532339⑈0160



WELLS FARGO BANK NA EXT
20140313 E0014 PKT 04
▶1221-0527-8◀
2220643960

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
MAHWAH, NJ 07430
⑆021200025⑆
FOR DEPOSIT ONLY
PORCELANOSA LA INC
2000[illegible]

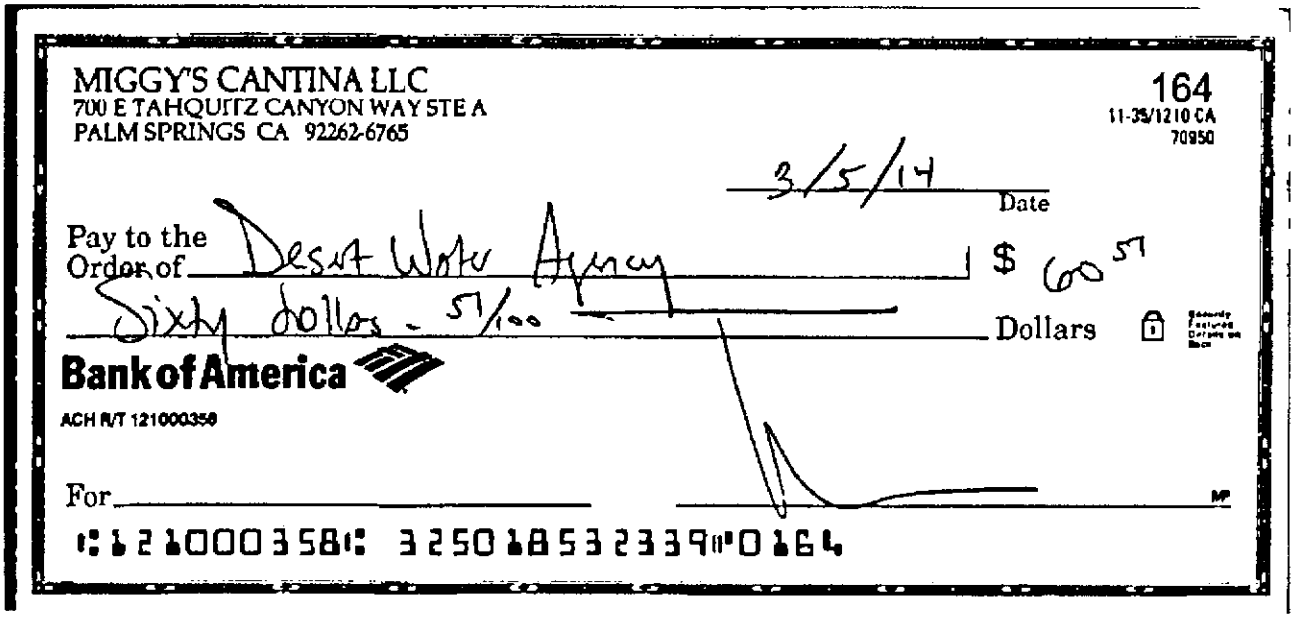
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	008292412500	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	000002220643968	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $60.51 Sequence Number: 5392489167

Account: 325018532339 Capture Date: 03/10/2014

Bank Number: 12100035 Check Number: 164



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

164
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Desert Water Agency $ 60.51

Sixty dollars - 51/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0164

Pay to the order
of Union Bank
For Dep. Only DWA
Acct# 3220542806

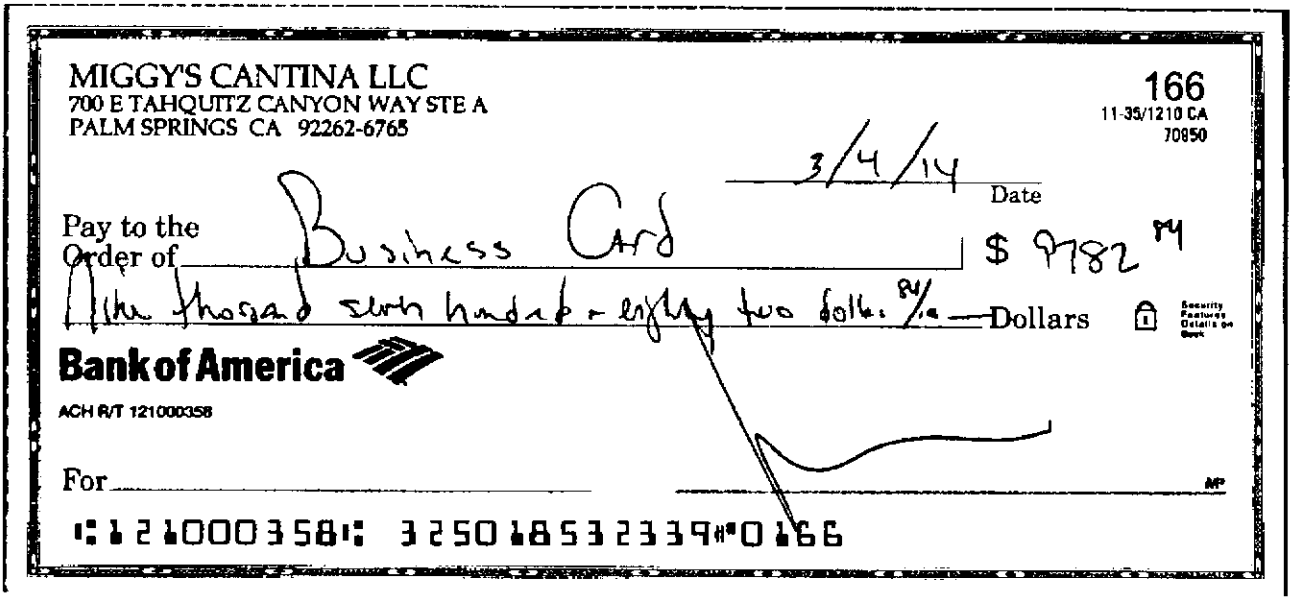
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	4513643693	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/10/2014	005392489167	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $9,782.84 Sequence Number: 2092088593

Account: 325018532339 Capture Date: 03/10/2014

Bank Number: 12100035 Check Number: 166



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

166
11-35/1210 CA
70850

3/4/14
Date

Pay to the Order of Business Card $ 9782 84

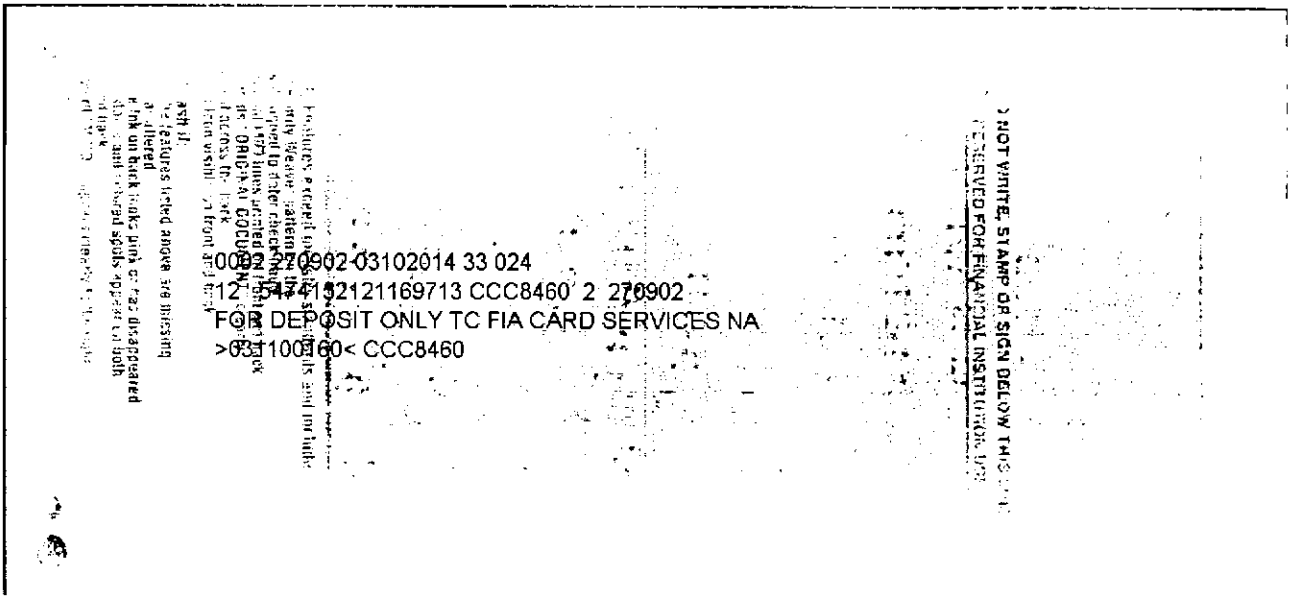
Nine thousand seven hundred eighty two dollars 84/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0166



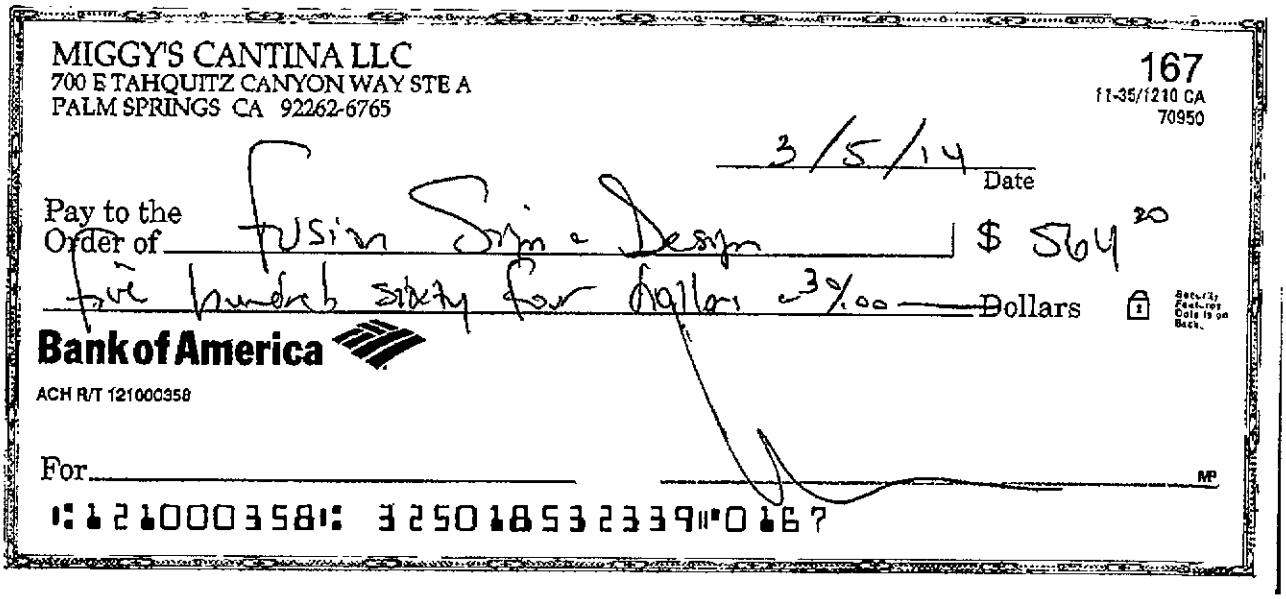
0002 270902 03102014 33 024
12 5474132121169713 CCC8460 2 270902
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>03100160< CCC8460

DO NOT WRITE, STAMP OR SIGN BELOW THIS

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	002092088593	111310346	Col Bank	N		BANK OF AMERICA, NA
03/10/2014	03102709020024	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$564.30	Sequence Number:	792653077
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	167



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

167
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Fusion Sign & Design $ 564.30

five hundred sixty four dollars 30/100 Dollars

Security Features Details on Back.

Bank of America

ACH R/T 121000358

For

MP

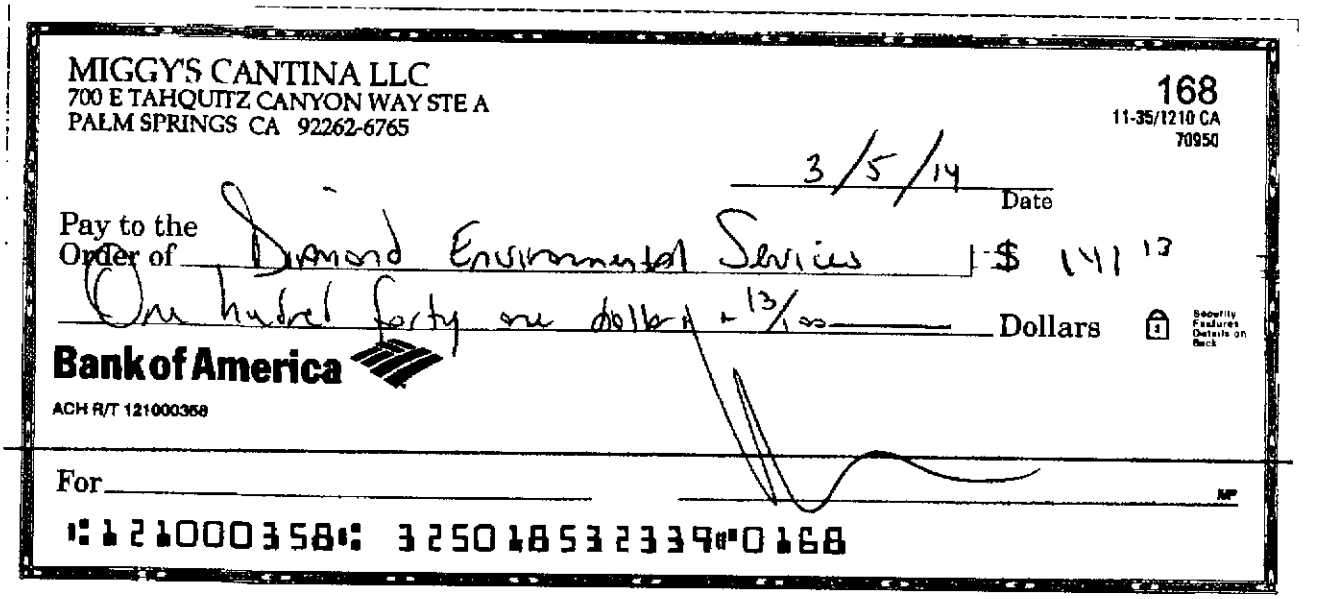
⑆121000358⑆ 325018532339⑈0167

PAY TO THE ORDER OF CALIFORNIA BANK
& TRUST CA 122232109 FOR DEPOSIT
ONLY FUSION SIGN & DESIGN INC
2570137151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	403105353114957	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
03/11/2014	000000792653077	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$141.13	Sequence Number:	9692933658
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	168



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

168
11-35/1210 CA
70950

3/5/14
Date

Pay to the Order of Diamond Environmental Servics $ 141 13

One hundred forty one dollars 13/100 Dollars

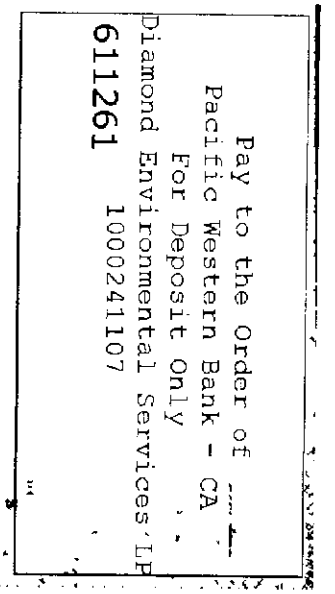
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0168

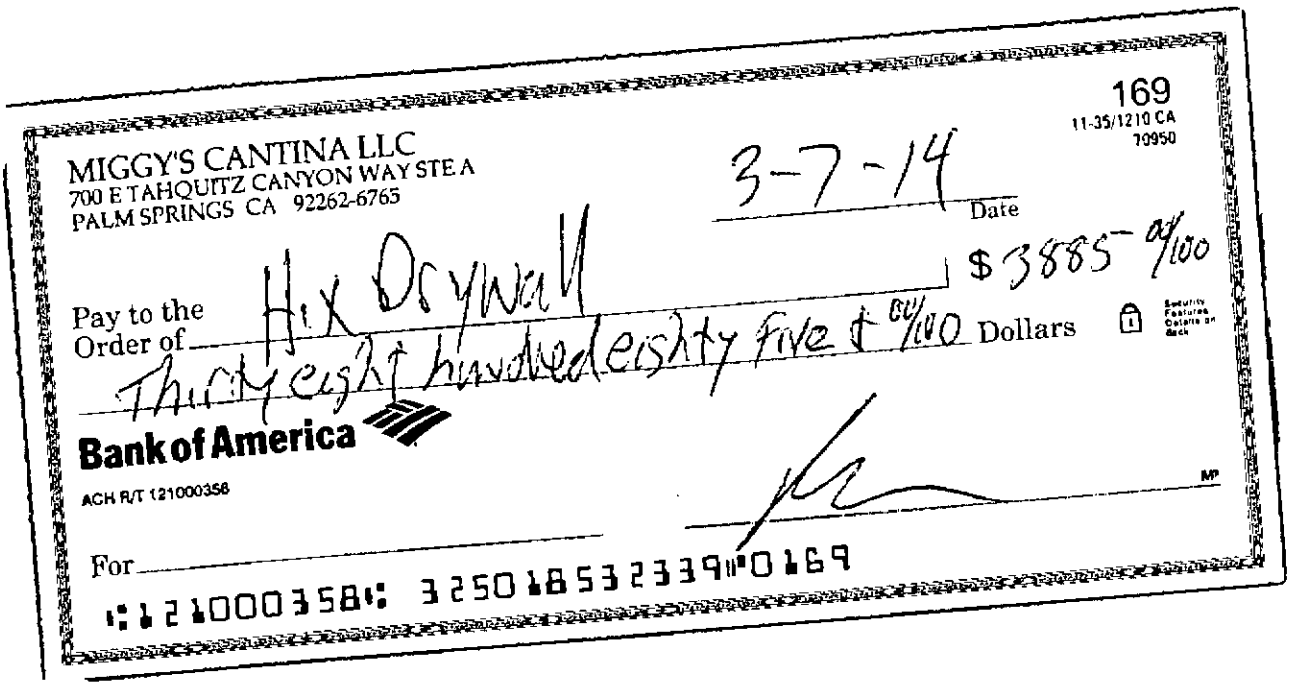


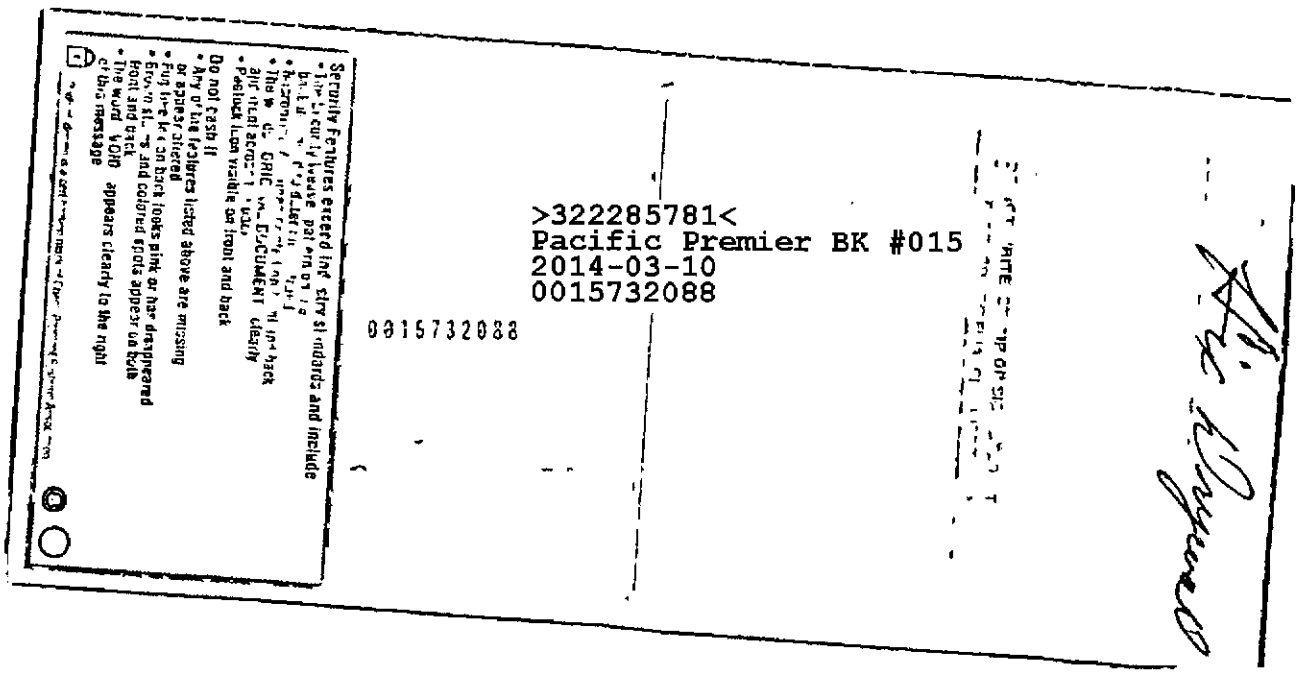
Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services, LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	046923972532715	122238200	Undetermined	N		PACIFIC WESTERN BANK
03/11/2014	000008376065767	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/11/2014	009692933658	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000002172851605	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$3,885.00	Sequence Number:	9392856285
Account:	325018532339	Capture Date:	03/10/2014
Bank Number:	12100035	Check Number:	169

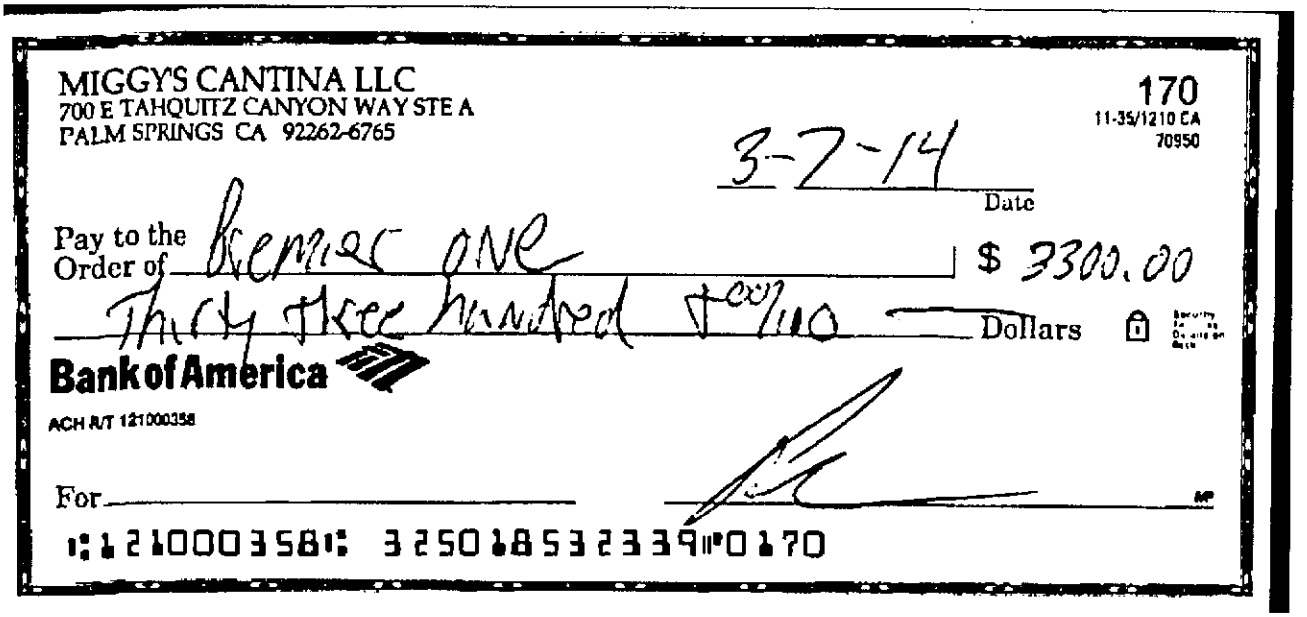




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/10/2014	907355015732088	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
03/10/2014	000008841567802	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/10/2014	009392856285	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$3,300.00	Sequence Number:	9592533236
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	170



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

170
11-35/1210 CA
70950

3-7-14
Date

Pay to the Order of Premier One $ 3300.00

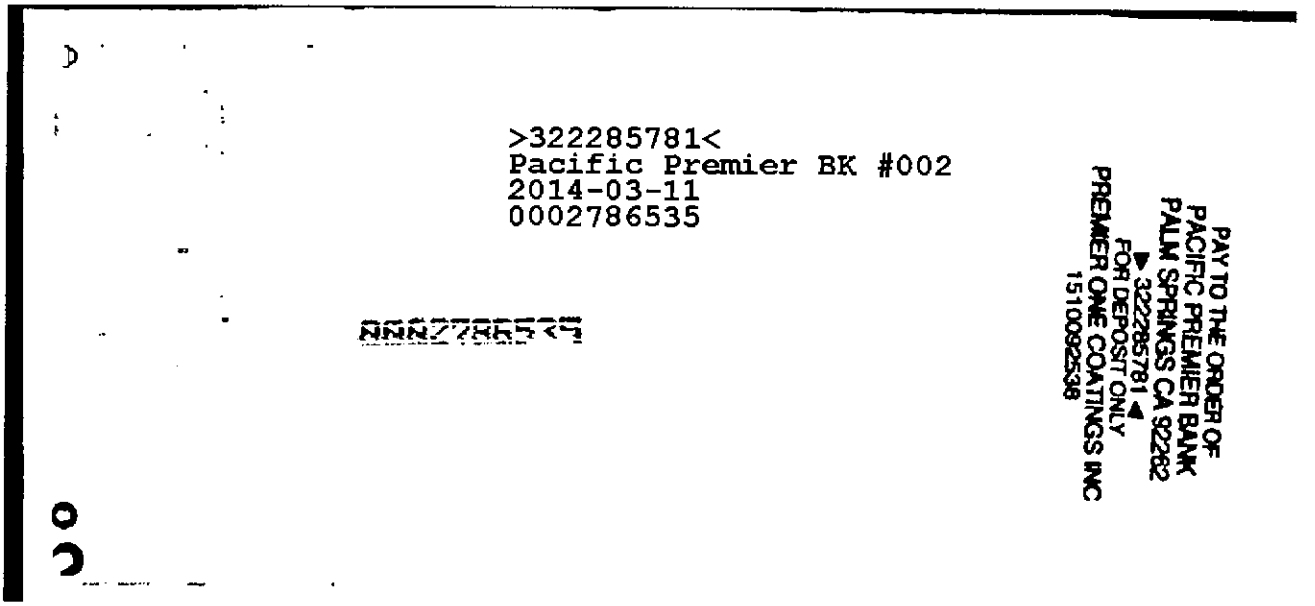
Thirty three hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0170



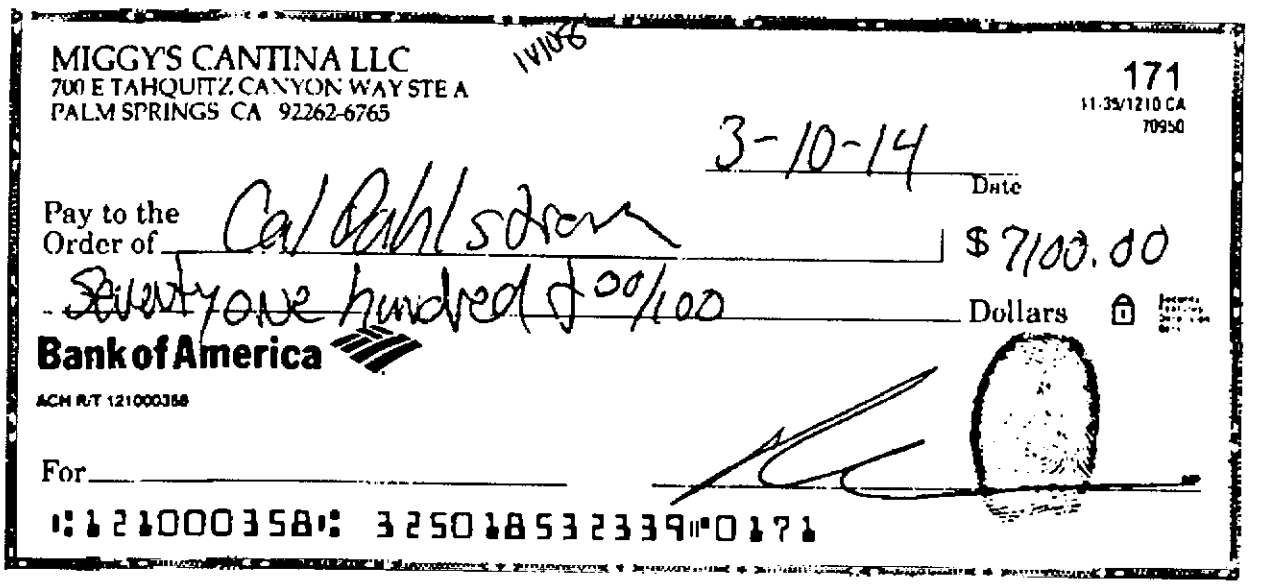
>322285781<
Pacific Premier BK #002
2014-03-11
0002786535

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
PALM SPRINGS CA 92262
▶322285781◀
FOR DEPOSIT ONLY
PREMIER ONE COATINGS INC
151000925538

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	009592533236	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/11/2014	000008841676673	122105278	Undetermined	N		WELLS FARGO BANK, NA
03/11/2014	907355002786535	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$7,100.00	Sequence Number:	5442487373
Account:	325018532339	Capture Date:	03/11/2014
Bank Number:	12100035	Check Number:	171



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

171
11-35/1210 CA
70950

Date 3-10-14

Pay to the Order of Cal Dahlstrom

$ 7100.00

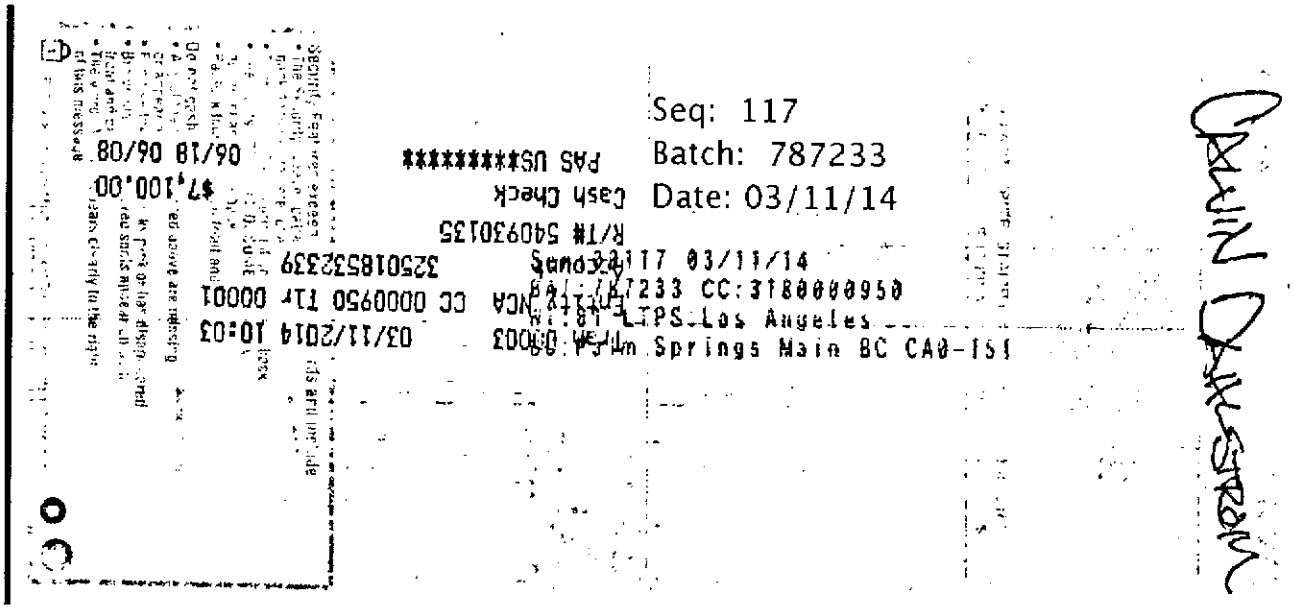
Seventy one hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0171



Seq: 117
Batch: 787233
Date: 03/11/14

CALVIN DAHLSTROM

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/11/2014	5442487373	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$617.50	Sequence Number:	8292364089
Account:	325018532339	Capture Date:	03/13/2014
Bank Number:	12100035	Check Number:	172

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

172
11-35/1210 CA
70950

3-11-14
Date

Pay to the Order of SW Plumbing $ 617.50

Six hundred Seventeen & 50/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0172

Pay to the Order of
Pacific Western Bank - CA Only

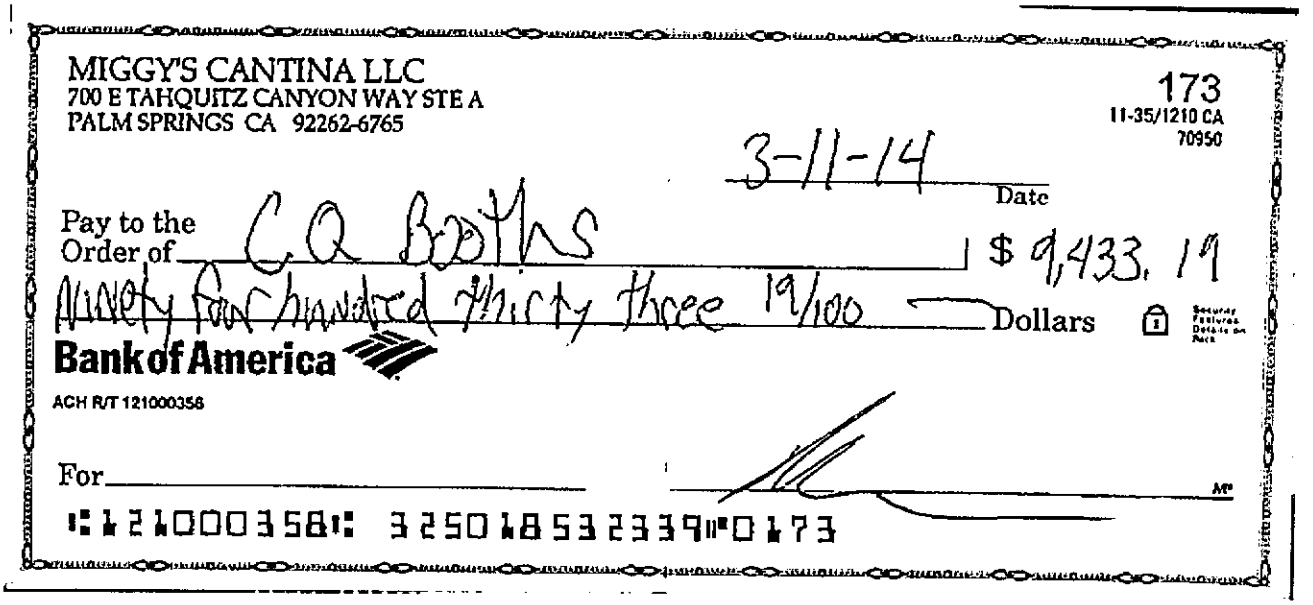
PAY TO THE ORDER OF
PACIFIC WESTERN BANK
SOUTHWEST PLUMBING INC
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
2400461 9

808121
SOUTHWEST PLUMBING, INC.
02400461 9

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/13/2014	000008176665041	91000019	Undetermined	N		WELLS FARGO BANK, NA
03/13/2014	008292364089	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/13/2014	046923972650488	122238200	Undetermined	N		PACIFIC WESTERN BANK
03/13/2014	000002180628993	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$9,433.19	Sequence Number:	8592576446
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	173



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

173
11-35/1210 CA
70950

3-11-14
Date

Pay to the Order of C.Q Booths $ 9,433.19

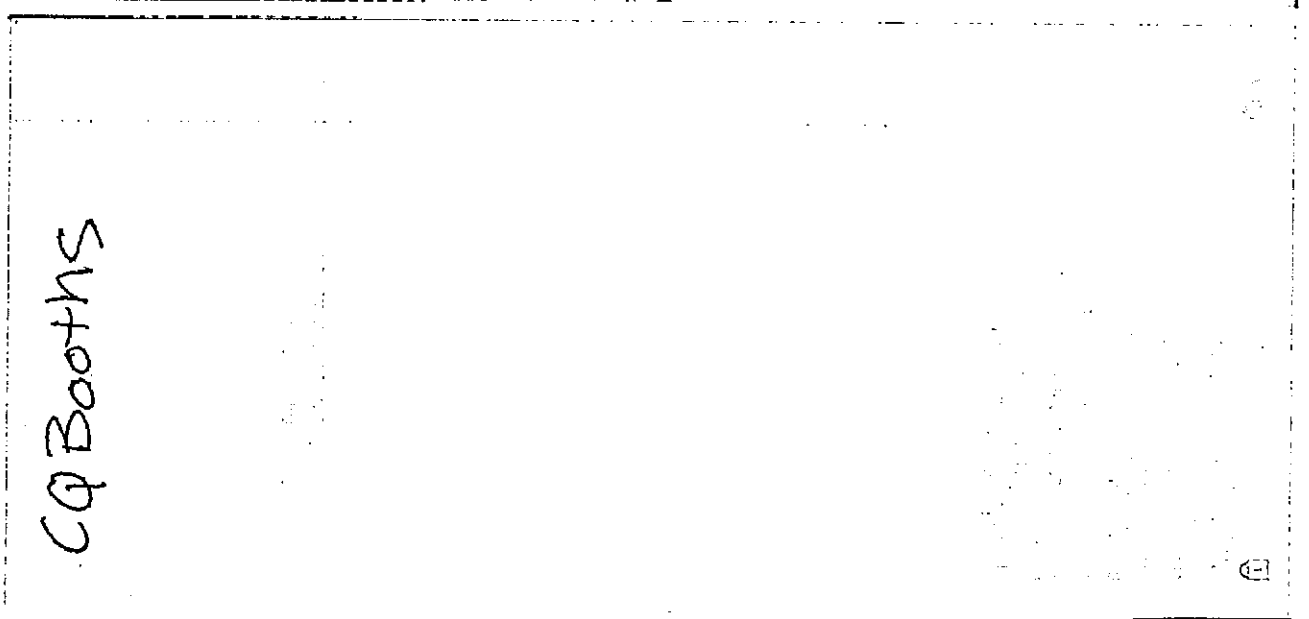
Ninety four hundred thirty three 19/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0173

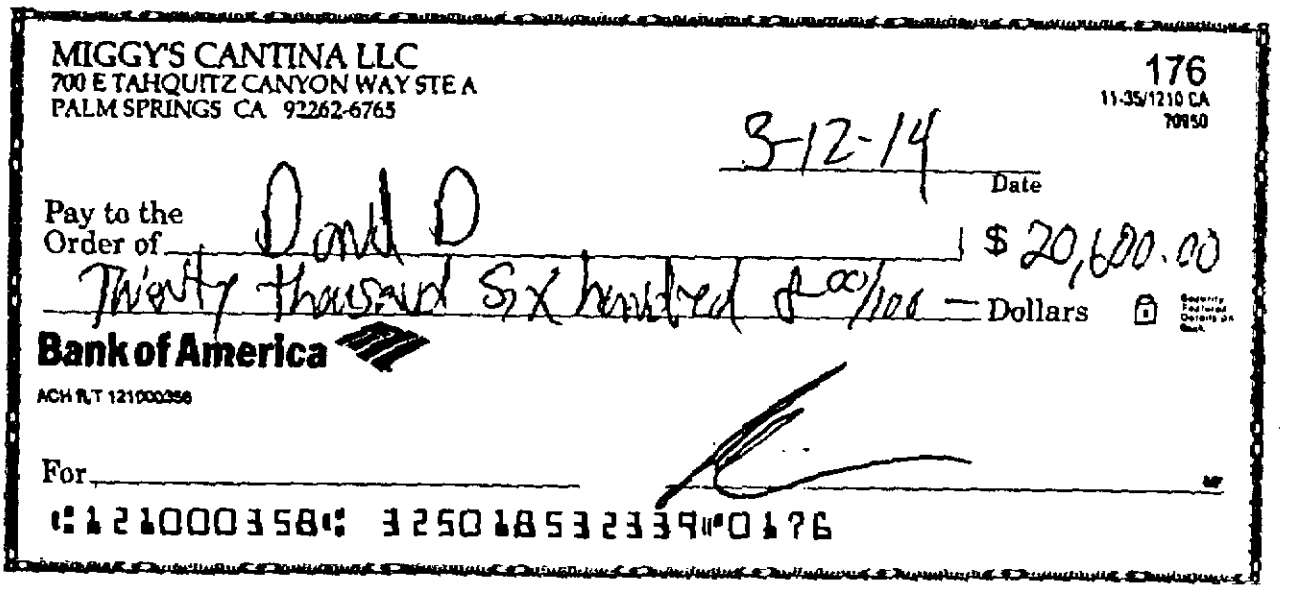


C.Q Booths

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4790676197	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
03/17/2014	008592576446	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$20,600.00	Sequence Number:	8992852624
Account:	325018532339	Capture Date:	03/18/2014
Bank Number:	12100035	Check Number:	176



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

176
11-35/1210 CA
70950

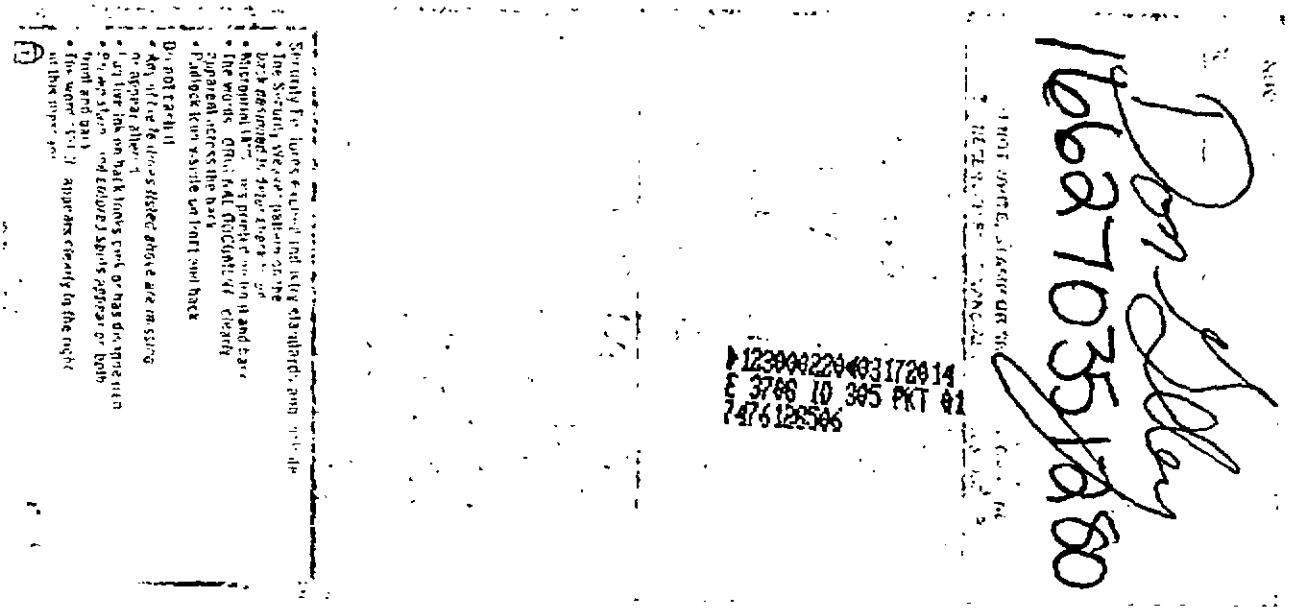
3-12-14
Date

Pay to the Order of Dan D
$ 20,600.00
Twenty thousand Six hundred & ∞/100 — Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0176



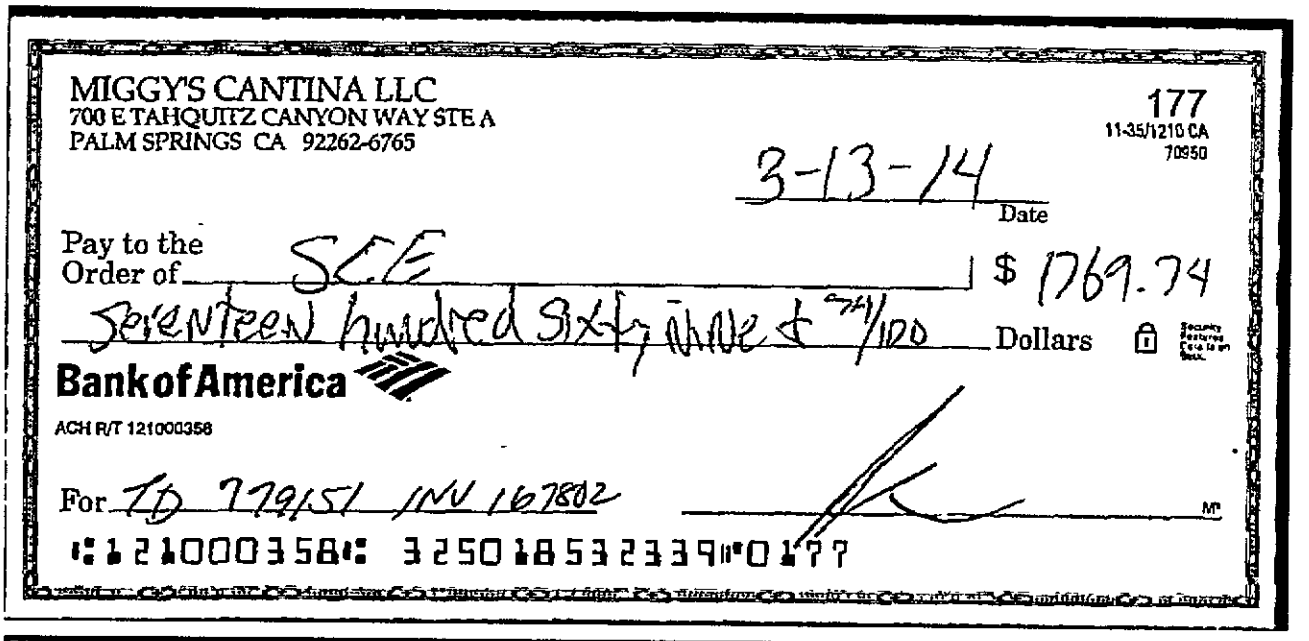
Dan D
176
20,600.00

123000220 4031726 14
3766 10 395 PRT 01
7476128506

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/18/2014	008992852624	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/17/2014	009596783491	41202582	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	009596783491	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	91000022	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	004192480246	123000220	Undetermined	N		U.S. BANK NATIONAL A
03/17/2014	7476128506	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$1,769.74	Sequence Number:	4592293869
Account:	325018532339	Capture Date:	03/18/2014
Bank Number:	12100035	Check Number:	177



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

177
11-35/1210 CA
70950

3-13-14
Date

Pay to the Order of SCE $ 1769.74

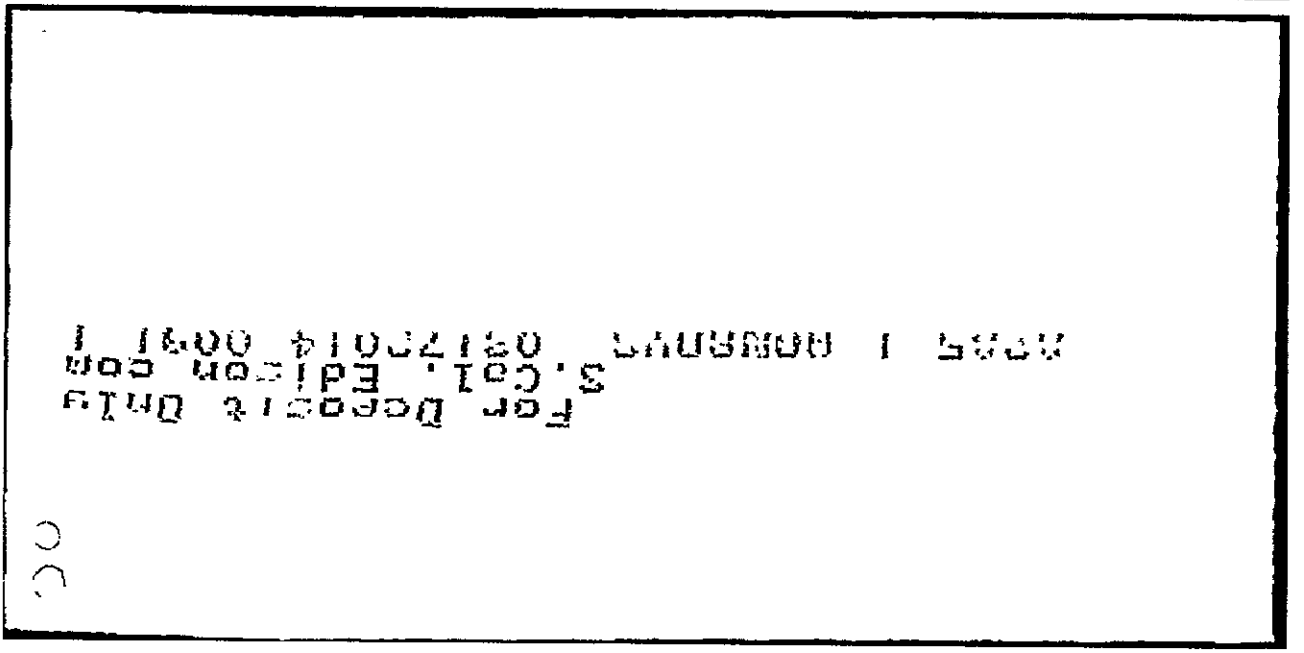
Seventeen hundred Sixty nine & 74/100 Dollars

Bank of America

ACH R/T 121000358

For TD 779151 INV 167802

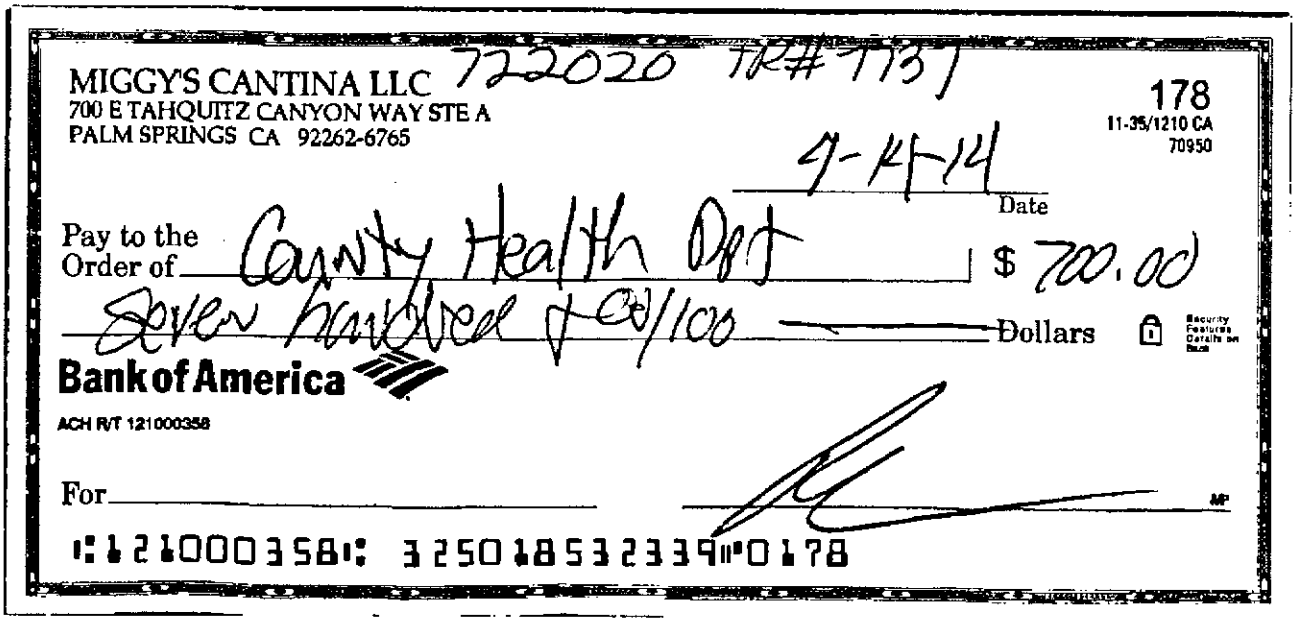
⑆121000358⑆ 325018532339⑈0177



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	2323487341	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	002323487341	122000496	Undetermined	N		MUFG UNION BANK, NA
03/18/2014	004592293869	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$700.00	Sequence Number:	4792293400
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	178



MIGGY'S CANTINA LLC 722020 TR#7737
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

178
11-35/1210 CA
70950

9-4-14
Date

Pay to the Order of County Health Dept $ 700.00

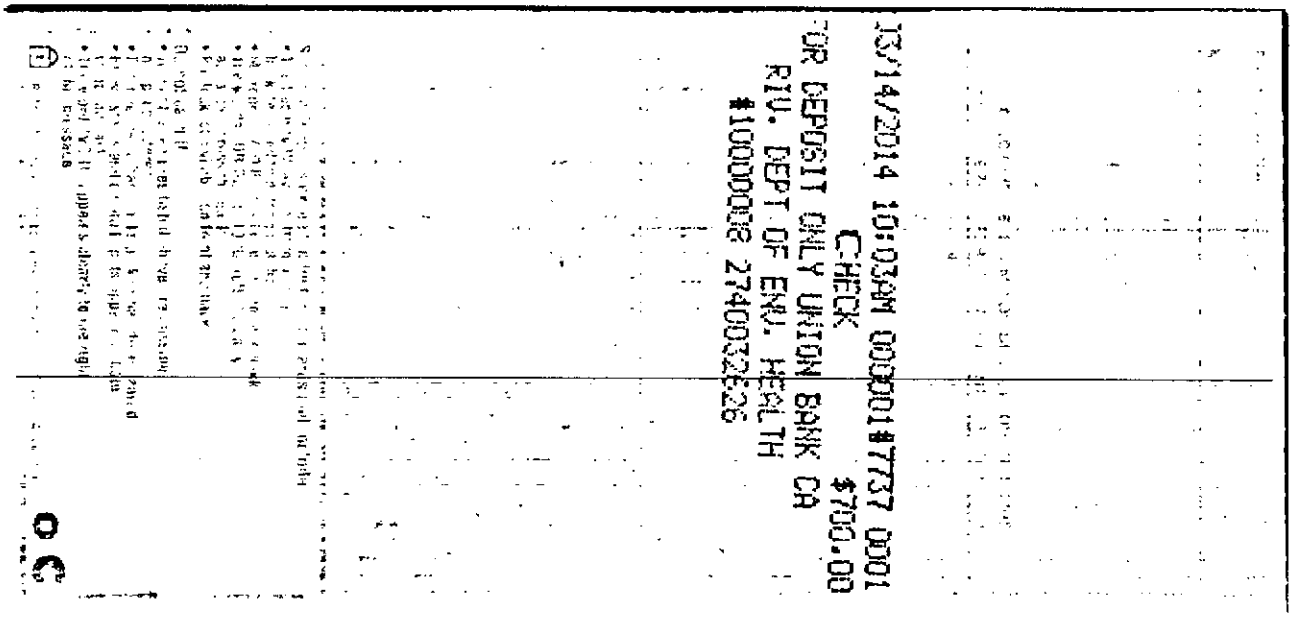
Seven hundred and 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0178

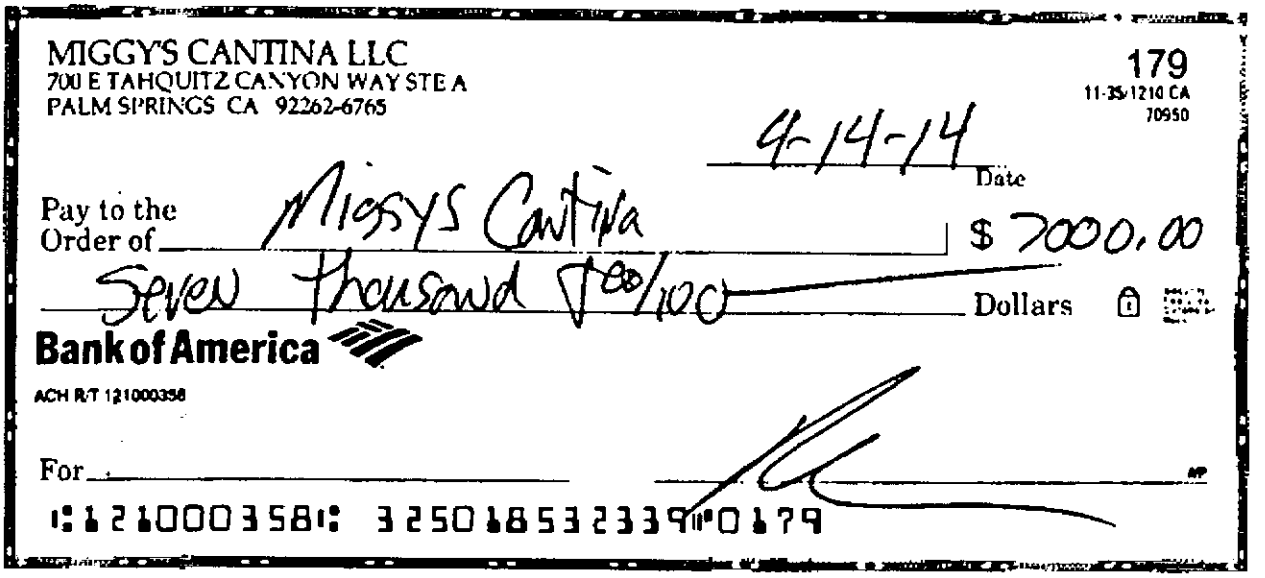


13/14/2014 10:03AM 00000#7737 0001
C-CHECK
FOR DEPOSIT ONLY UNION BANK CA
RIV. DEPT OF ENV. HEALTH
#100000018 2740032626

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	004792293400	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/18/2014	4445081835	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$7,000.00	Sequence Number:	3042940405
Account:	325018532339	Capture Date:	03/14/2014
Bank Number:	12100035	Check Number:	179



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

179
11-35/1210 CA
70950

4-14-14
Date

Pay to the Order of Miggys Cantina $ 7000.00

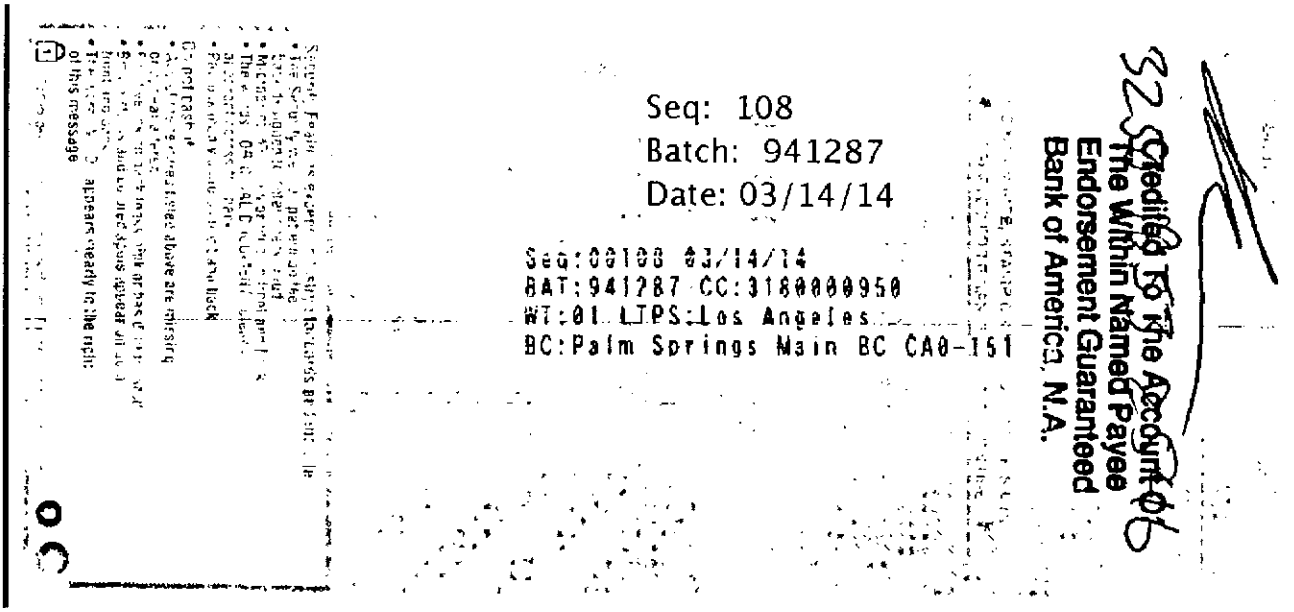
Seven Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0179



Seq: 108
Batch: 941287
Date: 03/14/14

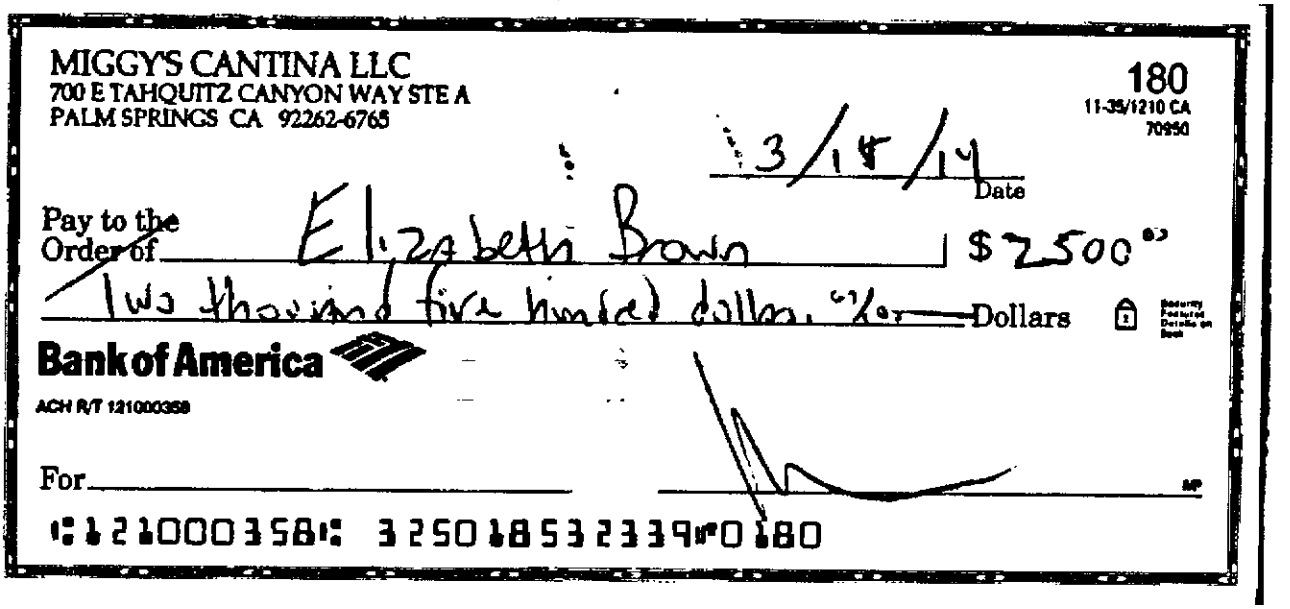
Seq:00108 03/14/14
BAT:941287 CC:3160000950
WT:01 LIPS:Los Angeles
BC:Palm Springs Main BC CA0-151

32 Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/14/2014	3042940405	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	4492349291
Account:	325018532339	Capture Date:	03/17/2014
Bank Number:	12100035	Check Number:	180



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

180
11-39/1210 CA
70950

3/15/14
Date

Pay to the Order of Elizabeth Brown $2500.00

Two thousand five hundred dollars, 0/0 Dollars

Bank of America

ACH R/T 121000358

For

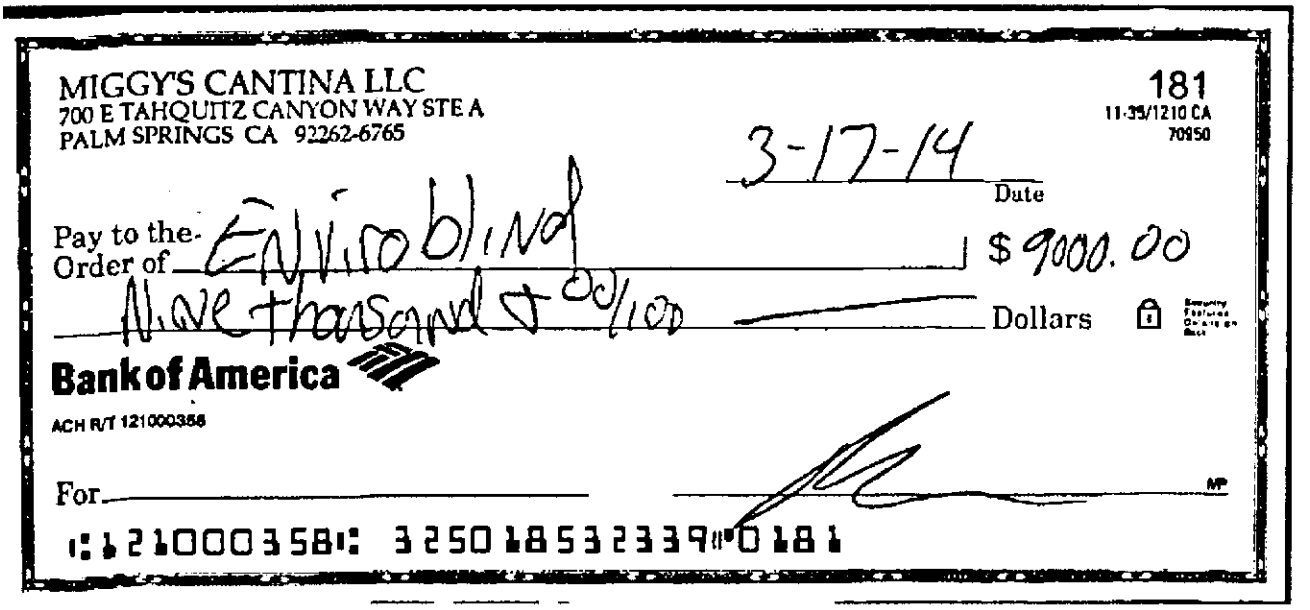
⑆121000358⑆ 325018532339⑈0180

Elizabeth Brown
407 101 5533

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/17/2014	4479419005	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
03/17/2014	004492349291	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	8092148463
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	181



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

181
11-35/1210 CA
70950

3-17-14
Date

Pay to the Order of Enviroblind $9000.00

Nine thousand & 00/100 Dollars

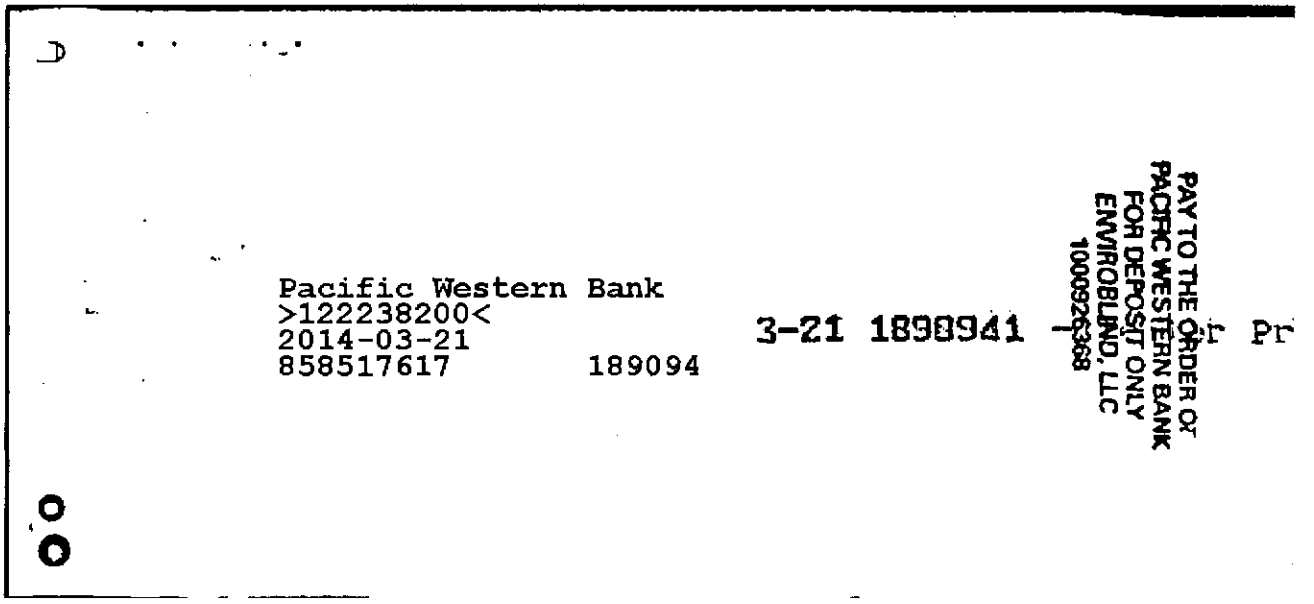
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0181



Pacific Western Bank
>122238200<
2014-03-21
858517617 189094

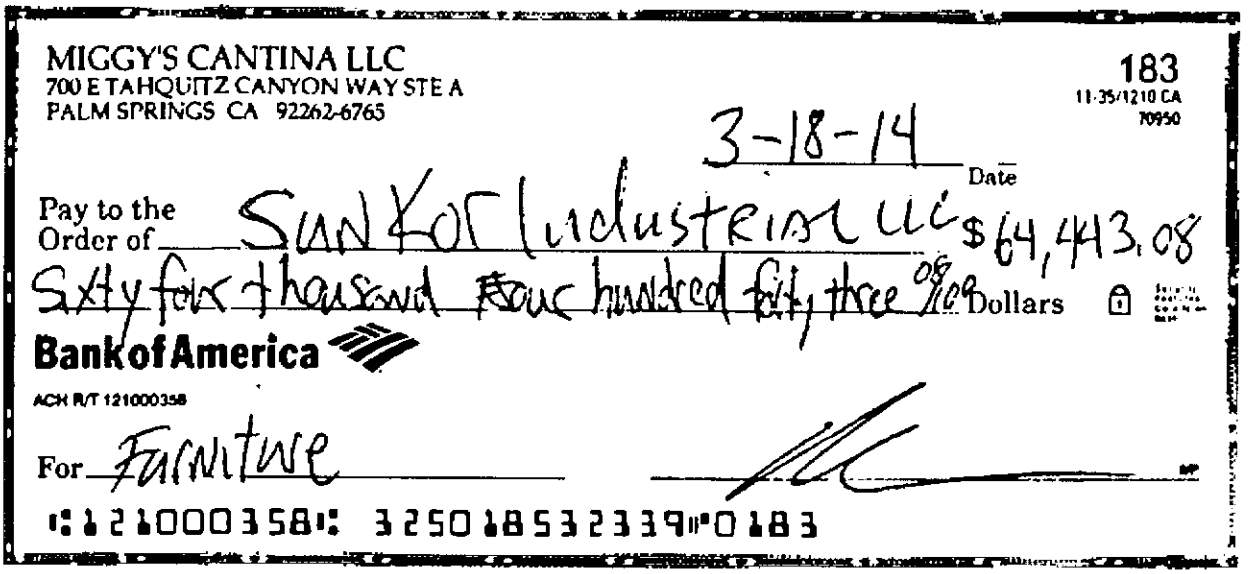
3-21 1898941

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	000000858517617	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
03/21/2014	008092148463	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/21/2014	000008772082012	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$64,443.08	Sequence Number:	3442817787
Account:	325018532339	Capture Date:	03/19/2014
Bank Number:	12100035	Check Number:	183



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

183
11-35/1210 CA
70950

3-18-14
Date

Pay to the Order of Sun Kor Industrial LLC $64,443.08

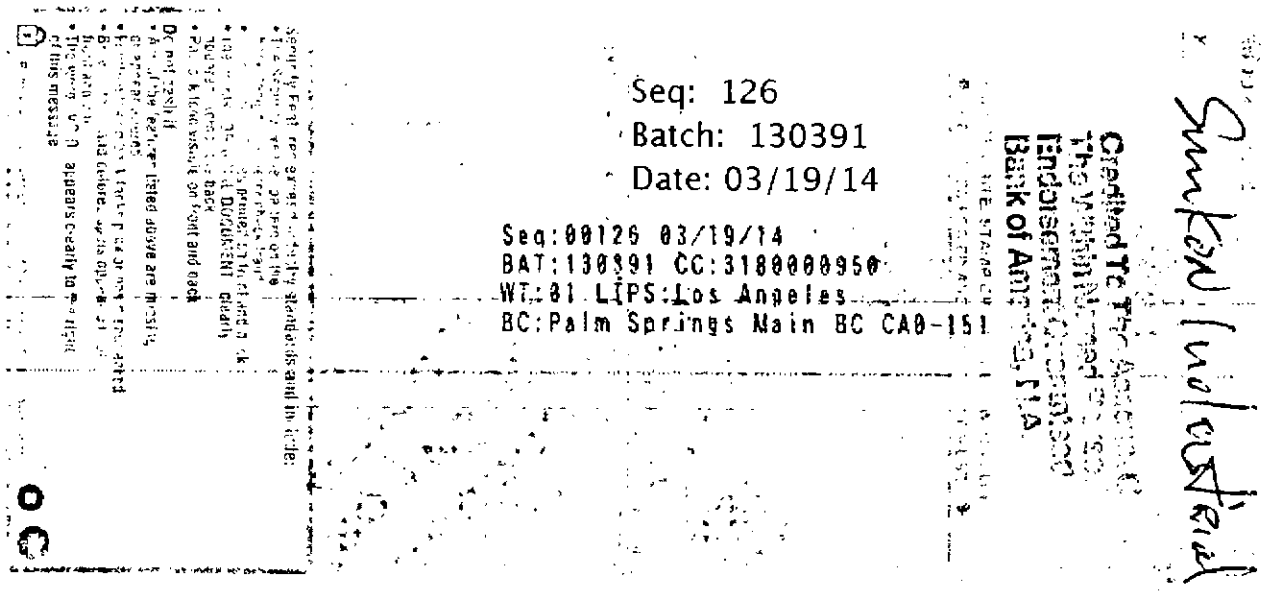
Sixty four thousand four hundred fifty three 08/100 Dollars

Bank of America

ACH R/T 121000358

For Furniture

⑆121000358⑆ 325018532339⑈0183



Seq: 126
Batch: 130391
Date: 03/19/14

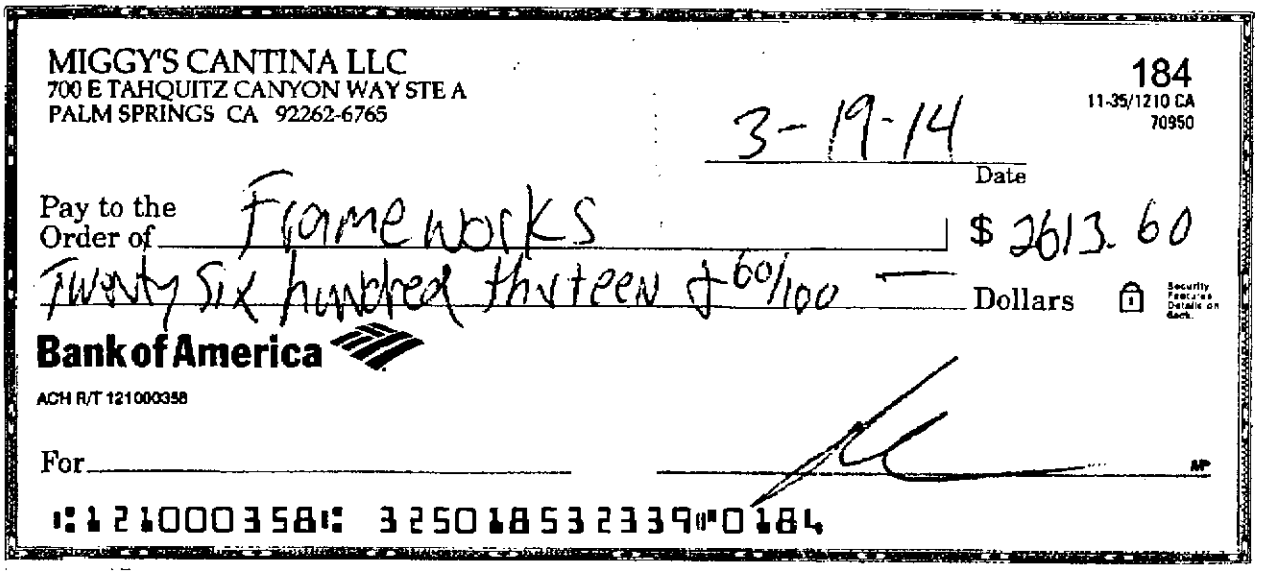
Seq:00126 03/19/14
BAT:130391 CC:3180000950
WT:01 LIPS:Los Angeles
BC:Palm Springs Main BC CA0-151

Sun Kor Industrial

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/19/2014	3442817787	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,613.60	Sequence Number:	5292098916
Account:	325018532339	Capture Date:	04/03/2014
Bank Number:	12100035	Check Number:	184



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

184
11-35/1210 CA
70950

3-19-14
Date

Pay to the Order of Frameworks $ 2613.60

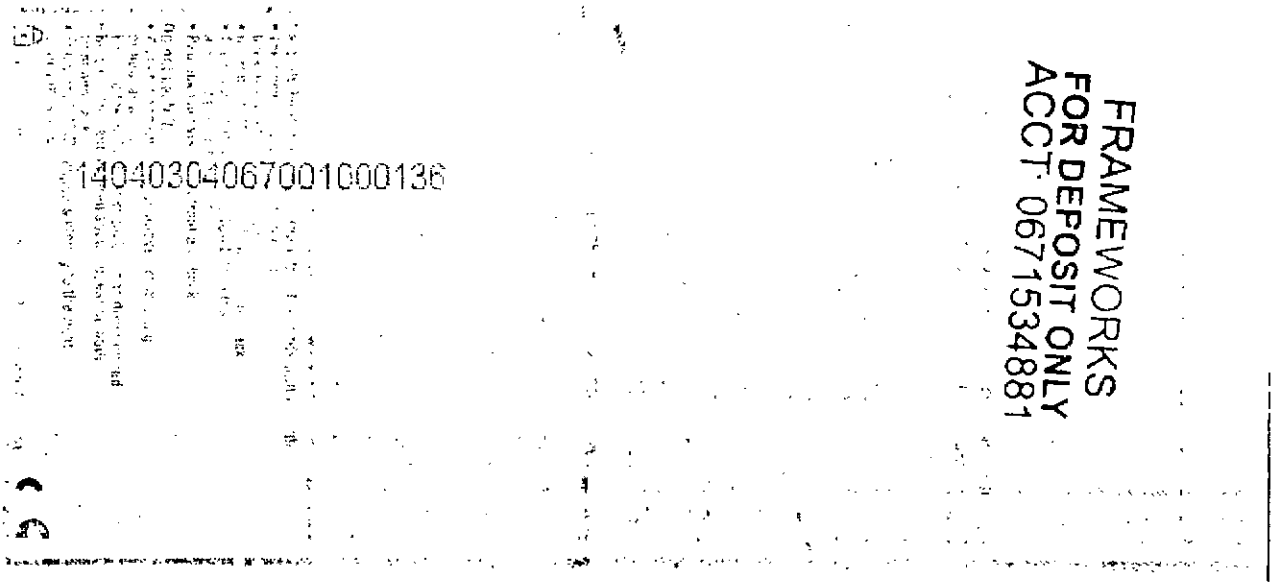
Twenty Six hundred thirteen & 60/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0184



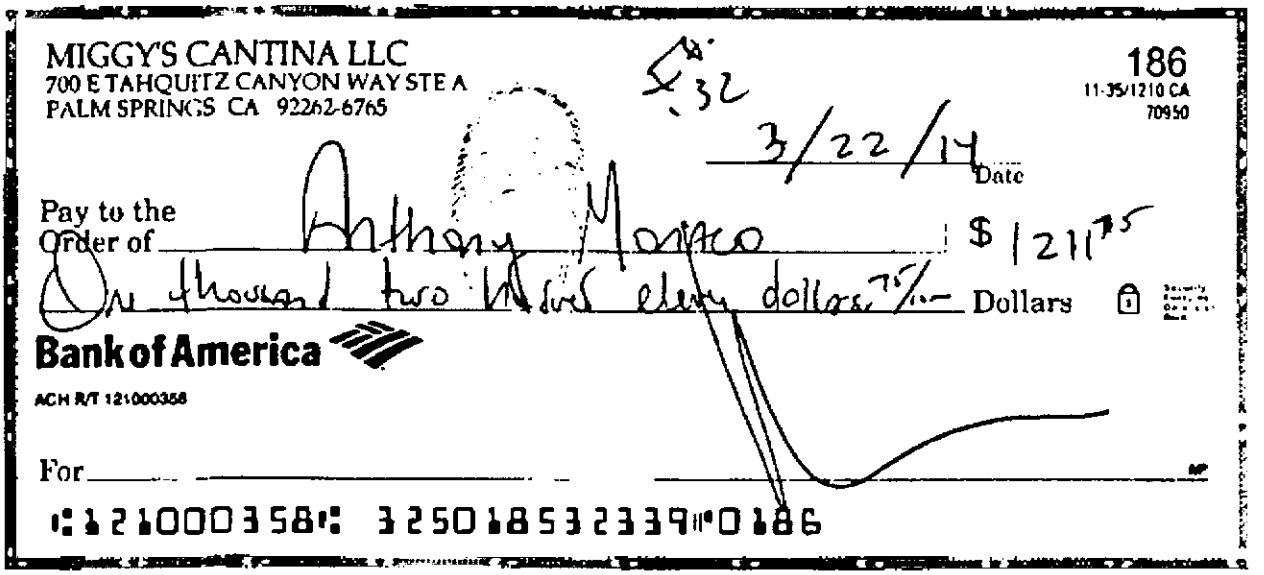
14040304067001000136

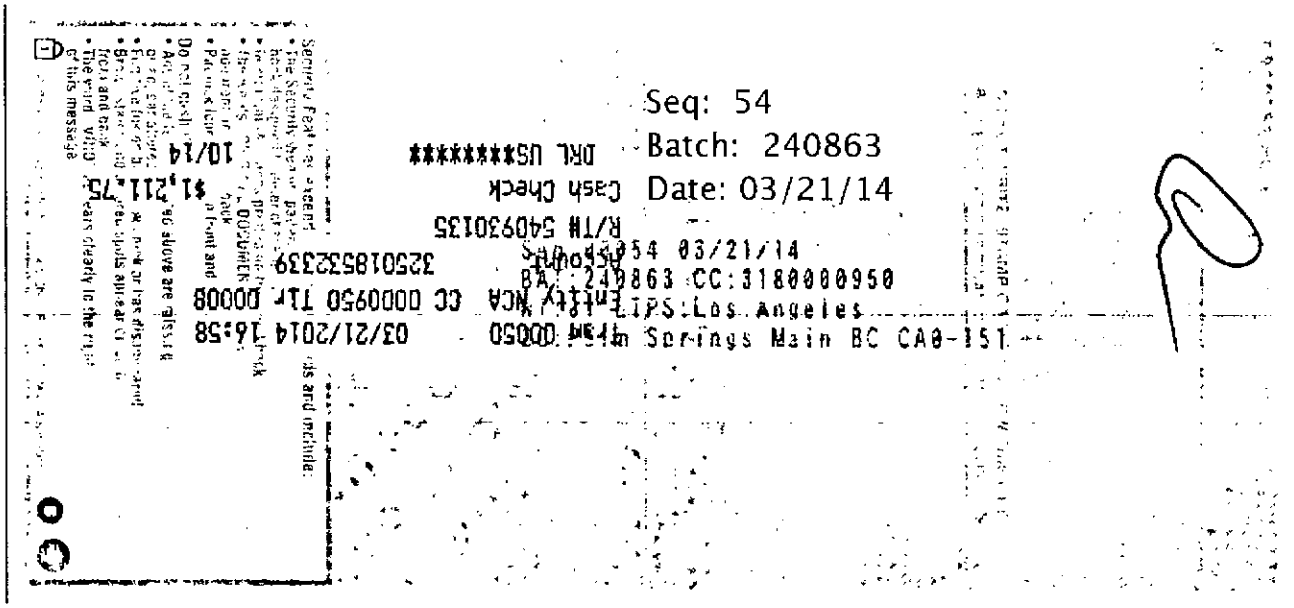
FRAMEWORKS
FOR DEPOSIT ONLY
ACCT 067153481

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/03/2014	005292098916	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/03/2014	4477365812	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$1,211.75	Sequence Number:	3642880690
Account:	325018532339	Capture Date:	03/21/2014
Bank Number:	12100035	Check Number:	186





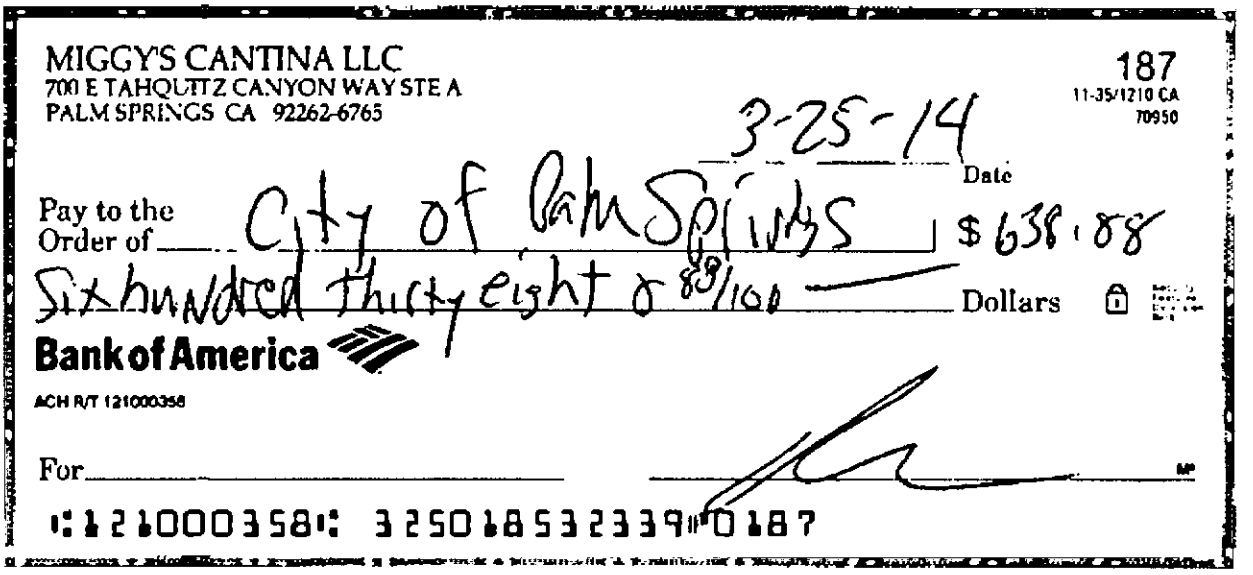
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/21/2014	3642880690	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $638.88 Sequence Number: 5842162658

Account: 325018532339 Capture Date: 03/27/2014

Bank Number: 12100035 Check Number: 187



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

187
11-35/1210 CA
70950

3-25-14
Date

Pay to the Order of City of Palm Springs $ 638.88

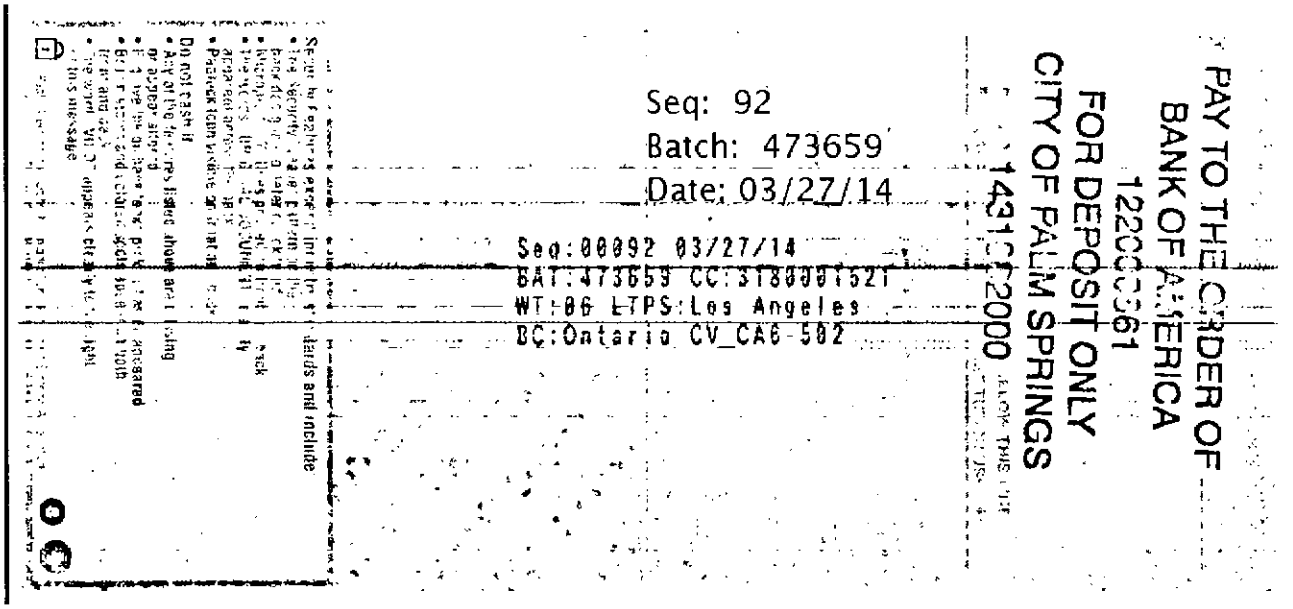
Six hundred thirty eight & 88/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0187



Seq: 92
Batch: 473659
Date: 03/27/14

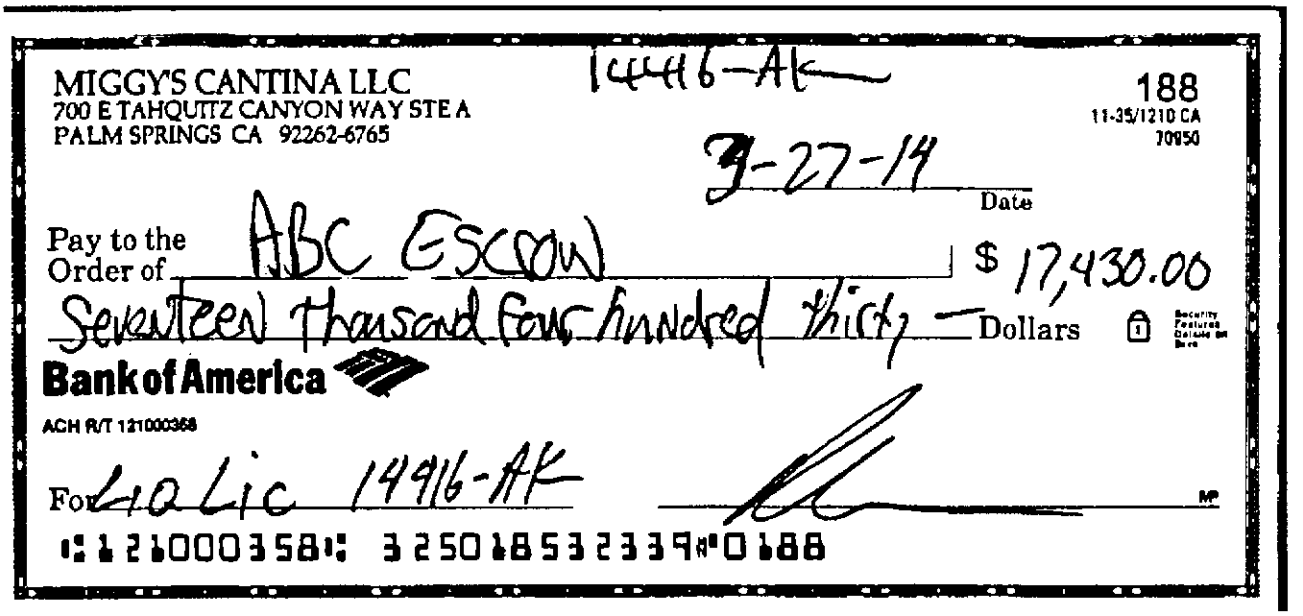
Seq:00092 03/27/14
BAT:473659 CC:318000152I
WT:06 LTPS:Los Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000361
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
1431[illegible]2000

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	5842162658	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$17,430.00	Sequence Number:	392128063
Account:	325018532339	Capture Date:	04/01/2014
Bank Number:	12100035	Check Number:	188



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

14416-AK

188
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of ABC ESCROW $ 17,430.00

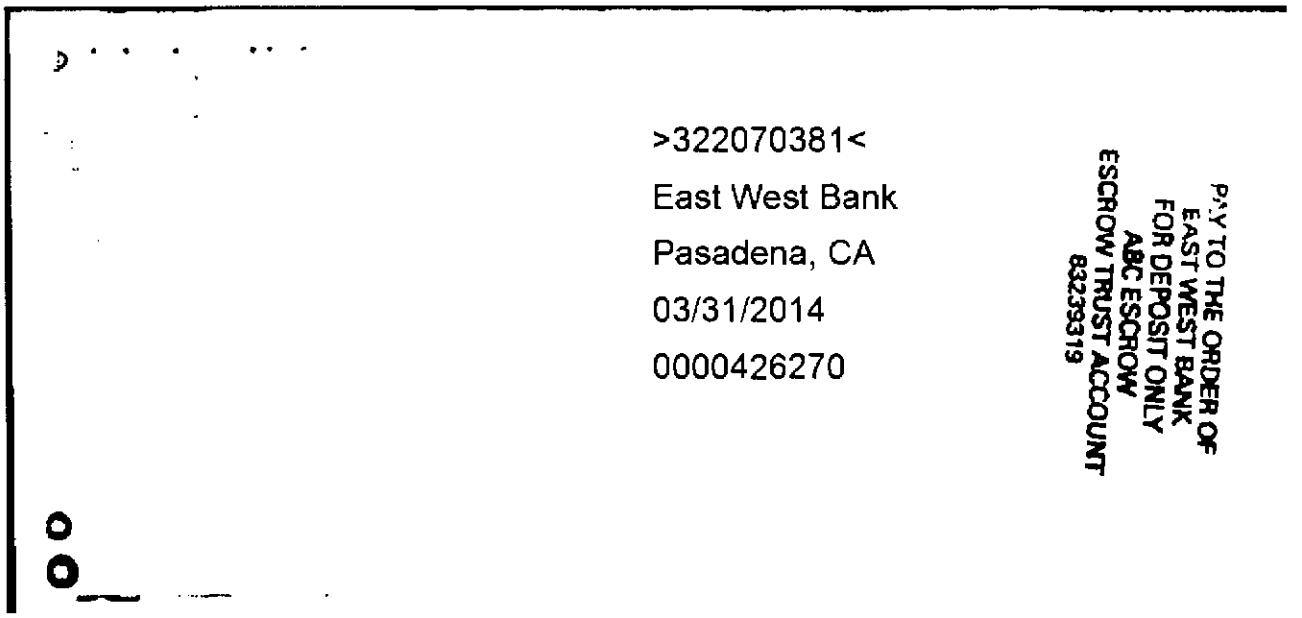
Seventeen Thousand Four hundred thirty — Dollars

Bank of America

ACH R/T 121000358

For Lic 14916-AK

⑆121000358⑆ 325018532339⑈0188



>322070381<
East West Bank
Pasadena, CA
03/31/2014
0000426270

PAY TO THE ORDER OF
EAST WEST BANK
FOR DEPOSIT ONLY
ABC ESCROW
ESCROW TRUST ACCOUNT
83239319

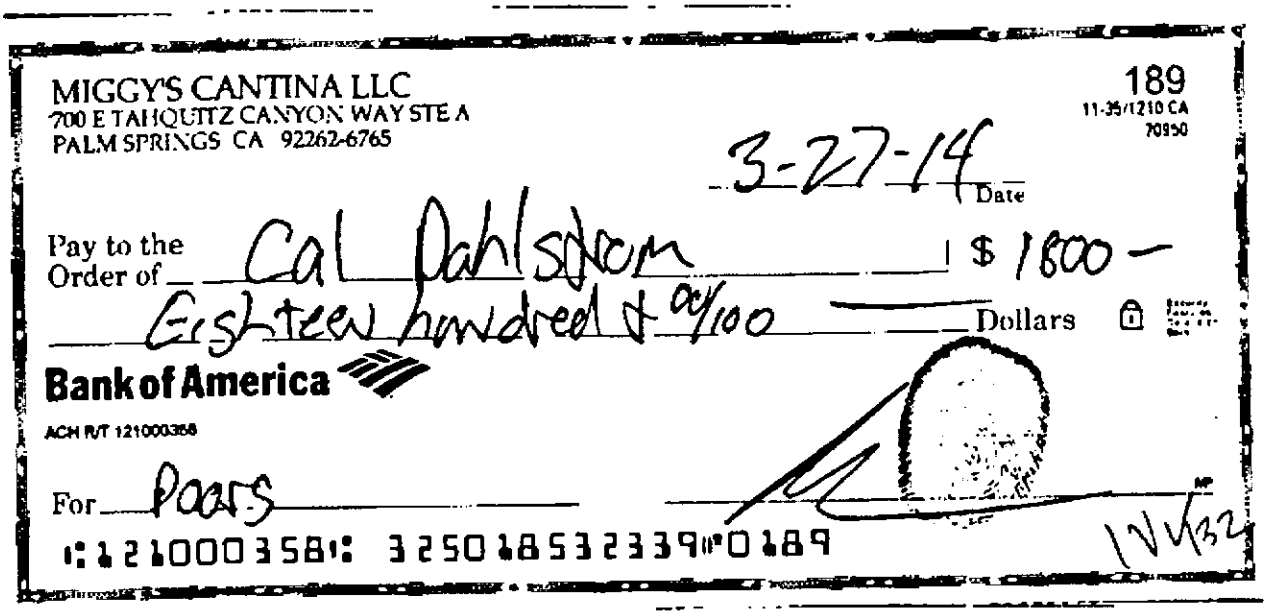
Electronic Endorsements:

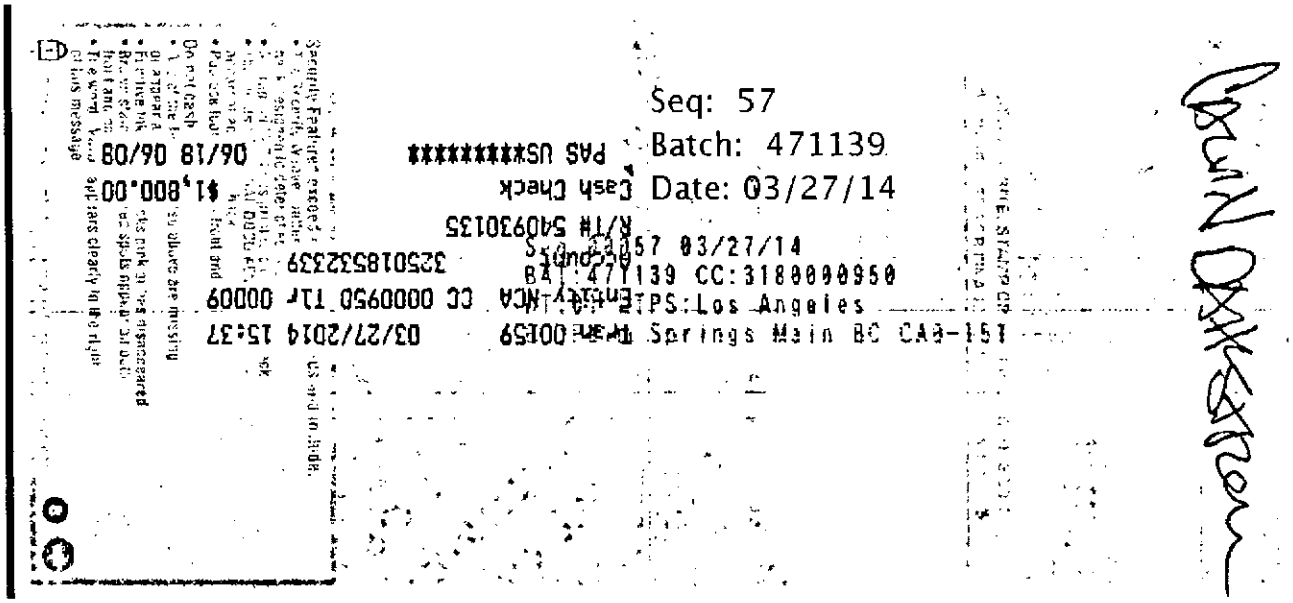
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	000007502206010	322070381	Rtn Loc/BOFD	Y		EAST WEST BANK
04/01/2014	000000392128063	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount: $1,800.00 Sequence Number: 4142101691

Account: 325018532339 Capture Date: 03/27/2014

Bank Number: 12100035 Check Number: 189

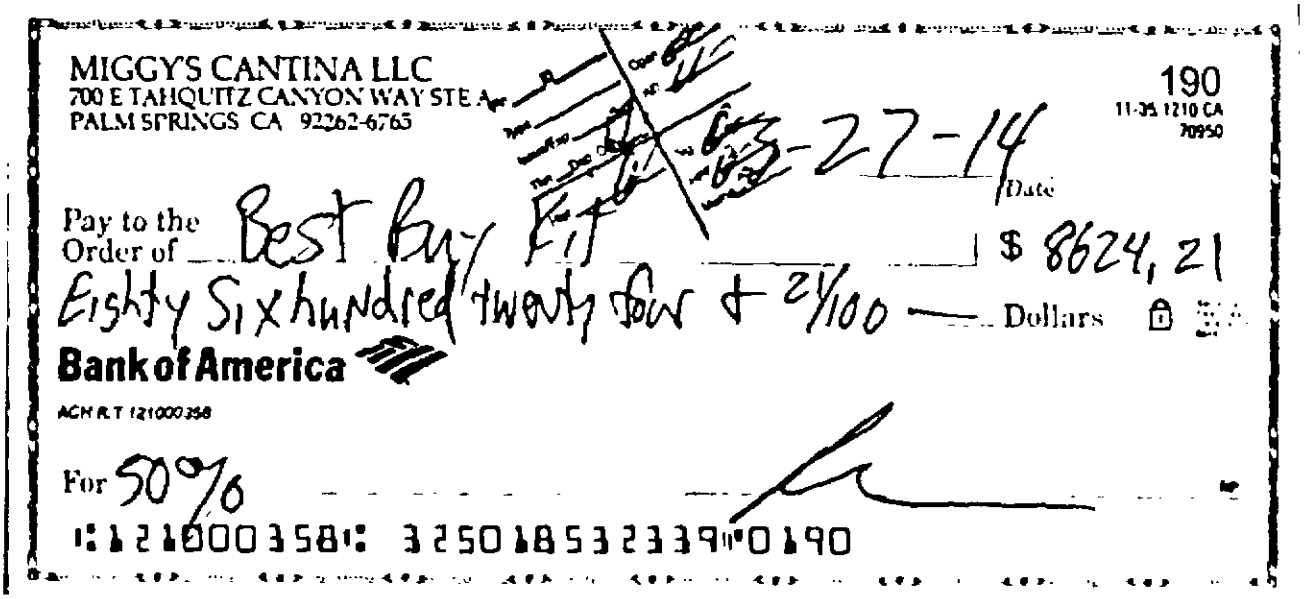




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101691	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$8,624.21	Sequence Number:	9492933984
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	190



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

190
11-35 1210 CA
70950

3-27-14
Date

Pay to the Order of Best Buy Fit $ 8624,21

Eighty Six hundred twenty four & 21/100 Dollars

Bank of America

ACH R/T 121000358

For 50%

⑆121000358⑆ 325018532339⑈0190

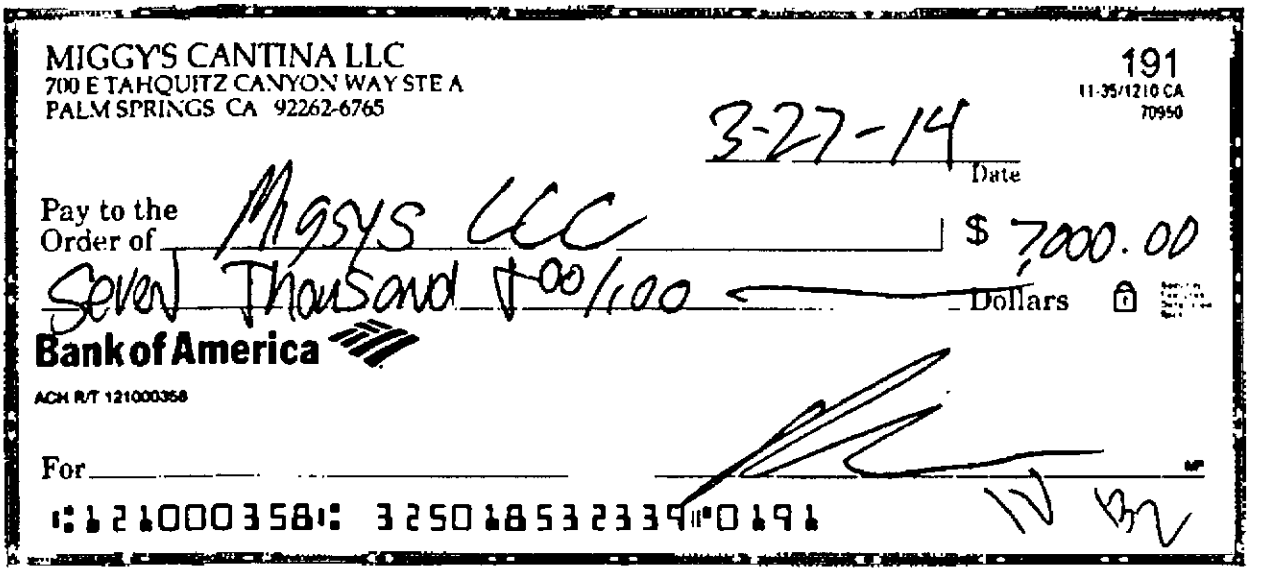
PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839482

WELLS FARGO BANK NA EXT
20140323 E0036 FKT 04
▶1221-0527-8◀

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	009492933984	121103886	Pay Bank	N		BANK OF AMERICA, NA
03/31/2014	000002222305920	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$7,000.00	Sequence Number:	4142101777
Account:	325018532339	Capture Date:	03/27/2014
Bank Number:	12100035	Check Number:	191



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

191
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Miggys LLC $ 7,000.00

Seven Thousand 00/100 Dollars

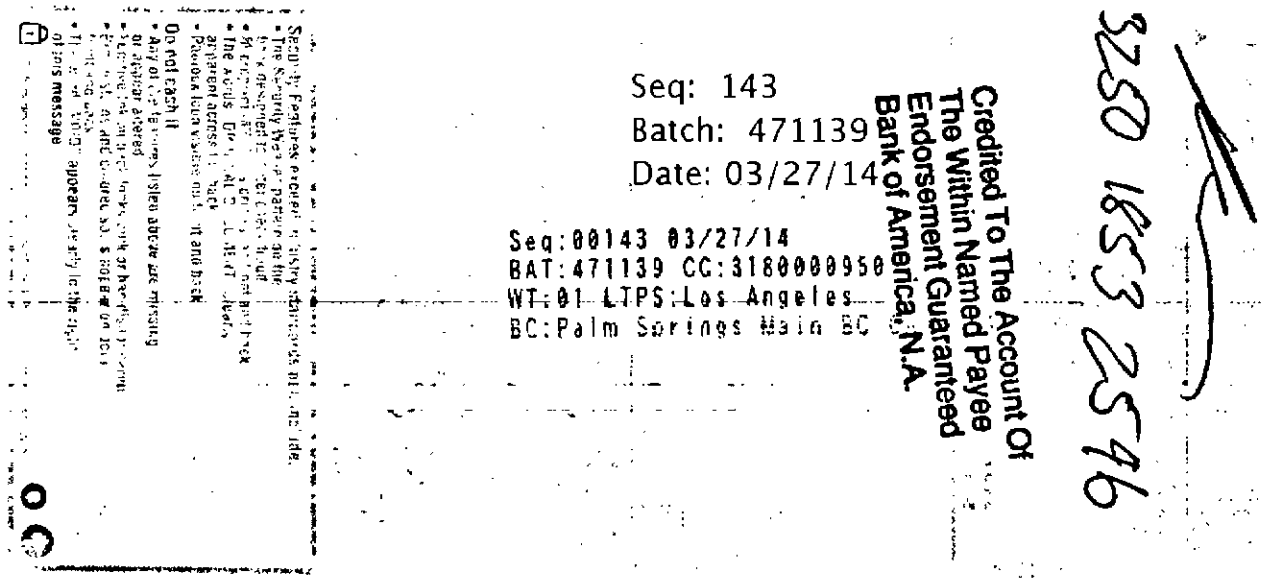
Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0191

12 82



Seq: 143
Batch: 471139
Date: 03/27/14

Seq:00143 03/27/14
BAT:471139 CC:3180000950
WT:01 LTPS:Los Angeles
BC:Palm Springs Main BC

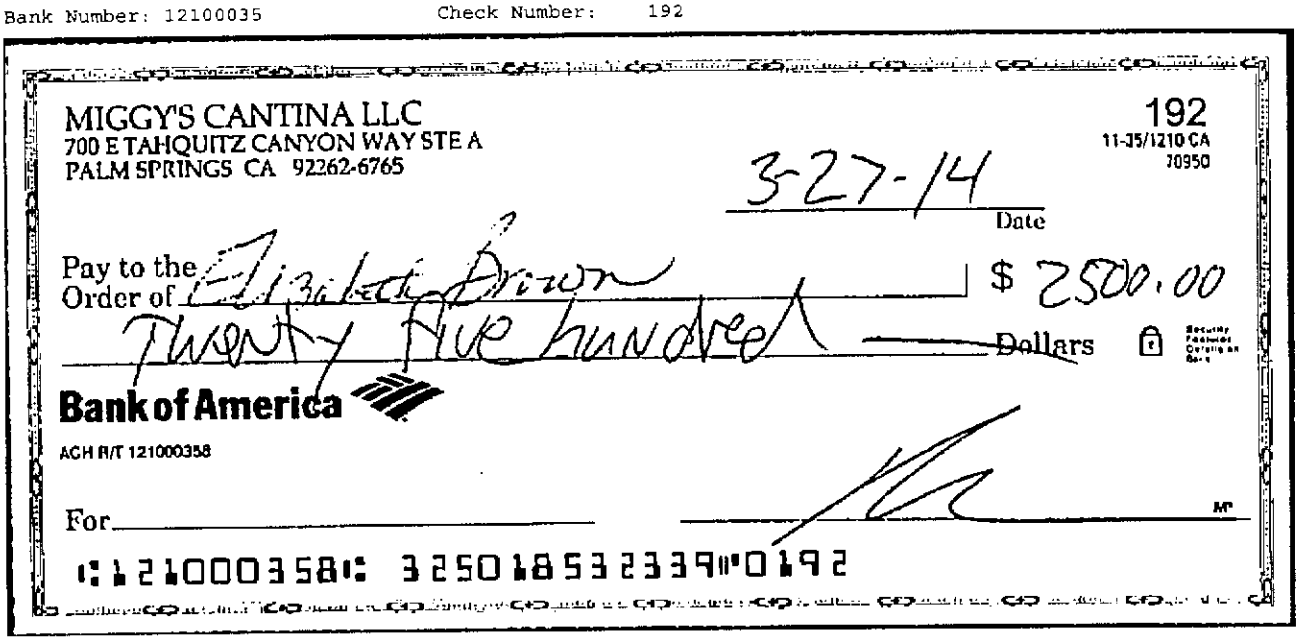
Credited To The Account Of
The Within Named Payee
Endorsement Guaranteed
Bank of America, N.A.

3250 1853 2546

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/27/2014	4142101777	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$2,500.00	Sequence Number:	9692200592
Account:	325018532339	Capture Date:	03/31/2014
Bank Number:	12100035	Check Number:	192



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

192
11-35/1210 CA
70950

3-27-14
Date

Pay to the Order of Elizabeth Brown $ 2500.00

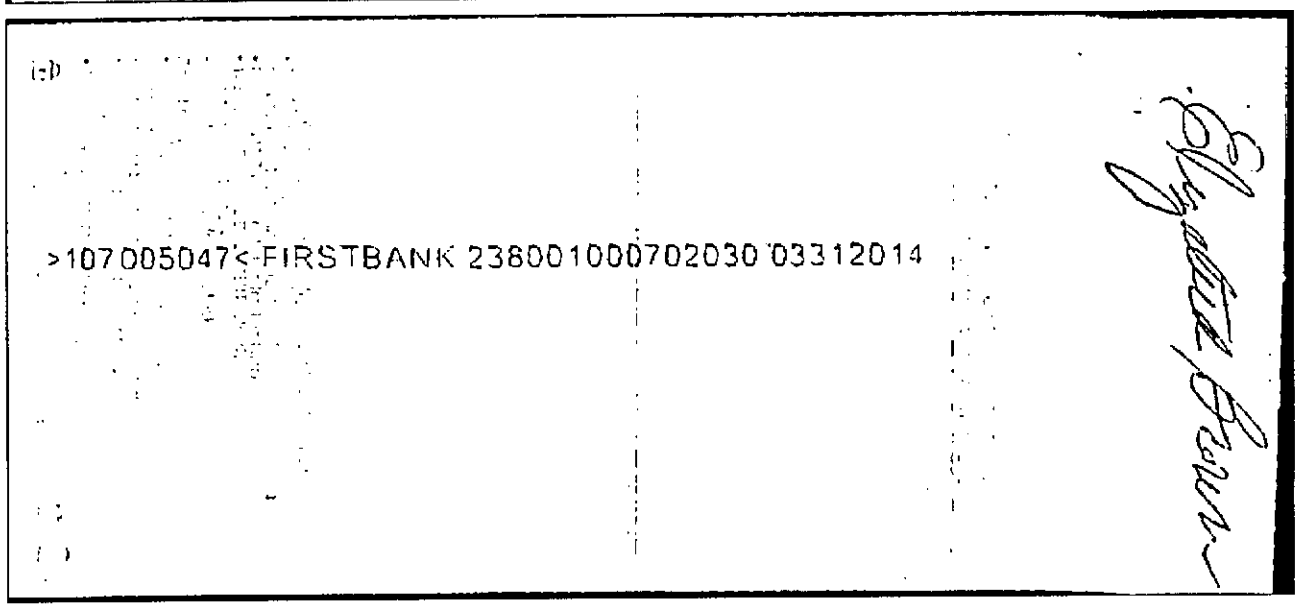
Twenty Five hundred Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0192



(cb)

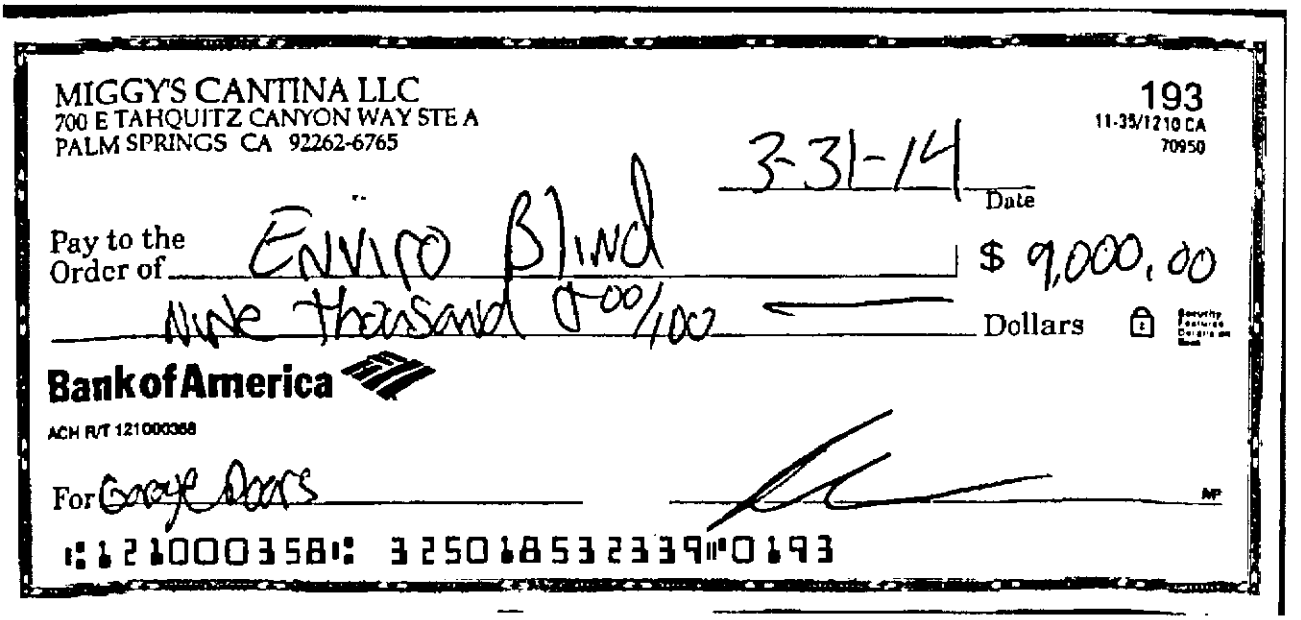
>107005047<-FIRSTBANK 238001000702030 03312014

Elizabeth Brown

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
03/31/2014	000000091923120	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
04/01/2014	009092449192	91000022	Undetermined	N		U.S. BANK NATIONAL A
04/01/2014	009092449192	91408501	Undetermined	N		U.S. BANK NATIONAL A
03/31/2014	009692200592	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,000.00	Sequence Number:	9092284695
Account:	325018532339	Capture Date:	04/04/2014
Bank Number:	12100035	Check Number:	193



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

193
11-33/1210 CA
70950

3-31-14
Date

Pay to the Order of ENVIRO BLIND

$ 9,000.00

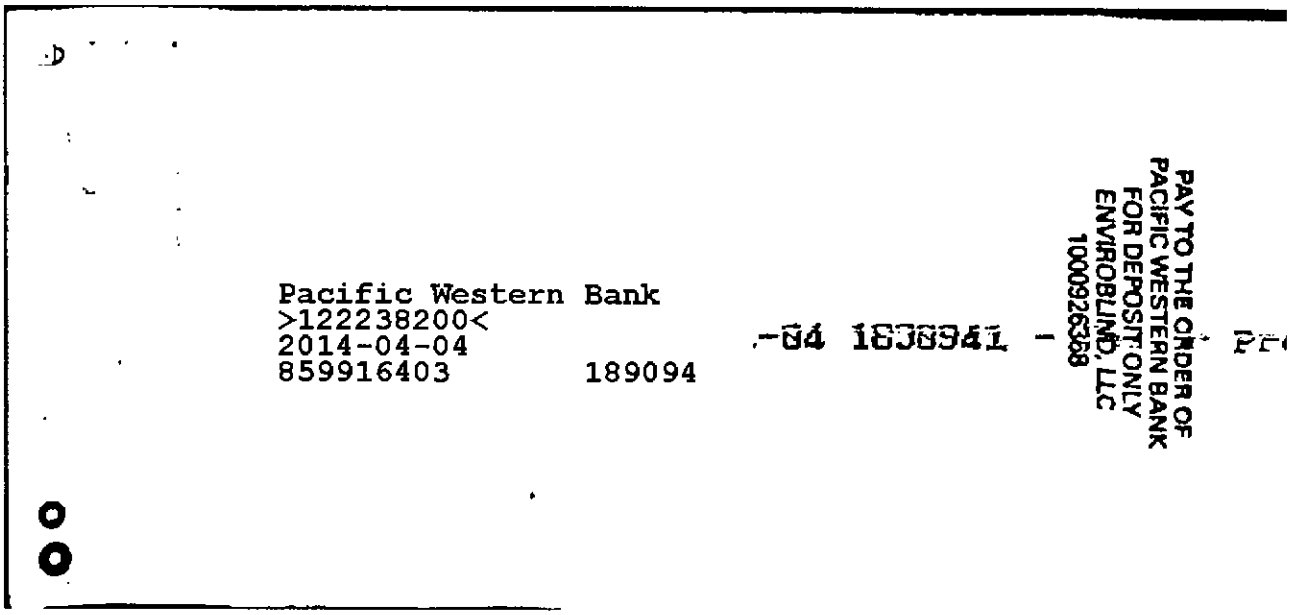
Nine Thousand 00/100 Dollars

Bank of America

ACH R/T 121000358

For Garage Doors

⑆121000358⑆ 325018532339⑈0193



Pacific Western Bank
>122238200<
2014-04-04
859916403 189094

⑆04 183941 ⑈

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

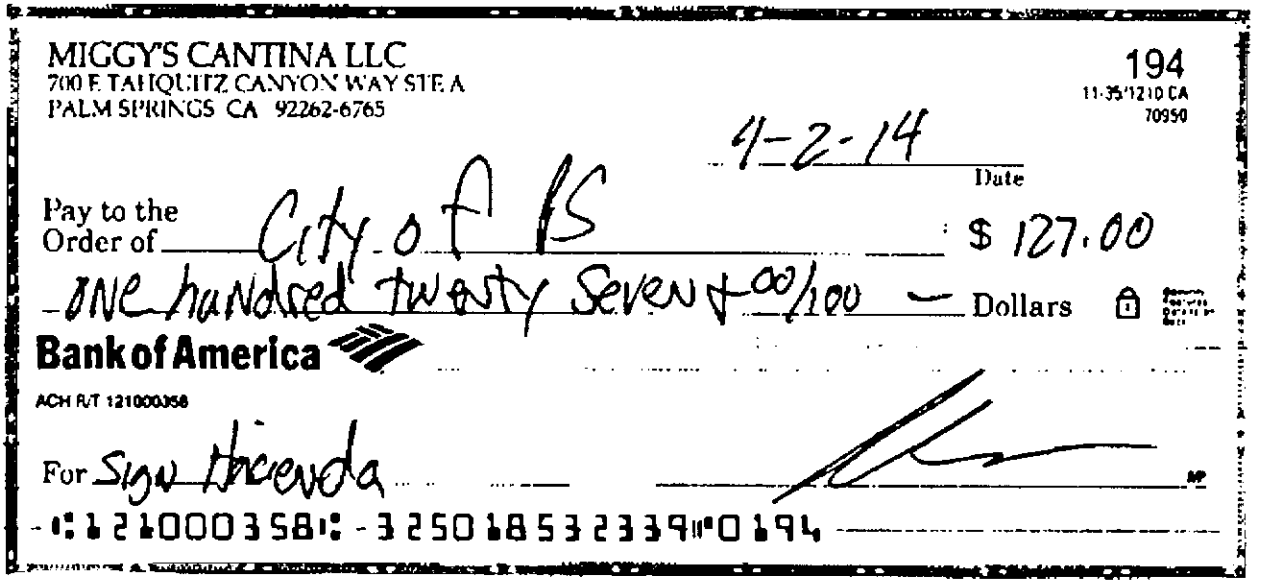
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/04/2014	000000859916403	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/04/2014	000008872852580	91000019	Undetermined	N		WELLS FARGO BANK, NA
04/04/2014	009092284695	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $127.00 Sequence Number: 5642600604

Account: 325018532339 Capture Date: 04/10/2014

Bank Number: 12100035 Check Number: 194



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

194
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of City of PS $ 127.00

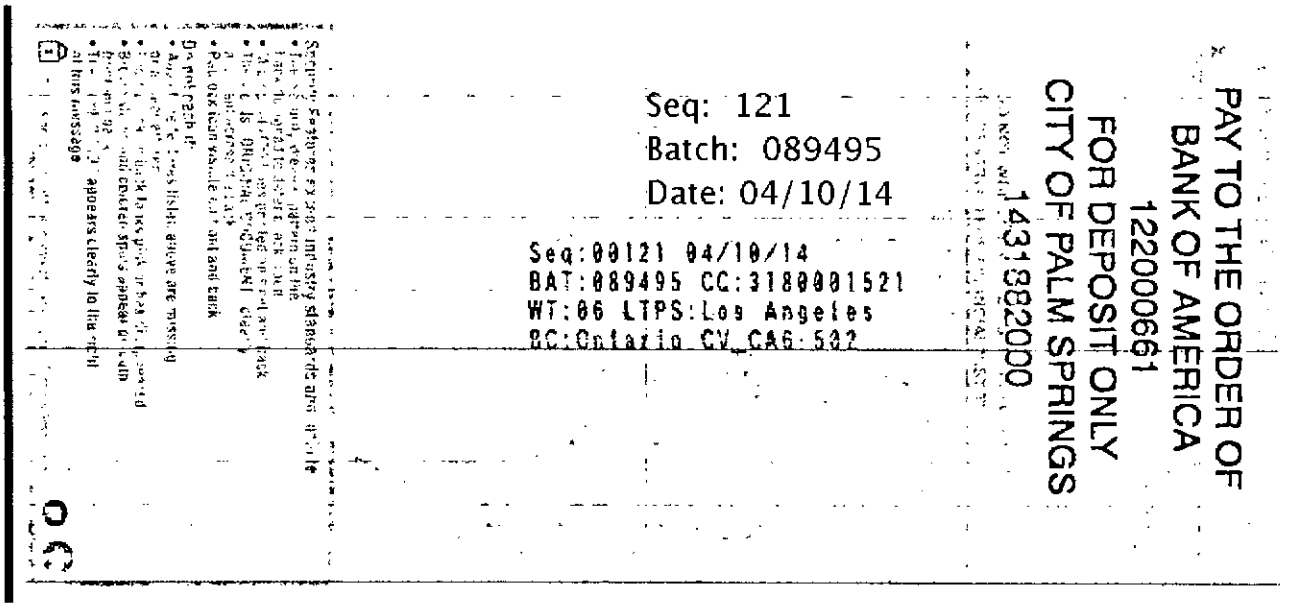
One hundred twenty Seven + 00/100 Dollars

Bank of America

ACH R/T 121000358

For Sign Hacienda

⑆121000358⑆ 325018532339⑈0194



Seq: 121
Batch: 089495
Date: 04/10/14

Seq:00121 04/10/14
BAT:089495 CC:3180001521
WT:06 LTPS:Los Angeles
BC:Ontario CV CA6 502

PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
1431382000

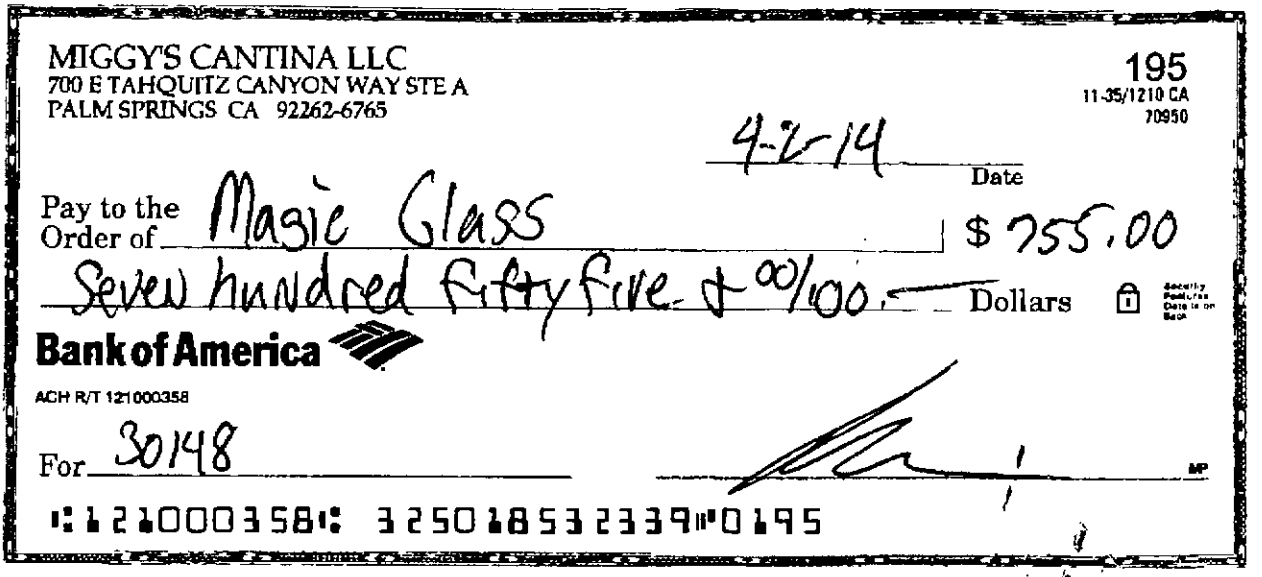
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	5642600604	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $755.00 Sequence Number: 5292089171

Account: 325018532339 Capture Date: 04/03/2014

Bank Number: 12100035 Check Number: 195



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

195
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of Magic Glass $ 755.00

Seven hundred fifty five & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 30148

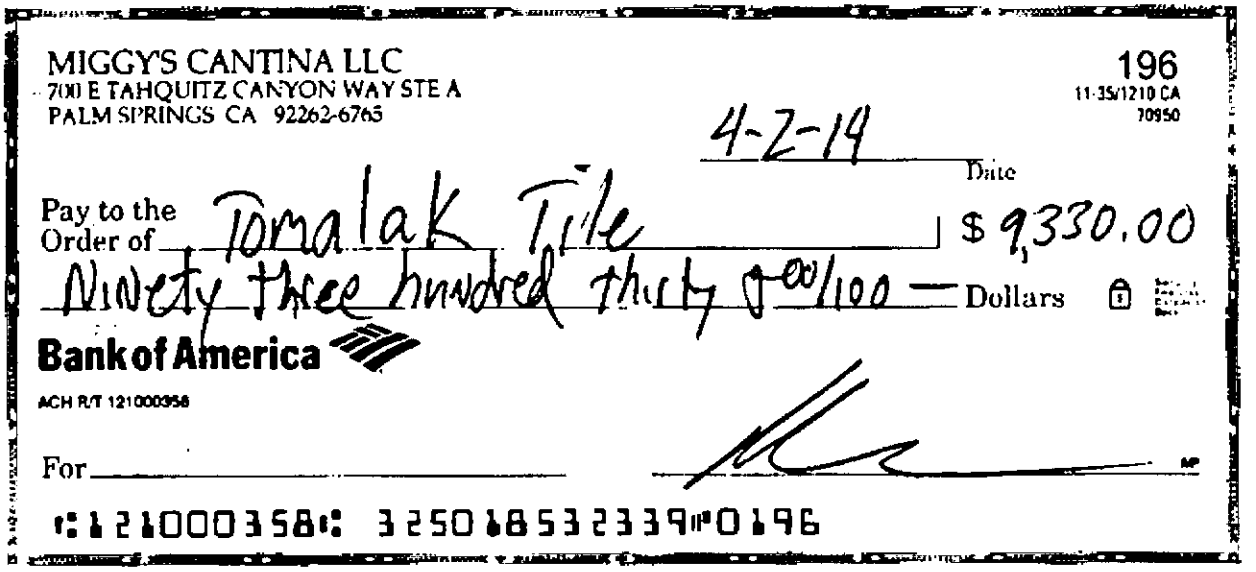
⑆121000358⑆ 325018532339⑈0195

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
12200496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/03/2014	005292089171	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/03/2014	4512640640	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$9,330.00	Sequence Number:	3542530276
Account:	325018532339	Capture Date:	04/04/2014
Bank Number:	12100035	Check Number:	196



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

196
11-35/1210 CA
70950

4-2-14
Date

Pay to the Order of Tomalak Tile $ 9,330.00

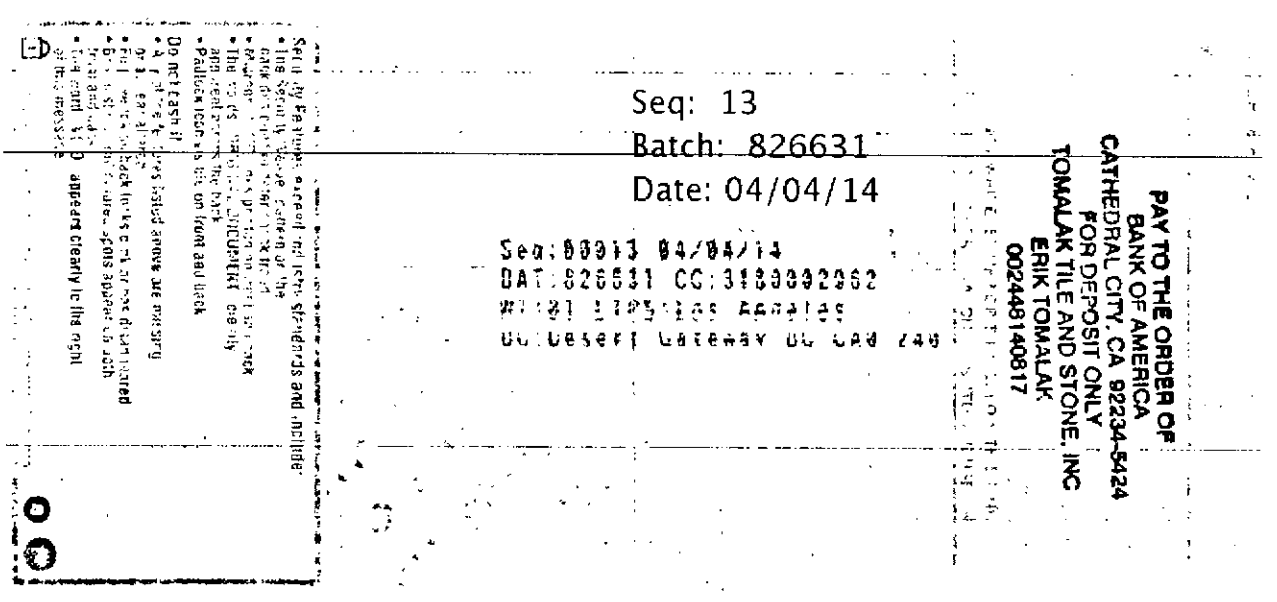
Ninety three hundred thirty 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0196



Seq: 13
Batch: 826631
Date: 04/04/14

Seq:00013 04/04/14
DAT:826631 CC:3133032062
Desert Gateway OC CAR 240

PAY TO THE ORDER OF
BANK OF AMERICA
CATHEDRAL CITY, CA 92234-5424
FOR DEPOSIT ONLY
TOMALAK TILE AND STONE, INC
ERIK TOMALAK
002448140817

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/04/2014	3542530276	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$18,725.05	Sequence Number:	1282927462
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	197

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

197
11-35/1210 CA
70950

4/7/14
Date

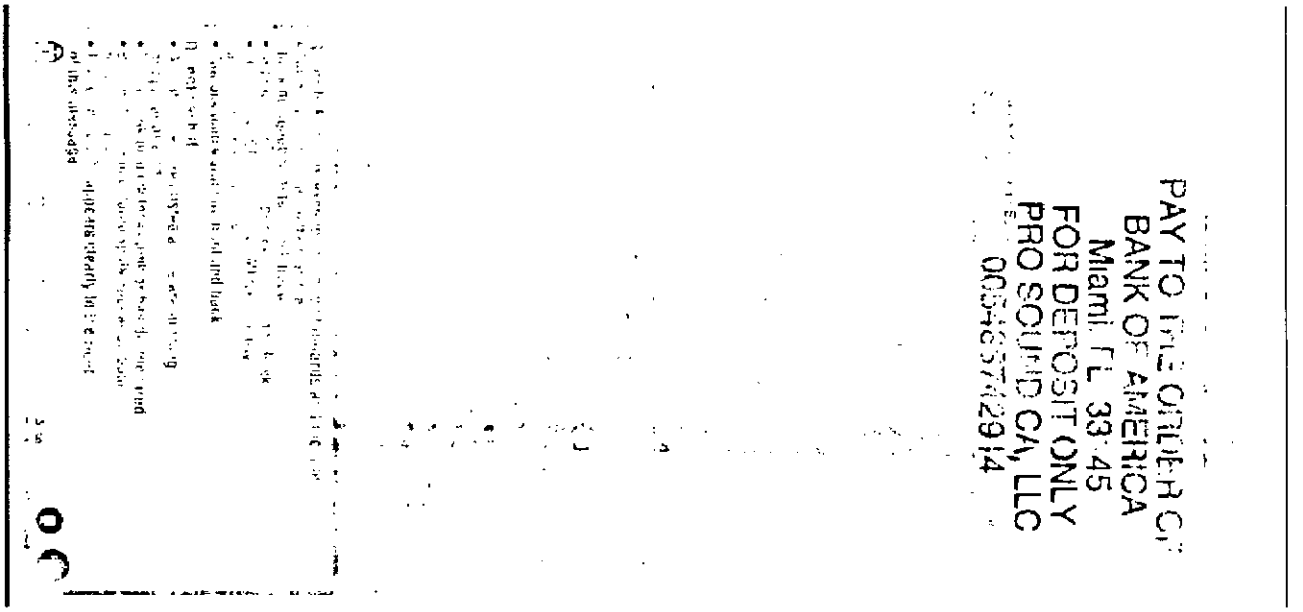
Pay to the Order of Pro Sound + Video $18,725.05

Eighteen thousand seven hundred twenty five 05/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0197



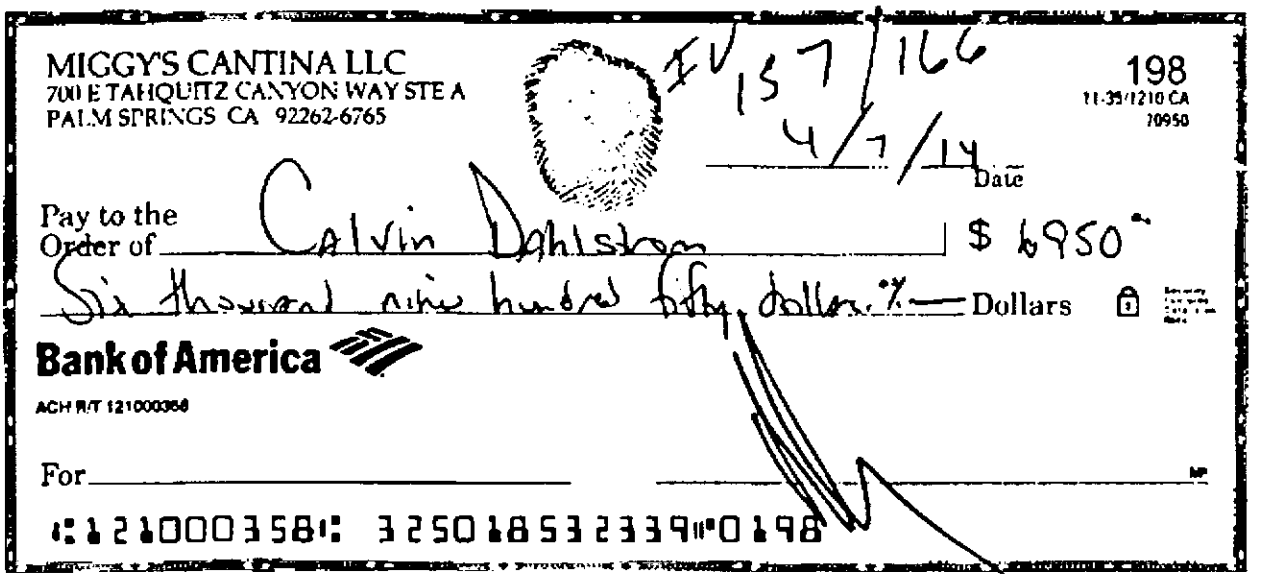
Electronic Endorsements:

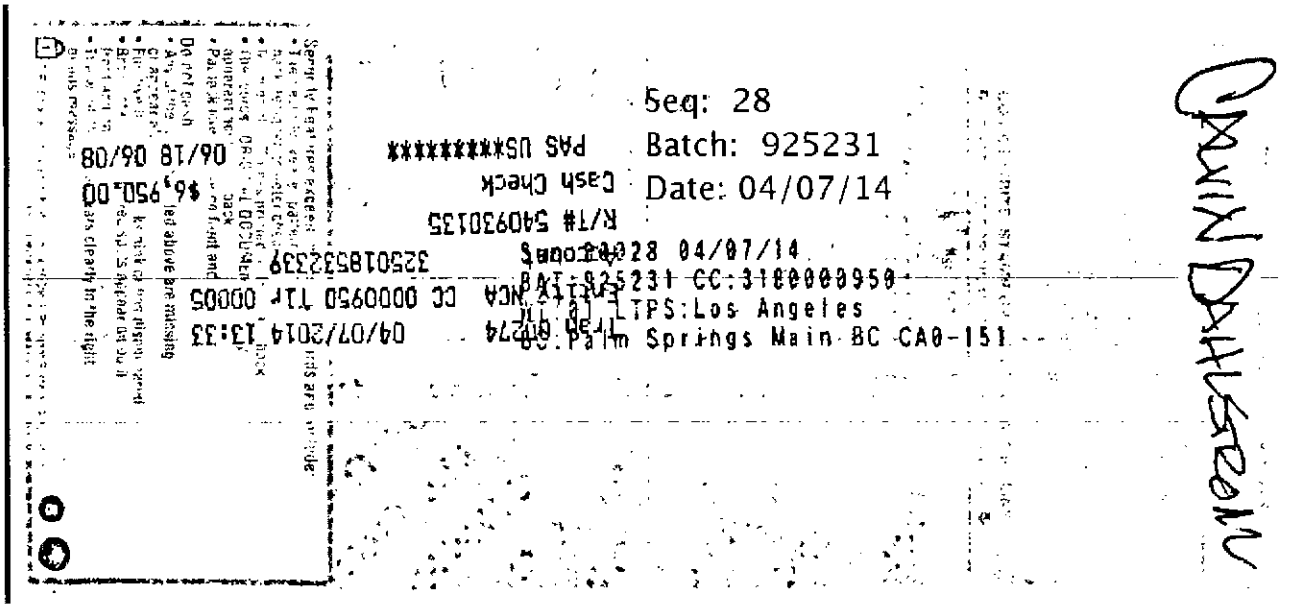
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	1282927462	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $6,950.00 Sequence Number: 3742166412

Account: 325018532339 Capture Date: 04/07/2014

Bank Number: 12100035 Check Number: 198





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/07/2014	3742166412	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$5,000.00	Sequence Number:	4292085951
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	199

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

199
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Ruta - Tucker $ 5000.00

five thousand dollars - 00/100 Dollars

Bank of America

ACH R/T 121000358

For #683592

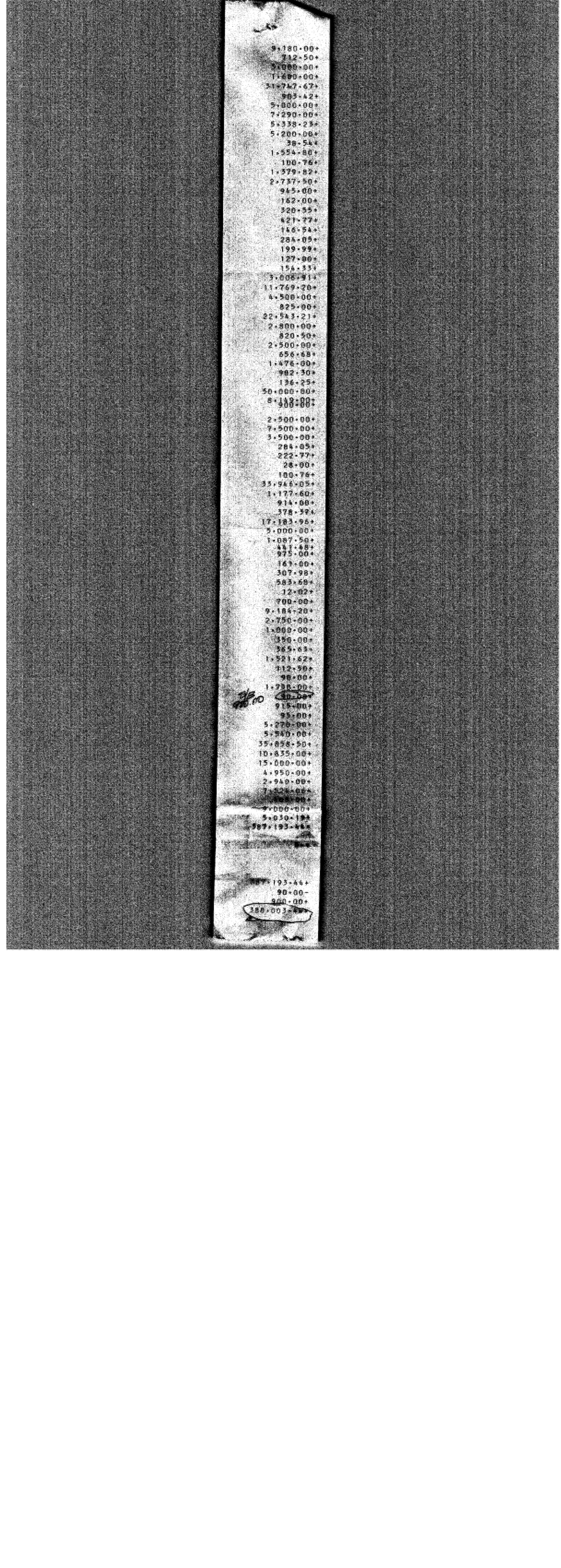
⑆121000358⑆ 325018532339⑈0199

14040908928001000097

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	4477753909	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/09/2014	004292085951	121103886	Pay Bank	N		BANK OF AMERICA, NA


9,180.00+
712.50+
3,000.00+
1,690.00+
31,747.67+
903.42+
5,000.00+
7,290.00+
5,338.23+
5,200.00+
38.54+
1,554.80+
100.76+
1,379.82+
2,737.50+
945.00+
162.00+
320.55+
621.77+
146.54+
284.09+
199.99+
127.00+
156.33+
3,008.91+
11,769.20+
4,500.00+
825.00+
22,543.21+
2,800.00+
820.50+
2,500.00+
656.68+
1,476.00+
982.30+
136.25+
50,000.80+
8,118.00+
400.00+
2,500.00+
7,500.00+
3,500.00+
284.05+
222.77+
28.00+
100.78+
33,946.05+
1,177.60+
914.00+
378.32+
17,183.96+
5,000.00+
1,087.50+
441.48+
975.00+
161.00+
307.98+
583.68+
12.02+
700.00+
9,184.20+
2,750.00+
1,000.00+
350.00+
365.63+
1,521.62+
112.50+
90.00+
1,730.00+
915.00+
95.00+
5,270.00+
5,540.00+
35,858.50+
10,835.00+
15,000.00+
4,950.00+
2,949.00+
90.00-
900.00+

0.*

0.*

9,180.00+
712.50+
3,000.00+
1,600.00+
31,747.67+
903.42+
5,000.00+
7,290.00+
5,338.23+
5,200.00+
38.54+
1,359.00+
2,759.98+
945.00+
162.00+
320.55+
421.77+
146.54+
284.05+
199.99+
127.00+
154.33+

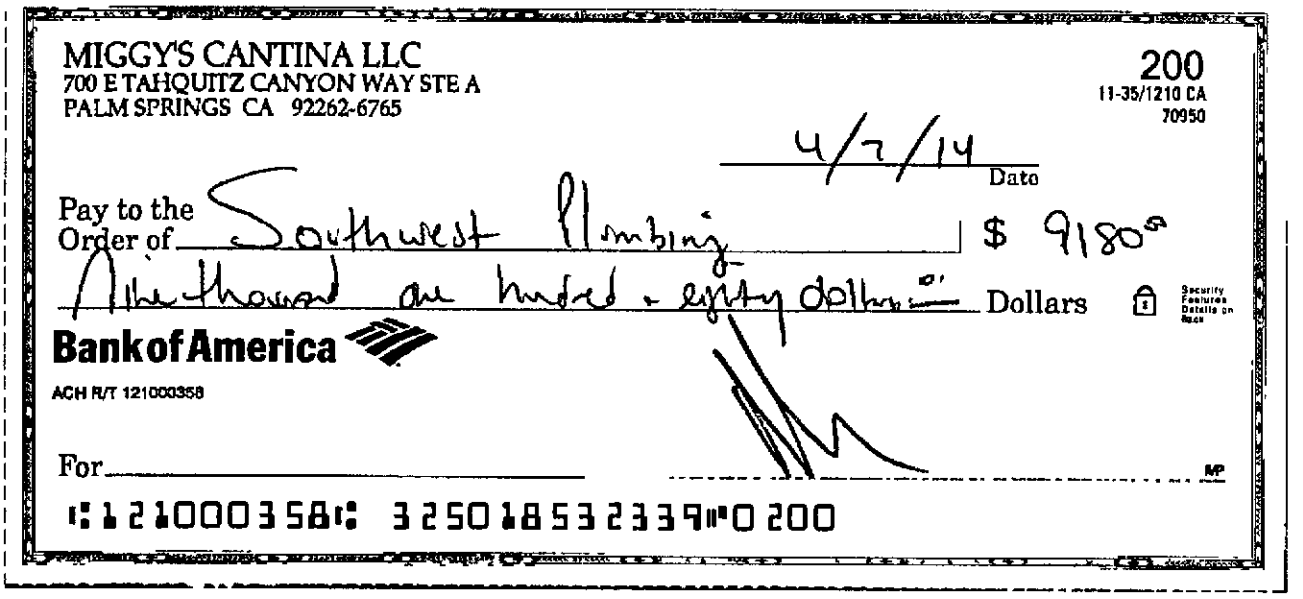
3,006.91+
11,769.20+
4,500.00+
825.00+
22,543.21+
2,800.00+
SW 820.50 850.50+
2,500.00+
656.68+
1,476.00+
982.30+
136.25+
50,000.00+
8,149.00+
900.00+
2,500.00+
7,500.00+
3,500.00+
284.05+
222.77+
28.00+
100.76+
33,946.05+
1,177.60+
SW 914.00
378.37+
17,183.96+
5,000.00+
1,087.88+
975.00+
161.00+
307.98+
583.68+
12.02+
700.00+
9,184.20+

2,750.00+
1,000.00+
350.00+
365.63+
1,521.62+
112.50+
90.00+
1,750.00+
900.00+
915.00+
95.00+
5,270.00+
5,540.00+
35,858.50+
10,835.00+
15,000.00+
4,950.00+
2,940.00+
7,524.06+
408.00+
9,000.00+
5,030.19+
388,033.44*

0.*

388,033.44+
850.50-
820.50+
388,003.44*

Amount:	$9,180.00	Sequence Number:	9892115442
Account:	325018532339	Capture Date:	04/08/2014
Bank Number:	12100035	Check Number:	200



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

200
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Southwest Plumbing $ 9180.00

Nine thousand one hundred + eighty dollars Dollars

Security Features Details on Back

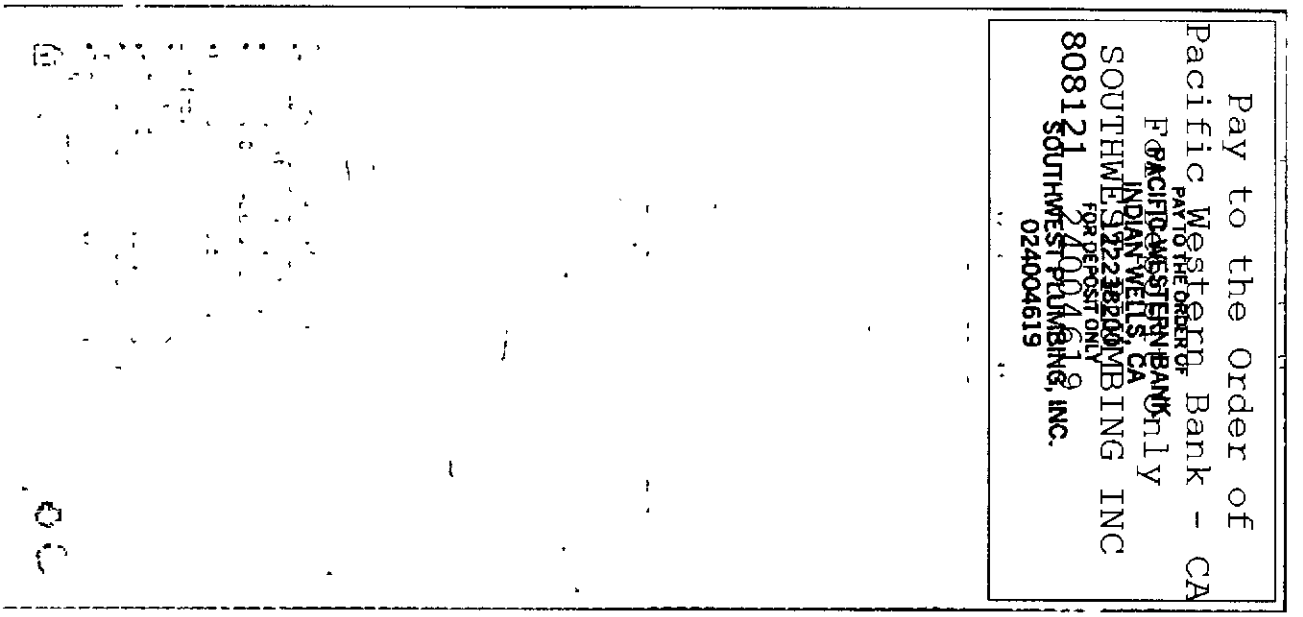
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0200



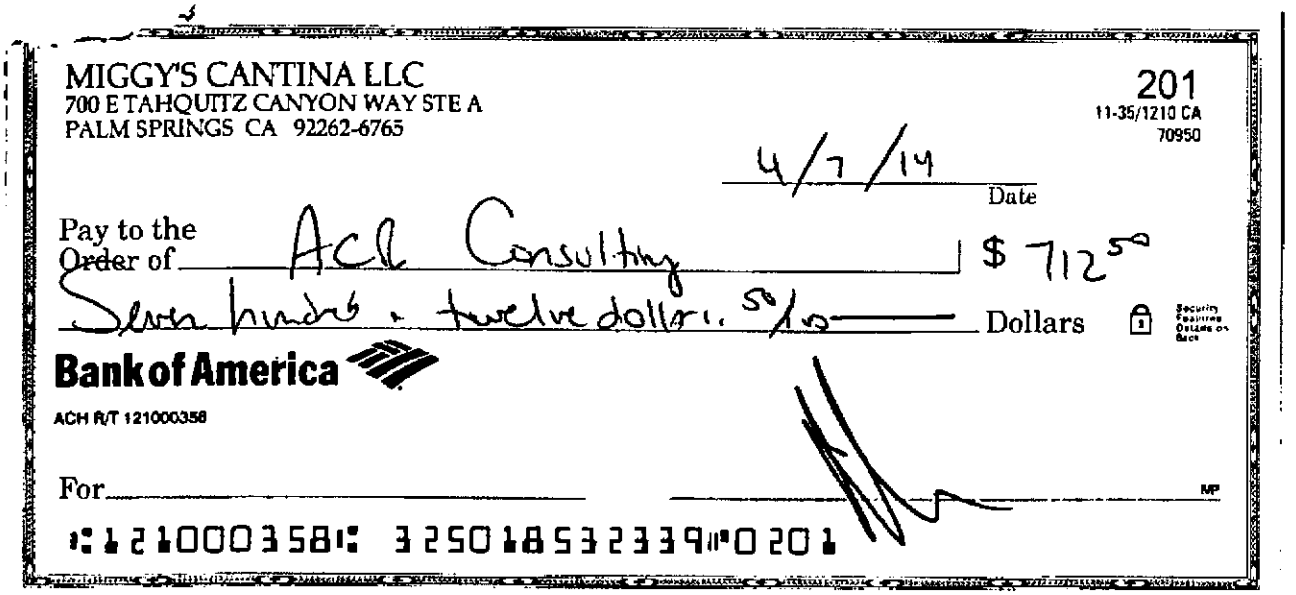
Pay to the Order of
Pacific Western Bank - CA Only
FOR DEPOSIT ONLY
PACIFIC WESTERN BANK
INDIAN WELLS, CA
SOUTHWEST PLUMBING INC
808121 2004619
SOUTHWEST PLUMBING, INC.
024004619

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
122238200

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	000002244848665	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/08/2014	046923973719515	122238200	Undetermined	N		PACIFIC WESTERN BANK
04/08/2014	000008156499519	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/08/2014	009892115442	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$712.50	Sequence Number:	8692355139
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	201



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

201
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of ACH Consulting $ 712.50

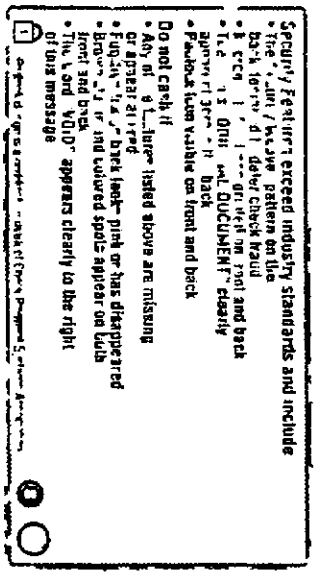
Seven hundred twelve dollars 50/100 Dollars

Bank of America

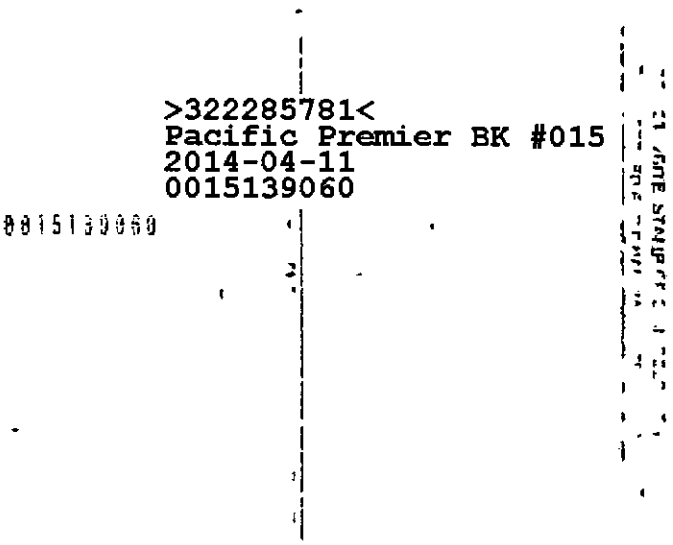
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0201

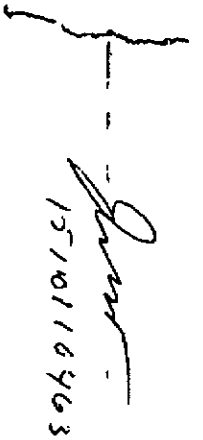


Security Features exceed industry standards and include
• The ... / ... pattern on the back ... deter check fraud
• ... on front and back
• The ... DOCUMENT" clearly ... back
• Pantograph ... front and back
Do not cash if
• Any of ... listed above are missing
or appear altered
• Fluorescent ... back look pink or has disappeared
• Brown ... or ... colored spots appear on both front and back
• The word "VOID" appears clearly to the right of this message



>322285781<
Pacific Premier BK #015
2014-04-11
0015139060

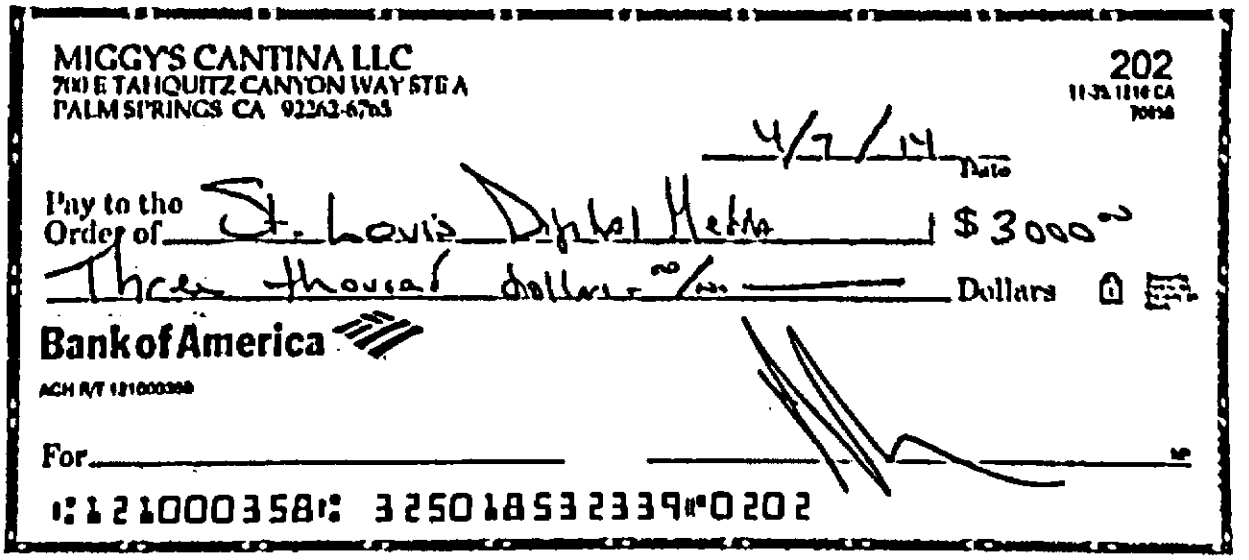
0015139060

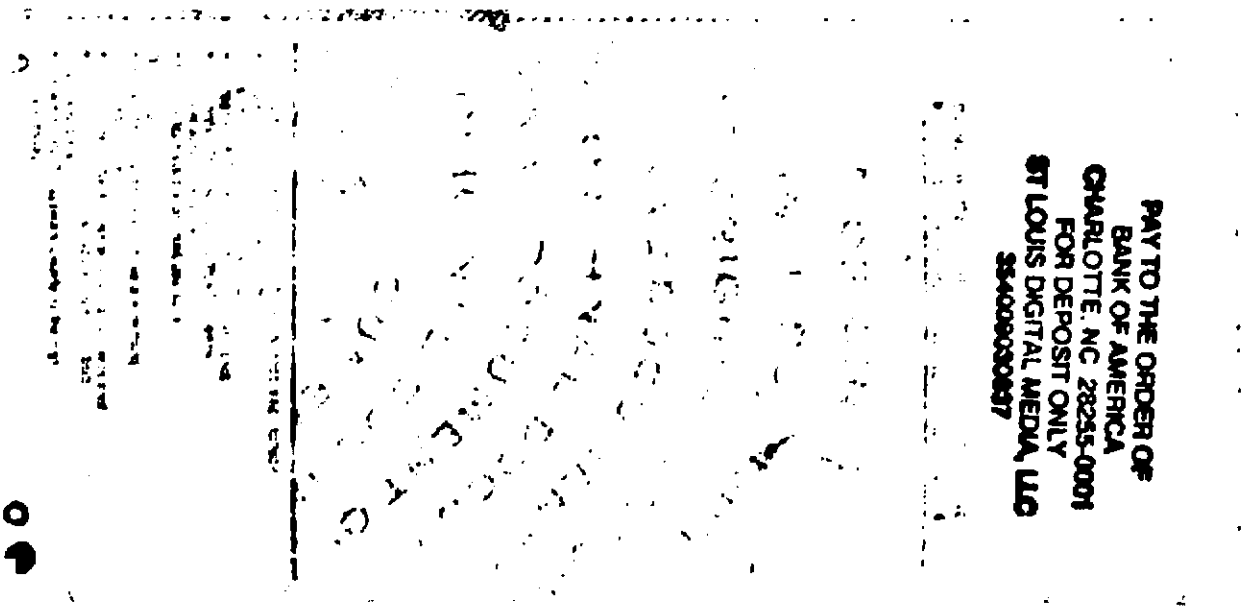


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	907355015139060	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
04/11/2014	008692355139	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	0000008137726342	122105278	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$3,000.00	Sequence Number:	1812488577
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	202





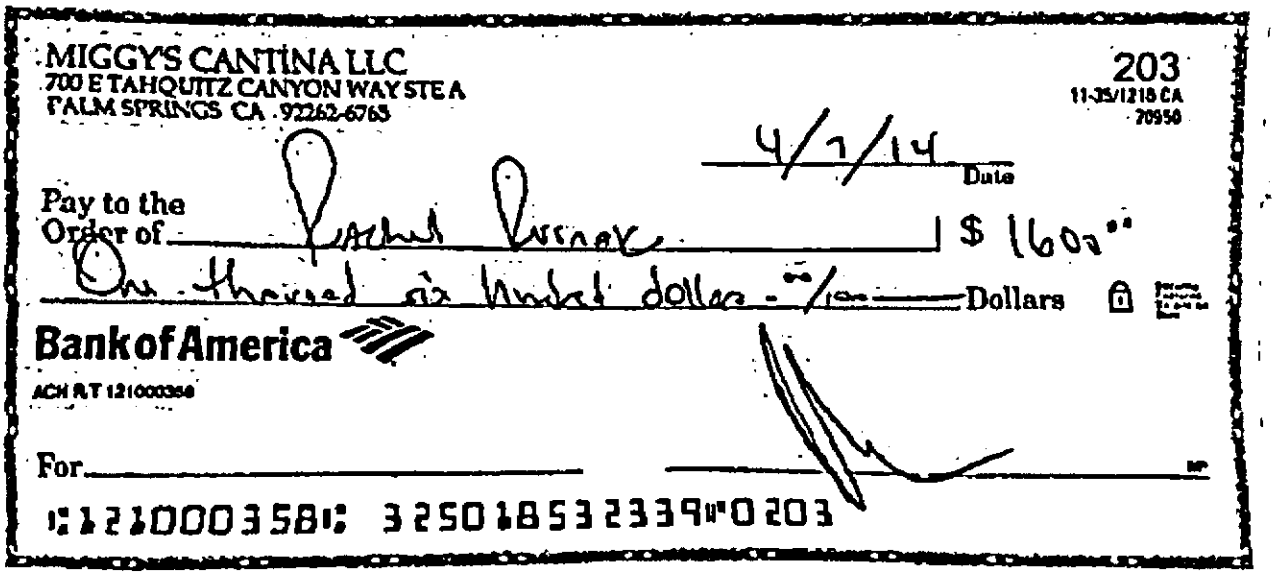
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	1812488577	111000025	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $1,600.00 Sequence Number: 9192563236

Account: 325018532339 Capture Date: 04/15/2014

Bank Number: 12100035 Check Number: 203



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

203
11-35/1218 CA
20950

4/7/14
Date

Pay to the Order of Rachel Ivanov $ 1600.00

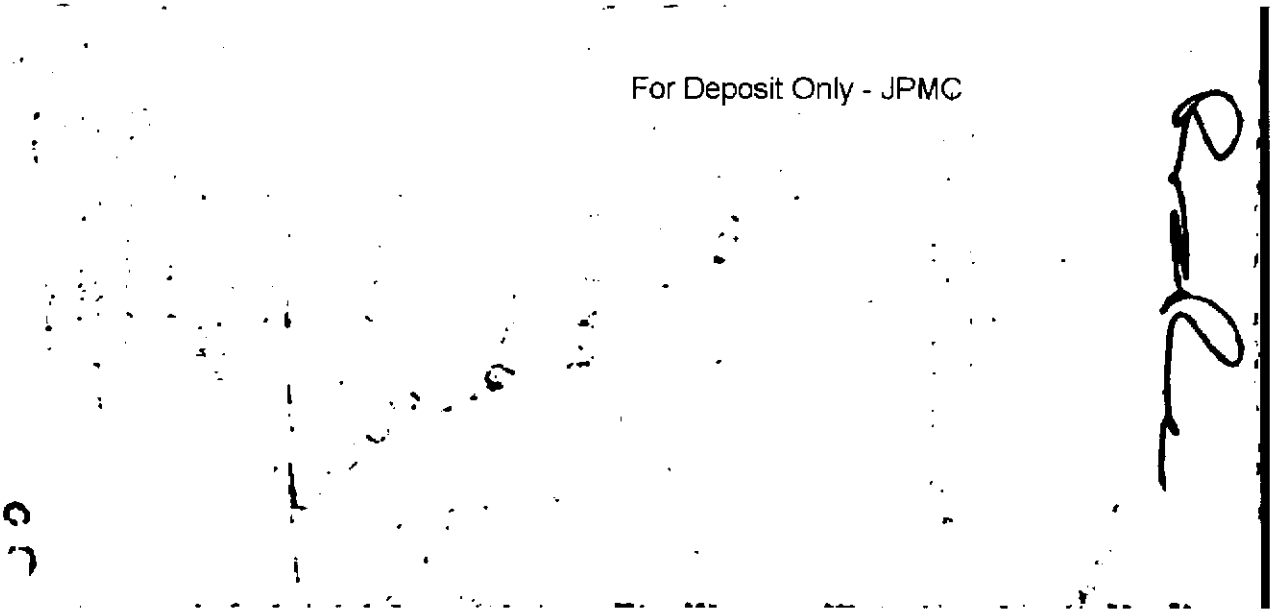
One thousand six hundred dollars - 00/100 Dollars

Bank of America

ACH RT 121000358

For

⑆121000358⑆ 325018532339⑈0203



For Deposit Only - JPMC

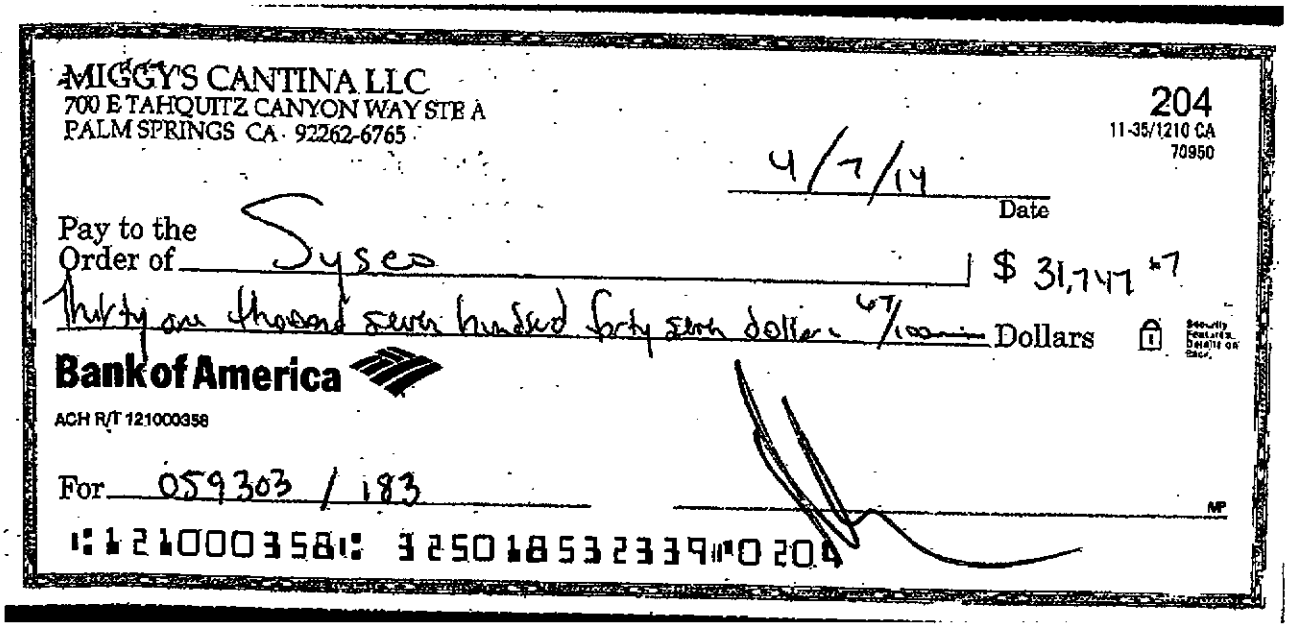
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	009192563236	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/15/2014	2080920307	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $31,747.67 Sequence Number: 4492652713

Account: 325018532339 Capture Date: 04/11/2014

Bank Number: 12100035 Check Number: 204



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

204
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Sysco $ 31,747 67

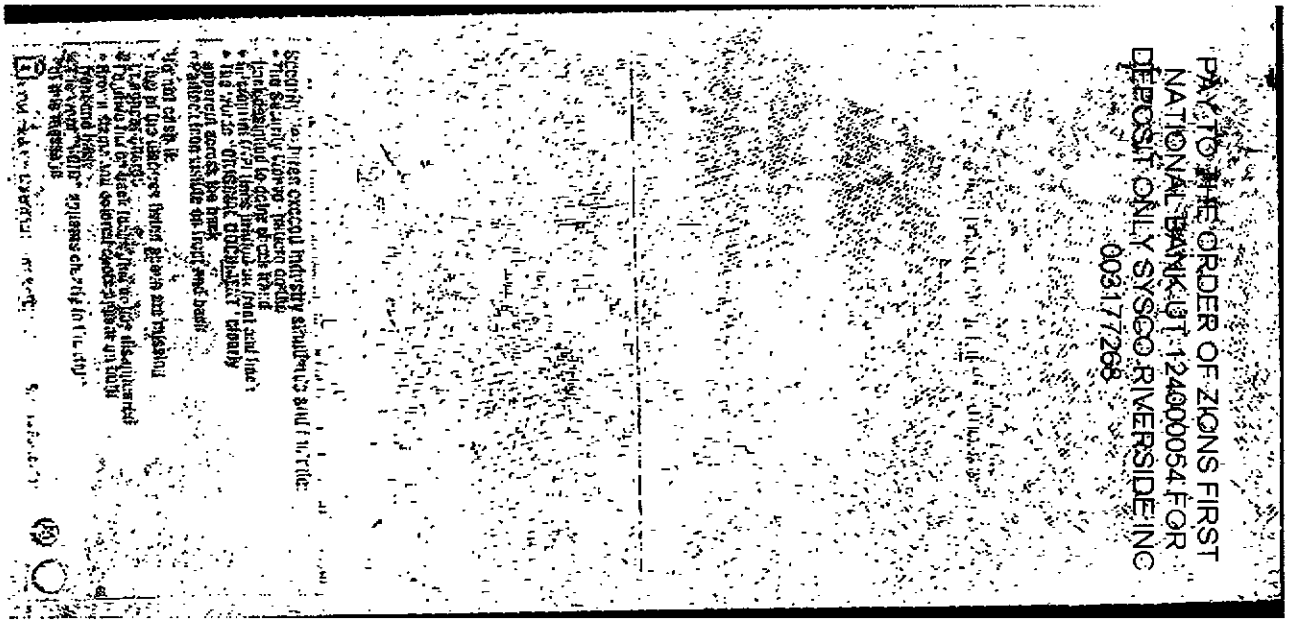
Thirty one thousand seven hundred forty seven dollars 67/100 Dollars

Bank of America

ACH R/T 121000358

For 059303 / 183

⑆121000358⑆ 325018532339⑈0204



PAY TO THE ORDER OF ZIONS FIRST NATIONAL BANK UT 124000054 FOR DEPOSIT ONLY SYSCO RIVERSIDE INC 003177268

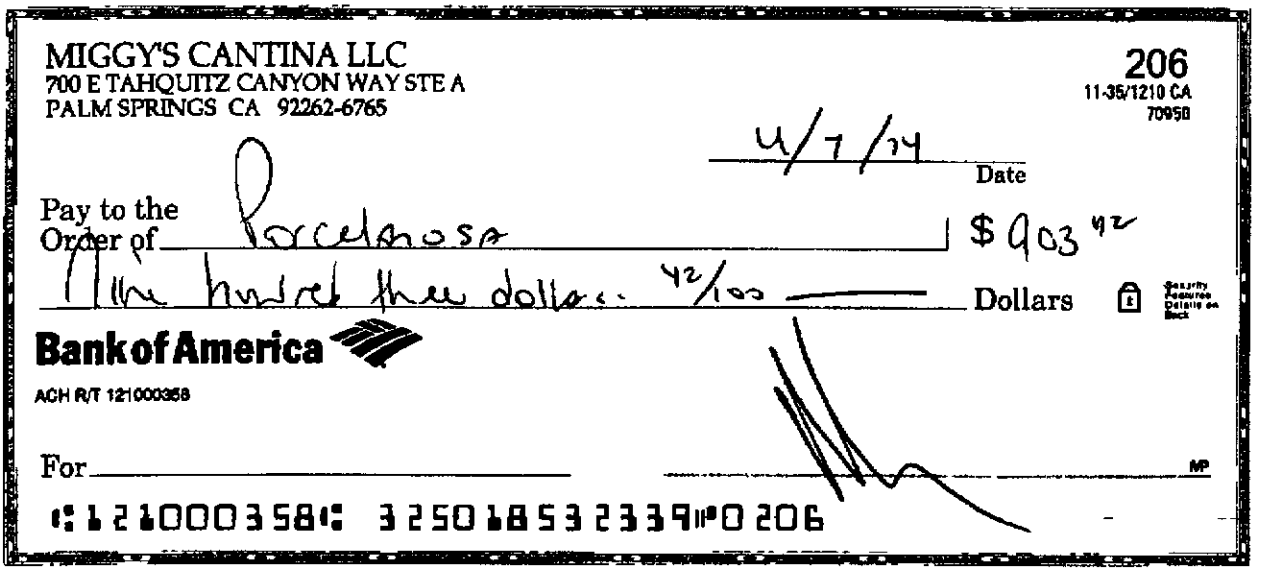
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	9199389474	61000146	Undetermined	N		FEDERAL RES BANK OF
04/11/2014	004492652713	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	000051455329241	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount: $903.42 Sequence Number: 8792451042

Account: 325018532339 Capture Date: 04/14/2014

Bank Number: 12100035 Check Number: 206



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

206
11-35/1210 CA
70958

4/7/14
Date

Pay to the Order of Porcelanosa $ 903 42

Nine hundred three dollars 42/100 Dollars

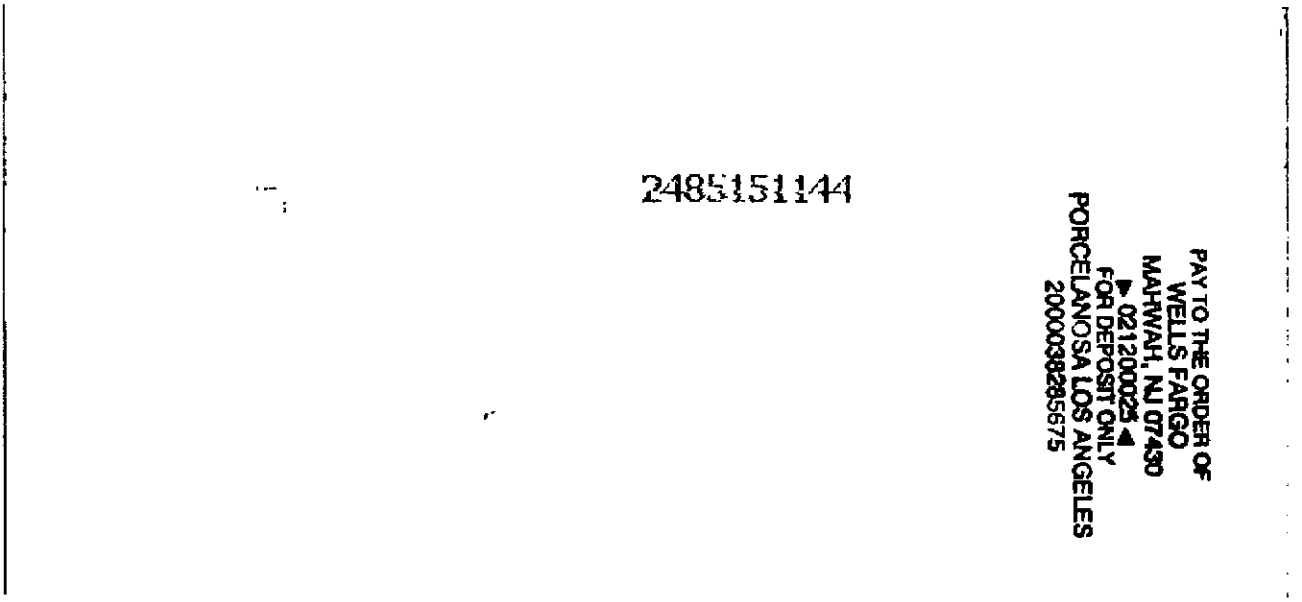
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0206



2485151144

PAY TO THE ORDER OF
WELLS FARGO
MAHWAH, NJ 07430
▼ 021200025 ▲
FOR DEPOSIT ONLY
PORCELANOSA LOS ANGELES
2000038285675

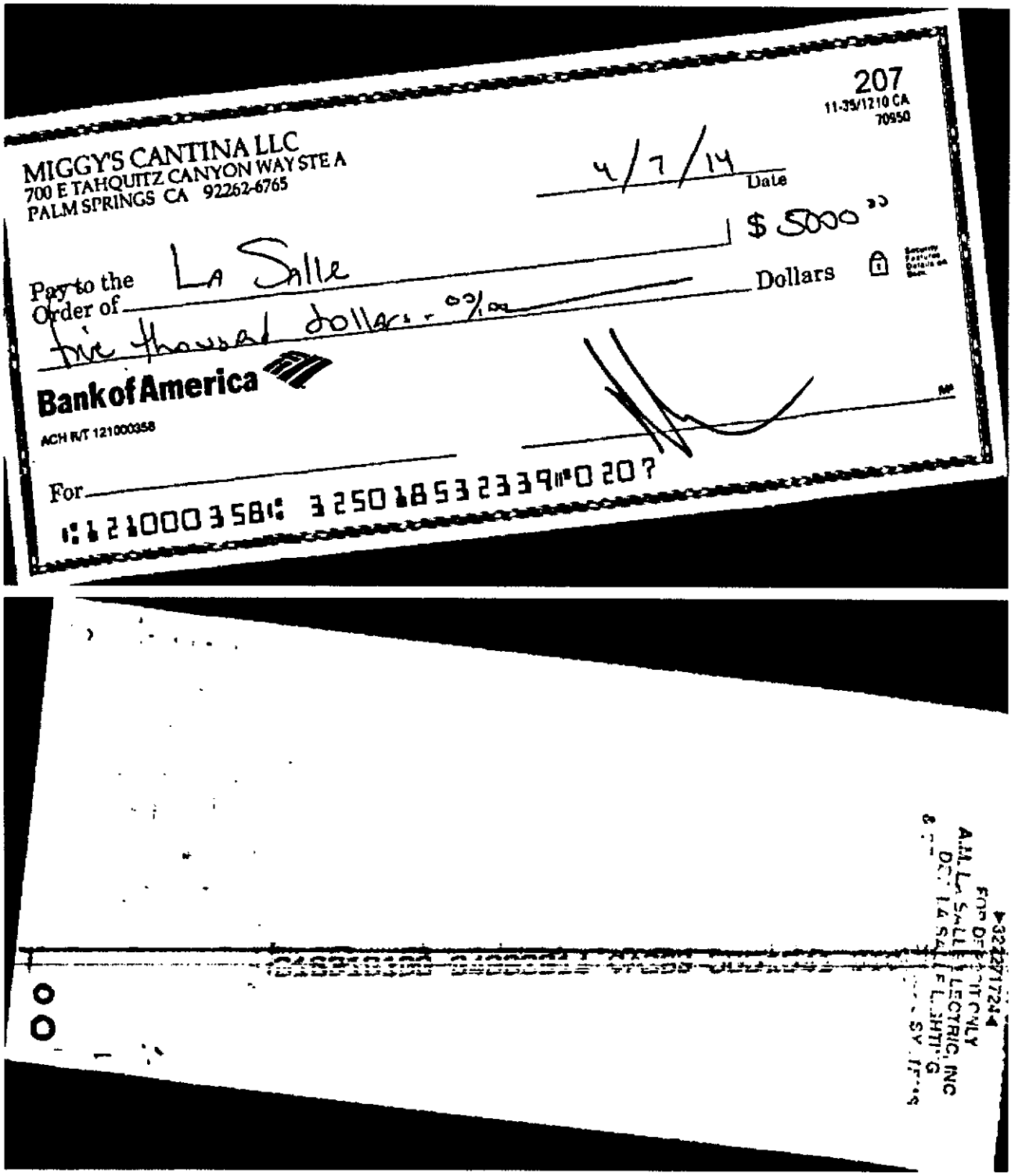
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	008792451042	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000002485151144	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $5,000.00 Sequence Number: 6092064402

Account: 325018532339 Capture Date: 04/08/2014

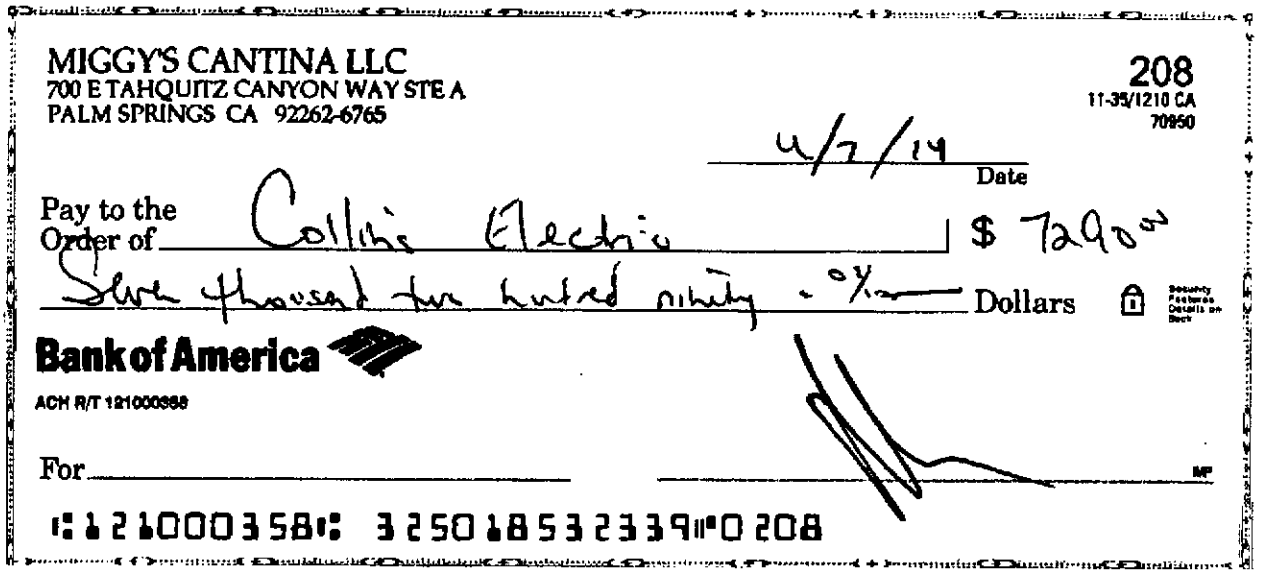
Bank Number: 12100035 Check Number: 207



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	006092064402	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/08/2014	000008000183139	21000089	Rtn Loc/BOFD	Y		CITIBANK, N.A.

Amount:	$7,290.00	Sequence Number:	9492326480
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	208



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

208
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Collins Electric $ 7290.00

Seven thousand two hundred ninety and 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0208

for deposit to 4838420001

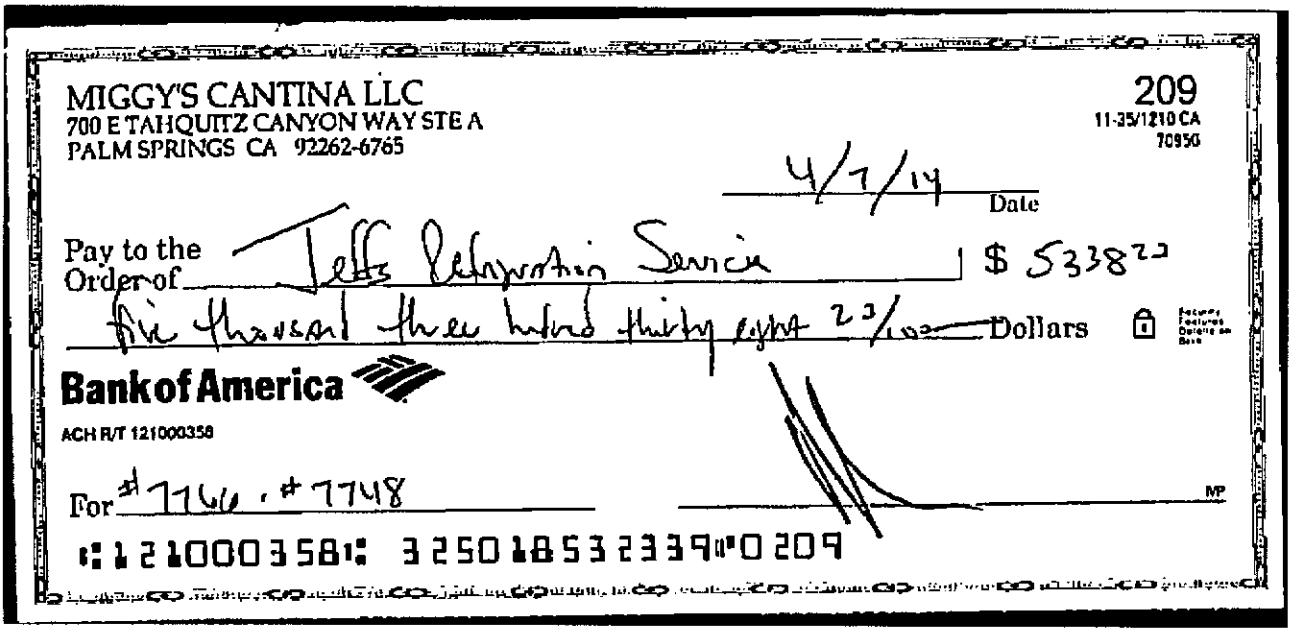
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	009492326480	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/16/2014	5590355160	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $5,338.23 Sequence Number: 9092673145

Account: 325018532339 Capture Date: 04/14/2014

Bank Number: 12100035 Check Number: 209



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

209
11-35/1210 CA
70950

4/7/14
Date

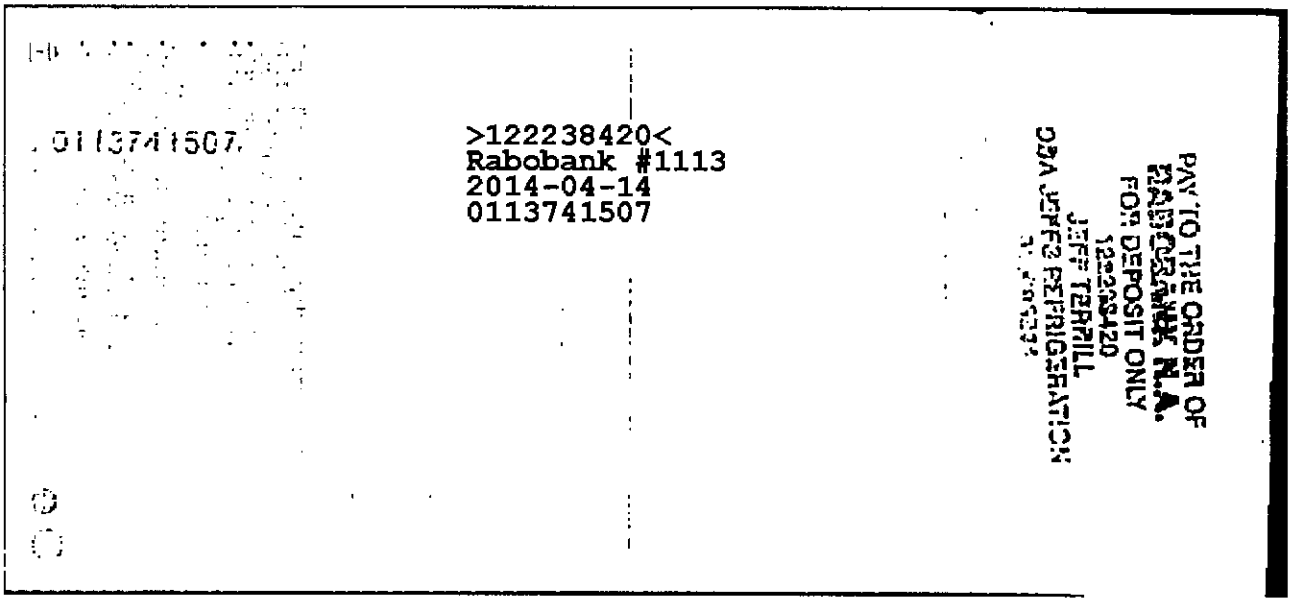
Pay to the Order of Jeffs Refrigeration Service $ 5338.23

five thousand three hundred thirty eight 23/100 Dollars

Bank of America
ACH R/T 121000358

For #7766, #7748

⑆121000358⑆ 325018532339⑈0209



⑆122238420⑆ 0113741507

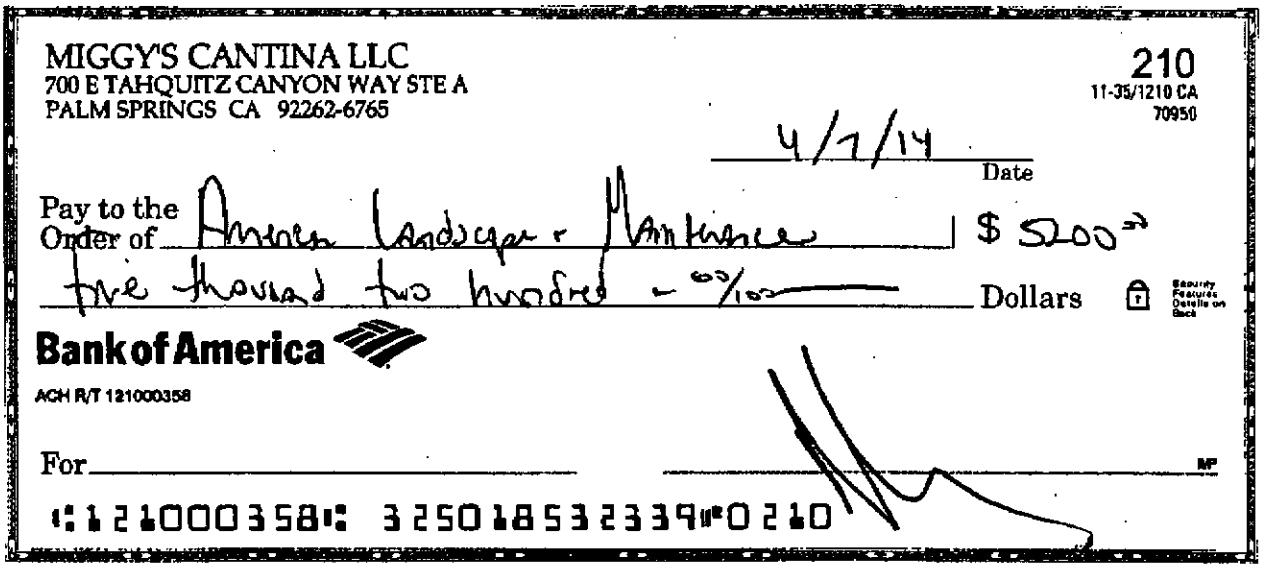
>122238420<
Rabobank #1113
2014-04-14
0113741507

PAY TO THE ORDER OF
RABOBANK N.A.
FOR DEPOSIT ONLY
122238420
JEFFS REFRIGERATION
CSA

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	009092673145	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000008438626869	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/14/2014	000000113741507	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$5,200.00	Sequence Number:	5192720828
Account:	325018532339	Capture Date:	04/15/2014
Bank Number:	12100035	Check Number:	210



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

210
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of American Landscape Maintenance $ 5200.00

five thousand two hundred - 00/100 Dollars

Security Features Details on Back

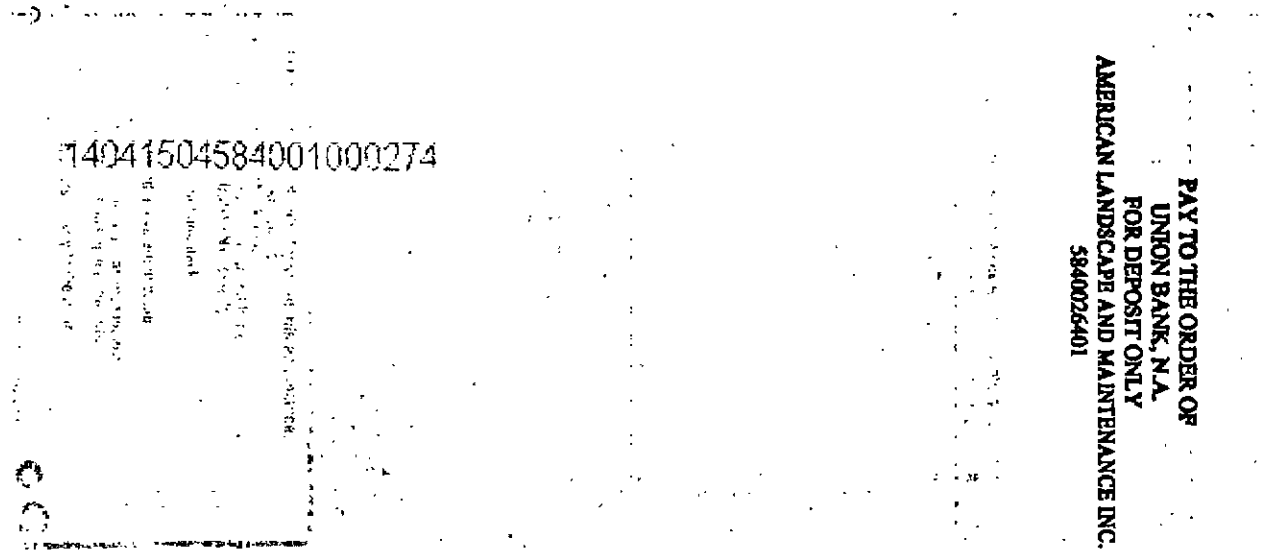
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0210



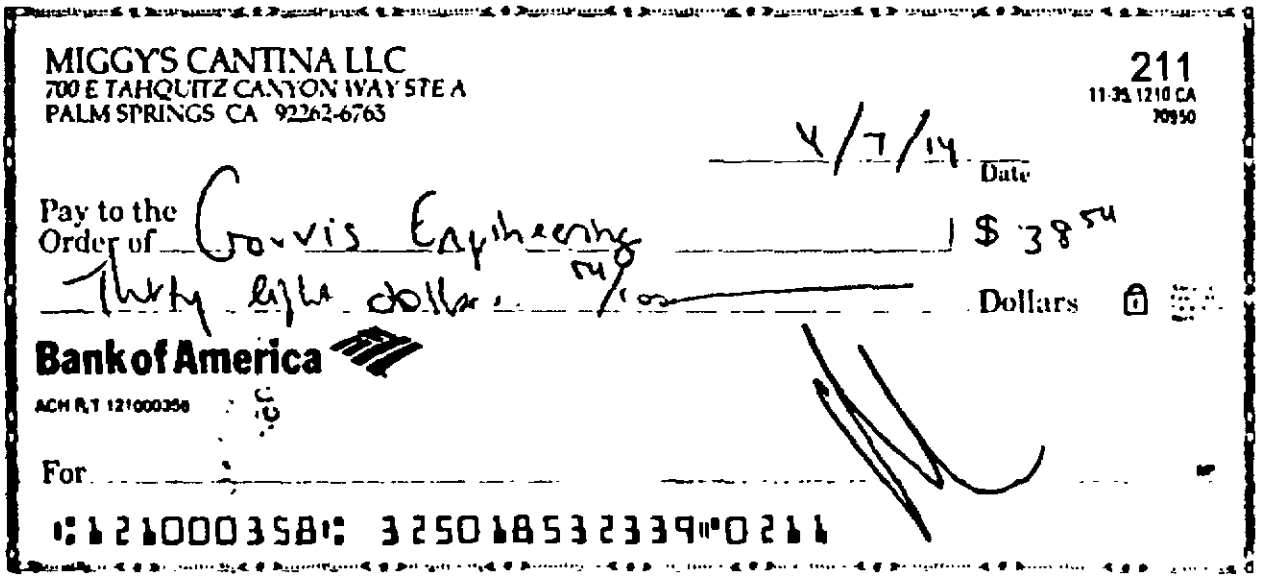
14041504584001000274

PAY TO THE ORDER OF
UNION BANK, N.A.
FOR DEPOSIT ONLY
AMERICAN LANDSCAPE AND MAINTENANCE INC.
5840026401

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	005192720828	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/15/2014	4476745874	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$38.54	Sequence Number:	8392789671
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	211



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6763

211
11-35 1210 CA
70950

4/7/14
Date

Pay to the Order of Gouvis Engineering $ 38.54

Thirty eight dollars 54/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0211

PAY TO THE ORDER O
WELLS FARGO BANK, N.
>122000247<
FOR DEPOSIT ONLY
GOUVIS ENGINEERING CONSULTING GROU
2018677054

WELLS FARGO BANK WA EXT
20140410 E0023 PKT 04
▶1221-0527-8◀
000000000

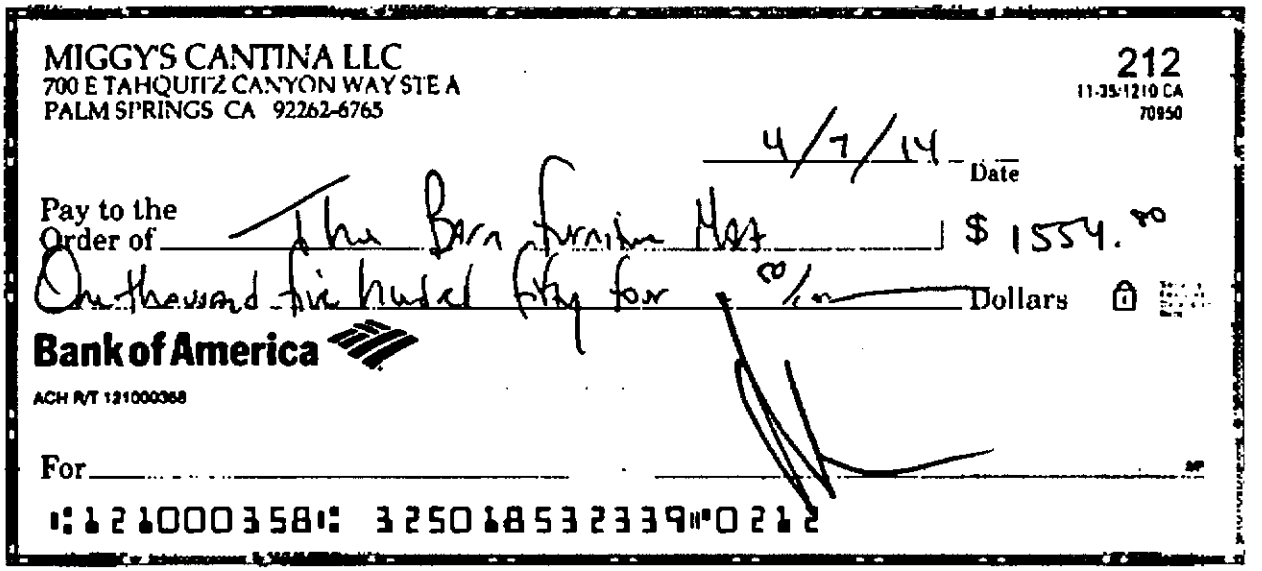
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	008392789671	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/10/2014	000002223598570	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $1,554.80 Sequence Number: 6842606268

Account: 325018532339 Capture Date: 04/09/2014

Bank Number: 12100035 Check Number: 212



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

212
11-35-1210 CA
70950

4/7/14 Date

Pay to the Order of The Barn Furniture Mart $ 1554.80

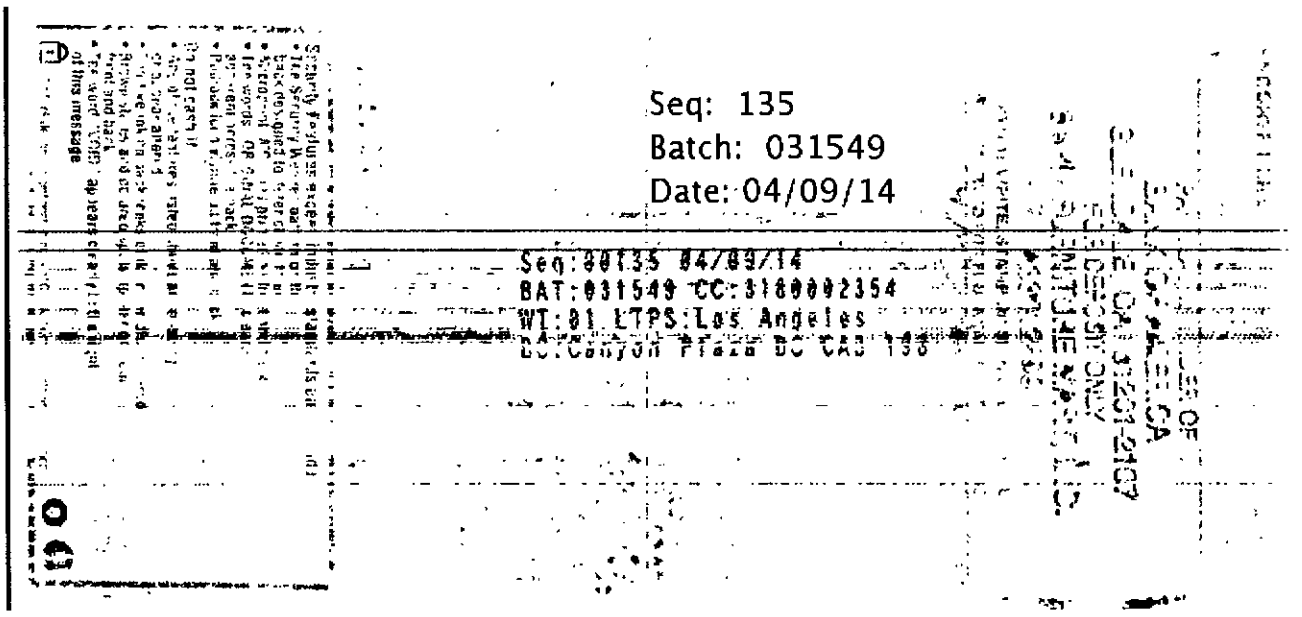
One thousand five hundred fifty four 80/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0212



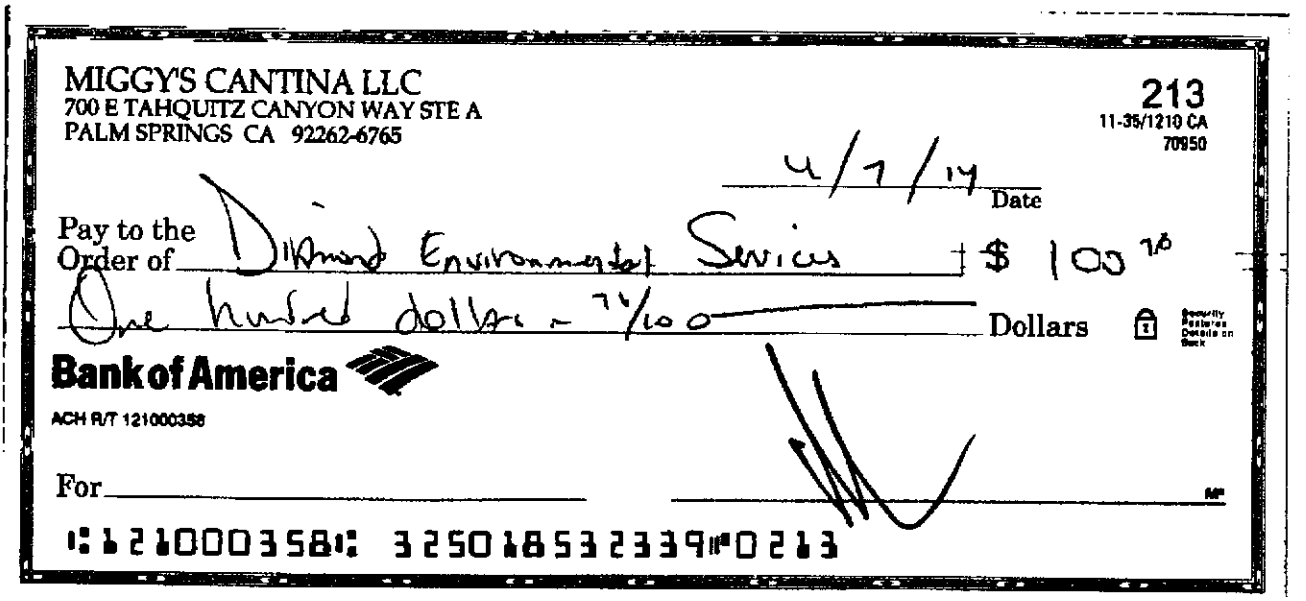
Seq: 135
Batch: 031549
Date: 04/09/14

Seq:00135 04/09/14
BAT:031549 CC:3100002354
WI:01 LTPS:Los Angeles
DL:Canyon Plaza DC CAD 130

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	6842606268	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$100.76	Sequence Number:	8392666120
Account:	325018532339	Capture Date:	04/10/2014
Bank Number:	12100035	Check Number:	213



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

213
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Diamond Environmental Services $ 100 76

One hundred dollars - 76/100 Dollars

Bank of America

ACH R/T 121000358

For

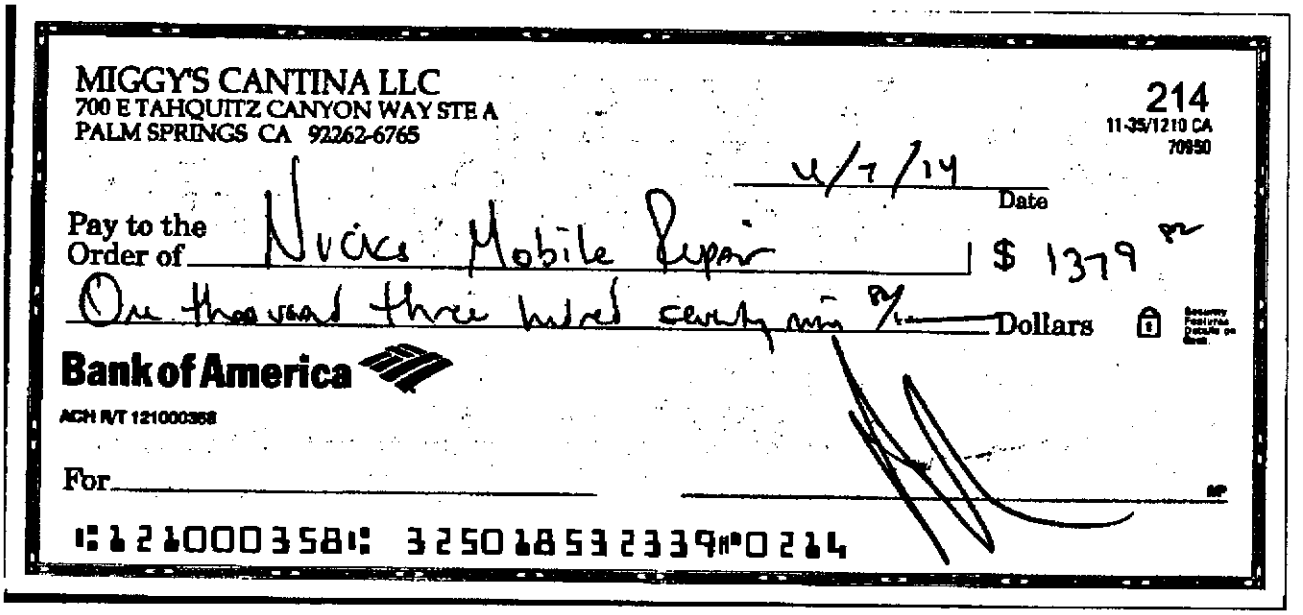
⑆121000358⑆ 325018532339⑈0213

Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	046923973824516	122238200	Undetermined	N		PACIFIC WESTERN BANK
04/10/2014	000002247341325	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
04/10/2014	008392666120	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/10/2014	000008859026104	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$1,379.82	Sequence Number:	9692184355
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	214



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

214
11-35/1210 CA
70950

4/7/14
Date

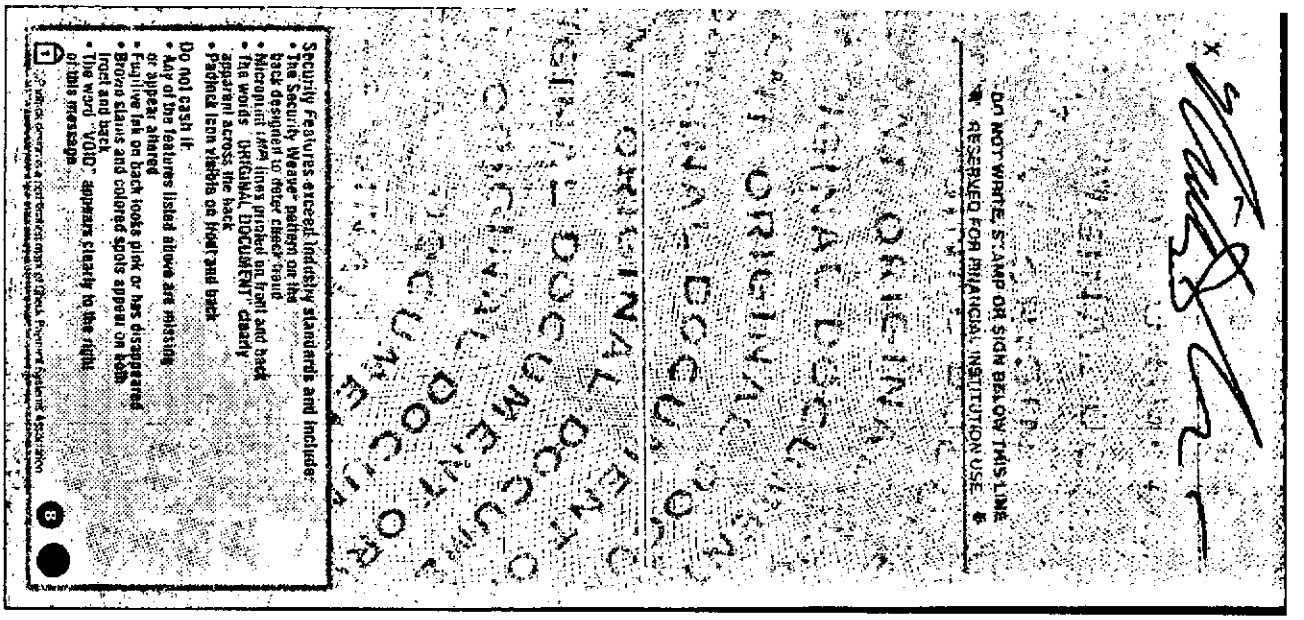
Pay to the Order of Nuvica Mobile Repair $ 1379 82

One thousand three hundred seventy nine 82/100 Dollars

Bank of America
ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0214



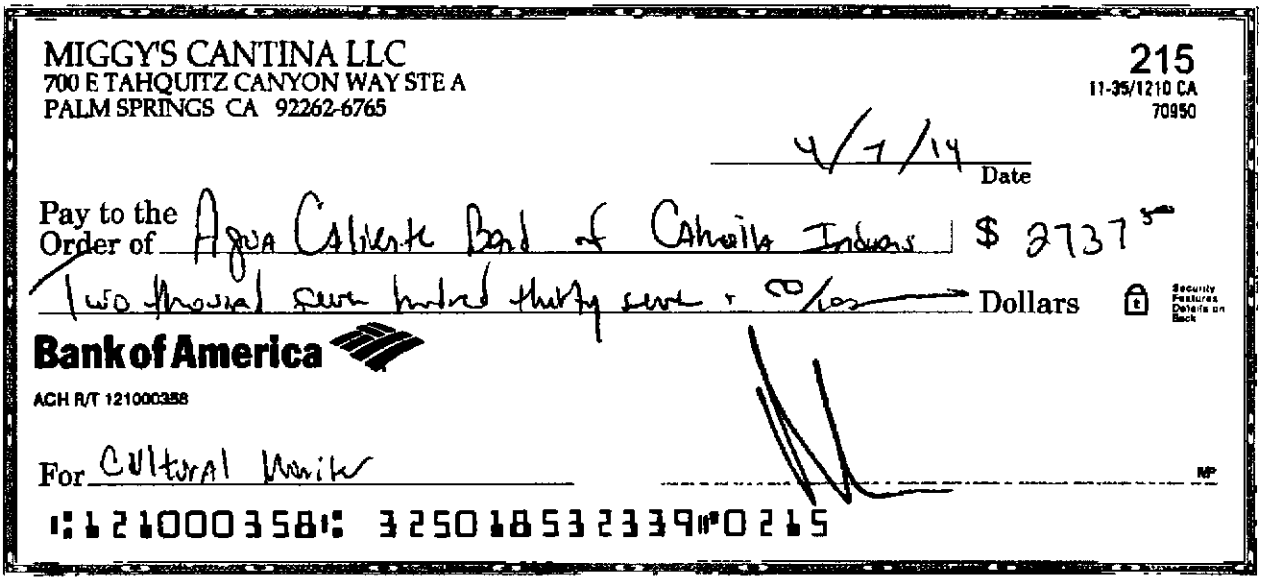
Security Features exceed industry standards and include:
• The Security Weave® pattern on the back designed to deter check fraud
• Microprint lines printed on front and back
• The words "ORIGINAL DOCUMENT" clearly apparent across the back
• Padlock icon visible on front and back
Do not cash if
• Any of the features listed above are missing or appear altered
• Fugitive ink on back looks pink or has disappeared
• Brown stains and colored spots appear on both front and back
• The word "VOID" appears clearly to the right of this message

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	0044001068	62001186	Undetermined	N		COMPASS BANK
04/17/2014	0044001068	62001186	Rtn Loc/BOFD	Y		COMPASS BANK
04/17/2014	009692184355	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,737.50	Sequence Number:	5292349873
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	215



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

215
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Agua Caliente Band of Cahuilla Indians $ 2737.50

Two thousand seven hundred thirty seven + 50/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For Cultural Monitor

MP

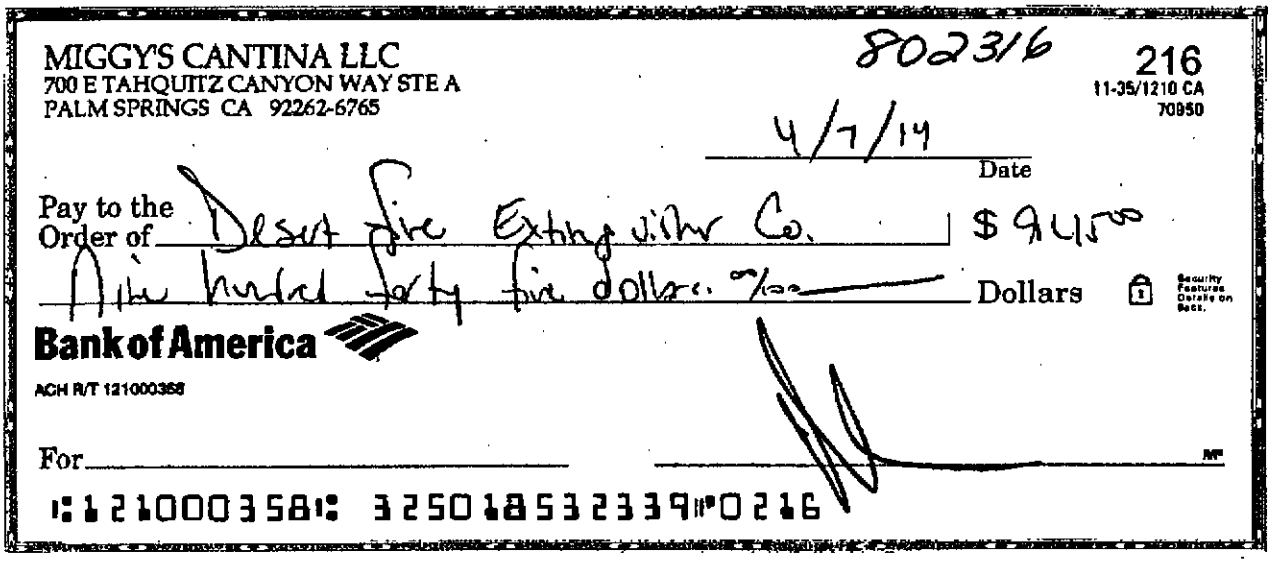
⑆121000358⑆ 325018532339⑈0215

FOR DEPOSIT ONLY
322010235
GOVERNMENT OPERATION
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	4512167219	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/16/2014	005292349873	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$945.00	Sequence Number:	6092765957
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	216



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

802316

216
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Desert Fire Extinguisher Co. $ 945.00

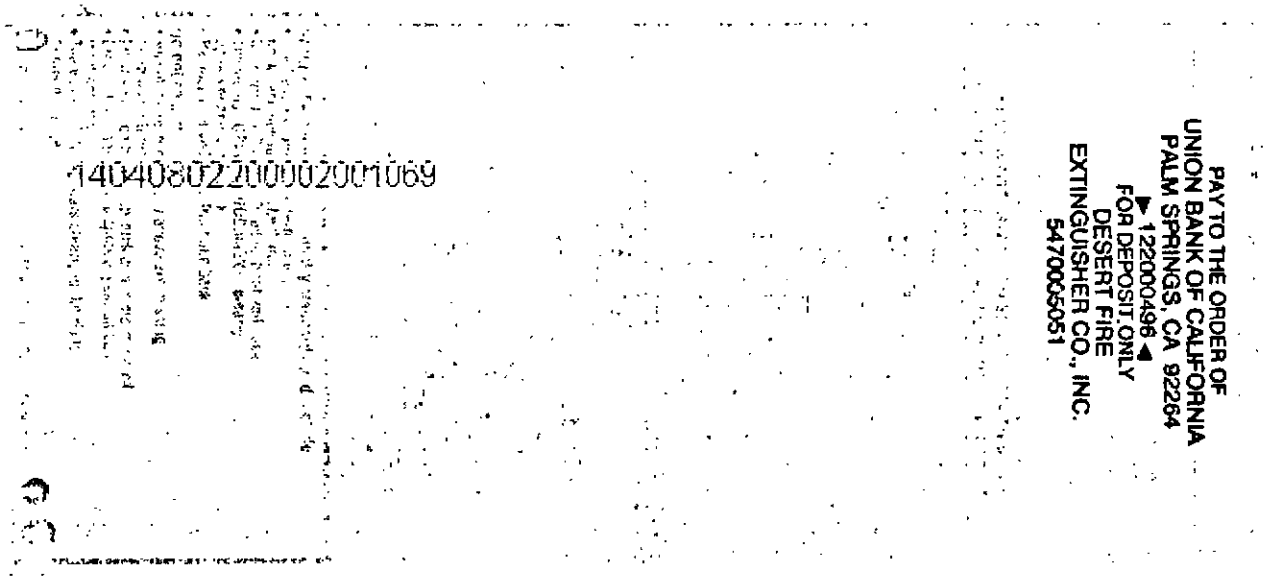
Nine hundred forty five dollars 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0216



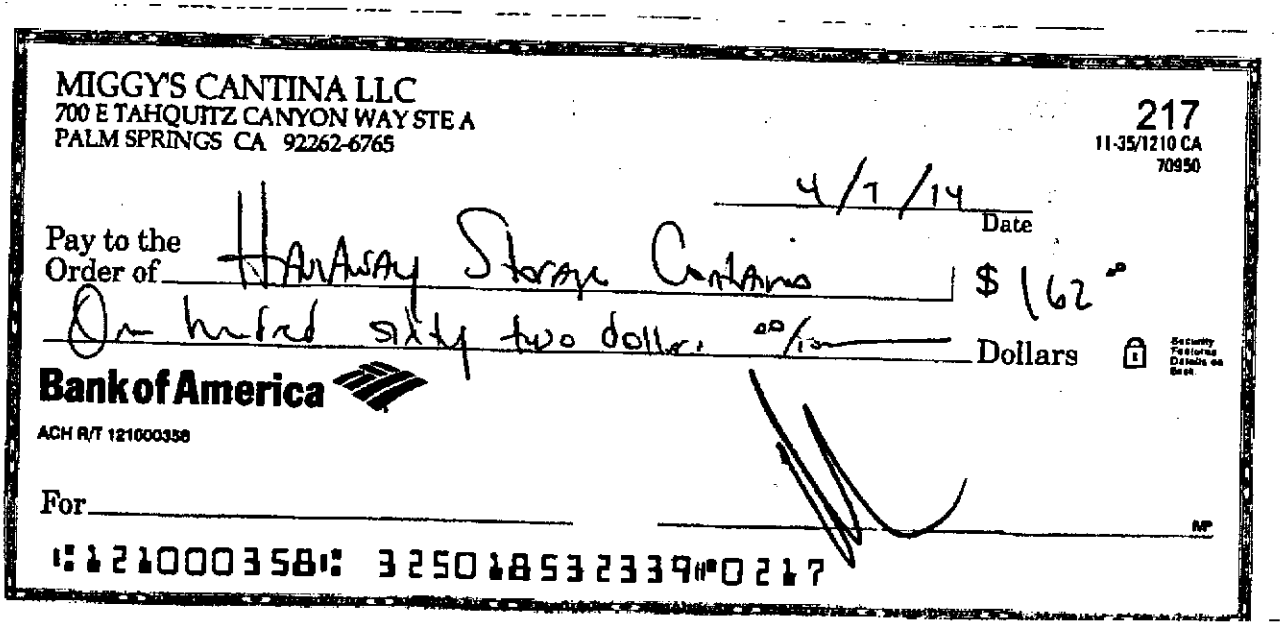
14040802200002001069

PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM SPRINGS, CA 92264
▶122000496◀
FOR DEPOSIT ONLY
DESERT FIRE
EXTINGUISHER CO., INC.
5470005051

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/08/2014	4476381839	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/09/2014	006092765957	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$162.00	Sequence Number:	4192791158
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	217



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

217
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of HARAWAY Storage Cantina $ 162.00

One hund sixty two dollars 00/100 Dollars

Bank of America

ACH R/T 121000358

For

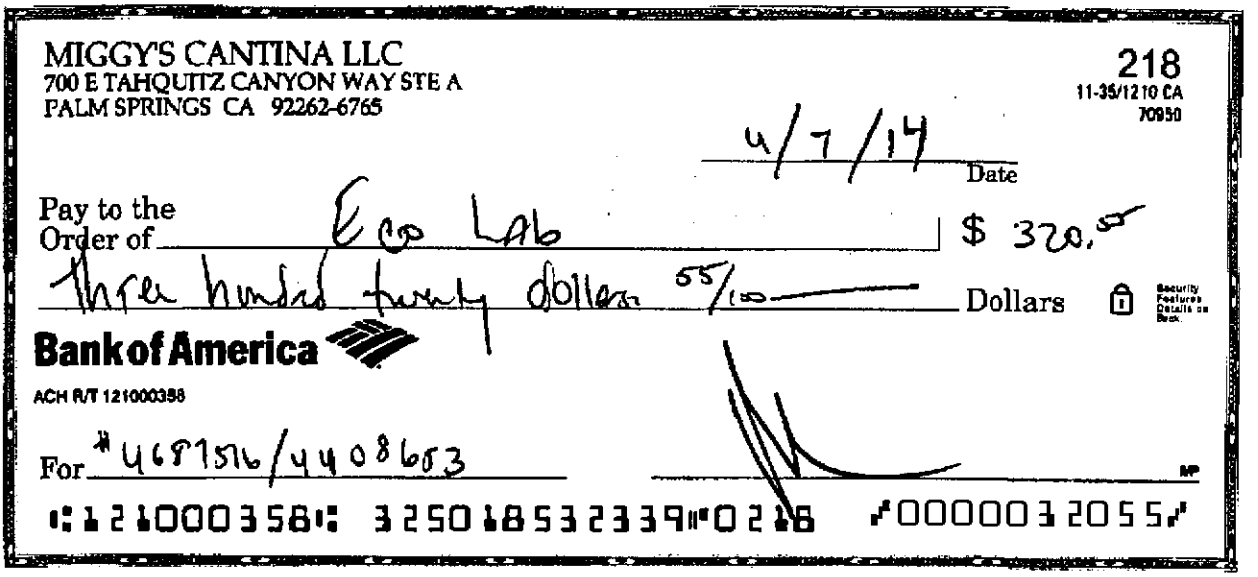
⑆121000358⑆ 325018532339⑈0217

000102 153 040914 1051
5000543996 LOS CRED TO PAYEE
748012671/81 ABS END GUAR
040914 029020 153 306

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	004192791158	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	0460092420	121100782	Rtn Loc/BOFD	Y		BANK OF THE WEST

Amount:	$320.55	Sequence Number:	9892442188
Account:	325018532339	Capture Date:	04/09/2014
Bank Number:	12100035	Check Number:	218



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

218
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Eco Lab $ 320.55

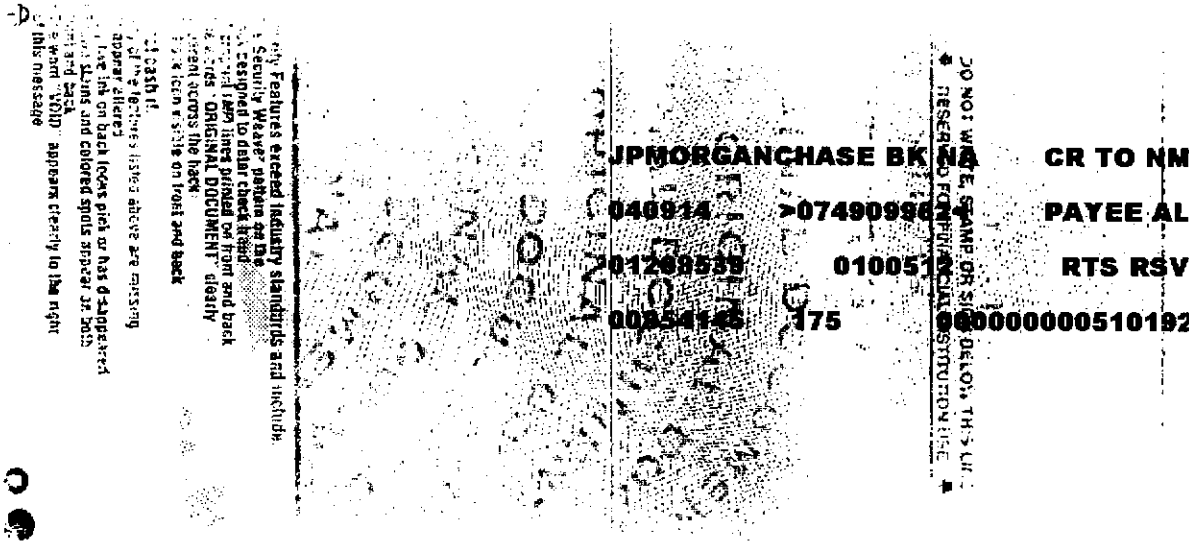
Three hundred twenty dollars 55/100 Dollars

Bank of America

ACH R/T 121000358

For #468156/4408653

⑆121000358⑆ 325018532339⑈0218 ⑈0000320 55⑈



JPMORGANCHASE BK NA CR TO NMD
040914 >07490998< PAYEE ALL
201208539 0100512 RTS RSVD
00254145 175 0000000005101921

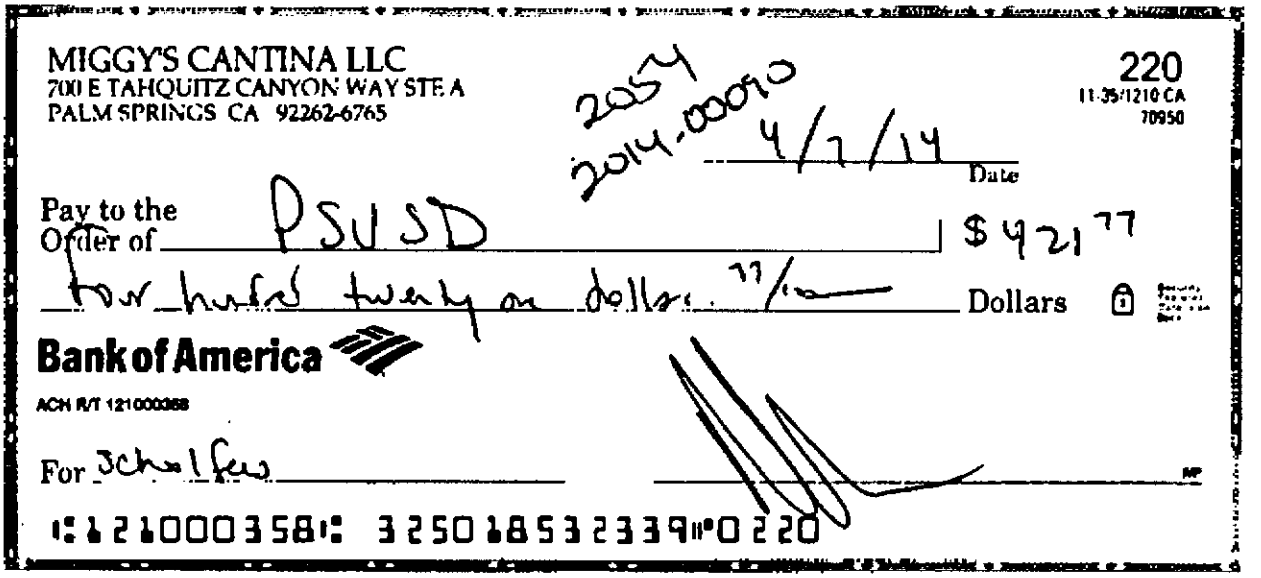
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	6080018456	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
04/09/2014	009892442188	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $421.77 Sequence Number: 7142912245

Account: 325018532339 Capture Date: 04/11/2014

Bank Number: 12100035 Check Number: 220



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

2054
2014-00090

220
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of PSUSD $ 421 77

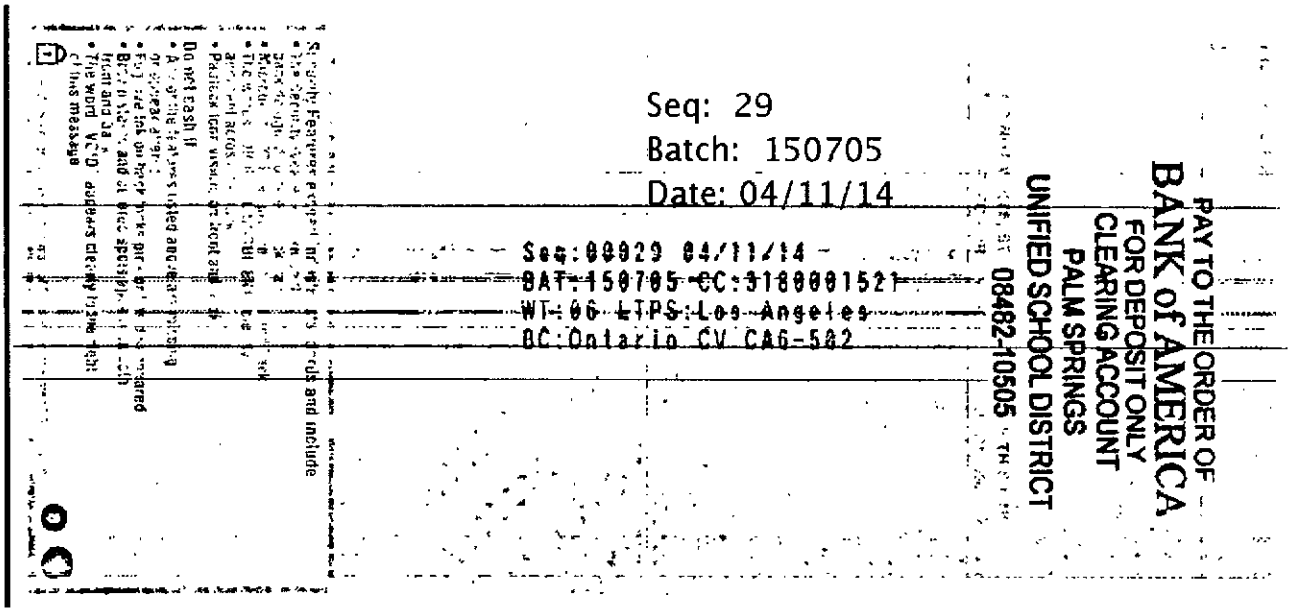
four hundred twenty one dollars 77/100 Dollars

Bank of America

ACH R/T 121000358

For School fees

⑆121000358⑆ 325018532339⑈0220



Seq: 29
Batch: 150705
Date: 04/11/14

Seq:00029 04/11/14
BAT:150705 CC:318000152
WT:06 LTPS:Los Angeles
BC:Ontario CV CA6-582

PAY TO THE ORDER OF
BANK of AMERICA
FOR DEPOSIT ONLY
CLEARING ACCOUNT
PALM SPRINGS
UNIFIED SCHOOL DISTRICT
08462-10505

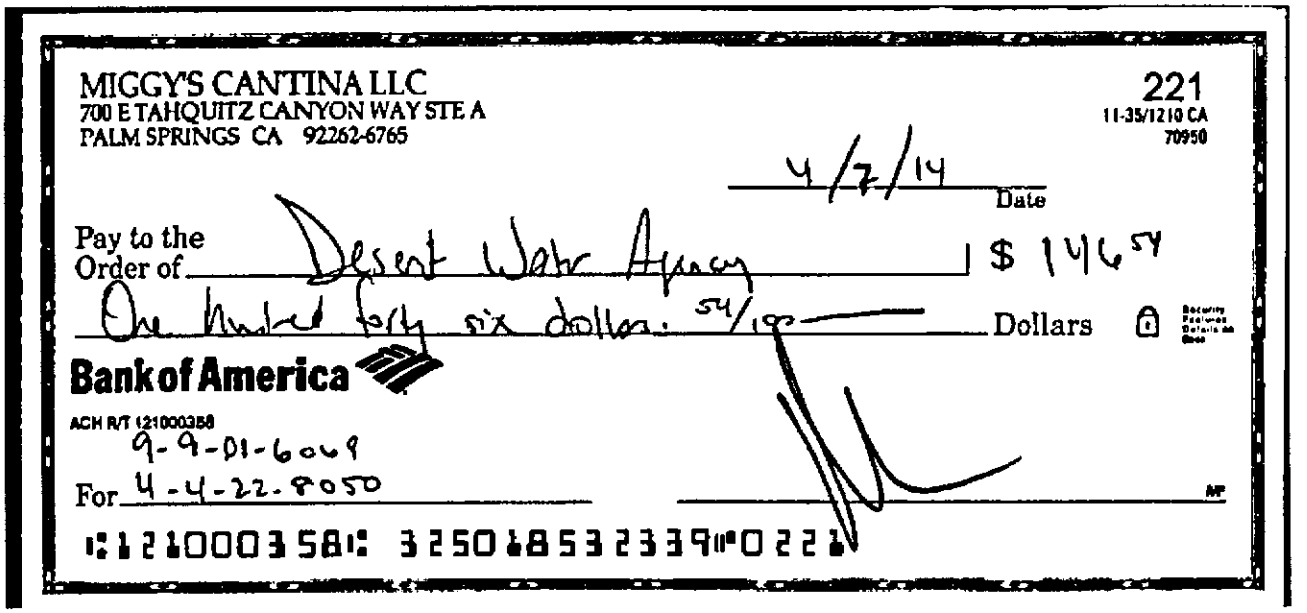
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	7142912245	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $146.54 Sequence Number: 4292064573

Account: 325018532339 Capture Date: 04/09/2014

Bank Number: 12100035 Check Number: 221



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

221
11-35/1210 CA
70950

4/7/14
Date

Pay to the Order of Desert Water Agency $ 146.54

One hundred forty six dollars 54/100 Dollars

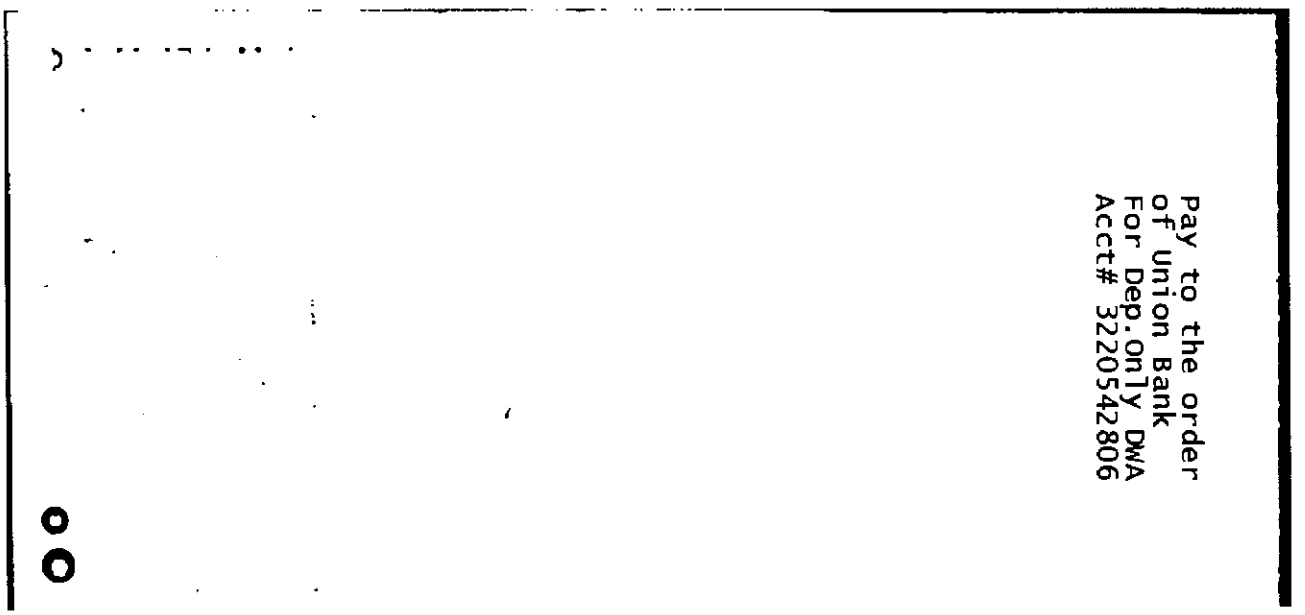
Bank of America

ACH R/T 121000358

9-9-01-6049

For 4-4-22.8050

⑆121000358⑆ 325018532339⑈0221



Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

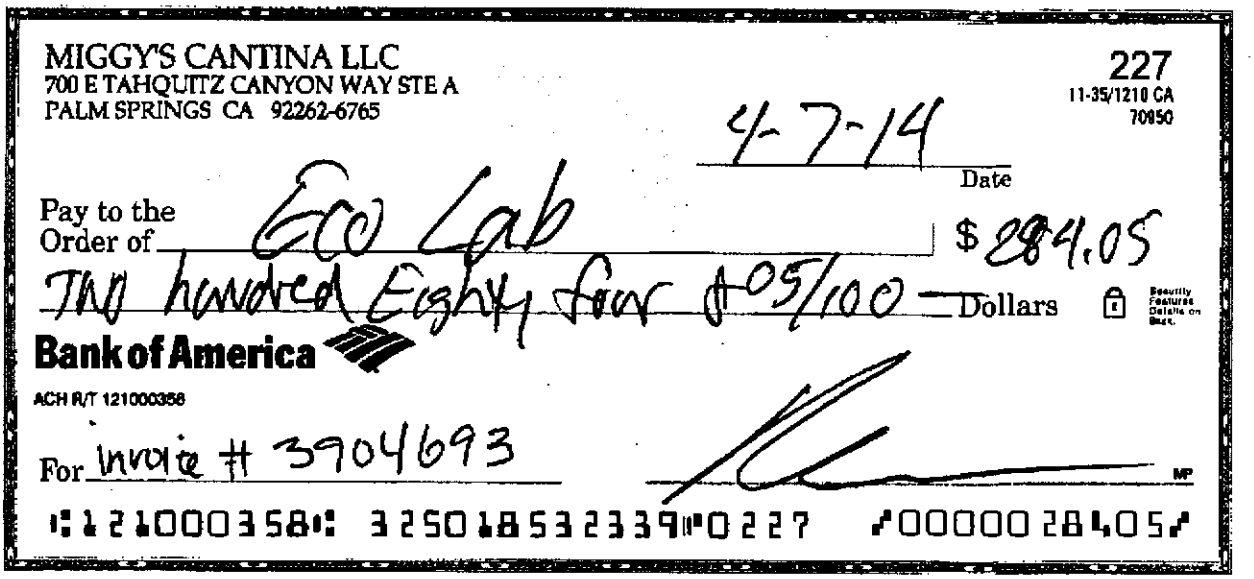
Electronic Endorsements:

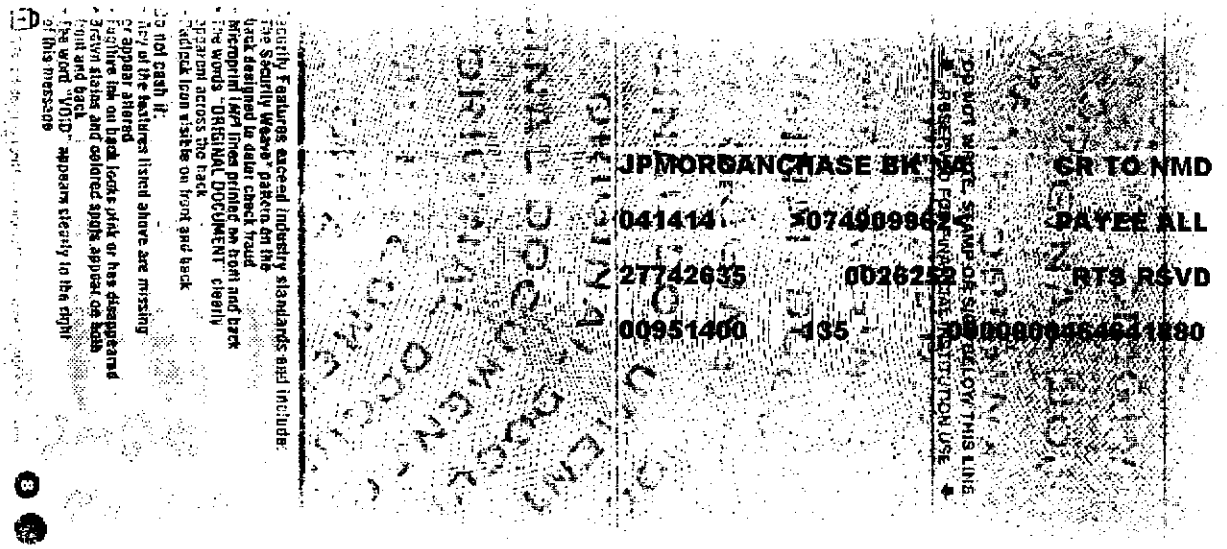
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/09/2014	004292064573	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/09/2014	4513004937	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount: $284.05 Sequence Number: 8792162040

Account: 325018532339 Capture Date: 04/14/2014

Bank Number: 12100035 Check Number: 227





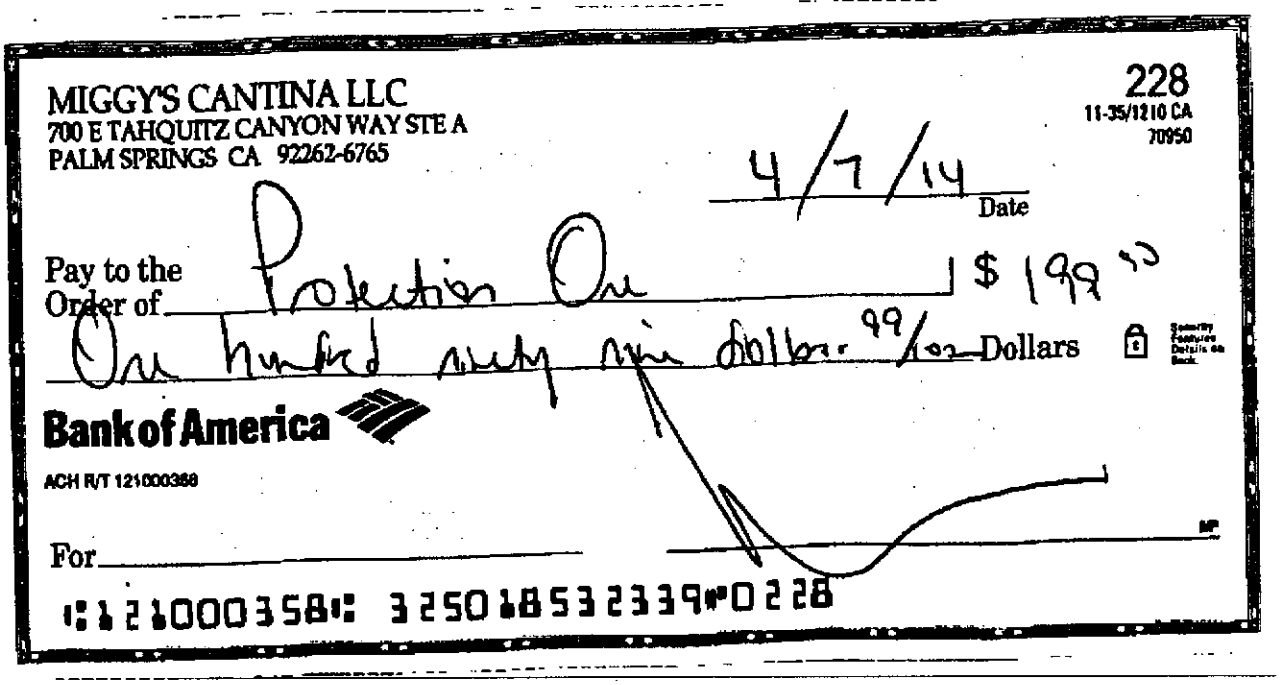
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	5380559950	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
04/14/2014	008792162040	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $199.99 Sequence Number: 8092554524

Account: 325018532339 Capture Date: 04/18/2014

Bank Number: 12100035 Check Number: 228



CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

041814

000000000060844552

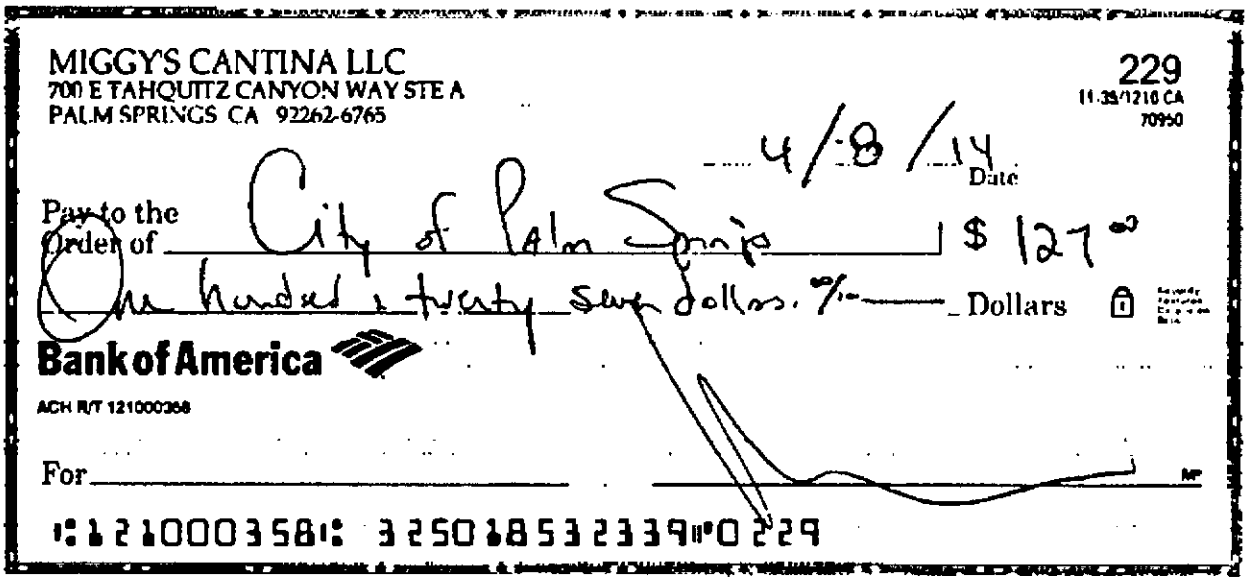
Electronic Endorsements:

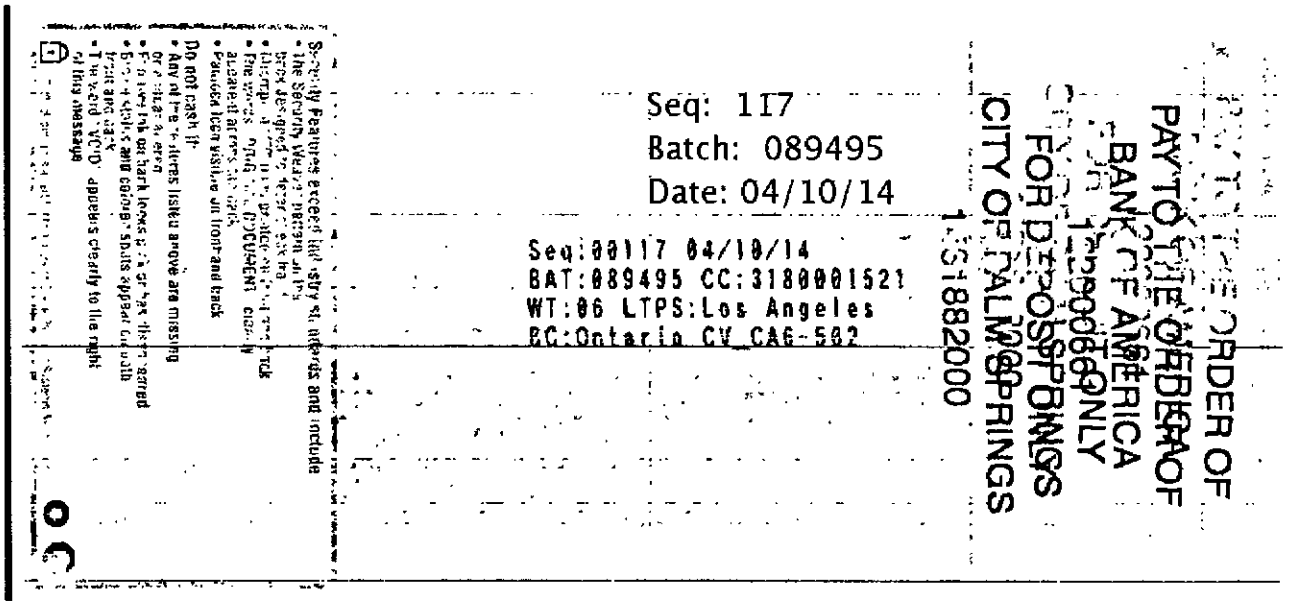
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/18/2014	000007373560367	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
04/18/2014	007373560367	101000695	Undetermined	N		UMB BANK, NATIONAL A
04/18/2014	008092554524	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $127.00 Sequence Number: 5642600600

Account: 325018532339 Capture Date: 04/10/2014

Bank Number: 12100035 Check Number: 229

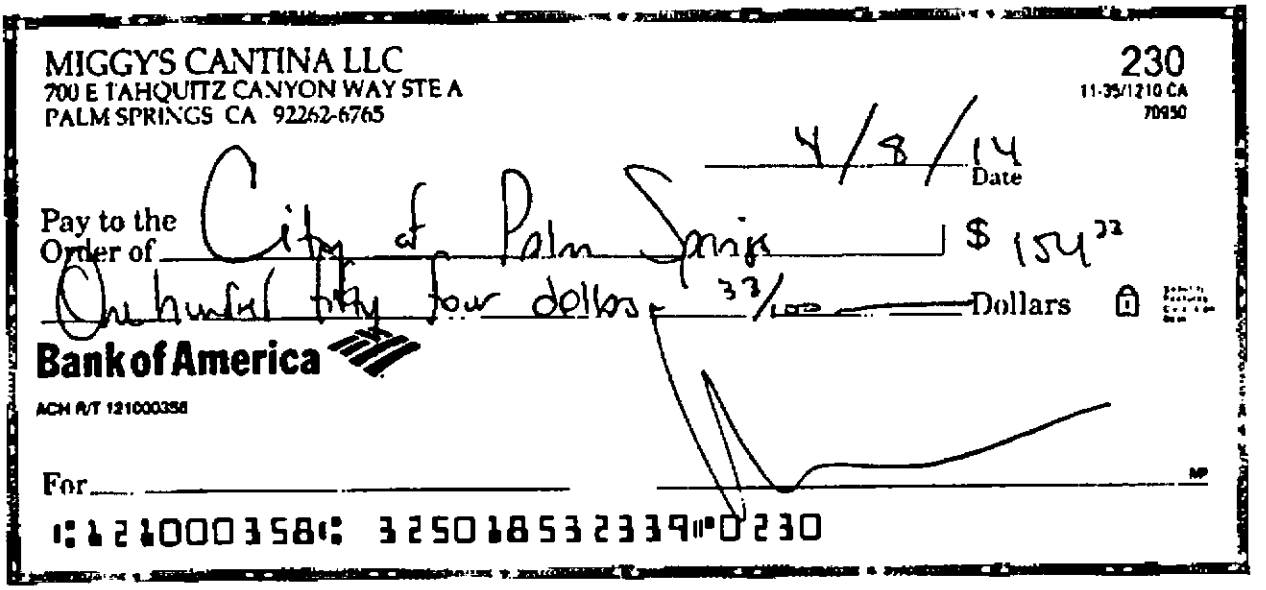


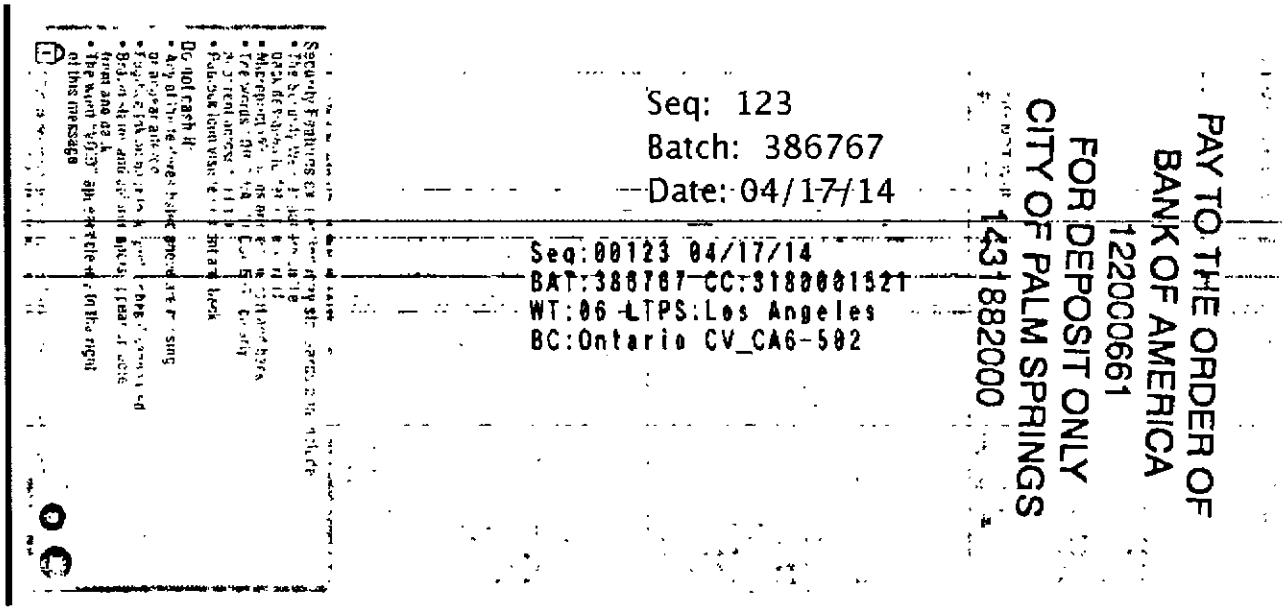


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/10/2014	5642600600	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$154.33	Sequence Number:	7542499597
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	230





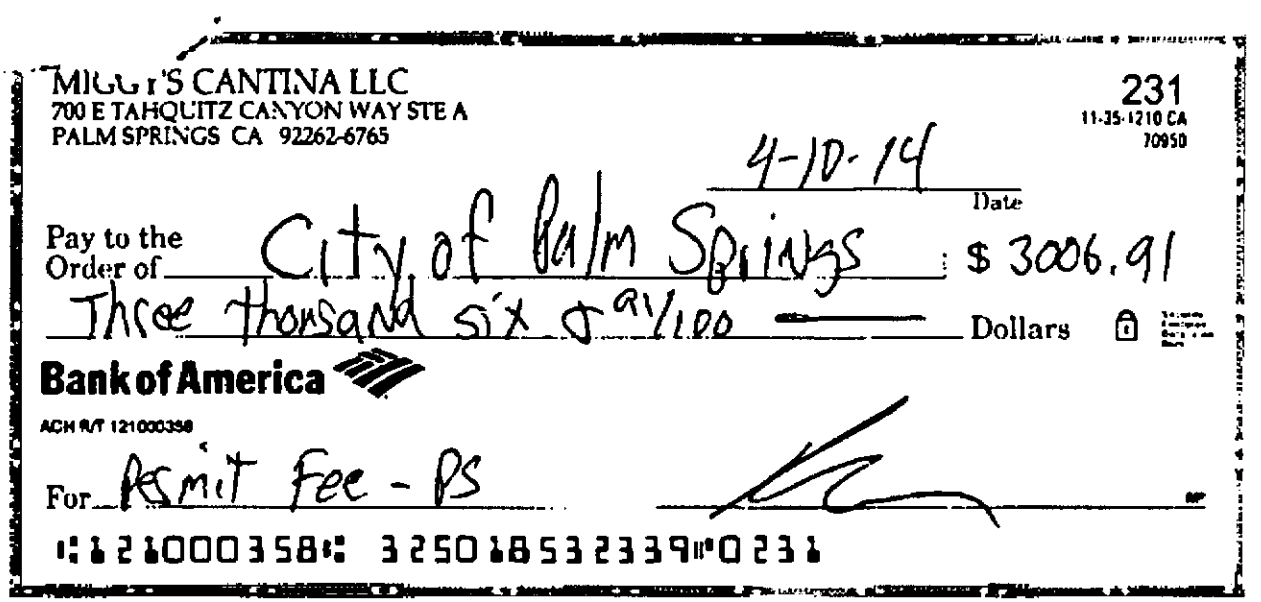
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7542499597	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $3,006.91 Sequence Number: 7542499595

Account: 325018532339 Capture Date: 04/17/2014

Bank Number: 12100035 Check Number: 231



MIGGI'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

231
11-35-1210 CA
70950

4-10-14
Date

Pay to the Order of City of Palm Springs $ 3006.91

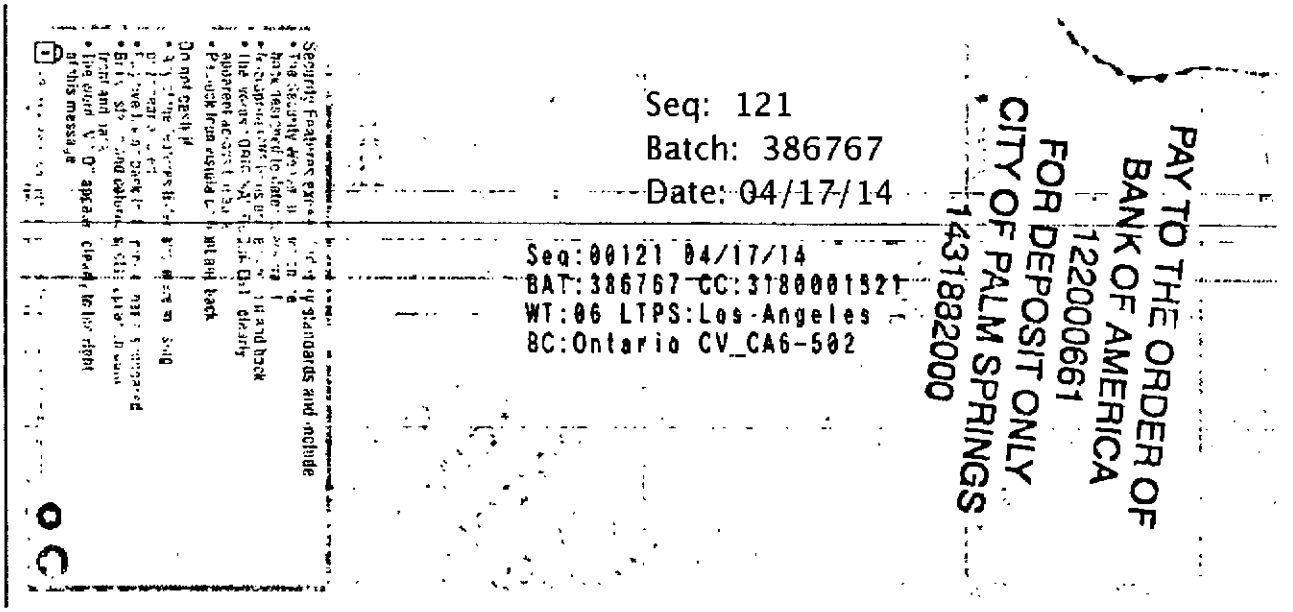
Three thousand six & 91/100 Dollars

Bank of America

ACH R/T 121000358

For Permit Fee - PS

⑆121000358⑆ 325018532339⑈0231



Seq: 121
Batch: 386767
Date: 04/17/14

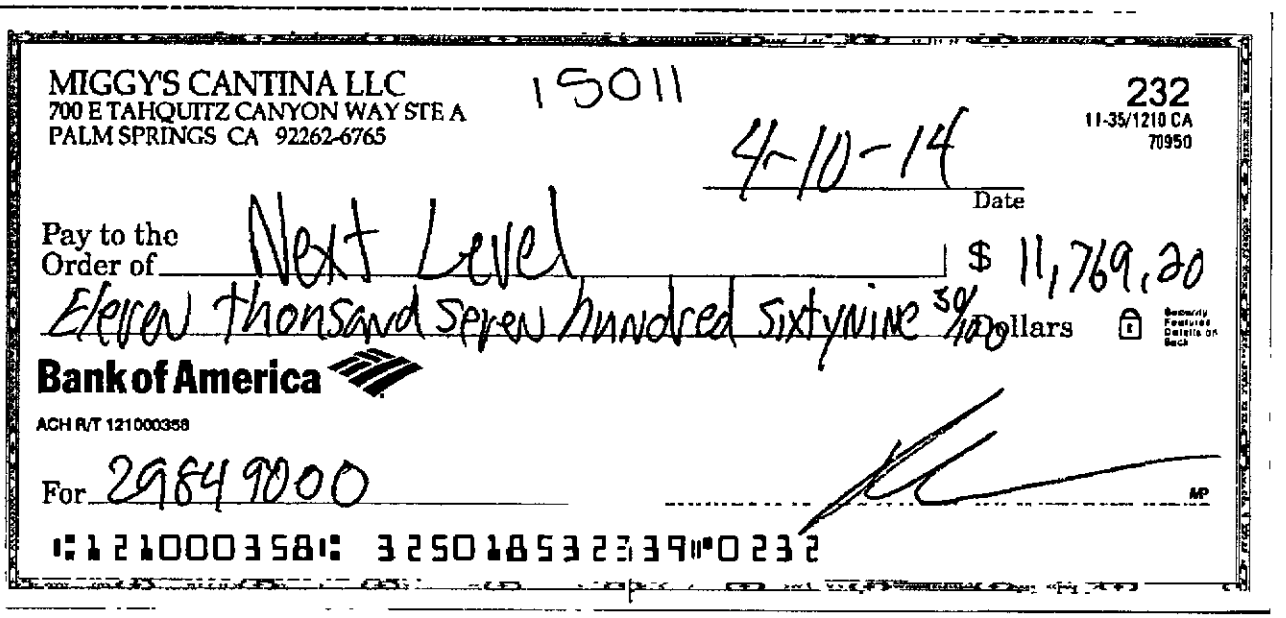
Seq:00121 04/17/14
BAT:386767 CC:3180001521
WT:06 LTPS:Los-Angeles
BC:Ontario CV_CA6-502

PAY TO THE ORDER OF
BANK OF AMERICA
122000661
FOR DEPOSIT ONLY
CITY OF PALM SPRINGS
143188200

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7542499595	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$11,769.20	Sequence Number:	5292192864
Account:	325018532339	Capture Date:	04/16/2014
Bank Number:	12100035	Check Number:	232



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

19011

232
11-35/1210 CA
70950

4-10-14
Date

Pay to the Order of Next Level $ 11,769.20

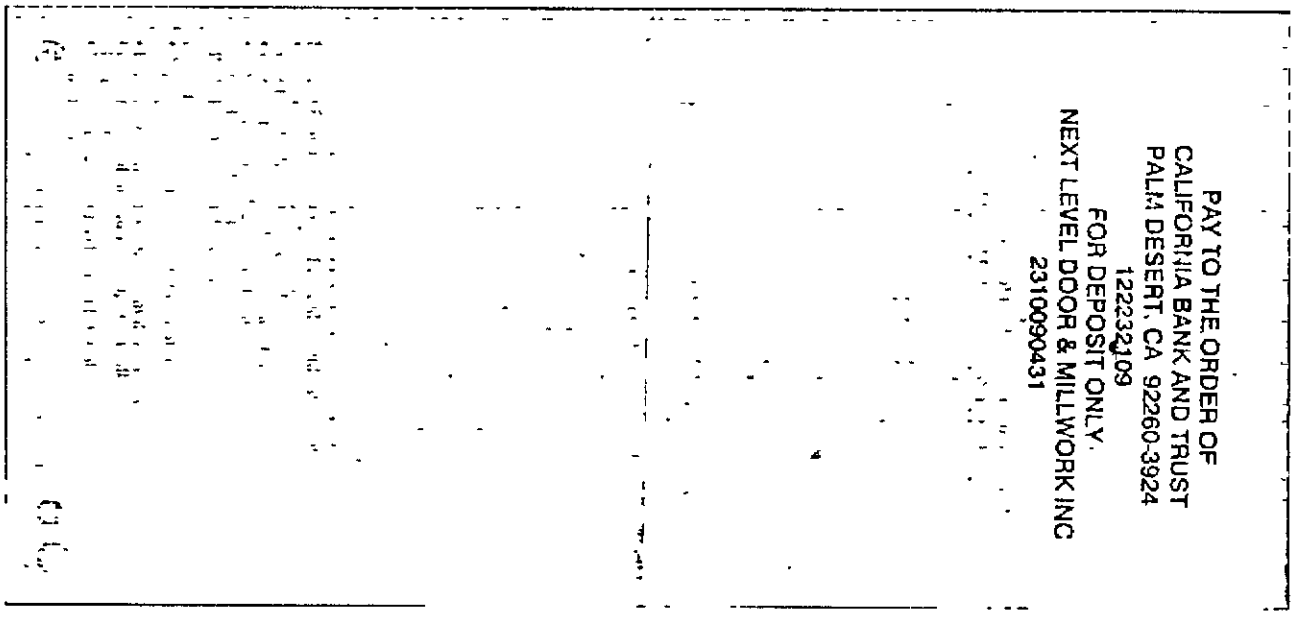
Eleven Thonsand Seven hundred Sixty nine 20/100 Dollars

Bank of America

ACH R/T 121000358

For 29849000

⑆121000358⑆ 325018532339⑈0232

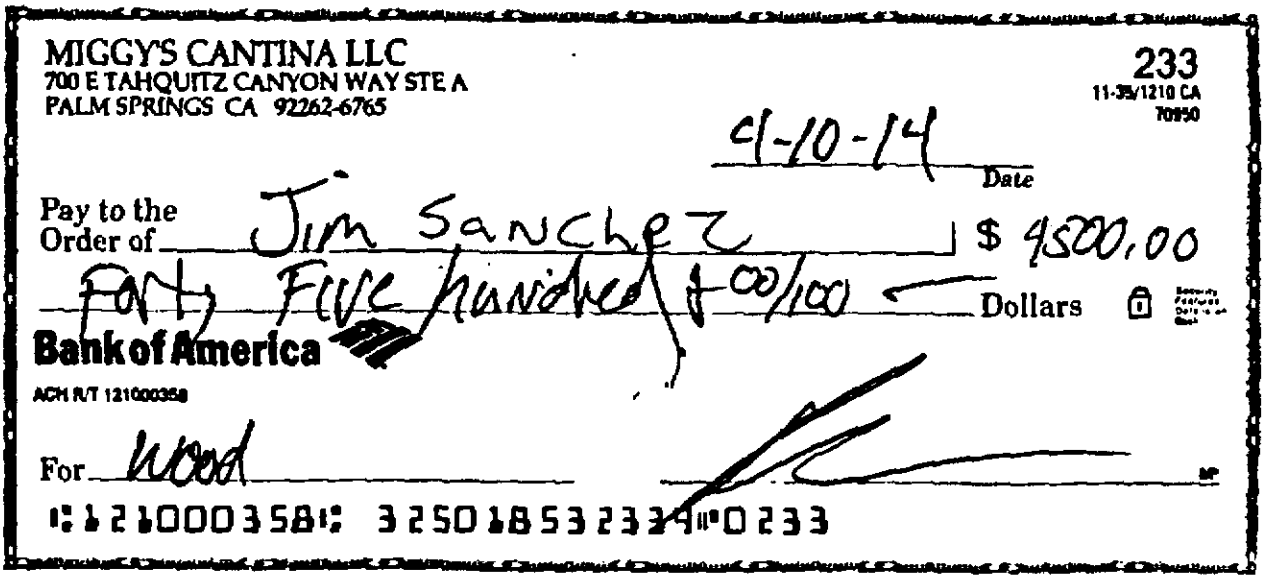


PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/16/2014	005292192864	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/16/2014	9280543912	61000146	Undetermined	N		FEDERAL RES BANK OF
04/15/2014	404155353095194	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$4,500.00	Sequence Number:	9892206354
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	233



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

233
11-35/1210 CA
70950

4-10-14
Date

Pay to the Order of Jim Sanchez $ 4500.00

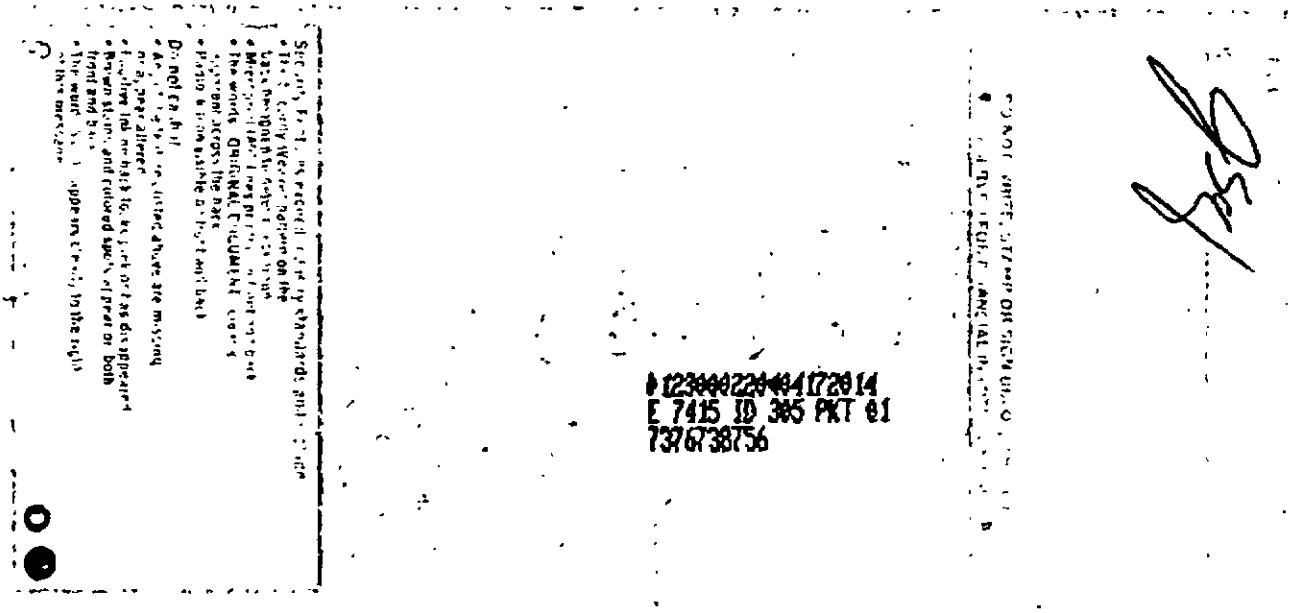
Forty Five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Wood

⑆121000358⑆ 325018532339⑈0233

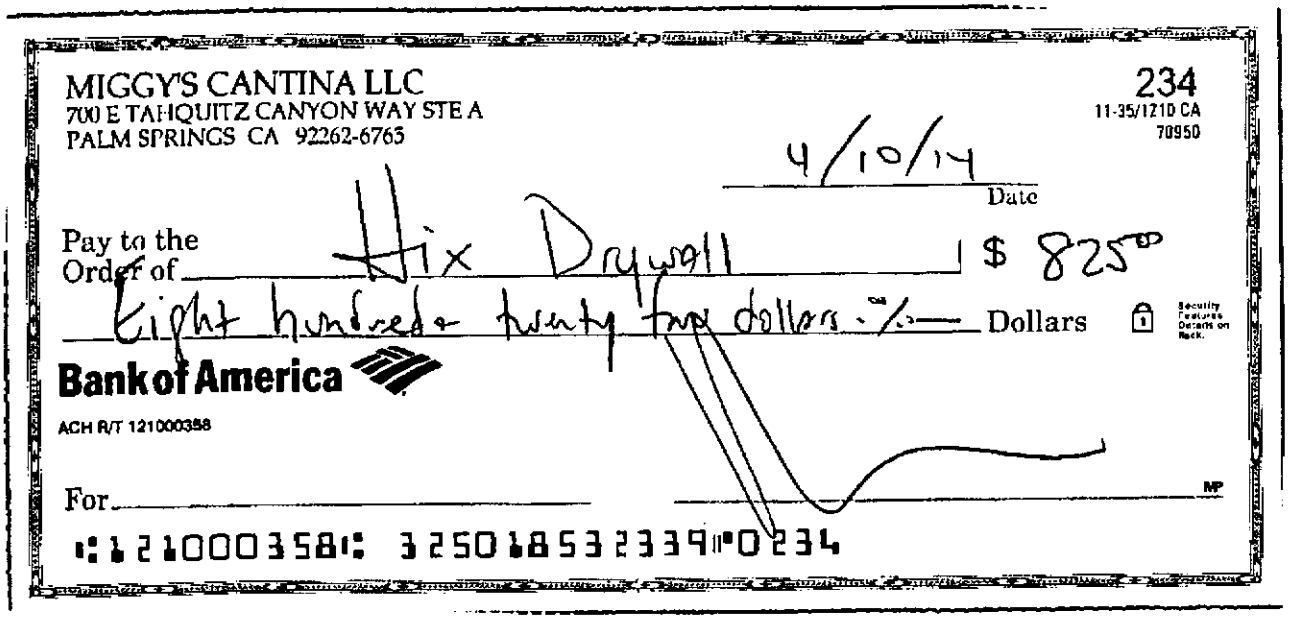


⑆123000220⑆4172014
E 7415 ID 385 PKT 01
7376738756

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	7376738756	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
04/17/2014	004198621651	91000022	Undetermined	N		U.S. BANK NATIONAL A
04/17/2014	004198621651	123000220	Undetermined	N		U.S. BANK NATIONAL A
04/17/2014	009892206354	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$825.00	Sequence Number:	8692354824
Account:	325018532339	Capture Date:	04/11/2014
Bank Number:	12100035	Check Number:	234



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

234
11-35/1210 CA
70950

4/10/14
Date

Pay to the Order of Hix Drywall $ 825.00

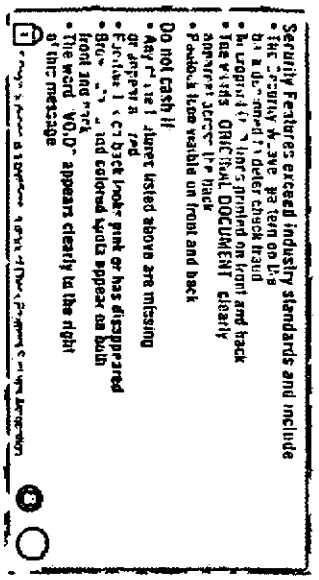
Eight hundred twenty five dollars 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0234



Security Features exceed industry standards and include
• The "Security Warning" will deter check fraud
• The original check has hidden features not found on a copy
• The words "ORIGINAL DOCUMENT" clearly
• Positive Pay available on front and back
Do not cash if
• Any part of the items listed above are missing
• Erasures, void back looks pink or has disappeared
• Brown "VOID" and colored spots appear on both front and back
• The word "VOID" appears clearly to the right of this message

>322285781<
Pacific Premier BK #015
2014-04-11
0015131574

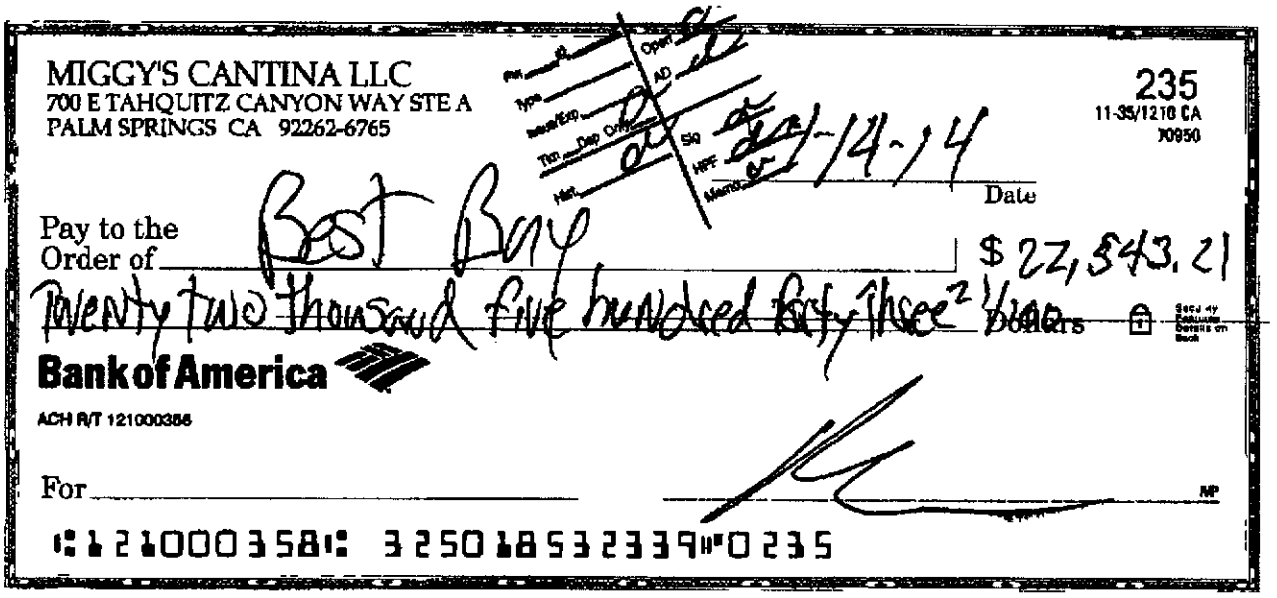
0015131574

For Deposit Only
Pacific Premier Bank

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/11/2014	008692354824	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/11/2014	000008137723966	122105278	Undetermined	N		WELLS FARGO BANK, NA
04/11/2014	907355015131574	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$22,543.21	Sequence Number:	9092635775
Account:	325018532339	Capture Date:	04/14/2014
Bank Number:	12100035	Check Number:	235



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

235
11-35/1210 CA
70950

4-14-14
Date

Pay to the Order of Best Buy $ 22,543.21

Twenty Two Thousand Five Hundred Forty three 21/100 Dollars

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0235

2945640577

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

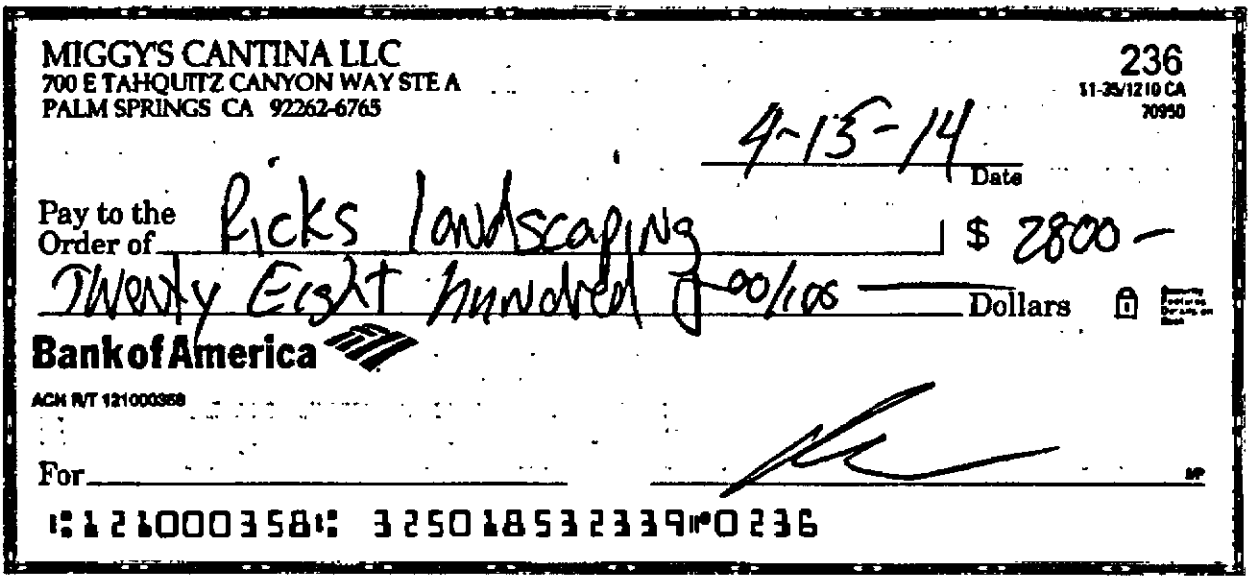
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/14/2014	009092635775	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/14/2014	000002945640577	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount: $2,800.00 Sequence Number: 2182764165

Account: 325018532339 Capture Date: 04/15/2014

Bank Number: 12100035 Check Number: 236



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

236
11-35/1210 CA
70950

4-13-14
Date

Pay to the Order of Ricks landscaping $ 2800-

Twenty Eight hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

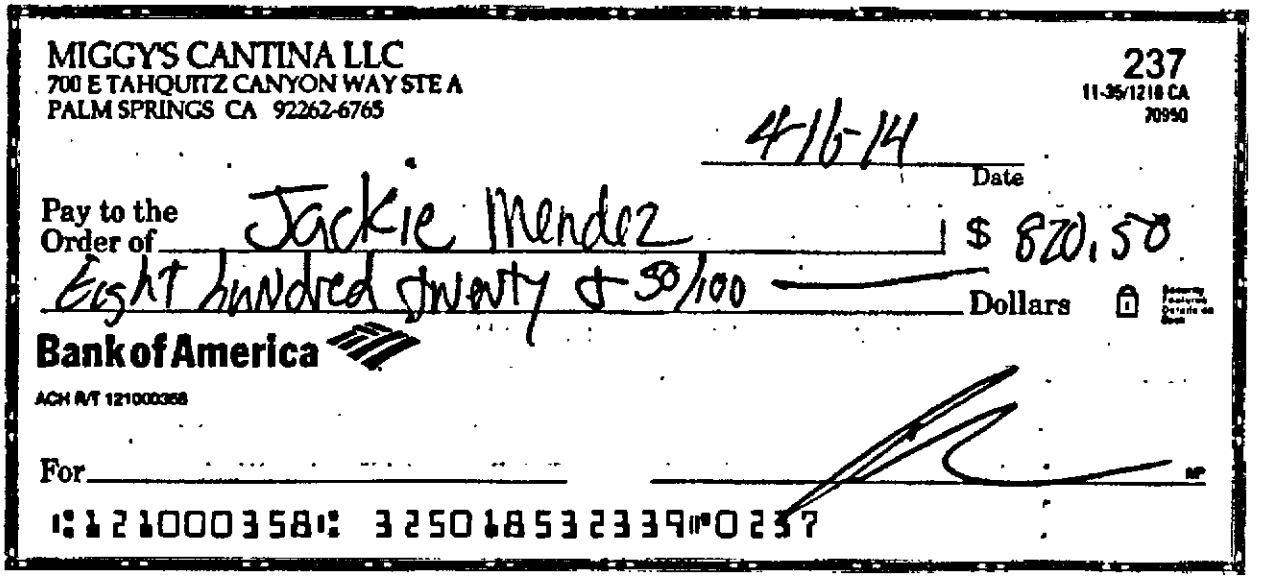
For

⑈121000358⑈ 325018532339⑈0236

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/15/2014	2182764165	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$820.50	Sequence Number:	6182797592
Account:	325018532339	Capture Date:	04/17/2014
Bank Number:	12100035	Check Number:	237



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

237
11-35/1210 CA
70950

4-16-14
Date

Pay to the Order of Jackie Mendez $ 820.50

Eight hundred twenty & 50/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0237

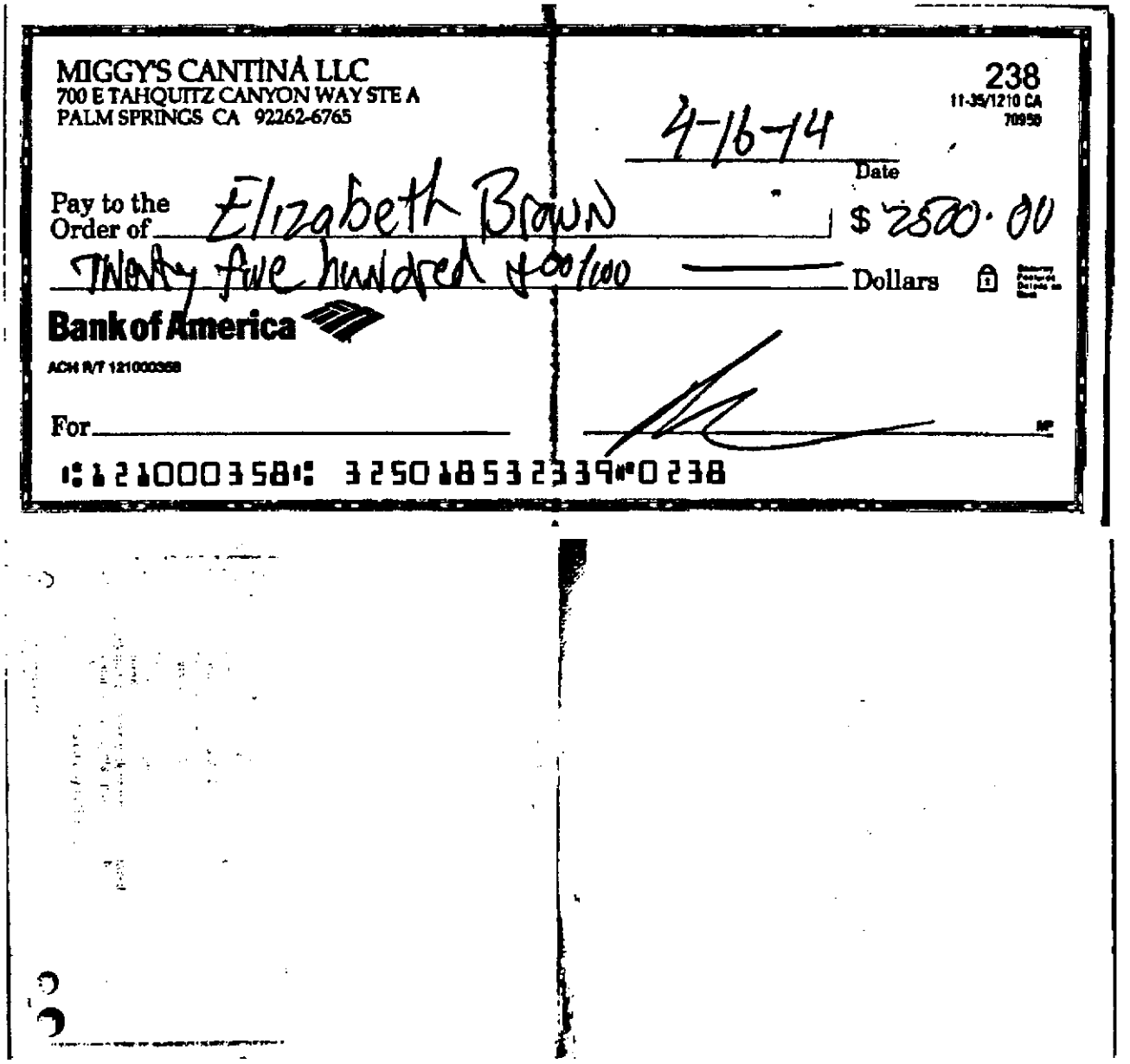
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	6182797592	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $2,500.00 Sequence Number: 5592381093

Account: 325018532339 Capture Date: 04/17/2014

Bank Number: 12100035 Check Number: 238



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

238
11-35/1210 CA
70950

4-16-14
Date

Pay to the Order of Elizabeth Brown $ 2500.00

Twenty five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0238

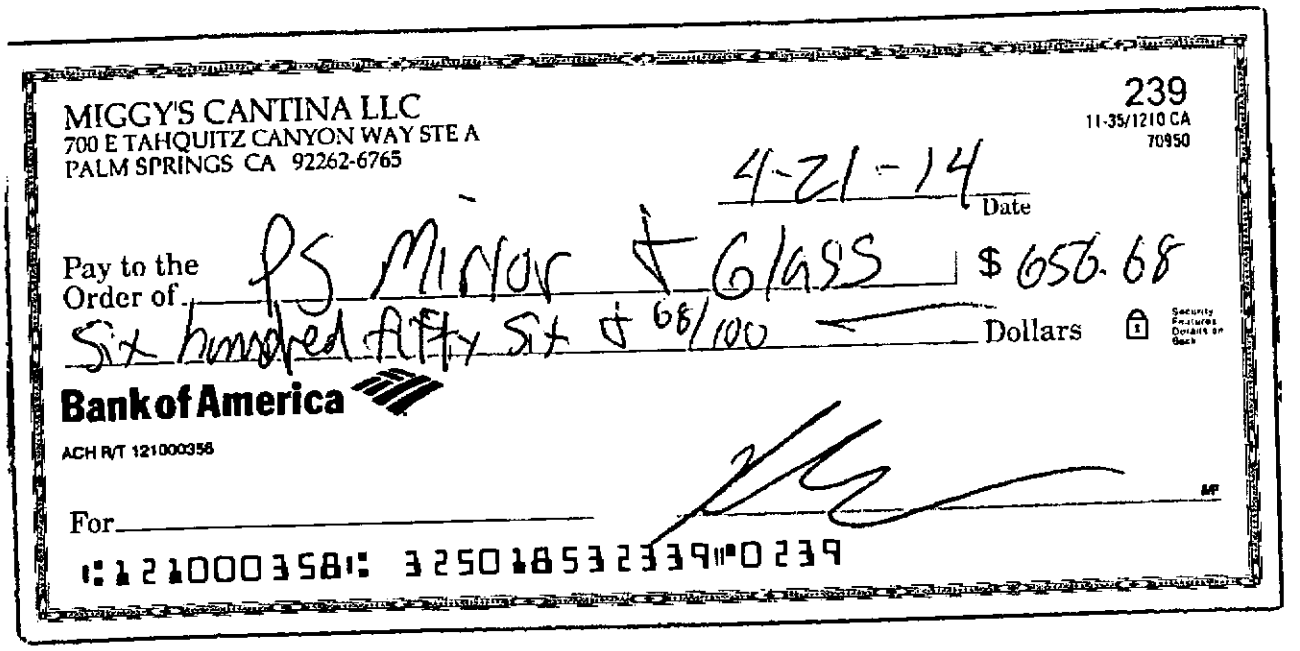
Electronic Endorsements:

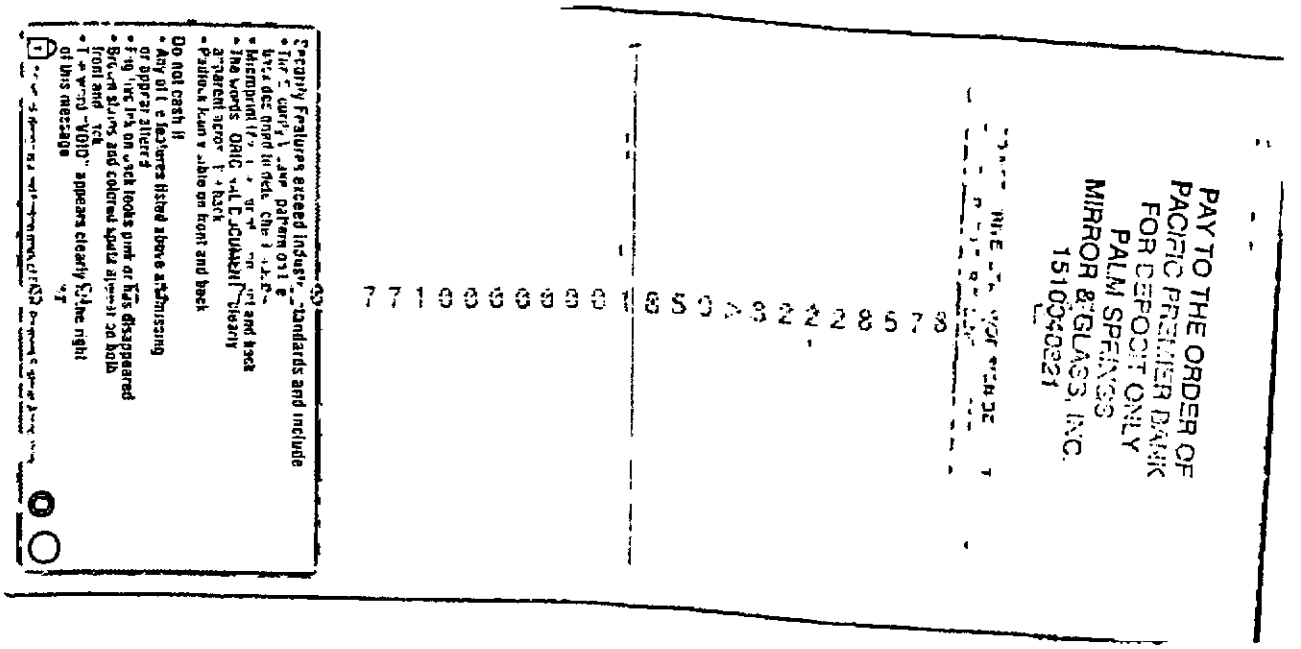
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/17/2014	4479283341	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
04/17/2014	005592381093	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $656.68 Sequence Number: 8492548693

Account: 325018532339 Capture Date: 04/21/2014

Bank Number: 12100035 Check Number: 239

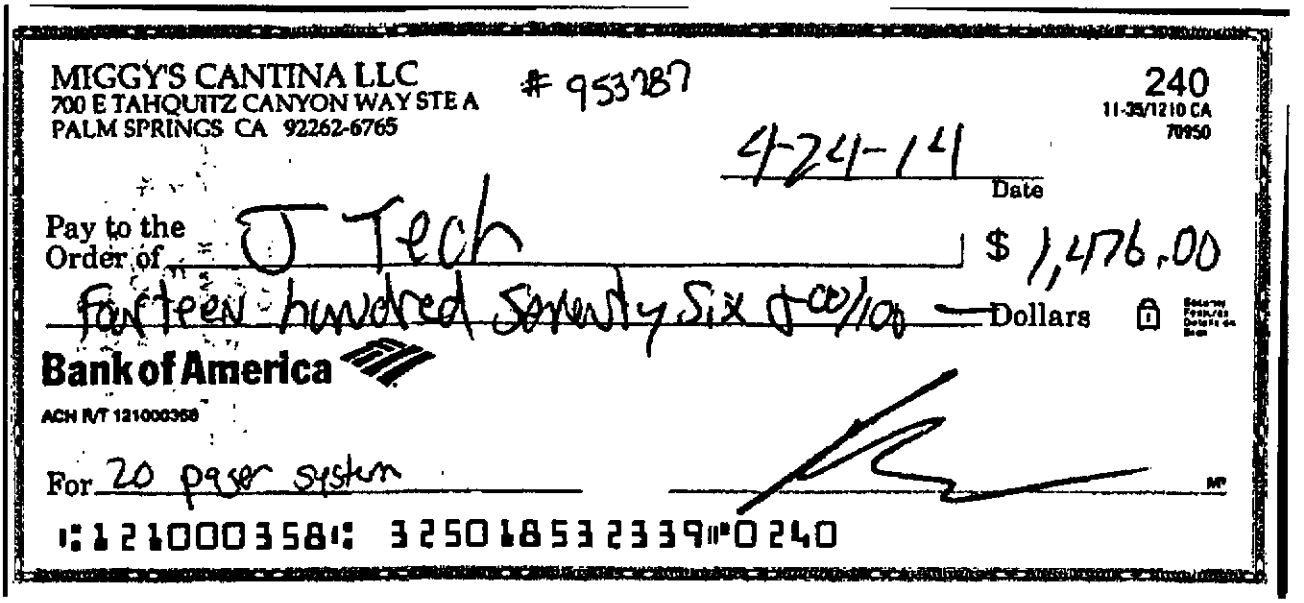




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/21/2014	008492548693	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/21/2014	77100000001859	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$1,476.00	Sequence Number:	8582776728
Account:	325018532339	Capture Date:	04/24/2014
Bank Number:	12100035	Check Number:	240



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

953787

240
11-35/1210 CA
70950

4-24-14
Date

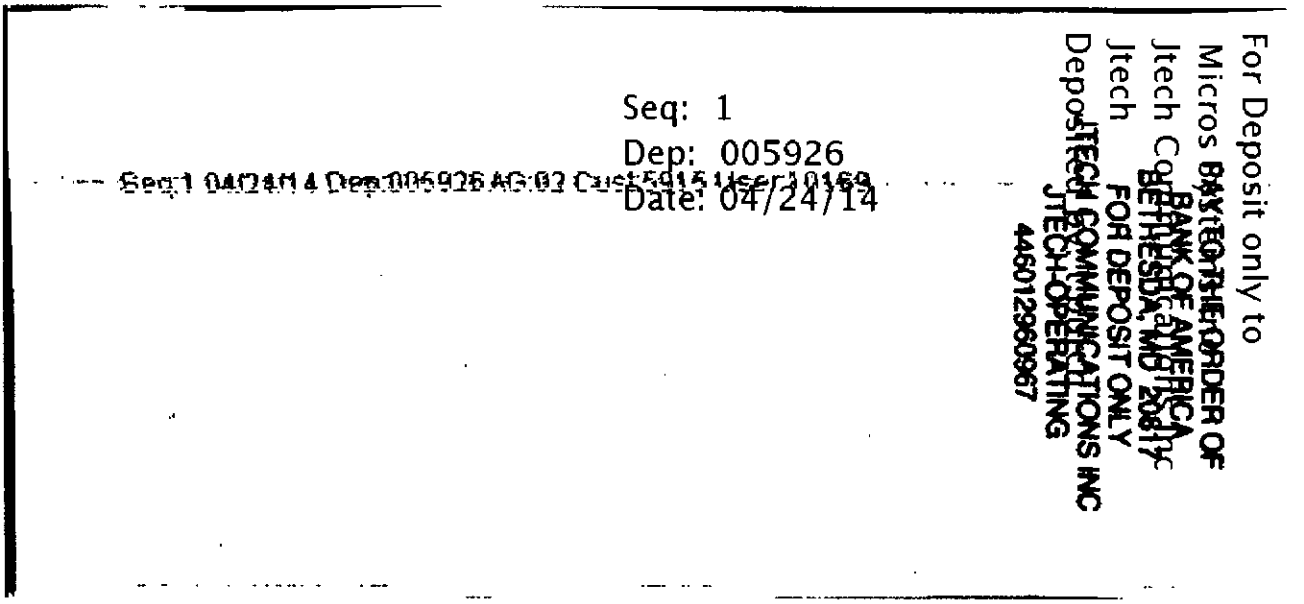
Pay to the Order of J Tech $ 1,476.00

Fourteen hundred Seventy Six and 00/100 Dollars

Bank of America
ACH R/T 121000358

For 20 poker system

⑆121000358⑆ 325018532339⑈0240



Seq: 1
Dep: 005926
Date: 04/24/14

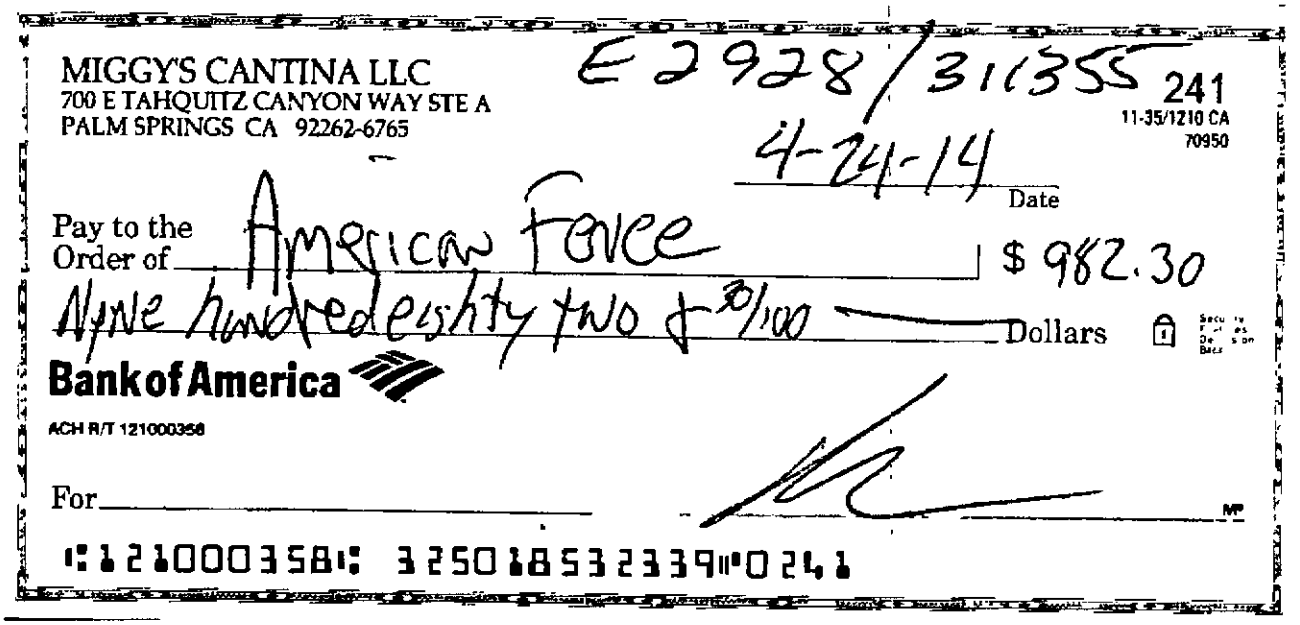
Seq:1 04/24/14 Dep:005926 AG:02 Cust:59151 User:10169

For Deposit only to
Micros BANK OF AMERICA
Jtech Communications Inc BETHESDA, MD 20817
Jtech FOR DEPOSIT ONLY
Deposit JTECH COMMUNICATIONS INC
JTECH OPERATING
446012960967

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/24/2014	8582776728	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$982.30	Sequence Number:	9392476827
Account:	325018532339	Capture Date:	05/05/2014
Bank Number:	12100035	Check Number:	241



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

E2928/311355 241
11-35/1210 CA
70950

4-24-14
Date

Pay to the Order of American Fence $ 982.30

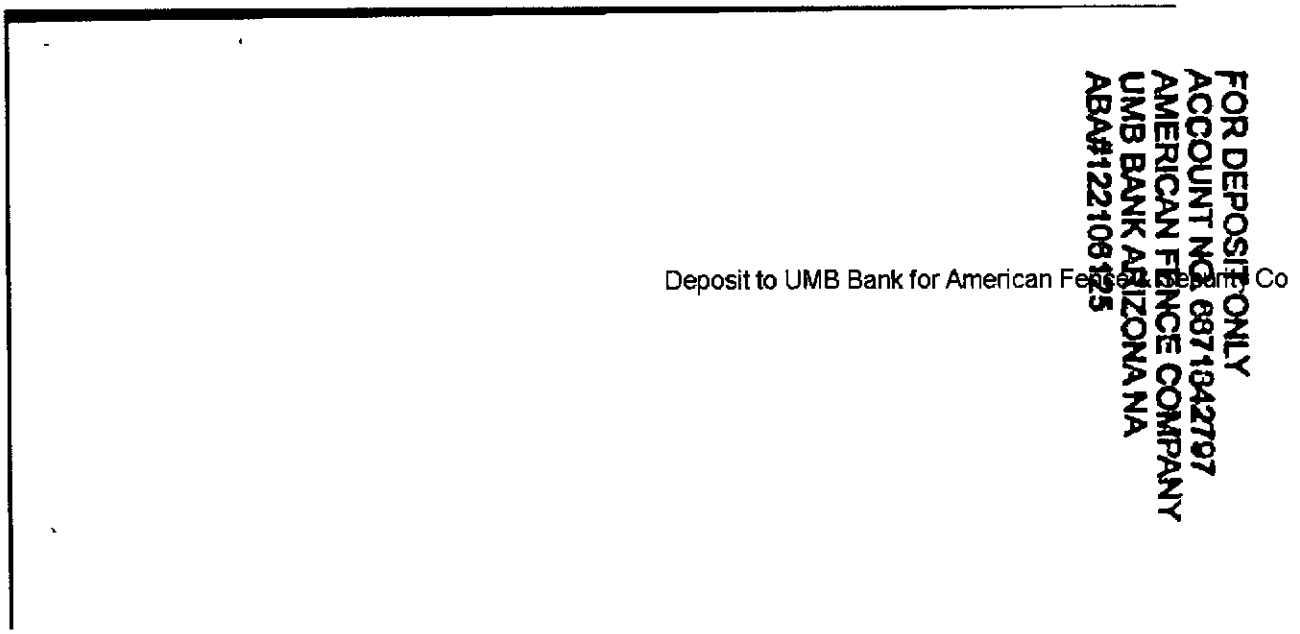
Nine hundred eighty two & 30/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0241



FOR DEPOSIT ONLY
ACCOUNT NO. 687184797
AMERICAN FENCE COMPANY
UMB BANK ARIZONA NA
ABA#122106125

Deposit to UMB Bank for American Fence Company Co

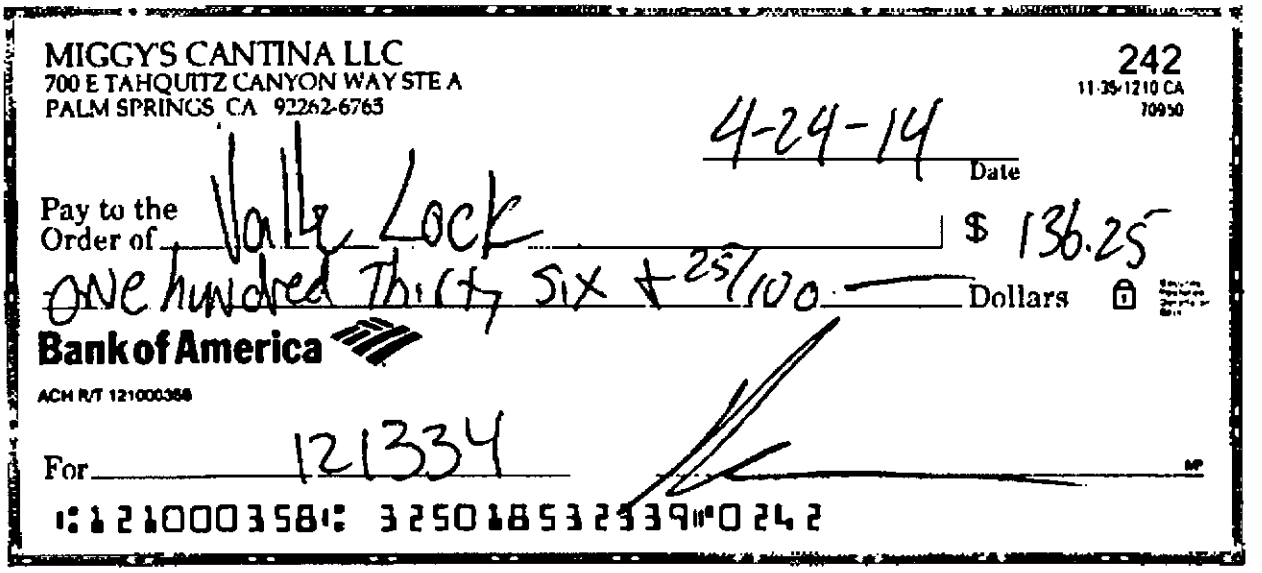
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/05/2014	009392476827	111012822	Pay Bank	N		BANK OF AMERICA, NA
05/05/2014	007373590156	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/05/2014	000007373590156	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount: $136.25 Sequence Number: 5042328801

Account: 325018532339 Capture Date: 04/29/2014

Bank Number: 12100035 Check Number: 242



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

242
11-39/1210 CA
70950

4-24-14
Date

Pay to the Order of Valley Lock $ 136.25

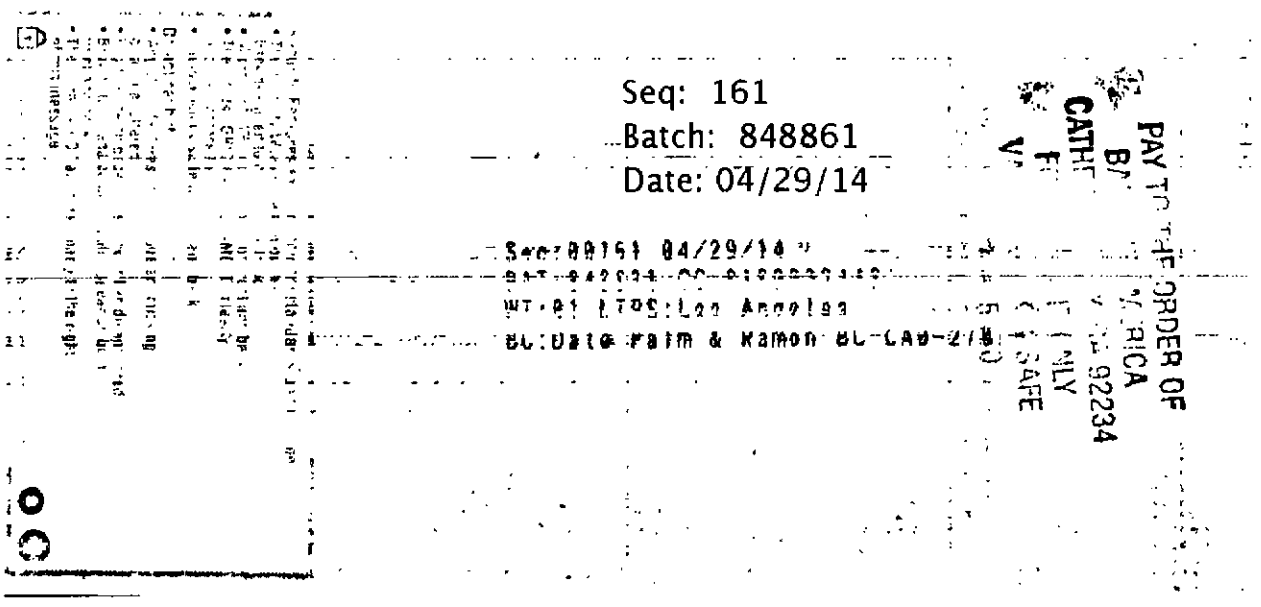
One hundred Thirty Six + 25/100 Dollars

Bank of America

ACH R/T 121000358

For 121334

⑆121000358⑆ 325018532339⑈0242



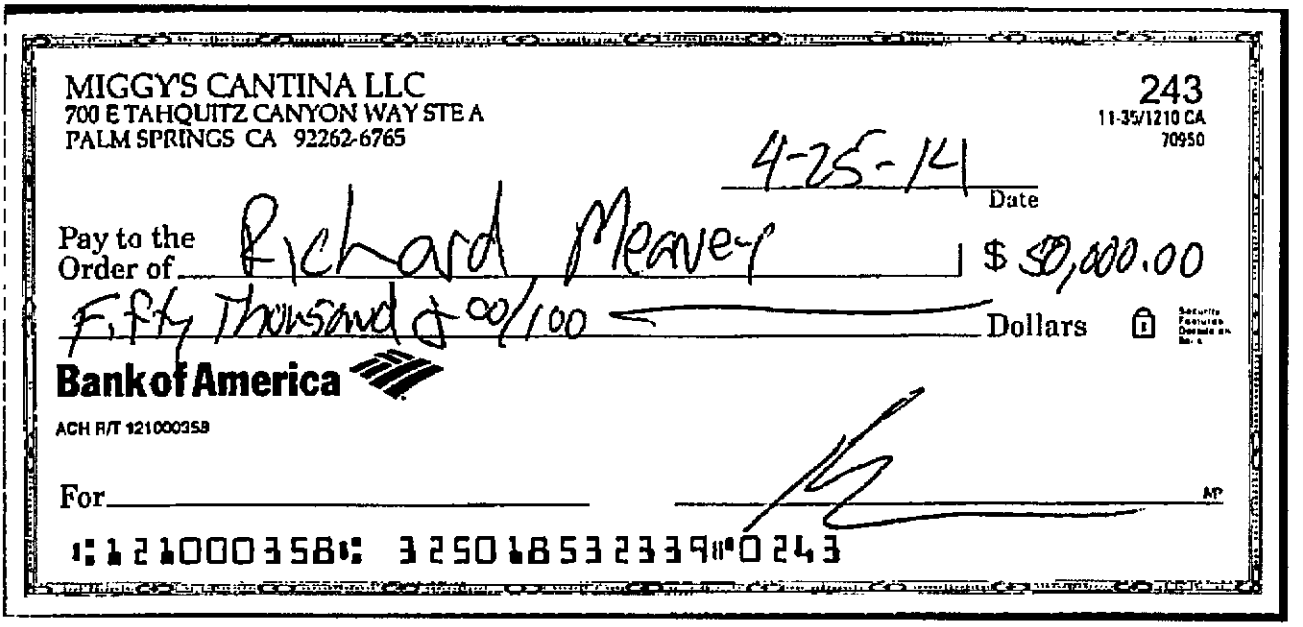
Seq: 161
Batch: 848861
Date: 04/29/14

PAY TO THE ORDER OF
BA
CATHE
F
V
92234
ILY
SAFE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/29/2014	5042328801	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$50,000.00	Sequence Number:	4892656353
Account:	325018532339	Capture Date:	04/28/2014
Bank Number:	12100035	Check Number:	243



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

243
11-35/1210 CA
70950

4-25-14
Date

Pay to the Order of Richard Meaver $ 50,000.00

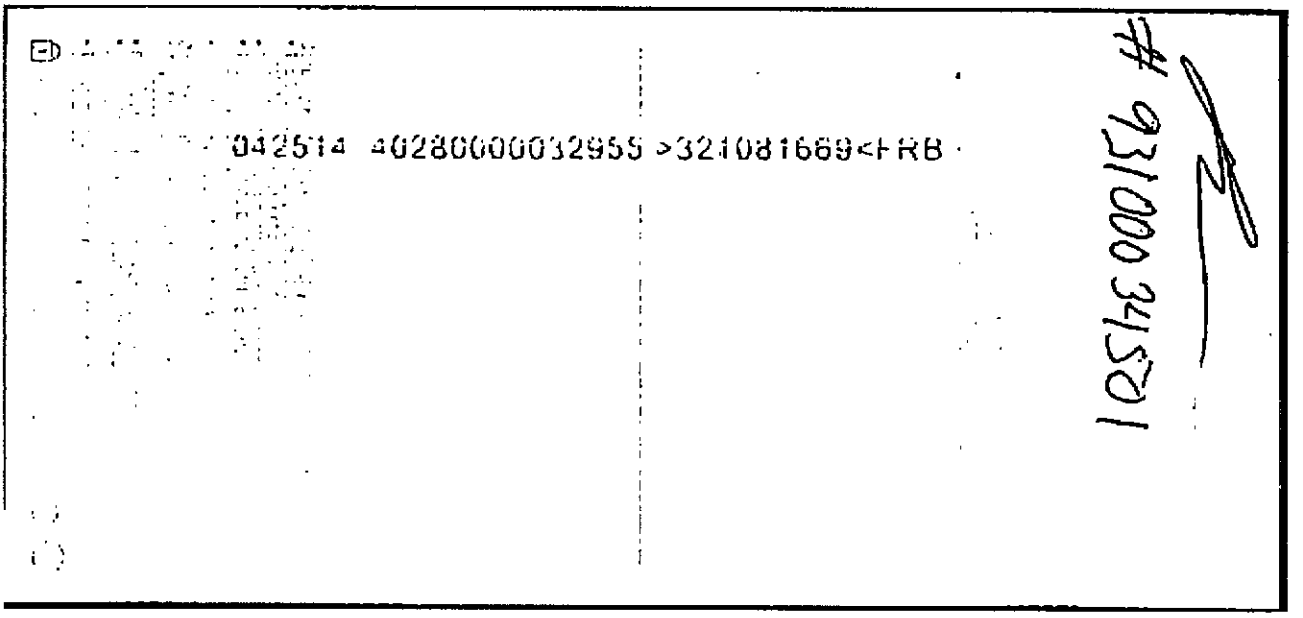
Fifty Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0243



042514 402800000032955 >321081669<FRB

931000345201

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/28/2014	9456572873	61000146	Undetermined	N		FEDERAL RES BANK OF
04/28/2014	004892656353	121103886	Pay Bank	N		BANK OF AMERICA, NA
04/25/2014	0624126550	321081669	Rtn Loc/BOFD	Y		FIRST REPUBLIC BANK

Amount: $8,149.00 Sequence Number: 8292187071

Account: 325018532339 Capture Date: 04/29/2014

Bank Number: 12100035 Check Number: 245

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

245
11-35/1210 CA
70950

4-28-14
Date

Pay to the Order of Premier ONE Coatings $ 8,149.00

Eighty one hundred forty nine & 00/100 Dollars

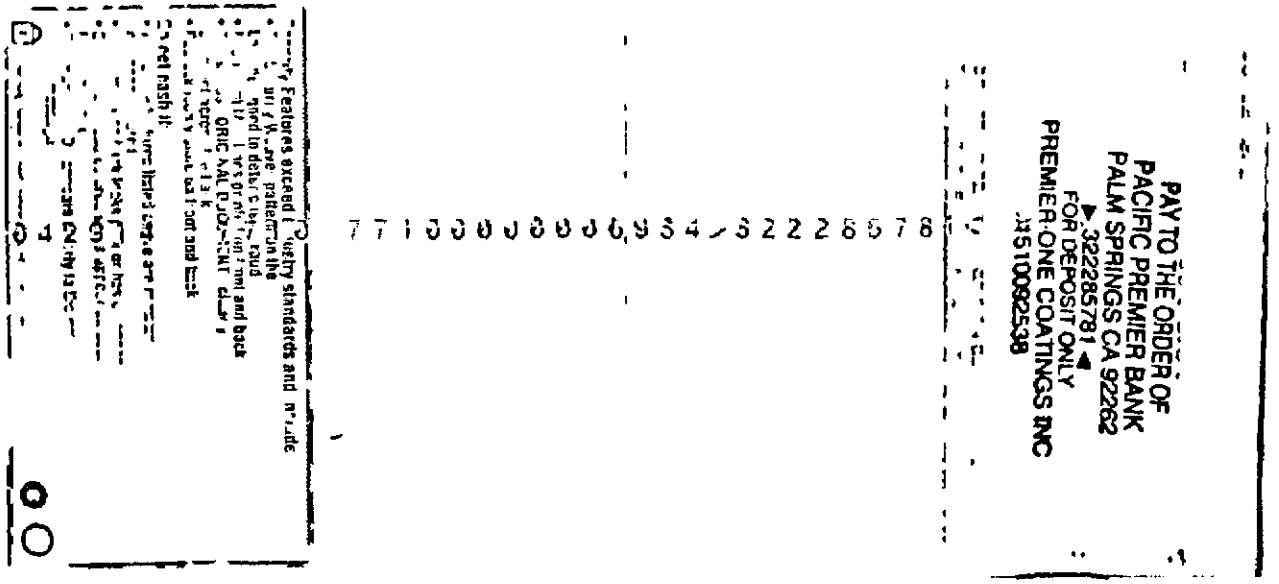
Bank of America

ACH R/T 121000358

For

MP

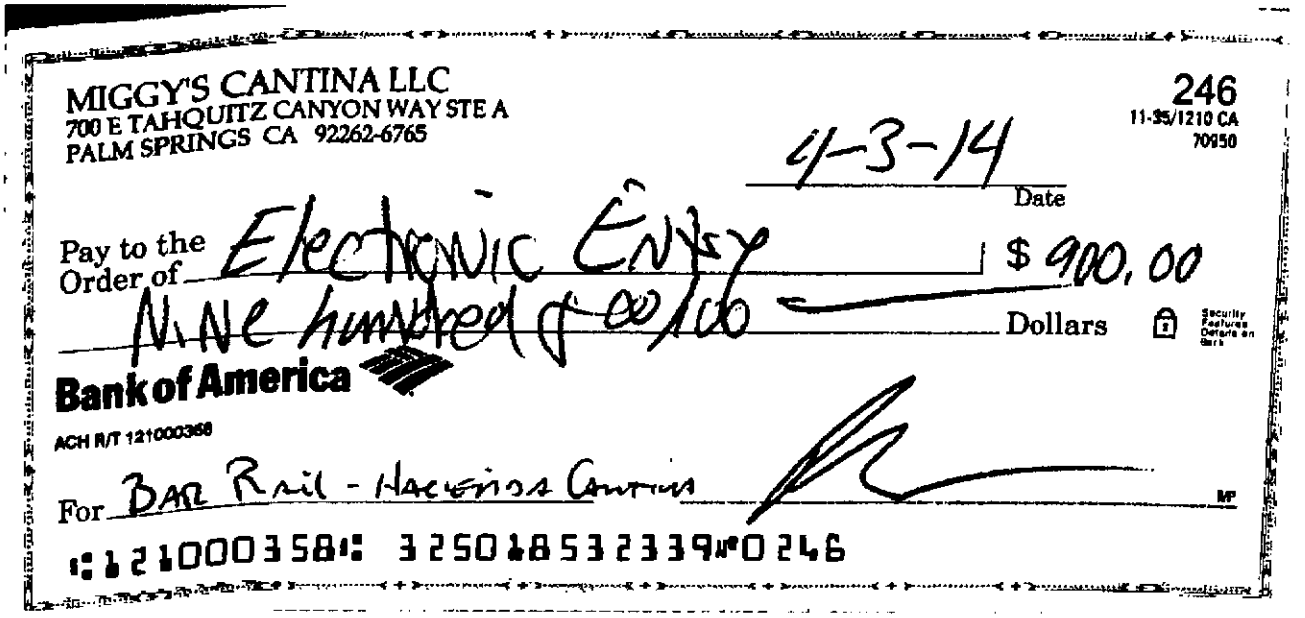
⑆121000358⑆ 325018532339⑈0245



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
04/29/2014	008292187071	111012822	Pay Bank	N		BANK OF AMERICA, NA
04/29/2014	77100000006934	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$900.00	Sequence Number:	8492571602
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	246



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

246
11-35/1210 CA
70950

4-3-14
Date

Pay to the Order of Electronic Entry $ 900.00

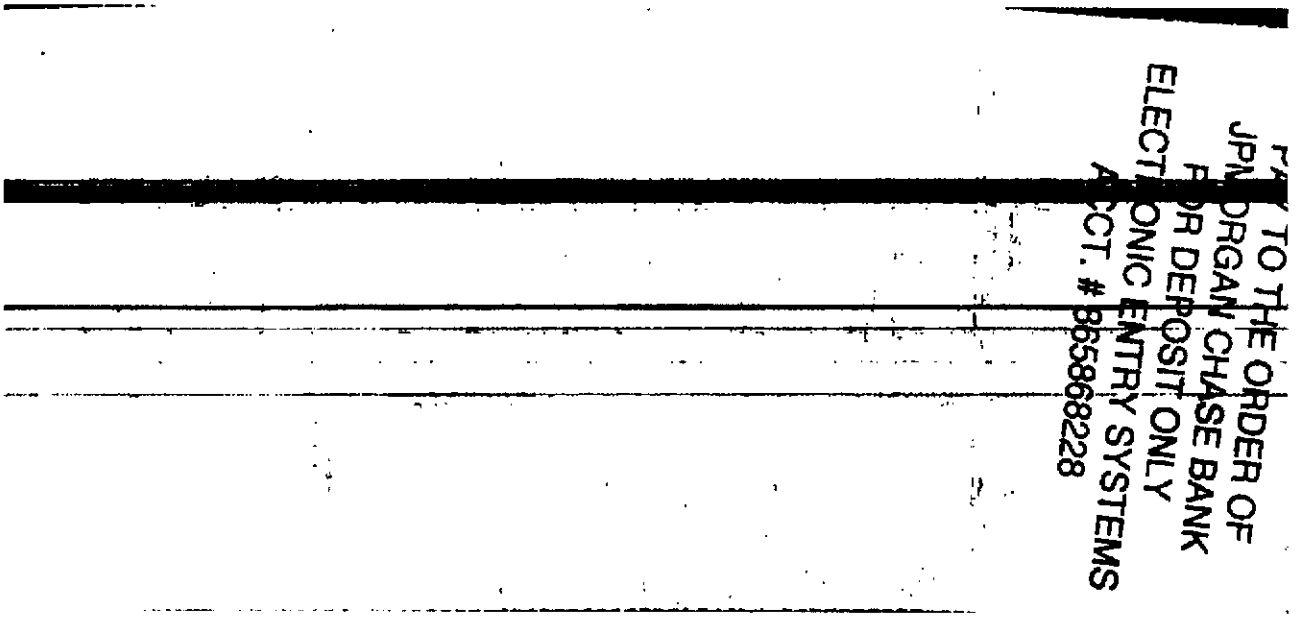
Nine hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Bar Rail - Hacienda Cantina

⑆121000358⑆ 325018532339⑈0246

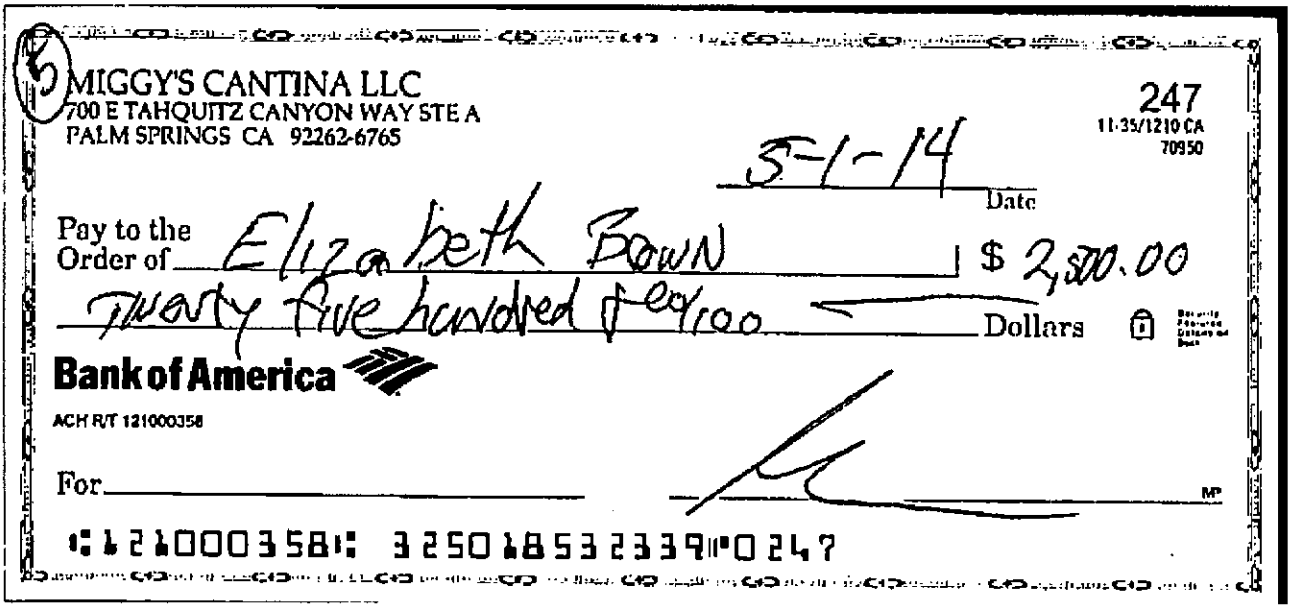


PAY TO THE ORDER OF
JPMORGAN CHASE BANK
FOR DEPOSIT ONLY
ELECTRONIC ENTRY SYSTEMS
ACCT. # 865868228

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008492571602	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	8870876169	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$2,500.00	Sequence Number:	8892626510
Account:	325018532339	Capture Date:	05/02/2014
Bank Number:	12100035	Check Number:	247



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

247
11-35/1210 CA
70950

5-1-14
Date

Pay to the Order of Elizabeth Bown $ 2,500.00

Twenty Five hundred & 00/100 Dollars

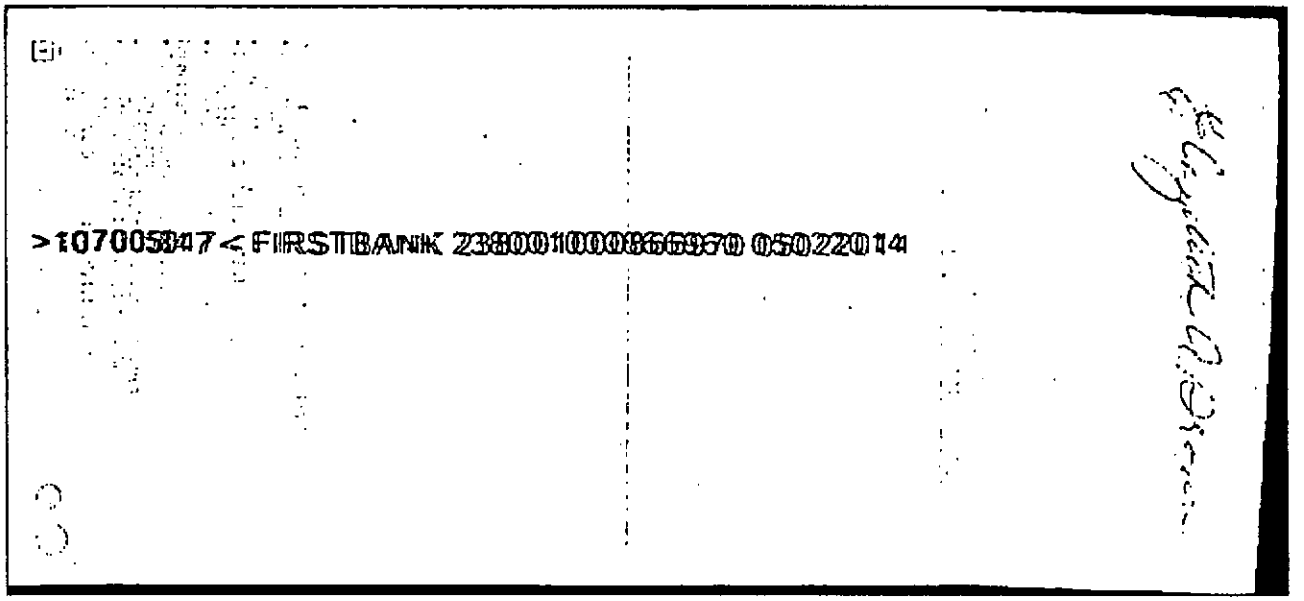
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0247

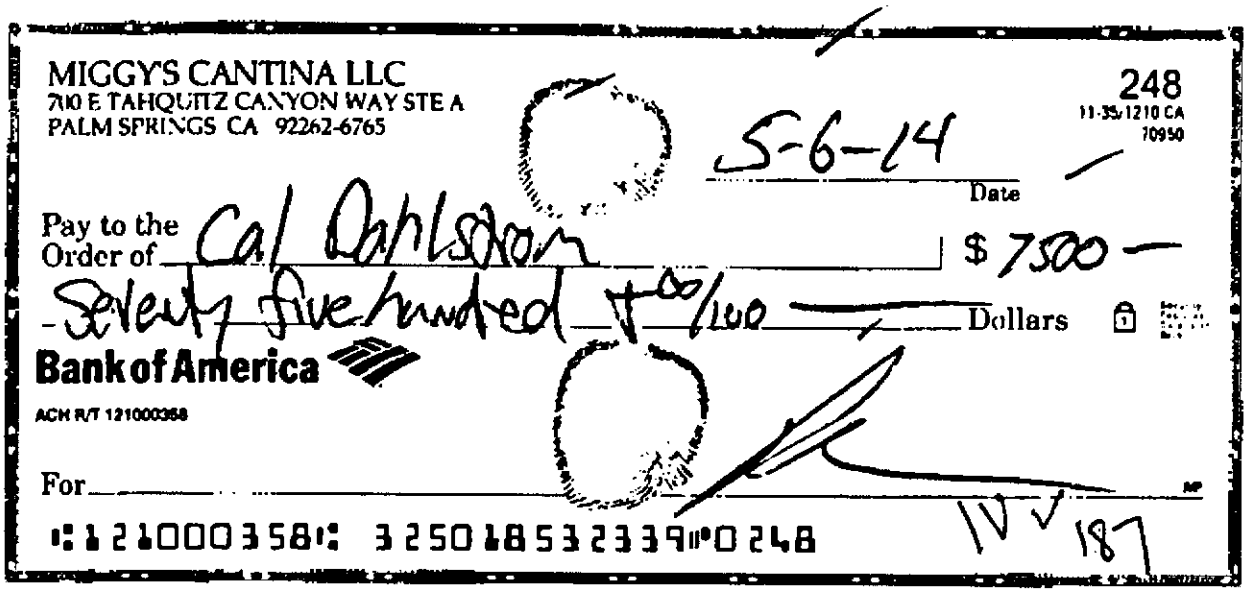


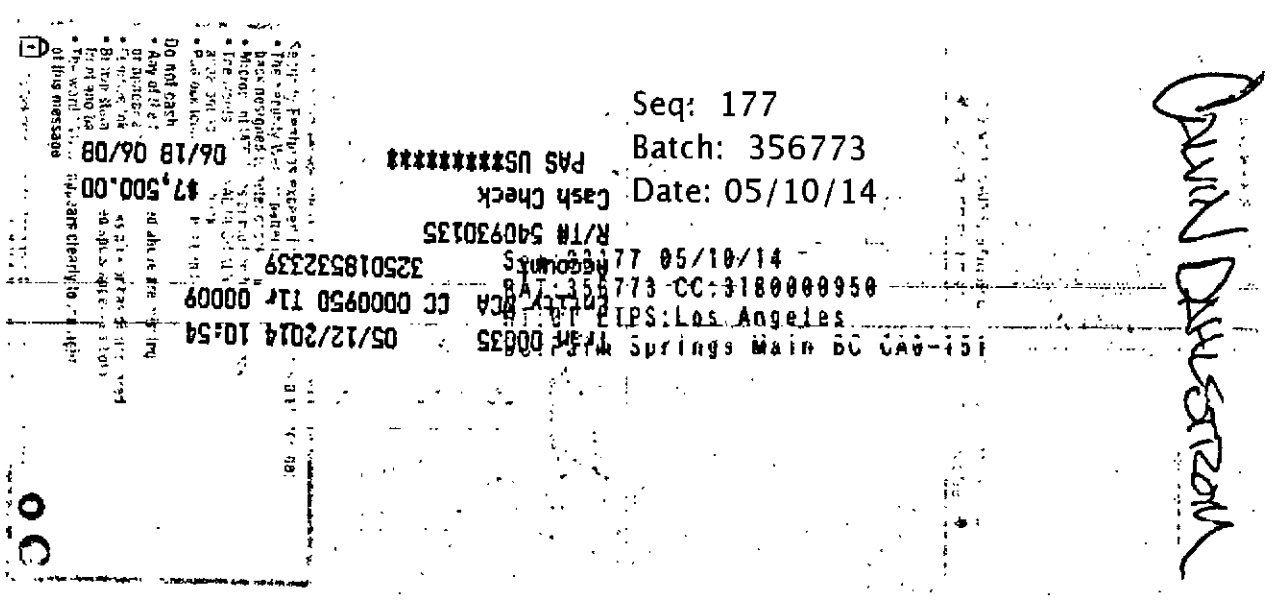
>107005047<FIRSTBANK 238001000866970 050220 14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/02/2014	000000092614750	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
05/05/2014	009090274547	91408501	Undetermined	N		U.S. BANK NATIONAL A
05/05/2014	009090274547	91000022	Undetermined	N		U.S. BANK NATIONAL A
05/02/2014	008892626510	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$7,500.00	Sequence Number:	3942402672
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	248

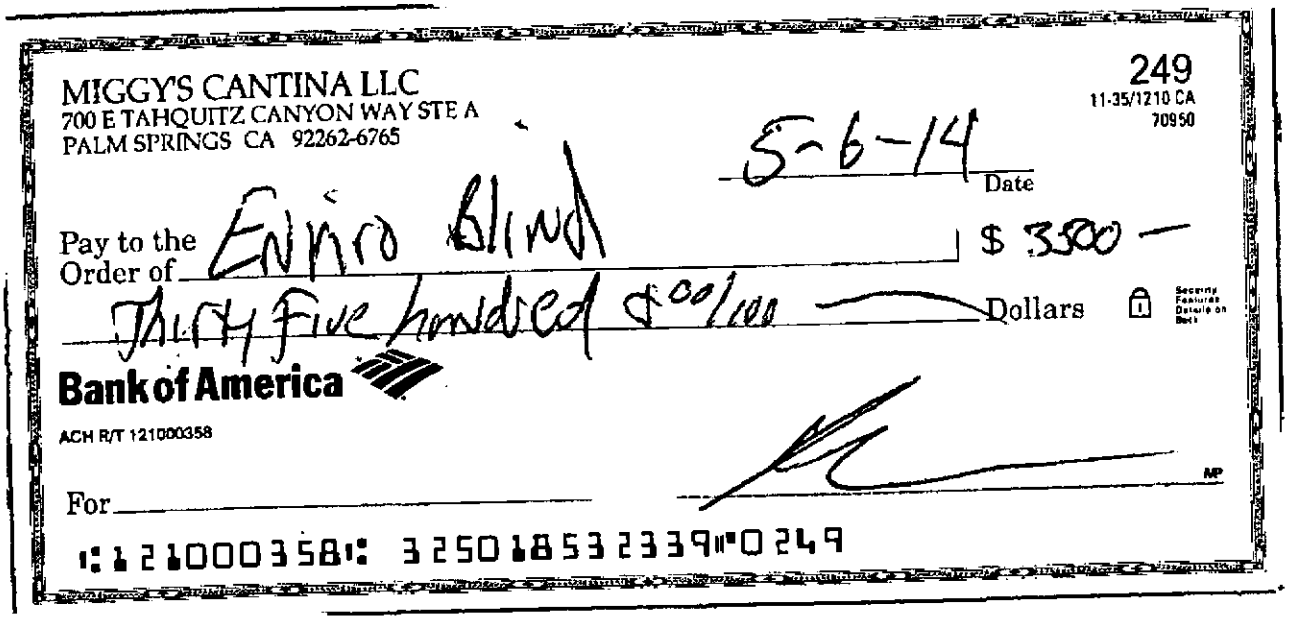




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	3942402672	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$3,500.00	Sequence Number:	8692572706
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	249



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

249
11-35/1210 CA
70950

5-6-14
Date

Pay to the Order of Enviro Blind
$ 3500 —

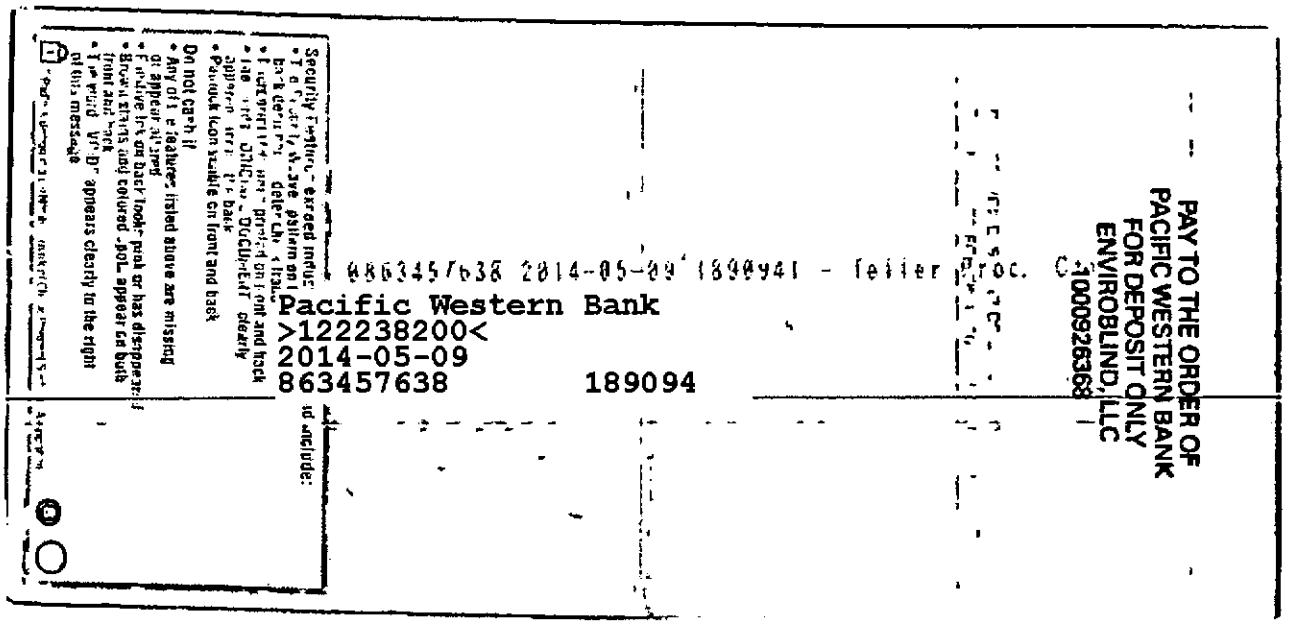
Thirty Five hundred & 00/100 —— Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0249



Security Features: Erased indic... Do not cash if: Any of the features listed above are missing or appear altered; Positive Pay or Reverse Positive Pay has disappeared; Bank name, check number, date, dollar amount and payee appear clearly; Payee must endorse on front and back; Void pantograph visible on front and back. Do not include: ...

0863457638 2014-05-09 189094 - Teller Proc. C...

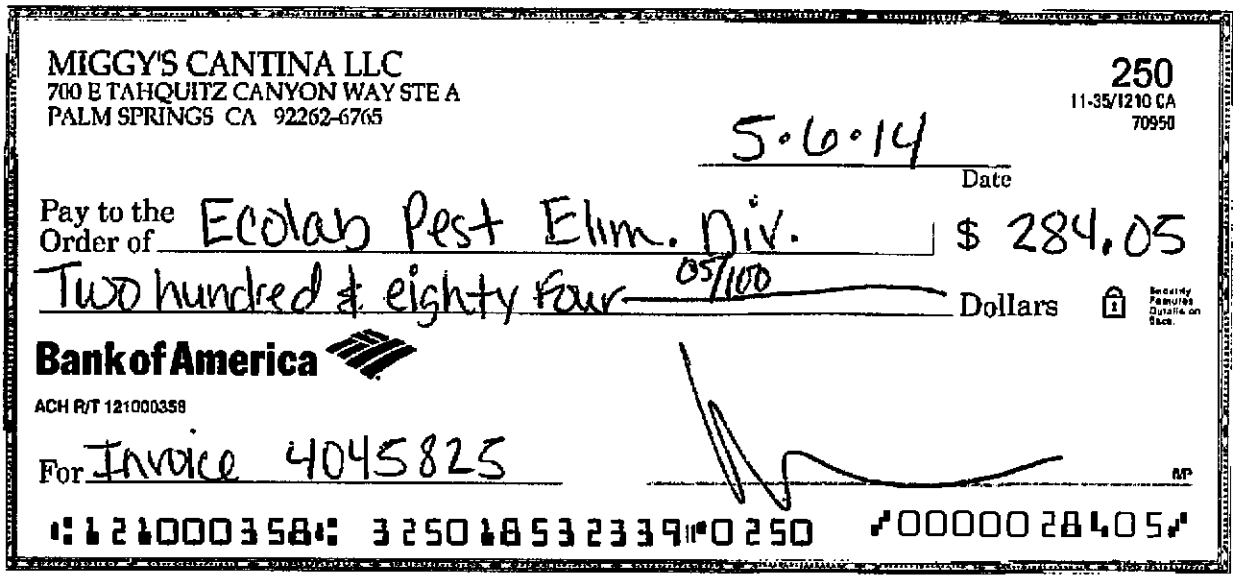
Pacific Western Bank
>122238200<
2014-05-09
863457638 189094

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
FOR DEPOSIT ONLY
ENVIROBLIND, LLC
1000926368

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	000008675206413	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/09/2014	000000863457638	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/09/2014	008692572706	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$284.05	Sequence Number:	8992332175
Account:	325018532339	Capture Date:	05/12/2014
Bank Number:	12100035	Check Number:	250



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

250
11-35/1210 CA
70950

5.6.14
Date

Pay to the Order of Ecolab Pest Elim. Div. $ 284.05

Two hundred & eighty four 05/100 Dollars

Bank of America

ACH R/T 121000358

For Invoice 4045825

⑆121000358⑆ 325018532339⑈0250 ⑈00000284.05⑈

JPMORGANCHASE BK NA **CR TO NMD**

051314 **>074909962<** **PAYEE ALL**

27742221 **0026252** **RTS RSVD**

00951553 **172** **0000000464641880**

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	008992332175	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	8290804057	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$222.77	Sequence Number:	4892510942
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	253

MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

253
11-35/1210 CA
70950

5.6.14
Date

Pay to the Order of Desert Water Agency $ 222.77

Two hundred & twenty-two 77/100 Dollars

Bank of America

ACH R/T 121000358

For

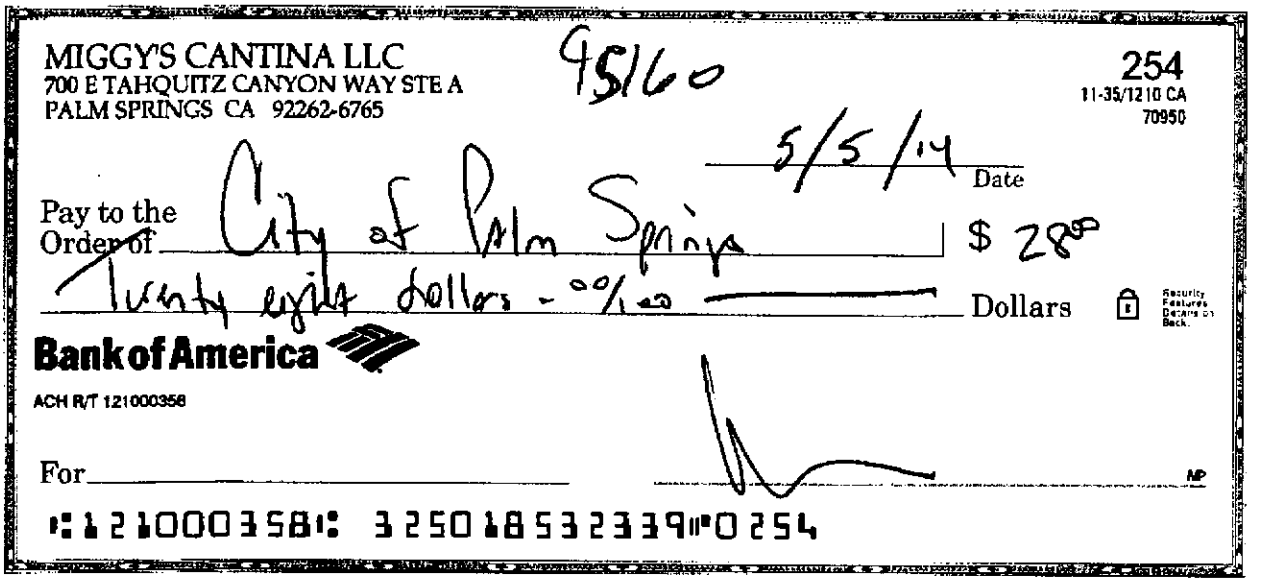
⑈121000358⑈ 325018532339⑈0253

Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	004892510942	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	4513053087	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$28.00	Sequence Number:	9592791418
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	254



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

45160

254
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of City of Palm Springs $ 28.00

Twenty eight dollars - 00/100 Dollars

Security Features Details on Back.

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0254

280970058700 05-14-2014
Texas Star Bank >111905764<
Van Alstyne, TX

PAY TO THE ORDER OF
TEXAS STAR BANK
FOR DEPOSIT ONLY
PALM SPRINGS ALARM
0405760

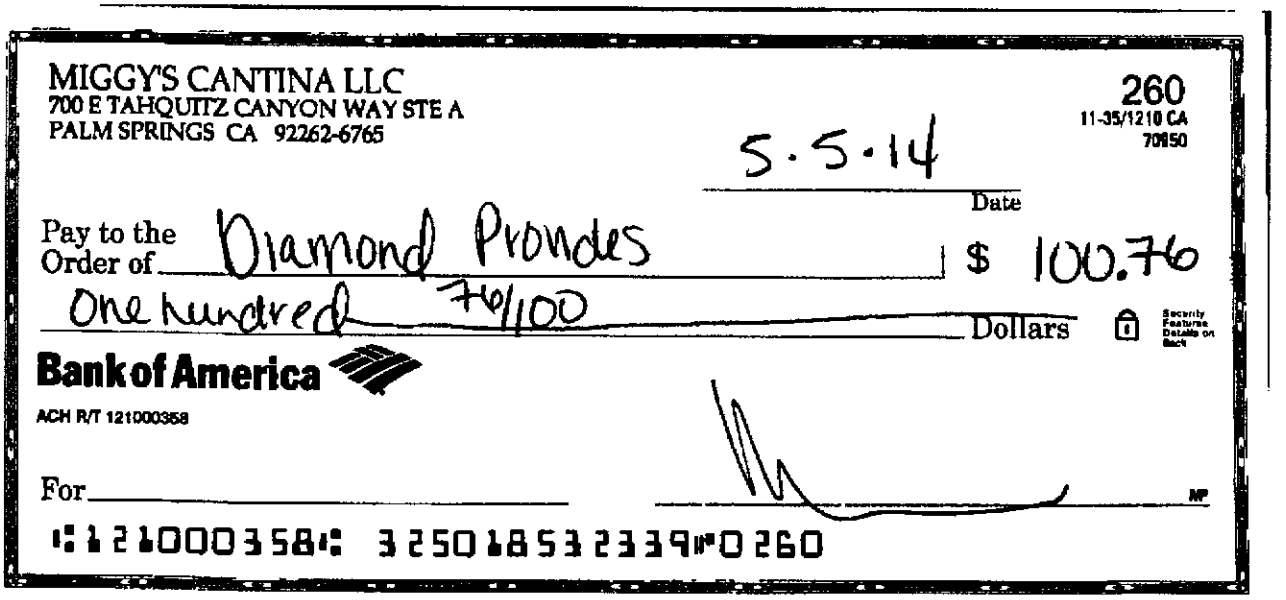
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000009400022194	114000093	Undetermined	N		FROST BANK
05/14/2014	524800280000594	111905764	Rtn Loc/BOFD	Y		TEXAS STAR BANK
05/15/2014	009592791418	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $100.76 Sequence Number: 8692534113

Account: 325018532339 Capture Date: 05/09/2014

Bank Number: 12100035 Check Number: 260



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

260
11-35/1210 CA
70150

5.5.14
Date

Pay to the Order of Diamond Prondes $ 100.76

One hundred 76/100 Dollars

Bank of America
ACH R/T 121000358

For

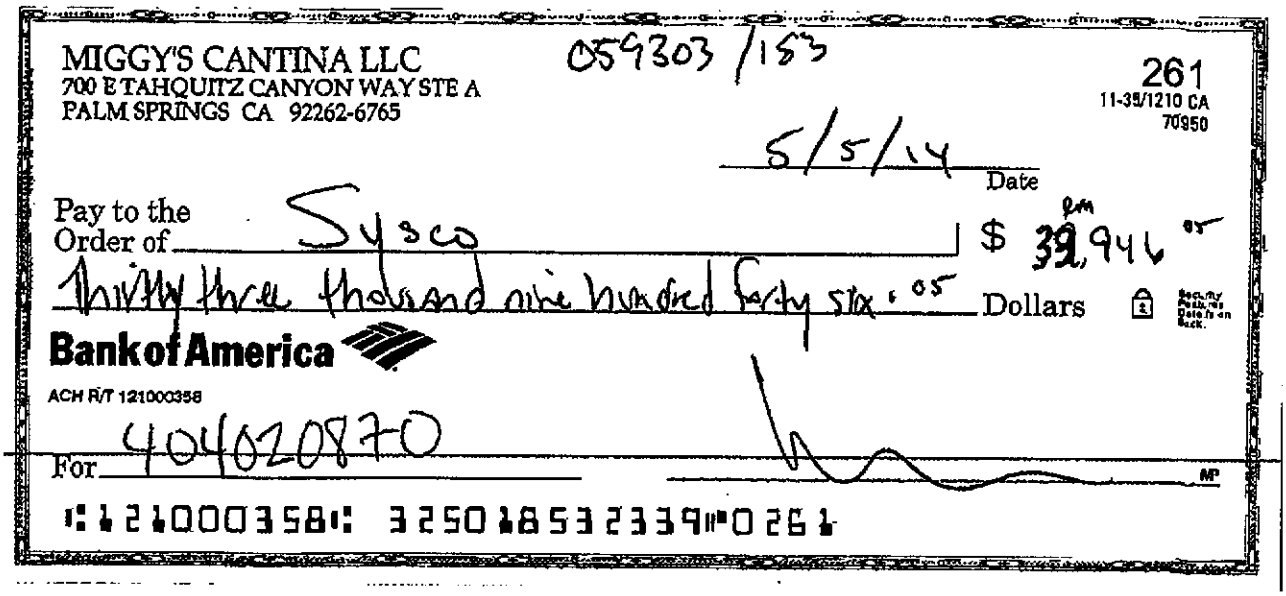
⑆121000358⑆ 325018532339⑈0260

Pay to the Order of -
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008692534113	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	000008675189065	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/09/2014	046923975053379	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/09/2014	000002323444897	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$33,946.05	Sequence Number:	4792500409
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	261



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303 / 153

261
11-39/1210 CA
70950

5/5/14
Date

Pay to the Order of Sysco

$ 33,946 05

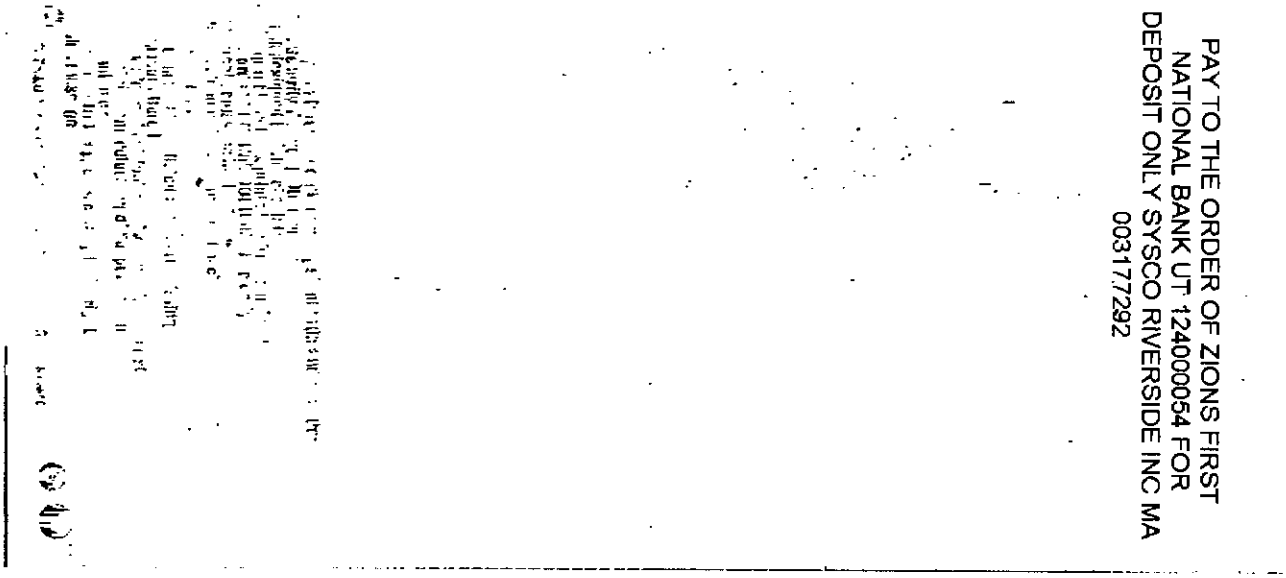
Thirty three thousand nine hundred forty six & 05 Dollars

Bank of America

ACH R/T 121000358

For 40402087O

⑆121000358⑆ 325018532339⑈0261

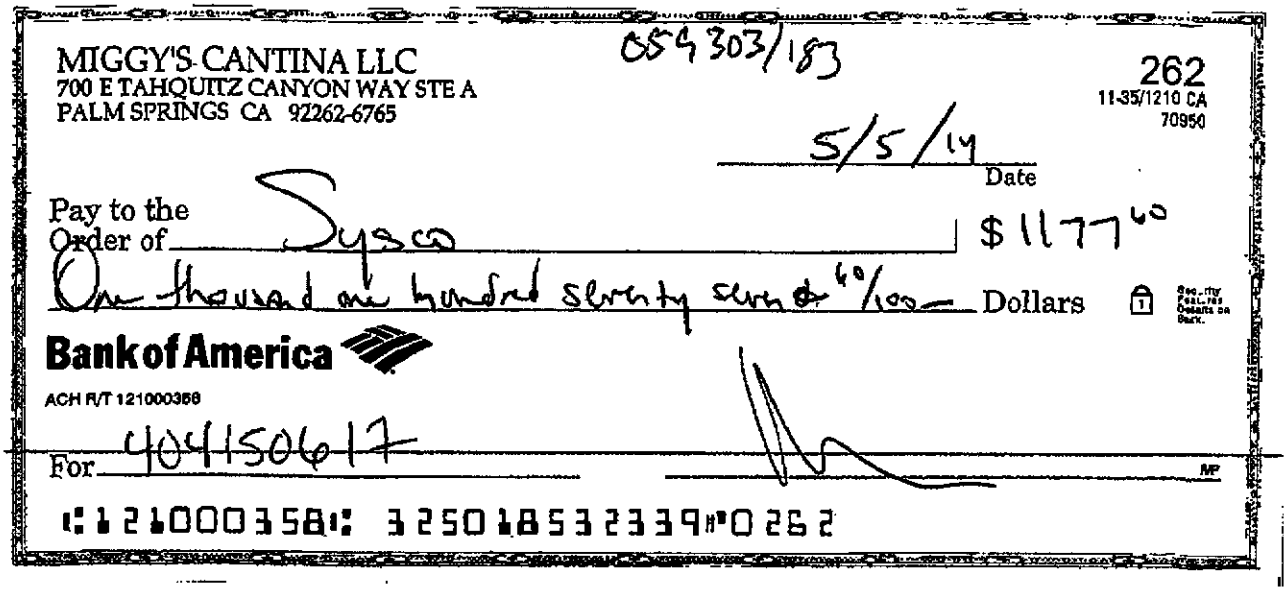


PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	9677262647	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	004792500409	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	000051459135482	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$1,177.60	Sequence Number:	4792500408
Account:	325018532339	Capture Date:	05/08/2014
Bank Number:	12100035	Check Number:	262



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

054303/183

262
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Sysco $1177.60

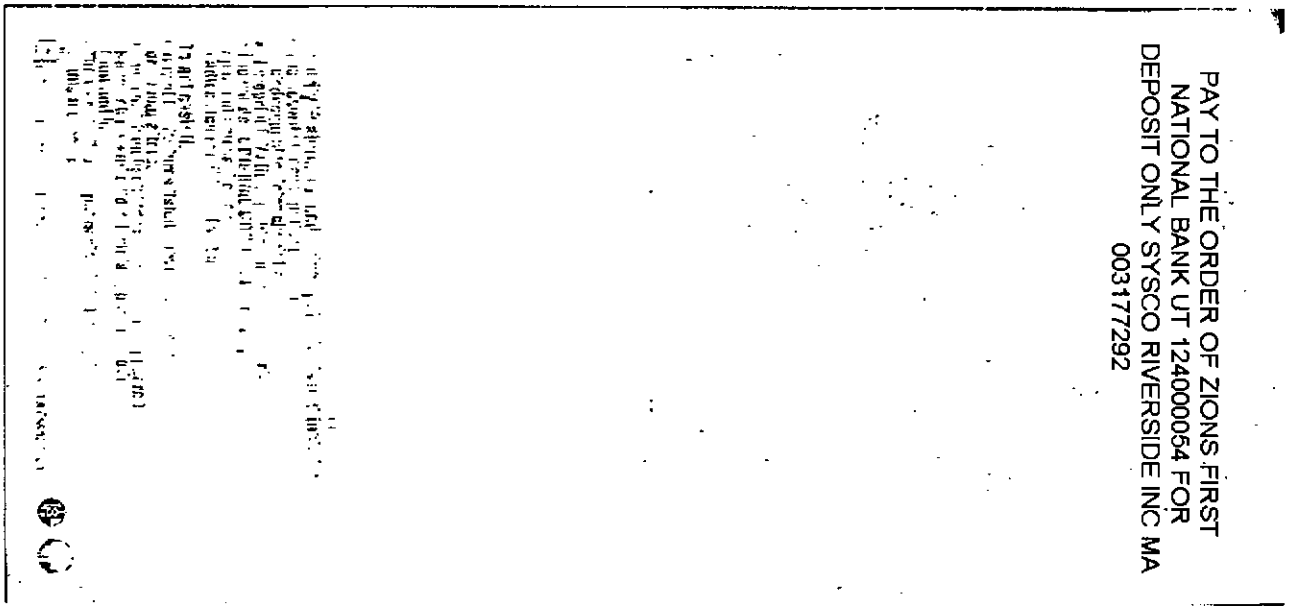
One thousand one hundred seventy seven & 60/100 Dollars

Bank of America

ACH R/T 121000358

For 40415061 7

⑆121000358⑆ 325018532339⑈0262

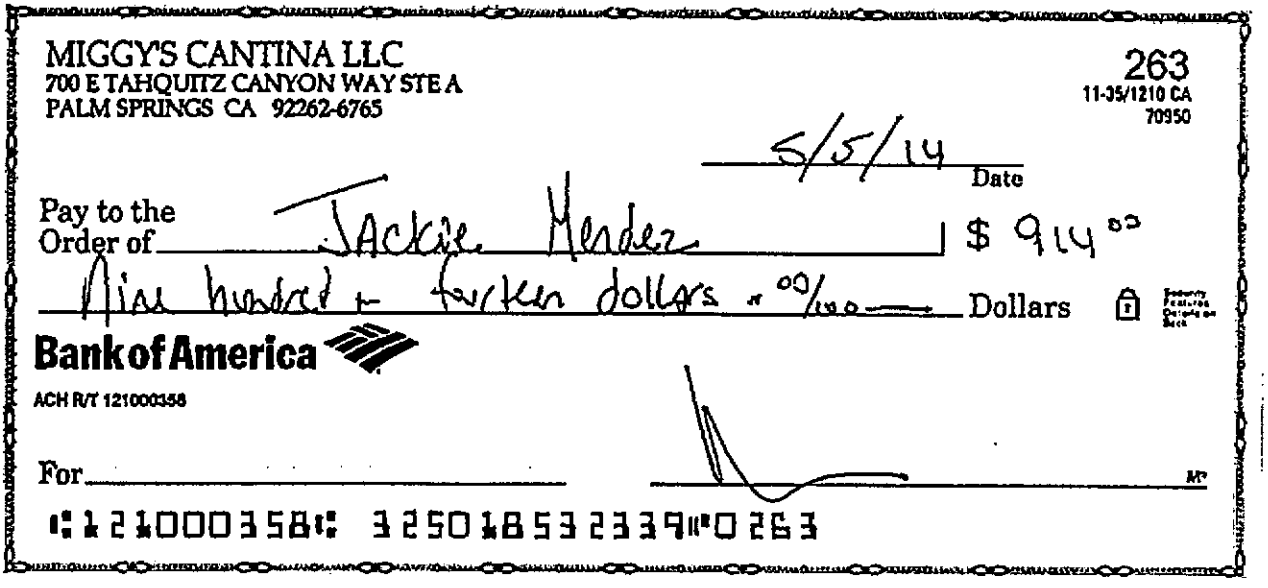


PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	004792500408	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	9677262646	61000146	Undetermined	N		FEDERAL RES BANK OF
05/08/2014	000051459135483	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$914.00	Sequence Number:	6382999255
Account:	325018532339	Capture Date:	05/07/2014
Bank Number:	12100035	Check Number:	263



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

263
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Jackie Mendez $ 914.00

Nine hundred + fourteen dollars + 00/100 Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0263

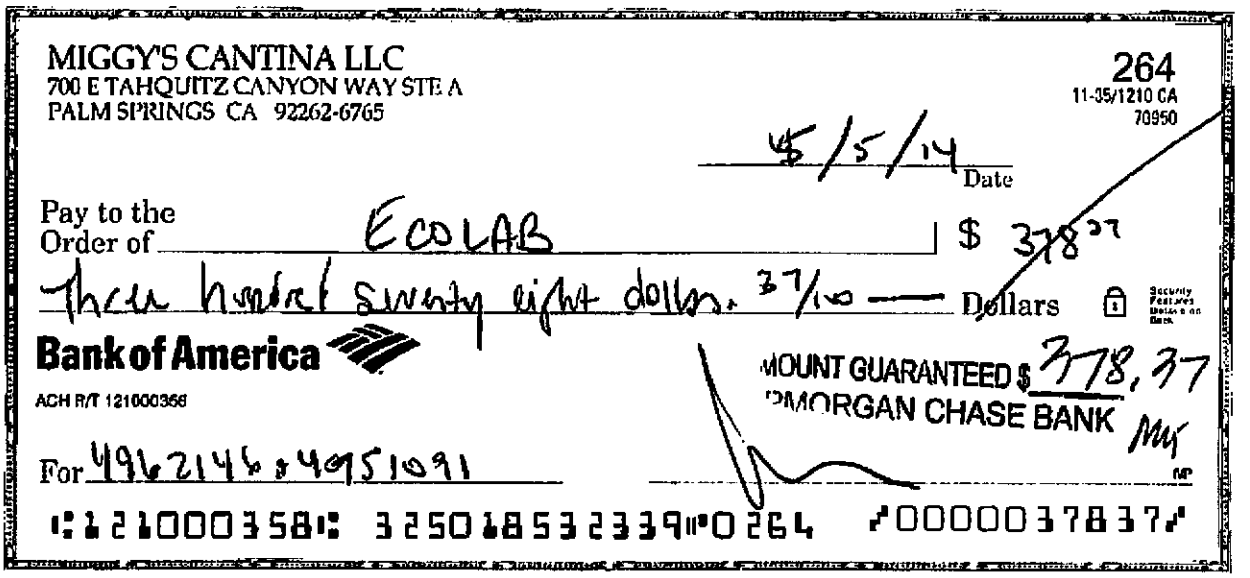
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/07/2014	6382999255	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $378.37 Sequence Number: B492242548

Account: 325018532339 Capture Date: 05/09/2014

Bank Number: 12100035 Check Number: 264



JPMORGANCHASE BK NA CR TO NMD

050914 >074909962< PAYEE ALL

01208828 0100512 RTS RSVD

00771690 187 0000000005101921

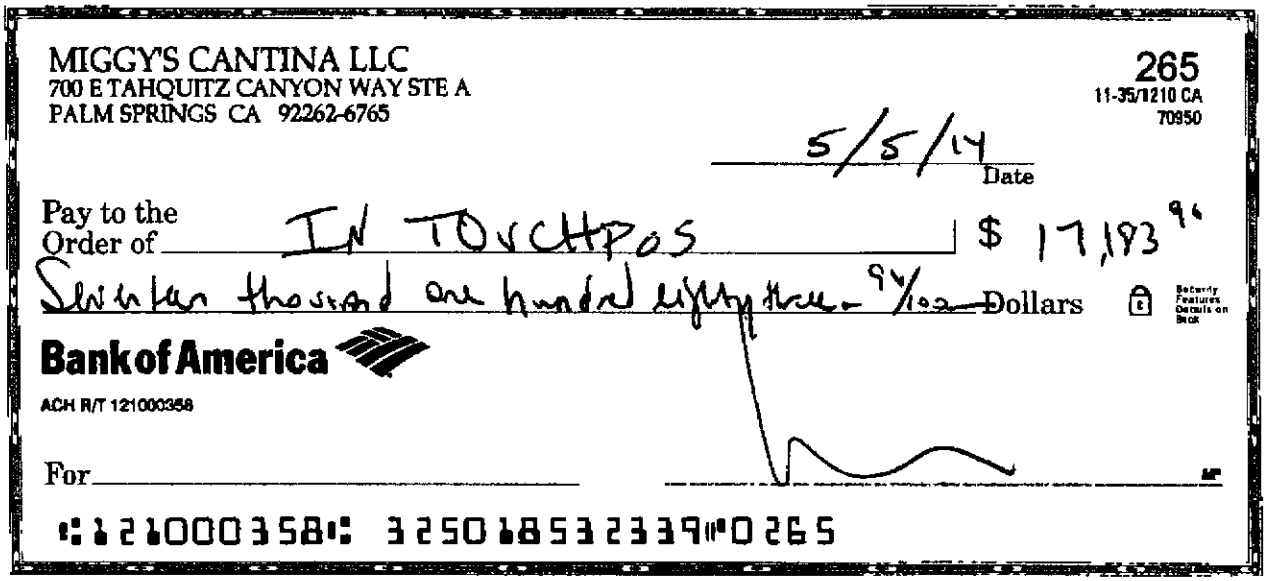
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	B080561596	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/09/2014	008492242548	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $17,183.96 Sequence Number: 5392425610

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 265



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

265
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of IN TOUCH POS $ 17,183 96

Seventeen thousand one hundred eighty three - 96/100 Dollars

Bank of America

ACH R/T 121000358

For

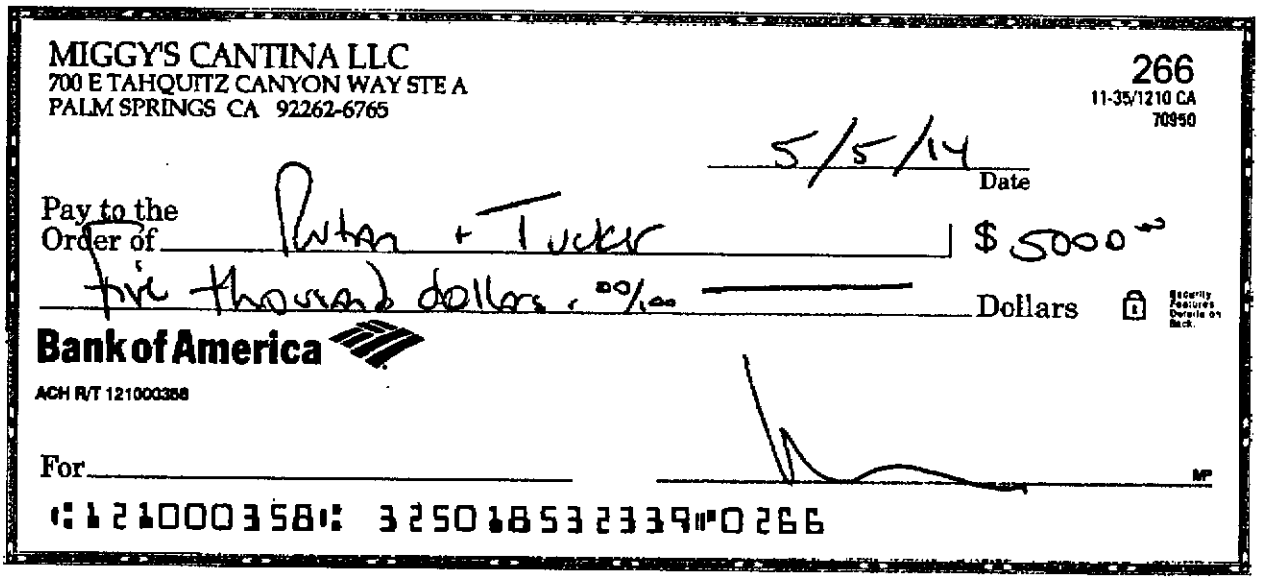
⑆121000358⑆ 325018532339⑈0265

Pay to the Order of
Bay Commercial Bank
121143781
For Deposit Only
Assal Corporation General Account
10011765

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	005392425610	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/13/2014	9748132001	61000146	Undetermined	N		FEDERAL RES BANK OF
05/12/2014	5250218448491	121143781	Rtn Loc/BOFD	Y		BAY COMMERCIAL BANK

Amount:	$5,000.00	Sequence Number:	5092539744
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	266



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

266
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Rutan + Tucker $ 5000.00

five thousand dollars and 00/100 Dollars

Security Features Details on Back

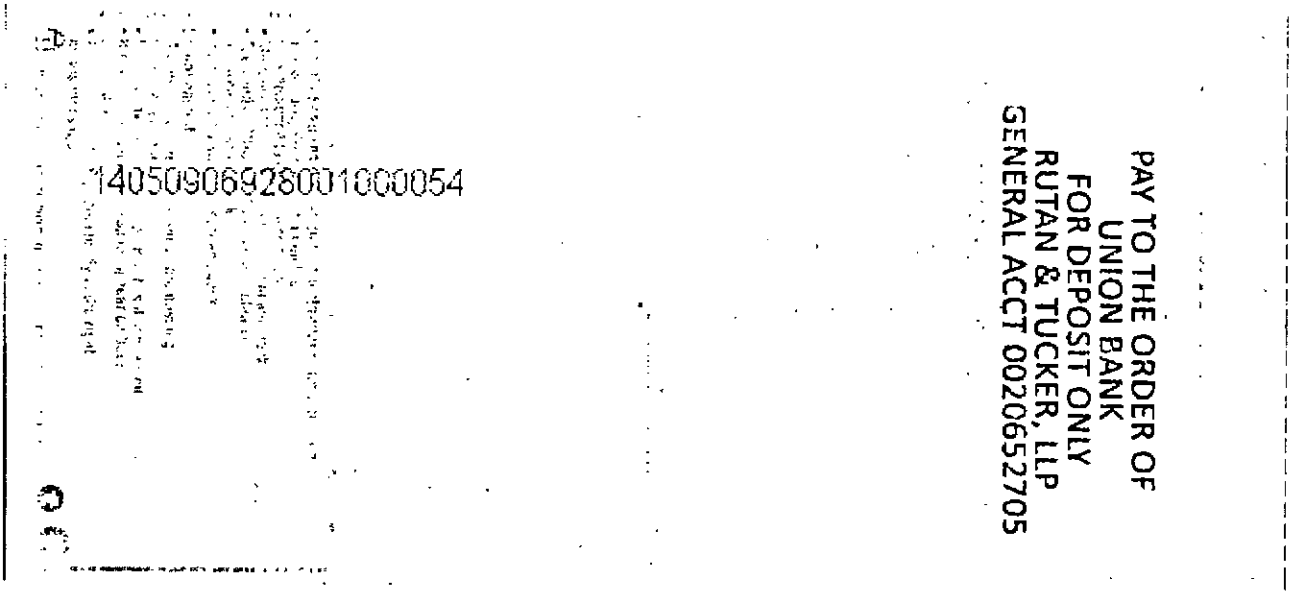
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0266



14050906928001000054

PAY TO THE ORDER OF
UNION BANK
FOR DEPOSIT ONLY
RUTAN & TUCKER, LLP
GENERAL ACCT 0020652705

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	4477514502	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/09/2014	005092539744	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,087.50	Sequence Number:	5092518125
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	267

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

267
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Agua Caliente Band of Cahuilla Indians $ 1087.50

One thousand eighty seven dollars and 50/100 Dollars

Bank of America

ACH R/T 121000358

For 006931

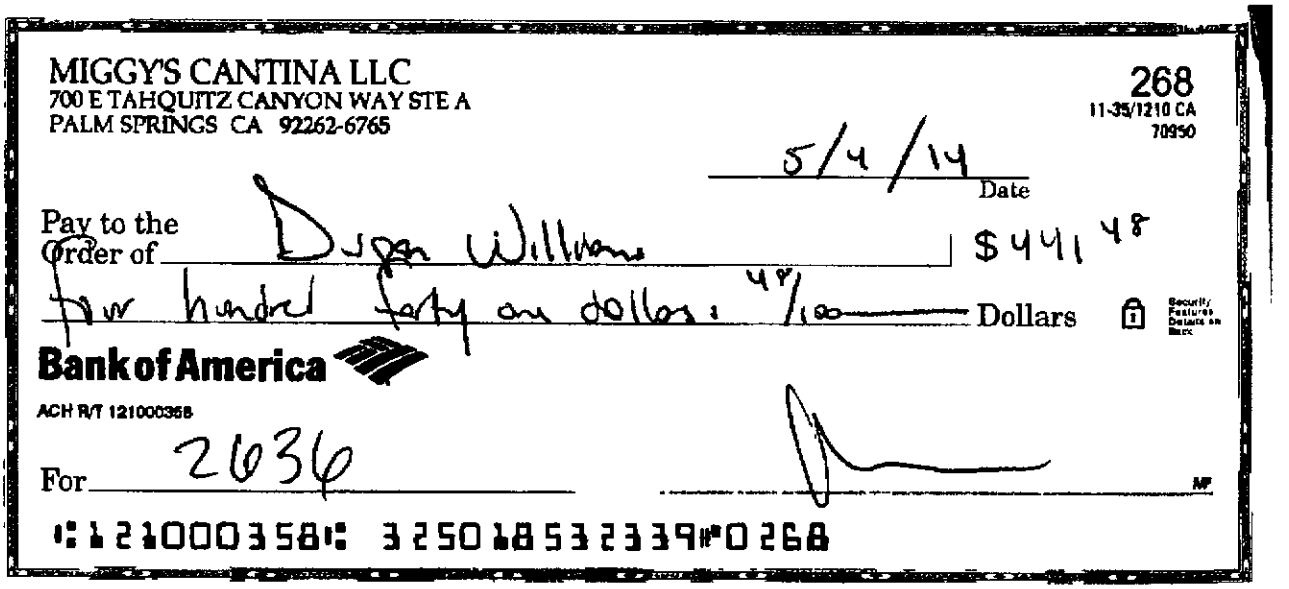
⑆121000358⑆ 325018532339⑈0267

FOR DEPOSIT ONLY
322010235
GOVERNMENT OPERATION
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	005092518125	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	4512893975	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$441.48	Sequence Number:	8092551755
Account:	325018532339	Capture Date:	05/07/2014
Bank Number:	12100035	Check Number:	268



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

268
11-35/1210 CA
70950

5/4/14
Date

Pay to the Order of Dyan Williams $441.48

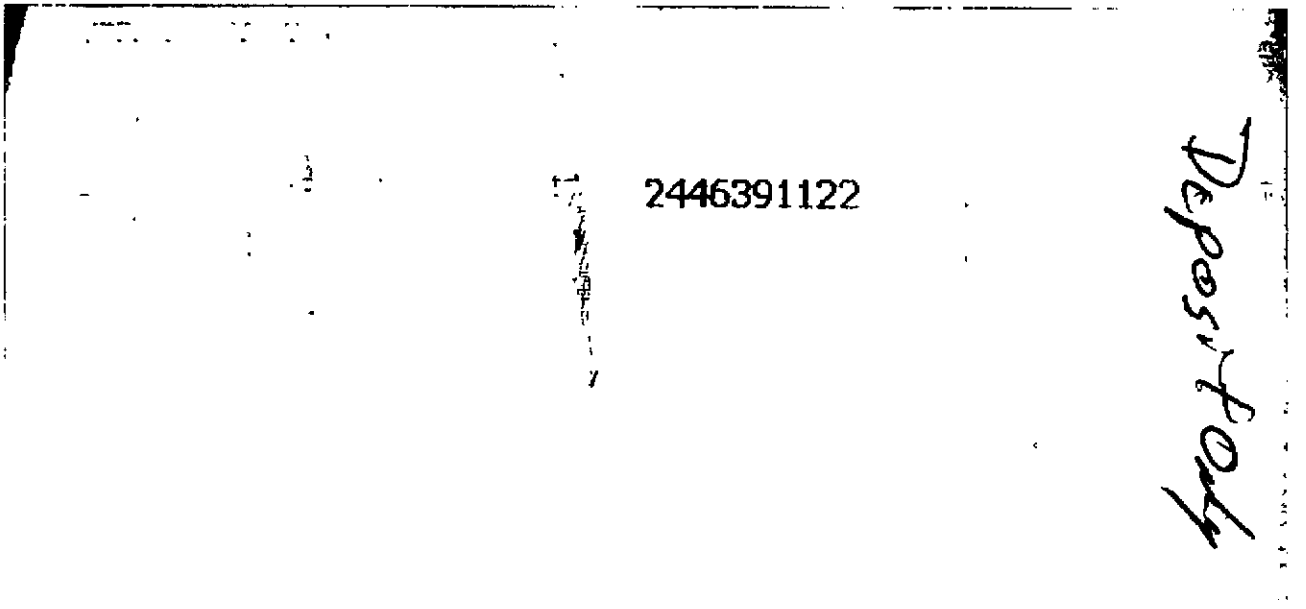
four hundred forty one dollars 48/100 Dollars

Bank of America

ACH R/T 121000358

For 2636

⑆121000358⑆ 325018532339⑈0268



2446391122

Deposit Only

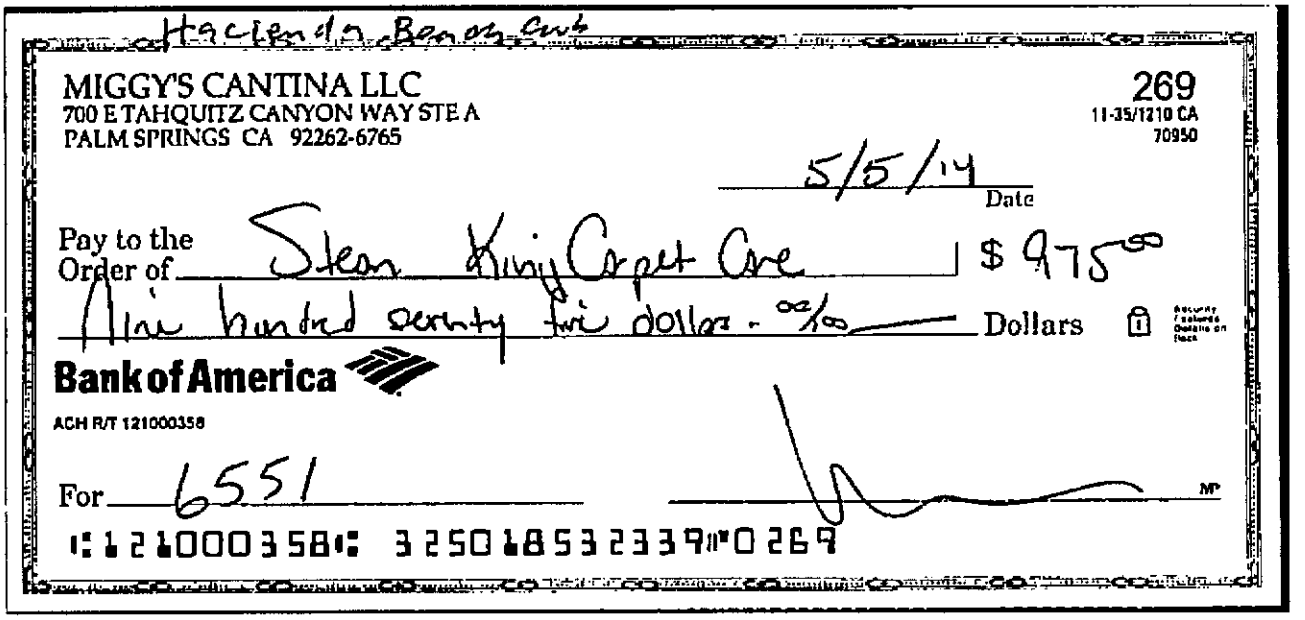
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/07/2014	000002446391122	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/07/2014	008092551755	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $975.00 Sequence Number: 9492762526

Account: 325018532339 Capture Date: 05/14/2014

Bank Number: 12100035 Check Number: 269



Hacienda Banco Cent

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

269
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Steam King Carpet Care $ 975.00

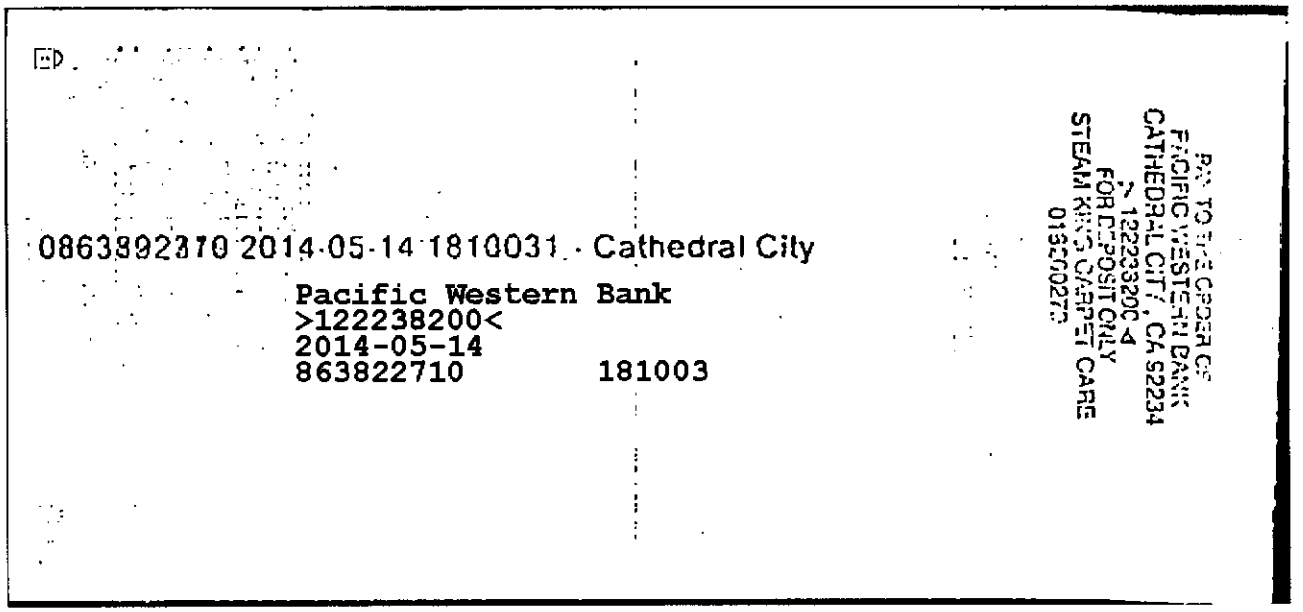
Nine hundred seventy five dollars - 00/100 Dollars

Bank of America

ACH R/T 121000358

For 6551

⑆121000358⑆ 325018532339⑈0269



0863892370 2014-05-14 1810031 · Cathedral City

Pacific Western Bank
>122238200<
2014-05-14
863822710 181003

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
CATHEDRAL CITY, CA 92234
⑆122238200⑆
FOR DEPOSIT ONLY
STEAM KING CARPET CARE
01360027?

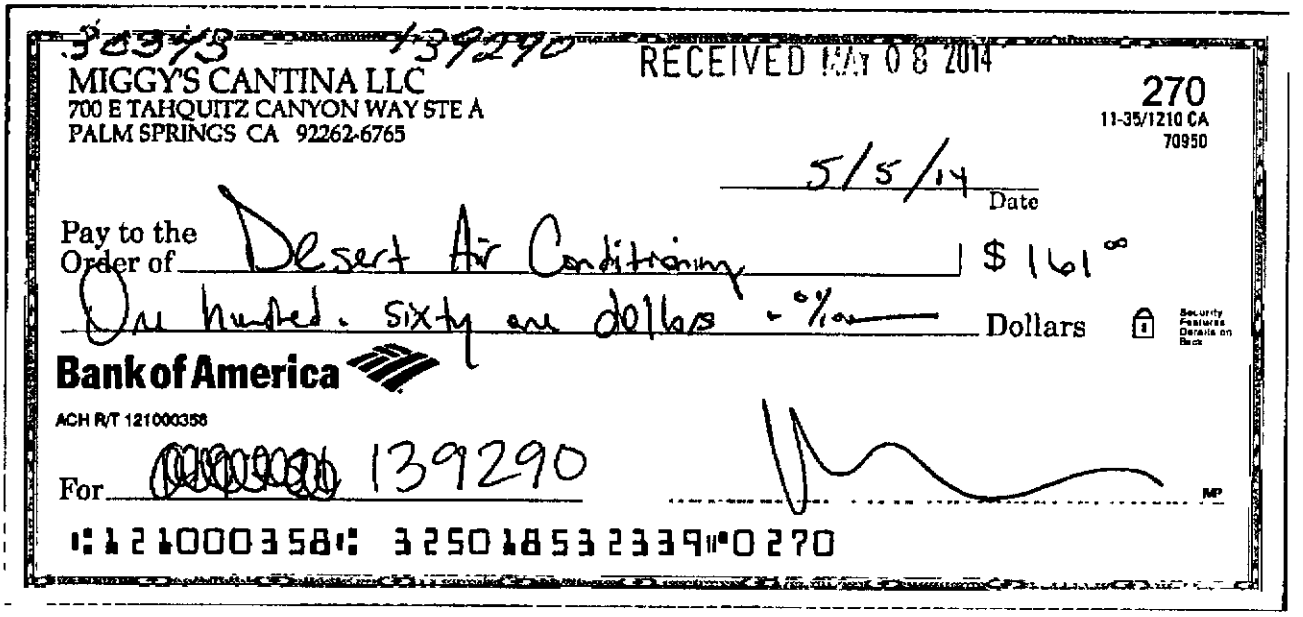
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/14/2014	000000863822710	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/14/2014	000008175037630	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/14/2014	009492762526	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $161.00 Sequence Number: 8492011815

Account: 325018532339 Capture Date: 05/08/2014

Bank Number: 12100035 Check Number: 270



38393 139290

RECEIVED MAY 08 2014

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

270
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Desert Air Conditioning $ 161.00

One hundred sixty one dollars and 00/100 Dollars

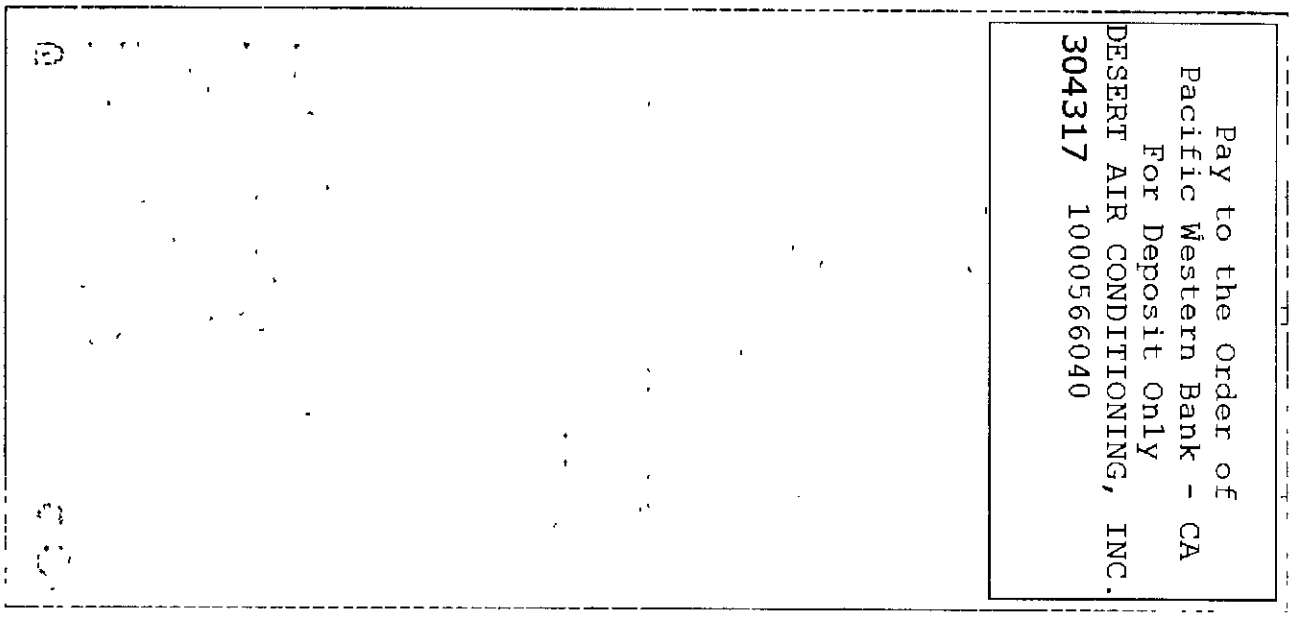
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 139290

⑆121000358⑆ 325018532339⑈0270

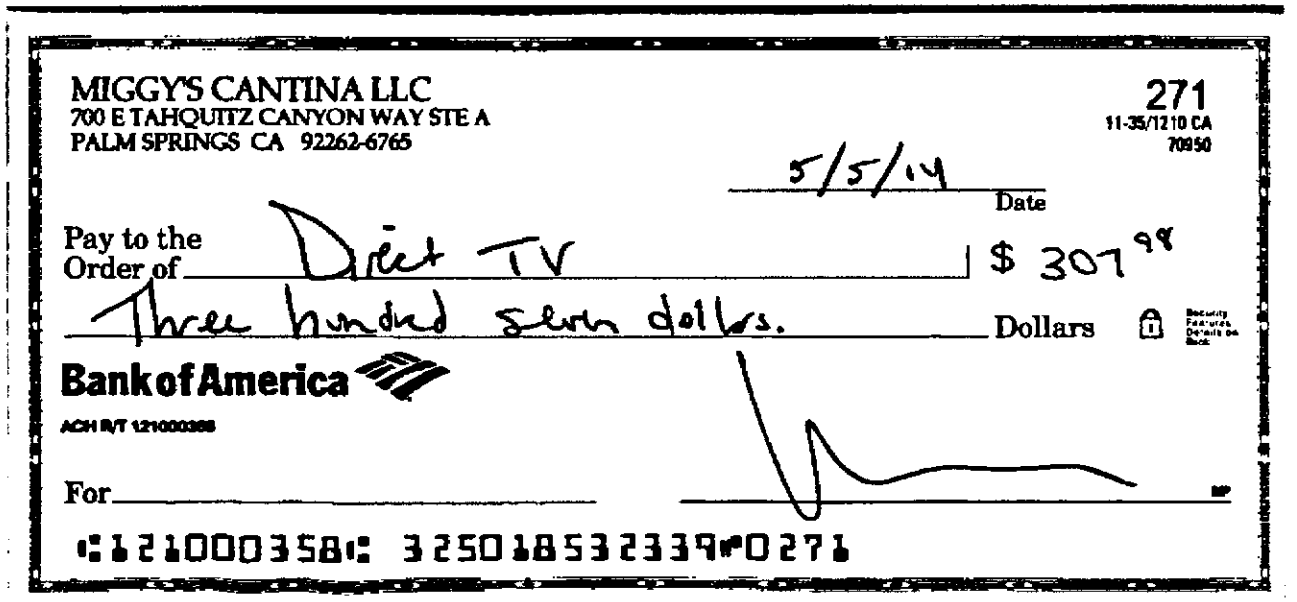


Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
DESERT AIR CONDITIONING, INC.
304317 1000566040

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/08/2014	000008374125551	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/08/2014	008492011815	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/08/2014	000002320426085	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/08/2014	046923975004871	122238200	Undetermined	N		PACIFIC WESTERN BANK

Amount:	$307.98	Sequence Number:	8592885059
Account:	325018532339	Capture Date:	05/09/2014
Bank Number:	12100035	Check Number:	271



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

271
11-35/1210 CA
70950

5/5/14
Date

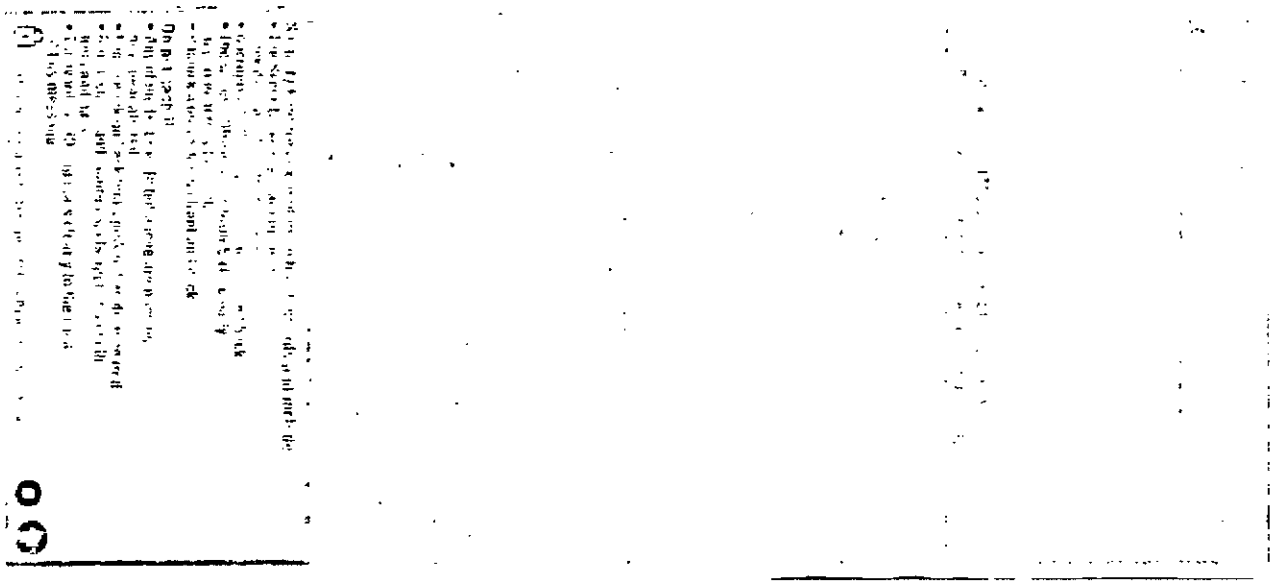
Pay to the Order of Direct TV $ 307 98

Three hundred seven dollars. Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0271



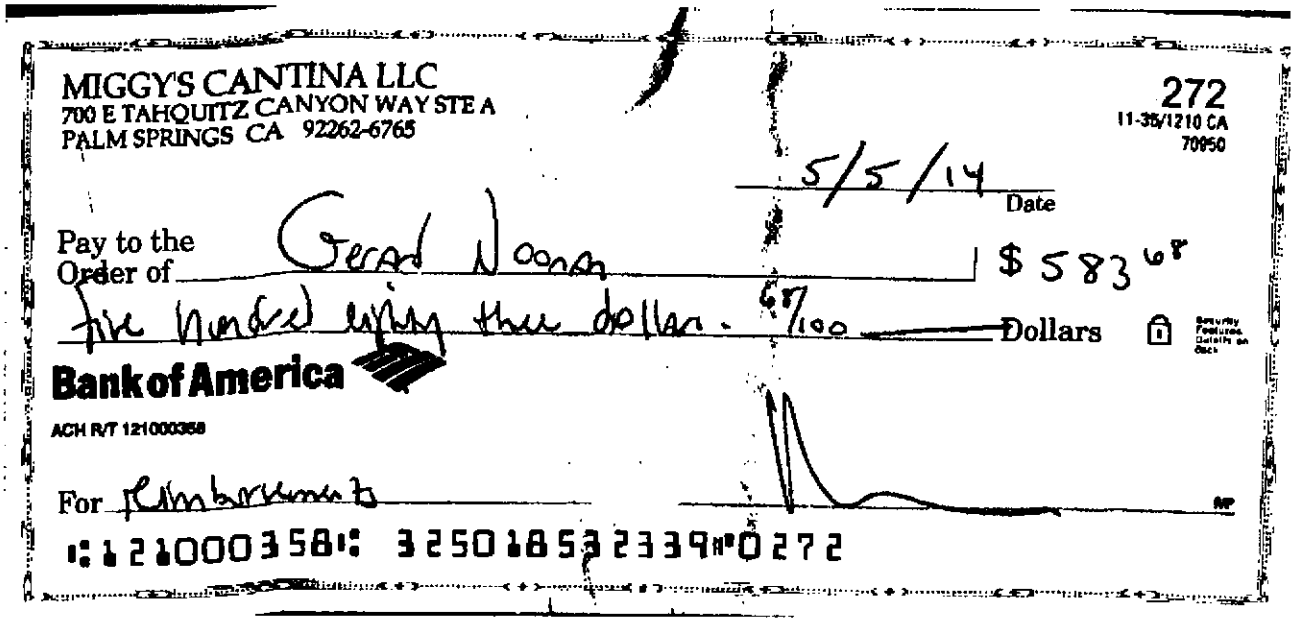
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/09/2014	008592885059	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/09/2014	8670895974	111901331	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $583.68 Sequence Number: 8692948639

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 272



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

272
11-35/1210 CA
70950

5/5/14
Date

Pay to the Order of Gerad Noonan $ 583 68

five hundred eighty three dollars 68/100 Dollars

Bank of America

ACH R/T 121000358

For Reimbursements

⑆121000358⑆ 325018532339⑈0272

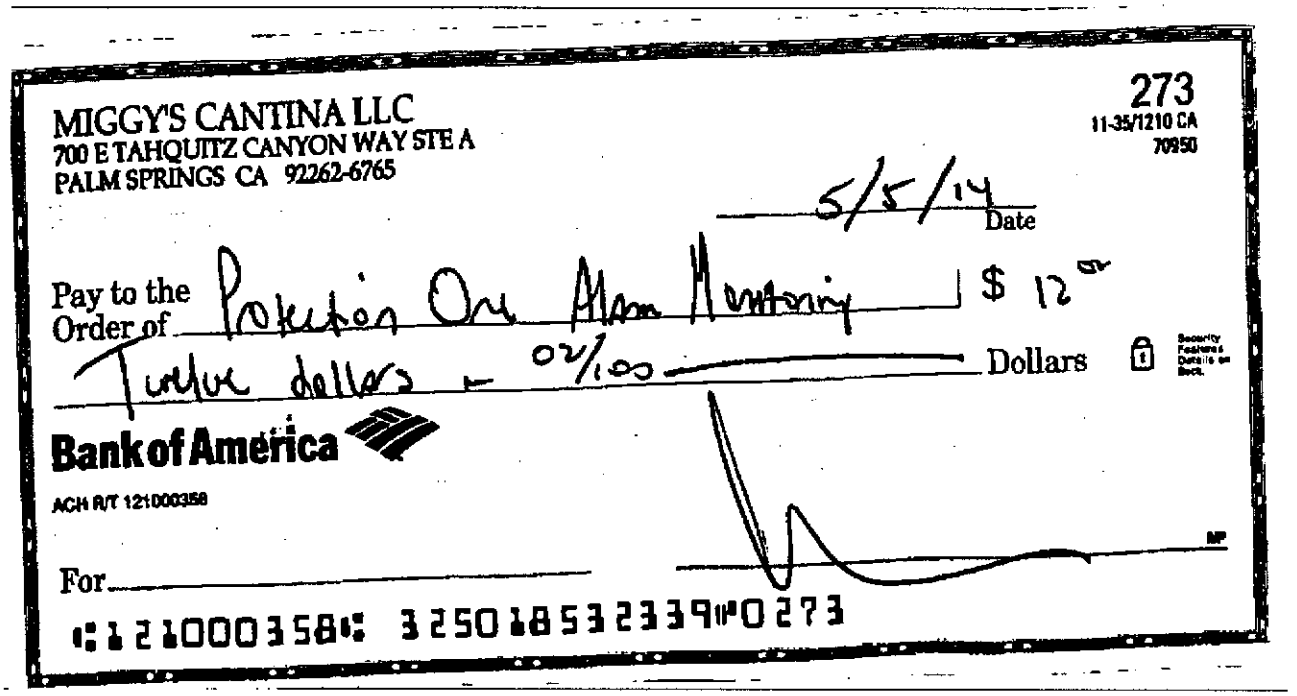
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	9870276575	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/12/2014	008692948639	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $12.02 Sequence Number: 8792763113

Account: 325018532339 Capture Date: 05/12/2014

Bank Number: 12100035 Check Number: 273



CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

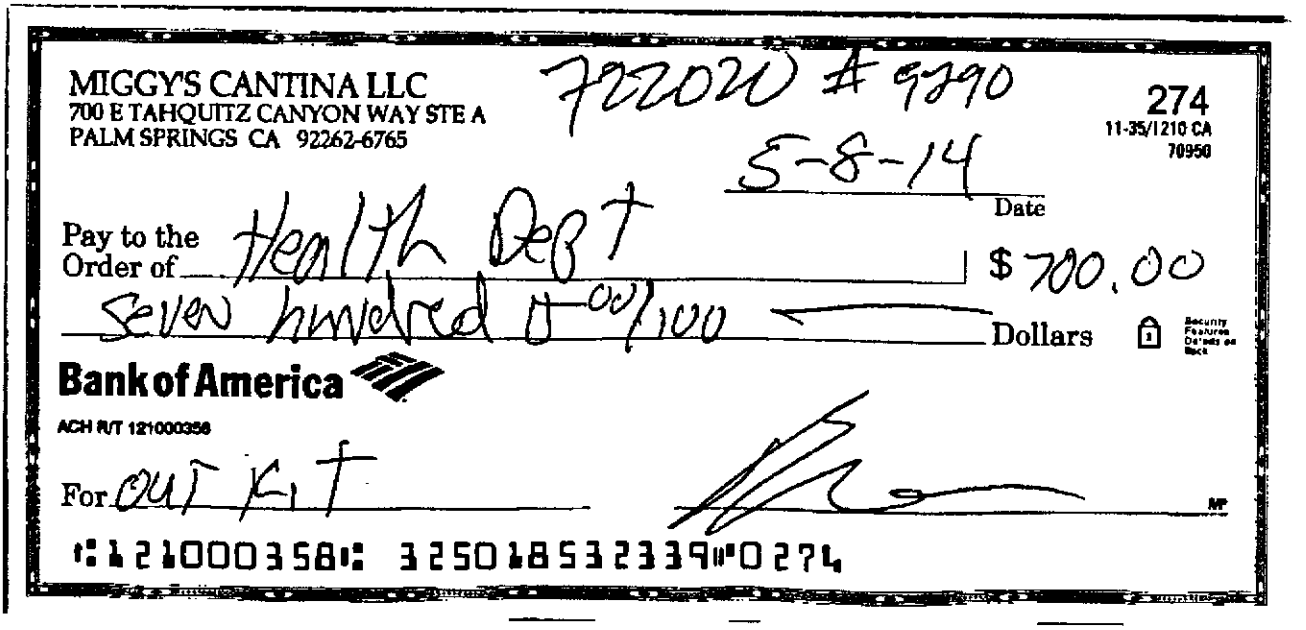
051214

000000000060818036

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/12/2014	008792763113	111012822	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	007373304514	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/12/2014	000007373304514	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$700.00	Sequence Number:	5492236239
Account:	325018532339	Capture Date:	05/13/2014
Bank Number:	12100035	Check Number:	274



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

722020 # 9290

274
11-35/1210 CA
70950

5-8-14
Date

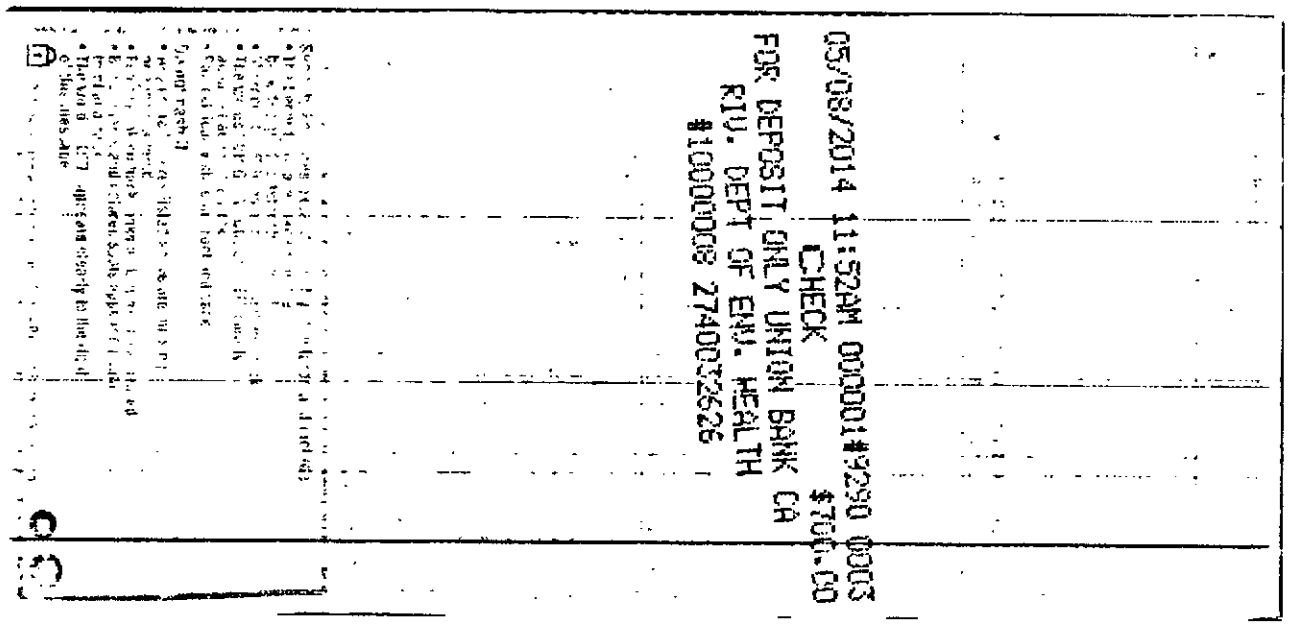
Pay to the Order of Health Dept $700.00

Seven hundred 00/100 Dollars

Bank of America
ACH R/T 121000358

For Out Fit

⑆121000358⑆ 325018532339⑈0274

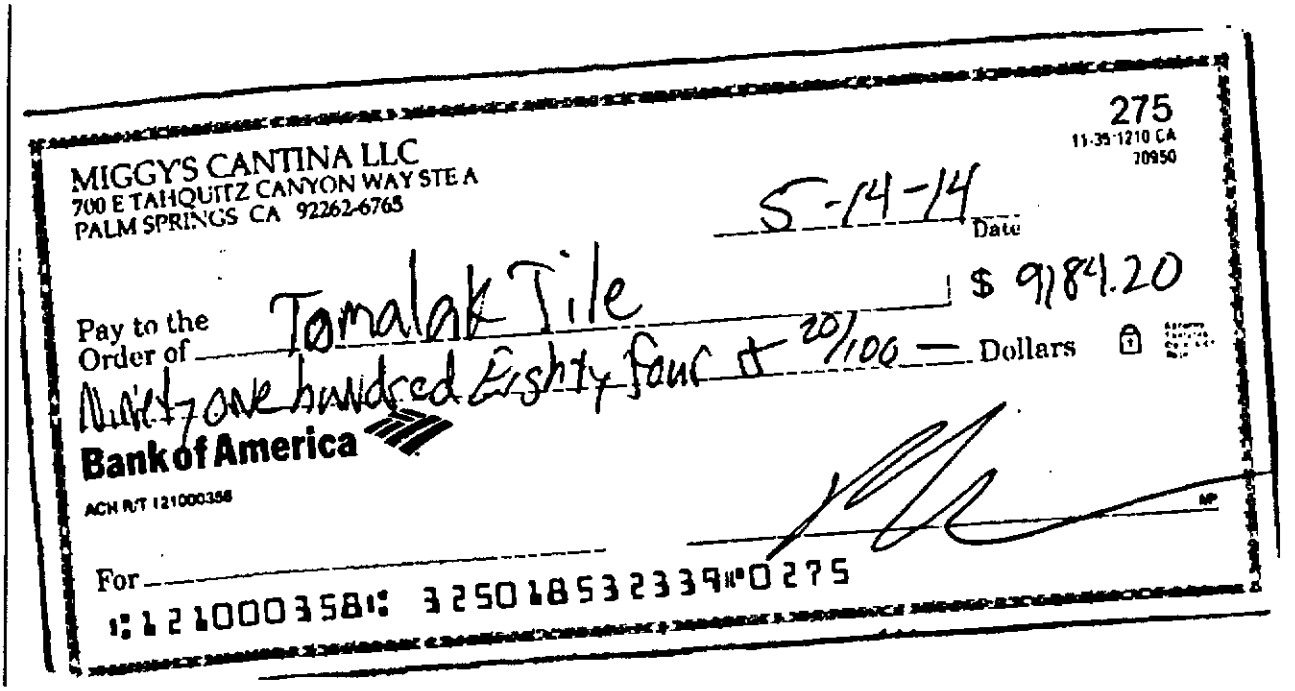


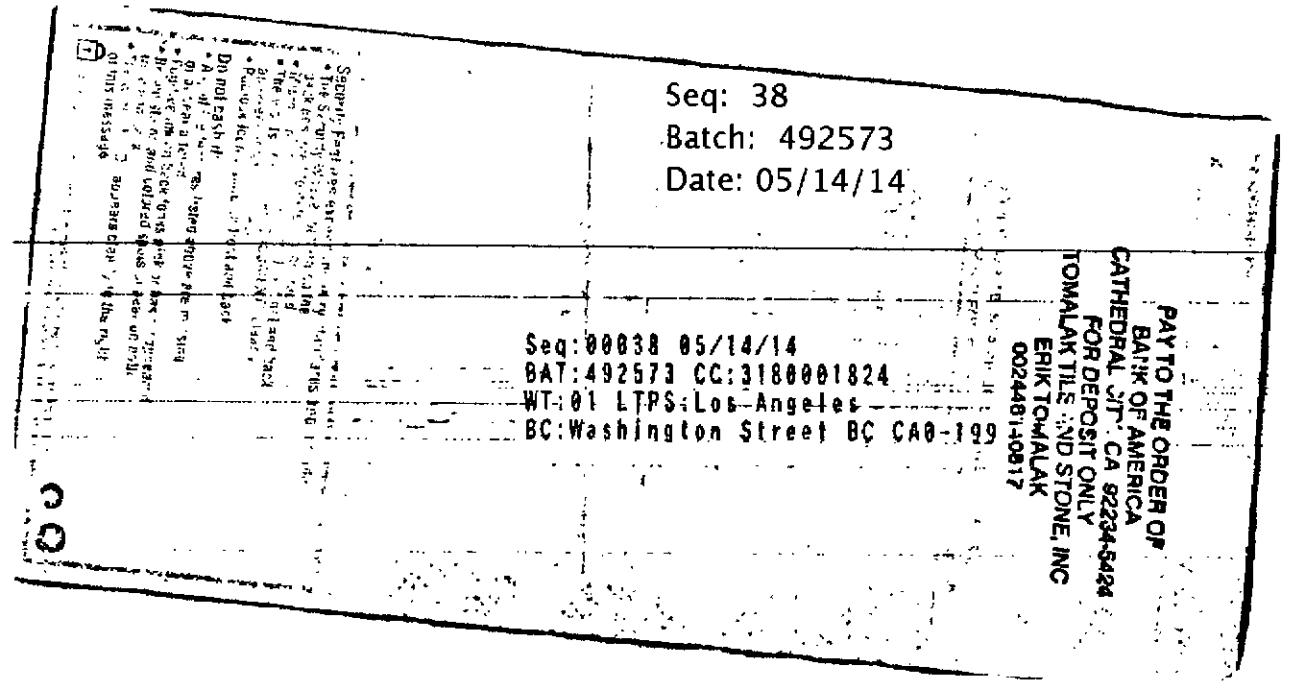
05/08/2014 11:52AM 000001#9290 0003
CHECK $700.00
FOR DEPOSIT ONLY UNION BANK CA
RIV. DEPT OF ENV. HEALTH
#100000008 2740032626

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/13/2014	005492236239	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/12/2014	4447822546	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$9,184.20	Sequence Number:	6742969254
Account:	325018532339	Capture Date:	05/14/2014
Bank Number:	12100035	Check Number:	275





Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/14/2014	6742969254	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $2,750.00 Sequence Number: 6082175389

Account: 325018532339 Capture Date: 05/16/2014

Bank Number: 12100035 Check Number: 276

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

276
11-35/1210 CA
70950

5-13-14
Date

Pay to the Order of Jolfamens BR $ 2,750.00

Twenty Seven hundred Fifty & 00/100 Dollars

Bank of America

ACH R/T 121000358

For Hacienda

⑈121000358⑈ 325018532339⑈0276

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	6082175389	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,000.00	Sequence Number:	5892306462
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	278

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

278
11-35/1210 CA
70950

5-14-14
Date

Pay to the Order of Sign a Rama $ 1,000.00

One Thousand & 00/100 Dollars

Bank of America
ACH R/T 121000358

For 65883

MP

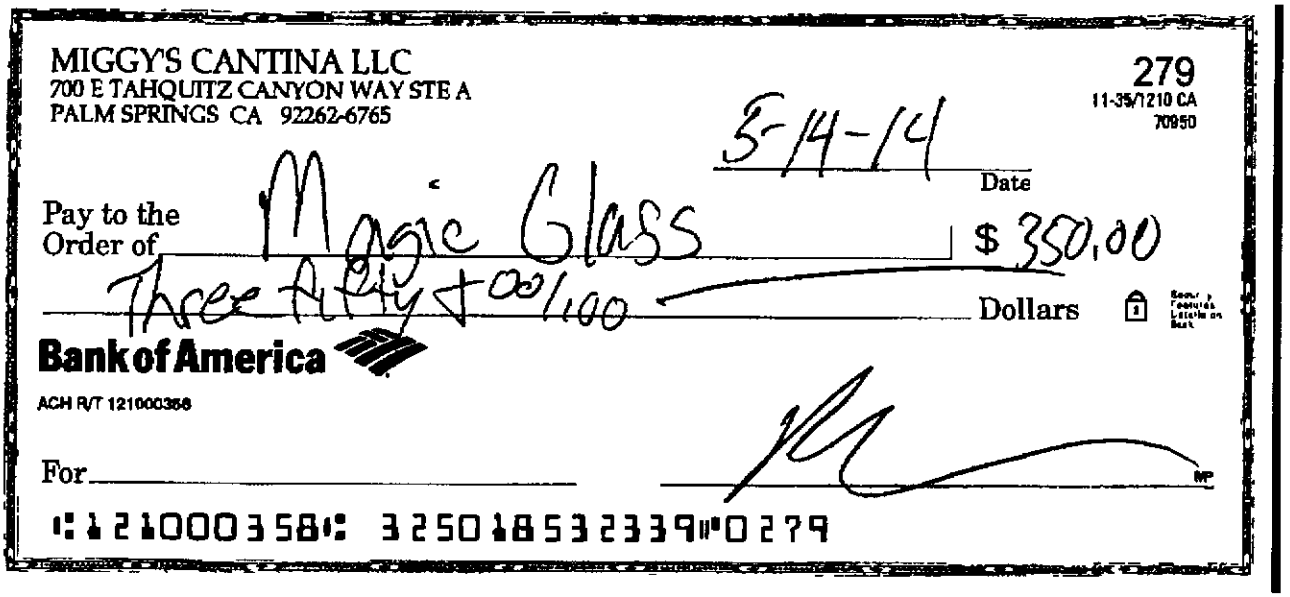
⑆121000358⑆ 325018532339⑈0278

PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY PD GROUP 23 0088101

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	405155353041915	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
05/16/2014	9807711453	61000146	Undetermined	N		FEDERAL RES BANK OF
05/15/2014	005892306462	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$350.00	Sequence Number:	5992014237
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	279



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

279
11-35/1210 CA
70950

5-14-14
Date

Pay to the Order of Magic Glass $ 350.00

Three Fifty +00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0279

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

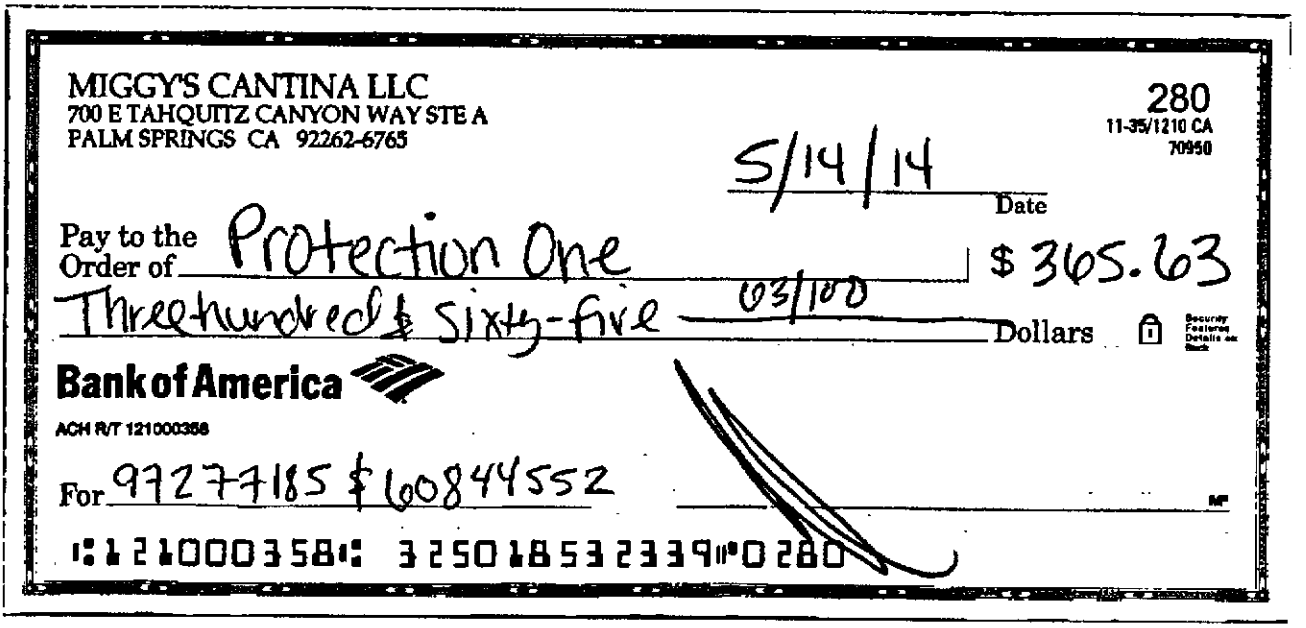
Electronic Endorsements:

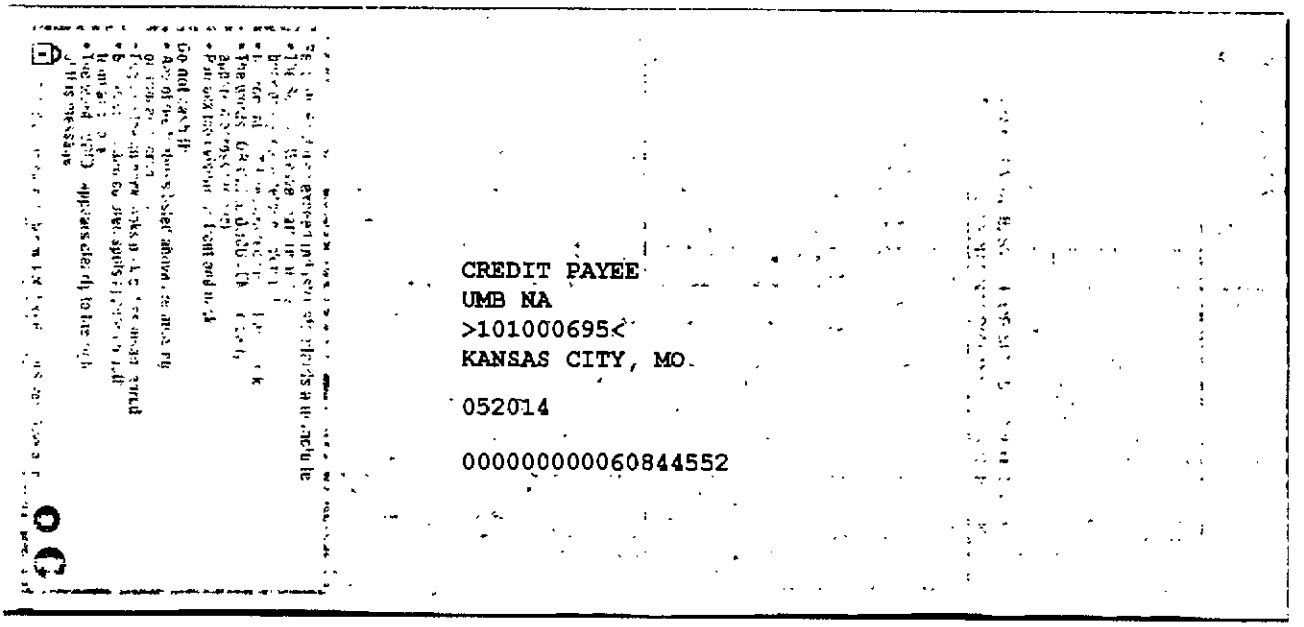
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	4512188331	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/15/2014	005992014237	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $365.63 Sequence Number: 8792308151

Account: 325018532339 Capture Date: 05/20/2014

Bank Number: 12100035 Check Number: 280





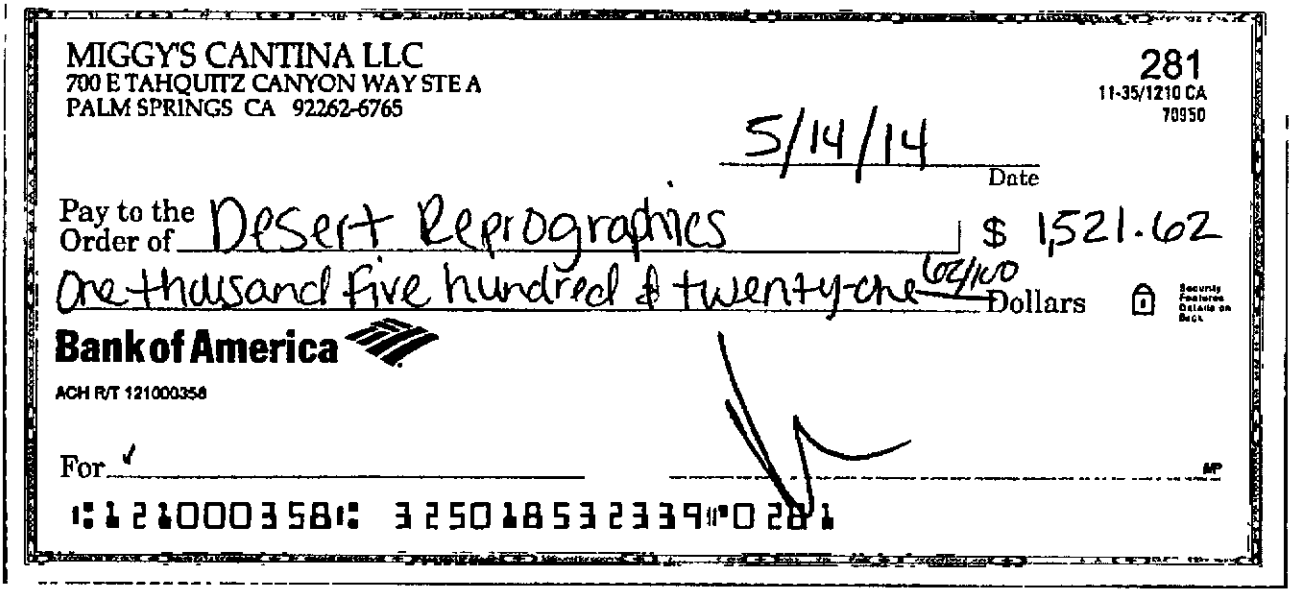
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	000007373596690	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A
05/20/2014	007373596690	101000695	Undetermined	N		UMB BANK, NATIONAL A
05/20/2014	008792308151	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $1,521.62 Sequence Number: 9792628015

Account: 325018532339 Capture Date: 05/15/2014

Bank Number: 12100035 Check Number: 281



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

281
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Desert Reprographics $ 1,521.62

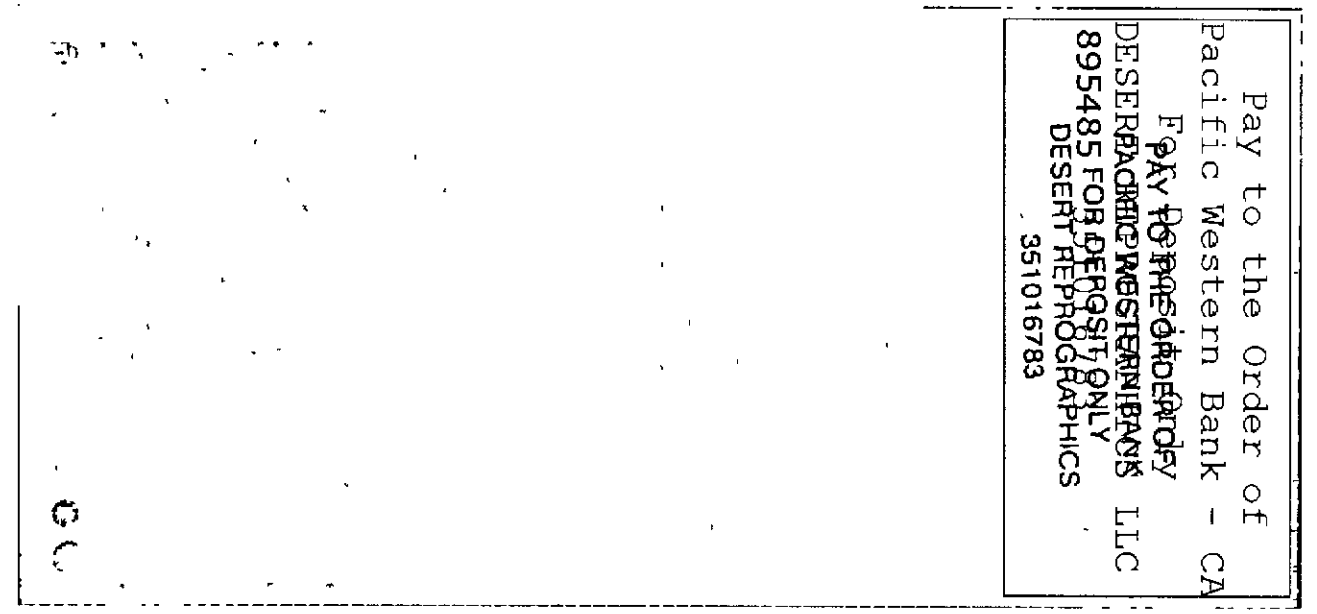
One thousand five hundred & twenty-one 62/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0281



Pay to the Order of
Pacific Western Bank - CA
FOR DEPOSIT ONLY
PACIFIC WESTERN BANK
895485 FOR DEPOSIT ONLY
DESERT REPROGRAPHICS
351016783

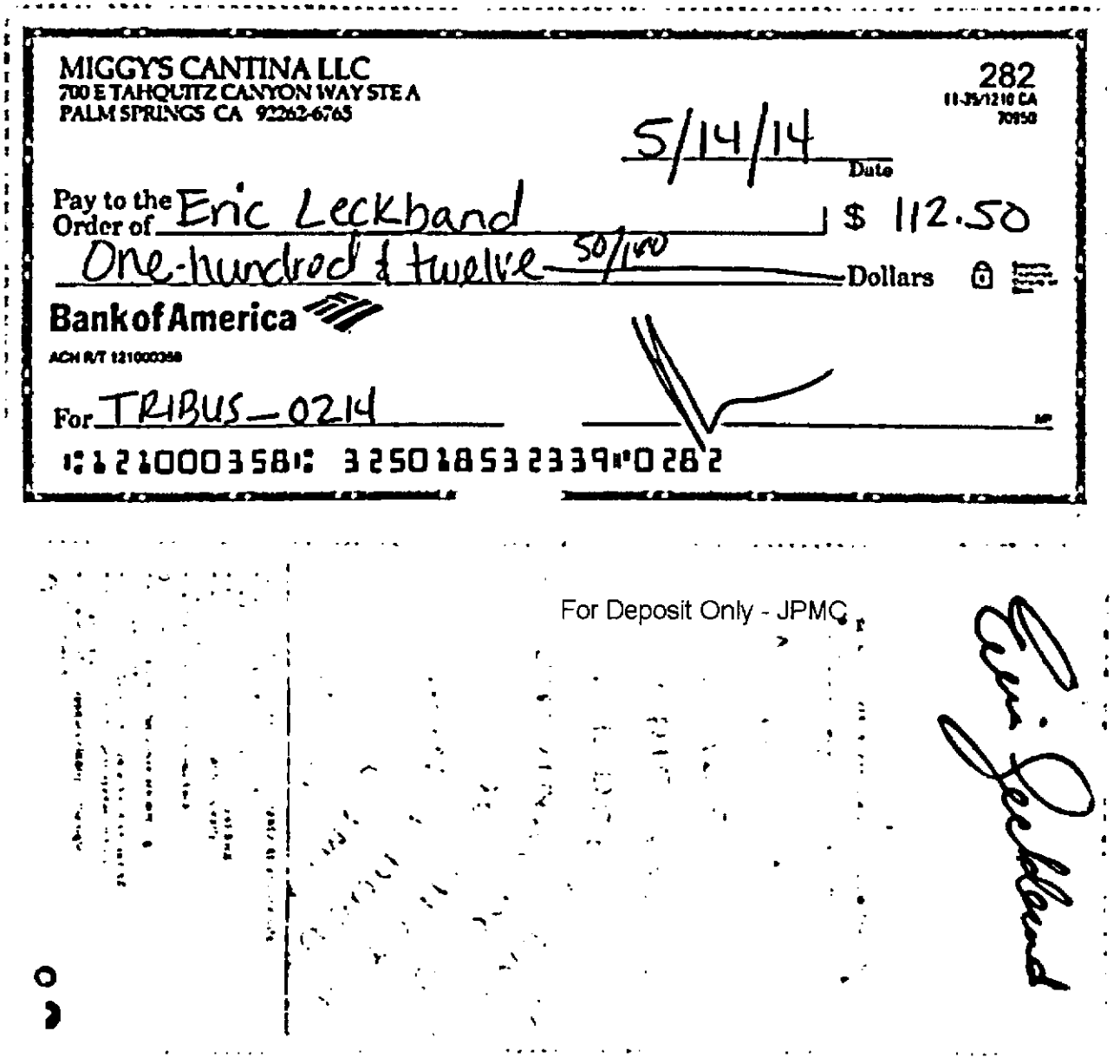
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000002349014049	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/15/2014	046923975286802	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/15/2014	000008175250692	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/15/2014	009792628015	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $112.50 Sequence Number: 9092470244

Account: 325018532339 Capture Date: 05/22/2014

Bank Number: 12100035 Check Number: 282



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	6170052021	74909962	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/22/2014	009092470244	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $90.00 Sequence Number: 1812570227

Account: 325018532339 Capture Date: 05/22/2014

Bank Number: 12100035 Check Number: 283

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6763

283
11-35/1210 CA
70950

5/14/14
Date

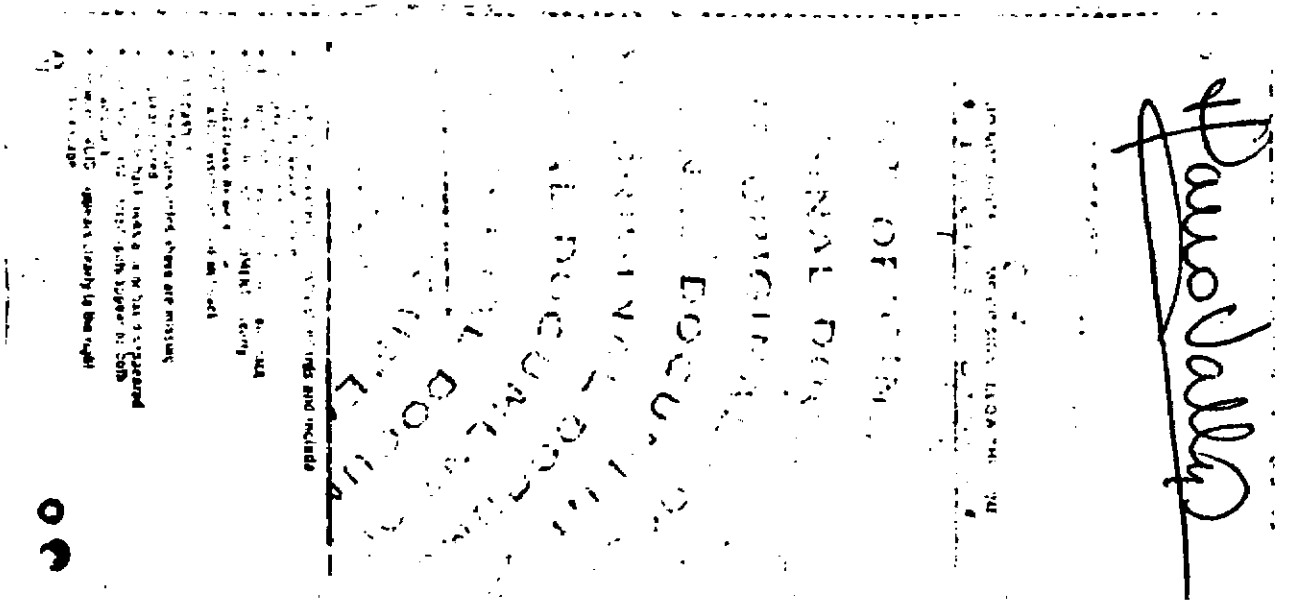
Pay to the Order of Vallgroup LLC. $ 90.00

Ninety Dollars

Bank of America
ACH R/T 121000358

For 3

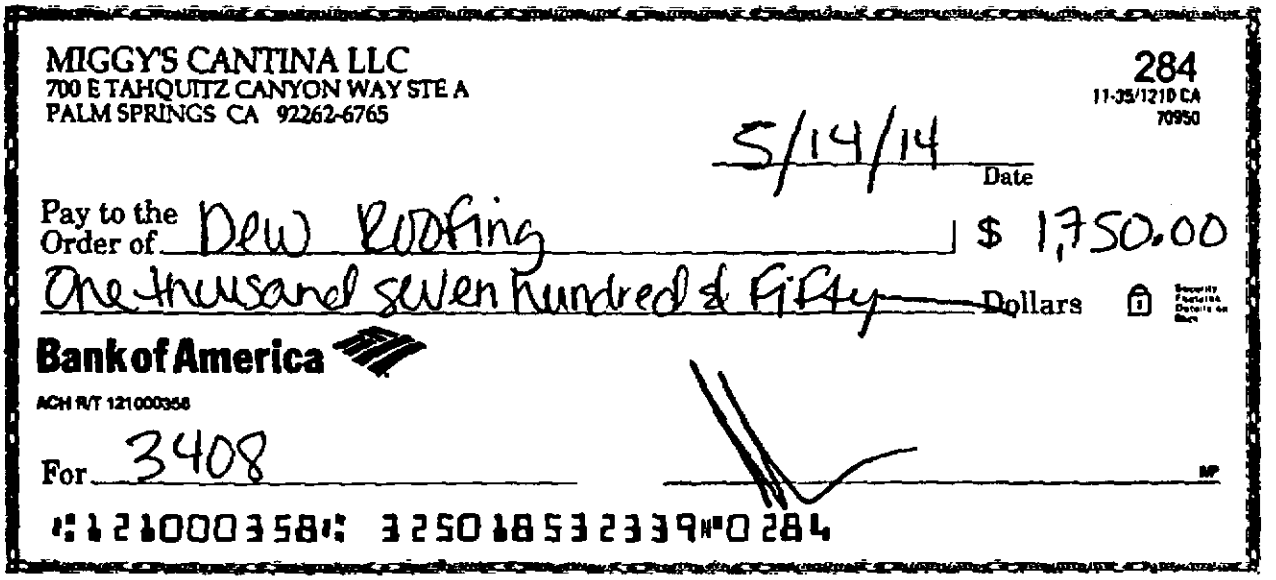
⑆121000358⑆ 325018532339⑈0283



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	1812570227	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$1,750.00	Sequence Number:	8592577639
Account:	325018532339	Capture Date:	05/19/2014
Bank Number:	12100035	Check Number:	284



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

284
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Dew Roofing $ 1,750.00

One thousand seven hundred & Fifty Dollars

Bank of America
ACH R/T 121000358

For 3408

⑆121000358⑆ 325018532339⑈0284

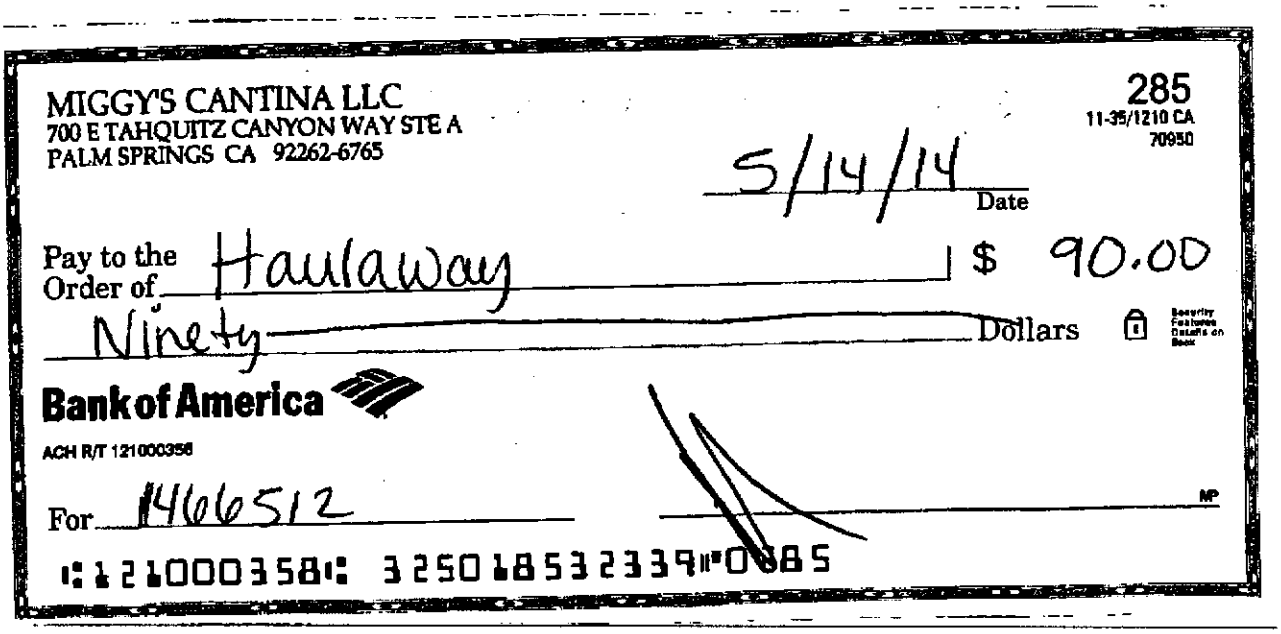
PAY TO THE ORDER O
WELLS FARGO BANK
12200247
FOR DEPOSIT ONLY
DEW ROOFING, INC.
ACCT. #5151301131

WELLS FARGO BANK NA EMT
20140519 E006A PKT 04
▶1221-0527-84
000001323287666

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	000001323287666	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/19/2014	008592577639	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$90.00	Sequence Number:	6092449180
Account:	325018532339	Capture Date:	05/16/2014
Bank Number:	12100035	Check Number:	285



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

285
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Haulaway $ 90.00

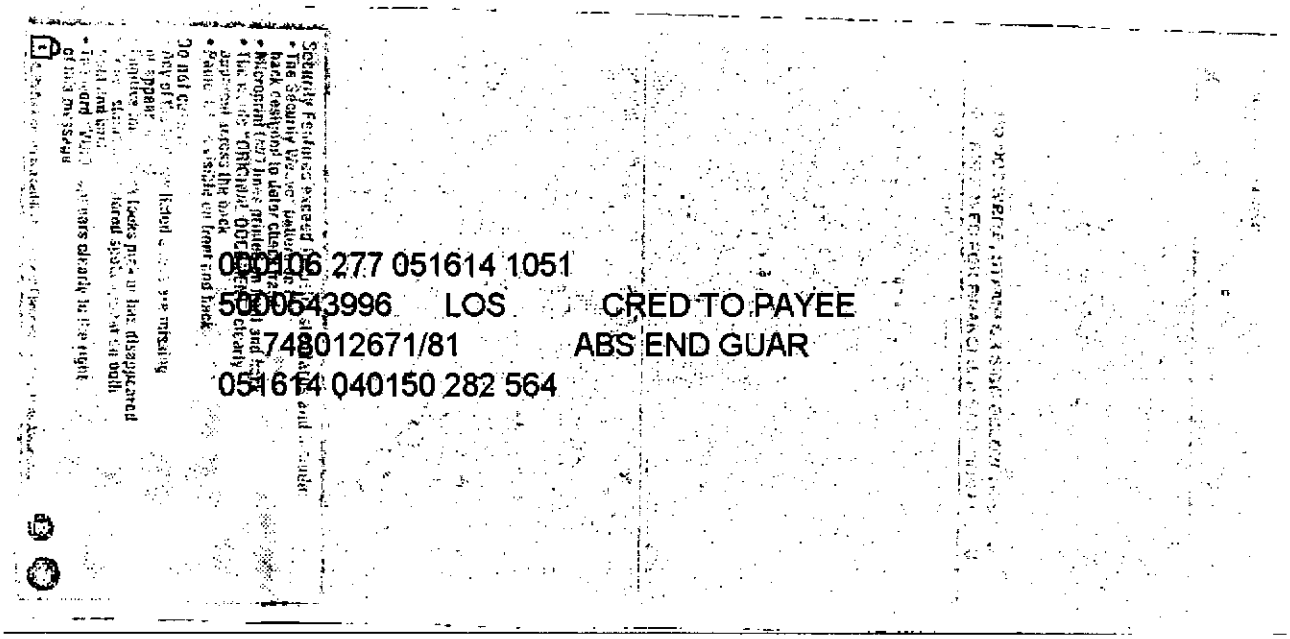
Ninety Dollars

Bank of America

ACH R/T 121000358

For 1466512

⑆121000358⑆ 325018532339⑈0285



000106 277 051614 1051
5000543996 LOS CRED TO PAYEE
748012671/81 ABS END GUAR
051614 040150 282 564

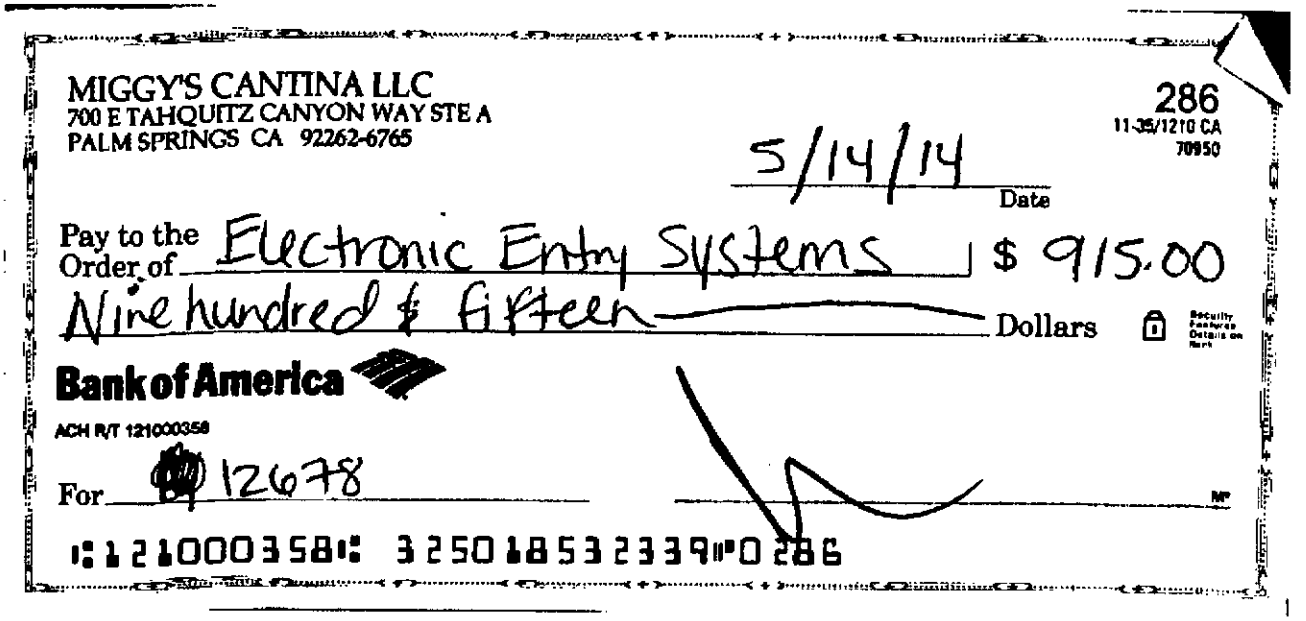
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	0465061425	121100782	Rtn Loc/BOPD	Y		BANK OF THE WEST
05/16/2014	006092449180	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $915.00 Sequence Number: 8192884709

Account: 325018532339 Capture Date: 05/28/2014

Bank Number: 12100035 Check Number: 236



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

286
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Electronic Entry Systems $ 915.00

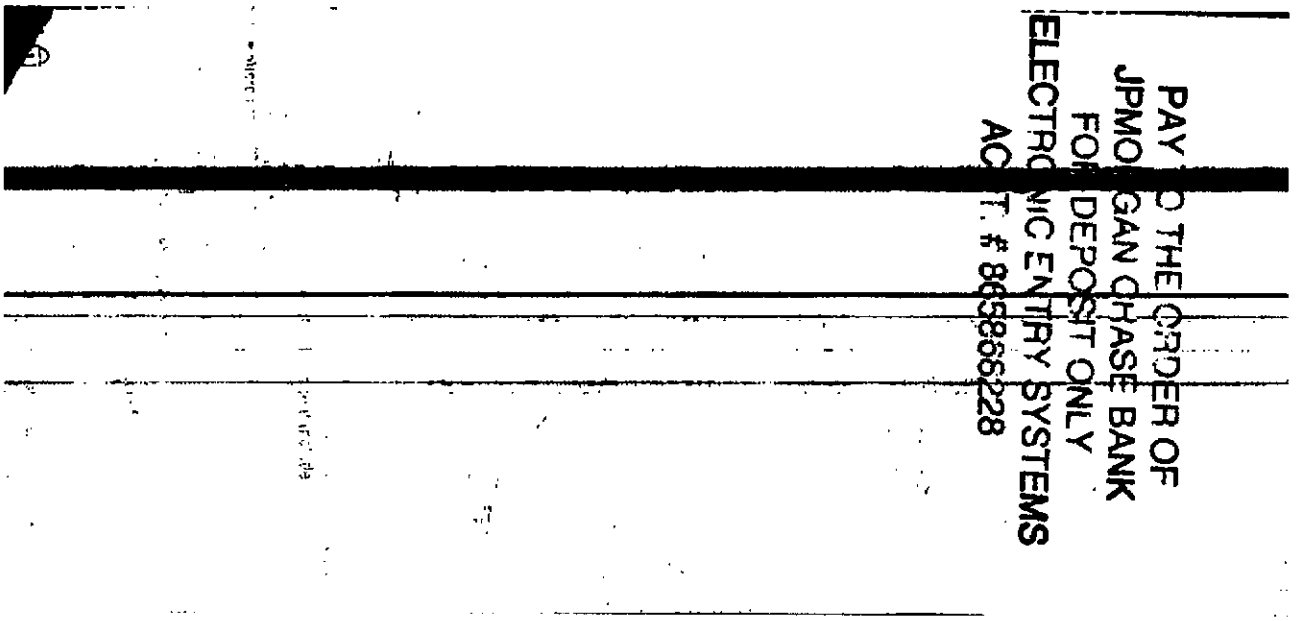
Nine hundred & fifteen Dollars

Bank of America

ACH R/T 121000358

For 12678

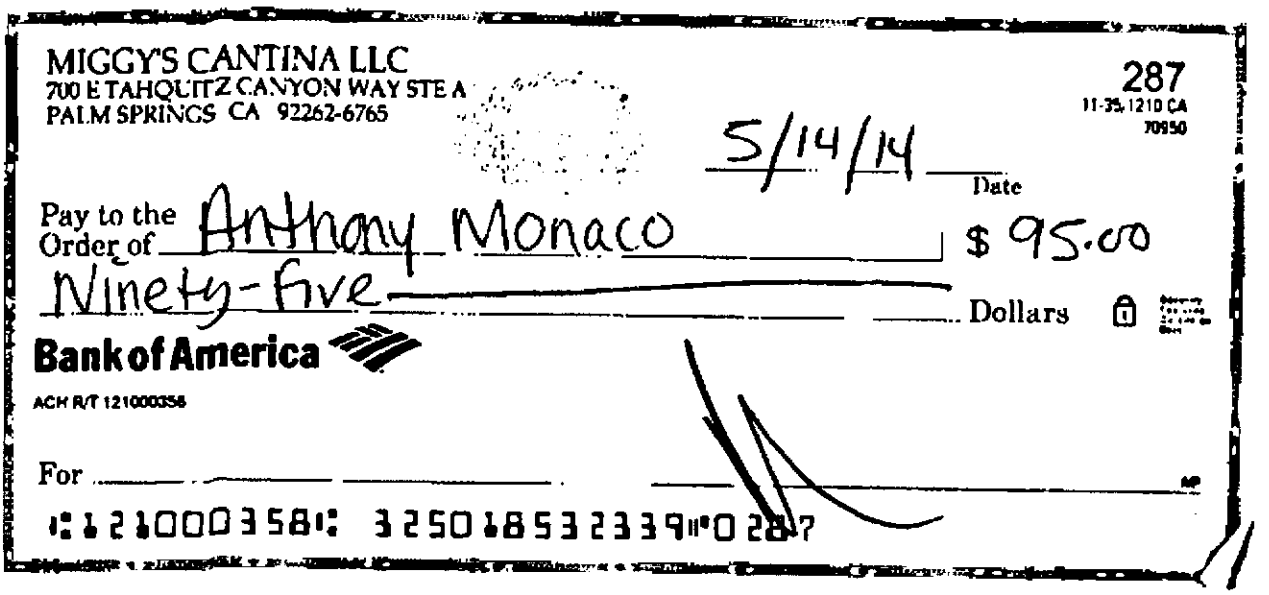
⑆121000358⑆ 325018532339⑈0286



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/28/2014	4590712842	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/28/2014	008192884709	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$95.00	Sequence Number:	3242035939
Account:	325018532339	Capture Date:	05/19/2014
Bank Number:	12100035	Check Number:	287



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

287
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Anthony Monaco $ 95.00

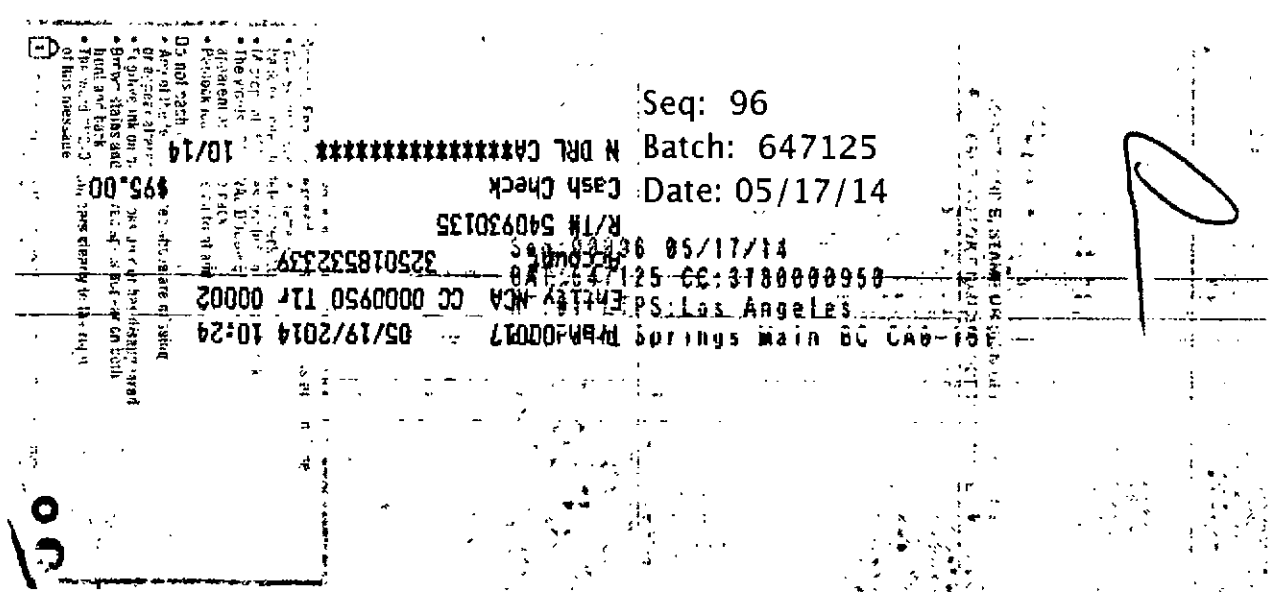
Ninety-five Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0287



Seq: 96
Batch: 647125
Date: 05/17/14

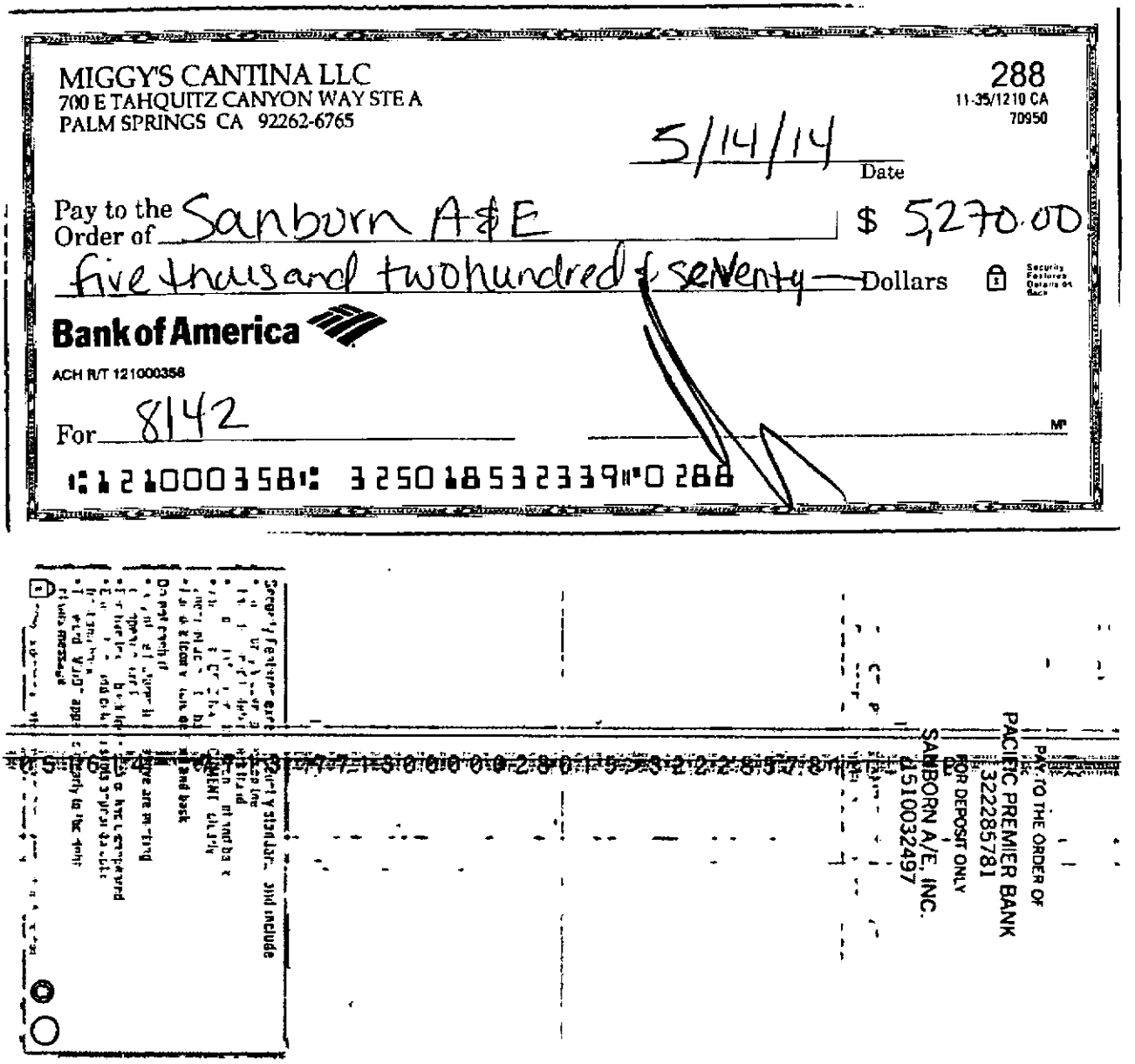
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	3242035939	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $5,270.00 Sequence Number: 8092797074

Account: 325018532339 Capture Date: 05/16/2014

Bank Number: 12100035 Check Number: 288



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

288
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Sanborn A&E $ 5,270.00

five thousand two hundred & seventy — Dollars

Bank of America

ACH R/T 121000358

For 8142

⑆121000358⑆ 325018532339⑈0288

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
322285781
FOR DEPOSIT ONLY
SANBORN A/E, INC.
1510032497

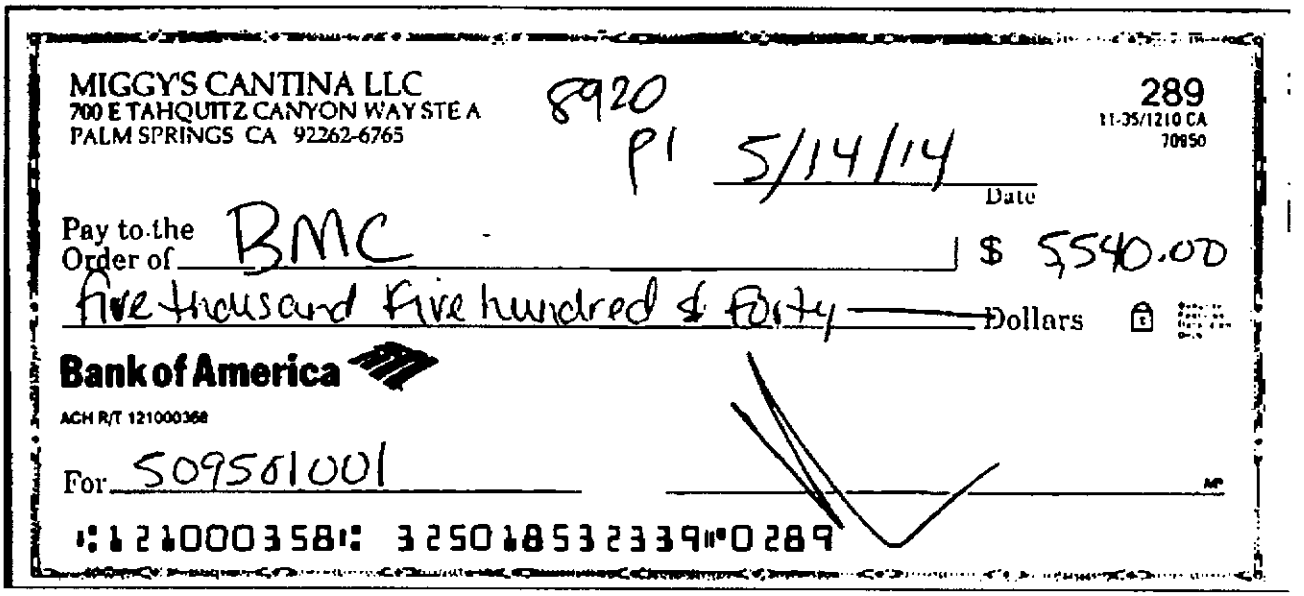
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	77130000028015	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
05/16/2014	008092797074	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $5,540.00 Sequence Number: 9892513693

Account: 325018532339 Capture Date: 05/16/2014

Bank Number: 12100035 Check Number: 289



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

8920
P1 5/14/14
Date

289
11-35/1210 CA
70850

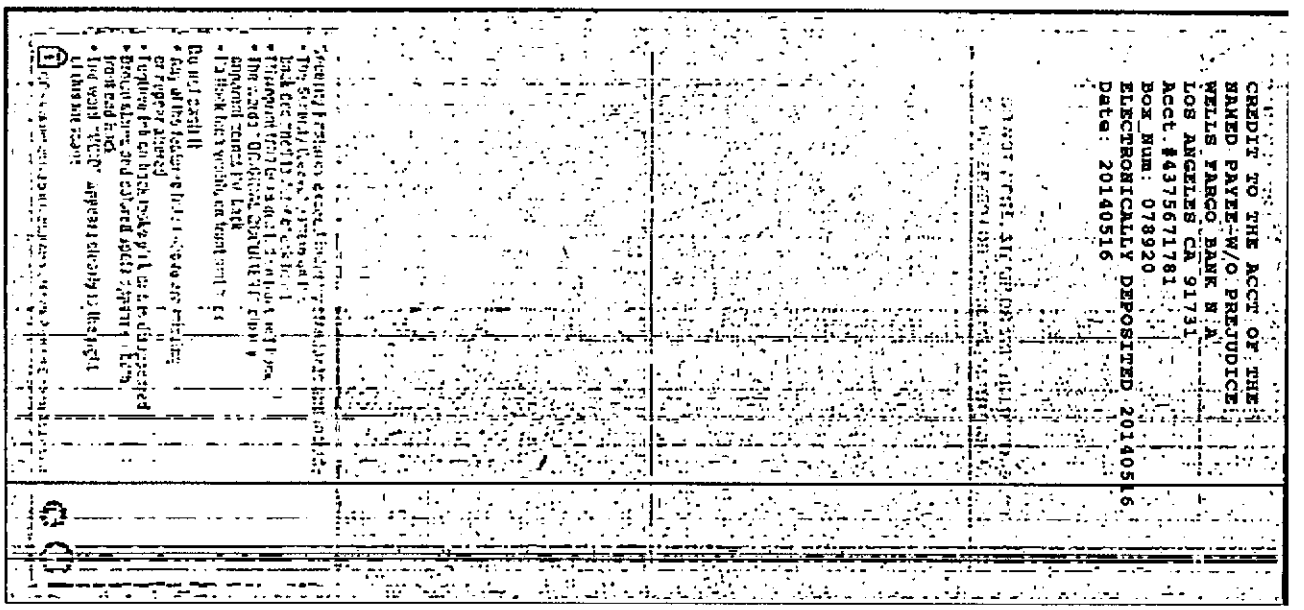
Pay to the Order of BMC $ 5540.00

Five thousand five hundred & forty Dollars

Bank of America
ACH R/T 121000358

For 509501001

⑆121000358⑆ 325018532339⑈0289



CREDIT TO THE ACCT OF THE
NAMED PAYEE-W/O PREJUDICE
WELLS FARGO BANK N.A.
LOS ANGELES CA 91731
Acct. #4375671781
Box_Num: 078920
ELECTRONICALLY DEPOSITED 20140516
Date: 20140516

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	000007482837884	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/16/2014	009892513693	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$35,858.50	Sequence Number:	4792868176
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	290

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

290
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Dateland Construction CO. $ 35,858.50

thirty-five thousand, eight hundred, fifty-eight 50/100 Dollars

Bank of America

ACH R/T 121000358

For 41406, 41407

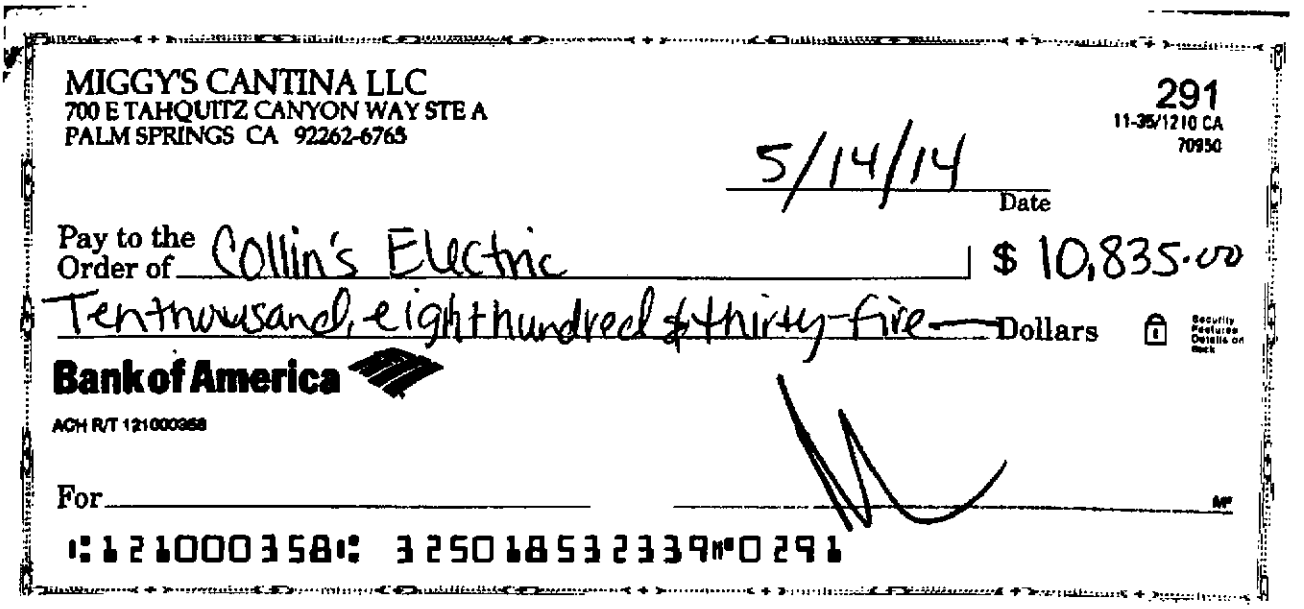
⑆121000358⑆ 325018532339⑈0290

PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
DATELAND CONSTRUCTION CO INC
FOR DEPOSIT ONLY
122232109
2460114271

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	9911548556	61000146	Undetermined	N		FEDERAL RES BANK OF
05/22/2014	004792868176	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/21/2014	405215353087193	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$10,835.00	Sequence Number:	9192181316
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	291



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

291
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Collin's Electric $ 10,835.00

Ten thousand, eight hundred & thirty-five Dollars

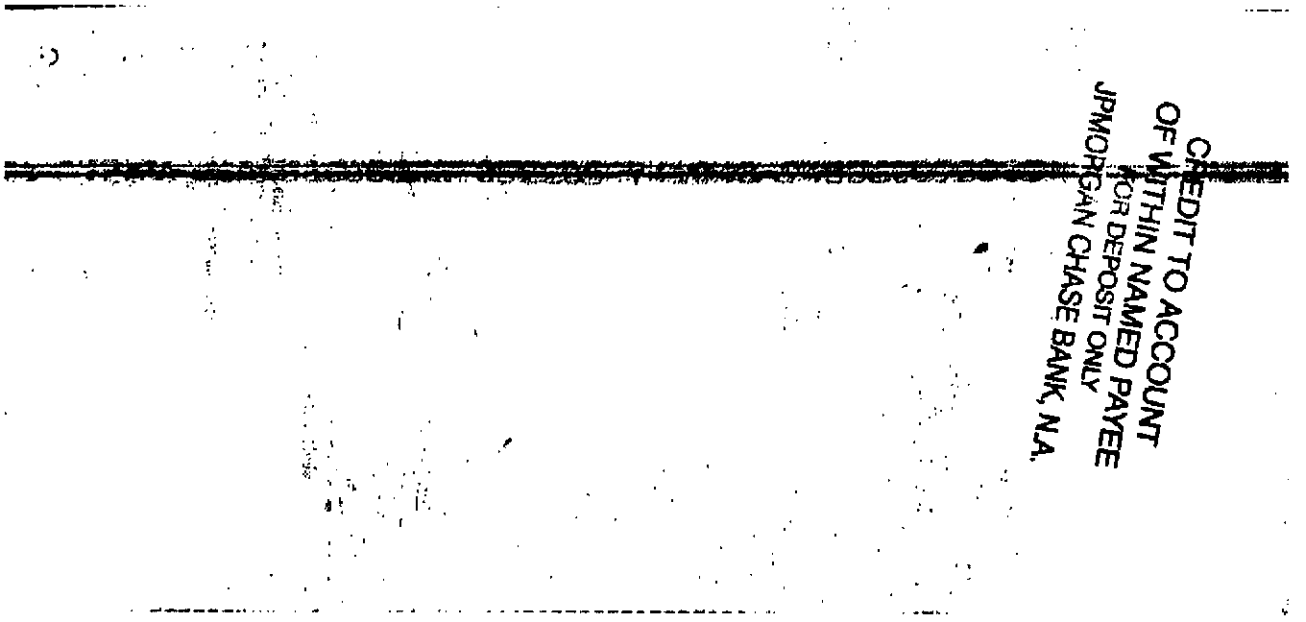
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

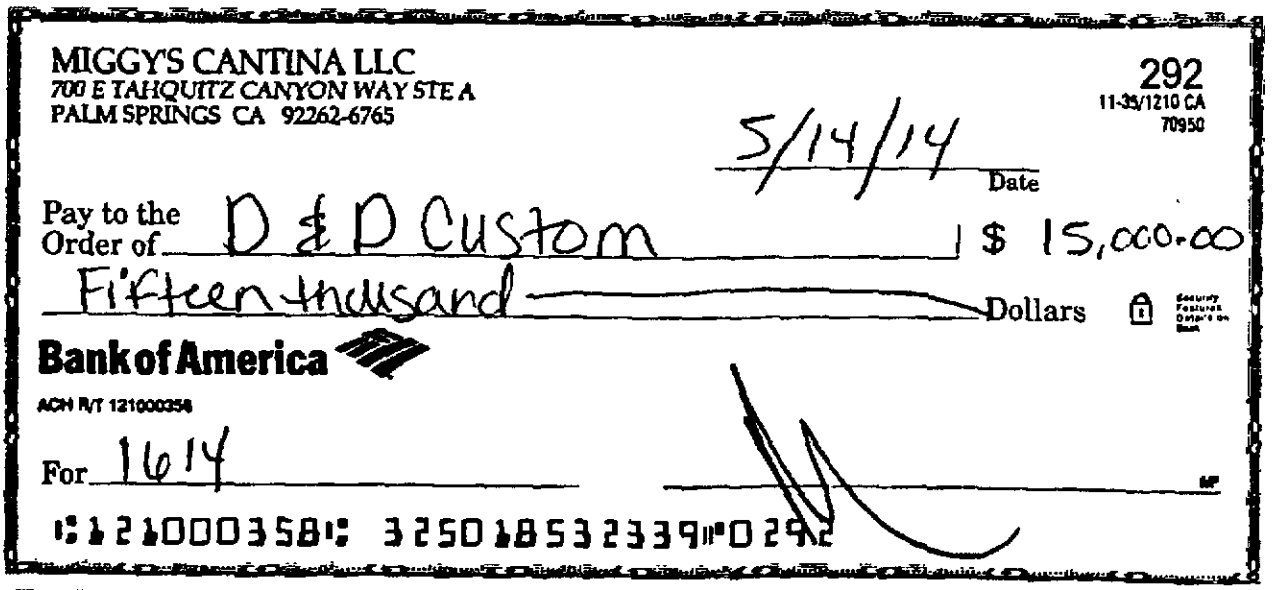
⑆121000358⑆ 325018532339⑈0291

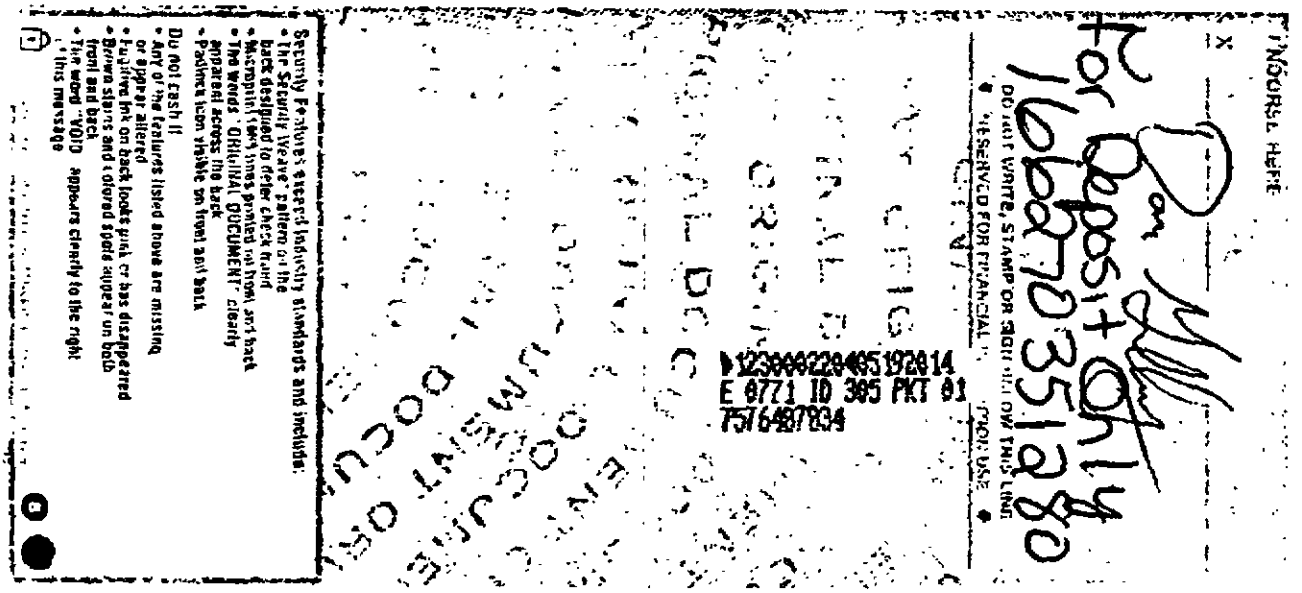


Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	8490538296	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
05/22/2014	009192181316	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$15,000.00	Sequence Number:	8592748084
Account:	325018532339	Capture Date:	05/20/2014
Bank Number:	12100035	Check Number:	292

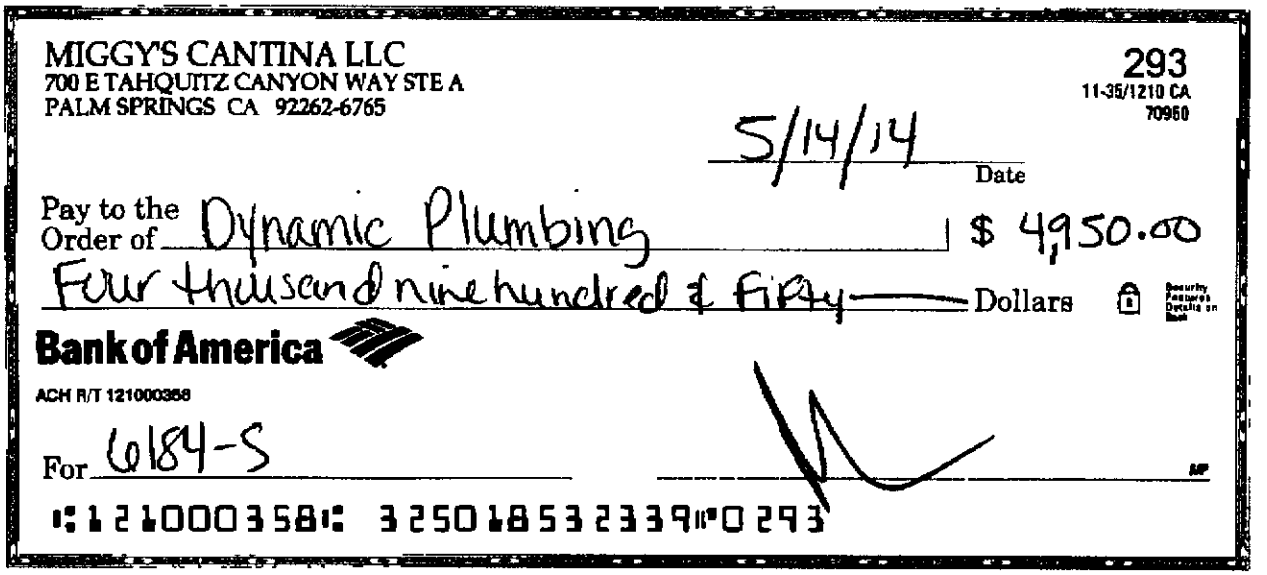




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	008592748084	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	004195140034	123000220	Undetermined	N		U.S. BANK NATIONAL A
05/19/2014	004195140034	91000022	Undetermined	N		U.S. BANK NATIONAL A
05/19/2014	7576487834	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$4,950.00	Sequence Number:	9692671703
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	293



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

293
11-35/1210 CA
70960

5/14/14
Date

Pay to the Order of Dynamic Plumbing $ 4,950.00

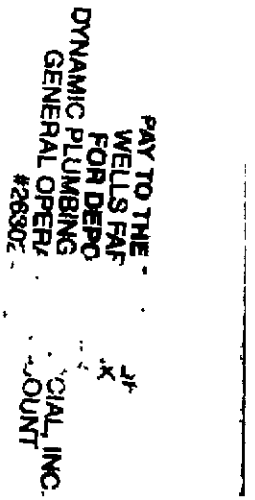
Four thousand nine hundred & Fifty Dollars

Bank of America

ACH R/T 121000358

For 6184-S

⑆121000358⑆ 325018532339⑈0293



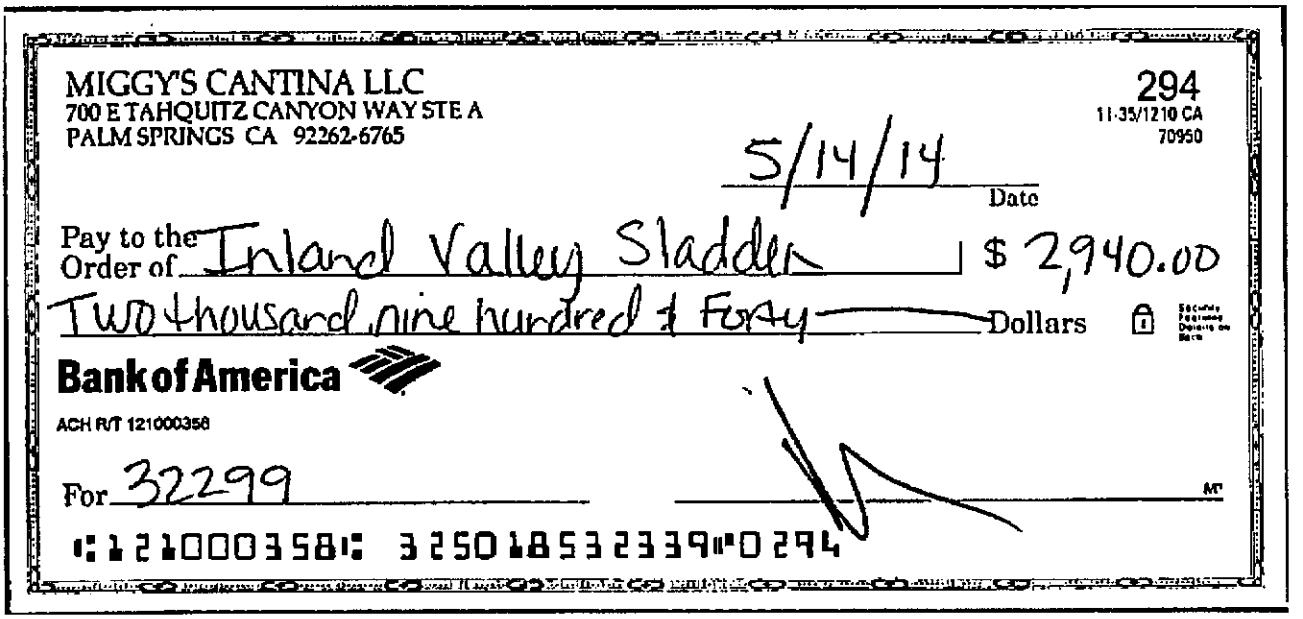
PAY TO THE
WELLS FAF
FOR DEPO
DYNAMIC PLUMBING
GENERAL OPERA
#2630

CIAL
OUNT
INC.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	000000384095144	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/15/2014	009692671703	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,940.00	Sequence Number:	8592321891
Account:	325018532339	Capture Date:	05/19/2014
Bank Number:	12100035	Check Number:	294



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

294
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Inland Valley Sladder $ 2,940.00

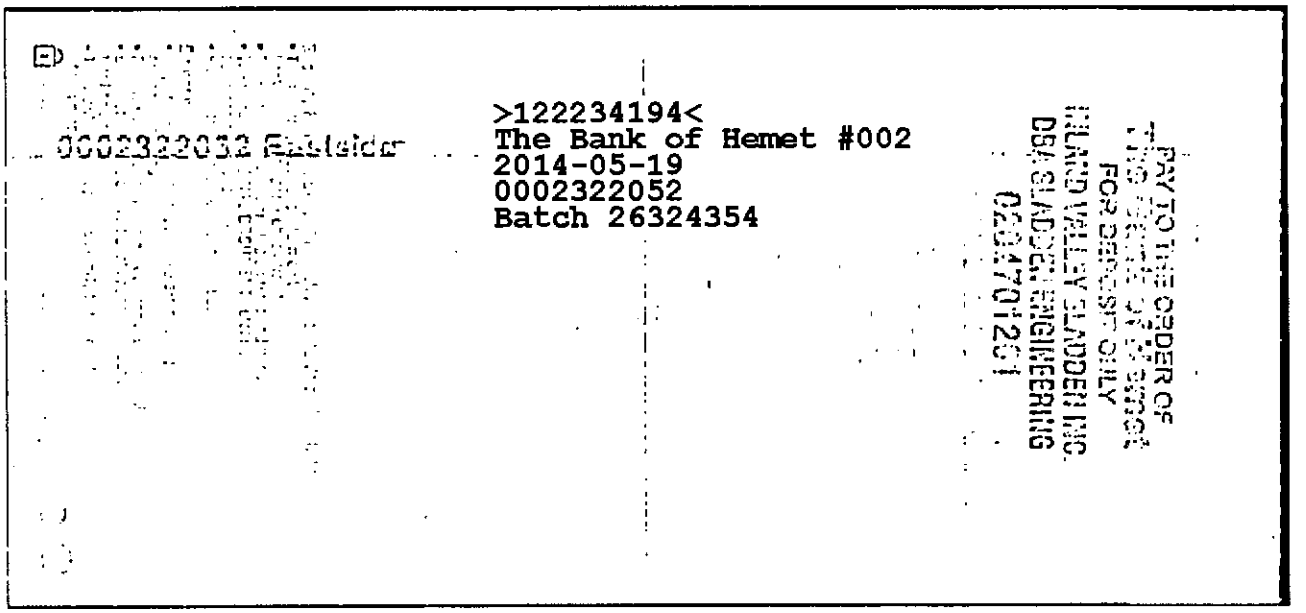
Two thousand nine hundred & Forty Dollars

Bank of America

ACH R/T 121000358

For 32299

⑆121000358⑆ 325018532339⑈0294



0002322052 Sladder

>122234194<
The Bank of Hemet #002
2014-05-19
0002322052
Batch 26324354

PAY TO THE ORDER OF
FOR DEPOSIT ONLY
INLAND VALLEY LANDSCAPE INC.
DBA SLADDER ENGINEERING
0002322052

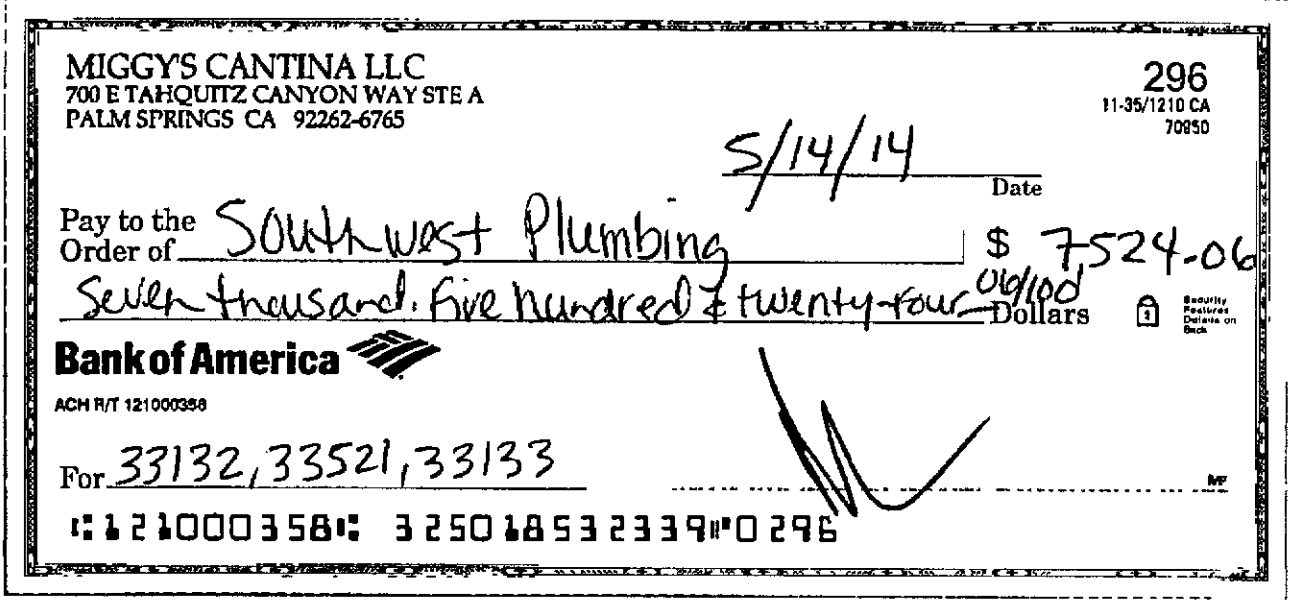
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/19/2014	008592321891	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	000008441877254	122105278	Undetermined	N		WELLS FARGO BANK, NA
05/19/2014	000000002322052	122234194	Rtn Loc/BOFD	Y		THE BANK OF HEMET

Amount: $7,524.06 Sequence Number: 8192276223

Account: 325018532339 Capture Date: 05/16/2014

Bank Number: 12100035 Check Number: 296



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

296
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of Southwest Plumbing $ 7524.06

Seven thousand, five hundred & twenty-four 06/100 Dollars

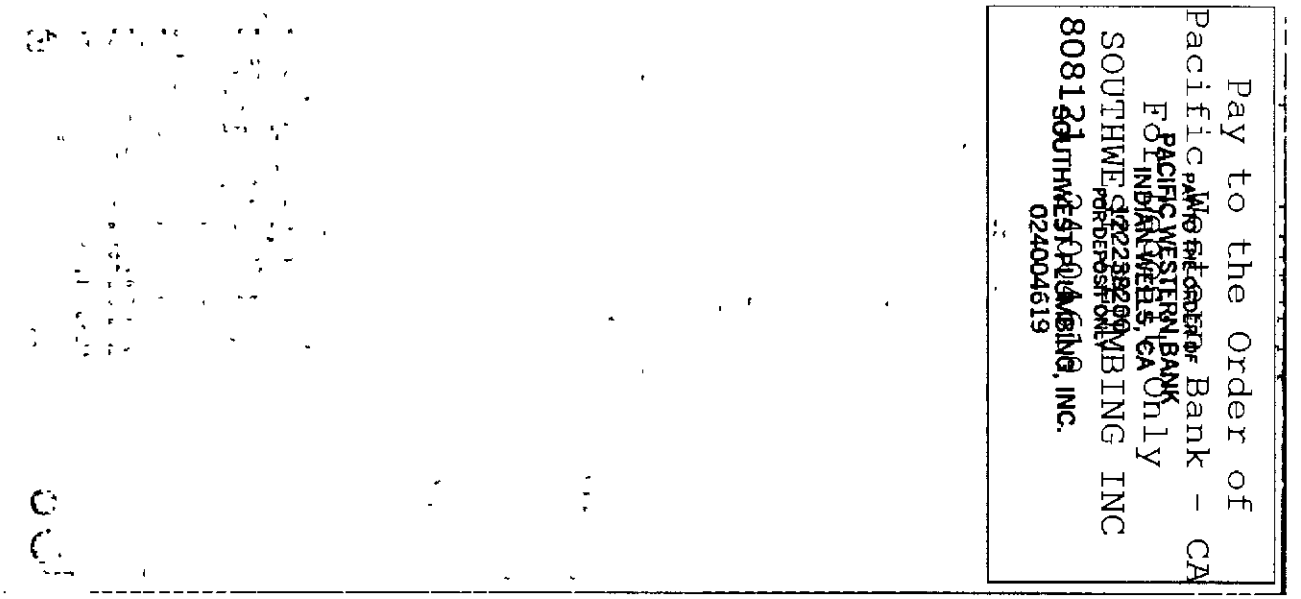
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 33132, 33521, 33133

⑆121000358⑆ 325018532339⑈0296



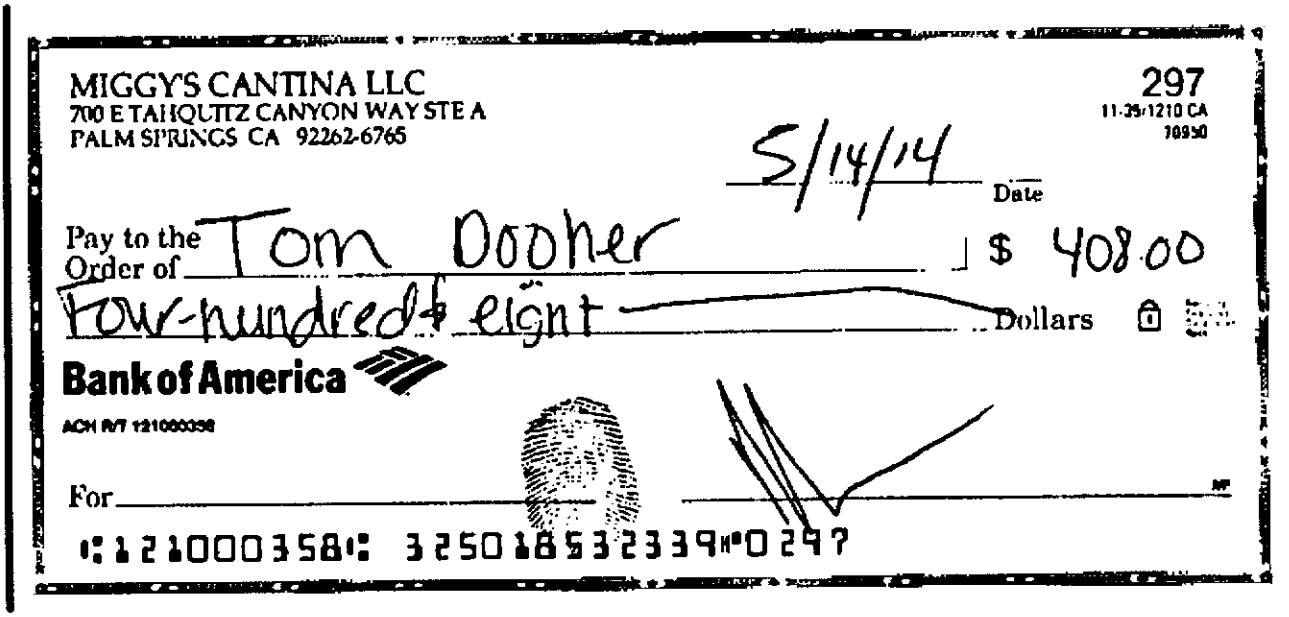
Pay to the Order of
Pacific Bank - CA Only
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING INC
808121 SOUTHWEST PLUMBING, INC.
024004619

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/16/2014	046923975327951	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/16/2014	000002350520245	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
05/16/2014	008192276223	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/16/2014	000008751151039	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$408.00	Sequence Number:	3042021760
Account:	325018532339	Capture Date:	05/15/2014
Bank Number:	12100035	Check Number:	297



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

297
11-39/1210 CA
10950

5/14/14
Date

Pay to the Order of Tom Dooher $ 408.00

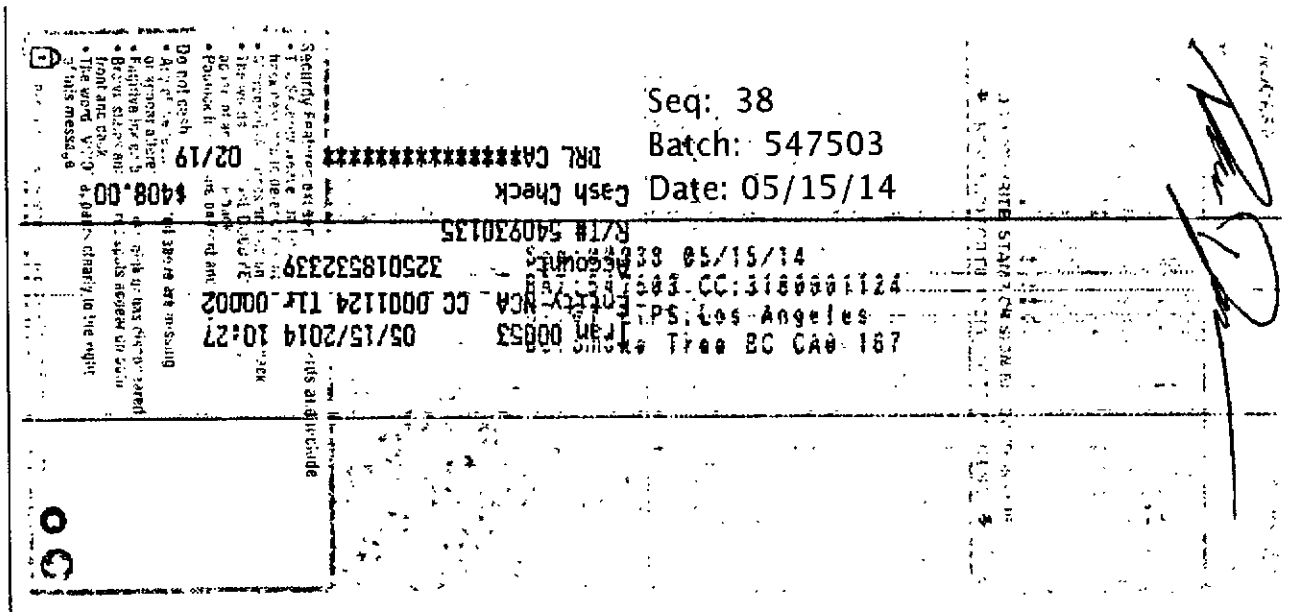
Four-hundred & eight Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0297



Seq: 38
Batch: 547503
Date: 05/15/14

Cash Check
$408.00
02/19

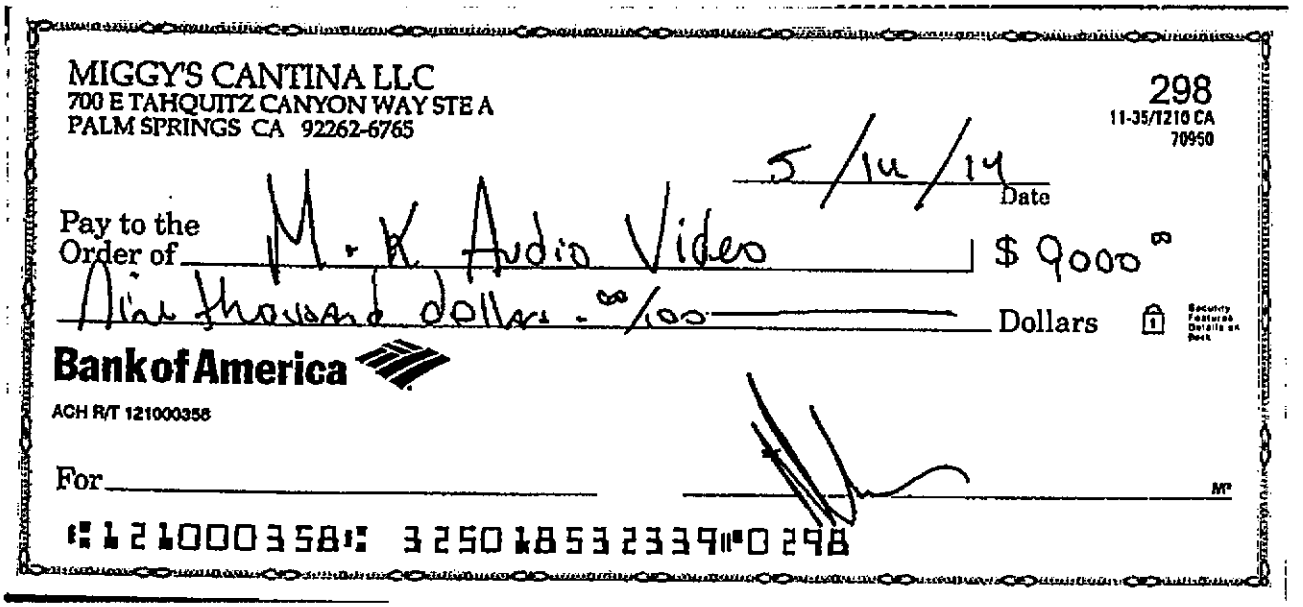
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	3042021760	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $9,000.00 Sequence Number: 9692652978

Account: 325018532339 Capture Date: 05/15/2014

Bank Number: 12100035 Check Number: 298



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

298
11-35/1210 CA
70950

5/14/14
Date

Pay to the Order of M. K. Audio Video $ 9000.00

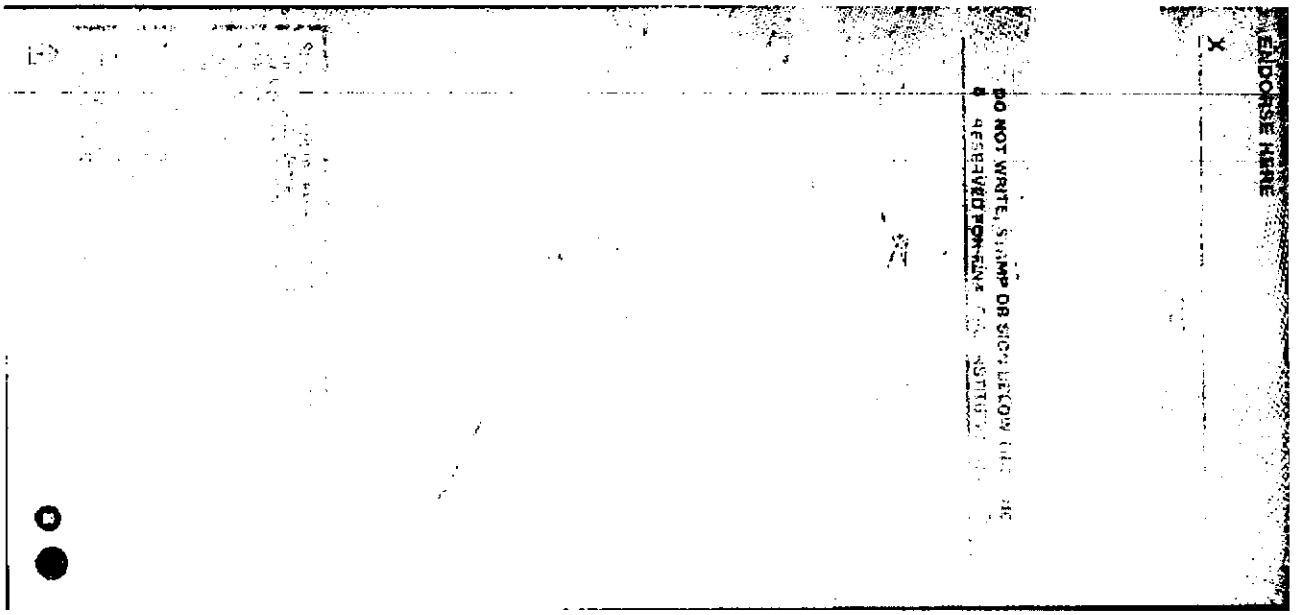
Nine thousand dollars .00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0298



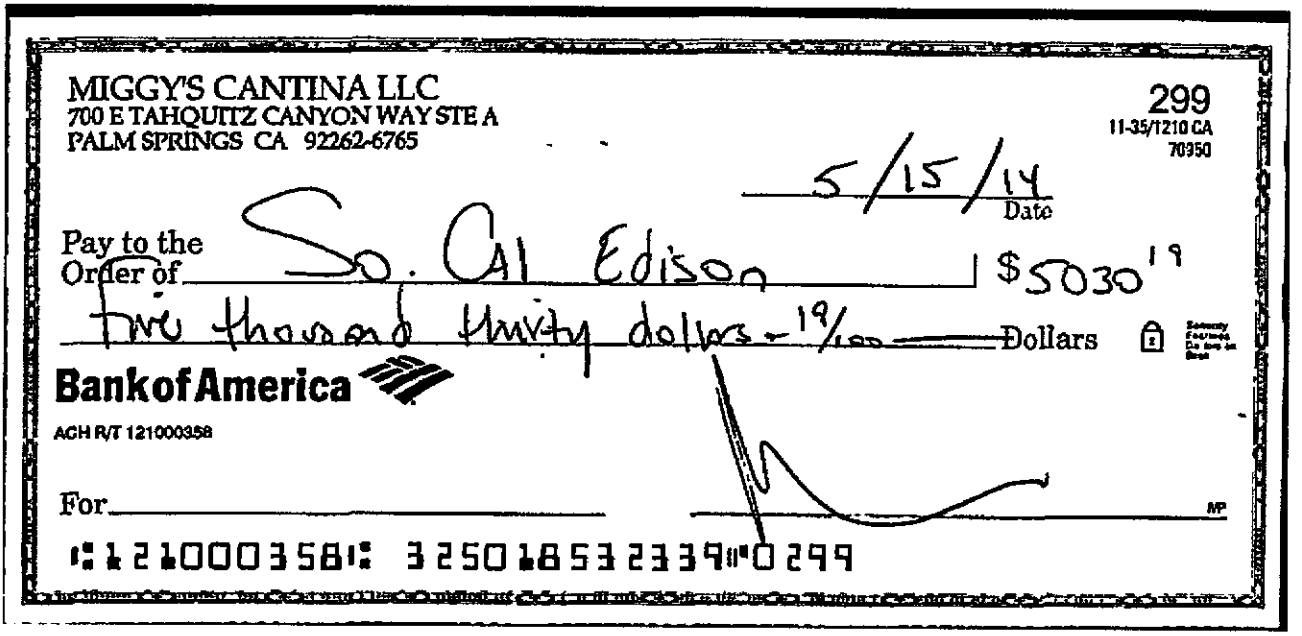
ENDORSE HERE

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/15/2014	009692652978	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/15/2014	000000488021204	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$5,030.19	Sequence Number:	4492514110
Account:	325018532339	Capture Date:	05/20/2014
Bank Number:	12100035	Check Number:	299



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

299
11-35/1210 CA
70950

5/15/14
Date

Pay to the Order of So. Cal Edison $5030.19

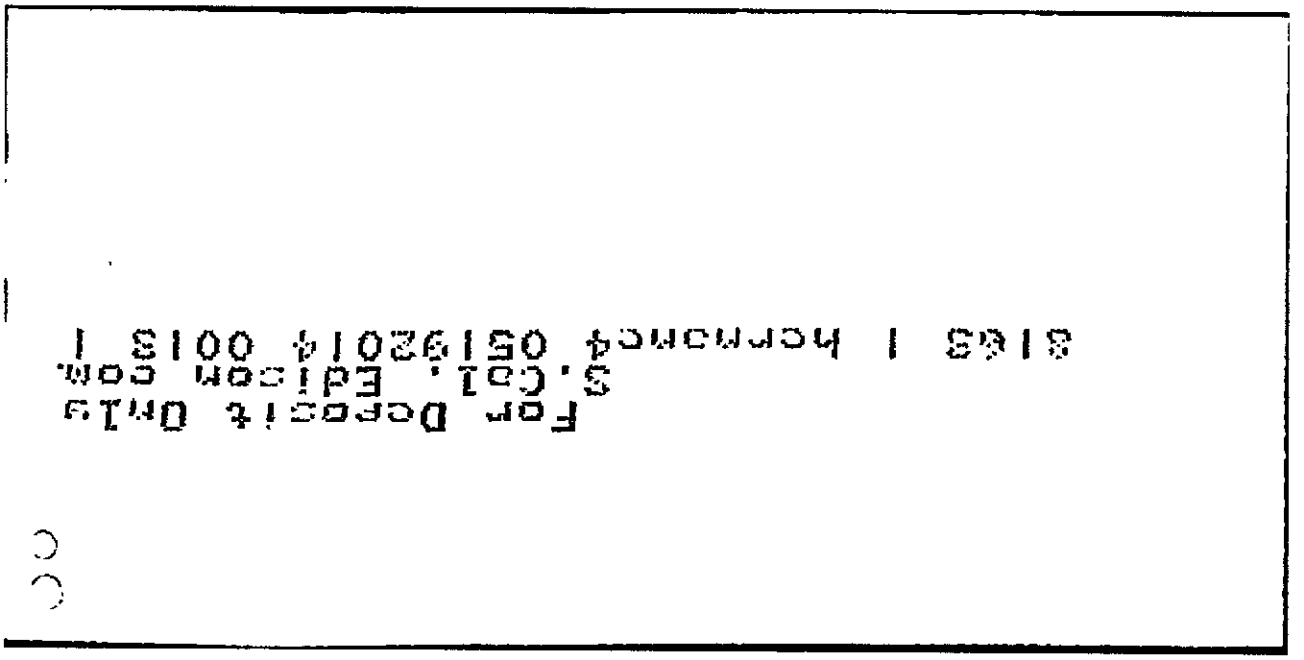
five thousand thirty dollars - 19/100 Dollars

Bank of America

ACH R/T 121000358

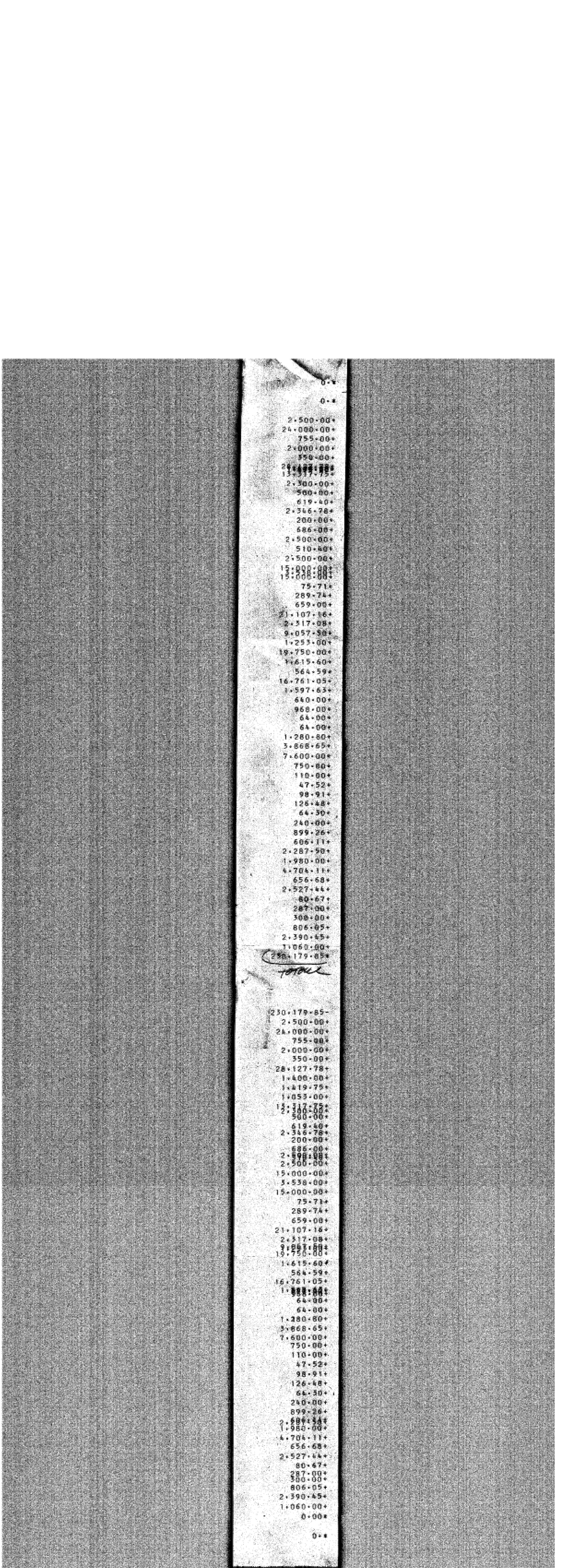
For

⑆121000358⑆ 325018532339⑈0299



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	004492514110	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/19/2014	2323156503	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/19/2014	002323156503	122000496	Undetermined	N		MUFG UNION BANK, NA



Amount:	$2,500.00	Sequence Number:	4692021964
Account:	325018532339	Capture Date:	05/20/2014
Bank Number:	12100035	Check Number:	300

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

300
11-35/1210 CA
70950

5-16-14
Date

Pay to the Order of Elizabeth A. Brown $ 2500.00

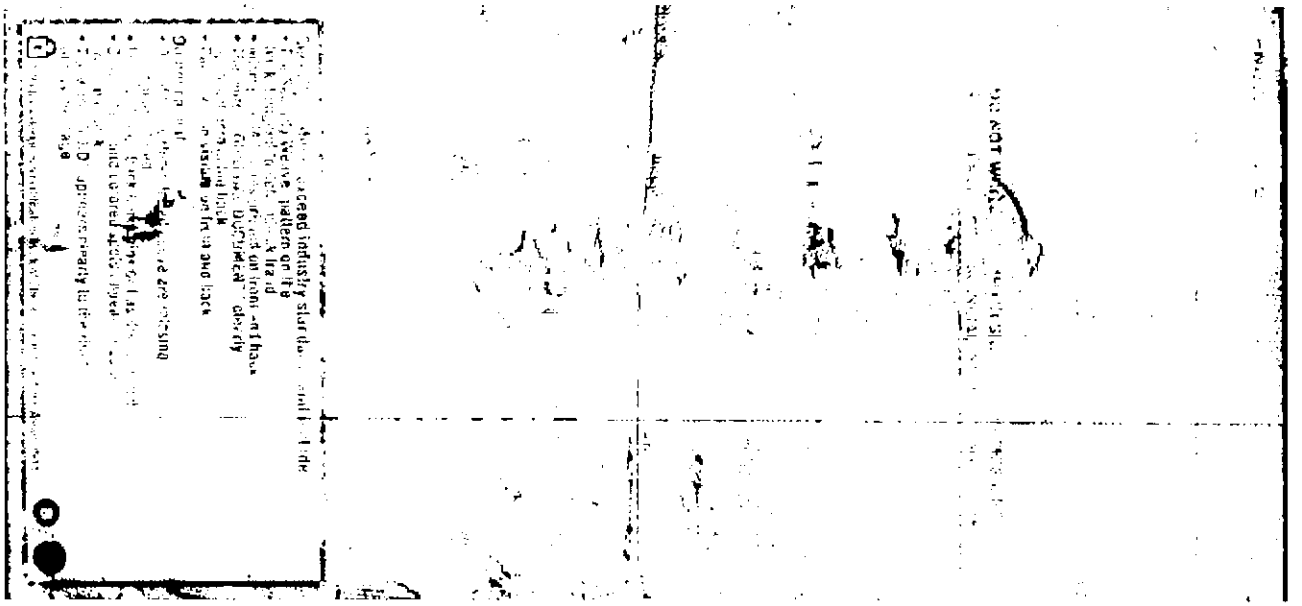
Twenty Five hundred & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0300



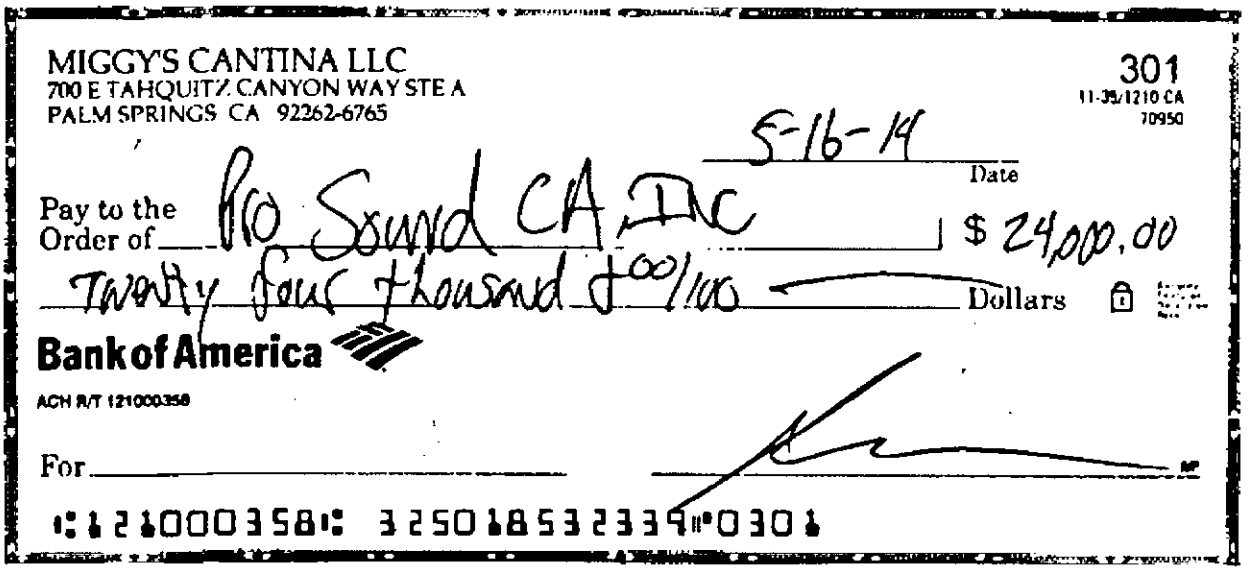
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/20/2014	004692021964	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/20/2014	4479138077	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount: $24,000.00 Sequence Number: 4342656455

Account: 325018532339 Capture Date: 05/27/2014

Bank Number: 12100035 Check Number: 301



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

301
11-35/1210 CA
70950

5-16-14
Date

Pay to the Order of Pro Sound CA, INC $ 24,000.00

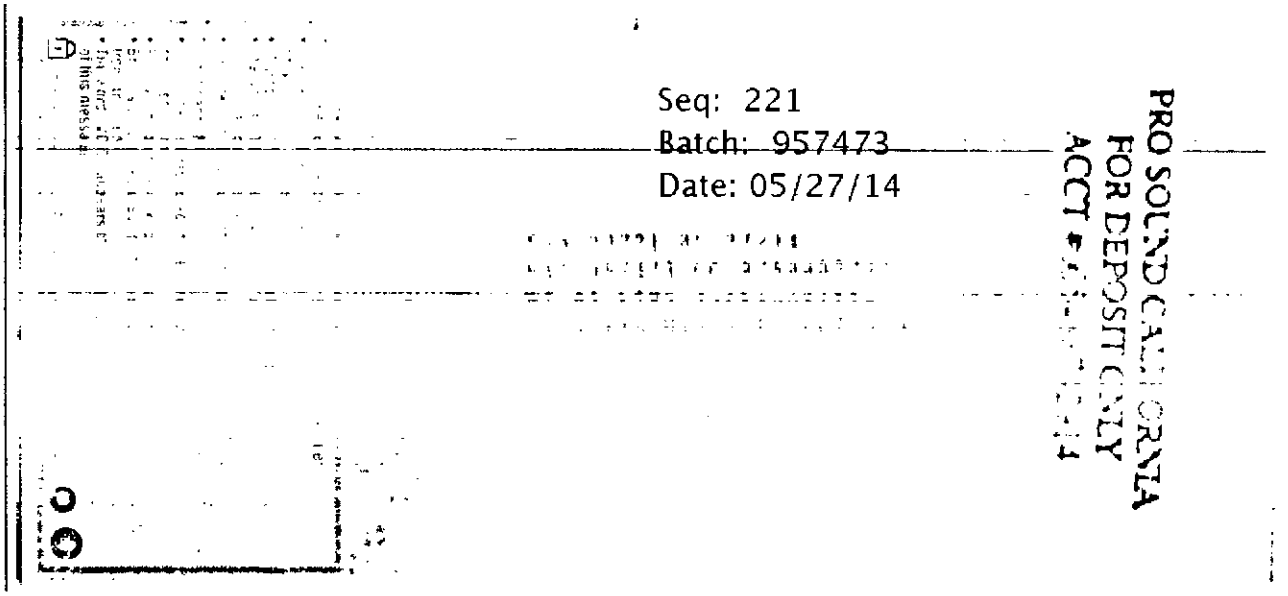
Twenty four Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0301



Seq: 221
Batch: 957473
Date: 05/27/14

PRO SOUND CALIFORNIA
FOR DEPOSIT ONLY
ACCT #

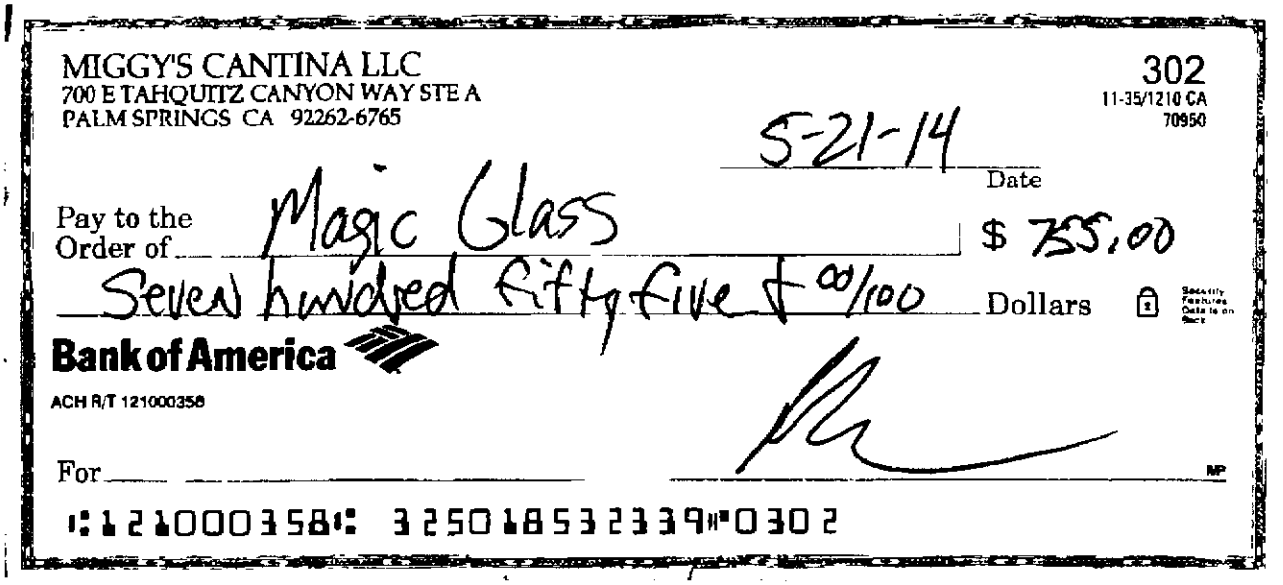
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	4342656455	11000138	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $755.00 Sequence Number: 5192030911

Account: 325018532339 Capture Date: 05/23/2014

Bank Number: 12100035 Check Number: 302



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

302
11-35/1210 CA
70950

5-21-14
Date

Pay to the Order of Magic Glass $ 755.00

Seven hundred fifty five & 00/100 Dollars

Bank of America
ACH R/T 121000358

For

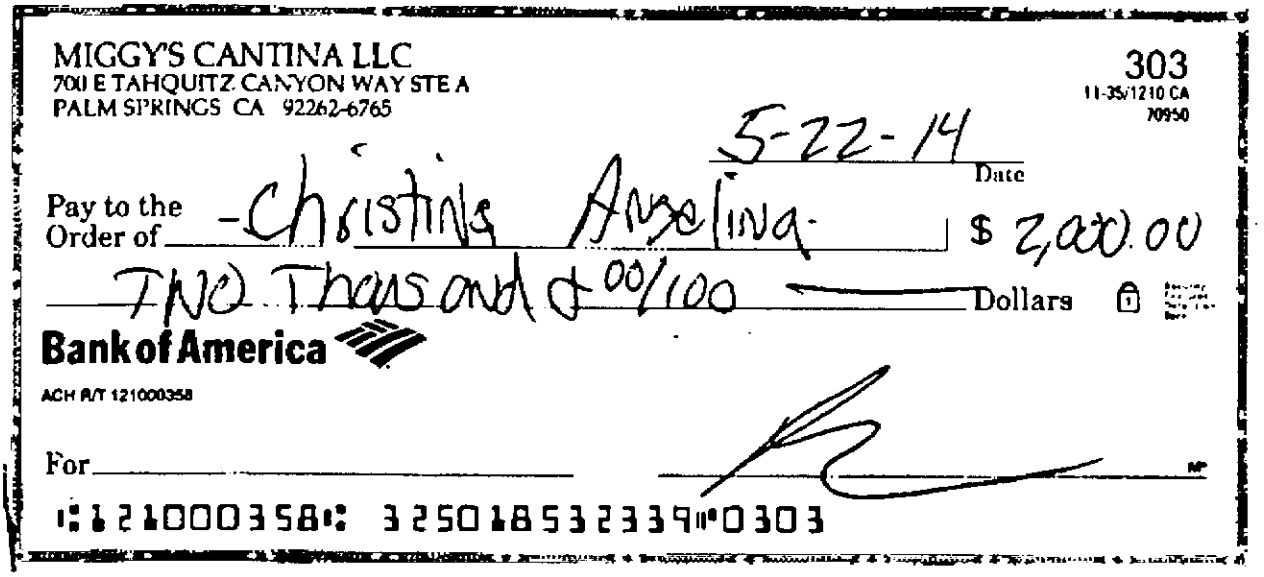
⑆121000358⑆ 325018532339⑈0302

FOR DEPOSIT ONLY
3220011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/23/2014	4512424470	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
05/23/2014	005192030911	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,000.00	Sequence Number:	3542460045
Account:	325018532339	Capture Date:	05/22/2014
Bank Number:	12100035	Check Number:	303



MIGGY'S CANTINA LLC
701 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

303
11-35/1210 CA
70950

5-22-14
Date

Pay to the Order of -Christina Angelina- $ 2,000.00

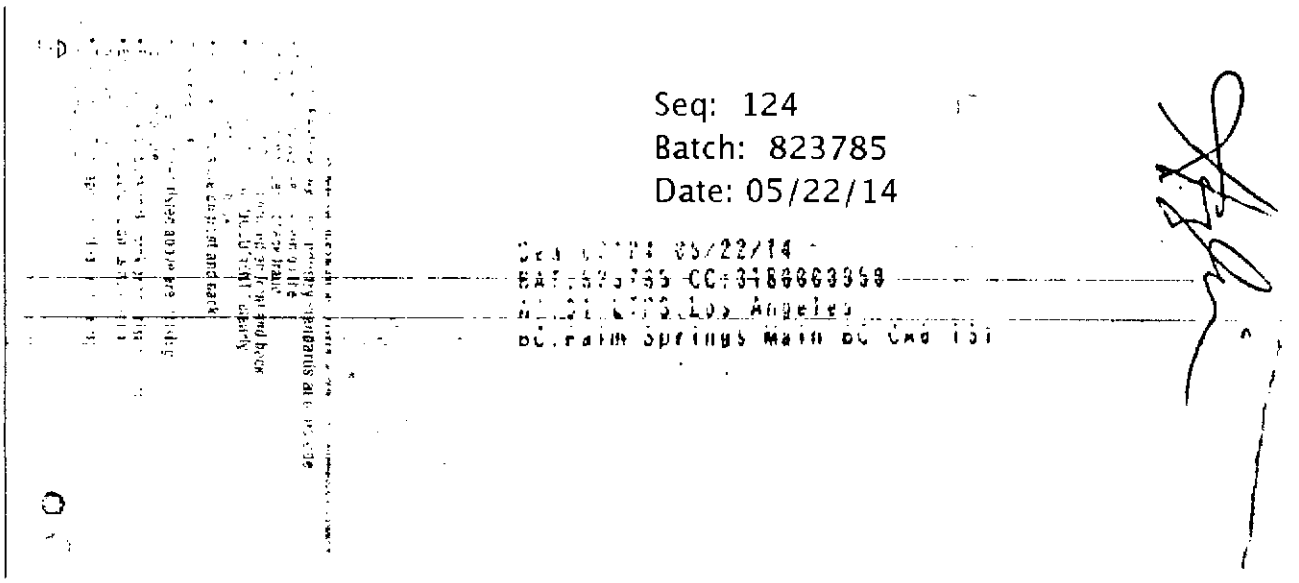
TWO Thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0303



Seq: 124
Batch: 823785
Date: 05/22/14

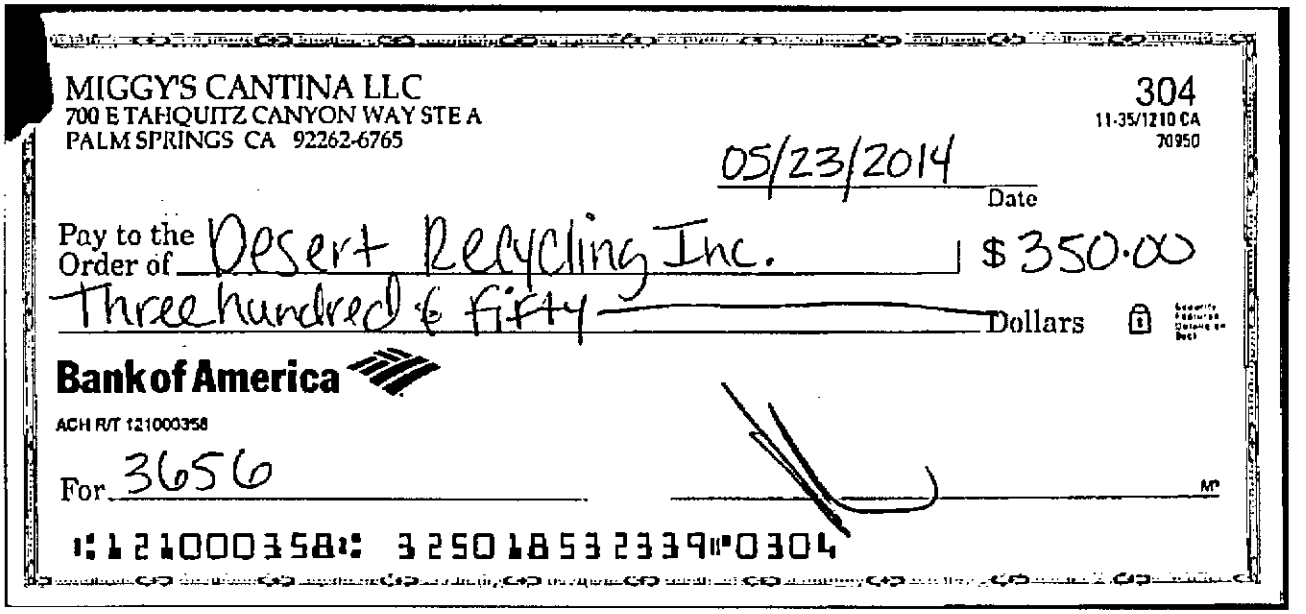
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/22/2014	3542460045	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $350.00 Sequence Number: 8492816353

Account: 325018532339 Capture Date: 05/29/2014

Bank Number: 12100035 Check Number: 304



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

304
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Desert Recycling Inc. $ 350.00

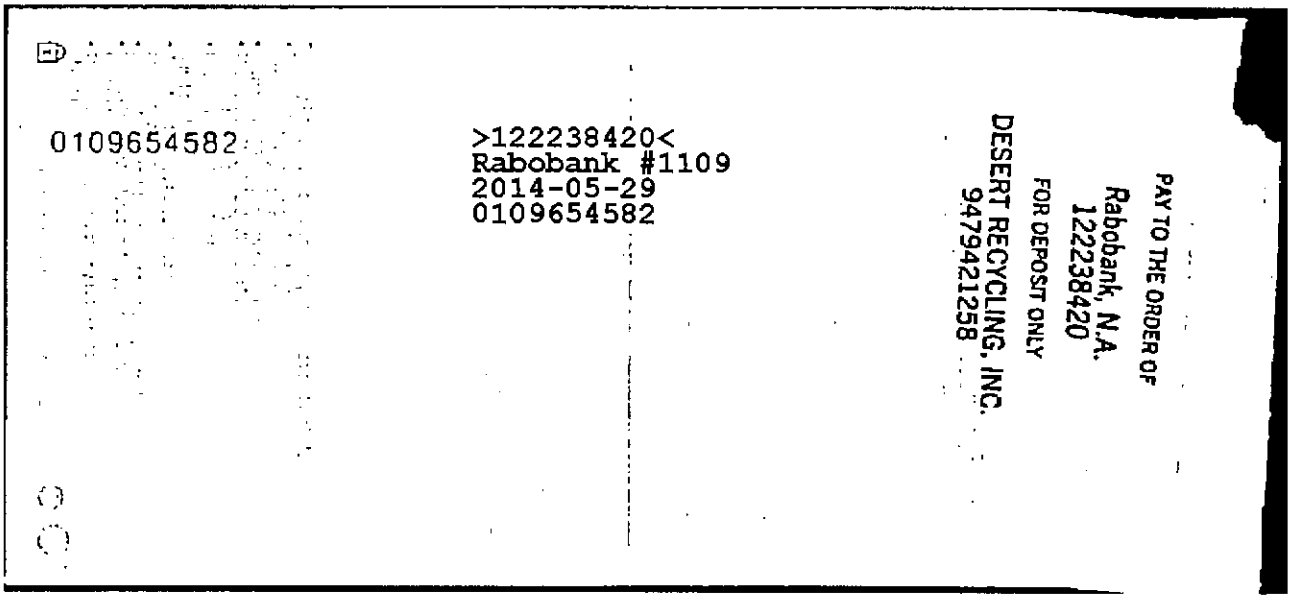
Three hundred & fifty Dollars

Bank of America

ACH R/T 121000358

For 3656

⑆121000358⑆ 325018532339⑈0304



0109654582

>122238420<
Rabobank #1109
2014-05-29
0109654582

PAY TO THE ORDER OF
Rabobank, N.A.
122238420
FOR DEPOSIT ONLY
DESERT RECYCLING, INC.
9479421258

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/29/2014	000000109654582	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
05/29/2014	008492816353	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/29/2014	000008849909658	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount: $28,127.78 Sequence Number: 8092100265

Account: 325018532339 Capture Date: 05/27/2014

Bank Number: 12100035 Check Number: 305

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

305
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of SouthWest Plumbing Inc. $ 28,127.78

Twenty-eight thousand One hundred & twenty-seven Dollars

Bank of America

ACH R/T 121000358

For 33773, 33618, 33431, 33629

⑆121000358⑆ 325018532339⑈0305

Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING, INC
808121 240004619

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
LOS ANGELES, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC
240004619

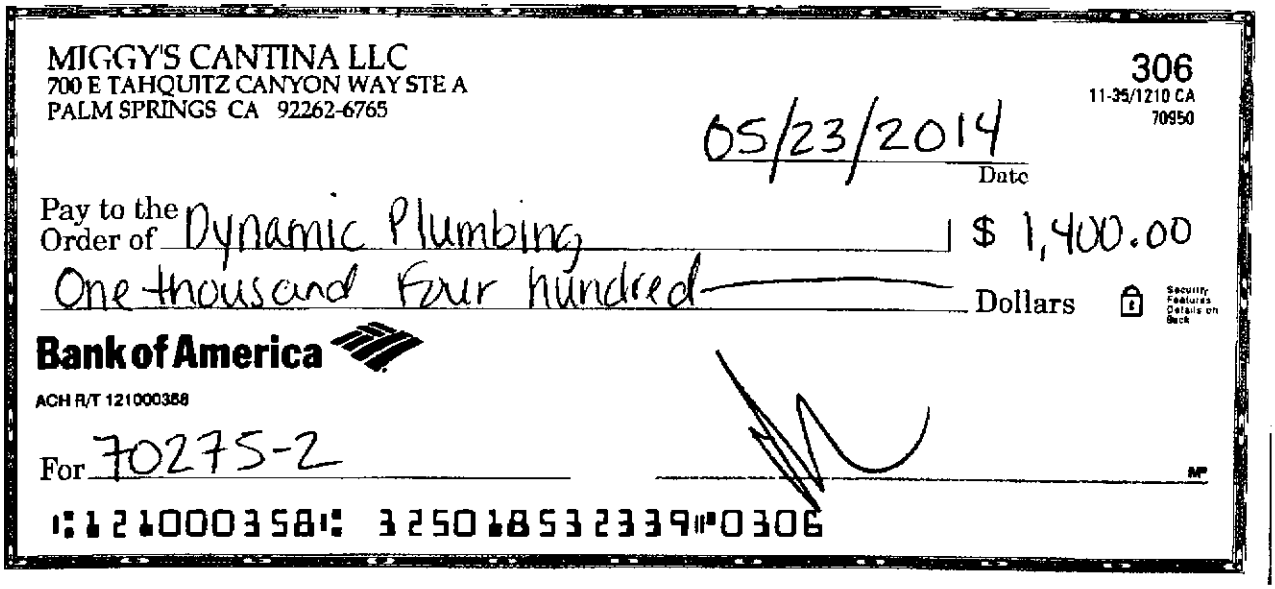
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	008092100265	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/27/2014	000008176639076	91000019	Undetermined	N		WELLS FARGO BANK, NA
05/27/2014	046923975641493	122238200	Undetermined	N		PACIFIC WESTERN BANK
05/27/2014	000002364464977	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount: $1,400.00 Sequence Number: 8192509498

Account: 325018532339 Capture Date: 05/28/2014

Bank Number: 12100035 Check Number: 306



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

306
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Dynamic Plumbing $ 1,400.00

One thousand Four hundred Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 70275-2

MP

⑆121000358⑆ 325018532339⑈0306

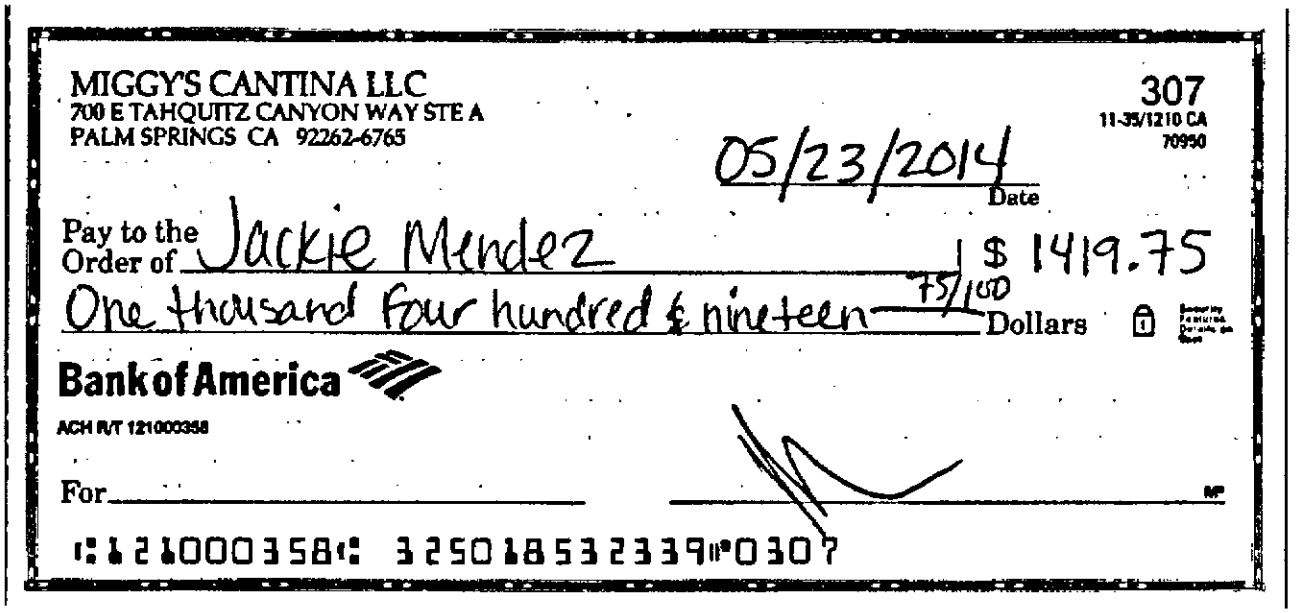
ELECTRONICALLY PRESENTED - 5/28/2014

PAY TO THE ORDER OF
WELLS FARGO BANK
FOR DEPOSIT ONLY
DYNAMIC PLUMBING COMMERCIAL INC
GENERAL OPERATING ACCOUNT
#2630290092

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/28/2014	000000282967101	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
05/28/2014	008192509498	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,419.75	Sequence Number:	5682699399
Account:	325018532339	Capture Date:	05/27/2014
Bank Number:	12100035	Check Number:	307



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

307
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Jackie Mendez $ 1419.75

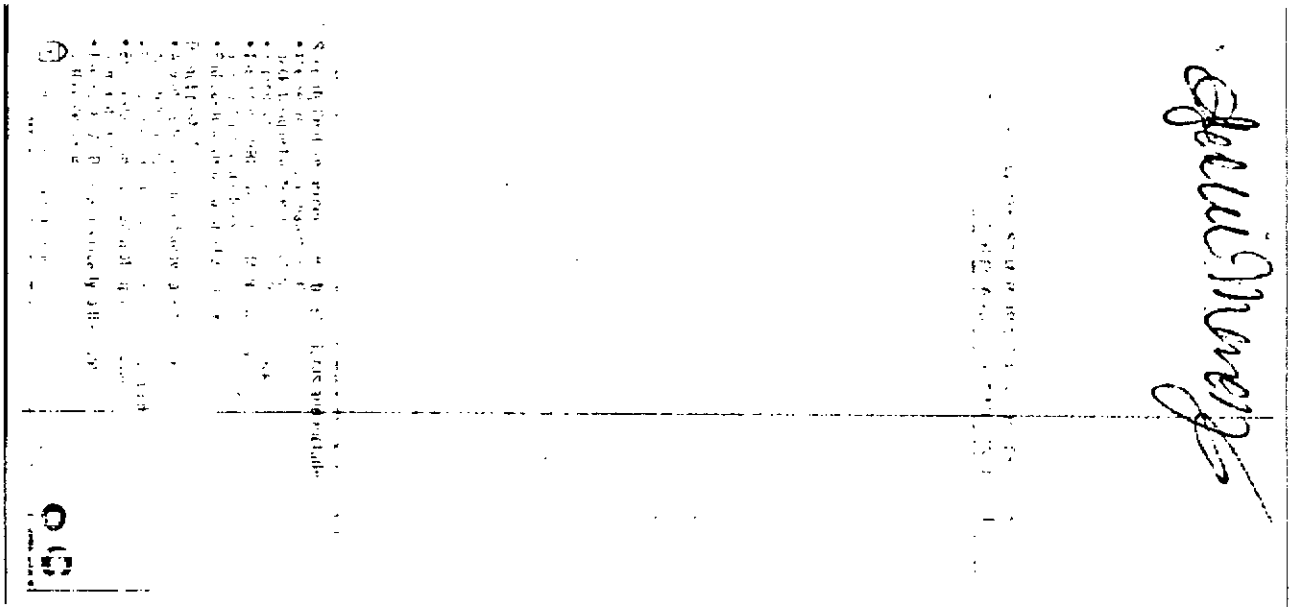
One thousand four hundred & nineteen 75/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0307



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/27/2014	5682699399	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $1,053.00 Sequence Number: 9392820492

Account: 325018532339 Capture Date: 05/23/2014

Bank Number: 12100035 Check Number: 308

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

308
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Bear Zeller $1053.00

One thousand fifty-three Dollars

Bank of America

ACH R/T 121000358

For

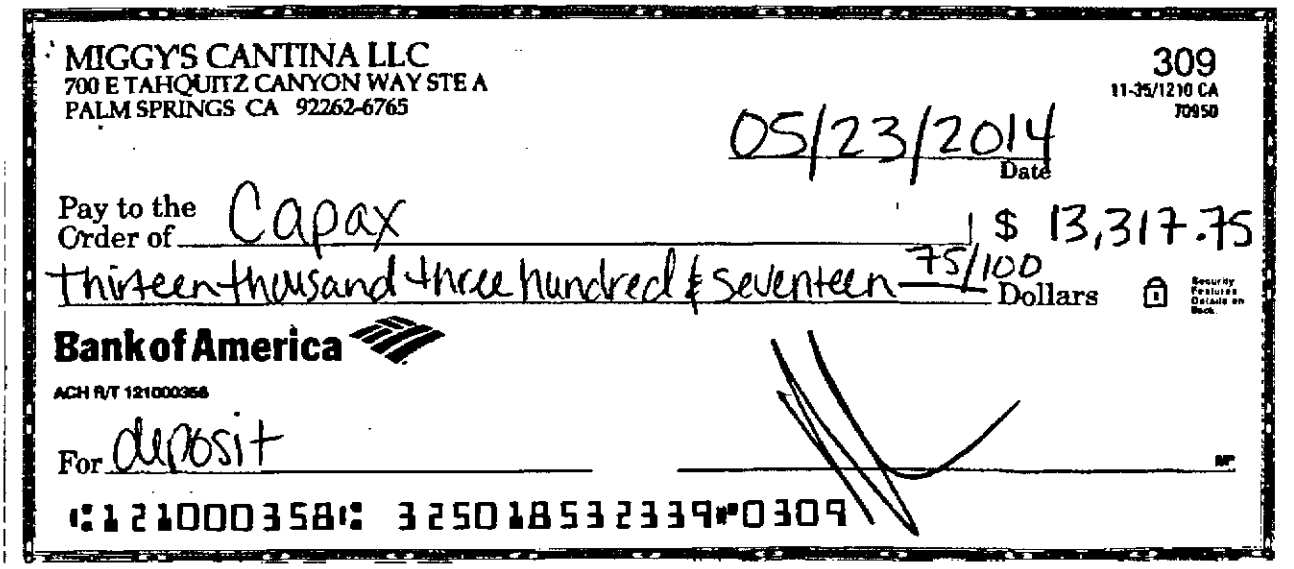
⑈121000358⑈ 325018532339⑈0308

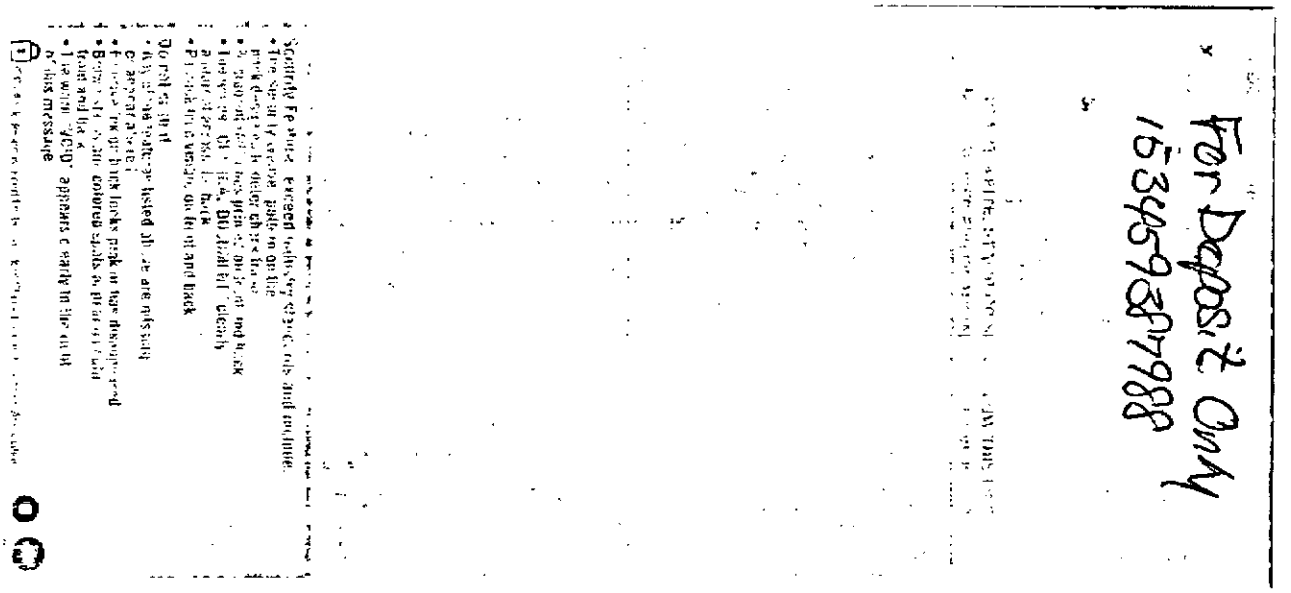
JPMorganChaseBank 052305 241380 0476490364055

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/23/2014	009392820492	121103886	Pay Bank	N		BANK OF AMERICA, NA
05/23/2014	9780772226	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$13,317.75	Sequence Number:	9292701529
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	309

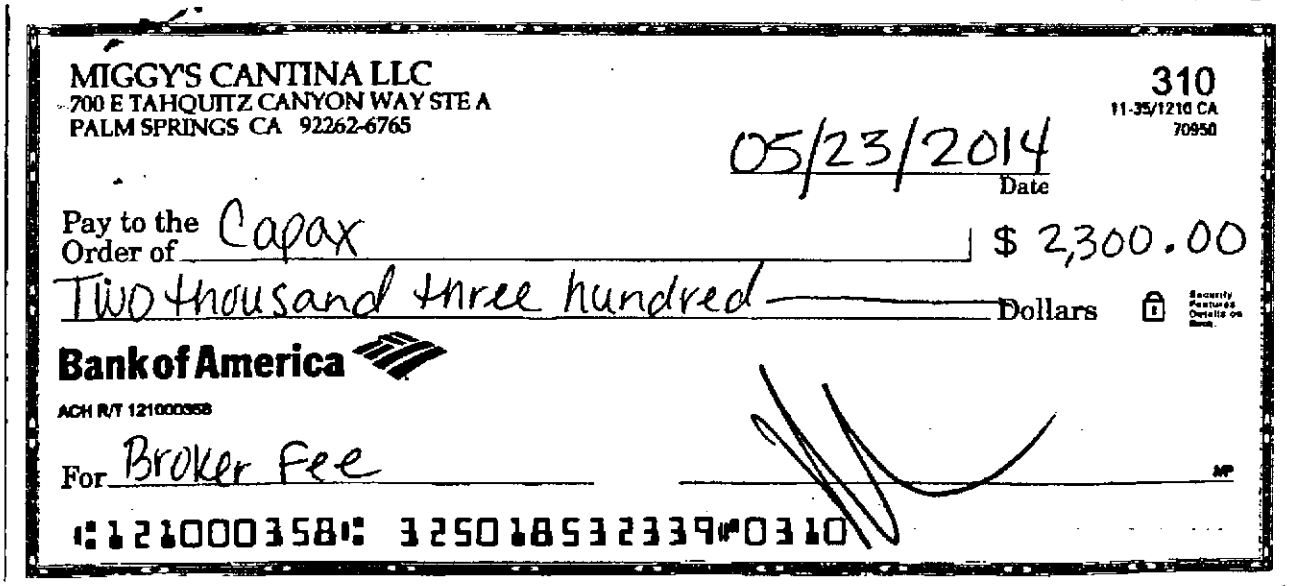




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	009596538238	41202582	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538238	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009292701529	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	004190468707	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	004190468707	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	6374152572	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A

Amount:	$2,300.00	Sequence Number:	9292701528
Account:	325018532339	Capture Date:	06/03/2014
Bank Number:	12100035	Check Number:	310



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

310
11-35/1210 CA
70950

05/23/2014
Date

Pay to the Order of Capax $ 2,300.00

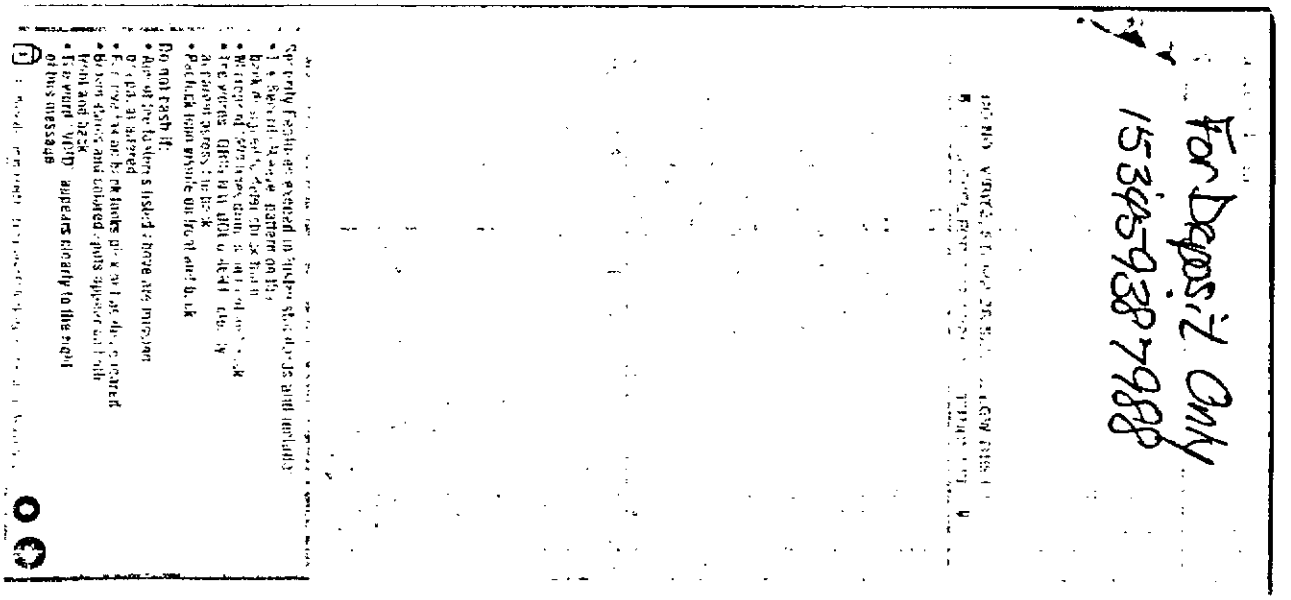
Two thousand three hundred Dollars

Bank of America

ACH R/T 121000358

For Broker Fee

⑆121000358⑆ 325018532339⑈0310

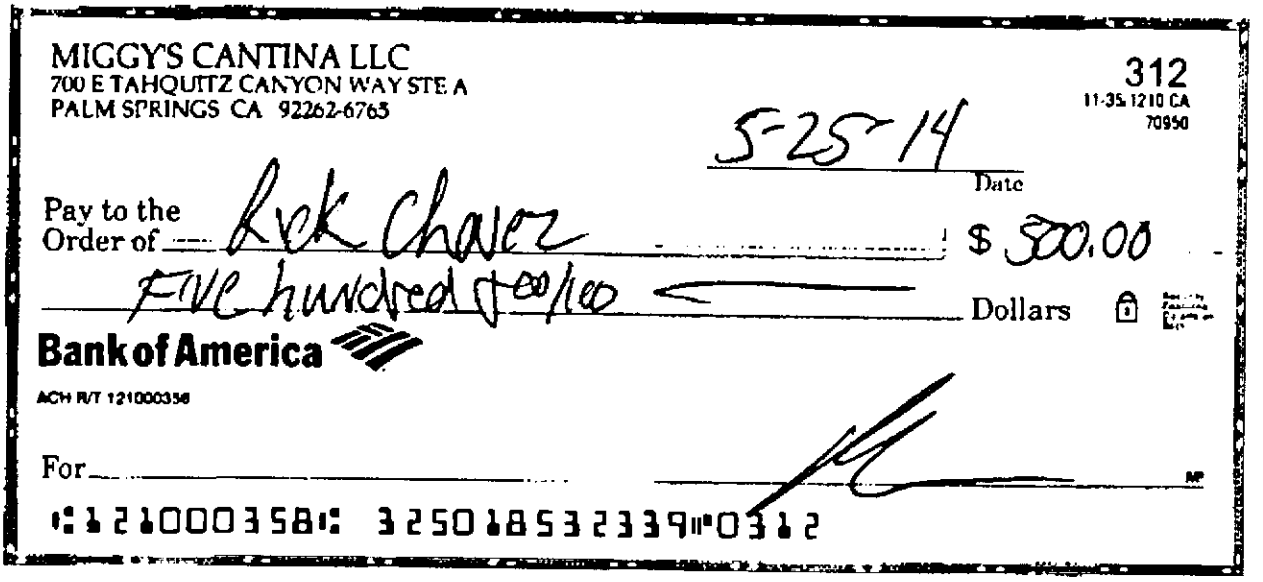


For Deposit Only
153-693-8247888

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	6374152571	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/02/2014	004190468706	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/02/2014	004190468706	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538237	41202582	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009596538237	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/03/2014	009292701528	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$500.00	Sequence Number:	6542354743
Account:	325018532339	Capture Date:	05/30/2014
Bank Number:	12100035	Check Number:	312



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

312
11-35/1210 CA
70950

5-25-14
Date

Pay to the Order of Rick Chavez $ 500.00

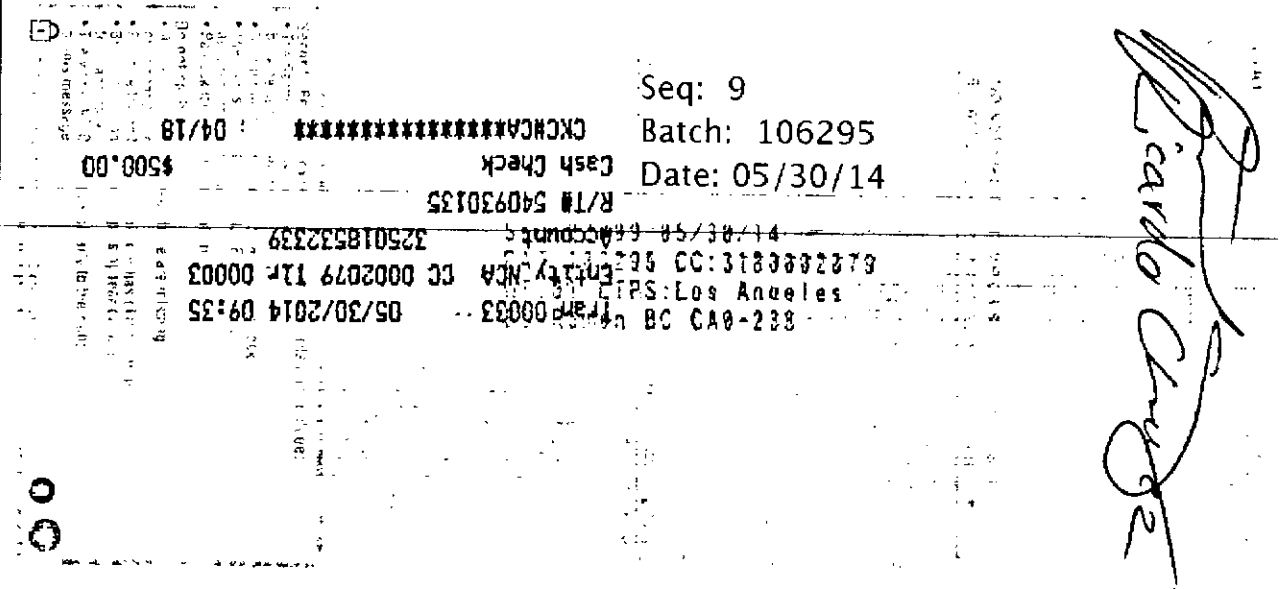
Five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0312



Seq: 9
Batch: 106295
Date: 05/30/14

Cash Check $500.00

R/T# 540930135

Account# 325018532339

05/30/2014 09:35 Tran# 000033 Entity: NCA CC 00020079 1Lr 00003

CC:3183882879

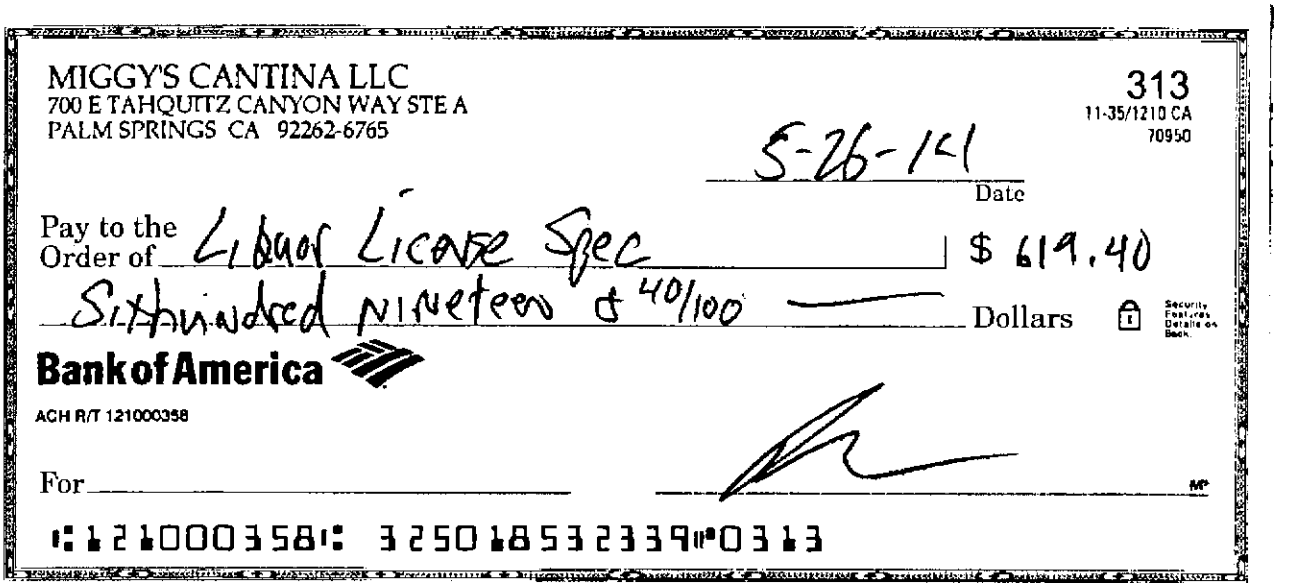
TPS:Los Angeles

BC CA0-238

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
05/30/2014	6542354743	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$619.40	Sequence Number:	9092752315
Account:	325018532339	Capture Date:	06/02/2014
Bank Number:	12100035	Check Number:	313



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

313
11-35/1210 CA
70950

5-26-14
Date

Pay to the Order of Liquor License Spec $ 619.40

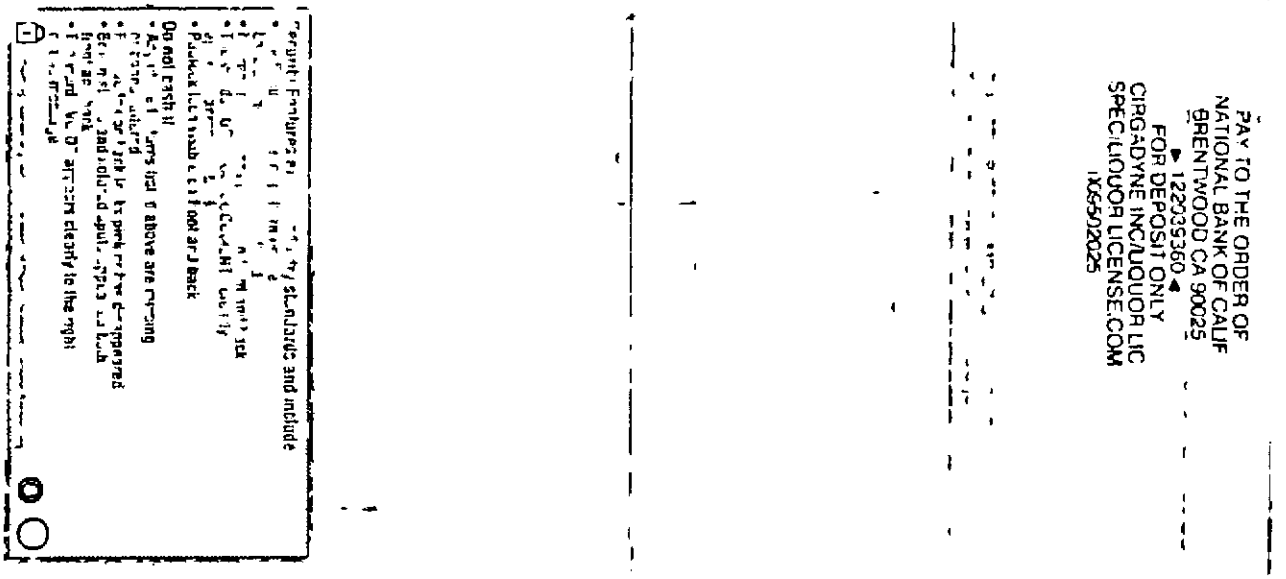
Six hundred nineteen & 40/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0313



PAY TO THE ORDER OF
NATIONAL BANK OF CALIF
BRENTWOOD CA 90025
⑆122039360⑆
FOR DEPOSIT ONLY
CIRGADYNE INC/LIQUOR LIC
SPEC.LIQUOR LICENSE.COM
1065020025

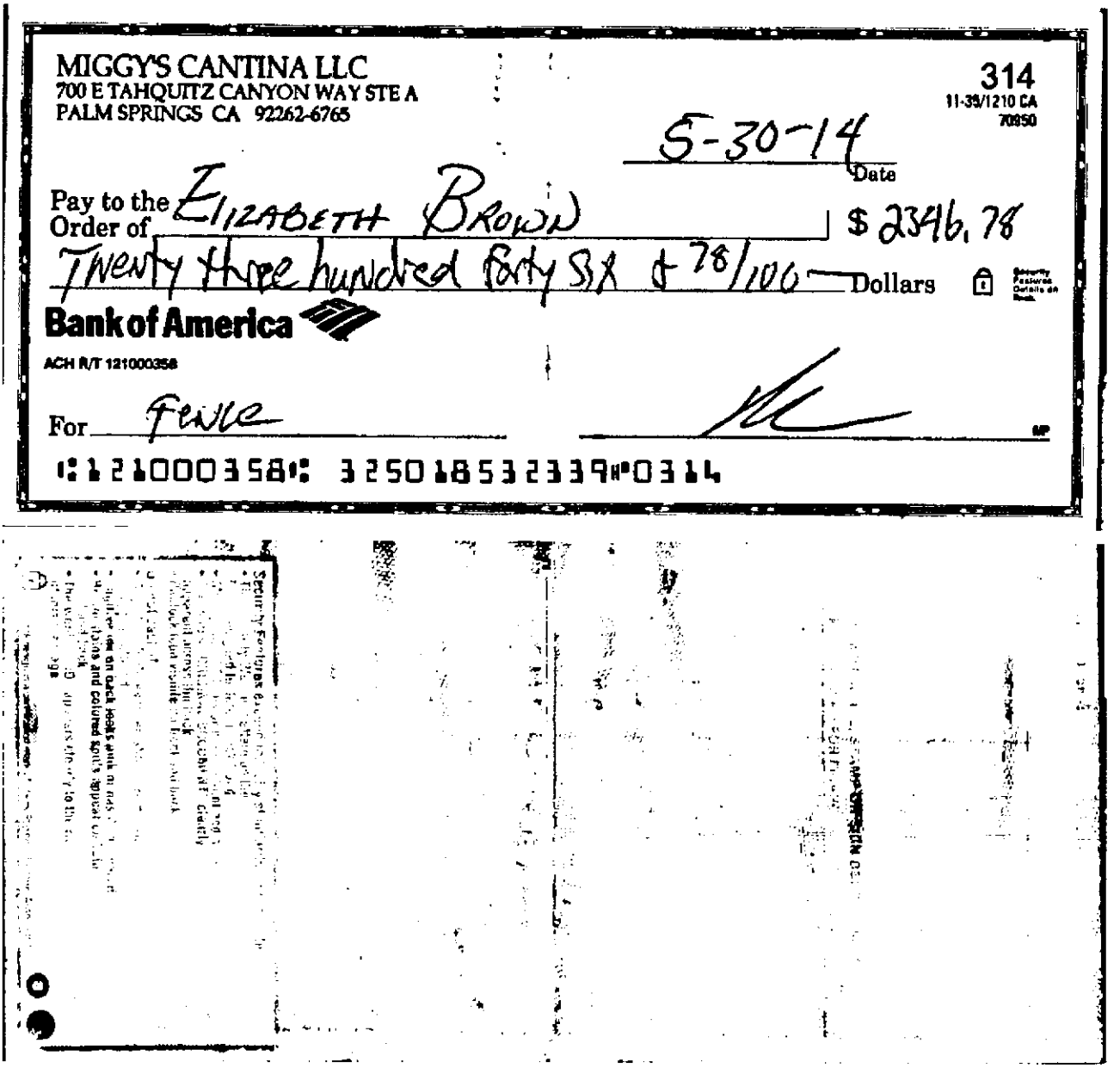
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	61190000043827	122039360	Rtn Loc/BOFD	Y		NATIONAL BANK OF CAL
06/02/2014	009092752315	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $2,346.78 Sequence Number: 4492020931

Account: 325018532339 Capture Date: 06/03/2014

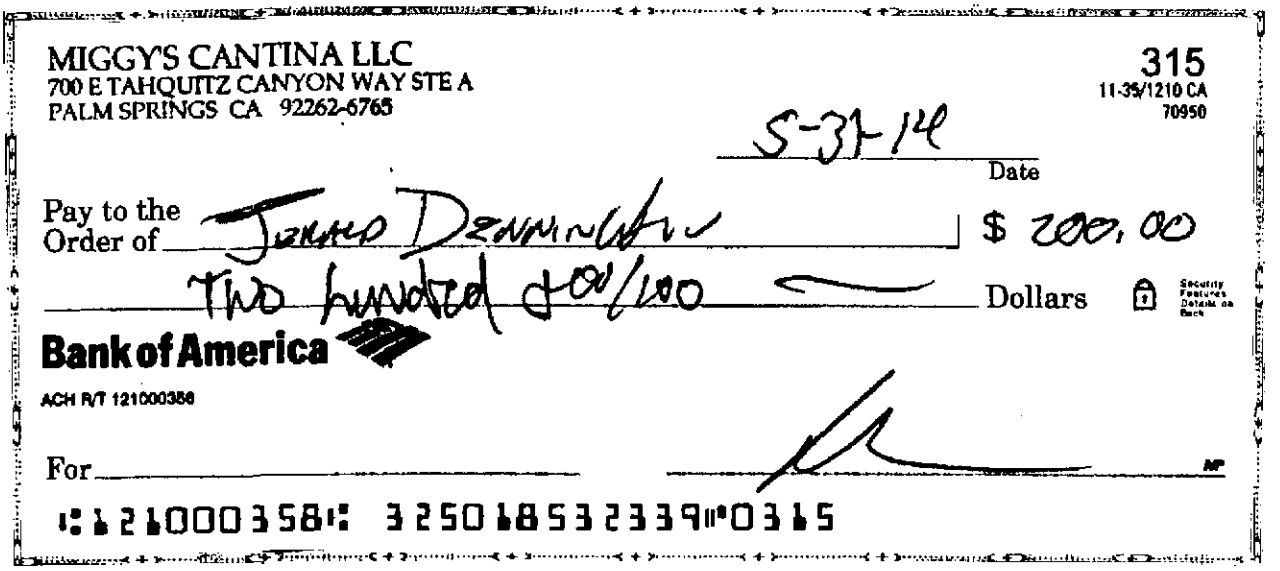
Bank Number: 12100035 Check Number: 314



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	004492020931	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	4479432895	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$200.00	Sequence Number:	8792817912
Account:	325018532339	Capture Date:	06/02/2014
Bank Number:	12100035	Check Number:	315


MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

315
11-39/1210 CA
70950

5-31-14
Date

Pay to the Order of Jaime Dennington $ 200.00

Two hundred 00/100 Dollars

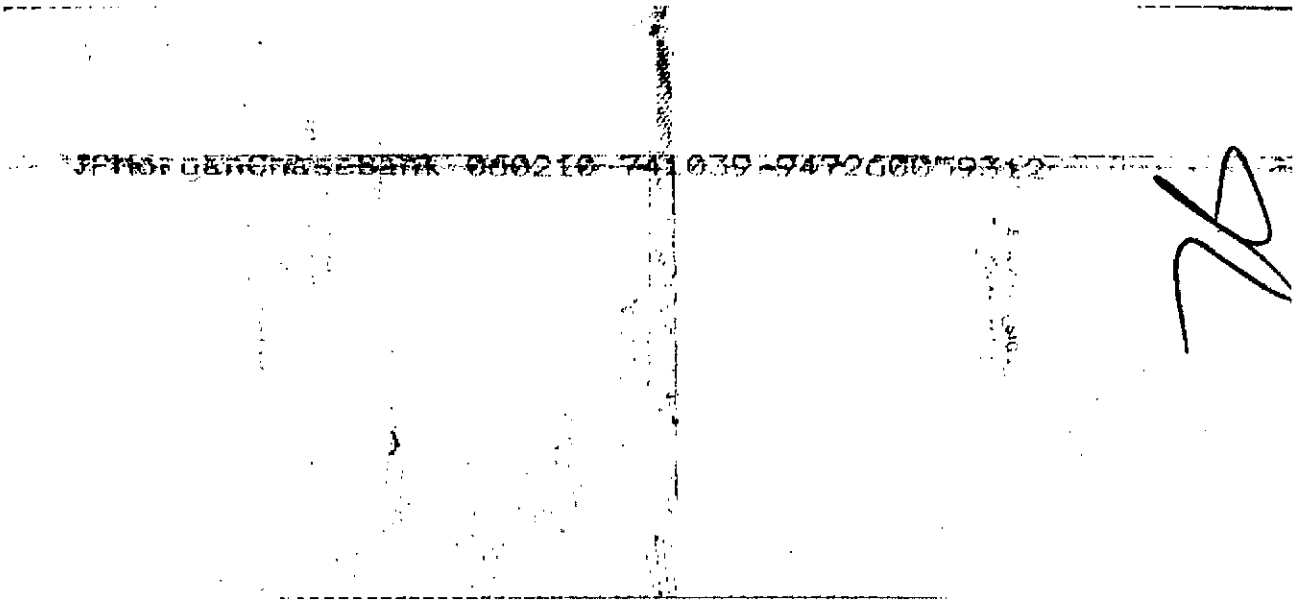
Security Features Details on Back

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0315



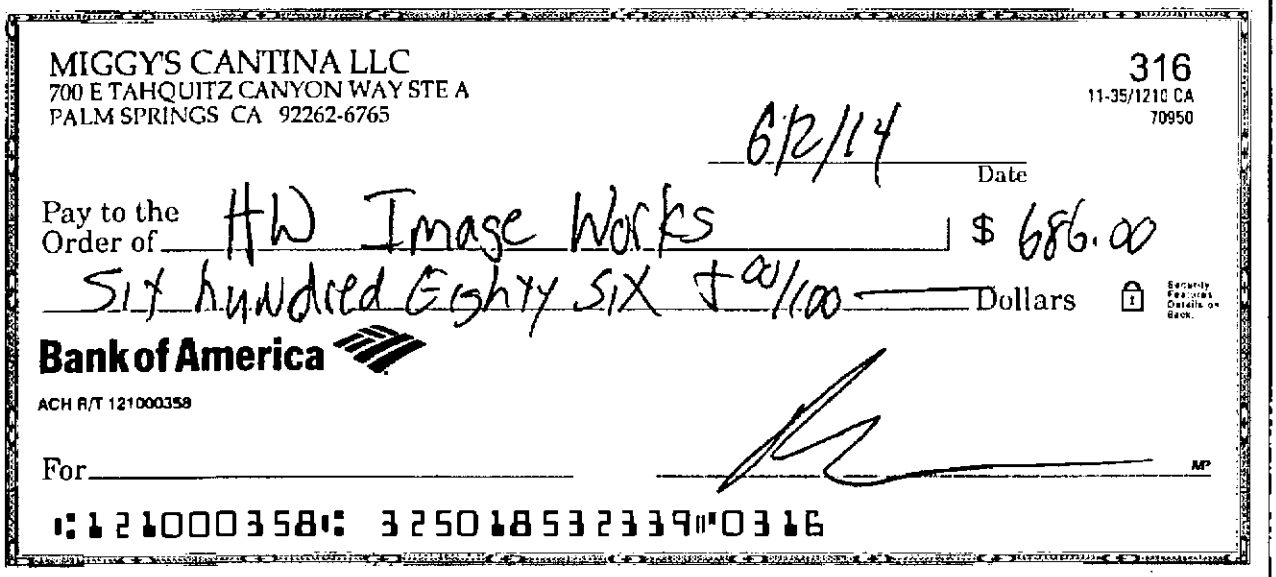
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/02/2014	008792817912	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/02/2014	9990091751	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $686.00 Sequence Number: 9792201914

Account: 325018532339 Capture Date: 06/04/2014

Bank Number: 12100035 Check Number: 316



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

316
11-35/1210 CA
70950

6/2/14
Date

Pay to the Order of HW Image Works $ 686.00

Six hundred Eighty Six & 00/100 Dollars

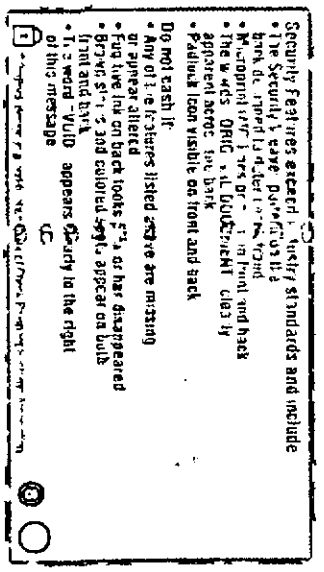
Bank of America

ACH R/T 121000358

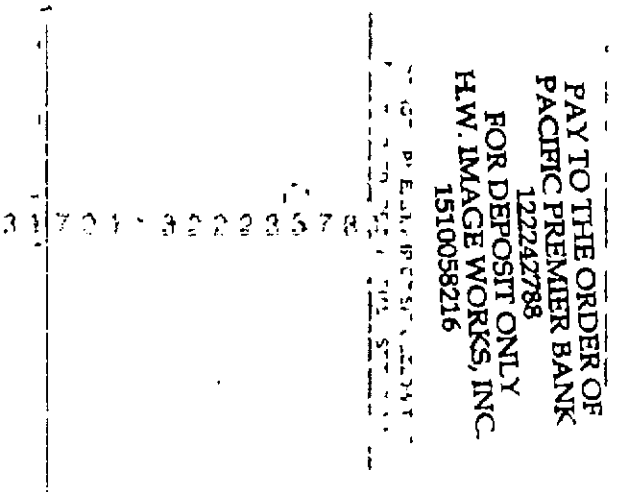
For

MP

⑆121000358⑆ 325018532339⑈0316



Security Features accept industry standards and include
• The Security Feature panel is visible
• The words ORIG and DUPLICATE clearly
• Padlock icon visible on front and back
Do not cash if:
• Any of the features listed above are missing
• Fugitive ink on back looks red, or has disappeared
• Border strips and colored seals appear as bulk
• The word VOID appears clearly in the right



PAY TO THE ORDER OF
PACIFIC PREMIER BANK
122247788
FOR DEPOSIT ONLY
H.W. IMAGE WORKS, INC.
1510058216

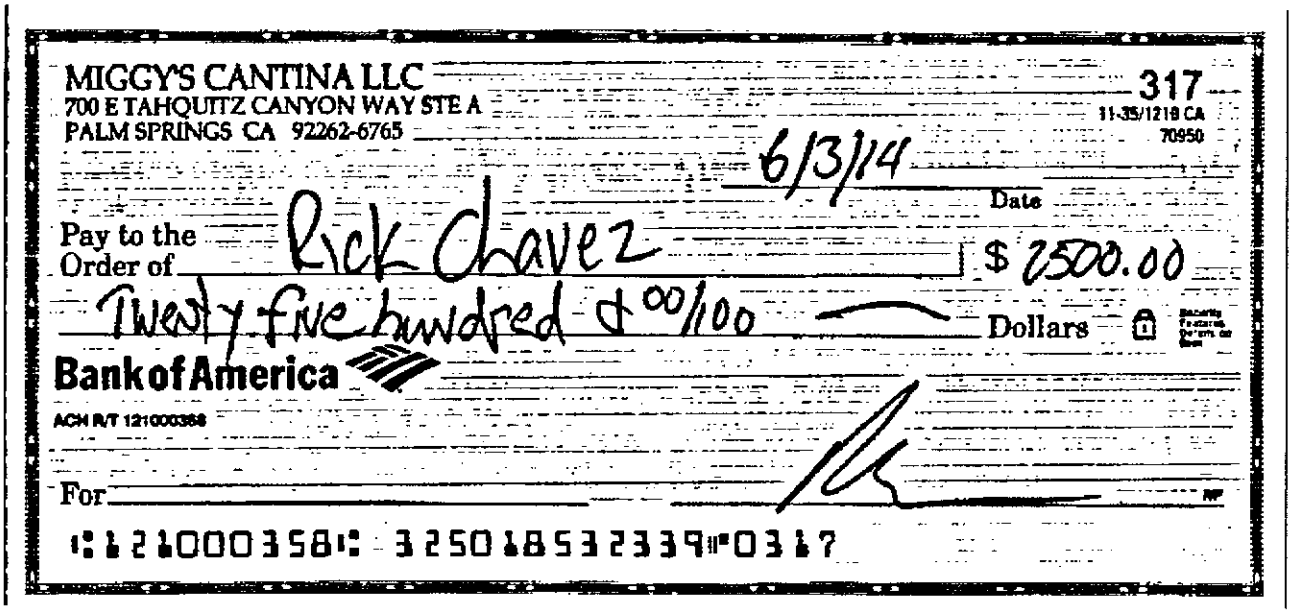
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/04/2014	77100000031721	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/04/2014	009792201914	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $2,500.00 Sequence Number: 6482524760

Account: 325018532339 Capture Date: 06/03/2014

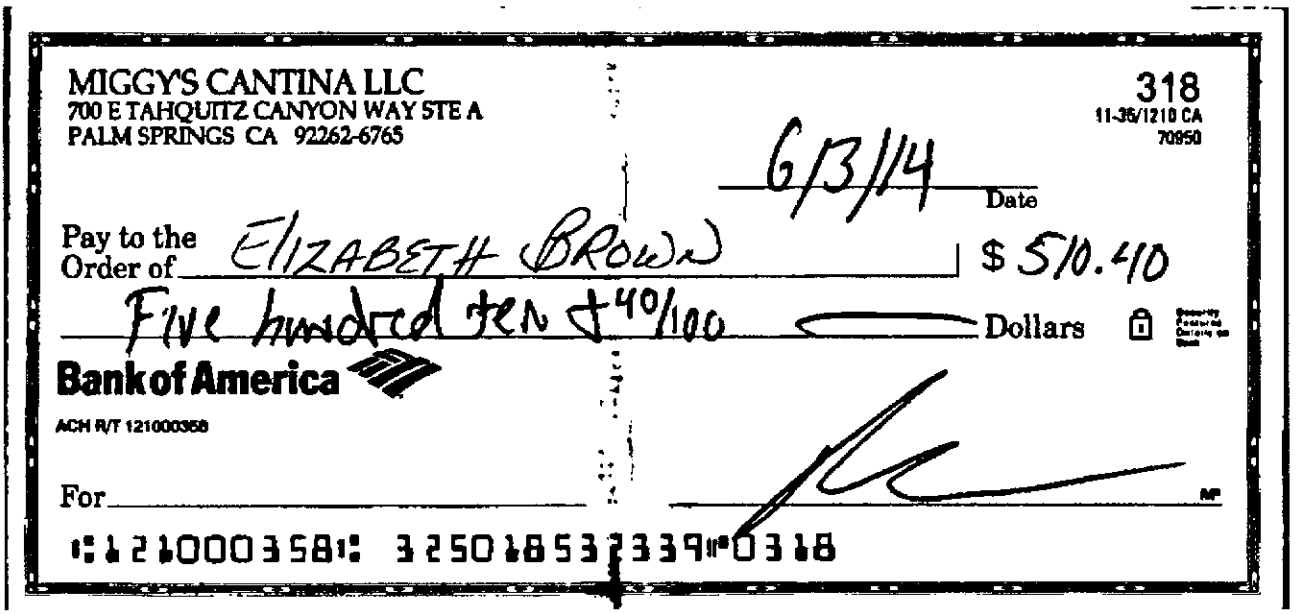
Bank Number: 12100035 Check Number: 317



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	6482524760	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$510.40	Sequence Number:	5192684679
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	318



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

318
11-36/1210 CA
70950

6/3/14
Date

Pay to the Order of ELIZABETH BROWN $ 510.40

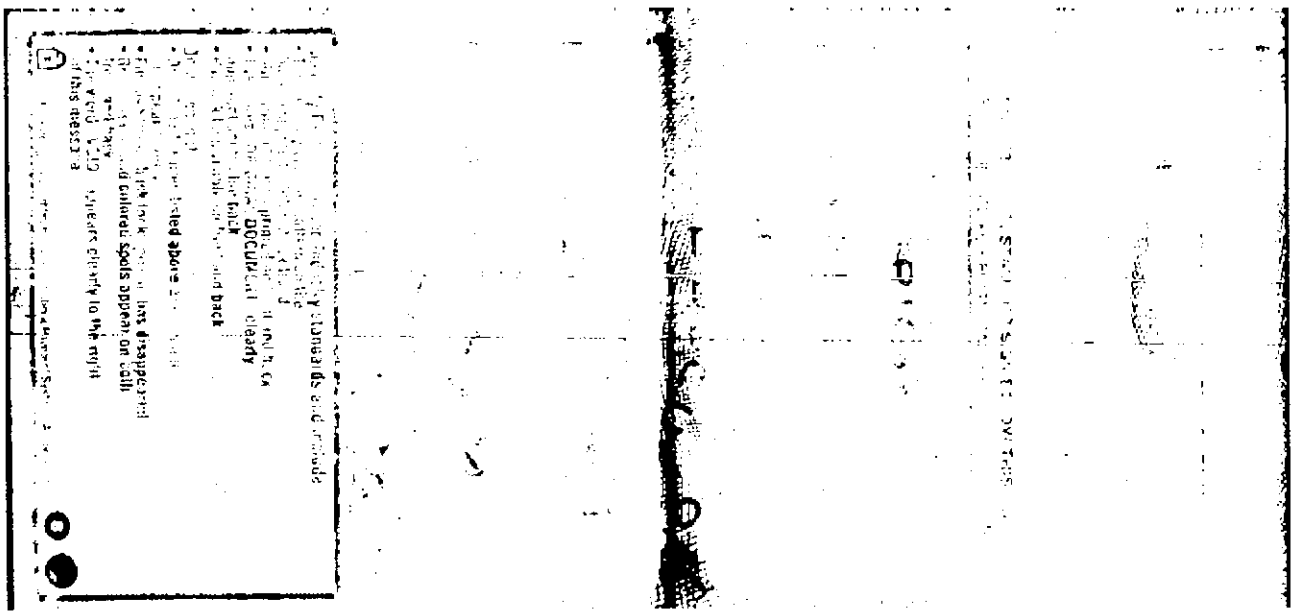
Five hundred ten & 40/100 Dollars

Bank of America

ACH R/T 121000358

For

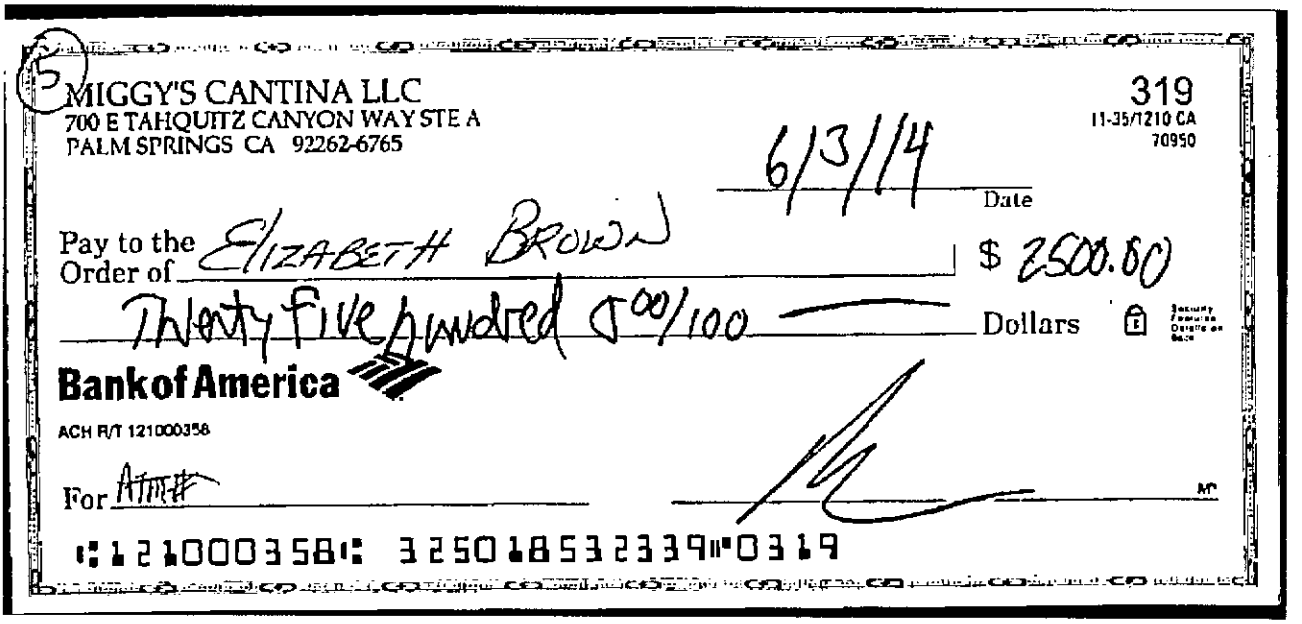
⑆121000358⑆ 325018532339⑈0318



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	005192684679	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/06/2014	4479554999	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$2,500.00	Sequence Number:	8492675751
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	319



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

319
11-35/1210 CA
70950

6/3/14
Date

Pay to the Order of ELIZABETH BROWN $ 2500.00

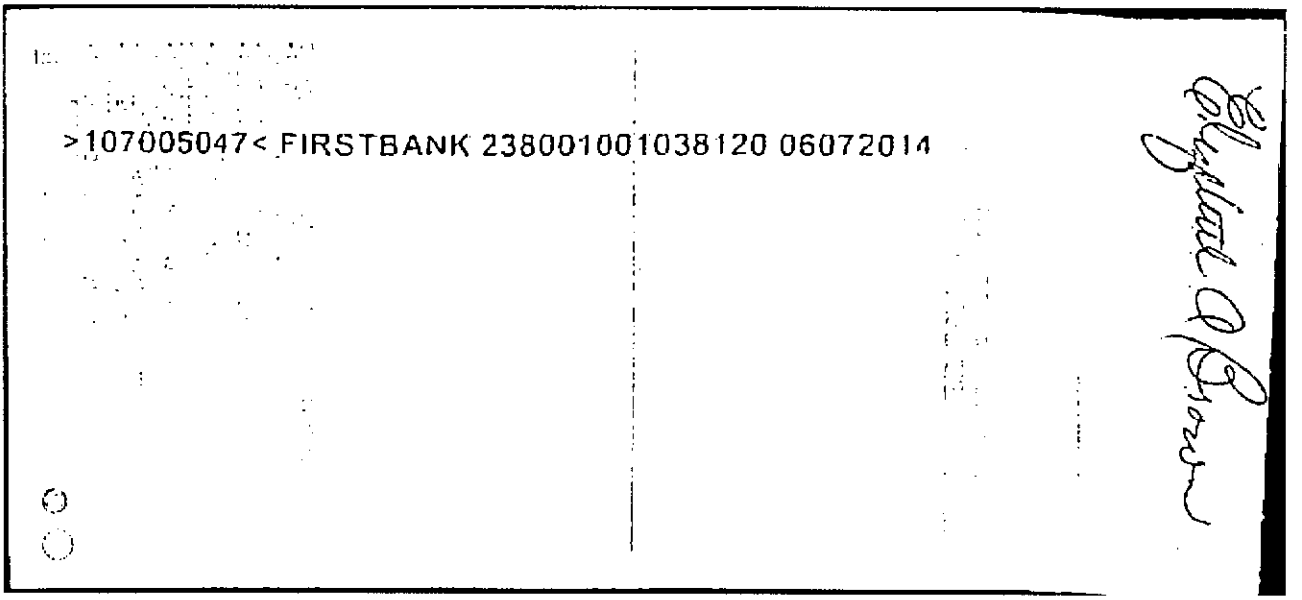
Twenty Five hundred 00/100 Dollars

Bank of America

ACH R/T 121000358

For Attn

⑆121000358⑆ 325018532339⑈0319



⑆107005047⑆ FIRSTBANK 238001001038120 06072014

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	000000096614480	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
06/09/2014	009094409442	91408501	Undetermined	N		U.S. BANK NATIONAL A
06/09/2014	009094409442	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/09/2014	008492675751	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $15,000.00 Sequence Number: 3142635615

Account: 325018532339 Capture Date: 06/03/2014

Bank Number: 12100035 Check Number: 320

SE2148M

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

320
11-35/1210 CA
70950

6/3/14
Date

Pay to the Order of Cal Ochlstrom $ 15,000.00

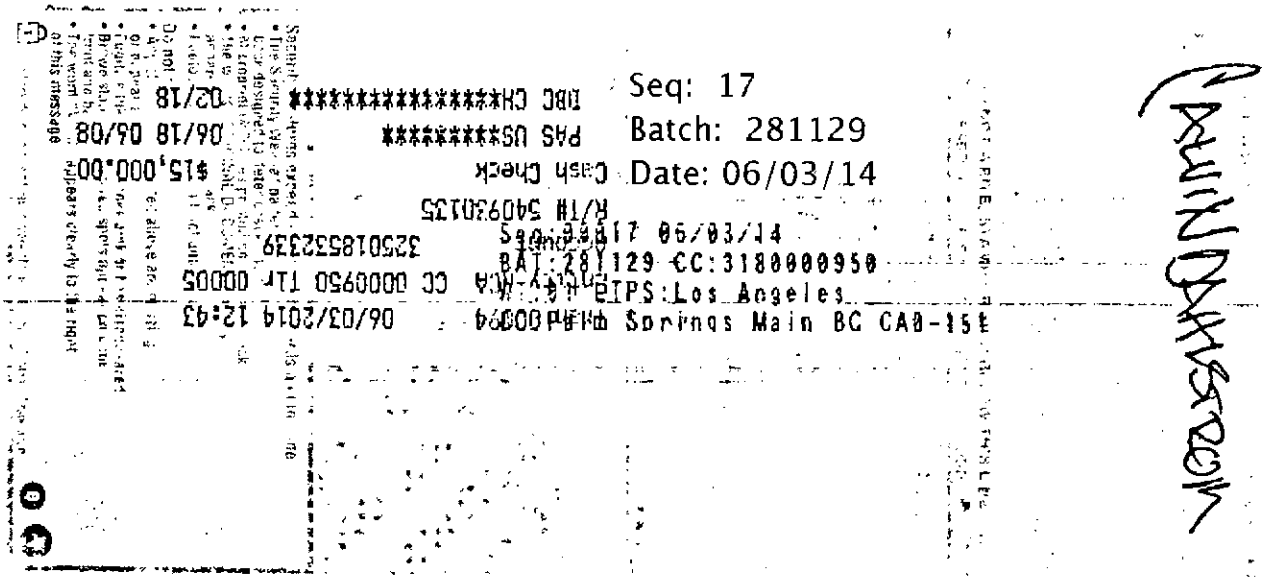
Fifteen thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑈121000358⑈ 325018532339⑈0320



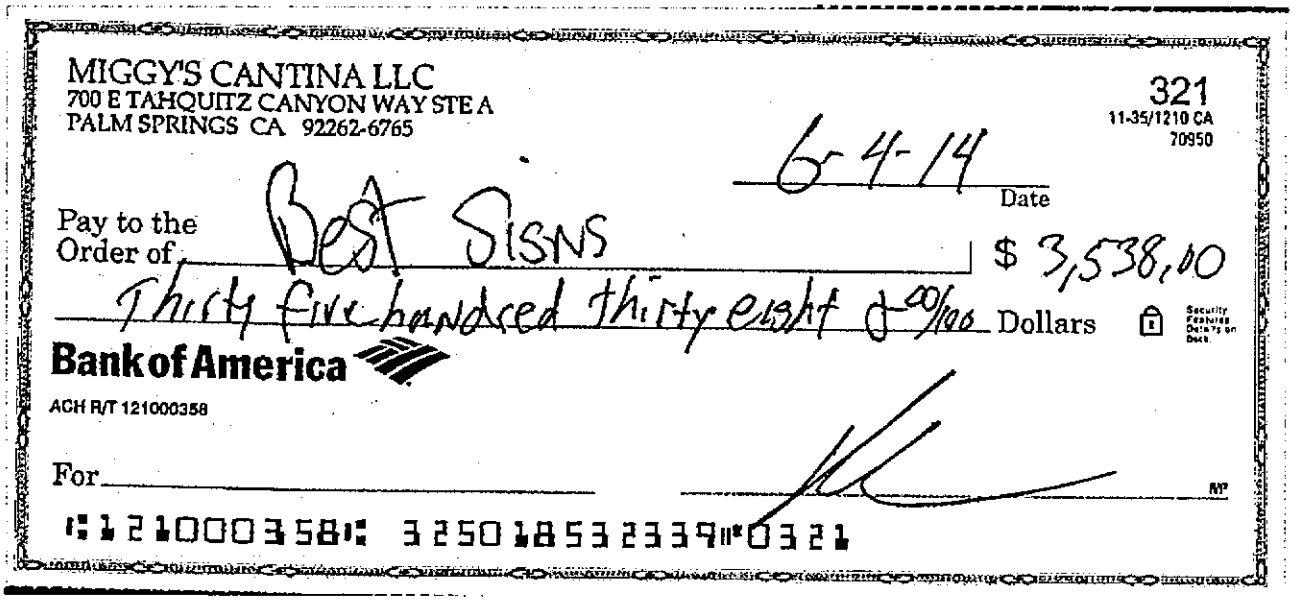
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/03/2014	3142635615	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount: $3,538.00 Sequence Number: 8092100992

Account: 325018532339 Capture Date: 06/05/2014

Bank Number: 12100035 Check Number: 321



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

321
11-35/1210 CA
70950

6-4-14
Date

Pay to the Order of Best Signs $ 3,538.00

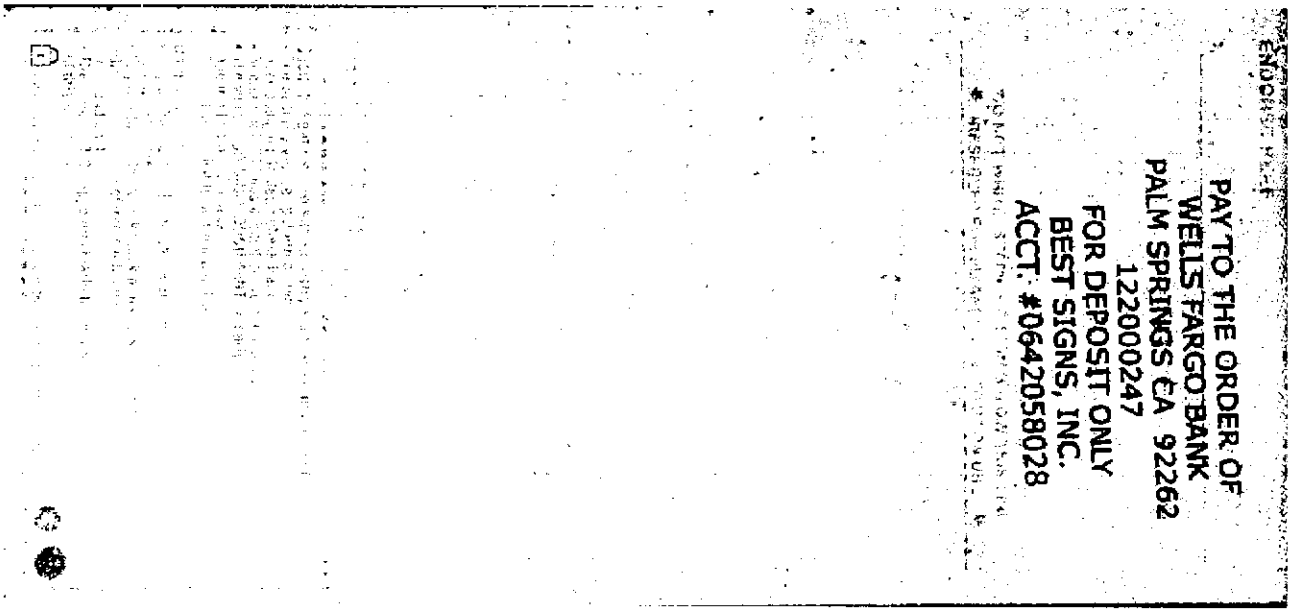
Thirty five hundred thirty eight & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0321



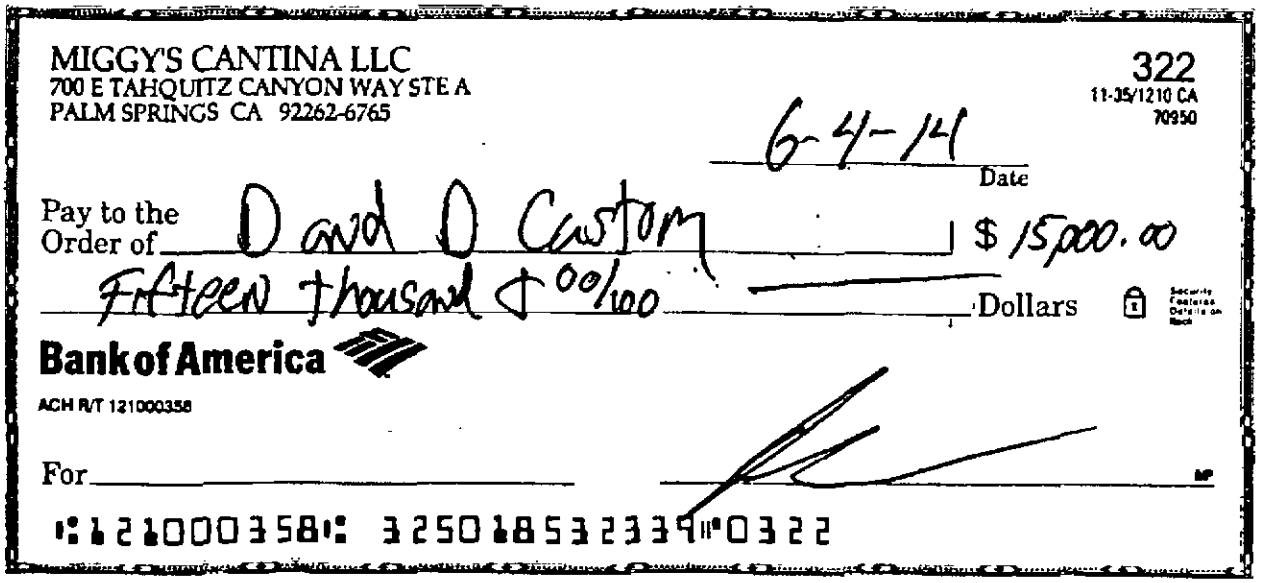
PAY TO THE ORDER OF
WELLS FARGO BANK
PALM SPRINGS CA 92262
122000247
FOR DEPOSIT ONLY
BEST SIGNS, INC.
ACCT: #0642058028

ENDORSE HERE

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/05/2014	000000587208841	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/05/2014	008092100992	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$15,000.00	Sequence Number:	8192354805
Account:	325018532339	Capture Date:	06/06/2014
Bank Number:	12100035	Check Number:	322



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

322
11-35/1210 CA
70950

6-4-14
Date

Pay to the Order of David D Custom $ 15,000.00

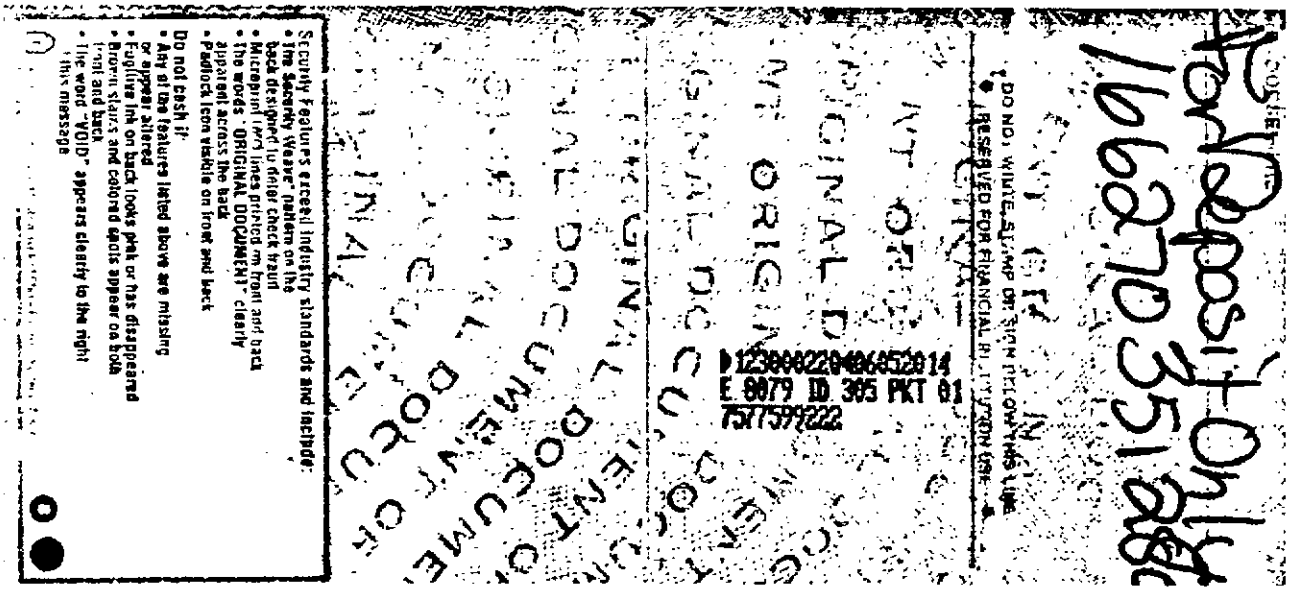
Fifteen thousand & 00/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0322



Security Features exceed industry standards and include:
• The Security Weaver® pattern on the back designed to deter check fraud
• Microprint (very) lines printed on front and back
• The words "ORIGINAL DOCUMENT" clearly apparent across the back
• Padlock icon visible on front and back

Do not cash if:
• Any of the features listed above are missing or appear altered
• Fugitive ink on back looks pink or has disappeared
• Bronze stains and colored spots appear on both front and back
• The word "VOID" appears clearly to the right of this message

ORIGINAL DOCUMENT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

123000220 060520 14
E 0079 ID 305 PKT 01
7577599222

For Deposit Only
1162703518

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/05/2014	7577599222	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/05/2014	004194275554	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/05/2014	004194275554	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/06/2014	008192354805	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$75.71	Sequence Number:	5492561293
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	324

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

324
11-35/1210 CA
70950

06-05-14
Date

Pay to the Order of Desert Water Agency $ 75.71

Seventy Five 71/100 Dollars

Bank of America

ACH R/T 121000358

For 44228050

⑆121000358⑆ 325018532339⑈0324

Pay to the order
of Union Bank
For Dep. only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	4513013813	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/09/2014	005492561293	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount: $289.74 Sequence Number: 5492561336

Account: 325018532339 Capture Date: 06/09/2014

Bank Number: 12100035 Check Number: 325

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

325
11-35/1210 CA
70950

06-05-14
Date

Pay to the Order of Desert Water Agency/ $ 289.74

Two hundred & eighty-nine 74/100 Dollars

Bank of America

ACH R/T 121000358

For 9901 60690

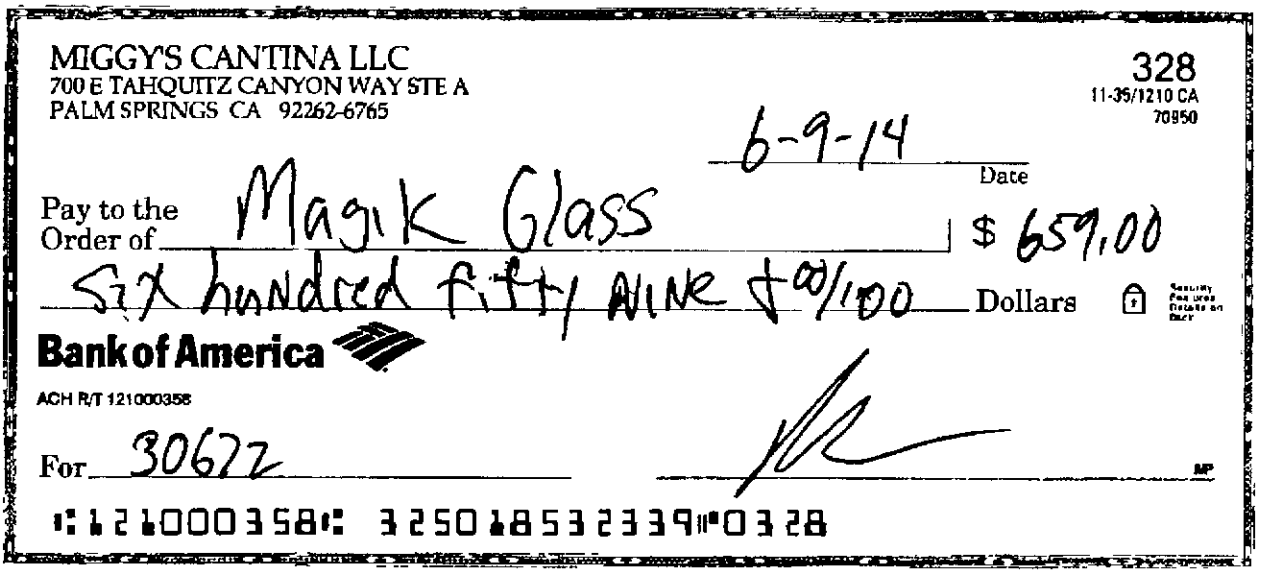
⑆121000358⑆ 325018532339⑈0325

Pay to the order
of Union Bank
For Dep.Only DWA
Acct# 3220542806

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	005492561336	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/09/2014	4513013931	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$659.00	Sequence Number:	5892731489
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	328



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

328
11-35/1210 CA
70950

6-9-14
Date

Pay to the Order of Magik Glass $ 659.00

Six hundred fifty nine & 00/100 Dollars

Bank of America

ACH R/T 121000358

For 30672

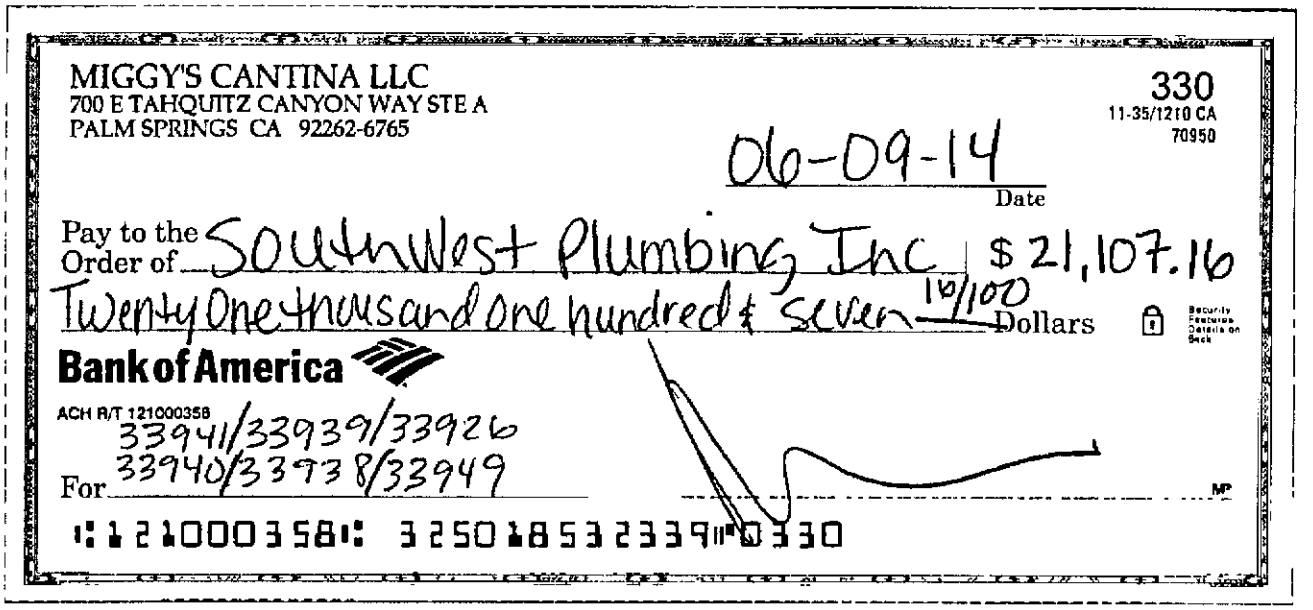
⑆121000358⑆ 325018532339⑈0328

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	4512093057	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/11/2014	005892731489	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$21,107.16	Sequence Number:	9192184338
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	330



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

330
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of SouthWest Plumbing Inc $ 21,107.16

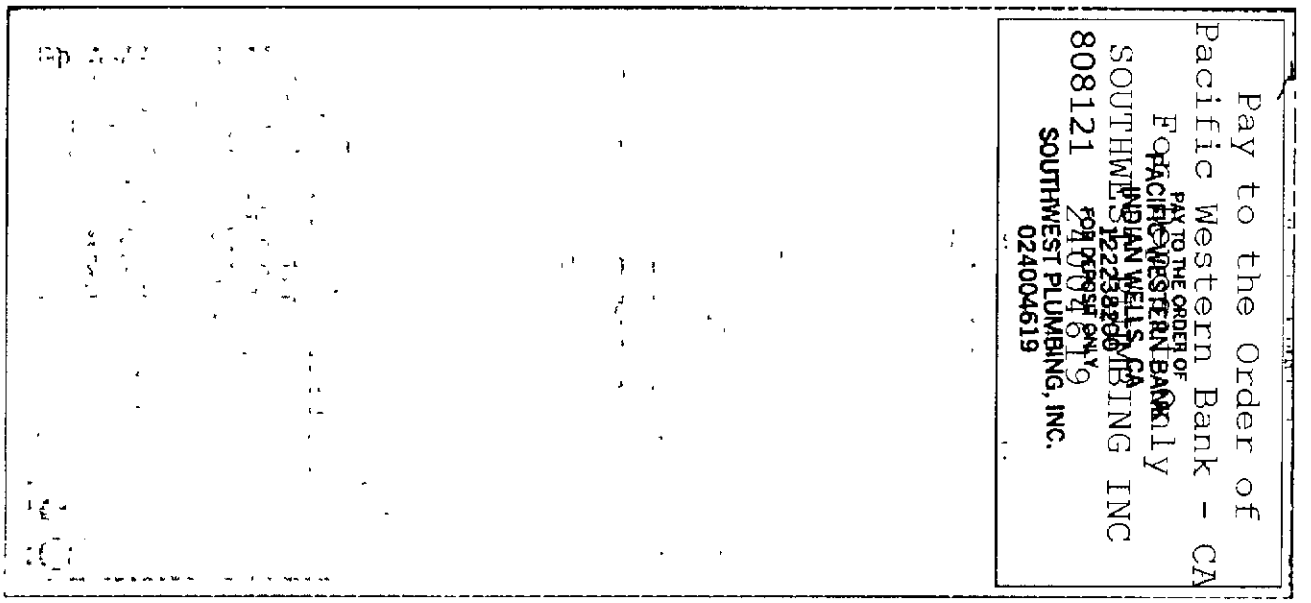
Twenty One thousand one hundred & seven 16/100 Dollars

Bank of America

ACH R/T 121000358

For 33941/33939/33926 33940/33938/33949

⑆121000358⑆ 325018532339⑈0330



Pay to the Order of
Pacific Western Bank - CA
For Deposit Only
SOUTHWEST PLUMBING INC
808121 24004619

PAY TO THE ORDER OF
PACIFIC WESTERN BANK
INDIAN WELLS, CA
122238200
FOR DEPOSIT ONLY
SOUTHWEST PLUMBING, INC.
024004619

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000002412323737	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/10/2014	000008857668421	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/10/2014	046923976268578	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/10/2014	009192184338	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,317.08	Sequence Number:	8892908966
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	331

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

331
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Dugan Williams $ 2317.08

Two thousand three hundred & seventeen 08/1108 Dollars

Bank of America

ACH R/T 121000358

For 2650, 2656

⑆121000358⑆ 325018532339⑈0331

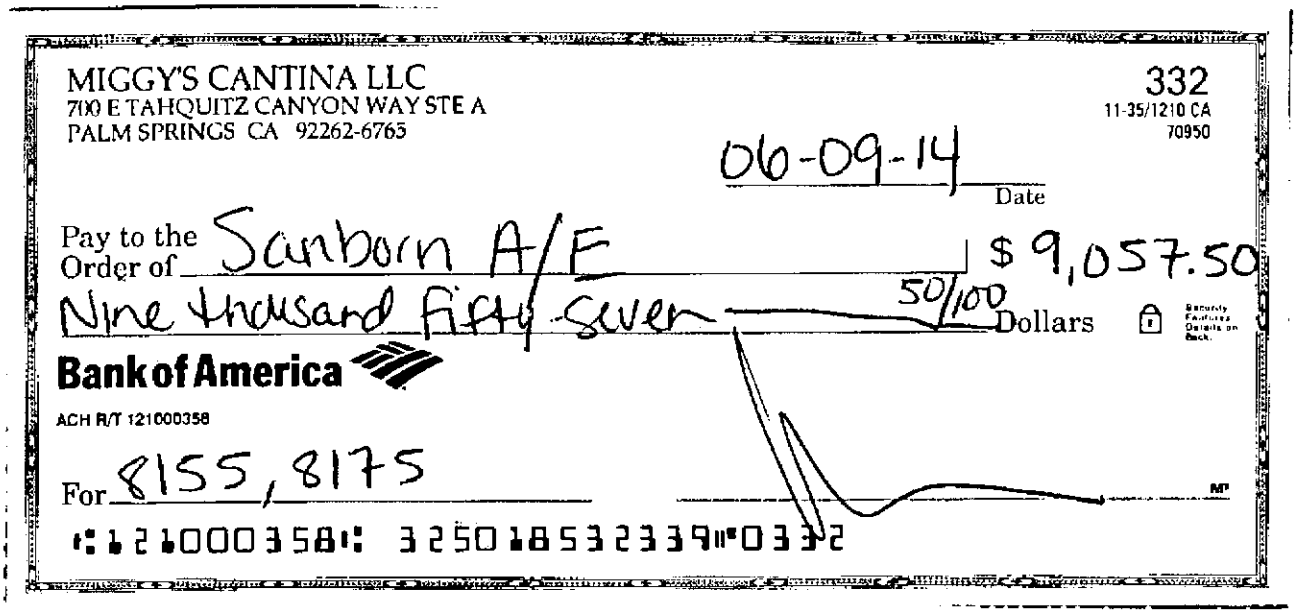
2940827147

Deposit Only

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000002940827147	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/10/2014	008892908966	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$9,057.50	Sequence Number:	9092426197
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	332



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

332
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Sanborn A/E $ 9,057.50

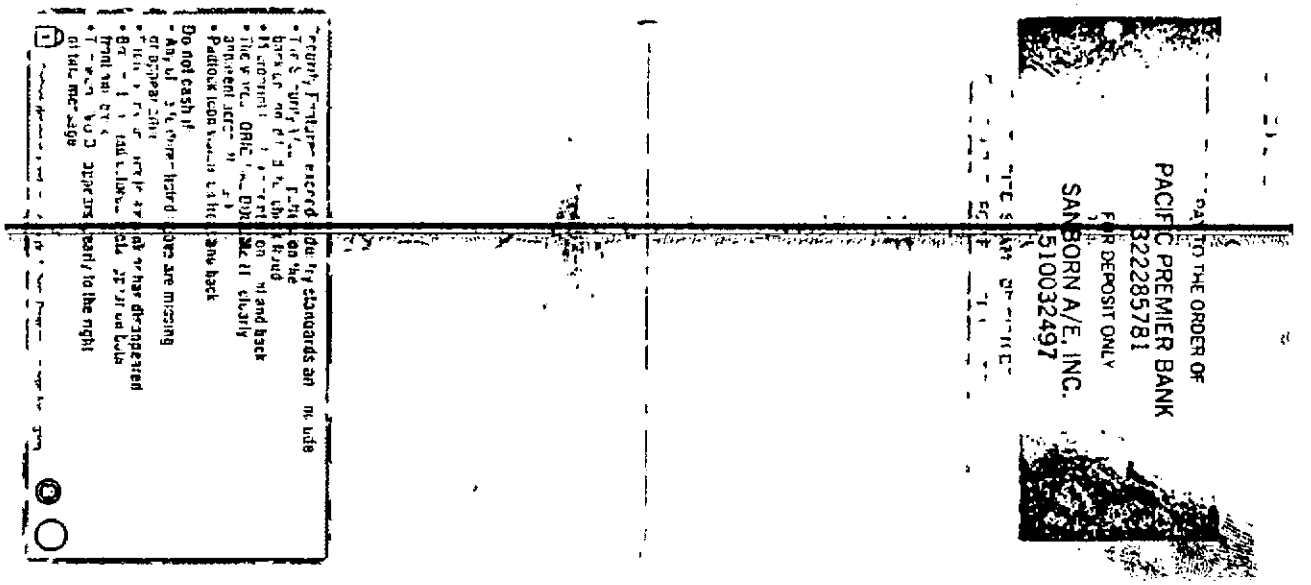
Nine thousand fifty seven 50/100 Dollars

Bank of America

ACH R/T 121000358

For 8155, 8175

⑆121000358⑆ 325018532339⑈0332

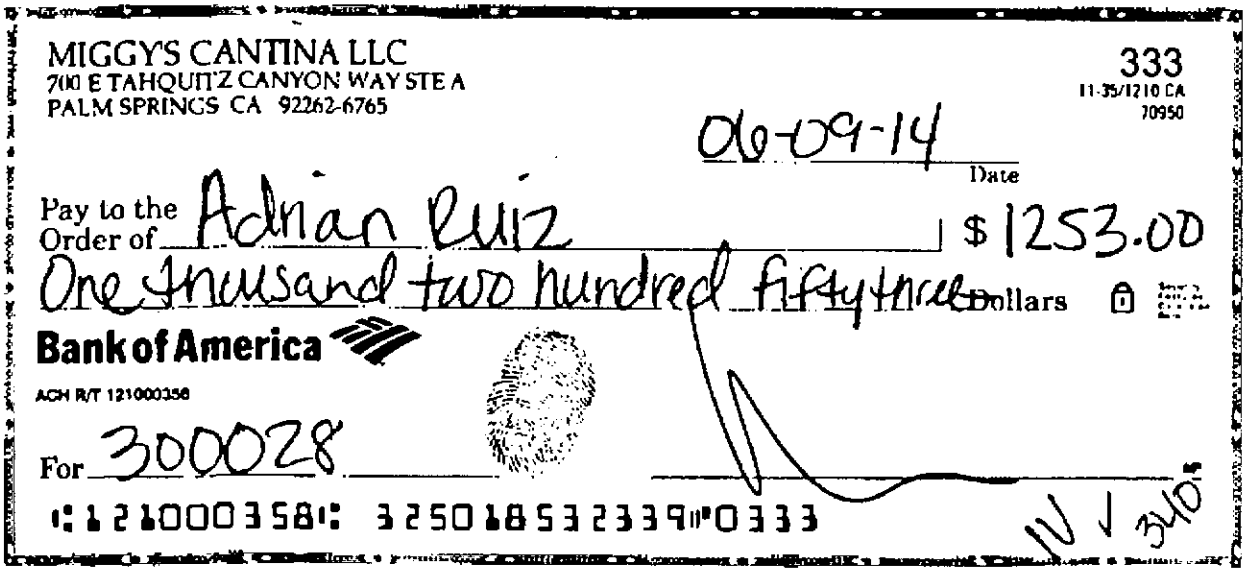


TO THE ORDER OF
PACIFIC PREMIER BANK
322285781
FOR DEPOSIT ONLY
SANBORN A/E, INC.
510032497

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	77130000051241	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/10/2014	009092426197	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,253.00	Sequence Number:	5542105009
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	333



MIGGYS CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

333
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Adrian Ruiz $1253.00

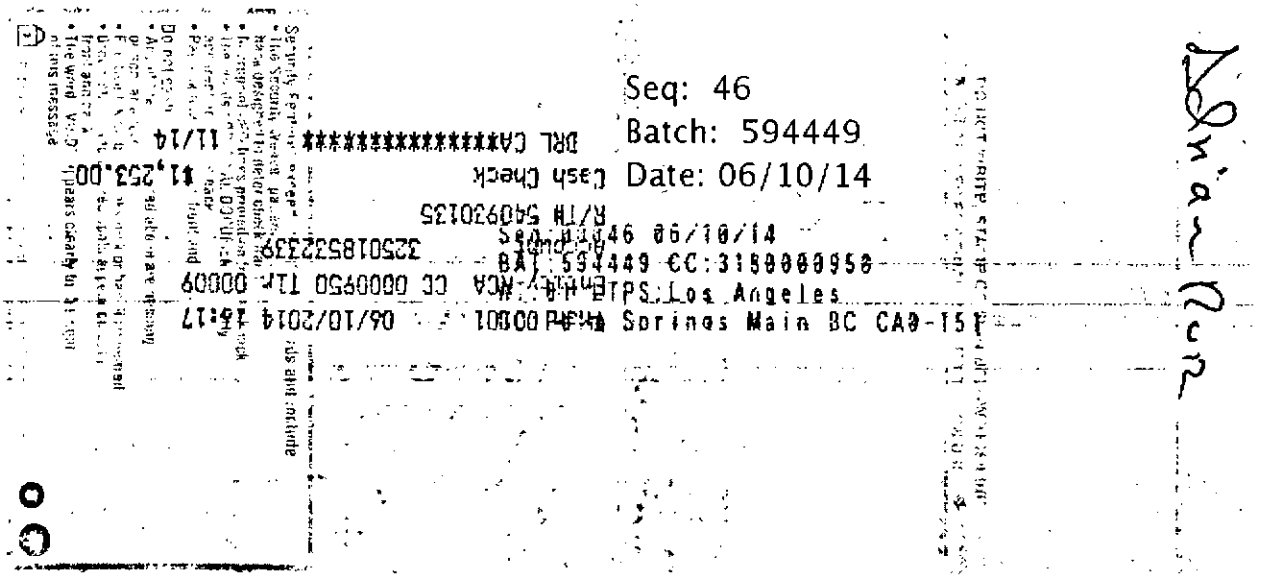
One thousand two hundred fifty three Dollars

Bank of America

ACH R/T 121000358

For 300028

⑆121000358⑆ 325018532339⑈0333



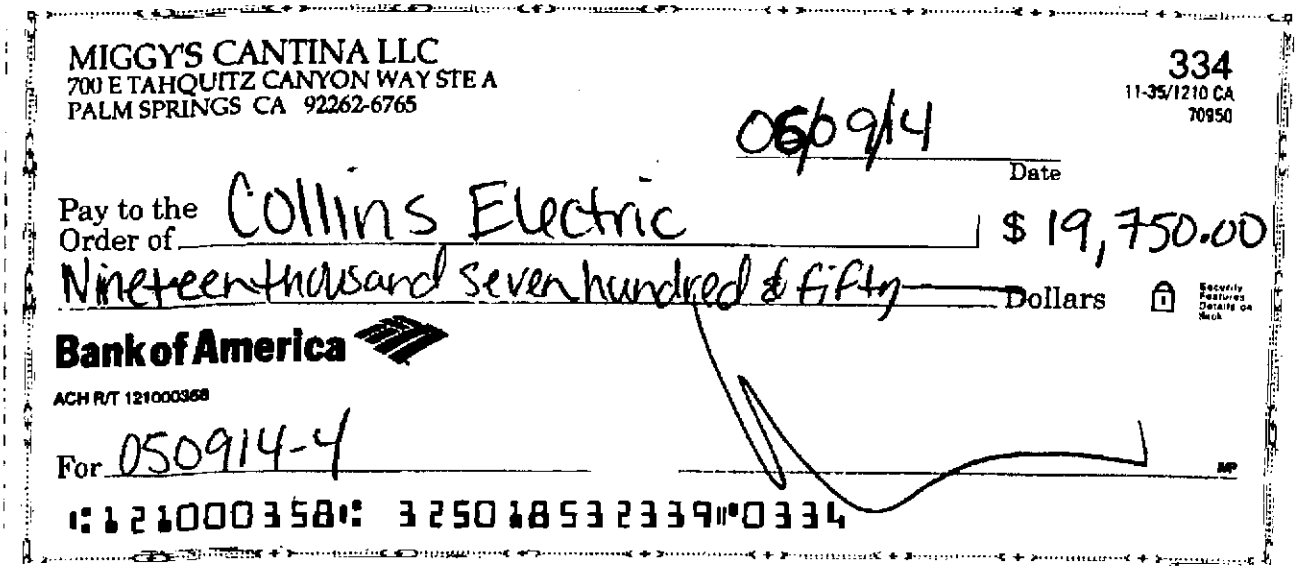
Seq: 46
Batch: 594449
Date: 06/10/14

Adrian Ruiz

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	5542105009	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$19,750.00	Sequence Number:	9792442165
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	334



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

334
11-35/1210 CA
70950

0609/14
Date

Pay to the Order of Collins Electric $ 19,750.00

Nineteen thousand seven hundred & fifty Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 050914-4

⑆121000358⑆ 325018532339⑈0334

Collins Electric
10094985a

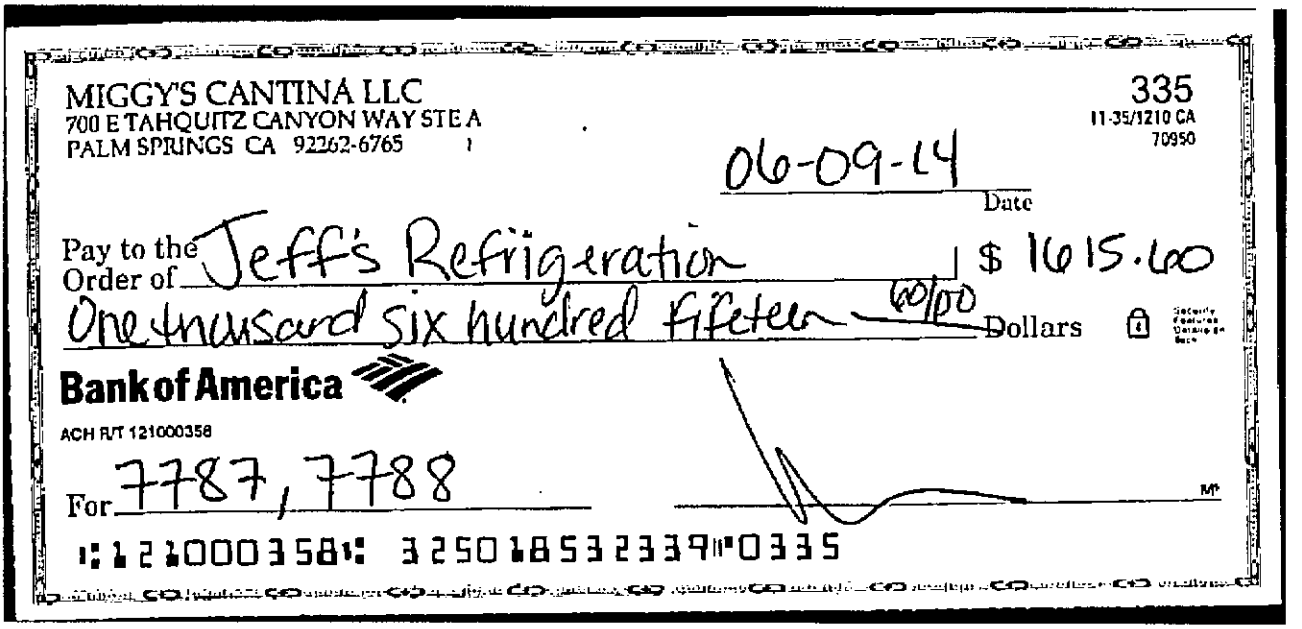
Electronic Endorsements:

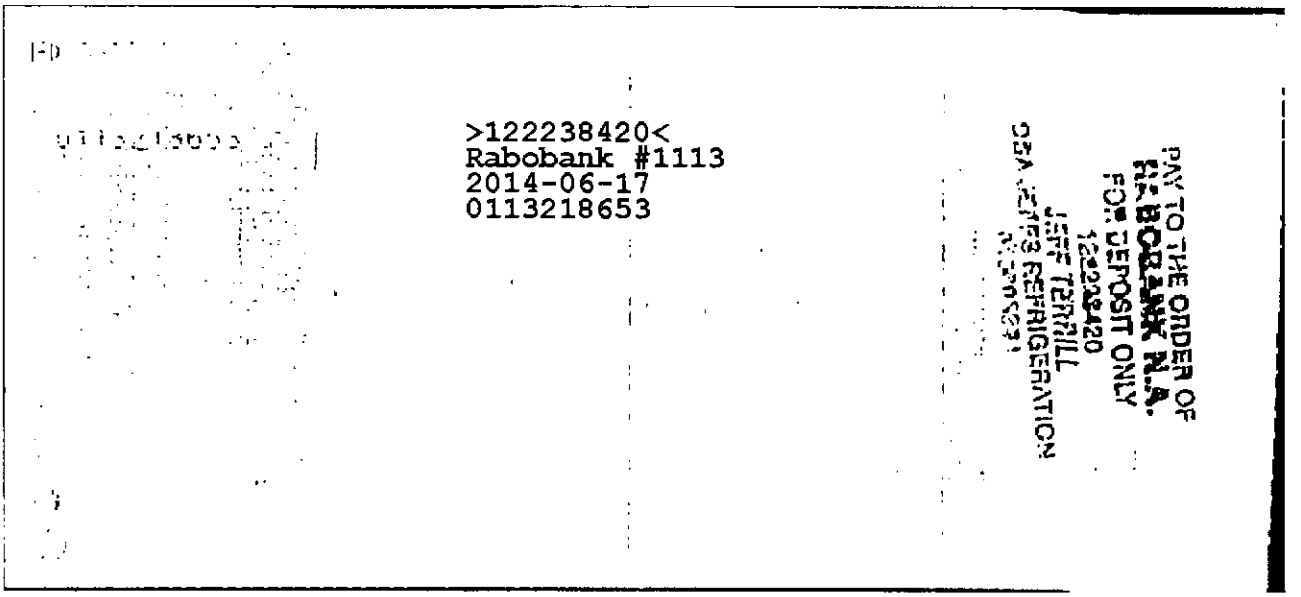
Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	009792442165	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	1470427569	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount: $1,615.60 Sequence Number: 8492882621

Account: 325018532339 Capture Date: 06/17/2014

Bank Number: 12100035 Check Number: 335

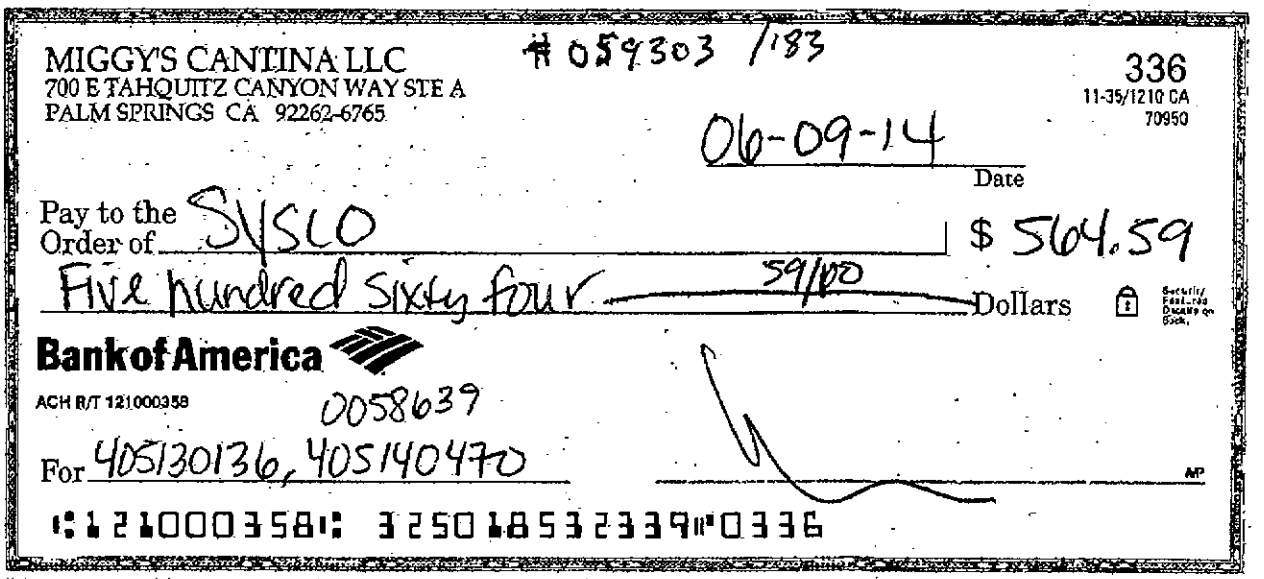




Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/17/2014	000008534993509	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/17/2014	000000113218653	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A
06/17/2014	008492882621	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$564.59	Sequence Number:	5592728388
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	336



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303 /183

336
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of SYSCO $ 564.59

Five hundred Sixty four 59/100 Dollars

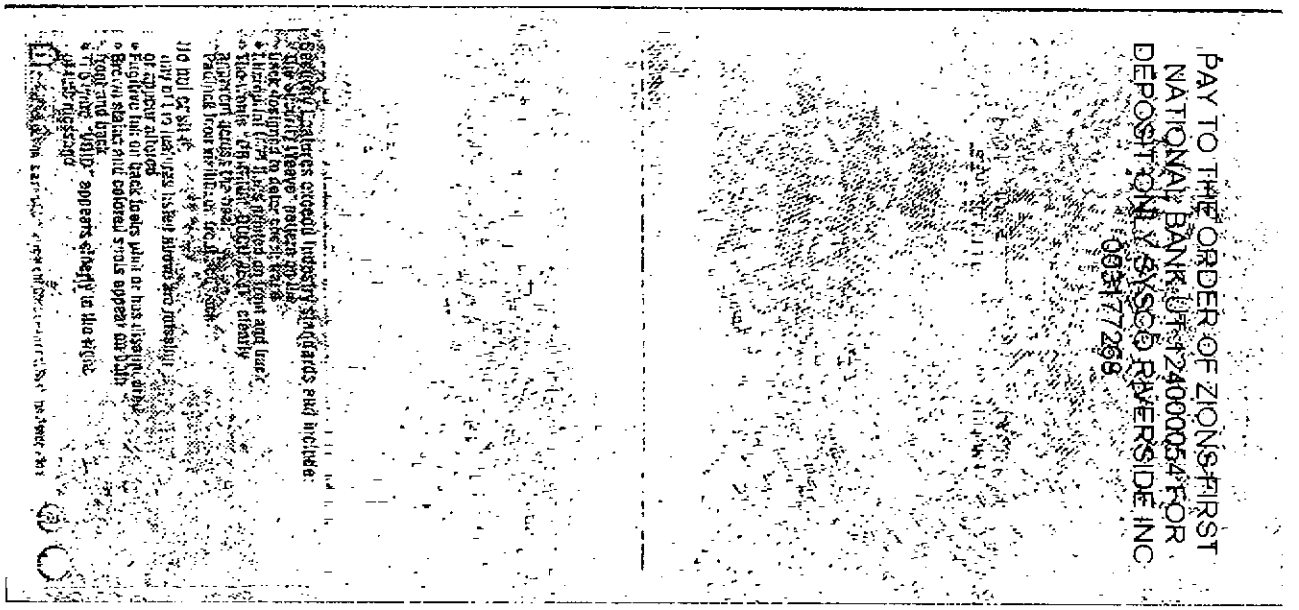
Bank of America

ACH R/T 121000358

0058639

For 405130136, 405140470

⑆121000358⑆ 325018532339⑈0336

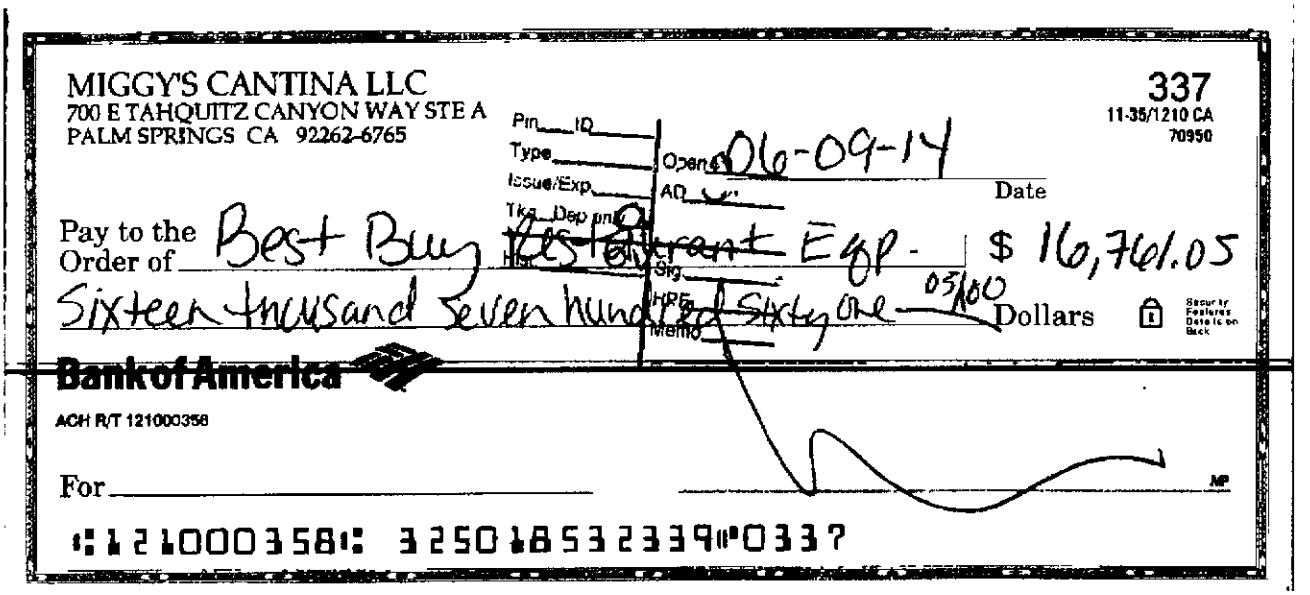


PAY TO THE ORDER OF ZIONS FIRST NATIONAL BANK U/T 124000054 FOR DEPOSIT ONLY SYSCO RIVERSIDE INC 0031772698

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	000051463711486	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL
06/11/2014	234343870	61000146	Undetermined	N		FEDERAL RES BANK OF
06/10/2014	005592728388	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$16,761.05	Sequence Number:	9492069167
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	337



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

337
11-35/1210 CA
70950

Pin ID
Type
Issue/Exp
Tks Dep pmt
Hist
Open 06-09-14
AD
Date
Org
HPE
Memo

Pay to the Order of Best Buy ~~Tenant~~ Equipment $ 16,761.05

Sixteen thousand seven hundred ~~Sixty~~ One 05/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0337

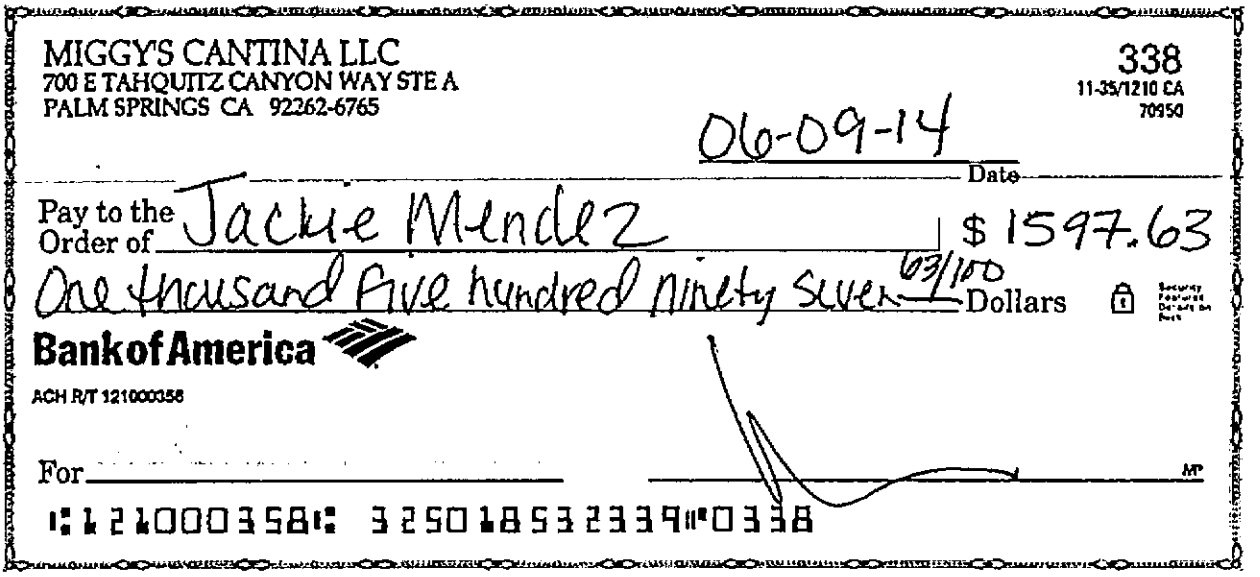
PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

PAY TO THE ORDER OF
WELLS FARGO BANK, N.A.
122000247
FOR DEPOSIT ONLY
BBRE INC.
9219839462

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	009492069167	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	000002941088080	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$1,597.63	Sequence Number:	5982420417
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	338



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

338
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Jackie Mendez $ 1597.63

One thousand Five hundred ninety Seven 63/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0338

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	5982420417	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$640.00	Sequence Number:	2082793267
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	339

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

339
11-35/1210 CA
70650

06-04-14
Date

Pay to the Order of Neil Husvar $ 640.00

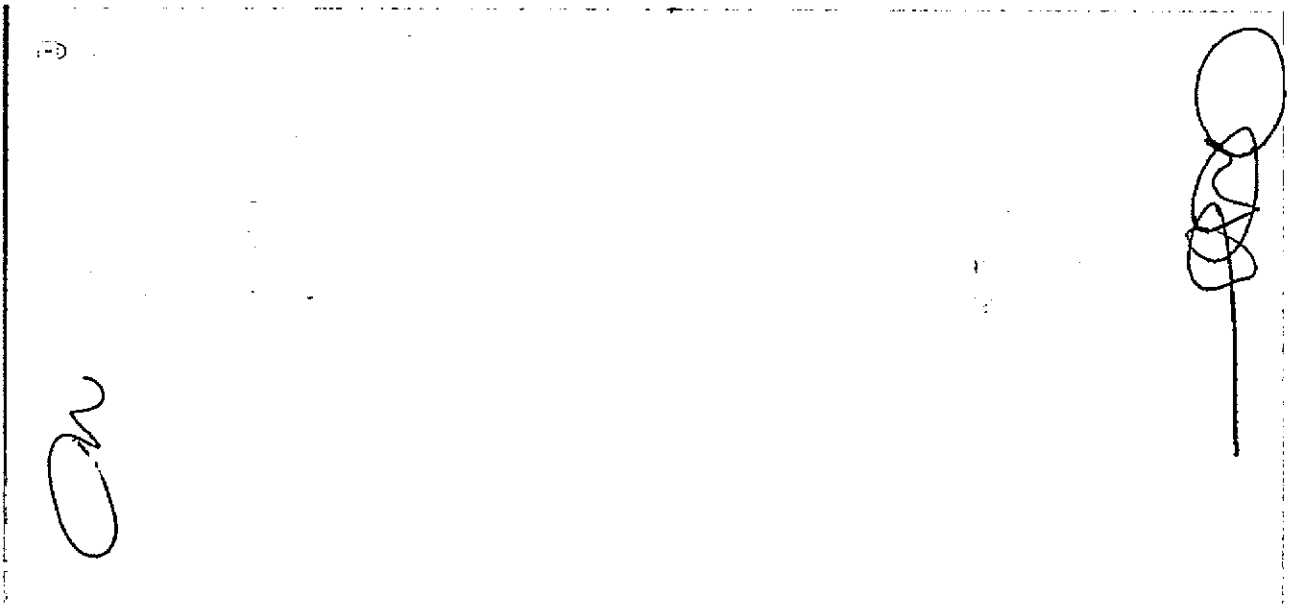
Six hundred & forty Dollars

Bank of America

ACH R/T 121000358

For

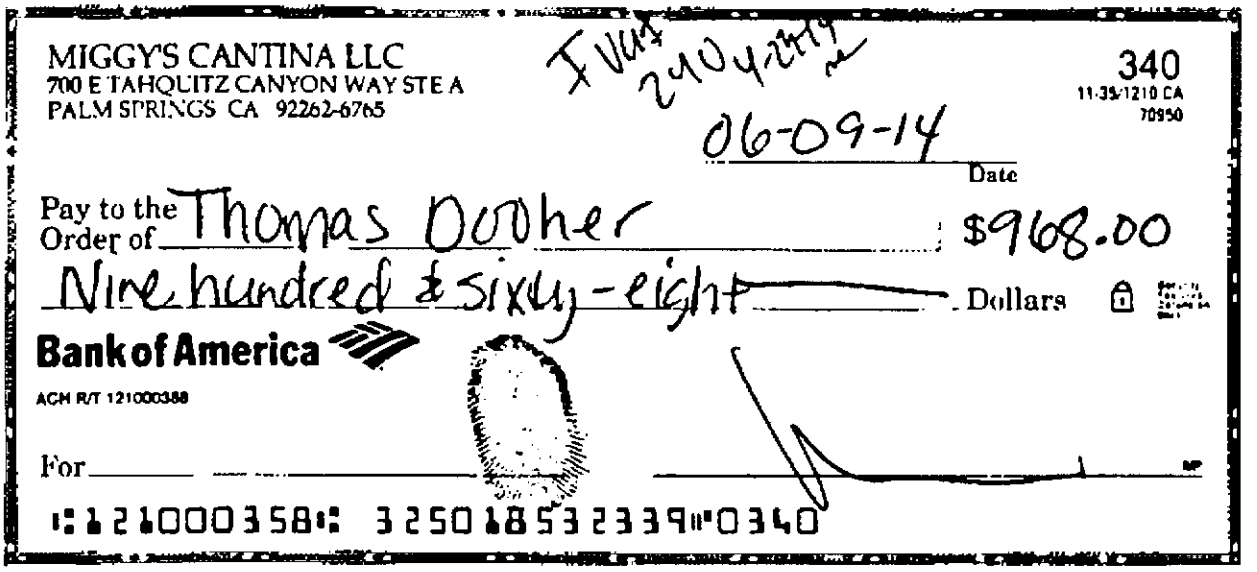
⑈121000358⑈ 325018532339⑈0339



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	2082793267	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$968.00	Sequence Number:	3742141708
Account:	325018532339	Capture Date:	06/09/2014
Bank Number:	12100035	Check Number:	340



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

340
11-35/1210 CA
70950

06-09-14
Date

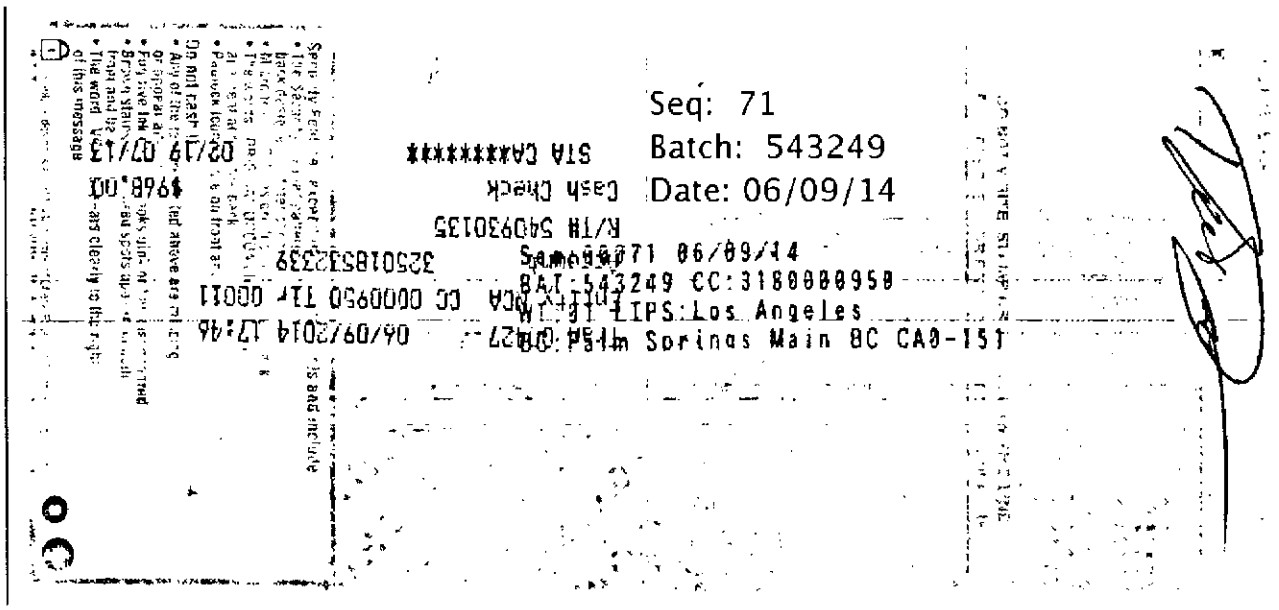
Pay to the Order of Thomas Dooher $968.00

Nine hundred & sixty-eight Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0340

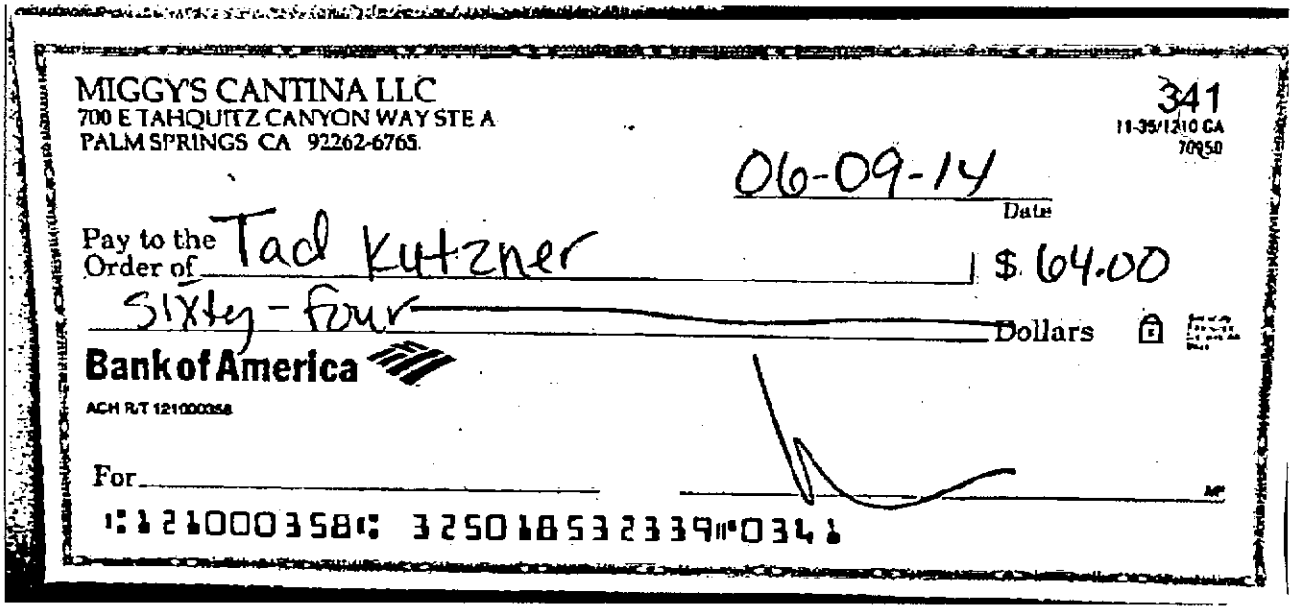


Seq: 71
Batch: 543249
Date: 06/09/14

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/09/2014	3742141708	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$64.00	Sequence Number:	8292347618
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	341



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

341
11-35/1210 CA
70950

06-09-14
Date

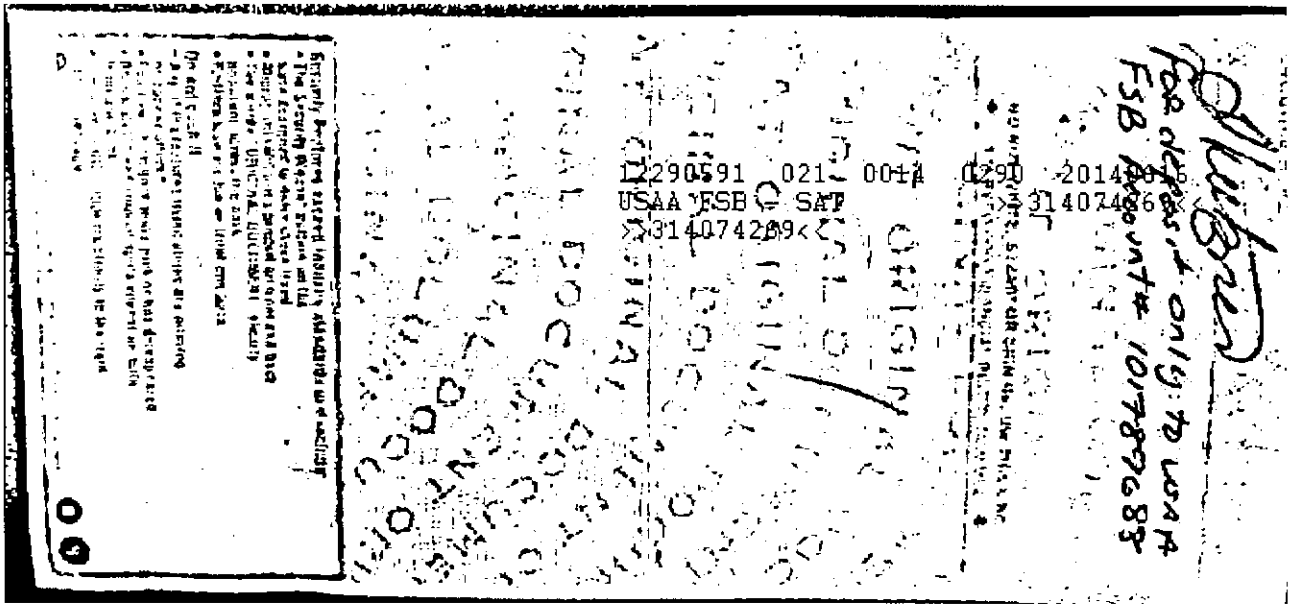
Pay to the Order of Tad Kutzner $ 64.00

Sixty-four Dollars

Bank of America
ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0341



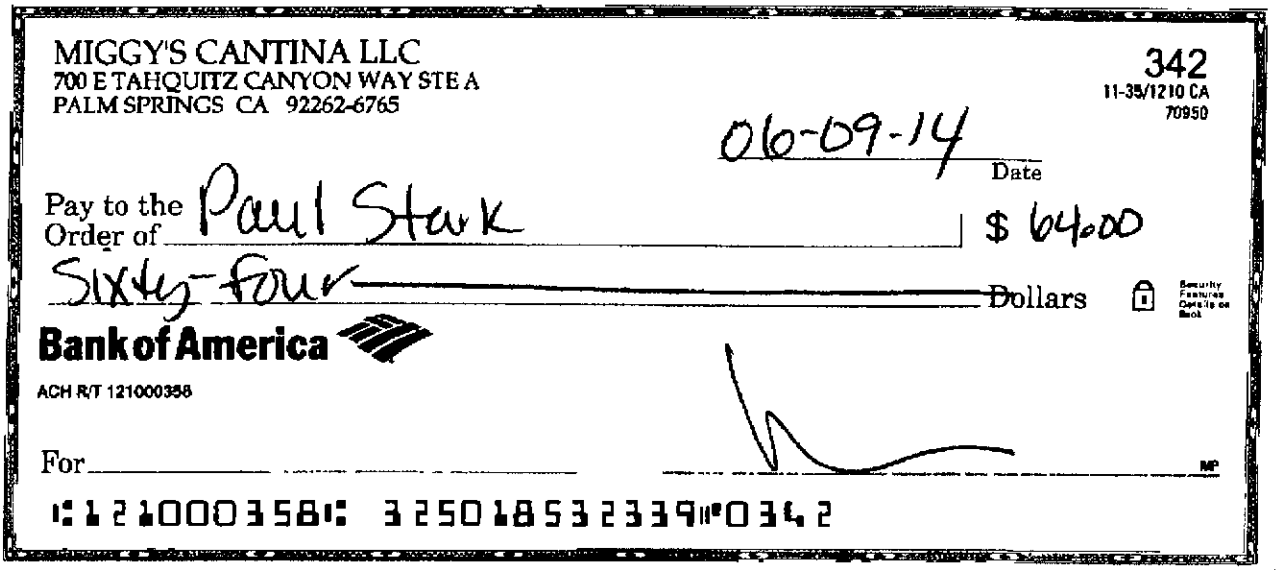
⑆290591 021 0014 0290 20140616⑆
USAA FSB C SAT
>>31407426<

For deposit only to the loan of USAA FSB Loan #: 101748298

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	9980756706	111900057	Undetermined	N		JPMORGAN CHASE BANK,
06/16/2014	008292347618	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/16/2014	012290591	314074269	Rtn Loc/BOFD	Y		USAA FEDERAL SAVINGS

Amount:	$64.00	Sequence Number:	8892902132
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	342



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

342
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Paul Stark $ 64.00

Sixty-four Dollars

Bank of America

ACH R/T 121000358

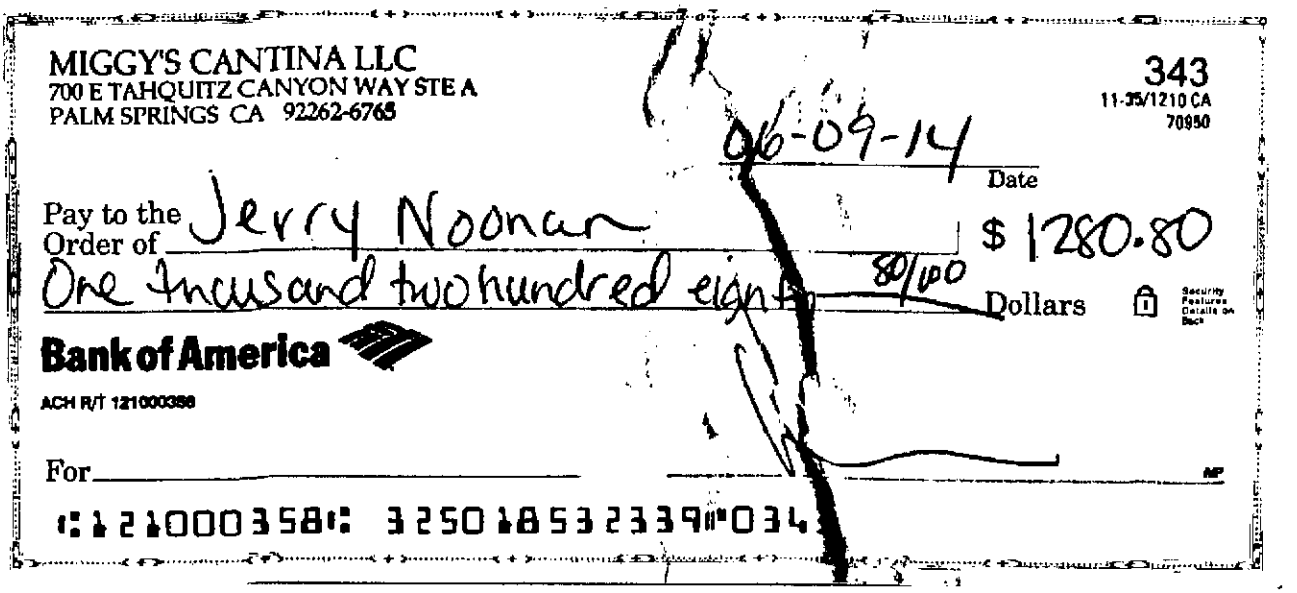
For

⑆121000358⑆ 325018532339⑈0342

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	008892902132	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/10/2014	000002948384263	122105278	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA

Amount:	$1,280.80	Sequence Number:	9192541140
Account:	325018532339	Capture Date:	06/20/2014
Bank Number:	12100035	Check Number:	343



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

343
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Jerry Noonan $ 1280.80

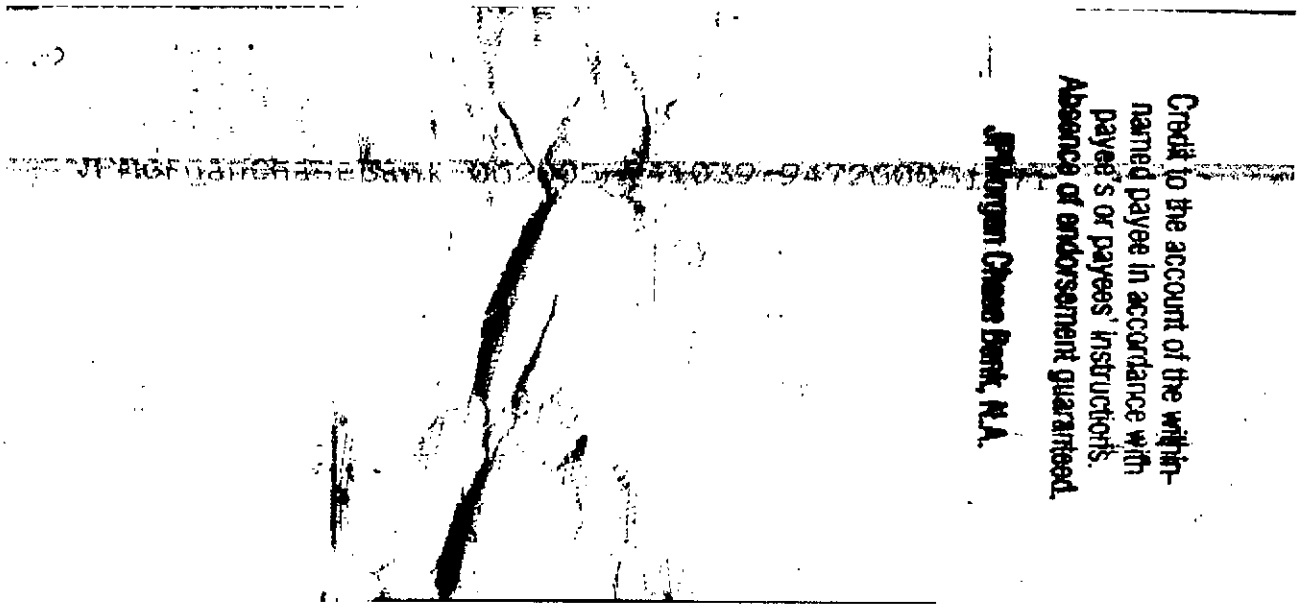
One thousand two hundred eight 80/100 Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈034



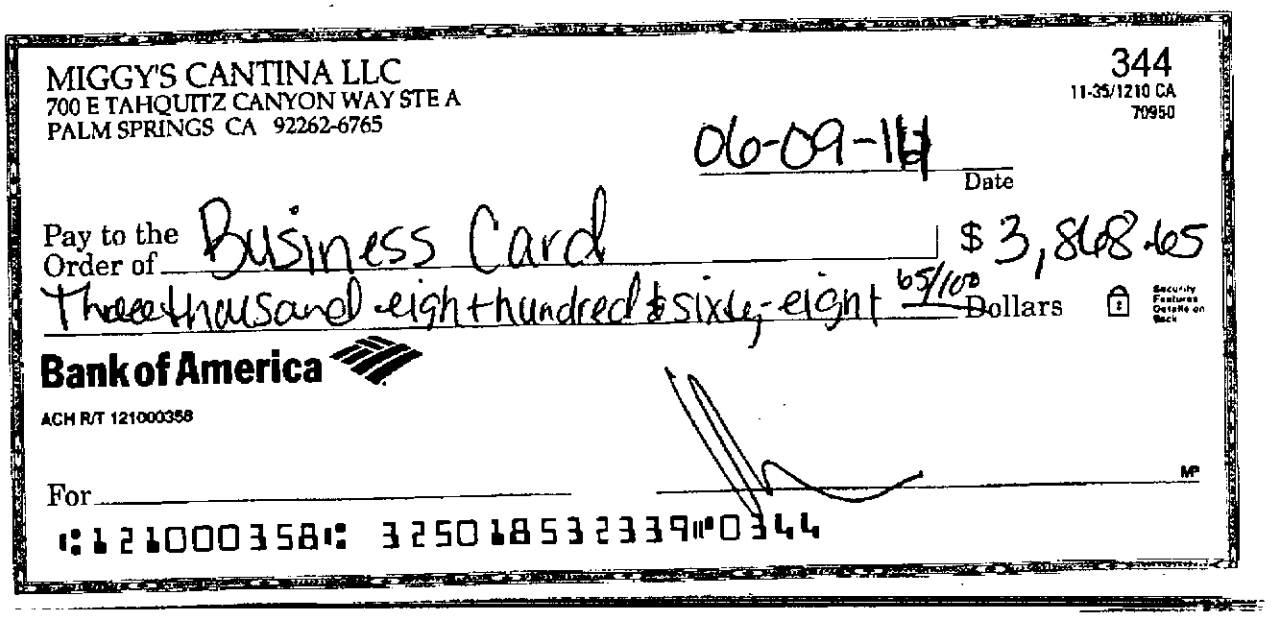
Credit to the account of the within-named payee in accordance with payee's or payees' instructions. Absence of endorsement guaranteed.

JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/20/2014	009192541140	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/20/2014	5380545957	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,

Amount:	$3,868.65	Sequence Number:	2192725419
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	344



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

344
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Business Card $ 3,868.65

Three thousand eight hundred sixty-eight 65/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

MP

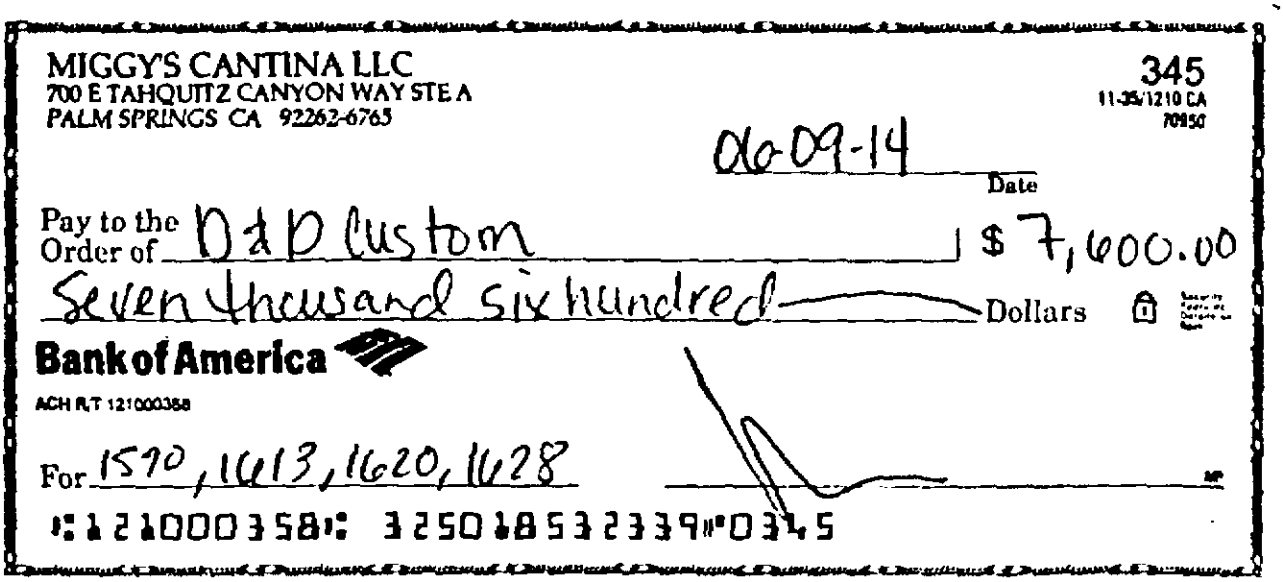
⑆121000358⑆ 325018532339⑈0344

0002 22438 06132014 0002 0097
384871 5474152121169713 NBK9VJH
FOR DEPOSIT ONLY TC FIA CARD SERVICES NA
>031100160<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	015547878440000	31100160	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA
06/13/2014	002192725419	111310346	Col Bank	N		BANK OF AMERICA, NA

Amount:	$7,600.00	Sequence Number:	9592684946
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	345


MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

345
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of D & D Custom $ 7,600.00

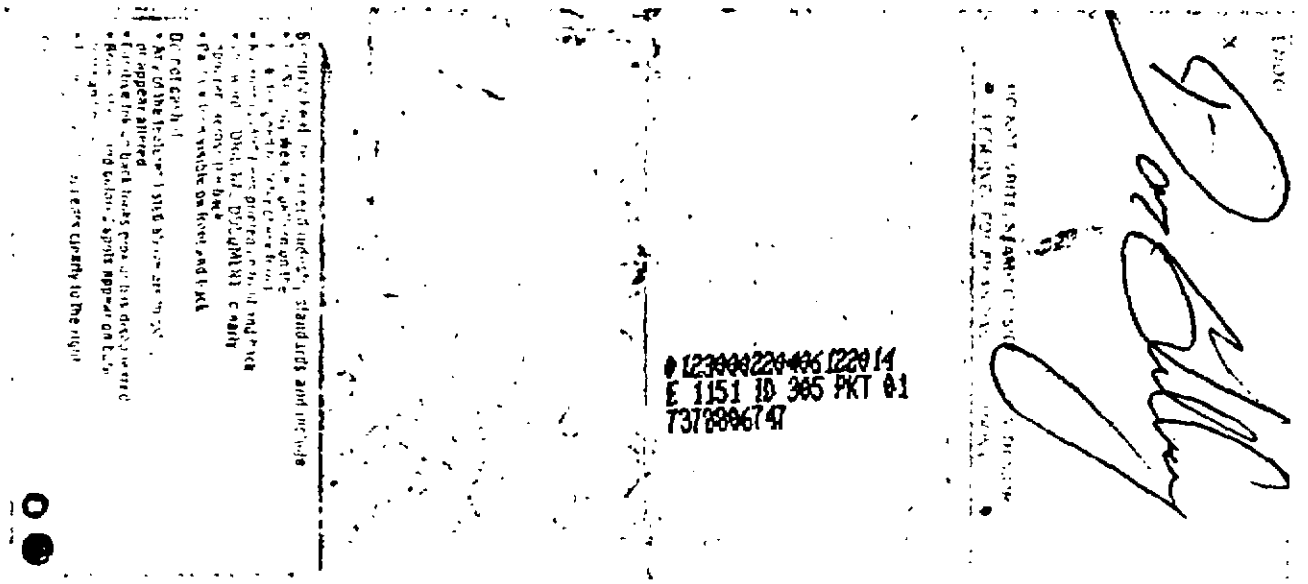
Seven thousand six hundred Dollars

Bank of America

ACH R/T 121000358

For 1570, 1613, 1620, 1628

⑆121000358⑆ 325018532339⑈0345



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	7378806747	123000220	Rtn Loc/BOFD	Y		U.S. BANK NATIONAL A
06/12/2014	004192145455	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/12/2014	004192145455	123000220	Undetermined	N		U.S. BANK NATIONAL A
06/13/2014	009592684946	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$750.00	Sequence Number:	5892739668
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	346

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

730649

346
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Fire Extinguisher $ 750.00

Seven hundred & fifty Dollars

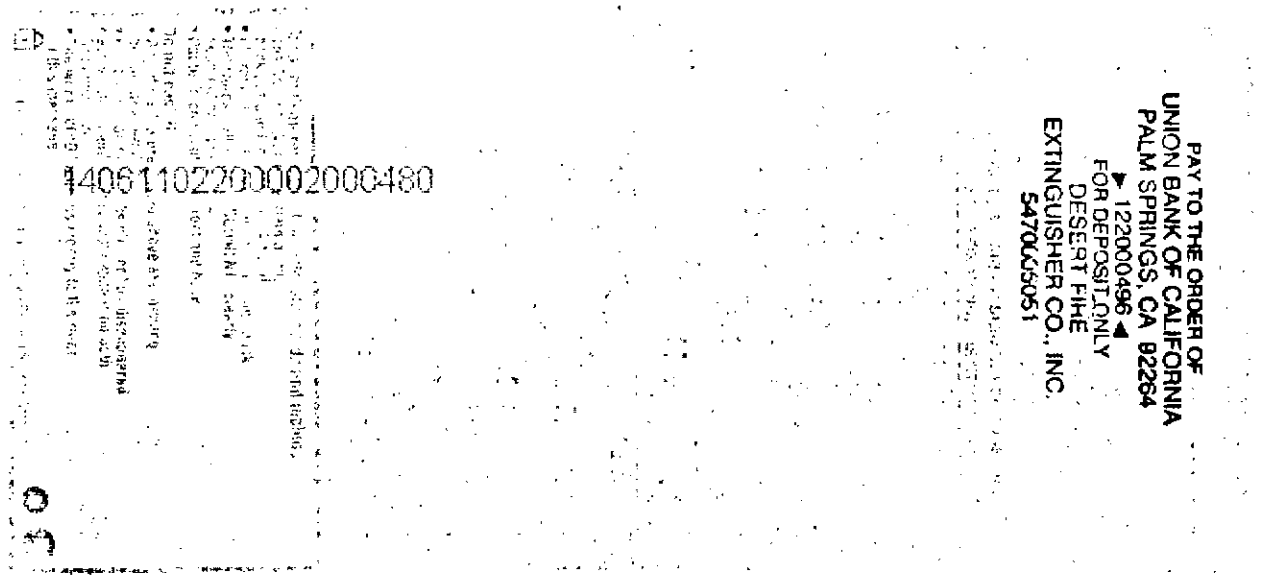
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 730649

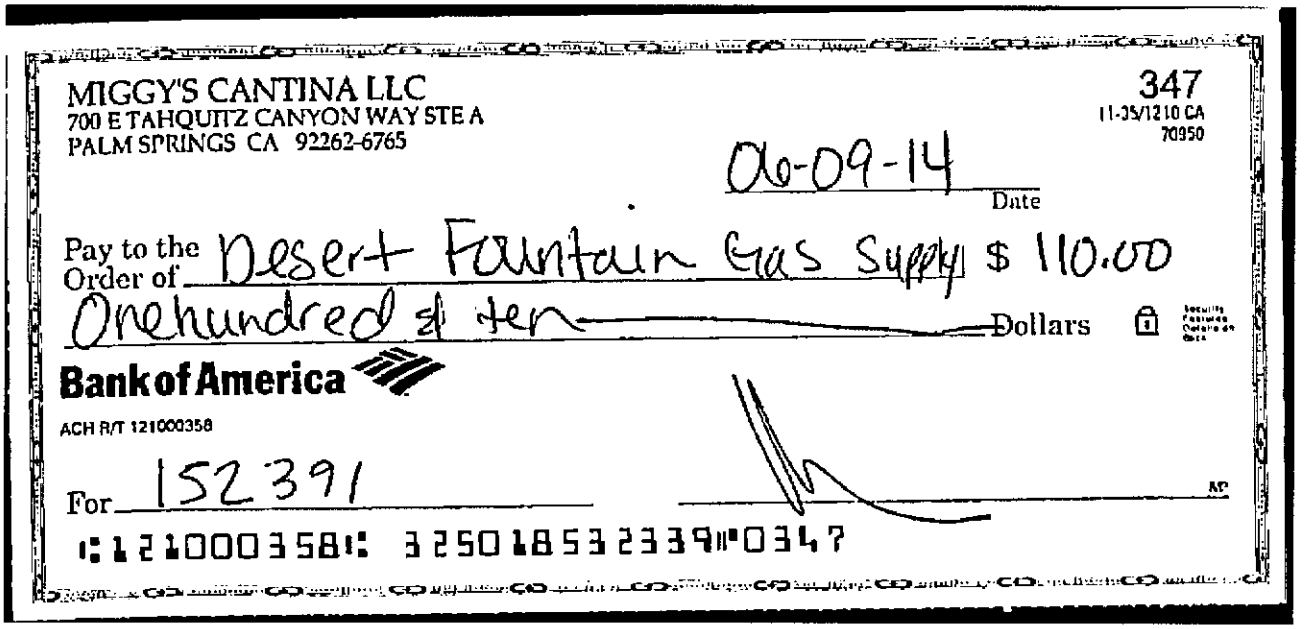
⑆121000358⑆ 325018532339⑈0346



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	4476897929	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA
06/11/2014	005892739668	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$110.00	Sequence Number:	9492459200
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	347



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

347
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Fountain Gas Supply $ 110.00

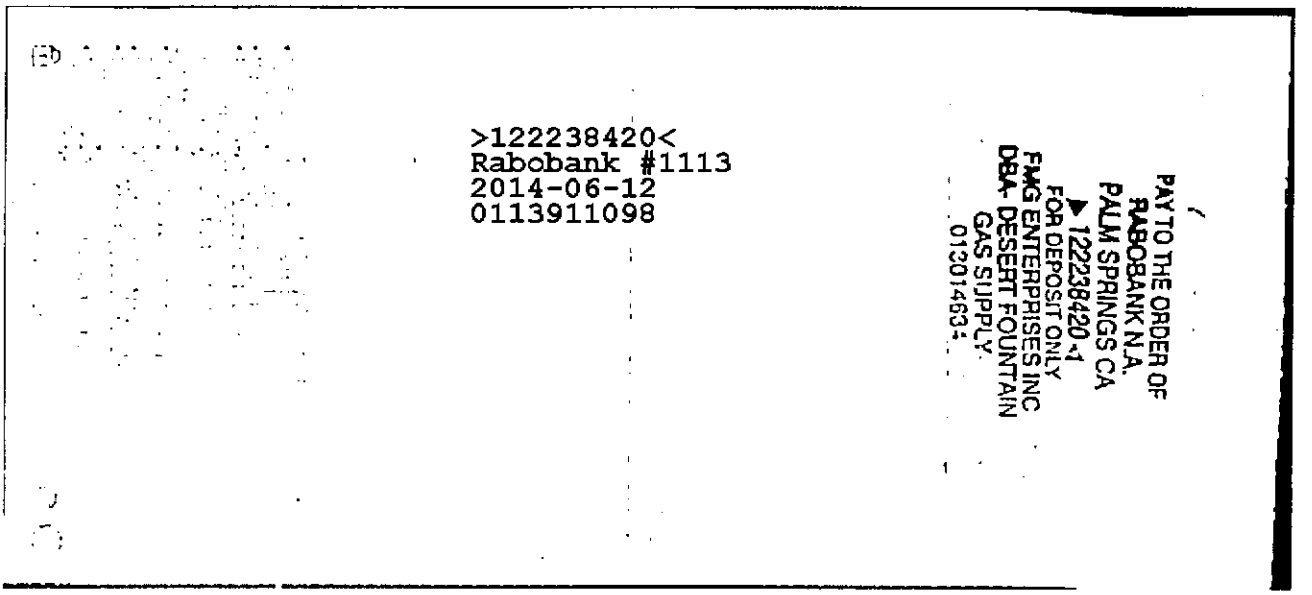
Onehundred & ten Dollars

Bank of America

ACH R/T 121000358

For 152391

⑆121000358⑆ 325018532339⑈0347



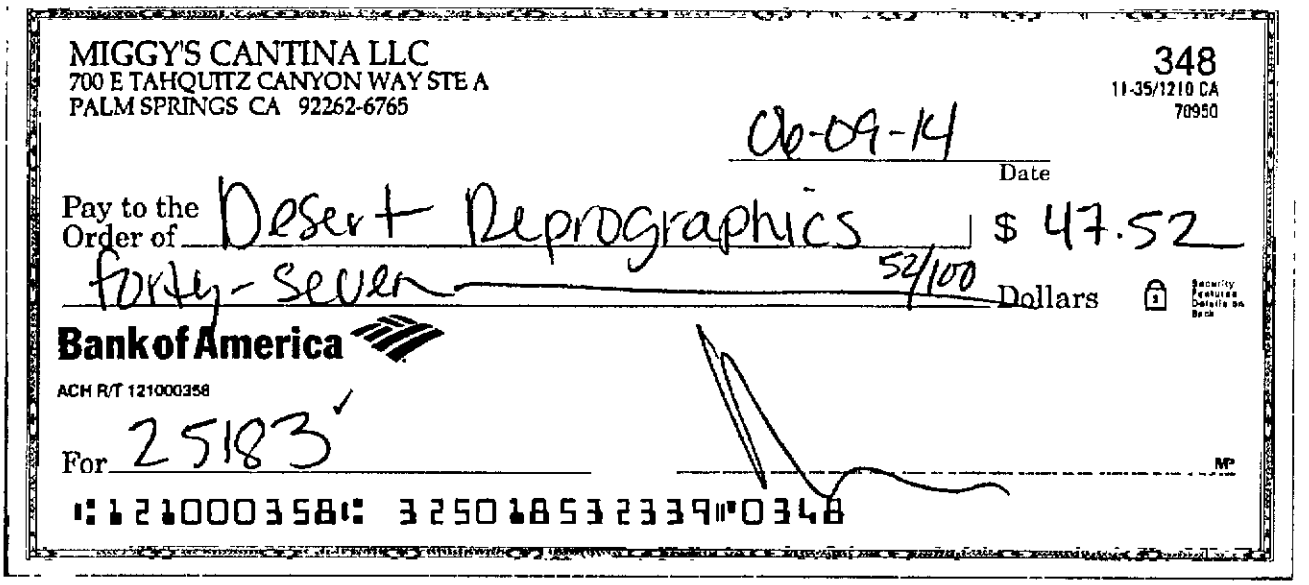
>122238420<
Rabobank #1113
2014-06-12
0113911098

PAY TO THE ORDER OF
RABOBANK N.A.
PALM SPRINGS CA
▶122238420◀
FOR DEPOSIT ONLY
FMG ENTERPRISES INC
DBA- DESERT FOUNTAIN
GAS SUPPLY
01301463

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	000008335945756	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/12/2014	009492459200	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	000000113911098	122238420	Rtn Loc/BOFD	Y		RABOBANK, NATIONAL A

Amount:	$47.52	Sequence Number:	8892331292
Account:	325018532339	Capture Date:	06/18/2014
Bank Number:	12100035	Check Number:	348



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

348
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Desert Reprographics $ 47.52

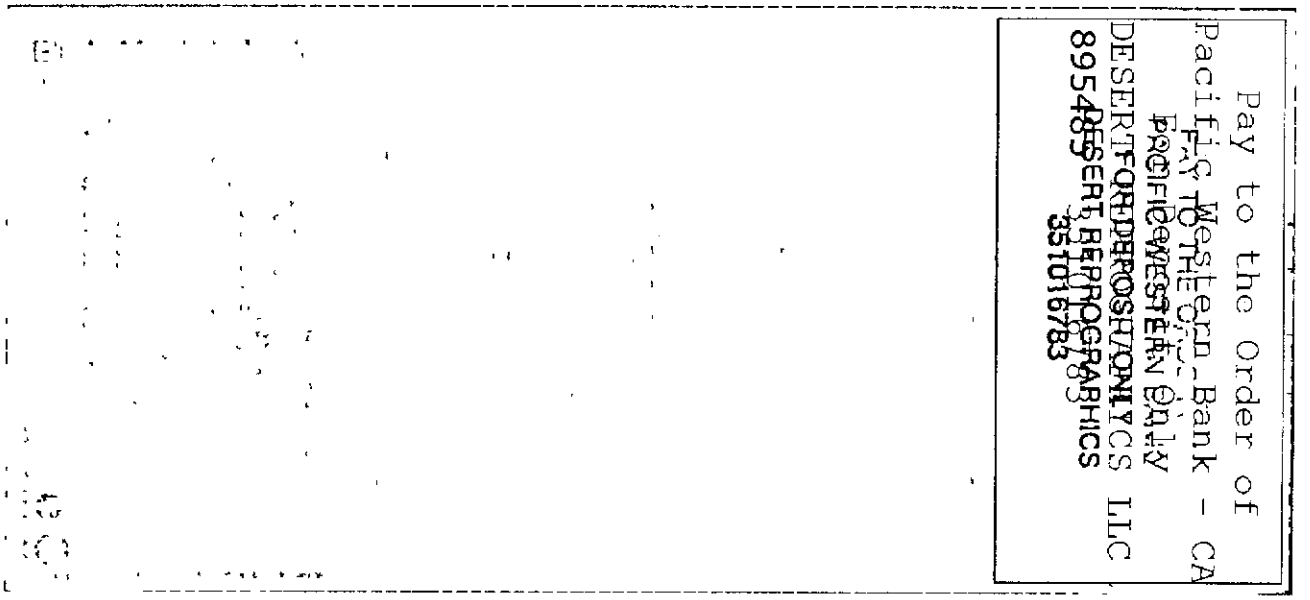
forty-seven 52/100 Dollars

Bank of America

ACH R/T 121000358

For 25183

⑆121000358⑆ 325018532339⑈0348



Pay to the Order of
Pacific Western Bank - CA
FOR DEPOSIT ONLY
PACIFIC WESTERN BANK
DESERT REPROGRAPHICS LLC
8954855
3510116783

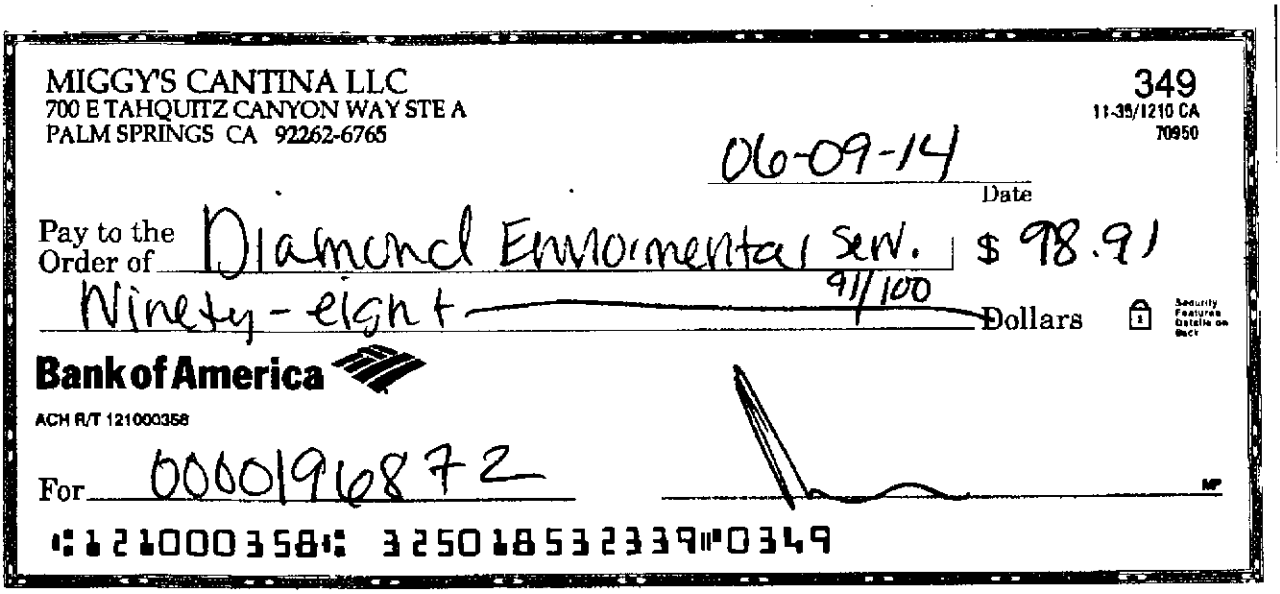
Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/18/2014	000008554828382	122105278	Undetermined	N		WELLS FARGO BANK, NA
06/18/2014	008892331292	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/18/2014	000002442814601	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK
06/18/2014	046923976576565	122238200	Undetermined	N		PACIFIC WESTERN BANK

Amount: $98.91 Sequence Number: 9892042058

Account: 325018532339 Capture Date: 06/13/2014

Bank Number: 12100035 Check Number: 349



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

349
11-39/1210 CA
70950

06-09-14
Date

Pay to the Order of Diamond Environmental Serv. $ 98.91

Ninety-eight 91/100 Dollars

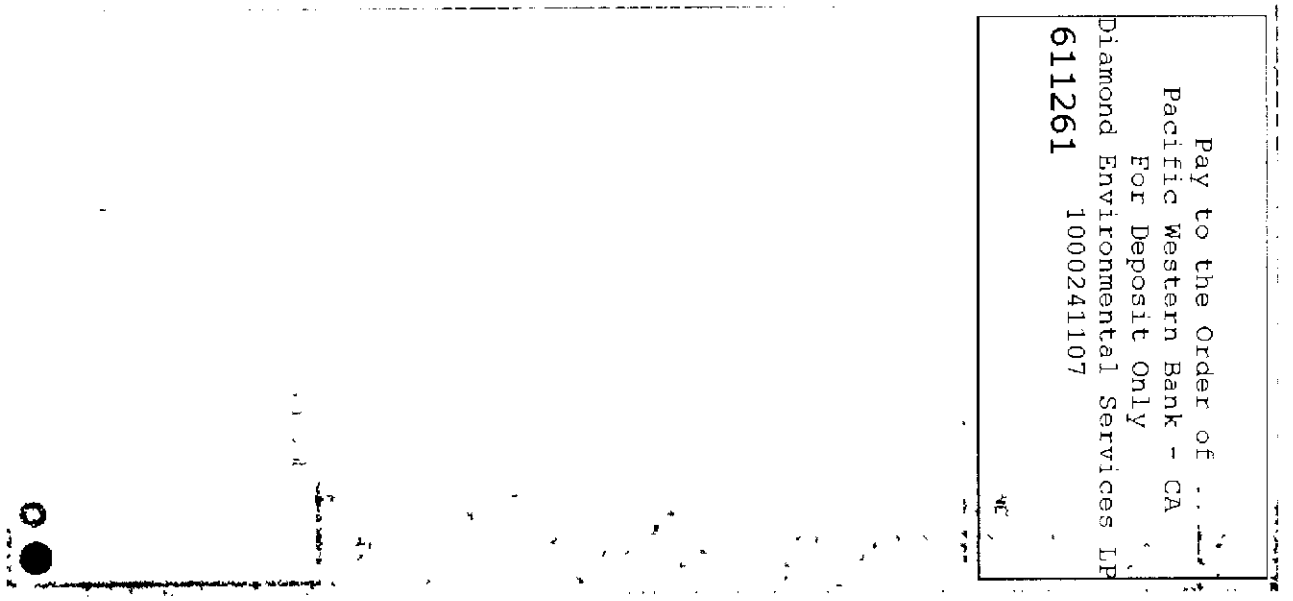
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 0000196872

⑆121000358⑆ 325018532339⑈0349

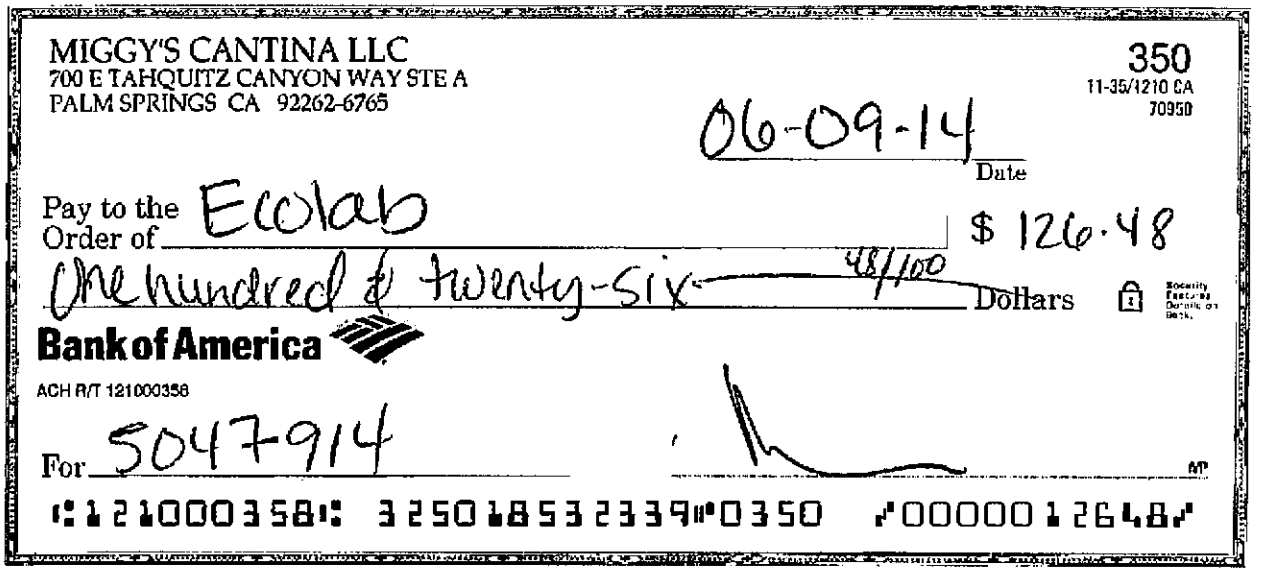


Pay to the Order of . . .
Pacific Western Bank - CA
For Deposit Only
Diamond Environmental Services LP
611261 1000241107

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	009892042058	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	046923976407469	122238200	Undetermined	N		PACIFIC WESTERN BANK
06/13/2014	000008254000362	91000019	Undetermined	N		WELLS FARGO BANK, NA
06/13/2014	000002430405773	122238200	Rtn Loc/BOFD	Y		PACIFIC WESTERN BANK

Amount:	$126.48	Sequence Number:	9592762835
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	350



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

350
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Ecolab $ 126.48

One hundred & twenty-six 48/100 Dollars

Bank of America

ACH R/T 121000358

For 5047914

⑆121000358⑆ 325018532339⑈0350 ⑈000012648⑈

JPMORGANCHASE BK NA CR TO NMD
061314 >074909962< PAYEE ALL
01208154 0100512 RTS RSVD
00854720 053 0000000005101921

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	3390895944	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/13/2014	009592762835	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$64.30	Sequence Number:	5892135044
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	351

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

351
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Fushia Sign & Design $ 64.30

Sixty-Four 30/100 Dollars

Bank of America

ACH R/T 121000358

For 65097

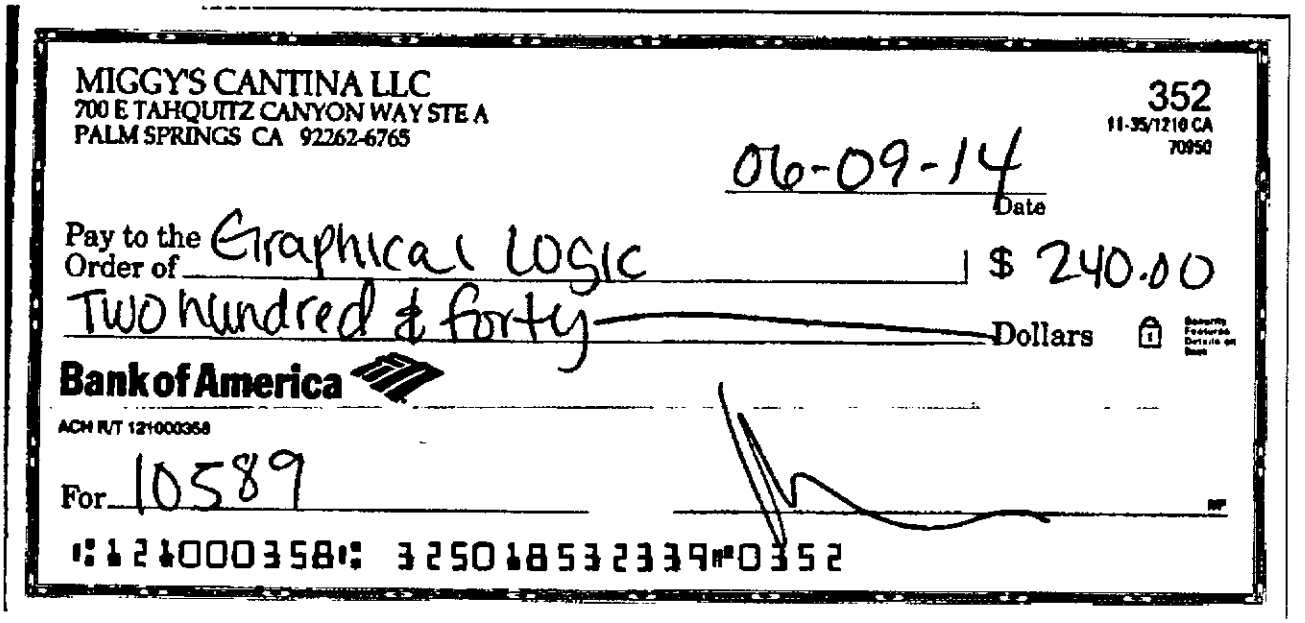
⑈121000358⑈ 325018532339⑈0351

PAY TO THE ORDER OF CALIFORNIA BANK & TRUST CA 122232109 FOR DEPOSIT ONLY FUSION SIGN & DESIGN INC 2570137151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	260081429	61000146	Undetermined	N		FEDERAL RES BANK OF
06/11/2014	005892135044	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	406115353078720	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK

Amount:	$240.00	Sequence Number:	5892744449
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	352



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

352
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Graphical Logic $ 240.00

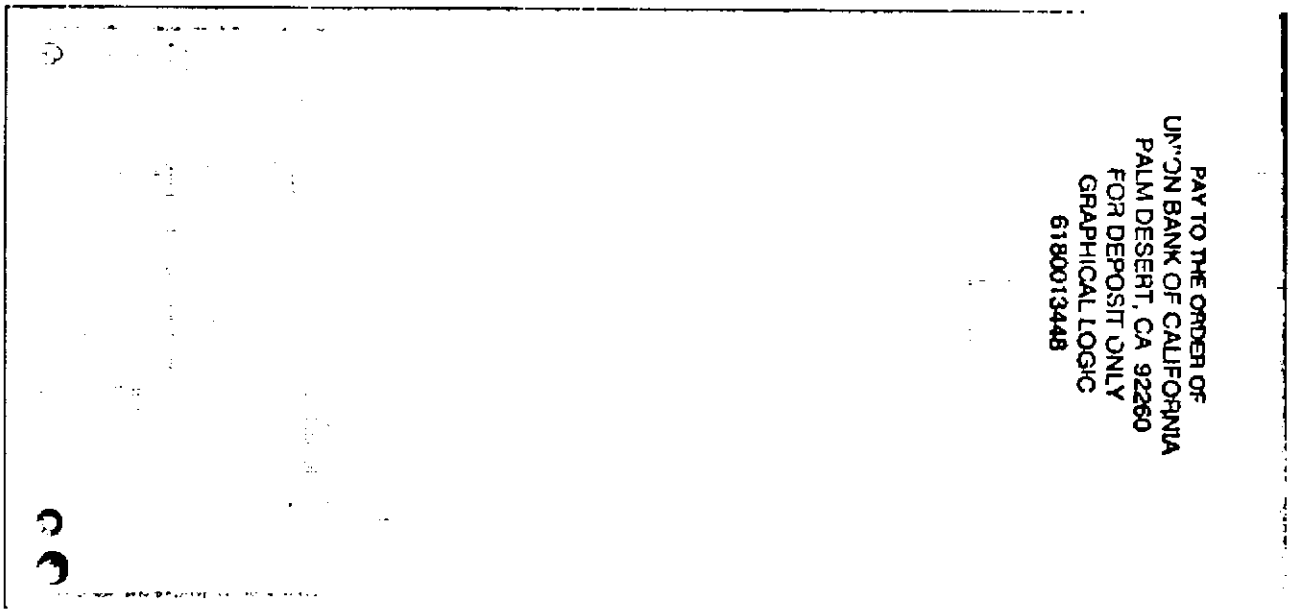
Two Hundred & forty Dollars

Bank of America

ACH R/T 121000358

For 10589

⑆121000358⑆ 325018532339⑈0352

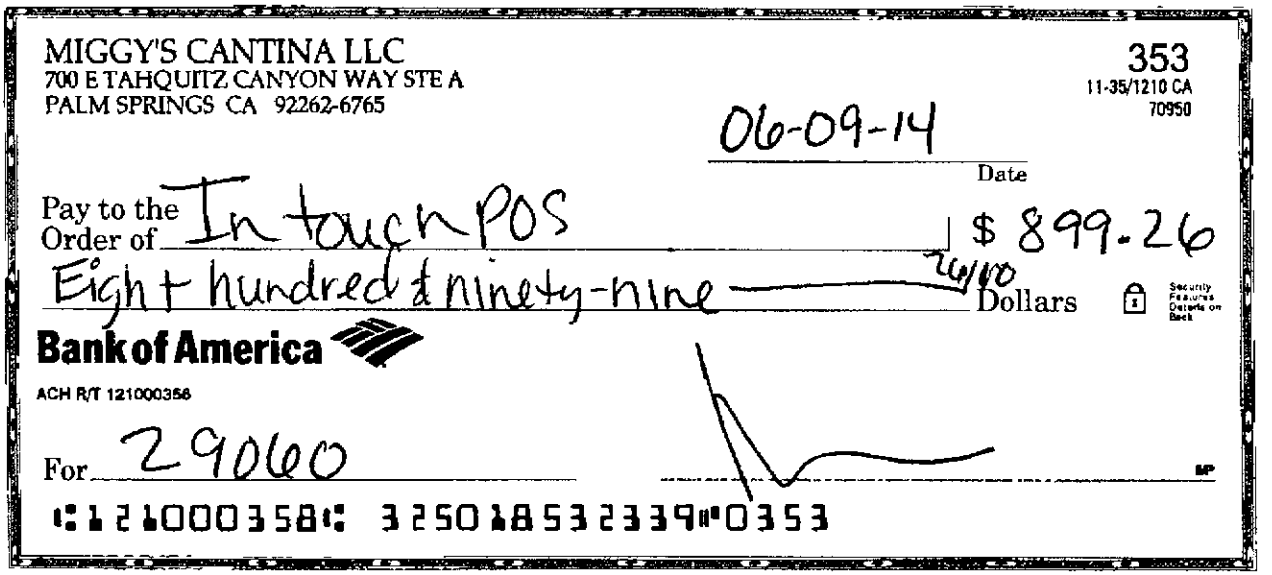


PAY TO THE ORDER OF
UNION BANK OF CALIFORNIA
PALM DESERT, CA 92260
FOR DEPOSIT ONLY
GRAPHICAL LOGIC
6180013448

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	005892744449	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	4479675755	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$899.26	Sequence Number:	6092441075
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	353



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

353
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of In touch POS $ 899.26

Eight hundred & ninety-nine 26/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For 29060

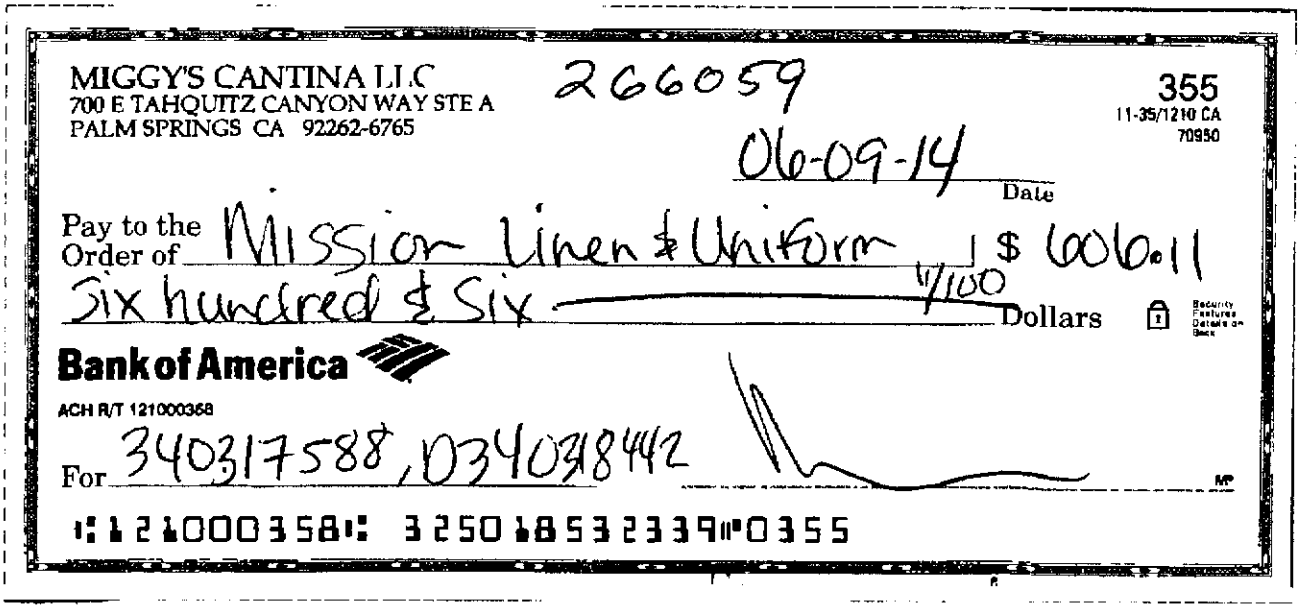
⑆121000358⑆ 325018532339⑈0353

Pay to the Order of
Bay Commercial Bank
121143781
For Deposit Only
Assal Corporation General Account
10011765

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	283534567	61000146	Undetermined	N		FEDERAL RES BANK OF
06/12/2014	006092441075	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	5250218509708	121143781	Rtn Loc/BOFD	Y		BAY COMMERCIAL BANK

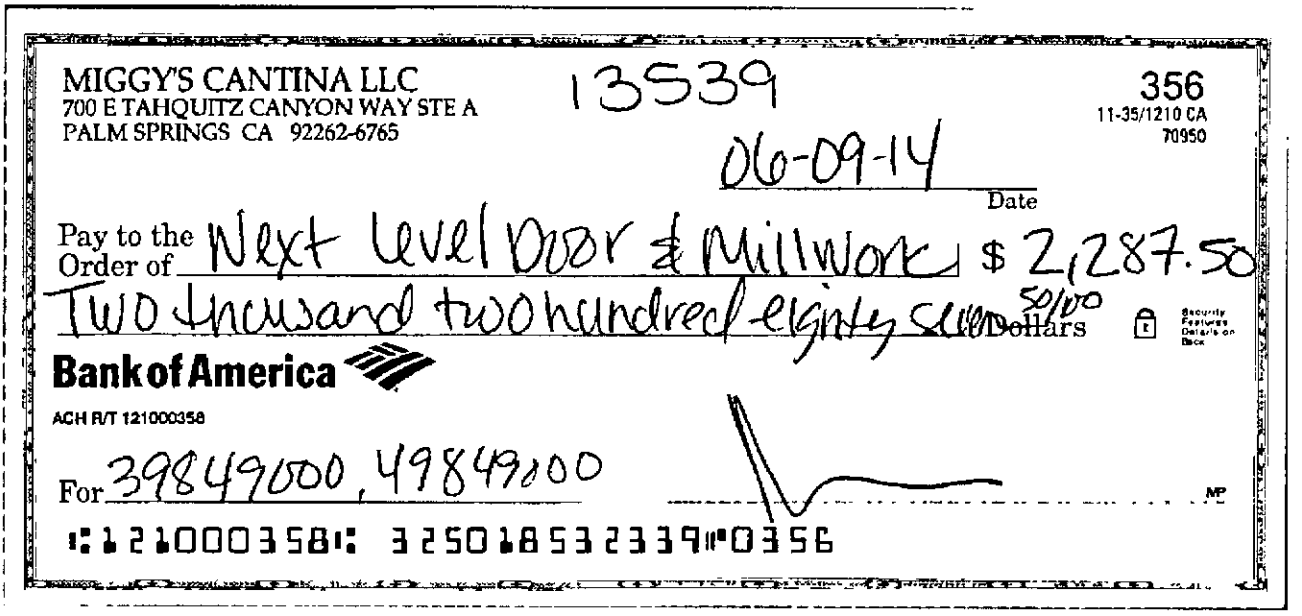
Amount:	$606.11	Sequence Number:	9392391824
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	355



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	000000282235891	91000019	Rtn Loc/BOFD	Y		WELLS FARGO BANK, NA
06/11/2014	009392391824	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$2,287.50	Sequence Number:	4392409211
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	356



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

13539

356
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Next Level Door & Millwork $ 2,287.50

Two thousand two hundred eighty seven 50/100 Dollars

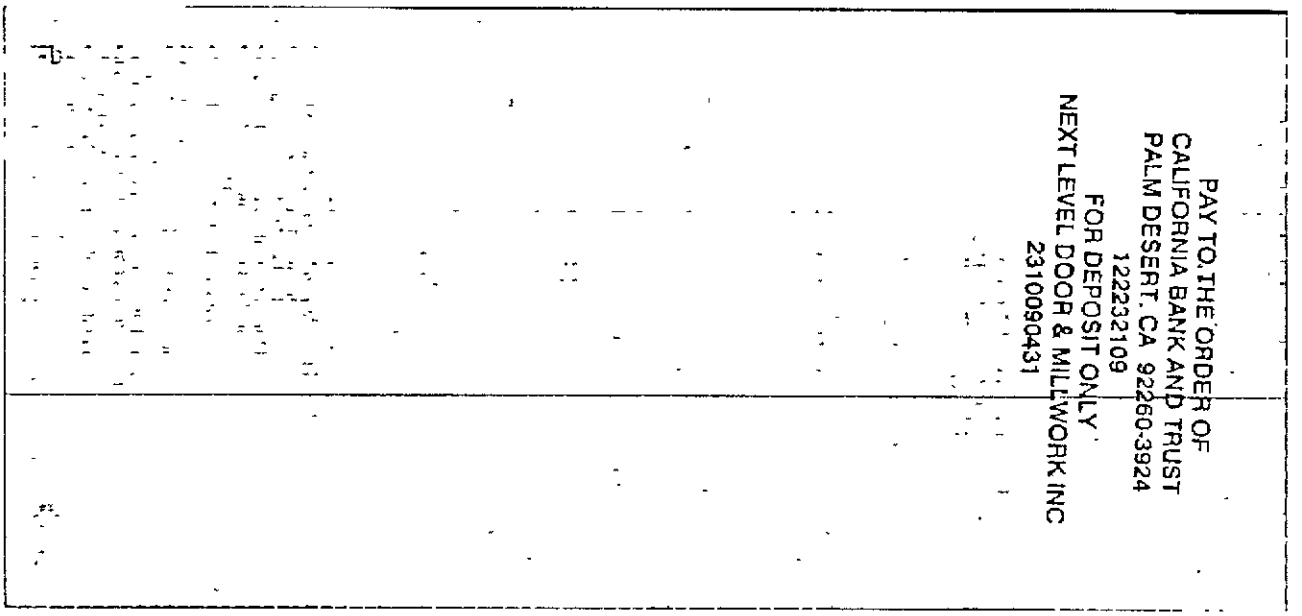
Security Features Details on Back

Bank of America

ACH R/T 121000358

For 39849000, 49849000

⑆121000358⑆ 325018532339⑈0356



PAY TO THE ORDER OF
CALIFORNIA BANK AND TRUST
PALM DESERT, CA 92260-3924
122232109
FOR DEPOSIT ONLY
NEXT LEVEL DOOR & MILLWORK INC
2310090431

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	304332695	61000145	Undetermined	N		FEDERAL RES BANK OF
06/13/2014	406135353089485	122003396	Rtn Loc/BOFD	Y		ANTELOPE VALLEY BANK
06/16/2014	004392409211	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$1,980.00	Sequence Number:	9292846954
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	357

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

357
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of O'linn Security Inc $ 1,980.00

One thousand nine hundred eighty Dollars

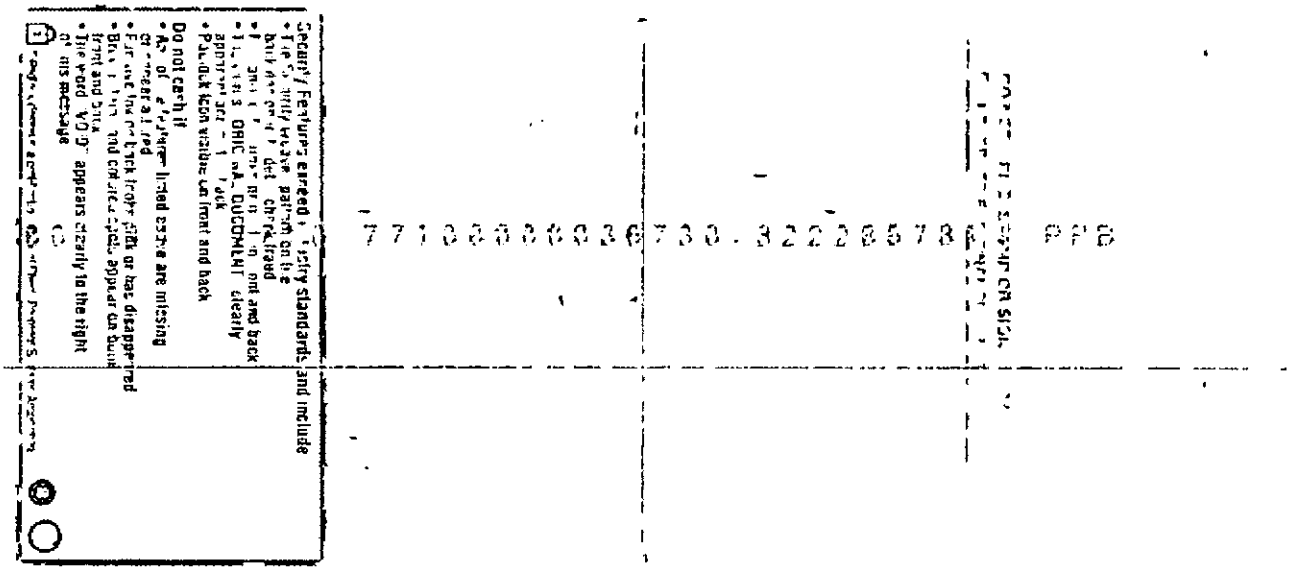
Bank of America

ACH R/T 121000358

For 0515-2939

MP

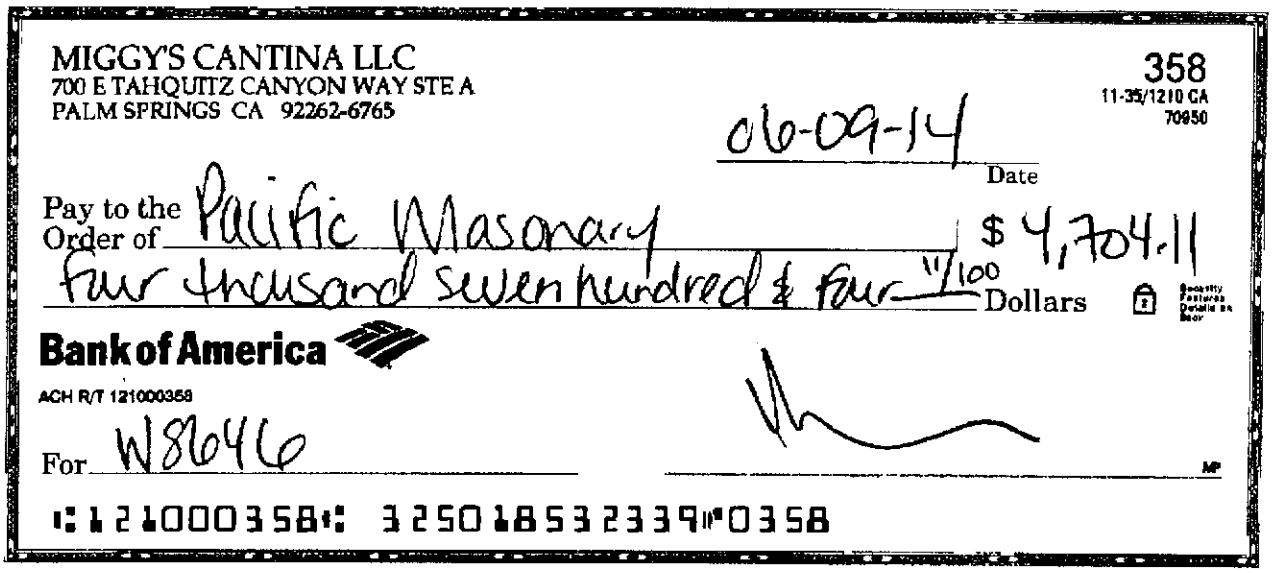
⑆121000358⑆ 325018532339⑈0357



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	77100000036730	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/11/2014	009292846954	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$4,704.11	Sequence Number:	9392379506
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	358



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

358
11-35/1210 CA
70950

06-09-14
Date

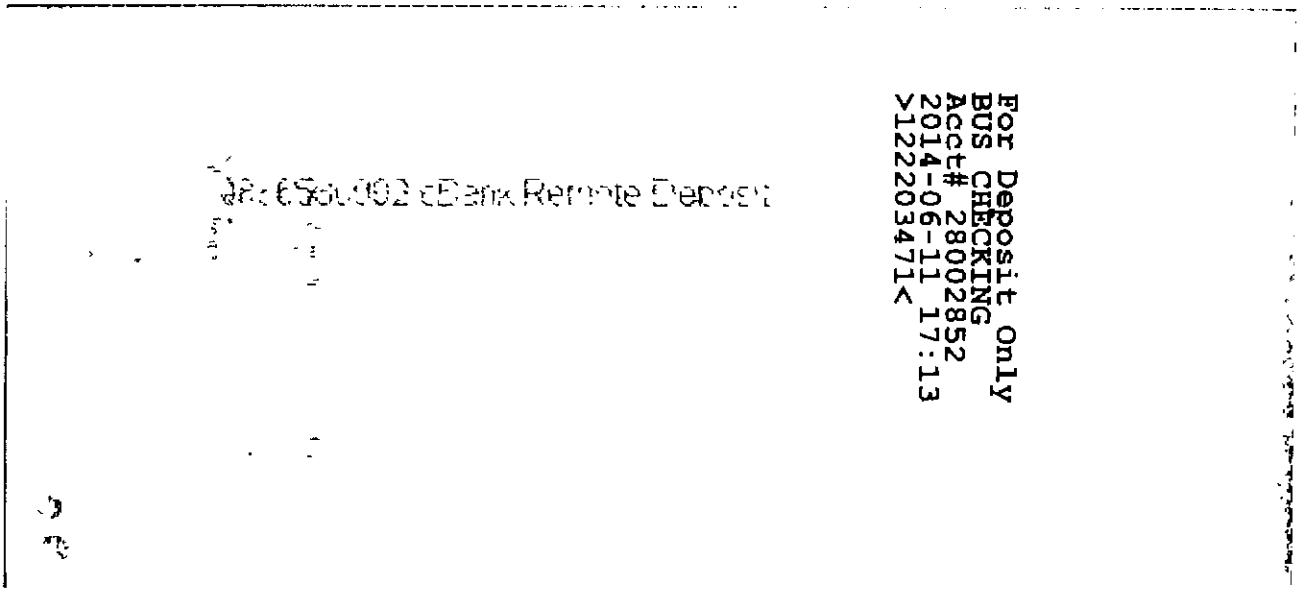
Pay to the Order of Pacific Masonary $ 4,704.11

four thousand seven hundred & four 11/100 Dollars

Bank of America
ACH R/T 121000358

For W86466

⑆121000358⑆ 325018532339⑈0358

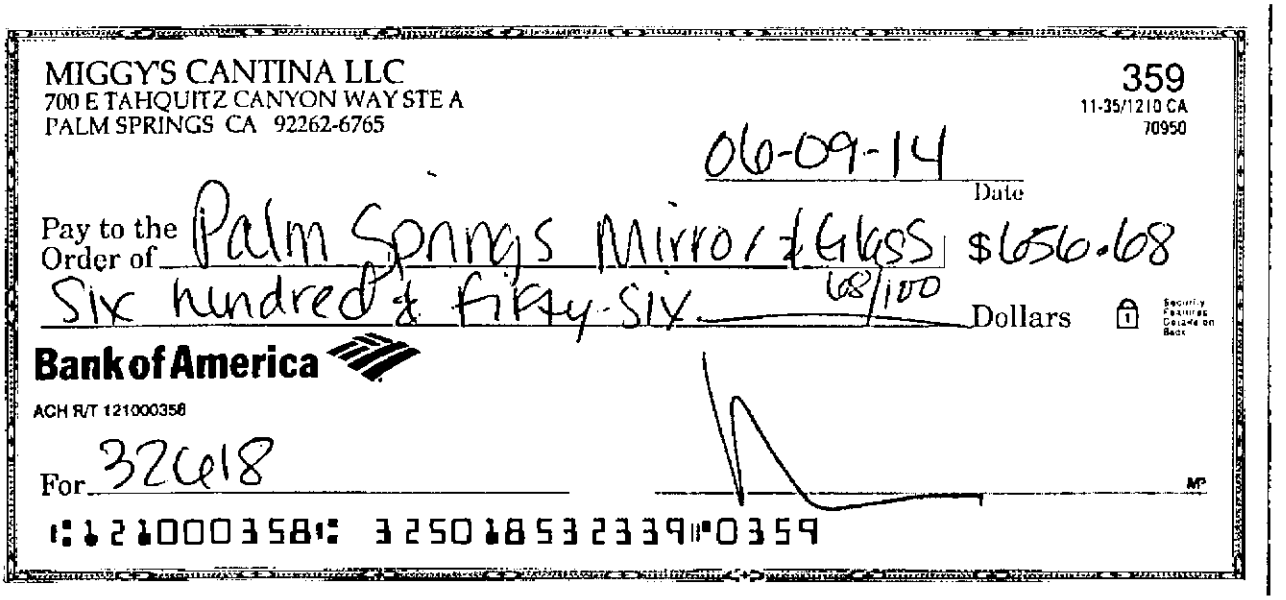


For Deposit Only
BUS CHECKING
Acct# 280002852
2014-06-11 17:13
>122203471<

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	907090886580002	122203471	Rtn Loc/BOFD	Y		COMMUNITY BANK
06/11/2014	009392379506	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/11/2014	907090886580002	122203471	Undetermined	N		COMMUNITY BANK
06/11/2014	000008534459000	91000019	Undetermined	N		WELLS FARGO BANK, NA

Amount:	$656.68	Sequence Number:	9592071972
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	359



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

359
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Palm Springs Mirror & Glass $656.68

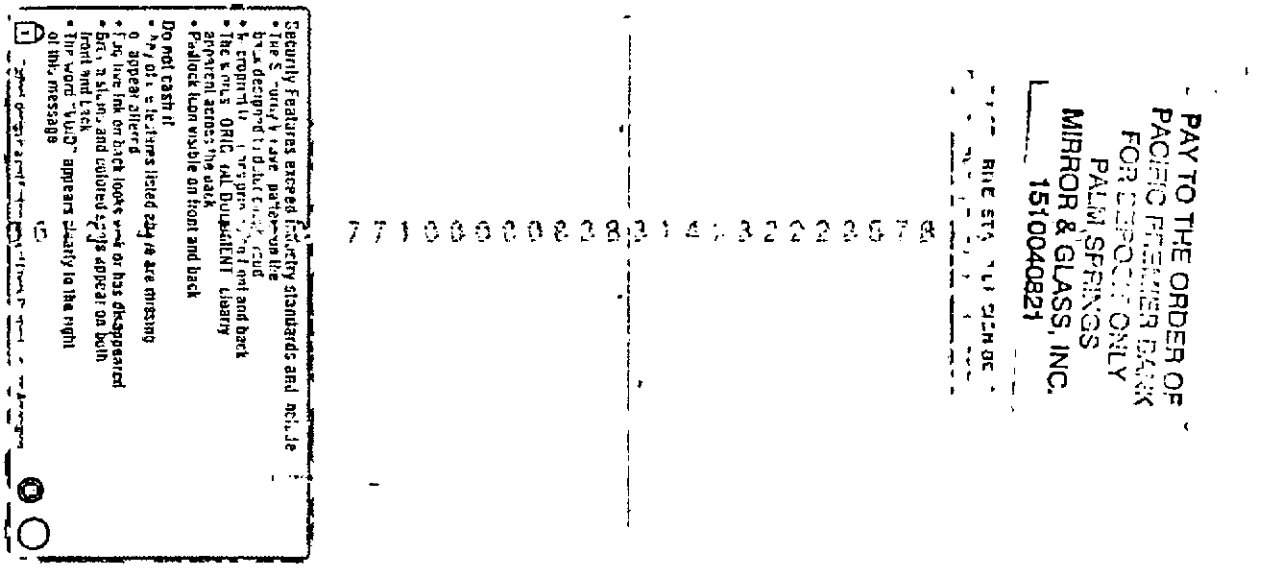
Six hundred & fifty-six 68/100 Dollars

Bank of America

ACH R/T 121000358

For 32618

⑆121000358⑆ 325018532339⑈0359



Security Features exceed industry standards and include:
• The "Security Features" description line
• Microprinting
• The words ORIGINAL DOCUMENT clearly
• Padlock icon visible on front and back

Do not cash if:
• Any of these items listed above are missing
• Appear altered
• Ink on back looks wet or has disappeared
• Back is blank and colored spots appear on both front and back
• The word "VOID" appears clearly in the pull message

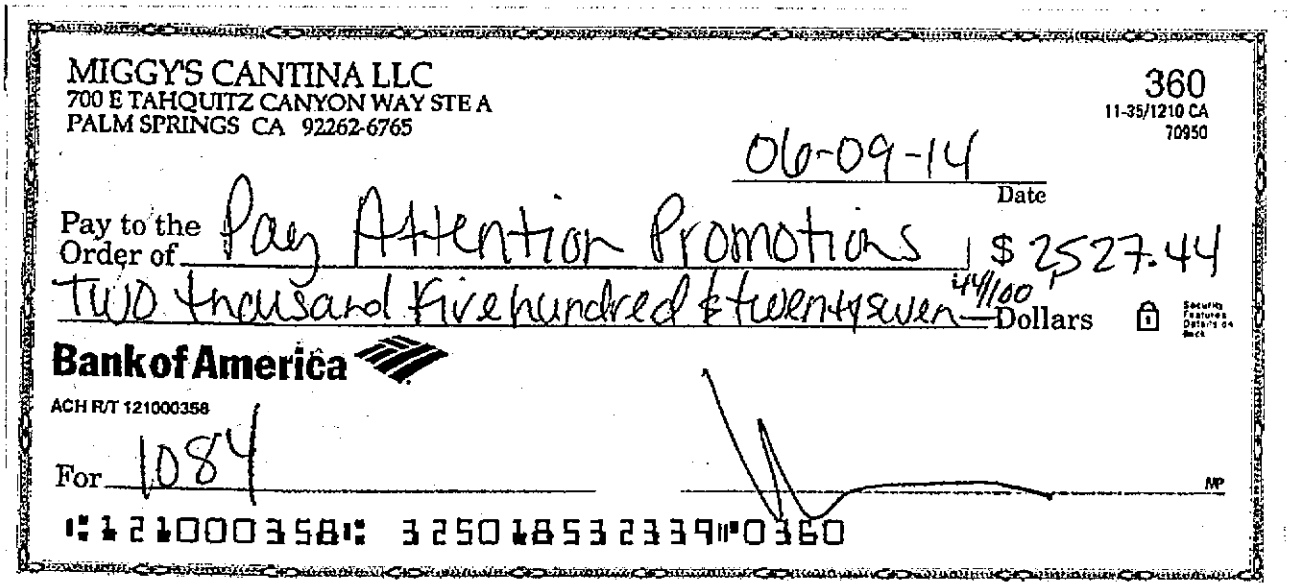
⑈77100000038314⑆322285781⑈

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
FOR DEPOSIT ONLY
PALM SPRINGS
MIRROR & GLASS, INC.
151004821

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	009592071972	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/12/2014	77100000038314	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK

Amount:	$2,527.44	Sequence Number:	8292607355
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	360



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

360
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Pay Attention Promotions $ 2527.44

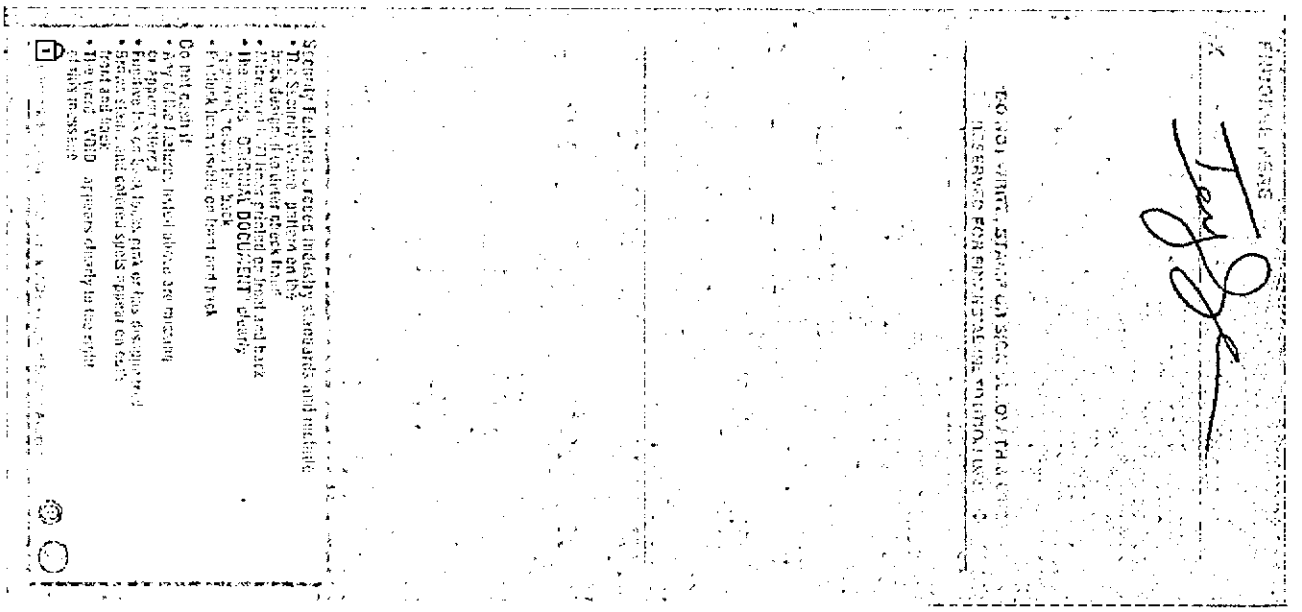
Two thousand five hundred & twenty seven 44/100 Dollars

Bank of America

ACH R/T 121000358

For 1084

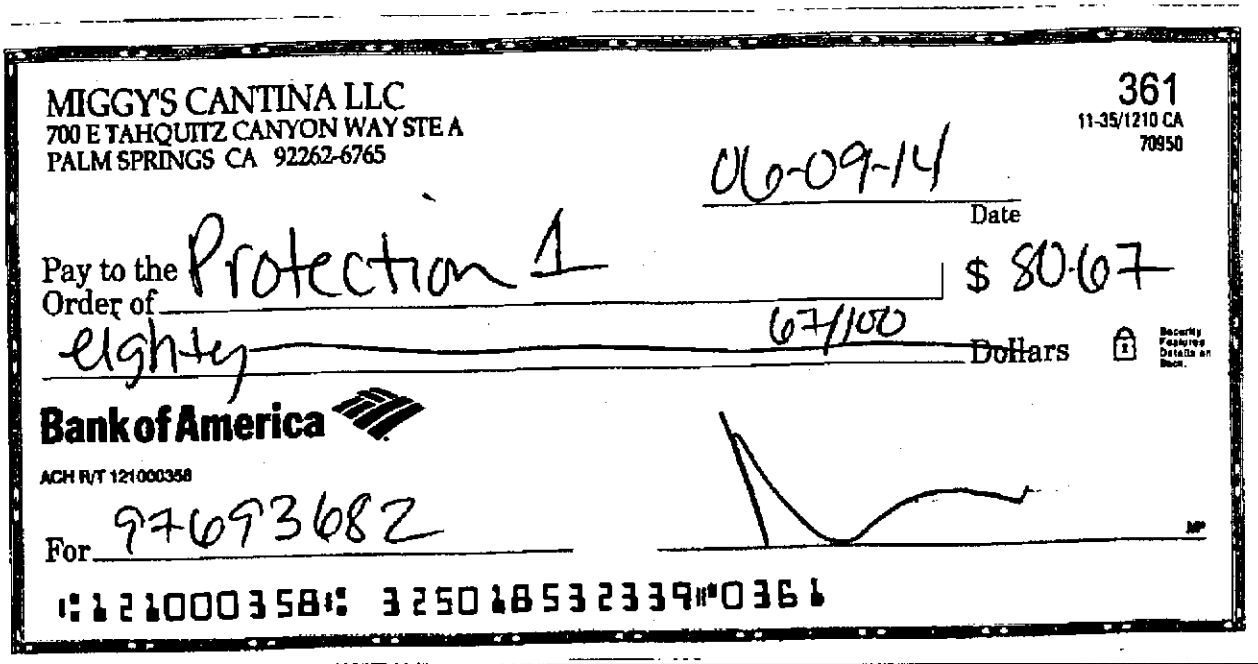
⑆121000358⑆ 325018532339⑈0360



Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	5090900595	111900057	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
06/16/2014	008292607355	121103886	Pay Bank	N		BANK OF AMERICA, NA

Amount:	$80.67	Sequence Number:	9592825867
Account:	325018532339	Capture Date:	06/13/2014
Bank Number:	12100035	Check Number:	361



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

361
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Protection 1 $ 80.67

eighty 67/100 Dollars

Security Features Details on Back.

Bank of America

ACH R/T 121000358

For 97693682

⑆121000358⑆ 325018532339⑈0361

CREDIT PAYEE
UMB NA
>101000695<
KANSAS CITY, MO

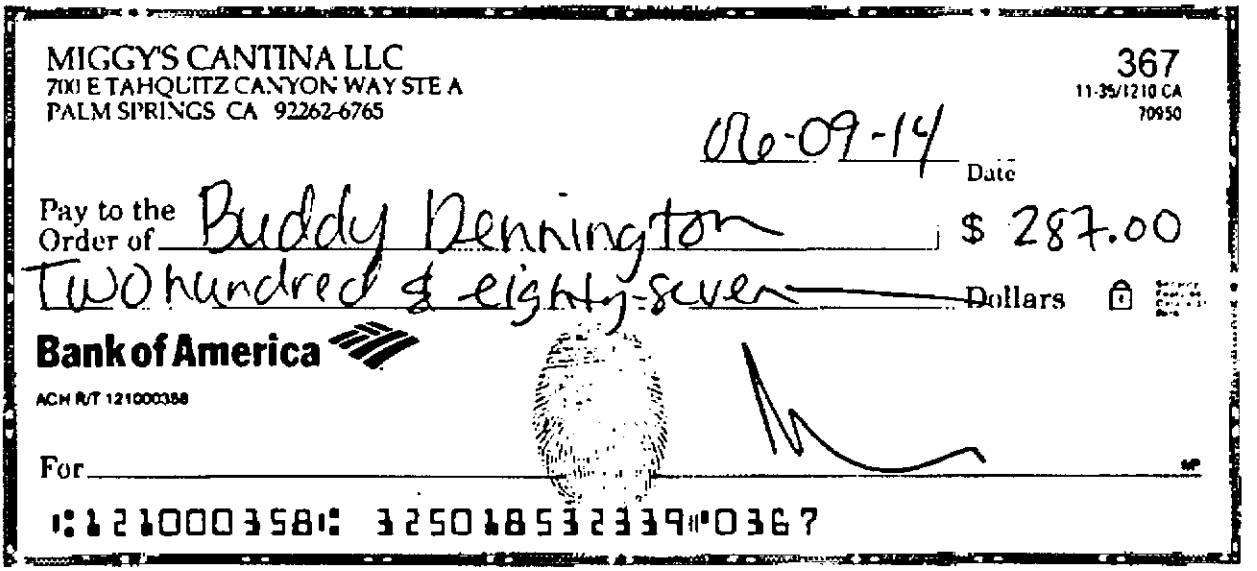
061314

000000000060844552

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/13/2014	007373572533	101000695	Undetermined	N		UMB BANK, NATIONAL A
06/13/2014	009592825867	111012822	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	000007373572533	101000695	Rtn Loc/BOFD	Y		UMB BANK, NATIONAL A

Amount:	$287.00	Sequence Number:	3842130739
Account:	325018532339	Capture Date:	06/10/2014
Bank Number:	12100035	Check Number:	367



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

367
11-35/1210 CA
70950

06-09-14
Date

Pay to the Order of Buddy Dennington $ 287.00

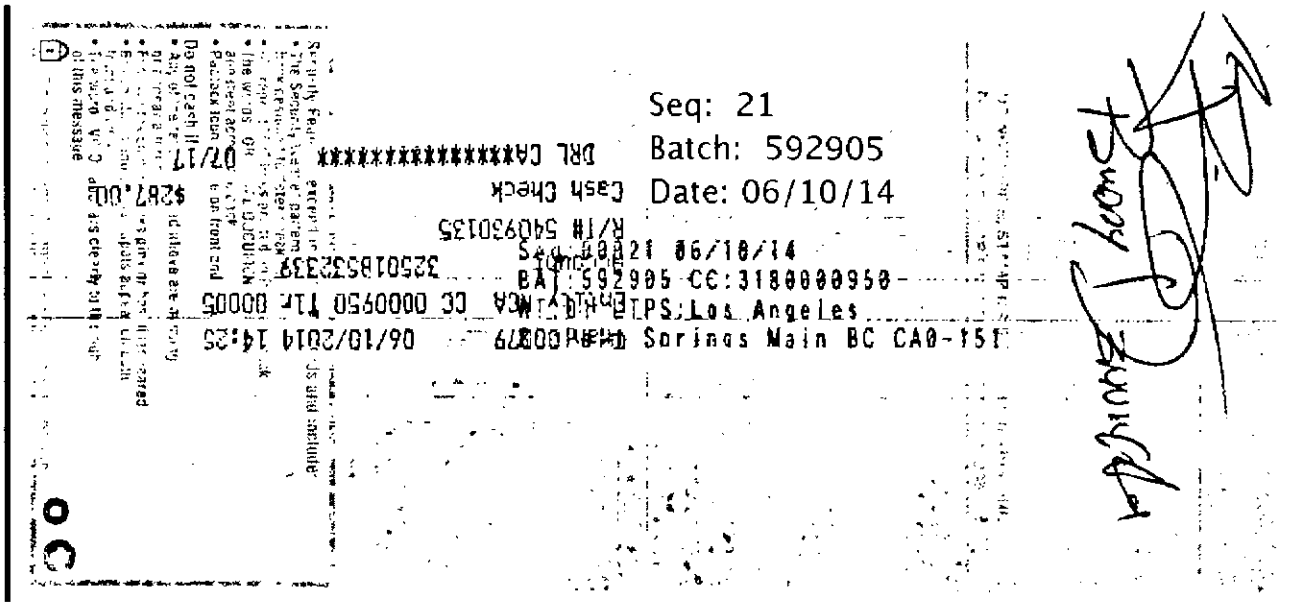
Two hundred & eighty-seven Dollars

Bank of America

ACH R/T 121000358

For

⑆121000358⑆ 325018532339⑈0367



Seq: 21
Batch: 592905
Date: 06/10/14

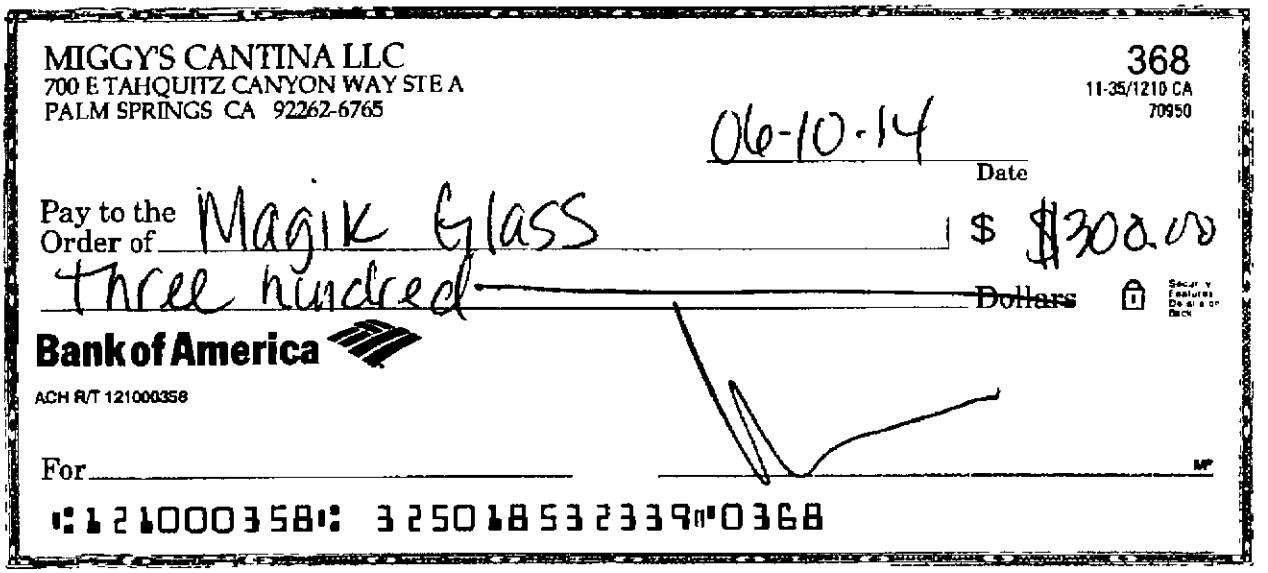
Cash Check

Palm Springs Main BC CA0-151

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/10/2014	3842130739	122000661	Rtn Loc/BOFD	Y		BANK OF AMERICA, NA

Amount:	$300.00	Sequence Number:	4292633531
Account:	325018532339	Capture Date:	06/16/2014
Bank Number:	12100035	Check Number:	368



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

368
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of Magik Glass $ $300.00

three hundred Dollars

Bank of America

ACH R/T 121000358

For

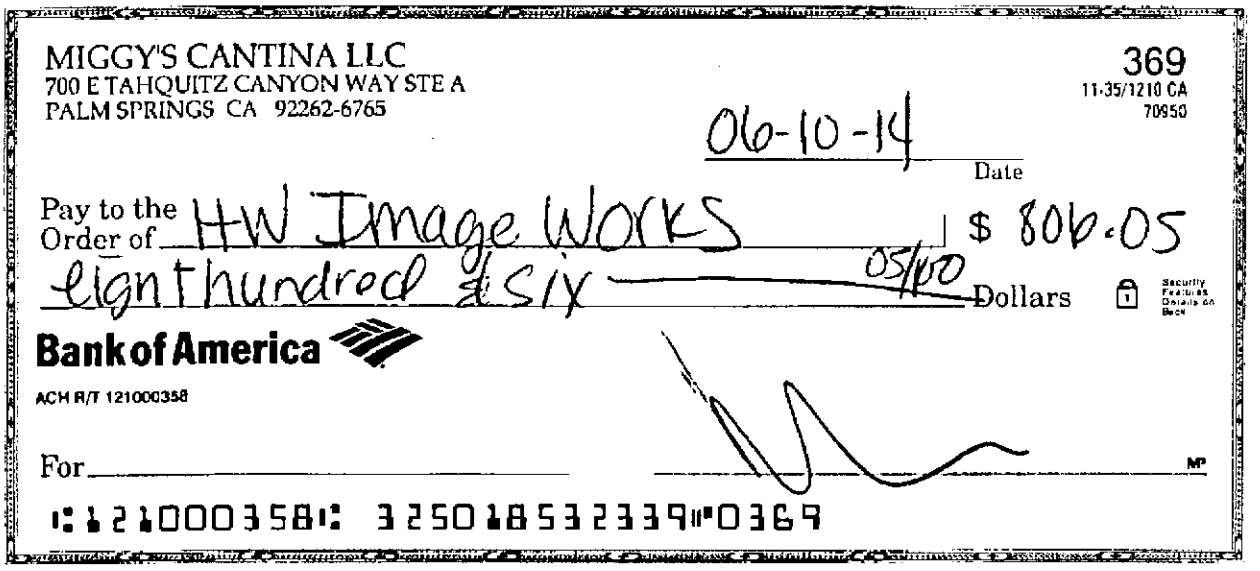
⑆121000358⑆ 325018532339⑈0368

FOR DEPOSIT ONLY
322011029
MAGIK GLASS AND DOOR
122000496

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	004292633531	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/13/2014	4512170179	122000496	Rtn Loc/BOFD	Y		MUFG UNION BANK, NA

Amount:	$806.05	Sequence Number:	9292846959
Account:	325018532339	Capture Date:	06/11/2014
Bank Number:	12100035	Check Number:	369



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

369
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of HW Image Works $ 806.05

eight hundred & six 05/100 Dollars

Security Features Details on Back

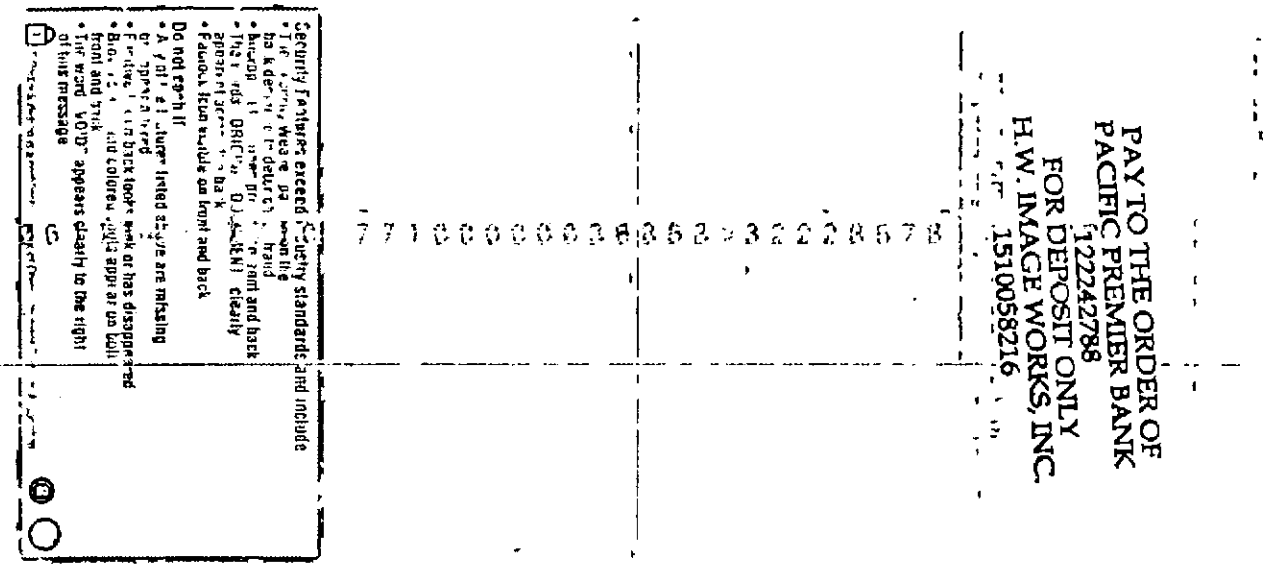
Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0369



Security Features exceed industry standards and include
• The front and back of the check will have a visible watermark when held up to light
• Microprinting around the signature line and the word DRAFT will appear clearly
• Thermochromic ink visible on front and back
Do not cash if
• A void pantograph appears
• Borders, background colors or fonts appear or fail

PAY TO THE ORDER OF
PACIFIC PREMIER BANK
122242788
FOR DEPOSIT ONLY
H.W. IMAGE WORKS, INC.
1510058216

77100000036858 322285781 009292846959

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/11/2014	77100000036858	322285781	Rtn Loc/BOFD	Y		PACIFIC PREMIER BANK
06/11/2014	009292846959	111012822	Pay Bank	N		BANK OF AMERICA, NA

Amount: $2,390.45 Sequence Number: 4592745367

Account: 325018532339 Capture Date: 06/16/2014

Bank Number: 12100035 Check Number: 370

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

059303 / 183

370
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of SYSCO $ 2390.45

Two thousand three hundred & ninety 45/100 Dollars

Bank of America

ACH R/T 121000358

For 405090911

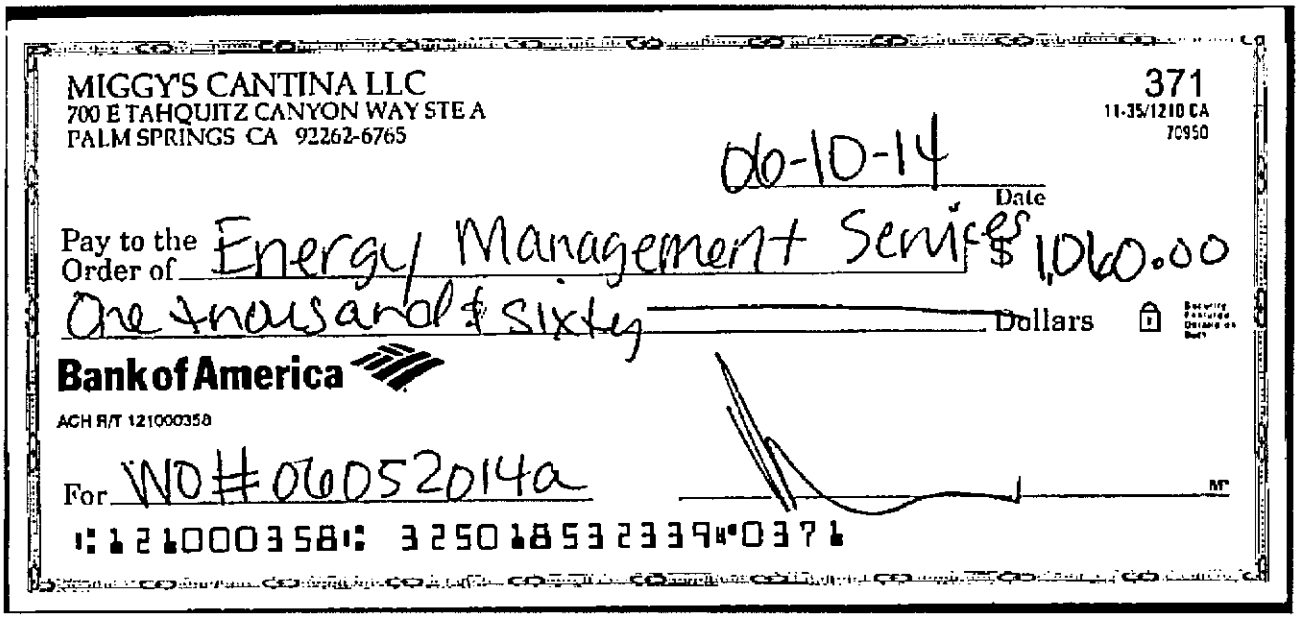
⑈121000358⑈ 325018532339⑈0370

PAY TO THE ORDER OF ZIONS FIRST
NATIONAL BANK UT 124000054 FOR
DEPOSIT ONLY SYSCO RIVERSIDE INC MA
003177292

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/16/2014	004592745367	121103886	Pay Bank	N		BANK OF AMERICA, NA
06/17/2014	340005818	61000146	Undetermined	N		FEDERAL RES BANK OF
06/16/2014	000051464501906	124000054	Rtn Loc/BOFD	Y		ZIONS FIRST NATIONAL

Amount:	$1,060.00	Sequence Number:	9492401997
Account:	325018532339	Capture Date:	06/12/2014
Bank Number:	12100035	Check Number:	371



MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

371
11-35/1210 CA
70950

06-10-14
Date

Pay to the Order of Energy Management Servi $ 1,060.00

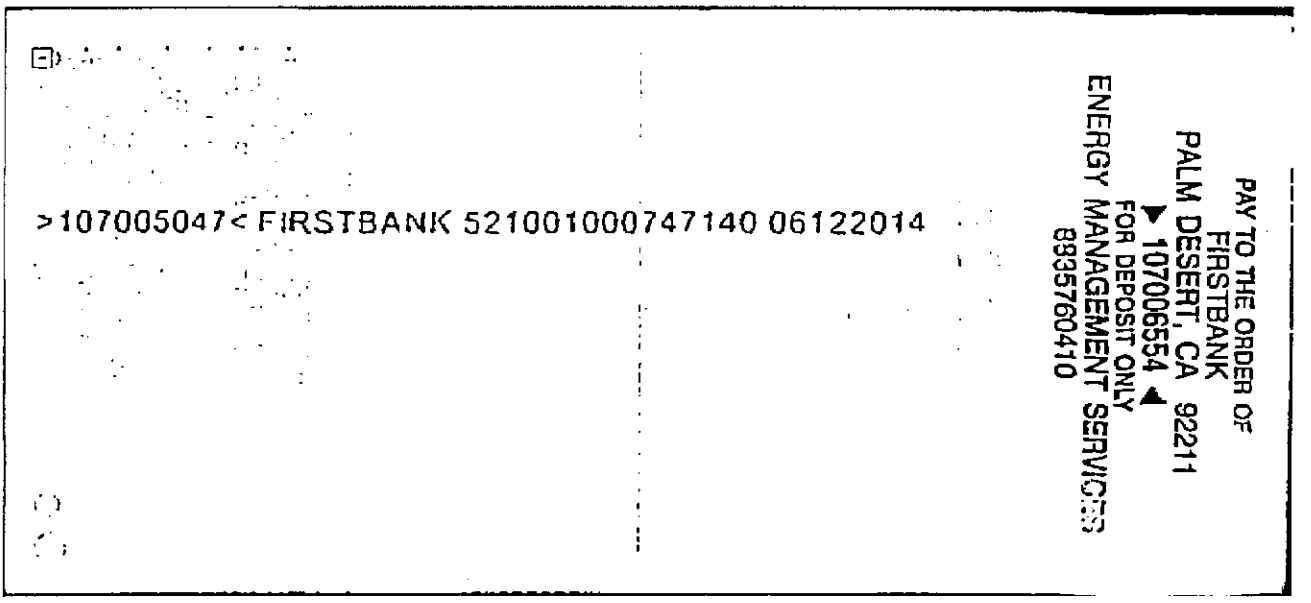
One thousand & sixty Dollars

Bank of America

ACH R/T 121000358

For WO#06052014a

⑆121000358⑆ 325018532339⑈0371



>107005047< FIRSTBANK 521001000747140 06122014

PAY TO THE ORDER OF
FIRSTBANK
PALM DESERT, CA 92211
▼ 10706554 ▲
FOR DEPOSIT ONLY
ENERGY MANAGEMENT SERVICES
8935760410

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
06/12/2014	000000090445120	107005047	Rtn Loc/BOFD	Y		FIRSTBANK
06/13/2014	009094504007	91408501	Undetermined	N		U.S. BANK NATIONAL A
06/13/2014	009094504007	91000022	Undetermined	N		U.S. BANK NATIONAL A
06/12/2014	009492401997	121103886	Pay Bank	N		BANK OF AMERICA, NA

0.*

0.*

230,179.85+
388,003.44+
458,589.96+
1,846.42+
1,078,619.67*

Vendor Name	Vendor Number	Check Date	Check Number
MIGGY'S CANTINA LLC	R1762	06/12/14	1071730

DEPARTMENT	ACCOUNT	PURCHASE ORDER	INVOICE NUMBER	AMOUNT	DESCRIPTION
1400	59422		061214	250,000.00	RENOVAT MJR VACANCIES

City of Palm Springs, 3200 Tahquitz Canyon Way, Palm Springs 92262	$***250,000.00*

DO NOT ACCEPT THIS CHECK UNLESS THE PINK LOCK & KEY ICONS FADE WHEN WARMED AND YOU CAN SEE HEXAGONS IN A DUAL-TONE TRUE WATERMARK WHEN HELD TO THE LIGHT

CITY OF PALM SPRINGS

CHECK DATE	CHECK NO.
06/12/14	1071730

3200 Tahquitz Canyon Way, Palm Springs, 92262
TELEPHONE: (760) 323-8225

Bank of America 16-66/1220
588 South Palm Canyon Drive
Palm Springs, CA 92264

ACCOUNTS PAYABLE

AMOUNT
$ $***250,000.00*

VOID AFTER 90 DAYS

PAY EXACTLY - THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS & ZERO CENTS

TO THE ORDER OF -

MIGGY'S CANTINA LLC
700 E TAHQUITZ CYN WY
STE A
PALM SPRINGS CA 92262

⑈1071730⑈ ⑆122000661⑆ 11318⑈8 2000⑈

To: Finance Department **Date:** 6/12/14

From: Community & Economic Development

Pay To: Miggy's Cantina, LLC **Vendor #:** New Vendor

Address: 700 East Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

In payment of: Reimbursement for Renovating Major Vacancies

Please Return Check to John S. Raymond - Hold for pick up

INVOICE NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT
061214	June 6, 2014	1400-59422	$250,000.00

Submitted by: Paula Jean Sweat **TOTAL:** $250,000.00

Goods and/or services were received. Payment is authorized.

Approved: _____ **Audited by:** _____
Department Head

CONTRACT ABSTRACT

Contract

Company Name:	Miggys Cantina, LLC (Hacienda Cantina)
Company Contact:	Rich ~~Meany~~ Meaney
Summary of Services:	Renovation Major Vacancies as Catalyst Projects Grant Agreement
Contract Price:	$250,000
Funding Source:	Special Focus Area Program
Contract Term:	1 year
Recording Requested:	n/a

Contract Administration

Lead Department:	Community & Economic Development
Contract Administrator:	John Raymond, Director

Contract Approvals

Council Approval Date:	April 2, 2014
Agenda Item No./ Resolution No.:	1C
Agreement No:	A6522

Contract Compliance

Exhibits:	N/A
Signatures:	Obtained applicants
Insurance:	N/A
Bonds	N/A

Contract prep[redacted]Cathy Van Horn

Submitted on: June 2, 2[redacted] By: Cathy Van Horn

RECORDING REQUESTED BY:
CITY OF PALM SPRINGS

City of Palm Springs
City Clerk
P O Box 2743
Palm Springs, CA 92263

SPACE ABOVE FOR RECORDER ONLY

Filing fee EXEMPT per Government Code 6103

A6522

Grant Agreement – Miggy's Cantina

THIS AREA FOR RECORDER'S USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
($3.00 Additional Recording Fee Applies)

COMMERCIAL – RETAIL
MAJOR "NEED-BASED" ASSISTANCE FOR RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS

GRANT AGREEMENT

THIS RENOVATING MAJOR VACANCIES (the "Agreement") is made and entered into this 10th day of June, 2014, by and between the City of Palm Springs, ("City"), and Miggys Cantina, LLC, the ("Tenant"). Collectively the City and Tenant are referred to as the Parties.

RECITALS

City has established a Major Need-Based Catalyst Vacancy Program for Owners and Tenants of commercial-retail businesses in the City of Palm Springs.

Miggys Cantina, LLC ("Tenant") is a tenant of a 8,000 square foot commercial space located within the eligible area at 1555 South Palm Canyon Drive, Palm Springs, California 92264 ("Property"), otherwise known as Hacienda Cantina. The Property is owned by Wessman Holdings ("Owner"), of Palm Springs, California. Owner has provided its consent to the Tenant for the property improvements and for the Tenant's application for incentive funding.

Grant Criteria. In order to receive the maximum amount under the program, a building, cluster of buildings or single space must be at least 8,000 s/f. Tenant proposed an expenditure of at least $1,000,000 – excluding the acquisition of the property. Tenant has approved renovation plans and completed all work necessary for the renovation, and underwent a pro forma analysis by the City.

City Investment. Under the Major Need-Based Catalyst Vacancy Program, the maximum dollars per building square foot committed by the City is $30/s/f., which is reserved for high potential dollars-per-square-foot projects projected to produce significant revenue for the City through sales taxes, property taxes and other revenue.

Leverage. Under the Major Need-Based Catalyst Vacancy Program, the applicant (Owner or Tenant) must spend $3.00 for each $1.00 committed by the City, which is higher than other incentive programs offered by the City, which typically require a 1:1 match.

Grant Maximums. The maximum City matching grant under the Major Need-Based Catalyst Vacancy Program shall not exceed $250,000, i.e. if the applicant's interior

improvement cost is $1,000,000, the City Match Grant would be $250,000, provided it did not exceed $30.00/s/f.

Tenant has applied for a Grant in the amount of $250,000 to make interior improvements to the Property as described in Exhibit "B," Scope of Work.

The City has confirmed that the Property is a vacant space in a building constructed at least thirty years ago and has been vacant for more than five years, and that the conversion of the very large (8,000 square foot) space, with a 3,000 square foot kitchen, into a functioning business would not have been economically feasible without an incentive program.

The City has determined that, in addition to the high cost of converting the oversized space into a functioning business, the location (Exhibit "A") of the business on a section of South Palm Canyon Drive which has suffered from a high level of vacancies, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

Tenant has received all necessary approvals from the City's Planning, Building and Engineering Departments, which are shown in Exhibit "C", Evidence of Approval. The estimated cost of the work proposed is $1,500,000, as shown in Exhibit "D".

Tenant has substantially completed the construction of the project and will receive sign off from the City's Planning and Building and from Riverside County Department of Environmental Health.

The City has reviewed the application, the evidence of financial participation by Tenant, the location of the Property, and the approvals, and has approved the Grant Application.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, City agrees to grant to Tenant the amount of $250,000 and Tenant agrees to complete the approved improvements, if necessary, and operate the business under the following terms and conditions:

AGREEMENT

1. **Property Ownership/Right to Undertake Work**. Tenant represents that it holds Tenancy in the Property, which entitles it to undertake interior physical improvements to the Property and has consent of the landlord to perform such work.

2. **Form of City Assistance**. The Program assistance authorized by this Agreement shall be in the form of a grant to an eligible business, secured by a Promissory Note (Note) that is amortized each year of the three year Compliance Period. Such Note terms shall include the right of the City to place a lien against the business' (Tenant's) interest in the affected property and may include

repayment provisions that do not require monetary repayment upon business performance meeting defined criteria.

a. The City and the eligible business shall enter a written agreement detailing the responsibilities of both parties, including but not limited to a the grant assistance by the City described in this Section, and the continued maintenance of minimum business activity and employment levels by the business; and

b. The program features a "clawback" provision: the assistance will be made as a "loan" by the City to the business, but the amortization will be their continued presence and operation in the City for a specified period of time. If the company sells the business, ceases operating the business, or reduces its employment levels below the committed level, it will be required to repay the City the unamortized portion of the assistance; and

c. The City may include repayment provisions that may or may not require monetary repayment, depending on the business' performance meeting criteria defined in this Section; such agreement shall be secured by a lien against the business and/or the property at which the business is located; and

d. The company shall attest that the business would not have located or expanded in the City without the benefit; and

e. The City shall attest that the total economic benefit to the community of the new sales tax, other taxes, and additional jobs, by its own calculations, exceeds the amount of the grant, and that the broad public benefit created by the program in terms of payroll and taxes paid exceeds the private benefit, and that there are no other reasonable alternative measures available to the business to finance the improvements or create the public benefit; and

f. The agreement shall assure that the business will remain in the City for a minimum of three (3) years at the proposed business activity and employment level, or repay the City based on a straight-line amortization of the assistance; the commitment "amortizes" the City's loan to the business at a rate of 33.3% of the dollar amount of the benefit per year; and

g. Prior to the first anniversary of this Agreement, a certification form shall be submitted by the tenant to the City for verification. Upon completion of the verification process the lien placed on the business will be reduced by one third of the benefit amount paid. This process will continue annually for a total of three years, starting during the 2nd year of the initial employee certification process.

3. **Required Findings for Assistance**. In October, 2013, Section 53083 was added to the California Government Code. Section 53083 states that before granting an economic development subsidy, each local agency shall provide public notice and a hearing regarding the economic development subsidy. "Economic Development Subsidy" under Section 53083 means any expenditure of public funds or loss of revenue to a local agency in the amount of one hundred thousand dollars ($100,000) or more, for the purpose of stimulating economic development within the jurisdiction of a local agency, including, but not limited to: bonds, grants, loans, loan guarantees, enterprise zone or empowerment zone incentives, fee waivers, land price subsidies, matching funds, tax abatements, tax exemptions, and tax credits. The City Council, prior to approving assistance to an eligible business, must make the following findings:

(1) The name and address of all business entities that are the beneficiary of the economic development subsidy: Miggy's Cantina, LLC, aka Hacienda Cantina & Beach Club, 1555 South Palm Canyon Drive, Suite B-1, Palm Springs, CA, 92264.

(2) The start and end dates and schedule, if applicable, for the economic development subsidy. The subsidy shall be made after the project is approved by the City and County Department of Health, and all work completed to the City's satisfaction, and evidence of payment made, as well as evidence of at least a 3:1 match of private funds to City dollars. In this case the work has been completed and approved and the restaurant has opened. The project shall have a three (3) year Compliance Period.

(3) A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy. The subsidy is in the amount of $250,000 to make interior and exterior improvements to the Property in order to renovate the existing restaurant into a large restaurant and club with a pool component. The assistance authorized by this Agreement shall be in the form of a grant to the eligible business described in Section 2 of this Agreement.

(4) A statement of the public purposes for the economic development subsidy. The City has confirmed that the Property was a vacant space in a building constructed at least 25 years ago and had has been vacant more than four years, and that the conversion of the very large space into a functioning business would not have been economically feasible without an incentive program.

Additionally, the City has determined that, in addition to the high cost of converting the restaurant into a functioning business, the location of the business outside the downtown and in a relatively

economically depressed section of Palm Canyon Drive, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

However, the financial strength and deep experience of the applicants mitigates the risk factors and makes the incentive a positive for the restaurant, the surrounding development, the neighborhood and adjacent businesses.

(5) Projected tax revenue to the local agency as a result of the economic development subsidy. Over the next ten years the City expects to receive at least $500,000 in direct property taxes, plus its allocated share of increased property tax. The project will also help act as a catalyst for future development in its area, thereby increasing property tax to the City as well.

(6) Estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions. The restaurant expects to create 88 total jobs, with 10 full time jobs and 78 part time jobs.

4. **Schedule**. The Parties agree that all interior improvements shall be completed within **90** days of the date of this Agreement.

5. **Term.** The obligations to the City by the Tenant under this Agreement shall remain in place for a period of three (3) years from the date of the agreement first above written, unless extended by mutual agreement of the parties. Following termination, Tenant shall have no obligation hereunder.

6. **Contractor.** The Parties agree that Tenant has sole responsibility for choosing and hiring the contractor, which shall be shown in Exhibit "D", Contractor/Vendor Agreements, and the acceptance of the material used and the work performed is Tenant's responsibility, and the City is not a party to any agreement with the vendor or contractor and does not guarantee the quality of workmanship of the property improvements, nor have any liability whatsoever therefor. At all times hereunder, the Contractor shall have a valid Contractor's License from the State of California and a valid City of Palm Springs Business License. Contractor may be a payee for a portion of the grant reimbursement.

7. **Design Approval and Permits.** The Parties agree that Tenant has sole responsibility for obtaining design approval and evidence of required permit approvals from the City of Palm Springs as shown in Exhibit "C", and ensuring the compliance with those permits.

8. **Grant Limitations**. The maximum City matching grant shall not exceed $250,000, which is the 8,125 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed

is $1,500,000, as shown in Exhibit "D". The leverage is $7.75 of Tenant dollars for each $1.00 of City dollars. The Grant is secured by a Promissory Note (shown in Exhibit "E") entered into by the Tenant for the amount of the Grant, which shall be reduced annually by one-third over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance (shown in Exhibit G.) City liens are subordinate, as described below in Section 9D.

9. **Evidence of Completion**. The Parties agree that the City will release the Grant funds upon the completion of the work by the Tenant or his contractor. Evidence of completion shall include but is not limited to: photographs of the finished work; a final inspection by a representative of the City of Palm Springs; and, a copy of the final invoice for the work completed and proof of payment to the contractor.

10. **Release of Contractor Liens**. The Parties Agree that the Tenant is responsible for obtaining the release of any Mechanics Liens or other liens placed upon Tenant's property by any contractor or subcontractor hired under this program. If the Contractor is the payee for any portion of the work, a full release of Mechanic's Liens or other contractor liens shall be exchanged and released simultaneously with the payment for the City.

11. **Maintenance**. Tenant, for itself and its successors and assigns, hereby covenants and agrees to maintain and repair or cause to be maintained and repaired the Property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction, at Tenant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care and replacement of all shrubbery, plantings, and other landscaping in a healthy condition; and (iii) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such pavings at all times be kept in a level and smooth condition. In addition, Tenant shall be required to maintain the Property in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to the public health, safety or general welfare or that such a condition of deterioration or disrepair causes appreciable harm or is materially detrimental to property or improvements within one hundred (100) feet of such portion of the Site.

a. Parking and Driveways. The driveways and traffic aisles on the Site shall be kept clear and unobstructed at all times. No vehicles or other obstruction shall project into any of such driveways or traffic aisles. Vehicles associated with the operation of the Property, including delivery vehicles, vehicles of employees and vehicles of persons with business on the Property shall park solely on the Property.

b. Right of Entry. In the event Tenant fails to maintain the Site in the above-mentioned condition, and satisfactory progress is not made in correcting the condition within thirty (30) days from the date of written notice from City, City may, at its option, and without further notice to Tenant, declare the unperformed maintenance to constitute a public nuisance. Thereafter, the City, its employees, contractors or agents, may cure Tenant's default by entering upon the Site (Property) and performing the necessary landscaping and/or maintenance. The City shall give Tenant, its representative or manager reasonable notice of the time and manner of entry, and entry shall only be at such times and in such manner as is reasonably necessary to carry out this Agreement. Tenant shall pay such costs as are reasonably incurred by City for such maintenance, including attorneys' fees and costs.

c. Reimbursement of Costs. If such costs are not reimbursed within thirty (30) days after Tenant's receipt of notice thereof, the same shall be deemed delinquent, and the amount thereof shall bear interest thereafter at a rate of the lower of ten percent (10%) per annum or the legal maximum until paid. Any and all delinquent amounts, together with said interest, costs and reasonable attorney's fees, shall be an obligation of Tenant as well as a lien and charge, with power of sale, upon the property interests of Tenant, and the rents, issues and profits of such property. City may bring an action at law against Tenant obligated to pay any such sums or foreclose the lien against Tenant's property interests.

d. City Liens Are Subordinate. Any monetary lien provided for herein shall be subordinate to any bona fide mortgage or deed of trust covering an ownership interest or leasehold or subleasehold estate in and to any Property approved by City pursuant to this Agreement, and any purchaser at any foreclosure or trustee's sale (as well as any deed or assignment in lieu of foreclosure or trustee's sale) under any such mortgage or deed of trust shall take title free from any such monetary lien, but otherwise subject to the provisions hereof; provided that, after the foreclosure of any such mortgage and/or deed of trust, all other assessments provided for herein to the extent they relate to the expenses incurred subsequent to such foreclosure, assessed hereunder to the purchaser at the foreclosure sale, as owner of the subject Site after the date of such foreclosure sale, shall become a lien upon such Property upon recordation of a Notice of Assessment or Notice of Claim of Lien as herein provided.

12. **Obligations Upon Sale or Transfer**

a. City Approval of Transfer Required. For a period of three (3) years after the date of this Agreement, Tenant shall not Transfer the Property or any of Tenant's rights hereunder, or any interest in the Site or in the improvements thereon, directly or indirectly, voluntarily or by operation of law, except as provided below, without the prior written approval of City, and if so purported to be Transferred, the same shall be null and void. In considering whether it will grant approval of any Transfer by Tenant of its interest in the Site, City shall consider factors such as (i) the financial credit, strength, and capability of the proposed transferee to perform Tenant's obligations hereunder; and (ii) the proposed transferee's experience and expertise in the operation, financing, development, ownership, and operation of similar businesses .

b. Written Agreement Required. In the absence of specific written agreement by City, no transfer by Tenant of all or any portion of its interest in the Site (including without limitation a transfer not requiring City approval hereunder) shall be deemed to relieve it or any successor party from the obligation to continue to operate the business or any other obligations under this Agreement. In addition, no attempted transfer of any of Tenant's obligations hereunder shall be effective unless and until the successor party executes and delivers to City an assumption agreement in a form approved by the City assuming such obligations.

c. Exceptions. The foregoing prohibition shall not apply to any of the following:

1. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing, but Tenant shall notify City in advance of any such mortgage, deed of trust, or other form of conveyance for financing pertaining to the Site.

2. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for restructuring or refinancing of any amount of indebtedness described in subsection (a) above, provided that the amount of indebtedness incurred in the restructuring or refinancing does not exceed the outstanding balance on the debt incurred to finance the acquisition of the Site and construction of improvements on the Site, including any additional costs for completion of construction, whether direct or indirect, based upon the estimates of architects and/or contractors.

3. The conveyance or dedication of any portion of the site (or sites) to the City of Palm Springs or other governmental agency.

4. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing provided that the principal amount of the loan does not exceed eighty-five percent (85%) of the value of the land and improvements thereon.

5. The granting of easements to any appropriate governmental agency or utility to facilitate the development of the Site.

6. A sale or transfer resulting from or in connection with a reorganization as contemplated by the provisions of the Internal Revenue Code of 1986, as amended or otherwise, in which the ownership interests of a corporation are assigned directly or by operation of law to a person or persons, firm or corporation which acquires the control of the voting capital stock of such corporation or all or substantially all of the assets of such corporation.

7. A sale or transfer of forty-nine percent (49%) or more ownership interest to a member of the transferor's immediate family, a trust, testamentary or otherwise, in which immediate family members of the transferor are the sole beneficiaries, or a corporation or partnership in which the immediate family members or shareholders of the transferor have controlling majority interest of more than fifty-one percent (51%).

8. A change in the respective percentage ownership interests exclusively of the present owners of Tenant (as of the date of this Agreement), but this shall not authorize the transfer of any interest to any person or entity who is not a present Tenant of Tenant.

9. Mechanic's liens removed prior to foreclosure or liens for current year property taxes not paid.

13. **Enforcement.** In the event Tenant defaults in the performance or observance of any covenant, agreement or obligation of Tenant pursuant to this Agreement, and if such default remains uncured for a period of thirty (30) days after written notice thereof shall have been given by City, or, in the event said default cannot be cured within said time period, Tenant has failed to commence to cure such default within said thirty (30) days and thereafter fails to diligently prosecute said cure to completion, then City shall declare an "Event of Default" to have occurred hereunder, and, at its option, may take one or more of the following steps:

a. By mandamus or other suit, action or proceeding at law or in equity, require Tenant to perform its obligations and covenants hereunder or enjoin any acts or things which may be unlawful or in violation of this Agreement; or

b. Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants and agreements of Tenant hereunder; or

Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by any party of one or more of its rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

MISCELLANEOUS PROVISIONS

14. **Covenant Against Discrimination**. Tenant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination or segregation in the performance of or in connection with this Agreement regarding any person or group of persons on account of race, color, creed, religion, sex, marital status, disability, sexual orientation, national origin, or ancestry.

15. **Notice**. Any notice, demand, request, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by pre-paid, first-class mail to the address set forth below. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

To City: City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
Attn: Economic Development Administrator

To Tenant: Miggy's Cantina, LLC
700 East Tahquitz Canyon Way, Suite A
Palm Springs, California 92262
Attn: Rich Meaney

16. **Integrated Agreement**. This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement.

17. **Amendment**. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

18. **Severability**. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this

Agreement, which shall be interpreted to carry out the intent of the parties hereunder.

19. **Indemnification.** Tenant agrees for itself and its successors and assigns to indemnify, defend, and hold harmless the City of Palm Springs ("City") and the City, the City Council, its officers, agents, employees, independent contractors, members, officials, volunteers, and representatives from and against any loss, liability, claim, or judgment relating in any manner to the Project. Tenant, while in possession of the Site, and each successor or assign of Tenant while in possession of the Site, shall remain fully obligated for the payment of property taxes and assessments in connection with the Site. Tenant shall indemnify and hold harmless, the City, the City Council, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever based and asserted upon any act or omission of the City for property damage, bodily injury, or death or any other element of damage of any kind or nature, relating to or in any way connected with participation in the Program.

20. **Authority**. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement. Tenant certifies that the above statements are true and accurate to the best of Tenant's belief. Failure to meet any of the terms of this Agreement shall result in the forfeiture of any Grant funds from the City for this program.

21. **Continuing Compliance**. The public purpose of the Major Need-Based Catalyst Vacancy Program is to promote the development of viable businesses in major vacant commercial spaces in the incentive area, leading to expansion of good quality jobs in the City of Palm Springs. It is the responsibility of the Tenant as beneficiary under this Agreement to ensure the cooperation and compliance of the ongoing obligations under the program, including submitting a Certificate of Program Compliance (Exhibit "F") to the City for a period of three years from the anniversary date of this agreement. If the Tenant (1) transfers the Property during the compliance period without prior consent of the City, (2) ceases operation of the Business during the Compliance Period, or (3) fails to provide the City with the initial or any of the annual Certificates of Continuing Program Compliance certifying that they remain in business and continue to operate and employ workers in the business, to be provided to City each year during the three year compliance period, the City may seek repayment of the "unamortized" portion of the Grant from the Tenant under the terms below. The City shall have complete and absolute discretion in determining whether lack of program compliance is cause for termination.

22. **Recordation.** The City Clerk shall record this Agreement and the Promissory Note in the Official Records of the County of Riverside, California.

SIGNATURES ON NEXT PAGE

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates stated below.

"City"
City of Palm Springs

Date: 6/5/14 By: _____
Community & Economic Development

Date: 6.5.14 By: _____
Director
Community & Economic Development

Date: 06/10/2014 By: _____
David H. Ready, Esq., PhD.
City Manager

APPROVED BY CITY COUNCIL
4.3.14 1c Ab588

ATTEST:

By: _____
James Thompson
City Clerk

APPROVED AS TO FORM:

By: _____
Douglas C. Holland
City Attorney

"TENANT"

Date: 6-4-14 By: _____
Rich Meaney
President

Date: _____ By: _____

ACKNOWLEDGMENT OF INSTRUMENT
(Cal. Civil Code Section 1181)

State of California)
County of Riverside) *ss.*
City of Palm Springs)

On June 10, 2014, before me, JAMES THOMPSON, CITY CLERK, CITY OF PALM SPRINGS, CALIFORNIA, personally appeared DAVID H. READY, who I personally know is the CITY MANAGER of the CITY OF PALM SPRINGS whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his official and authorized capacity on behalf of the City of Palm Springs, a California Charter City.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and the official seal of the City of Palm Springs, California, this 10th day of June, 2014.

Signature: _____
JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

Title or Type of Document
Grant Agreement – Miggy's Cantina – A6522

ACKNOWLEDGMENT

State of California)
County of Riverside)

On 6/4/14, before me, K. Maiorca (insert name of notary),
Notary Public, personally appeared Rich Meaney,
who proved to me on the basis of satisfactory evidence to be the ~~person~~(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity~~(ies)~~, and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official ~~seal~~.

Signature K. Maiorca

K. MAIORCA
COMM. #1931045
NOTARY PUBLIC • CALIFORNIA
SAN BERNARDINO COUNTY
Commission Expires APR 1, 2015

(Seal)

ACKNOWLEDGMENT

State of California)
County of _____)

On _____, before me, _____ (insert name of notary),
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

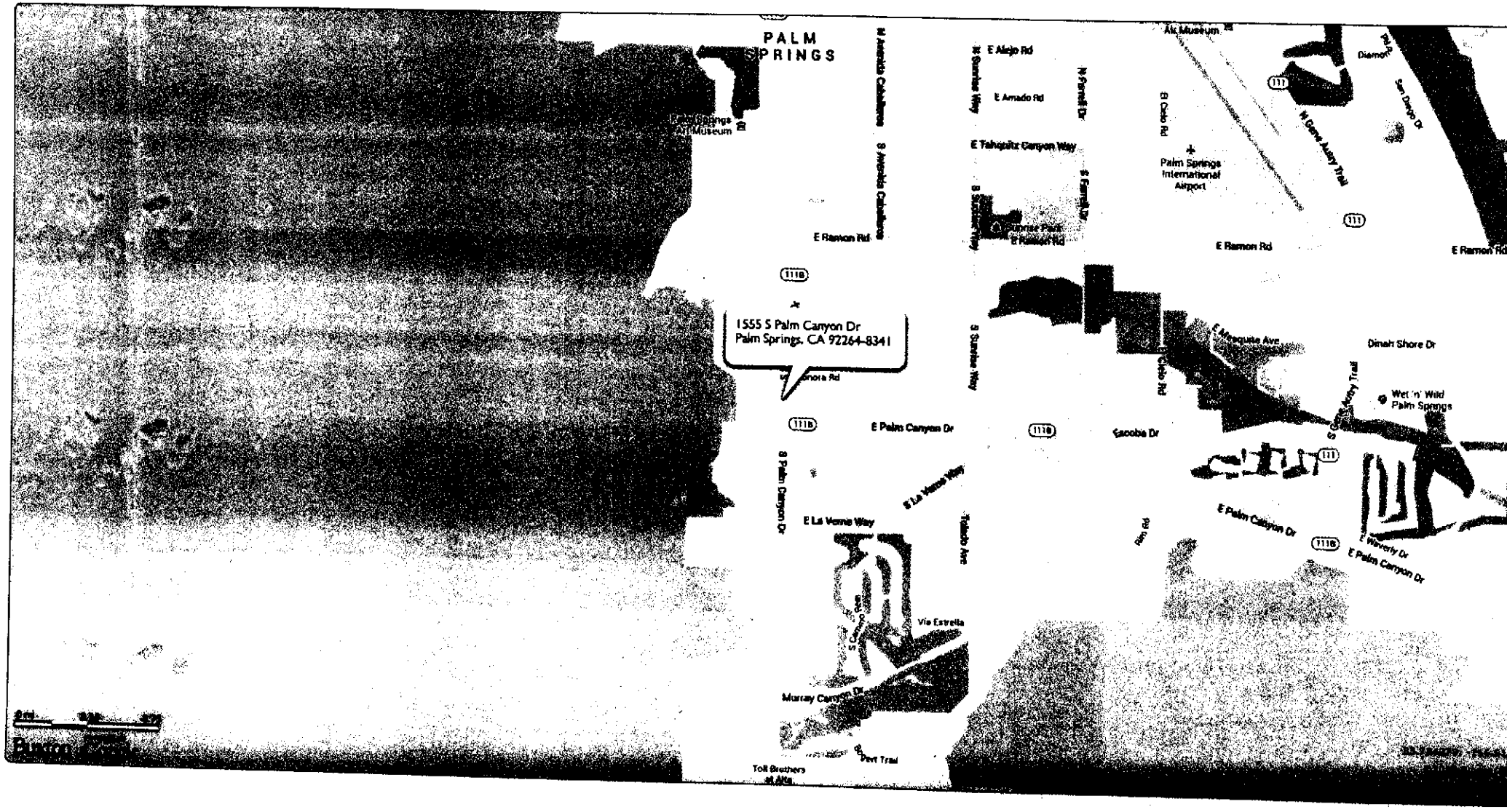
WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"
MAP

SEE NEXT PAGE

Exhibit "A"



© Buxt

Map 2 - Southern Focus Area

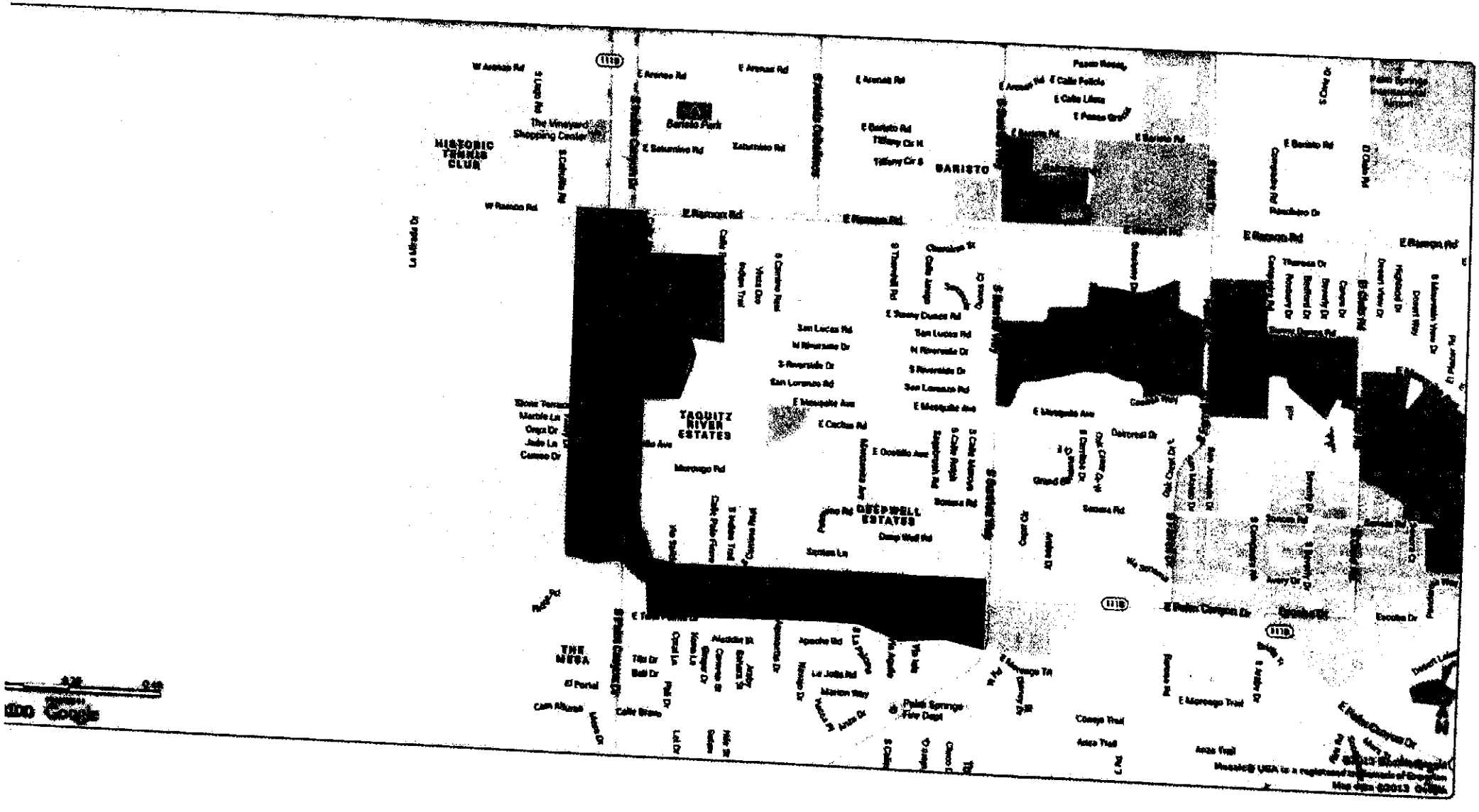


EXHIBIT "B"
SCOPE OF WORK

Site and Exterior

- Construct temporary fence (PM-10 Fence) around the job site.
- Demo curb gutter, parking lot lights, palm trees.
- Install new curb and gutter around the perimeter of the project
- Relocate 5 olive trees to area between building and pool.
- Undertake AC parking lot repairs.
- Rough and finish grading: over-excavate for each building.
- Install storm drain per precise grade plan
- Install finish grade landscaping per landscape plan

Pool and Pool Deck

- Install foundations for Palapa, cabanas and bathrooms.
- Install pool, pool equipment, dry well, and patio deck.
- Construct masonry walls, planters, cabanas and bathrooms.
- Install steel structures: fencing, gates and handrails in bath house, bar, Cabanas and overhead doors for Palapa bar.
- Complete finish carpentry for bathroom: Lockers, door jamb and hardware, Partitions and grab bars.
- Complete rough carpentry on Palapa bar and cabanas (burnt cedar).

Utility Work

- Replace new main SCE line for the existing building and outside area and new 1200 amp panel. Electrical includes all electrical to each building.
- Repair, upgrade and install interior and exterior plumbing including gas, sewer and water tie-ins.

Exterior and Interior Work

- Install AV and sound for cabanas and Palapa bar.
- Paint inside and outside, including all fence and steel and floor.
- Install drywall and FRP at inside of bar. Repair other drywall throughout.
- Install counter tops for Palapa bar, bathrooms and cabanas.
- Install stainless steel fixtures (interior and exterior).
- Install bar equipment (interior and exterior) including glass shelving.
- Install tile throughout.
- Install artwork including metal work
- Construct booths and banquettes

EXHIBIT "C"
EVIDENCE OF APPROVAL
(PLANNING, BUILDING, AND/OR ENGINEERING DEPARTMENT APPROVALS)

Building permit required on all or a portion of the work described in Exhibit "B" Scope of Work: Yes _X_ No __

If yes, Building Permit No.: 2014-1076; 2014-482; 2014-902; 2014-30

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 04/08/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney | Address: 1555 S Palm Canyon Dr Palm Springs CA | Phone: 760 322 8804

Contractor: Wessman Development | Address: 555 S Sunrise Way Ste 555 Palm Springs CA | Phone: 760 325 3050 | Lic. Number: 213720

Architect | Address | Phone

Engineer | Address | Phone

Lot #: ? | Block #: + | Tract: + | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: Walls/Fences | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 3500.00 | Permit Fees Paid: 154.33

Describe work in detail:
Construct trash enclosure.

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-1076

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 02/18/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney | Address: 1555 S Palm Canyon Dr Palm Springs CA | Phone: 760 322 8804

Contractor: Architectural Blue | Address: CA Palm Spirngs CA | Phone: 760-327-1533 | Lic. Number: 879184

Architect | Address | Phone

Engineer | Address | Phone

Lot #: ? | Block #: + | Tract: + | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Addition | Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: New Pool/Spa | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 25000.00 | Permit Fees Paid: 945.14

Describe work in detail:
New commercial pool.

Pursuant to Helath & Safety 115920-115929, whenever a bruilding perit is issued for the remodel or modification of a single family home wiht an existing swimming pool or spa, the permit shall require that the suction outlet be upgraded so as to be equipped with an approved anti-entrapment cover.

Overhead conductor clearances SHALL comply with NEC Table 680

Special Conditions:

Compliance with Swimming Pool Safety Article 7 required at encapsulation inspeciton.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-482

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted: 03/25/2014 | Case No. | Permit Technician: Alberto Gradilla

Owner: Miggy's Catina | Address: 700 E Tahquitz Canyon Way Palm Springs CA | Phone: 949 922 8210

Contractor: Wessman Development | Address: 555 S Sunrise Way Ste 555 Palm Springs CA | Phone: 760 325 3050 | Lic. Number

Architect | Address | Phone

Engineer | Address | Phone

Lot # | Block # | Tract | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: Walls/Fences | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 35000.00 | Permit Fees Paid: 638.88

Describe work in detail:

Permit to construct appx 540' of garden walls per ORCO detail

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when property filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-902**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted: 01/06/2014

Case No.: 3.1111

Permit Technician: Angela LaFrance

Owner: Miggy's Cantina
Address: 700 E Tahquitz Canyon Way Ste A Palm Springs CA
Phone: 949 922 8210

Contractor: Wessman Development
Address: 555 S Sunrise Way Ste 555 Palm Springs CA
Phone: 760 325 3050
Lic. Number: 213720

Architect: Sanborn A/e
Address:
Phone:

Engineer: GouvisEng
Address: 4400 Campus Dr Newport Beach CA
Phone: 949)752-1612

Lot #:
Block #:
Tract:
Parcel Number: 513-300-038

Lot Size:
Zone:
Occupancy: A-2 Assembly, restaurants, bars, banquet halls

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	0	0	0	0

Use of building: Commercial
Permit Type: Commercial Additoin/alteration
Const. Type: VB
Fixture Units: 52

Fire Sprinkler: Yes
Units: 0
Valuation: 80000.00
Permit Fees Paid: 3006.91

Describe work in detail:

Add bar, cabanas, bath house/restrooms, block walls and site work at existing restaurant site.

Special Conditions:

Bar addition under 1000 SF, No TUMF fee per CVAG.

Sewer connection fees of $ 15,912.00 will be paid through City's Deferral Program.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.

The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.

This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.

I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT DATE ISSUED BY Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-30

EXHIBIT "D"
CONTRACTOR/VENDOR AGREEMENT

Hacienda Cantina

Hacienda		
TASK	TOTAL	COMMENTS
Interior and Exterior cCombo		
Furniture, restaurant and pool.	$92,281.00	Sunkor and others
Temp fence	$2,730.00	PM-10 Fence around the job
Demo	$36,850.00	Curb Gutter, Parking lot,Lights, Palm Tree's
Relocate Olive trees	$5,200.00	relocate 5 olive trees
Curb and gutter	$12,256.00	Curb and gutter around the perimeter of the project
Ac parking lot repairs	$13,000.00	repair parking lot
Rough and finish grading	$12,825.00	over X for each buildings
SCE	$24,720.00	New main line for the existing building and outdide area and new 1200 amp panel
Storm drain	$21,700.00	Storm drain per presice grade plan
Foundation	$26,440.00	Palapa,cabanas and bathroom
Pool	$49,700.00	pool,pool equipment,dry well
patio deck	$30,187.00	all flat work
Masonry walls	$65,624.00	walls,planters,cabanas and bathrooms
Steel structures Fencing,gates and hand rails	$68,000.00	bath house,bar,cabanas and cabana handrails
over head doors	$19,200.00	over head doors for Palapa bar
Finish carpentry for bathroom	$6,689.00	Lockers,door ,jamb and hardware, partions and grab bars
Rough Carpentry	$12,000.00	burnt cedar on Palapa bar and cabanas
finish grade Landscaping	$69,851.00	per landscape plan 5000.00 for finish grade
Plumbing	$75,590.00	includes gas,sewer and water tie-ins
Electrical	$96,000.00	includes all electrical to each building
AV	$25,000.00	AV for cabanas and Palapa bar
Paint	$4,000.00	all fence and steel and floor
drywall	$1,500.00	drywall at inside of bar
FRP	$500.00	FRP at inside of bar
Counter top Material	$11,000.00	for palapa bar,bathrooms and cabanas
Counter Labor only	$6,800.00	for palapa bar,bathrooms and cabanas
Stainless steel	$20,000.00	Interior and exterior
bar equipment	$30,000.00	Interior and Exterior
Sub total	$726,517.00	

salaries	38000	Misc Labor
Liquor License	32000	Full 47
tile	20000	interior
tile labor	19000	interior
Bar and Bath counters	14000	Interior and exterior
Artwork	3700	inetrior
dump fees	3269	
POS System	42000	Interior and Exterior
booths	18,500	
plumbing interior	11790	
Paint in and out	20169	
Drywall	12150	
ti cioeling	3500	
Interior Electric	17615	
Refrigeration repair	2500	
Attorney Fees	17000	
Civil Engineering	22100	
Metal Work	16425	
Landscape Arch	3244	
Glass shelving	1400	
AV Exterior Rat Sound	123,000	
Ineterior Exterior Design fees	97,000	

Running Total on 3/17/14	$1,294,879.00

EXHIBIT "E"
PERFORMANCE NOTE

$250,000

Palm Springs, California

FOR VALUE RECEIVED, Miggys Cantina, LLC ("Tenant"), otherwise known as Hacienda Cantina, a California limited corporation ("Maker"), promises to pay THE CITY OF PALM SPRINGS, a California Charter City ("Holder") at 3200 E. Tahquitz Canyon Way, Palm Springs, California 92262, or at such other address as Holder may direct from time to time in writing, the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) (the "Note Amount"), together with interest thereon at the rate set forth herein. All sums payable hereunder shall be payable in lawful money of the United States of America. This Promissory Note ("Performance Note") is made in connection with that certain RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS GRANT AGREEMENT by and among Maker and the City of Palm Springs ("City"), dated as of _____, 2014 (as amended the "Agreement").

The Agreement provides for a City matching grant of $250,000, calculated as no less than 8,133 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed is $2,000,000, as shown in Exhibit "D". The amount of the Note entered into by the Tenant for the amount of the Grant, shall be reduced annually by one-third each year over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance. City liens are subordinate, as described below.

1. Interest Rate. The Note shall not bear any interest.

2. Term. The term of this Performance Note shall be for thirty-six months.

3. Repayment. No payments are due on the Note, with the exception that the principal amount of the Note Amount shall be immediately due and payable upon (i) any default of the Agreement, which is not cured within the time set forth in Section 13 of the Agreement.

4. Prepayment of City Performance Note Amount. The purpose of the Note is to ensure Performance under the Agreement. With the exception of an event of Default described in the Agreement, Maker may not prepay to Holder the full Note Amount, at any time prior to the due date of the Note Amount without penalty.

5. Application of Payments.. In the event of a default of the Agreement, each payment made by Maker hereunder shall be credited first to interest then accrued and the remainder, if any, to principal. Interest shall cease to accrue upon principal so credited.

6. Security. This Performance Note shall be recorded against the Property in the Official Records of Riverside County.

7. Holder May Assign. Holder may, at its option, assign its right to receive payment under this Performance Note without necessity of obtaining the consent of the Maker.

8. Maker Assignment Prohibited. . In no event shall Maker assign or transfer any portion of this City Performance Note without the prior express written consent of the Holder, which consent may be given or withheld in the Holder's sole discretion. Notwithstanding the foregoing, the Maker may assign one time only its interest in this Performance Note upon prior written notice to the Holder, but without the Holder's consent, to a single purpose entity to which the Maker or its principals own a share and are part of the management structure as Managing Member or Co-Managing Member ("Permitted Transferee").

9. Attorneys' Fees and Costs. In the event that any action is instituted with respect to this City Performance Note, the non-prevailing party promises to pay such sums as a court may fix for court costs and reasonable attorneys' fees. Holder's right to such fees shall not be limited to or by its representation by staff counsel, and such representation shall be valued at customary and reasonable rates for private sector legal services.

10. Non-Waiver. Failure or delay in giving any notice required hereunder shall not constitute a waiver of any default or late payment, nor shall it change the time for any default or payment.

11. Successors Bound. This Performance Note shall be binding upon the parties hereto and their respective heirs, successors and assigns.

12. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

13. Non-Recourse. Notwithstanding anything to the contrary herein contained, (i) the liability of Maker shall be limited to its interest in the Site and any rents, issues, and profits arising from the Site and, in addition, with respect to any obligation to hold and apply insurance proceeds, proceeds of condemnation or other monies hereunder, any such monies received by it to the extent not so applied in accordance with the terms of this Note; (ii) no other assets of Maker shall be affected by or subject to being applied to the satisfaction of any liability which Maker may have to Holder or to another person by reason of this Note; and (iii) any judgment, order, decree or other award in favor of Holder shall be collectible only out of, or enforceable in accordance with, the terms of this Note by termination or other extinguishment of Maker's interest in the Site. Notwithstanding the foregoing, it is expressly understood and agreed that the aforesaid limitation on liability shall in no way restrict or abridge Maker's continued personal liability for: (A) fraud or willful or grossly negligent misrepresentation made by Maker in connection with this Note or any of the City Agreements; (B) misapplication of (a) proceeds of insurance and condemnation or (b) rent received by Maker under rental agreements entered into for any portion of the Site after default of the Note; (C) the retention by Maker of all advance rentals and security deposits of tenants not refunded to or forfeited by such tenants; or (D) the indemnification undertakings of Maker under the City Agreements.

14. Notices, Demands, and Communications. Formal notices, demands, and communications between Maker and Holder shall be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing

in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

To Holder:	The City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262 Attn: City Manager
With a copy to:	Woodruff Spradlin & Smart, LLP 555 Anton Boulevard, Suite Costa Mesa, California 92___ Attn: Douglas C. Holland, Esq.
To Maker:	Miggy's Cantina, LLC 700 East Tahquitz Canyon Way Palm Springs, California 92262 Attn: Rich Meaney

Notices personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices mailed shall be deemed effective on the second business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as either party may from time to time designate by mail.

15. Subordination. The Holder understands that the Maker is the Operator of a Restaurant, which required construction debt and other debt instruments to be placed against the Property during the term of this Note. It is understood by Holder that the Construction Debt and Mezzanine debt is Senior to the Holder's Note, and Holder is willing to subordinate its Performance Note to the Senior Construction and Mezzanine debt.

SIGNATURES ON NEXT PAGE

"MAKER"

Miggy's Cantina, LLC
a California limited liability corporatior

BY:

_____
Date

_____
Name: Rich Meaney, President

"HOLDER"

THE CITY OF PALM SPRINGS,
a California Charter City

_____
City Manager

Date _____

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "F"
CERTIFICATE OF PROGRAM COMPLIANCE

3200 Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263
760.323.8259

The City of Palm Springs

Employment Level Verification
CERTIFICATE OF PROGRAM COMPLIANCE

Company Name:	The Company certifies that the information contained in the Summary attached is true and accurate and hereby certifies that a review of the employment levels of the Company during such period and of the Company's performance under this Certificate and the documents referred to therein has been made under the supervision of the undersigned.
Palm Springs Address:	
Headquarters/Regional Mailing Address:	
Local Manager:	
Phone: Fax:	
Contact Email:	By:
Date of Property Lease Expiration:	Its:
	Date:

EMPLOYMENT CERTIFICATION

Period Covered from _____ to _____

The undersigned, _____, a _____ (the "Company"), has read and is thoroughly familiar with the provisions of the Employment Levels under this Agreement and documents referred to therein executed by the owner/tenant of the Property in the City of Palm Springs where the Company is located ("Owner/Tenant") and the City of Palm Springs ("City"), as such terms are defined in Resolution No.23413 of the City of Palm Springs. As of the date of this Certificate, for the period shown above, the following number of full-time employees employed at the Company is: 88 total jobs; 10 full time and 78 part time jobs.

David Ready

From: John Raymond
Sent: Monday, May 11, 2015 2:55 PM
To: David Ready
Cc: Doug Holland
Subject: Re: Mayor relationship and votes

Section 526 of the Redevelopment Plan allows for the disposition of property without bidding. It doesn't specify the adjacent property owner, though. I have copies of the plan. I'll look back through the objectives, which I think contain language about preference for property assembly.

Also, the Section 14 Plan required, until we amended the plan last year, 10 acres or more for any project over 30 feet - forcing the consolidation of parcels. Paula has pulled up the DDA itself and I'll find the language requiring them to acquire Anderson Travel and the Tribe's offices.

By the way, I have a series of articles about the Hard Rock/Starwood competition and the fallout from it. Well documented.

Sent from my iPhone

On May 11, 2015, at 11:31 AM, David Ready <David.Ready@palmsprings-ca.gov> wrote:

> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** Natalie Brunell <natalie.brunell@kesq.com>
> **Date:** May 7, 2015 at 12:36:38 PM PDT
> **To:** David Ready <David.Ready@palmsprings-ca.gov>
> **Cc:** "Douglas C. Holland" <Douglas.Holland@palmsprings-ca.gov>, "robert.smith@kesq.com" <robert.smith@kesq.com>, "timothy.kiley@kesq.com" <timothy.kiley@kesq.com>, "rtarpening@kesq.com" <rtarpening@kesq.com>, Rich Tarpening <rich.tarpening@kesq.com>
> **Subject: Re: Mayor relationship and votes**
>
> A question for Mr. Ready:
>
> You stated to the paper that because Nexus owned adjacent property to Prairie Schooner, it was able to purchase the property without open bidding.
>
> Please show us the portion of state or municipal code which qualifies land for private sale without competition if you own a neighboring parcel.
>
> Thank you,

This is in response to various questions you posed late last week and today. Mr. Ready has asked me to provide a response.

First of all, I advised the Council at its meeting last week that the sale of 1479 North Palm Canyon property had not closed and I would put the item on the Council's next agenda to rescind the sale. I am recommending this so that the Council as the successor to the former Palm Springs Redevelopment Agency can reconsider the sale and decide whether the Council wishes to sell the property as originally proposed. The Mayor will not participate in the decision to rescind the sale nor will the Mayor participate in any decision to sell the property to Mr. Meaney or any limited liability company My Meaney may be a principal of. The issue of recession of the 1479 North Palm Canyon property was not discussed in closed session.

I became aware of Nexus in 2005 when Nexus (which included Meaney as a principal) submitted a proposal to purchase the Prairie Schooner property from the Redevelopment Agency. Please note that the RDA requested proposals for the Prairie Schooner property and Laurie Kibby's company and Rich Meaney's Nexus submitted proposals and at a public hearing in October of 2005, the City Council acting as the RDA agreed to negotiate a Disposition and Development Agreement for the Prairie Schhooner property. (This is the property that was part of the proposed and approved Hard Rock Hotel project, a subsequent hotel project that included the Residence Inn, and the current Aberdeen project.)

I am not aware of any "dealings" between the City and the Mitchell Brix Group. Nexus has had a few development projects in the City prior to the Mayor establishing his business relationship with Meaney's company ; e.g., the Morrison, the original Hard Rock Hotel Project and the subsequent smaller hotel project on the site of Hard Rock proposal, and the Vivante project. These projects all were considered prior to the business relationship between the Mayor and Meaney and therefore the Mayor could and did participate in these matters. Nexus also had matters that came to the City Council after the business relationship was formed: Dakota, Hacienda (both the land use matter and the economic development grant), Aberdeen (including the completion of the purchase of the Prairie Schooner site which had been part of the Hard Rock proposal), and the sale of property at 1479 North Palm Canyon. The Mayor, with the exception of inadvertently voting on consent agenda matters which also included the 1479 North Palm Canyon property, did not participate in any Council consideration of these items and did not participate in any closed session item that related to such matters.

The economic development grant complied with city requirements and if there is a default; i.e., if the Hacienda does not remain open for the period of time required under the terms of the grant, then the operators/owners of the Hacienda will be required to repay the city an apportioned amount as provided in the grant.

DEPARTMENT OF FINANCE

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

March 10, 2015

Mr. John Raymond, Director of Community and Economic Development
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Raymond:

Subject: Approval of Oversight Board Action

The City of Palm Springs Successor Agency (Agency) notified the California Department of Finance (Finance) of its March 3, 2015 Oversight Board (OB) resolution on March 3, 2015. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

Based on our review and application of the law, OB Resolution No. 034, approving the purchase and sale agreement and escrow instructions with Richard Meaney and Yokang Zhow for an Agency owned property located at 1479 North Palm Canyon Drive (Assessor's Parcel Number 505-182-004) in the amount of $195,561, is approved.

This property was listed on the Agency's Long-Range Property Management Plan (LRPMP) approved by Finance on March 25, 2014. The disposition authorized through OB Resolution No. 034 is consistent with the approved LRPMP.

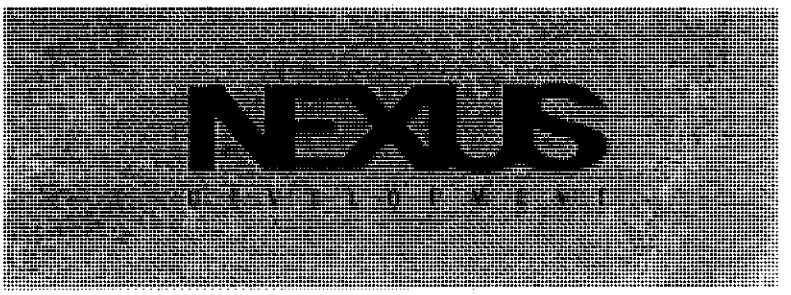
Please direct inquiries to Beliz Chappuie, Supervisor, or Satveer Ark, Lead Analyst at (916) 445-1546.

Sincerely,

for

JUSTYN HOWARD
Program Budget Manager

cc: Mr. Geoffrey Klehl, Director of Finance, City of Palm Springs
Ms. Pam Elias, Chief Accountant Property Tax Division, Riverside County
Ms. Elizabeth Gonzalez, Bureau Chief, Local Government Audit Bureau, California State Controller's Office
California State Controller's Office



The Vision to Develop and the Commitment to Deliver

June 12, 2012

Mr. David Ready
City Manager
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Request for reimbursement by the City of Palm Springs (City) per the New Residential Construction Incentive Program (NRCIP) adopted by the City Council on July 28, 2010 for Case No. 5.1082 AMND-PDD 321 (The Morrison).

Dear David:

As you are aware, the City Council adopted a New Residential Construction Incentive Program (NRCIP) on July 28, 2010. Per the NRCIP, a qualified project shall receive i) a waiver of the City's park in-lieu fee and public art fee, ii) a contribution by the City for 50% of all "Plan Check" fees in an amount not to exceed $50,000, and iii) a City contribution of $4,000 per unit for "off-site" public improvements. Following the adoption of the NRCIP, the Nexus Companies commenced work on a 53 unit residential project located at the southeast corner of Alejo Road and Avenida Caballeros, more specifically referred to as Case No. 5.1082 AMND-PDD 321 (The Morrison). The Morrison was deemed by the City to be a qualified project under the NRCIP as it commenced vertical construction prior to July 31, 2011 and contains more than 20 units, but less than 100 units.

The Morrison is nearing completion of its final phase of construction. The Tract Map has been recorded, all of the City's Plan Check fees have been paid in the amount of $310,849 (not including other fees payable to other agencies such as Palm Springs Unified School District and Desert Water Agency), and all of the off-site improvements have been constructed. As such, we are now requesting the contribution amount of $50,000 for the Plan Check Fees (50% of fees not to exceed $50,000 under the NRCIP) and the contribution amount of $212,000 ($4,000/unit under the NRCIP) for the off-site improvements for a total of $262,000.

The NRCIP was a major factor in allowing The Morrison to commence construction and we greatly appreciate the City creating programs such as the NRCIP to encourage local development during this challenging economic period. As a result of the City's proactive attitude, The Morrison was able to create new housing stock, create new jobs, and further

economic development within the City. We greatly appreciate you and your staff taking the time to consider our request. Please let us know if you need any additional information from us while processing this reimbursement.

Sincerely,

Rob W. Eres
Nexus Development Corporation
Vice President of Development

Cc: Tom Wilson, Assistant City Manager, City of Palm Springs
Craig Ewing, Planning Director, City of Palm Springs
Rich Meaney, Principal, Nexus Companies Palm Springs

CITY COUNCIL STAFF REPORT

DATE: June 1, 2011 CONSENT CALENDAR

SUBJECT: APPROVAL OF AN AGREEMENT AND ESCROW INSTRUCTIONS FOR THE CITY'S SALE OF TWO PARCELS OF REAL PROPERTY, ASSESSOR PARCEL NOS. 508055007 AND 508055008, TOTALING APPROXIMATELY 5.62 ACRES LOCATED AT THE SOUTHEAST CORNER OF ANDREAS ROAD AND CALLE EL SEGUNDO, PALM SPRINGS, CALIFORNIA, TO O & M HR, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR THE AMOUNT OF $1.5 MILLION.

FROM: David H. Ready, Esq., Ph.D., City Manager

BY: Thomas J. Wilson, Assistant City Manager

SUMMARY

This Agreement provides for the sale of approximately 5.62 acres of property currently improved as a parking lot and commonly known as the Prairie Schooner lot, to a limited liability corporation held by the Nexus Development Corporation. The Agreement provides for the purchase of the property for $1.5 million for the exclusive development of a "first class" hotel, along with associated retail, within five (5) years of the sale of the property. The Agreement further provides that the City may repurchase the property for the exact sale amount, $1.5 million, if the property is not developed as a "first class" hotel within five (5) years from its sale.

RECOMMENDATION:

1) Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AGREEMENT AND ESCROW INSTRUCTIONS FOR THE SALE OF TWO PARCELS OF REAL PROPERTY, ASSESSOR PARCEL NOS. 508055007 AND 508055008, TOTALING APPROXIMATELY 5.62 ACRES LOCATED AT THE SOUTHEAST CORNER OF ANDREAS ROAD AND CALLE EL SEGUNDO, TO O & M HR, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR THE AMOUNT OF $1.5 MILLION." and

2) Authorize the City Manager to execute all documents related and necessary to the agreement.

Item No. 2.L.

STAFF ANALYSIS:

The proposed sale of the Prairie Schooner property to a limited liability company owned by the Nexus Corporation will provide the opportunity for Nexus to complete the assemblage of 10 acres and develop a proposed "first class", (as defined in the City's Hotel Operations Incentive Program), hotel and associated retail.

The location of the property provides an excellent site which will serve the Convention Center and associated facilities with a premier hotel. The purchase price is fair and reasonable based upon the restricted use of the property by Nexus for the exclusive development of a "first class" hotel and associated retail. Additionally, the Agreement provides that the City may reacquire the property if a "first class" hotel is not developed within five (5) years from the date of the property sale. The repurchase price would be the exact price of the original sale, $1.5 million.

FISCAL IMPACT:

The sale of the property will potentially stimulate the development of a "first class" hotel and associated retail and will have a positive impact on the City's Convention Center.

DAVID H. READY
City Manager

THOMAS J. WILSON
Assistant City Manager

DOUGLAS HOLLAND
City Attorney

Attachment: Proposed Resolution

CITY COUNCIL STAFF REPORT

DATE: November 19, 2014 CONSENT CALENDAR

SUBJECT: APPROVE FIRST AMENDMENT TO PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS WITH AND ASSIGNMENT WITH O & M HR, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("ASSIGNOR") and NEXUS DEVELOPMENT CORPORATION/CENTRAL DIVISION, a CALIFORNIA CORPORATION ("ASSIGNEE" OR "BUYER") FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST ANDREAS ROAD AND NORTH CALLE EL SEGUNDO, (APNs 508-055-007, 508-055-008 and 508-055-009), IN THE AMOUNT OF $1,500,000

FROM: David H. Ready, City Manager

BY: Community & Economic Development Department

SUMMARY

This action amends a Purchase and Sale Agreement between the City and O & M HR, LLC, dated October 25, 2011 (the "Original Agreement"), for property located at the southeast corner of E. Andreas Road and N. Calle El Segundo, Palm Springs, California (APNs 508-055-007, 508-055-008 and 508-055-009), known as the Prairie Schooner Parcel. It amends one of the provisions in the original agreement that required the construction of a hotel on the property, and assigns the agreement from the single-purpose LLC that was originally created to develop a hotel to the master development company undertaking the new project. The principals in the project have not changed.

The City and the Oversight Board for the Successor Agency to the Palm Springs Community Redevelopment Agency have recently completed the process mandated by the State of California applicable to the disposition and use of the Property. Having completed the process, the City is now capable of conveying the Property in accordance with the Original Agreement, as now amended.

RECOMMENDATION:

1. Approve First Amendment to Purchase and Sale Agreement and Assignment with O & M HR, LLC, a Delaware limited liability company ("Assignor") and Nexus Development Corporation/Central Division, a California corporation ("Assignee" or "Buyer");

2. Authorize the City Manager to execute all documents to effectuate the Amendment.

ITEM NO. 2-5

STAFF ANALYSIS:

This is an amendment to the Purchase and Sale Agreement between the City and O & M HR, LLC, a Delaware limited liability company ("Assignor") and Nexus Development Corporation/Central Division, a California corporation ("Assignee" or "Buyer"). The Amendment includes an assignment provision.

The City and the Assignor entered a Purchase Agreement and Escrow Instructions, dated October 25, 2011 (the "Original Agreement"), under which City agreed to sell a 6.2 acre property located at the southeast corner of E. Andreas Road and N. Calle El Segundo, Palm Springs, California (APNs 508-055-007, 508-055-008 and 508-055-009), known as the Prairie Schooner parcel, subject to certain terms and conditions. The sale amount was $1,500,000.

The Property had been a former Community Redevelopment Agency ("Agency" or "Dissolved RDA") parcel, but the Agency conveyed it and all the other Agency parcels to the City by resolution on March 16, 2011, making findings under California Health & Safety Code Section 33430 and 33432, which allowed the Agency to transfer properties to the City or any other public agency without competitive bidding. This action was taken three months prior to the State of California's changes in the California Community Redevelopment Law effectuated by AB X1 26 and AB X1 27 (the "Dissolution Act"). The City entered the Original Agreement in the belief it was the legal Owner of the parcel.

The transfer of the Property in 2011 was also subject to the terms of the Repayment Agreement with the Agua Caliente Band of Cahuilla Indians for the construction of a parking lot, and a Disposition and Development Agreement with O & M HR, LLC for the development of a 500-room hotel, and was conditioned on the redevelopment and use of the property in conformity with the Merged Project Area No. 2 Redevelopment Plan. Since 2011, the term of the Repayment Agreement has expired and no funds are due to the Tribe under that Agreement.

Asset Transfer Report

The Dissolution Act called for the Successor Agency, under the direction of the Oversight Board, to dispose of real property it received from the Dissolved RDA either for limited public uses, or for disposition into the private market expeditiously and with a view toward maximizing value, with the disposition proceeds ultimately made available for distribution to the affected taxing entities.

One of the requirements under the Dissolution Act was the preparation and submittal to the State Controller's Office of an Asset Transfer Assessment prepared by the Successor Agency, showing the assets that were owned by the Agency and transferred to the Successor Agency upon the dissolution on February 1, 2012. The State

Controller also ordered any transfers of properties undertaken after January 1, 2011 to be "unwound" and the properties returned to the Successor Agency. However, a number of legal challenges to the retroactivity of the Dissolution Act were made by several cities, and the issue remained unclear. As a result, it was the City's position and the Successor Agency's position that all of the properties described in the Asset Transfer Form were in the hands of the City, not the Successor Agency.

On January 23, 2013, the City received a letter from the State Controller's Office advising it that, pursuant to Health and Safety Code section 34167.5, the State Controller will conduct a review of the Palm Springs Community Redevelopment Agency to determine whether any asset transfers occurred after January 1, 2011, between the city or any other public agency, and the redevelopment agency. The review would include an assessment of whether each asset transfer is allowable and whether the asset should be turned over to the Successor Agency. The audit concluded on February 21, 2013.

The review applied to all assets, including, but not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights, and any rights to payment of any kind. The auditors also determined whether any non-compliant assets transferred to the City or any other public agency was reversed.

As a result of the audit, the property categories described above are divided into slightly different categories, each with a corresponding action required of the Oversight Board:

1. Property held for resale, typically part of an assemblage for redevelopment purposes, and which shall be returned to the Successor Agency for disposition
2. Property held for resale, which are typically parking lots today, and which now serve a governmental or public purpose function
3. Property held as community assets, typically related to visitor services or the Convention Center, including equipment and physical improvements paid for by the Agency, or parking facilities, and which have been determined by the Auditors to be governmental use properties and appropriate for transfer back to the City
4. Property held as community assets, typically related to visitor services or the Convention Center, which the Auditors have determined are not governmental use properties and which have been directed to be returned to the Successor Agency for disposition
5. Property previously held for resale or as community assets by the former Redevelopment Agency but which was disposed of prior to the January 1, 2011 date.
6. The assets of the Low-and Moderate Income Housing program.

The Auditors advised the City to bring the actions to the Oversight Board to clarify the status of the assets of the former Redevelopment Agency. One of the categories of

assets was Land Held for Resale. Many of the Agency's parking lot properties are included in that category, and are now considered governmental or public use properties as the parking inventory they now represent would be difficult or expensive to replace or recreate.

Land Disposition Process under AB 1484

In 2012, the State approved a redevelopment reform act, AB 1484, which changed a number of the processes related to the disposition of Dissolved RDA assets. AB 1484 provided certain flexibility and local benefits in connection with property disposition. One provision, Section 34181(a), allows the Oversight Board to transfer governmental purpose property to the appropriate public entity. Therefore, the Successor Agency recommended that the Oversight Board ratify the March 16, 2011 transfer of certain city governmental use properties to the City, including the Prairie Schooner.

On March 5, 2013, based on the recommendation of the State Controller's Office, the Oversight Board approved a Resolution determining that a number of Successor Agency properties, including the Prairie Schooner, were "governmental use" properties and should be returned to the City. That action was reviewed by the California Department of Finance ("DOF"), which concurred with some of the actions and disallowed the rest. Accepted as governmental use were properties under the Convention Center; all of the parking facilities owned by the Agency were disallowed.

The Successor Agency holds a total of 12 from the Dissolved RDA. These include sites assembled for future redevelopment, public parking lots and other real property. Disposition of these properties would not be able to occur until the Department of Finance ("DOF") issued a finding of completion and approved a long-range property management plan, which included an inventory of these properties and other pertinent information. Assembly Bill 1X 26 added Health and Safety Code Sections 34191.1-34191.5 requiring that successor agencies send a long-range property management plan to their oversight board and DOF no later than six months following the issuance of the finding of completion.

The Successor Agency received its finding of completion from DOF on January 2, 2014. The Long-Range Property Management Plan ("LRPMP") was reviewed by the Oversight Board at its meeting on December 16, 2013. Prepared in collaboration with a qualified dissolution and real estate consultant, the LRPMP contains detailed information on each property, such as the date and purpose of acquisition, parcel characteristics, estimate of the current value and any lease, rental or other revenues, histories of environmental contamination, and previous development proposals. In most cases, estimates of value were derived from recent comparable sales of like properties in the area since appraisals are not required for the LRPMP. Most importantly, the LRPMP addresses the intended disposition of each property. Permissible uses include retention for governmental use, retention for future development, sale of the property, or use of property to fulfill an enforceable obligation.

The Dissolved RDA's properties that were retained by the City for government use were previously transferred to the City with the approval of the DOF, so no such properties were included in the LRPMP.

The LRPMP outlined that the Successor Agency would sell all 12 properties, including the Prairie Schooner. The value in the LRPMP for the City to acquire the Prairie Schooner from the Successor Agency was $1,402,632. That amount would be paid to the Successor Agency, which would then remit it to the County Auditor-Controller for allocation.

Once the Long-Range Property Management Plan was approved by the DOF, individual transactions are required to the Oversight Board for approval. The sale of the Prairie Schooner was approved by the Oversight Board on May 8, 2014. The DOF issued its approval letter on May 15, 2014. A copy of the letter from DOF is attached.

The LRPMP helped facilitate the transfer of properties to other parties pursuant to state law. The sales proceeds collected by the Successor Agency (net of transaction costs) would be transferred later to the County Auditor-Controller for dissemination to each of the affected taxing agencies of the former redevelopment project area.

FISCAL IMPACT

The transaction with Nexus is at $1,500,000 higher than the acquisition from the Successor Agency. The City will also receive a share of the sales proceeds of the Successor Agency to City transaction of $1,402,632 from the County Auditor-Controller. The remainder of those sales proceeds shall be allocated to other taxing entities, such as the school district and the County. Additional new property tax from the redevelopment of the property will be generated, which will have a net positive effect on the City.

John Raymond, Director of
Community & Economic Development

David H. Ready, City Manager

Attachments: First Amendment to Purchase Agreement and Escrow Instructions (And Assignment)
May 15, 2014 Letter from California Department of Finance Approving Sale of Prairie Schooner Parcel to the City of Palm Springs

Marcus Fuller

From: Marcus Fuller
Sent: Monday, November 21, 2011 6:28 PM
To: Carol Templeton
Cc: Dave Barakian
Subject: FW: Morrison

From: Marcus Fuller
Sent: Monday, November 21, 2011 6:28 PM
To: 'Richard Meaney'
Cc: Douglas C. Holland; cpetteruto@wss-law.com
Subject: RE: Morrison

Rich,
I appreciate your point of view.
I understand your attorney has made a call to Doug's office.
I believe Doug or his staff will review the condition and your points and render a decision on its applicability.
Given the holiday week, I wouldn't expect any resolution on this until next week.

Sincerely,

Marcus L. Fuller, P.E., P.L.S.
Assistant City Engineer/
Assistant Director of Public Works
City of Palm Springs
(760) 323-8253, ext. 8744

www.palmspringsca.gov
Marcus.Fuller@palmspringsca.gov

From: Richard Meaney [mailto:rhm@nexusd.com]
Sent: Monday, November 21, 2011 3:23 PM
To: Marcus Fuller
Subject: Morrison

Dear Marcus,
I am in receipt of your email dated November 17 and I wanted to clarify some of your statements and ask you some questions:

ADM 12 of our C of A states that the" City may determine to form a Community Services District" in which we would be required to participate -- it does not state that a CFD was formed and we are obligated to annex to it which is what you are asking for. If the Conditions were clear and stated that a CFD was in place I would have objected to it immediately and I am confident I would have prevailed. The condition reads like it was used prior to the formation of the CFD in 05. When reading this language prior to our map recording I was not concerned about it due to the lack of developments needed for a new CFD as well as the economic environment we are currently in.

Why do you want to throw cold water on our development by saddling it with the negativity associated with CFD's?? The whole point of the City supplementing the Morrison was to create an atmosphere in which we could be successful. Additionally, this parcel was already fully developed decades ago, we are not impacting the City any more then La Mancha did previously.

There have been 12 closings to date and I am contractually obligated to deliver the remaining sold homes to the buyers as agreed. I cannot wait till January 18 to resume closings. As stated above, we are not aware of the City forming a new CFD per our C of A so I don't see the problem.

Richard Meaney, Principal
Nexus Companies-Palm Springs
700 E. Tahquitz Cyn Way Suite A
Palm Springs, Ca, 92262
760-322-8880
rhm@nexusd.com

OVERSIGHT BOARD
FOR THE SUCCESSOR AGENCY TO THE
PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY

BOARD REPORT

MEETING DATE: May 8, 2014 **NEW BUSINESS**

TITLE: APPROVING THE SALE OF THE PRAIRIE SCHOONER PARKING LOT (PROPERTY 3, APN 508-055-007, 508-055-008, and 508-055-009) AND APPROVING THE SALE OF THE CONVENTION CENTER NORTH PARKING LOT (PROPERTY 4, APN 508-034-012, 508-034-013, 508-034-014) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN

INITIATED: Department of Community & Economic Development

Assembly Bill ("AB") 1484, enacted in June 2012, requires all successor agencies to former redevelopment agencies that owned property as of the time of redevelopment dissolution in 2011 to prepare a Long Range Property Management Plan ("PMP"). The PMP governs the disposition and use of property held by the former redevelopment agency pursuant to legal requirements.

On December 16, 2013, the Oversight Board approved a PMP for submittal to the State Department of Finance for review and approval.

These actions are the sale of two of the properties listed in the PMP at the value listed in the PMP. They are both parking lots near the City's Convention Center.

RECOMMENDATION:

1. Adopt Resolution No. 024, "A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY, TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE PRAIRIE SCHOONER PARKING LOT (PROPERTY 3, APN 508-055-007, 508-055-008, and 508-055-009) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN."

2. Adopt Resolution No. 025, "A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY, TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE CONVENTION CENTER NORTH PARKING LOT (PROPERTY 4, APN 508-034-012, 508-034-013, 508-034-014) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN."

3. Direct the Clerk of the Successor Agency to cause the execution of the Resolutions and submit them to the State Controller's Office and the State Department of Finance.

BACKGROUND AND ANALYSIS:

Pursuant to Health and Safety Code Section 34191.5 (part of AB 1484), each successor agency that holds property from a former redevelopment agency is required to submit a PMP to the State Department of Finance ("DOF") within six months after receiving a "Finding of Completion" from DOF. Prior to the submittal of the PMP to DOF, the successor agency's oversight board must approve the PMP.

On December 16, 2013, the Oversight Board approved a PMP for submittal to the State Department of Finance for review and approval. At the same time, it approved actions that allowed the Successor Agency request a Finding of Completion from DOF. That finding was received by the Successor Agency on January 2, 2014.

In January, the Oversight Board was asked to approve an amendment to the PMP for a number of properties that had their values originally listed as "zero." Those properties had low values, in the consultant's opinion, due to their low economic potential either because of the amount of renovation necessary to bring it to a market condition (e.g. Plaza Theatre) or because they were downtown parking lots, zoned as parking only (five downtown lots).

The Oversight Board adopted Resolution 020, which adjusted the zero values to the "carrying" or book value the property is held by the City at for the purposes of GASB. In many cases the carrying values are likely to be in excess of the true market value, and Resolution 020 contains language that would allow the Successor Agency to commission an appraisal at the time of sale in order to establish a lower sale price.

The other six properties, including these two lots, did not have their values challenged by DOF. Instead, the estimates of value were based on a body of relatively recent transactions and are considered fair.

These two actions approve the sale of two of the properties listed in the PMP at the value listed in the PMP. They are both parking lots near the City's Convention Center. The Dissolution Act requires that a property management plan include an estimate of the value of property, as well as recent appraisal information, to provide the oversight board, DOF, and other interested parties information on the properties involved.

The City desires the right to purchase the Prairie Schooner Parking Lot (APNs 508-055-007, 508-055-008, and 508-055-009) from the Successor Agency for the amount of One Million Four Hundred Two Thousand, Six Hundred Thirty Two Dollars ($1,402,632); and the Convention Center North Parking Lot (APNs 508-034-012,

508-034-013, 508-034-014) from the Successor Agency for the amount of Two Million Two Hundred Eleven Thousand, Eight Hundred Ninety Six Dollars ($2,211,896).

Because these are "sales" and not holding land for governmental purposes, no compensation agreements with other taxing entities are necessary. Instead, the sale proceeds shall be remitted to the County Auditor-Controller for allocation to all of the affected taxing agencies on the normal basis.

RESOLUTION NO. 024

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY, TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE PRAIRIE SCHOONER PARKING LOT (PROPERTY 3, APN 508-055-007, 508-055-008, and 508-055-009) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN.

WHEREAS, the Community Redevelopment Agency of the City of Palm Springs ("Redevelopment Agency") was a redevelopment agency in the City of Palm Springs ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the Community Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code which effectively dissolves the Redevelopment Agency ("Dissolution Act"); and

WHEREAS, under the Dissolution Act, the term "successor agency" was defined to refer to the dissolved redevelopment agency's sponsoring community (the city, county or city and county that formed the Dissolved RDA), unless the sponsoring community adopted a resolution electing not to serve in that capacity; and

WHEREAS, pursuant to Health and Safety Code section 34191.5 (part of AB 1484), each successor agency that holds property from a former redevelopment agency is required to submit a PMP to the State Department of Finance ("DOF") within six months after receiving a "Finding of Completion" from DOF. Prior to the submittal of the PMP to DOF, the successor agency's oversight board must approve the PMP; and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), successor agencies are required to send long-range property management plans to the oversight board and DOF no later than six months following the issuance of the finding of completion; and

WHEREAS, the Successor Agency requested that DOF issue a finding of completion on December 16, 2013; and

WHEREAS, the DOF issued a finding of completion to the Agency on January 2, 2014; and

WHEREAS, the Successor Agency prepared a Long Range Property Management Plan in accordance with the provisions of Section 34191.3 of the Dissolution Act, indicating the intended disposition and use of the real property assets of the former Redevelopment Agency; and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), the Long-Range Property Management Plan was approved by the Oversight Board on December 16, 2013 and by the California Department of Finance in March, 2014; and

WHEREAS, the Long-Range Property Management Plan indicated that all twelve (12) of the Agency-held properties were to be sold, and that the City of Palm Springs was the likely buyer for a number of the properties, particularly parking lots; and

WHEREAS, the City desires to purchase the Prairie Schooner Parking Lot (APNs 508-055-007, 508-055-008, and 508-055-009) from the Successor Agency at the property value prepared by the Successor Agency's independent consultant and contained in the Long-Range Property Management Plan in the amount of One Million Four Hundred Two Thousand, Six Hundred Thirty Two Dollars ($1,402,632).

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS AS FOLLOWS:

SECTION 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct, and incorporates them herein by reference.

SECTION 2. The Oversight Board approves the sale of the Prairie Schooner Parking Lot (APNs 508-055-007, 508-055-008, and 508-055-009) to the City of Palm Springs Plan in the amount of One Million Four Hundred Two Thousand, Six Hundred Thirty Two Dollars ($1,402,632), pursuant to the approved Long-Range Property Management Plan.

SECTION 3. At such time as the Successor Agency receives proceeds from the sale of any property as identified in the long-range property management plan, the Successor Agency shall comply with applicable statutes regarding the distribution of these proceeds to the County Auditor Controller for dissemination to the affected taxing agencies.

SECTION 4. This Resolution shall take effect three (3) business days after adoption.

PASSED, APPROVED AND ADOPTED BY THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS THIS 8TH DAY OF MAY, 2014.

_____
THOMAS FLAVIN, CHAIRMAN

ATTEST:

_____
JAMES THOMPSON, CLERK/SECRETARY

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, Secretary of the Oversight Board of the Successor Agency of the Palm Springs Community Redevelopment Agency hereby certify that Resolution No. 024 was adopted by the Oversight Board at a Special Meeting held on the 8TH day of May, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON
OVERSIGHT CLERK/SECRETARY
City of Palm Springs, California

RESOLUTION NO. 025

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY, FOR THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SALE OF THE CONVENTION CENTER NORTH PARKING LOT (PROPERTY 4, APN 508-034-012, 508-034-013, 508-034-014) TO THE CITY OF PALM SPRINGS, PURSUANT TO THE APPROVED LONG-RANGE PROPERTY MANAGEMENT PLAN.

WHEREAS, the Community Redevelopment Agency of the City of Palm Springs ("Redevelopment Agency") was a redevelopment agency in the City of Palm Springs ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the Community Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code which effectively dissolves the Redevelopment Agency ("Dissolution Act"); and

WHEREAS, under the Dissolution Act, the term "successor agency" was defined to refer to the dissolved redevelopment agency's sponsoring community (the city, county or city and county that formed the Dissolved RDA), unless the sponsoring community adopted a resolution electing not to serve in that capacity; and

WHEREAS, pursuant to Health and Safety Code section 34191.5 (part of AB 1484), each successor agency that holds property from a former redevelopment agency is required to submit a PMP to the State Department of Finance ("DOF") within six months after receiving a "Finding of Completion" from DOF. Prior to the submittal of the PMP to DOF, the successor agency's oversight board must approve the PMP; and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), successor agencies are required to send long-range property management plans to the oversight board and DOF no later than six months following the issuance of the finding of completion; and

WHEREAS, the Successor Agency requested that DOF issue a finding of completion on December 16, 2013; and

WHEREAS, the DOF issued a finding of completion to the Agency on January 2, 2014; and

WHEREAS, the Successor Agency prepared a Long Range Property Management Plan in accordance with the provisions of Section 34191.3 of the Dissolution Act, indicating the intended disposition and use of the real property assets of the former Redevelopment Agency; and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), the Long-Range Property Management Plan was approved by the Oversight Board on December 16, 2013 and by the California Department of Finance in March, 2014; and

WHEREAS, the Long-Range Property Management Plan indicated that all twelve (12) of the Agency-held properties were to be sold, and that the City of Palm Springs was the likely buyer for a number of the properties, particularly parking lots; and

WHEREAS, the City desires to purchase the Convention Center North Parking Lot (APNs 508-034-012, 508-034-013, 508-034-014) from the Successor Agency at the property value prepared by the Successor Agency's independent consultant and contained in the Long-Range Property Management Plan in the amount of Two Million Two Hundred Eleven Thousand, Eight Hundred Ninety Six Dollars ($2,211,896).

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS AS FOLLOWS:

SECTION 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct, and incorporates them herein by reference.

SECTION 2. The Oversight Board approves the sale of the Convention Center North Parking Lot (APNs 508-034-012, 508-034-013, 508-034-014) to the City of Palm Springs Plan in the amount of Two Million Two Hundred Eleven Thousand, Eight Hundred Ninety Six Dollars ($2,211,896), pursuant to the approved Long-Range Property Management Plan.

SECTION 3. At such time as the Successor Agency receives proceeds from the sale of any property as identified in the long-range property management plan, the Successor Agency shall comply with applicable statutes regarding the distribution of these proceeds to the County Auditor Controller for dissemination to the affected taxing agencies.

SECTION 4. This Resolution shall take effect three (3) business days after its adoption.

PASSED, APPROVED AND ADOPTED BY THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS THIS 8th DAY OF MAY, 2014.

_____
THOMAS FLAVIN, CHAIRMAN

ATTEST:

_____
JAMES THOMPSON, CLERK/SECRETARY

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, Secretary of the Oversight Board of the Successor Agency of the Palm Springs Community Redevelopment Agency hereby certify that Resolution No. 025 was adopted by the Oversight Board at a Special Meeting held on the 8th day of May, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON
OVERSIGHT CLERK/SECRETARY
City of Palm Springs, California

RPTTF Distribution to Affected Taxing Entities for Sale of Prairie Schooner Parcel

City of Palm Springs

		Prairie Schooner Sold @ $1,500,000
	% Share of Distribution	$ Share of Distribution
City of Palm Springs	30.6021%	$459,031
County of Riverside	4.1786%	62,679
Special Districts	24.8888%	373,331
PSUSD	7.1041%	106,561
COD	3.7703%	56,555
ERAF to Schools	29.4562%	441,843
Totals	100.0000%	$1,500,000

Source: % Share of Distribution derived from County of Riverside,
Recognized Obligation Payment Schedule (ROPS)
Redevelopment Property Tax Fund (RPTTF) Distributions
Actual State Report June 2015

From:	Jim Simon
To:	Diana Shay; Dominique Clark
Cc:	John Raymond
Subject:	RE: OB Reso. 024 and 025-City of Palm Springs LRPMP-DOF REQUEST FOR INFORMATION
Date:	Monday, May 12, 2014 4:57:22 PM
Attachments:	5.12.14 DOF Request Backup for Prairie Schooner & Convention Center N Lo....xlsx
Importance:	High

Hi Diana – attached is the analysis we prepared that shows how we derived the estimated values for the two properties in question. Both were computed based on the market approach wherein we looked at "comparable" properties within the Valley that sold relatively close to this period, then derived the estimated value for the subject properties by using the median sales prices per square foot for the respective comps. The file contains the comps data itself from third-party real estate data service providers, and the tables that were used in the LRPMP.

If we can assist any further, please let us know.

Jim Simon
RSG, Inc.
Direct: 714.316.2120
Mobile: 714.349.8496
webrsg.com

CA DRE Corporate Broker License #01930929

From: Diana Shay [mailto:Diana.Shay@palmsprings-ca.gov]
Sent: Monday, May 12, 2014 4:13 PM
To: Jim Simon; Dominique Clark
Cc: John Raymond
Subject: FW: OB Reso. 024 and 025-City of Palm Springs LRPMP-DOF REQUEST FOR INFORMATION

Hi Jim/Dominique:

Our oversight board recently approved Resolutions 024 and 025 (attached to this email) for the sale of the Prairie Schooner and Convention Center North Parking lot properties. These are discussed on pages 15 through 18 of the LRPMP. DOF received copies of our Oversight Board Resolutions (the meeting was last week on Thursday, May 8) and are now asking us for the analysis that you undertook to establish the estimated property values--see below for details. They want the information by tomorrow! Can you help. If you would email a response with the supporting calculations/analysis of these 2 properties to John Raymond and to me, we would greatly appreciate it. Please call if you have any questions or need additional detail.

Thanks,

Diana Shay
Redevelopment Coordinator
City of Palm Springs
760-323-8260

From: Prisakar, Nicole [mailto:Nicole.Prisakar@dof.ca.gov]
Sent: Monday, May 12, 2014 3:54 PM

To: Diana Shay
Cc: John Raymond
Subject: RE: OB Reso. 024 and 025

I clearly see what is on the LRPMP regarding these two properties. As I stated previously – these are the results of the analysis and the consultant should be able to provide you with the copy of the analysis itself.

Do you think you can put in the request? We would need to have that by tomorrow.

Thank you.

From: Diana Shay [mailto:Diana.Shay@palmsprings-ca.gov]
Sent: Monday, May 12, 2014 3:49 PM
To: Prisakar, Nicole; John Raymond
Subject: RE: OB Reso. 024 and 025

Hi Nicole,
If you refer to page 15, there are a list of 8 comparable properties to the Convention Center Parking lot and the method of calculating the estimated value was based on the unweighted and unadjusted median price per square foot for all of the comparable properties. On Page 17, there are a list of 7 comparable properties to the Prairie Schooner Property and the same method was used--the estimated value was based on the unweighted and unadjusted median price per square foot for all the comparable properties.

We do not have anything more detailed than this --unless you would like for us to contact the consultant that prepared the PMP and obtain file notes showing their actual calculations. The PMP does give details on the method used to calculate along with the data.
Let me know if you need anything additional.

Diana Shay
Redevelopment Coordinator
City of Palm Springs
760-323-8260

From: Prisakar, Nicole [mailto:Nicole.Prisakar@dof.ca.gov]
Sent: Monday, May 12, 2014 3:26 PM
To: John Raymond
Cc: Diana Shay
Subject: RE: OB Reso. 024 and 025

Yes, the information is in the plan. However, I was wondering if there is a separate document that supports the sales price.

The plan states that the estimated current value is "Based on RSG comparable sales analysis. The results of the analysis are shown below." - I was wondering if it is possible to obtain the actual analysis not just the results included in the plan.

-

Thank you,

Nicole

From: John Raymond [mailto:John.Raymond@palmsprings-ca.gov]
Sent: Monday, May 12, 2014 2:33 PM
To: Prisakar, Nicole
Cc: Diana Shay
Subject: RE: OB Reso. 024 and 025

It was in our LRPMP. I will have Diana resend it to you.

From: Prisakar, Nicole [mailto:Nicole.Prisakar@dof.ca.gov]
Sent: Monday, May 12, 2014 1:55 PM
To: John Raymond
Cc: Diana Shay; Medina Jackson, Susana
Subject: OB Reso. 024 and 025
Importance: High

Good afternoon John,

As I am reviewing the two OB Resolutions related to the sale of the properties as per LRPMP I was wondering if I can get a copy of the documents that support the property sale price.

Thank you,

Nicole Prisakar
Analyst
Local Government Unit
Department of Finance
Tel. 916-445-1546 ext. 3738

LONG-RANGE PROPERTY MANAGEMENT PLAN

Successor Agency to the Palm Springs Community Redevelopment Agency

December 12, 2013

RSG

BETTER COMMUNITIES.
BOLDER FUTURES.

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Successor Agency to the Palm Springs Community Redevelopment Agency
Long-Range Property Management Plan

INTRODUCTION

Assembly Bill ("AB") 1484, enacted in June 2012, requires all successor agencies to former redevelopment agencies that owned property as of the time of redevelopment dissolution in 2011 to prepare a Long Range Property Management Plan ("PMP"). The PMP governs the disposition and use of property held by the former redevelopment agency pursuant to legal requirements, as detailed in the "Statement of Legal Requirements" section on the next page.

This is the Long Range Property Management Plan for the Successor Agency to the Palm Springs Community Redevelopment Agency ("Successor Agency").

EXECUTIVE SUMMARY

The former Palm Springs Community Redevelopment Agency ("Agency") is the owner of record on the title for 12 properties (comprised of 19 parcels) in Palm Springs. All 12 properties are proposed to be sold by the Successor Agency, with the proceeds of the sale to be distributed by the Riverside County Auditor-Controller in accordance with the Dissolution Act.

The following chart outlines the Assessor's Parcel Number (APN) and proposed disposition for each of the 12 properties.

#	Site Name	Assessor's Parcel Number(s)	Disposition
1	Casa del Camino Property	505-182-004	Sell property
2	Desert Hotel Property	513-091-003	Sell property
3	McKinney Parcel	513-290-013	Sell property
4	Convention Center North Parking Lot	508-034-012, 508-034-013, and 508-034-014	Sell property
5	Prairie Schooner Parcel	508-055-007, 508-055-008, and 508-055-009	Sell property
6	Cork n Bottle	513-081-017	Sell property
7	Plaza Theater	513-144-010	Sell property
8	Catholic Church Parking Lot	505-324-002	Sell property
9	Blue Coyote Parking Lot and Driveway	513-082-023 and 513-082-040	Sell property
10	Food Court Parking Lot	513-082-043	Sell property
11	Henry Frank Arcade Parking Lot	513-091-004	Sell property
12	Vineyard Parking Lot	513-153-015, 513-153-016, and 513-153-029	Sell property

CASA DEL CAMINO PROPERTY (PROPERTY 1)

Address:	*1479 N. Palm Canyon Dr.*
APN:	*505-182-004*
Lot Size:	*29,185 sq. ft.*[1]
Attachment 1 Parcel:	*1*
Acquisition Date:	*April 1, 1987*
Value at Time of Purchase:	*$575,000*
Property Type (DOF Category)	*Vacant Lot/Land*
Permissable Use (City Proposed)	*Sale of Property*
Current Zoning:	*C1 – Retail Business Zone*
Estimated Current Value:	*$195,561* *Based on RSG's comparable sales analysis. The results of the analysis are shown below.*

Comparable Sales Analysis and Estimated Value: 1479 N. Palm Canyon Dr.
Commercial Land, 20,000 - 40,000 SF

	Address	City	Property Type	Sale Date	SqFt	Price	Price/SqFt
1	84765 Avenue 50	Coachella	Commercial Land	5/14/2012	25,700	$ 297,000	$ 11.56
2	82933 Avenue 48	Indio	Commercial Land	7/16/2010	36,154	$ 318,000	$ 8.80
3	81088 Us Highway 111	Indio	Commercial Land	12/3/2010	35,727	$ 275,000	$ 7.70
4	44061 Acacia Dr	Palm Desert	Commercial Land	7/12/2013	20,447	$ 118,000	$ 5.77
5	19160 McLane St	North Palm Springs	Commercial Land	8/27/2013	20,717	$ 92,500	$ 4.46
6	81765 Oleander Ave	Indio	Commercial Land	4/27/2012	32,234	$ 82,500	$ 2.56
Subject: 1479 N. Palm Canyon Dr.			Vacant Commercial Land	Not Listed	29,185	$ 196,561	$ 6.74

Source: CoStar, December 2013
Note: Estimated value is based on the unweighted and unadjusted median price per square foot for comparable properties.

Advancement of Planning Objectives: *Sell for future development.*

The former Agency acquired this vacant parcel for the purpose of future development. The Agency intended to assemble this parcel in conjunction with those adjacent to it in order to develop a mixed-use project. However, this project never came to fruition.

[1] For all parcels described in this document, the source for data regarding lot sizes, acquisition dates, and available values at the time of purchase is First American CoreLogic, Inc., except where otherwise noted.

PRAIRIE SCHOONER PARCEL (PROPERTY 5)

Address:	*Southeast of E Andreas Rd. & N. Calle El Segundo*
APN:	*508-055-007, 508-055-008, and 508-055-009*
Lot Size:	*250,470 sq. ft.*
Attachment 1 Parcels:	*7 - 9*
Acquisition Date:	*August 10, 1994, according to City records*
Value at Time of Purchase:	*$2,275,000, according to City records*
Property Type (DOF Category)	*Parking Lot/Structure*
Permissable Use (City Proposed)	*Sale of Property*
Current Zoning:	*CU - Civics Uses District Zone*
Estimated Current Value:	*$1,402,632* *Based on RSG's comparable sales analysis. The results of the analysis are shown below.*

Comparable Sales Analysis and Estimated Value: Southeast of E. Andreas Rd. & N. Calle El Segundo

Commercial Land, 150,000 - 350,000 SF

	Address	City	Property Type	Sale Date	SqFt	Price	Price/SqFt
1	82451 Highway 111	Indio	Commercial Land	10/2/2012	157,687	$2,500,000	$ 15.85
2	81550 JFK Ct	Indio	Commercial Land	10/28/2013	166,399	$2,050,000	$ 12.32
3	47800 Washington St	La Quinta	Commercial Land	5/27/2011	169,012	$1,300,000	$ 7.69
4	Washington St	Palm Desert	Commercial Land	6/15/2010	267,894	$1,500,000	$ 5.60
5	81695 US Hwy 111	Indio	Commercial Land	2/23/2010	170,755	$ 755,892	$ 4.43
6	75500 Varner Rd	Palm Desert	Commercial Land	9/21/2011	333,234	$1,300,000	$ 3.90
7	Avenue 42 @ Spectrun St	Indio	Commercial Land	10/25/2010	283,140	$ 999,484	$ 3.53
Subject: SE of E. Andreas Rd. & N. Calle El Segundo			Parking Lot	Not Listed	250,470	$1,402,632	$ 5.60

Source: CoStar, December 2013

Note: Estimated value is based on the unweighted and unadjusted median price per square foot for comparable properties.

Advancement of Planning Objectives: *Sell for future development.*

This property was acquired for the purpose of selling to a developer, with whom the Agency had been working to construct a 500-room Hard Rock Hotel. However, the project was abandoned and the Hard Rock Hotel eventually opened elsewhere in the City. A hotel developer has recently sought to purchase this property from the Successor Agency.

CONTINUAL STATE OF IMPROVEMENT

REPORTING

ASK FOR REVIEW OF RDA & ECON. INCENTIVE
→ SUZANNE - FINANCIAL ADVISORS
→ DR - ECON DEV.

REVIEW OF PROCESS & WHAT RDA IS IN PS

City of Palm Springs

Discussion of Former Redevelopment Agency (RDA) and Economic Incentive Programs

STAFF → DEDICATED PS DOES THE RIGHT THING

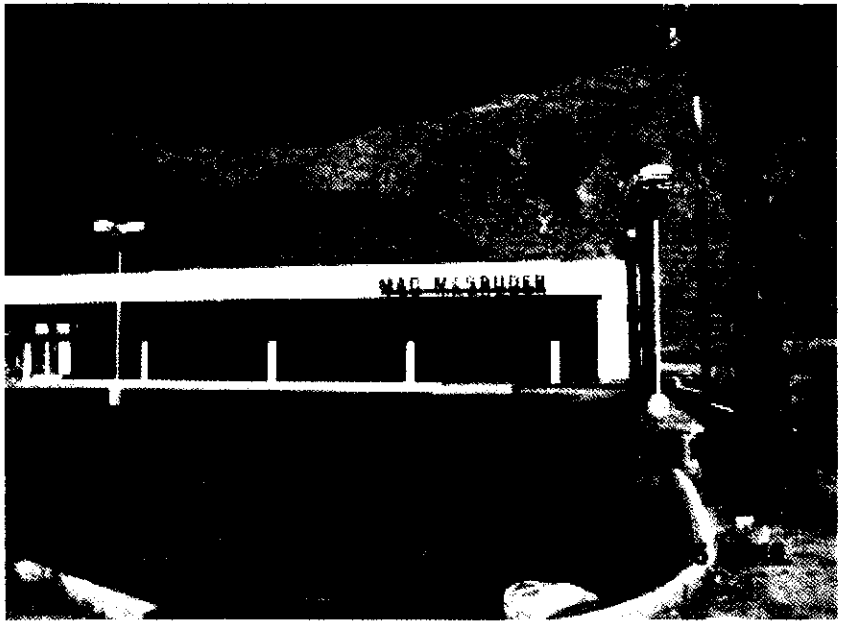
Purpose of the RDA

- State of California created RDAs (Redevelopment Agencies) for local governments, to allow physical and economic development incentive opportunities

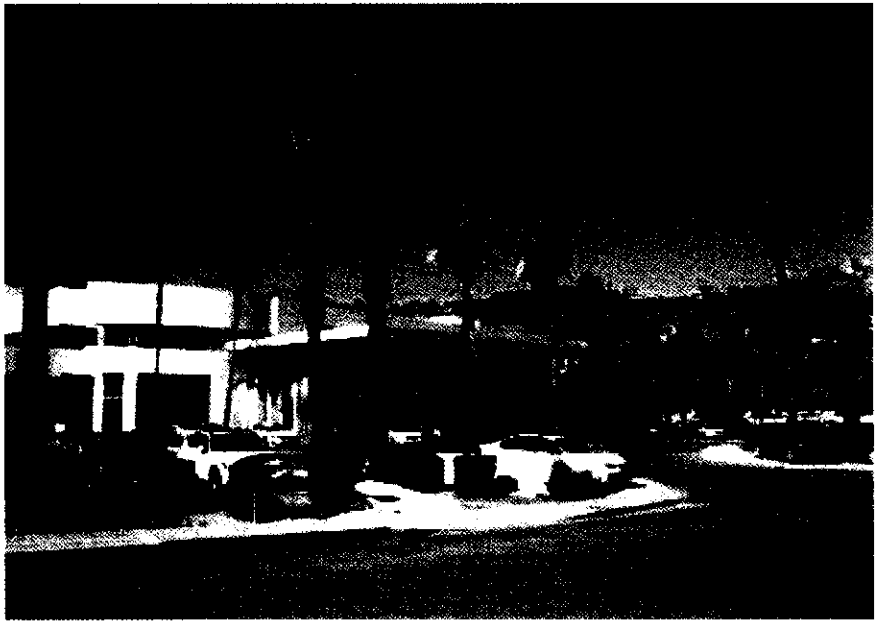
- City Council established the Agency in 1972 to address conditions of physical and economic development in the city, beginning with the Central Business District in 1973.

Goal of RDA

From this condition

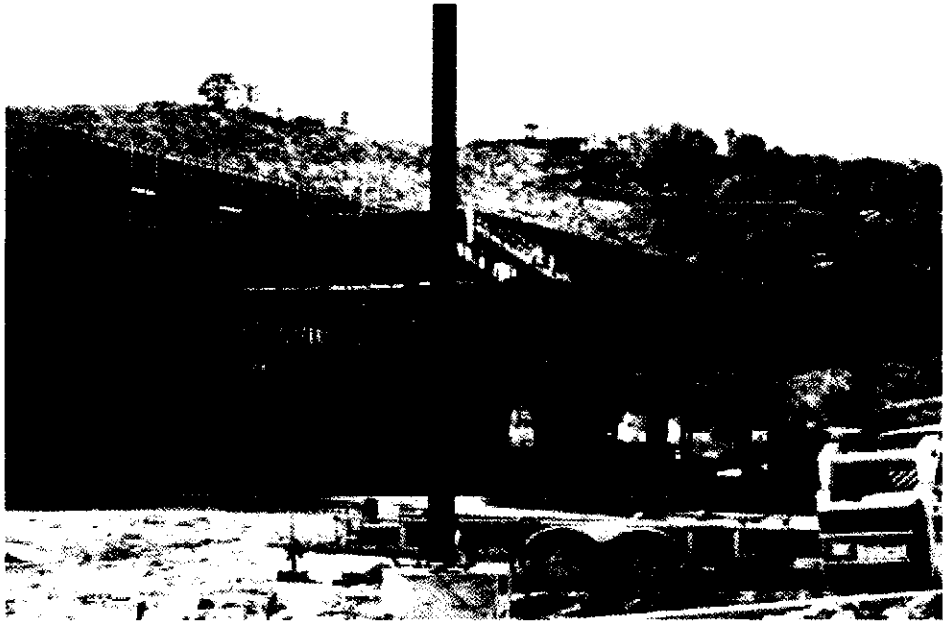


To this condition



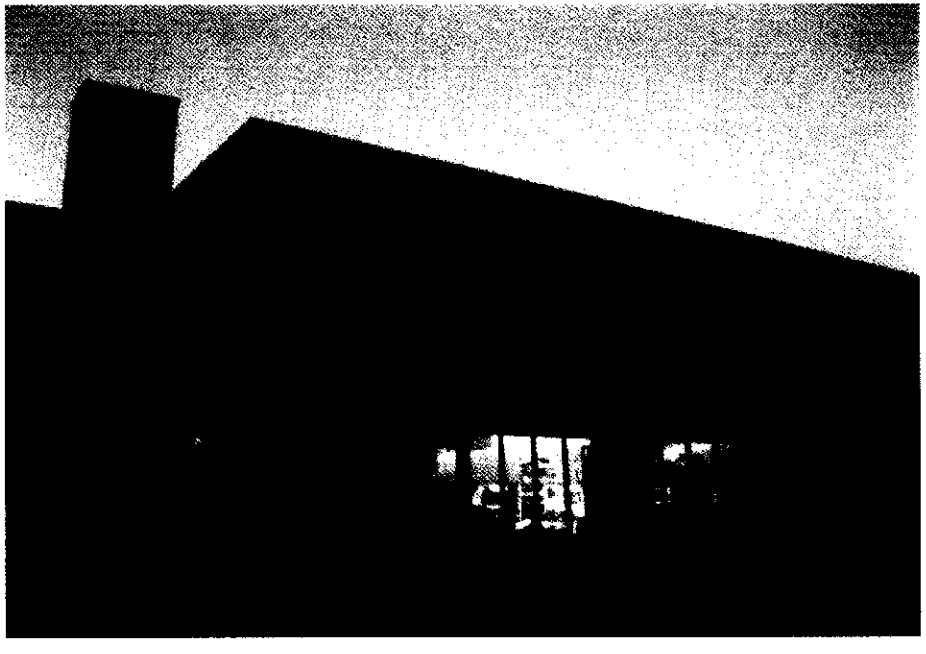
PS RDA Projects

- Expanded BMW/ Mercedes and new Hyundai Dealership
  - Sold RDA land to adjacent property owner and rebated entire price
  - Sales and Property Tax generated far exceeds RDA investment



PS RDA Projects

- The Springs Shopping Center
  - Sold 14 acres to adjacent landowner for $72,000
  - Former City Landfill, now generating annual sales and property taxes



2014 Sales and Property Taxes Springs/Auto RDA Projects

Over $3.2 million

PS RDA Projects

- Convention Center and Wyndham Land Assembly/Renaissance Renovation

- Casino Disposition & Development Agreement – assisted with land acquisition

Dissolution of CRA in 2011

- AB 1X 26 (the "Dissolution Act") was signed by the Governor on June 29, 2011 and commencing on February 1, 2012, all existing redevelopment agencies were dissolved.

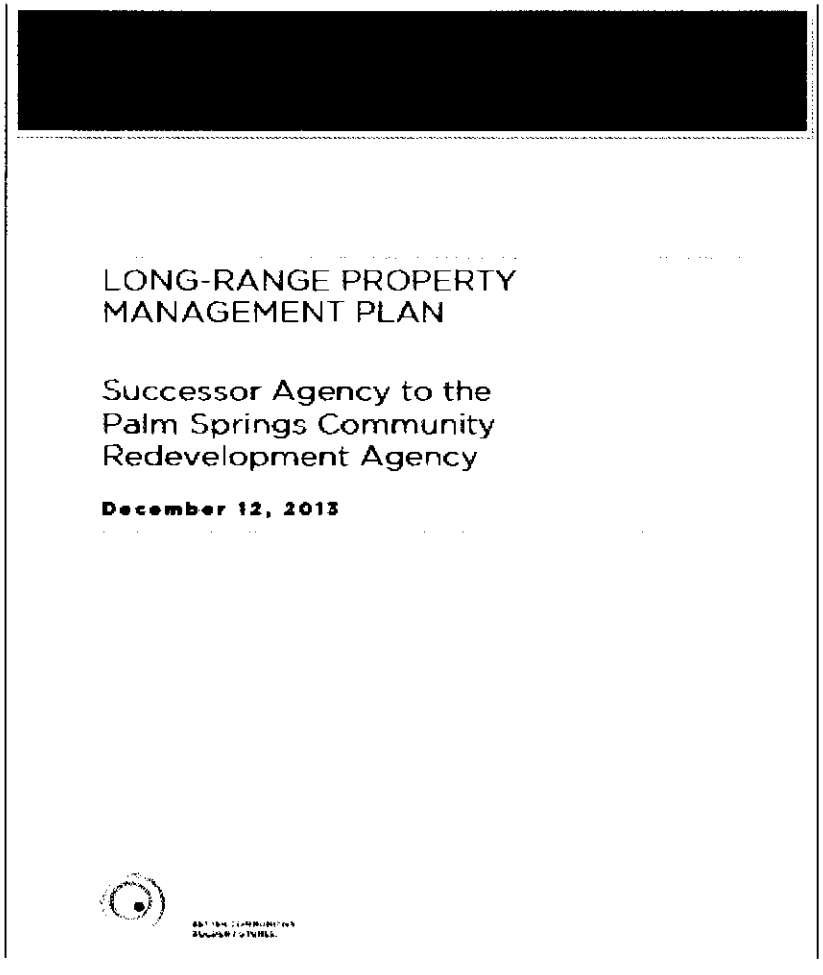
- The City became the RDA Successor Agency – and along with the Oversight Board, is tasked by the State to dispose of each RDA property

Property Disposition Process

- Cities were required to prepare a "long range property management plan" to dispose of RDA properties

- In accordance with state law, the City engaged RSG, a state recognized qualified dissolution and real estate consultant, to create the property management plan based on RDA dissolution guidelines

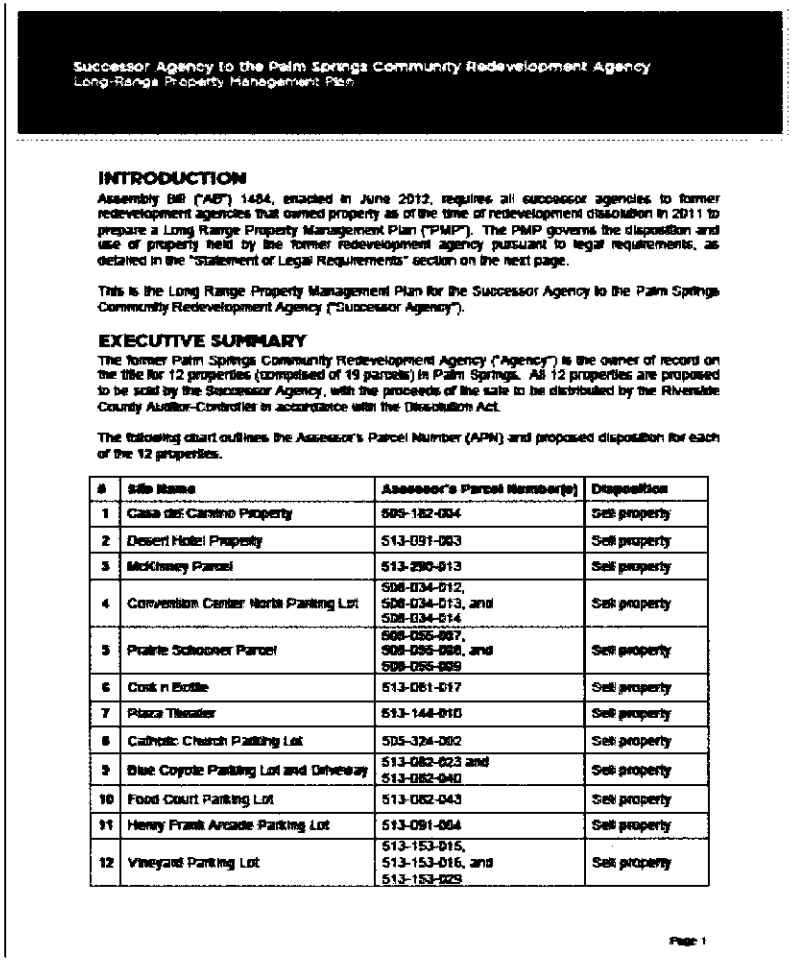
Long Range Property Management Plan



LONG-RANGE PROPERTY MANAGEMENT PLAN

Successor Agency to the Palm Springs Community Redevelopment Agency

December 12, 2013



INTRODUCTION

Assembly Bill ("AB") 1484, enacted in June 2012, requires all successor agencies to former redevelopment agencies that owned property as of the time of redevelopment dissolution in 2011 to prepare a Long Range Property Management Plan ("PMP"). The PMP governs the disposition and use of property held by the former redevelopment agency pursuant to legal requirements, as detailed in the "Statement of Legal Requirements" section on the next page.

This is the Long Range Property Management Plan for the Successor Agency to the Palm Springs Community Redevelopment Agency ("Successor Agency").

EXECUTIVE SUMMARY

The former Palm Springs Community Redevelopment Agency ("Agency") is the owner of record on the title for 12 properties (comprised of 19 parcels) in Palm Springs. All 12 properties are proposed to be sold by the Successor Agency, with the proceeds of the sale to be distributed by the Riverside County Auditor-Controller in accordance with the Dissolution Act.

The following chart outlines the Assessor's Parcel Number (APN) and proposed disposition for each of the 12 properties.

#	Site Name	Assessor's Parcel Number(s)	Disposition
1	Casa del Camino Property	505-182-004	Sell property
2	Desert Hotel Property	513-091-003	Sell property
3	McKinney Parcel	513-290-013	Sell property
4	Convention Center North Parking Lot	508-034-012, 508-034-013, and 508-034-014	Sell property
5	Prairie Schooner Parcel	508-055-007, 508-055-008, and 508-055-009	Sell property
6	Cork n Bottle	513-081-017	Sell property
7	Plaza Theater	513-144-010	Sell property
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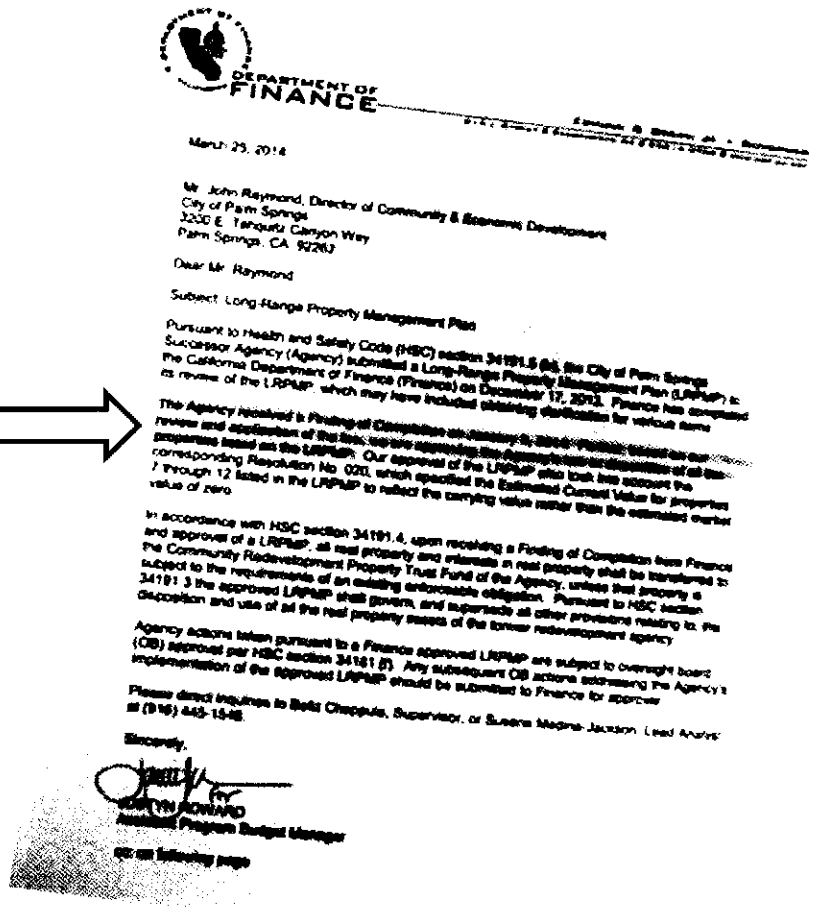
10	Food Court Parking Lot	513-082-043	Sell property
11	Henry Frank Arcade Parking Lot	513-091-004	Sell property
12	Vineyard Parking Lot	513-153-015, 513-153-016, and 513-153-029	Sell property

Long Range Property Management Plan

- The plan was approved by the Oversight Board on December 12, 2013

- The plan was approved by the State Dept. of Finance in March, 2014.



DEPARTMENT OF FINANCE

March 25, 2014

Mr. John Raymond, Director of Community & Economic Development
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Raymond

Subject: Long-Range Property Management Plan

Pursuant to Health and Safety Code (HSC) section 34191.5 (b), the City of Palm Springs Successor Agency (Agency) submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (Finance) on December 17, 2013. Finance has completed its review of the LRPMP, which may have included obtaining clarification for various items.

This Agency received a Finding of Completion on January 6, 2014. Pursuant to HSC section 34191.4(b)(2), upon receipt of the finding, the Agency may enter into binding obligations for assets, excluding the disposition and use of real property. Our approval of the LRPMP also took into account the properties listed on the LRPMP. Our approval of the LRPMP also took into account the corresponding Resolution No. 020, which specified the Estimated Current Value for properties 7 through 12 listed in the LRPMP to reflect the carrying value rather than the estimated market value of zero.

In accordance with HSC section 34191.4, upon receiving a Finding of Completion from Finance and approval of a LRPMP, all real property and interests in real property shall be transferred to the Community Redevelopment Property Trust Fund of the Agency, unless that property is subject to the requirements of an existing enforceable obligation. Pursuant to HSC section 34191.3 the approved LRPMP shall govern, and supersede all other provisions relating to the disposition and use of all the real property assets of the former redevelopment agency.

Agency actions taken pursuant to a Finance approved LRPMP are subject to oversight board (OB) approval per HSC section 34181 (f). Any subsequent OB actions addressing the Agency's implementation of the approved LRPMP should be submitted to Finance for approval.

Please direct inquiries to Bekki Chappuis, Supervisor, or Susana Medina-Jackson, Lead Analyst at (916) 445-1546.

Sincerely,

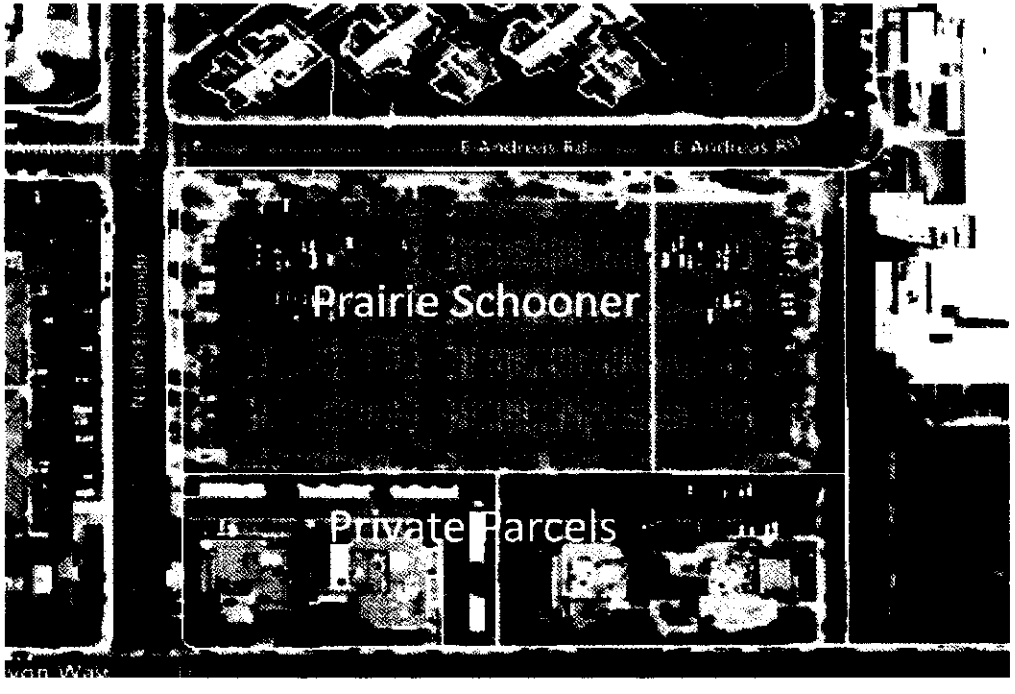
JOHN MCMAHAN
Assistant Program Budget Manager

cc: See following page

Prairie Schooner

Parcels 508-055-007, 008, 009

Adjacent Parcels: 003, 006

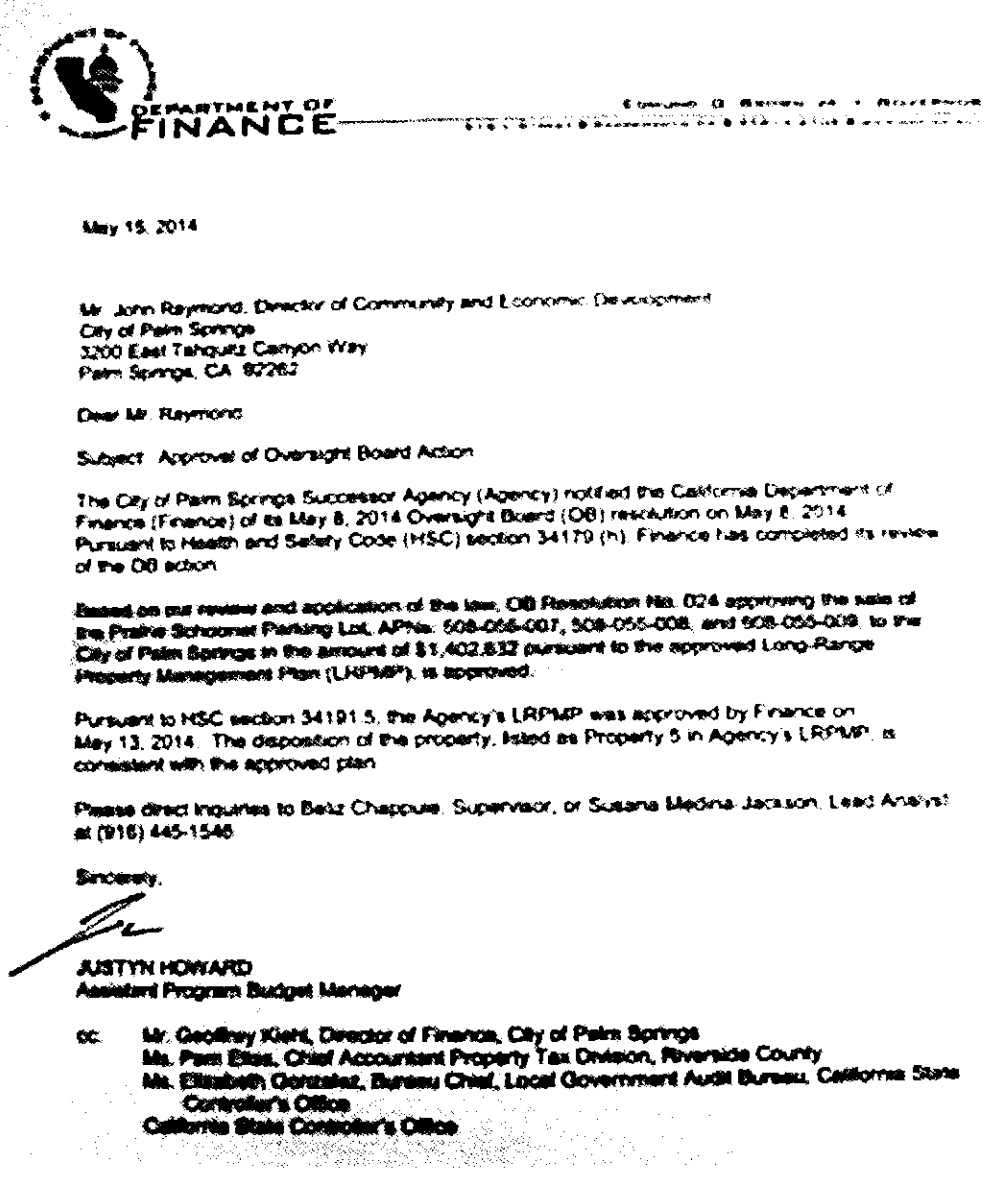


Prairie Schooner

- 2005 - agreement with adjacent property owner to build Hard Rock Hotel – did not occur due to recession in 2008

- 2014 - sold to adjacent property owner for residential/retail for $100,000 over state approved value price approved in RDA disposition plan.

Prairie Schooner



DEPARTMENT OF FINANCE

May 15, 2014

Mr. John Raymond, Director of Community and Economic Development
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Raymond:

Subject: Approval of Oversight Board Action

The City of Palm Springs Successor Agency (Agency) notified the California Department of Finance (Finance) of its May 8, 2014 Oversight Board (OB) resolution on May 8, 2014. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

Based on our review and application of the law, OB Resolution No. 024 approving the sale of the Prairie Schooner Parking Lot, APNs: 508-056-007, 508-056-008, and 508-056-009, to the City of Palm Springs in the amount of $1,402,832 pursuant to the approved Long-Range Property Management Plan (LRPMP), is approved.

Pursuant to HSC section 34191.5, the Agency's LRPMP was approved by Finance on May 13, 2014. The disposition of the property, listed as Property 5 in Agency's LRPMP, is consistent with the approved plan.

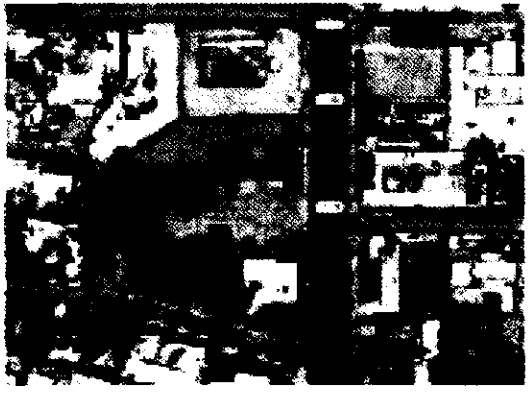
Please direct inquiries to Beliz Chappuie, Supervisor, or Susana Medina Jacuson, Lead Analyst at (916) 445-1546.

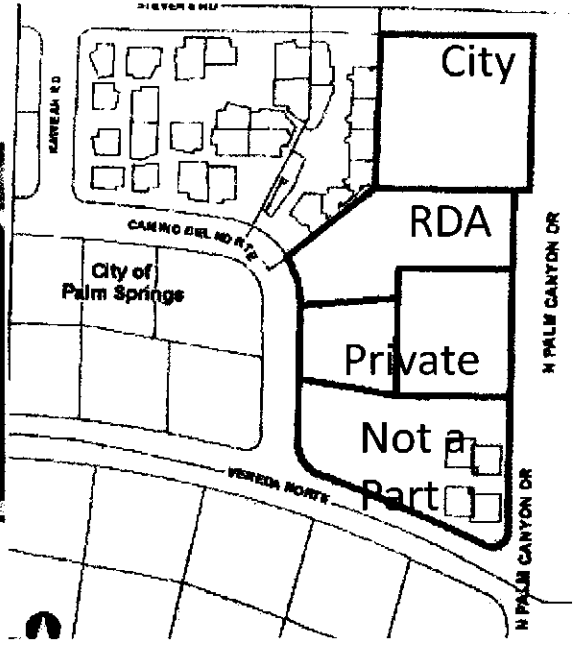
Sincerely,

JUSTYN HOWARD
Assistant Program Budget Manager

cc: Mr. Geoffrey Kleist, Director of Finance, City of Palm Springs
Ms. Pam Elias, Chief Accountant Property Tax Division, Riverside County
Ms. Elizabeth Gonzalez, Bureau Chief, Local Government Audit Bureau, California State Controller's Office
California State Controller's Office

Casa Del Camino

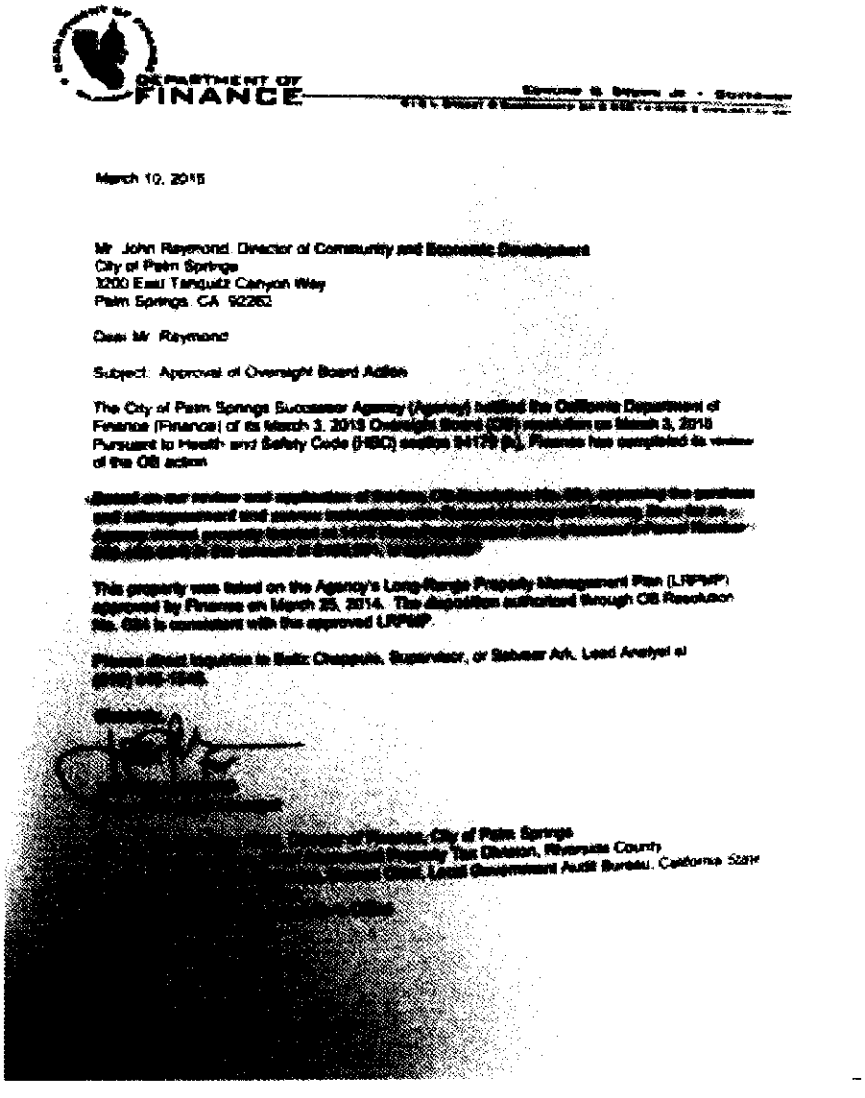




Casa Del Camino

- Parcel vacant for nearly 30 years
- Was to be sold adjacent landowner to assemble multiple parcels for hotel/retail development
- Anticipated sale price was the value in state approved RDA Disposition Plan (Rescinded by City Council on May 27, 2015)

Casa Del Camino



DEPARTMENT OF FINANCE

March 10, 2015

Mr. John Raymond, Director of Community and Economic Development
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Raymond:

Subject: Approval of Oversight Board Action

The City of Palm Springs Successor Agency (Agency) notified the California Department of Finance (Finance) of its March 3, 2015 Oversight Board (OB) resolution on March 3, 2015. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

Based on our review and application of the law, the enforceable obligation listed above, concerning the purchase and management and sales transaction of the property, may become effective. Except for the items listed, no other items listed on the Agency's Recognized Obligation Payment Schedule are approved or disapproved.

This property was listed on the Agency's Long-Range Property Management Plan (LRPMP) approved by Finance on March 25, 2014. The disposition authorized through OB Resolution No. 694 is consistent with the approved LRPMP.

Please direct inquiries to Bob Chaparro, Supervisor, or Steven Ark, Lead Analyst at (916) 445-1546.

Sincerely,

[redacted]

cc: [redacted], City of Palm Springs
[redacted], Riverside County Tax Division, Riverside County
[redacted], Local Government Audit Bureau, California State

Council Request for Review of Transactions

- Staff Recommends a recognized RDA expert to review our Property Disposition Plan, and RDA land transactions

- The Law Firm of Kane, Ballmer and Berkman, Los Angeles, CA

CALM & COOL

Façade Improvement, Interior Remodel, Major Catalyst Vacancy

ECONOMIC INCENTIVE PROGRAMS

2008 – 2015

160 GRANTS

$1.7 MILLION CITY INVESTMENT

$9.3 MILLION PRIVATE INVESTMENT

More than 130 Façade Improvements

FAÇADE IMPROVEMENT PROGRAM

Façade Improvement Program

2008-2015 Façade Improvements

- Brien O'Brien Salon
- Agua Caliente Cultural Museum
- Modern Properties
- Angel View Thriftmart
- Tinder Box
- Pinocchio's of the Desert
- Palm Springs Chamber of Commerce
- Village Pub
- Blue Coyote
- Crystal Fantasy
- Modern Mosaics
- Raphael's Salon

2008-2015 Façade Improvements

- LG's Prime Steakhouse
- Andreas Hotel & Spa
- Frenchy's
- Wangs of the Desert
- Baddour Building
- Jakes Ready To Eat
- Canyon Rose Boutique
- Palm Springs Fudge & Chocolate
- Score Sports Bar
- Crazy Shirts
- Peabody's Café
- Cheeky's

2008-2015 Façade Improvements

- L'Olivo Italian Restaurant
- Palm Canyon Roadhouse
- Le Vallauris
- Tamara G
- Gisela Salon Day Spa
- PS General Store
- Rocky's Pawn Shop
- Sunglasses of Palm Springs
- Bongo Johnny's Patio Bar & Grille
- British Invasion
- Las Casuelas Viejas

2008-2015 Façade Improvements

- Marianne of Palm Springs
- Equality California
- Integrated Wealth Management
- Capitis Real Estate
- Nationwide Insurance
- PS Candy &Treasures
- Eddie's Frozen Yogurt
- Copley's on Palm Canyon
- Trio Restaurant
- DC Custom Upholstery
- Insolito Home
- Tops N Tees
- Snip Snip Buzz
- Juice Café
- State Farm Insurance
- Desert Fox Bar
- Dennis J. Norheim, DDS
- Chop House

2008-2015 Façade Improvements

- Frenchy's
- Johnny Costa's
- Jozsef's Men's Hairstyling
- Budget Pharmacy
- Cilantro Gallery
- Zeldaz Nightclub
- Desert Arts Center
- NestEgg Bookkeeping
- Realty Executives
- Las Casuelas Terraza
- Ingleside Inn
- Just Fabulous
- Rio Azul
- Prestige Rugs

2008-2015 Façade Improvements

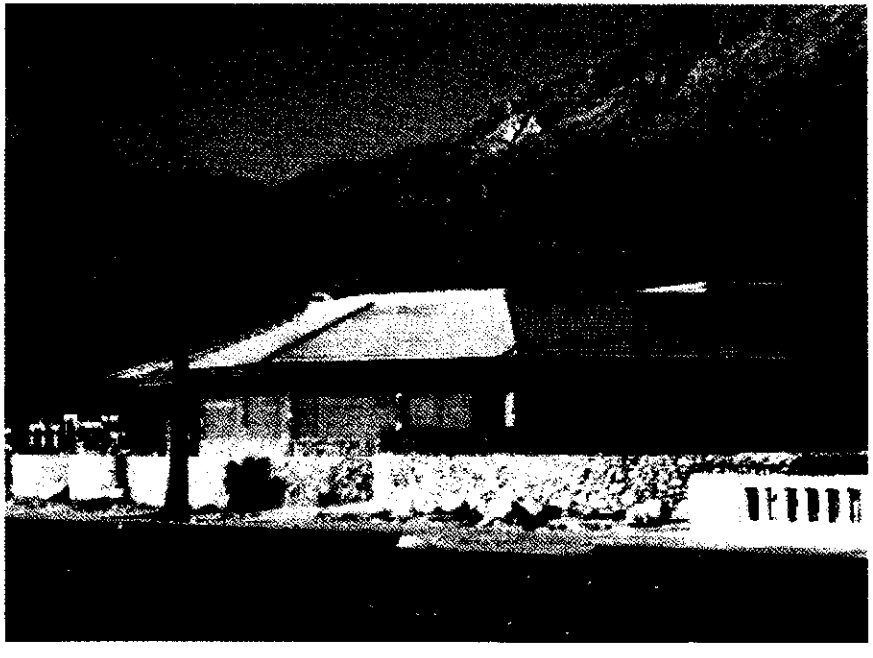
- 1000 South Palm Canyon
- Go Deli Market
- Bernie's Lounge & Supper Club
- Miro's
- Pete's Hideaway
- The New York Company Restaurant
- Deepwell Apartments
- Ernest Coffee
- Thirteen Forty Five Palm Canyon
- Baddour Trust of 1988
- Son Cabinetry & Design
- Peninsula Pastries
- Toucans Lounge

21 Remodel Grants

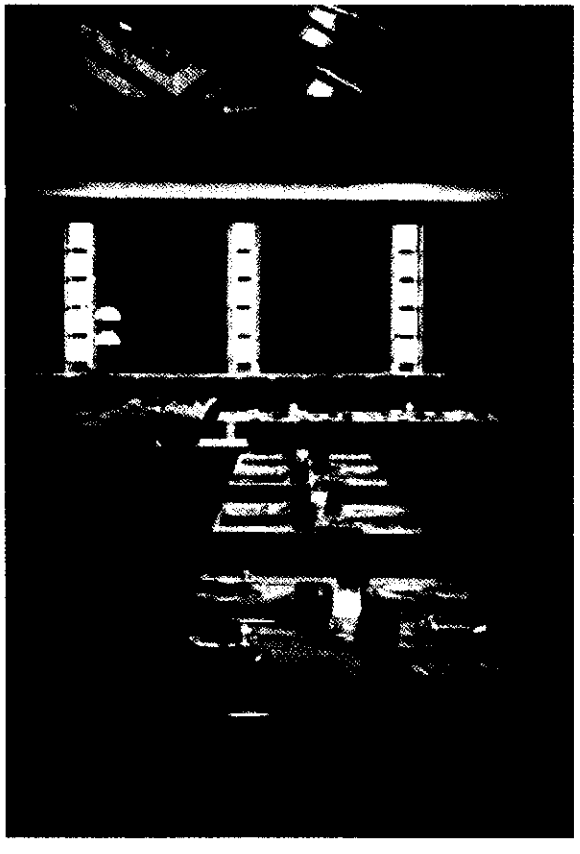
REMODEL PROGRAM

Goals of the Program

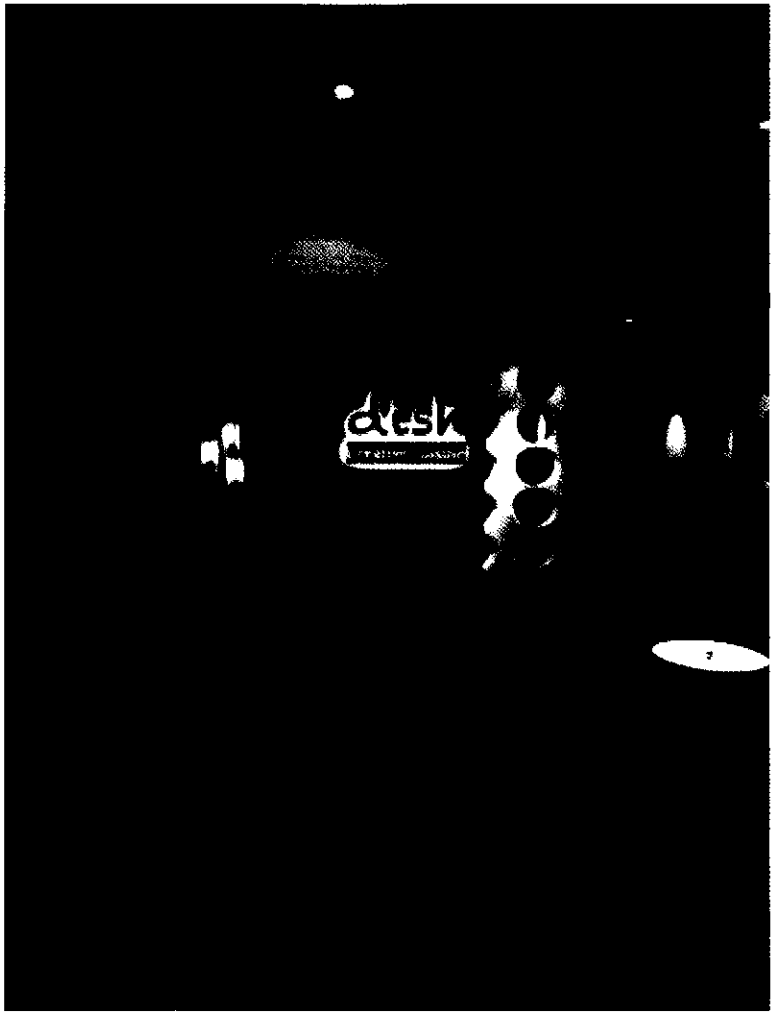
From abandoned and blighted buildings



To renovated and active business enterprise



dish Creative Cuisine

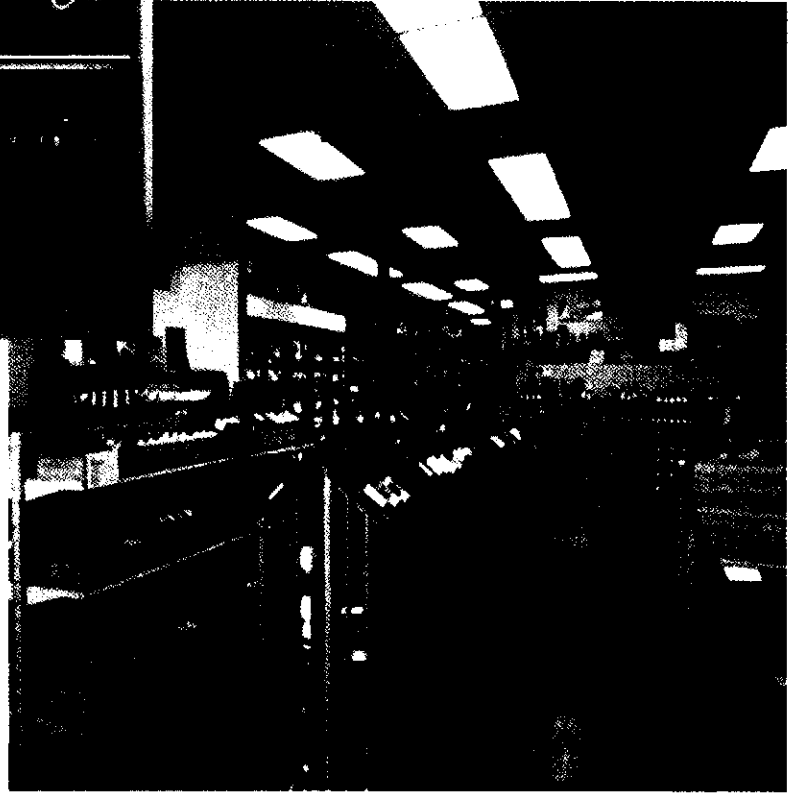


1107 N. Palm Canyon Drive

The New York Restaurant Company

1260 S. Palm Canyon Drive

Go Deli Market

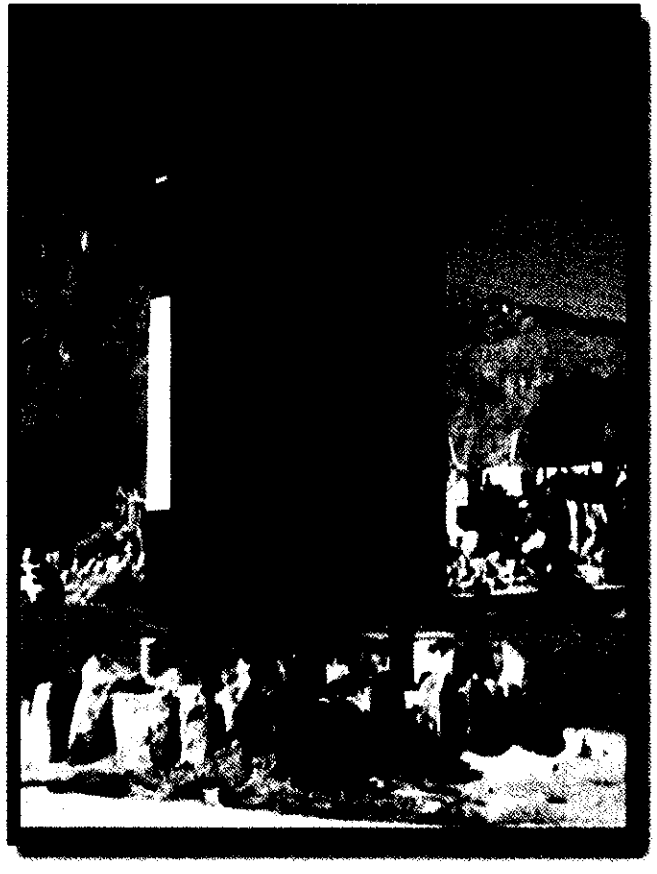


611 S. Palm Canyon Drive

Miro's Continental Cuisine

1555 S. Palm Canyon Drive

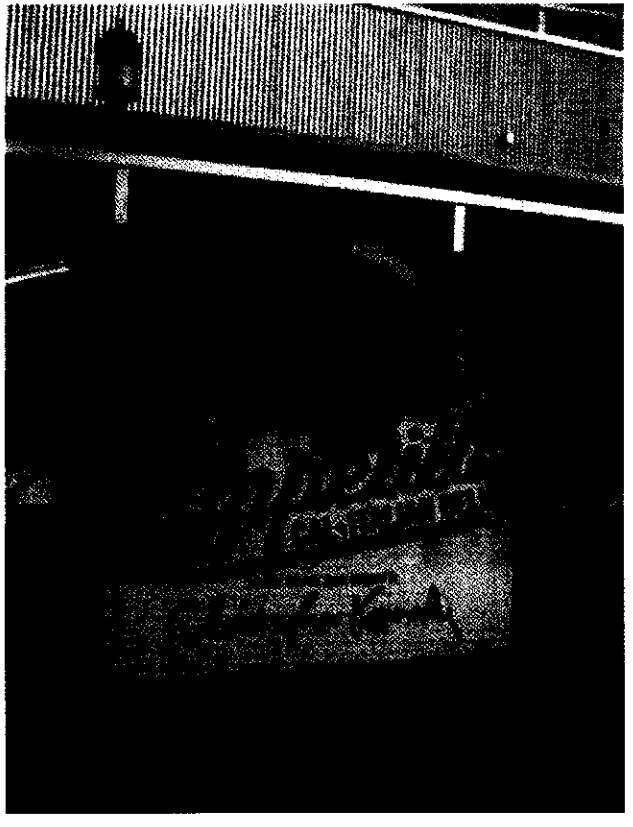
Palm Springs Motorsports



6550 N. Indian Canyon Drive

Appetito Cal-Italian Deli

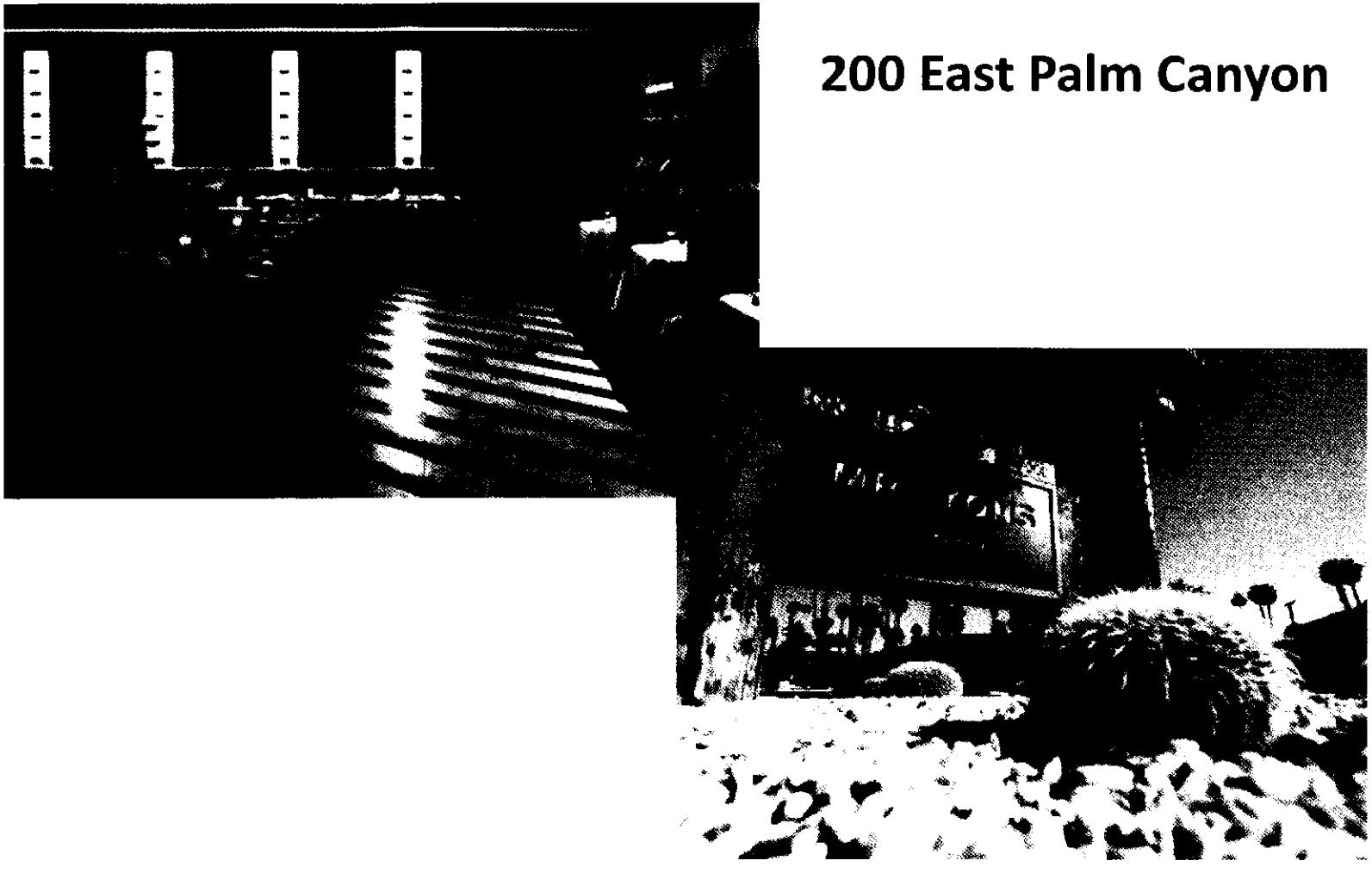
1700 S. Palm Canyon Drive



Hacienda Cantina & Swim Club

1555 S. Palm Canyon Drive

Mister Lyons



200 East Palm Canyon

Other Interior Remodels

- Melvyn's
- Jazz Bar & Restaurant
- Village Pub
- Cilantro Gallery
- Rio Azul
- Just Fabulous
- Le Vallauris

PS Economic Indicators 2008-1015

	TOT 2008-2009 vs. 2014-2015 est	Sales Tax 2007-2008 vs. 2013-2014	Measure J 2012-2013 vs. 2014-2015 est
Base Year	$12,751,478	$9,138,355	$11,046,045
Last Year	$24,400,000	$10,996,552	$13,000,000
Palm Springs	+91.4%	+20.3%	+17.7%
Coachella Valley		+1.7%	
Riverside County		+7.2%	
Inland Empire		+5.8%	
Southern California		+4.9%	
State of California		+6.3%	

Council Request for Program Implementation Review

- Internal analysis of program files
  - Very successful program outcomes
  - Program Modifications
    - Clearer invoicing language for file documentation
    - Application/payment through dual Departments
    - Include incentive payments in annual City audit
- Staff recommends an independent local audit firm to perform review

ADDITIONS WILL ENSURE ANY OTHER ISSUES? OR RECOMMENDATIONS?

LONG-RANGE PROPERTY MANAGEMENT PLAN

Successor Agency to the Palm Springs Community Redevelopment Agency

December 12, 2013

BETTER COMMUNITIES.
BOLDER FUTURES.

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DESERT HOTEL PROPERTY (PROPERTY 2) 9
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CONVENTION CENTER NORTH PARKING LOT (PROPERTY 4) 13
PRAIRIE SCHOONER PARCEL (PROPERTY 5) 15
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PLAZA THEATER (PROPERTY 7) 19
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Successor Agency to the Palm Springs Community Redevelopment Agency
Long-Range Property Management Plan

INTRODUCTION

Assembly Bill ("AB") 1484, enacted in June 2012, requires all successor agencies to former redevelopment agencies that owned property as of the time of redevelopment dissolution in 2011 to prepare a Long Range Property Management Plan ("PMP"). The PMP governs the disposition and use of property held by the former redevelopment agency pursuant to legal requirements, as detailed in the "Statement of Legal Requirements" section on the next page.

This is the Long Range Property Management Plan for the Successor Agency to the Palm Springs Community Redevelopment Agency ("Successor Agency").

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12	Vineyard Parking Lot	513-153-015, 513-153-016, and 513-153-029	Sell property

CASA DEL CAMINO PROPERTY (PROPERTY 1)

Address:	*1479 N. Palm Canyon Dr.*
APN:	*505-182-004*
Lot Size:	*29,185 sq. ft.*[1]
Attachment 1 Parcel:	*1*
Acquisition Date:	*April 1, 1987*
Value at Time of Purchase:	*$575,000*
Property Type (DOF Category)	*Vacant Lot/Land*
Permissable Use (City Proposed)	*Sale of Property*
Current Zoning:	*C1 – Retail Business Zone*
Estimated Current Value:	*$195,561* *Based on RSG's comparable sales analysis. The results of the analysis are shown below.*

Comparable Sales Analysis and Estimated Value: 1479 N. Palm Canyon Dr.
Commercial Land, 20,000 - 40,000 SF

	Address	City	Property Type	Sale Date	SqFt	Price	Price/SqFt
1	84765 Avenue 50	Coachella	Commercial Land	5/14/2012	25,700	$ 297,000	$ 11.56
2	82933 Avenue 48	Indio	Commercial Land	7/16/2010	36,154	$ 318,000	$ 8.80
3	81088 Us Highway 111	Indio	Commercial Land	12/3/2010	35,727	$ 275,000	$ 7.70
4	44061 Acacia Dr	Palm Desert	Commercial Land	7/12/2013	20,447	$ 118,000	$ 5.77
5	19160 McLane St	North Palm Springs	Commercial Land	8/27/2013	20,717	$ 92,500	$ 4.46
6	81765 Oleander Ave	Indio	Commercial Land	4/27/2012	32,234	$ 82,500	$ 2.56
Subject: 1479 N. Palm Canyon Dr.			Vacant Commercial Land	Not Listed	29,185	$ 196,561	$ 6.74

Source: CoStar, December 2013
Note: Estimated value is based on the unweighted and unadjusted median price per square foot for comparable properties.

Advancement of Planning Objectives: *Sell for future development.*

The former Agency acquired this vacant parcel for the purpose of future development. The Agency intended to assemble this parcel in conjunction with those adjacent to it in order to develop a mixed-use project. However, this project never came to fruition.

[1] For all parcels described in this document, the source for data regarding lot sizes, acquisition dates, and available values at the time of purchase is First American CoreLogic, Inc., except where otherwise noted.

PRAIRIE SCHOONER PARCEL (PROPERTY 5)

Address: *Southeast of E Andreas Rd. & N. Calle El Segundo*
APN: *508-055-007, 508-055-008, and 508-055-009*
Lot Size: *250,470 sq. ft.*
Attachment 1 Parcels: *7 - 9*

Acquisition Date: *August 10, 1994, according to City records*
Value at Time of Purchase: *$2,275,000, according to City records*
Property Type (DOF Category) *Parking Lot/Structure*
Permissable Use (City Proposed) *Sale of Property*
Current Zoning: *CU - Civics Uses District Zone*

Estimated Current Value: *$1,402,632*
Based on RSG's comparable sales analysis. The results of the analysis are shown below.

Comparable Sales Analysis and Estimated Value: Southeast of E. Andreas Rd. & N. Calle El Segundo
Commercial Land, 150,000 - 350,000 SF

	Address	City	Property Type	Sale Date	SqFt	Price	Price/SqFt
1	82451 Highway 111	Indio	Commercial Land	10/2/2012	157,687	$2,500,000	$ 15.85
2	81550 JFK Ct	Indio	Commercial Land	10/28/2013	166,399	$2,050,000	$ 12.32
3	47800 Washington St	La Quinta	Commercial Land	5/27/2011	169,012	$1,300,000	$ 7.69
4	Washington St	Palm Desert	Commercial Land	6/15/2010	267,894	$1,500,000	$ 5.60
5	81695 US Hwy 111	Indio	Commercial Land	2/23/2010	170,755	$ 755,892	$ 4.43
6	75500 Varner Rd	Palm Desert	Commercial Land	9/21/2011	333,234	$1,300,000	$ 3.90
7	Avenue 42 @ Spectrun St	Indio	Commercial Land	10/25/2010	283,140	$ 999,484	$ 3.53
	Subject: SE of E. Andreas Rd. & N. Calle El Segundo		Parking Lot	Not Listed	250,470	$1,402,632	$ 5.60

Source: CoStar, December 2013
Note: Estimated value is based on the unweighted and unadjusted median price per square foot for comparable properties.

Advancement of Planning Objectives: *Sell for future development.*

This property was acquired for the purpose of selling to a developer, with whom the Agency had been working to construct a 500-room Hard Rock Hotel. However, the project was abandoned and the Hard Rock Hotel eventually opened elsewhere in the City. A hotel developer has recently sought to purchase this property from the Successor Agency.

- Requirement for Payments - Facade & Remodel
- Files - All
- What is closed
- Total Investment
  & Pics

→ · Staff Behind All OK
  - Will Confirm
  - Any Fraud
  - New Process

ALLEN D. ARNOLD

ISSUES PRESENTED

1. MAYORS' CONFLICT
2. RDA PROPERTY SALE
3. INCENTIVE PROGRAM ADMINISTRATION
4. UNDERLYING ISSUE OF MAYOR INFLUENCED SPECIAL TREATMENT FOR RM.
5. (PL) CALL FOR AUDIT/INVESTIGATION

RDA

- WHAT IS IT? - EXAMPLES
- DISSOLUTION PROCESS
- PRAIRIE SCHOONER
- CAMINO

→ REVIEW - EXPERT REVIEW DISSOLUTION PROCESS

PLACE OF FINANCIAL LOSS

INCENTIVES

- PURPOSE OF PROGRAM
- HISTORY
  - ↳ EXPENDITURES & LIST OF GRANTS - SUCCESS OF PROGRAMS
- WHEN ~~ISSUE~~ QUESTION AROSE - I REQUESTED FULL AUDIT AND CAN AUDIT IS DIFFICULT { WHAT I FOUND WAS THAT STAFF HAD MADE SOME MISTAKES IN DOCUMENTATION - BUT NO EVIDENCE WHATSOEVER OF CONNECTION TO NOVO...
- → NEW PROCESS ENTERING → PAYMENT OUT OF C.D. → AUDIT

CAN FRAUD BE PROVED

History of Community Redevelopment

- City Council established the Agency in 1972 & Adopted

What is the CRA?

- State law - established in ? and the City of PS created our Redev. Agency in 1972

- The CRA purpose is to ?

- Over the years, many projects were completed through the CRA process. Recent examples include
  - Conv. Ctr
  - Renaissance
  - Grand - Land Acquisition
  - BMW/Mercedes
  - The Springs, Shopping Center (Former City Dump Site)
  - Housing Projects
- Dissolution of CRA in 2011
  AB 1X26 ("The Dissolution Act")
  Signed by Gov. on June 29, 2011

(2) Personal

- WHAT DISSOLUTION MEANS TO PS?
  - ↳ STATE REQUIRED CITY'S TO DISPOSE OF ROA PROPERTY
  - ↳ IN PS 12 PROPERTIES
  - ↳ LIST

→ STATE REQUIREMENTS FOR LAND DISPOSITION - LRPMP
  - ↳ VALUE ASSESSMENT

→ PIL OF REPORT - COMPLETED BY PSG - QUALIFICATION

→ QUESTION RAISED ON 2 PROPERTIES

→ PUBLIC SCHOONER (PIC)

→ DOF LETTER #1 ON LRPMP

→ DOF LETTER #2
  - VALUE WAS 1.4
  - CITY COUNCIL SAID 1.5

→ CAMINO

PIL [redacted] 30 YR VACANT

- QUESTION - IF APPROPRIATE?

- DISCUSSION OF RECENT CITY TRANSACTIONS

→ INDEPENDENT 3RD PARTY ABOUT

↳ TRULY INDEPENDENT?

→ GREAT RDA SITES

→

2ND PROGRAM

ECONOMIC INCENTIVE PROGRAM

- FACADE IMPROVEMENT
- ECONOMIC INCENTIVE

- $1.7 M INVESTMENT SINCE 2009 RESULTED IN $93 MIL

→ COST OF FACADE

→ COST OF A CON INCENTIVE

→ P.I.'S OF PROJECTS

→ ROCK GARDEN CAFE OR MR. LYONS

→ MALGUNDA OR BMW

(OVER)

- QUESTION RAISED OF IF WE ADMINISTERED THE PROGRAM APPROPRIATELY + FAIRLY.

NO SLIDE

→ SO WE LOOKED - ASSESSMENT AUDIT OUTCOMES

→ WHAT WE FOUND

↳ PROGRAM OUTCOMES WERE SUCCESSFUL + AS EXPECTED

↳ ALSO FOUND - INTERNAL DOCUMENTS IN SOME CASES ARE NOT COMPLETE OR DOCUMENTATION IN ALL CASES MISTAKES WERE NOTED IN CALCULATING INCENTIVES

→ ASSURE - NO FRAUD OR CITY ERROR

→ PROCESS HAS BEEN IMPROVED

→ INCLUDE IN ANNUAL AUDITS

→ INVITE AUDITOR TO REVIEW

SUMMARIZE

- ROA ATTY
  - → WHAT WE FOUND - ON DEV PROGRAM
- AUDITOR ON REVIEW
  - → ANNUAL AUDITS OF ALL INCENTIVES

- PHOTOS
- SITE INSPECT
- INVOICE
- EVIDENCE
- PERMITS

COPY

- MAMA OLA'S - MISTAKE
  - EVIDENCE OF BREACH
  - " " PAYMENT

MISTAKE

Vendor Name	Vendor Number	Check Date	Check Number
MIGGY'S CANTINA LLC	R1762	06/12/14	1071730

DEPARTMENT	ACCOUNT	PURCHASE ORDER	INVOICE NUMBER	AMOUNT	DESCRIPTION
1400	59422		061214	250,000.00	RENOVAT MJR VACANCIES

City of Palm Springs, 3200 Tahquitz Canyon Way, Palm Springs 92262 $***250,000.00*

3200 Tahquitz Canyon Way, Palm Springs, 92262
TELEPHONE: (760) 323-8225

ACCOUNTS PAYABLE

CHECK DATE	CHECK NO.
06/12/14	1071730

Bank of America 16-66/1220
588 South Palm Canyon Drive
Palm Springs, CA 92264

AMOUNT
$ $***250,000.00*

VOID AFTER 90 DAYS

PAY EXACTLY - THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS & ZERO CENTS

TO THE ORDER OF -

MIGGY'S CANTINA LLC
700 E TAHQUITZ CYN WY
STE A
PALM SPRINGS CA 92262

CITY OF PALM SPRINGS
CLAIM VOUCHER

To: Finance Department **Date:** 6/12/14

From: Community & Economic Development

Pay To: Miggy's Cantina, LLC **Vendor #:** New Vendor

R1762

Address: 700 East Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

In payment of: Reimbursement for Renovating Major Vacancies

Please Return Check to John S. Raymond - Hold for pick up

INVOICE NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT
061214	June 6, 2014	1400-59422	$250,000.00

RECEIVED JUN 12 2014

Submitted by: Paula Jean Sweat **TOTAL:** $250,000.00

Goods and/or services were received. Payment is authorized.

Approved: _____ **Audited by:** _____
Department Head

RECORDING REQUESTED BY:
CITY OF PALM SPRINGS

City of Palm Springs
City Clerk
P O Box 2743
Palm Springs, CA 92263

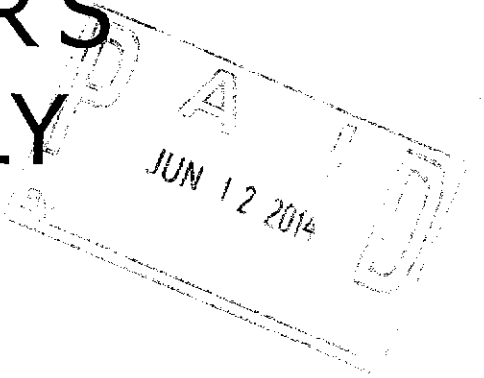
SPACE ABOVE FOR RECORDER ONLY

Filing fee EXEMPT per Government Code 6103

A6522

Grant Agreement – Miggy's Cantina

THIS AREA FOR RECORDER'S USE ONLY



THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
($3.00 Additional Recording Fee Applies)

COMMERCIAL – RETAIL
MAJOR "NEED-BASED" ASSISTANCE FOR RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS

GRANT AGREEMENT

THIS RENOVATING MAJOR VACANCIES (the "Agreement") is made and entered into this 10th day of June, 2014, by and between the City of Palm Springs, ("City"), and Miggys Cantina, LLC, the ("Tenant"). Collectively the City and Tenant are referred to as the Parties.

RECITALS

City has established a Major Need-Based Catalyst Vacancy Program for Owners and Tenants of commercial-retail businesses in the City of Palm Springs.

Miggys Cantina, LLC ("Tenant") is a tenant of a 8,000 square foot commercial space located within the eligible area at 1555 South Palm Canyon Drive, Palm Springs, California 92264 ("Property"), otherwise known as Hacienda Cantina. The Property is owned by Wessman Holdings ("Owner"), of Palm Springs, California. Owner has provided its consent to the Tenant for the property improvements and for the Tenant's application for incentive funding.

Grant Criteria. In order to receive the maximum amount under the program, a building, cluster of buildings or single space must be at least 8,000 s/f. Tenant proposed an expenditure of at least $1,000,000 – excluding the acquisition of the property. Tenant has approved renovation plans and completed all work necessary for the renovation, and underwent a pro forma analysis by the City.

City Investment. Under the Major Need-Based Catalyst Vacancy Program, the maximum dollars per building square foot committed by the City is $30/s/f., which is reserved for high potential dollars-per-square-foot projects projected to produce significant revenue for the City through sales taxes, property taxes and other revenue.

Leverage. Under the Major Need-Based Catalyst Vacancy Program, the applicant (Owner or Tenant) must spend $3.00 for each $1.00 committed by the City, which is higher than other incentive programs offered by the City, which typically require a 1:1 match.

Grant Maximums. The maximum City matching grant under the Major Need-Based Catalyst Vacancy Program shall not exceed $250,000, i.e. if the applicant's interior

improvement cost is $1,000,000, the City Match Grant would be $250,000, provided it did not exceed $30.00/s/f.

Tenant has applied for a Grant in the amount of $250,000 to make interior improvements to the Property as described in Exhibit "B," Scope of Work.

The City has confirmed that the Property is a vacant space in a building constructed at least thirty years ago and has been vacant for more than five years, and that the conversion of the very large (8,000 square foot) space, with a 3,000 square foot kitchen, into a functioning business would not have been economically feasible without an incentive program.

The City has determined that, in addition to the high cost of converting the oversized space into a functioning business, the location (Exhibit "A") of the business on a section of South Palm Canyon Drive which has suffered from a high level of vacancies, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

Tenant has received all necessary approvals from the City's Planning, Building and Engineering Departments, which are shown in Exhibit "C", Evidence of Approval. The estimated cost of the work proposed is $1,500,000, as shown in Exhibit "D".

Tenant has substantially completed the construction of the project and will receive sign off from the City's Planning and Building and from Riverside County Department of Environmental Health.

The City has reviewed the application, the evidence of financial participation by Tenant, the location of the Property, and the approvals, and has approved the Grant Application.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, City agrees to grant to Tenant the amount of $250,000 and Tenant agrees to complete the approved improvements, if necessary, and operate the business under the following terms and conditions:

AGREEMENT

1. **Property Ownership/Right to Undertake Work.** Tenant represents that it holds Tenancy in the Property, which entitles it to undertake interior physical improvements to the Property and has consent of the landlord to perform such work.

2. **Form of City Assistance.** The Program assistance authorized by this Agreement shall be in the form of a grant to an eligible business, secured by a Promissory Note (Note) that is amortized each year of the three year Compliance Period. Such Note terms shall include the right of the City to place a lien against the business' (Tenant's) interest in the affected property and may include

repayment provisions that do not require monetary repayment upon business performance meeting defined criteria.

a. The City and the eligible business shall enter a written agreement detailing the responsibilities of both parties, including but not limited to a the grant assistance by the City described in this Section, and the continued maintenance of minimum business activity and employment levels by the business; and

b. The program features a "clawback" provision: the assistance will be made as a "loan" by the City to the business, but the amortization will be their continued presence and operation in the City for a specified period of time. If the company sells the business, ceases operating the business, or reduces its employment levels below the committed level, it will be required to repay the City the unamortized portion of the assistance; and

c. The City may include repayment provisions that may or may not require monetary repayment, depending on the business' performance meeting criteria defined in this Section; such agreement shall be secured by a lien against the business and/or the property at which the business is located; and

d. The company shall attest that the business would not have located or expanded in the City without the benefit; and

e. The City shall attest that the total economic benefit to the community of the new sales tax, other taxes, and additional jobs, by its own calculations, exceeds the amount of the grant, and that the broad public benefit created by the program in terms of payroll and taxes paid exceeds the private benefit, and that there are no other reasonable alternative measures available to the business to finance the improvements or create the public benefit; and

f. The agreement shall assure that the business will remain in the City for a minimum of three (3) years at the proposed business activity and employment level, or repay the City based on a straight-line amortization of the assistance; the commitment "amortizes" the City's loan to the business at a rate of 33.3% of the dollar amount of the benefit per year; and

g. Prior to the first anniversary of this Agreement, a certification form shall be submitted by the tenant to the City for verification. Upon completion of the verification process the lien placed on the business will be reduced by one third of the benefit amount paid. This process will continue annually for a total of three years, starting during the 2nd year of the initial employee certification process.

3. **Required Findings for Assistance**. In October, 2013, Section 53083 was added to the California Government Code. Section 53083 states that before granting an economic development subsidy, each local agency shall provide public notice and a hearing regarding the economic development subsidy. "Economic Development Subsidy" under Section 53083 means any expenditure of public funds or loss of revenue to a local agency in the amount of one hundred thousand dollars ($100,000) or more, for the purpose of stimulating economic development within the jurisdiction of a local agency, including, but not limited to: bonds, grants, loans, loan guarantees, enterprise zone or empowerment zone incentives, fee waivers, land price subsidies, matching funds, tax abatements, tax exemptions, and tax credits. The City Council, prior to approving assistance to an eligible business, must make the following findings:

(1) The name and address of all business entities that are the beneficiary of the economic development subsidy: Miggy's Cantina, LLC, aka Hacienda Cantina & Beach Club, 1555 South Palm Canyon Drive, Suite B-1, Palm Springs, CA, 92264.

(2) The start and end dates and schedule, if applicable, for the economic development subsidy. The subsidy shall be made after the project is approved by the City and County Department of Health, and all work completed to the City's satisfaction, and evidence of payment made, as well as evidence of at least a 3:1 match of private funds to City dollars. In this case the work has been completed and approved and the restaurant has opened. The project shall have a three (3) year Compliance Period.

(3) A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy. The subsidy is in the amount of $250,000 to make interior and exterior improvements to the Property in order to renovate the existing restaurant into a large restaurant and club with a pool component. The assistance authorized by this Agreement shall be in the form of a grant to the eligible business described in Section 2 of this Agreement.

(4) A statement of the public purposes for the economic development subsidy. The City has confirmed that the Property was a vacant space in a building constructed at least 25 years ago and had has been vacant more than four years, and that the conversion of the very large space into a functioning business would not have been economically feasible without an incentive program.

Additionally, the City has determined that, in addition to the high cost of converting the restaurant into a functioning business, the location of the business outside the downtown and in a relatively

economically depressed section of Palm Canyon Drive, presents an additional measure of risk to investors, making it additionally economically marginal without an incentive program.

However, the financial strength and deep experience of the applicants mitigates the risk factors and makes the incentive a positive for the restaurant, the surrounding development, the neighborhood and adjacent businesses.

(5) Projected tax revenue to the local agency as a result of the economic development subsidy. Over the next ten years the City expects to receive at least $500,000 in direct property taxes, plus its allocated share of increased property tax. The project will also help act as a catalyst for future development in its area, thereby increasing property tax to the City as well.

(6) Estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions. The restaurant expects to create 88 total jobs, with 10 full time jobs and 78 part time jobs.

4. **Schedule**. The Parties agree that all interior improvements shall be completed within **90** days of the date of this Agreement.

5. **Term.** The obligations to the City by the Tenant under this Agreement shall remain in place for a period of three (3) years from the date of the agreement first above written, unless extended by mutual agreement of the parties. Following termination, Tenant shall have no obligation hereunder.

6. **Contractor.** The Parties agree that Tenant has sole responsibility for choosing and hiring the contractor, which shall be shown in Exhibit "D", Contractor/Vendor Agreements, and the acceptance of the material used and the work performed is Tenant's responsibility, and the City is not a party to any agreement with the vendor or contractor and does not guarantee the quality of workmanship of the property improvements, nor have any liability whatsoever therefor. At all times hereunder, the Contractor shall have a valid Contractor's License from the State of California and a valid City of Palm Springs Business License. Contractor may be a payee for a portion of the grant reimbursement.

7. **Design Approval and Permits.** The Parties agree that Tenant has sole responsibility for obtaining design approval and evidence of required permit approvals from the City of Palm Springs as shown in Exhibit "C", and ensuring the compliance with those permits.

8. **Grant Limitations**. The maximum City matching grant shall not exceed $250,000, which is the 8,125 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed

is $1,500,000, as shown in Exhibit "D". The leverage is $7.75 of Tenant dollars for each $1.00 of City dollars. The Grant is secured by a Promissory Note (shown in Exhibit "E") entered into by the Tenant for the amount of the Grant, which shall be reduced annually by one-third over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance (shown in Exhibit G.) City liens are subordinate, as described below in Section 9D.

9. **Evidence of Completion**. The Parties agree that the City will release the Grant funds upon the completion of the work by the Tenant or his contractor. Evidence of completion shall include but is not limited to: photographs of the finished work; a final inspection by a representative of the City of Palm Springs; and, a copy of the final invoice for the work completed and proof of payment to the contractor.

10. **Release of Contractor Liens**. The Parties Agree that the Tenant is responsible for obtaining the release of any Mechanics Liens or other liens placed upon Tenant's property by any contractor or subcontractor hired under this program. If the Contractor is the payee for any portion of the work, a full release of Mechanic's Liens or other contractor liens shall be exchanged and released simultaneously with the payment for the City.

11. **Maintenance**. Tenant, for itself and its successors and assigns, hereby covenants and agrees to maintain and repair or cause to be maintained and repaired the Property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction, at Tenant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care and replacement of all shrubbery, plantings, and other landscaping in a healthy condition; and (iii) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such pavings at all times be kept in a level and smooth condition. In addition, Tenant shall be required to maintain the Property in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to the public health, safety or general welfare or that such a condition of deterioration or disrepair causes appreciable harm or is materially detrimental to property or improvements within one hundred (100) feet of such portion of the Site.

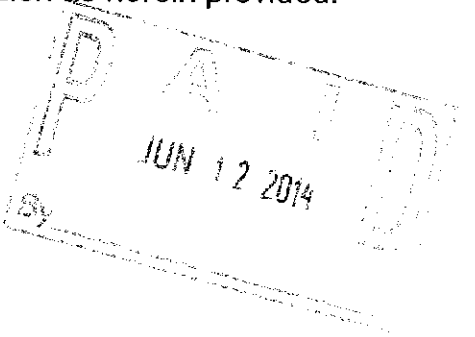
JUN 12 2014

a. Parking and Driveways. The driveways and traffic aisles on the Site shall be kept clear and unobstructed at all times. No vehicles or other obstruction shall project into any of such driveways or traffic aisles. Vehicles associated with the operation of the Property, including delivery vehicles, vehicles of employees and vehicles of persons with business on the Property shall park solely on the Property.

b. Right of Entry. In the event Tenant fails to maintain the Site in the above-mentioned condition, and satisfactory progress is not made in correcting the condition within thirty (30) days from the date of written notice from City, City may, at its option, and without further notice to Tenant, declare the unperformed maintenance to constitute a public nuisance. Thereafter, the City, its employees, contractors or agents, may cure Tenant's default by entering upon the Site (Property) and performing the necessary landscaping and/or maintenance. The City shall give Tenant, its representative or manager reasonable notice of the time and manner of entry, and entry shall only be at such times and in such manner as is reasonably necessary to carry out this Agreement. Tenant shall pay such costs as are reasonably incurred by City for such maintenance, including attorneys' fees and costs.

c. Reimbursement of Costs. If such costs are not reimbursed within thirty (30) days after Tenant's receipt of notice thereof, the same shall be deemed delinquent, and the amount thereof shall bear interest thereafter at a rate of the lower of ten percent (10%) per annum or the legal maximum until paid. Any and all delinquent amounts, together with said interest, costs and reasonable attorney's fees, shall be an obligation of Tenant as well as a lien and charge, with power of sale, upon the property interests of Tenant, and the rents, issues and profits of such property. City may bring an action at law against Tenant obligated to pay any such sums or foreclose the lien against Tenant's property interests.

d. City Liens Are Subordinate. Any monetary lien provided for herein shall be subordinate to any bona fide mortgage or deed of trust covering an ownership interest or leasehold or subleasehold estate in and to any Property approved by City pursuant to this Agreement, and any purchaser at any foreclosure or trustee's sale (as well as any deed or assignment in lieu of foreclosure or trustee's sale) under any such mortgage or deed of trust shall take title free from any such monetary lien, but otherwise subject to the provisions hereof; provided that, after the foreclosure of any such mortgage and/or deed of trust, all other assessments provided for herein to the extent they relate to the expenses incurred subsequent to such foreclosure, assessed hereunder to the purchaser at the foreclosure sale, as owner of the subject Site after the date of such foreclosure sale, shall become a lien upon such Property upon recordation of a Notice of Assessment or Notice of Claim of Lien as herein provided.



12. **Obligations Upon Sale or Transfer**

a. City Approval of Transfer Required. For a period of three (3) years after the date of this Agreement, Tenant shall not Transfer the Property or any of Tenant's rights hereunder, or any interest in the Site or in the improvements thereon, directly or indirectly, voluntarily or by operation of law, except as provided below, without the prior written approval of City, and if so purported to be Transferred, the same shall be null and void. In considering whether it will grant approval of any Transfer by Tenant of its interest in the Site, City shall consider factors such as (i) the financial credit, strength, and capability of the proposed transferee to perform Tenant's obligations hereunder; and (ii) the proposed transferee's experience and expertise in the operation, financing, development, ownership, and operation of similar businesses .

b. Written Agreement Required. In the absence of specific written agreement by City, no transfer by Tenant of all or any portion of its interest in the Site (including without limitation a transfer not requiring City approval hereunder) shall be deemed to relieve it or any successor party from the obligation to continue to operate the business or any other obligations under this Agreement. In addition, no attempted transfer of any of Tenant's obligations hereunder shall be effective unless and until the successor party executes and delivers to City an assumption agreement in a form approved by the City assuming such obligations.

c. Exceptions. The foregoing prohibition shall not apply to any of the following:

1. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing, but Tenant shall notify City in advance of any such mortgage, deed of trust, or other form of conveyance for financing pertaining to the Site.

2. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for restructuring or refinancing of any amount of indebtedness described in subsection (a) above, provided that the amount of indebtedness incurred in the restructuring or refinancing does not exceed the outstanding balance on the debt incurred to finance the acquisition of the Site and construction of improvements on the Site, including any additional costs for completion of construction, whether direct or indirect, based upon the estimates of architects and/or contractors.

3. The conveyance or dedication of any portion of the site (or sites) to the City of Palm Springs or other governmental agency.

JUN 12 20

4. Any mortgage, deed of trust, sale/lease-back, or other form of conveyance for financing provided that the principal amount of the loan does not exceed eighty-five percent (85%) of the value of the land and improvements thereon.

5. The granting of easements to any appropriate governmental agency or utility to facilitate the development of the Site.

6. A sale or transfer resulting from or in connection with a reorganization as contemplated by the provisions of the Internal Revenue Code of 1986, as amended or otherwise, in which the ownership interests of a corporation are assigned directly or by operation of law to a person or persons, firm or corporation which acquires the control of the voting capital stock of such corporation or all or substantially all of the assets of such corporation.

7. A sale or transfer of forty-nine percent (49%) or more ownership interest to a member of the transferor's immediate family, a trust, testamentary or otherwise, in which immediate family members of the transferor are the sole beneficiaries, or a corporation or partnership in which the immediate family members or shareholders of the transferor have controlling majority interest of more than fifty-one percent (51%).

8. A change in the respective percentage ownership interests exclusively of the present owners of Tenant (as of the date of this Agreement), but this shall not authorize the transfer of any interest to any person or entity who is not a present Tenant of Tenant.

9. Mechanic's liens removed prior to foreclosure or liens for current year property taxes not paid.

13. **Enforcement.** In the event Tenant defaults in the performance or observance of any covenant, agreement or obligation of Tenant pursuant to this Agreement, and if such default remains uncured for a period of thirty (30) days after written notice thereof shall have been given by City, or, in the event said default cannot be cured within said time period, Tenant has failed to commence to cure such default within said thirty (30) days and thereafter fails to diligently prosecute said cure to completion, then City shall declare an "Event of Default" to have occurred hereunder, and, at its option, may take one or more of the following steps:

a. By mandamus or other suit, action or proceeding at law or in equity, require Tenant to perform its obligations and covenants hereunder or enjoin any acts or things which may be unlawful or in violation of this Agreement; or

RECEIVED
JUN 12 2014

b. Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants and agreements of Tenant hereunder; or

Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by any party of one or more of its rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

MISCELLANEOUS PROVISIONS

14. **Covenant Against Discrimination**. Tenant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination or segregation in the performance of or in connection with this Agreement regarding any person or group of persons on account of race, color, creed, religion, sex, marital status, disability, sexual orientation, national origin, or ancestry.

15. **Notice**. Any notice, demand, request, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by pre-paid, first-class mail to the address set forth below. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

To City: City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
Attn: Economic Development Administrator

To Tenant: Miggy's Cantina, LLC
700 East Tahquitz Canyon Way, Suite A
Palm Springs, California 92262
Attn: Rich Meaney

16. **Integrated Agreement**. This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement.

17. **Amendment**. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

18. **Severability**. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this

Agreement, which shall be interpreted to carry out the intent of the parties hereunder.

19. **Indemnification.** Tenant agrees for itself and its successors and assigns to indemnify, defend, and hold harmless the City of Palm Springs ("City") and the City, the City Council, its officers, agents, employees, independent contractors, members, officials, volunteers, and representatives from and against any loss, liability, claim, or judgment relating in any manner to the Project. Tenant, while in possession of the Site, and each successor or assign of Tenant while in possession of the Site, shall remain fully obligated for the payment of property taxes and assessments in connection with the Site. Tenant shall indemnify and hold harmless, the City, the City Council, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever based and asserted upon any act or omission of the City for property damage, bodily injury, or death or any other element of damage of any kind or nature, relating to or in any way connected with participation in the Program.

20. **Authority**. The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that by so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement. Tenant certifies that the above statements are true and accurate to the best of Tenant's belief. Failure to meet any of the terms of this Agreement shall result in the forfeiture of any Grant funds from the City for this program.

21. **Continuing Compliance**. The public purpose of the Major Need-Based Catalyst Vacancy Program is to promote the development of viable businesses in major vacant commercial spaces in the incentive area, leading to expansion of good quality jobs in the City of Palm Springs. It is the responsibility of the Tenant as beneficiary under this Agreement to ensure the cooperation and compliance of the ongoing obligations under the program, including submitting a Certificate of Program Compliance (Exhibit "F") to the City for a period of three years from the anniversary date of this agreement. If the Tenant (1) transfers the Property during the compliance period without prior consent of the City, (2) ceases operation of the Business during the Compliance Period, or (3) fails to provide the City with the initial or any of the annual Certificates of Continuing Program Compliance certifying that they remain in business and continue to operate and employ workers in the business, to be provided to City each year during the three year compliance period, the City may seek repayment of the "unamortized" portion of the Grant from the Tenant under the terms below. The City shall have complete and absolute discretion in determining whether lack of program compliance is cause for termination.

22. **Recordation.** The City Clerk shall record this Agreement and the Promissory Note in the Official Records of the County of Riverside, California.

APPROVED JUN 12 2014

SIGNATURES ON NEXT PAGE

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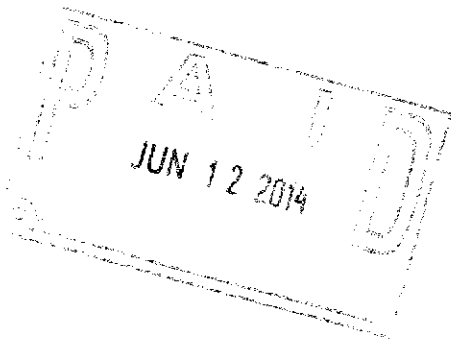


IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates stated below.

"City"
City of Palm Springs

Date: 6/5/14

By: _____
Community & Economic Development

Date: 6.5.14

By: _____
Director
Community & Economic Development

Date: 06/10/2014
APPROVED BY CITY COUNCIL
4.3.14 1c Abstr

By: _____
David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

By: _____
James Thompson
City Clerk

APPROVED AS TO FORM:

By: _____
Douglas C. Holland
City Attorney

"TENANT"

Date: 6-4-14

By: _____
Rich Meaney
President

Date: _____

By: _____

RECEIVED
JUN 12 2014

ACKNOWLEDGMENT OF INSTRUMENT
(Cal. Civil Code Section 1181)

State of California)
County of Riverside) *ss.*
City of Palm Springs)

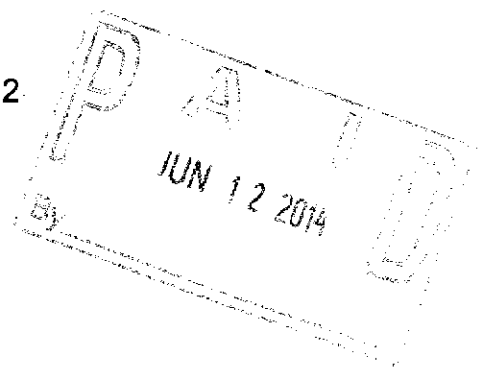
On June 10, 2014, before me, JAMES THOMPSON, CITY CLERK, CITY OF PALM SPRINGS, CALIFORNIA, personally appeared DAVID H. READY, who I personally know is the CITY MANAGER of the CITY OF PALM SPRINGS whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his official and authorized capacity on behalf of the City of Palm Springs, a California Charter City.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and the official seal of the City of Palm Springs, California, this 10th day of June, 2014.

Signature: _____
JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

Title or Type of Document
Grant Agreement – Miggy's Cantina – A6522



ACKNOWLEDGMENT

State of California)
County of Riverside)

On 6/4/14, before me, K. Maiorca,
(insert name of notary)
Notary Public, personally appeared Rich Meaney,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature K. Maiorca

K. MAIORCA
COMM. #1931045
NOTARY PUBLIC • CALIFORNIA
SAN BERNARDINO COUNTY
Commission Expires APR 1, 2015

(Seal)

ACKNOWLEDGMENT

State of California)
County of _____)

On _____, before me, _____,
(insert name of notary)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

RECEIVED
JUN 12 2014

EXHIBIT "A"
MAP

SEE NEXT PAGE

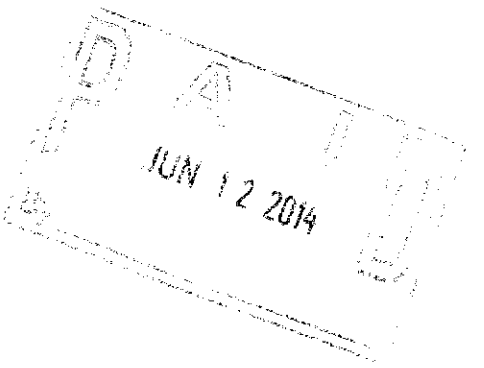
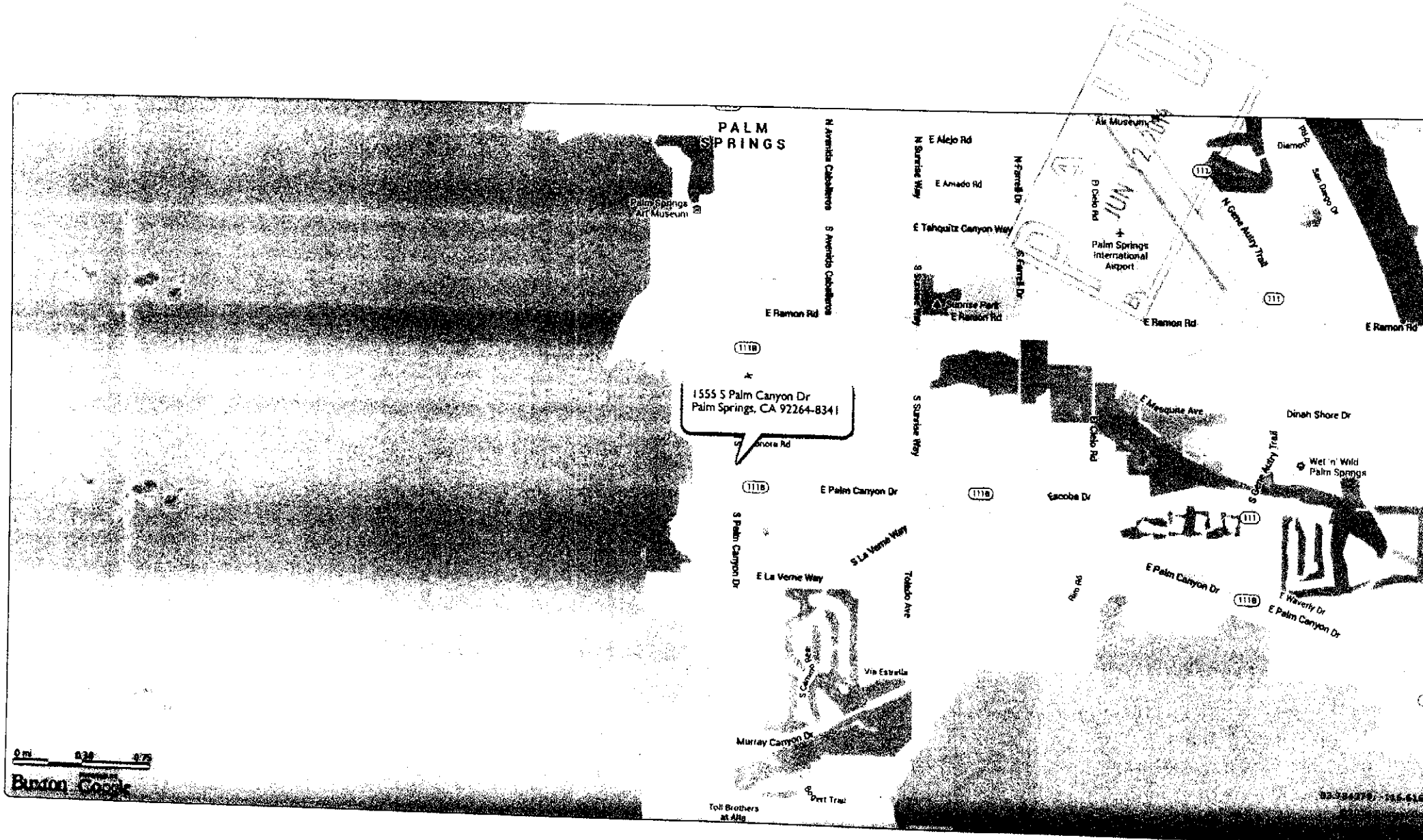


Exhibit "A"



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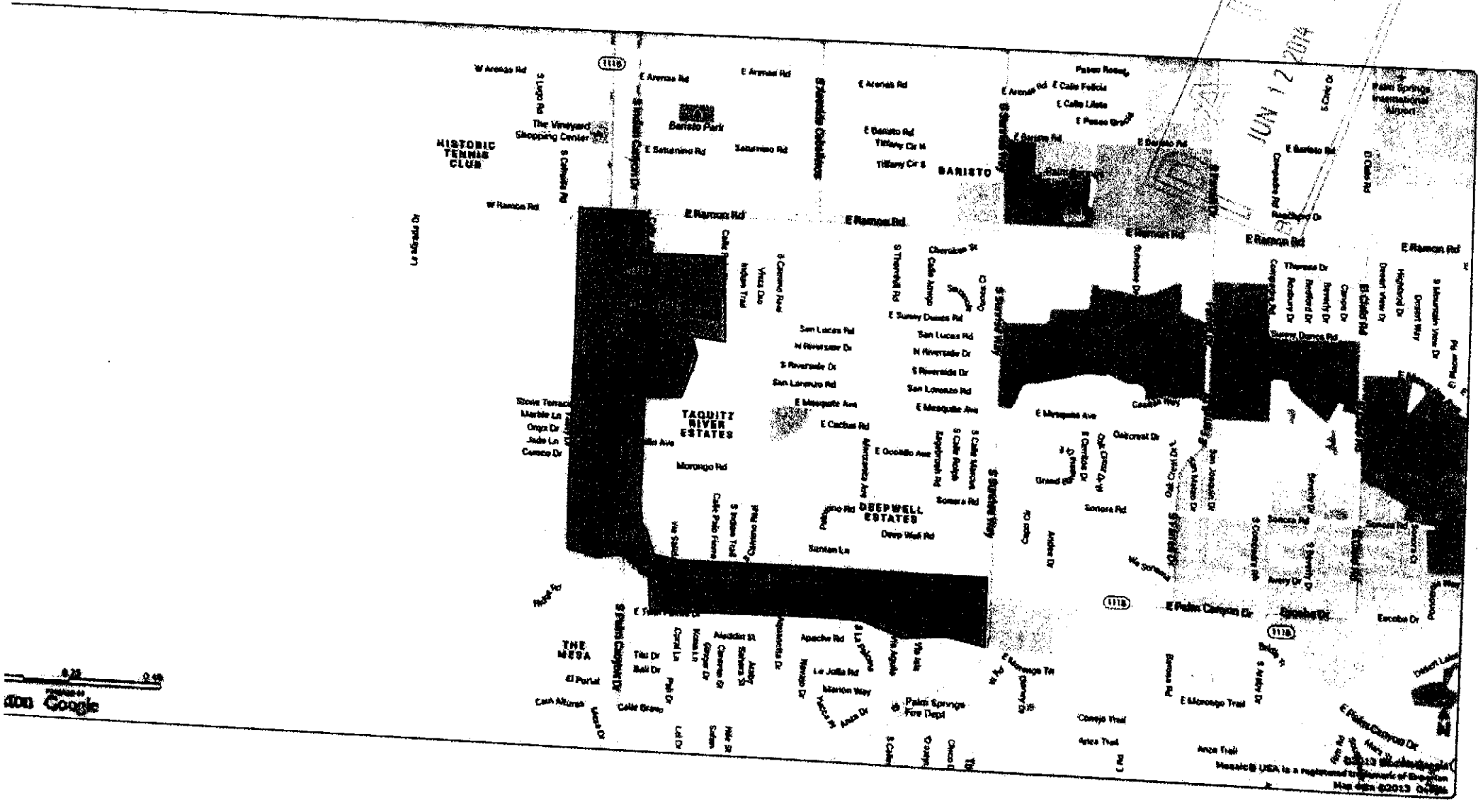
Map 2 - Southern Focus Area



JUN 12 2014

EXHIBIT "B"
SCOPE OF WORK

Site and Exterior

- Construct temporary fence (PM-10 Fence) around the job site.
- Demo curb gutter, parking lot lights, palm trees.
- Install new curb and gutter around the perimeter of the project
- Relocate 5 olive trees to area between building and pool.
- Undertake AC parking lot repairs.
- Rough and finish grading: over-excavate for each building.
- Install storm drain per precise grade plan
- Install finish grade landscaping per landscape plan

Pool and Pool Deck

- Install foundations for Palapa, cabanas and bathrooms.
- Install pool, pool equipment, dry well, and patio deck.
- Construct masonry walls, planters, cabanas and bathrooms.
- Install steel structures: fencing, gates and handrails in bath house, bar, Cabanas and overhead doors for Palapa bar.
- Complete finish carpentry for bathroom: Lockers, door jamb and hardware, Partitions and grab bars.
- Complete rough carpentry on Palapa bar and cabanas (burnt cedar).

Utility Work

- Replace new main SCE line for the existing building and outside area and new 1200 amp panel. Electrical includes all electrical to each building.
- Repair, upgrade and install interior and exterior plumbing including gas, sewer and water tie-ins.

Exterior and Interior Work

- Install AV and sound for cabanas and Palapa bar.
- Paint inside and outside, including all fence and steel and floor.
- Install drywall and FRP at inside of bar. Repair other drywall throughout.
- Install counter tops for Palapa bar, bathrooms and cabanas.
- Install stainless steel fixtures (interior and exterior).
- Install bar equipment (interior and exterior) including glass shelving.
- Install tile throughout.
- Install artwork including metal work
- Construct booths and banquettes

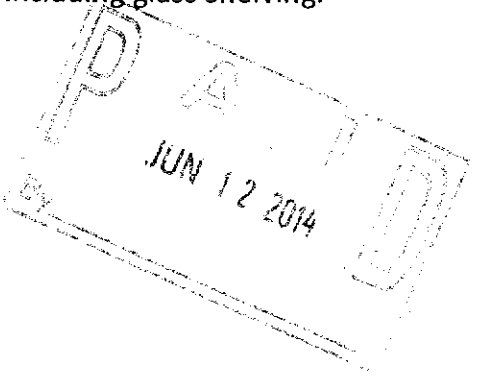
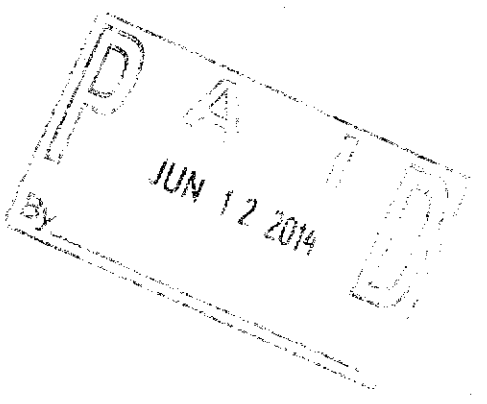


EXHIBIT "C"
EVIDENCE OF APPROVAL
(PLANNING, BUILDING, AND/OR ENGINEERING DEPARTMENT APPROVALS)

Building permit required on all or a portion of the work described in Exhibit "B" Scope of Work: Yes _X_ No __

If yes, Building Permit No.: 2014-1076; 2014-482; 2014-902; 2014-30



City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 04/08/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney	Address: 1555 S Palm Canyon Dr Palm Springs CA	Phone: 760 322 8804	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect	Address	Phone	
Engineer	Address	Phone	

Lot #: ? | Block #: + | Tract: + | Parcel Number: 513-300-038

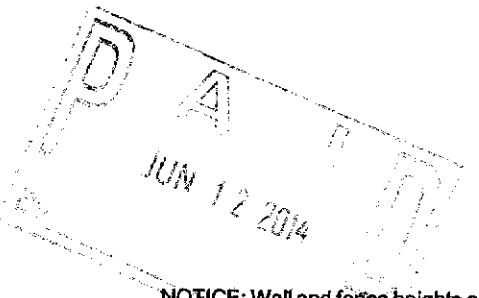
Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: Walls/Fences | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 3500.00 | Permit Fees Paid: 154.33

Describe work in detail:
Construct trash enclosure.



Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1076**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 Palm Canyon Dr S MASTER

Date Submitted: 02/18/2014 | Case No. 3.1111 | Permit Technician: Angela LaFrance

Owner: Rich Meaney | Address: 1555 S Palm Canyon Dr, Palm Springs CA | Phone: 760 322 8804

Contractor: Architectural Blue | Address: CA, Palm Spirngs CA | Phone: 760-327-1533 | Lic. Number: 879184

Architect | Address | Phone

Engineer | Address | Phone

Lot #: ? | Block #: + | Tract: + | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Addition | Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: New Pool/Spa | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 25000.00 | Permit Fees Paid: 945.14

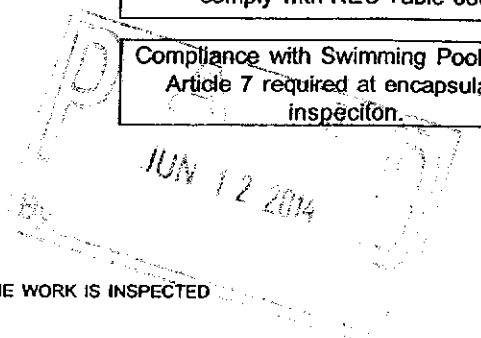
Describe work in detail:
New commercial pool.

Pursuant to Helath & Safety 115920-115929, whenever a bruilding perit is issued for the remodel or modification of a single family home wiht an existing swimming pool or spa, the permit shall require that the suction outlet be upgraded so as to be equipped with an approved anti-entrapment cover.

Overhead conductor clearances SHALL comply with NEC Table 680

Compliance with Swimming Pool Safety Article 7 required at encapsulation inspecifon.

Special Conditions:



DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

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The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-482

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted: 03/25/2014 | Case No. | Permit Technician: Alberto Gradilla

Owner: Miggy's Catina | Address: 700 E Tahquitz Canyon Way Palm Springs CA | Phone: 949 922 8210

Contractor: Wessman Development | Address: 555 S Sunrise Way Ste 555 Palm Springs CA | Phone: 760 325 3050 | Lic. Number

Architect | Address | Phone

Engineer | Address | Phone

Lot # | Block # | Tract | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building: Commercial | Permit Type: Walls/Fences | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation: 35000.00 | Permit Fees Paid: 638.88

Describe work in detail:

Permit to construct appx 540' of garden walls per ORCO detail

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

RECEIVED MAR 12 2014

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.

The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.

This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.

I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-902**

City of Palm Springs

BUILDING PERMIT

Building Address: 1555 S Palm Canyon Dr Unit 101-B

Date Submitted: 01/06/2014 | Case No.: 3.1111 | Permit Technician: Angela LaFrance

Owner: Miggy's Cantina | Address: 700 E Tahquitz Canyon Way Ste A, Palm Springs CA | Phone: 949 922 8210

Contractor: Wessman Development | Address: 555 S Sunrise Way Ste 555, Palm Springs CA | Phone: 760 325 3050 | Lic. Number: 213720

Architect: Sanborn A/e | Address: | Phone:

Engineer: Gouvis Eng | Address: 4400 Campus Dr, Newport Beach CA | Phone: 949)752-1612

Lot # | Block # | Tract | Parcel Number: 513-300-038

Lot Size | Zone | Occupancy: A-2 Assembly, restaurants, bars, banquet halls

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	0	0	0	0

Use of building: Commercial | Permit Type: Commercial Additoin/alteration | Const. Type: VB | Fixture Units: 52

Fire Sprinkler: Yes | Units: 0 | Valuation: 80000.00 | Permit Fees Paid: 3006.91

Describe work in detail:

Add bar, cabanas, bath house/restrooms, block walls and site work at existing restaurant site.

Special Conditions:

Bar addition under 1000 SF, No TUMF fee per CVAG.

Sewer connection fees of $ 15,912.00 will be paid through City's Deferral Program.

RECEIVED JUN 12 2014

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.

The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.

This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.

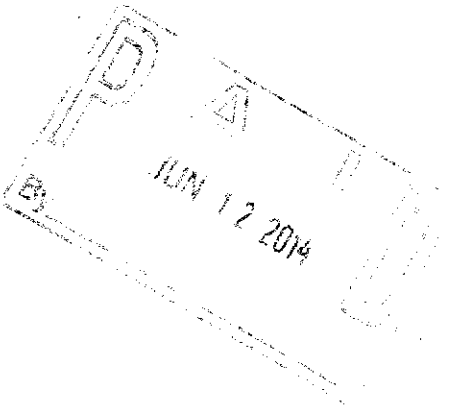
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-30**

EXHIBIT "D"
CONTRACTOR/VENDOR AGREEMENT



Hacienda Cantina

Hacienda		
TASK	TOTAL	COMMENTS
Interior and Exterior cCombo		
Furniture, restaurant and pool.	$92,281.00	Sunkor and others
Temp fence	$2,730.00	PM-10 Fence around the job
Demo	$36,850.00	Curb Gutter, Parking lot,Lights, Palm Tree's
Relocate Olive trees	$5,200.00	relocate 5 olive trees
Curb and gutter	$12,256.00	Curb and gutter around the perimeter of the project
Ac parking lot repairs	$13,000.00	repair parking lot
Rough and finish grading	$12,825.00	over X for each buildings
SCE	$24,720.00	New main line for the existing building and outdide area and new 1200 amp panel
Storm drain	$21,700.00	Storm drain per presice grade plan
Foundation	$26,440.00	Palapa,cabanas and bathroom
Pool	$49,700.00	pool,pool equipment,dry well
patio deck	$30,187.00	all flat work
Masonry walls	$65,624.00	walls,planters,cabanas and bathrooms
Steel structures Fencing,gates and hand rails	$68,000.00	bath house,bar,cabanas and cabana handrails
over head doors	$19,200.00	over head doors for Palapa bar
Finish carpentry for bathroom	$6,689.00	Lockers,door ,jamb and hardware, partions and grab bars
Rough Carpentry	$12,000.00	burnt cedar on Palapa bar and cabanas
finish grade Landscaping	$69,851.00	per landscape plan 5000.00 for finish grade
Plumbing	$75,590.00	includes gas,sewer and water tie-ins
Electrical	$96,000.00	includes all electrical to each building
AV	$25,000.00	AV for cabanas and Palapa bar
Paint	$4,000.00	all fence and steel and floor
drywall	$1,500.00	drywall at inside of bar
FRP	$500.00	FRP at inside of bar
Counter top Material	$11,000.00	for palapa bar,bathrooms and cabanas
Counter Labor only	$6,800.00	for palapa bar,bathrooms and cabanas
Stainless steel	$20,000.00	Interior and exterior
bar equipment	$30,000.00	Interior and Exterior
Sub total	$726,517.00	

salaries	38000	
Liquor License	32000	Misc Labor
tile	20000	Full 47
tile labor	19000	interior
Bar and Bath counters	14000	interior
Artwork	3700	Interior and exterior
dump fees	3269	inetrior
POS System	42000	
booths	18,500	Interior and Exterior
plumbing interior	11790	
Paint in and out	20169	
Drywall	12150	
ti cioeling	3500	
Interior Electric	17615	
Refrigeration repair	2500	
Attorney Fees	17000	
Civil Engineering	22100	
Metal Work	16425	
Landscape Arch	3244	
Glass shelving	1400	
AV Exterior Rat Sound	123,000	
Ineterior Exterior Design fees	97,000	

Running Total on 3/17/14 $1,294,879.00

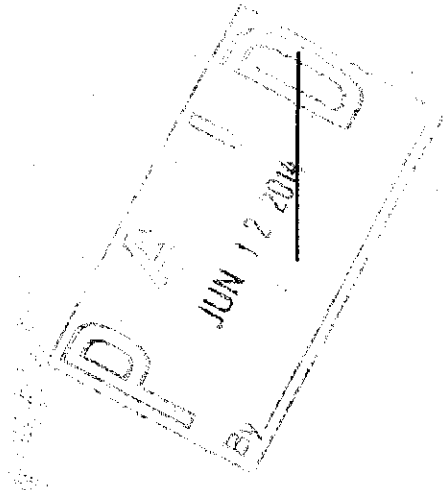


EXHIBIT "E"
PERFORMANCE NOTE

$250,000 Palm Springs, California

FOR VALUE RECEIVED, Miggys Cantina, LLC ("Tenant"), otherwise known as Hacienda Cantina, a California limited corporation ("Maker"), promises to pay THE CITY OF PALM SPRINGS, a California Charter City ("Holder") at 3200 E. Tahquitz Canyon Way, Palm Springs, California 92262, or at such other address as Holder may direct from time to time in writing, the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) (the "Note Amount"), together with interest thereon at the rate set forth herein. All sums payable hereunder shall be payable in lawful money of the United States of America. This Promissory Note ("Performance Note") is made in connection with that certain RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS GRANT AGREEMENT by and among Maker and the City of Palm Springs ("City"), dated as of _____, 2014 (as amended the "Agreement").

The Agreement provides for a City matching grant of $250,000, calculated as no less than 8,133 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed is $2,000,000, as shown in Exhibit "D". The amount of the Note entered into by the Tenant for the amount of the Grant, shall be reduced annually by one-third each year over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance. City liens are subordinate, as described below.

1. Interest Rate. The Note shall not bear any interest.

2. Term. The term of this Performance Note shall be for thirty-six months.

3. Repayment. No payments are due on the Note, with the exception that the principal amount of the Note Amount shall be immediately due and payable upon (i) any default of the Agreement, which is not cured within the time set forth in Section 13 of the Agreement.

4. Prepayment of City Performance Note Amount. The purpose of the Note is to ensure Performance under the Agreement. With the exception of an event of Default described in the Agreement, Maker may not prepay to Holder the full Note Amount, at any time prior to the due date of the Note Amount without penalty.

5. Application of Payments.. In the event of a default of the Agreement, each payment made by Maker hereunder shall be credited first to interest then accrued and the remainder, if any, to principal. Interest shall cease to accrue upon principal so credited.

6. Security. This Performance Note shall be recorded against the Property in the Official Records of Riverside County.

7. Holder May Assign. Holder may, at its option, assign its right to receive payment under this Performance Note without necessity of obtaining the consent of the Maker.

JUN 12 2014

8. Maker Assignment Prohibited. . In no event shall Maker assign or transfer any portion of this City Performance Note without the prior express written consent of the Holder, which consent may be given or withheld in the Holder's sole discretion. Notwithstanding the foregoing, the Maker may assign one time only its interest in this Performance Note upon prior written notice to the Holder, but without the Holder's consent, to a single purpose entity to which the Maker or its principals own a share and are part of the management structure as Managing Member or Co-Managing Member ("Permitted Transferee").

9. Attorneys' Fees and Costs. In the event that any action is instituted with respect to this City Performance Note, the non-prevailing party promises to pay such sums as a court may fix for court costs and reasonable attorneys' fees. Holder's right to such fees shall not be limited to or by its representation by staff counsel, and such representation shall be valued at customary and reasonable rates for private sector legal services.

10. Non-Waiver. Failure or delay in giving any notice required hereunder shall not constitute a waiver of any default or late payment, nor shall it change the time for any default or payment.

11. Successors Bound. This Performance Note shall be binding upon the parties hereto and their respective heirs, successors and assigns.

12. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

13. Non-Recourse. Notwithstanding anything to the contrary herein contained, (i) the liability of Maker shall be limited to its interest in the Site and any rents, issues, and profits arising from the Site and, in addition, with respect to any obligation to hold and apply insurance proceeds, proceeds of condemnation or other monies hereunder, any such monies received by it to the extent not so applied in accordance with the terms of this Note; (ii) no other assets of Maker shall be affected by or subject to being applied to the satisfaction of any liability which Maker may have to Holder or to another person by reason of this Note; and (iii) any judgment, order, decree or other award in favor of Holder shall be collectible only out of, or enforceable in accordance with, the terms of this Note by termination or other extinguishment of Maker's interest in the Site. Notwithstanding the foregoing, it is expressly understood and agreed that the aforesaid limitation on liability shall in no way restrict or abridge Maker's continued personal liability for: (A) fraud or willful or grossly negligent misrepresentation made by Maker in connection with this Note or any of the City Agreements; (B) misapplication of (a) proceeds of insurance and condemnation or (b) rent received by Maker under rental agreements entered into for any portion of the Site after default of the Note; (C) the retention by Maker of all advance rentals and security deposits of tenants not refunded to or forfeited by such tenants; or (D) the indemnification undertakings of Maker under the City Agreements.

14. Notices, Demands, and Communications. Formal notices, demands, and communications between Maker and Holder shall be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing

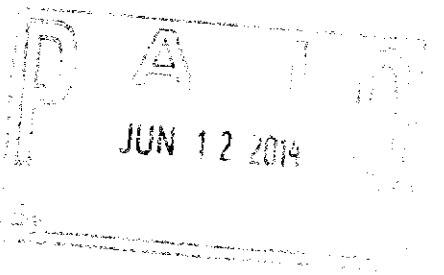
in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

To Holder:	The City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262 Attn: City Manager
With a copy to:	Woodruff Spradlin & Smart, LLP 555 Anton Boulevard, Suite Costa Mesa, California 92___ Attn: Douglas C. Holland, Esq.
To Maker:	Miggy's Cantina, LLC 700 East Tahquitz Canyon Way Palm Springs, California 92262 Attn: Rich Meaney

Notices personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices mailed shall be deemed effective on the second business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as either party may from time to time designate by mail.

15. Subordination. The Holder understands that the Maker is the Operator of a Restaurant, which required construction debt and other debt instruments to be placed against the Property during the term of this Note. It is understood by Holder that the Construction Debt and Mezzanine debt is Senior to the Holder's Note, and Holder is willing to subordinate its Performance Note to the Senior Construction and Mezzanine debt.

SIGNATURES ON NEXT PAGE



"MAKER"

Miggy's Cantina, LLC
a California limited liability corporatior

BY:

_____
Date

_____
Name: Rich Meaney, President

"HOLDER"

THE CITY OF PALM SPRINGS,
a California Charter City

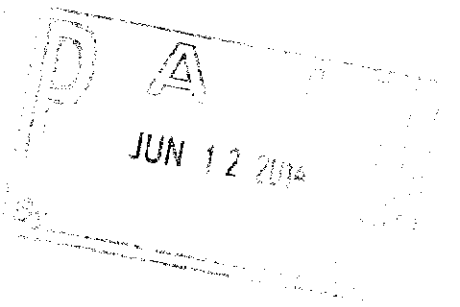
_____
City Manager

Date _____

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:



_____
City Attorney

EXHIBIT "F"
CERTIFICATE OF PROGRAM COMPLIANCE

3200 Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263
760.323.8259

The City of Palm Springs

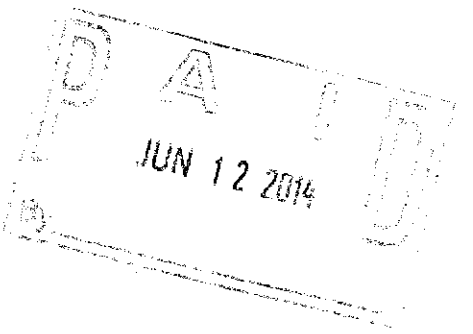
Employment Level Verification
CERTIFICATE OF PROGRAM COMPLIANCE

Company Name:	The Company certifies that the information contained in the Summary attached is true and accurate and hereby certifies that a review of the employment levels of the Company during such period and of the Company's performance under this Certificate and the documents referred to therein has been made under the supervision of the undersigned.
Palm Springs Address:	
Headquarters/Regional Mailing Address:	
Local Manager:	
Phone: Fax:	
Contact Email:	By:
Date of Property Lease Expiration:	Its:
	Date:

EMPLOYMENT CERTIFICATION

Period Covered from _____ to _____

The undersigned, _____, a _____ (the "Company"), has read and is thoroughly familiar with the provisions of the Employment Levels under this Agreement and documents referred to therein executed by the owner/tenant of the Property in the City of Palm Springs where the Company is located ("Owner/Tenant") and the City of Palm Springs ("City"), as such terms are defined in Resolution No.23413 of the City of Palm Springs. As of the date of this Certificate, for the period shown above, the following number of full-time employees employed at the Company is: 88 total jobs; 10 full time and 78 part time jobs.



PROMISSORY NOTE

$250,000 Palm Springs, California

FOR VALUE RECEIVED, Miggys Cantina, LLC ("Tenant"), otherwise known as Hacienda Cantina, a California limited corporation ("Maker"), promises to pay THE CITY OF PALM SPRINGS, a California Charter City ("Holder") at 3200 E. Tahquitz Canyon Way, Palm Springs, California 92262, or at such other address as Holder may direct from time to time in writing, the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) (the "Note Amount"), together with interest thereon at the rate set forth herein. All sums payable hereunder shall be payable in lawful money of the United States of America. This Promissory Note ("Performance Note") is made in connection with that certain RENOVATING MAJOR VACANCIES AS CATALYST PROJECTS GRANT AGREEMENT by and among Maker and the City of Palm Springs ("City"), dated as of June 10, 2014 (as amended the "Agreement").

The Agreement provides for a City matching grant of $250,000, calculated as no less than 8,133 square feet of the building space multiplied by the maximum $30/s/f of City contribution. The estimated cost of the work proposed is $1,500,000, as shown in Exhibit "D". The amount of the Note entered into by the Tenant for the amount of the Grant, shall be reduced annually by one-third each year over the three year Compliance Period, after the City certifies a Certificate of Continuing Compliance. City liens are subordinate, as described below.

1. Interest Rate. The Note shall not bear any interest.

2. Term. The term of this Performance Note shall be for thirty-six months.

3. Repayment. No payments are due on the Note, with the exception that the principal amount of the Note Amount shall be immediately due and payable upon (i) any default of the Agreement, which is not cured within the time set forth in Section 13 of the Agreement.

4. Prepayment of City Performance Note Amount. The purpose of the Note is to ensure Performance under the Agreement. With the exception of an event of Default described in the Agreement, Maker may not prepay to Holder the full Note Amount, at any time prior to the due date of the Note Amount without penalty.

5. Application of Payments.. In the event of a default of the Agreement, each payment made by Maker hereunder shall be credited first to interest then accrued and the remainder, if any, to principal. Interest shall cease to accrue upon principal so credited.

JUN 12 2014

6. Security. This Performance Note shall be recorded against the Property in the Official Records of Riverside County.

7. Holder May Assign. Holder may, at its option, assign its right to receive payment under this Performance Note without necessity of obtaining the consent of the Maker.

8. Maker Assignment Prohibited. . In no event shall Maker assign or transfer any portion of this City Performance Note without the prior express written consent of the Holder, which consent may be given or withheld in the Holder's sole discretion. Notwithstanding the foregoing, the Maker may assign one time only its interest in this Performance Note upon prior written notice to the Holder, but without the Holder's consent, to a single purpose entity to which the Maker or its principals own a share and are part of the management structure as Managing Member or Co-Managing Member ("Permitted Transferee").

9. Attorneys' Fees and Costs. In the event that any action is instituted with respect to this City Performance Note, the non-prevailing party promises to pay such sums as a court may fix for court costs and reasonable attorneys' fees. Holder's right to such fees shall not be limited to or by its representation by staff counsel, and such representation shall be valued at customary and reasonable rates for private sector legal services.

10. Non-Waiver. Failure or delay in giving any notice required hereunder shall not constitute a waiver of any default or late payment, nor shall it change the time for any default or payment.

11. Successors Bound. This Performance Note shall be binding upon the parties hereto and their respective heirs, successors and assigns.

12. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

13. Non-Recourse. Notwithstanding anything to the contrary herein contained, (i) the liability of Maker shall be limited to its interest in the Site and any rents, issues, and profits arising from the Site and, in addition, with respect to any obligation to hold and apply insurance proceeds, proceeds of condemnation or other monies hereunder, any such monies received by it to the extent not so applied in accordance with the terms of this Note; (ii) no other assets of Maker shall be affected by or subject to being applied to the satisfaction of any liability which Maker may have to Holder or to another person by reason of this Note; and (iii) any judgment, order, decree or other award in favor of Holder shall be collectible only out of, or enforceable in accordance with, the terms of this Note by termination or other extinguishment of Maker's interest in

JUN 12 2014

the Site. Notwithstanding the foregoing, it is expressly understood and agreed that the aforesaid limitation on liability shall in no way restrict or abridge Maker's continued personal liability for: (A) fraud or willful or grossly negligent misrepresentation made by Maker in connection with this Note or any of the City Agreements; (B) misapplication of (a) proceeds of insurance and condemnation or (b) rent received by Maker under rental agreements entered into for any portion of the Site after default of the Note; (C) the retention by Maker of all advance rentals and security deposits of tenants not refunded to or forfeited by such tenants; or (D) the indemnification undertakings of Maker under the City Agreements.

14. Notices, Demands, and Communications. Formal notices, demands, and communications between Maker and Holder shall be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

To Holder:	The City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262 Attn: City Manager
With a copy to:	Woodruff Spradlin & Smart, LLP 555 Anton Boulevard, Suite Costa Mesa, California 92___ Attn: Douglas C. Holland, Esq.
To Maker:	Miggy's Cantina, LLC 700 East Tahquitz Canyon Way Palm Springs, California 92262 Attn: Rich Meaney

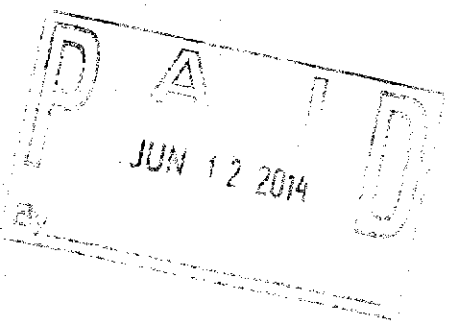
Notices personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices mailed shall be deemed effective on the second business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as either party may from time to time designate by mail.

15. Subordination. The Holder understands that the Maker is the Operator of a Restaurant, which required construction debt and other debt instruments to

JUN 12 2014

be placed against the Property during the term of this Note. It is understood by Holder that the Construction Debt and Mezzanine debt is Senior to the Holder's Note, and Holder is willing to subordinate its Performance Note to the Senior Construction and Mezzanine debt.

SIGNATURES ON NEXT PAGE



"MAKER"

Miggy's Cantina, LLC
a California limited liability corporatior

BY: _____

Name: Rich Meaney, President

6-4-14
Date

"HOLDER"

THE CITY OF PALM SPRINGS,
a California Charter City

_____
City Manager

APPROVED BY CITY COUNCIL
6.3.14 1C A1522

Date June 10, 2014

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

PAID
JUN 12 2014
By:

ACKNOWLEDGMENT

State of California)
County of Riverside)

On 6/4/14, before me, K. Maiorca
(insert name of notary)
Notary Public, personally appeared Rich Meaney,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(~~ies~~), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature K. Maiorca

K. MAIORCA
COMM. #1931045
NOTARY PUBLIC • CALIFORNIA
SAN BERNARDINO COUNTY
Commission Expires APR 1, 2015

(Seal)

ACKNOWLEDGMENT

State of California)
County of _____)

On _____, before me, _____,
(insert name of notary)
Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

RECEIVED
JUN 12 2014
BY

Hacienda Cantina

1555 S. Palm Canyon Drive

- Repurpose existing vacant 8,500 square foot former restaurant to include new restaurant and pool with cabanas. Building had been vacant for at least 5 years.

- Over $2,500,000 investment
- $250,000 grant

Mister Lyons

200 East Palm Canyon

Renovated historic restaurant space into a modern steakhouse

Over $1,200,000 investment

$250,000 grant

City of Palm Springs

Discussion of Former Redevelopment Agency, Successor Agency Land Sales, and Economic Incentive Programs

History, Projects and Dissolution

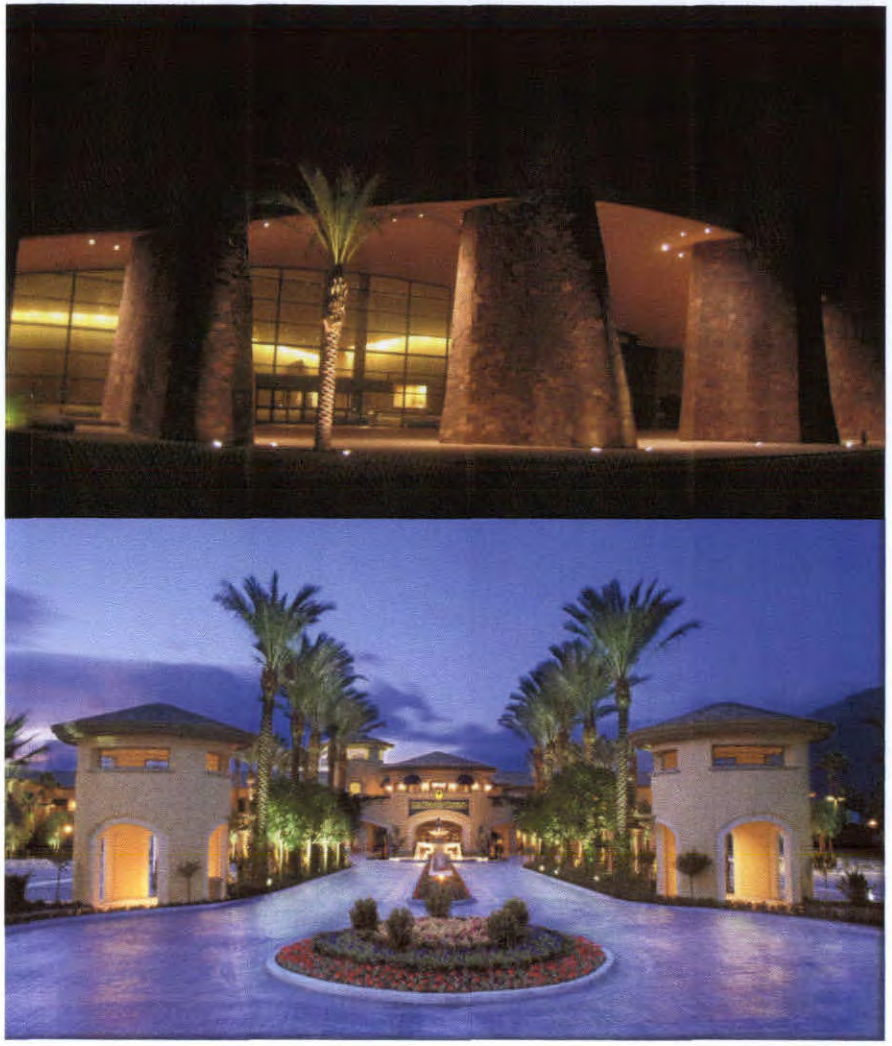
FORMER COMMUNITY REDEVELOPMENT AGENCY

History of the CRA

- City Council established the Agency in 1972 to address conditions of physical and economic blight in selected portions of the city, beginning with the CBD in 1973.
- Intent was to create a more cohesive and unified community by strengthening the physical, social, and economic ties between various land uses.

Selected CRA Projects

- Convention Center and Wyndham Land Assembly/Renaissance Renovation
- Casino Disposition & Development Agreement – assisted with land acquisition



Selected CRA Projects

- Expanded BMW and Mercedes Dealership
- Included the exchange of 5 acres in Section 14 for 8 acres on the BMW site

Selected CRA Housing Projects

Vista Sunrise Apartments, Vista Serena and Vista Del Monte Apartments, Riverside County Family Care Center

Selected CRA Housing Projects

- Sahara Mobilehome Park Conduit Financing, Perimeter Wall and Electrical System Improvements

Selected CRA Housing Projects

- Coyote Run, Sunrise Village Mobile Home Park Refinancing, K. Hovnanian's Four Seasons

Selected CRA Projects

- The Springs Shopping Center. Included the remediation of a 30 acre landfill.

Dissolution of CRA in 2011

- AB 1X 26 (the "Dissolution Act") was signed by the Governor of California on June 29, 2011, making certain changes to the Redevelopment Law. Commencing on February 1, 2012, AB 1X 26 dissolved all existing redevelopment agencies.

Dissolution of CRA in 2011

- The City became Successor Agency, which was:
  - Vested with any remaining authority, rights, powers, duties and obligations formerly vested to the redevelopment agency; and
  - Responsible for winding down the affairs of the former redevelopment agency (in conjunction with the Oversight Board)

Successor Agency

- Successor Agency takes control of all redevelopment agency assets, properties, contracts, leases, books and records, buildings and equipment and disposes of assets and properties of the former redevelopment agency

Property Disposition

- In June, 2012 the Governor signed Assembly Bill 1484, reforming the processes related to the disposition of Dissolved RDA assets.
- A Long-Range Property Management Plan ("LRPMP") was reviewed by the Oversight Board on December 12, 2013. Prepared in collaboration with a qualified dissolution and real estate consultant, the LRPMP contains detailed information on each property, such as the date and purpose of acquisition, parcel characteristics, estimate of the current value and any lease, rental or other revenues, histories of environmental contamination, and previous development proposals.
- The LRPMP was approved by DOF in March, 2014.

Prairie Schooner and Casa Del Camino

LAND SALES UNDER THE LRPMP

Prairie Schooner

- Show DOF Letter

Casa Del Camino

Façade Improvement, Interior Remodel, Major Catalyst Vacancy

ECONOMIC INCENTIVE PROGRAMS

2008-2010 Façade Improvements

Brien O'Brien Salon * Agua Caliente Cultural Museum * Modern Properties * Grill-A-Burger * **Angel View Thriftmart * Tinder Box * Pinocchio's of the Desert** * Del Sol * **Palm Springs Chamber of Commerce * Village Pub * Blue Coyote** * Xpect * Your Family Name * **Crystal Fantasy** * Capelli Studio * **Modern Mosaics** * Great Wall Chinese Restaurant * **Raphael's Salon * Cheeky's** * Palm Canyon Jewelers * **LG's Prime Steakhouse * Andreas Hotel & Spa * Frenchy's * Wangs of the Desert * Baddour Building * Jakes Ready To Eat * Sunglasses of Palm Springs** * Tchotchkes * Dinks Restaurant & Ultra Lounge * Mischief * **Peabody's Café** * Palm Springs Piercing Company * **Canyon Rose Boutique * Palm Springs Fudge & Chocolate** * Hamburger Mary's * **L'Olivo Italian Restaurant * Palm Canyon Roadhouse * Boileau Studio * Le Vallauris * Tamara G * Gisela Salon & Day Spa * Palm Springs General Store * Rocky's Pawn Shop** * Old Creek House * **Crazy Shirts** * MacMillans Resort Wear * The Right Stuff * **Bongo Johnny's Patio Bar & Grille * British Invasion * Score Sports Bar * Tony's Pasta Mia * Copley's on Palm Canyon * Las Casuelas Viejas * Trio Restaurant * The Right Stuff Plus * Marianne of Palm Springs * Equality California * Integrated Wealth Management * Capitis Real Estate * Nationwide Insurance** * African Arts and Afro Wear * Pony Express * Route 66 West * **Dennis J. Norheim, DDS * NestEggg Bookkeeping** * afusion Real Estate Services * Stepping Up * PS Candy &Treasures * Latino Books y Mas * Professional Resource Insurance Agency * **Eddie's Frozen Yogurt * Frenchy's * Johnny Costa's * Jozsef's Men's Hairstyling * Budget Pharmacy * Queen's Nails** * The Exchange * Turquoise A Salon * **Cilantro Gallery * Zeldaz Nightclub** * Revenge Boutique * **Desert Fox Bar** * Salon Colours * Expert Repairs * **Desert Arts Center** * JD's Landing & El Morocco Hotel * Look Restaurant & Bar *

2008-2010 Interior Remodels

Melvyn's * Torme's Jazz Bar & Restaurant * Village Pub * Cilantro Gallery * Rio Azul Restaurant * Just Fabulous * Le Vallauris Restaurant * Red Tomato-House of Lamb * The Falls Steakhouse

2010-2011 Façade Improvements

Swank Interiors * Pawz 4 Cauz PS * Realty Executives * Las Casuelas Terraza * Torme's Jazz Bar & Restaurant * Ingleside Inn * Just Fabulous * Rio Azul Restaurant * Egggnest * Tamara G * State Farm Insurance * Chop House * Palm Canyon Smoke Shop * Mark J Sullivan * Pipe Mart Smoke Shops * Teez Me * Ignition Coffee House * DC Custom Upholstery * Power Yoga PS * Insolito Home * Tops N Tees * Prestige Rugs * Snip Snip Buzz * Juice Café * PS Candy & Treasures *

2013-2015 Interior Remodels

1000 South Palm Canyon * Go Deli Market * Bernie's Lounge & Supper Club * Miro's * Pete's Hideaway * The New York Company Restaurant * Mama Ola's Soul Food * Deepwell Apartments * Ernest Coffee * Thirteen Forty Five Palm Canyon * Baddour Trust of 1988 * Son Cabinetry & Design * Peninsula Pastries * Toucans Lounge *

dish Creative Cuisine

1107 N. Palm Canyon Drive

- Scope of work: Structural and nonstructural renovation for new restaurant, including architectural, electrical, mechanical, plumbing and interior design work, fixtures and equipment. Note: Applicant stated actual investment $950,000; the $200,000 shown is based on original application and agreement.

- Total qualified project expenditure: $200,000/Grant amount: $25,000

The New York Restaurant Company

1260 S. Palm Canyon Drive

- Scope of work: New carpet in main and lower dining areas, glass partition in bar area, lighting fixtures, window treatment, paint all interior space, drop drape between bar and dining room acoustical ceiling, sound system, pin lights, restaurant and bar equipment, upright freezer and kitchen grill.

- Total qualified project expenditure: $44,054.74/Grant amount: $22,027.37

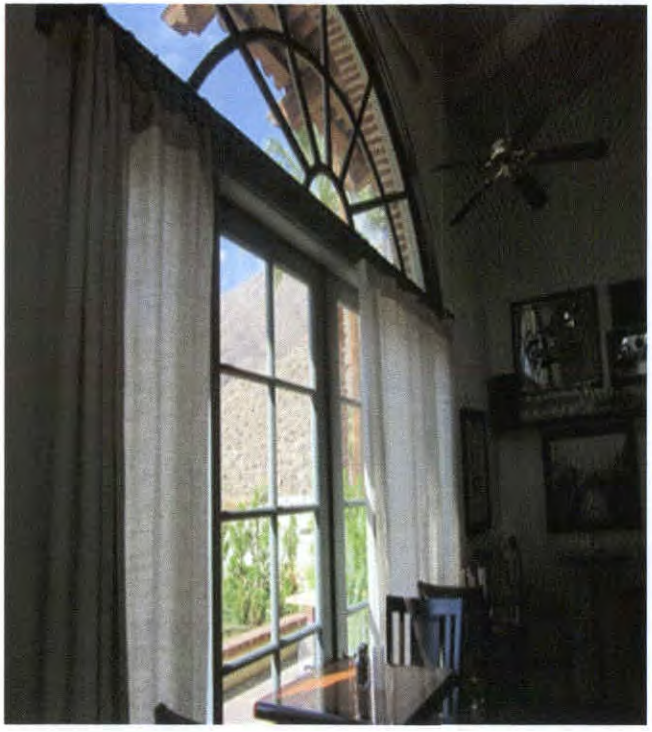
Go Deli Market

611 S. Palm Canyon Drive

- Scope of Work: Gutting the old Revivals space and build out new market and deli, including floor covering, electrical wiring, partitions, ceiling, permanent displays, and painting all interior spaces.

- Total qualified project expenditure: $172,638.48/Grant amount: $25,000.00

Miro's

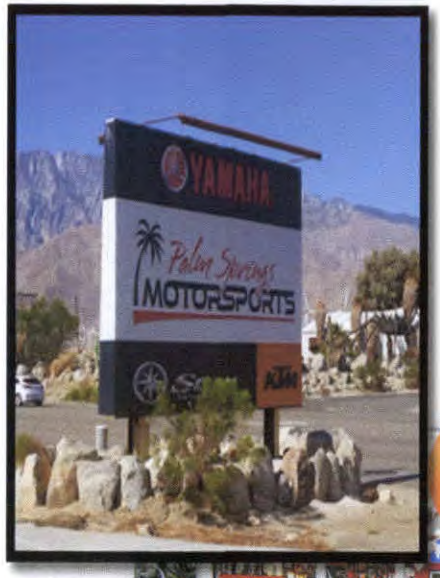


- **1555 S. Palm Canyon Drive**
- Scope of work: Refrigeration equipment, painting throughout dining area and bar, new lighting in bar and dining room, new ceiling fans in bar and dining areas, new wine cellar & cooling, and new French doors leading to new outside dining area.
- Total qualified project expenditure: $47,916.57 /Grant amount: $23,958.28

Bernie's Lounge & Supper Club

- **292 E. Palm Canyon Drive**
- Scope of work: Remove wallpaper, refinish walls, new ceiling tiles, new carpet, new installed light fixtures, and booths.
- Total qualified project expenditure: $60,338.28 /Grant amount: $25,000.00

Palm Springs Motorsports



6550 N. Indian Canyon Drive

- Remodel and repurpose existing 9,000+ square feet building for retail sales and services of Yamaha and KTM sports crafts. Building was vacant for more than 10 years.

- $450,000 investment
- $30,000 grant

Appetito Cal-Italian Deli

1700 S. Palm Canyon Drive

- Build out vacant 4,858 square feet commercial space for a California/Italian Deli. Space previously had never had a tenant.

- Over $1,100,000 investment
- $145,740 grant

CITY COUNCIL STAFF REPORT

DATE: June 3, 2015 STUDY SESSION

SUBJECT: DISCUSSION OF FORMER REDEVELOPMENT AGECNY REAL PROPERTY TRANSACTIONS AND REDEVELOPMENT

FROM: David H. Ready, City Manager

BY: Community & Economic Development Department

SUMMARY

On May 20, 2014, the City Council rescinded the approval of a Purchase and Sale Agreement between the City acting as the Successor Agency of the Community Redevelopment Agency ("Successor Agency") and Richard Meaney and Yokang Zhou, as individuals, for a property located at 1479 N. Palm Canyon Drive, known as the Casa Del Camino property. It is a Successor Agency property and its disposition was pursuant to the requirements of 34191.5(c) of the Health and Safety Code.

In addition, the City recently completed the sale on behalf of the Successor Agency of 6.2 acres to NDC Equities Downtown PS, LLC, a limited liability corporation associated Nexus Development. This is the parcel commonly known as the Prairie Schooner Parcel, near the Convention Center. Both parcels were Successor Agency properties and their disposition was pursuant to the requirements of 34191.5(c) of the Health and Safety Code.

Below is a discussion of the RDA Dissolution process, plus a specific history of the ownership and transaction history of the two parcels in questions to illuminate the redevelopment purpose behind the transactions. Finally, also included is a description of a couple of other redevelopment transactions undertaken by this agency prior to dissolution to highlight the "land write down" purpose in redevelopment for other public benefit.

STAFF ANALYSIS:

START w/ RDA Purpose/Process & Dissolution Process

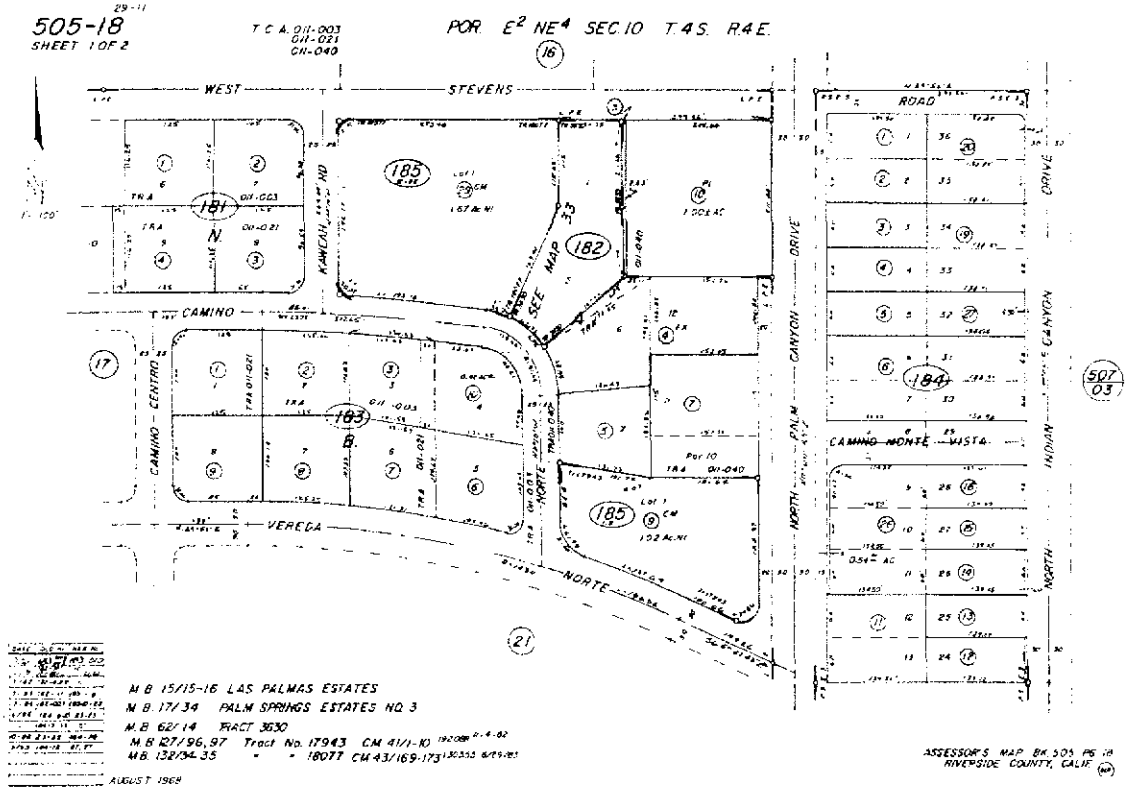
Casa Del Camino

City staff has worked for the past several years on the redevelopment of the City- and Agency-owned parcels at Stevens Road and North Palm Canyon Drive (the Casa del Camino and Reservoir Parcels). Over the past few years staff has worked with a number of developers trying to put together a mixed use or hotel project on the site,

which is split between the C-1 and R-2 zones. An RFP was issued in May, 2006 and the Agency entered an ENA with the adjacent land ~~owner for the development~~ of a condominium project, which was in effect until the housing market began to soften in late 2006/early 2007.

This rescinded transaction was a Purchase and Sale Agreement between the City acting as the Successor Agency of the Community Redevelopment Agency of the City of Palm Springs ("Successor Agency") and Richard Meaney and Yokang Zhou, as individuals, for a property located at 1479 N. Palm Canyon Drive, known as the Casa Del Camino property. It was a Successor Agency property and its disposition is pursuant to the requirements of 34191.5(c) of the Health and Safety Code

The purchasers were the owners of the adjacent property to the south, which they purchased in June, 2014. They were assembling properties for the purpose of a larger development on the site. The fee ownership of the adjacent parcel has been an important consideration for the agency in negotiations with developers since at least 1998, when the two parcels (the Casa Del Camino and the adjacent City-owned Reservoir parcel, which was acquired in 1997) began to be marketed together. The selection of a developer pursuant to an RFP in 2006 was influenced by the participation of the adjacent property owner. A map showing the Agency- and City-owned parcels, along with the private parcel to the south, is shown below.



Prior to this action in 2014, the most recent action on the two parcels was the approval of an Exclusive Agreement to Negotiate for nine months with Savoy Group, Inc. of Nevada for a boutique hotel and bistro on the Site on March 21, 2012. The former O'Donnell Reservoir has been owned by the City of Palm Springs since 1997 and the Casa del Camino Property was acquired by the Agency in 1987 as part of the abatement of a deteriorated hotel property and transferred to the City in March, 2011. Later, in 2013, the State Controller's Office "unwound" the transfer of the Casa Del Camino, returning it to the Successor Agency, and in June, 2012, the State passed AB 1484, which amended the process by which Successor Agency properties were sold and required the adoption of a Long Range Property Management Plan (LRMPM) after the Successor Agency received a Finding of Completion from the State.

The Savoy Project would have consisted of developing the two parcels into a high-end, boutique hotel and bistro. It would include the demolition of the former reservoir structure. During the term of the Agreement, the Developer would undertake the design and entitlement of the project. Upon conclusion of the entitlement process, the City and Developer would have entered into a Purchase and Sale Agreement for the sale of the property for the Project. As far as the negotiated price, the Developer proposed acquiring the combined parcel for $810,000, which was considered fair for the purposes of negotiation. It would have been confirmed by an appraisal conducted during the term of the Agreement.

The ENA period expired with the Savoy project moving forward. The project did not include the adjacent property and investors did not see the feasibility of the boutique hotel being constructed on the two City properties.

Earlier Proposals

There were earlier proposals dating back to 1998, 2002, 2005, and finally in 2006/2007 with a Negotiating Agreement entered into with the previous owner of the adjacent 48,000 s.f. parcel. Some were for hotel projects, while others were for mixed use and condominium projects. Developers were typically frustrated in their efforts to acquire the adjacent parcel from the owner, who was not a motivated seller. That property had been acquired by the owner's family in 1969 and had an extremely low basis, and could be held indefinitely.

In 2005, one of the developers determined that there was a potential defect in the title on the Reservoir parcel; the issue was flagged by their attorney. It requires getting a title company to describe the title restriction in the report and indemnify against it without any qualification or reservations, which will allow the development to go forward.

However, the delays in completing the deal were also due to addressing other problems with the property, including the Whitewater Mutual Water Company's requirement that their lines on the property be replaced and/or relocated, without being able to provide an accurate map that showed their location. It was only after hiring an engineering company to locate the lines, and then meeting with the Whitewater representative, that

we concluded that the relocation requirement is rather minimal. However, at that point the developer finally balked at moving forward on the deal. Furthermore, since the sale of the Whitewater Company to the Desert Water Agency several years ago, those discussions will likely begin anew.

In 2006, the Agency undertook an RFP, which resulted in three proposals. One of the proposals was from the adjacent property owner, who is actually an experienced condominium developer in other locations (mainly Seattle and Telluride). All three proposers submitted excellent conceptual plans, which made it difficult to decide which project most clearly met the intent and purpose of the RFP.

In the end, staff determined that the adjacent owner's proposal was the best fit with the Agency's RFP, in part because they proposed a mixed use development (though they were not the only one) and in part because they proposed a project that uses the Agency's parcel as well as the adjacent 48,000 square foot parcel, which they owned. The DDA that would have been presented for approval at the end of your EAN period would have required that they build the project as revised through the land use entitlement process. The appraised value at the time was $940,000 for the two parcels, prior to any adjustment for removal of the reservoir.

In early 2007, the Developer determined that the development of condominiums on the site would not be feasible. His experience at the time in then-hotter markets suggested that condo sales were coming to a standstill. While he did not anticipate the Great Recession, he knew that there would be several years before condos would be feasible at that site.

All of the transactions until the 2014 sale marketed the two properties together: the anticipated split in sale proceeds would have been *pro rata* based on square footage. In the case of an $800,000 sale, the breakdown would have been as follows:

Parcel	Owner	S.F. %	Dollars	Net to City*
Reservoir	City	57%	$456,000	$456,000
Casa Del Camino	Agency	43%	$344,000	$92,880
		Total	$800,000	$548,880

*The net paid to the City under RDA Dissolution tax allocation.

No development activity occurred on the site until the Savoy offer in 2012, described above. The City was the party to that agreement, having transferred ownership of the Casa Del Camino lot, among other RDA properties, to the City in 2011, ahead of the proposed dissolution of RDA by Governor Brown. Those transactions were unwound by an Order of the State Controller in 2013, and the Casa Del Camino and Reservoir were separated in terms of legal requirements. The Casa Del Camino was to be sold under Section 34191.5(c) of the Health and Safety Code, while the Reservoir would have been sold under the City's own policies under the Government Code. While the "combined

value" of the two parcels would stay essentially the same, the transactions would now take different paths.

Asset Transfer Report

The Dissolution Act called for the Successor Agency, under the direction of the Oversight Board, to dispose of real property it received from the Dissolved RDA either for limited public uses, or for disposition into the private market expeditiously and with a view toward maximizing value, with the disposition proceeds ultimately made available for distribution to the affected taxing entities.

One of the requirements under the Dissolution Act was the preparation and submittal to the State Controller's Office of an Asset Transfer Assessment prepared by the Successor Agency, showing the assets that were owned by the Agency and transferred to the Successor Agency upon the dissolution on February 1, 2012.

Land Disposition Process under AB 1484

The City and the Oversight Board for the Successor Agency to the Palm Springs Community Redevelopment Agency completed the process mandated by the State of California applicable to the disposition and use of the Successor Agency Property. Having completed the process, the Successor Agency is now capable of conveying the Property in accordance with Section 34191.5(c) of the Health and Safety Code.

In 2012, the State approved a redevelopment reform act, AB 1484, which changed a number of the processes related to the disposition of Dissolved RDA assets. AB 1484 provided certain flexibility and local benefits in connection with property disposition.

The Successor Agency holds a total of 12 from the Dissolved RDA. These include sites assembled for future redevelopment, public parking lots and other real property. Disposition of these properties would not be able to occur until the Department of Finance ("DOF") issued a finding of completion and approved a long-range property management plan, which included an inventory of these properties and other pertinent information. Assembly Bill 1X 26 added Health and Safety Code Sections 34191.1-34191.5 requiring that successor agencies send a long-range property management plan to their oversight board and DOF no later than six months following the issuance of the finding of completion.

The Successor Agency received its finding of completion from DOF on January 2, 2014. The Long-Range Property Management Plan ("LRPMP") was reviewed by the Oversight Board on December 12, 2013. Prepared in collaboration with a qualified dissolution and real estate consultant, the LRPMP contains detailed information on each property, such as the date and purpose of acquisition, parcel characteristics, estimate of the current value and any lease, rental or other revenues, histories of environmental contamination, and previous development proposals.

The LRPMP outlined that the Successor Agency would sell all 12 properties, including

the Casa Del Camino parcel. The State-approved value in the LRPMP for this 29,152 s.f. parcel was $195,561. The sales proceeds collected by the Successor Agency (net of transaction costs) would be transferred later to the County Auditor-Controller for dissemination to each of the affected taxing agencies of the former redevelopment project area. The City would only receive 27% of the net proceeds from any transaction, which would be $52,801 even if there were no transaction (escrow and closing) costs.

Since the properties would continue to be marketed together with an implicit "combined value," a lower value of the Casa Del Camino contributes to a higher value of the Reservoir Parcel. While the price was still being negotiated with the buyer, it was to be no less than $600,000 for the Reservoir.

The City had considered re-issuing a version of the 2006 RFP for the disposition of the two properties, but when the Developer purchased the privately-owned property for the purpose of developing a hotel on all three parcels, the outcome would be the same as in 2006 – the RDA's preference, since it acquired the property in in 1987, was always to assemble the three properties in a single, harmonious development.

The final double-check on value was the analysis of the entire proposed project and the contributory land values, done in February, 2015. The three parcels together account for about 120,000 square feet, and in the C-1/R-2 (R-3) zone, could accommodate 120 hotel rooms. Hotel use was determined to be the highest and best use of the site, since no other land use there creates as much revenue and activity per acre. The rule of thumb in hotel development is that $15,000 per key for raw land cost is an important threshold for feasibility. Therefore, the three parcels together could support about $1,800,000 in value before a hotel project would begin to be infeasible.

Parcel	Owner	S.F.	Value	Net to City*
Reservoir	City	41,000	$600,000	$600,000
Casa Del Camino	Agency	29,000	$195,561	$52,801
Private Parcel	Developer	48,000	$1,048,000	N/A
	Totals	118,000	$1,843,561	$652,801

*The net paid to the City under RDA Dissolution tax allocation. This is more than $100,000 more to the City than under the pro rata transaction.

The Developer overpaid the seller on the private property in order to control the site, but the analysis showed that for the same $800,000 total price for the two parcels, the City would be able to keep more of the proceeds and still keep the overall project budget in the realm of a feasible hotel project.

The importance of an additional hotel in that area cannot be overstated: with the construction of the Arrive Hotel and the remodel of the Skylark, both within a block of this site, finishing off this last large vacant area would provide a tremendous boost to

the upper part of the Uptown area. And the rough economics on even a midline hotel is that it would provide a tremendous revenue boost for the City, even if it came into the Hotel Incentive Program, providing nearly $200,000 per year in TOT for the life of the project.

Prairie Schooner

On November 19, 2014, the City Council amended a Purchase and Sale Agreement between the City and O & M HR, LLC, dated October 25, 2011 (the "Original Agreement"), for property located at the southeast corner of E. Andreas Road and N. Calle El Segundo, Palm Springs, California (APNs 508-055-007, 508-055-008 and 508-055-009), known as the Prairie Schooner Parcel. It amended one of the provisions in the original agreement that required the construction of a hotel on the property, and assigns the agreement from the single-purpose LLC that was originally created to develop a hotel to the master development company undertaking the new project. The principals in the project have not changed.

The sale amount was $1,500,000.

The Property had been a former Community Redevelopment Agency ("Agency" or "Dissolved RDA") parcel, but the Agency conveyed it and all the other Agency parcels to the City by resolution on March 16, 2011, making findings under California Health & Safety Code Section 33430 and 33432, which allowed the Agency to transfer properties to the City or any other public agency without competitive bidding. This action was taken three months prior to the State of California's changes in the California Community Redevelopment Law effectuated by AB X1 26 and AB X1 27 (the "Dissolution Act"). The City entered the Original Agreement in the belief it was the legal Owner of the parcel.

The transfer of the Property in 2011 was also subject to the terms of the Repayment Agreement with the Agua Caliente Band of Cahuilla Indians for the construction of a parking lot, and a Disposition and Development Agreement with O & M HR, LLC for the development of a 500-room hotel, and was conditioned on the redevelopment and use of the property in conformity with the Merged Project Area No. 2 Redevelopment Plan. Since 2011, the term of the Repayment Agreement has expired and no funds are due to the Tribe under that Agreement.

The original DDA with Nexus was approved in July, 2008, after the Agency and Nexus had been in Exclusive negotiating Agreements since December, 2005. Under Redevelopment Law at the time, before real property acquired by a Community Redevelopment Agency with tax increment proceeds may be sold or leased, the transaction must be approved by the Agency Board in accordance with California Health and Safety Code Section 33433. This Section required a "Summary Report", which describes and specifies certain information in regard to the proposed transaction, be available for public inspection.

Under the DDA, the Developer was to construct a four star Hard Rock Hotel of at least four hundred ninety (490) rooms. A "four star" hotel means a full service hotel comparable to other hotels in the Hard Rock Hotel Group in operation as of the date of this Agreement. The hotel will contain at least fifteen thousand (15,000) square feet of group meeting space, plus restaurants, spa facilities.

The Developer has received approval of the Preliminary and Planned Development District application, and certification of the environmental action under CEQA from the City of Palm Springs. The Developer committed to fully developing the project as approved in compliance with the Agency's other standard terms and conditions, including non-discrimination and maintenance covenants, and all other terms and conditions as provided in the Disposition and Development Agreement.

As with the developer of the Casa Del Camino property described above, by the end of 2008 nexus Developer determined that the development of the Hard Rock Hotel on the site would not be feasible due to the mounting effects of the Great Recession. They entered a period of negotiating with the Tribe on a venture that would have branded the Tribe's new hotel with the brand, but those negotiations concluded without a deal.

In 2011, Nexus proposed redesigning the Prairie Schooner site with a "two hotel" concept, a project that they had received approval on at the northwest corner of Tahquitz and Hermosa. These hotels would have been more limited service hotels (like a Residence Inn or Hyatt Place) but could potentially be financed more easily than a four-star product like Hard Rock.

The City, now as owner of the parcel, undertook the sale of the parcel on behalf of the dissolved Agency. However, once escrow was opened, the title company requested certification from the State that the sale was approved pursuant to the Dissolution Act. In late 2011 and early 2012, there was uncertainty about how that process would unfold. AB 1484, approved in June 2012, clarified the property dissolution process.

Asset Transfer Report

The Dissolution Act called for the Successor Agency, under the direction of the Oversight Board, to dispose of real property it received from the Dissolved RDA either for limited public uses, or for disposition into the private market expeditiously and with a view toward maximizing value, with the disposition proceeds ultimately made available for distribution to the affected taxing entities.

The State Controller also ordered any transfers of properties undertaken after January 1, 2011 to be "unwound" and the properties returned to the Successor Agency. However, a number of legal challenges to the retroactivity of the Dissolution Act were made by several cities, and the issue remained unclear. As a result, it was the City's

position and the Successor Agency's position that all of the properties described in the Asset Transfer Form were in the hands of the City, not the Successor Agency.

On January 23, 2013, the City received a letter from the State Controller's Office advising it that, pursuant to Health and Safety Code section 34167.5, the State Controller will conduct a review of the Palm Springs Community Redevelopment Agency to determine whether any asset transfers occurred after January 1, 2011, between the city or any other public agency, and the redevelopment agency. The review would include an assessment of whether each asset transfer is allowable and whether the asset should be turned over to the Successor Agency. The audit concluded on February 21, 2013.

The review applied to all assets, including, but not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights, and any rights to payment of any kind. The auditors also determined whether any non-compliant assets transferred to the City or any other public agency was reversed.

As a result of the audit, the property categories described above are divided into slightly different categories, each with a corresponding action required of the Oversight Board:

1. Property held for resale, typically part of an assemblage for redevelopment purposes, and which shall be returned to the Successor Agency for disposition
2. Property held for resale, which are typically parking lots today, and which now serve a governmental or public purpose function
3. Property held as community assets, typically related to visitor services or the Convention Center, including equipment and physical improvements paid for by the Agency, or parking facilities, and which have been determined by the Auditors to be governmental use properties and appropriate for transfer back to the City
4. Property held as community assets, typically related to visitor services or the Convention Center, which the Auditors have determined are not governmental use properties and which have been directed to be returned to the Successor Agency for disposition
5. Property previously held for resale or as community assets by the former Redevelopment Agency but which was disposed of prior to the January 1, 2011 date.
6. The assets of the Low-and Moderate Income Housing program.

The Auditors advised the City to bring the actions to the Oversight Board to clarify the status of the assets of the former Redevelopment Agency. One of the categories of assets was Land Held for Resale. Many of the Agency's parking lot properties were included in that category, and were considered governmental or public use properties as the parking inventory they now represent would be difficult or expensive to replace or recreate.

Land Disposition Process under AB 1484

In 2012, the State approved a redevelopment reform act, AB 1484, which changed a number of the processes related to the disposition of Dissolved RDA assets. AB 1484 provided certain flexibility and local benefits in connection with property disposition. One provision, Section 34181(a), allows the Oversight Board to transfer governmental purpose property to the appropriate public entity. Therefore, the Successor Agency recommended that the Oversight Board ratify the March 16, 2011 transfer of certain city governmental use properties to the City, including the Prairie Schooner.

On March 5, 2013, based on the recommendation of the State Controller's Office, the Oversight Board approved a Resolution determining that a number of Successor Agency properties, including the Prairie Schooner, were "governmental use" properties and should be returned to the City. That action was reviewed by the California Department of Finance ("DOF"), which concurred with some of the actions and disallowed the rest. Accepted as governmental use were properties under the Convention Center; however, all of the parking facilities owned by the Agency were disallowed.

Notwithstanding months of requests to the State to approve the parking lots as governmental use, that appeal was denied by DOF and the City was forced to either buy the parking lot from the Successor Agency at the LRPMP value, or sell it for development. Given the possibility of needing to buy the property for cash from the Successor Agency, there was not an incentive by the City to argue for a higher estimated value for the Prairie Schooner in the LRPMP, since there was a chance it could be the party paying that price.

The Successor Agency received its finding of completion from DOF on January 2, 2014. The Long-Range Property Management Plan ("LRPMP") was reviewed by the Oversight Board at its meeting on December 16, 2013. In most cases, estimates of value were derived from recent comparable sales of like properties in the area since appraisals are not required for the LRPMP. Most importantly, the LRPMP addresses the intended disposition of each property. Permissible uses include retention for governmental use, retention for future development, sale of the property, or use of property to fulfill an enforceable obligation.

The LRPMP outlined that the Successor Agency would sell all 12 properties, including the Prairie Schooner. The value in the LRPMP for the City to acquire the Prairie Schooner from the Successor Agency was $1,402,632. That amount would be paid to the Successor Agency, which would then remit it to the County Auditor-Controller for allocation. The sales proceeds collected by the Successor Agency (net of transaction costs) would be transferred later to the County Auditor-Controller for dissemination to each of the affected taxing agencies of the former redevelopment project area. The City only received about 27% of the net proceeds.

The transaction with Nexus is at $1,500,000, higher than the acquisition from the Successor Agency. The City will also receive a share of the sales proceeds of the

Successor Agency to City transaction of $1,402,632 from the County Auditor-Controller. The sale of the Prairie Schooner was approved by the Oversight Board on May 8, 2014. The DOF issued its approval letter on May 15, 2014. A copy of the letter from DOF is attached.

Other Projects

BMW Land Exchange

In 2005 the Agency entered into an agreement with an allottee for Purchase and Sale of Real Property ("Purchase Agreement"), as well as a separate Memorandum of Understanding with a shopping center developer, the prior owner of a parcel the Agency acquired to swap; and, a DDA with Partners Land Development Company, the development arm of BMW of Palm Springs. In such case, the Agency acquired a parcel in Section 14 for $2.3 million, used it to swap for the parcel where BMW is located, and ended up "writing down" the value on both ends of the transaction due to different appraisals and the relative valuation of the parcels. However, the effort resulted in the major expansion of the BMW dealership to accommodate BMW's anticipated growth in vehicles lines and sales volume; it further opened the door to the introduction of Hyundai of Palm Springs in the old BMW space, and then the later remodel of Mercedes. This transaction has resulted in millions of dollars in additional sales tax to the City, even accounting for the net loss in property tax increment through the swap transactions.

The Springs Shopping Center

John Raymond, Director of
Community & Economic Development

David H. Ready, City Manager

####### 3-Jun-15 **City Council** **Presentations**

Order	Agenda Item	Type	Topic	Presenter	Remarks
	presentation	Slides	PS Chamber Awards	Paul	
	presentation	Slide	Fish Fry	Paul	
	presentation	Slides	Shelter Pets	Ginny	
	5B	Power Point	Redevelopment Policy Produres	DHR	
			welwood patio photos (maybe)	DHR	

[redacted]

PALM SPRINGS Chamber of Commerce
www.pschamber.org

You're Invited!

Join the Palm Springs Chamber of Commerce

11:30a.m. Thursday, June 4 at the Renaissance Palm Springs for the annual Awards Luncheon and Board Installation

honoring Trina Turk, BUZZ Trolley, Splash House and a host of other city stars!

For tickets, visit www.pschamber.org

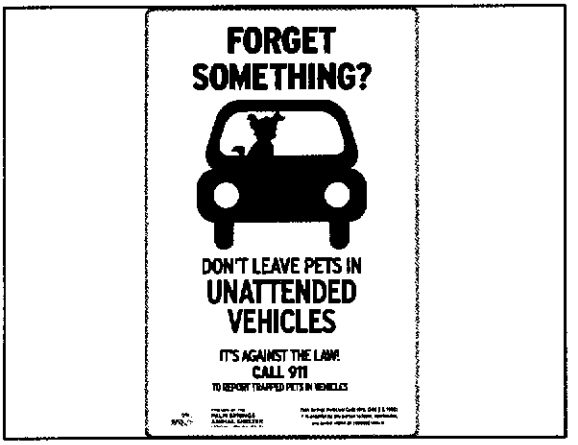
[redacted]

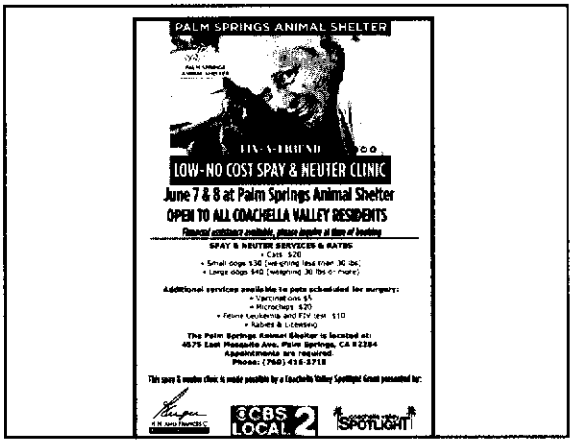
PALM SPRINGS FIREMEN'S ASSOCIATION
84TH ANNUAL FISH FRY
$10.00
-TROUT
-SLAW
-CORN ON DA COB
-ROLL
Beverages Available:
-Beer
-Water
-Soda
LIVE MUSIC

[redacted]

He's a happy go lucky 3 year old Wheaton Terrier mix

psanimalshelter.org
4575 E. Mesquite Ave. Palm Springs, CA
Phone: (760) 416-5718


FORGET SOMETHING?
DON'T LEAVE PETS IN
UNATTENDED
VEHICLES
IT'S AGAINST THE LAW!
CALL 911
TO REPORT TRAPPED PETS IN VEHICLES


PALM SPRINGS ANIMAL SHELTER
LOW-NO COST SPAY & NEUTER CLINIC
June 7 & 8 at Palm Springs Animal Shelter
OPEN TO ALL COACHELLA VALLEY RESIDENTS
SPAY & NEUTER SERVICES & RATES
• Cats $20
Additional services available to pets scheduled for surgery:
• Vaccinations $5
• Microchips $20
• Rabies & License
The Palm Springs Animal Shelter is located at:
Appointments are required
Phone: (760) 416-5718
CBS LOCAL 2
SPOTLIGHT

City of Palm Springs

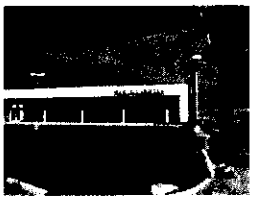
Discussion of Former Redevelopment Agency (RDA) and Economic Incentive Programs

Purpose of the RDA

- State of California created RDAs (Redevelopment Agencies) for local governments, to allow physical and economic development incentive opportunities
- City Council established the Agency in 1972 to address conditions of physical and economic development in the city, beginning with the Central Business District in 1973.

Goal of RDA

From this condition



To this condition

PS RDA Projects

- Expanded BMW/ Mercedes and new Hyundai Dealership
  - Sold RDA land to adjacent property owner and rebated entire price
  - Sales and Property Tax generated far exceeds RDA investment

PS RDA Projects

- The Springs Shopping Center
  - Sold 14 acres to adjacent landowner for $72,000
  - Former City Landfill, now generating annual sales and property taxes

2014 Sales and Property Taxes Springs/Auto RDA Projects

Over $3.2 million

PS RDA Projects

- Convention Center and Wyndham Land Assembly/Renaissance Renovation

- Casino Disposition & Development Agreement – assisted with land acquisition

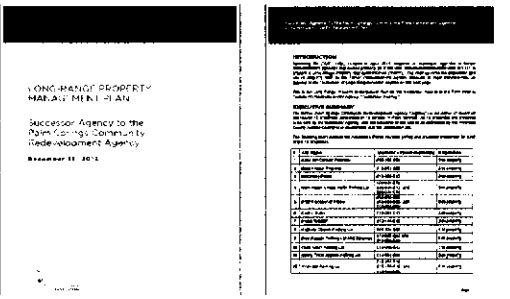
Dissolution of CRA in 2011

- AB 1X 26 (the "Dissolution Act") was signed by the Governor on June 29, 2011 and commencing on February 1, 2012, all existing redevelopment agencies were dissolved.
- The City became the RDA Successor Agency – and along with the Oversight Board, is tasked by the State to dispose of each RDA property

Property Disposition Process

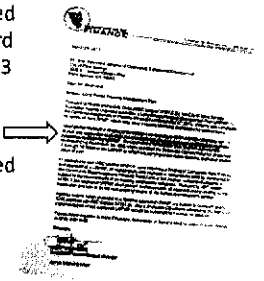
- Cities were required to prepare a "long range property management plan" to dispose of RDA properties
- In accordance with state law, the City engaged RSG, a state recognized qualified dissolution and real estate consultant, to create the property management plan based on RDA dissolution guidelines

Long Range Property Management Plan



Long Range Property Management Plan

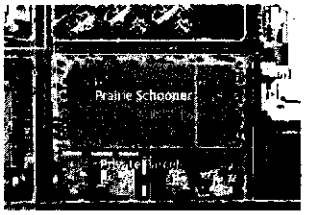
- The plan was approved by the Oversight Board on December 12, 2013
- The plan was approved by the State Dept. of Finance in March, 2014.



Prairie Schooner

Parcels 508-055-007, 008, 009

Adjacent Parcels: 003, 006



Prairie Schooner

- 2005 - agreement with adjacent property owner to build Hard Rock Hotel – did not occur due to recession in 2008
- 2014 - sold to adjacent property owner for residential/retail for $100,000 over state approved value price approved in RDA disposition plan.

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Prairie Schooner

14

Casa Del Camino

15

Casa Del Camino

- Parcel vacant for nearly 30 years
- Was to be sold adjacent landowner to assemble multiple parcels for hotel/retail development
- Anticipated sale price was the value in state approved RDA Disposition Plan (Rescinded by City Council on May 27, 2015)

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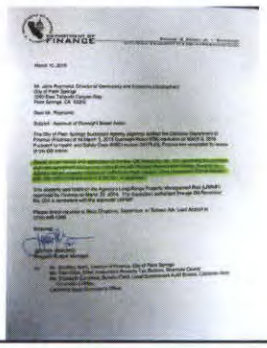
Casa Del Camino



17

Council Request for Review of Transactions

- Staff Recommends a recognized RDA expert to review our Property Disposition Plan, and RDA land transactions
- The Law Firm of Kane, Ballmer and Berkman, Los Angeles, CA

18

Façade Improvement, Interior Remodel, Major Catalyst Vacancy

ECONOMIC INCENTIVE PROGRAMS

2008 – 2015
160 GRANTS
$1.7 MILLION CITY INVESTMENT
$9.3 MILLION PRIVATE INVESTMENT

19

More than 130 Façade Improvements

FAÇADE IMPROVEMENT PROGRAM

20

Façade Improvement Program

21

2008-2015 Façade Improvements

- Brien O'Brien Salon
- Agua Caliente Cultural Museum
- Modern Properties
- Angel View Thriftmart
- Tinder Box
- Pinocchio's of the Desert
- Palm Springs Chamber of Commerce
- Village Pub
- Blue Coyote
- Crystal Fantasy
- Modern Mosaics
- Raphael's Salon

22

2008-2015 Façade Improvements

- LG's Prime Steakhouse
- Andreas Hotel & Spa
- Frenchy's
- Wangs of the Desert
- Baddour Building
- Jakes Ready To Eat
- Canyon Rose Boutique
- Palm Springs Fudge & Chocolate
- Score Sports Bar
- Crazy Shirts
- Peabody's Café
- Cheeky's

23

2008-2015 Façade Improvements

- L'Olivo Italian Restaurant
- Palm Canyon Roadhouse
- Le Vallauris
- Tamara G
- Gisela Salon Day Spa
- PS General Store
- Rocky's Pawn Shop
- Sunglasses of Palm Springs
- Bongo Johnny's Patio Bar & Grille
- British Invasion
- Las Casuelas Viejas

24

2008-2015 Façade Improvements

- Marianne of Palm Springs
- Equality California
- Integrated Wealth Management
- Capitis Real Estate
- Nationwide Insurance
- PS Candy &Treasures
- Eddie's Frozen Yogurt
- Copley's on Palm Canyon
- Trio Restaurant
- DC Custom Upholstery
- Insolito Home
- Tops N Tees
- Snip Snip Buzz
- Juice Café
- State Farm Insurance
- Desert Fox Bar
- Dennis J. Norheim, DDS
- Chop House

25

2008-2015 Façade Improvements

- Frenchy's
- Johnny Costa's
- Jozsef's Men's Hairstyling
- Budget Pharmacy
- Cilantro Gallery
- Zeldaz Nightclub
- Desert Arts Center
- NestEgg Bookkeeping
- Realty Executives
- Las Casuelas Terraza
- Ingleside Inn
- Just Fabulous
- Rio Azul
- Prestige Rugs

26

2008-2015 Façade Improvements

- 1000 South Palm Canyon
- Go Deli Market
- Bernie's Lounge & Supper Club
- Miro's
- Pete's Hideaway
- The New York Company Restaurant
- Deepwell Apartments
- Ernest Coffee
- Thirteen Forty Five Palm Canyon
- Baddour Trust of 1988
- Son Cabinetry & Design
- Peninsula Pastries
- Toucans Lounge

27

21 Remodel Grants

REMODEL PROGRAM

28

Goals of the Program

From abandoned and blighted buildings

To renovated and active business enterprise

29

dish Creative Cuisine

1107 N. Palm Canyon Drive

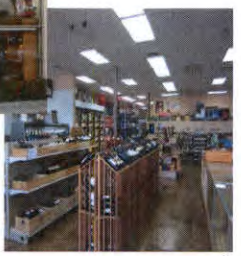
30

The New York Restaurant Company

1260 S. Palm Canyon Drive

Go Deli Market

611 S. Palm Canyon Drive



Miro's Continental Cuisine

1555 S. Palm Canyon Drive

Palm Springs Motorsports

6550 N. Indian Canyon Drive

Appetito Cal-Italian Deli

1700 S. Palm Canyon Drive

Hacienda Cantina & Swim Club

1555 S. Palm Canyon Drive

Mister Lyons

200 East Palm Canyon

37

Other Interior Remodels

- Melvyn's
- Jazz Bar & Restaurant
- Village Pub
- Cilantro Gallery
- Rio Azul
- Just Fabulous
- Le Vallauris

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PS Economic Indicators 2008-1015

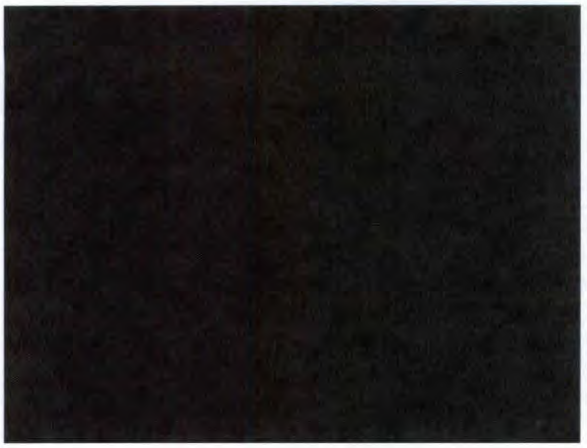
	TOT 2008-2009 vs. 2014-2015 est	Sales Tax 2007-2008 vs. 2013-2014	Measure J 2012-2013 vs. 2014-2015 est
Base Year	$12,751,478	$9,138,355	$11,046,045
Last Year	$24,400,000	$10,996,552	$13,000,000
Palm Springs	**+91.4%**	**+20.3%**	**+17.7%**
Coachella Valley		+1.7%	
Riverside County		+7.2%	
Inland Empire		+5.8%	
Southern California		+4.9%	
State of California		+6.3%	

39

Council Request for Program Implementation Review

- Internal analysis of program files
  - Very successful program outcomes
  - Program Modifications
    - Clearer invoicing language for file documentation
    - Application/payment through dual Departments
    - Include incentive payments in annual City audit
- Staff recommends an independent local audit firm to perform review

40



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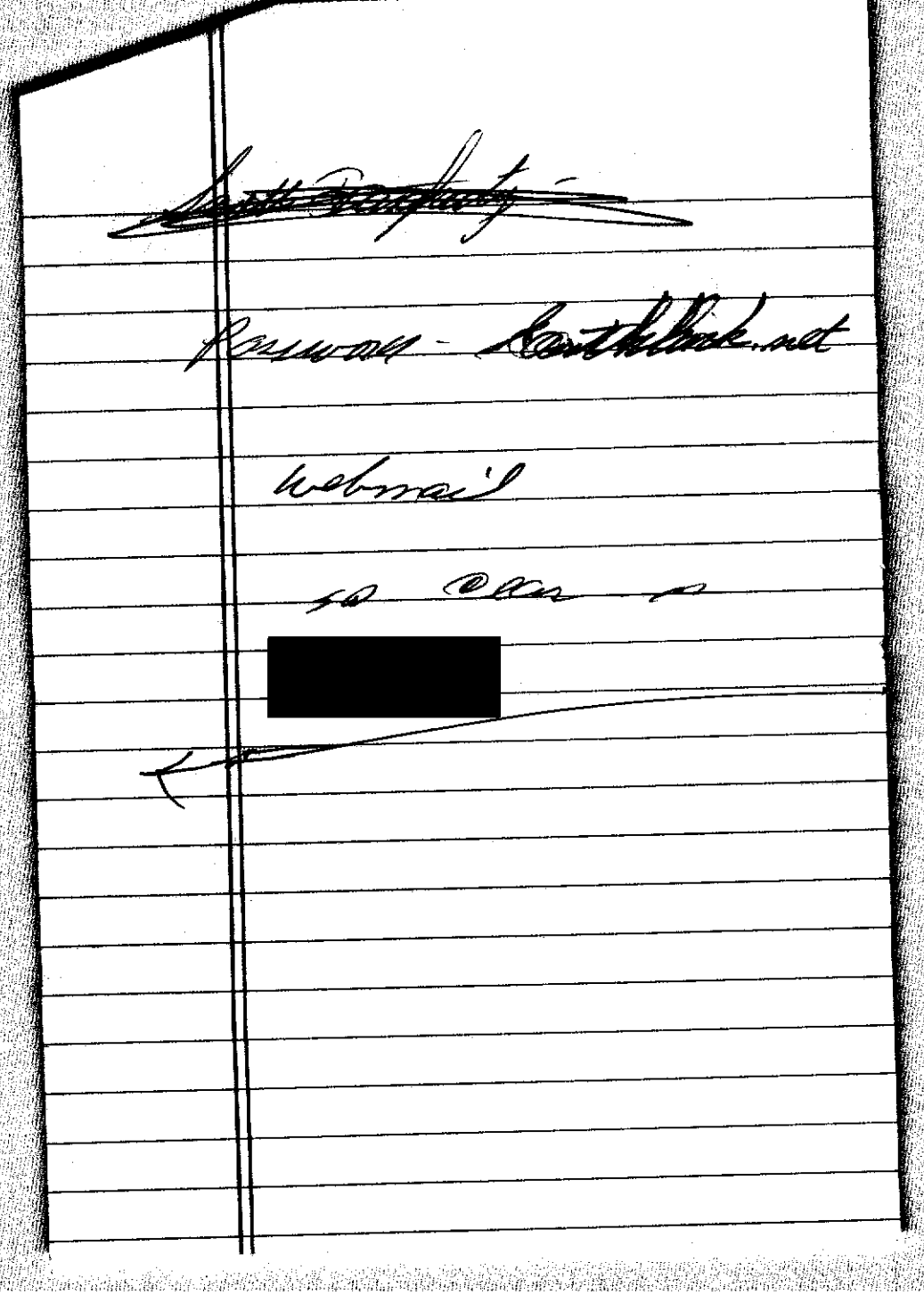


DEMOCRATIC HEADQUARTERS OF THE DESERT

Turning the Coachella Valley Blue

67-555 E. Palm Canyon Dr., Ste. C-104
Cathedral City, CA 92234-5467
Ph: (760) 328-9425
E-mail: info@democraticheadquarters.org

September 23, 2011

Mr. John Wessman
Wessman Development Company
555 Sunrise Way #200
Palm Springs, CA 92264

SEP 2 6 2011

RE: 67-555 E. Palm Canyon Drive, Ste. C-104
Cathedral City, CA 92234

Dear Mr. Wessman:

On behalf of the management team at Democratic Headquarters of the Desert and all of the hard-working volunteers who have made our Headquarters the success it has become, I want to thank you most sincerely for your generous agreement to forgive our Headquarters monthly lease payment for a period of six months, starting with the October 1, 2011 payment. Our lease payments to you will therefore resume in April, 2012.

This action on your part will allow the Headquarters to remain in operation. As I believe Mayor Pougnet told you, our entire financial reserves were caught in the recent legal difficulties involving Durkee & Associates, Burbank, CA. We found ourselves suddenly and completely without funds and facing default on our lease. Your kindness has truly given us a "new lease on life".

In these difficult times, it is especially reassuring to see such generous acts of understanding and community fellowship.

As we work to rebuild our financial viability, we will always look to Mr. John Wessman as having truly been our Guardian Angel in our time of greatest need.

Most sincerely,

Art Copleston
Controller and Chief Operating Officer
Democratic Headquarters of the Desert

Copies: The Honorable Steve Pougnet, Mayor of the City of Palm Springs
Mr. Michael Braun, Wessman Development Company
Mr. Rex Olaires, Property Manager, Spinello Property Management, Inc.

Name	Organization	Address	City	State	Zip Code
Mr. Jack Martin	Veolia Water Inc	4375 Mesquite Avenue	Palm Springs	CA	92264
Mr. Richard Milanovich	Agua Caliente Tribal Council	5401 Dinah Shore Drive	Palm Springs	CA	92264
Rick Wade, General Manager	PS Disposal Services	4690 E. Mesquite Avenue	Palm Springs	CA	92264
Tom Kieley III, Pres. Board of Directors-	Desert Water Agency Katy Clark	1200 S. Gene Autry Trail	Palm Springs	CA	92264
Jim Houston 5000.00		345 Via Las Palmas	Palm Springs	CA	92262
Ric and Rozene Supple	RR Broadcasting	1850 Smoke Tree Lane	Palm Springs	CA	92264
Donna Cargill MacMillan		74-695 Wren Drive	Indian Wells	CA	92210
Mr. Jim Albough, President and CEO	Boeing Integrated Defense Syste	P.O. Box 516	St. Louis	MO	63166-051
Kathi Jacobs	Time Warner-Desert Cities Div	41-725 Cook Street	Palm Desert	CA	92211
Supervisor Marion Ashley	5th District Riverside Co	4080 Lemon Street	Riverside	CA	92502-164
Supervisor J. Benoit	4th District Riverside Co	73-710 Fred Waring Drive, Ste 22	Palm Desert	CA	92260
Fred Noble	Wintec Energy Ltd.	1090 N Palm Canyon Drive	Palm Springs	CA	92262
Nancy Stuart	US Bank	78-435 Highway 111	La Quinta	CA	92253
Rob Parkins		2501 Ramitas Way	Palm Springs	CA	92264-902
Tom Martin		29 Evening Star Drive	Rancho Mirage	CA	92270
Cliff Winkler					
Peter Richardson	ANA Desert Storm Squadron	P.O. Box 3305	Palm Springs	CA	92264
Mrs. Jo Pond		64-725 Acanto Drive	Palm Springs	CA	92262
Kevin McGuire	Palm Desert National Bank				
Mr. Mark Adams	MCA Management, Inc.	420 S. Palm Canyon Dr. 2nd Floor	Palm Springs	CA	92262
Robert Visconti	So California Gas	211 N Sunrise Way			92262
Harold Matzner		181 S Civic Drive, Ste 1	Palm Springs	CA	92262
Arthur and Patricia Newman		36 Duke Drive	Rancho Mirage	CA	92270
Mr.Robert Harris	Esterline Defense Company	85901 Avenue 53	Coachella	CA	92236
Ms. Janet Hart	The Home Depot	5200 E. Ramon Rd, Building A	Palm Springs	CA	92264
Larry Davis	Forest Lawn Mortuary	69855 Ramon Road	Cathedral City	CA	92234
Mark Matthews	Wiefels & Sons				
Mr. David Roosevelt	Cabazon Band of Mission Indian	84245 Indio Springs Parkway	Indio	CA	92203-349
Mark Gustafson	Canyon National Bank				
Mr. Jack Brown	Stater Brothers Markets	301 S. Tippecanoe Avenue	San Bernardino	CA	92408
Mr. Geoffrey Stack, Managing Director and	SARES-Regis Group	18802 Barden Avenue	Irvine	CA	92612-152
Mr. Ronald Sugar, CEO	Northrup Grumman Corp	1840 Century Park East	Los Angeles	CA	90067-219
Mr. William Tauber	Progressive Lighting & Energy				
Donald Esmond	Toyota Motor Sales				
Fred O'Green	Litton Industries				
Kathi Hallock	Rabobank				
Glen Grayman	Desert Healthcare District				
Helene Galen					
Dick Shaloub	McDonalds	67-555 E. Palm Canyon	Cathedral City	CA	92234
Mr. Steven Gardner	Pacific Premier Bank	1711 E. Palm Canyon Dr	Palm Springs	CA	92264

Cabazon Mission Band of Indians 250.00

Sam 500

Meyerman 1500.00

6500
500
7000
250
7250

7250.00 on 11/2/11
2500. psds
9750

9750.00 on 11/2/11

Mr. Jack Martin	Veolia Water Inc		4375 Mesquite Avenue	Palm Springs	CA
Mr. Richard Milanovich	Agua Caliente Tribal Council		5401 Dinah Shore Drive	Palm Springs	CA
Rick Wade, General Manager	PS Disposal Services		4690 E. Mesquite Avenue	Palm Springs	CA
Katie Ruark, PIO	Desert Water Agency	Dave Luker	1200 S. Gene Autry Trail	Palm Springs	CA
Jim Houston			345 Via Las Palmas	Palm Springs	CA
Ric and Rozene Supple	RR Broadcasting		1850 Smoke Tree Lane	Palm Springs	CA
Donna Cargill MacMillan			74-695 Wren Drive	Indian Wells	CA
Mr. Jim Albough, President and CEO	Boeing Integrated Defense Systems		P.O. Box 516	St. Louis	MO
Kathi Jacobs	Time Warner-Desert Cities Div		41-725 Cook Street	Palm Desert	CA
Supervisor Marion Ashley	5th District Riverside Co		4080 Lemon Street	Riverside	CA
Supervisor J. Benoit	4th District Riverside Co		73-710 Fred Waring Drive, Ste 22	Palm Desert	CA
Fred Noble	Wintec Energy Ltd.		1090 N Palm Canyon Drive	Palm Springs	CA
Nancy Stuart	US Bank		78-435 Highway 111	La Quinta	CA
Rob Parkins			2501 Ramitas Way	Palm Springs	CA
Tom Martin			29 Evening Star Drive	Rancho Mirage	CA
Cliff Winkler					
Peter Richardson	ANA Desert Storm Squadron		P.O. Box 3305	Palm Springs	CA
Mrs. Jo Pond			64-725 Acanto Drive	Palm Springs	CA
Kevin McGuire	Palm Desert National Bank	73-745 El Paseo		P. D.	92260
~~Mr. Mark Adams~~	~~RICA Management, Inc.~~		~~420 S. Palm Canyon Dr. 2nd Floor~~	~~Palm Springs~~	~~CA~~
Robert Visconti	So California Gas				
Harold Matzner			181 S Civic Drive, Ste 1	Palm Springs	CA
Arthur and Patricia Newman			36 Duke Drive	Rancho Mirage	CA
Mr.Robert Harris	Esterline Defense Company		85901 Avenue 53	Coachella	CA
Ms. Janet Hart	The Home Depot		5200 E. Ramon Rd, Building A	Palm Springs	CA
Larry Davis	Forest Lawn Mortuary		69855 Ramon Road	Cathedral City	CA
Mark Matthews	Wiefels & Sons		690 S Vella	P.S.	92262
Mr. David Roosevelt	Cabazon Band of Mission Indians		84245 Indio Springs Parkway	Indio	CA
Mark Gustafson	Canyon National Bank				
Mr. Jack Brown	Stater Brothers Markets		301 S. Tippecanoe Avenue	San Bernardino	CA
Mr. Geoffrey Stack, Managing Director and	SARES-Regis Group		18802 Barden Avenue	Irvine	CA
Mr. Ronald Sugar, CEO	Northrup Grumman Corp		1840 Century Park East	Los Angeles	CA
Mr. William Tauber	Progressive Lighting & Energy		1562 Pkwy Loop Ste B	Tustin	92780
Donald Esmond	Toyota Motor Sales		6810 S Kyle Rd	Cat City	92234
Fred O'Green	Litton Industries				
Kathi Hallock	Rabobank			Palm Springs	CA
Glen Grayman	Desert Healthcare District				
Helene Galen					
Dick Shaloub	McDonalds		67-555 E. Palm Canyon	Cathedral City	CA
Mr. Steven Gardner	Pacific Premier Bank		1711 E. Palm Canyon Dr	Palm Springs	CA
TOTAL					

~~Pete Time~~, ~~Marie Nicholson~~
~~Helene Galen~~
Jamie Kaber, - Jen Henning
~~Andy Lanskill~~
Jackie Autry ??? ???

Doug & T. Jones - Micro Place 899 Tamarisk Rd 275-6769
~~Mark & Debbie Anderson Travel - Attn Mark/Debbie~~
~~Rich Meehan, Nexus~~
~~John Weed~~

Behested Payment Report — A Public Document

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wessman Development
Name

555 S Sunrise Way	Palm Springs	CA	92264
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation
Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By _____ (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Eisenhower Medical Center
Name

39000 Bob Hope Dr.	Rancho Mirage	CA	92270
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation
Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wells Fargo Bank
Name

1800 Century Park E, Ste 1200	Los Angeles	CA	90067
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation
Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Agua Caliente Band of Cahuilla Indians

Name

5401 Dinah Shore Dr.	Palm Springs	CA	92264
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation

Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Palm Springs Police Officer's Association

Name

Address	City	State	Zip Code
p.o. box 1671	Palm Springs	CA	92263

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation

Name

Address	City	State	Zip Code
1140 N Indian Canyon	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Spencer's Restaurant owner Harold Matzner

Name

Address	City	State	Zip Code
181 S. Civic Dr. #1	Palm Springs	CA	92262

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation

Name

Address	City	State	Zip Code
1140 N Indian Canyon	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Palm Springs Resorts

Name

Address	City	State	Zip Code
190 W Amado	Palm Springs	CA	92262

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation

Name

Address	City	State	Zip Code
1140 N Indian Canyon	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wintec

Name

1090 N Palm Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation

Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)* **Amount of Payment:** *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 DATE By _____ SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Amy Blaisdell, Director of Communications

Area Code/Phone Number	**E-mail** *(Optional)*
760-323-8250	amy.blaisdell@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Desert Regional Medical Center
Name

1150 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Desert Healthcare Foundation
Name

1140 N Indian Canyon	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 04/01/12 *(month, day, year)* **Amount of Payment:** *(In-Kind FMV)* $ 5000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☒ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Desert Healthcare Foundation from the Mayor's Healthy Planet, Healthy You Race and Wellness Festival 2012

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 10/02/12 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	E-mail *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Palm Springs Police Officers' Association

Name

Address	City	State	Zip Code
PO Box 1671	Palm Springs	CA	92263

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs

Name

Address	City	State	Zip Code
3200 East Tahquitz Canyon Way	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 01/09/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 (DATE) By Stephen P. Pougnet (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number

(760) 323-8200

E-mail *(Optional)*

jennifer.nelson@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

PS Resorts

Name

190 West Amado Road	Palm Springs	CA	92262
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs Office of Sustainability

Name

3200 East Tahquitz Canyon Way	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 01/07/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 50,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 DATE

By Steve P. Pougnet SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	E-mail *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

Date Stamp

California Form 803

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wintec

Name

Address	City	State	Zip Code
2045 East Tahquitz Canyon Way	Palm Springs	CA	92262

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs

Name

Address	City	State	Zip Code
3200 East Tahquitz Canyon Way	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 01/09/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 DATE

By _____ SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	E-mail *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

Date Stamp

California Form 803

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Veolia Support Services North America LLC
Name

Address	City	State	Zip Code
125 South 84th Street, Suite 175	Milwaukee	WI	53214

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs
Name

Address	City	State	Zip Code
3200 East Tahquitz Canyon Way	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 02/03/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 10,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 DATE

By _____ SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	**E-mail** *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wessman Holdings, LLC
Name

555 South Sunrise Waye, Suite 200	Palm Springs	CA	92264
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs
Name

3200 East Tahquitz Canyon Way	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 02/03/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 DATE

By _____ SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	E-mail *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Wells Fargo Bank, N.A.
Name

Address	City	State	Zip Code
4th and Plum Streets	Red Wing	MN	55066

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs
Name

Address	City	State	Zip Code
3200 East Tahquitz Canyon Way	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 01/16/2014 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 25,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 (DATE) By _____ (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number

(760) 323-8200

E-mail *(Optional)*

jennifer.nelson@palmspringsca.gov

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Agua Caliente Band of Cahuila Indians

Name

5401 Dinah Shore Drive	Palm Springs	CA	92264
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs

Name

3200 East Tahquitz Canyon Way	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 11/08/2013 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Mayor's Race 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 *DATE* By _____ *SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER*

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Date Stamp

California Form **803**

For Official Use Only

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number

(760) 323-8200

E-mail *(Optional)*

jennifer.nelson@palmspringsca.gov

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

PS Resorts
Name

190 West Amado Road	Palm Springs	CA	92262
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs
Name

3200 East Tahquitz Canyon Way	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 12/17/2013 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Sponsorship of City of Palm Springs Code-A-Thon (January 10-12, 2014)

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 *DATE* By _____ *SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER*

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 East Tahquitz Canyon Way

Date Stamp

California Form **803**

For Official Use Only

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Assistant to Mayor/Council

Area Code/Phone Number	E-mail *(Optional)*
(760) 323-8200	jennifer.nelson@palmspringsca.gov

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Agua Caliente Band of Cahuilla Indians

Name

Address	City	State	Zip Code
5401 Dinah Shore Drive	Palm Springs	CA	92264

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs

Name

Address	City	State	Zip Code
3200 East Tahquitz Canyon Way	Palm Springs	CA	92262

4. Payment Information *(Complete all information.)*

Date of Payment: 11/22/2013 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 5,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Sponsorship of the 22nd Annual Festival of Lights Parade (December 2013)

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/24/14 DATE

By _____ SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive to Mayor and Council

Area Code/Phone Number: 760-323-8200

E-mail *(Optional)*:

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Palm Springs Disposal Service
Name

4690 E. Mesquite AVe.	Palm Springs	CA	92262
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Palm Springs Film Festival
Name

181 S. Civic Drive, #1	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 12/18/14 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 25,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment:

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event:

5. Amendment Description or Comments

Fundraising for Palm Springs Film Festival Jan. 2015

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 1-22-15 (DATE) By _____ (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report — A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive Asst. to Mayor and Council

Area Code/Phone Number: 760-323-8200

E-mail *(Optional)*:

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Palm Springs Disposal Service
Name

4690 E. Mesquite Ave	Palm Springs	CA	92264
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Palm Springs Film Festival
Name

181 So Civic Drive #1	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 12.11-13 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 15,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Palm Springs Film Festival

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 12.16.13 (DATE) By _____ (SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER)

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E Tahquitz Canyon Way

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Exec. Assistant to Mayor/Council

Area Code/Phone Number

760-323-8200

E-mail *(Optional)*

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

So Cal Edison International

Name

P.O. Box 700	Rosemead	CA	91770
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

City of Palm Springs

Name

3200 E Palm Canyon Drive	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 10/28/14 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 1000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation or ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment:

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event:

5. Amendment Description or Comments

Fundraising for the City of Palm Springs Veteran's Day Parade 2014

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 2/4/15 DATE

By Stephen P. Pougnet SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Behested Payment Report

A Public Document

Behested Payment Report

1. Elected Officer or CPUC Member *(Last name, First name)*

Pougnet, Stephen

Agency Name

City of Palm Springs

Agency Street Address

3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Designated Contact Person *(Name and title, if different)*

Jennifer Nelson, Executive to Mayor and Council

Area Code/Phone Number

760-323-8200

E-mail *(Optional)*

Date Stamp

California Form **803**

For Official Use Only

☐ **Amendment** *(See Part 5)*

Date of Original Filing: _____ *(month, day, year)*

2. Payor Information *(For additional payors, include an attachment with the names and addresses.)*

Donna Mac Millan

Name

74695 Wren Drive	Indian Wells	CA	92210
Address	City	State	Zip Code

3. Payee Information *(For additional payees, include an attachment with the names and addresses.)*

Palm Springs Film Festival

Name

181 S. Civic Drive, #1	Palm Springs	CA	92262
Address	City	State	Zip Code

4. Payment Information *(Complete all information.)*

Date of Payment: 12/18/14 *(month, day, year)*

Amount of Payment: *(In-Kind FMV)* $ 50,000.00 *(Round to whole dollars.)*

Payment Type: ☒ Monetary Donation **or** ☐ In-Kind Goods or Services *(Provide description below.)*

Brief Description of In-Kind Payment: _____

Purpose: *(Check one and provide description below.)* ☐ Legislative ☐ Governmental ☐ Charitable

Describe the legislative, governmental, charitable purpose, or event: _____

5. Amendment Description or Comments

Fundraising for Palm Springs Film Festival Jan. 2015

6. Verification

I certify, under penalty of perjury under the laws of the State of California, that to the best of my knowledge, the information contained herein is true and complete.

Executed on 1-22-15 By _____

DATE

SIGNATURE OF ELECTED OFFICER OR CPUC MEMBER

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	**E-mail**
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 18 / 10 Description of Event: PS Int'l Film Festival-Closing Night

____/____/____ Face Value of Ticket: $ 50.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	3	Public Purpose - defined by PS Resolution No. 22454
Mayor pro tem Hutcheson	2	"
Councilmember Lee Weigel	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready Print Name	City Manager Title	Jan. 27, 2010 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival – Closing Night – 1/18/10

Councilmember Chris Mills	3
Councilmember Ginny Foat	2
David Ready	2
Sharon Heider	1
Jan Truscott	2
Martha Edgmon	2
Amy Blaisdell	1

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 7 / 10 Description of Event: PS Int'l Film Festival-Opening Niight

_____/_____/_____ Face Value of Ticket: $ 60.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	3	Public Purpose - defined by PS Resolution No. 22454
Mayor pro tem Hutcheson	2	"
Councilmember Lee Weigel	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready	City Manager	Jan. 27, 2010
	Print Name	Title	*(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival – Opening Night – 1/7/10

Councilmember Chris Mills	3
Councilmember Ginny Foat	2
David Ready	2
Sharon Heider	1
Jan Truscott	2
Martha Edgmon	2
Amy Blaisdell	1

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 5 / 10 to / 18 / 10

Description of Event: Palm Springs International Film Festival-Sponsor Pass

Face Value of Ticket: $ $400.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20

Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	3	Public Purpose - defined by PS Resolution No. 22454
Mayor pro tem Hutcheson	2	"
Councilmember Lee Weigel	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready	City Manager	Jan. 27, 2010
	Print Name	Title	*(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival – Sponsor Passes – 1/5-18/10

Councilmember Chris Mills	3
Councilmember Ginny Foat	2
David Ready	2
Sharon Heider	1
Jan Truscott	2
Martha Edgmon	2
Amy Blaisdell	1

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 05 / 10 Description of Event: Palm Springs International Film Festival Gala

____ / ____ / ____ Face Value of Ticket: $ $350.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	3	Public Purpose - defined by PS Resolution No. 22454
Mayor pro tem Hutcheson	2	"
Councilmember Lee Weigel	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready Print Name	City Manager Title	Jan. 27, 2010 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival Gala – 1/5/10

Councilmember Chris Mills	2
Councilmember Ginny Foat	2
David Ready	1
Amy Blaisdell	1

Minors from Palm Springs area schools and their chaperones

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 03 / 12 / 10 Description of Event: Mizell benefit "Stars Among Us"

_____/_____/_____ Face Value of Ticket: $ 150.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Mizell Senior Center

Number of Tickets Received: 10 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor pro tem Rick Hutcheson	1	Public Purpose - defined by PS Resolution No. 22454
Councilmember Ginny Foat	1	"
Dale Cook	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready (Print Name)	City Manager (Title)	March 15, 2010 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

Additional Guests:

	No. of tickets
Marina Karas	2
Tom Nolan	2
Tammy Perezchica	2

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon, Exec, Asst -Mayor & City Council

Date Stamp

California Form 802

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 09 / 21 / 10 Description of Event: Mizell Installation Luncheon

___/___/___ Face Value of Ticket: $ $35

Agency Event ☒ Yes ☐ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Mizell Senior Center

Number of Tickets Received: 8 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	1	Public Purpose - defined by PS Resolution No. 22454
Councilmember Ginny Foat	1	"
Mayor pro tem Rick Hutcheson	1	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

Add'l tickets to:Councilmember Weigel-1; Councilmember Mills-1; David Ready,City Manager-1;Martha Edgmon-1

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

_____ David H. Ready City Manager Oct. 26, 2010
Signature of Agency Head or Designee Print Name Title *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 03 / 12 / 10 Description of Event: Mizell benefit "Stars Among Us"

_____/_____/_____ Face Value of Ticket: $ 150.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Mizell Senior Center

Number of Tickets Received: 10 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor pro tem Rick Hutcheson	1	Public Purpose - defined by PS Resolution No. 22454
Councilmember Ginny Foat	1	"
Dale Cook	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready (Print Name)	City Manager (Title)	March 15, 2010 (month, day, year)

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

Additional Guests:

	No. of tickets
Marina Karas	2
Tom Nolan	2
Tammy Perezchica	2

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon, Exec, Asst -Mayor & City Council

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 16 / 11 Description of Event: Palm Springs International Film Festival Closing Night

____/____/____ Face Value of Ticket: $ 50

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	2	Public Purpose defined by PS Resolution No. 22454
Councilmember Rick Hutcheson	2	"
Councilmember Ginny Foat	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee | David H. Ready (Print Name) | City Manager (Title) | April 11, 2011 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival – Closing Night – 01/16/11

Additional recipients:

Mayor pro tem Lee Weigel	2
Councilmember Chris Mills	3
David Ready, City Manager	2
Amy Blaisdell,Dir. Comm	1
Martha Edgmon, staff	2
Bette O'Camb, staff	2

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon, Exec, Asst -Mayor & City Council

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 06 / 11 Description of Event: Palm Springs International Film Festival Opening Night

____/____/____ Face Value of Ticket: $ 60

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	2	Public Purpose defined by PS Resolution No. 22454
Councilmember Rick Hutcheson	2	"
Councilmember Ginny Foat	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready	City Manager	April 11, 2011
	Print Name	Title	*(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival – Opening Night – 01/06/11

Additional recipients:

Mayor pro tem Lee Weigel	2
Councilmember Chris Mills	3
David Ready, City Manager	2
Amy Blaisdell,Dir. Comm	1
Martha Edgmon, staff	2
Bette O'Camb, staff	2

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	Martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 03 / 12 / 10 Description of Event: Mizell benefit "Stars Among Us"

_____/_____/_____ Face Value of Ticket: $ 150.00

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Mizell Senior Center

Number of Tickets Received: 10 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor pro tem Rick Hutcheson	1	Public Purpose - defined by PS Resolution No. 22454
Councilmember Ginny Foat	1	"
Dale Cook	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee	David H. Ready Print Name	City Manager Title	March 15, 2010 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

Additional Guests:

	No. of tickets
Marina Karas	2
Tom Nolan	2
Tammy Perezchica	2

Tickets Provided by Agency Report

A Public Document

TICKETS PROVIDED BY AGENCY REPORT

1. Agency Name

City of Palm Springs

Division, Department, or Region *(if applicable)*

3200 E. Tahquitz Canyon Way

Street Address

Palm Springs, CA 92262

Area Code/Phone Number	E-mail
760/323-8200	martha.edgmon@palmspringsca.gov

Agency Contact *(name and title)*

Martha Edgmon, Exec, Asst -Mayor & City Council

Date Stamp

California Form **802**

For Official Use Only

☐ **Amendment** *(Must explain in Part 5.)*

Date of Original Filing: _____ *(month, day, year)*

2. Event For Which Tickets Were Distributed

Date(s) of Event: 01 / 08 / 11 Description of Event: Palm Springs International Film Festival Gala

____/____/____ Face Value of Ticket: $ 350

Agency Event ☐ Yes ☒ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: Palm Springs International Film Festival

Number of Tickets Received: 20 Ticket(s) Provided to Agency: ☐ Gratuitously ☒ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution
Mayor Stephen P. Pougnet	2	Public Purpose defined by PS Resolution No. 22454
Councilmember Rick Hutcheson	2	"
Councilmember Ginny Foat	2	"

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: N/A

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

Address of Organization: _____
Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

_____

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee | David H. Ready (Print Name) | City Manager (Title) | April 11, 2011 *(month, day, year)*

Comment: *(Use this space or an attachment for any additional information including amendment explanation.)*

see attached list for additional recipients of tickets

Palm Springs International Film Festival Gala – 01/08/11

Additional recipients of tickets:

Mayor pro tem Lee Weigel	2
Councilmember Chris Mills	2

Minors from Palm Springs area schools and their chaperones - 10

NEWS RELEASE

CITY OF PALM SPRINGS
CALIFORNIA

Top 10 Palm Springs Success Stories for 2011

Amy Blaisdell
Communications Director
City of Palm Springs
(760) 323-8250

Dec. 23, 2011

It's been a transformational and memorable year for the City of Palm Springs thanks to several spectacular success stories which prove that our city truly is like no place else!

Here's a list of the Top 10 Palm Springs successes for 2011 chosen by Mayor Steve Pougnet:

1. **Palm Springs residents pass Measure J, a 1** percent increase in local sales tax for the revitalization of downtown and citywide capital improvement projects. Demolition of the Bank of America building on Tahquitz and Palm Canyon is slated to begin on **Jan. 26, 2012** following the Mayor's State of the City address.

2. **Desert Fashion Plaza revitalization moving forward.** The City of Palm Springs and Wessman Development forge a Public/Private Partnership in order to revitalize the long-vacant Desert Fashion Plaza

3. **A new home for our four-legged friends!** After several years of planning and fundraising, the City's new state-of-the-art animal shelter, adjacent to Demuth Park, is finally a reality for Palm Springs residents.

4. **Palm Springs tourism experiences major improvement.** The Palm Springs transient occupancy hotel tax rose steadily each month in 2011 compared with 2010 thanks to the success of the City's Hotel Incentive Program and increased marketing efforts led by the Palm Springs Bureau of Tourism and the City's many hospitality partners.

5. **Start spreading the news about New York, New York!** Virgin America announces seasonal service from Palm Springs to San Francisco and JFK in New York. Virgin founder Sir Richard Branson boards inaugural flight from SFO to PSP to celebrate the airline's arrival in Palm Springs at red carpet celebration. This is a direct result of the City's innovative

Airline Marketing Incentive Program. Other airlines expanding or beginning new service at PSP as a result of the program include popular Canadian airline WestJet along with Frontier, Allegiant and United Airlines.

6. **CareFusion stays in Palm Springs.** The medical device company announced that it will stay in Palm Springs rather than relocate to Minnsota. 300 jobs are saved due in part to a collaborative partnership between the City of Palm Springs, the Coachella Valley Economic Partnership and the state of California to keep CareFusion in the city.

7. **Downtown Palm Springs experiences a revitalization** on an important block along Palm Canyon Drive thanks to the opening of the hugely successful LULU California Bistro and transformational renovations at Kaiser Grille and Zin American Bistro.

8. **A new Air Traffic Control Tower at Palm Springs International Airport under construction.** The spectacular new 150-foot state-of-the art control tower is expected to be complete in 2013.

9. **The new Coachella Valley iHub now open for business!** The new innovation hub across from Palm Springs City Hall is operated by the Coachella Valley Economic Partnership and serves as an incubator for green companies to create new jobs in our region. Palm Springs, Cathedral City and Desert Hot Springs were designated by former Gov. Arnold Schwarzenegger as one of only six original iHubs.

10. **The Palm Springs International Film Festival raises the success bar!** Still the City's most successful and prestigious special event, organizers once again raised the bar this year, announcing that the world's biggest celebrities, including George Clooney, Brad Pitt, Michelle Williams, Charlize Theron, Glenn Close and many more will walk the red carpet at the glamorous Jan. 7, 2012 Awards Gala.

"With so many great things happening in our City, 2011 truly has been a transformational year for Palm Springs and one I'll never forget," said Mayor Pougnet. "We've accomplished a great deal this year – and with the passage of Measure J – the best is yet to come!"

Jennifer Nelson

From: Steve Pougnet
Sent: Monday, December 26, 2011 3:24 PM
To: Amy Blaisdell; David Ready
Cc: Jennifer Nelson
Subject: Re: Mayor's Top 10 Palm Springs Success Stoies for 2011

I have decided that I don't want to send this out. We will you some of it for the State of the City.

Sent from my iPhone

On Dec 23, 2011, at 2:46 PM, "Amy Blaisdell" <Amy.Blaisdell@palmsprings-ca.gov> wrote:

> Ok, thanks
>
> ---
>
> **From:** Steve Pougnet
> **Sent:** Friday, December 23, 2011 12:45 PM
> **To:** Amy Blaisdell
> **Subject:** Fwd: Mayor's Top 10 Palm Springs Success Stoies for 2011
>
> Dave's comments. I will look at tomorrow
>
> Steve
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** David Rossi <smithwood@mac.com>
> > **Date:** December 23, 2011 10:52:21 AM MST
> > **To:** Steve Pougnet <Steve.Pougnet@palmsprings-ca.gov>
> > **Subject: Re: Mayor's Top 10 Palm Springs Success Stoies for 2011**
> >
> > I think it's fine, although none of this is really stuff that hasn't been hammered pretty hard so far, so a "release" to me may not add much (see below on why I think so). But just as a small nit, I'd get rid of the first "truly" sentence at the end and just leave the last quote at the end.
> >
> > I'd really love to see the City stop sending out these PDF files, and fix the way that releases are put onto the site. Right now, each person gets a big file, and if they go online they have to download yet another file. Last week, if you subscribed to these, you got about seven of these in one day. it's really hard to digest them because people won't read them if they have to download.
> >
> > Plus most people access via their phone.
> >
> > Also, these are impossible to share online (facebook, etc) and that to me is critical--if you don't have someone's email address, you can't share these.

It's been on my mind for some time--I'm only saying this as an eager consumer of Pougnet/PSP news.

On Dec 22, 2011, at 7:06 PM, Steve Pougnet wrote:

> For your review
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Amy Blaisdell" <Amy.Blaisdell@palmsprings-ca.gov>
> > **To:** "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>, "spougnet@earthlink.net" <spougnet@earthlink.net>
> > **Subject: Mayor's Top 10 Palm Springs Success Stoies for 2011**
> >
> > Mayor,
> >
> > Please review and let me know if you have anything you want to add or change. David and J.R., if you have any additional insight let me know. I'd like to send this out sometime tomorrow. See attached…
> >
> > Amy Blaisdell
> >
> > Communications Director
> >
> > City of Palm Springs
> >
> > (760) 323-8250
> >
> > Amy.Blaisdell@palmsprings-ca.gov
> >
> > Please note that City hours are from 8:00 am to 6:00 pm Mon. - Thurs. and closed on Fridays
> >
> > <http://www.palmspringsca.gov/index.aspx?

page=2> click here
<http://www.palmspringsca.gov/index.aspx?page=2>
to donate

<2011 PS Successes.pdf>

<image003.jpg>

<image004.jpg>

Memorandum

Mayor PW

State of City

Date: January 10, 2012

To: David Ready, City Manager; Tom Wilson, Assistant City Manager

From: Terry Tatum, Director of Building and Safety Tatum

Subject: Building Department Stats

City of Palm Springs Building/Construction activity has been increasing steadily over the last three years.

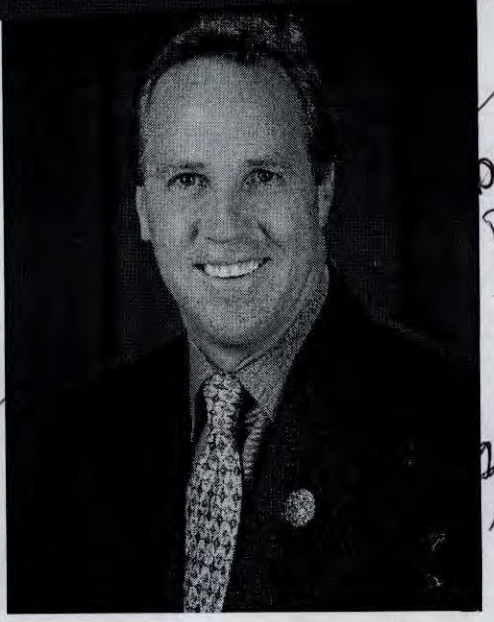
- Fiscal year 2009-2010 – The City of Palm Springs issued a total of 2,349 building permits for a total valuation of $56,142,560.
- Fiscal year 2010-2011 – The total amount of building permits issued increased to 2,704 for a total valuation of $97,356,062.
- Current fiscal year July 2011 thru December 2011 – The total number of building permits issued thus far is 1,366 with a total valuation of $46,812,027
- A total of 98 new single family dwelling permits were issued in 2011 compared to 25 new single family dwelling permits issued in 2010.
- Projects that had stalled or completely stopped prior to last year have resumed.
- We have approximately 8 different housing tracts currently approved and in various stages of construction. These include Nexus/Morrison (53 new single family dwellings), Luminaire (18 new single family dwellings) and OCEO (13 new condominium units).
- Commercial additions and remodels have kept up at a steady pace with a 10% gain in permit issuance over last year. The City is also up more than $10,000,000 for new industrial construction compared to the same time period last year.

If the current pace continues we could exceed last fiscal year totals for permits issued and building valuation.

P.S. I LOVE YOU

PALM SPRINGS
Chamber of Commerce

State of the City with Mayor Steve Pougnet



Sponsored by:

DESERT REGIONAL MEDICAL CENTER

EISENHOWER MEDICAL CENTER
Health Care As It Should Be

AGUA CALIENTE BAND OF CAHUILLA INDIANS

CITY OF PALM SPRINGS
INCORPORATED 1938
CALIFORNIA

Business	
Contact	
Telephone	E-Mail

Credit Card: __VISA __MasterCard __Discover __AmExp

Card #_____ _____

Exp. Date_____ CVV#_____

Signature_____

Address_____

City_____ Zip_____

Fax to 760- 325-8549

Reservations Required

Thursday January 26th

Hilton Palm Springs

400 E Tahquitz Canyon Way

11:30AM to 1:30PM

$45.00 Chamber Members

$65.00 Non Members

tables of 10 available for $400

Palm Springs Chamber of Commerce
190 W. Amado Road
Palm Springs, CA 92262
760/325-1577 www.pschamber.org

2 –COMPONENTS OF SPEECH Cont'd 2.1

2) THE FASHION PLAZA – Cont'd

- REVITALIZATION OF DOWNTOWN
- IMPORTANT TO ALL
- SIGNIFICANT PIECE OF PROPERTY
- ART MUSEUM EXPANSION
- CONTRARY to what you read, listen radio, or watch we have continual to communicate.
- MEETING LAST NIGHT - We agreed to:

2) THE FASHION PLAZA – Cont'd

1. Weisman Development has agreed to have an OPA + DDA in place by Aug. 1, 2011
   - outlines roles + responsibilities, & timelines
2. Agreed it is a public - private partnership
   - identify spaces.
3. Agreed to go to the voters Nov. 8, 2011 - jointly
4. 50% voter approval
5. Agreed that significant demolition will occur w/in 45 days of voter approval.

2) THE FASHION PLAZA – Cont'd

I am also pleased that :

1. John & Michael Brown are here today
2. John & Michael will attend training session.
3. Wassam Quadpart & myself, Mr. Mills & others will attend SBSC meeting May in Vegas.

I hope that you will all join us in working together to ensure this plan's success

2) THE FASHION PLAZA – Cont'd

3 – SUSTANABILITY

1) INNOVATION I-HUB UPDATE/CVEP /June 1,2011

update

- HUB : 2,000 sq. ft.
- CVEP : 5,000 sq. ft.

2) A. COMPLETE GREENHOUSE GAS EMISSIONS INVENTORY

2010

B. SMART IRRIGATION DEVICES – 3.5 MILLION GALLONS OF WATER SAVED

C. TREES – CHILDREN PLANTED 1,000 TREES

D. RECYCLE – 70% RATE

Doing Now

3) ENERGY SERVICE COMPANY CONTRACT WITH CHEVRON

- 2.5 Million Kilowatt Hours; $700,000 Saved 1ST Year

4 - ASKING COUNCIL TO:

2011

1) LANDSCAPE RETROFIT FOR HOMEOWNERS ASSOCIATION ($250,000)

2) NON-MOTORIZED TRANSPORTATION PLAN

3) RFP FOR SOLAR ON CONVENTION CENTER

5 – BUDGET

- SALES TAX REVENUE – UP 10.2%
- HOTEL TAX REVENUE – UP 10.5%
- UTILITY TAX REVENUE – UP 6.5%
- PROPERTY TAX REVENUE – DOWN 9%
- 2008 - 2009 - 76 MILLION
- 2010 – 2011 - 62.6 MILLION (DOWN 17.6%)
- PUBLIC SAFETY – 49 – 50% OF BUDGET
- CRIME - DOWN DOUBLE DIGITS

REVITALIZATION

5 – RESTAURANTS - 2010

- TORME'S
- BLUE PEAR
- DICKIE'S IRISH PUB
- TRIO
- BILL'S PIZZA
- SAMMY G'S
- SHAKRA'S
- SPUNKY MONKEY
- ZINI CAFÉ
- JOHNNY COSTA'S
- EAT-A-PITA
- ROSSI'S PASTA

15 design shops
+ other retailers.

5 – RESTAURANTS - 2011

- GRIND BURGER BAR (0)
- BIRBA'S (0)
- RIO AZUL (0)
- TUTTI FRUTTI (0)
- ESPRESSO CIELO (0)
- JUICE STOP
- LEON'S RAINOW BAR & GRILL
- RED TOMATO
- LULU'S BISTRO

COMING – 2011

- TORONTO TO PALM SPRINGS – WEST JET
- THE MORRISON – CURRENT 12 contracts
- MERCEDES DEALERSHIP - FEBRUARY
- DESMOND'S - POET LAWRENCE. (760.191.)
- COLLEGE OF THE DESERT – MARCH/APRIL
- ANIMAL SHELTER - AUGUST
- INTERCHANGES - FALL
- HARD ROCK - 2011 • To be have come to an agreement to build 350-400 room hotel on Indian Canyon, Construction in 2011.

— BACK TO JAIL

+ DAN BISHOP
+ JIM FRANKLIN
* DONNA VANDORN
* PAUL LEWIN - PRESIDENT COACHELLA VALLEY LIFE.

2 - COMPONENTS OF SPEECH

1) THE JAIL

2) THE FASHION PLAZA

3) SUSTAINABILITY

4) BUDGET

5) CONTINUED REVITALIZATION OF CITY

HILTON
State of the City Address
February 8, 2011

1 - WELCOME

- ACKNOWLEDGE CHAMBER OF COMMERCE
- ACKNOWLEDGE DESERT REGIONAL MEDICAL CTR
- ACKNOWLEDGE EISENHOWER MEDICAL
- ACKNOWLEDGE COUNCIL
- ACKNOWLEDGE STAFF & DAVID READY
- ACKNOWLEDGE POLICE, FIRE, MAPS &

  GENERAL UNIT

- JACKIE LOPEZ.
- MARC TOAST.

PALM SPRINGS
Chamber of Commerce

State of the City with Mayor Steve Pougnet

Tuesday February 8, 2011

Program of Events

Welcome and Flag Salute
Dan Jessup, President
Palm Springs Chamber of Commerce

Invocation
Rabbi Sally Olins

Opening Remarks
Dan Jessup

Lunch is served

Introduction of Mayor Steve Pougnet
Dan Jessup

State of the City
Mayor Steve Pougnet

Questions & Answers

Sponsors

Agua Caliente Band of Cahuilla Indians

City of Palm Springs Incorporated 1938 California

Jessup Auto Plaza

Eisenhower Medical Center

Desert Regional Medical Center

MMGC CPA.com

RR Broadcasting

Southern California Edison
An Edison International Company

TravelHost
The #1 Travel Magazine

nesteggg

The Desert Radio Group

O'Linn Security, Inc.

HILTON
State of the City Address
February 8, 2011

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2 - COMPONENTS OF SPEECH Pg 2

1) THE JAIL
2) THE FASHION PLAZA
3) SUSTAINABILITY
4) BUDGET
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- COLLEGE OF THE DESERT – MARCH/APRIL
- ANIMAL SHELTER - AUGUST
- INTERCHANGES - FALL
- HARD ROCK - 2011

2) THE FASHION PLAZA – Cont'd

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2) THE FASHION PLAZA – Cont'd

V4

Happy 75th Birthday Palm Springs!

State of the City

City of Palm Springs
Mayor Steve Pougnet
2012 Highlights
February 7, 2013

Budget

Budget Summary

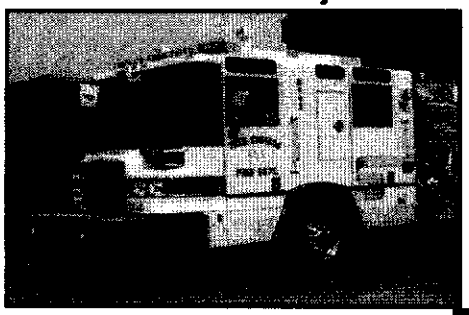
	Actuals 2011-2012	Adopted 2012-2013	Projected 2012-2013
Revenues	$71,268,550	$76,428,275	$76,697,703
Savings Carryforward from 11-12 to 12-13		1,740,590	1,740,590
Expenditures	(68,605,934)	(78,168,865)	(78,168,865)
Net Surplus / (Deficit)	$2,662,616	$0	$269,428
Projected Unrestricted Ending Balance	$11,779,373	$13,041,689	$13,311,117
Reserve % Equivalency	17%	17%	17%

Budget

TOT and Sales Taxes Summary

	08-09 Actual	09-10 Actual	10-11 Actual	11-12 Actual	12-13 Budget
Hotel Tax	$12,751,478	$13,367,685	$15,662,280	$17,861,268	$18,200,000
Sales Tax	8,796,538	8,221,763	9,633,250	10,179,526	10,629,504
Measure J	0	0	0	1,950,533	8,000,000
TOT + Sales	$21,548,016	$21,589,448	$25,295,530	$29,991,327	$36,829,504
% of Total Rev	32%	32%	36%	42%	48%

Public Safety

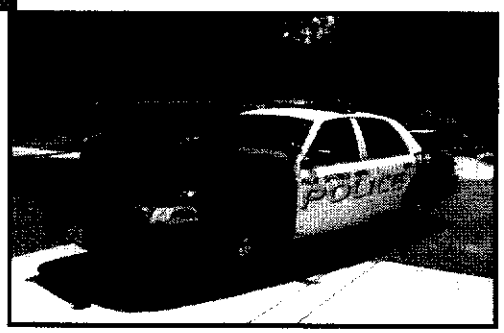


Crime Stats

Palm Springs had a slight decrease in overall crime of 1%, BUT larceny/theft *decreased nearly 12%* and *motor vehicle theft is down 21%.*

Number of Service Calls

Police	63,996
Fire/Paramedics	8,433
Total	72,429
	(7.6% increase)
Total Arrests	3,443



Public Safety

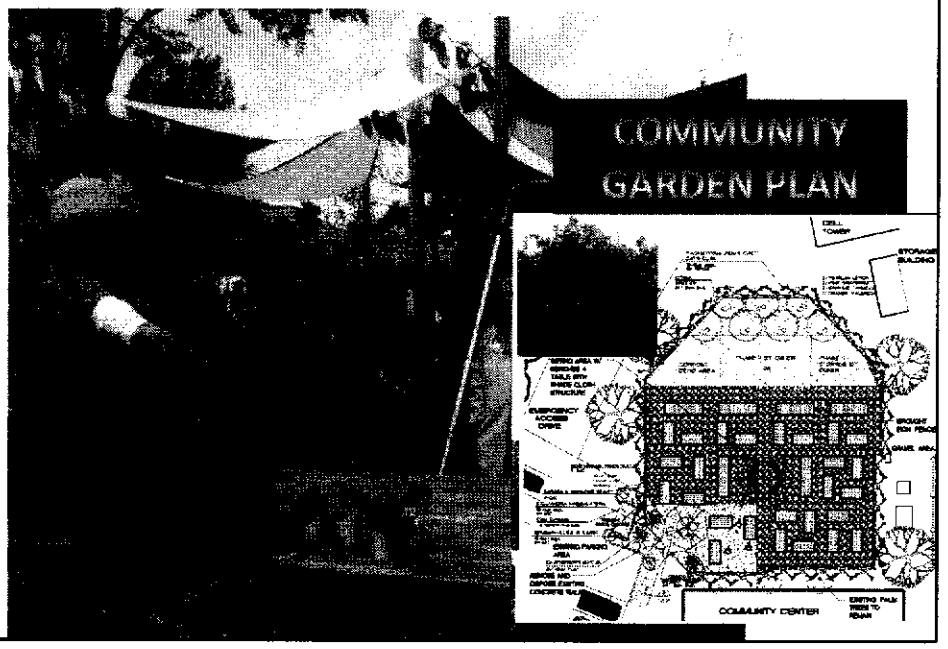
- The Desert Sun reported that the City has 2 officers per 1,000 residents, higher than the national average of 1.7 per 1,000 and higher than other Valley cities.

"Seven out of eight cities have fewer officers than the national average of 1.7 officers per 1,000 residents. Palm Springs has 2 officers per 1,000 full-time residents. The ninth city, Indian Wells, isn't counted due lo its smaller population."

The Desert Sun, September 30, 2012

Health and Wellness/Sustainability

Community Gardens Seminars and Tours



Residential and Business Programs

Edible Landscaping

Grant and Incentive Programs

Lawn Buy Back Program – Up to $2500 to switch from grass to

Up to $500 for Edible Landscape Improvements – Encourage Local Food Production like fruit nut trees, bushes and

Up to $500 for businesses to transition to compostable packaging including bags, take out containers,

Up to $2000 for Schools to plant a school

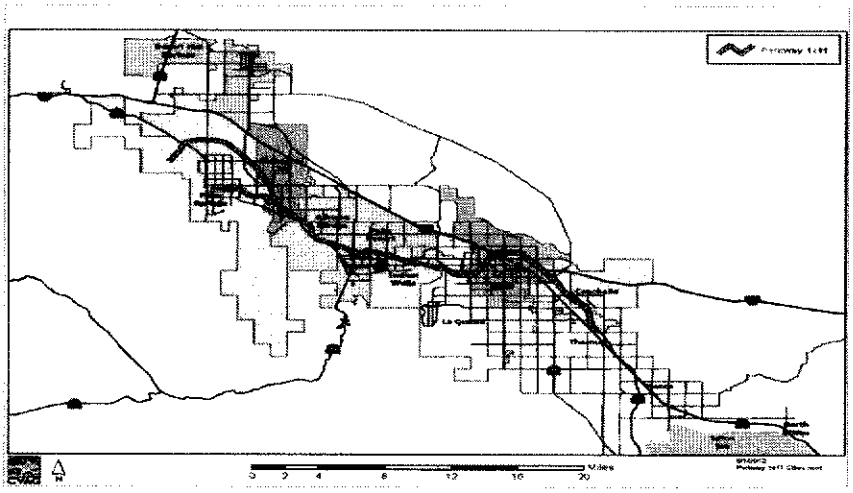
Health and Wellness/Sustainability

Parkway 1e11

- $17,400,000 awarded to CVAG by AQMD for the Parkway from Sentinel Project mitigation funds
- $20,000,000 in Regional Measure A funds by CVAG
- Consultants retained to develop the Master Plan, Engineering, and Environmental Reports – work started January 2, 2013
- Process timeline 2 1/2 to 3 years to complete reports and then construction starts
- Starting point will be Palm Springs – Whitewater River area

Health and Wellness/Sustainability

Parkway 1e11



Health and Wellness/Sustainability

Sentinel Mitigation Funds

The City was awarded $1,175,225 for Solar Photovoltaic Systems on the following city facilities located in the 6 mile radius area:

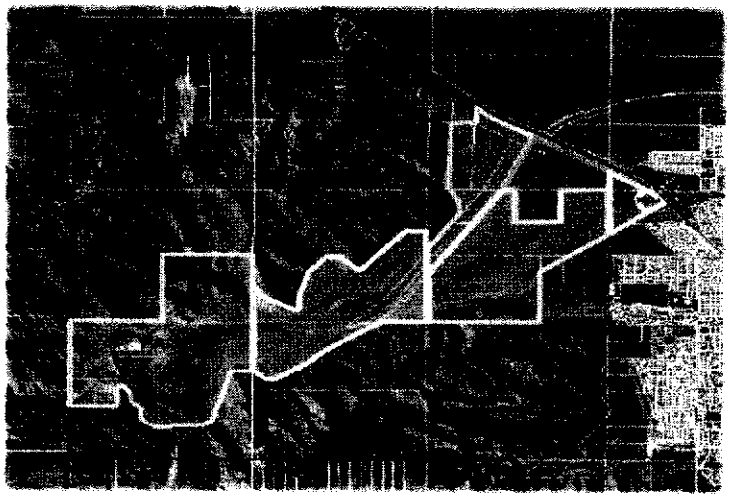
- James O. Jessie Desert Highland Unity Center
- Fire Station #3
- Visitor Center – Carports
- Train Station

Land Preservation

Chino Cone

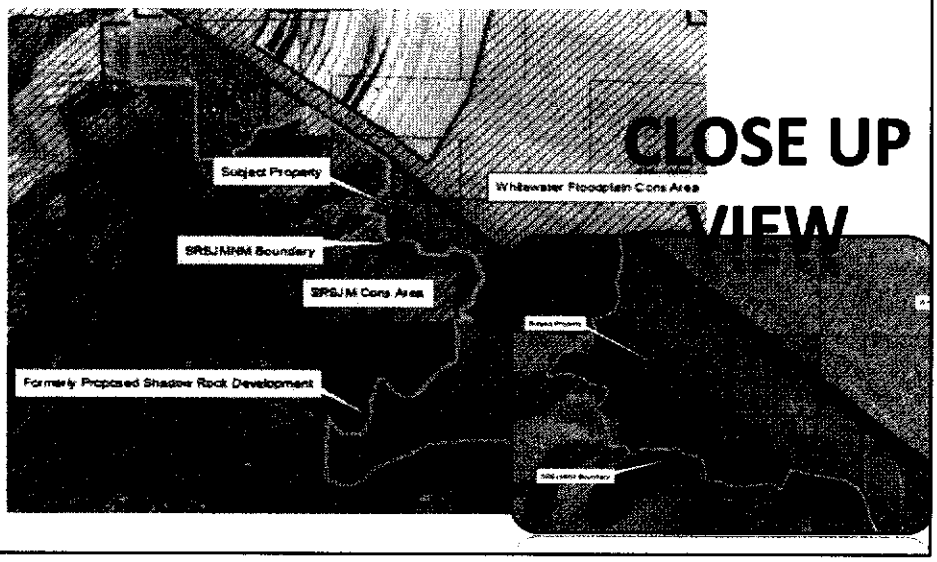
Land Preservation

Sections covered by Chino Cone Ordinance



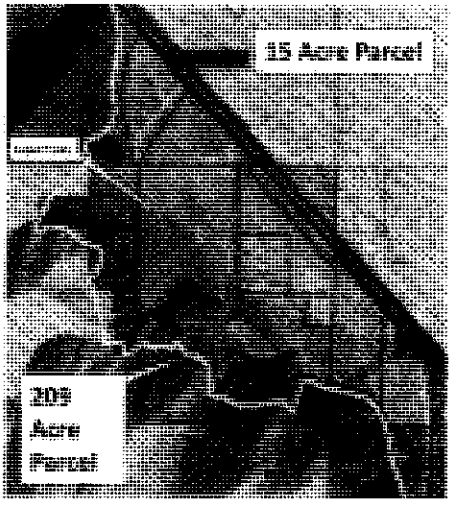
Land Preservation

209 Acre Acquisition with Friends of the Palm Springs Mountains and Coachella Valley Mountains Conservancy



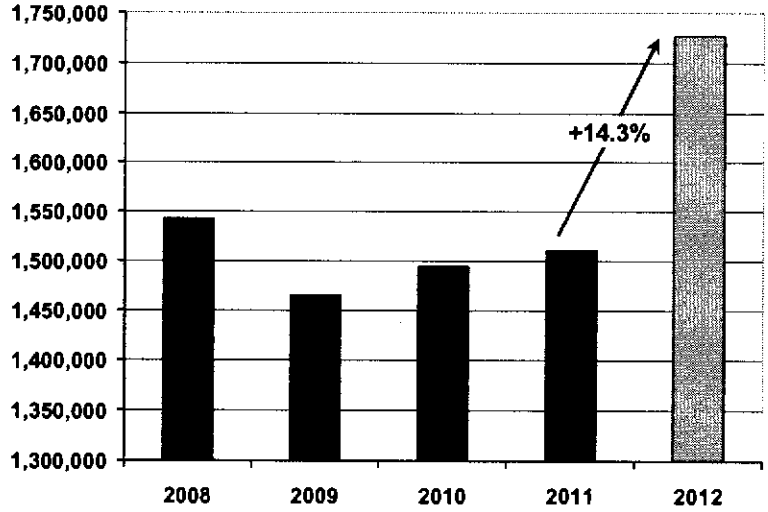
Land Preservation

- This shows the 209 Acre parcel (shaded in green) and the 15 acre parcel (outlined in red).
- The 15 acre parcel was in the viewshed of the larger parcel, if it ever got developed.

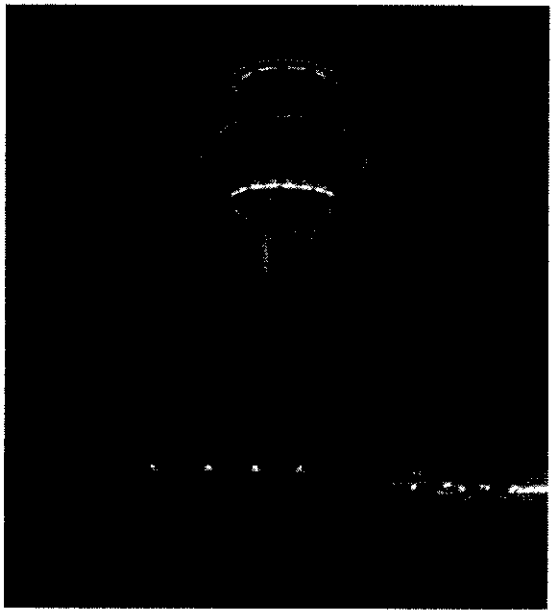


Palm Springs International Airport

Airport Passenger Growth



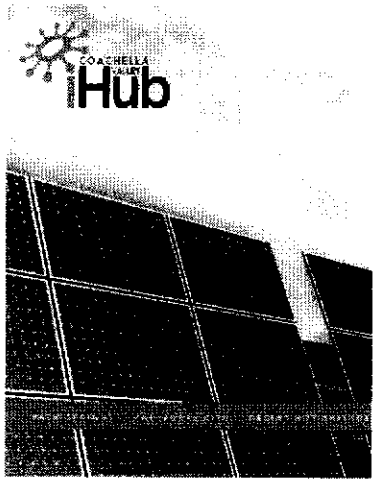
Air Traffic Control Tower



Economic Development

Coachella Valley iHub Report for 2012

- 13 Businesses Currently in Program
- 3 Clients Chosen to Present at "World's Best Tech" Conference
- Recognized as *Best Practices* iHub by State, Co-Authored California iHub Plan
- Partnering with National Renewable Energy Lab in Golden, CO for Tech Transfer



Economic Development

iHub in 2013 – An Accelerator Campus!

- Phase 1 - Accelerator Campus to open with 4 companies in April, 2013 (13,000 square feet)
- Phase 2 - Accelerator in Planning/Fundraising Stage (40,000 square feet)

CViHub Accelerator
"Investment Grade" Start-Ups
2012

[redacted]

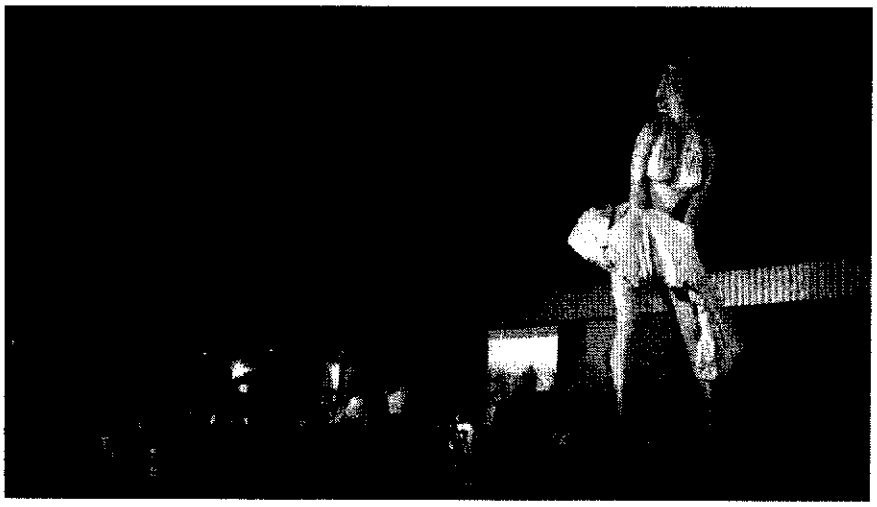
Aurora
Energy Storage Solutions

TRANSMEDimage

Heppolt LLC

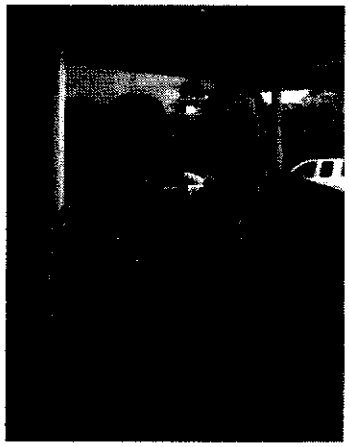
Forever Marilyn

Downtown Palm Springs!



Downtown/Uptown

- Uptown Pioneer Trina Turk expanded her flagship store in Palm Springs and celebrated a national partnership with Banana Republic which fostered national recognition nationwide touting "Palm Springs Style".

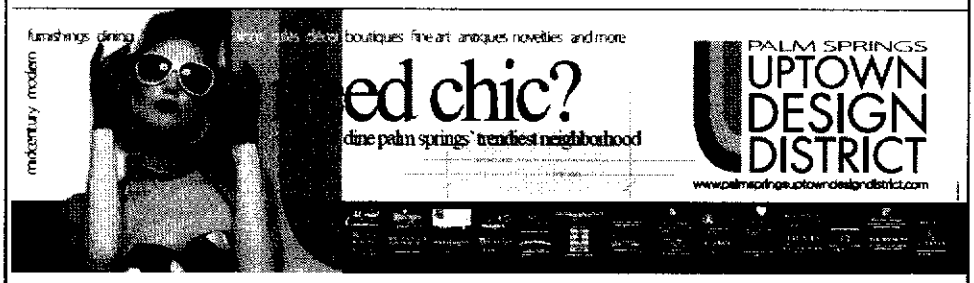


Downtown/Uptown

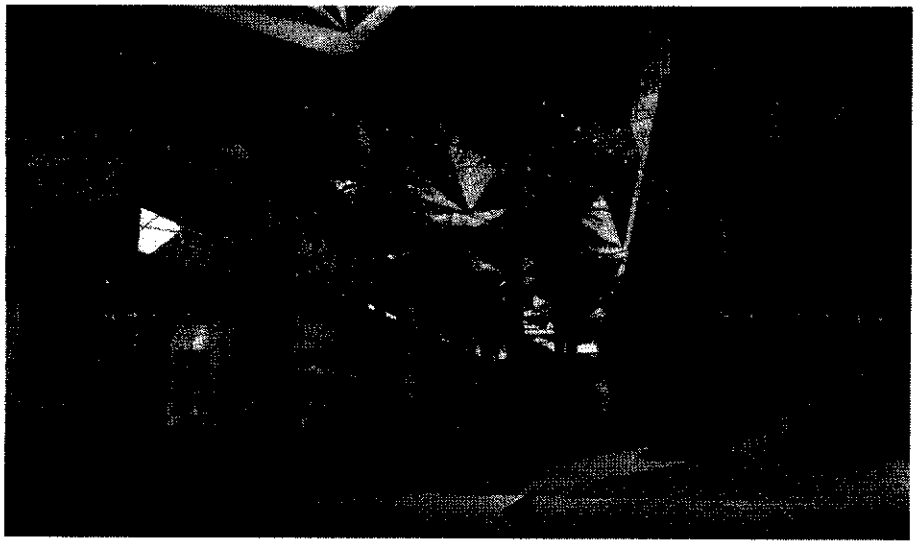
- Downtown's street-level door front vacancy rate has dropped. It was 10% last year and has fallen to 7.5%.
- For the first time in over 5 years the Tahquitz Canyon corridor between Indian and Palm Canyon Drive has maintained 95% occupancy for over 8 months.

Uptown Design District

- With an astounding 90% participation rate among its merchant base, the Uptown District undertook its third year of managing its own branding with a brochure, billboard and Airport advertising campaigns which have solidified this area as the "chic" retro retail area, and garnered worldwide press.



Downtown Revitalization Project



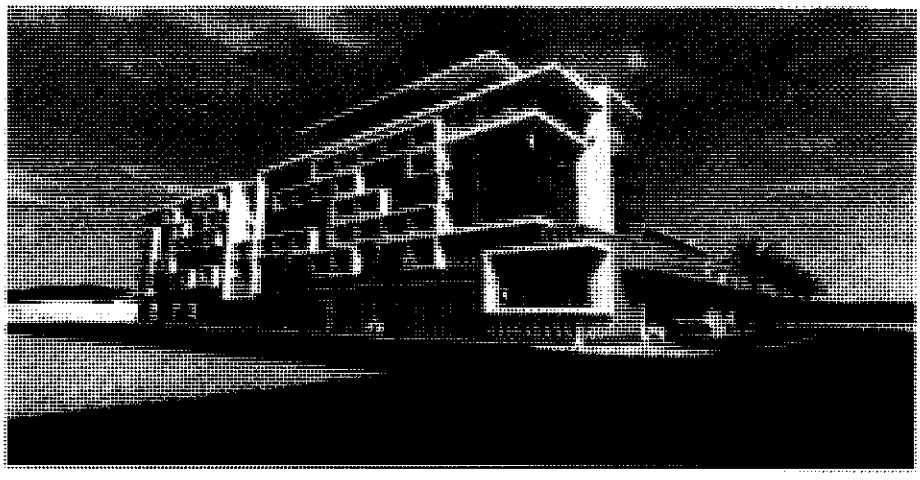
Palomar Hotel – Revised Architecture

View from Tahquitz Canyon Way

PALOMAR HOTEL, PALM SPRINGS, CALIFORNIA

wessman

Palomar Hotel – Revised Architecture

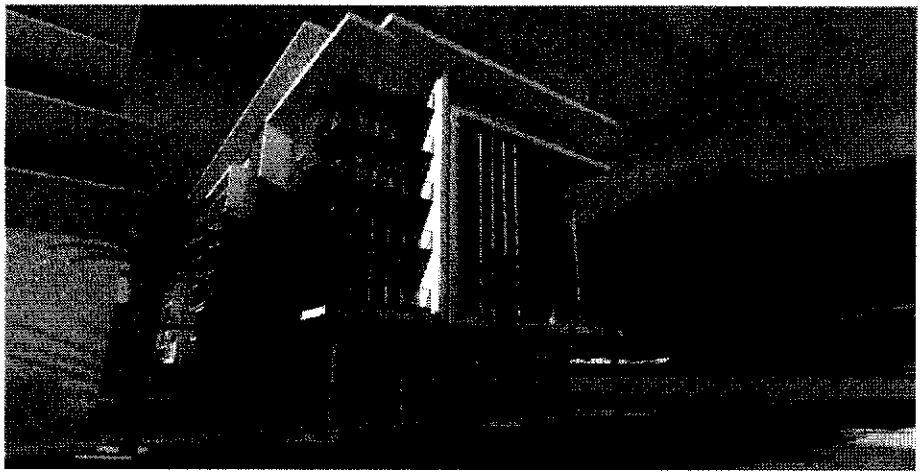


Southwest Corner from Tahquitz

PALOMAR HOTEL, PALM SPRINGS, CALIFORNIA

wessman

Palomar Hotel – Revised Architecture



View Looking South from Main

PALOMAR HOTEL, PALM SPRINGS, CALIFORNIA

FEBRUARY 1, 2013

wessman

Palomar Hotel – Revised Architecture

Reception Desk

PALOMAR HOTEL, PALM SPRINGS, CALIFORNIA

FEBRUARY 1, 2013

wessman

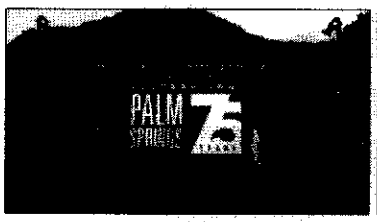
Save the Date!

Thanks for the Memories! Palm Springs through the Decades.

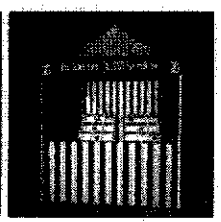
PALM SPRINGS CELEBRATING 75 YEARS

Palm Springs 75th Birthday Party
April 20, 2013
O'Donnell Golf Course
3 - 9 pm

Bounce Houses

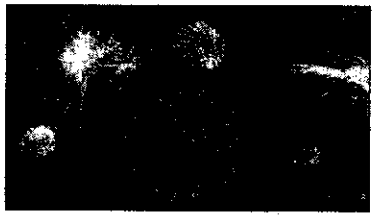


Live Entertainment



Carnival Games

PALM SPRINGS CELEBRATING 75 YEARS



Fireworks

PALM SPRINGS CELEBRATING 75 YEARS

State of the City 2013 11:30am Thursday, February 7th

Welcome and Thank you's

1. Thank the Chamber of Commerce and Sponsors
2. Thank Tribal Members –
   Vincent Gonzales and Jessica Norte
3. Thank Supervisor John Benoit
4. Thank Mayor Parks
7. 5. Thank David Ready and City Staff / J. NELSON
8. 6. Thank City Council

5. BILTMORE

6. PAT BOOBY
MARIE WILSON.

Roll Video

5 Main Topics

I. Budget
II. Public Safety
III. Health and Wellness/Sustainability
IV. Land Preservation
V. Economic Development

I. Budget

a. Budget Summary
b. Sales, Hotel, Measure J Summary
c. Incentive Programs

II. Public Safety

a. Police: 63,996 calls
b. Fire: 8,433 calls
c. Overall crime 1%
   Larceny/Theft 12% ⬇
   Motor Vehicle 21% ⬇
d. 2 Officers per 1,000 full-time residents

1 slide

2nd slide

III. Health and Wellness/Sustainability

a. Mayor's Healthy Planet, Healthy You Race and Wellness Festival – 2013 (2 slides)
b. Community Gardens Seminars and Tours
c. Residential – Business Programs

Rec'd

d. 1E–111 Bike Pathway Information (2 slides)
e. Solar Photovoltaic Systems
f. Integrating health and wellness into the City's Sustainability Master Plan

IV. Land Preservation – Chino Cone

a. View of Chino Cone sections
b. 209 Acres
c. 2.15 Acres
d. Council Direction
e. Fall review of Chino Cone Ordinance

V. Economic Development

a. PS International Airport
    1. Increase in Airport Traffic ⬆ 14.3%
    2. New FAA Tower to open mid-late summer 2013

b. Concessions, Advertising, Landscaping.

- Health
- Film
- Tourism
- Sustainability

b. 1 Innovation/iHub 2012

b. 2 Innovation iHub 2013 "Accelerator Park"

c. Forever Marilyn
   1. Purchase Offer made

d. Downtown/Uptown Palm Springs
   1. Vacancy Rate on Palm Canyon – 7.5%
   2. Indian-Palm Canyon on Tachevah – 95% occupied for 8 months
   3. Uptown Airport Billboard

e. Downtown Revitalization
   1. Pougnet's role as Mayor
   2. New Architecture – Michael Braun (6 slides)

1. Perision
2. 1965
3. Timeline

VI. 75th Anniversary (2 slides)

Together, We have will continue
- to be brought a vibe back to PS
- Momentum
- DN excitement
- Healthier City
- Preserve land
- Continue Revitalization of P. Springs.

Script for State of the City and B of A Demolition Program
January 26, 2012
Hilton Palm Springs

11 – 11:30 a.m. – Mayor, Department heads, John Wessman and Michael Braun greet the public at entrance to Hilton banquet room

11:30 **Tim Ellis will give everyone a 5 minute warning that lunch will be served, everyone needs to take their seats.**

11:35 **Final announcement for everyone to take a seat**

11:40 **Welcome and Flag Salute – Tim Ellis**

Tim will introduce Rabbi Sally Olins for the Invocation

Reading of VIP list – thank Aftab for his hospitality

Tim's opening remarks.

11:50 **Lunch is Served**

12:20 **Finish lunch – Hilton will remove plates.**

12:30 **Tim will introduce Steve Pougnet for his State of the City**

Tim please remind everyone that there are cards on every table, if anyone has a question for the mayor during his speech, they need to write their question on the card (legibly) and the cards will be collected by the chamber staff after the mayors speech. Just raise your hand after the speech is over and Tony and Nona will walk the room and collect the cards and bring them to Mayor

1:10 **Question & Answer**

1:30 **Conclusion – Mayor requests video to be rolled again and proclaims "Let's go tear down a bank! He invites everyone to orderly follow him and the City Council on a Walk to the Downtown (down the staircase and out the double doors on Tahquitz)**

Head west down tahquitz cross Indian and make a left when we get to Palm Canyon to the Welwood cross to Okura and enter through the large entrance to the parking lot through little walkway. (Amy with the Mayor and Council to direct and police officers will be on hand directing traffic)

2 p.m. – City Council, David Ready and Wessman family head to chairs located in parking lot in front of the stage.

Mayor heads to the podium with John Wessman and thanks everyone for joining the City, Wessman and the Chamber on this historic day. Mayor thanks the City Council for their support in this long anticipated endeavor -- along with LULU, Las Casuelas, Matchbox, Kaiser and the Ace for the fabulous food, the Hilton for the champagne and PartyLab for the decorations. Mayor says a few words about the public/private partnership and the future – and then invites Wessman to say a few words. When Wessman finishes…..

2:15- Mayor and Wessman invite the City Council and David Ready to the stage and invite the community for a champagne toast and yell in unison... TEAR IT DOWN... FOR A NEW DOWNTOWN! Mayor and Wessman head to the crane...

WHILE ---

Bradley Ryan from KPSI takes the microphone on the podium and reminds everyone to take our their hard hats -- and invites the community in a count of 10 countdown

2:20 Mayor and Wessman get on crane and Mayor will push the button following the countdown which will release the HAMMER!!! LET THE REVITALIZATION BEGIN," yells the mayor and Wessman.

Bradley Ryan will yell "Throw your hats Palm Springs" to the crowd, who will throw their soft construction hats in the air...

2:25 – PHOTO OPPORTUNITY: Mayor, Wessman, David Ready and City Council head to sledgehammers leaned against the building and will knock the brown brick section of the building for photo opportunity. (Amy will be on hand to help with this…)

2:30 – Mayor with Council, David Ready and Wessman at his side, cuts the ceremonial cake and invites the community to enjoy the great food and music! LET'S PARTY!

Mayor and Wessman conduct interviews with the press.

From: J.R. Roberts [mailto:buyer66@mac.com]
Sent: Tuesday, May 14, 2013 3:35 PM
To: Donenfeld, J. D.
Subject: Recent events

Hi Doug,

I had hoped to have a moment with you at Kathy's but ended up sinking into the party spirit and realized it probably wasn't the best place. Especially after two tequila shots!

Some on going behaviors and a couple of incidents occurring during our most recent commission meeting are making me uncomfortable, and and since you are serving as our chair I need to bring it to your attention. Often when John Wessman is before us, you and he have gotten into the habit of having private conversations from the dais and while other people are presenting or speaking. It's clear by your actions that he may be driving your decisions and motions. Your relationship with John is your own business but you showing favoritism by giving him private sidebars not only looks unprofessional, but must make other applicants uncomfortable. I know it makes all of us look bad. I'm not accusing you of any legal or ethical violations, simply suggesting that appearances are very important, if not everything, in terms of our credibility and charge. I think this would be especially true for the position of chairman. I always strive for us, as a body, to appear unbiased and professional. I hope you will strive for the same thing.
The other thing that I would like to see controlled better are developers / applicants, in this case John again, berating us for our actions on another project or on council policy. You may recall he did this during his time presenting his own project. I don't think it's too much to ask of any applicant to stay focused on their project when that's what we're hearing. Early in the public comments period would be better and more appropriate time for John's rants unrelated to his projects. I also believe that none of us or our staff deserves or should be subjected to disrespectful lectures by any applicant. Once again I think John is granted trespasses that other applicants are not and should not be granted. Also, if he or any applicant has issues with council policy they should be directed to writing or addressing the council at one of their meetings.
I believe that part of the job of the chairman is to keep things civil, focused and to kind of look after the rest of the commission. I hope you agree and I look forward to your thoughts. Respectfully,

J.R...

J.R. Roberts
1030 W. Cielo Drive
Palm Springs, CA 92262
Fax: 760 424 8669

"Watch your thoughts, for they become words.
Watch your words, for they become actions.
Watch your actions, for they become habits.
Watch your habits, for they become character.
Watch your character, for it becomes your destiny."

IRS Circular 230 Disclosure: To comply with certain U.S. Treasury regulations, we inform you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this communication, including attachments, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding any penalties that may be imposed on such taxpayer by the Internal Revenue Service. In addition, if any such tax advice is used or referred to by other parties in promoting, marketing or recommending any partnership or other entity, investment plan or arrangement, then (i) the advice should be construed as written in connection with the promotion or marketing by others of the transaction(s) or matter(s) addressed in this communication and (ii) the taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

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This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

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DAVID READY'S GOALS FOR 2009 – 2010

1. Museum Market Plaza – *The Council's top priority* (A-)

   - Development Agreement
   - Design for Development

2. * Plan to accomplish Economic Development (A) Good

2. * College of the Desert Campus (A)

4 * Spheres of Influence - North and West of town; Para Andreas and Bellamonte (NO)

5 * Finish Golf Course Master Plan (OK)

6 * Assist with Master Plan for Chino Cone (OK)

7 * Come up with another Signature Event for City (-NO)

8 * Improve Convention Center Business
   - Analyze relationship with CVA. Answer question: Are we getting our money's worth? (NO)

9 * Show 2 visible projects on Sustainability – own it internally within the City (NO) 1) Animal Shelter,

10. * 3-year Budget & Capital Plan - (Yes)

Warm Lords. - bad
Budget - good/ fair.
Negative vs positive.

FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

May 19, 2015

Eloise Mohsin
P. O. Box 2869
Berkeley, CA 94702

Re: FPPC Case No. 15/295, Steve Pougnet

Dear Ms. Mohsin:

This letter is to notify you that the Enforcement Division of the Fair Political Practices Commission (the "FPPC") initiated an investigation into the allegations, under the jurisdiction of the FPPC, of the sworn complaints you submitted in the above-referenced matters.

Thank you for taking the time to bring this matter to our attention.

Sincerely,

Galena West
Acting Chief, Enforcement Division

GW:ak

cc: Steve Pougnet ✔

FAIR POLITICAL PRACTICES COMMISSION
428 J STREET, SUITE 620
SACRAMENTO, CALIFORNIA 95814-2329

SACRAMENTO
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Mayor Steve Pougnet
City of Palm Springs
3200 E. Tahquitz Canyon
Palm Springs, CA 92262

92262695900

Jennifer Nelson

From: Steve Pougnet
Sent: Friday, May 08, 2015 8:06 AM
To: Jennifer Nelson
Subject: Fwd: Why Palm Springs ?

Please print

Sent from my iPhone

Begin forwarded message:

> **From:** Michael Braun <mbraun@wessmandevelopment.com>
> **Date:** May 8, 2015 at 7:59:10 AM PDT
> **To:** Steve Pougnet <Steve.Pougnet@palmsprings-ca.gov>
> **Subject: RE: Why Palm Springs ?**
>
> excellent
>
> Michael Braun
> Wessman Development
> 760-641-4046
>
> **From:** Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
> **Sent:** Friday, May 08, 2015 7:57 AM
> **To:** Michael Braun
> **Subject:** Re: Why Palm Springs ?
>
> I spent 30 minutes with him yesterday...
>
> Sent from my iPhone
>
> On May 8, 2015, at 6:55 AM, Michael Braun <mbraun@wessmandevelopment.com> wrote:
>
> > Financial Times
> >
> > Why Palm Springs…?" The Louis Vuitton chief executive Michael Burke explained of the decision to stage their interseasonal fashion extravaganza in Bob Hope's former home, a futuristic dream house set up overlooking the wind farms in the valley far below. "People were bemused by our decision: 'Isn't that where people go to die?' But they don't know who really lives here. Palm Springs is forward-looking, futuristic, modernist, cutting edge, audacious. People had written off California, but all of a sudden it's going through a tremendous rebirth. It's not just Silicon Valley, it's the entertainment industry, it's the music, everything. There's a super creative spirit around this whole valley . . ."

XC David
Doug
Jay

MAY 18 2015

May 13, 2015

Mayor Pougnet,

You received the original from Mr. Moon on April 30th. I'm sending you a copy because I agree.

I'm also filing a complaint with the Riverside County District Attorney for a full investigation into your office the entire City Council.

Regards,

Bill Masters

April 30, 2015
Mayor Steve Pougnet
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mayor Pougnet,

On Saturday, April 18, on the steps of City Hall, I held a public press conference and called upon you to conduct an independent audit of all ongoing development projects in the City of Palm Springs that receive taxpayer dollars. I also called upon you and the City Council to make the findings of that audit publicly available. I am once again making this request and in addition requesting this audit commence as soon as possible and no later than within the next 90 days.

Most of the development projects underway in Palm Springs are very complex and have been planned and financed over a long period of time with numerous changes involved. Several of the currently ongoing development projects have also involved real estate transactions between developers and The City and/or have included taxpayer funded incentives that have been paid to developers. For instance, recent reports in The Desert Sun refer to a November 2014 sale of a 6.2 acre downtown lot to Nexus for $1.5 Million. This would appear to be a significantly discounted rate for land in downtown Palm Springs. Any audit should include the results of all appraisals done on this property and the justification of the sale at this price.

The Downtown Palm Springs development, formerly known as the Fashion Plaza or Museum Plaza project, is a complex project with multiple transfers of funds between the developer and the City of Palm Springs over a number of years. These transactions includes land transfers, escrow account funding, and the purchase and planned renovation of the existing parking structure as well as the construction of additional parking spaces. I also request that the audit of the Downtown Palm Springs project include the costs of the bond that was used to originally build the existing parking structure and the details of whether that bond has been paid in full and, if so, when the bond payment was completed.

A full accounting of the taxpayer expenditures for all of the currently ongoing development projects in the City of Palm Springs would be of great interest to many residents of Palm Springs who not only care deeply about our beautiful city, but also pay property, sales, Measure J, and other taxes to the City.

Sincerely,

Robert L. Moon
cc: Members of City Council, City Manager, City Clerk

• Bob Singer
• Jim Bower

INDIAN WELLS
CALIFORNIA

MAY 14 2015

May 12, 2015

Mayor Steve Pougnet
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262

Dear Steve,

I am very sorry to hear you will not seek re-election this year. As the arrows fly, I want to congratulate you on a job well done. What you and your fellow Council Members have accomplished over the years is to be commended not criticized.

Inspite of your detractors and the effort by a few to diminish your accomplishments over the years, you should be proud and continue to ignore such criticism. Every city should have a Mayor like you, willing to fight the fight for what you believe in. Whatever you decide to do, I know you will be successful.

Sincerely,

Ty Peabody
Mayor
City of Indian Wells

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, JULY 1, 2015
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE: Boy Scout Troup 262, led the Pledge.

INVOCATION: Michale Cashe, Inner Faith Spiritual Center, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet
ABSENT:	None.
ALSO PRESENT:	City Manager Ready, City Attorney Holland, City Clerk Thompson

PRESENTATIONS:

Councilmember Foat provided an update on the Marriage Equality celebration in the City of Palm Springs.

Mayor Pougnet provided an update on the Buzz in the Los Angeles Pride Parade, Cooling Centers in the City of Palm Springs, the upcoming 4th of July activities, the CERT Program, and the Palm Springs Public Library website enhancements.

Councilmember Foat provided an update on animal adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION:

The meeting was called to order at 5:00 p.m., and City Attorney Holland requested the City Council consider adding one item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation titled *Advocates for Better Community Development v. City of Palm Springs, Palm Springs Promenade, LLC, et al.* Case No. PSC 1405677, Riverside Superior Court, Palm Springs Division, and stated he has received information regarding the case after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter came to the attention of the City after the posting of the agenda and there is an immediate need to hear and/or take action; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) one case of existing litigation titled *Advocates for Better Community Development v. City of Palm Springs, Palm Springs Promenade, LLC, et al.* Case No. PSC 1405677, Riverside Superior Court, Palm Springs Division. **Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin and unanimously carried (5-0).**

City Attorney Holland stated the City Council recessed into Closed Session and did not discuss the property items on the Closed Session Agenda, and reported one item of Initiation of Litigation was related to vacation rental enforcement and Councilmember Hutcheson and Mayor Pro Tem Lewin did not participate in the discussion and left Closed Session.

City Attorney Holland reported the City Council provided direction to City Staff and the City Attorney, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Mayor Pougnet requested Item 2.E. be removed from the Consent Calendar for separate discussion.

Councilmember Foat requested Item 2.J. be removed from the Consent Calendar for separate discussion.

Councilmember Mills noted a business related abstention on Item 2.C. Warrant No. 107882.

ACTION: Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

Assistant City Manager/City Engineer Fuller owns property in one of the Assessment Districts in Item 1.A. and left Council Chamber.

1.A. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE ASSESSMENT DISTRICTS FOR FISCAL YEAR 2015-16:
City Clerk Thompson provided background information as outlined in the Staff Report dated July 1, 2015.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: Adopt Resolution No. 23847, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICT NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2015-16." **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

Assistant City Manager/City Engineer Fuller returned to Council Chamber.

1.B. CONSIDERATION OF A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) CHAPTERS 92 AND 93 TO MODIFY THE SETBACK REQUIREMENTS AND AESTHETIC STANDARDS FOR NEW CARPORT STRUCTURES IN THE R-2 (LIMITED MULTIFAMILY RESIDENTIAL) AND R-3 (MULTIPLE-FAMILY RESIDENTIAL AND HOTEL) ZONING DISTRICTS AND APPROVAL OF AN ASSOCIATED NOTICE OF EXEMPTION PURSUANT TO CEQA (CASE 5.1368 ZTA):

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated July 1, 2015.

Councilmember Foat requested Staff address "enclosed" as defined in the proposed ordinance and questioned carports in commercial districts.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

RONNIE THOMPSON, Palm Springs, appreciated the efforts by Staff and City Council regarding this issue, provided background information oN carports in the The Palms development, and requested the City Council adopt the proposed ordinance.

GARY KELB, Palm Springs, stated his support for covered parking in the City of Palm Springs, and requested the City Council adopt the proposed ordinance.

ROLAND CORDOBUS, Palm Springs, commented on the problems with lack of covered parking in The Palms development, and requested the City Council adopt the proposed ordinance.

Mayor Pougnet opened the public hearing, and no speakers coming forward the public hearing was closed.

Councilmember Hutcheson questioned if the proposed ordinance would apply to any new covered carports.

Councilmember Mills requested Staff address the shortage of covered parking in The Palms development, and commented on the drafting of ordinances for a few developments that may be problematic in other areas of the City, and discussed the requirements in the ordinance.

Mayor Pougnet suggested the City find an alternative to provide carports for the specific developments without using the proposed ordinance.

Councilmember Foat requested Staff address any developments in the City that have a lack of covered parking.

Mayor Pro Tem Lewin commented on the restrictions in the ordinance, and stated the City Council is supportive of the request from The Palms.

Councilmember Hutcheson requested Staff return with additional information on other developments that may be affected.

ACTION: 1) Continue the Public Hearing to July 15, 2015, and 2) Direct the City Clerk posted a Notice of Continued Public Hearing as required by law. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

MATI JATOVSKY, commented on Item 2.J., and thanked the City Council for adoption of the proposed resolution.

GEORGE ZANDER, Palm Springs, thanked City Staff regarding their efforts with the Marriage Equality event, and commented on homeless programs and questioned the formation of a Task Force in the City of Palm Springs.

NIKOHL VANDEL, Palm Springs, commented on a recent oil spill in California and programs for homeless.

FRANK TYSEN, commented on the proposed Event Center in the Downtown Revitalization Project.

JOY BROWN MEREDITH, commented on the temporary construction parking and traffic in the Downtown area, and commented on homeless issues in the City of Palm Springs.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on the progress of the Homeless Task Force in the City of Palm Springs.

Mayor Pougnet commented on the proposed Event Space in the Downtown Revitalization project.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:

Mayor Pougnet noted his abstention on Item 2.B., the June 3, 2015 Minutes.

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.F., 2.G., 2.H., 2.I., 2.K., 2.L., 2.M., 2.N., 2.O., 2.P., and 2.Q. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

2.A. REPORT ON THE POSTING OF THE AGENDA:
ACTION: Receive and file Report on the Posting of the July 1, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of June 3, 2015, June 16, 2015, and Special Meeting Minutes of June 17, 2015. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pougnet on the June 3, 2015, Minutes.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23848, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-23-2015 BY WARRANTS NUMBERED 419140 THROUGH 419156 TOTALING $45,907.08, LIABILITY CHECKS NUMBERED 1078848 THROUGH 1078852 TOTALING $3,751.61, FIVE WIRE TRANSFERS FOR $386.76, AND THREE ELECTRONIC ACH DEBITS OF $1,264,933.15, IN THE AGGREGATE AMOUNT OF $1,314,978.60, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23849, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078853 THROUGH 1078993 IN THE AGGREGATE AMOUNT OF $1,038,009.42, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23850, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANT

NUMBERED 1078994 IN THE AMOUNT OF $250,000.00, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar, noting the abstention of Councilmember Mills on Warrant No. 107882.**

2.D. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF PALM DESERT TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2018:
ACTION: Reappoint Rolf Hoehn, as the City of Palm Desert representative, to the Palm Springs International Airport Commission for the term ending June 30, 2018. **Approved as part of the Consent Calendar.**

2.F. TREASURER'S INVESTMENT REPORT AS OF MAY 31, 2015:
ACTION: Receive and File the Treasurer's Investment Report as of May 31, 2015. **Approved as part of the Consent Calendar.**

2.G. ACCEPT GRANT AWARD NUMBER ARV-14-062 IN THE AMOUNT OF $57,500 FROM THE CALIFORNIA ENERGY COMMISSION FOR THE ELECTRIC VEHICLE READINESS PLAN:
ACTION: 1) Accept Grant Award Number ARV-14-062 from the California Energy Commission in the amount of $57,500 for electric vehicle infrastructure and education requiring a local match of $6,000 consisting of in-kind staff coordination; and 2) Authorize the City Manager to execute the CEC Grant Agreement, Form CEC-146. A6724. **Approved as part of the Consent Calendar.**

2.H. ACCEPTANCE OF THE CITY HALL AND POLICE STATION PARKING LOT REHABILITATION (CP 01-17 AND 13-34):
ACTION: 1) Accept the public work improvement identified as the City Hall and Police Station Parking Lot Rehabilitation (CP 01-17 and 13-34); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for the City Hall and Police Station Parking Lot Rehabilitation (CP 01-17 and 13-34). A6636. **Approved as part of the Consent Calendar.**

2.I. ACCEPTANCE OF THE SUNRISE WAY AT BOYS AND GIRLS CLUB / RALPH'S DRIVEWAYS TRAFFIC SIGNAL INSTALLATION (CP 13-25):
ACTION: 1) Accept the public work improvement identified as the Sunrise Way at Boys and Girls Club/Ralph's Driveways Traffic Signal Installation (CP 13-25); and 2) Authorize the City Engineer to execute and file for recordation with the Riverside County Recorder a Notice of Completion for Sunrise Way at Boys and Girls Club / Ralph's Driveways Traffic Signal Installation (CP 13-25). A6633. **Approved as part of the Consent Calendar.**

2.K. CONSULTING SERVICES AGREEMENT WITH EVERGREEN RECYCLING SOLUTIONS FOR TECHNICAL ASSISTANCE AND PROFESSIONAL SERVICES ON SOLID WASTE AND RECYCLING PROGRAMS:

ACTION: 1) Approve a Consulting Services Agreement with Evergreen Recycling Solutions for municipal solid waste management and recycling consulting services, in an amount not to exceed $50,000 for one (1) year, beginning July 1, 2015, and ending on June 30, 2016; and 2) Authorize the City Manager to execute all necessary documents. A5336. **Approved as part of the Consent Calendar.**

2.L. AMENDMENT NO. 3 IN THE AMOUNT OF $1,502,353.05 TO PROFESSIONAL SERVICES AGREEMENT WITH CNS ENGINEERS, INC., (A6190) FOR THE RAMON ROAD WIDENING (SAN LUIS REY DR. TO LANDAU BLVD.) INCLUDING THE WHITEWATER RIVER BRIDGE WIDENING, FEDERAL-AID PROJECT NO. BHLS-5282 (040) (CP 08-25):

ACTION: 1) Approve Amendment No. 3 to a Professional Services Agreement with CNS Engineers, Inc., (Agreement No. A6190) to incorporate final design phase services in the amount of $1,502,353.05 for an increased total contract amount of $2,662,343.36 for the Ramon Road Widening (San Luis Rey Dr. to Landau Blvd.) including the Whitewater River Bridge Widening Federal-Aid Project No. BHLS-5282 (040) (CP 08-25); and 2) Authorize the City Manager to execute all necessary documents. A6190. **Approved as part of the Consent Calendar.**

2.M. APPROVING A SIGNATURE OF 'ZERO' BALANCE PURCHASE ORDER REQUIRED FOR UPGRADE OF THE POLICE DEPARTMENT'S 9-1-1 SYSTEM:

ACTION: Authorize the issuance of a purchase order to the State 9-1-1 Emergency Communications Office and AT&T for upgrades to the Palm Springs Police Department's 9-1-1 system with a "zero" balance as all funding is provided by the State 9-1-1 Emergency Communications Office. **Approved as part of the Consent Calendar.**

2.N. APPROVE A PURCHASE ORDER IN THE AMOUNT OF $37,960 TO WILLDAN ENGINEERING FOR PUBLIC WORKS INSPECTION AND MATERIALS TESTING SERVICES FOR PUBLIC IMPROVEMENTS ASSOCIATED WITH PARCEL MAP 36446 ("DOWNTOWN PALM SPRINGS"):

ACTION: 1) Approve a Purchase Order in the amount of $37,960 to Willdan Engineering, in accordance with Agreement No. A6688, for construction inspection and materials testing services for public sewer, street, and storm drainage improvements associated with the new public streets to be constructed within Parcel Map 36446, "Downtown Palm

Springs;" and 2) Authorize the City Manager to execute all necessary documents. A6688. **Approved as part of the Consent Calendar.**

2.O. AMENDMENT NO. 2 IN THE AMOUNT OF $11,760.00 TO AGREEMENT NO. A5728 WITH ADVANCED, INC. DBA PROGREEN BUILDING MAINTENANCE FOR JANITORIAL SERVICES AT VARIOUS CITY FACILITIES:

ACTION: 1) Approve Amendment No. 2 to Agreement No. A5728 with Advanced, Inc., dba PROGreen Building Maintenance, increasing the janitorial services in the amount of $11,760.00, for an amended total amount of $326,848.92 per year; and 2) Authorize the City Manager to execute the Amendment to the Agreement. A5728. **Approved as part of the Consent Calendar.**

2.P. AMENDMENT NO. 3 IN THE AMOUNT OF $16,600 TO PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION (A6033) FOR THE VISTA CHINO AT FARRELL DRIVE STREET IMPROVEMENTS, FEDERAL PROJECT CML 5282 (037) (CP 09-11):

ACTION: 1) Approve Amendment No. 3 with KOA Corporation in the amount of $16,600 for a revised total contract amount of $98,600 for the Vista Chino at Farrell Drive Street Improvements, Federal Project CML 5282 (037), City Project 09-11; and 2) Authorize the City Manager to execute all necessary documents. A6033. **Approved as part of the Consent Calendar.**

2.Q. APPROVAL OF AMENDMENT NO. 14 TO THE AMENDED AND RESTATED AGREEMENT FOR WASTEWATER SERVICES (OPERATIONS AND MAINTENANCE) TO EXTEND THE TERM THROUGH DECEMBER 31, 2015:

ACTION: 1) Approve Amendment No. 14, to the Amended and Restated Agreement No. A4123 with Veolia West Operating Services, Inc., (formerly Veolia Water North America-West, LLC) for Wastewater Services (Operations and Maintenance) to extend the term through December 31, 2015; and 2) Authorize the City Manager to execute all necessary documents. A4123. **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.E. APPOINT TWO MEMBERS OF THE CITY COUNCIL TO AN AD HOC CV LINK CITY COUNCIL SUBCOMMITTEE:

Mayor Pougnet commented on the progress of the CV Link and requested a Town Hall meeting for the City of Palm Springs for further education.

ACTION: Appoint Councilmember Foat and Councilmember Mills to an ad hoc CV Link City Council Subcommittee. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

2.J. PROPOSED RESOLUTION IN SUPPORT OF THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015:

Councilmember Foat commented on the proposed resolution and stated her support.

ACTION: Adopt Resolution No. 23851, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING WILDERNESS, WILD AND SCENIC RIVERS, NATIONAL MONUMENTS, NATIONAL PARK AND PRESERVE ADDITIONS IN THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015." **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY COUNCIL REQUESTED REVIEW OF THE AMERICAN HEAT PALM SPRINGS MOTORCYCLE WEEKEND 2015, AND CONSIDERATION OF THE ANNUAL EVENT PROMOTIONAL SPONSORSHIP IN THE AMOUNT OF $26,250:
City Manager Ready stated the promoter has withdrawn the event.

Councilmember Foat commented on the event, stated her support for business owners for their agreement to postpone the event.

Mayor Pougnet his approval on the decision.

No action taken.

5.B. APPROVAL OF PLANS, SPECIFICATIONS AND ESTIMATE AND AUTHORIZATION TO BID THE ENTRY WAY SIGN IMPROVEMENTS (CP 13-31):
Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated July 1, 2015.

Councilmember Foat questioned any potential for defacing the signs, and questioned if other signs could be enhanced with the coordinating elements.

Mayor Pro Tem Lewin thanked the designers and commented on the creation of the "arrival" entry points in the City.

Councilmember Mills commented on the exquisite design of the proposed signs, and requested the City Council allow for some minor tweaks in the plans and specifications.

ACTION: Approve the plans, specifications and estimate and authorize staff to advertise and solicit bids for the Entry Way Sign Improvements, City Project No. 13-31 allowing for minor alterations in the plans and specifications by designers as approved by the City Council Subcommittee. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

5.C. DISCUSSION ON THE OPERATION OF CITY OWNED RECIRCULATING DECORATIVE WATER FEATURES PURSUANT TO DESERT WATER AGENCY REGULATIONS:
Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated July 1, 2015.

The City Council discussed and/or commented on the following with respect to outdoor City fountains: the deterioration of the fountains without water circulation, the City's efforts toward reduction, and the proposed water features in the Downtown Revitalization Project.

ACTION: Direct Staff to operate the City owned recirculating fountains. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Hutcheson requested the City Manager and Staff review the trees around the Palm Springs Swim Center and tree infestation.

Mayor Pro Tem Lewin commented on water conservation in the City of Palm Springs and by the Desert Water Agency.

Councilmember Foat requested the Landscape Designer review the growth and condition at the Palm Springs Animal Shelter.

ADJOURNMENT: The City Council adjourned, *in memory of Donald Wexler*, at 7:46 p.m. to Wednesday, July 15, 2015, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 15TH DAY OF JULY, 2015.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, JUNE 3, 2015
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pro Tem Lewin called the meeting to order at 6:15 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 262, led the Pledge.

INVOCATION: Michale Cashe, Inner Faith Spiritual Center, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
ABSENT:	Mayor Pougnet.
ALSO PRESENT:	City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS: Mayor Pro Tem Lewin provided an update on the Palm Springs Chamber Awards and the Palm Springs Fire Department 2015 Annual Fish Fry.

Councilmember Foat provided an update on animal adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION: The meeting was called to order at 4:30 p.m. and City Attorney Holland requested the City Council add one item to the Closed Agenda, pursuant to Cal. Gov. Code. Section 54956.9(b) one case of Exposure to Litigation, and stated the City received a threat of litigation after the posting of the Agenda.

ACTION: 1) Find the item came to the attention of the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Closed Session Agenda one case of Exposure to Litigation, pursuant to Cal. Gov. Code Section 54956.9(b). **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried (4-0) noting the absence of Mayor Pougnet.**

The City Council recessed into Closed Session to discuss items on the Closed Session Agenda.

City Attorney Holland stated the City Council did not discuss the property matter related to 128 South Palm Canyon. City Attorney Holland reported the City Council authorized

the payment of $7,800 to Villas De Las Flores for the Tort Claim, City Claim No. 12-0348, provided direction to City Staff and the City Attorney otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Foat requested Item 2.K. be removed from the Consent Calendar for separate discussion.

City Clerk Thompson stated City Staff has requested Items 2.O. and 5.A. be withdrawn from the Agenda.

ACTION: Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

1. PUBLIC HEARINGS:

1.A. PUBLIC HEARING ON THE FISCAL YEAR 2015-16 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT, AND PRESENTATION OF THE USER FEE STUDY / COST ALLOCATION PLAN, AND COMPREHENSIVE FEE SCHEDULE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin opened the public hearing, and the following speakers addressed the City Council.

DEBORAH McGARREY, commented on the proposed fees for encroachments for Southern California Gas Company.

DINO ZONIC and JEFFREY GILSON, requested grant funding for the proposed Palm Springs Orchestra.

Councilmember Foat requested Staff address the recommended positions to be added to the Allocated Positions and Compensation Schedule, the Appropriation Summary by Fund Type, stated the Planning Department is understaffed for current work load and recommended the addition of a Principal Planner.

Mayor Pro Tem Lewin requested the City Manager follow-up with the Gas Company, submit fund balance information to the City Council, and provide additional detail on potential positions that could be added including a Principle Planner.

Councilmember Foat requested the City Council consider additional funding for the Palm Springs Animal Shelter.

Councilmember Mills commented on the proposed fees and requested City Staff explain the basis of the increased fees.

ACTION: 1) Continue the Public Hearing and the adoption of the Budget and the Allocated Positions and Compensation Plan to the June 17, 2015, City Council Meeting; 2) Direct the City Clerk to post a Notice of Continued Public Hearing; and 3) Receive the User Fee Study and Cost Allocation Plan, the draft Comprehensive Fee Schedule, and conduct a Public Hearing at the June 17, 2015, City Council meeting. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES:	None.
ABSENT:	Mayor Pougnet.

PUBLIC COMMENT:

ALLEN WORTHY, commented on recent claims filed with the City and the Palm Springs Police Department.

CRAIG SCOTT, Palm Springs, commented on Item 3.A. regarding Medical Cannabis cultivation, and requested the City Council consider allowing cultivation outdoors.

KAY BUTLER, Palm Springs, commented on tennis programs for youth and requested the City Council consider a contribution of $5,000 for equipment.

ROBERT FINDLEY, Palm Springs, questioned what the City is doing for public safety and beautification of South Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

JONATHAN FREEMAN, Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

PAUL MERRITT, commented on a recent incident with the Palm Springs Police Department.

NIKOHL VANDEL, Palm Springs, commented on development, homeless, and tax breaks.

RICK PANTELE, commented on Item 3.B. regarding Medical Cannabis, and requested the closure of illegal collectives and mobile collectives.

ROBERT VAN ROO, commented on Item 3.B. regarding Medical Cannabis, stated Palm Springs Safe Access is now open for business, commented on the services, requested the City Council consider the economic benefits as a result of additional collectives.

DIANE BLASDEL, commented on Item 3.A., regarding medical cannabis, stated they are opposed to the number of permits, and stated support for cultivation.

JIM CAMPER, commented on Item 3.A., regarding medical cannabis, stated the new opportunities for locations are unfair to the existing permitted collectives, requested the City Council not approve two new permits.

TOM EVANSON, requested the City Council demolish the Magruder Chevrolet building.

JOY BROWN MEREDITH, requested the City Council consider funding public restrooms in the Downtown area, and provided an update on the activities of MainStreet.

WESLEY ROSS, commented on Item 5.A., and stated it is unfair for the City to bear the full cost to benefit the property owners.

ANDREW MILKS, commented on Item 3.A., regarding medical cannabis, requested Brown Dog Farms be considered for a new permit.

STEVE ROSENBERG, commented on Item 5.C. and the demolition of the former Magruder Chevrolet site.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on the recent CVAG meeting regarding CVLink, and requested the City Council consider forming a City Council Subcommittee regarding CVLink.

Councilmember Mills requested a map be included with formation of assessment districts.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.L., 2.M., 2.N., 2.P., and 2.Q. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

2.A. REPORT ON THE POSTING OF THE AGENDA:
ACTION: Receive and file Report on the Posting of the June 3, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of May 20, 2015. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23826, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 04-25-2015 BY WARRANTS NUMBERED 419107 THROUGH 419123 TOTALING $29,775.04 LIABILITY CHECKS NUMBERED 1078241 THROUGH 1078261 TOTALING $106,969.54, FIVE WIRE TRANSFERS FOR $55,729.56, AND THREE ELECTRONIC ACH DEBITS OF $1,282,040.19 IN THE AGGREGATE AMOUNT OF $1,474,514.33, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23827, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078262 THROUGH 1078389 IN THE AGGREGATE AMOUNT OF $1,280,220.12, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23828, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078390 THROUGH 1078578 IN THE AGGREGATE AMOUNT OF $2,560,927.96, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF APRIL 2015:
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1 through April 30, 2015. **Approved as part of the Consent Calendar.**

2.E. ACCEPT THE RESIGNATION OF KEVIN TOWNER FROM THE MEASURE J COMMISSION:

ACTION: 1) Accept the resignation of Kevin Towner from the Measure J Commission; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2015. **Approved as part of the Consent Calendar.**

2.F. PROPOSED RESOLUTIONS CALLING THE NOVEMBER 3, 2015, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES, AND ADOPTING REGULATIONS FOR CANDIDATE STATEMENTS:

ACTION: 1) Adopt Resolution No. 23829, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER;" 2) Adopt Resolution No. 23830, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015;" and 3) Adopt Resolution No. 23831, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES STATEMENTS/PROFILES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS/PROFILES SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015." **Approved as part of the Consent Calendar.**

2.G. CITY TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2015:

ACTION: Receive and File the City Treasurer's Investment Report as of April 30, 2015. **Approved as part of the Consent Calendar.**

2.H. DONATION OF TWO (2) HURST JL-150 CUTTERS, ONE (1) X-TRACTOR CUTTER, ONE (1) MAVERICK COMBI, AND TWO (2) HYDRAULIC POWER UNITS TO THE COLLEGE OF THE DESERT REGIONAL PUBLIC SAFETY FIRE ACADEMY:

ACTION: 1) Waive the Public Auction requirement in Section 7.07.020 (3) of the Palm Springs Municipal Code for Disposition of Surplus Property and authorize the donation of two (2) JL-150 cutters, one (1) X-tractor cutter, one (1) Maverick Combi, and two (2) power units to the Public Safety Academy at College of the Desert; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.I. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF INDIAN WELLS TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2017:
ACTION: Appoint Robert Berriman, as the City of Indian Wells representative, to the Palm Springs International Airport Commission for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**

2.L. ACCEPT FROM THE AGUA CALIENTE BAND OF CAHUILLA INDIANS A GRANT IN THE AMOUNT OF $25,000 AND AUTHORIZE THE PURCHASE OF A LASER SCANNING SYSTEM FOR THE PALM SPRINGS POLICE DEPARTMENT:
ACTION: 1) Accept a grant from the Agua Caliente Band of Cahuilla Indians in the amount of $25,000; 2) Authorize the purchase of a Focus3D X130 Laser Scanning System, including applicable sales tax, licensing, software, training and accessories, utilizing Federal GSA Schedule 66, #GS24F0044M, cooperative purchase pricing, from FARO Technologies Inc. in an amount not to exceed $76,913.19; and 3) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.M. NATHAN AND GINA OTTO ART MURAL APPLICATION FOR AN EXISTING ART MURAL ON THE COMMERCIAL BUILDING AT 810 NORTH FARRELL DRIVE (CASE 15-001 MUR):
ACTION: Adopt Resolution No. 23832, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 15-001-MUR FOR AN ART MURAL ON THE COMMERCIAL BUILDING AT 810 N. FARRELL DRIVE, ZONE M-1-P." **Approved as part of the Consent Calendar.**

2.N. AMENDMENT NO. 5 TO AGREEMENT NO. A5862 FOR LOSS CONTROL AND REGULATORY SERVICES WITH KEENAN & ASSOCIATES:
ACTION: 1) Approve Amendment No. 5 to consulting services agreement for Loss Control and Regulatory Services with Keenan & Associates, in the amount of $65,000; and 2) Authorize the City Manager to execute all necessary documents. A5862 **Approved as part of the Consent Calendar.**

2.P. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2015-16:
ACTION: Adopt Resolution No. 23833, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES AS THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT

OWNERS AND OPERATORS LIABILITY, VILLAGEFEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, CRIME/FIDELITY LIABILITY, AND CYBER LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS FOR POLICY YEAR 2015-2016, EFFECTIVE JULY 1, 2015." **Approved as part of the Consent Calendar.**

2.Q. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2015-16:

ACTION: 1) Adopt Resolution No. 23834, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE PREPARATION OF AND GIVING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, TO ESTABLISH ANNUAL ASSESSMENTS AND THE LEVY AND COLLECTION RELATED THERETO FOR FISCAL YEAR 2015-16;" and 2) Adopt Resolution No. 23835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON JULY 1, 2015, REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2015-16." **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.J. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 9, ANNEXATION NO. 10, ANNEXATION NO. 11, AND ANNEXATION NO. 12:

The City Council approved Item 2.J. as part of the Consent Calendar and Staff requested they rescind that action and table the Item.

ACTION: Rescind the approval of Item 2.J. adopting Resolutions of Intention and proposed boundary maps to Annex Territory to Community Facilities District. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

2.K. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 1 AND ANNEXATION NO. 2:
City Clerk Thompson requested the City Council table Item 2.K.

ACTION: Table the item. **By unanimous consent of the City Council (4-0), noting the absence of Mayor Pougnet.**

2.O. APPROVE EASEMENT AGREEMENT AND COVENANT WITH VILLAS DE LAS FLORES ASSOCIATION FOR THE MAINTENANCE OF CITY TREES ADJACENT TO VILLAS DE LAS FLORES CONDOMINIUM DEVELOPMENT:
Withdrawn from the Agenda at the request of Staff.

The City Council recessed at 7:51 .m.
The City Council reconvened at 7:55 p.m.

3. LEGISLATIVE:

3.A. AN ORDINANCE AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6):
City Attorney Holland provided background information as outlined in the Staff Report dated June 3, 2015.

Councilmember Foat requested Staff address if the ordinance applies to permitted facilities in other cities and home grown medical cannabis.

Councilmember Hutcheson requested City Staff clarify if the City Council is required to use the existing list, stated his preference is to limit two permits to the existing applicants, and stated his support for two additional permits.

Councilmember Mills requested the City Council Subcommittee address the recommendation for two additional permits, stated he would not support the ordinance, requested the Subcommittee address outdoor cultivation, commented on the number of collectives needed to supply the City of Palm Springs.

Councilmember Foat commented on the public comments regarding the effects that two additional permits will have on the four permits issued, and stated her support for limiting consideration to applicants in the last process.

Mayor Pro Tem Lewin requested City Staff explain Section 5.35.040(C)(1), requested Staff affirm cultivation is limited to Palm Springs collectives, and questioned enforcement.

Councilmember Mills commented on the business licensing process for medical cannabis.

ACTION: 1) Waive the reading of the ordinance text in its entirety and introduce Ordinance No. 1879, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6);" *amending the second sentence of Section 5.35.340(c)(1) to read "Nothing in this Section shall prohibit two or more permitted MCCCs from operating or maintain such MCCF, "and Section 5.35.340(c)(2) to read "one hundred percent (100%) of all cannabis or marijuana cultivated at MCCF shall be distributed solely to one or more MCCFs permitted pursuant to the provisions of this Chapter;* and 2) Direct Staff regarding the City Council preference to limit consideration to the applicants in the last process. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 3-1 on a roll call vote.**

AYES:	Councilmember Foat, Councilmember Hutcheson, and Mayor Pro Tem Lewin.
NOES:	Councilmember Mills.
ABSENT:	Mayor Pougnet.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY HALL LANDSCAPE CONVERSION PROJECT (CP 15-04):
Tabled at the request of Staff.

5.B. CITY COUNCIL DIRECTED DISCUSSION FOR REVIEW OF POLICY, PROCEDURES, REGULATIONS, AND PRACTICES FOR THE TRANSFER AND/OR SALE OF CITY AND SUCCESSOR AGENCY OWNED REAL PROPERTY, AND ESTABLISHED AND APPROVED ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS:
City Manager Ready provided background information as outlined in a PowerPoint presentation regarding RDA real property and incentive programs.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with the law firm of Kane, Ballmer and Berkman, of Los Angeles, California, to review the Property Disposition Plan and Redevelopment property transactions. A6715. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with an appropriate accounting and auditing firm to audit the Incentive Grant Programs. A6712. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

5.C. DISCUSSION ON POTENTIAL COSTS AND ALTERNATIVES FOR THE DEMOLITION OF THE FORMER MAC MAGRUDER CHEVROLET SITE LOCATED AT 999 SOUTH PALM CANYON DRIVE (ASSESSOR'S PARCEL NUMBER 513-250-014):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin requested Staff address the difficulties with this property.

Councilmember Hutcheson requested Staff comment on the Security provided by the City, and the demands of the property owner.

Councilmember Mills requested the City Attorney address any possibility of the City placing a lien on the property, other legal actions the City could take, other reports and costs needed for demolition, questioned if the City could condition any future lessee for the costs.

Councilmember Foat requested Staff address the dust control issues that may arise if the pad is removed, and questioned if the City has talked directly to the Tribe.

Mayor Pro Tem Lewin commented on the differences between the Tribe and the allottees, stated his support for going out to bid and further dialog with the Tribe.

Councilmember Mills commented on the stabilization of the distributed soil when completed, and recommended the allottee will allow the City to repair any soil stabilization if necessary.

ACTION: Direct Staff to proceed with bidding of the demolition at an estimated cost of $300,000 with the approval of the City Council pursuant to Section 7.03.040(2)(a) of the Palm Springs Municipal Code, requiring the City Council approval and authorization to bid; and 2) Adopt Resolution No. 23836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 TO PROVIDE INITIAL FUNDING FOR THE DEMOLITION OF MAGRUDER CHEVROLET BUILDING (CITY PROJECT NO. 15-19). **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

5.D. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2015 ANNUAL RECRUITMENT PROCESS:

ACTION: 1) Reappoint Dee Dee Barton to the Human Rights Commission for the term ending June 30, 2018; 2) Appoint Eduardo Carriazo and Denise Chappell to the Human Rights Commission for the term ending June 30, 2018; 3) Appoint Thomas Yanni to the Public Arts Commission for the term ending June 30, 2018; 4) Reappoint Joseph Jackson and Michael Birnberg to the Sustainability Commission for the term ending June 30, 2018; 5) Appoint Nancy Ferguson to the Sustainability Commission for the term ending June 30, 2018; 6) Appoint David Freedman to the Sustainability Commission for the term ending June 30, 2017; 7) Reappoint Claire Zimmer and Michael Ziskind to the VillageFest Board for the term ending June 30, 2018; 8) Reappoint Glen Perry to the Administrative Appeals Board for the term ending June 30, 2018; and 9) Appoint William Johnson to the Board of Appeals with no term limits. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested Staff address the landscape for the Solar project at North Indian near the UPRR.

Councilmember Foat requested the landscape architect review the condition of the landscape at the Palm Springs Animal Shelter.

ADJOURNMENT: The City Council adjourned at 9:58 p.m. to Thursday, June 4, 2015, at 9:00 a.m. West Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 1ST DAY OF JULY, 2015.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, JUNE 3, 2015
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pro Tem Lewin called the meeting to order at 6:15 p.m.

PLEDGE OF ALLEGIANCE: Girl Scout Troop 262, led the Pledge.

INVOCATION: Michale Cashe, Inner Faith Spiritual Center, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
ABSENT:	Mayor Pougnet.
ALSO PRESENT:	City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS: Mayor Pro Tem Lewin provided an update on the Palm Springs Chamber Awards and the Palm Springs Fire Department 2015 Annual Fish Fry.

Councilmember Foat provided an update on animal adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION: The meeting was called to order at 4:30 p.m. and City Attorney Holland requested the City Council add one item to the Closed Agenda, pursuant to Cal. Gov. Code. Section 54956.9(b) one case of Exposure to Litigation, and stated the City received a threat of litigation after the posting of the Agenda.

ACTION: 1) Find the item came to the attention of the City after the posting of the Agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Closed Session Agenda one case of Exposure to Litigation, pursuant to Cal. Gov. Code Section 54956.9(b). **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried (4-0) noting the absence of Mayor Pougnet.**

The City Council recessed into Closed Session to discuss items on the Closed Session Agenda.

City Attorney Holland stated the City Council did not discuss the property matter related to 128 South Palm Canyon. City Attorney Holland reported the City Council authorized

the payment of $7,800 to Villas De Las Flores for the Tort Claim, City Claim No. 12-0348, provided direction to City Staff and the City Attorney otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

Councilmember Foat requested Item 2.K. be removed from the Consent Calendar for separate discussion.

City Clerk Thompson stated City Staff has requested Items 2.O. and 5.A. be withdrawn from the Agenda.

ACTION: Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

1. PUBLIC HEARINGS:

1.A. PUBLIC HEARING ON THE FISCAL YEAR 2015-16 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT, AND PRESENTATION OF THE USER FEE STUDY / COST ALLOCATION PLAN, AND COMPREHENSIVE FEE SCHEDULE:

Geoffrey Kiehl, Director of Finance, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin opened the public hearing, and the following speakers addressed the City Council.

DEBORAH McGARREY, commented on the proposed fees for encroachments for Southern California Gas Company.

DINO ZONIC and JEFFREY GILSON, requested grant funding for the proposed Palm Springs Orchestra.

Councilmember Foat requested Staff address the recommended positions to be added to the Allocated Positions and Compensation Schedule, the Appropriation Summary by Fund Type, stated the Planning Department is understaffed for current work load and recommended the addition of a Principal Planner.

Mayor Pro Tem Lewin requested the City Manager follow-up with the Gas Company, submit fund balance information to the City Council, and provide additional detail on potential positions that could be added including a Principle Planner.

Councilmember Foat requested the City Council consider additional funding for the Palm Springs Animal Shelter.

Councilmember Mills commented on the proposed fees and requested City Staff explain the basis of the increased fees.

ACTION: 1) Continue the Public Hearing and the adoption of the Budget and the Allocated Positions and Compensation Plan to the June 17, 2015, City Council Meeting; 2) Direct the City Clerk to post a Notice of Continued Public Hearing; and 3) Receive the User Fee Study and Cost Allocation Plan, the draft Comprehensive Fee Schedule, and conduct a Public Hearing at the June 17, 2015, City Council meeting. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

PUBLIC COMMENT:

ALLEN WORTHY, commented on recent claims filed with the City and the Palm Springs Police Department.

CRAIG SCOTT, Palm Springs, commented on Item 3.A. regarding Medical Cannabis cultivation, and requested the City Council consider allowing cultivation outdoors.

KAY BUTLER, Palm Springs, commented on tennis programs for youth and requested the City Council consider a contribution of $5,000 for equipment.

ROBERT FINDLEY, Palm Springs, questioned what the City is doing for public safety and beautification of South Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

JONATHAN FREEMAN, Palm Springs, requested the City Council demolish the Magruder Chevrolet building.

PAUL MERRITT, commented on a recent incident with the Palm Springs Police Department.

NIKOHL VANDEL, Palm Springs, commented on development, homeless, and tax breaks.

RICK PANTELE, commented on Item 3.B. regarding Medical Cannabis, and requested the closure of illegal collectives and mobile collectives.

ROBERT VAN ROO, commented on Item 3.B. regarding Medical Cannabis, stated Palm Springs Safe Access is now open for business, commented on the services, requested the City Council consider the economic benefits as a result of additional collectives.

DIANE BLASDEL, commented on Item 3.A., regarding medical cannabis, stated they are opposed to the number of permits, and stated support for cultivation.

JIM CAMPER, commented on Item 3.A., regarding medical cannabis, stated the new opportunities for locations are unfair to the existing permitted collectives, requested the City Council not approve two new permits.

TOM EVANSON, requested the City Council demolish the Magruder Chevrolet building.

JOY BROWN MEREDITH, requested the City Council consider funding public restrooms in the Downtown area, and provided an update on the activities of MainStreet.

WESLEY ROSS, commented on Item 5.A., and stated it is unfair for the City to bear the full cost to benefit the property owners.

ANDREW MILKS, commented on Item 3.A., regarding medical cannabis, requested Brown Dog Farms be considered for a new permit.

STEVE ROSENBERG, commented on Item 5.C. and the demolition of the former Magruder Chevrolet site.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on the recent CVAG meeting regarding CVLink, and requested the City Council consider forming a City Council Subcommittee regarding CVLink.

Councilmember Mills requested a map be included with formation of assessment districts.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.L., 2.M., 2.N., 2.P., and 2.Q. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

2.A. REPORT ON THE POSTING OF THE AGENDA:
ACTION: Receive and file Report on the Posting of the June 3, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of May 20, 2015. **Approved as part of the Consent Calendar.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23826, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 04-25-2015 BY WARRANTS NUMBERED 419107 THROUGH 419123 TOTALING $29,775.04 LIABILITY CHECKS NUMBERED 1078241 THROUGH 1078261 TOTALING $106,969.54, FIVE WIRE TRANSFERS FOR $55,729.56, AND THREE ELECTRONIC ACH DEBITS OF $1,282,040.19 IN THE AGGREGATE AMOUNT OF $1,474,514.33, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23827, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078262 THROUGH 1078389 IN THE AGGREGATE AMOUNT OF $1,280,220.12, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23828, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078390 THROUGH 1078578 IN THE AGGREGATE AMOUNT OF $2,560,927.96, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF APRIL 2015:
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of April 1 through April 30, 2015. **Approved as part of the Consent Calendar.**

2.E. ACCEPT THE RESIGNATION OF KEVIN TOWNER FROM THE MEASURE J COMMISSION:

ACTION: 1) Accept the resignation of Kevin Towner from the Measure J Commission; and 2) Direct the City Clerk to post a notice of vacancy for the unexpired term ending June 30, 2015. **Approved as part of the Consent Calendar.**

2.F. PROPOSED RESOLUTIONS CALLING THE NOVEMBER 3, 2015, GENERAL MUNICIPAL ELECTION, ORDERING SERVICES, AND ADOPTING REGULATIONS FOR CANDIDATE STATEMENTS:

ACTION: 1) Adopt Resolution No. 23829, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND CITY CHARTER;" 2) Adopt Resolution No. 23830, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015;" and 3) Adopt Resolution No. 23831, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES STATEMENTS/PROFILES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS/PROFILES SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015." **Approved as part of the Consent Calendar.**

2.G. CITY TREASURER'S INVESTMENT REPORT AS OF APRIL 30, 2015:

ACTION: Receive and File the City Treasurer's Investment Report as of April 30, 2015. **Approved as part of the Consent Calendar.**

2.H. DONATION OF TWO (2) HURST JL-150 CUTTERS, ONE (1) X-TRACTOR CUTTER, ONE (1) MAVERICK COMBI, AND TWO (2) HYDRAULIC POWER UNITS TO THE COLLEGE OF THE DESERT REGIONAL PUBLIC SAFETY FIRE ACADEMY:

ACTION: 1) Waive the Public Auction requirement in Section 7.07.020 (3) of the Palm Springs Municipal Code for Disposition of Surplus Property and authorize the donation of two (2) JL-150 cutters, one (1) X-tractor cutter, one (1) Maverick Combi, and two (2) power units to the Public Safety Academy at College of the Desert; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.I. RATIFY AND APPOINT THE NOMINATION OF THE CITY OF INDIAN WELLS TO THE PALM SPRINGS INTERNATIONAL AIRPORT COMMISSION FOR THE TERM ENDING JUNE 30, 2017:
ACTION: Appoint Robert Berriman, as the City of Indian Wells representative, to the Palm Springs International Airport Commission for the term ending June 30, 2017. **Approved as part of the Consent Calendar.**

2.L. ACCEPT FROM THE AGUA CALIENTE BAND OF CAHUILLA INDIANS A GRANT IN THE AMOUNT OF $25,000 AND AUTHORIZE THE PURCHASE OF A LASER SCANNING SYSTEM FOR THE PALM SPRINGS POLICE DEPARTMENT:
ACTION: 1) Accept a grant from the Agua Caliente Band of Cahuilla Indians in the amount of $25,000; 2) Authorize the purchase of a Focus3D X130 Laser Scanning System, including applicable sales tax, licensing, software, training and accessories, utilizing Federal GSA Schedule 66, #GS24F0044M, cooperative purchase pricing, from FARO Technologies Inc. in an amount not to exceed $76,913.19; and 3) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

2.M. NATHAN AND GINA OTTO ART MURAL APPLICATION FOR AN EXISTING ART MURAL ON THE COMMERCIAL BUILDING AT 810 NORTH FARRELL DRIVE (CASE 15-001 MUR):
ACTION: Adopt Resolution No. 23832, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 15-001-MUR FOR AN ART MURAL ON THE COMMERCIAL BUILDING AT 810 N. FARRELL DRIVE, ZONE M-1-P." **Approved as part of the Consent Calendar.**

2.N. AMENDMENT NO. 5 TO AGREEMENT NO. A5862 FOR LOSS CONTROL AND REGULATORY SERVICES WITH KEENAN & ASSOCIATES:
ACTION: 1) Approve Amendment No. 5 to consulting services agreement for Loss Control and Regulatory Services with Keenan & Associates, in the amount of $65,000; and 2) Authorize the City Manager to execute all necessary documents. A5862 **Approved as part of the Consent Calendar.**

2.P. APPROVE ANNUAL INSURANCE POLICY RENEWALS FOR THE CITY'S INSURANCE PORTFOLIO FOR FISCAL YEAR 2015-16:
ACTION: Adopt Resolution No. 23833, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING KEENAN & ASSOCIATES AS THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY LIABILITY, EXCESS EARTHQUAKE/FLOOD LIABILITY (DIFFERENCE IN CONDITION), EXCESS LIABILITY, EXCESS WORKERS COMPENSATION, AIRPORT

OWNERS AND OPERATORS LIABILITY, VILLAGEFEST LIABILITY, MULTI MEDIA LIABILITY, AIRCRAFT HULL LIABILITY, CRIME/FIDELITY LIABILITY, AND CYBER LIABILITY INSURANCE POLICIES FROM VARIOUS CARRIERS FOR POLICY YEAR 2015-2016, EFFECTIVE JULY 1, 2015." **Approved as part of the Consent Calendar.**

2.Q. ANNUAL LEVY OF ASSESSMENTS FOR VARIOUS CITYWIDE STREET LIGHTING AND PARKWAY MAINTENANCE DISTRICTS, FISCAL YEAR 2015-16:

ACTION: 1) Adopt Resolution No. 23834, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ORDERING THE PREPARATION OF AND GIVING PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, TO ESTABLISH ANNUAL ASSESSMENTS AND THE LEVY AND COLLECTION RELATED THERETO FOR FISCAL YEAR 2015-16;" and 2) Adopt Resolution No. 23835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON JULY 1, 2015, REGARDING STREET LIGHTING MAINTENANCE DISTRICT NO. 3, AND PARKWAY MAINTENANCE DISTRICTS NOS. 6A, 6C, 7, 8, 9, AND 10 (ZONES 1 AND 2), AND LANDSCAPE MAINTENANCE DISTRICT NO. 12, AND TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2015-16." **Approved as part of the Consent Calendar.**

EXCLUDED CONSENT CALENDAR:

2.J. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 9, ANNEXATION NO. 10, ANNEXATION NO. 11, AND ANNEXATION NO. 12:

The City Council approved Item 2.J. as part of the Consent Calendar and Staff requested they rescind that action and table the Item.

ACTION: Rescind the approval of Item 2.J. adopting Resolutions of Intention and proposed boundary maps to Annex Territory to Community Facilities District. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

2.K. APPROVE RESOLUTIONS OF INTENTION AND PROPOSED BOUNDARY MAPS TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SAFETY SERVICES) ANNEXATION NO. 1 AND ANNEXATION NO. 2:
City Clerk Thompson requested the City Council table Item 2.K.

ACTION: Table the item. **By unanimous consent of the City Council (4-0), noting the absence of Mayor Pougnet.**

2.O. APPROVE EASEMENT AGREEMENT AND COVENANT WITH VILLAS DE LAS FLORES ASSOCIATION FOR THE MAINTENANCE OF CITY TREES ADJACENT TO VILLAS DE LAS FLORES CONDOMINIUM DEVELOPMENT:
Withdrawn from the Agenda at the request of Staff.

The City Council recessed at 7:51 .m.
The City Council reconvened at 7:55 p.m.

3. LEGISLATIVE:

3.A. AN ORDINANCE AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6):
City Attorney Holland provided background information as outlined in the Staff Report dated June 3, 2015.

Councilmember Foat requested Staff address if the ordinance applies to permitted facilities in other cities and home grown medical cannabis.

Councilmember Hutcheson requested City Staff clarify if the City Council is required to use the existing list, stated his preference is to limit two permits to the existing applicants, and stated his support for two additional permits.

Councilmember Mills requested the City Council Subcommittee address the recommendation for two additional permits, stated he would not support the ordinance, requested the Subcommittee address outdoor cultivation, commented on the number of collectives needed to supply the City of Palm Springs.

Councilmember Foat commented on the public comments regarding the effects that two additional permits will have on the four permits issued, and stated her support for limiting consideration to applicants in the last process.

Mayor Pro Tem Lewin requested City Staff explain Section 5.35.040(C)(1), requested Staff affirm cultivation is limited to Palm Springs collectives, and questioned enforcement.

Councilmember Mills commented on the business licensing process for medical cannabis.

ACTION: 1) Waive the reading of the ordinance text in its entirety and introduce Ordinance No. 1879, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6);" *amending the second sentence of Section 5.35.340(c)(1) to read "Nothing in this Section shall prohibit two or more permitted MCCCs from operating or maintain such MCCF, "and Section 5.35.340(c)(2) to read "one hundred percent (100%) of all cannabis or marijuana cultivated at MCCF shall be distributed solely to one or more MCCFs permitted pursuant to the provisions of this Chapter;* and 2) Direct Staff regarding the City Council preference to limit consideration to the applicants in the last process. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 3-1 on a roll call vote.**

AYES:	Councilmember Foat, Councilmember Hutcheson, and Mayor Pro Tem Lewin.
NOES:	Councilmember Mills.
ABSENT:	Mayor Pougnet.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY HALL LANDSCAPE CONVERSION PROJECT (CP 15-04):
Tabled at the request of Staff.

5.B. CITY COUNCIL DIRECTED DISCUSSION FOR REVIEW OF POLICY, PROCEDURES, REGULATIONS, AND PRACTICES FOR THE TRANSFER AND/OR SALE OF CITY AND SUCCESSOR AGENCY OWNED REAL PROPERTY, AND ESTABLISHED AND APPROVED ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS:
City Manager Ready provided background information as outlined in a PowerPoint presentation regarding RDA real property and incentive programs.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with the law firm of Kane, Ballmer and Berkman, of Los Angeles, California, to review the Property Disposition Plan and Redevelopment property transactions. A6715. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

ACTION: Authorize the City Manager to enter into and execute a professional services agreement with an appropriate accounting and auditing firm to audit the Incentive Grant Programs. A6712. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Mills and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

5.C. DISCUSSION ON POTENTIAL COSTS AND ALTERNATIVES FOR THE DEMOLITION OF THE FORMER MAC MAGRUDER CHEVROLET SITE LOCATED AT 999 SOUTH PALM CANYON DRIVE (ASSESSOR'S PARCEL NUMBER 513-250-014):

Marcus Fuller, Assistant City Manager/City Engineer, provided background information as outlined in the Staff Report dated June 3, 2015.

Mayor Pro Tem Lewin requested Staff address the difficulties with this property.

Councilmember Hutcheson requested Staff comment on the Security provided by the City, and the demands of the property owner.

Councilmember Mills requested the City Attorney address any possibility of the City placing a lien on the property, other legal actions the City could take, other reports and costs needed for demolition, questioned if the City could condition any future lessee for the costs.

Councilmember Foat requested Staff address the dust control issues that may arise if the pad is removed, and questioned if the City has talked directly to the Tribe.

Mayor Pro Tem Lewin commented on the differences between the Tribe and the allottees, stated his support for going out to bid and further dialog with the Tribe.

Councilmember Mills commented on the stabilization of the distributed soil when completed, and recommended the allottee will allow the City to repair any soil stabilization if necessary.

ACTION: Direct Staff to proceed with bidding of the demolition at an estimated cost of $300,000 with the approval of the City Council pursuant to Section 7.03.040(2)(a) of the Palm Springs Municipal Code, requiring the City Council approval and authorization to bid; and 2) Adopt Resolution No. 23836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE BUDGET FOR FISCAL YEAR 2014-15 TO PROVIDE INITIAL FUNDING FOR THE DEMOLITION OF MAGRUDER CHEVROLET BUILDING (CITY PROJECT NO. 15-19). **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

5.D. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2015 ANNUAL RECRUITMENT PROCESS:

ACTION: 1) Reappoint Dee Dee Barton to the Human Rights Commission for the term ending June 30, 2018; 2) Appoint Eduardo Carriazo and Denise Chappell to the Human Rights Commission for the term ending June 30, 2018; 3) Appoint Thomas Yanni to the Public Arts Commission for the term ending June 30, 2018; 4) Reappoint Joseph Jackson and Michael Birnberg to the Sustainability Commission for the term ending June 30, 2018; 5) Appoint Nancy Ferguson to the Sustainability Commission for the term ending June 30, 2018; 6) Appoint David Freedman to the Sustainability Commission for the term ending June 30, 2017; 7) Reappoint Claire Zimmer and Michael Ziskind to the VillageFest Board for the term ending June 30, 2018; 8) Reappoint Glen Perry to the Administrative Appeals Board for the term ending June 30, 2018; and 9) Appoint William Johnson to the Board of Appeals with no term limits. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Mills requested Staff address the landscape for the Solar project at North Indian near the UPRR.

Councilmember Foat requested the landscape architect review the condition of the landscape at the Palm Springs Animal Shelter.

ADJOURNMENT: The City Council adjourned at 9:58 p.m. to Thursday, June 4, 2015, at 9:00 a.m. West Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 1ST DAY OF JULY, 2015.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

SPECIAL MEETING MINUTES
TUESDAY, JUNE 16, 2015
CITY HALL WEST CONFERENCE ROOM

CALL TO ORDER: Mayor Pougnet called the meeting to order at 5:07 p.m.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
ABSENT:	None.
ALSO PRESENT:	City Clerk Thompson.

PUBLIC COMMENT: None.

INTERVIEW AND APPOINT APPLICANTS TO THE PLANNING COMMISSION AS PART OF THE 2015 ANNUAL RECRUITMENT:

The City Council interviewed applicants for appointment to the Planning Commission.

ACTION: 1) Reappoint Lyndon Calerdine and Kathleen Weremiuk to the Planning Commission Commission for the term ending June 30, 2018; and 2) Appoint Douglas Donenfeld to the Planning Commission for the term ending June 30, 2018. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin, and unanimously carried (5-0).**

ADJOURNMENT: The City Council adjourned at 6:50 p.m. to the Regular Meeting on Wednesday, June 17, 2015, at 6:00 P.M. Council Chamber, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 1ST DAY OF JULY, 2015.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CITY COUNCIL
CITY OF PALM SPRINGS, CALIFORNIA

MEETING MINUTES
WEDNESDAY, JUNE 17, 2015
CITY HALL COUNCIL CHAMBER

CALL TO ORDER: Mayor Pougnet called the meeting to order at 6:11 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Mills led the Pledge.

INVOCATION: Pastor Schezarone Carter, New Bethel Church of God in Christ, led the Invocation.

ROLL CALL:

PRESENT:	Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
ABSENT:	None.
ALSO PRESENT:	City Manager Ready, City Attorney Holland, City Clerk Thompson.

PRESENTATIONS:

Mayor Pougnet provided an update on the Downtown Revitalization Project, the Buzz at Los Angeles Pride, Cooling Centers in the City of Palm Springs, requested Harold Matzner provide an update on the Palm Springs International Film Festival, and requested Josh Morgerman provide an update on the Buzz.

Councilmember Foat provided an update on animal adoptions at the Palm Springs Animal Shelter.

REPORT OF CLOSED SESSION:

The meeting was called to order at 4:30 p.m., and City Attorney Holland requested the City Council consider adding one item to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) Existing Litigation titled *City of Palm Springs as Successor Agency et al. v Ana Matosantos et al.*, Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division, and stated he has received information regarding the case after the posting of the Agenda, and there is an immediate need to hear and/or take action.

ACTION: 1) Find the matter came to the attention of the City after the posting of the agenda and there is an immediate need to hear and/or take action; and 2) Add to the Closed Session Agenda, pursuant to Cal. Gov. Code Section 54956.9(a) one case of existing litigation titled *City of Palm Springs as Successor Agency et al. v Ana Matosantos et al.*, Case No. 34-2013-80001440, Sacramento Superior Court, Sacramento Division. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried (5-0).**

The City Council recessed into Closed Session to discuss items on the Closed Session Agenda. City Attorney Holland stated the City Council did not discuss the two property items on the Closed Session Agenda, and reported the City Council provided direction to Staff and the City Attorney, otherwise no reportable actions were taken.

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested the City Council consider adding an Item to the Consent Calendar as Item 2.S. titled *APPROVAL OF TRACT MAP 36723 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH ALTA VERDE HOMES, LLC*, and stated the City received information regarding the imposed taxes after the posting of the agenda and there is an immediate need to hear and/or take action on the item as to not impose undue delay of the project.

Councilmember Mills stated he has a business related conflict of interest with respect to the proposed Item being considered, would not participate in the discussion and/or vote, stated if the Item is added to the Consent Calendar his business related absence/abstention, and left Council Chamber.

ACTION: 1) Find information regarding the Item was received after the posting of the agenda and there is an immediate need to hear and/or take action on the Item; and 2) Add to the Consent Calendar as Item 2.S. one item titled *APPROVAL OF TRACT MAP 36723 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH ALTA VERDE HOMES, LLC.* **Motion Mayor Pougnet, seconded by Mayor Pro Tem Lewin and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: None.
ABSENT: Councilmember Mills.

Councilmember Mills returned to the dais.

Councilmember Foat requested Items 2.F., 2.H., and 2.Q. be removed from the Consent Calendar for separate discussion.

Councilmember Hutcheson requested Items 2.H., and 2.O. be removed from the Consent Calendar for separate discussion.

Councilmember Mills requested Items 2.M. be removed from the Consent Calendar for separate vote.

Mayor Pougnet noted his abstention on Item 2.B. for meeting minutes.

ACTION: Accept the Agenda as amended. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

1. PUBLIC HEARINGS:

1.A. PUBLIC HEARING ON THE ADOPTION OF THE FISCAL YEAR 2015-16 BUDGET, ALLOCATED POSITIONS AND COMPENSATION PLAN, SUCCESSOR AGENCY ADMINISTRATIVE BUDGET, HOUSING SUCCESSOR AGENCY BUDGET, APPROPRIATIONS LIMIT, AND COMPREHENSIVE FEE SCHEDULE:

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

MARVIN ROOS, commented on the Comprehensive Fee Schedule and stated the documents should be designed in a way that is public friendly.

ERICA HARNIK and CLINT LORIMORE commented on the Comprehensive Fee Schedule and requested the City Council take no action on fees.

DEBORAH McCARREY, Palm Springs, Southern California Gas Co., commented on the Comprehensive Fee Schedule, and requested City Staff provide information to assist public utilities to pay the correct fee.

FRED BELL, commented on the Comprehensive Fee Schedule, and stated the materials are not easily comprehensible in the current format.

JOY BROWN MEREDITH, requested additional time for the citizens to review the budget in future years.

GRETCHEN GUTIERREZ, commented on the Comprehensive Fee schedule, and requested the City Council not take action on fees.

No further speakers coming forward, the public hearing was closed.

Mayor Pougnet requested City Staff address the timing and process for an increase in fees, and requested Staff address the amount of time the public had to review the fees.

Councilmember Foat commented on the preparation of the budget and the process, and recommend the City Council postpone action on the fee schedule.

Councilmember Hutcheson questioned the discretion of the City Council to set fees.

Councilmember Mills stated his support for the adoption of the fee schedule until further review by the industry, commented on the preparation of the Comprehensive Fee Schedule document, and requested Staff address discounted fees for multiple applications.

Mayor Pro Tem Lewin stated his support to move forward with fees, but review with the industry, and any amendments that may need addressing before the fees go into effect.

Mayor Pougnet requested Staff address if the City fees would be comparable to other Coachella Valley cities.

Councilmember Mills commented on the last time the City raised fees.

Councilmember Foat requested the City Manager provide additional information on positions, and stated her support for the Planning position.

Councilmember Mills commented on the long range planning position and stated his support for a consultant, and stated his support for an additional Code Enforcement Officer.

Councilmember Hutcheson stated his support for long range planning consultant, the Code Enforcement Officer and the Police Department Records Clerk, but delay new positions until later in the fiscal year.

Mayor Pro Tem Lewin questioned the increases in Staff as a result of the fees increases, and stated his support for delaying new positions for 90-days.

Councilmember Foat requested Staff address the current Planning Department staffing levels.

The City Council discussed funding of sponsorships and contributions.

Mayor Pougnet stated he has a business related conflict of interest with respect to funding the Palm Springs International Film Festival, would not participate in the discussion or the vote, and left Council Chamber.

ACTION: Fund the Palm Springs International Film Festival in the amount of $350,000 for Fiscal Year 2015-16. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: None.
ABSENT: Mayor Pougnet.

Mayor Pougnet returned to the dais.

Councilmember Foat stated she has a business related conflict of interest with respect to funding the Mizell Senior Center, would not participate in the discussion or the vote, and left Council Chamber.

ACTION: Fund the Mizell Senior Center in the amount of $60,000 for Fiscal Year 2015-16. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried 4-0 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: None.
ABSENT: Councilmember Foat.

Councilmember Foat returned to the dais.

ACTION: 1) Fund the Boys and Girls Club in the amount of $10,000; 2) Fund Black History Month events in the amount of $16,600; 3) Fund the 4th of July Event in the amount of $30,000; 4) Fund the Festival of Lights Parade in the amount of $30,000; 5) Fund the Palm Springs High School Homecoming Parade in the amount of $3,000; 6) Fund the Veteran's Day Parade in the amount $15,000; and 7) Fund the Mayor's Race and Wellness Festival in the amount of $50,000. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote, noting the abstention of Councilmember Mills on the Boys and Girls Club funding.**

ACTION: Fund the Well in the Desert in the amount of $24,000 for Fiscal Year 2015-16. **Motion Mayor Pro Tem Lewin, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

The City Council discussed the funding of Bike Weekend, and determined to continue the discussion of funding until additional information from Staff

was received regarding the recent events concerning similar events in other cities.

ACTION: Fund Modernism Week in the amount of $35,000 for Fiscal Year 2015-16. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Lewin and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: Councilmember Hutcheson.

ACTION: Fund Opera in the Park in the amount of $6,000 for Fiscal Year 2015-16. **Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

ACTION: Fund the Palm Springs Pride Parade and Festival in the amount of $50,000 for Fiscal Year 2015-16. **Motion Mayor Pougnet, seconded by Councilmember Foat and carried 3-2 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Mills, and Mayor Pougnet.
NOES: Councilmember Hutcheson and Mayor Pro Tem Lewin.

ACTION: Fund the Tour de Palm Springs in the amount of $25,000 for Fiscal Year 2015-16. **Motion Councilmember Mills, seconded by Mayor Pougnet and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: Councilmember Hutcheson.

ACTION: 1) Fund the Arthur Lyons Film Noir Festival in the amount of $5,000; 2) Fund Cinema Diverse in the amount of $5,000; 3) Fund the American Documentary Film Festival in the amount of $5,000; 4) Fund the Run for Ike event in the amount of $3,000; 5) Fund Coyote Stageworks in the amount of $5,000; 6) Fund the LGBT Center Fundraiser Gala in the amount of $5,000; 7) Fund the Shelter from the Storm Gala in the amount of $5,000; 8) Fund the AIDS Assistance Under the Stars in the amount of $5,000; 9) Fund the Desert AIDS Steve Chase Gala in the amount of $5,000; 10) Fund the Agua Caliente Canyons Event in the amount of $5,000; and 11) Fund the Well in the Desert Christmas Dinner in the amount of $3,500. **Motion Mayor Pro Tem Lewin, seconded by Mayor Pougnet and unanimously carried on a roll call vote.**

ACTION: Fund Holiday Decor activities in the amount of $25,000 for Fiscal Year 2015-16. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

ACTION: Fund the Agua Caliente Band of Cahuilla Indians, Richard Milanovich Hike for Human Rights Event, in the amount of $5,000 for Fiscal Year 2015-16. **Motion Mayor Pougnet, seconded by Mayor Pro Tem Lewin and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: Councilmember Hutcheson.

ACTION: Fund the Santa Paws, Race for Guide Dogs of the Desert Event (request to waive fees) in the amount of $2,900 for Fiscal Year 2015-16. **Motion Councilmember Mills, seconded by Councilmember Foat and carried 4-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pougnet.
NOES: Mayor Pro Tem Lewin.

Mayor Pougnet stated he has a business related conflict of interest with respect to funding the Palm Springs International Film Festival Red Carpet Run, would not participate in the discussion or the vote and left Council Chamber.

ACTION: Fund the Palm Springs International Film Festival Red Carpet Run Event in the amount of $3,500 for Fiscal Year 2015-16. **Motion Councilmember Foat, seconded by Councilmember Mills and carried 3-1 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Mills, and Mayor Pro Tem Lewin.
NOES: Councilmember Hutcheson.
ABSENT: Mayor Pougnet.

Mayor Pougnet returned to the dais.

MOTION: 1) Fund the Friends of the Palm Springs Animal Shelter Overnight Staffing Program in the amount of $91,000; and 2) Direct Staff to return with a contract services agreement. **Motion Councilmember Foat, seconded by Mayor Pougnet and failed 2-3 on a roll call vote.**

AYES: Councilmember Foat and Mayor Pougnet.
NOES: Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Lewin.

ACTION: 1) Adopt Resolution No. 23837, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING THE ALLOCATED POSITIONS AND COMPENSATION PLAN FOR FISCAL YEAR 2015-16," and authorize the City Manager to commence recruitment of the additional positions; 2) Adopt Resolution No. 23838, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE BUDGET FOR FISCAL YEAR 2015-16 AND SUCH OTHER MATTERS AS REQUIRED;" 3) Adopt Resolution No. 23839, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS THE SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, AND IN ITS CAPACITY AS THE HOUSING SUCCESSOR AGENCY TO THE CITY OF PALM SPRINGS COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY AND HOUSING SUCCESSOR AGENCY BUDGETS FOR FISCAL YEAR 2015-16, AND OTHER SUCH MATTERS AS REQUIRED;" 4) Adopt Resolution No. 23840, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2016;" 5) Continue the Public Hearing for adoption of the Comprehensive Fee Schedule to the July 15, 2015, City Council meeting and direct the City Clerk to post a Notice of Continued Public Hearing as required by law; and 6) Direct the City Manager and Director of Finance and Treasurer to make the appropriate modifications to the Budget and prepare the final budget document for Fiscal Year 2015-16. **Motion Councilmember Foat, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

PUBLIC COMMENT:

MATT ROBINSON, Palm Springs, requested the City Council consider ad sales and A-Frame signs.

WESLEY ROSS, commented on potential ramifications if the City pays for the demolition of the Magruder building and services at the Palm Springs Animal Shelter.

TOM ADAMO, Palm Springs, stated the lack of public restrooms in Downtown Palm Springs, and requested the Event Center include public restrooms.

DR. SHAYDA AHKAMI, commented on services at the Palm Springs Animal Shelter.

SETH SHTEIR, commented on Item 2.H. and requested the City Council endorse the California Desert Conservation and Recreation Act.

DON BENWAY, commented on the service provided by Sunline and the Plaza Theatre.

ELIZABETH ARMSTRONG, commented on the proposed Downtown Event Space.

HAROLD MATZNER, commented on the proposed Downtown Event Space.

MATI JATOUSKY, commented on Item 2.H. and requested the City Council endorse the California Desert Conservation and Recreation Act.

STEVE ROSENBERG, commented on Item 2.O., regarding the tree inventory report, and commented on the proposed Downtown Event Space.

GARY JOHNS, commented on the proposed Downtown Event Space.

RICK PANTELE, commented on medical cannabis and the issuance of two additional permits.

GEORGE ZANDER, Palm Springs, commented on the activities of Equality California.

JOY BROWN MEREDITH, commented on the lack of restrooms in the Downtown area, lack of cooling centers in the City of Palm Springs, and the proposed Downtown Event Space.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on no-kill shelters, the issuance of cannabis permits, and homeless issues.

Mayor Pougnet commented on the Downtown Revitalization project.

CITY MANAGER'S REPORT: None.

2. CONSENT CALENDAR:
ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.G., 2.I., 2.J., 2.K., 2.L., 2.N., 2.P., 2.R., and added item 2.S. **Motion Councilmember Hutcheson, seconded by Councilmember Foat and unanimously carried on a roll call vote.**

2.A. REPORT ON THE POSTING OF THE AGENDA:
ACTION: Receive and file Report on the Posting of the June 17, 2015, City Council Agenda. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:
ACTION: Approve the City Council Minutes of June 3, 2015, Special Meeting, and June 4, 2015, Special Meeting. **Approved as part of the Consent Calendar, noting the abstention of Mayor Pougnet.**

2.C. APPROVAL OF PAYROLL WARRANTS, CLAIMS AND DEMANDS:
ACTION: 1) Adopt Resolution No. 23841, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF PAYROLL WARRANTS FOR THE PERIOD ENDED 05-09-2015 BY WARRANTS NUMBERED 419124 THROUGH 419139 TOTALING $28,409.90, LIABILITY CHECKS NUMBERED 1078579 THROUGH 1078599 TOTALING $106,274.20, FIVE WIRE TRANSFERS FOR $55,985.81, AND THREE ELECTRONIC ACH DEBITS OF $1,122,824.15 IN THE AGGREGATE AMOUNT OF $1,313,494.06, DRAWN ON BANK OF AMERICA;" 2) Adopt Resolution No. 23842, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078600 THROUGH 1078680 IN THE AGGREGATE AMOUNT OF $1,070,458.32, DRAWN ON BANK OF AMERICA;" and 3) Adopt Resolution No. 23843, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PAYMENT OF CLAIMS AND DEMANDS BY WARRANTS NUMBERED 1078681 THROUGH 1078847 IN THE AGGREGATE AMOUNT OF $2,893,837.13, DRAWN ON BANK OF AMERICA." **Approved as part of the Consent Calendar.**

2.D. STAFF AUTHORIZED AGREEMENTS AND PURCHASE ORDERS FOR THE MONTH OF MAY 2015:
ACTION: Receive and file the report of Staff Authorized Agreements and Purchase Orders for the period of May 1 through May 31, 2015. **Approved as part of the Consent Calendar.**

2.E. ACCEPT THE RESIGNATION OF PENNIE FEEHAN FROM THE BOARD OF APPEALS:
ACTION: 1) Accept with regret the resignation of Pennie Feehan from the Board of Appeals; and 2) Direct the City Clerk to post a notice of vacancy. **Approved as part of the Consent Calendar.**

2.G. APPROVE AN AGREEMENT WITH FIRE RECOVERY USA TO PROVIDE THIRD PARTY BILLING SERVICES FOR FIRE DEPARTMENT INSPECTION FEES LISTED IN THE CITY'S COMPREHENSIVE FEE SCHEDULE:
ACTION: 1) Approve an agreement with Fire Recovery USA for five (5) years to conduct fire department billing services for specific fire department fees approved in the July 1, 2015, Master Fee Schedule, on a per transaction flat rate; and 2) Authorize the City Manager to execute all

necessary documents. A6717. **Approved as part of the Consent Calendar.**

2.I. REAFFIRM THE CITY'S INVESTMENT POLICY GOVERNING THE INVESTMENT OF CITY FUNDS:
ACTION: Reaffirm the City's Investment Policy governing the investment of City funds, as adopted by Resolution No. 23539, dated May 7, 2014. **Approved as part of the Consent Calendar.**

2.J. PALM SPRINGS UNIFIED SCHOOL DISTRICT ANNUAL REPORT FOR THE MEASURE J PALM SPRINGS HIGH SCHOOL AUDITORIUM/THEATER EQUIPMENT REPLACEMENT PROJECT AND AUTHORIZE PAYMENT OF FISCAL YEAR 2014-15 PROJECT FUNDING:
ACTION: 1) Receive and file the PSUSD's Measure J Palm Springs High School Auditorium/Theater Equipment Replacement Annual Report, dated June 2015; and 2) Authorize the release of Fiscal Year 2014-15 funding in the amount of $291,000. A6432. **Approved as part of the Consent Calendar.**

2.K. RENEW A FACILITIES USE AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, TO USE THE PALM SPRINGS POLICE DEPARTMENT'S FIREARM RANGE:
ACTION: 1) Approve a Facilities Use Agreement with the State of California, Department of Corrections, to use the Palm Springs Police Department's Firearm Range, in the amount of $9,960, revenue to the City, from July 1, 2015, through June 30, 2017, in a form approved by the City Attorney; and 2) Authorize the City Manager to execute all necessary documents. A6199. **Approved as part of the Consent Calendar.**

2.L. ACCEPTANCE OF $64,000 IN GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) FOR AN ALCOHOL ENFORCEMENT AND AWARENESS PROJECT TO BE USED TO ENFORCE, EDUCATE, AND BRING AWARENESS TO THE PUBLIC:
ACTION: 1) Adopt Resolution No. 23844, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACCEPTING A GRANT FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL IN THE AMOUNT OF $64,000 FOR ALCOHOL ENFORCEMENT;" and 2) Authorize the City Manager to execute all necessary documents. A6126. **Approved as part of the Consent Calendar.**

2.N. AMENDMENT NO. 3 TO AGREEMENT NO. A5960 WITH LANCE, SOLL & LUNGHARD LLP TO ADD SERVICES FOR GASB 68 FOR THE FISCAL YEAR 2014-15 AUDIT:

ACTION: 1) Approve Amendment No. 3 to Agreement No. A5960 with Lance, Soll, and Lunghard, LLP in the amount $12,000 for the Fiscal Year 2014-15 Financial Audit to add additional services required pursuant to GASB 68, in a form approved by the City Attorney; and 2) Authorize the City Manager to execute all necessary documents. A5960. **Approved as part of the Consent Calendar.**

2.P. AMENDMENT NO. 2 TO AGREEMENT NO. A6557 WITH DESERT SECURITY SERVICES FOR UNARMED SECURITY SERVICES AT CITY-OWNED FACILITIES:

ACTION: 1) Approve Amendment No. 2 to Agreement No. A6557 with Desert Security Services, Inc. for Unarmed Security Services at City-owned facilities, to expand the ability to increase or decrease security services based on need insofar as budgeted in the fiscal year budget; and 2) Authorize the City Manager to execute all necessary documents. A6557. **Approved as part of the Consent Calendar.**

2.R. APPROVAL OF AN AB 2766/MSRC LOCAL GOVERNMENT MATCH PROGRAM CONTRACT NO. ML14011, AS AMENDED, IN THE AMOUNT OF $158,000 WITH SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR INSTALLATION OF BICYCLE RACKS AND IMPLEMENTATION OF A BICYCLE OUTREACH AND EDUCATION PROGRAM:

ACTION: 1) Ratify approval of an AB2766/MSRC Local Government Match Program Contract No. ML14011 with South Coast Air Quality Management District, as amended, in the amount of $158,000 ($79,000 AQMD Grant / $79,000 Local Funding) for installation of bicycle racks and implementation of a bicycle outreach and education program; 2) Ratify expenditure of local matching funds in the amount of $79,000 from previously budgeted funds appropriated in the Sustainability Fund (Fund 138); and 3) Authorize the City Manager to execute all necessary documents. A6718. **Approved as part of the Consent Calendar.**

2.S. ADDED ITEM APPROVAL OF TRACT MAP 36723 LOCATED AT 1000 BOGERT TRAIL AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH ALTA VERDE HOMES, LLC:

ACTION: Adopt Resolution No. 23845, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TRACT MAP 36723 AND AN ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT WITH ALTA VERDE HOMES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, FOR PROPERTY LOCATED AT 1000 BOGERT TRAIL, SECTION 35, TOWNSHIP 4

SOUTH, RANGE 4 EAST." A6719. **Approved as part of the Consent Calendar, noting the absence/abstention of Councilmember Mills.**

The City Council recessed at 9:23 p.m.
The City Council reconvened at 9:28 p.m.

EXCLUDED CONSENT CALENDAR:

2.F. PROFESSIONAL SERVICES AGREEMENT WITH ESGIL CORPORATION FOR "ON CALL" BUILDING PLAN CHECK SERVICES AND APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RKA CONSULTING, INC. FOR "ON CALL" BUILDING PLAN CHECK SERVICES:
Withdrawn from the Agenda.

2.H. CALIFORNIA DESERT CONSERVATION AND RECREATION ACT 2015 (U.S. SENATE BILL 414):

Councilmember Foat commented on the importance of the Item and requested a resolution to endorse the legislation at the next meeting.

ACTION: Direct Staff to place a resolution to endorse on the July 1, 2015, agenda. **By unanimous consent of the City Council. (5-0).**

2.M. SECOND READING AND ADOPTION OF ORDINANCE NO. 1879 RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6):

Mayor Pougnet questioned opening the applications to new establishments.

ACTION: Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1879, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING SECTIONS 5.35.110 AND 5.35.120 OF, AND ADDING SUBSECTION C TO SECTION 5.35.340 OF, THE PALM SPRINGS MUNICIPAL CODE RELATING TO MEDICAL CANNABIS CULTIVATION AND INCREASING THE NUMBER OF PERMITTED MEDICAL CANNABIS COOPERATIVES OR COLLECTIVES FROM FOUR (4) TO SIX (6)." **Motion Councilmember Foat, seconded by Councilmember Hutcheson and carried 3-2 on a roll call vote.**

AYES: Councilmember Foat, Councilmember Hutcheson, and Mayor Pro Tem Lewin.
NOES: Councilmember Mills and Mayor Pougnet.

2.O. CITY OF PALM SPRINGS TREE INVENTORY AND URBAN FOREST MANAGEMENT REPORT:

Councilmember Hutcheson requested an action plan on the report be returned to the City Council.

Councilmember Mills questioned some of the statements in the report that discusses immediate threat to the City.

ACTION: Receive and file. **Motion Councilmember Hutcheson, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

2.Q. APPROVE ACTIONS RELATED TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP NO. 31848-1 (AVALON):

The City Council discussed the processes of calling the bonds and adding a maintenance requirement.

ACTION: 1) Rescind approval of the First Amendment to a Subdivision Improvement Agreement for Tract Map 31848-1 ("Avalon"), A5393, between LV Palm Springs Village, LLC, and the City of Palm Springs, approved February 18, 2015; 2) Approve a First Amendment to the Subdivision Improvement Agreement for Tract Map 31848-1 ("Avalon"), A5393, between LV Palm Springs Village, LLC, and the City of Palm Springs, *amending the agreement to require routine and proper maintenance of the improvements installed*; and 3) Authorize the City Manager to execute all necessary documents. A5393. **Motion Councilmember Foat, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

3. LEGISLATIVE: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY COUNCIL DISCUSSION REGARDING THE PUBLIC UTILITY COMMISSION'S PENDING RESIDENTIAL RATE REFORMS APPLICABLE TO INVESTOR OWNED UTILITIES, INCLUDING SOUTHERN CALIFORNIA EDISON:
City Manager Ready provided background information.

ACTION: Authorize the submission of a letter to the Public Utility Commission opposing the proposed residential rate reforms. **By unanimous consent of the City Council (5-0).**

ACTION: Continue past the tentative 10:00 p.m. adjournment time. **Motion Councilmember Mills, seconded by Councilmember Foat and unanimously carried (5-0).**

5.B. APPROVAL OF THE CONCEPTUAL DESIGN FOR THE EVENT CENTER WITHIN BLOCK E OF THE DOWNTOWN REVITALIZATION PLAN ("DOWNTOWN PALM SPRINGS"), AND AUTHORIZATION TO PROCEED WITH DESIGN DEVELOPMENT, PREPARATION OF CONSTRUCTION DOCUMENTS, BIDDING SERVICES, AND CONSTRUCTION ADMINISTRATION (CP 15-07):
City Manager Ready and Marcus Fuller, Assistant City Manager, provided background information as outlined in the Staff Report dated June 17, 2015.

The City Council Subcommittee provided further information on the process, the completion schedule, the ad hoc committee, stated public hearings will be conducted for the design, the need to continue progress on the site, and recommended the Subcommittee be further defined as follows: two-members from the AAC, two-members from the Planning Commission, two-members from the City Council Subcommittee (Pougnet/Mills), two-members from the Art Museum and one-member from the Public Arts Commission.

The City Council discussed and/or commented on the following with respect to the project: substantial agreement this was a good starting point, that many public hearings will be scheduled throughout the process, the incorporation of public art, fencing or non-fencing the site, providing shade at the site, the view corridor to the Museum, progress with obtaining a Marilyn sculpture, the qualification of the firms selected, approval of the contract, the terms of the contracts including the phasing provisions, the make-up of the Subcommittee, and providing routine updates at City Council meetings.

ACTION: 1) Approve the conceptual design for the Event Center space located in Block E of the Downtown Revitalization Plan ("Downtown Palm Springs"); 2) Approve a Professional Services Agreement with the City's "On-Call" Architect, Urrutia A.I.A. and Associates, Inc., dba Urrutia Architects, in the amount of $396,575 for architectural design services for the Downtown Event Center, City Project No. 15-07; 3) Approve a Professional Services Agreement with the City's "On-Call" Civil Engineer, MSA Consulting, Inc., in the amount of $170,700 for civil engineering design services for the Downtown Event Center, City Project No. 15-07; 4) In accordance with Section 7.04.030 of the Palm Springs Municipal Code, determine that RGA Landscape Architects, Inc., and MRC Engineering, Inc., due to their experience demonstrated in prior contracts with the City, are uniquely qualified to provide landscape architectural

design services and electrical engineering design services for the Downtown Event Center, City Project No. 15-07; 5) Approve a Professional Services Agreement with RGA Landscape Architects, Inc., in the amount of $86,800 for landscape architectural design services for the Downtown Event Center, City Project No. 15-07; 6) Approve a Professional Services Agreement with MRC Engineering, Inc., in the amount of $30,000 for electrical engineering design services for the Downtown Event Center, City Project No. 15-07; 7) Request an Ad-Hoc Committee consisting of two-members from the Architectural Advisory Committee, two-members from the Planning Commission, two-members from the Palm Springs Art Museum, one-member from the Public Arts Commission, and the City Council Sub-Committee (Pougnet/Mills) to participate as an Architectural Review Committee for the Downtown Event Center, City Project No. 15-07; and 8) Authorize the City Manager to execute all necessary documents. A6720. A6721. A6722. A6723. **Motion Councilmember Mills, seconded by Mayor Pougnet and carried 4-1 on a roll call vote.**

AYES: Councilmember Hutcheson, Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: Councilmember Foat.

5.C. PROPOSED RESOLUTION ACTING SOLELY IN ITS CAPACITY AS HOUSING SUCCESSOR AGENCY, APPROVING REPAYMENTS TO THE GENERAL FUND TOWARD A LOAN MADE BY THE CITY OF PALM SPRINGS IN THE AMOUNT OF $1,500,000:
City Manager Ready and City Attorney Holland provided background information as outlined in the Staff Report dated June 17, 2015.

ACTION: Adopt Resolution No. 23846, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ACTING SOLELY IN ITS CAPACITY AS HOUSING SUCCESSOR AGENCY, APPROVING REPAYMENTS TOWARD A LOAN MADE BY THE CITY OF PALM SPRINGS IN THE AMOUNT OF $1,500,000." **Motion Councilmember Hutcheson, seconded by Councilmember Mills and unanimously carried on a roll call vote.**

5.D. APPOINTMENT OF VARIOUS COMMISSIONERS AND BOARD MEMBERS AS PART OF THE 2015 ANNUAL RECRUITMENT PROCESS:
ACTION: 1) Reappoint Brian Wachs and Bruce Bushore to the Palm Springs International Airport Commission for the term ending June 30, 2018; 2) Appoint Allison Jones and W. Henry Hampton to the Palm Springs International Airport Commission for the term ending June 30, 2018; 3) Reappoint Linda Futterer and Ron Willison to the Board of Library Trustees for the term ending June 30, 2018; 4) Reappoint

Nancy Stuart and Jerry Ogburn to the Mt. San Jacinto Winter Park Authority for the term ending September 19, 2019; 5) Appoint Mara Gladstone to the Public Arts Commission for the term ending June 30, 2018; 6) Reappoint Dave Darrin, Carol Davis and Jeff Conwell to the Parks and Recreation Commission for the term ending June 30, 2018; and 7) Appoint Alison Elsner to the Parks and Recreation Commission for the term ending June 30, 2017. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Councilmember Lewin commented on the passing of the budget, and thanked all the Commissioners and Boardmembers for all the volunteer service they provide to the City Council and the citizens of the City of Palm Springs.

Mayor Pougnet commented on the scheduling of the 2016 Mayor's Race and Wellness Festival.

ADJOURNMENT: The City Council adjourned at 11:00 p.m. to Wednesday, July 1, 2015, at 6:00 p.m. Council Chamber, City Hall, preceded by Closed Session, Small Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

APPROVED BY A MOTION OF THE PALM SPRINGS CITY COUNCIL THIS 1ST DAY OF JULY, 2015.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

Jennifer Nelson

From: Steve Pougnet <stephenpougnet@gmail.com>
Sent: Thursday, August 21, 2014 1:06 PM
To: Jennifer Nelson
Cc: David Ready
Subject: Fwd: Goals for David Ready

Jennifer,

Please remind Ginny, Chris, and Rick to submit David's goals to me..

Thx

Begin forwarded message:

> **From:** Paul Lewin <paullewinps@earthlink.net>
> **Date:** August 21, 2014 at 10:39:09 AM MDT
> **To:** Steve Pougnet <stephenpougnet@gmail.com>
> **Subject: Goals for David Ready**
>
> Hi Mayor,
>
> I hope you are having a great summer - you gave us some homework, which was to list our goals for the city manager. So here are mine:
>
> 1) Hire a 2nd in command that can expedite Measure J projects and other city initiatives
>
> 2) Expand marketing, funding and awareness of the Film Friendly Program
>
> 3) Complete Water Conservation Initiative
>
> 4) Fast Track the NMTP implementation - it is taking too long and our allies are now getting kind of restive/angry
>
> 5) Develop a policy on renters' relocation assistance exclusively for when apartments are converted to condominiums which then displace the residents.
>
> 6) Get Planning Department to study the Urban Heat Island effect and bring forward building and design codes that better address global climate change — Phoenix Arizona is a great place to start
>
> 7) Complete sidewalks for E. Palm Canyon Drive on at least one side of the street between Sunrise and S. Palm Canyon (it's a hazardous place and many people walk in the desert lots - which are totally inaccessible for handicapped people).
>
> 8) Make major investments to the PD HQ - it's been 3 years since Measure J passed and really very little has been invested. I'd personally like to see a redesigned lobby with safety glass, and

all of our cars should be equipped with dashboard cameras if they are not already.

9) Make a concerted effort to get more county funding for mental health, drug treatment & homelessness. This may be more of a council action, but I am getting the sense that Palm Springs is really suffering under the weight of its growing homeless population and the county needs to invest more. It kind of bugs me that we are left to deal with it without enough resources. I don't know the solution, but maybe the county could fund a few outreach workers to accompany Baron Layne? Or something similar. Perhaps Ginny knows the answer but more resources seem to be warranted

10) Study and perhaps revise zoning for North Palm Springs area - generally, North Indian above Vista Chino going up to the freeway. Is there a place for higher density housing going north? Light industry? Different uses such as a distillery district? I'm not sure, but I do wonder if some kind of zoning changes would spur private investment… It seems to be the one area where we could allow high rise condos to be built without objections from neighbors. It would be nice to have that entrance from I-10 to look better

Best regards,

Paul

Jennifer Nelson

From: Steve Pougnet
Sent: Wednesday, September 03, 2014 12:54 PM
To: Jennifer Nelson
Subject: Fwd: City Manager Goals

Please print

Begin forwarded message:

From: "Ginny Foat" <ginnyf@mizell.org>
Date: September 3, 2014 at 11:41:36 AM PDT
To: "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
Subject: City Manager Goals

1. Analyze staffing of Planning and Building and increase staff for both departments. Automate permitting and other procedures
2. Hire an experienced Assistant City Manager.
3. Develop a system similar to the City App where we can submit problems, issues, requests and then see the progress. Many times we call David or mention an item at Council and ask him to look into something since we are not encouraged to deal directly with staff. He could refer it to the appropriate staff member and request that they submit solution, answer, suggestion on this online portal. I would not see this necessarily as a public portal.
4. Complete renovation and repair of tree wells.
5. Complete installation of decorative light fixtures.
6. Hire a time management firm to analyze and improve the unbelievable amount of time it takes to take a project from beginning to end. Not accept the bureaucratic answer that it takes that long for the process.

Jennifer Nelson

Subject: FW: priorities

From: Rick Hutcheson <rickhutcheson@gmail.com>
Date: August 25, 2014 at 2:42:27 PM MDT
To: Steve Pougnet <stephenpougnet@gmail.com>
Subject: priorities

Hi Steve,

Congratulations on Chino Cone!

Hope you guys are having a good Summer. Been busy here in Des Moines, back to PS every other week...

My priorities, starting with most important:

- Downtown -- something vertical from Wessman on the old FP site

- new hotels -- at least one vertical

- Parks -- finalizing selection of area for new soccer park

- Speedy implementation of street repairs (done in logical areas vs. snippets here & there), bike paths done at same time

- PS Mall, COD & Library renovation - some movement

- tennis center - finalize land acquisition from school district

- Smart & speedy implementation of NMTP (meaning coordination with DWA/utility companies and street repairs)

- sphere of influence. Be ready in light of DHS issues.

Also -- would just as soon this didn't come from me, but DR needs to implement the vacation rental ordinance revisions effectively, in order to preserve the $4.1 million annually-and-climbing general fund revenue. Suggest you speak with Lisa Middleton about this if you haven't spoken with her recently.

Rick

Jennifer Nelson

Subject: Goals for David Ready from Chris

All Chris wants to add to the original list is

1. Get the new bridge on N. Indian painted and maintained per agreement.

Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov
City Hall is open Monday - Thursday from 8am to 6pm
Closed Fridays

City Manager Goals Update
City Council Review - June 18, 2014

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District.

The downtown maintenance crew reorganization has been finalized with their separation from the Street Department. Patrick Sweeny is now leading the Maintenance and Facilities Department over all City maintenance functions, and Heather MacPhearson has been promoted to Downtown Supervisor. They have reworked the daily and weekly cleaning/maintenance schedule with special focus on benches, trash receptacles, etc., and continue to make refinements for both the uptown and downtown areas, including up to Vista Chino.

The final component – transition from the Canyon Commercial contract – will be two agreements with Mainstreet and the Chamber of Commerce (under $20,000 each) for liaison/inspection/feedback services. Mainstreet will participate and lead the "weekly walk tour" of uptown and downtown to identify maintenance/cleaning issues, monitor Villagefest activity, participate in SEPT meetings to keep merchants informed of events, and provide general and targeted liaison communication services with business owners.

The Chamber of Commerce will also provide business liaison services, however, their focus will include the visitor experience "on the ground" during evenings and on weekends. They will be providing feedback on all aspects of the downtown and uptown experience, ranging from issues that arise from parking (e.g. valet's illegally using the parking structure, or improperly "coned off" spaces) to inoperable lighting, etc. This feedback – during hours when staff is not working – will be extremely helpful for guiding maintenance and code enforcement efforts.

2. Focus on improvements for Demuth Park – maintenance, and development of revenues producing events.

Maintenance efforts at Demuth Park have been reviewed and modified under the new organizational structure (Maintenance and Facilities Department. New LED lighting has improved the restroom area, and a burglar alarm system has been installed at the concession stand to address criminal activity that had occurred. Also, Measure J projects in the process of implementation include security cameras at the restrooms, and improved parking lot lighting.

With the finalization of the Parks Master Plan – efforts to increase the capacity for revenue producing events may be possible, particularly if a soccer field project can be completed in the next few years.

3. *Develop an RFP for solar installation for at least five city facilities*

The NAM solar feasibility study is now complete and per Council direction we are moving forward with an RFP for solar installation at possibly 11 facilities. Also, the Sentinel Power Plant/AQMD Mitigation Grant will provide solar at 4 additional facilities. Council will be reviewing both projects at the meeting of June 18th.

4. *Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities, new video equipment for Council Chambers)*

Three specific items toward this goal include, revision to the City Web-Site expected to be complete by October, the "At Your Service" smartphone app for citizens to report problems directly to the City and "on-line" renewals of business licenses. Also, as you are aware, I-pads are now available for the Council agendas. With regard to video equipment in the Council Chambers, a consulting firm's agreement for RFP design configuration will be on your agenda July 2nd.

With regard to "social media" we have not dedicated staff time for continuous efforts here, however, the City does have a Facebook page that is updated by Amy Blaisdell. Also, Tourism has an active Facebook page and Twitter account.

5. *Implementation of possible elements of the "Non-Motorized Transportation Plan"*

In addition to the previous non-motorized transportation studies, and based upon Council's direction, we requested a consultant (Ryan Snyder) to review all City streets – and provide guidance on how to make the entire City "bike friendly." The Sustainability Commission and their Sub-Committee has taken this report and recommended a specific three year implementation plan which Council approved and gave guidance on a multi-year funding proposal for the Measure J Commission. Your recent direction will result in a $3 million capital investment over three years.

As Council moves forward with additional street resurfacing over the next few years, all work will be designed and constructed in accordance with the NMTP and Snyder report.

6. *Downtown palm tree lighting/holiday lighting*

The Chevron project, previously approved by City Council is addressing the palm tree lighting and will be completed by mid August. Also, your approval of a $900,000 Measure J project to address "electrical backbone" infrastructure is currently in the design phase and will be completed in the next two to three months. Construction may have to occur next summer to avoid interruptions to Palm Canyon during next season.

Also, you may recall, Council suggested that new holiday lights be postponed until the Downtown Palm Springs Project is nearer to completion and the electrical infrastructure improvements are finalized.

7. Trolley shuttle service proposal

The trolley project has been under review for the last year – it is a complicated project with several challenges to work through (cost, equipment, marketing, participation, routes, etc.). Your staff has done a great job working with stakeholders to address these challenges – and with Council Sub-Committee guidance, the contract commencing a pilot project is on your meeting agenda June 18th.

8. Chevron project implementation

Implementation is well underway with the irrigation portion almost complete. The lighting elements are approximately 90% complete, and new equipment replacing the "decommissioned co-gen plant at Sunrise Park was completed six months ahead of schedule. The remaining City Hall "Muni-plant co-gen" replacement is on schedule with an anticipated completion (equipment order lead time and construction) of approximately eight months.

9. New Fire Station – site selection and project launch

The site originally favored by the Fire Chief was a parcel of land that was not "fee" and Council preferred we look to alternate locations. A new site has been identified; however the parcel size and shape may not be conducive for a Fire Station. An architectural site assessment has been prepared – with a preliminary report being reviewed by the Chief. We will be returning to Council in Closed Session under "property negotiations" for further direction.

10. Medical Marijuana Tax – ballot initiative

Complete!

11. Welwood Murray Library project completion and commence operations

The construction contract has been approved by City Council, with work to be complete before the end of the year (estimate is November). Staff is preparing for operations to commence at the earliest possible date after construction is complete.

Controller *John Chiang*
California State Controller's Office

Government Compensation in California

Position Detail

City Manager

Entity:**City of Palm Springs**
Department:Office of the City Manager
County:Riverside
Year:**2012**

$267,528 total wages

$248,065	$0	$5,963	$13,500
regular pay	overtime pay	lump-sum pay	other pay

$0 – $0 regular pay range for classification

$88,105 total retirement & health cost

$51,194	$21,433	$7,500	$7,978
defined benefit plan	employee's ret. cost covered	deferred compensation	health/dental/vision contribution

2.7@%55 applicable defined benefit pension formula

Click a term for a definition

For more information go to **http://www.palmsprings-ca.gov/index.aspx?page=75**

Last Updated: 12/16/2013

Positions in this Department

To: David Ready
Subject: Your Salary with Offset
Sensitivity: Private

Hi David, your current base annual is **$283,896.00** and if we added the 8% offset your new annual would be **$306,612.00**. Thanks

Perry Madison, IPMA-CP
Director of Human Resources
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760.323.8215 Phone
760.323.8287 Fax
www.palmsprings-ca.gov

CONFIDENTIALITY NOTICE - This message is intended only for the addresses shown above. It may contain information that is privileged, confidential, or otherwise protected from disclosure. Any review, dissemination, or use of this transmission or its contents by persons other than the addressee is strictly prohibited. If you have received this message in error, please notify the sender immediately at (760) 323-8215

Current Projects/Programs - Partial List

June 1, 2014

1. Airline agreements
2. Airport master plan
3. Banners on trees - Barristo to Ramon
4. Bike paths - city friendly program (NMTP)
5. Chevron implementation
6. College of the Desert Campus
7. Convention Center bond refinance
8. Convention Center parking
9. Council Chamber video/audio
10. Downtown Palm Springs Redevelopment project
11. Fire station location
12. Food-truck policy
13. FTZ
14. Holiday lights
15. I.T. strategic plan
16. I-Hub review
17. Indian Avenue - planning
18. Labor contract negotiations
19. Library renovation
20. M.M.J (4^{th} dispensary, audits, quality review process
21. Measure J project implementation
22. Parks Master Plan - Demuth renovations and new soccer park
23. Plastic bag ordinance implementation
24. Plaza theater renovation and tenant RFP
25. PSTV programming
26. RDA appeal
27. School district land acquisition - tennis center
28. Sculpture repair - Gene Autry
29. Sentinel power plant grant projects

30. Sober living policy
31. Solar study - city facilities
32. Sphere of influence - Council discussion
33. Traffic signal interconnect
34. Tribe agreements
35. Trolley
36. U.S.O. Airport
37. Uptown parking modifications
38. Vacant building portfolio
39. Vacant Building Ordinance revisions
40. Violia contract renewal
41. Walk of stars (review of criteria and mall relocations)
42. Water Conservation
43. Web-site updates
44. Welwood (Historical Society agreement and operating structure)

Wessman Development
555 S. Sunrise Way
Palm Springs, CA 92264

March 18, 2015

Dear John and Michael,

I want to thank you and Wessman Development for the generous donation of $5,000.00 to the City of Palm Springs Mayor's Race and Wellness Festival, 2015. Thanks to you, the event was a huge success!

Warm regards,

Stephen P. Pougnet, Mayor

Wessman Development
Attn: Mr. John Wessman
555 S. Sunrise Way, Ste 200
Palm Springs, CA 92264

November 18, 2013

Dear John:

Thank you for the $10,000.00 sponsorship to the 3rd annual Palm Springs Healthy Planet, Healthy You Race and Wellness Festival which will take place on Saturday, January 11, 2014.

With this sponsorship we will have raised nearly $450,000.00 to fund components of the Clinton Foundation's "Coachella Valley Blueprint for Action". Together, we are making Palm Springs and the Coachella Valley a healthier place to live, work and play.

If you have any questions or need additional information, please contact Jennifer in my office at 760-323-8200. Please make checks payable to the City of Palm Springs and mail to P.O. Box 2743, Palm Springs, CA 92263 to the attention of Jennifer Nelson.

With sincere gratitude,

Stephen P. Pougnet, Mayor
SPP: jln

February 05, 2008

Michael Braun, Vice-President
Wessman Development Company
300 S. Palm Canyon Dr.
Palm Springs, CA 92262

Re: Submission Date for Museum Market Plaza Specific Plan

Dear Mr. Braun:

Having received a copy of your letter to our City Attorney, dated January 29, 2008, and given the importance of your property and its redevelopment to the future of our downtown, as members of the "Desert Fashion Plaza Council Subcommittee," we wanted to respond directly to you and Mr. Wessman.

First, your assertion that Wessman Development Company did not commit to a February 15, 2008 delivery date of the Museum Market Plaza Specific Plan is not consistent with representations made to the Council Subcommittee and staff during a series of meetings which have taken place over the past several weeks. Specifically, on December 3, 2007, at a meeting in City Hall, Mr. Wessman stated to a roomful of people, including the both of us, that the Specific Plan would be submitted by February 15, 2008. Moreover, you were also present, Michael.

This date was also confirmed in a meeting on December 18th when you met with City staff regarding this project.

Michael, as you and Mr. Wessman are aware, the City has indicated a willingness to make a significant commitment to a dynamic, vibrant, downtown renaissance when it adopted its redevelopment plans for the Downtown. This commitment was renewed with the City's adoption of its new General Plan, the Downtown Development Guidelines, and the Design for Development. Clearly, Wessman Development, as a major downtown property owner, has been closely involved with these processes and keenly aware of the information in each document. Further, the City has worked with your company and its representatives, including

Mr. Wessman, during countless meetings over the past four years in an effort to further the redevelopment of the former Desert Fashion Plaza – that commitment from the City has not waned.

Yet, the Desert Fashion Plaza, under the Wessman Company's stewardship, remains not merely under-utilized; it has been poorly maintained and remains a blighted eyesore, creating an economic maelstrom that is draining the vitality of our downtown. The Wessman Company, as a corporate citizen of the city and owner of this significant property, surely acknowledges its responsibilities to its neighboring property owners, businesses, merchants and all Palm Springs residents and tourists who are affected by the project's continual lack of progress.

As members of the Council Subcommittee, we are personally disappointed that we are facing, yet again, another Wessman Company delay in moving this project forward. Nevertheless, we will rely on your promise that you anticipate submitting the specific plan to the City "by the end of April, at the very latest." As such, we have directed staff to schedule and notice a joint meeting of the City Council and the Planning Commission for April 30, 2008, to receive your submission and provide the public a preview of the draft specific plan.

We continue to look forward to your submission of a specific plan that is not only consistent with the adopted plans and policies of Palm Springs, but that furthers the vision of the Council and our community for a vibrant, restored downtown that we can all be proud of for many years to come.

Very truly yours,

Steve Pougnet,
Mayor

Christopher Mills,
Councilmember

Jay Thompson

From: Steve Pougnet
Sent: Thursday, April 24, 2014 4:52 PM
To: Rich meaney
Subject: Re: Phasing Exhibit Downtown

Yes. I fly in early Monday morning and leave Wednesday morning . Perhaps a quick drink before my dinner Tuesday night.?

On Apr 24, 2014, at 5:42 PM, "Rich meaney" <rhm@nexusd.com> wrote:

> I agree. I did get info. I had lunch with Paul and skip yesterday it is on their radar screen
> Thanks, you here next week?
>
> Rich Meaney
> Nexus Companies Palm Springs
> 700 E Tahquitz Canyon Way Suite A
> Palm Springs, Ca 92262
> rhm@nexusd.com
>
> Sent from my iPhone
>
> On Apr 24, 2014, at 4:36 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:
>
> > The first floor of his residential project would be dead .
> >
> > You got my message about Saturday at the Renaissance?
> >
> > Also, I have the timing information for O'Donnell for this fall. Perhaps when Skip and or Paul are done with Stagecoach we can engage in that discussion
> >
> > On Apr 24, 2014, at 5:32 PM, "Rich meaney" <rhm@nexusd.com> wrote:
> >
> > > I'm on it.
> > >
> > > Rich Meaney
> > > Nexus Companies Palm Springs
> > > 700 E Tahquitz Canyon Way Suite A
> > > Palm Springs, Ca 92262
> > > rhm@nexusd.com
> > >
> > > Sent from my iPhone
> > >
> > > On Apr 24, 2014, at 4:30 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

Confidential. I wanted you to see this (as we discussed last week) anything you can do to help on his constant redesigning would be greatly appreciated !

Begin forwarded message:

From: Beth Bradford <beth@b2andcompany.com>
Date: April 24, 2014 at 5:18:31 PM MDT
To: Steven Pougnet <steve.pougnet@palmsprings-ca.gov>
Subject: FW: Phasing Exhibit Downtown

This is an email I am sending to John...

John,

I wanted to give you some feedback from my New York and San Francisco meetings. The GREAT news is the project is on everyone's radar! (the last 2 years work of hitting the road is finally paying off!!).People are excited and are aware that Palm Springs is back with fervor!

However.....the consistent feedback on the new plan is not going well

for leasing efforts on a National Basis. Tenants look at this as a

"PROJECT", not as a street deal. They like the cohesiveness of pulling

the city together and creating connectivity to the Museum, the hotels and

the event space. They feel the overall success of the project includes

the whole not the pieces, so to speak.

National tenants will not do a DUAL entrance under any circumstances.

There is way to much theft out their back door. The back area will be back

of space, office and delivery.

That said, as the plan sits today, all tenants on Market will be looking

into the rear of space of the tenants on Palm Canyon. The space will have

no energy, no back and forth shopping experience for the customer, no

connectivity. I know that you mentioned you can lease to locals. Here

are my thoughts. First of all

why would you want to take the hit on the

credit of local tenants in this space. My sense is due to the lack of

energy and connecitivty to the remainder of the center, they will

ultimately die. But bigger than that is the discussion of what national

tenant credit does for your value. I would love to share the story of the

last project I did similar to this in Atlanta. Had similar conversations

with the developer as we are having , but was able to convince them to do

the "right" thing for the overall project. They just sold the project for

a 3 CAP...(YES..TRUTH) and I would be happy to put you in touch with the

developer.

This project is not about the pieces, it is about the WHOLE. The right

retail space will only make your residentail and office that much more

attractive. To move into a project that

would have vacancy correlates to

something that is not appealing which affects rents and long term yields.

I gave some serious thought to any project aroudn the country that I have

seen that fronts rear of space, and I could not come up with any.....

Would love to discuss this in further detail.

Beth

Beth Bradford

5379 Old Ranch Road

Park City,
Utah 84098

435.649.6433 office

435.649.6440 fax

801.558.9978 cell

www.b2andcompany.com

Utah License
5487402-PB00

California License
01134276

O

Jay Thompson

From: Steve Pougnet
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Subject: Re: Phasing Exhibit Downtown

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Beth

Beth Bradford

5379 Old Ranch Road

Park City, Utah 84098

435.649.6433 office

435.649.6440 fax

801.558.9978 cell

www.b2andcompany.com

Utah License 5487402-PB00

California License 01134276

Jay Thompson

From: Steve Pougnet
Sent: Monday, March 05, 2012 6:42 PM
To: Jennifer Nelson
Subject: FW: John Wessman

schedule

From: Michael Braun [mailto:MBraun@wessmandevelopment.com]
Sent: Monday, March 05, 2012 1:41 PM
To: Steve Pougnet
Subject: Fwd: John Wessman

FYI

Thank you,
Michael Braun
Senior Vice President
Wessman Development
555 South Sunrise Way Suite 200 Palm Springs, CA 92264
Office 760-325-3050
Mobile 760-641-4046 www.wessmandevelopment.com

sent from my I Phone

From: Rick [mailto:rick5348@aol.com]
Sent: Monday, March 05, 2012 9:06 AM
To: Elly Sproston
Subject: Re: John Wessman

Good Morning Elly.

Thank you for staying on top of this and our appreciation to Mr. Wessman for accepting our invitation.

I will forward all the pertinent details to you in the next day or so, and if you would like we will be more than happy to take care of the details for Steve Pougnet, just let me know.

Have a good Monday.

Rick

-----Original Message-----
From: Elly Sproston <Elly@wessmandevelopment.com>
To: rick5348 <rick5348@aol.com>
Sent: Mon, Mar 5, 2012 8:43 am
Subject: John Wessman

Good Morning Rick,

Mr. Wessman accepts your invitation to speak. He would also like to request that Mayor Pougnet be present since it's a public/private partnership and should make it more interesting for the audience. We will check the Mayors schedule but are quite confident he will make himself available. Please let me know if this is acceptable.

Thanks,

Elly

Wessman Development

760-325-3321

Jay Thompson

From: Steve Pougnet
Sent: Thursday, May 17, 2012 8:33 AM
To: Jennifer Nelson
Subject: Fwd: from molly thorpe

Hope you are feeling better.. Please get Michael Molly Thorpes phone number

Begin forwarded message:

> **From:** "Michael Braun" <MBraun@wessmandevelopment.com>
> **Date:** May 17, 2012 8:20:51 AM PDT
> **To:** "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
> **Subject: RE: from molly thorpe**
>
> Will do – do u have a phone number ?
>
> Michael Braun, Senior Vice President Wessman Development
> 555 South Sunrise Way, Suite 200 Palm Springs, CA 92264
> Office 760-325-3050, Mobile 760-641-4046 www.wessmandevelopment.com
>
> ---
>
> If you are not the intended addressee, please inform us immediately that you have received this e-mail by mistake and delete it.
>
> ---
>
> **From:** Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
> **Sent:** Thursday, May 17, 2012 8:20 AM
> **To:** Michael Braun
> **Subject:** Re: from molly thorpe
>
> Why don't you call her to start a conversation .... And we can talk about it as well when we are in Vegas....
>
> On May 17, 2012, at 8:16 AM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:
>
> > I am very interested in the 9/11 memorial.... As you might know I was living in New York Manhatten when it happened. I was sitting in our trading room on the 28th floor across the Rockefeller Center when we got the news of a small plane hitting the World Trade Center..... the next 48 hours were horrific and encouraging at the same time...
> >
> > Tell Molly to contact me directly or shall I call her referring to you ?
> >
> > Michael Braun, Senior Vice President Wessman Development
> > 555 South Sunrise Way, Suite 200 Palm Springs, CA 92264
> > Office 760-325-3050, Mobile 760-641-4046 www.wessmandevelopment.com

---

If you are not the intended addressee, please inform us immediately that you have received this e-mail by mistake and delete it.

From: Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
Sent: Thursday, May 17, 2012 8:11 AM
To: Michael Braun
Subject: Fwd: from molly thorpe

Michael,

We should touch base on this issue.. It is just a thought ... Perhaps we could do something by the statues of John and myself ! (kidding) at the very least. I would like to put you in touch with Molly.....sept . 11th memorial not a bad idea, just not sure where in town it should go.... By the way, I here that CPK's business is already up due to Marilyn!!

Begin forwarded message:

From: <mthorpe@psusd.us>
Date: May 16, 2012 2:01:09 PM PDT
To: "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
Subject: RE: from molly thorpe

Hi Mayor Steve,

It just dawned on me that if the Marilyn Monroe statue will be here through 2013, your race will go right by it next year! That would be a great photo spot to have them set up. If the photographer is down low enough, he can catch the runners go by with the statue in th background. You may even want to use a staged picture in the advertising???

Also, I'd mentioned last December (?) that I'd like to see if John Wessman would be interested in putting a 9-11 memorial somewhere in the new construction. Could you possibly introduce me to him so I can make that suggestion? I have $5,000 in an account held by the school district earmarked for the 9-11 memorial.

Thanks, Mayor--
Molly

From: Steve Pougnet [Steve.Pougnet@palmsprings-ca.gov]
Sent: Sunday, May 06, 2012 9:33 AM
To: Thorpe, Molly (mthorpe@psusd.us)
Subject: Re: from molly thorpe

Hi Molly,

Unfortunately, I will not be here for the Ike run..

I will be organizing a de-briefing meeting on the race shortly.

Thanks for everything .

Steve

Please note my new email address: stephenpougnet@gmail.com

On May 5, 2012, at 5:05 PM, "Thorpe, Molly \(mthorpe@psusd.us\)" <mthorpe@psusd.us> wrote:

> Hi Mayor Steve,
>
> Hope you liked how your race turned out--I thought it was GREAT! I hope that Michele forwarded my report to you. I have some ideas for next year.
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> On another note...will you be in town next weekend for RUN FOR IKE? If so, I'd love for you to say a few words. I know how busy you are and so that may not be possible. Just let me know what works for you.
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> Thanks,
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> Molly
>
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> From: Steve Pougnet [Steve.Pougnet@palmsprings-ca.gov]
> Sent: Monday, January 23, 2012 10:15 AM
> To: Thorpe, Molly (mthorpe@psusd.us)
> Subject: Re: Mayor's Race
>
> Molly,
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> Thanks for your e-mail, great ideas. I will announce the race/ wellness day during my speech Thursday . We can bail down the details shortly thereafter ..
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Jay Thompson

From: Steve Pougnet
Sent: Thursday, May 17, 2012 8:11 AM
To: Michael Braun
Subject: Fwd: from molly thorpe

Michael,

We should touch base on this issue.. It is just a thought ... Perhaps we could do something by the statues of John and myself ! (kidding) at the very least. I would like to put you in touch with Molly.....sept . 11th memorial not a bad idea, just not sure where in town it should go.... By the way, I here that CPK's business is already up due to Marilyn!!

Begin forwarded message:

From: <mthorpe@psusd.us>
Date: May 16, 2012 2:01:09 PM PDT
To: "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
Subject: RE: from molly thorpe

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Jay Thompson

From: Steve Pougnet
Sent: Sunday, August 19, 2012 5:49 PM
To: Jennifer Nelson
Subject: Fwd: Problem ?

Print out for me

Begin forwarded message:

> **From:** Michael Braun <MBraun@wessmandevelopment.com>
> **Date:** August 19, 2012 12:33:57 PM MDT
> **To:** Steve Pougnet <Steve.Pougnet@palmsprings-ca.gov>
> **Subject: Problem ?**
>
> Steve
>
> This was posted on Facebook today... Please call Monday to discuss
>
> We leased the space to him for a very low rent and had clauses in the lease to terminate ...
>
> See below;
>
> Help! We need your help! Dear friends and customers. The dirty side of Meassure J here in Palm Springs is beginning to show it's greedy face. Measure J was the sales
> tax measure passed in November by the voters of Palm Springs to finance t...
> he reconstruction of the old Palm Springs Fashion Plaza by the Wessman Corporation. The city of Palm Springs recently gave the Wessman Development Corporation $43 million of our sales tax money. Money that Latino Books Y Mas bookstore helped generate. Now that the Wessman corporation has their money it appears that our independent, mom and pop bookstore, the last general bookstore in Palm Springs is going to be the first casualty of progress and greed. Today we received a letter from Wessman's lawyer telling us that we have to vacate our store by the middle of next month. The last independent bookstore in Palm Springs has to shut down and all because of greed. Last week at their request we met with them and presented a buyout offer since we have a lease until 2015. We felt that the offer we presented was fair and just. The Wessman Corporation owns half of Palm Springs and they could not, would not, come to terms with us. We could not come to an amicable agreement. They lawyered up and are using eminent domain as a way to get us out to unilaterally breach the contract. They feel that they can intimidate us. Why am I writing this, because we need your help! I am not sure how you fight a Goliath with very deep money pockets. But we are not going to give up. Please help us in any way that you can. Write or call the officials of the City of Palm Springs, call the Desert Sun, call the TV stations, call the Wessman Corporation, but please help us.
> Follow us also on Tweeter@latinobooksymas.
> Luciano And Tonia
>
> Michael Braun

Sent from my I Phone

Jay Thompson

From: Steve Pougnet
Sent: Sunday, July 13, 2014 7:41 AM
To: Michael Braun; Chris Lucker
Subject: Fwd: Wessman Project in downtown PS

These are the type of emails I have been receiving...

Steve

Begin forwarded message:

> **From:** john dozois <jcdozois@hotmail.com>
> **Date:** July 13, 2014 at 12:43:27 AM MDT
> **To:** Steve Pougnet <steve.pougnet@palmsprings-ca.gov>
> **Subject: RE: Wessman Project in downtown PS**
>
> Steve,
>
> Thank you for responding to me. If the design you are referring to is the one originally proposed by Mark Rios during the study vignettes, then yes the new proposed perspectives are considerably worse Steve... in very basic massing, context and scale.... not even taking into consideration what you or anyone else would consider "architecture". The project as it stands today so far fails in its design and scale and is clearly not being steered in the "right direction" or I would not be even be bothering to write to you.
>
> It will take a model so you and our community can understand what is going on and am befuddled why this has never been provided as it may help to clear up many citizens concerns....
>
> You need to know I am 100% supportive of this project and am not one to complain and am more than just 1 of the 47,000 citizens you represent, I am also currently the senior government planner/architect for the largest development projects in the country for the Department of Veterans Affairs, past comprehensive work with Los Angeles County, Cal Trans, Metrolink and UCLA and numerous large scale private development projects, so I do have a 30 year understanding and familiarity with this very type of project and do have a comprehensive background of process, contracting and design..... and trust me Steve, from what I have seen so far this project, it falls far short of minimum industry standard in process, planning and design. A project of this importance and magnitude in this relatively small town especially needs to follow industries best practice, and this project is clearly not doing that. There seems to be a lack of transparency to the people that are paying for this project.
>
> I urge you to please at the very least require Mr. Wessman to create a model with street sight lines and view vectors to adjacent buildings and mountains..... it will make a huge difference to everyone and this technology is now commonplace, extremely minimal in cost and will help everyone (all 47,000) to have a much better understanding of what is going on,(including

yourself) with respect to the scale and massing and then be able to thoroughly study architectural elements including shading at a minimum (this has been done on every single project I have worked on for the last 15 years !)..... and make prudent decisions on this project. It is vitally important at this juncture as we are clearly lacking transparency and trust on this project and quickly losing the confidence of your constituents and neighborhood groups that have been very supportive of you up until this point (me included!)..... face it, the renderings are not very good at all.

Unless this project follows some kind of cohesive design process, including providing at least a model.... it is going to continue to be extremely problematic and under tremendous scrutiny by the taxpayers/constituents of PS..... with a potentially disasterous final product..... all this and unhappy citizens do not make for a great tourist destination.

I am sure you do not want this for the city we both love and call our home..... well neither do all of the 47,000 people you represent.

Subject: Re: Wessman Project in downtown PS
From: Steve.Pougnet@palmsprings-ca.gov
Date: Thu, 10 Jul 2014 22:00:06 -0600
To: jcdozois@hotmail.com

John,

Thanks for your email. Clearly, I disagree with most of your comments , especially " lashing out by the Mayor "
I represent you and 46,000 other residents, and we don't always agree... And as everyone knows, I believe strongly that I am steering the City in the right direction.
You may not like the current architecture (which is not final) but if you truly believe that it is worse than what was presented during the 2011 election , I would be astounded to day the least ...

On Jul 10, 2014, at 7:04 PM, "john dozois" <jcdozois@hotmail.com> wrote:

Dear Mayor Pougnet, City Council Members and Planning Commissioners:

Palm Springs is one of those rare wonderful places that has an almost magical feeling with its beautiful scenery, incredible homes and great architecture. The future of the new development in the middle of OUR Downtown and Palm Springs has an incredible opportunity to further enhance what we have become known for especially as the Modernism Week event keeps attracting worldwide recognition. This project is vital for our future.

I've been coming to Palm Springs from West Hollywood for over 30 years and I have owned my mid-century home in south Palm Springs for over 12 years. Up until this point, I have really enjoyed and supported everything about Palm Springs, but not any more....

I am deeply troubled over the redevelopment of Desert Fashion Plaza in the very heart of our business district and its impact on the future of Palm Springs. It has been made very clear to me that John Wessman/Wessman Development has complete autonomy (using my hard earned taxpayer money) to do anything they want. God forbid if anyone questions, asks for accountability or inquires for a better project or you put yourself at risk for public humiliation/lashing by our own mayor or worse by Mr. Wessman himself. I find this all very disturbing.

After consistently watching the Council and Planning meetings and seeing the awful ever changing renderings (with no model) that are progressively getting worse by the minute. The information that has been disseminated to the public about the plans are minimal. The designs and renderings keep changing and there has been no model, massing or shading studies or contextual studies with the surrounding buildings. Bottom line, WE are allowing this project to progress into a joke and worse a slap in the face to taxpayers.

Projects need to be approved *after* the design is finalized. Models are built. Animated video is produced to put the project in context. Page after page of renderings are produced to show every detail, including shading, landscaping, articulation, parking, pedestrian amenities, public art, etc. While some details may change after approval, they are generally small or immaterial and if a major change is proposed, it has to go back to the Planning Commission and/or City Council for approval.

Since the City Of Palm Springs is now a vested major financial player in this public/private development, it's the job of the City to demand the best possible project for the taxpayers..... yes, looking out for your constituents!

So far, that hasn't happened and I beg you to do your best to put this project back on track.

Sincerely,

John Dozois

jcdozois@hotmail.com

Jay Thompson

From: Steve Pougnet
Sent: Saturday, August 18, 2012 8:36 AM
To: Michael Braun
Subject: Re:

Thanks. Enjoy your weekend.

On Aug 18, 2012, at 8:54 AM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Super Target in Cathedral City is to close by... Regardless I will inquire....
>
> Michael Braun
> Senior Vice President, Wessman Development, Palm Springs, CA 92264
> Office 760-325-3321 / Mobile 760-641-4046
>
> Sent from my I Pad

On Aug 17, 2012, at 5:28 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> Jim ,
>
> Thanks for your note. I have copied Wessman Development on this email.
>
> Steve

On Aug 17, 2012, at 6:13 PM, "Jim Cain" <jim@bowmandesigngroup.com> wrote:

> city target los angeles | DTLA Rising with Brigham Yen
>
> Hello, Steve.
>
> In the search for future tenants for the downtown mall project, this new Target concept might be a great fit for us and our visitors. I visited the store in Chicago and it's very cool and small enough to fit the intimacy of our vibe.
>
> I'm not sure who's heading up the effort, but now that you and Mr. Wessman are on good terms, maybe you could pass this on to his team if appropriate.

Thanks,

Jim

--

James Cain, Project Manager
Bowman Design Group • 1870 Obispo Avenue • Signal Hill, CA 90755 • 562-494-3400 (w)
• 562-331-2279 (m) • www.BowmanDesignGroup.com

Jay Thompson

From: Steve Pougnet
Sent: Monday, October 06, 2014 6:30 PM
To: Jennifer Nelson
Cc: Michael Braun
Subject: Re: Attendees for the Spencer's luncheon on 10/16/14 11:30am

I do not believe this is correct. There should be two of the top executives from the Kimpton Hotel. The lunch is for them.

On Oct 6, 2014, at 7:18 PM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:

> Hi Cynthia,
>
> Our numbers have changed from 12 to 9 and the following will join the Mayor at lunch:
>
> 1. Mayor Pougnet
> 2. Councilmember Chris Mills
> 3. John Wessman
> 4. Michael Braun
> 5. Beth Bradford
> 6. Kristin Norris
> 7. Vanessa Holder
> 8. Jay Pettus
> 9. Aftab Dada
>
> If you have any questions or need anything more, let me know. Thanks.
>
> Jennifer
>
> **Jennifer Nelson**
> **Executive Assistant to Mayor and Council**
> **City of Palm Springs**
> **3200 E. Tahquitz Canyon Way**
> **Palm Springs, CA 92262**
> **760-323-8200**
> **Jennifer.nelson@palmspringsca.gov**
> **City Hall is open Monday - Thursday from 8am to 6pm**
> **Closed Fridays**

Jay Thompson

From: Steve Pougnet
Sent: Monday, October 06, 2014 7:56 PM
To: Jennifer Nelson
Cc: Steve Pougnet; Michael Braun
Subject: Re: Attendees for the Spencer's luncheon on 10/16/14 11:30am

Michael,

No need to have lunch if Kimpton can't be there. Breakfast was for West Elm, and the lunch for Kimpton (since you said they didn't want to do a breakfast with the hospitality industry ...

Please explain, something seems really wrong here ?

And , how is the lease coming with West Elm?

Steve
On Oct 6, 2014, at 7:31 PM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:

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Sent: Monday, October 06, 2014 9:14 PM
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Cc: Jennifer Nelson; Steve Pougnet
Subject: Re: Attendees for the Spencer's luncheon on 10/16/14 11:30am

We will get it all figured out in the morning...

On Oct 6, 2014, at 9:07 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Jennifer
>
> Mis communication -
> West Elm president is not coming... and is sending two other people ...Kimpton CEO was always coming ...
>
> Kimpton will be at the ground breaking with 8 people ..
>
> Michael Braun
> Mobile 760-641-4046
> Office 760-325-3050
> www.wessmandevelopment.com

On Oct 6, 2014, at 6:32 PM, Jennifer Nelson <Jennifer.Nelson@palmsprings-ca.gov> wrote:

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Please explain, something seems really wrong here ?

And , how is the lease coming with West Elm?

Steve
On Oct 6, 2014, at 7:31 PM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:

> Michael indicated last week that they were not able to come. He confirmed the names below. Michael, has something changed since we spoke on last Thursday?
>
> **Jennifer Nelson**
> **Executive Assistant to Mayor and Council**
> **City of Palm Springs**
> **3200 E. Tahquitz Canyon Way**
> **Palm Springs, CA 92262**
> **760-323-8200**
> **Jennifer.nelson@palmspringsca.gov**
> **City Hall is open Monday - Thursday from 8am to 6pm**
> **Closed Fridays**
>
> ---
>
> **From:** Steve Pougnet
> **Sent:** Monday, October 06, 2014 6:30 PM
> **To:** Jennifer Nelson
> **Cc:** Michael Braun
> **Subject:** Re: Attendees for the Spencer's luncheon on 10/16/14 11:30am
>
> I do not believe this is correct. There should be two of the top executives from the Kimpton Hotel. The lunch is for them.
>
> On Oct 6, 2014, at 7:18 PM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:
>
> > Hi Cynthia,
> >
> > Our numbers have changed from 12 to 9 and the following will join the Mayor at lunch:
> >
> > 1. Mayor Pougnet
> > 2. Councilmember Chris Mills

3. John Wessman
4. Michael Braun
5. Beth Bradford
6. Kristin Norris
7. Vanessa Holder
8. Jay Pettus
9. Aftab Dada

If you have any questions or need anything more, let me know. Thanks.

Jennifer

Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov
City Hall is open Monday - Thursday from 8am to 6pm
Closed Fridays

Jay Thompson

From: Steve Pougnet
Sent: Tuesday, July 29, 2014 12:22 PM
To: Michael Braun
Cc: Chris Lucker Gmail
Subject: Re: Chris Pardo - Block A - Desert Sun

His last paragraph is absurd... We always said the process was not completed...

On Jul 29, 2014, at 1:14 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> See below
>
> **From:** Michael Braun
> **Sent:** Tuesday, July 29, 2014 12:13 PM
> **To:** 'Descant Jr., Earl'
> **Subject:** RE: Chris Pardo - Block A
>
> Skip:
>
> Yes, we hired Chris Pardo as a consultant to take a look at the building. Similar to the Kimpton Hotel Building, which was approved Dec 2012, if u recall at the time the council requested a redesign of the skin of the hotel building only, which was then approved April 2013 (I believe that is right date).
>
> We are doing the same for Block A, the footprint, SF, height etc will not change, it was approved at the June Planning Commission meeting; the commissioners acknowledged during the meeting the need to start construction documents for the core and shell of the building and helped us keep the projects ambitious time schedule on track. We always intended to come back with a more developed color scheme as requested by the commissioners.
>
> The overall skin of the building in Block A is being enhanced with architectural features and different color palettes; this is a collaborative effort between John Wessman and Chris Pardo.
>
> Please note that this is a 3 story building giving a designer ample opportunity to create architectural features to further enhance the visual impact . This is greatly limited with a one story building, which is dominated by tenant elevations.
>
> It is never too late to improve the architectural aesthetics for this important project for Palm Springs. We feel that it is always important to listen to community feedback and make appropriate changes and revisions when and where feasible, prudent and practical.
>
> Once John Wessman is satisfied with the changes we will go public.
>
> All the best.
> Michael
>
> **From:** Descant Jr., Earl [mailto:edescantjr@palmspri.gannett.com]
> **Sent:** Tuesday, July 29, 2014 10:59 AM

To: Michael Braun
Subject: Chris Pardo

Hi, Michael:

I've heard Chris Pardo has joined the design team for Block A in the large downtown Palm Springs redevelopment... Can you say if this is the case?

Is this a redesign of Block A? What can we expect? In other words, is this a significant change? A change to the actual building footprint?

And what role will Pardo play? Lead designer? Consulting?

And it seems late in the game... Why alter the building now...?

Thanks.
Skip

<image002.png>**Skip Descant**| Tourism Writer
Desert Sun Media Group | 750 N. Gene Autry Trail | Palm Springs, CA 92262
t 760.778.6409
edescantjr@palmspri.gannett.com
www.desertsun.com | twitter @MyDesert | facebook MyDesert

Jay Thompson

From: Steve Pougnet
Sent: Monday, October 27, 2014 8:31 PM
To: Tom Doczi
Cc: Michael Braun; Steve Pougnet; chrism@prestvuksicarchitects.com; Jeanette Sanborn; Elly Sproston; J.R. Roberts; jrroberts@psmuseum.org; doughud@aol.com; Flinn Fagg; John Wessman; Jennifer Nelson
Subject: Re: DFP subcommittee meeting with Chris Mills and Mayor Pougnet, Wessman, Braun, Doug Hudson and JR Roberts, Flinn

Jennifer will get this all set tomorrow.

On Oct 27, 2014, at 9:28 PM, "Tom Doczi" <TomD@TKDINC.NET> wrote:

> Hi Micheal, either time works.
>
> Thomas K. Doczi, ASLA
> TKD Associates Inc.
> Planning - Water Conservation
> Landscape Architecture
> Palm Springs, California
> (760) 776-1751

> On Oct 27, 2014, at 12:27 PM, "Michael Braun" <mbraun@wessmandevelopment.com> wrote:
>
> > Everyone:
> >
> > Nov 12th is the only Planning Commission meeting for November with the AC Hotel and Final PD for the Kimpton Hotel amongst other items on the Agenda; can we have the meeting in the morning before 11:30 am or after 5 pm that day ?
> >
> > Regards,
> > Michael
> >
> > -----Original Appointment-----
> > **From:** Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
> > **Sent:** Monday, October 27, 2014 12:08 PM
> > **To:** Steve Pougnet; chrism@prestvuksicarchitects.com; Michael Braun; Jeanette Sanborn; Elly Sproston; J.R. Roberts; jrroberts@psmuseum.org; doughud@aol.com; Flinn Fagg
> > **Subject:** DFP subcommittee meeting with Chris Mills and Mayor Pougnet, Wessman, Braun, Doug Hudson and JR Roberts, Flinn
> > **When:** Wednesday, November 12, 2014 3:00 PM-3:30 PM (GMT-08.00) Pacific Time (US & Canada)/Tijuana.
> > **Where:** At Tom Doczi's office 71-711 San Jacinto Drive Ste C
> >
> > FYI for David.....

Jay Thompson

From: Steve Pougnet
Sent: Friday, March 02, 2012 7:30 PM
To: Michael Braun
Subject: Re: Downtown Revitalization

Ok. 4 degrees in Breckenridge, powder day tomorrow!

Sent from my iPhone

On Mar 2, 2012, at 6:06 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Got your VM .. Good idea to do it together - lets speak next week
>
> Thank you,
> Michael Braun
> Senior Vice President
> Wessman Development
> 555 South Sunrise Way Suite 200 Palm Springs, CA 92264
> Office 760-325-3050
> Mobile 760-641-4046 www.wessmandevelopment.com
>
> sent from my I Phone

On Mar 2, 2012, at 12:41 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> Mr. Heugly,
>
> Thank you very much for your e-mail.
> I will do some research on the bell, sounds like a great idea.
>
> Enjoy what is going to be another beautiful PS weekend.
>
> Mayor Pougnet
>
> Sent from my iPhone
>
> On Mar 2, 2012, at 11:57 AM, "Heugly, Len" <LHeugly@azdor.gov> wrote:
>
> Dear Mr. Pougnet:

Thank you for your leadership in reshaping downtown Palm Springs. One feature that was previously a part of that environment was the **bell carillon** that was on Palm Canyon Boulevard. You could hear it from all parts of the city at the time. It seemed to encompass everyone into the downtown district. I would hope that you might consider reinstalling this feature as a part of the downtown planning.

Yours truly,

Len Heugly

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Jay Thompson

From: Steve Pougnet
Sent: Saturday, March 03, 2012 11:51 AM
To: Michael Braun
Subject: Re: Downtown Revitalization

We just took a break. The chair we just got off at is 11, 214 feet, probably negative 10 wind chill..

Sent from my iPhone

On Mar 3, 2012, at 12:00 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Yikes... How cold on top of the mountain...
>
> Michael Braun
> Senior Vice President, Wessman Development, Palm Springs, CA 92264
> Office 760-325-3321 / Mobile 760-641-4046
>
> Sent from my I Pad
>
> On Mar 2, 2012, at 7:30 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:
>
> > Ok. 4 degrees in Breckenridge, powder day tomorrow!
> >
> > Sent from my iPhone
> >
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> >
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> > > Mobile 760-641-4046 www.wessmandevelopment.com
> > >
> > > sent from my I Phone

On Mar 2, 2012, at 12:41 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> Mr. Heugly,
>
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>
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>
> Mayor Pougnet
>
> Sent from my iPhone
>
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>
> > Dear Mr. Pougnet:
> >
> > Thank you for your leadership in reshaping downtown Palm Springs. One feature that was previously a part of that environment was the **bell carillon** that was on Palm Canyon Boulevard. You could hear it from all parts of the city at the time. It seemed to encompass everyone into the downtown district. I would hope that you might consider reinstalling this feature as a part of the downtown planning.
> >
> > Yours truly,
> >
> > Len Heugly
>
> ---
> ---
> NOTICE: This e-mail (and any

attachments) may contain PRIVILEGED OR CONFIDENTIAL information and is intended only for the use of the specific individual(s) to whom it is addressed. It may contain information that is privileged and confidential under state and federal law. This information may be used or disclosed only in accordance with law, and you may be subject to penalties under law for improper use or further disclosure of the information in this e-mail (and any attachments). If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you. Fri Mar 02 2012 11:57:33

Jay Thompson

From: Steve Pougnet
Sent: Saturday, March 03, 2012 4:01 PM
To: Michael Braun
Subject: Re: Downtown Revitalization

PS will feel good when I land at 9:00 am Monday!

Sent from my iPhone

On Mar 3, 2012, at 1:11 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> 77 in Newport...
>
> Thank you,
> Michael Braun
> Senior Vice President
> Wessman Development
> 555 South Sunrise Way Suite 200 Palm Springs, CA 92264
> Office 760-325-3050
> Mobile 760-641-4046 www.wessmandevelopment.com
>
> sent from my I Phone

On Mar 3, 2012, at 11:52 AM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> We just took a break. The chair we just got off at is 11, 214 feet, probably negative 10 wind chill..
>
> Sent from my iPhone
>
> On Mar 3, 2012, at 12:00 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:
>
> > Yikes... How cold on top of the mountain...
> >
> > Michael Braun
> > Senior Vice President, Wessman Development, Palm Springs, CA 92264
> > Office 760-325-3321 / Mobile 760-641-4046
> >
> > Sent from my I Pad

On Mar 2, 2012, at 7:30 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> Ok. 4 degrees in Breckenridge, powder day tomorrow!
>
> Sent from my iPhone
>
> On Mar 2, 2012, at 6:06 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:
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>
> On Mar 2, 2012, at 12:41 PM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:
>
> > Mr. Heugly,
> >
> > Thank you very much for your e-mail. I will do some research on the bell, sounds like a great idea.
> >
> > Enjoy what is going to be another beautiful PS weekend.

Mayor Pougnet

Sent from my iPhone

On Mar 2, 2012, at 11:57 AM, "Heugly, Len" <LHeugly@azdor.gov> wrote:

Dear Mr. Pougnet:

Thank you for your leadership in reshaping down town Palm Springs. One feature that was previously a part of that environment was the

bell carillo n that was on Palm Canyo n Boule vard. You could hear it from all parts of the city at the time. It seem ed to enco mpas s every one into the down town distric t. I would hope that you might consi

der reinstalling this feature as a part of the downtown planning.

Yours truly,

Len Heugly

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law for improper use or further disclosure of the information in this e-mail (and any attachments). If you have received this e-mail in error, please immediately notify the person named above by reply e-mail, and then delete the original e-mail. Thank you. Fri Mar 02 2012 11:57:33

Jay Thompson

From: Steve Pougnet
Sent: Thursday, May 17, 2012 8:20 AM
To: Michael Braun
Subject: Re: from molly thorpe

Why don't you call her to start a conversation .... And we can talk about it as well when we are in Vegas....

On May 17, 2012, at 8:16 AM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> I am very interested in the 9/11 memorial.... As you might know I was living in New York Manhatten when it happened. I was sitting in our trading room on the 28th floor across the Rockefeller Center when we got the news of a small plane hitting the World Trade Center..... the next 48 hours were horrific and encouraging at the same time...
>
> Tell Molly to contact me directly or shall I call her referring to you ?
>
> Michael Braun, Senior Vice President Wessman Development
> 555 South Sunrise Way, Suite 200 Palm Springs, CA 92264
> Office 760-325-3050, Mobile 760-641-4046 www.wessmandevelopment.com
> ---
> If you are not the intended addressee, please inform us immediately that you have received this e-mail by mistake and delete it.
>
> ---
>
> **From:** Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
> **Sent:** Thursday, May 17, 2012 8:11 AM
> **To:** Michael Braun
> **Subject:** Fwd: from molly thorpe
>
> Michael,
>
> We should touch base on this issue.. It is just a thought ... Perhaps we could do something by the statues of John and myself ! (kidding) at the very least. I would like to put you in touch with Molly.....sept . 11th memorial not a bad idea, just not sure where in town it should go.... By the way, I here that CPK's business is already up due to Marilyn!!
>
> Begin forwarded message:
>
> > **From:** <mthorpe@psusd.us>
> > **Date:** May 16, 2012 2:01:09 PM PDT
> > **To:** "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
> > **Subject: RE: from molly thorpe**
> >
> > Hi Mayor Steve,

It just dawned on me that if the Marilyn Monroe statue will be here through 2013, your race will go right by it next year! That would be a great photo spot to have them set up. If the photographer is down low enough, he can catch the runners go by with the statue in th background. You may even want to use a staged picture in the advertising???

Also, I'd mentioned last December (?) that I'd like to see if John Wessman would be interested in putting a 9-11 memorial somewhere in the new construction. Could you possibly introduce me to him so I can make that suggestion? I have $5,000 in an account held by the school district earmarked for the 9-11 memorial.

Thanks, Mayor--
Molly

From: Steve Pougnet [Steve.Pougnet@palmsprings-ca.gov]
Sent: Sunday, May 06, 2012 9:33 AM
To: Thorpe, Molly (mthorpe@psusd.us)
Subject: Re: from molly thorpe

Hi Molly,

Unfortunately, I will not be here for the Ike run..

I will be organizing a de-briefing meeting on the race shortly.

Thanks for everything .

Steve

Please note my new email address: stephenpougnet@gmail.com

On May 5, 2012, at 5:05 PM, "Thorpe, Molly \(mthorpe@psusd.us\)" <mthorpe@psusd.us> wrote:

> Hi Mayor Steve,
>
> Hope you liked how your race turned out--I thought it was GREAT! I hope that Michele forwarded my report to you. I have some ideas for next year.
>
> On another note...will you be in town next weekend for RUN FOR IKE? If so, I'd love for you to say a few words. I know how busy you are and so that may not be possible. Just let me know what works for you.
>
> Thanks,
>
> Molly
>
> ---
> From: Steve Pougnet [Steve.Pougnet@palmsprings-ca.gov]
> Sent: Monday, January 23, 2012 10:15 AM
> To: Thorpe, Molly (mthorpe@psusd.us)
> Subject: Re: Mayor's Race
>
> Molly,
>
> Thanks for your e-mail, great ideas. I will announce the race/ wellness day during my speech Thursday . We can bail down the details shortly thereafter ..
>
> Steve
>
> Sent from my iPhone
>

> On Jan 20, 2012, at 10:08 PM, "mthorpe@psusd.us<mailto:mthorpe@psusd.us>" <mthorpe@psusd.us<mailto:mthorpe@psusd.us>> wrote:
>
>
> Dear Mayor Steve,
>
>
>
> First of all, it was great to see you yesterday at the meeting. I'm thrilled to be involved with your race. I know it will be a huge success and can be a model for other municipalities. Once again, you will be leading the way.
>
>
>
> I'm really glad you decided to showcase downtown. We plotted a tentative route which puts the majority of the race on South Palm Canyon between Tachevah and just north of Ramon. We can make a great out and back course that really highlights the heart of the city.
>
>
>
> You may want to consider distances. If your goal is to attract as many runners as possible, a more popular distance, such as a 10K, may attract more runners who like to be able to compare times. But, the 5.5 would be your own brand and you could start a new mid-distance course. Regardless of which you choose, you might also want to include an optional 5K. As you know, lots of runners love that distance and most newbies and walkers feel confident they could complete a 5K but might be intimidated to go the further distance. It would be simple to incorporate 2 distances--we just make the turn-around for the shorter distance earlier and we'll share the same finsih line.
>
>
>
> Michele and I brainstormed as we ran the route this morning. She came up with...
>
>
>
> Healthy Planet--Healthy You
>
> The Mayor's 5.5 mile race and wellness festival
>
>
>
> It's got a nice ring and really supports a healthy lifestyle initiative. What do you think?
>
>
>
> On another topic, last November I asked your opinion of approaching Mr. Wessman and asking him to incorporate the 9-11 memorial into the new fashion plaza plan. I know you liked the idea, but I think I dropped the ball because I didn't move any further than suggesting the idea. I am holding the $5,000.00 raised from the 9-11 Salute to Heroes 5K and would really like to hand it over to Mr. Wessman if this is a "go". In your spare time (ha ha), please advise.
>
>
>
> I want to make sure this race and festival goes exactly as you want it. As such, feel free to email me or call me if you have any suggestions. I appreciate your input.
>
> Molly
>
>
>
>

>
>
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>
>
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>
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Jay Thompson

From: Steve Pougnet
Sent: Tuesday, March 06, 2012 6:41 AM
To: Michael Braun
Cc: Steve Pougnet; Chris Mills; David Ready; Jennifer Nelson
Subject: Re: Meeting

Does Thursday at 3:00 pm work? This week?

Please note my new email address: stephenpougnet@gmail.com

On Mar 5, 2012, at 4:23 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Steve, Chris:
>
> Can we meet this week to finalize some outstanding issues.
>
> Doug Holland and David Ready should be part of the meeting.
>
> We are out of town this Wednesday, so Thursday am would be great or any day next week.
>
> Thank you,
> Michael Braun
> Senior Vice President
> Wessman Development
> 555 South Sunrise Way Suite 200 Palm Springs, CA 92264
> Office 760-325-3050
> Mobile 760-641-4046 www.wessmandevelopment.com
>
> sent from my I Phone

Jay Thompson

From: Steve Pougnet
Sent: Monday, January 26, 2015 11:47 AM
To: Michael Braun
Subject: Re: Mike DeFrino Named As New Kimpton CEO | TravelPulse

You signing loan docs this week?

How did your call with Beth go Friday?

Sent from my iPhone

> On Jan 26, 2015, at 11:16 AM, Michael Braun <mbraun@wessmandevelopment.com> wrote:
>
> Mike was at the ground breaking in PS representing Kimpton
>
> Michael Braun
> Mobile 760-641-4046
> Office 760-325-3050
> www.wessmandevelopment.com
>
>
>
>
>
>> On Jan 26, 2015, at 10:56 AM, Aftab Dada <adada@hiltonpalmsprings.com> wrote:
>>
>>
>> http://www.travelpulse.com/news/hotels-and-resorts/mike-defrino-named-as-new-kimpton-ceo.html
>>
>>
>> Sent from my iPad

Jay Thompson

From: Steve Pougnet
Sent: Monday, January 26, 2015 12:08 PM
To: Michael Braun
Subject: Re: Mike DeFrino Named As New Kimpton CEO | TravelPulse

Let me know when they are signed

Sent from my iPhone

> On Jan 26, 2015, at 11:56 AM, Michael Braun <mbraun@wessmandevelopment.com> wrote:
>
> Working on fine tuning loan docs...
>
> Beth call went OK... she will follow up with me this week again.... no new tenant annoucement for Febuary speach
>
> Michael Braun
> Wessman Development
> 760-641-4046
>
> -----Original Message-----
> From: Steve Pougnet [mailto:Steve.Pougnet@palmsprings-ca.gov]
> Sent: Monday, January 26, 2015 11:47 AM
> To: Michael Braun
> Subject: Re: Mike DeFrino Named As New Kimpton CEO | TravelPulse
>
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>
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>> Michael Braun
>> Mobile 760-641-4046
>> Office 760-325-3050
>> www.wessmandevelopment.com
>>
>>
>>
>>
>>
>>> On Jan 26, 2015, at 10:56 AM, Aftab Dada <adada@hiltonpalmsprings.com> wrote:
>>>
>>>
>>> http://www.travelpulse.com/news/hotels-and-resorts/mike-defrino-named-as-new-kimpton-ceo.html

>>>
>>>
>>> Sent from my iPad

Jay Thompson

From: Steve Pougnet
Sent: Sunday, August 19, 2012 5:48 PM
To: Michael Braun
Subject: Re: Problem ?

Will do. A lot of incorrect statements.

On Aug 19, 2012, at 12:33 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Steve
>
> This was posted on Facebook today... Please call Monday to discuss
>
> We leased the space to him for a very low rent and had clauses in the lease to terminate ...
>
> See below;
>
> Help! We need your help! Dear friends and customers. The dirty side of
> Meassure J here in Palm Springs is beginning to show it's greedy face. Measure J was the sales tax measure passed in November by the voters of Palm Springs to finance t...
> he reconstruction of the old Palm Springs Fashion Plaza by the Wessman Corporation. The city of Palm Springs recently gave the Wessman Development Corporation $43 million of our sales tax money. Money that Latino Books Y Mas bookstore helped generate. Now that the Wessman corporation has their money it appears that our independent, mom and pop bookstore, the last general bookstore in Palm Springs is going to be the first casualty of progress and greed. Today we received a letter from Wessman's lawyer telling us that we have to vacate our store by the middle of next month. The last independent bookstore in Palm Springs has to shut down and all because of greed. Last week at their request we met with them and presented a buyout offer since we have a lease until 2015. We felt that the offer we presented was fair and just. The Wessman Corporation owns half of Palm Springs and they could not, would not, come to terms with us. We could not come to an amicable agreement. They lawyered up and are using eminent domain as a way to get us out to unilaterally breach the contract. They feel that they can intimidate us. Why am I writing this, because we need your help! I am not sure how you fight a Goliath with very deep money pockets. But we are not going to give up. Please help us in any way that you can. Write or call the officials of the City of Palm Springs, call the Desert Sun, call the TV stations, call the Wessman Corporation, but please help us.
> Follow us also on Tweeter@latinobooksymas.
> Luciano And Tonia
>
> Michael Braun
> Sent from my I Phone
>
>

Jay Thompson

From: Steve Pougnet
Sent: Tuesday, July 29, 2014 11:06 AM
To: Michael Braun
Subject: Re: Ref Block A - Comment

Thanks

On Jul 29, 2014, at 12:00 PM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> Steve, Chris
>
> See comment below; Hank basically said he will write a rebuttal
>
> **From:** Michael Braun
> **Sent:** Tuesday, July 29, 2014 10:59 AM
> **To:** Hank Plante
> **Cc:** pardo@elementalarchitecture.com
> **Subject:** Ref Block A
>
> Hank
>
> As discussed below a quote from Chris Pardo regarding his efforts to redesign the skin of Block A
>
> "Updated massing consistent with Palm Springs history of modern architecture while offering a fresh perspective on the ever evolving city."
>
> The name of our restaurant in Palm Desert is Il Corso, Interior and Exterior design was a collaboration between Chris Pardo, Allan Sanborn and John Wessman. As you might know, John is very hands on and gets involved in every detail of the design and construction of any our projects. During the construction of the project the design of the final product evolved further resulting in an architectural gem on El Paseo recognized in many publications. We have no doubt the same will be applicable to downtown.
>
> Again thank you for the opportunity to contribute to your column
>
> Regards,
>
> Michael
>
> Michael Braun, Senior Vice President / Principal Wessman Development
> 555 South Sunrise Way, Suite 200 Palm Springs, CA 92264
> Office 760-325-3050, Mobile 760-641-4046 www.wessmandevelopment.com

Jay Thompson

From: Steve Pougnet
Sent: Saturday, February 09, 2013 9:01 AM
To: Susan MacMurchy
Cc: Michael Braun
Subject: Re: Wellness Certified Palomar Hotel

Hello Susan,

Thank you fir your email. I have copied Michael Braun of Wessman Development on this reply as he handled all inquires regarding the Hotel and its development.

Steve

On Feb 8, 2013, at 1:39 PM, "Susan MacMurchy" <smac@bigbluefish.com> wrote:

> Hi Steve
>
> My friends Mark Jones and Brian Vatcher let me know about the your latest and great project, to put a Palomar Hotel into the old shopping center space. I then read the article in The Sun.
>
> As I know you are a champion of the wellness/fitness movement I wanted to make certain that you aware of an opportunity that could definitely be of interest to you and both the people of Palm Springs and the Palomar.
>
> I work with a group called DELOS LIVING which has developed the Delos WELLBuilding Standard. You may have already heard of it. Bill Clinton introduced The WELL index at CGI last year.
>
> **In short what LEED is to planetary sustainability, WELL is to human sustainability.**
>
> The MGM Grand hotel in Las Vegas already has converted 46 of it's newly renovated rooms to Stay Well ™ Rooms. The wellness upgrades command a premium over standard rooms and are not only very popular with guests but have been a huge source of press interest for the hotel.
>
> While we could, of course contact the Palomar directly to discuss the possibility of making this particular hotel a WELL Certified property or make a group of rooms Stay Well rooms, I wanted to see if there was any advantage for you, being involved in bringing the concept to the hotel and being the one who introduces the WELL Index to Palm Springs. As a resident of The Valley and a strong proponent of Wellness and its historic and natural fit to our area, I would like to support you for all you have done and continue to do to revitalize Palm Springs (especially the Virgin A non stop to JFK)
>
> I have been a consultant to Delos Living,(http://www.Delosliving.com where you can learn more) since the beginning and I can answer any questions or facilitate a meeting with the team if you would like. If you think it might be better for you in some way for me to approach The

Palomar offices directly, please also feel free to let me know that. I had some dealings with them when they were re-doing the double dolphin in Cabo years back and found them delightful and approachable.

Warm regards,

Susan

Susan MacMurchy

President, Big Blue Fish

917 881 2555

www.bigbluefish.com

Jay Thompson

From: Steve Pougnet
Sent: Monday, July 14, 2014 5:08 PM
To: L U C K E R A N D E R S O N
Subject: Re: Wessman Project

I have nothing . But Hohn can't just " say it is better " he needs to show that it had gotten better and that it will continue as it gets refined and will continue to get better.

On Jul 14, 2014, at 4:47 PM, "L U C K E R A N D E R S O N" <CLucker@LuckerAnderson.com> wrote:

> Steve, Michael
>
> Did you get what you need in terms of graphics?
>
> The themes I want to see come out of tomorrow's meeting with the ed board you are already in tune with:
>
> 1. The legal roadblocks are finally lifted. The Downtown Revitalization Project can proceed without the lawsuits that truly hurt financing, design and tenant search.
>
> 2. Expect groundbreaking for the Kimpton Hotel in the Fall -- likely October.
>
> 3. Project is essentially the same as what the public "approved" -- how project was described during Measure J.
>
> 4. Create image that John Wessman is not the figure head of this project -- very popular Pougnet is the face.
>
> 5. Broad-based support from community leaders, residents, business leaders, tourism, hoteliers.
>
> 6. Another example of how a group of residents blindly attack every project John Wessman does.
>
> 7. The issue is not John Wessman -- is is the important benefits gained by revitalizing Downtown: Jobs, restaurants, night life, specialty retail, a vibrant downtown that will benefit all businesses and tourism in Palm Springs.
> John Wessman often attracts.
>
> 8. The names and details about tenants already secured are protected by confidentiality agreements -- standard practice in retail leasing.
>
> Michael
>
> Is there a fact sheet with the basic facts and figures about the project?
>
> <12-LUK-442_Anderson_EmailSig_v3b.jpg>

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR EMAIL RESPONSE. THANK YOU.

Jay Thompson

From: Steve Pougnet
Sent: Sunday, July 13, 2014 11:50 AM
To: Michael Braun
Cc: Chris Lucker Gmail
Subject: Re: Wessman Project in downtown PS

I know. I agree. It is just something we need to deal with.... especially Tuesday at Ed. Board

Good luck in the game.

On Jul 13, 2014, at 9:11 AM, "Michael Braun" <MBraun@wessmandevelopment.com> wrote:

> We have a 3 d model ... I am puzzled by these ignorant comments - I send 3 d pictures that were submitted to arc and planning
>
> Michael Braun
> Mobile 760-641-4046
> Office 760-325-3050
> www.wessmandevelopment.com

On Jul 13, 2014, at 7:41 AM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

> These are the type of emails I have been receiving...
>
> Steve
>
> Begin forwarded message:
>
> **From:** john dozois <jcdozois@hotmail.com>
> **Date:** July 13, 2014 at 12:43:27 AM MDT
> **To:** Steve Pougnet <steve.pougnet@palmsprings-ca.gov>
> **Subject: RE: Wessman Project in downtown PS**
>
> Steve,
>
> Thank you for responding to me. If the design you are referring to is the one originally proposed by Mark Rios during the study vignettes, then yes the new proposed perspectives are considerably worse Steve... in very basic massing, context and scale.... not even taking into consideration what you or anyone else would consider "architecture". The project as it stands today so far fails in its design and scale and is clearly not being steered in the "right direction" or I would not be even be bothering to write to you.

It will take a model so you and our community can understand what is going on and am befuddled why this has never been provided as it may help to clear up many citizens concerns....

You need to know I am 100% supportive of this project and am not one to complain and am more than just 1 of the 47,000 citizens you represent, I am also currently the senior government planner/architect for the largest development projects in the country for the Department of Veterans Affairs, past comprehensive work with Los Angeles County, Cal Trans, Metrolink and UCLA and numerous large scale private development projects, so I do have a 30 year understanding and familiarity with this very type of project and do have a comprehensive background of process, contracting and design..... and trust me Steve, from what I have seen so far this project, it falls far short of minimum industry standard in process, planning and design. A project of this importance and magnitude in this relatively small town especially needs to follow industries best practice, and this project is clearly not doing that. There seems to be a lack of transparency to the people that are paying for this project.

I urge you to please at the very least require Mr. Wessman to create a model with street sight lines and view vectors to adjacent buildings and mountains..... it will make a huge difference to everyone and this technology is now commonplace, extremely minimal in cost and will help everyone (all 47,000) to have a much better understanding of what is going on,(including yourself) with respect to the scale and massing and then be able to thoroughly study architectural elements including shading at a minimum (this has been done on every single project I have worked on for the last 15 years !)..... and make prudent decisions on this project. It is vitally important at this juncture as we are clearly lacking transparency and trust on this project and quickly losing the confidence of your constituents and neighborhood groups that have been very supportive of you up until this point (me included!)..... face it, the renderings are not very good at all.

Unless this project follows some kind of cohesive design process, including providing at least a model.... it is going to continue to be extremely problematic and under tremendous scrutiny by the taxpayers/constituents of PS..... with a potentially disasterous final product..... all this and unhappy citizens do not make for a great tourist destination.

I am sure you do not want this for the city we both love and call

our home..... well neither do all of the 47,000 people you represent.

Subject: Re: Wessman Project in downtown PS
From: Steve.Pougnet@palmsprings-ca.gov
Date: Thu, 10 Jul 2014 22:00:06 -0600
To: jcdozois@hotmail.com

John,

Thanks for your email. Clearly, I disagree with most of your comments , especially " lashing out by the Mayor "
I represent you and 46,000 other residents, and we don't always agree... And as everyone knows, I believe strongly that I am steering the City in the right direction.
You may not like the current architecture (which is not final) but if you truly believe that it is worse than what was presented during the 2011 election , I would be astounded to day the least ...

On Jul 10, 2014, at 7:04 PM, "john dozois" <jcdozois@hotmail.com> wrote:

Dear Mayor Pougnet, City Council Members and Planning Commissioners:

Palm Springs is one of those rare wonderful places that has an almost magical feeling with its beautiful scenery, incredible homes and great architecture. The future of the new development in the middle of OUR Downtown and Palm Springs has an incredible opportunity to further enhance what we have become known for especially as the Modernism Week event keeps attracting worldwide recognition. This project is vital for our future.

I've been coming to Palm Springs from West Hollywood for over 30 years and I have owned my mid-century home in south Palm Springs for over

12 years. Up until this point, I have really enjoyed and supported everything about Palm Springs, but not any more....

I am deeply troubled over the redevelopment of Desert Fashion Plaza in the very heart of our business district and its impact on the future of Palm Springs. It has been made very clear to me that John Wessman/Wessman Development has complete autonomy (using my hard earned taxpayer money) to do anything they want. God forbid if anyone questions, asks for accountability or inquires for a better project or you put yourself at risk for public humiliation/lashing by our own mayor or worse by Mr. Wessman himself. I find this all very disturbing.

After consistently watching the Council and Planning meetings and seeing the awful ever changing renderings (with no model) that are progressively getting worse by the minute. The information that has been disseminated to the public about the plans are minimal. The designs and renderings keep changing and there has been no model, massing or shading studies or contextual studies with the surrounding buildings. Bottom line, WE are allowing this project to progress into a joke and worse a slap in the face to taxpayers.

Projects need to be approved *after* the design is finalized. Models are built. Animated video is produced to put the project in context. Page after page of renderings are produced to show every detail, including shading, landscaping, articulation, parking, pedestrian amenities, public art, etc. While some details may change after approval, they are generally small or immaterial and if a major change is proposed, it has to go back to the Planning Commission and/or City Council for approval.

Since the City Of Palm Springs is now a vested major financial player in this public/private development, it's the job of the City to demand the best possible project for the taxpayers..... yes, looking out for your constituents!

So far, that hasn't happened and I beg you to do your best to put this project back on track.

Sincerely,

John Dozois

jcdozois@hotmail.com

City Council Goals for the City Manager – 2014/15
October 15, 2014

1. Hire an Assistant City Manager which can expedite Measure J projects and other City projects

2. Additional approaches to improve the cleanliness/aesthetics in Downtown and Uptown Design District

3. Focus on improvements of parks

4. Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities, new video equipment for Council Chambers)

5. Fast track implementation of the "Non-Motorized Transportation Plan"

6. Downtown palm tree lighting/holiday lighting, renovation and repair of tree wells, installation of downtown decorative light fixtures

7. New fire station – site selection and project launch

8. Finalize selection and make progress on soccer park

9. Complete water conservation initiative

10. Develop Master Plan for street paving, repairs and bike lanes

Stephen P. Pougnet
Mayor

Date: 11-5-14.

David H. Ready
City Manager

Date: _____

City Council Goals for the City Manager – 2013/14
July 18, 2013

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District.

2. Focus on improvements for Demuth Park – maintenance, and development of revenues producing events.

3. Develop an RFP for solar installation for at least five city facilities

4. Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities, new video equipment for Council Chambers)

5. Implementation of possible elements of the "Non-Motorized Transportation Plan"

6. Downtown palm tree lighting/holiday lighting

7. Trolley shuttle service proposal

8. Chevron project implementation

9. New Fire Station – site selection and project launch

10. Medical Marijuana Tax – ballot initiative

11. Welwood Murray Library project completion and commence operations

Stephen P. Pougnet
Mayor

Date 7-18-13

David H. Ready
City Manager

Date 7/18/13

City Manager Goals Update
City Council Review - June 18, 2014

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District.

The downtown maintenance crew reorganization has been finalized with their separation from the Street Department. Patrick Sweeny is now leading the Maintenance and Facilities Department over all City maintenance functions, and Heather MacPhearson has been promoted to Downtown Supervisor. They have reworked the daily and weekly cleaning/maintenance schedule with special focus on benches, trash receptacles, etc., and continue to make refinements for both the uptown and downtown areas, including up to Vista Chino.

The final component – transition from the Canyon Commercial contract – will be two agreements with Mainstreet and the Chamber of Commerce (under $20,000 each) for liaison/inspection/feedback services. Mainstreet will participate and lead the "weekly walk tour" of uptown and downtown to identify maintenance/cleaning issues, monitor Villagefest activity, participate in SEPT meetings to keep merchants informed of events, and provide general and targeted liaison communication services with business owners.

The Chamber of Commerce will also provide business liaison services, however, their focus will include the visitor experience "on the ground" during evenings and on weekends. They will be providing feedback on all aspects of the downtown and uptown experience, ranging from issues that arise from parking (e.g. valet's illegally using the parking structure, or improperly "coned off" spaces) to inoperable lighting, etc. This feedback – during hours when staff is not working – will be extremely helpful for guiding maintenance and code enforcement efforts.

2. Focus on improvements for Demuth Park – maintenance, and development of revenues producing events.

Maintenance efforts at Demuth Park have been reviewed and modified under the new organizational structure (Maintenance and Facilities Department. New LED lighting has improved the restroom area, and a burglar alarm system has been installed at the concession stand to address criminal activity that had occurred. Also, Measure J projects in the process of implementation include security cameras at the restrooms, and improved parking lot lighting.

With the finalization of the Parks Master Plan – efforts to increase the capacity for revenue producing events may be possible, particularly if a soccer field project can be completed in the next few years.

3. *Develop an RFP for solar installation for at least five city facilities*

The NAM solar feasibility study is now complete and per Council direction we are moving forward with an RFP for solar installation at possibly 11 facilities. Also, the Sentinel Power Plant/AQMD Mitigation Grant will provide solar at 4 additional facilities. Council will be reviewing both projects at the meeting of June 18th.

4. *Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities, new video equipment for Council Chambers)*

Three specific items toward this goal include, revision to the City Web-Site expected to be complete by October, the "At Your Service" smartphone app for citizens to report problems directly to the City and "on-line" renewals of business licenses. Also, as you are aware, I-pads are now available for the Council agendas. With regard to video equipment in the Council Chambers, a consulting firm's agreement for RFP design configuration will be on your agenda July 2nd.

With regard to "social media" we have not dedicated staff time for continuous efforts here, however, the City does have a Facebook page that is updated by Amy Blaisdell. Also, Tourism has an active Facebook page and Twitter account.

5. *Implementation of possible elements of the "Non-Motorized Transportation Plan"*

In addition to the previous non-motorized transportation studies, and based upon Council's direction, we requested a consultant (Ryan Snyder) to review all City streets – and provide guidance on how to make the entire City "bike friendly." The Sustainability Commission and their Sub-Committee has taken this report and recommended a specific three year implementation plan which Council approved and gave guidance on a multi-year funding proposal for the Measure J Commission. Your recent direction will result in a $3 million capital investment over three years.

As Council moves forward with additional street resurfacing over the next few years, all work will be designed and constructed in accordance with the NMTP and Snyder report.

6. *Downtown palm tree lighting/holiday lighting*

The Chevron project, previously approved by City Council is addressing the palm tree lighting and will be completed by mid August. Also, your approval of a $900,000 Measure J project to address "electrical backbone" infrastructure is currently in the design phase and will be completed in the next two to three months. Construction may have to occur next summer to avoid interruptions to Palm Canyon during next season.

Also, you may recall, Council suggested that new holiday lights be postponed until the Downtown Palm Springs Project is nearer to completion and the electrical infrastructure improvements are finalized.

7. Trolley shuttle service proposal

The trolley project has been under review for the last year – it is a complicated project with several challenges to work through (cost, equipment, marketing, participation, routes, etc.). Your staff has done a great job working with stakeholders to address these challenges – and with Council Sub-Committee guidance, the contract commencing a pilot project is on your meeting agenda June 18th.

8. Chevron project implementation

Implementation is well underway with the irrigation portion almost complete. The lighting elements are approximately 90% complete, and new equipment replacing the "decommissioned co-gen plant at Sunrise Park was completed six months ahead of schedule. The remaining City Hall "Muni-plant co-gen" replacement is on schedule with an anticipated completion (equipment order lead time and construction) of approximately eight months.

9. New Fire Station – site selection and project launch

The site originally favored by the Fire Chief was a parcel of land that was not "fee" and Council preferred we look to alternate locations. A new site has been identified; however the parcel size and shape may not be conducive for a Fire Station. An architectural site assessment has been prepared – with a preliminary report being reviewed by the Chief. We will be returning to Council in Closed Session under "property negotiations" for further direction.

10. Medical Marijuana Tax – ballot initiative

Complete!

11. Welwood Murray Library project completion and commence operations

The construction contract has been approved by City Council, with work to be complete before the end of the year (estimate is November). Staff is preparing for operations to commence at the earliest possible date after construction is complete.

Current Projects/Programs - Partial List

June 1, 2014

1. Airline agreements
2. Airport master plan
3. Banners on trees - Barristo to Ramon
4. Bike paths - city friendly program (NMTP)
5. Chevron implementation
6. College of the Desert Campus
7. Convention Center bond refinance
8. Convention Center parking
9. Council Chamber video/audio
10. Downtown Palm Springs Redevelopment project
11. Fire station location
12. Food-truck policy
13. FTZ
14. Holiday lights
15. I.T. strategic plan
16. I-Hub review
17. Indian Avenue - planning
18. Labor contract negotiations
19. Library renovation
20. M.M.J (4th dispensary, audits, quality review process
21. Measure J project implementation
22. Parks Master Plan - Demuth renovations and new soccer park
23. Plastic bag ordinance implementation
24. Plaza theater renovation and tenant RFP
25. PSTV programming
26. RDA appeal
27. School district land acquisition - tennis center
28. Sculpture repair - Gene Autry
29. Sentinel power plant grant projects

30. Sober living policy
31. Solar study - city facilities
32. Sphere of influence - Council discussion
33. Traffic signal interconnect
34. Tribe agreements
35. Trolley
36. U.S.O. Airport
37. Uptown parking modifications
38. Vacant building portfolio
39. Vacant Building Ordinance revisions
40. Violia contract renewal
41. Walk of stars (review of criteria and mall relocations)
42. Water Conservation
43. Web-site updates
44. Welwood (Historical Society agreement and operating structure)

City Council Goals for the City Manager – 2013/14
July 18, 2013

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District.

2. Focus on improvements for Demuth Park – maintenance, and development of revenues producing events.

3. Develop an RFP for solar installation for at least five city facilities

4. Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities, new video equipment for Council Chambers)

5. Implementation of possible elements of the "Non-Motorized Transportation Plan"

6. Downtown palm tree lighting/holiday lighting

7. Trolley shuttle service proposal

8. Chevron project implementation

9. New Fire Station – site selection and project launch

10. Medical Marijuana Tax – ballot initiative

11. Welwood Murray Library project completion and commence operations

Stephen P. Pougnet
Mayor

Date 7-18-13

David H. Ready
City Manager

Date 7/18/13

City Council Goals for the City Manager – 2012/2013

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District.

2. Focus on improvements for Demuth Park – maintenance, development of revenue-producing events, and acquisition of Palm Springs Country Club for possible park expansion.

3. Develop a signature event for the City, occurring during an off-peak month, and the City's 75th Anniversary celebration.

4. Develop an RFP for solar installation for City facilities.

5. Explore feasibility of multi-agency/non-profit involvement in the operation of the Animal Shelter.

6. Review of organization – staff changes/enhancements as required to handle increasingly complex workload in the City Manager's Office and Citywide.

7. Continued efforts on the downtown redevelopment project – implementation of the PFA with Wessman Development, project entitlement, and assuming control of new City assets associated with the agreement.

8. Information technology strategic plan for the City (on-line payments, social media, i-pads, increased "virtual city hall" web-based opportunities)

9. Complete Skate Park modification and implement contract operations.

10. Implementation of possible elements of the "Non-Motorized Transportation Plan"

Stephen P. Pougnet
Stephen P. Pougnet
Mayor

Date 7-19-12

David H. Ready
City Manager

Date 7/19/12

CITY COUNCIL CLOSED SESSION – July 3, 2013

Last Year's City Council Goals for the City Manager (Continued)

1. Additional approaches to improve the cleanliness/aesthetics in Downtown and the Uptown Design District *(see item 15 below)*

2. Focus on improvements for Demuth Park – maintenance, development of revenue-producing events, and new youth recreation areas (*new soccer facility*)

3. Develop an RFP for solar installation for City facilities (*several locations for RFP*)

4. Information technology strategic plan for the City *(see item 14 below)*

5. Non-Motorized Transportation Plan – additional bike lanes; Measure J funding

Additional Goals – 2013/14

6. Downtown palm tree lighting/holiday lighting
7. Trolley shuttle service proposal
8. Measure J projects implementation
9. Chevron project implementation
10. Finalization of Airport Master Plan
11. New Fire Station – site selection and project launch
12. Welwood Murray Library project completion and commence operations
13. Medical Marijuana Tax – ballot initiative information process
14. Information technology – new City Web-Site, on-line payments for select services, new video equipment for Council Chambers, additional opportunities for web/app citizen interactions
15. Downtown/Uptown
    a. Liaison – information/communications
    b. Development – retail/business attraction, retention and renovation
    c. Maintenance/Aesthetics – focused review and coordination
    d. Special Events – extra opportunities, coordination and communication
16. Complete city-wide traffic synchronization grant project
17. Waste Water Treatment Plant contract renewal negotiations

CITY MANAGER GOALS – 2011
Council Review

February 15, 2012

1. ***Execute the Fashion Plaza Plan; execute Visioning Sessions; continue to explore opportunities with Wessman Development; and follow and implement the direction of the City Council as we proceed with decision points in 2011.***

   Finance agreement between City and Wessman Development is complete; Measure J sales tax will be implemented on April 1, 2012; and the developer is commencing with architectural services.

   Next steps include working with the Council sub-committee and the developer on a regular (weekly) basis as we move through the architectural/engineering/entitlement process; frequent updates to City Council; comprehensive communication plan for citizens and downtown merchants; issuance of bonds to fulfill City's financial obligation; working with Council appointed Measure J Oversight Committee.

2. ***Additional approaches to improve the cleanliness/aesthetics in Downtown.***

   Implementation of downtown "porter service" on Sunday to pick up trash and clean trouble spots; new banners in both uptown and downtown areas; revised downtown maintenance schedule to include weekly steam cleaning of the parking structure; downtown streets are now being swept four times weekly; tree well modifications at several locations included plant replacement and permanently affixing loose stones.

3. ***Focus on significant improvements for DeMuth Park. Increase maintenance and development of revenue-producing events and uses at DeMuth and the City's other parks. Consider camera surveillance at all City parks.***

   I've made the least progress in this area. With furloughs, our general goal was to maintain current levels of maintenance. In two specific areas we were able to make improvements – tree trimming, and a safety audit of all park playground equipment with appropriate repairs

and or replacements.

With regard to revenue-producing events and uses at DeMuth, it certainly may be possible to utilize Measure J funds for future improvements (e.g. ball fields, infrastructure for larger tournaments, etc.).

Park camera surveillance has not been accomplished at this time. Our focus has been on replacement of the cameras downtown (utilizing a Police grant the City received), and at the train station to improve an immediate security issue. I will present a park camera surveillance project in the upcoming capital improvement budget to be submitted to Council.

4. ***Develop a detailed work plan for implementation of the Innovation Hub.***

The I-Hub/CVEP facility is now operational; the I-Hub Director's recruitment has been completed; four companies are currently housed in the facility, with two of them preparing to "graduate" from the I-Hub; the federal Small Business Administration's SBDC (Small Business Development Center) is now a part of our I-Hub/CVEP center as we have been designated a "host" city; and the Foreign Trade Zone expansion partnership with the County is proceeding and expected to be complete before year's end.

Our anticipated next step is the creation of a "stage II" incubation facility (larger manufacturing space) for I-Hub new businesses. We are currently looking at leasing a portion of the former School District Building at the Airport. A Proposal will be forthcoming to Council.

5. ***Develop a signature event for the City of Palm Springs occurring during an off-peak month.***

In partnership with the large hoteliers – the carnival festival type event is being planned for September of this year. Toward that end, a contract has been executed with PS Resorts which details the City's relationship with "resort fee" hoteliers. They will be coordinating the event directly with the promoter. Moreover, staff and I will be working with the Council Sub-Committee on additional new special event opportunities. Several meetings are already planned with event producers and the committee members.

6. ***Sustainability Initiatives: Study viability and develop an RFP for solar installation on the Convention Center. In addition, develop a work plan and timeline for solar installations on other existing City facilities.***

   The Chevron project is well into the "third party" analysis phase to review pricing and cost saving assumptions, including a solar component at the Convention Center, per the Council's direction. As part of this process, it was determined that solar was not a viable cost option at this time for other facilities of the city without significant capital outlays. However, we are currently preparing a RFQ for solar at the animal shelter with all capital investment to be borne by the vendor.

7. ***Submit to the City Council a plan with departments that would increase revenue and decrease expenses for the City.***

   As we prepare the new fiscal budget for submission to Council, all departments are financially balanced, and we anticipate a General Fund balance of approximately $11 million at the end of this fiscal year. Regarding revenue increases – obviously the major increase is passage of Measure J – and City Council members, you deserve all the credit!

   We are also monitoring all areas of fees that do not include automatic COLA's for review and modification during the budget process.

8. ***Continue with the implementation of the Master Plan of Tahquitz Creek Golf Course.***

   Improvements are now complete to the restrooms, club house and various other infrastructure repairs. This was done under the guidance of the Council Sub-Committee.

9. ***Explore the sale of the Wastewater Treatment Plant, or any other properties that would be in the best interest of the City of Palm Springs.***

   Based upon work and recommendation by the Council Sub-Committee with DWA's Sub-Committee, we are currently in a holding pattern as DWA was not willing to provide the City with an appropriate value for a sale agreement to occur. In the meantime, staff is moving forward with a rate restructure and capital program for the plant, which will be presented to Council.

10. ***Explore the feasibility of multi-agency involvement in the operation of the Animal Shelter; and explore the possibility of dividing the operations of the animal shelter using animal control and a non-profit for front-of-the-house operations.***

We have completed an analysis of the cost/benefit of providing animal control and shelter services to Desert Hot Springs and Cathedral City. Based upon the minimal level of service in which they are willing to commit, it would not be cost effective for the City to take on this additional responsibility. Additionally, we are continuing to explore all models to make the operation more efficient. This is particularly important as the new shelter's operational costs will be significantly higher due to the larger space, increased animal population and implementation of several new programs regarding animal care.

Additional City Manager Goals 2012

- Continued efforts on Fashion Plaza project – finance bonds, temporary park, entitlement process, communication plan
- Liaison to the Measure J Committee
- Information technology strategic plan for the City (i-pads, on-line payments, social media, and increased "virtual city hall" on-line opportunities)
- Planning Director recruitment (retirement 12/31/12)
- Fire Chief recruitment (retirement 12/31/12)
- Chevron program implementation
- City-wide review/upgrades on traffic signal synchronization
- Uptown "pedestrian crosswalk" program
- Complete RDA dissolution – manage related City/RDA property issues
- W.W.T.P. – implement rate increase and commence capital projects
- Finalize labor contracts with all bargaining units
- New holiday lights
- Park security camera program
- I-Hub – phase II incubator
- Complete skate park modification and implement contract operations
- Complete Foreign Trade Zone expansion
- City-wide review ADA/disability compliance

(6) * Personnel - Intervol, listen; motivate.
(5) * Monitor Upkeep for INFRASTRUCTURE
(4) Programs, i.e. Soccer Fields Wellness Park, & Parks

Part III – City Council Goals

1. Adoption by Council of a Plan for a project to replace the Desert Fashion Plaza in early 2009 and visible, demonstrable Phase One progress toward Phase One implementation.

2. Working with Chief Dominguez, implement a plan which measurably reduces the number of burglaries and property crimes in Palm Springs.

(1) 3. Create and propose a ~~five~~ 3 year plan to achieve and maintain a fiscally sound budget for the City of Palm Springs.

4. Working with stakeholders, create and implement a plan for continued improvement in the appearance (tourist appeal, beauty and cleanliness) of downtown and uptown during this interim period when large development projects have slowed as a result of the national economy.

5. Continue the increased investment in neighborhood street improvements.

6. Create and implement visible and significant steps toward achieving City of Palm Springs sustainability goals.

7. Create and implement specific goals for continuing to improve the "customer friendly" aspects of services offered by the City of Palm Springs.

8. Develop a plan for City-owned golf courses that significantly reduces the City's annual loss.

9. Create a comprehensive master plan for the City's parks, including increasing the overall amount of City parkland, as well as maintenance and operations.

10. Participate with CVAG and Riverside County on the development of a West Valley Homeless Resource Center.

10. Customer Service Program ✓

Lee: Museum Market Place.
Sustainability. $157,500
Code Enforcement

Chris: Keep it up.

(8) Lobbying in Sacramento + wish list. ✓

(10/9) Senior Center + Boys & Girls Club. ✓

COUNCIL GOALS FOR THE CITY MANAGER – 2011
Closed Session Review

April 11, 2012

1. ***Execute the Fashion Plaza Plan; execute Visioning Sessions; continue to explore opportunities with Wessman Development; and follow and implement the direction of the City Council as we proceed with decision points in 2011.***

Finance agreement between City and Wessman Development has been completed; Measure J sales tax was implemented on April 1, 2012; and the developer is moving toward choosing an architect with the Council Sub-Committee participating in the selection process.

Next steps include working with the Sub-Committee and the developer on a regular basis as we move through the entitlement process; frequent updates to City Council; a comprehensive communication plan for citizens and downtown merchants; issuance of bonds to fulfill the City's financial obligation; working with the Measure J Oversight Committee.

2. ***Additional approaches to improve the cleanliness/aesthetics in Downtown.***

Implementation of downtown "porter service" on Sunday to pick up trash and clean trouble spots; new banners in both uptown and downtown areas; revised downtown maintenance schedule to include weekly steam cleaning of the parking structure; downtown streets are now being swept four times weekly; tree well modifications at several locations including plant replacement and permanently affixing loose stones.

3. ***Focus on significant improvements for DeMuth Park. Increase maintenance and development of revenue-producing events and uses at DeMuth and the City's other parks. Consider camera surveillance at all City parks.***

I've made the least progress on this set of goals. With furloughs, our general goal was to maintain current levels of maintenance. However,

+ Palm Springs Country Club.

in two specific areas we were able to make improvements – tree trimming, and a safety audit of all park playground equipment with appropriate repairs and or replacements.

With regard to revenue-producing events and uses at DeMuth, it certainly may be possible to utilize Measure J funds for future improvements in this area (e.g. ball fields, infrastructure for larger tournaments, etc.).

Park camera surveillance has not been accomplished at this time. Our focus has been on replacement of the cameras downtown (utilizing a Police grant the City received), and at the train station to improve an immediate security issue. I will present a park camera surveillance project in the upcoming capital improvement budget submitted to Council.

✓ ***Develop a detailed work plan for implementation of the Innovation Hub.***

The I-Hub/CVEP facility is now operational; the I-Hub Director's recruitment has been completed; four companies are currently housed in the facility, with two of them preparing to "graduate" from the I-Hub; the federal Small Business Administration's SBDC (Small Business Development Center) is now a part of our I-Hub/CVEP center as we are a designated "host" city; and the Foreign Trade Zone expansion partnership with the County is proceeding and expected to be complete before year's end.

Our anticipated next step is the creation of a "stage II" incubation facility (larger manufacturing space) for I-Hub new businesses. We are currently looking at leasing the former School District Building at the Airport. A Proposal will be forthcoming to Council.

Develop a signature event for the City of Palm Springs occurring during an off-peak month.

In partnership with the large hoteliers – the carnival festival type event is being planned for September of this year. Toward that end, a contract has been executed with PS Resorts which details the City's relationship with "resort fee" hoteliers who will be working directly with the event promoter.

Additionally, staff and I have been working with the Special Events Sub-Committee on additional new event opportunities. Several meetings have taken place and staff is following up with potential promoters to bring a proposal to Council.

City Finances.

Sustainability Initiatives: Study viability and develop an RFP for solar ~~installation on the Convention Center~~. In addition, develop a work plan and timeline for solar installations on other existing City facilities.

The Chevron project is well into the 'third party" analysis phase to review pricing and cost saving assumptions, including a solar component at the Convention Center. As part of this process, it was determined that solar was not a viable cost option at this time for other facilities of the city without significant capital outlays. However, we are currently preparing a RFQ for solar at the animal shelter with all capital investment to be borne by the vendor.

Submit to the City Council a plan with departments that would increase revenue and decrease expenses for the City.

As we prepare the new fiscal budget for submission to Council, the General Fund is essentially balanced – with the exception of additional costs for the new Animal Shelter and Community/Economic Development (RDA dissolution/operating costs). We anticipate a General Fund balance of approximately $11.7 million at the end of this fiscal year.

Regarding revenue increases – as a result of Council's efforts - Measure J will produce at least $8 million in new sales tax. We are also monitoring all areas of fees which do not currently include automatic COLA's for review and modification during the budget process.

Continue with the implementation of the Master Plan of Tahquitz Creek Golf Course.

Improvements are now complete to the restrooms, club house and various other infrastructure repairs. This was done under the guidance of the Council Sub-Committee.

Explore the sale of the Wastewater Treatment Plant, or any other properties that would be in the best interest of the City of Palm Springs.

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Stephen P. Pougnet, Mayor

Dated 1/19/11

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Partial Goals List - 2011

Economic/Community Development

- Fashion Plaza – Design/Funding/Procurement
- I-Hub Office/Programs
- Enterprise Zone Implementation
- Council Direction on General Plan Amendment for S.O.I. application
- RDA – Combine Areas 1 & 2
- Code Enforcement App

Safety

- Animal Shelter – Completion/Start Up Operations
- Downtown Cameras
- Downtown Parking Structure Cameras
- ERICA – Finalization of Installation/Rollout

Downtown

- App Downtown Directory/Maps
- Downtown Business Census – 2 reports annually
- Rainmaker Fountain Lighting
- Hospitality Entertainment Zone Policy Guide

Parks & Recreation

- Golf Course – Roof & Phase I Remodel
- Trails Signage
- Parks Master Plan - Finalization

Public Works

- Traffic Light Synchronization Study
- WWTP Fence
- WWTP Electrical - Phase I
- PSDS – Trash Pick-Up Once Per Week Service
- City Hall Parking Lot
- WWTP Appraisal

(Goals List Continued)

Budget/Finance

- "Elastic Budget Policy" – Ongoing Stabilization Budgeting
- Grants – software and consultant; grant search/tracking/application submittal

Airport

- Valet Parking
- New Perimeter Fence

Convention Center

- New Marquis Sign
- New Palm Springs Tourism Event
- CVA ; R.O.I. Analysis

Library

- Welwood Library Remodel
- Main Library Renovation – Roof/Misc.

City Website

- Web cams – Airport/Downtown/Convention Center/Tram
- On Line Payments
- On Line Licensing – Business/Pets/Etc.
- On Line Permitting (where feasible)

Other

- Donation Policy
- Council Monthly Report - Format

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DAVID READY'S REVIEW - 2010

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2. *Plan to Accomplish Economic Development –*

   Successful in a very difficult economic time. Received Innovation Hub designation from State of California.

   Rehiring of John Raymond to work on Desert Fashion Plaza and iHub is a plus!

3. *College of the Desert –*

   The acquisition of the Bureau of Land Management's 119-acre parcel for the COD West Valley Campus; continued to proceed on time – a complete success.

4. *Spheres of Influence - North and West of town; Parc Andreas and Bellamonte –*

   Not completed – part of the problem is that the Homeowners Associations of Parc Andreas and Bellamonte are concerned about sewers. Meetings were held with no clear direction from the homeowners. Sewer issue was addressed by Barakian/ Public Works Department. Additionally, the HOA was concerned about possible higher costs to renew their "allottee land lease" if the City was involved. They asked us to not pursue annexation until they were able to work through that particular issue.

   Council direction regarding "sphere of influence" and "annexation" relative to land adjacent to Desert Hot Springs at the I-10 interchange was to not contest the DHS request as Palm Springs had previously annexed other areas at the interchange.

   With regard to the Cove/Windy Point area, the City was successful in eliminating the agreement with Riverside that we provide costly police and fire services to that area. Annexation, if possible, would likely not produce a level of revenue to reinstate those and other City services. Finally, a letter was sent to LAFCO on December 31, 2008 to preserve our options and indicate that the Council may want to consider a future "sphere of influence" inclusion for the area of I-10 and Highway 111. To process this request, LAFCO requires a General Plan Amendment prior to a formal application submission - approximately $40,000 in environmental review costs. This request should be presented to Council in early 2011 for further direction to staff.

5. *Finish Golf Course Master Plan –*

   Completed – very successful.

6. *Assist with Mater Plan for Chino Cone -*

   Incomplete due to property owners and environmental groups unable to come to agreement.

7. *Come up with another Signature Event for the City -*

   Did not complete – the City's "events budget" was substantially reduced this fiscal year due to the deficit. Next year, with the advent of the new "resort TOT fee" set-aside for events, this goal should be able to be realized.

8. *Improve Convention Center Business – Analyze relationship with CVA. Answer question: Are we getting our money's worth?*

   Did not complete – transitions have occurred at top management levels of both the City's Convention Center and the CVA. With the new CVA Director scheduled to arrive in mid December after a lengthy professional recruitment, a formal analysis should be able to be completed and presented to Council by February.

9. *Show 2 visible projects on Sustainability – own it internally within the City –*

   Animal Shelter, and additional projects worked on by the Office of Sustainability.

10. *3-Year Budget & Capital Plan –*

    Budget and Budget Analysis completed during extremely volatile economic conditions. Due to these economic conditions, a capital plan could not be completed.

David H. Ready, City Manager

Stephen P. Pougnet, Mayor

Dated: 12/1/10

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STEVE POUGNET
MAYOR

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VALLEY VOICE

Palm Springs needs this shot of adrenaline

Palm Springs is famous throughout the world for its beautiful scenery, incredible weather and iconic architecture. However, our beloved downtown has begun to stagnate.

The old Desert Fashion Plaza sits deteriorating on 13 acres right in the heart of our city. I have heard people say that the downtown should continue to be a village — that the new hotel should mirror the 13 small boutique hotels lined up along Bellardo Road. I most strongly disagree.

Yes, we need to continue to aggressively preserve the best examples of our architectural heritage, and our small intimate family hotels are a priceless asset to our city.

However, we will not survive, much less prosper, if we try to wrap downtown Palm Springs in a giant roll of Saran Wrap and wish for a time that has long since passed.

If we are to survive and flourish, it is imperative that we continue to evolve and grow.

The current plan as presented to the Planning Commission for downtown Palm Springs with its plazas, open spaces, sight lines and village green — all with the Kimpton hotel as its focal point — will be the key to our future and our prosperity for decades to come.

The scale of the hotel is appropriate to the location and will stand proudly as a centerpiece in the very heart of our downtown. It is just large enough and grand enough to attract upscale corporate executive offsite meetings and conference business as well as be a destination point for sophisticated travelers from throughout the U.S. and abroad — without being so large as to dominate the downtown.

Robert Moon

Its scale fits with the proposed downtown development. Its setback will minimize the blocking of the view from Palm Canyon Drive. The architecture of the hotel as well as the entire development is creative, modern, varied and interesting. The recent changes made to the hotel design, such as the 30-foot prow windows, have made it even more interesting.

This is a building that will represent the spirit and taste of our current early 21st century just as our midcentury modern architecture represented the spirit and taste of the Palm Springs of 50 years ago.

This exciting hotel with its iconic rooftop deck will be to the Palm Springs of today what the El Mirador and Racquet Club were to the Palm Springs of yesterday.

Success breeds success. This new downtown development with its vibrant upscale full service hotel as a centerpiece will be a needed shot of adrenaline right into the heart of our beautiful city.

It will create an excitement and a vibe that will be contagious and result in a 21st century renaissance of our downtown. It is a critical first step in moving Palm Springs from being a 1960 village to a proud, beautiful, vibrant and diverse city that reflects the excitement and wonder of this new 21st century.

Let's all get on board, get on track, and get it built.

Robert Moon is an 11-year resident of Palm Springs and resides in the Vista Las Palmas neighborhood. He is a retired career military officer and information technology executive. Email him at RobertLMoon@yahoo.com

COURTESY OF JEFFREY FOSKETT

But he's looking forward to harmonizing again with those original Beach Boys.

"Al Jardine's voice is absolutely essential to that blend," he said. "Brian's voice — when he's singing lead with Michael and Alan and, for lack of Carl, me backing him up — it sounds great. When we're playing with Brian's band, it sounds really good. But when it has the original voices it just adds that air of authenticity that's missing in all of the other bands."

McCallum gala

I can't remember hearing as many complaints about having to sit through speeches at a benefit as at Friday's McCallum Theatre gala. They came from country fans who paid at least $100 to see Reba McEntire while patrons paid $500 to pay their respects to honoree Ted Giatas and enjoy a meal at either Cuistot, Jillian's, Wally's Desert Turtle or Ruth's Chris Steak House.

But Reba performed the exact same show she performed in two previous concerts in Canada. So the fans got to hear an artist that might have been too expensive to book as a regular concert and they got to hear her in the comfortable McCallum setting.

I frankly became a fan of Reba and her nine-piece band led by the wonderfully versatile pianist, Catherine Marx. It was particularly telling when Reba said she heard a demo of "Can't Even Get the Blues" early in her career and her country label said they didn't think it was her kind of music. Reba said it was exactly the kind of music she wanted to record and it became her first number one hit.

People know McEntire for the narrative tale "Fancy," but she can sing the blues.

More local concerts

Sam Harris was so sick from a bronchial infection, he told his friend Liza Minnelli a few hours before his benefit concert for the nonprofit group promoting foster families, For the Children, "I think I want to come in on a gurney."

He poured his heart out for a small crowd at Hotel Zoso, including 92-year-old Mickey Rooney, who described Harris after the show as "sensational."

The inaugural "Star Search" winner opened his cabaret-type show with an autobiographical version of U2's "I Still Haven't Found What I'm Looking For" and Stephen Sondheim's "I'm Still Here," amending the lyrics to say he's a recovering alcoholic with a husband and child, "and I'm queer."

He's a showman with great comic timing, even managing to make cliché marriage jokes sound fresh with his gay perspective. He got a standing ovation for his gospel-fused version of "Bridge Over Troubled Waters" and brought some fans to tears with his plaintive finale, "In My Life."

He was a perfect entertainer for a group that realizes the 21st century meaning of family. This tight-knit organization of foster parents started in 2003 with just five families and has grown to support more than 200 children. If you want to find out more about them, go to www.forthechildren.org.

Contact Bruce Fessier at bruce.fessier@thedesertsun.com or follow him on Twitter @brucefessier

Z COURTESY PHOTO

local groups, 3 p.m. Continues Dec. 15 and 22 with holiday music at noon. (760) 275-0963

Saturday: Michael Childers signing "Icons and Legends," 4-7 p.m., Just Fabulous, 515 N. Palm Danyon Drive, Palm Springs. (760) 864-1300

Saturday: Journey, 8 p.m., Fantasy Springs Resort Casino, 84245 Indio Springs Parkway, Indio. $69-$149. (800) 827-2946

Saturday: Comedy Night at Azul, featuring Justin Martindale, Shawn Pelofsky and Henrietta Komras, 7:30 p.m., 6:30 preshow, Azul restaurant, 369 N. Palm Canyon Drive, Palm Springs. $10 or $35 for dinner and show. (760) 325-5533

Saturday: Comics Neil Flynn of "The Middle" and Brooks McBeth, 8 p.m., Cascade Lounge, Spa Casino. $15-$25. (760) 883-1000

Saturday: Dani & The Scarlet Fevers with Giselle Woo & The Night Owls and Sailors of Neptune, 8 p.m., the Date Shed, 50-725 Monroe Street, Indio.

concerts, 8 p.m. Dec. 11, 12, 14, 15; 7 p.m. Dec. 16. McCallum Theatre. $25-$250. (760) 340-2787

Dec. 12: Free screening, "A Mighty Heart," 10 a.m. & 1:30 p.m. Tolerance Education Center. Free. (760) 328-8252

Dec. 12: "Bob Hope: An American Treasure," a World Golf Hall of Fame & Museum exhibition through early April, Palm Springs Air Museum, 745 N. Gene Autry Trail, Palm Springs. (760) 778-6262

Dec. 13: Premiere screening of "Scrooge & Marley," Charles Dickens' "A Christmas Carol" from a gay perspective with appearances by cast members, 7 p.m., the Camelot Theatres, 2300 E. Baristo Road, Palm Springs. $10. (760) 325-6565

Dec. 13-16: Mannheim Steamroller-arranged Christmas carols by the Joshua Tree Philharmonic, conducted by Jarrod Radnich, 7 p.m. Thur.-Sat., 2 p.m. Sunday, Hi-Desert Cultural Center Blak Box Theater, 61231 Highway 62, [illegible] $15. Benefits the

OUR VOICE

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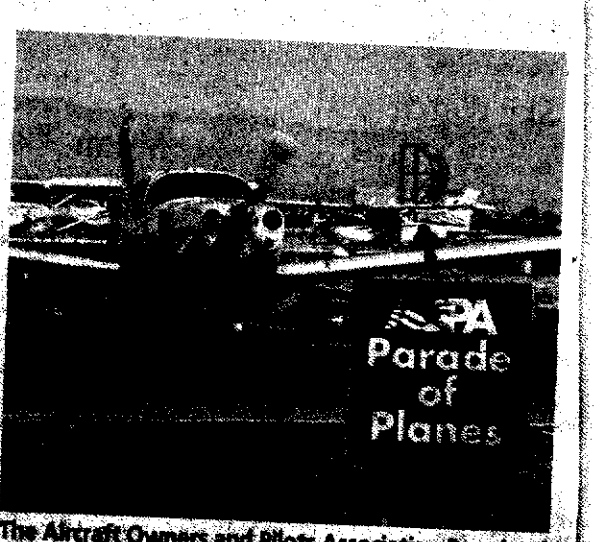

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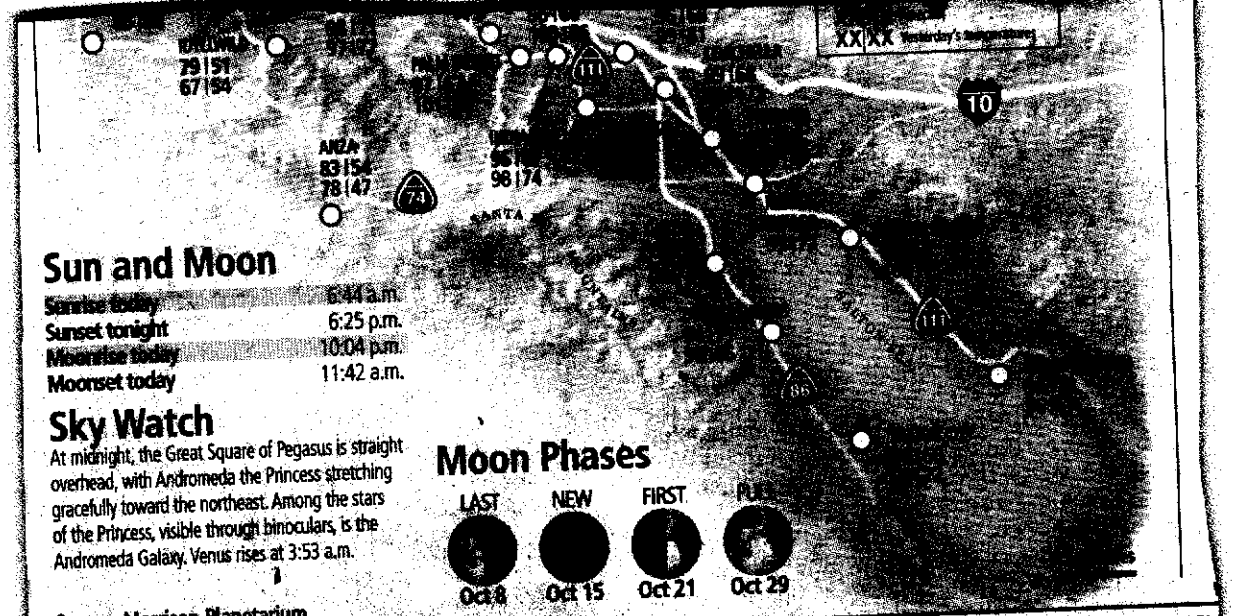
This probably will be the most significant projects in Palm Springs for 50 years. Let's do it right.



Sun and Moon

Sunrise today	6:44 a.m.
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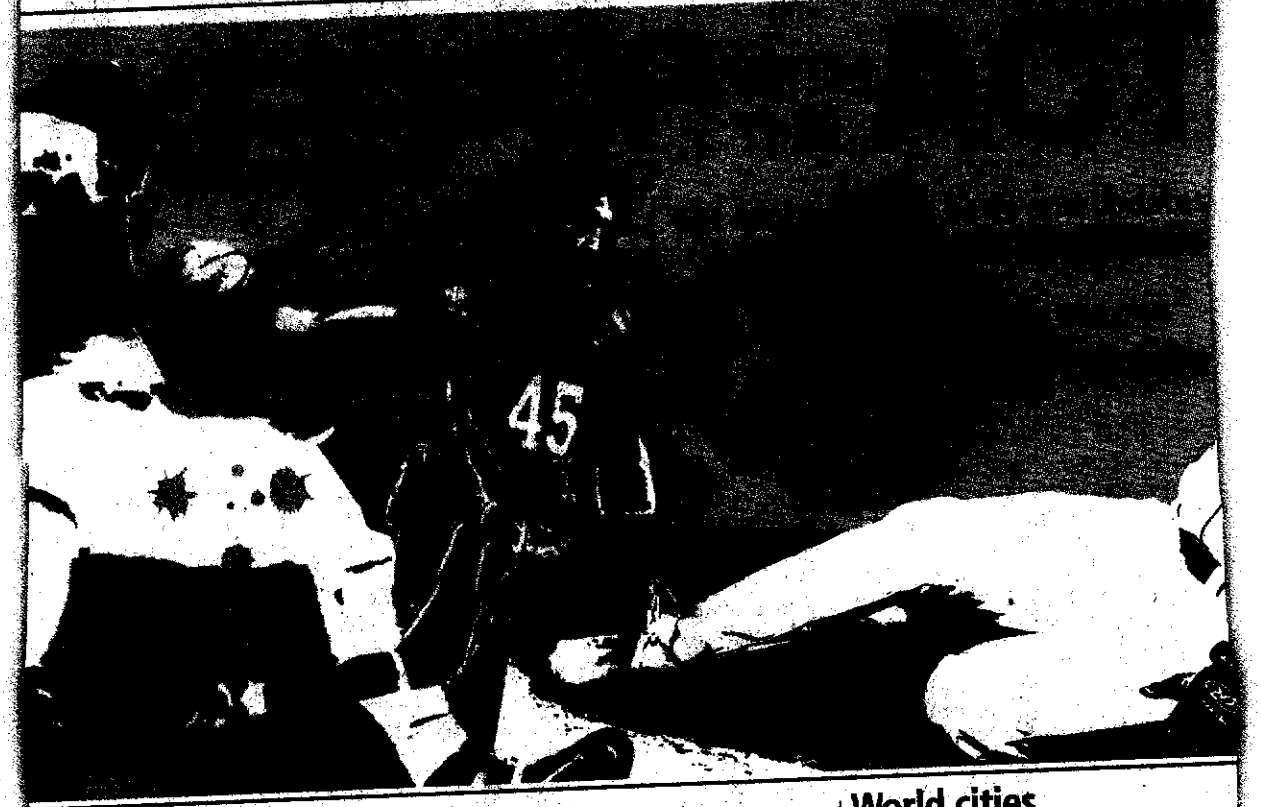
Sky Watch

At midnight, the Great Square of Pegasus is straight overhead, with Andromeda the Princess stretching gracefully toward the northeast. Among the stars of the Princess, visible through binoculars, is the Andromeda Galaxy. Venus rises at 3:53 a.m.

Source: Morrison Planetarium

Moon Phases



	Today			Tomorrow		
	Hi	L	W	Hi	L	W
Livermore	76	52	s	75	52	s
Lompoc	68	54	pc	66	53	pc
Long Beach	78	63	pc	78	61	pc
Malibu	68	61	pc	68	60	pc
Mammoth Lakes	68	32	s	65	29	s
Mariposa	82	53	s	79	48	s
Martinez	73	53	s	73	53	s
Marysville	81	50	s	79	48	s
Merced	84	53	s	79	50	s
Modesto	82	54	s	79	51	s
Monterey	67	54	pc	66	56	pc
Mt. Laguna	75	51	s	77	48	s
Mt. Shasta	74	35	s	73	38	pc
Napa	71	50	s	72	47	s
Nevada City	75	48	s	74	48	s
Newport Beach	74	64	pc	75	62	pc
Oakland	67	55	pc	67	54	pc
Ontario	86	60	s	85	60	s
Oroville	79	51	s	78	51	s
Pasadena	82	60	pc	82	62	s
[illegible]	[illegible]			[illegible]		
[illegible]	89	49	s	80	47	pc

	Today			Tomorrow		
	Hi	L	W	Hi	L	W
Ridgecrest	89	56	s	89	52	s
Sacramento	79	50	s	77	47	s
Salinas	71	53	pc	71	53	pc
San Bernardino	85	58	s	83	57	s
San Fernando	83	59	s	81	60	s
San Francisco	67	56	pc	67	54	pc
San Gabriel	84	62	pc	80	61	s
San Jose	72	53	s	72	52	pc
San Luis Obispo	79	54	pc	76	54	pc
San Rafael	70	51	pc	70	50	pc
Santa Ana	78	64	pc	78	61	pc
Santa Barbara	75	53	pc	75	55	pc
Santa Clara	73	54	s	71	54	pc
Santa Cruz	65	53	pc	64	52	pc
Santa Maria	77	54	pc	73	53	pc
Santa Rosa	72	46	pc	73	45	pc
Sonoma	74	49	s	75	46	s
Sonora	82	49	s	80	49	s
Stockton	82	51	s	79	51	s
Tahoe Valley	68	31	s	66	30	s
Ventura	71	57	pc	69	56	pc
Visalia	83	54	s	80	52	s

World cities

	Today			Tomorrow		
	Hi	L	W	Hi	L	W
Amsterdam	58	46	r	59	44	r
Athens	84	68	s	84	66	s
Baghdad	100	75	pc	98	70	c
Bangkok	88	77	t	86	75	t
Beijing	78	48	s	75	52	s
Berlin	60	50	sh	55	42	r
Buenos Aires	73	62	sh	75	62	sh
Dublin	57	41	pc	55	45	pc
Hanoi	88	73	sh	90	74	sh
Hong Kong	86	79	s	87	79	s
Jerusalem	76	61	pc	76	60	s
Johannesburg	87	58	pc	84	60	pc
London	58	46	sh	61	48	r
Madrid	76	55	s	79	58	s
Manila	86	75	t	89	76	t
Moscow	57	43	sh	51	42	r
New Delhi	98	73	pc	97	71	pc
Oslo	53	35	s	54	34	s
Paris	68	56	r	66	53	r
Rio	86	69	s	85	69	s
Rome	75	56	s	73	54	s
San Juan	90	73	pc	90	77	pc

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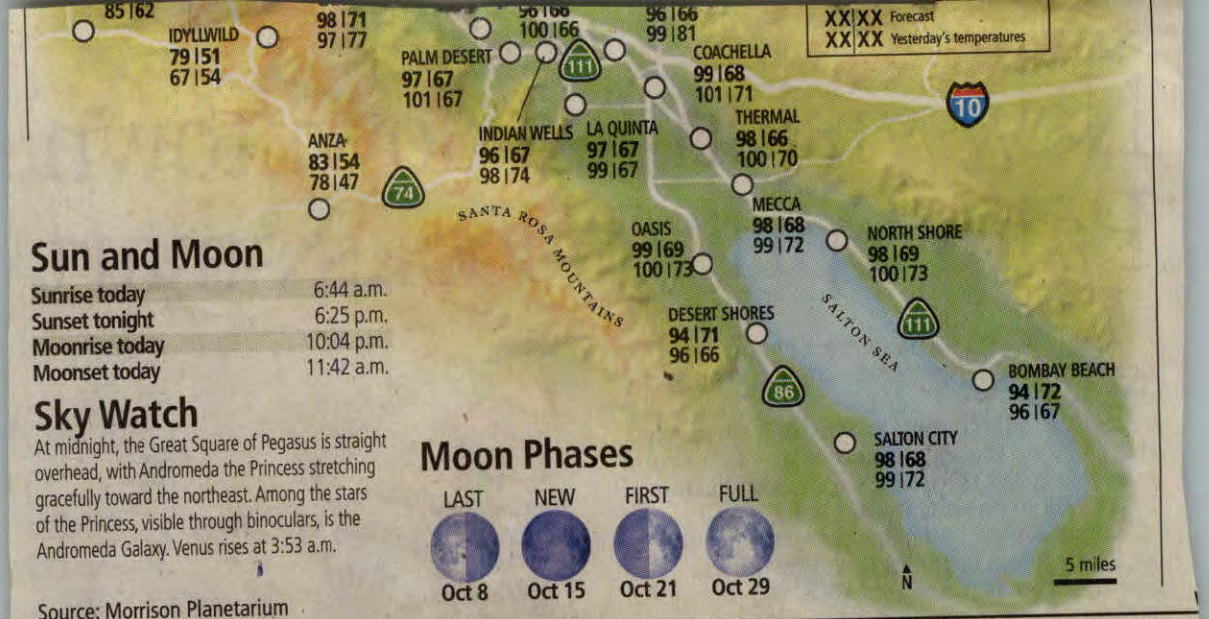

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LAST	NEW	FIRST	FULL
Oct 8	Oct 15	Oct 21	Oct 29

Source: Morrison Planetarium

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Paso Robles	84	49	s	82	49	s
Red Bluff	82	49	s	80	47	pc

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Santa Maria	77	54	pc	73	53	pc
Santa Rosa	72	46	pc	73	45	pc
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Beijing	78	49	s	75	52	s
Berlin	60	50	sh	55	42	r
Buenos Aires	73	62	sh	75	62	sh
Dublin	57	41	pc	55	45	pc
Hanoi	89	73	sh	93	74	sh
Hong Kong	86	79	s	87	79	s
Jerusalem	76	61	pc	76	60	s
Johannesburg	87	58	pc	84	60	pc
London	58	46	sh	61	41	r
Madrid	76	55	s	79	58	s
Manila	86	75	t	89	76	t
Moscow	57	43	sh	51	42	r
New Delhi	98	71	pc	97	71	pc
Oslo	53	35	s	54	34	s
Paris	68	56	c	66	53	r
Rio	86	69	s	85	69	s
Rome	75	56	s	73	54	s
San Juan	90	73	pc	90	77	pc

Jennifer Nelson

From: Steve Pougnet <stephenpougnet@gmail.com>
Sent: Wednesday, May 15, 2013 7:03 AM
To: Jennifer Nelson
Subject: Fwd: Recent events

Please print these emails out for me.

Thx

Begin forwarded message:

> **From:** "Donenfeld, J. D." <jdonenfeld@sidley.com>
> **Date:** May 14, 2013, 4:44:55 PM PDT
> **To:** <stephenpougnet@gmail.com>
> **Subject: FW: Recent events**
>
> Steve-Here's my response. Doug
>
> ---
>
> **From:** Donenfeld, J. D.
> **Sent:** Tuesday, May 14, 2013 4:21 PM
> **To:** 'J.R. Roberts'
> **Subject:** RE: Recent events
>
> J.R. Thanks for your comments. With regard to John Wessman, we have no relationship whatsoever. I've never met with him privately. Our only encounters have been during public proceedings. As far as I can remember, I've never allowed John to have a side bar with me during commission proceedings except for what occurred last week. I agree with you that such a conversation is totally inappropriate and not in the spirit of transparency and openness. John had been badgering me with hand signs and expressions for several minutes and I gave him looks that I hoped would discourage him from taking any other action-never thinking that he would approach me on the dais. I tried to shut him up and the only thing I said to him was that he could not talk with me in that fashion. I must strongly object to your assumption that our conversations (none of which I can remember ever occurred) have, in any way, driven decisions I've made. I take my responsibilities of independence and impartiality as a commissioner very seriously. I'm stunned that you would accuse me of such conduct. J.R. have had a career which has been above reproach and my ethics and morality have never been questioned. I can't imagine where your accusations are coming from. I have never taken a bias in my decisions. No one has ever questioned my ethical conduct in the various public and private positions that I've held. Regarding developers' presentations, I've always strived to give them full opportunity to explain themselves, but will be careful not to let them get away with anything. John is very difficult as you know and one never knows what he's likely to say.. I wasn't aware I treated him any differently than other applicants but if I've done so, I will be more careful in the future. J.R. you have raised serious allegations against my reputation and ethics. I am certainly open to critiques about my conduct as chairman but I seriously question your motives here in light of what I consider to be outrageous aspirations on my character. Ever since our conversation regarding your feeling demeaned by me in earlier debate on Downtown Palm Springs and I sincerely apologized for what was unintentional on my part, I've felt you've had it in for me. Accusing me of lacking character only works to confirm these suspicions. Doug

STEVE POUGNET
MAYOR

City of Palm Springs
3200 E Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263-2743
www.palmsprings-ca.gov

Tel: (760) 323-8200
Fax: (760) 323-8282
TDD: (760) 864-9527
Steve.Pougnet@palmsprings-ca.gov

May 25 Planning Commission, Public Comments on Desert Fashion Plaza Development Agreement

Motion to recommend denial included the following points:

1) No retail marketing study provided to justify project
    - Outside the purview of the Planning Commission
2) Entire Planning Commission should be involved in a Study Session
    - Recused Commissioners may not participate in project review
3) This developer has a long history with the project (and no action?)
    - Outside the purview of the Planning Commission
4) City should step back and study larger traffic circulation pattern / design
    - Outside the purview of the Planning Commission
5) Preserve Town & Country Center / Eliminate Block K1 and K2 from DA
    - Already decided by Specific Plan; outside the purview of the Planning Commission
6) Insufficient public plaza space in proposed plan
    - Policy question for City Council
7) TOT sharing plan is in appropriate
    - Policy question for City Council

Other points raised during Commission discussion:

1) Private benefits to developer significantly outweigh public benefits to City
    - Policy question for City Council
2) Indian Canyon and Palm Canyon should be returned to two-way traffic
    - Outside the purview of the Planning Commission

3) Not enough commitment to housing in proposed plan (compared to Specific Plan)

- Interpretation of the Specific Plan, subject to Council review

4) Frank Property not clearly identified as in or out of proposed project

- Policy question for City Council

5) Adaptive re-use of historic building should be considered

- Already decided by Specific Plan; outside the purview of the Planning Commission

From Jon Caffery (by e-mail following the May 25th PC meeting)

1) Recitals: Inconsistent with the General Plan regarding preserving our historical resources and sustainability (adaptive reuse: notably T&CC).

- An interpretation of the General Plan, but already resolved by adopted Specific Plan

2) 2.3 – Term of 25 years is too long maybe 10-15 max

- Policy question for the City Council

3) 2.4 – Sale of any portion of the development to any person including relatives only requires notice (no city approval).

- Procedural question for the City Council.

4) 2.4 – Eliminates liability of the seller for the responsibilities of the DA with any sold property.

- Not correct, per City Attorney

5) 3.2 (e) – Sounds like it overrides specific plan phasing and other regs.

- Phasing allowed to be flexible per Specific Plan

6) 3.3 – Explain "support OWNER" it is too general, is it money, services, advice or anything?

- Clarified to mean only regulatory processing; no money payment.

7) 4.3 – No public benefit except the expectation of a completed project, such as amenities, open space, public art, etc.

- Policy question for the City Council

8) 6.3 – No time table for phases of development. What is reasonable?

- Phasing allowed to be flexible per Specific Plan

9) 6.5 – "Super Majority" should be simple majority.

- Policy question for the City Council

10) 7.1 – No damages = no remedy… this agreement has no teeth.

- Clarified by City Attorney that injunctive relief the preferred remedy

11) 7.2 – If developer quits or dies during construction with a partially demolished mall or worse, what then?

- Clarified by City Attorney that City has options, including acquisition.

12) 9 (d)– Mortgagee protection should exclude developer and his successors, surrogates, assignees, corporations and relatives.

- Clarified by City Attorney that all subsequent parties are subject to DA

13) Exhibit A IIA-2&3 – Overrides specific plan phasing and demolishes the T&CC. Museum Way should be **Pedestrian only.**

- Already decided by Specific Plan; outside the purview of the Planning Commission

14) Exhibit A IIA-6-8 – Developer should give the property to the City, because we have to improve and maintain it for his benefit.

- Policy question for the City Council

15) Exhibit A IIB-1 – Immediate demolition of the T&CC a historic resource for an unnecessary mid block street that further divides the development and adds unwanted auto traffic instead of open space (Bad planning).

- Already decided by Specific Plan; outside the purview of the Planning Commission

16) Exhibit A IIB-2 – There should be an acceptable approved site plan before implementing a development agreement.

- City staff clarified that the approved site plan is not finalized at this time.

17) Exhibit A IIB-3 – I DISAGREE, It does not conform to Visioning Session outcomes.

- Language tying DA site plan to visioning sessions could be revised.

18) Exhibit A III – We will not know what kind of architecture until it is too late (attaching foam to existing structures of no significance) and we are tearing down World Class Architecture (T&CC).

- Already decided by Specific Plan; outside the purview of the Planning Commission

19) Exhibit D-2-A,B&C – No in lieu fees for deficient parking at hotels in Blocks K1 and K2

- Policy question for the City Council

20) Exhibit D-2-D – No Reduction in TOT should be given we are giving up a historical resource that brings tourism…

- Policy question for the City Council

Responses to Planning Commission's Concerns

The Palm Springs Planning Commission on Wednesday approved a resolution that states why it rejected a proposed agreement between the city and Wessman Development to rebuild the Desert Fashion Plaza. The commission's concerns are highlighted below. Some of these to be answered by Planning:

No retail marketing study was provided to justify project. The City and Wessman have undertaken a number of retail assessments of the site over the past 8 years, using the Buxton Companies of Fort Worth, Texas, to identify potential tenants. Buxton is one of the country's leading retail analytics firms. In addition, Wessman is undertaking a comprehensive retail branding effort as part of this project. The existence or inclusion of such a study, however, should not be a basis for the Planning Commission's decision – their jurisdiction is land use.

Developer John Wessman has a history of not moving to redevelop the property. Outside the scope of the Planning Commission's review. However, since 2002, Wessman has proposed at least 4 and as many as 6 previous projects on this site, depending on how different versions of site plans are counted. The Desert Sun has run stories on all of them, and most of them ran into some form of community opposition. This plan has been the best-received because of reduced height and density.

The city should study a larger traffic circulation pattern. To undertake an examination of a larger study area would push this project scope beyond the boundaries of the Specific Plan, which would create problems from a consistency (and CEQA) perspective. There was a full EIR certified on the Specific Plan in 2009. There is a nexus problem with requiring one project – even one this large – to study and redesign the entire downtown circulation plan. On the specific issue of two-way traffic on Indian Canyon Drive, the last several studies by the City placed the price tag at $2 million or more for resignalization, as well as the redesign of the ends of the one-way sections. And there is not unanimity in the downtown over whether it's a good idea, anyway.

There is insufficient public plaza space in the design. The amount of public space was not well articulated in the plan the commission saw. The project proposes demolishing property at the most valuable corner – the 100% corner in downtown – and placing a public space at least 90-100' deep there. The entire street grid created by the project and purchased by the City through the Project Funding Agreement will also be designed with landscaping, architectural shading and decorative interlocking pavers, and no curbs, to maximize its use for events. The new Museum street will be wider, building to building, than Palm Canyon Drive. All of it will be available to be closed off for special events and public activities. It is appropriate urban public space for an urban environment. Additionally, the new plan creates a 60' x 140' plaza along the pedestrian way from the corner to the center street. That also doesn't count the two "museum pads" to be purchased by the City which will be open green space until the day the museum builds on one of them.

The agreement provides a share of transient occupancy tax with Wessman. The agreement restates and offers the City's existing Hotel Incentive Program that is available, by existing ordinance, to any party proposing to build a new hotel in the city. It is not a special program for this project.

Commission believes the private benefits to Wessman significantly outweigh public benefits. Answered by Planning.

Proposed housing in the plan is inadequate compared to the Museum Market Plaza Specific Plan. The Revitalization Plan being proposed by Wessman actually includes three residential buildings, in Block D, E, and G. Those buildings would be mixed use properties but built in future phases. There could be several hundred residential units on the site: less than the "up to 900" residential units approved in the Specific Plan but nonetheless a significant and more feasible commitment to residential development.

The proposal does not mention whether the Frank Property, located on the east side of Palm Canyon Drive next to Town and Country Center, is excluded or included in the plan. The property is already in the Specific Plan area. Wessman does not own it, however.

The adaptive reuse of the Town and Country Center should be considered instead of demolition. The Specific Plan already shows a street through the property. Council voted unanimously to not designate it as historic.

The proposed agreement is inconsistent with the city's general plan regarding the city's historical resources and sustainability. Answered by Planning.

The agreement proposes a 25-year maximum completion deadline. The 25 years was in the event the Project Financing Agreement did not go forward and the project needed to go forward on a market basis; the term has since been reduced and won't be 25 years. The Project Financing Agreement has a much, much shorter term.

Contractual Issues: (1) The sale of any portion of the development to any person including relatives should require city approval. (2) It appears to eliminate the liability of the seller for the responsibilities of the development agreement with any sold property. (3) The agreement's provision for no monetary damages is insufficient. (4) It doesn't provide a remedy should Wessman quit or die during the construction of the project. (5) Mortgagee protection should exclude Wessman and his successors, surrogates, assignees, corporations and relatives.

Most of these provisions will be addressed in the Project Financing Agreement but are not appropriate to load into a land use entitlement.

It appears to override the phasing and other regulations in the Museum Market Plaza Specific Plan. It doesn't contain a definitive schedule for phasing the project. Answered by Planning.

Requires a "super majority" of the City Council to modify or terminate the proposed agreement. This was changed in the Agreement to "majority."

The new through-street to the Palm Springs Art Museum should be pedestrian only. The Specific Plan shows a vehicular street through to the museum.

Wessman should give the city the properties developed as public right of way. The Commission had suggested that normally in a development agreement the developer would dedicate the streets to the City. The City can only require dedication of general plan streets, and these are not. In addition, the cost of developing these streets – on land that had previously been buildings, or worse, parking structures – is extraordinarily high.

No waiver of in-lieu fees should be allowed for deficient parking at hotels in the plan. The project creates over 100 brand new on-street spaces at the Fashion Plaza site, and the parking structure has nearly 1,100 spaces. The hotels look largely self-parked, but because the project is a unified project it may be possible to look at the overall parking demand and make the calculations work if there is a shortfall from the parking code perspective. Many hotels in the City are "underparked" per the code but operate well, and the City has a policy of working through parking issues on hotel projects, as it did with the Hard Rock and Mondrian projects. This would not be unique to Wessman.

There should be an acceptable approved site plan before implementing the development agreement. Planning Commission should have been offering feedback on the site plan; this is why the agreement was in front of them.

Riviera
Resort & Spa
1600 N. Indian Canyon Drive
Palm Springs, CA 92262
www.psriviera.com

The Honorable Steve Pougnet
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Riviera
Palm Springs, CA

June 9, 2011

The Honorable Steve Pougnet
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mayor Pougnet:

The Riviera is committed to supporting the efforts of Palm Springs and organizations that bring business into the city. We feel strongly that our hotel should play a key role in supporting the initiatives that prove to be beneficial to the image of Palm Springs and generate revenue for the surrounding businesses.

In 2011, we were a Platinum Sponsor for Modernism Week. This sponsorship included:

- $10,000 donation
- 60 complimentary room nights
- 10 days of complimentary banquet space
- Discounted rates to media

After reviewing the revenue generated by Modernism Week, we determined that the event did not provide an adequate return on our investment. Unfortunately, we will not be able to continue participation as a sponsor for 2012. You have our commitment that the Riviera will continue to be a supportive member of the community. However, we do not feel that this event is structured in a way that will bring visitors into the city and we feel that there are other types of events that would be more worthy of our tax dollars.

We applaud the effort that went into creating Modernism Week, however in our opinion; the financial results were just not strong enough to warrant repeating the event for future years. If you would like to discuss this in more detail please feel free to contact me and I would be happy to speak with you.

Sincerely,

Geoff Young
Vice President & General Manager

1600 N. Indian Canyon Drive * Palm Springs, CA 92262
(760) 327-8311 phone * (760) 778-6640 fax

RECEIVED

JUN 0 9 2011

PLANNING SERVICES DEPARTMENT

TO: **CRAIG EWING**
DIRECTOR OF PLANNING
CITY OF PALM SPRINGS

FROM: **PALM SPRINGS PROMENADE, LLC**
WESSMAN HOLDINGS, LLC

RE: **DEVELOPMENT AGREEMENT FOR DOWNTOWN REVITALIZATION PLAN**

Dear Craig:

We are encouraged by the tremendous amount of support we have received from the community for this project thus far, and we don't want anything to risk dampening that enthusiasm or otherwise impede our forward progress.

On or before July 20, 2011, the City of Palm Springs and our company must reach agreement on a Project Financing Agreement , ("PFA"), that will facilitate the purchase of assets from us, i.e. the existing 1054 space parking garage, land for new public streets and future possible museum expansion.

The PFA will bring definition to the financial participation by the City and our company including a binding timeline for all parties to complete the core Downtown Revitalization Plan by late 2014. It will also clarify that public assets, including but not limited to parking garages, parking lots and public streets, will remain in public ownership and will not transferred to private interests. If the City Council elects on July 20th to place a ballot measure for the November 8th election, the citizens of Palm Springs will have an opportunity by their vote to support a public-private partnership. This will revitalize the core of downtown and put Palm Springs back on the track toward economic viability by creating new jobs, new additional building projects in the core downtown and new hotel and residential construction, increasing sales tax, room revenue taxes, and creating new opportunities for the Convention Center. The community has made it very clear that this is where they want the City and us to focus our efforts and to work together to make this a reality.

The Development Agreement that was submitted to the Planning Commission on May 25th was to address future expectations for the future development of projects not part of the Downtown Revitalization Plan. However, we do not want confusion about the future plan to affect the progress on the things we do know and can resolve to ensure that the core Downtown Revitalization Plan and the public-private partnership will go forward. To that end, we are today withdrawing our request for a Development Agreement at this time.

WESSMAN HOLDINGS, LLC

By: _____

JOHN WESSMAN, Its Managing Member

Wessman Development Withdraws Request for Development Agreement
City of Palm Springs Talking Points

- The city will honor Wessman Development's decision to pull the Development Agreement for further consideration.

- We agree that the public private partnership and the revitalization of the core downtown within three years and should be the focus in the near term and will continue to make both our priority.

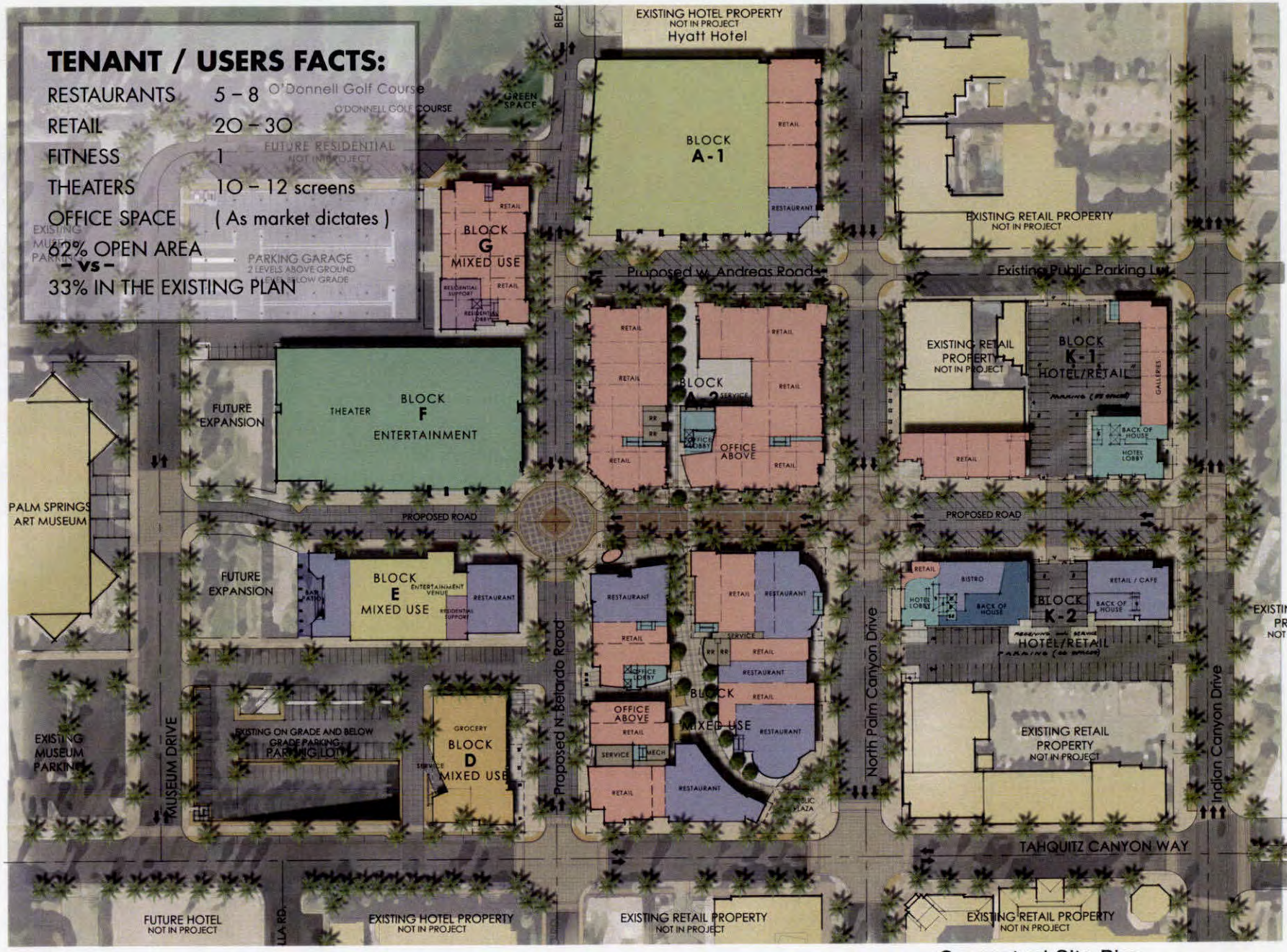
- Public infrastructure improvements funded by the city or the proposed ballot measure are important elements of the revitalization.

- Those public infrastructure improvements will remain public assets in perpetuity, including parking lots paid for with public funding. The city will own those parking lots which will remain free and publicly accessible. There will be no transfer of public assets paid for with public funds.

- Our next step is finalizing the Finance Agreement which will make clear that public infrastructure assets, including public streets, open space and parking will remain public and not be leveraged or transferred to private hands.

DRAFT

INITIAL DOWNTOWN REVITALIZATION PLAN:
WINTER 2014: BUILDINGS - A1, A2, C AND BLOCK F



PRELIMINARY DOCUMENTS. Drawings and information contained on these documents are conceptual and schematic only. The basis of this information may be from various sources (public record, owner provided legacy drawings, and aerial photography), and have not been verified for dimensions nor completeness. These documents should not be meant to convey accurate square footage areas, dimensions, nor legal entitlement.

PALM SPRINGS QUARTER: DOWNTOWN REVITALIZATION PLAN
CONCEPTUAL MASTER PLAN

Conceptual Site Plan scale:40'-0" = 1"
06 June | 2011

WESSMAN DEVELOPMENT COMPANY

Allen + Philpot
architects | planners

A REVITALIZED DOWNTOWN WILL BRING MANY BENEFITS TO OUR COMMUNITY

- New FREE parking
- 30% more pedestrian open space than required under the Specific Plan
- Public open areas – the highest concentration of plazas and energetic open areas downtown
- New shops
- New restaurants
- New Movie Theaters – including a permanent site for the Palm Springs Film Festival
- Views of the mountains enhanced with four major new view corridors
- Improved traffic flow through and around the new Plaza project
- Grand opening Winter 2014
- Low density project
- 120,000 of the 190,000 sq. ft. footprint will be single story
- Dynamic return on City's investment including new jobs and new tax revenues from the revitalized business community in Palm Springs
- Broad-based community support
- The product of three visioning sessions with important input from hundreds of citizens

Wessman has a proven track record of building many high quality, successful projects.

CITIZENS FOR REVITALIZING DOWNTOWN
1801 East Tahquitz Canyon Way, Suite 202
Palm Springs, California 92262

PHONE: 760.464.8282
EMAIL: RevitalizingDowntown@Gmail.com

YES!
WE SUPPORT
REVITALIZING
DOWN
TOWN

A REVITALIZED DOWNTOWN WILL BRING MANY BENEFITS TO OUR COMMUNITY

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INITIAL DOWNTOWN REVITALIZATION PLAN:
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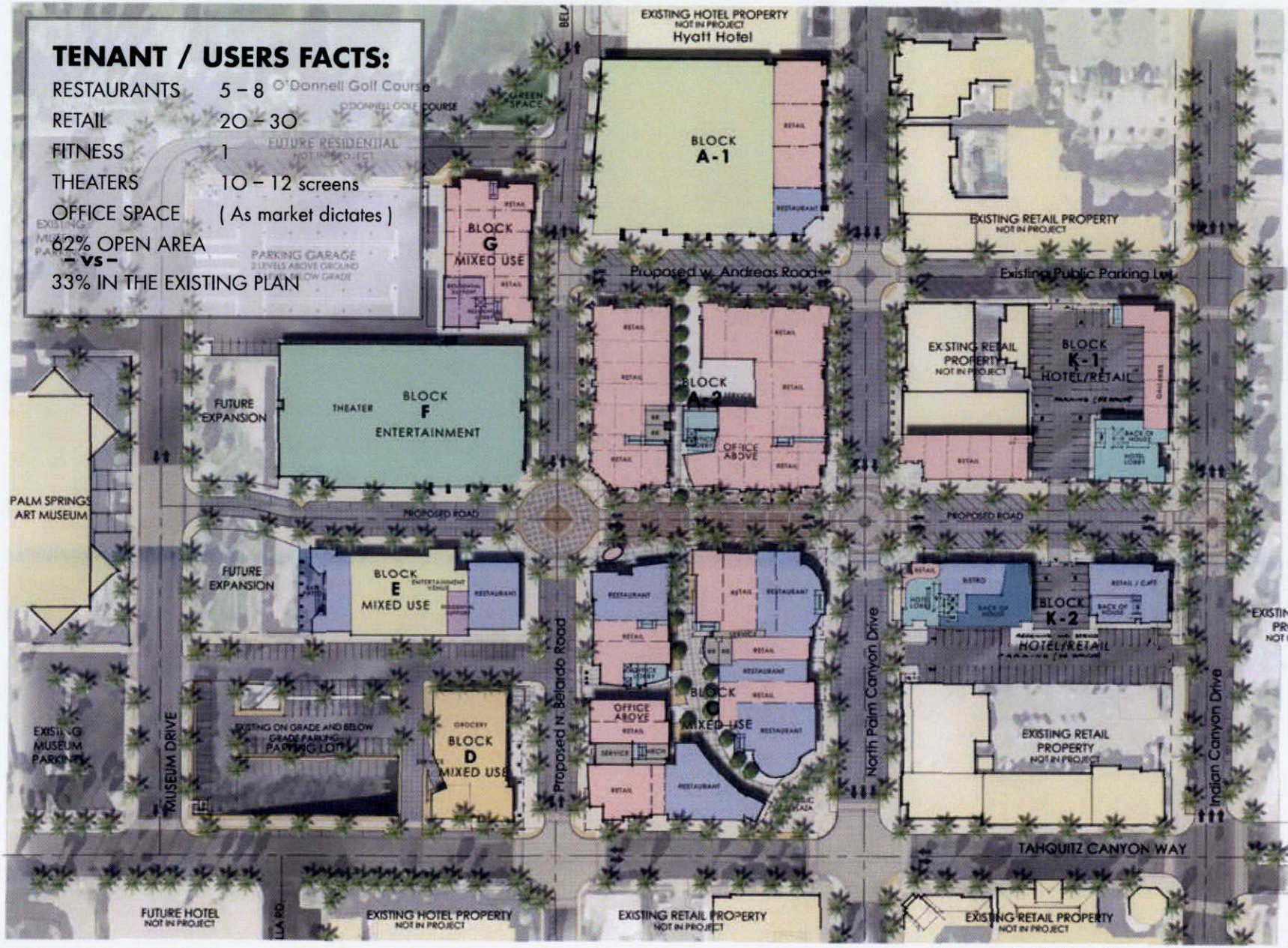


PALM SPRINGS QUARTER: DOWNTOWN REVITALIZATION PLAN
CONCEPTUAL MASTER PLAN

Conceptual Site Plan scale:40'-0" = 1"
06 June | 2011

WESSMAN DEVELOPMENT COMPANY

Allen

Desert Sun
Sunday 6/5/11

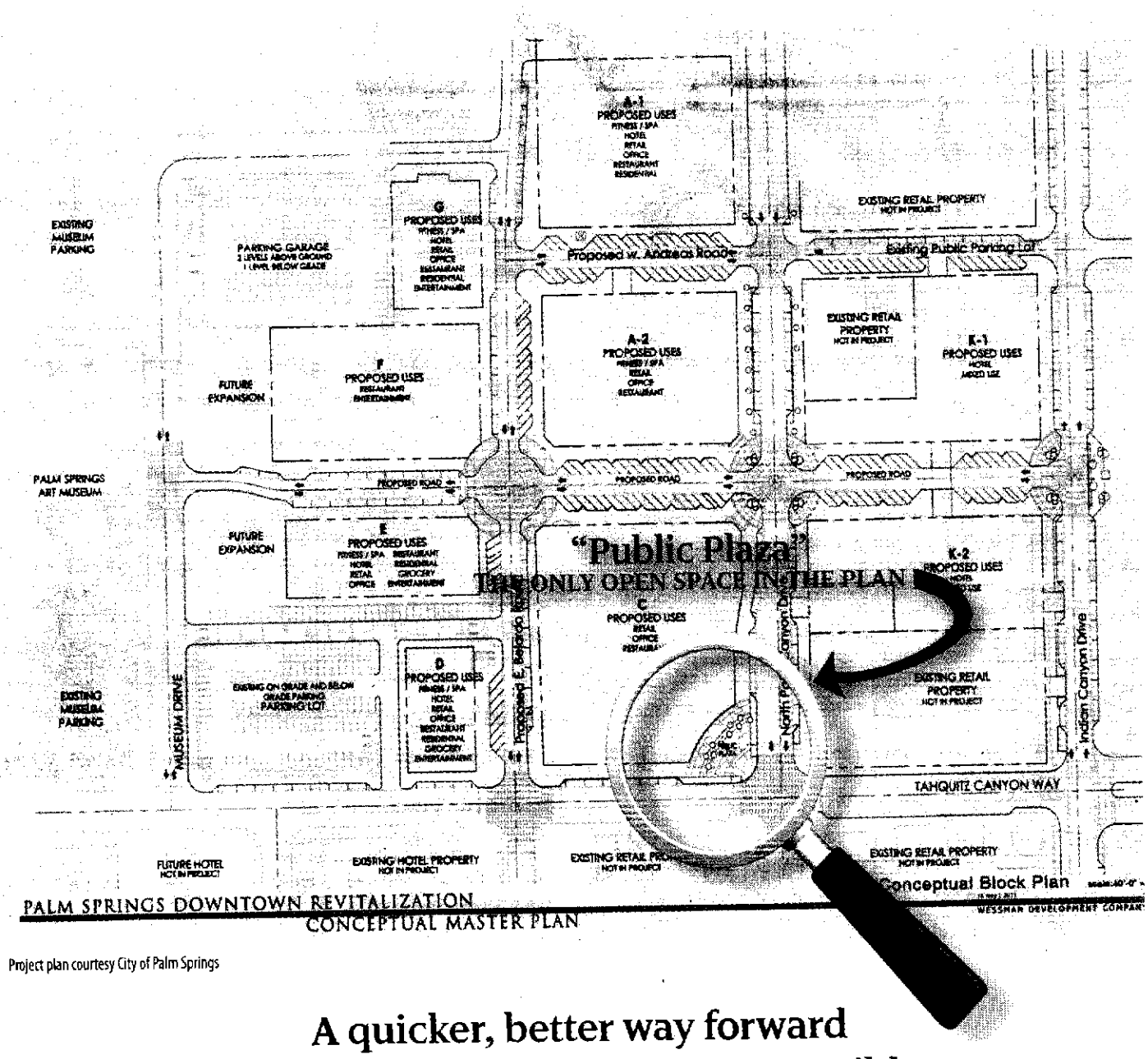
THANK YOU, PALM SPRINGS PLANNING COMMISSION

for listening to the people and **voting to reject** the deeply flawed Development Agreement proposed by the City and John Wessman for the Desert Fashion Plaza.

What's wrong with the Development Agreement?

It does not fulfill the wishes of the citizens as expressed during the Mayor's Visioning Sessions.

- **Only a sliver of open space!** What happened to the promised community meeting areas?
- Lack of pedestrian promenades
- **A timeframe of 10 to 25 years for Wessman to complete the project**
- Existing and new parking structures to be paid for with our tax dollars, only to be handed over to a private developer
- Willful dismissal of the Visioning Session results that incorporated the **historic Town & Country Center** in a revitalized downtown



Project plan courtesy City of Palm Springs

A quicker, better way forward for Downtown Palm Springs is possible.

City Council, please negotiate a fairer deal for Palm Springs!

Contact the City Council with your thoughts about this Development Agreement before their June 15th vote.

Call 760-323-8299
or email cityclerk@palmsprings-ca.gov

School's Out for Summer Campout, featuring BBQ dinner, pancake breakfast. Bring sleeping bag or tents. Children must be accompanied by an adult. 3 p.m. Fri. to 8 a.m. Sat., La Quinta Community Park ball fields, 77-865 Avenida Montezuma, La Quinta. $10. (760) 564-9921 or www.myrecreationdistrict.com

Retinal diseases treatment seminar, presented by Dr. Camille Harrison. RSVP. 10 a.m.-noon, Braille Institute, 70251 Ramon Road, Rancho Mirage. Free. (760) 321-1111 Ext. 1000

American Veterans for Equal Rights support group, 1 p.m., Golden Rainbow Center — SAGE, 611 S. Palm Canyon Drive, Suite 201, Palm Springs. (760) 329-6560

Desert Neuropathy support group, 1:30 p.m., Mizell Senior Center, 480 S. Sunrise Way, Palm Springs. Free. (760) 288-6467 or www.desertneuropathysupportgroup.org

Old Schoolhouse Lecture Series with Laura Crane on Solar Energy and the California Deserts, 7 p.m., Old Schoolhouse Museum, 6760 National Park Drive, Twentynine Palms. $5. (760) 367-5535

june 11

American Association of University Women luncheon, with guest speaker Marilyn Humphrey. 11:30 a.m., Chaparral Country Club, 100 Chaparral Drive, Palm Desert. $20. (760) 340-1893

june 12

Coachella Valley Hiking Club, moderate 6 miles with 1,000-ft. elevation gain. 8 a.m., Tamarisk Valley Loop — Palm Springs Tram, Palm Springs. Tram fee. (760) 329-8824 or www.cvhikingclub.net

Desert Trails Hiking Club, moderate 6 miles with 600-ft. elevation gain. 8 a.m., Round Valley Loop at the Palm Springs Tram, $5. (760) 399-5986 or www.deserttrailshiking.com

Second Sunday at the museum, with art demos and live performances. 10 a.m.-5 p.m., Palm Springs Art Museum, 101 Museum Drive, Palm Springs. Free. (760) 322-4800 or www.psmuseum.org

Debby Boone performing with the Desert Cities Jazz Band, 2-5 p.m., Vicky's of Santa Fe, 45-100 Club Drive, Indian Wells. $15. (760) 345-9770

june 13

Widow or widowers guest speaker series, featuring the "History of the Constitution" presentation by Dennis Daily. 10 a.m., Mizell Senior Center, 480 S. Sunrise Way, Palm Springs. Free. (760) 322-7471

2011 Summer Session Festival featuring Taikoproject, 1:30 p.m., McCallum Theatre, 73-000 Fred Waring Drive, Palm Desert. $7-$35. (760) 340-2787 or www.mccallumtheatre.com

june 14

Bereavement support group, , Golden Rainbow Center — SAGE, 611 S. Palm Canyon Drive, Suite 201, Palm Springs. Free. (760) 416-7790

GRG support group, 10:30 a.m., Cathedral Center, 37-171 W. Buddy Rogers Ave., Cathedral City. (760) 321-1548

Palm Desert Library teen summer reading program, discovering Indonesia and custom t-shirt creating. 2 p.m., Westfield Palm Desert, 72-840 Highway 111, Palm Desert. Free. (760) 346-6552 or www.rivlib.net

Prostate cancer support group, 4-5 p.m., Golden Rainbow Center — SAGE, 611 S. Palm Canyon Drive, Suite 201, Palm Springs. Free. (760) 416-7790

june 15

Palm Desert Library presents Swazzle Puppets, 10:30 a.m., Westfield Palm Desert, 72-840 Highway 111, Palm Desert. Free. (760) 346-6552 or www.rivlib.net

2011 Summer Session Festival featuring Tales of the Pacific Rim, with storyteller Brenda Wong Aoki. 1:30 p.m., McCallum Theatre, 73-000 Fred Waring Drive, Palm Desert. $7-$35. (760) 340-2787 or www.mccallumtheatre.com

The ABCs of Starting a Business workshop, 5:30-8:30 p.m., Coachella Valley Women's Business Center, 77-806 Flora Road, Suite C, Palm Desert. Free. (760) 345-9200 or www.cvwbc.org

Metropolitan Opera's "Madame Butterfly" production, 6:30 p.m., Regal Palm Springs Stadium 9, 789 E. Tahquitz Canyon Way, Palm Springs. $15. (760) 323-1244 or

Martha Edgmon

From: Steve Pougnet [spougnet@earthlink.net]
Sent: Saturday, June 04, 2011 10:12 AM
To: David Ready
Cc: Martha Edgmon
Subject: Fwd:

Another item for Monday afternoon.

Sent from my iPhone

Begin forwarded message:

> **From:** Michael Braun <MBraun@wessmandevelopment.com>
> **Date:** June 4, 2011 8:37:37 AM PDT
> **To:** Chris Lucker <calucker@aol.com>
> **Cc:** John Wessman <JWessman@wessmandevelopment.com>, Steve Pougnet <spougnet@earthlink.net>, Chris Mills <cmills@DLRGROUP.com>, Michael Braun <MBraun@wessmandevelopment.com>
>
> A Friend forwarded this e mail to me..... Please keep confidential....
>
> It highlights issues we defiantly need to address.... "non revenue" portions of the project "Admit how much money Wessman wants"
>
> Sooner or later we need to address the $$$ issue and need a simple explanation for it, otherwise the PFA will get twisted around similar to the DA ...
>
> Yes, e mails like this go around every day, but the sooner we can get the true story out ...the better.... In my view, It would be not good, if someone would confront us first with a number that we have to confirm July 20th....
>
> We need to bring the point about the sale of property and the parking garage across.... How much It would be, if the city would hire a contractor to build a parking garage today.... - Thoughts ?
>
> E MAIL for Tuesday's main street meeting
>
> > I truly feel for the merchants downtown, especially in light of the disastrous joint development agreement (JDA) proposed by Wessman and Pougnet who have gotten in bed together to the disservice of our City. The JDA was written by Wessman's attorney and serves only his interests. Please see the link below to next week's Planning Commission Agenda. The Commission, at the last meeting, said they would articulate all the reasons the JDA was completely unacceptable. Those reasons are now in print and listed on the agenda with their recommendation to disapprove - there are 28 reasons cited for disapproval in the upcoming Planning Commission agenda. These are

worth reading. I've attached the Planning Commission link, just click on the JDA agenda item.

Also, I hear Wessman will be asking for between $14 and $21 million for the non-revenue portions of the project he plans to dump on City. See if you can get him to admit that.

http://www.palmsprings-ca.gov/index.aspx?page=15&recordid=4991

Downtown Revitalization

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Morcus, Lee	Ekmorcus@aol.com	760/219-999	760/323-1003	
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Rix, Brian	brian@burkerix.com	213/448-1337	760/327-9708	
Rossette, Marco	Marco@spinellocompanies.com	760/578-4723		Cheeky's/**Birba**
Shay, John	jshay@lascasuelas.com		760/218-2026	
Wessman, John	jwessman@wessmandevelopment.com	760/408-7038	760/325-3050	

Downtown Revitalization
(cc's)

Name	***Email***	***Cell #***	***Office/Home***	***Other Info.***
Allyn, Cynthia	callyn@hnmgroup.com			
Rizzo, Elva	rizzo@belawyers.com			
Thompson, Theresa	teresa.thompson@dlrgroup.com			
Chappell, Jan	jchappell@wintecenergy.com			

Palm Springs
CALIFORNIA

Bureau of Tourism

Like no place else.™

How many visitors come to Palm Springs?

- Approximately 2 million per year

Although neither the BOT or CVA has an exact number, this formula gives the 2 million:
5,861 PS hotel rooms/725 vacation home rental/condos = 6,586
x 365 days = 2,403,890 rooms available per year
x 50% occupancy = 1,201,945 occupied rooms per year
x 1.3 visitors per room = 1,562,528 overnight visitors per year
Add in day visitors and you can see how it can reach 2 million per year (more or less)

Why do people come to Palm Springs?

- Favorable weather ("Fun in the Sun")
- Relaxing (The most popular word used to describe Palm Springs)
- Fine Dining
- Spas
- Outdoor Recreation (Being surrounded by natural beauty is a popular description)
- Shopping
- Sporting Events
- Nightlife
- Variety of Activities
- Friendly, Laid back, Casual
- Diverse/Cosmopolitan Flavor
- Able to combine business with pleasure
- Easy to get to/Proximity

Above attributes of Palm Springs as a vacation destination taken from:

"Perceptions of Tourism Palm Springs" Market Research Report, March 2007
"Focus Groups in Los Angeles and San Francisco", Sept – December 2010

NATIONAL ORGANIZATION OF MINORITY ARCHITECTS

c/o College of Engineering, Architecture, and Computer Sciences
Howard University - School of Architecture and Design
2366 6th Street, N.W. – Room 100
Washington, D.C. 20059 202.686.2780 www.noma.net

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May 18, 2011

JUN 0 2 2011

The Honorable Steven Pougnet
Mayor of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Subject: Town & Country Center

Dear Mayor:

Last month I visited Palm Springs as a guest of the Palm Springs Preservation Foundation. During the visit, I had the opportunity to tour the grounds of the historic Town & Country Center designed by Paul R. Williams and A. Quincy Jones in 1948.

I am very disappointed that the city of Palm Springs is pursuing a development plan that includes the demolition of such a valuable historic resource. As an architect and preservation, I have seen many similar properties in far more distressed condition transformed into economically-contributing developments. The Town & Country Center is as relevant today with its mixed-use, pedestrian-friendly courtyard, as it was in 1948.

Additionally, concept of sending more than 50,000 square feet of building debris to a local landfill, the removal and replacement of a historic resource, and the modification of traffic patterns does not seem to be the most advantageous approach to take as an architect, preservationist, urban designer, and LEED-accredited professional. My understanding is that you have embarked on a highly-publicized sustainability campaign, if so; I would encourage you to consult with your Sustainability Commission on this matter.

Finally, the historical importance of Paul R. Williams cannot be overstated. Williams was an immensely talented architect and Palm Springs is fortunate to be the steward of such a fine example of his work. As the American Institute of Architects' first African-American member and fellow, Williams faced enormous social and professional challenges and still inspires architects to this day.

It would be my pleasure to speak with you in greater detail about this structure and the proposed project. If you would like to engage in a conversation, I can be reached at (317) 388-8850.

Sincerely yours,

Sanford E. Garner
President

CC: Palm Springs Preservation Foundation
Attn: Mr. Ron Marshall

Desert Sun
Attn: Ms. Mariecar Mendoza

Desert Fashion Plaza Development Agreement - Public comment - Message (HTML)

File Edit View Insert Format Tools Actions Help

Reply | Reply to All | Forward

From: Craig Ewing Sent: Thu 5/19/2011 5:40 PM

To: Chris Mills; David Ready; Ginny Foat; Ginny Foat at Home; Jay Thompson; Lee Weigel; Martha Edgmon; Rick Hutcheson; Steve Pougnet

Cc: 'Michael Braun'; 'jwessman@wessmandevelopment.com'

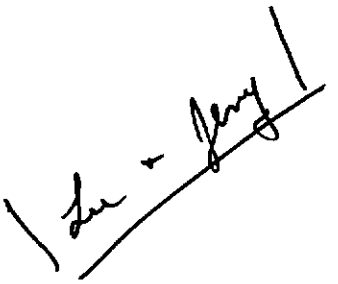
Subject: Desert Fashion Plaza Development Agreement - Public comment

Attachments: 3_1263 - Frank Comment Ltr - 05-19-11.pdf (161 KB)

To All,
We received the attached comment from Jay Frank regarding a property adjacent to Block K-2 of the Development Agreement plan. Let me know if you have any questions, but do not Replay All.

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8269

When I am working on a problem I never think about beauty.
I only think about how to solve the problem.
But when I have finished, if the solution is not beautiful,
I know it is wrong.
- *Buckminster Fuller (1895-1983)*



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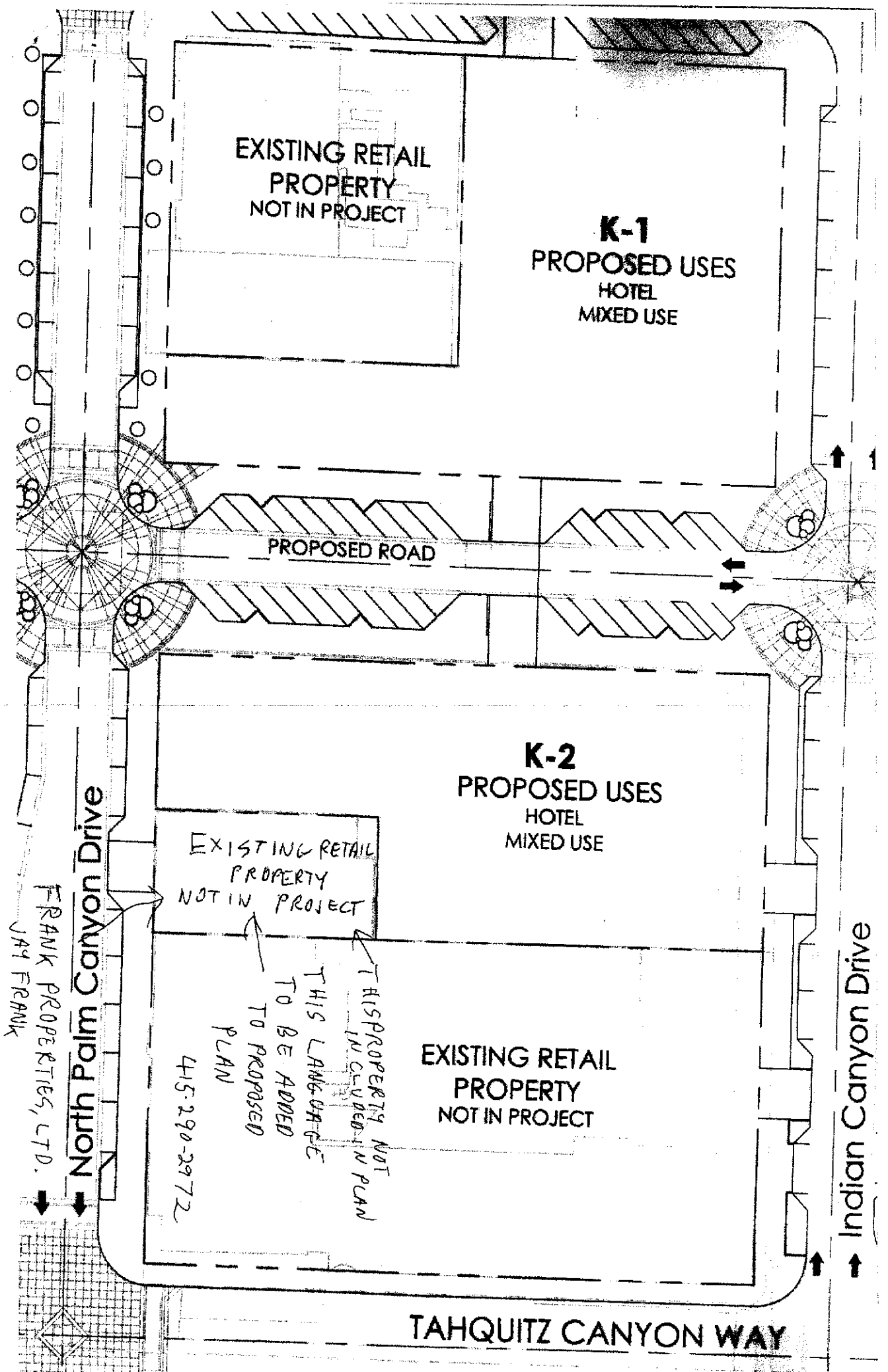

EXISTING RETAIL PROPERTY
NOT IN PROJECT
K-1
PROPOSED USES
HOTEL
MIXED USE
PROPOSED ROAD
K-2
PROPOSED USES
HOTEL
MIXED USE
EXISTING RETAIL PROPERTY NOT IN PROJECT
THIS LANGUAGE TO BE ADDED TO PROPOSED PLAN
THIS PROPERTY NOT INCLUDED IN PLAN
EXISTING RETAIL PROPERTY
NOT IN PROJECT
FRANK PROPERTIES, LTD.
JAY FRANK
North Palm Canyon Drive
Indian Canyon Drive
TAHQUITZ CANYON WAY
45-290-2972

EC 9282. (a) For measures placed on the ballot by petition, the persons filing an initiative petition pursuant to this article may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance.

(b) For measures placed on the ballot by the legislative body, the legislative body, or any member or members of the legislative body authorized by that body, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, may file a written argument for or against any city measure.

EC 9287. If more than one argument for or more than one argument against any city measure is submitted to the city elections official within the time prescribed, he or she shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument the city elections official shall give preference and priority, in the order named, to the arguments of the following:

(a) The legislative body, or member or members of the legislative body authorized by that body.

(b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.

(c) Bona fide associations of citizens.

(d) Individual voters who are eligible to vote on the measure.

Public communications plan for the proposed Palm Springs tax measure

Introduction

For many Palm Springs residents and visitors the Desert Fashion Plaza is the symbol of a depressed downtown. The City of Palm Springs is pursuing a strategy to renovate and revitalize the Desert Fashion Plaza.

The following plan and budget presents strategies and programs that may be implemented by the City and interested citizens to accomplish the goal of revitalizing downtown Palm Springs and the local economy as a whole.

In this document we recommend a communications plan that is to be implemented by a coalition of concerned citizens. This coalition would be distinctly separate from the City of Palm Springs, its staff and its elected officials. This private citizens' advocacy effort is mentioned only to make clear the distinction between our recommended City actions and what a separate and completely independent coalition may do if they wish to address voter issues.

The following recommendations are based upon in depth issues research, confidential interviews with key business and opinion leaders, and other relevant research. We analyzed our findings based upon 30 years of experience in public opinion research and ten years of working specifically on Palm Springs issues.

Overview

The City is exploring a public-private partnership with the Desert Fashion Plaza owner, Wessman Development Company. The City has proposed to provide an estimated $30 million, possibly in exchange for Desert Fashion Plaza assets such as public parking and other elements that are of value to the community. In addition, the City will get Wessman's commitments to accomplish defined project improvements, meet milestones, and include certain project elements within tight development restrictions.

The financing for the $30 million will come through a Palm Springs bond that will be financed through a proposed half-cent sales tax. The revenues from the proposed sales tax will go to the Palm Springs General Fund and will not be earmarked for the Desert Fashion Plaza project. Palm Springs City Attorney Doug Holland has opined that using the sales tax in this manner

allows voter approval of this measure by a simple majority as opposed to the two-thirds majority which would be required if the sales tax been dedicated to specific programs or projects.

Benefits and constraints to the City

There are strengths and weaknesses in this ballot measure scenario. Following are some of our research findings based upon confidential interviews, analysis of local political trends and trends in pubic opinion, and other relevant research.

Community issues

The revitalization of downtown Palm Springs is a top priority for Palm Springs residents.

When asked to choose from among high profile issues – including the local economy, jobs, the environment, housing, schools, traffic, the Warm Sands sting issue and crime -- nearly half of those interviewed cited downtown revitalization as the number one issue facing the City. And, in the realm of public opinion, downtown revitalization means renovating the Desert Fashion Plaza.

While the idea of renovating the Desert Fashion Plaza is very popular, the idea of higher taxes to pay for the Desert Fashion Plaza renovation is far less popular. Naturally, people express resentment to paying taxes. However, we identified some aspects of public attitudes toward the long time Desert Fashion Plaza that play into attitudes about the proposed sales tax.

Widespread skepticism

The public's perception of the Desert Fashion Plaza itself is very negative. In fact, there is widely shared skepticism about the project ***ever*** being completed.

Further, John Wessman, suffers from a very negative image among Palm Spring residents. Whether Wessman's public image comes from his Desert Fashion Plaza ownership, or his recent Chino Cone projects or other projects in Palm Springs, we find that Wessman's involvement in the project lowers public confidence in a successful Desert Fashion Plaza renovation.

When we explore three possible scenarios and there is no positive consensus in public opinion regarding which scenario would most likely result in the Desert Fashion Plaza being revitalized. While 31% believe a partnership between Wessman and the City, using public taxpayer funds is most likely, another 29% believe revitalization will most likely occur if Wessman handles and finances the project, and 24% believe the best scenario is if the City is in charge of the project using taxpayer funds. Another 9% do not believe the Desert Fashion Center will be revitalized and 7% have no opinion.

Opposition arguments resonate

What is also troubling is that most interviewed agreed with the statement: "there have been proposals and talk of revitalizing Desert Fashion Plaza for years and nothing has ever been done – it is unlikely that this project will get off the ground either."

Further, nearly two-thirds of those interviewed agreed with the view that "revitalizing the Desert Fashion Plaza is a good idea, but raising taxes is not the way to pay for a project like this."

Opportunities

Still, despite public skepticism about the completion of the Desert Fashion Plaza renovation, reactions remain positive to potential components of the project. These positive reactions point to a path for successful messaging. For example, six of the seven potential projects that could be included in revitalization of the Desert Fashion Plaza are favored by more than 70% of voters, with the most popular projects being free parking and public open areas for pedestrians. The least popular tested amenity is the inclusion of more museums.

Priorities for Revitalization Projects

Six of the seven potential projects for the downtown revitalization are popular with more than seven-in-ten voters today. The most popular projects are "free public parking" (92% favor) and "public open areas for pedestrians" (90% favor), but wide majorities also favor "new shops and boutiques" (86%), "new restaurants" (83%), "outdoor entertainment venues" (81%) and "height restrictions on buildings" (71%). Voters are not as likely to favor the inclusion of more museums in the revitalization project. Specific reactions to each project are summarized in the following table.

Potential Funding Proposals

We explored reactions to two potential funding mechanisms that would generate $30 million to purchase and revitalize the Desert Fashion Plaza. One tax measure has a chance of winning and the other is doomed.

A sales tax increase generates support from nearly six-in-ten surveyed, however, a parcel tax is not popular today.

Specifically, by a 59-38% margin, voters support a one-half of one cent sales tax increase. The remaining 4% are undecided.

On the other hand, a parcel tax of $50 - $90 is supported by 39%, opposed by 50%, and 11% have no opinion.

Caveat

While the 59% support rate for a sales tax may appear encouraging, this support figure is not as high as one would want to see in a public opinion survey if a 50% plus one majority YES vote was required at the polls. Typically, in a survey you want to see at least 65% or higher favorable support for a measure that costs voters money.

We further probed opponents to both tax measures to determine if there was anything that would change their minds. The short answer is nothing would change their opposition to either new tax proposal.

Political Climate

City approval rating

Palm Springs voters are divided in their outlook about things in the City today. Forty-six percent believe things in the City are generally headed in the right direction, while 40% say things are off on the wrong track, and 14% have no opinion. These numbers are not positive, but closely mirror what we have seen in other Palm Springs public opinion surveys over the past decade.

November election context

The sales tax measure is likely to share the November 2011 ballot with the Palm Springs races for mayor and two council seats. Candidates competing for these elected seats will likely influence the public opinion by raising the visibility of selected issues. They may also impact elections by influencing turnout of some or all segments of the voting population. The mayor's race may particularly shape the political climate and define issues if Mayor Pougnet declines to run for reelection and the contest for the open seat becomes heated.

Other state or regional ballot measures may also contribute to shaping the political context of the November election.

It is not the purpose of this document to address how selected candidates or issues will influence voters in the November 2011 election.

Strategy and theme

The concept of revitalizing downtown is very positive.

The idea of a tax is less well received by the voters.

We recommend implementing a strategy that leverages the renovation of the Desert Fashion Plaza and its most popular and positive elements to help define the sales tax proposal. To say it another way, we recommend implementing an effort to increase public support for a half-cent sales tax in Palm Springs by linking it with the revitalization of the Desert Fashion Plaza.

Constraints

The City cannot explicitly say the half-cent cent tax increase will go towards the revitalization project, so the City needs to somehow signal to voters that if additional funds were available they would go towards the Desert Fashion Center project.

Two phased program

We recommend a two-phased voter contact program -- education and persuasion.

The education portion of the program will be led by City of Palm Springs. The City's public communications role will be very limited. The education phase will focus on making it clear to voters that the revitalization project is a top priority for City Hall.

A citizens' coalition that is completely separate from the City Hall will head the broader persuasion element. During the persuasion phase the citizens committee will focus on framing the issue and more closely linking the tax increase and revitalization project.

City education phase

Define the issue early and inoculate the public

A series of at least two newsletters distributed citywide are recommended, to both demonstrate the City's dedication to revitalization and also highlight specific improvements that will be made if funding is available. Examples of the specific improvement elements include new free parking, new shops and restaurants, more open public space, outdoor entertainment venues, etc.

To help frame the issue for a November election, it is recommended that one of these newsletters arrive in home before July coupled with a public meeting. Communicating early will help lay the foundation for the upcoming persuasion phase and also help appropriately distance the City from the

political/persuasion aspect of program. A good opportunity for the newsletter and public meeting may be the development agreement between the City and Wessman. The second newsletter should be distributed in the second week of October.

The Dolphin Group will prepare and produce the newsletters, prepare talking points and coordinate presentations for the public meetings.

Other communications

We recommend the City sponsor at least two public forums to announce milestones or significant points of progress toward a successful partnership of the City and Wessman. Examples of these milestones may include the signing of a development agreement, demolition of portions of the Desert Fashion Plaza, commitments from exciting new tenants, unveiling of new designs, etc.

Mayor Pougnet and representatives of the Desert Fashion Plaza team whom may address specific issues regarding the Desert Fashion Plaza renovation should host the public forums.

The Dolphin Group will prepare talking points and produce appropriate materials to support the presentations and for distribution at the events.

Media

We recommend that the City does not take a lead role in discussing the sales tax measure in the media. Instead we recommend that media inquiries be directed to a spokesperson for the citizens advocacy group. The citizens advocacy group may deliver arguments that tie the benefits of the Desert Fashion Plaza renovation/downtown revitalization with the sales tax measure.

When media inquiries require comment from a city official, we recommend that either Mayor Pougnet or Councilmember Chris Mills provide the statement.

The Dolphin Group will provide media talking points and media kit materials.

City Education Phase Budget: May - November 2011

Two newsletters	$37,000
Presentation materials expenses (using Wessman graphics and some production)	$600
Media costs	$200
The Dolphin Group Fee: May – July 2011 at $8,000 per month	$24,000
Total: City Education Phase Budget	$61,800

PALM SPRINGS PRESERVATION FOUNDATION

March 6, 2011

Board of Trustees
Attn: Dr. Steven A. Nash, Executive Director
Palm Springs Art Museum
101 Museum Drive
Palm Springs, CA 92262-5659

Dear Trustees,

The Palm Springs Preservation Foundation's (PSPF) board of directors requests the opportunity to meet with the Palm Springs Art Museum's board of trustees to discuss the future of the Town & Country Center (1947) designed by architects Paul R. Williams and A. Quincy Jones.

Specifically, we have become increasingly concerned and alarmed at the public statements made by Messrs. Matzner and Meyerman (i.e., on June 24, 2009 and on March 2, 2011) wherein they have represented the museum's position as endorsing development plans that include the demolition of the historic Town & Country Center.

These public statements seem to be at odds with the museum's longstanding support of historic preservation and completely antithetical to one of the museum's core missions, i.e., the protection of our local cultural resources. It is also important to point out that the museum's Architecture and Design Council (ADC) has become one of the museum's largest and most popular councils. Many ADC members (and ADC board members) have very publicly supported the restoration of the Town & Country Center and have confided in us their unease at the museum's public statements.

In short, we're sure you would agree that it is very important that the museum's board of trustees hear other points of view on this important matter.

Finally, while we endorse the museum's expansion goals, we also feel that the museum leadership cannot in good conscience be so directly complicit in the destruction of this important architectural resource, a resource which we believe could significantly contribute to the long-term economic health of the city and its burgeoning cultural tourism industry. Ultimately, we would like for the museum leadership to publicly state their support for the restoration of the Town & Country Center.

We look forward to meeting with you. Please contact the foundation at (760) 837-7117 or info@pspreservationfoundation.org to make the necessary arrangements.

Sincerely,

Ron Marshall

Ron Marshall
President

Copy to: Palm Springs Modern Committee (Attn: Mr. Peter Moruzzi)

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
(760) 837-7117 • info@pspreservationfoundation.org • www.pspreservationfoundation.org

ALM PRINGS ERN MITTEE

March 8, 2011

RECEIVED
BY:

Board of Trustees
Palm Springs Art Museum
101 Museum Drive
Palm Springs, CA 92262-5659

Dear Trustees,

The Palm Springs Modern Committee (PS ModCom) requests a meeting with the Palm Springs Art Museum's board of trustees regarding the museum's public support for certain aspects of the current Desert Fashion Plaza project.

Specifically, we are very concerned about public statements made by board executives on June 24, 2009 and March 2, 2011 that endorse plans for the project that will result in the demolition of the historic Town & Country Center for the sake of a road from Palm Canyon Drive to Indian Canyon Drive.

Given that one of the core missions of the museum is the protection of our local cultural resources it seems completely inappropriate for the museum to encourage proposals that destroy that heritage. Also, many members of the museum's Architecture and Design Council (ADC) publicly support the restoration and adaptive reuse of the Town & Country Center and are distressed by the museum's current stand.

It should be noted that during many years of public discussion we have consistently supported the museum's goal of having direct and unobstructed access from the museum to Palm Canyon Drive. Where we differ is in the need for such access to continue east directly through the Town & Country Center to Indian Canyon Drive. While the declaration that "there must be a clear path from the museum to Indian Canyon Drive" has a pithy declarative ring to it, the reality is that this further extension leads directly to a dead-end at the tribe's Spa Hotel. In addition, the issue of providing left turn access to the museum could be solved, for instance, by making Palm Canyon Drive a two-way street as it once was.

We look forward to an open dialog on this important issue in the very near future given the rapid momentum of the latest Desert Fashion Plaza project.

Sincerely,

Peter Moruzzi

Peter Moruzzi
President
Palm Springs Modern Committee

(A) What project amenities

1. Free Public Parking - 92%
2. Public Open Areas for Ped's - 90%
3. Restore Village Atmosphere - 87%
4. New shops - boutiques - 86%
5. New restaurants - 83%

(B) Should City be involved in project?

Yes - 57%

No - 38%

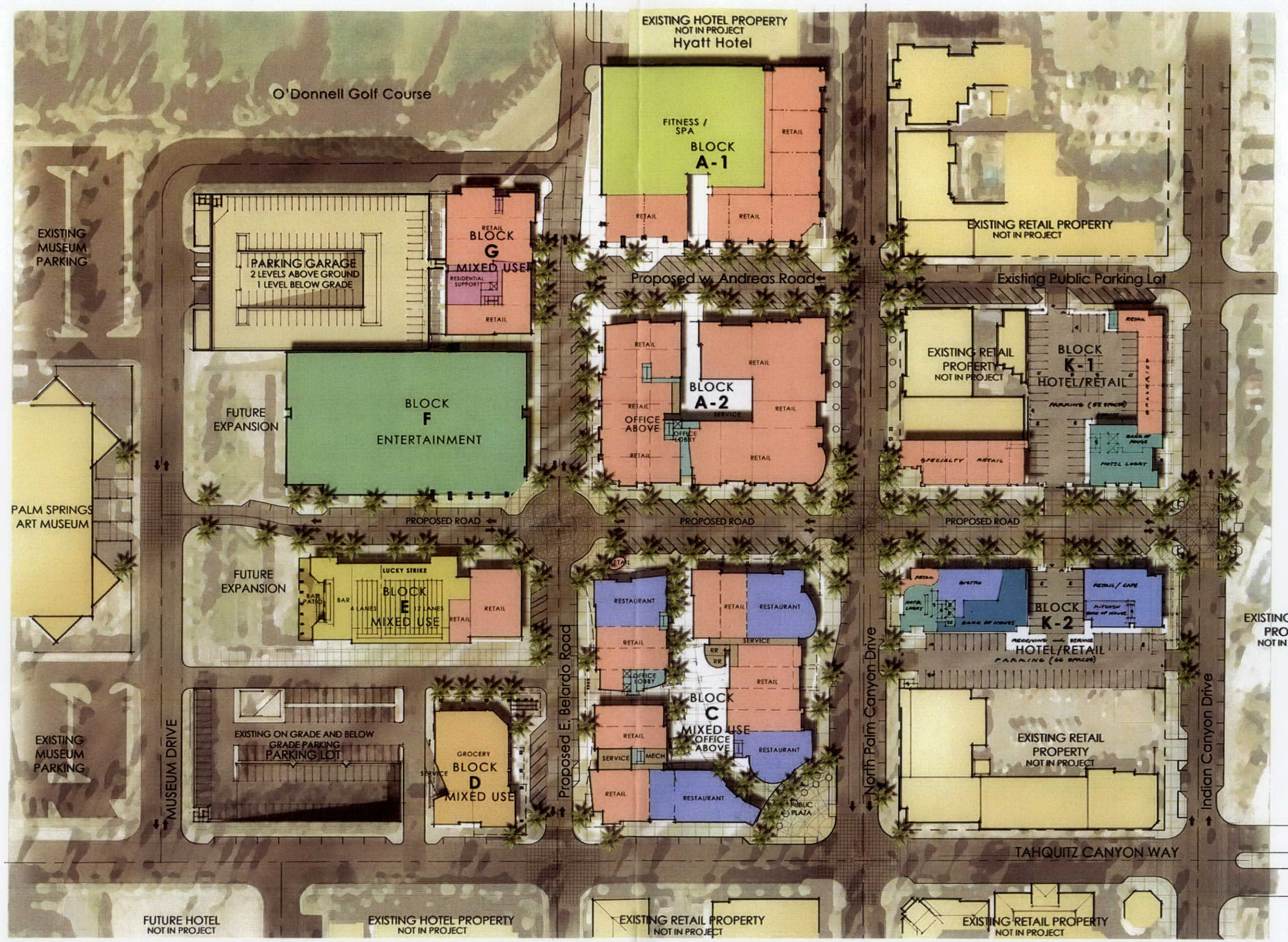
(C) ½ penny sales tax

yes - 59%

No - 38%

(D) What we need to get from Walmart -

1. height restrictions
2. more public space.



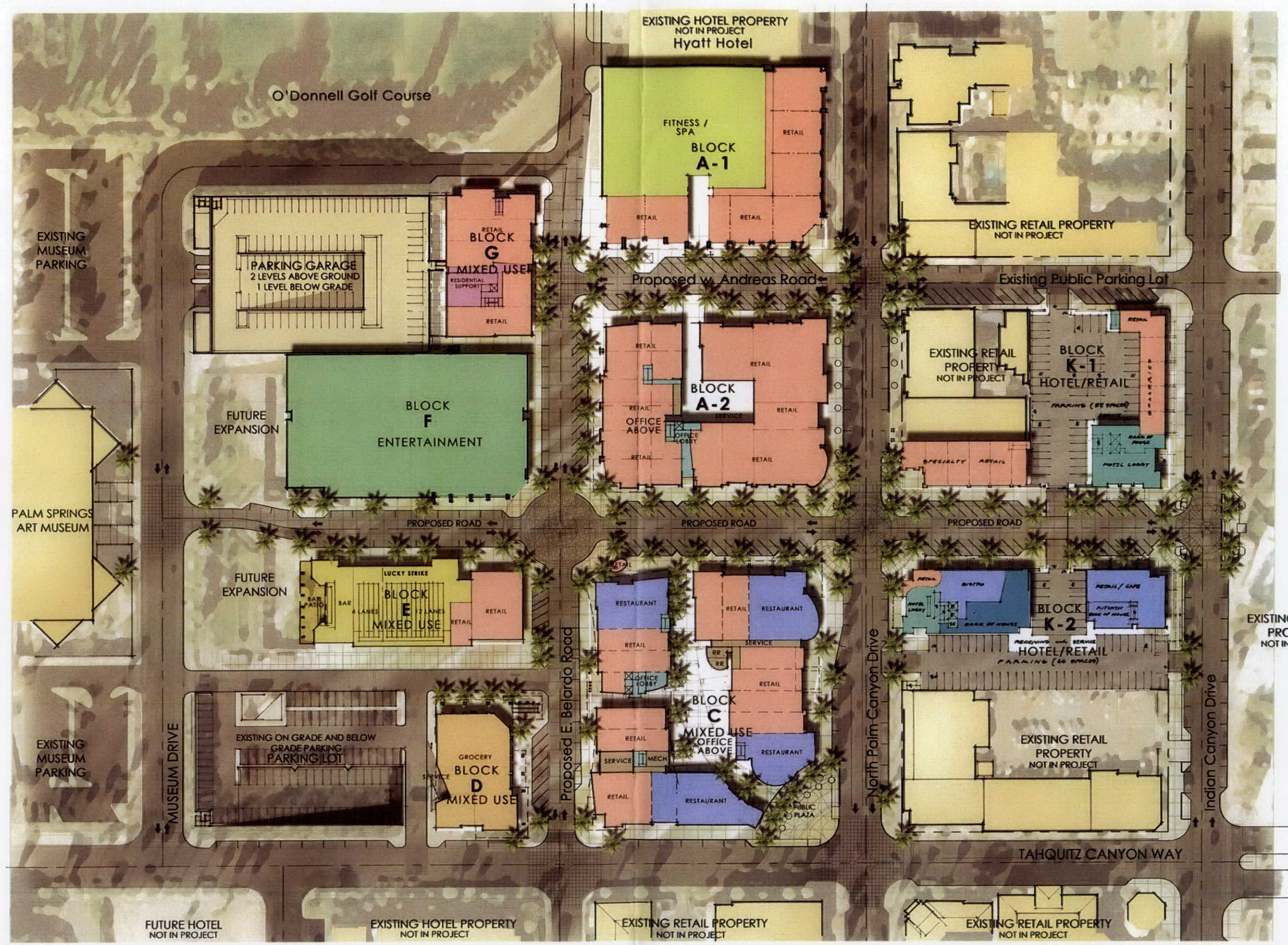
PALM SPRINGS DOWNTOWN REVITALIZATION
CONCEPTUAL MASTER PLAN

Conceptual Site Plan scale:40'-0" = 1"

18 may | 2011

WESSMAN DEVELOPMENT COMPANY

Allen + Philp



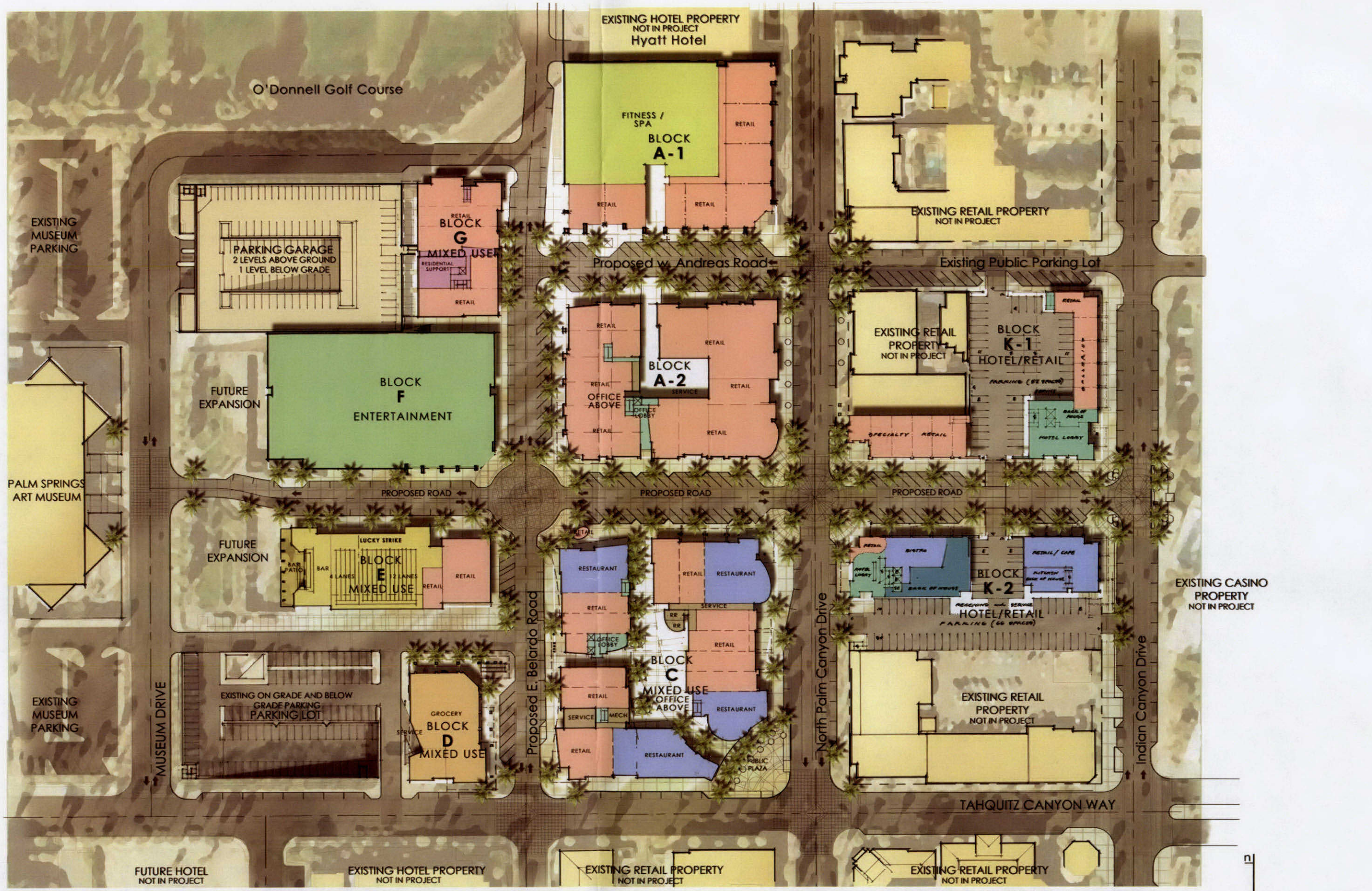
PALM SPRINGS DOWNTOWN REVITALIZATION
CONCEPTUAL MASTER PLAN

Conceptual Site Plan scale:40'-0" = 1"

18 may | 2011

WESSMAN DEVELOPMENT COMPANY

Allen + Philips



PALM SPRINGS DOWNTOWN REVITALIZATION
CONCEPTUAL MASTER PLAN

Conceptual Site Plan scale:40'-0" = 1"
18 may | 2011

WESSMAN DEVELOPMENT COMPANY

Allen + Philp
architects • interiors
7154 East Stetson Drive
Fourth Floor
Scottsdale, Arizona 85251
480 990 2500 Fax 480 990 3800
www.allenphilp.com

WAKE UP PALM SPRINGS!

The future of downtown is in your hands.

The development agreement being proposed by the City of Palm Springs and John Wessman for the Desert Fashion Plaza is a bad deal all around.

Did you know?

- Only 2,400 square feet of open space is planned. We were promised community meeting areas and pedestrian promenades.
- The proposed plan allows John Wessman 10 to 25 years to complete the project.
- Your taxpayer dollars will fund parking structures that will then be given to John Wessman.

DON'T ALLOW YOURSELF TO BE TAXED FOR YET ANOTHER JOHN WESSMAN BOONDOGGLE!

City Council...*Please! Negotiate a fairer deal for Palm Springs!*

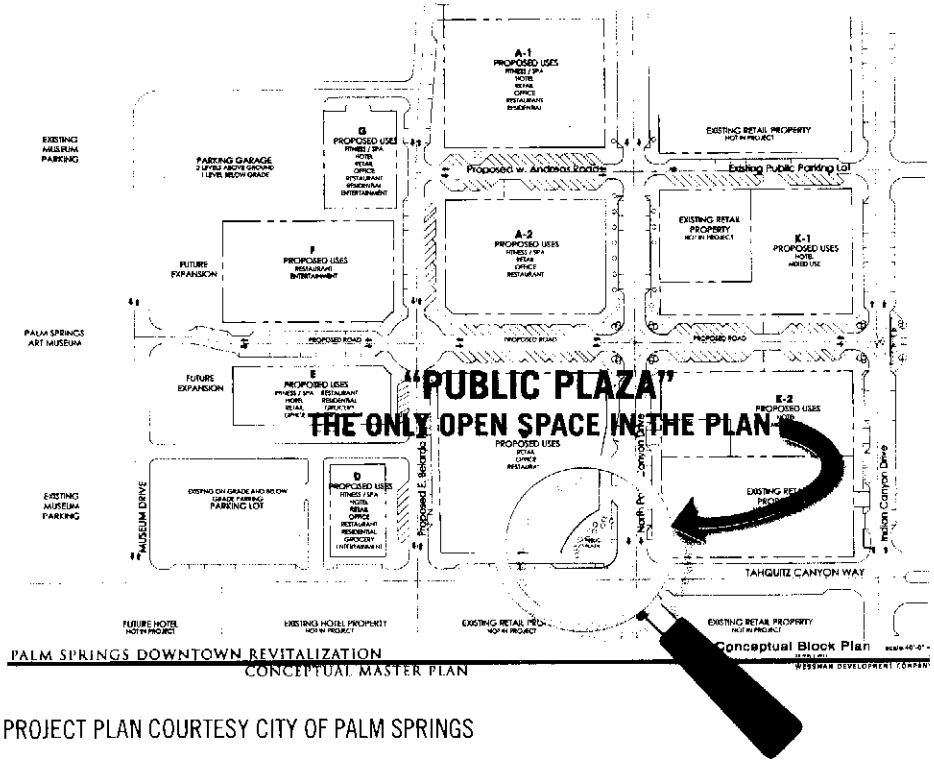
Paid for by Palm Springs Modern Committee

WHAT CAN YOU DO TO STOP THIS?

It's ***vital*** that you attend the Palm Springs City Council meeting on June 15th to express your views on this terribly flawed plan.

WHERE: City Hall, 3200 E. Tahquitz Canyon Way
WHEN: June 15th at 6 p.m.

CONTACT PALM SPRINGS CITY COUNCIL TODAY
(760) 323-8299 cityclerk@palmsprings-ca.gov



PALM SPRINGS DOWNTOWN REVITALIZATION
CONCEPTUAL MASTER PLAN

PROJECT PLAN COURTESY CITY OF PALM SPRINGS

PRSRT STD
U.S. POSTAGE
PAID
Palm Springs, CA
Permit No. 9

4 1208 12
MR STEPHEN POUGNET
630 N CAHUILLA RD
PALM SPRINGS CA 92262-5614

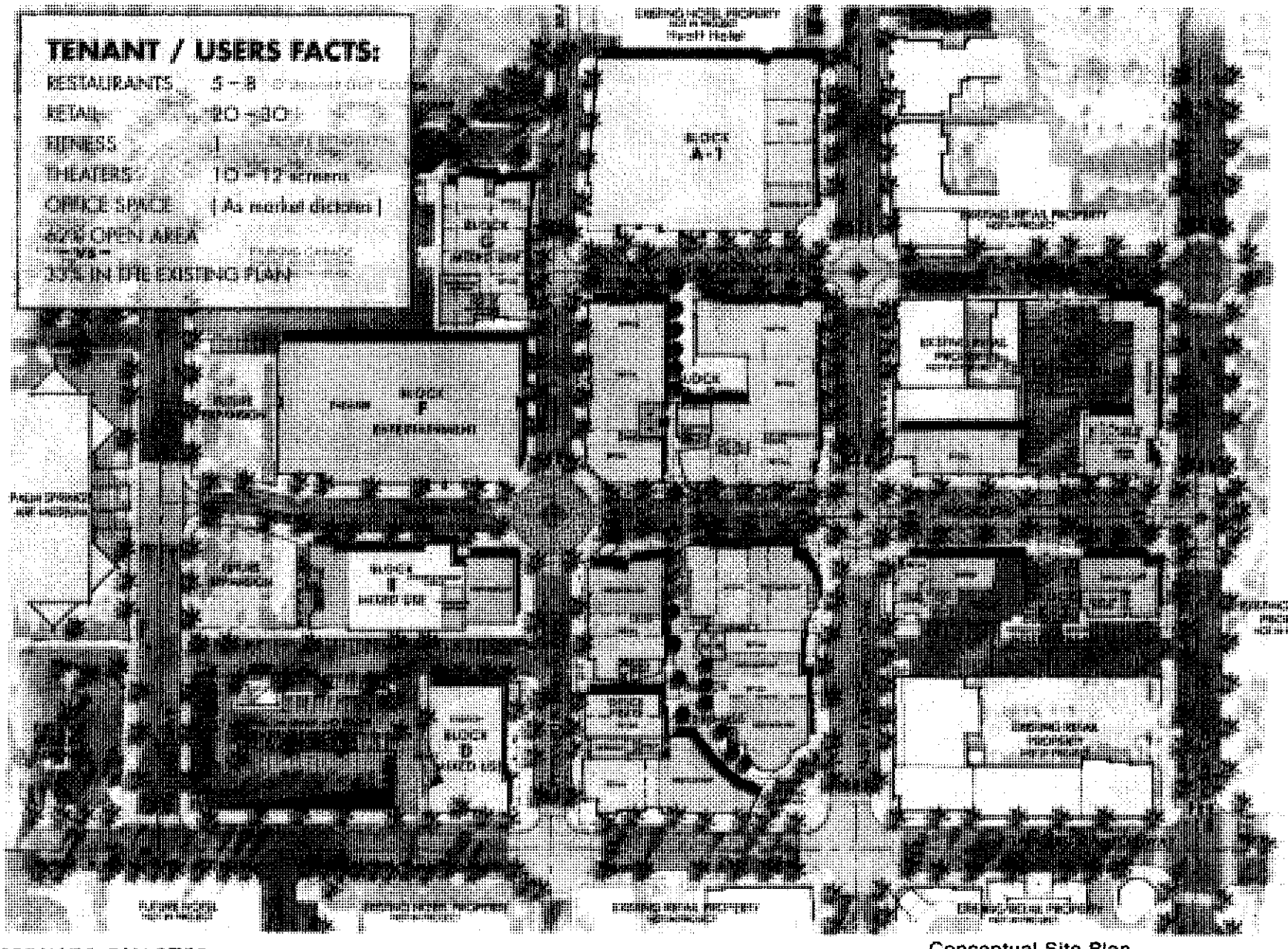
3:30 - Today

YES! WE SUPPORT REVITALIZING DOWN TOWN

A REVITALIZED DOWNTOWN WILL BRING MANY BENEFITS TO OUR COMMUNITY

- New FREE parking
- 30% more pedestrian open space than required under the Specific Plan
- Public open areas – the highest concentration of plazas and energetic open areas downtown
- New restaurants
- New shops
- New Movie Theaters – including a permanent site for the Palm Springs Film Festival
- Views of the mountains enhanced with four major new view corridors
- Improved traffic flow through and around the new Plaza project
- Grand opening 2014
- Low density project
- 120,000 of the 190,000 sq. ft. footprint will be single story
- Dynamic return on City's investment including new jobs and new tax revenues from the revitalized business community in Palm Springs
- Broad-based community support
- The product of three visioning sessions with important input from hundreds of citizens

INITIAL DOWNTOWN REVITALIZATION PLAN:
WINTER 2014: BUILDINGS - A1, A2, C AND BLOCK F



Conceptual Site Plan

From Mark Anderson
6/7/11

Talking Points for the Downtown Revitalization Effort

We have an exciting opportunity for revitalizing downtown with the Desert Fashion Plaza project

- We cannot miss this opportunity & We cannot lose our focus on this goal.

Many benefits for the community

- New free parking.
- Public open areas – the highest concentration of plazas and energetic open areas downtown.
- New restaurants & New shops.
- New movie theaters – including a permanent site for the Palm Springs Film Festival.
- View of the mountains preserved and enhanced.
- Improved traffic flow through and around the new Plaza project.
- The return on investment includes new tax revenues from the revitalized Desert Fashion Plaza and the revitalized business community in Palm Springs.

The Desert Fashion Plaza revitalization project has broad based community support

- Hundreds of citizens gave their input and showed their support in the three visioning sessions.
- Local businesses and merchants support.
- Local hotels & restaurants support.

Wessman builds high quality projects

- Wessman wants to be able to build a spectacular shopping center in PS, a project the community will be proud of.
- Proven track record (Mercado Plaza, Plaza del Sol, Las Palmas Medical Center across the Hospital, Target Center in Cathedral City etc) of landmark and architecturally appealing properties that have won multiple awards receiving national recognition.

Development Agreement is a needed tool

- The Development Agreement is a necessary tool for planning and stabilizing many of the essential factors upon which economic and planning decisions need to be made.

- The City benefits because the Development Agreement defines how and when Wessman must perform, as well as the City benefits of new free parking, new tax revenues, new jobs and local businesses, and a revitalized downtown.
- We cannot afford to throw any more roadblocks in the way of revitalizing downtown.

Three things that history has taught us are that:

- Some key current structures in downtown Palm Springs do not work – prime downtown land that is stagnant needs to be revitalized now.
- Wessman has a consistent track record of delivering quality projects.
- Partnering with a winner is a winning strategy.

Martha Edgmon

From: Stephen P. Pougnet [spougnet@earthlink.net]
Sent: Tuesday, May 31, 2011 9:51 AM
To: Martha Edgmon
Subject: FW: Confidential - Revitalization Plan - SF and Targeted Tenants

Please print out for me.

From: Michael Braun [mailto:MBraun@wessmandevelopment.com]
Sent: Sunday, May 29, 2011 11:18 AM
To: Steve Pougnet; Chris Mills; Chris Lucker
Subject: Fwd: Confidential - Revitalization Plan - SF and Targeted Tenants

Please see below in response to concerns we build it and they will not come. Also see new open space 62% vs 38% in the existing plan.

Tx,
Michael

Begin forwarded message:

> **From:** Michael Braun <MBraun@wessmandevelopment.com>
> **Date:** May 29, 2011 11:15:56 AM PDT
> **To:** Harold Matzner <hbmatzner@cbaol.com>
> **Subject: Confidential - Revitalization Plan - SF and Targeted Tenants**
>
> Revitalization Plan - SF and Targeted Tenants
>
> Dear Harold:
>
> As promised please see below a summary of various studies we conducted during the last 6 years. We contracted in 2006 & 2007 retail studies prepared by Robert Lessor for the Palm Springs Trade and Cathedral City Trade area when planning life style centers for both downtown Palm Springs and Cathedral City centers. A study by the Buxton Group about the average income level and possible retailers in Palm Springs was recently updated by the city confirming that the Palm Springs area has a much higher purchasing power than regular studies by zip code reveal.
>
> I summarized below the findings and updated the target list of tenants that have been identified as suitable for our trade area.
>
> I trust that you will not forward or share this information in its entirety as the studies were in excess of $150,000 and several brokers and other shopping center operators would like to get their hands on this information. I believe this analysis will help you to better understand that a well designed project with good accessibility, plenty of parking and quality entertainment choices will attract more tenants than we will

be able to accommodate. Let's not forget that the market is graving for new entertainment choices in the Coachella as existing ones are dated or tired. Palm Springs with it's unique offering of culture, gambling, hiking, golf and accessibility from the I 10 will be the only game in the Coachella, when it comes to an entertainment center that offers a full menu of choices for today's consumers.

Study Summary:

A typically regional tenant tends to select locations that can demonstrate support for 200,000 - 300,000 square feet, and thereby benefit from synergies of co-tenancy.

The current hotel stock of 7,500 plus rooms in Palm Springs is a major attraction to retailers as it is a proven fact that tourists tend to spend 5 times the amount during vacation / business trips when compared to their primary home trade area.

The site's access (provided the East / West connection is being established) and visibility make it an attractive location for local, tourist-serving and community-oriented retail. Past analysis by the Buxton Group and Robert Lesser company indicate that a number of retailers in this category are interested in new and/or additional locations in the Coachella Valley, and that the Desert Fashion Plaza would match their location criteria.

Based on the current supply/demand context of the local market, and our understanding of retailers looking for locations in the Coachella Valley, support exists for the site. Especially smaller restaurant and retail operators are looking for space in excellent locations to reduce marketing costs to drive traffic count. The target site offers excellent downtown frontage location with easy access.

Structural" demand should exists for an estimated 150-200,000 square feet of regional retail in Palm Springs, which is currently leaking outside of the city boundaries and is being captured in nearby concentrations of regional/big box retail or the Internet. It is unlikely that the subject property could attract a national regional retailer based on this level of demand alone, as typically regional tenants tend to select locations that can demonstrate support for 300,000 to 500,000, which makes the Rancho Mirage/ Palm Desert corridor more attractive for national retail chains (bigger trade area within a 3,5 and 10 mile radius)

DSFP numbers - Existing vs Planned:

Total Land DSFP SF 575,000

Existing DSFP Building Coverage ground floor of SF 358,000 with 38% Open Space and View areas (includes the 2 existing museum pads currently open space) and surface parking.

New Revitalization Plan
Building coverage ground floor SF 226,000 providing 62% vs 38% in the existing structure of Open Space and View areas I.e surface parking lot.

In the initial revitalization phase, we will build SF 105,000 of leasable retail and restaurant space on the ground floor (separately office space and restaurants above retail in certain sections with the movie theater and gym absorbing initially 65,000 - 85,000 SF) Existing DSFP tenants, which will be relocated within the center will absorb approximately SF 15,000 (CPK, ATT etc)

We are currently in advanced discussions with 2 restaurant operators and 3 retailers, who will lease a total of SF 25,000.

In summary we only have about SF 50,000 of non committed leasable space in the initial revitalization phase. Once agreements are executed and demolition will have started other retailers will take notice and will be pressured to commit quickly in order not to miss securing key locations in the center. let's not forget success breeds success.

SUMMARY OF SF Numbers for the initial Revitalization Phase:

Total New Retail in three new blocs SF 75,000 - SF 90,000
All Retail Space provide prime street frontage exposure, providing maximum visibility. (Please note Mercado Plaza's occupancy rate never dropped below 90% due to its lay out and accessibility from Indian Canyon, Palm Canyon and Belardo Road)

Total New Restaurant Spaces SF 25,000

New Movie Theater SF 45,000

New Gym SF 25,000 - SF 41,000

Office Space above Retail - TBA as market dictates

Target Tenants and Achievable Rents (not provided) with street or major entertainment frontage

New Specialty Retailer Stores to absorb a total of: SF 35,000 - SF 50,000
H&M and or Forever 21, Urban Outfitters SF 10,000 - SF 15,000
Victoria Secret SF 2,500
Make Up: Mac or Ulta SF 3,000
Tommy Bahamas and or Ted Baker, Seven for all mankind SF 4,000 -SF 6,000
Sporting Goods: Nike and or LuLu Lemon SF 3,000
Quicksilver and or The Limited, Gap, Jack's SF 3,000 - SF 5,000
Furniture: West Elm and or Jonathan Adler, Ligne Roset, Z Galerie SF 5,000 - 10,000
Sunglasses Hut and or Optical Aspen SF 1,500
Vitamine shop, Bath and Body Works SF 2,500
ATT and possibly Verizon, SF 2,500
Game Stop and or Radio Shack SF 1,500 -SF 2,500

New Convenience Retailer stores to absorb a total of: SF 10,000 - SF 12,000
Dry Cleaner, Pet store, Hair Salon, Card and Gift stores

Financial Institution to absorb a total of: SF 5,000 - SF 10,000
(Rabo Bank, Chase Bank, One West)

Galleries SF 10,000 - SF 15,000

New Restaurants to absorb a total of: SF 25,000
Ruth Christ and or Morton's, Buffalo Wings or Yard House, Banderas or Houston's, the Counter, CPK, Chipolte, & local specialty operators. (Please note there is currently a void for a quality Italian and Chinese restaurant, which all seek street frontage location that is not availble)

Specialty Restaurants SF 10,000 - SF 15,000
Le Pain Qutidien or Brea bakery or Haute Cakes, Haegen Daz, Quality Fast Food (Five Burgers),Einstein Bagels, Pick Up Sticks, Waho Fish Taco,Juice It, Nekter, Red Robin, Auntie Ant's Bretzels)

Fitness / Spa to absorb a total of: SF 25,000 -SF 40,000
Palm Springs currently does not offer an attractive quality Fitness / Spa experience for the local or tourist community
LA Fitness or Equinox or LA sports club SF 20,000 - SF 40,000

Movie Theater to absorb SF 45,000

Grocery Store: SF 12,000
Trader Joes, Jenson, Brystol Farms or other specialty stores

As you can see we have plenty of choices and will not be able to accommodate all of them as the center evolves. More important we will offer space that will accommodate ceiling heights and technology other spaces in the Coachella are unable to provide. Retailers and Restaurant operators will be able to provide a consumer experience that other cities are unable to provide.

Please confirm receipt of this e mail and feel free to e mail or call either John or me with any additional questions you might have.

My children complained all weekend as this summary took playtime away from them with me, so I promised them you would play tennis with them after we get this approved.

Tx,
Michael
Tel 760-641-4046

Martha Edgmon

From: Stephen P. Pougnet [spougnet@earthlink.net]
Sent: Tuesday, May 31, 2011 9:49 AM
To: Martha Edgmon
Subject: FW: Who is organzing tomorrow's speaker ?

Please print out for me.

Thanks,

Steve

From: Michael Braun [mailto:MBraun@wessmandevelopment.com]
Sent: Tuesday, May 31, 2011 7:01 AM
To: Christopher Lucker
Cc: Steve Pougnet (spougnet@earthlink.net); Herald Matzner (hbmatzner@CBAOL.com); John Wessman; Michael Braun; cmills@DLRGROUP.com
Subject: Who is organzing tomorrow's speaker ?

Chris

Do we have someone to speak at tomorrow's Planning Commission, when the commissioners plan to draft a "memo" why the DA is one sided and a bad idea.....?

Shall we write an editorial to be published in tomorrow's paper?

Can you draft an e mail for me that I can send around asking people to come and speak at the beginning or send emails to the individual members to support the revitalization of downtown ?

T&C issue was already decided in 2009 with a 5:0 vote.... This community needs to move forward and must realize that we are competing with other tourist destination. If we consistently revisit issues that have already been decided years ago, we will never move forward.

We want to build a spectacular shopping center in PS, a project the community will be proud of. This community cannot afford to let a developer build a new shopping center that will not work because a crucial street connection from Indian canyon to Palm Canyon into the new center is prohibited (see success of Mercado Plaza with easy street access from Indian Canyon and Belardo Road); all just to save a complex of buildings referred to as T&C that is unable to compete in today's economy.

We are successful Developers with a proven track record (Mercado Plaza, Plaza del Sol, Las Palmas Medical Center across the Hospital, Target Center in Cathedral City etc) of landmark and architecturally appealing properties that have won multiple awards receiving national recognition.

We need to create a spectacular experience for today's consumer ! Why is Starbucks able to sell coffee for $5, when you can buy one for $2 at McDonalds.... Because they create an experience around that coffee cup people are carving for.... We will do the same with our plans for the DSFP; people will want to

come to downtown PS to experience what Wessman and the community of Palm Springs will create in the next 3-5 years. People want to be socially connected and PS is the only city in the Coachella Valley to offer such an experience with its pedestrian friendly street grid. Without a doubt we will have the highest grossing theater in the valley, once the project is finished. The only competition in the valley is THE RIVER and to a certain extend El Paseo

We know what works in PS and what does not work; we need certainty for the foreseeable future to plan and build a successful project. Nobody will start a project of this magnitude, if they are not assured future council might change the agreed upon game plan

Imagine the consequences of plans to build great restaurant space with INDOOR and OUTDOOR experiences and having future councils than deciding not allow outdoor seating in restaurants anymore.... Yes unthinkable, but possible...

The planning commissioners never discussed the plan or its street configuration integrating the "super" bloc DSFP back into the downtown grid. They focused on an old building in a prime downtown location that needs to be activated, nobody.... not the community or any business around the T&C can afford to have an ill designed project like remain in such an important location holding the revitalization of downtown up.

Would Doug Hudson (the architect on the planning commission) start working on the design on any project without a contract that assures him that he will get paid for his work – the answer is NO

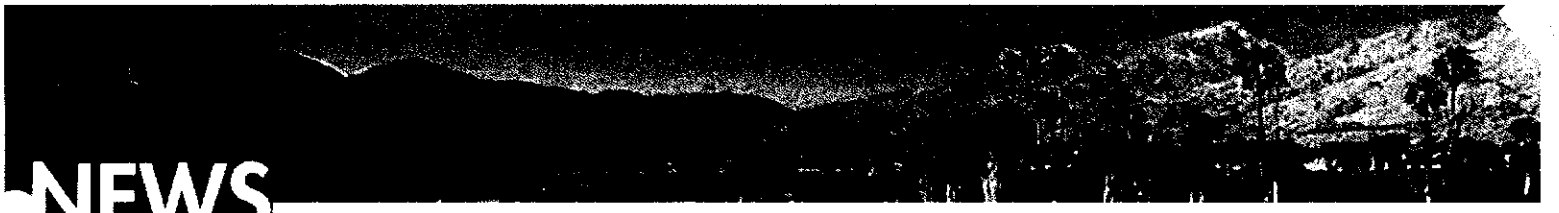
John Caffery; former mortgage broker – he sold fixed 5 , 10 and 30 year mortgages to his customers, because they wanted to have certainty about the monthly payments for the foreseeable future, he of all people should understand why we need "Certainty" to start this project.

Why are tenants demanding 5,10 or 20 year leases, so they have the certainty, that they can build their business based on certain parameters that are fixed (SF of the space, rents and common area charges); everyone needs certainty to run a successful business.

Wessman Development has a track record of delivering quality projects the community is and always has been proud of.

Michael Braun, SeniorVice President Wessman Development
555 South Sunrise Way Suite 200 Palm Springs, CA 92264
Office 760-325-3050 Ext 3, Mobile 760-641-4046 www.wessmandevelopment.com

If you are not the intended addressee, please inform us immediately that you have received this e-mail by mistake and delete it.



NEWS RELEASE

CITY OF PALM SPRINGS

Specific Timelines for Completion of Desert Fashion Plaza Announced

Contact: **Amy Blaisdell**
Communications Director
City of Palm Springs
(760) 323-8250

May 27, 2011

In response to the Planning Commission's denial of the Development Agreement for Desert Fashion Plaza in downtown Palm Springs, Mayor Steve Pougnet wants to reaffirm to the community that specific timelines for the completion of the revitalization project is part of the Public/Private Partnership which is still being negotiated between the City of Palm Springs and Wessman Development

"As part of its obligations under this partnership, Wessman Development has agreed that it can complete the revitalization of Desert Fashion Plaza by November 2014," Pougnet said.

"The Bank of America building will be demolished within 30 days of voter approval of a general tax measure on Nov. 8, 2011," indicated the Mayor.

The City Council will consider a Development Agreement with Wessman at its June 15 meeting.

"The Development Agreement is only one part of the partnership; a separate Project Finance Agreement, which is still being finalized, will detail all of Wessman Development's performance obligations including appropriate default remedies for the City," Pougnet emphasized.

The City Council will consider the Project Finance Agreement at its July 20 meeting.

The proposed agreement presented to the City Council will also include timelines that call for final project design to commence before the end of this year and construction documents to be prepared during 2012. Construction would begin in May 2013.

"The revitalization of Desert Fashion Plaza is the top priority of the Palm Springs City Council and we are committed to that goal," said Pougnet.

"I encourage Palm Springs citizens to attend these important upcoming meetings and learn more about the proposed plan for the future of this critical property in our downtown."

This is Mayor Steve Pougnet's response to the Planning Commission's decision today on the Desert Fashion Plaza Development Agreement:

"Of course, I'm disappointed with the Planning Commission's decision today, but as the citizens of Palm Springs know, I am committed to the City's downtown revitalization. The public-private partnership with Wessman Development will ensure that we achieve this goal for the entire community. I am looking forward to the Council's review of the Development Agreement on June 15, which represents the next step in implementing the community's vision for the revitalization of Downtown Palm Springs."

May 25 Planning Commission, Public Comments on Desert Fashion Plaza Development Agreement

Purpose. What is the purpose of the Development Agreement? What is actually being vested? If the project is evolving and will evolve over 10-25 years, how can such a project be "vested"? There is a lack of specificity in both the Specific Plan and the Development Agreement, made even more stark by the plain vanilla site plan.

Term. Development Agreement has a 10 year span if the tax measure passes and 25 if it does not. Need to articulate why such lengthy term is necessary, particularly the 25 year term. It was also asserted that the long terms was intended to allow for several tries at the ballot. If we feel that this is a one-shot deal, we need to say so. We should discuss timing of ballots vs. the need for Wessman to move forward on the Renovation Plan in the event of ballot failure. Pulling the trigger on the Renovation Plan means there will be no Revitalization Plan – too expensive to relocate tenants, etc.

Consistency with the Specific Plan and General Plan. The Development Agreement must be consistent with both. Need to describe more clearly how all three project descriptions are consistent with the Specific Plan; particularly, the Revitalization Plan. Is there any deviation from the boundaries of the Specific Plan, such as project boundary (no), parking requirements (maybe for hotels in K-1 and K-2), street alignments (maybe Andreas), height (no), or land use? There was some confusion over whether the Specific Plan said there "must" be residential uses: clearly they are in the Plan but in later phases. "Must" they be? Or were these allowed land uses but not required?

Specific Plan calls for "adaptive reuse of architecturally and historically significant buildings." This is an opener into the Town & Country Center discussion.

Consistency with the Visioning sessions. The recitals are incorrect in that the City and Wessman did not jointly undertake the Visioning sessions. That needs to be corrected. The plan as shown, particularly today, is very similar to the MIG plan. Need to explain the "dropping off" of the Town & Country Center. There was a significant minority and perhaps even a plurality of attendees that were interested in saving the Town & Country Center but it was not universal. Because of that the Wessman plan has been delegitimized by the opponents as being very far from the community plan, when it is in fact strikingly similar. Need to say how similar in a side by side manner.

Open space and public benefit. There was a great deal of concern that there was not adequate public open space in the project; less than the Specific Plan contemplated. It was asserted that the Koffi courtyard is 15,000 square feet and that the courtyards here are 2,300 sqaure feet or less, and that most of the open space is actually streets and sidewalks. Please dimension the corner open space, the interior courtyard in Tahquitz square, and the interior traffic circle. Also articulate the potential street closure plans for special events. Talk more about shade and landscaping and come up with photos vignettes of similar size/scale courtyards.

What are other public benefits from the plan? Can we articulate what the public benefits of the project are?

Street dedications. Wouldn't the City require the dedication of the streets by the Developer at no cost? Why would we pay for something we could get for free?

Defaults. There was concern about the default process and the remedies in the event of default of the Development Agreement: specific performance and injunctive relief. There is no monetary remedy. There was also not a clear definition of a default – could we use the failure to use "best efforts" to build out the project? There was also a concern about if Wessman defaults and how that would affect any eminent domain action contemplated by the City. Does it affect value? Do we have to default Wessman out of the Development Agreement prior to undertaking eminent domain? Would a default eliminate the 25 year span of the development agreement?

Cure. Section 6.3 provides 60 day notice of default before City can act, and 7.3 adds another 60 day "cure" period after City votes to terminate the agreement -- so 4-5 months minimum before City can make a finding of default. What is the process for deciding if breach can be cured by a longer period of time, during which City may not terminate?

Review. There should be periodic review of the Development Agreement. The Agreement proscribes annual review. What are we reviewing: Progress? (see "best efforts," above).

Termination. Section 6.5 calls for "Supermajority" to terminate the agreement. We agreed that it would only need a majority and this will be changed.

Henry Frank property. It is included in Block K-2 in the Specific Plan. Jay Frank asked for it to be marked as not a part of the Development Agreement.

Encumbrance of the property. The Mortgage Protection provisions of the Agreement allow for encumbrance of the property for the purpose of financing a project or other improvements. We should look at the provisions that restrict encumbrance for cash out purposes: how would that be enforced over a 10-25 year period. Would City have a right to review loan documents?

Question: Could Wessman get a mortgage on the portions of the Property that the City is supposed to own after an agreement is signed? Answer is that it is no, but need to make sure that that is clear in the agreement.

Also, the Mortgage Protection provisions of the Agreement do not require the Mortgagee to complete the improvements. To do so would make it impossible to obtain a construction loan.

Circulation. They evidently did not like narrowing Indian to make it more pedestrian friendly because of the greater desire to make it two-way. There was also concern about bottle-necking Indian by removing a lane. There was some criticism of adding streets in the downtown core, in terms of increasing vehicles and traffic in that area. One person's

Factual explanation to the facts raised in the Van Etten email.

"It appears eminent domain is dead and Pougnet has sold us down the river in order to gain support for his personal political/employment goals."

The City suspended some of the actions necessary to undertake eminent domain, but there is still a City appraisal on the property and we required to allow Wessman to undertake his own appraisal, which will be completed this week. If negotiations on a Development Agreement and Project Financing Agreement had broken down, the City would want to be in the position to vote on a resolution of necessity prior to August 3 to put it on the ballot as well. At this point it doesn't look necessary to do that. The goal of eminent domain wasn't for the City to own the property, but to move the project forward toward completion.

"Among other things, not only is the plan itself a disaster, but the agreement has the City committing to buying all the land for parking on the project from Wessman - (i.e. - spending millions to construct and maintain the non-revenue producing portions of a private developer's project.)"

If you think the plan is a disaster, then there's not a constructive argument for why the financial structure works. However, the City held three community design workshops, which were each attended by 150-200 people from all segments of the community – not just one interest group. What came out of those very positive meetings were concepts and a plan that bears a tremendous resemblance to the Wessman plan. Calling it a "disaster" is definitely a minority viewpoint.

"There is, of course, no price specified in the agreement for this purchase, nor is there a prescribed method for determining value dictated by the agreement. In other words, the City is giving Wessman a blank check."

The Development Agreement before Planning Commission is not the Project Financing Agreement (PFA), which does not go to Planning Commission. The Development Agreement is only the land use entitlement, and does not contain any of the business terms between the City and Wessman. It is would be bad legal work to mix entitlement issues with business terms. The PFA will contain the price for the parking facilities and streets, as well as the price for the City's option to purchase the property in the event of a default by Wessman – in lieu a revving up eminent domain again.

"Adding insult to injury, you should know that the existing large parking structure behind the mall was built with taxpayer funds via a bond initiative we're still paying for, then donated to Wessman. The development agreement now commits the City to buying it back from him, essentially requiring us to pay for it twice."

The bonds that paid for the parking structure were Certificates of Participation (COPs). Staff believes these bonds were about $23 million, but will confirm. COPs are a form of lease revenue bonds that are secured by a lease. DeBartolo, as the lessee, would have pledged to pay the annual debt service and would have received *all* right, title and interest to the property. While the City, as issuer, would have technically "owned" the structure, in the event of a defeasance of

the bonds (paying them off early), which occurred prior to DeBartolo's default on the shopping center financing, title to the structure would have flowed to the lessee (DeBartolo), not the City. The City has never paid for the parking structure. It did have several million dollars of bonds in the DeBartolo project, of which about $3.8 million are still outstanding, but those funds paid for some of the street infrastructure and perhaps some property acquisition for the expansion. Staff is working to retrieve the detail on City/Agency expenditures during the DeBartolo project – nearly 30 years ago. (Even if we provide all the detail, it's unclear what it would mean. If we put money into a failed project 25 years ago, we shouldn't put more in?)

"Additionally the agreement gives Wessman the right to demolish the Town and Country Center, a historic A. Quincy Jones/Paul R. Williams project from the 1948, in order to create a street we don't need. . But it is a street that will give Wessman new prime commercial street frontage on both sides of the newly created street between Indian and Palm Canyon."

Wessman already has the right to demolish The Center, by two Council actions: the adoption of the Specific Plan, which puts a street through the middle of the project; and, by Council not designating The Center as a Class 1 historic site, as had been recommended by HSPB. The next sentence is contradictory – either the demolition is unnecessary or it creates a prime commercial street frontage. It can't be both unnecessary and successful..

"The agreement also locks the city into a minimum 10-year committment (sic) to Wessman, his heirs and assigns on this project, and possibly a 25-year commitment (sic). This will pertpetuate (sic) and codify a co-dependent relationship that has been toxic now for at least a decade."

There's not even a response to this.

Martha Edgmon

From: Steve Pougnet [spougnet@earthlink.net]
Sent: Tuesday, May 24, 2011 9:34 AM
To: Martha Edgmon
Subject: Fwd: Wednesday's Planning Commission Agenda

Please print out for me.

Sent from my iPhone

Begin forwarded message:

From: "Thomas Van Etten" <thomas-van-etten@dc.rr.com>
Date: May 23, 2011 10:35:51 AM PDT
To: "Steve Pougnet" <spougnet@earthlink.net>
Cc: "David Ready" <David.Ready@palmsprings-ca.gov>
Subject: Re: Wednesday's Planning Commission Agenda
Reply-To: "Thomas Van Etten" <thomas-van-etten@dc.rr.com>

Steve, I hope you take the opportunity Wednesday night to speak to these rumors. That w help. I look forward to meeting with you.

Thomas

-------Original Message-------

From: Steve Pougnet
Date: 5/23/2011 10:01:42 AM
To: Thomas Van Etten
Cc: David Ready
Subject: Re: Wednesday's Planning Commission Agenda

Thomas,

This is absolutely nonsense , stuff being spread by folks that want to save Zel I have asked David Ready to call you and set up a meeting Thursday afternoon my office, and I will be more than happy to go over the plan.

Steve

Sent from my iPhone

On May 23, 2011, at 8:49 AM, "Thomas Van Etten" <thomas-van-etten@dc.rr.c wrote:

I received this from a friend today. I am shocked and dismayed. Is this true????

If it is true, prepare yourselves for a huge controversy with the public.

I look forward to a reply.

Thomas Van Etten

Thomas,

I thought you should have this information.

The City's development agreement for the Desert Fashion Plaza is the last item on next Wednesda Planning Commission Agenda. It is even worse than anyone could have predicted. It appears emin domain is dead. Steve Pougnet, who was elected mayor with the promise of invoking eminent dom within 90 days of taking office appears to have sold the City down the river in order to gain support his own personal political ambitions. Among other things, not only is the remodeling plan itself a disaster, but proposed development agreement has the City committing to buying all the land prop for parking from Wessman - (i.e. - spending what will probably be millions to acquire, construct and maintain the non-revenue producing portions of a private developer's project.) There is no purchas price specified in the agreement for the parking acquisition, nor is there a prescribed method for determining value dictated in the agreement. In other words, the City is giving Wessman a blank ch In the document, the City also agrees to pay Wessman for the land on which the new street to the museum will be built. As with the City's parking purchase, no price or method for determining value specified in the agreement.

Adding insult to injury, you should know that the existing large parking structure behind the mall wa built with taxpayer funds via a bond initiative we're still paying for, then donated to Wessman. The development agreement commits the City to buying the parking structure back from him, essentiall requiring Palm Springs taxpayers to pay for it twice. Additionally the agreement gives Wessman a vested right to demolish the Town and Country Center, a historic A. Quincy Jones/Paul R. Williams project from the 1948, in order to create a street we don't need. But the road will give Wessman ne prime commercial street frontage on both sides of the street between Indian and Palm Canyon.

The agreement locks the city into a minimum 10-year commitment to Wessman, his heirs and assi on this project, and possibly a commitment as long as 25-years. This will perpetuate and codify a c dependent relationship that has been toxic now for at least a decade. If the public is ever really infc

about what is contained in this agreement, it will not only be a deal-breaker, but a possible career-k for Pougnet.

I hope you will spend some time reviewing the agreement because it is a deadly proposal. I take lit comfort in knowing that if this is presented to the voters in November, instead of eminent domain, i most certainly fail. The link to the agenda is below. And the agenda item 3B link will take you to the page staff report.
http://www.palmsprings-ca.gov/index.aspx?page=15&recordid=4941

Martha Edgmon

From: Craig Ewing
Sent: Thursday, May 19, 2011 4:54 PM
To: Chris Mills; David Ready; Ginny Foat; 'Ginny Foat at Home'; Jay Thompson; Lee Weigel; Martha Edgmon; 'Rick Hutcheson'; Steve Pougnet
Subject: Desert Fashion Plaza Development Agreement - PC Hearing 05-25-11
Attachments: 3B.pdf; 5.1263 - PSPF Comment Ltr - 05-19-11.pdf

To All,

Next Wednesday, May 25th, the Planning Commission will conduct a hearing on the proposed Development Agreement from Wessman Co. for the redevelopment and revitalization of the Desert Fashion Plaza and The Center sites. The City Council will review the proposal on June 15, 2011.

For your preview, I have attached the Commission staff report and Draft Agreement, as well as a comment letter received from Mr. Ron Marshall of the Palm Springs Preservation Foundation. Feel free to contact me if you have any questions, but do not Reply All.

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8269

When I am working on a problem I never think about beauty.
I only think about how to solve the problem.
But when I have finished, if the solution is not beautiful,
I know it is wrong.
- *Buckminster Fuller (1895-1983)*

1. Timelines : 10 years vs immediate plan?
2. Already bought parking once?

PLANNING COMMISSION STAFF REPORT

Date:	May 25, 2011
Case No.:	5.1263
Type:	Development Agreement
Location:	Northwest corner of N. Palm Canyon Drive and Tahquitz Canyon Way, and other nearby properties.
Applicant:	Wessman Development Co.
From:	Craig A. Ewing, AICP, Director of Planning Services
Subject:	Proposed Development Agreement to establish terms for redevelopment and revitalization of the Desert Fashion Plaza and related properties, in accordance with the Museum Market Plaza Specific Plan

PROJECT DESCRIPTION:

Over the past several months, representatives of the City Council and the Wessman Development Company have engaged in dialogue and negotiations aimed at revitalizing the existing Desert Fashion Plaza and Town & Country Center properties. As the discussions have progressed, both parties have determined that a Development Agreement is an appropriate vehicle for establishing the terms and relationships that would move the project to completion.

A Development Agreement is a land use planning tool recognized by the State of California (Government Code Section 65864 et seq.); it is also a form of development entitlement similar to a planned development permit and is allowed in Palm Springs under the provisions of Section 94.08.00 of the Palm Springs Municipal Code.

The Planning Commission is required by state and local law to review draft Development Agreements and forward its recommendation to the City Council. A public hearing has been noticed and the Commission will take public testimony prior to adopting a recommendation.

RECOMMENDATION:

That the Planning Commission determine that the draft Development Agreement between the City of Palm Springs, Palm Springs Promenade, LLC and Wessman Holdings, LLC meets the required findings of state and local law.

BACKGROUND AND SETTING

- On May 21, 2008, the City Council initiated a Specific Plan review process and directed staff to report on the conformance of the draft Museum Market Plaza Specific Plan with the Palm Springs General Plan, Downtown Design Guidelines and Palm Springs Zoning Code.

- On November 18, 2009, the City Council certified an Environmental Impact Report, adopted a Statement of Overriding Consideration and Findings of Fact, and adopted the Museum Market Plaza Specific Plan, including Amendments to the Palm Springs General Plan and the Palm Springs Zoning Code.

- On March 23, 2011, the Planning Commission conducted a Study Session on Development Agreements and related state and local laws.

- On May 3, 2011, the City submitted a draft Development Agreement for the Desert Fashion Plaza and Town & Country Center for review and approval.

ANALYSIS

The draft Development Agreement is essentially a contract between the City and the Desert Fashion Plaza and Town & Country Center owners (Palm Springs Promenade LLC and Wessman Holdings LLC). The Agreement is a binding agreement, which means that both parties agree to abide by its terms. The major terms are identified and described below.

Project Description / Development Plan

The underlying purpose of the Agreement is to identify the responsibilities of the City and the property owner in order to facilitate the revitalization of the properties. The Agreement includes a project description to guide the revitalization, labeled the "Development Plan" and comprised of three scenarios:

1. A "Revitalization Plan", is referenced in the Agreement's project description and a site plan. This approach uses certain existing buildings and replaces others, and may be contingent on a tax revenue measure that the City may put to a public vote in November 2011.
2. A "Renovation Plan", which can be summarized as a re-use of the existing mall with surface upgrades and new tenants.
3. A "Specific Plan" approach which implements the Museum Market Specific Plan, including significant new construction, mixed uses, increased densities.

See the definition of "development plan" (Section 1.1.8) on page 3 of the draft Agreement.

Term

Another important aspect of the Agreement is that it is proposed to have a term of ten (10) years if the tax ballot measure passes and twenty-five (25) years if it does not. This longer term is considered useful in providing predictability to the property owner, private financing interests and tenants who will be involved in developing a complex project in an as-yet uncertain economy (Section 2.3, page 5)

Sales and Assignments
The Agreement allows the property owner the right to sell the property or any part of it, subject to notification to the City. The new property owner will be subject to the Agreement to the full extent of the ownership. (Section 2.4, page 5)

Vesting
The Agreement establishes a vested right to develop the property in accordance with the terms of the Agreement and the Development Plan. This vesting is subject to the land use regulations in effect at the time of the adoption of the Agreement. These regulations are primarily the Museum Market Plaza Specific Plan and other current and applicable zoning and land use regulations. Should the Agreement be adopted, any subsequent zoning amendments or new land use regulations would not apply to the development. This is one of the primary benefits to the property owner: A predictable land use regulatory environment over the term of the Agreement. (Section 3.1, page 7)

As noted in the Section 3.2 of the Agreement, the applicable land use regulations also include processing requirements, fees, hearings and other provisions in effect at the time of adoption of the Agreement. All building codes apply to the project. Any new regulations that limit the extent, rate or time of development – including any adopted by initiative – would not apply.

Public Benefits
This section of the Agreement (Section 4, pages 8 and 9) list the benefits to the public that would accrue from the Agreement's implementation. They include: A stronger planning process that would otherwise occur, a more stable basis for long-term investment in the property, and the redevelopment of the core of downtown Palm Springs through a public-private partnership. Without this partnership, the Agreement notes that these benefits would be less likely to occur in a timely way.

Private Benefits
The property owner also receives certain benefits (Section 5, page 9) from the Agreement, including vested rights to develop the property, and specific arrangements regarding mitigation fees, parking and Transient Occupancy Taxes, as attached to the Agreement, as Appendices

Compliance and Other Provisions for Enforcement of the Agreement
Subsequent sections of the Agreement (Sections 6 through 9, pages 9 – 12) provide the means for enforcement of the Agreement, including

- Annual review by the City to show good faith compliance by the property owner,
- Proceedings for modification / termination of the Agreement,
- Remedies in case of default, including injunctive relief, but not monetary damages
- Terms of litigation of the Agreement, and
- Certain protections for lenders and mortgagees.

The Agreement concludes with a variety of standard provisions typical of such documents.

Staff believes that the key elements of the Development Agreement are the provisions for a comprehensive approach to redeveloping the site, the vesting rights granted to the owner and the Agreement's terms, as they relate to the financial options that might be used to support the project.

A review of the proposed Development Agreement indicates that the Agreement meets the requirements of the Palm Springs Zoning Code for consideration of such a document:

1. The proposed Development Agreement is intended to fulfill the purpose and use of such Agreements, as required of Section 94.08.A.12.a:
   iv. Conditions imposed in connection with the adoption of any specific plan;
   and
   viii. Mitigation measures imposed upon a project after approval of an environmental impact report in which such mitigation measures have been proposed as a mechanism for eliminating or reducing environmental impacts.

   Both these purposes are fulfilled by the proposed Development Agreement in that it specifically cites the Museum Market Specific Plan and relies on the mitigation measures of the Specific Plan's certified Environmental Impact Report for complete implementation of the project.

2. The proposed Development Agreement has been filed by a "qualified applicant", as required by Section 94.08.A.4:
   A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement.

   Staff has determined that the Wessman Development Company meets the requirement of this section.

3. The proposed Development Agreement contains certain required provisions, per Section 94.08.A.5 and A.7:
   A.5 Each application shall identify all the proposed parties and shall include the general terms and conditions proposed by the applicant to be contained in the development agreement.
   and
   A.7 A development agreement shall specify the duration of the agreement, the proposed uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions and requirements for subsequent discretionary actions; provided that, such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be

commenced within a specified time and that the project or any phase thereof be completed within a specified time.

As summarized above, all required terms, conditions and parties are contained in the Agreement.

Staff has also reviewed the proposed Agreement against the California Government Code (Section 65864, et seq) and determined that all provisions of the Government Code concerning the contents of the proposed Development Agreement are met.

REQUIRED FINDINGS

According to Section 65867.5 of the California Government Code, a Development Agreement must meet three requirements prior to its adoption. Staff has reviewed the proposed Agreement against these provisions, as follows:

a) *A development agreement is a legislative act that shall be approved by ordinance and is subject to referendum.*

The proposed Development Agreement is proposed to be adopted by the City Council by ordinance. Staff has concluded that the Agreement meets this finding.

b) *A development agreement shall not be approved unless the legislative body finds that the provisions of the agreement are consistent with the general plan and any applicable specific plan.*

The Development Agreement cites the Museum Market Plaza Specific Plan as the land use plan to be used in the development of the affected property under the terms of the Agreement. This Specific Plan was adopted by the City Council in November 2009 as both a General Plan and Zoning amendment for the subject sites. Staff has concluded that the Agreement meets this finding.

c) *A development agreement that includes a subdivision, as defined in Section 66473.7, shall not be approved unless the agreement provides that any tentative map prepared for the subdivision will comply with the provisions of Section 66473.7.*

No subdivision is presently included in the Development Agreement, nor is one contemplated. However, it is possible that implementation of the plan may include revisions to internal lot lines and new subdivisions. The Development Agreement specifically provides for compliance with all provisions of the Subdivision Map Act (§§ 66410 – 66499.58), including the above section.

According to Palm Springs Zoning Code Section 94.08.A.12.b (Recommendations to City Council) the Planning Commission provides a recommendation to the City Council, including its determination of whether or not the proposed Development Agreement meets certain findings. Staff has analyzed the proposed Agreement against these findings, which require that the Agreement:

i. *Is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan;*

The Development Agreement cites the Museum Market Plaza Specific Plan as the land use plan to be used in the development of the affected property. This Specific Plan was adopted by the City Council in November 2009 as both a General Plan and Zoning amendment for the subject sites. Consequently, the Development Agreement can be determined to be consistent with the objectives, policies, general land uses and programs of the City's adopted land use documents.

ii. *Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;*

The Museum Market Plaza Specific Plan sets forth the authorized uses and prescribed regulations for the land use district in which the subject property is located. The Development Agreement specifically cites this Specific Plan as the controlling land use document for future development. Consequently the proposed Agreement can be determined to be compatible with the authorized uses and prescribed land use regulations.

iii. *Is in conformity with public convenience, general welfare and good land use practice;*

The proposed Development Agreement will provide for the implementation of the Museum Market Plaza Specific Plan and thereby provide a comprehensive redevelopment of the center of City's downtown area. The coordinated arrangement of buildings, roads, open space, parking and existing surrounding land uses is provided for in this Specific Plan in a manner which assures the long-term environmental, economic and social wellbeing of the community. Consequently, the proposed Development Agreement can be determined to be in conformity with public convenience, general welfare and good land use practice.

iv. *Will not be detrimental to the health, safety and general welfare;*

The Development Agreement will implement both the Museum Market Plaza Specific Plan as well as the associated Mitigation Measures of the certified Environmental Impact Report that was prepared for the Specific Plan. Consequently, the proposed Development Agreement can be determined to not be detrimental to the health, safety and general welfare of the community and surroundings.

v. *Will not adversely affect the orderly development of property or the preservation of property values.*

The Development Agreement is specifically intended to provide for the orderly development of property in the downtown by establishing a means to implement the Museum Market Plaza Specific Plan. Further, the comprehensive redevelopment of the site as provided by the Agreement will provide a stable long-term development environment for the site and surroundings, thereby reducing uncertainty for the

property owner, owners of adjacent properties and the community. Consequently, the proposed Development Agreement can be determined to not adversely affect the orderly development of property or the preservation of property values.

ENVIRONMENTAL ASSESSMENT

Staff has reviewed the Environmental Impact Report and associated findings and mitigation measures, which were certified and adopted in November 2009 for the Museum Market Plaza Specific Plan. These environmental documents provide an adequate and complete assessment of the future environmental condition should the Development Agreement be approved and implemented, including all required mitigation. Staff has concluded that these documents may be adopted for the proposed Development Agreement and no additional environmental review is necessary

NOTIFICATION

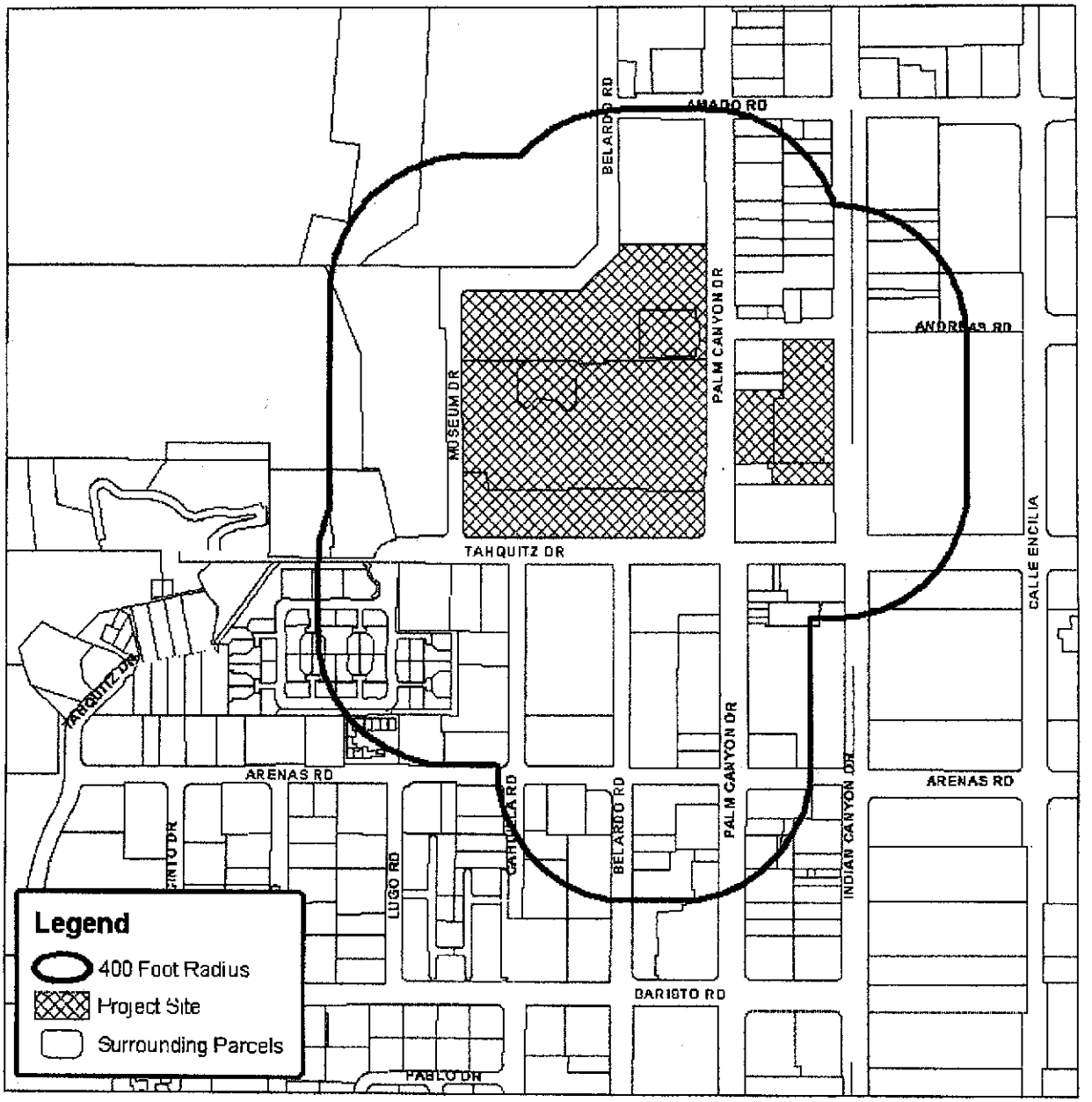
In accordance with the requirements of Section 94.08.A.9, including publication in the Desert Sun and mailing to all owners of record for properties with 400 feet of the proposed project boundaries.

Craig A. Ewing AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Planning Commission Resolution
3. Draft Development Agreement
4. Conceptual Project Site Plan (Commission only)
5. Museum Market Plaza Specific Plan (Commission only)

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1263 – Development Agreement

APPLICANT: Wessman Development

DESCRIPTION: To consider a draft Development Agreement proposed by Wessman Development to renovate and remodel the existing Desert Fashion Plaza and related properties in accordance with the Museum Market Plaza Specific Plan (Case No. 5.1204).

RESOLUTION No.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS DETERMINING THAT A PROPOSED DEVELOPMENT AGREEMENT FOR THE DESERT FASHION PLAZA AND RELATED PROPERTIES CONFORMS TO STATE AND CITY LAWS

WHEREAS, the Wessman Development Company has proposed a Development Agreement (Case No. 5.1263) with the City of Palm Springs to assist in the redevelopment and revitalization of the Desert Fashion Plaza and certain related properties; and

WHEREAS, the proposed Development Agreement includes reference to the Museum Market Plaza Specific Plan as the controlling land use document for said Agreement; and

WHEREAS, the conceptual plan proposed with the Development Agreement provides for redevelopment and revitalization of the subject properties in a manner consistent with and conforming to the Museum Market Plaza Specific Plan; and,

WHEREAS, the approval of a Development Agreement must conform to the requirements of California Government Code Section 65867 et seq, and also to the provisions of Palm Springs Zoning Code Section 94.08; and

WHEREAS, a notice of public hearing for Case 5.1263 was given in accordance with applicable law; and

WHEREAS, on May 25, 2011, a public hearing on the conformity of the proposed Development Agreement Case 5.1263 with State and City laws was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

NOW THEREFORE, the Planning Commission of the City of Palm Springs does determine as follows:

1. The proposed Development Agreement meets the requirements of Section 65867.5 of the California Government Code, as follows:

a. A development agreement is a legislative act that shall be approved by ordinance and is subject to referendum.

The proposed Development Agreement is proposed to be adopted by the City Council by ordinance. The proposed Development Agreement meets this finding.

b. *A development agreement shall not be approved unless the legislative body finds that the provisions of the agreement are consistent with the general plan and any applicable specific plan.*

The Development Agreement cites the Museum Market Plaza Specific Plan as the land use plan to be used in the development of the affected property under the terms of the Agreement. This Specific Plan was adopted by the City Council in November 2009 as both a General Plan and Zoning amendment for the subject sites. The proposed Development Agreement meets this finding.

c. *A development agreement that includes a subdivision, as defined in Section 66473.7, shall not be approved unless the agreement provides that any tentative map prepared for the subdivision will comply with the provisions of Section 66473.7.*

No subdivision is presently included in the Development Agreement, nor is one contemplated. However, it is possible that implementation of the plan may include revisions to internal lot lines and new subdivisions. The Development Agreement specifically provides for compliance with all provisions of the Subdivision Map Act (§§ 66410 – 66499.58), including the above section. The proposed Development Agreement meets this finding.

2. The proposed Development Agreement meets the required findings of Palm Springs Zoning Code Section 94.08.A.12.b, as follows:

a. *Is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan;*

The Development Agreement cites the Museum Market Plaza Specific Plan as the land use plan to be used in the development of the affected property. This Specific Plan was adopted by the City Council in November 2009 as both a General Plan and Zoning amendment for the subject sites. Consequently, the Development Agreement is consistent with the objectives, policies, general land uses and programs of the City's adopted land use documents.

b. *Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;*

The Museum Market Plaza Specific Plan sets forth the authorized uses and prescribed regulations for the land use district in which the subject property is located. The Development Agreement specifically cites this Specific Plan as the controlling land use document for future development. Consequently the proposed Agreement is compatible with the authorized uses and prescribed land use regulations.

c. *Is in conformity with public convenience, general welfare and good land use practice;*

The proposed Development Agreement will provide for the implementation of the Museum Market Plaza Specific Plan and thereby provide a comprehensive redevelopment of the center of City's downtown area. The coordinated arrangement of buildings, roads, open space, parking and existing surrounding land uses is provided for in this Specific Plan in a manner which assures the long-term environmental, economic and social wellbeing of the community. Consequently, the proposed Development Agreement is in conformity with public convenience, general welfare and good land use practice.

d. Will not be detrimental to the health, safety and general welfare;

The Development Agreement will implement both the Museum Market Plaza Specific Plan as well as the associated Mitigation Measures of the certified Environmental Impact Report that was prepared for the Specific Plan. Consequently, the proposed Development Agreement is determined to not be detrimental to the health, safety and general welfare of the community and surroundings.

e. Will not adversely affect the orderly development of property or the preservation of property values.

The Development Agreement is specifically intended to provide for the orderly development of property in the downtown by establishing a means to implement the Museum Market Plaza Specific Plan. Further, the comprehensive redevelopment of the site as provided by the Agreement will provide a stable long-term development environment for the site and surroundings, thereby reducing uncertainty for the property owner, owners of adjacent properties and the community. Consequently, the proposed Development Agreement is determined to not adversely affect the orderly development of property or the preservation of property values.

ADOPTED this __th day of May, 2011

AYES:
NOES:
ABSENT:
ABSTENTIONS:

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

_____
Craig A. Ewing, AICP
Director of Planning

Recorded at request of:
City Clerk
City of Palm Springs

When recorded return to:
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
Attention: City Clerk

Exempt from Filing Fees, Government Code Section 6103

DEVELOPMENT AGREEMENT

A DEVELOPMENT AGREEMENT BETWEEN

CITY OF PALM SPRINGS

and

PALM SPRINGS PROMENADE, LLC

and

WESSMAN HOLDINGS, LLC

DRAFT

DRAFT

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into and made effective as of the Effective Date set forth below, by and between the City of Palm Springs, a California municipal corporation and charter city ("CITY"), and Palm Springs Promenade, LLC, a California limited liability company ("PSP LLC") and Wessman Holdings, LLC, a California limited liability company ("WH LLC") (collectively "OWNER"), with reference to the recitals set forth below.

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq, of the Government Code; and

WHEREAS, by adoption of Ordinance No. _____ (or Resolution No. _____), CITY has established procedures and requirements for the consideration of development agreements; and

WHEREAS, OWNER has requested CITY to enter into a development agreement regarding the Property (as defined below), and proceedings have been taken in accordance with established development agreement procedures and requirements of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY intends to and shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY, to the greatest extent permitted by law; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the City of Palm Springs and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, CITY and OWNER believe that all of the procedures of the California Environmental Quality Act have been met with respect to this Agreement pursuant to City Council Resolution 22625, adopted on December 2, 2009, which certified an Environmental Impact Report for the Specific Plan (as defined below), and pursuant to City Council Resolution _____, adopted on _____, which certified this Agreement as being in conformance with the Specific Plan; and

WHEREAS, this Agreement and the Project (as defined below) are consistent with the Palm Springs General Plan and the Specific Plan (as defined below); and

WHEREAS, CITY and OWNER believe that all actions taken and approvals given by CITY have been duly taken and/or given in accordance with applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the intended purposes for development agreements under Section 65864, et seq, of the Government Code; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs, including substantial costs in excess of the generally applicable requirements, in order to assure vesting of legal rights to develop and development of the Property in accordance with this Agreement.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. When used in this Agreement, terms defined below (whether or not initially capitalized herein) shall have meanings and definitions as indicated. Additional defined terms, if any, shall have meanings as otherwise indicated in this Agreement.

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Palm Springs, a California municipal corporation and charter city.

1.1.3 "City Council" means the duly elected city council of the City of Palm Springs.

1.1.4 "Development" means revitalization and/or renovation of the Property and Project and includes, without limitation, demolition, grading, re-grading, construction, re-construction, installation and/or re-installation of (a) on-site private infrastructure, improvements and landscaping, and (b) on and off-site public infrastructure, improvements and landscaping.

1.1.5 "Development Approvals" means all permits and entitlements subject to approval or issuance by CITY in connection with development and use of the Property and Project including, without limitation, the Specific Plan and all provisions thereof, architectural approvals, tentative and final subdivision maps, conditional use permits, planned development permits, plot plans, zoning, grading and building permits.

1.1.6 "Development Exaction" means any requirement of CITY, in connection with or pursuant to any Land Use Regulations or Development Approvals, for the dedication of land, the construction of improvements (public or private), or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment, or otherwise comply with requirements of CITY.

1.1.7 "Development Impact Fee" means a monetary exaction, other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, but does not include fees specified in Government Code Section 66477, fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies which provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law, Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code.

1.1.8 "Development Plan" means the plan for development and/or redevelopment of the Property and Project, in phases, as contemplated by the Specific Plan and the "Project Description" attached hereto as Exhibit "A". The Development Plan consists of three (3) potential approaches, as follows: As of the Effective Date, the desired approach is to implement, as the initial phase, the Revitalization Plan referenced in the Project Description. However, implementation of the Revitalization Plan may be contingent upon voter approval of a tax revenue measure ("Ballot Measure") to be placed by the CITY on the ballot for the November 2011 general election and, therefore, if the Ballot Measure is not approved, the approach may be to implement, as the initial phase, the Renovation Plan referenced in the Project Description. In any event, the Development Plan includes development and/or redevelopment of the Property and Project, in phases, as and when determined by OWNER to be practical and feasible but subject to time limits as provided herein, in accordance with the Specific Plan. It is understood and agreed that this Agreement is intended to and shall grant to OWNER vested rights, for time periods as specified herein, to implement development and/or redevelopment of the Property and Project, in phases, pursuant to the Revitalization Plan, the Renovation Plan and/or the Specific Plan.

1.1.9 "Effective Date" means the date on which the CITY ordinance approving and authorizing this Agreement has become effective and both parties have signed and delivered this Agreement.

1.1.10 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction

standards and specifications applicable to the development of the Property. "Land Use Regulations" includes the right of the CITY, when applicable and subject to the provisions of this Agreement, to impose Development Exactions and/or Development Impact Fees. "Land Use Regulations" does not include any CITY ordinance, resolution, code, rule, regulation or policy governing the conduct of businesses, professions and occupations, taxes and assessments, the control and abatement of nuisances, or the granting of encroachment permits and the conveyance of rights and interests that provide for the use of or entry upon public property.

1.1.11 "OWNER" means the entity identified as such on the initial page of this Agreement, and any successor in interest to such Owner.

1.1.12 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and any successor in interest thereto.

1.1.13 "Project" means the development of the Property as contemplated by the Development Plan and this Agreement.

1.1.14 "Property" means the real property described on Exhibit "B", and shown and depicted in the Specific Plan; any reference herein to "Property" shall, whenever reasonably appropriate to the context, automatically be deemed to include reference to the Project.

1.1.15 "Reservation of Rights" means the rights reserved to CITY and excluded from the assurances and rights provided to OWNER under this Agreement, as provided Section 3.2 hereof.

1.1.16 "Specific Plan" means that certain Museum Market Plaza Specific Plan approved by the City Council on December 2, 2009, by adoption of Ordinance 1764.

1.2 Exhibits. Documents attached and made a part hereof are:

Exhibit "A" – Project Description.
Exhibit "B" – Legal Description of Property.
Exhibit "C" – Development Impact Fees
Exhibit "D" – Specific Arrangements regarding Parking
Exhibit "E" – Specific Arrangements regarding Transient Occupancy Tax

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property and Project are hereby made subject to this Agreement. Development, and subsequent use and operation of the Property and Project, are hereby authorized and may be carried out by OWNER in accordance with the terms of the Development Plan and this Agreement.

2.2 Interest in Property. OWNER represents and covenants that as of the Effective Date OWNER has legal title to the Property.

2.3. Term. The term of this Agreement shall commence on the Effective Date and, unless cancelled, modified or terminated pursuant to other provisions hereof, continue for a period of twenty-five (25) years thereafter; provided, however, if the Ballot Measure passes, OWNER shall have vested rights to develop in accordance with the Revitalization Plan only for a period of ten (10) years from the Effective Date.

2.4 Sales and Assignments. OWNER shall have the right, at any time during the term of this Agreement, to sell and/or convey all or any part of the Property (provided that any conveyance of only part of the Property shall be in compliance with the Subdivision Map Act), to any related or unrelated person or entity; provided, however, notice of any such sale and/or conveyance shall promptly be provided by OWNER to CITY. Upon any sale and/or conveyance of all of the Property, the acquiring party shall thereupon assume all obligations and be entitled to all rights of OWNER under this Agreement. Upon any sale and/or conveyance of only a part of the Property, obligations and rights of OWNER under this Agreement shall, to the maximum extent reasonably practicable, be bifurcated between OWNER and the acquiring party so that OWNER remains responsible for obligations and entitled to rights relating to the part of the Property retained, and the acquiring party becomes responsible for obligations and entitled to rights relating to the part of the Property acquired and, in such event, OWNER, CITY and the acquiring party shall cooperate with each other and execute such supplements and/or addenda to this Agreement as may be reasonably necessary, expedient or convenient to reflect and implement such bifurcation.

2.5 Amendment or Cancellation. This Agreement may be amended or canceled, in whole or in part, by mutual consent of the parties or their successors in interest, only in the manner provided for in Government Code Section 65868; provided, however, the foregoing shall not limit any remedy of CITY or OWNER provided by this Agreement.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the term as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Termination of this Agreement based on default by OWNER and following termination proceedings required by this Agreement.

Termination of this Agreement shall not constitute termination of any other Development Approvals or Land Use Regulations applicable to the Property and/or Project, or to continued use, operation and/or maintenance of portions of the Property or Project that have been developed prior to the date of termination. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have

been performed prior to such termination or with respect to any default in the performance that has occurred prior to such termination.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
Attn: City Manager
Telephone: (760) ___-____
Facsimile: (760) ___-____

Copy to:
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
Attn: City Attorney
Telephone: (760) ___-____
Facsimile: (760) ___-____

If to OWNER:
Palm Springs Promenade, LLC
555 South Sunrise Way, Suite 200
Palm Springs, California 92264
Attn: John Wessman
Telephone: (760) 325-3050
Facsimile: (760) 325-5848

Copy to:
Ealy, Hemphill & Blasdel, LLP
71780 San Jacinto Drive, Suite I-3
Rancho Mirage, California 92270-5518
Attn: W. Curt Ealy

Telephone: (760) 340-0666
Facsimile: (760) 340-4666

Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change

3. DEVELOPMENT OF PROPERTY.

3.1 Vested Rights to Develop. During the term of this Agreement, OWNER (and successors) shall have vested rights to develop and/or redevelop the Property and Project in accordance with this Agreement and the Development Plan; provided, however, any such development shall be subject to Land Use Regulations as they exist and are in effect, as modified and/or supplemented by this Agreement, as of the Effective Date; provided further, however, if the Ballot Measure passes, OWNER shall have vested rights to develop in accordance with the Revitalization Plan only for a period of ten (10) years from the Effective Date. During the term and time periods specified herein, this Agreement shall be binding on CITY, and future City Councils, to the maximum extent allowed by law.

3.2 Reservation of Rights.

3.2.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Land Use Regulations shall apply to the development of the Property.

(a) Processing fees and charges customarily imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations governing engineering and construction standards and specifications applicable to public and private improvements, including, without limitation, all uniform codes, and local amendments thereto, adopted by the CITY including, without limitation, the CITY's Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and Grading Code.

(d) Regulations that may be in material conflict with this Agreement but that are necessary to protect the residents and/or members of the public from a condition immediately perilous to health or safety; provided, however, City shall endeavor to apply and consture any such regulations so as to reasonably preserve the rights and assurances provided Owner under this Agreement.

(e) Regulations that are not in material conflict with this Agreement or the Development Plan; provided, however, any regulation, whether adopted by initiative or otherwise, limiting the extent, rate or timing of development of the Property, shall be deemed to materially conflict with this Agreement and/or the Development Plan and shall, therefore, not be applicable to the development and/or redevelopment of the Property.

(f) Regulations that are in material conflict with this Agreement or the Development Plan but, with respect to which, OWNER has provided written concurrence and consent.

3.2.2 Development Applications Submitted After Term. This Agreement shall not prevent CITY, with respect to applications for Development Approvals submitted after the term of this Agreement, from acting on such applications in the same manner and to the same extent as it would otherwise be authorized to do absent this Agreement.

3.2.3 Modification or Suspension by State or Federal Law. In the event that state or federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with any provisions of this Agreement, such provisions shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations; provided, however, this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations.

3.3 Regulations of Other Public Agencies. The parties acknowledge that other public agencies, not within the control of CITY, possess authority to regulate aspects of the development of the Property separately from CITY, and this Agreement does not limit the authority of such other public agencies; provided, however, CITY agrees to reasonably cooperate with and support OWNER, in connection with any reasonable efforts by OWNER to mitigate and/or minimize the effect of regulations, including Development Impact Fees, imposed by any other public agency but enforced or collected by the CITY so long as such cooperation and/or support does not violate any law or agreement

4. PUBLIC BENEFITS.

4.1 Comprehensive Planning. The parties acknowledge and agree that providing, by way of this Agreement, assurance that OWNER may proceed with development and redevelopment per the Development Plan will strengthen the planning process and encourage public and private participation therein.

4.2 Investment. The parties acknowledge and agree that the lack of certainty in the approval of development projects can result in a waste of resources and discourage investment in and commitment to comprehensive planning and development, and this Agreement is intended to overcome and/or mitigate such constraints, and encourage investment and efficient utilization of resources.

4.3 Downtown Redevelopment. Development and/or redevelopment pursuant to the Development Plan is considered to be a critical component to restoring economic vitality and

luster to core areas of downtown Palm Springs. In the current economic climate, such restoration will require cooperation and joint public and private efforts to achieve meaningful results. Proceeding with the Development Plan is expected to promote and serve the long term best interests of the City and its residents. This Agreement is intended to constitute significant progress in the correct direction, and result in substantial public benefits and the satisfaction of substantial public needs that would not otherwise occur.

5. PRIVATE BENEFITS.

5.1 Compliance with Government Code. The parties acknowledge that this Agreement is intended to serve purposes for which development agreements are authorized, as provided and contemplated under Section 65864, et seq, of the Government Code.

5.2 Vested Rights. The provision of vested rights to develop and/or redevelop, as set forth and/or contemplated herein, is intended to eliminate uncertainty in planning, and provide for orderly revitalization and/or renovation, and progressive installation, in phases, of desired improvements, both public and private.

5.3 Development Mitigation Fees. Anything in this Agreement to the contrary notwithstanding, with respect to Development Mitigation Fees, the parties agree to specific arrangements as set forth in Exhibit "C" attached.

5.4 Parking. Anything in this Agreement to the contrary notwithstanding, with respect to parking, the parties agree to specific arrangements as set forth in Exhibit "D" attached.

5.5 Transient Occupancy Tax. Anything in this Agreement to the contrary notwithstanding, with respect to Transient Occupancy Taxes relating to hotels developed within the Property, the parties agree to specific sharing arrangements as set forth in Exhibit "E" attached.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic Review. During the term hereof, CITY shall review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain good faith compliance by OWNER with the terms of the Agreement.

6.2 Special Review. During the term hereof, a special review of good faith compliance with this Agreement may be initiated upon a majority vote of the City Council.

6.3 Procedure. During either a periodic review or a special review, OWNER shall be required to reasonably demonstrate good faith compliance with the terms of the Agreement. If the CITY finds, based on substantial evidence and the vote of a majority of the City Council, that OWNER has not reasonably complied in good faith, CITY may, subject to Section 7.3 below, initiate procedures to terminate or reasonably modify this Agreement.

6.4 Proceedings regarding Termination or Modification. If, upon a finding under

Section 6.3, CITY determines to proceed with termination or reasonable modification of this Agreement, CITY shall give written notice to OWNER of its intention so to do. The notice shall be given at least sixty (60) calendar days prior to the scheduled hearing and shall contain (a) the time and place of the hearing, (b) a statement as to whether or not CITY proposes to terminate or modify this Agreement, and (c) additional information sufficient to ensure that OWNER is reasonably apprised of the full nature and extent of the proceeding, and the allegations thereof.

6.5 Hearing on Termination or Modification. At the time and place set for the hearing on termination or reasonable modification, OWNER shall be given an opportunity to be heard. OWNER shall be required to reasonably demonstrate good faith compliance with material terms and conditions of this Agreement. If the City Council finds, based upon substantial evidence and the vote of a super majority of the City Council, that OWNER has not complied in good faith with material terms or conditions of the Agreement, the City Council may, subject to satisfaction of requirements in Section 7.3 hereof, terminate or reasonably modify this Agreement to impose such conditions as are reasonably necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.6 Certificate of Compliance. If, at the conclusion of any periodic or special review, OWNER is found to be in compliance with this Agreement, CITY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that, after the most recent periodic or special review and based upon information known or made known, the City Council has found that this Agreement remains in effect, and OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a periodic or special review and shall state the anticipated date of commencement of the next periodic review. OWNER may record the Certificate with the County Recorder. During the term of this Agreement, and from time to time, OWNER may request and CITY shall provide, the aforementioned Certificate, as long as OWNER is then considered to be in good faith compliance with this Agreement.

7. DEFAULT AND REMEDIES.

7.1 Remedies in General. The parties acknowledge that they would not have entered into this Agreement if they were to be liable in damages for breach. Therefore, it is agreed that each party may pursue any remedy at law or equity available for breach of any provision of this Agreement, except that neither CITY nor OWNER shall be liable in damages, and each party covenants not to sue for damages or claim any damages: (a) for any breach of this Agreement or for any cause of action that arises out of this Agreement; or (b) for the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or (c) arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

7.2 Specific Performance and Injunctive Relief. The parties acknowledge that money damages and remedies at law generally are inadequate, and specific performance, injunctive relief and other non-monetary relief are particularly appropriate remedies for the enforcement of

this Agreement and should be available to all parties for the following reasons: (a) money damages are unavailable as per Section 7.1 above, and (b) due to the size, nature and scope of the Project, it may not be practical or possible to restore the Property once implementation of this Agreement has begun.

7.3 Termination or Modification of Agreement for Default of OWNER. CITY may terminate or reasonably modify this Agreement for any failure of OWNER to comply in good faith with the terms hereof ("default"); provided, however, CITY may commence proceedings to do so only after providing written notice of default to OWNER, setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, providing OWNER with an opportunity to cure such default for a period of sixty (60) days after delivery of such notice or, in the event that such default cannot be cured within such sixty (60) day period but can be cured within a longer time, providing OWNER with such reasonable time as may be necessary to cure such default (and during such time neither termination or modification actions shall be commenced by CITY as long as OWNER commences and diligently pursues such cure.

8. LITIGATION.

8.1 Development Agreement Litigation. In the event litigation is commenced to attack or set aside this Agreement before the election, or after the election with voter approval of the Ballot Measure, CITY and OWNER shall both join in the good faith defense of such litigation, and each shall pay commercially reasonable legal fees and costs incurred by each in connection therewith. In the event litigation is commenced after the election with no voter approval of the Ballot Measure, OWNER shall defend against such litigation and indemnify and hold CITY, its officers, agents and employees, free and harmless from any and all costs, claims and/or liabilities incurred in connection therewith.

8.2 Ballot Measure – Litigation after Election. In the event litigation is commenced to attack or set aside the Ballot Measure (or any bond or other financing issued pursuant thereto) after the election with voter approval of the Ballot Measure, CITY shall defend against such litigation and indemnify and hold OWNER, its officers, agents and employees, free and harmless from any and all costs, claims and/or liabilities incurred in connection therewith.

9. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property and/or Project. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and/or modifications, and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation and/or modification. CITY will not unreasonably withhold, delay or condition its consent to any such requested interpretation and/or modification provided such interpretation and/or modification is reasonably consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall

be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage or deed of trust on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property and/or Project, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. Anything in this Agreement to the contrary notwithstanding, the Mortgagee shall have the right, but not the obligation, to notify the CITY that the Mortgagee has elected to cure the default, and, in such event, the Mortgagee shall thereafter have all rights of OWNER including, without limitation, the right to cure any such default; provided, however, the Mortgagee shall have an additional sixty (60) days (beyond the cure period of OWNER) to cure the default, or, if such default cannot be cured within that time, then such additional time as may be reasonably necessary to cure such default if, within such additional sixty (60) day period, the Mortgagee has commenced and is diligently pursuing cure of the default (including, without limitation, commencement of foreclosure proceedings against OWNER), in which event and while such remedies are being diligently pursued by Mortgagee, CITY shall not continue with proceedings to terminate or modify this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

(e) In the event of any conflict between the provisions of this Section 9 of the Agreement and any any agreement between CITY and OWNER relating to CITY'S acquisition of improved land and/or public facilities within or on the Property ("Acquisition Agreement"), the provisions of the Acquisition Agreement shall control.

10. MISCELLANEOUS PROVISIONS.

10.1 Recordation of Agreement. This Agreement, and any amendment or cancellation of it, shall be recorded with the Riverside County Recorder by the Clerk of the City Council within ten (10) days after the CITY enters into the Agreement, in accordance with Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement, or if the CITY terminates or modifies this Agreement as provided herein for failure of the OWNER to reasonably comply in good faith with the terms and conditions of this Agreement, the City Clerk shall have notice of such action recorded with the Riverside County Recorder.

10.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties with respect to matters contained herein, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements that are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement.

10.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6 Singular and Plural. As used herein, the singular of any word includes the plural.

10.7 Joint and Several Obligations. If at any time during the Term of this Agreement the Property is owned, in whole or in part, by more than one OWNER, all obligations of such OWNERS under this Agreement shall be joint and several, and the default of any such OWNER shall be the default of all such OWNERS.

10.8 Time of Essence. Time is of the essence in the performance of .the provisions of this Agreement as to which time is an element.

10.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

10.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots, hostilities, strikes, , or court actions. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder shall be extended by the length of time that such events reasonably prevented performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

10.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement; provided, however, tenants of OWNER shall not be deemed to be successors of OWNER, and shall not, unless authorized by OWNER, have any rights under this agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

10.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

10.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

10.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary or expedient under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.18 Authority to Execute. The person executing this Agreement on behalf of OWNER warrants and represents (a) that he has the authority to execute this Agreement on behalf of OWNER, and (b) that he has the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement on the last day and year set forth below.

OWNER:

PALM SPRINGS PROMENADE, LLC,

a California limited liability company

By: _____

Title: _____

Dated: _____

WESSMAN HOLDINGS,LLC,

a California limited liability company

By: _____

Title: _____

Dated: _____

CITY:

CITY OF PALM SPRINGS

By: _____
Name:
Title:

Dated: _____

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DRAFT

EXHIBIT "A" TO DEVELOPMENT AGREEMENT

(Project Description)

I. BACKGROUND.

A. **Specific Plan**. On December 2, 2009, the City Council ("Council") of the City of Palm Springs ("City") adopted Ordinance 1764, which approved the Museum Market Plaza Specific Plan ("Specific Plan"). The Specific Plan covered two existing downtown commercial complexes, i.e., the area commonly known as Desert Fashion Plaza ("DFP Area"), and the area (shown on the Specific Plan as Blocks K-1 and K-2) commonly known as Town & Country Center ("TCC Area"). In granting such approval, the Council found that the Specific Plan was consistent with applicable provisions of the State Government Code, and the General Plan of the City. Among other things, the Specific Plan established criteria, standards, restrictions, requirements and limitations (collectively "criteria") for major redevelopment, in phases, of both the DFP Area and the TCC Area. Such criteria included without limitation, criteria for land use (allowed and prohibited uses), development standards (minimum setbacks and maximum heights), land regulations (allowable square footage and building mass), and design guidelines (architectural themes and concepts).

B. **Prior Renovation Plan**. At the time of approval of the Specific Plan, the U.S. economy was in process of a major downturn and, in recognition of that fact and the reality of potential long term financial and development constraints, the owner of the Specific Plan property ("Developer"), had previously submitted a less ambitious plan ("Renovation Plan"), which contemplated that existing buildings within the DFP Area would largely remain intact but be upgraded with exterior architectural improvements. In Section V.C of the Specific Plan, the Renovation Plan, which was primarily confined to the DFP Area, was approved as an optional "phase one" of the Specific Plan.

C. **EIR Certification**. Concurrently with approval of the Specific Plan, the Council approved and adopted Resolution 22625, which certified an Environmental Impact Report for the Specific Plan. Such Resolution included, without limitation, the making of amendments to the General Plan and Zoning Ordinance of the City, the making of certain findings relative to environmental effects identified in the EIR, the adoption of a Statement of Overriding Consideratons, and the adoption of a Mitigation Monitoring Plan and Reporting Plan. The Resolution also included the incorporation of the Renovation Plan as an option, i.e., a potential "phase one" for remodeling the DFP Area.

D. **Current Revitalization Plan**. Because of continuing depressed economic and financial conditions locally and nationally, the Renovation Plan was not commenced during the latter part of 2009 or 2010. As a result, and recognizing that commencement of redevelopment under the Specific Plan is critical to restoring economic vitality to central areas of downtown Palm Springs, the City Council and the Developer, in 2011, commenced a series of "visioning" sessions with community leaders and concerned

citizens, with broad and significant community input. As a product of that joint effort, a new plan ("Revitalization Plan") has evolved, which has broad community support, as evidenced by input from participants during the visioning sessions. The Revitalization Plan constitutes the current proposal that is the topic of discussion below.

II. CURRENT PROPOSAL

A. **Project Description for Revitalization Plan**. The Revitalization Plan is intended to expand upon the prior Renovation Plan, and continue to remain in conformance with the Specific Plan. In essence, the Revitalization Plan will constitute part of the redevelopment "phasing" process recognized and approved in the Specific Plan. Relevant aspects of the Revitalization Plan are considered below.

1. **New Site Plan**. The new site plan for the Revitalization Plan ("New Site Plan") is attached hereto as *Exhibit "A-1"*. With respect to the New Site Plan (and the Revitalization Plan) the comments below are relevant.

2. **Internal Street Improvements**. The New Site Plan shows the main internal street running the full distance from Indian Canyon Drive to Museum Drive. In this respect, it is consistent with ultimate Specific Plan redevelopment concepts, and provides an important part of the solution to making the DFP Area commercially successful, i.e., direct east-west access from Indian Canyon Drive into the DFP Area. The New Site Plan also shows an extension from the roundabout at the "center" of the DFP Area southerly to become part of an extension of Belardo Road into the DFP Area. (Note: [1] Construction of the Belardo Bridge over Tahquitz Creek will provide a large new segment of residential areas with direct northerly access to the DFP Area. [2] Under the New Site Plan, internal streets will be public, i.e., owned by the City rather than the Developer.)

3. **New Building Improvements**. The Prior Site Plan contemplated that existing buildings within the DFP Area would largely remain in place but be upgraded with exterior architectural improvements. The New Site Plan contemplates the demolition, reconfiguration and replacement of some buildings, particularly in the southeast corner of the DFP Area. In that location, existing buildings will be demolished, a new open space area will be located at the northwest corner of Tahquitz Canyon Way and North Palm Canyon Drive, and a landscaped pedestrian walkway will extend from the corner open space area into the center of the DFP Area, connecting to the "roundabout" described in Section II.A.2 above. New retail building improvements are planned for location in the area shown as Block 2 on the New Site Plan. A new movie theater complex is planned for location directly north of the roundabout in the center of the DFP Area.

4. **Retention and Use of Existing Building Improvements**. The New Site Plan contemplates the retention, upgrade and use of some existing building improvements, as follows: (1) the former Saks Fifth Avenue building located on Palm Canyon Drive may be retained and used for major retail purposes, (2) the former I.

Magnin building located directly northwest of the center roundabout in the DFP Area may be retained and used as an entertainment venue, such as for fitness/spa uses and/or recreational bowling purposes, (3) existing building improvements shown as Block 1 on the New Site Plan (located on Palm Canyon Drive), may be retained and used for retail purposes, and (4) existing building improvements located immediately adjacent to the Hyatt Hotel may be retained and used for hotel ballroom and conference center purposes. Depending on the condition of these properties, the needs of potential tenants, and economic feasibility, any of these buildings could be replaced with new structures. (Note: The foregoing identification of potential uses is not intended to preclude other uses authorized by the Specific Plan.)

5. **Retention of Block 6 for Future Development**. The New Site Plan calls for the area shown thereon as Block 6 to be retained by the Developer and be held for future development for a variety of potential uses including, without limitation, boutique gourmet grocery, bar/restaurant, entertainment, multi-story housing and/or office uses.

6. **City Purchase of Improvements for Public Parking**. The Revitalization Plan calls for certain parking improvements within the DFP Area to be purchased by the City from the Developer, and be used by the City in perpetuity as and for free public parking. These may include all or part of the above-ground parking structure at the northwest corner of the DFP Area, the parking deck and associated underground parking at the southwest corner of the DFP Area, the parking underneath developed portions of the DFP Area, and all associated ramps, driveways and approaches currently owned by the Developer.

7. **City Purchase of Land for Public Streets**. The Revitalization Plan calls for the City to purchase from the Developer the ground upon which the interior streets shown on the New Site Plan will be built. Such purchase could be the ground only, or the purchase from Developer of full streets in finished condition.

8. **City Purchase of Land (Parcels A and B) for Future Use**. The Revitalization Plan calls for two parcels within the DFP Area, i.e., the two parcels directly east of the Palm Springs Art Museum ("Art Museum") which are currently used for open space and sculpture garden purposes ("Parcels A and B"), to be purchased by the City from the Developer and be held for future development opportunities including, without limitation, possible expansion of Art Museum facilities.

B. **City Administration and Processing of Revitalization Plan**. With respect to City Administration and processing, a number of matters need to be considered, as follows:

1. **Development Agreement**. Under certain provisions of the State Government Code, local governments are authorized to enter into binding contracts with developers known as development agreements. Among other things, a development agreement, once consummated, gives the developer a vested right to proceed to develop

his property in the manner specified in the development agreement and/or entitlements adopted concurrently therewith or prior thereto. In this case, the Developer has filed an application for approval of a Development Agreement. Once approved and executed, the Development Agreement will, among other things, grant the Developer the vested right to develop the DFP Area in accordance with the Revitalization Plan, and the TCC Area in accordance with the Revitalization Plan (construction of the public street from Indian Canyon Drive to Palm Canyon Drive) and other entitlements authorized by the Specific Plan (hotel and retail use), but subject to all criteria (restrictions, standards, requirements and limitations) contained in the Specific Plan.

2. **Major Architectural Review**. Section V.A of the Specific Plan provides that implementation tools will be major architectural reviews, conditional use permits, subdivision maps and, in certain circumstances, planned development permits. For purposes of the subject Revitalization Plan, the Planning Commission and City Council will consider and rule on the Development Agreement application prior to major architectural review of proposed revitalization improvements, which will come later.

3. **Substantial Conformance of Revitalization Plan**. For reasons indicated herein, the Revitalization Plan and New Site Plan are consistent and in conformance with the Specific Plan in general and the prior Renovation Plan in particular. Land uses under the Revitalization Plan will be fully consistent with land uses allowed under the Specific Plan, development standards and land use regulations set forth in the Specific Plan will be followed in the Revitalization Plan, and architectural and design concepts under the Revitalization Plan will be consistent with those contained in the Specific Plan.

III. SUMMARY. Redevelopment pursuant to the goals, objectives and criteria of the Museum Market Place Specific Plan is a critical component to restoring economic vitality and luster to core areas of downtown Palm Springs. This has been recognized by essentially all that have considered the subject, e.g., the City Council, business groups such as the Chamber of Commerce, The Desert Sun and other media outlets, community leaders and concerned citizens. In the current challenging economic climate, this is not an easy task, and it will require serious cooperation and joint public and private efforts to achieve meaningful results. Proceeding with the Revitalization Plan described above would constitute significant progress in the right direction, and clearly serve the long term best interests of the City and its residents. Upon completion, the project would create a strong public gathering place comprised of well-designed public spaces linked by a total shopping environment offering a variety of merchandise and price points, with major emphasis on dining and entertainment. World-class architecture, landscaping and enhanced circulation facilities will create an exciting atmosphere where retail, hotel, cultural and other activities can come together an establish a sense of arrival and place – one that can compete with other Coachella Valley venues such as such as The River in Rancho Mirage and The Gardens at El Paseo in Palm Desert. The design will preserve and enhance views of the adjacent San Jacinto Mountains and provide pedestrian friendly movement to an interior architectural feature at the project center. Proposed streets and walkways will establish a direct connection between the Art Museum adjacent to the

mountains on the west, and casino and convention center facilities located in Section 14 to the east. The project will serve as a gathering place, a destination for both tourists and locals alike – a place to dine, be entertained and shop, in a setting of architectural and cultural stimulation.

DRAFT

EXHIBIT "B"

(Legal Description of the Property)

DRAFT

EXHIBIT "C"

(Development Impact Fees)

DRAFT

EXHIBIT "D" TO DEVELOPMENT AGREEMENT

(Specific Arrangements regarding Parking and Related Matters)

1. Existing Parking Facilities. Existing parking facilities within the DFP Area ("Existing Parking Facilities") consist of (i) an above-ground parking structure at the northwest corner of the DFP Area; (ii) a parking deck and associated underground parking at the southwest corner of the DFP Area; (iii) parking spaces underneath developed portions of the DFP Area; and (iv) associated ramps, driveways and approaches.

2. Agreements Regarding Parking and Related Matters.

A. DFP Area. City agrees that the Existing Parking Facilities are sufficient to satisfy all City parking requirements for all uses and occupancies allowed and/or contemplated within the DFP Area under the Revitalization Plan (including future Block 6) and/or the Renovation Plan. Accordingly, no additional parking requirements or in lieu parking fees of any type shall be imposed or required by the City in connection any application for development approval within the DFP Area that is consistent with the Revitalization Plan and/or the Renovation Plan.

B. Block K1 of TCC Area. City agrees that the Existing Parking Facilities, when combined with approximately 50 additional surface parking spaces to be built within the DFP Area as part of the Revitalization Plan, and 65 new surface parking spaces to be built within Block K1 upon development, will satisfy all parking requirements for future development of up to a 160 room hotel (and accompanying retail/restaurant uses) within Block K1. Accordingly, no additional parking requirements or in lieu parking fees of any type shall be imposed or required by the City in connection any application for development of such 160 room hotel (and accompanying retail/restaurant uses).

C. Block K2 of TCC Area. City agrees that the Existing Parking Facilities, when combined with approximately 50 additional surface parking spaces to be built within the DFP Area as part of the Revitalization Plan, and 80 new surface parking spaces to be built within Block K2 upon development, will satisfy all parking requirements for future development of up to a 180 room hotel (and accompanying retail/restaurant uses) within said Block K2. Accordingly, no additional parking requirements or in lieu parking fees of any type shall be imposed or required by the City in connection any application for development of such 180 room hotel (and accompanying retail/restaurant facilities).

D. Hotel Development. Blocks K1 and K2 are acknowledged as prime locations for new hotel stock to support the recently expanded Palm Springs Convention Center and, accordingly, City agrees that, during the ten (10) year period immediately following the Effective Date of this Development Agreement, approval of applications for hotel construction which are consistent with the above and otherwise satisfy normal requirements will not be unreasonably withheld.

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EXHIBIT "E" TO DEVELOPMENT AGREEMENT

(Specific Arrangements regarding Transient Occupancy Tax)

Pursuant to City Ordinance No. 1730, adopted January 9, 2008, the City found and determined that the general welfare and material well being of City residents were dependent, in large measure, upon growth and expansion of tourism and travel industries within the City, and that inducing and encouraging operation, maintenance and expansion of quality hotel inventory was in the best interest of the City. Accordingly, the City adopted Ordinance No. 1730 and thereby created a Hotel Operations Incentive Plan ("Incentive Plan"). Pursuant to City Ordinance No. 1742, adopted June 18, 2008, the City amended the Incentive Plan to revise certain tax rate calculations and add Deluxe Hotel as a type of hotel that would be eligible for the Incentive Plan. Pursuant to City Ordinance No. 1786, adopted April 6, 2011, the City further amended the Incentive Plan to allow a First Class New Hotel to receive 75% of the Adjusted Tax Rate (as defined).

Blocks K1 and K2 within the TCC Area are acknowledged as prime locations for new hotel stock to benefit the City and support the recently expanded Palm Springs Convention Center and, accordingly, City agrees to allow and/or to take actions reasonably necessary to allow continued applicability of the Incentive Plan (and benefits thereof) to any "New Hotel", "First Class New Hotel", "Deluxe New Hotel" or "New Quality Hotel" that is under construction after the Effective Date of this Development Agreement but before expiration of the ten (10) year period immediately following said Effective Date. Further, City agrees that during said ten (10) year period, approval of applications for hotel construction which are consistent with the Sections 2.B and 2.C of Exhibit "D" to this Development Agreement and otherwise satisfy normal requirements will not be unreasonably withheld.

RECEIVED
CITY OF PALM SPRINGS
2011 MAY 19 AM 11:56
JAMES THOMPSON
CITY CLERK

PALM SPRINGS PRESERVATION FOUNDATION

May 18, 2011

Mr. Jon Caffery
Chair, Planning Commission
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Wessman Development Desert Fashion Plaza Concept Plan and Proposed Development Agreement

Dear Mr. Caffery,

We understand that the Planning Commission will meet on May 25, 2011 to evaluate the merits of the subject plan and Development Agreement against the criteria of the city's General Plan.

Our view is that the inclusion of the Town & Country Center (T&CC) in the proposed plan and Development Agreement before you is flawed on many levels and fails to comport with the values and priorities of the city's general plan, historic resources program and sustainability program. Accordingly, we ask you to consider only that portion of the subject plan and agreement west of North Palm Canyon Drive.

We realize this is a complex issue and would like to provide you with some important background information. We hope that the following organization of facts and opinions about the T&CC will help you in your deliberations:

Architectural Significance of the T&CC

The T&CC (1948) was designed by two internationally-famous architects, Paul R. Williams and A. Quincy Jones. The T&CC is one of the best examples of the international-style of architecture in southern California and is an important early "mixed-use" development. It is also architecturally noteworthy for its pedestrian-friendly courtyard. We ask that you read the scholarly T&CC historic site nomination authored by Palm Springs Preservation Foundation (PSPF) board member Patrick McGrew in 2009 (see attachment 1).

Importance of Paul R. Williams' Involvement with the T&CC

Paul R. Williams is historically important as the American Institute of Architects' (AIA)

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
(760) 837-7117 • info@pspreservationfoundation.org • www.pspreservationfoundation.org

first African-American architect (joining in 1923) and first African-American AIA Fellow (so honored in 1957). From April 29-30, 2011 we hosted an educational advocacy visit by Mr. Sanford Garner, the president of the National Organization of Minority Architects. On Saturday, April 30 Mr. Garner (who has significant experience in the field of preservation architecture) toured the T&CC with several of our board members. After the tour, Mr. Garner commented that the T&CC was "an historic resource that other cities would envy."

The T&CC Portion of the Wessman Development Plan is Inconsistent with the City's General Plan

The city of Palm Springs General Plan is replete with references to the importance of our historic resources, the "character" of our city and the importance of sustainable development.

The proposed demolition of the T&CC directly contradicts many of the city's general plan values and priorities including:

> "pedestrian-oriented shopping" (page 1-12)
> "unique architecture" (page 1-12)
> to "Promote the...use of...existing construction to minimize resource depletion and conserve resources for future generations." (page 1-12)
> to "Create unique places that strengthen community identity, offer visual interest, and support lively activity." (page 1-13)
> to "Preserve and uphold the high quality of architecture and the unique visual and aesthetic form in buildings...that distinguish Palm Springs from other cities." (page 1-13)

and perhaps most to the point,

> to "Recognize the importance of adaptive reuse for architecturally and historically significant resources." (page 1-13)

The T&CC *is* Historic

The T&CC has been evaluated for its historic significance no fewer than five times starting in 1983 and each review has determined that the T&CC is a *bona fide* historic structure that is eligible for listing on the National Register of Historic Places. With full knowledge of its historic significance, the T&CC was purchased by the current owner at a below market price in 1997.

Unfortunately, the decision as to whether a property is "historic" can fall victim to political expediency and the machinations of well-meaning city councils. Hence, more expert and scholarly assessments of properties, which evaluate the historic and architectural merits of a site using more objective criteria, should be consulted. The most recent of these expert assessments occurred in June of 2004 with the publication of the *Citywide Historic Resources Survey*. The city-directed survey was conducted by qualified experts from the Architectural Resources Group, Inc. and was approved by the city council on October 20, 2004. The 2004 survey opines that the T&CC "appears to meet the level of significance

necessary for individual National Register of Historic Places or California Register of Historic Resources eligibility at the local level," and further that the T&CC is "A rare and excellent example of the late Moderne style...." Finally, the survey concludes that "Because of the building's visual quality, history, intact setting, and fair to high integrity, and as an outstanding example of commercial architecture in the late Moderne style, the building represents the overall commercial development of downtown Palm Springs during the post-war era and contributes to the mid-century modernist character so strongly identified with Palm Springs."

In the case of Palm Springs, historic properties have frequently been pawns in city-developer conflicts and alliances. An occurrence similar to today's T&CC saga transpired with the Frey-designed Tramway Gas Station: the architecturally distinctive gas station's historic designation was initially rebuffed by a city council intent on supporting a developer's proposed retail expansion at that end of the city. A later city council decision designated the Tramway Gas Station a Class 1 historic site and today the building (now the Visitors Center) is the one of the city's most iconic destinations.

Wessman Development's Plan is Inconsistent with the Publicly-Driven "Preferred Plan"

On January 26, February 3 and February 9, 2011 the city of Palm Springs hosted "visioning sessions" to solicit public input regarding the Desert Fashion Plaza (DFP) and T&CC. Public input included calls for local (as opposed to chain) retail, pedestrian-friendly throughways, etc. As a result of this community process a "Preferred Concept Plan" was developed that offered a solution addressing many of the shortcomings of the failed DFP superblock. Notably, the final community-derived Preferred Concept Plan disconnected the T&CC from the DFP. Despite this apparent real progress, at the final February 9, 2011 visioning session, the mayor announced that the developer had agreed to "work with the city" and "had heard" the community's input. At the March 2, 2011 city council meeting the latest Wessman Development plan was unveiled.

Sustainable Development

The rehabilitation of buildings like the T&CC is an environmentally responsible practice and is essentially a recycling program. Older buildings like the T&CC were often designed to be energy efficient through their use of good ventilation, durable materials and siting. A huge advantage of older buildings is that the building already exists; therefore energy is not necessary to create new building materials and the infrastructure is already in place. Minor modifications can be made to adapt existing buildings to compatible new uses and systems can be upgraded to meet modern building requirements and codes. These positive characteristics of many older buildings prompted National Trust for Historic Preservation president Richard Moe to assert that, "The greenest building is the one that's already built."

On May 5, 2011 our board of directors voted unanimously to accept a proposal from Ecotype Consulting, Inc. to conduct a "Town & Country Center Sustainability Study." Ecotype Consulting is a highly-regarded local firm from Redlands, California that has real-world experience coupled with academic credentials. The study should be completed by the end of June 2011, in time to inform decisions about the fate of the T&CC. The completed

study will be distributed to the Palm Springs city council and other interested city boards and commissions. The study intends to:

> Describe the use of historic resources in sustainable planning and urban design,
> Assess and compare the embodied energy in both the current Wessman

Development plan and in a viable preservation alternative,

> Compare the potential Leadership in Energy and Environmental Design (LEED) credits of the current Wessman Development plan with those of a viable preservation alternative,

> Propose transportation (common and alternative) and pedestrian connectivity between the T&CC and adjacent areas, and

> Summarize parking and transportation strategies in the Wessman Development plan and alternatives that promote better walkability, access to public transportation, reduced traffic and reduced single-occupancy vehicle use.

The Proposed Road through the T&CC is Bad for the City, Good for the Developer

The developer's oft-stated T&CC "demolition or bust" threat reflects a scenario of his own creation. There is no factual reason the DFP cannot be remodeled or replaced without the T&CC's demolition. It is generally held that the developer's motivation to demolish the T&CC to make way for an east-west road is obvious: he will own an entire city block of buildings, on both sides of a new street, with prime street-front commercial space that will command high market rents.

With the motives of the developer better understood, what is the best east-west corridor for *the city*? The routing of an east-west corridor through Andreas Road has been identified many times as the most advantageous for the city. Andreas Road makes an important connection directly to the Palm Springs Convention Center (see attachment 2).

Additionally, should it be considered necessary to route vehicular traffic westward into the DFP (and Palm Springs Art Museum) near the physical location of the T&CC, one clever solution would be to create a single north-bound lane on North Palm Canyon Drive that can turn left (west) into the DFP. This idea has recently gained much support from experts who understand urban planning and traffic flow and is a logical, inexpensive and sustainable solution. The "re-striping" solution also corrects the over-capacity, one-way scheme currently being used in this area of North Palm Canyon Drive.

The "Wexler Connection" to the T&CC

Last month, our board members accompanied local architect Donald Wexler on a visit to the E. F. Hutton Building, an international-style building that has been "hiding in plain sight" for years within the T&CC. Designed by the architectural firm of Wexler & Harrison in 1955, the E. F. Hutton building will fall victim to demolition should the Wessman Development plan for the DFP be approved. As appreciation for Wexler's work continues to increase, this potentially historic asset should be evaluated for possible historic preservation.

The Destruction of the T&CC will Damage the National Reputation of the City

On April 5, 2011 PSPF board member Erik Rosenow wrote a "Valley Voice" column for the Desert Sun newspaper that addressed some of the public relations aspects of the T&CC controversy (see attachment 3). There is a reasonable expectation that a city that derives so much of its revenue through architectural and cultural tourism be a good steward of the historic resources which bring visitors. The demolition of the T&CC might be expected to generate as much negative press as the destruction of Neutra's Maslon House in Rancho Mirage in 2002.

On June 3, 2009 the Palm Springs city council voted unanimously to support an application to become a "Preserve America Community." On October 7, 2009 the city of Palm Springs was officially designated a Preserve America Community in a letter from the White House signed by First Lady Michelle Obama. The Preserve America program "recognizes communities that:

> protect and celebrate their heritage;
> use their historic assets for economic development and community revitalization; and
> encourage people to experience and appreciate local historic resources through education and heritage tourism programs."

Obviously, Wessman Development's proposal to demolish the T&CC directly contradicts the city's commitment to adhere to the principles of the Preserve America program.

Public Support for a Tax Measure or "Wessman Subsidy"

One of our concerns regarding the practicality of the Wessman Development plan is the proposed strategy of partially financing of the DFP redevelopment with a public subsidy (derived from an earmarked "new tax"). In any political environment garnering public support for a tax measure is difficult. Garnering public support for a tax measure that provides a subsidy for an unpopular millionaire developer will be exceedingly difficult. Garnering public support for a tax measure that further subsidizes a scheme of cultural vandalism, i.e., the destruction of an historic asset, will be nearly impossible. The Planning Commission's recognition of this obvious political dynamic is important. Hence, disconnecting the T&CC from the proposed Wessman Development plan may prove to be the key to a quick and successful redevelopment of both the DFP and the T&CC. It should be noted that in the run-up to the T&CC's Class 1 designation hearing, we quickly collected 896 petition signatures supporting the designation. In a city where officials are elected by razor-thin margins, potential public support for the preservation of the T&CC should not be underestimated.

Policy Impediments to the Wessman Development Plan

At the November 18, 2009 Palm Springs city council meeting, the Museum Market Plaza Specific Plan (which includes the T&CC) was amended as follows: *"No permit for the*

demolition or substantial alteration of any portion of the Town and Country Center will be issued until (a) all discretionary entitlements consistent with the Specific Plan have been approved for the renovation or redevelopment of the existing Desert Fashion Plaza; (b) building permits in furtherance of such renovation or redevelopment have been issued; and (c) substantial work consistent with such building permits have commenced on the existing Desert Fashion Plaza."

In short, the progress of the proposed DFP redevelopment is "serialized" by the foregoing city council-approved language. Should the T&CC portion of the Wessman Plan be disconnected, the developer and city (especially should it elect to pursue an eminent domain strategy) would have greater flexibility in pursuing the development of the DFP and/or the T&CC.

The Fallacy of a "Grand Boulevard"

While the idea of a grand east-west boulevard as proposed in the Wessman Development plan is alluring to some, it does not stand up to scrutiny. Such a boulevard is incompatible with the "village" feel of the city and is more appropriate for a dense urban area and typically requires anchoring by an "imposing" structure. Asking the Palm Springs Art Museum (PSAM) to anchor such a grand boulevard is asking much of a building built well below grade with much of its façade designed to look like the mountain behind it. A more appropriate model would be a pedestrian and/or "slow traffic" connection from the PSAM to the T&CC, effectively creating two architectural "bookends."

The Success of Courtyard Configurations

We know from local retail experience that pedestrian-friendly courtyard configurations have not only been viable in the past but are viable today (witness the success of "The Corridor" complex just a few blocks north of the T&CC).

The T&CC is Economically Viable

Despite the developer's occasional assertions that the T&CC is standing in the way of the city's economic revitalization, the T&CC was financially viable until the DFP was built across the street. Today, shoppers have rejected retail superblocks like the DFP in favor of smaller, more pedestrian-friendly shopping opportunities. The T&CC contains approximately 60,000 square feet of rental space. Comparable space in historic downtown buildings generates an income in the range of a dollar per square foot per month. Had the T&CC been properly restored and marketed it could conceivably have grossed as much as $700,000 a year in income - roughly $7 million over the time it has been in the current owner's control. Instead the building has been allowed to languish, presumably in the hopes that it can be demolished as a development opportunity. The rehabilitation of the T&CC, when combined with sympathetic new development could, in time, provide a major expansion of the downtown retail core – something another street could never do. It is ironic that the developer recently proposed to demolish the T&CC (a remarkable and important midcentury building) while simultaneously proposing to change the façade of the

DFP to look "midcentury modern": in short proposing to tear down an authentic midcentury building only to build a fake across the street!

For a downtown to be viable it must possess a range of building types and functions. Mixed-use properties such as the T&CC provide small retail office and residential spaces for start-up retail businesses and offices. Over the years, the list of tenants in the T&CC has included drug stores, furniture stores, publishing offices, restaurants, architect's offices and more...all of which would still be welcome in the downtown. An examination of the preservation and restoration-based revival of the Uptown Design District, which includes several comparable properties, provides a model for preserving the downtown's historic resources.

Innate Advantages of Historic Preservation

Possible future activities like the historic preservation of the T&CC are cost-effective tools that can be used to leverage private capital, create jobs, revitalize business districts, and stimulate a wide range of other economic activities. Palm Springs property owners, like Wessman Development, can take advantage of federal and state tax credit programs to help rehabilitate historic buildings. Preserving historic character helps support tourism by providing interesting and unique opportunities for visitors.

Conclusion

When the Palm Springs city council voted unanimously on December 15, 2010 to proceed with plans to acquire both the DFP and T&CC we were hopeful that real progress was forthcoming. We saw the vote as a tangible expression of the city's frustration with Wessman Development and, more importantly, the city's desire to have the DFP complex contribute to the city's economy. The vote also validated the preservation community's strategic decision not to litigate on CEQA grounds when the T&CC's Class 1 historic site nomination was rebuffed by the city in June of 2009.

In summary, while the new Wessman Development DFP Concept Plan is laudable insofar as it successfully breaks up the DFP superblock, it recycles the developer's demand for the gratuitous demolition of the T&CC in exchange for a new retail store frontage "road to nowhere."

We hope that the foregoing information has been useful and ask that you please share this letter with your fellow commissioners.

Sincerely,

Ron Marshall

Ron Marshall
President

Attachments:
1. Class 1 Historic Site Nomination for the T&CC
2. Overhead view of roads in the vicinity of the DFP
3. Valley Voice editorial entitled "Las Vegas can give Palm Springs a lesson in historic preservation," dated April 5, 2011

Copy to:
National Organization of Minority Architects (Mr. Sanford Garner)
California State Historic Preservation Office (Mr. Milford Wayne Donaldson)
Palm Springs Modern Committee (Mr. Peter Moruzzi)
Desert Sun (Mr. Greg Burton, Mr. James Folmer and Ms. Mariecar Mendoza)
Los Angeles Times (Mr. Christopher Hawthorne and Mr. Michael Miller)

Geoffrey Kiehl

From: John Raymond
Sent: Thursday, May 29, 2014 1:14 PM
To: David Ready; 'Douglas C. Holland'
Cc: Geoffrey Kiehl; Jay Thompson
Subject: RE: PSDT Public Escrow Draws - Clarification

David,

Jeff and I went through the various accounts that were set up related to the Wessman project from 2011 on and here is a basic summary. Paula has pulled the actual Partial Receiving Reports with the backup documents if you feel you need that information.

Earlier today we discussed the $500,000 account set up pursuant to the Reimbursement Agreement approved by Council in December, 2011, after the Measure J election but prior to the issuance of bonds. I overlooked the fact that we had approved an earlier Reimbursement Agreement for $200,000 in March, 2011, right after we started working with Wessman on the new plan. That fund was set up in the 2010-11 Fiscal Year. During that year and the following year (2011-12) we paid Wessman a little more than $180,000 from that account. We also used $18,500 from that account to pay Ficcadenti & Waggoner, the structural engineering firm that investigated the condition of the parking structure. They were contracted by us and paid directly, rather than through Wessman. There was a balance of $1,500 left in that account, which I believe got recaptured back into Fund Balance.

In December 2011/January 2012, we took $500,000 from Fund Balance to pay for additional "pursuit costs" (the term used in the agreement) for the overall project. Wessman was relatively slow to spend that money during that six months period (he had his hands full with the demolition of the Bank of America, and was just beginning to work on changing the project to add the Kimpton Hotel), and by June the expenditure and reimbursement obligations shifted to the two escrow accounts, with his having only expended about $55,000 from the $500,000 fund. The remaining balance went back to the Fund Balance or remained in the City's Unscheduled Appropriations account.

All of the expenditures under both agreements were for the entire project – both public and private improvements – as the segregation of "Public" and "Private" escrows did not occur until the deposit of bond funds in the two accounts in late June, 2012.

Separately, as you know, we set up the Measure J-funded maintenance account for the 2012-13 Fiscal Year of about $135,000, which was to pay electrical, water, cleaning and landscaping. There were some maintenance costs that were originally charged to the larger account, but we redirected those charges into the Measure J account and returned the funds. That account was budgeted again in 2013-14, along with some additional funds for "Event Center Design" and site-related issues.

Hope this helps.

JR

From: David Ready
Sent: Wednesday, May 28, 2014 5:56 PM
To: John Raymond; 'Douglas C. Holland'
Subject: FW: PSDT Public Escrow Draws - Clarification

JR,
Would you please review below email and advise.

Thanks,
David

DAVID H. READY, Esq., Ph.D.,
CITY MANAGER

City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

Tel: (760) 322-8350
Fax: (760) 323-8207
TDD: (760) 864-9527
David.Ready@palmspringsca.gov

From: Michael Braun [mailto:MBraun@wessmandevelopment.com]
Sent: Wednesday, May 28, 2014 5:48 PM
To: Mike Fontana
Cc: David Ready; John Raymond; Michael Braun
Subject: RE: PSDT Public Escrow Draws - Clarification

Mike:

I researched Reimbursement Request 1 - 6 and PFA 7 -12 and are my findings

Reimbursement Request 1 -6 was not part of any Measure J Funds or the PFA. These payments were the result of a reimbursement agreement executed March 2011 in order to "jump start" the predevelopment process. The pre development phase was limited from March 2011 – November 2011. Reimbursement Request 1 – 6 were submitted and approved by John Raymond.

PFA 7 – PFA 12 was part of the funds provided via Measure J and the public escrow account (PFA agreement). DWJ reviewed PFA 7 through PFA 12 and has all back up and copies of the bills including lean releases and copies of canceled checks.

I would like to suggest that you review the backup documentation of PFA 7-12 either at DJW office or at our office.

We will see you tomorrow at 4:30 pm.

Regards,
Michael

From: Mike Fontana [mailto:p.psmfon@verizon.net]
Sent: Wednesday, May 28, 2014 9:36 AM
To: Michael Braun
Cc: 'David Ready'; 'John Raymond'
Subject: PSDT Public Escrow Draws

I was able to meet with John and David yesterday. We talked about the Public Escrow account draws. I will need to review the complete invoice backup for all twelve draws. I would prefer hard copies. If you can have the copies made I will pick them up. If that is not possible, you can send electronic copies and I will print them.

PO Change Order

PO Printed Date: 05/11/2011

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 9-12-12

VENDOR
Vendor Number: 00002759
John Wessman dba Wessman Development
Job Cost
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US

Change Order Date: 09/11/2012
Original PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Change Order Number 1
Purchase Order Number 11-0626 : 0
ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO
14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

INVOICE
Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Change Order Note: Item changes have been made

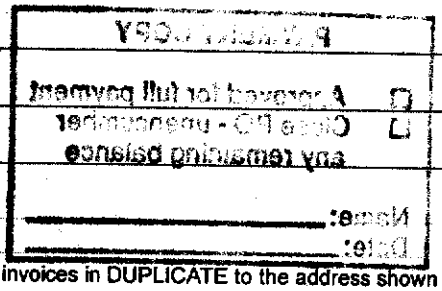
Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	0 Days ARO

Item	Class-Item	Bid Item#	Req Line Item #	Quantity Change	Unit	Unit Price	Total Change
0	Change Description: Days ARO changed from "" to "0"						
0	Change Description: Retainage % changed from "" to "0.0"						
3	(906 - 10) Change Order No. 1 for Amendment #1 for theReimbersement agreement with Wessman Holdings, LLC to cover additional pursuit costs under the agreement for the redevelopment of real property at 123 N. Palm Canyon Drive. Executed Amendment forth coming. Approved by City Council September 5, 2012. Change Description: Item 3 added			1.0	LOT - Lot	$30,119.10	$30,119.10

FY	Account Code	Dollar Amount
11	001-1400-65232	$30,119.10

Sub-Total Change	$30,119.10
Tax Change	$0.00

Freight Change	$0.00
Discount Change	$0.00
Change Order Total	$30,119.10
Previous Total	$200,000.00
Revised Total	$230,119.10



INVOICES: Direct invoices in DUPLICATE to the address shown above.
TERMS AND CONDITIONS set forth in our Bid or Quotation, on the reverse side hereof or incorporated herein by reference become a part of this order.

DIRECTOR OF PURCHASER/BUYER		
FINANCE APPROVED	DATE	ENCUMBERED
yes	6/11/12	Yes

PO Change Order

PO Printed Date: 05/11/2011

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR
Vendor Number: 00002759
John Wessman dba Wessman Development
Job Cost
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US

Change Order Date: 09/11/2012
Original PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Change Order Number 1
Purchase Order Number 11-0626 : 0
ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO
14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

INVOICE
Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Change Order Note: Item changes have been made

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	0 Days ARO

Item	Class-Item	Bid Item#	Req Line Item #	Quantity Change	Unit	Unit Price	Total Change
0	Change Description: Days ARO changed from "" to "0"						
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Revised Total	$230,119.10

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TERMS AND CONDITIONS set forth in our Bid or Quotation, on the reverse side hereof or incorporated herein by reference become a part of this order.

DIRECTOR OF PURCHASER/BUYER		
FINANCE APPROVED	DATE	ENCUMBERED
yes	6/11/12	Yes

CONTRACT ABSTRACT

Contract

Company Name: Wessman Holdings, LLC

Company Contact: John Wessman

Summary of Services: ***Amendment #1 to Reimbursement Agreement***

Additional pursuit costs related to Desert Fashion Plaza

Contract Price: The total reimbursement obligation of the City for Pursuit Costs shall be $230,119.10

Funding Source: 1400-65232

Contract Term: The "Pursuit Period" shall be from March 2, 2011 until November 1, 2012

Contract Administration

Lead Department: Community & Economic Development

Contract Administrator: John S. Raymond, Director

Contract Approvals

City Council Approval Date: Mar 2, 2011

Minute Order/ Resolution Number:

Agreement No: A 6085

Contract Compliance

Exhibits:
Signatures:
Insurance:
Bonds:

Contract prepared by: John S. Raymond, Director - Community & Economic Development

Submitted on: To City Attorney for Signature 9/12/12

COPY
original to city Atty F/Sig 9-12

AMENDMENT NO. 1 TO REIMBURSEMENT AGREEMENT

This AMENDMENT NO. 1 TO A REIMBURSEMENT AGREEMENT ("Amendment") is entered into as of this 12th day of SEPTEMBER, 2012, by and between the CITY OF PALM SPRINGS, a California public entity ("City"), and JOHN WESSMAN, an individual, and WESSMAN HOLDINGS, LLC, a California limited liability company (collectively the "Owner").

RECITALS

A. Owner and City entered into that certain Reimbursement Agreement related to the development of the Desert Fashion Plaza ("Property") on or about March 2, 2011.

B. The City and Owner desire to enter into this Agreement to provide for City to reimburse Owner for 50% of Owner's costs for architectural and engineering costs ("Pursuit Costs").

C. It was originally estimated that the Pursuit Costs would not exceed $400,000, and the City's share of the Pursuit Costs was estimated at the time not to exceed Two Hundred Thousand Dollars ($200,000.00). Owner has incurred a total of $460,238.20 in Pursuit Costs City and Owner now desire to amend the Agreement to cover the costs of additionally beneficial design work.

AGREEMENT

Based upon the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, City and Owner hereby agree as follows:

1. **Pursuit Period**. The "Pursuit Period" shall be from March 2, 2011, until November 1, 2012.

2. **City Reimbursement**. The total reimbursement obligation of City for Pursuit Costs shall be Two Hundred Thirty Thousand, One Hundred Nineteen Dollars and Ten Cents ($230,119.10).

3. **No Other Amendment**. Except as expressly amended herein, the Reimbursement Agreement shall remain in full force and effect.

(signatures on next page)

IN WITNESS WHEREOF, City and Owner have entered into this Amendment as of the date set forth above.

"CITY"

CITY OF PALM SPRINGS

By: _____
David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

_____
James Thompson
City Clerk

APPROVED AS TO FORM:

_____
Douglas C. Holland, Esq.
City Attorney

"OWNER"

By: _____
John Wessman
Manager

PURCHASE ORDER CHANGE REQUEST

Date: September 11, 2012	**P.O. Number:** 11-0626
Vendor No.:	**P.O. Date:** 4/27/11
Vendor Name: Wessman Dev	**Change No.:** one
	Originating Dept.: Eco Dev

PLEASE CHANGE OUR ORIGINAL PURCHASE ORDER AS FOLLOWS:

☐ Change quantity to: _____

☐ Change description of work or scope to read: _____

☐ Change unit prices to: _____

☑ Change total purchase order price to: $ $230,119.10 .

For a change of $ 30,119.10 ☑ increase ☐ decrease

Account to charge increase: 1400-~~58029~~ 65232

Account to which decrease applies: _____

Title of Account being used: _____

Explanation/Justification of reasons for Change Order Request:
Additional pursuit costs related to Desert Fashion Plaza.

Authorized By:

Department Director

Procurement & Contracting

REIMBURSEMENT AGREEMENT

This REIMBURSEMENT AGREEMENT ("Agreement") is entered into as of this 31 day of March, 2011, by and between the CITY OF PALM SPRINGS, a California public entity ("City"), and JOHN WESSMAN, an individual, and WESSMAN HOLDINGS, LLC, a California limited liability company (collectively the "Owner").

RECITALS

A. Owner is the owner of the Desert Fashion Plaza and the Town and Country Center ("Properties"), two developed properties that make up the planning area of the adopted Museum Market Plaza Specific Plan. On or about March 2, 2010, Owner presented a plan for the redevelopment of the Properties ("Project") to the City Council of the City of Palm Springs as a part of the City Community Visioning Process for the implementation of the Specific Plan. A description of the Project ("Project Description") is attached hereto as Exhibit "A" and incorporated herein by reference.

B. The City agreed to enter into a reimbursement agreement with Owner for a portion of all costs reasonably incurred by Owner in pursuit of the Project ("Pursuit Costs").

C. City and Owner desire to enter into this Agreement to provide for City to reimburse Owner for a portion of Owner's predevelopment costs, including without limitation architectural, planning, and engineering costs ("Pursuit Costs").

AGREEMENT

Based upon the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, City and Owner hereby agree as follows:

1. Pursuit Period. The City and Owner acknowledge that time is of the essence and agree, for the Pursuit Period (as hereinafter defined), to work diligently and in good faith to pursue the Project, and cause preparation of preliminary design plans, drawings, and schematics in sufficient detail to allow the City of Palm Springs to process and review a Development Agreement, and related financial agreements for the implementation of the Project. The duration of this Agreement ("Pursuit Period") shall be from March 2, 2011, until November 2, 2011, unless the period has been mutually extended by the City and the Owner or terminated earlier pursuant to Section 7 of this Agreement. (Note: Fees and charges by Alan Sanborn for work performed prior to March 2, 2011, in connection with preparing and revising Project Description, shall be reimbursable Pursuit Costs.)

2. Owner's Responsibility for Design. Owner shall be solely responsible for design of the Project, consisting of the preparation of preliminary plans, drawings, and schematics as described in Section 1. Owner shall submit all design documents to the Agency, conforming to all applicable legal authority and standards, in accord with established City policies and procedures and compliance with all applicable authority, and City shall receive and expeditiously review and process same. The adequacy of "work product" with respect to design

documents shall be subject to the City's reasonable satisfaction. All parties acknowledge that the City shall have, with respect to any formal applications submitted by Owner, normal discretionary approval rights as provided under State law and City Ordinances.

3. **City Reimbursement.** City shall promptly, within 30 days after receipt from Owner of bills and reasonable supporting information, reimburse Owner for 50% of Owner's Pursuit Costs, as from time to time incurred; provided, however, the total reimbursement obligation of City shall not exceed Two Hundred Thousand Dollars ($200,000.00).

4. **Compliance With Laws.** All work performed under the terms of this Agreement shall be in strict conformity with all laws, ordinances, rules, regulations applicable to the Project and shall require the design professionals retained to prepare the design documents to comply with all such requirements.

5. **Insurance.**

5.1 Owner's and Contractor's Insurance.

5.1.1 At all relevant times during this Agreement and until the City has accepted the work, the Owner shall, if requested by City, require each design professional to maintain at least $1,000,000 in errors and omissions (professional liability) insurance applicable to his/its design work, and to defend, indemnify and hold harmless the City and its respective officers, employees, and agents, from any and all claims due to the design professional's negligent acts or omissions or intentional wrongful conduct in its performance of design work. Such insurance shall be in form and substance as reasonably acceptable to City.

5.1.2 Design professionals shall also provide the following insurance for its work on the Project:

(a) Workers' compensation insurance in at least the minimum amounts required under California Law.

(b) Comprehensive general liability insurance, for injuries to persons and property, and automobile liability insurance, each with limits not less than $1,000,000 combined single limit, per occurrence and $2,000,000 in the aggregate.

5.1.3 Each insurance policy required to be maintained pursuant to this Section 5.1 shall be issued by a company admitted in California and having an A.M. Best's Guide Rating of "A-", Class VII or better. The Owner shall, if requested by City, require its design professionals to obtain and provide to City an endorsement for each of the policies providing the above insurance (except for worker's compensation insurance and errors and omissions insurance) naming the City and its respective officers, employees and agents as additional insureds. Each policy shall be endorsed to require 30 days advance notice to the City of cancellation or material modification of the policy. Each worker's compensation policy shall be endorsed to waive any right of subrogation against the City.

Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees, expert fees, costs of investigation, and costs of suit from the losing party.

8.4 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both of the parties hereto. This Agreement shall be construed in accordance with the internal laws of the State of California without regard to conflict of law principles.

8.5 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement.

8.6 Non-Liability of Officials and Employees of the City. No official or employee of City or the City shall be personally liable to Owner in the event of any default or breach by City, or for any amount that will become due to Owner, or any obligation under the terms of this Agreement.

8.7 No Third-Party Beneficiaries. This Agreement is made only for the benefit of the parties hereto; it is not intended that any rights under this Agreement shall accrue to any third person.

8.8 Independent Contractor. It is expressly understood and agreed by the Parties that the Owner, while engaged in carrying out the terms and conditions of this Agreement, is an independent contractors and not an employee of the City.

8.9 Authority to Execute. The persons executing this Agreement warrant and represent that they have the authority to execute this Agreement and represent that they have the authority to bind the parties for which they are signing to the performance of the obligations hereunder.

8.10 Execution in Counterpart. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on both parties hereto, notwithstanding that both parties are not signatories to the original or the same counterpart.

8.11 Cooperation. Subject to the City's discretionary approval rights as set forth in Section 2 above, each party agrees to do and perform such other and further acts, and execute and deliver such other and further acts as may be reasonably necessary to effectuate the intents and purposes of this Agreement.

(signatures on next page)

IN WITNESS WHEREOF, City and Owner have entered into this Agreement as of the date set forth above.

"CITY"

CITY OF PALM SPRINGS

By:
Its: CITY MANAGER

ATTEST:

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL
03/02/2011 1.A
A6085

"OWNER" By: PALM SPRINGS PROMENADE, LLC
ITS MANAGING MEMBER
By:
Its: PRESIDENT

WESSMAN HOLDINGS, LLC
By:
JOHN WESSMAN
ITS MANAGING MEMBER

PROJECT DESCRIPTION
FOR MUSEUM MARKET PLAZA
REIMBURSEMENT AGREEMENT

I. BACKGROUND.

A. Specific Plan. On December 2, 2009, the City Council ("Council") of the City of Palm Springs ("City") adopted Ordinance 1764, which approved the Museum Market Plaza Specific Plan ("Specific Plan"). The Specific Plan covered two existing downtown commercial complexes, i.e., the area commonly known as Desert Fashion Plaza ("DFP Area"), and the area (shown on the Specific Plan as Blocks K-1 and K-2) commonly known as Town & Country Center ("TCC Area"). In granting such approval, the Council found that the Specific Plan was consistent with applicable provisions of the State Government Code, and the General Plan of the City. Among other things, the Specific Plan established criteria, standards, restrictions, requirements and limitations (collectively "criteria") for major redevelopment, in phases until build out ("Build Out"), of both the DFP Area and the TCC Area. Such criteria included without limitation, criteria for land use (allowed and prohibited uses), development standards (minimum setbacks and maximum heights), land regulations (allowable square footage and building mass), and design guidelines (architectural themes and concepts). The Specific Plan also included a a substantially more moderate and less ambitious plan ("Renovation Plan"), which contemplated that existing buildings within the DFP Area would largely remain intact but be upgraded with exterior architectural improvements. In Section V.C of the Specific Plan, the Renovation Plan, which was approved as an optional "phase one" of the Specific Plan.

B. EIR Certification. Concurrently with approval of the Specific Plan, the Council approved and adopted Resolution 22625, which certified an Environmental Impact Report for the Specific Plan. Such Resolution included, without limitation, the making of amendments to the General Plan and Zoning Ordinance of the City, the making of certain findings relative to environmental effects identified in the EIR, the adoption of a Statement of Overriding Consideratons, and the adoption of a Mitigation Monitoring Plan and Reporting Plan. The Resolution also included the incorporation of the Renovation Plan as an option, i.e., a phase one for remodeling the DFP Area.

II. CURRENT PROPOSAL

A. Project Description for Revitalization Plan. The Revitalization Plan is intended to expand upon the prior Renovation Plan, and continue to remain in substantial conformance with the Specific Plan. In essence, the Revitalization Plan will constitute part of the redevelopment "phasing" process recognized and approved in the Specific Plan. Relevant aspects of the Revitalization Plan are considered below.

1. **New Site Plan**. The new site plan for the Revitalization Plan ("New Site Plan") is attached hereto as *Exhibit "A"* and, as can be seen, it contains some

modifications from the prior site plan for the Renovation Plan ("Prior Site Plan"). With respect to the New Site Plan (and the Revitalization Plan) the comments below are relevant.

2. **Internal Street Improvements**. The New Site Plan shows the main internal street running the full distance from Indian Canyon Drive to Museum Drive(?). In this respect, it is consistent with ultimate Specific Plan redevelopment concepts, and provides an important part of the solution to making the DFP Area commercially successful, i.e., direct east-west access from Indian Canyon Drive into the DFP Area. The New Site Plan also shows an extension from the roundabout at the "center" of the DFP Area southerly to become part of an extension of Belardo Road into the DFP Area. (Note: [1] Construction of the Belardo Bridge over Tahquitz Creek will provide a large new segment of residential areas with direct northerly access to the DFP Area. [2] Under the New Site Plan, internal streets will be public, i.e., owned by the City rather than the Developer.)

3. **New Building Improvements**. The Prior Site Plan contemplated that existing buildings within the DFP Area would largely remain in place but be upgraded with exterior architectural improvements. The New Site Plan contemplates the demolition, reconfiguration and replacement of some buildings, particularly in the southeast corner of the DFP Area. In that location, existing buildings will be demolished, a new open space area will be located at the northwest corner of Tahquitz Canyon Way and North Palm Canyon Drive, and a landscaped pedestrian walkway will extend from the corner open space area into the center of the DFP Area, connecting to the "roundabout" described in Section 2. above. New retail building improvements are planned for location in the area shown as Block 2 on the New Site Plan. A new movie theater complex is planned for location directly north of the roundabout in the center of the DFP Area. (The Prior Site Plan showed the theater as being located immediately southwest of the center of the DFP Area – at the site of the former Pavilion Theatre tent.)

4. **Retention and Use of Existing Building Improvements**. The New Site Plan contemplates the retention, upgrade and use of some existing building improvements, as follows: (1) the former Saks Fifth Avenue building located on Palm Canyon Drive may be retained and used for major retail purposes, (2) the former I. Magnin building located directly northwest of the center roundabout in the DFP Area may be retained and used as an entertainment venue, such as for fitness/spa uses and/or recreational bowling purposes, (3) existing building improvements shown as Block 1 on the New Site Plan (located on Palm Canyon Drive), may be retained and used for retail purposes, and (4) existing building improvements located immediately adjacent to the Hyatt Hotel may be retained and used for hotel ballroom and conference center purposes. Depending on the condition of these properties, the needs of potential tenants, and economic feasibility, any of these buildings could be replaced with new structures. (Note: The foregoing identification of potential uses is not intended to preclude other uses authorized by the Specific Plan.)

5. **Retention of Block 6 for Future Development**. The New Site Plan calls for the area shown thereon as Block 6 to be retained by the Developer and be held for future development for a variety of potential uses including, without limitation, boutique gourmet grocery, bar/restaurant, entertainment, multi-story housing and/or office uses.

6. **City Purchase of Improvements for Public Parking**. The Revitalization Plan calls for certain parking improvements within the DFP Area to be purchased by the City from the Developer, and be used by the City in perpetuity as and for free public parking. These may include all or part of the above-ground parking structure at the northwest corner of the property, the parking deck and associated underground parking at the southwest corner of the property, the parking underneath developed portions of the DFP property, and all associated ramps, driveways and approaches currently owned by the Developer.

7. **City Purchase of Land for Public Streets**. The Revitalization Plan calls for the City to purchase from the Developer the ground upon which the interior streets shown on the New Site Plan will be built. This purchase could be the ground only or the purchase from the Developer the full street in a finished condition.

8. **City Purchase of Land (Parcels A and B) for Future Use**. The Revitalization Plan calls for two parcels within the DFP Area, i.e., the two parcels directly east of the Palm Springs Art Museum (the "Art Museum") which are currently used for open space and sculpture garden purposes ("Parcels A and B"), to be purchased by the City from the Developer and be held for future development opportunities including, without limitation, possible expansion of Art Museum facilities.

B. **City Administration and Processing of Revitalization Plan**. With respect to City Administration and processing, a number of matters need to be considered, as follows:

1. **Development Agreement**. Under certain provisions of the State Government Code, local governments are authorized to enter into binding contracts with developers known as development agreements. Among other things, a development agreement, once consummated, gives the developer a vested right to proceed to develop his property in the manner specified in the development agreement and/or entitlements adopted concurrently therewith or prior thereto. In this case, the Developer has filed an application for approval of a Development Agreement. Once approved and executed, the Development Agreement will, among other things, grant the Developer the vested right to develop the DFP Area in accordance with the Revitalization Plan, and the TCC Area in accordance with the Revitalization Plan (construction of the public street from Indian Canyon Drive to Palm Canyon Drive) and other entitlements authorized by the Specific Plan (hotel and retail use), but subject to all criteria (restrictions, standards, requirements and limitations) contained in the Specific Plan.

2. **Major Architectural Review**. Section V.A of the Specific Plan provides that implementation tools will be major architectural reviews, conditional use permits, subdivision maps and, in certain circumstances, planned development permits. For purposes of the subject Revitalization Plan, the Planning Commission and City Council will consider and act on the Development Agreement application, in conjunction prior to major architectural review of proposed revitalization improvements.

3. **Substantial Conformance of Revitalization Plan**. For reasons indicated herein, the Revitalization Plan and New Site Plan are consistent and in substantial conformance with the Specific Plan in general, and the prior Renovation Plan in particular. Land uses under the Revitalization Plan will be fully consistent with land uses allowed under the Specific Plan, development standards and land use regulations set forth in the Specific Plan will be followed in the Revitalization Plan, and architectural and design concepts under the Revitalization Plan will be consistent with those contained in the Specific Plan.

4. **Project Funding Agreement**. Section V.D of the Specific Plan acknowledges (1) that although the Specific Plan occurs in an area in which infrastructure is generally complete, improvements and alterations will be required throughout the development of Museum Market Plaza, and (2) that financing for such improvements and alterations is likely to come from a number of sources, both public and private.

AMENDMENT NO. 1 TO REIMBURSEMENT AGREEMENT

This AMENDMENT NO. 1 TO A REIMBURSEMENT AGREEMENT ("Amendment") is entered into as of this 12th day of September, 2012, by and between the CITY OF PALM SPRINGS, a California public entity ("City"), and JOHN WESSMAN, an individual, and WESSMAN HOLDINGS, LLC, a California limited liability company (collectively the "Owner").

RECITALS

A. Owner and City entered into that certain Reimbursement Agreement related to the development of the Desert Fashion Plaza ("Property") on or about March 2, 2011.

B. The City and Owner desire to enter into this Agreement to provide for City to reimburse Owner for 50% of Owner's costs for architectural and engineering costs ("Pursuit Costs").

C. It was originally estimated that the Pursuit Costs would not exceed $400,000, and the City's share of the Pursuit Costs was estimated at the time not to exceed Two Hundred Thousand Dollars ($200,000.00). Owner has incurred a total of $460,238.20 in Pursuit Costs City and Owner now desire to amend the Agreement to cover the costs of additionally beneficial design work.

AGREEMENT

Based upon the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, City and Owner hereby agree as follows:

1. **Pursuit Period**. The "Pursuit Period" shall be from March 2, 2011, until November 1, 2012.

2. **City Reimbursement**. The total reimbursement obligation of City for Pursuit Costs shall be Two Hundred Thirty Thousand, One Hundred Nineteen Dollars and Ten Cents ($230,119.10).

3. **No Other Amendment**. Except as expressly amended herein, the Reimbursement Agreement shall remain in full force and effect.

(signatures on next page)

DUPLICATE
ORIGINAL

IN WITNESS WHEREOF, City and Owner have entered into this Amendment as of the date set forth above.

"CITY"

CITY OF PALM SPRINGS

By: _____
David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

_____
James Thompson
City Clerk

orig APPROVED BY CITY COUNCIL
3/2/11 1A A6085

APPROVED AS TO FORM:

_____
Douglas C. Holland, Esq.
City Attorney

Amend 1. APPROVED BY CITY COUNCIL
9/5/12 4A A6085

"OWNER"

By: _____
John Wessman
Manager

AMENDMENT NO. 1 TO REIMBURSEMENT AGREEMENT

This AMENDMENT NO. 1 TO A REIMBURSEMENT AGREEMENT ("Amendment") is entered into as of this 12th day of SEPTEMBER, 2012, by and between the CITY OF PALM SPRINGS, a California public entity ("City"), and JOHN WESSMAN, an individual, and WESSMAN HOLDINGS, LLC, a California limited liability company (collectively the "Owner").

RECITALS

A. Owner and City entered into that certain Reimbursement Agreement related to the development of the Desert Fashion Plaza ("Property") on or about March 2, 2011.

B. The City and Owner desire to enter into this Agreement to provide for City to reimburse Owner for 50% of Owner's costs for architectural and engineering costs ("Pursuit Costs").

C. It was originally estimated that the Pursuit Costs would not exceed $400,000, and the City's share of the Pursuit Costs was estimated at the time not to exceed Two Hundred Thousand Dollars ($200,000.00). Owner has incurred a total of $460,238.20 in Pursuit Costs City and Owner now desire to amend the Agreement to cover the costs of additionally beneficial design work.

AGREEMENT

Based upon the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, City and Owner hereby agree as follows:

1. **Pursuit Period**. The "Pursuit Period" shall be from March 2, 2011, until November 1, 2012.

2. **City Reimbursement**. The total reimbursement obligation of City for Pursuit Costs shall be Two Hundred Thirty Thousand, One Hundred Nineteen Dollars and Ten Cents ($230,119.10).

3. **No Other Amendment**. Except as expressly amended herein, the Reimbursement Agreement shall remain in full force and effect.

(signatures on next page)

DUPLICATE
ORIGINAL

IN WITNESS WHEREOF, City and Owner have entered into this Amendment as of the date set forth above.

"CITY"

CITY OF PALM SPRINGS

By: _____
David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

_____
James Thompson
City Clerk

orig APPROVED BY CITY COUNCIL
3/2/11 1A A6085

APPROVED AS TO FORM:

_____
Douglas C. Holland, Esq.
City Attorney

Amend 1. APPROVED BY CITY COUNCIL
9/5/12 4A A6085

"OWNER"

By: _____
John Wessman
Manager

4.A. APPROVE AMENDMENT NO. 1 TO THE REIMBURSEMENT AGREEMENT WITH WESSMAN HOLDINGS, LLC FOR ADDITIONAL PURSUIT COSTS FOR THE REDEVELOPMENT OF REAL PROPERTY LOCATED AT 123 NORTH PALM CANYON DRIVE:
ACTION: 1) Approve Amendment No. 1 to Agreement No. A6085, with Wessman Holdings, LLC, for an additional amount of $30,119.10, and revised contract amount of $230,119.10; and 2) Authorize the City Manager to execute the Amendment to the Agreement. A6085. **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

5. NEW BUSINESS:

5.A. REQUEST TO AMEND TRACT MAP 28308 BY DOS PALMAS DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, BY WAIVER OF CONDITION OF APPROVAL TO UNDERGROUND EXISTING OVERHEAD UTILITY LINES ON THE 1.6 ACRE SITE LOCATED ON THE NORTH SIDE OF SUNNY DUNES ROAD BETWEEN CALLE AMIGOS AND S. SUNRISE WAY:
ACTION: 1) Deny the request by Dos Palmas Development, LLC, to waive Condition No. 24 for Tract Map 28308; and 2) Approve the undergrounding of utilities on the tract map site in accordance with the City Engineer's specifications. **Motion Mayor Pro Tem Foat, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

5.B. APPOINT THE CITY COUNCIL'S REPRESENTATIVE TO THE EXECUTIVE COMMITTEE OF THE RIVERSIDE COUNTY DIVISION OF THE LEAGUE OF CALIFORNIA CITIES:
ACTION: Table Item to September 19, 2012. **By consensus of the City Council.**

5.C. AUTHORIZE NEGOTIATION OF HOTEL INCENTIVE ASSISTANCE AGREEMENTS FOR TWO SPECIFIC HOTEL PROJECTS WITH THE DOUBLETREE HOTEL AND THE SPANISH INN - MARRIOTT AUTOGRAPH COLLECTION HOTEL:
ACTION: Direct staff to prepare Hotel Incentive Program Agreements with the Doubletree Hotel and the Spanish Inn - Marriott Autograph Collection Hotel for approval by the City Council. **Motion Mayor Pougnet, seconded by Councilmember Lewin and unanimously carried on a roll call vote.**

COUNCILMEMBER COMMENTS, REQUESTS, AND REPORTS:

Mayor Pro Tem Foat commented on Item 2.O. and requested the City Manager provide brief background information.

Purchase Order

PO Printed Date: 04/27/2011

PAYMENT COPY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date:

Null →

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

27 951
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number
11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-56029 — Dollar Amount: $200,000.00						

65732

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay #19,880.90 → P.O. 11-0626 CLOSES

$30,119.10 Bal Due pay on Claim VOUCHER

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

This invoice is being paid in 2-parts ...

1) **19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with this payment the purchase order will be closed; the purchase order paid in full.**

2) **The remaining balance of this invoice, $30,119.10, is processed on a Claim Voucher dated 7/25/12. (Account Number 1400-65232)**

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

This invoice is being paid in 2-parts ...

1) **19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with this payment the purchase order will be closed; the purchase order paid in full.**

2) **The remaining balance of this invoice, $30,119.10, is processed on a Claim Voucher dated 7/25/12. (Account Number 1400-65232)**

SELECTION CRITERIA: orgn.orgn2='1400'
ACCOUNTING PERIOD: 13/12

SORTED BY: FUND,FUNCTION,DEPARTMENT,1ST SUBTOTAL,2ND SUBTOTAL,ACCOUNT
TOTALED ON: FUND,FUNCTION,DEPARTMENT,1ST SUBTOTAL
PAGE BREAKS ON: FUND,FUNCTION,DEPARTMENT

FUND-001 GENERAL FUND 2ND SUBTOTAL-400 EMPLOYEE COMPENSATION
FUNCTION-10 GENERAL GOVERNMENT
DEPARTMENT-1400 COMMUNITY & ECONOMIC DEV
1ST SUBTOTAL-4000 PERSONNEL COSTS

ACCOUNT	- - - - - TITLE - - - - -	BUDGET	PERIOD EXPENDITURES	ENCUMBRANCES OUTSTANDING	YEAR TO DATE EXP	AVAILABLE BALANCE	YTD/ BUD
40000	REGULAR EMPLOYEES	65,862.00	.00	.00	56,131.98	9,730.02	85.23
40050	VACATION/SICK CONVERSION	9,772.63	.00	.00	9,772.63	.00	100.00
41450	TELECOMMUNICATION ALLOWA	.00	.00	.00	600.00	-600.00	.00
41600	PERS CONTRIBUTIONS	19,511.00	.00	.00	17,261.37	2,249.63	88.47
41620	PERS - POB	2,580.00	.00	.00	2,580.00	.00	100.00
41700	MEDICARE TAX	1,031.00	.00	.00	942.26	88.74	91.39
41900	FRINGE BENEFITS	10,239.00	.00	.00	9,953.01	285.99	97.21
41920	WORKERS COMPENSATION	4,304.00	.00	.00	4,304.00	.00	100.00
41940	RETIREE HEALTH BENEFIT	4,491.00	.00	.00	4,491.00	.00	100.00
	TOTAL PERSONNEL COSTS	117,790.63	.00	.00	106,036.25	11,754.38	90.02
42015	COMMUNICATIONS	1,000.00	.00	.00	130.70	869.30	13.07
42100	OFFICE SUPPLIES	1,717.00	120.04	.00	1,552.67	164.33	90.43
42500	TRAVEL & TRAINING	4,500.00	134.98	.00	4,345.41	154.59	96.56
42520	CONFERENCES	4,000.00	51.37	.00	3,994.91	5.09	99.87
42530	DUES & SUBSCRIPTIONS	12,265.00	200.00	.00	10,485.00	1,780.00	85.49
42570	PRINTING & PUBLISHING	6,123.00	.00	.00	4,073.80	2,049.20	66.53
42900	OFFICE EQUIP OPS & MAINT	2,000.00	.00	.00	283.03	1,716.97	14.15
42920	PC/HARD/SOFTWARE MAINT	2,100.00	.00	.00	127.46	1,972.54	6.07
43200	CONTRACTUAL SERVICES	41,350.00	.00	1,500.00	38,858.00	992.00	97.60
44045	DOWNTOWN RESTROOM PRG	100,000.00	2,900.00	21,550.00	29,432.02	49,017.98	50.98
	TOTAL MTRLS, SUPPLIES & SVCS	175,055.00	3,406.39	23,050.00	93,283.00	58,722.00	66.46
49000	INSURANCE	1,121.00	.00	.00	1,121.00	.00	100.00
49040	FACILITIES MAINT SERVICE	73,615.00	.00	.00	73,615.00	.00	100.00
	TOTAL SPECIAL CHARGES	74,736.00	.00	.00	74,736.00	.00	100.00
58029	DESIGN/DEV-MUSEUM MKT PL	164,390.10	.00	19,880.90	143,009.20	1,500.00	99.09
58030	IHUB 11-12	1.00	.00	.00	.00	1.00	.00
65103	SB DEVEL CTR/PS BUS ASST	10,000.00	.00	.00	10,000.00	.00	100.00
65110	ECONOMIC DEVELOPMNT PRGM	61,525.50	1,045.46	1,500.00	27,898.46	32,127.04	47.78
65114	REGIONAL PARTNERSHIP	138,000.00	.00	.00	100,000.00	38,000.00	72.46
65117	VACANT LOT LDSCAPE PROG	50,000.00	.00	.00	.00	50,000.00	.00
65150	JOB CREATION INCENTIVE	11,000.00	.00	.00	10,608.20	391.80	96.44
65232	FASHION PLAZA FIN AGREE	500,000.00	.00	.00	.00	500,000.00	.00
	TOTAL CAPITAL	934,916.60	1,045.46	21,380.90	291,515.86	622,019.84	33.47
	TOTAL COMMUNITY & ECONOMIC DE	1,302,498.23	4,451.85	44,430.90	565,571.11	692,496.22	46.83
	TOTAL GENERAL GOVERNMENT	1,302,498.23	4,451.85	44,430.90	565,571.11	692,496.22	46.83
	TOTAL GENERAL FUND	1,302,498.23	4,451.85	44,430.90	565,571.11	692,496.22	46.83

Transactions - CITY OF PALM SPRINGS *LIVE*

File Edit Help

Date: 08/02/2012 Through Period: 2/13

OK

Back

DEPARTMENT 1400 COMMUNITY & ECONOMIC DEV
Account 65232 FASHION PLAZA FIN AGREE
Budget Orgn 1400 COMMUNITY & ECONOMIC DEV
Budget Acct 65232 FASHION PLAZA FIN AGREE

Search Criteria

Year
Period
Transaction Date
Transaction Code
Vendor
Encumbrance
Invoice
Amount
Control Number

Find

Date	Period	TC	DEPARTMENT	Description	Budget	Expense	Encumbrance
07/02/12	1	11		POSTED FROM BUDGET SYSTEM	0.00	0.00	0.00
07/01/12	1	13		CONT APPROP BUD ADJ 7/1-1	180000.00	0.00	0.00

Total Budget: 180000.00 Expense: 0.00 Encumbrance: 0.00
Payroll Encumbrance 0.00 Balance 180000.00

OVR

Purchase Order

PO Printed Date: 04/27/2011

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT ONLY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 9-25-12

VENDOR

27 957
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay #19,880.90 → P.O. 11-0626 CLOSES

$30,119.10 Bal Due pay on Claim VOUCHER

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

[redacted]

Purchase Order

PO Printed Date: 04/27/2011

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY
Approved for full payment
Close PO - unencumber any remaining balance
Name:
Date: 4-25-11

VENDOR

27 957
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number
11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay #19,880.90 → P.O. 11-0626 CLOSES

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

#30,119.10 Bal Due Pay on Claim VOUCHER

[redacted]

Purchase Order

PO Printed Date: 04/27/2011

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

PAYMENT COPY
☑ Approved for bill payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 9-25-12

VENDOR

27 957 00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay $19,880.90 → P.O. 11-0626 Closed

$30,119.10 Bal Due Pay on claim voucher

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

[redacted]

Purchase Order

PO Printed Date: 04/27/2011

PAYMENT COPY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 7-25-12

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

27 951
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY 11 — Account Code 1400-58029 — Dollar Amount $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay $19,880.90 → P.O. 11-0626 Closes

$30,119.10 Bal Due pay on Claim VOUCHER

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

This invoice is being paid in 2-parts ...

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with this payment the purchase order will be closed; the purchase order paid in full.

2) The remaining balance of this invoice, $30,119.10, is processed on a Claim Voucher dated 7/25/12. (Account Number 1400-65232)

Purchase Order

PO Printed Date: 04/27/2011

PAYMENT COPY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 7-25-12

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

27 951
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
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	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION	REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$ 25,000.00	4/11/2012
RCH STUDIOS	$ 25,000.00	4/11/2012
RSP ARCHITECTS	$ 25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$ 25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$ 100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT	**$50,000.00**	

TOTAL REIMBURSEMENT DUE THIS BILLING $ 50,000.00

Pay #19,880.90 → P.O. 11-0626 CLOSES

$30,119.10 Bal Due pay on Claim VOUCHER

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

This invoice is being paid in 2-parts ...

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with this payment the purchase order will be closed; the purchase order paid in full.

2) The remaining balance of this invoice, $30,119.10, is processed on a Claim Voucher dated 7/25/12. (Account Number 1400-65232)

Purchase Order

PO Printed Date: 04/27/2011

PAYMENT COPY
☑ Approved for full payment
☐ Close PO - unencumber any remaining balance
Name:
Date: 7-25-12

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

27 951
00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number
11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	**50,000.00**	

Pay $19,880.90 → P.O. 11-0626 CLOSES

$30,119.10 Bal Due pay on Claim VOUCHER

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

This invoice is being paid in 2-parts ...

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with this payment the purchase order will be closed; the purchase order paid in full.

2) The remaining balance of this invoice, $30,119.10, is processed on a Claim Voucher dated 7/25/12. (Account Number 1400-65232)

Vendor # 27957

CLAIM VOUCHER

To: Finance Department Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

Rejected!!

In payment for: Invoice Dated 6/5/12
Reimbursement Request – Design Competition

This invoice is being paid in 2-parts ..

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with that payment the purchase order will be closed and paid in full.

2) The remaining balance of this invoice, $30,119.10, is being processed on this Claim Voucher (Account Number 1400-65232) in the amount of $30,119.10

Account No.	Amount
001-1400-65232	$30,119.10
TOTAL THIS CLAIM VOUCHER:	$30,119.10

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	
TOTAL REIMBURSEMENT DUE THIS BILLING	**$**	~~50,000.00~~	

19,880.90 ← PRV. Pd. on PO 11-0626

30,119.10 Bal Pay on claim Voucher

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Vendor # 27957

CLAIM VOUCHER

To: Finance Department Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

Rejected!!

In payment for: Invoice Dated 6/5/12
Reimbursement Request – Design Competition

This invoice is being paid in 2-parts ..

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with that payment the purchase order will be closed and paid in full.

2) The remaining balance of this invoice, $30,119.10, is being processed on this Claim Voucher (Account Number 1400-65232) in the amount of $30,119.10

Account No.	Amount
001-1400-65232	$30,119.10
TOTAL THIS CLAIM VOUCHER:	$30,119.10

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION	REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$ 25,000.00	4/11/2012
RCH STUDIOS	$ 25,000.00	4/11/2012
RSP ARCHITECTS	$ 25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$ 25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$ 100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT	**$50,000.00**	

TOTAL REIMBURSEMENT DUE THIS BILLING $ ~~50,000.00~~

19,880.90 ← PRV. Pd. on PO 11-0626

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PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Vendor # 27957

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By Order of: _____ Approved: _____
Department Head Director of Finance

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
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RCH STUDIOS	$	25,000.00	4/11/2012
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50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	

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PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

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TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
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TOTAL REIMBURSEMENT DUE THIS BILLING $ ~~50,000.00~~

19,880.90 ← PRV. Pd. on PO 11-0626

30,119.10 Bal Pay on Claim Voucher

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

needs to be on a partial
do change order to move
$10,938.20 to PO.

~~12/13~~
11/12

Vendor # 27957

CLAIM VOUCHER

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

RECEIVED
CITY OF PALM SPRINGS
2012 JUL 26 AM 9:45
FINANCE DEPARTMENT

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

In payment for: Invoice Dated 6/5/12
Reimbursement Request – Design Competition

This invoice is being paid in 2-parts ...

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with that payment the purchase order will be closed and paid in full.

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Account No.	Amount
001-1400-65232	$30,119.10
TOTAL THIS CLAIM VOUCHER:	$30,119.10

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Cannot use claim vouchers for amt over $1,500. JR's sign authority is $5000. Need PO (existing)

CITY OF PALM SPRINGS
CLAIM VOUCHER

To: Finance Department **Date:** January 28, 2105

From: Community & Economic Development

Pay To: Hacienda Cantina & Beach Club **Vendor #:** New Vendor

Address: 1555 S. Palm Canyon, Ste. 101B
Palm Springs, CA 92264

In payment of: January CVEP Board Meeting - City Sponsorship

INVOICE NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT
012115	1/27/15	1400-65110	$1,151.15

RECEIVED
CITY OF PALM SPRINGS
2015 FEB -3 AM 9:18
FINANCE DEPARTMENT

Submitted by: Paula Sweat **TOTAL:** $1,151.15

Goods and/or services were received. Payment is authorized.

Approved: _____ **Audited by:** _____
Department Head

Hacienda Cantina & Beach Club
1555 S. Palm Canyon, STE.101B
Palm Springs, CA, 92264
Tel 760-883-5334

INVOICE 012115 — 1.27.2015

BILL TO	SHIP TO	INSTRUCTIONS
Cathy Van Horn City Of Palm Springs 3200 E. Tahquitz Canyon Palm Springs, CA, 92262	Cathy Van Horn	

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
50 PPL	FOOD & BEVERAGE	$12 Per Person	$600
	18% GRATUITY		$108
	TABLES & LINENS		$389.15

SUBTOTAL	$1,097.15
SALES TAX	(FOOD & BEVERAGE ONLY) $54.00
SHIPPING & HANDLING	
TOTAL DUE BY 1.30.2015	**$1,151.15**

Thank you for your business!

O/C -
6511 0

Transaction Detail - [illegible]

File Edit Help

Date: 02/23/2015 Period: 8/15

FUND	001	GENERAL FUND	Year	2015	
DEPARTMENT	1400	COMMUNITY & ECONOMIC DEV	Period	8	
Account	65110	ECONOMIC DEVELOPMNT PRGM	Transaction Code	21 - Accounts Payable Check	
PROJECT			Transaction Date	02/12/2015	
HardCopy	Ctrl-Alt-P		Date Entered	02/10/2015	
Cash Account	11010	Cash	Due Date	02/12/2015	
Vendor	98744	HACIENDA CANTINA AND BEAC	Invoice Date	01/27/2015	
Receivable Account			Discount Amount		0.00
Disbursement Fund	001	GENERAL FUND	Check Number	1076714	
ENCUMBRANCE	0		Check Date	02/12/2015	
J E Number			Partial/Final		
Invoice/Receipt	012115		1099	N - No-1099	
Amount	1151.15		Cleared		
Sales/Use Tax	0.00	0.00	Void		
Description	SPNSRSHP-CVEP BRD MTG		Control Number	AN-2	
Entered By	andrean		Bank Code		
Warrant Number					

2/13/15

VENDOR NO. 27459

CLAIM VOUCHER

To: Finance Department

Date: May 10, 2011

From: Economic Development

Pay to: John Wessman
Address: 555 S. Sunrise Way, Suite 200
Palm Springs, CA 92264

RECEIVED
2011 MAY 12 AM 11:04
CITY CLERK

In payment for: Invoice #100 – Dated: May 9, 2011
Flight to Architectural Offices of Allen Philips
Scottsdale, Arizona

Mills, Raymond / Miller

Account No.	Amount
811-8191-43200	$711.00
TOTAL THIS CLAIM VOUCHER:	$711.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

JOHN WESSMAN

INVOICE

555 S Sunrise Way, #200
Palm Springs, CA 92264
Phone: 760-325-3050x1 Fax: 760-325-5848

DATE: May 9, 2011
INVOICE # 100
FOR: *Project or service description*

Bill To:
CITY OF PALM SPRINGS
Attn: John Raymond
P.O. Box 2743
Palm Springs, CA 92262

DESCRIPTION	AMOUNT
FLIGHT TO ARCHITECTURAL OFFICES OF ALLEN PHILPS IN SCOTTSDALE, AZ	
Passengers:	
Chris Mills	
John Raymond	
Marcus Fuller	
Cost of Flight = $237 per person	711.00
TOTAL	$ 711.00

Make all checks payable to John Wessman
If you have any questions concerning this invoice, contact
Martha Higgins, 760-325-3321,
martha@wessmandevelopment.com

Vendor Name	Vendor Number	Check Date	Check Number
JOHN WESSMAN	27957	05/19/11	1049038

DEPARTMENT	ACCOUNT	PURCHASE ORDER	INVOICE NUMBER	AMOUNT	DESCRIPTION
8191	43200		100	711.00	AIRFARES TO A PHILPS'

Mills
Raymond
- M. Mills

City of Palm Springs, 3200 Tahquitz Canyon Way, Palm Springs 92262 $*******711.00*

3200 Tahquitz Canyon Way, Palm Springs, 92262
TELEPHONE: (760) 323-8225

ACCOUNTS PAYABLE

CHECK DATE	CHECK NO.
05/19/11	1049038

Bank of America 16-66/1220
588 South Palm Canyon Drive
Palm Springs, CA 92264

AMOUNT
$ $*******711.00*

VOID AFTER 90 DAYS

PAY EXACTLY - THE SUM OF SEVEN HUNDRED ELEVEN DOLLARS & ZERO CENTS

TO THE ORDER OF -

JOHN WESSMAN
555 S SUNRISE WAY, SUITE 200
PALM SPRINGS CA 92264

Transaction Detail - CITY OF PALM SPRINGS *LIVE*

File Edit Help

Date: 07/23/2012 Period: 1/13

Back | Attachments | Notes

FUND	811	MERGED AREA #1	Year	2011	
DEPARTMENT	8191	CAPITAL & ADMIN AREA #1	Period	11	
Account	43200	CONTRACTUAL SERVICES	Transaction Code	21 - Accounts Payable Check	
PROJECT			Transaction Date	05/19/2011	
PROJECT ACCT			Date Entered	05/19/2011	
Cash Account	11010	Cash	Due Date	05/19/2011	
Vendor	27957	WESSMAN DEVELOPMENT CO.	Invoice Date	05/09/2011	
Receivable Account			Discount Amount		0.00
Disbursement Fund	001	GENERAL FUND	Check Number	1049038	
ENCUMBRANCE	0		Check Date	05/19/2011	
J E Number			Partial/Final		
Invoice/Receipt	100		1099	N - No-1099	
Amount	711.00		Cleared		
Sales/Use Tax	0.00	0.00	Void		
Description	AIRFARES TO A PHILPS'		Control Number	AS9	
Entered By	annas		Bank Code		
Warrant Number					

OVR

Attachments(Ctrl+A)

COPY

VENDOR NO. _____

C L A I M V O U C H E R

To: Finance Department

Date: May 10, 2011

From: Economic Development

Pay to: John Wessman
Address: 555 S. Sunrise Way, Suite 200
Palm Springs, CA 92264

In payment for: Invoice #100 – Dated: May 9, 2011
Flight to Architectural Offices of Allen Philips
Scottsdale, Arizona

COPY

Account No.	Amount
811-8191-43200	$711.00

TOTAL THIS CLAIM VOUCHER: $711.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head

COPY

Director of Finance

JOHN WESSMAN

INVOICE

555 S Sunrise Way, #200
Palm Springs, CA 92264
Phone: 760-325-3050x1 Fax: 760-325-5848

DATE: May 9, 2011
INVOICE # 100
FOR: *Project or service description*

Bill To:
CITY OF PALM SPRINGS
Attn: John Raymond
P.O. Box 2743
Palm Springs, CA 92262

DESCRIPTION	AMOUNT
FLIGHT TO ARCHITECTURAL OFFICES OF ALLEN PHILPS IN SCOTTSDALE, AZ	
Passengers:	
Chris Mills	
John Raymond	
Marcus Fuller	
Cost of Flight = $237 per person	711.00
TOTAL	$ 711.00

We should pay this from 811-8191 - contr. svcs. Not the $202,020 in design costs.

Make all checks payable to John Wessman
If you have any questions concerning this invoice, contact
Martha Higgins, 760-325-3321,
martha@wessmandevelopment.com

PALM
COMMUNITIES

Per the terms related to the Project Financing Agreement with Wessman Development dated Sept 29, 2011, this pays for certain park and plaza-related improvements and enhancements.

Check out Palm Communities' new website!

palmcommunities.com
760-568-1048

CITY OF PALM SPRINGS
CLAIM VOUCHER

To: **Finance Department** **Date:** 4/30/14

From: Community & Economic Development

Pay To: Palm Springs Promenade, LLC **Vendor #:** 97773

Address: 555 S. Sunrise Way, Suite 200
Palm Springs, CA 92264

In payment of: Perimeter wood construction fence at DFP construction site; paint; temp chain link; temp chain link installation including screen material.

INVOICE NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT
2/5/14	2/5/14	260-4500-59424	$25,000.00

Submitted by: Paula Jean Sweat **TOTAL:** $25,000.00

Goods and/or services were received. Payment is authorized.

Approved: _____ **Audited by:** _____
Department Head

Invoice

Date: 02-05-14

Palm, Springs Promenade, LLC
555 S. Sunrise Way, Ste. 200
Palm Springs, CA 92264

Bill To:
City Of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262

Description	Qty	Rate	Amount
Perimeter wood construction fence	1	$37,440.00	$37,440.00
Paint proposed wood fence	1	$6,100.00	$6,100.00
Temporary chain link fencing previously purchased for Palm Canyon frontage.	1	$7,068.75	$7,068.75
Temporary chain link fence installation including screen material.	1	$4,580.00	$4,580.00
		Sub Total	**$55,188.75**
		Paid by PSP, LLC	**($30,188.75)**
		TOTAL DUE	**$25,000.00**

Regina Gillespie

From: Regina Gillespie
Sent: Monday, July 22, 2013 11:06 AM
To: 'WONDERVALLEYFENCECO@HOTMAIL.COM'
Cc: Octavio Fernandez; Michael Braun; Rex Olaires
Subject: Payment for Fence delivery

Valerie and Albert,

I will need invoice for first and second billings and the W-9 form before check will be released. Please also return signed lien waiver for first payment. Thanks. Please hit reply all so Octavio, Michael and Rex are in the loop.

Regards,

Gelaree,

Please expedite final payment for fence delivery

Signed check
Attached 7/22/13

Regina Gillespie
Weissman Development
555 S Sunrise Way - Suite 200
Palm Springs, CA 92264
(760) 325-3050

From: Regina Gillespie
Sent: Monday, July 15, 2013 2:19 PM
To: 'WONDERVALLEYFENCECO@HOTMAIL.COM'
Subject: AND INVOICE

Valerie,

Forgot to request invoice for 50%.

Total Bid	7068.75 (6500.00 + 568.75)tax@.0875
Invoice needed	3535.00
Balance	3533.75

Regards,

Regina Gillespie
Weissman Development
555 S Sunrise Way - Suite 200
Palm Springs, CA 92264
(760) 325-3050

From: Regina Gillespie
Sent: Monday, July 15, 2013 2:11 PM
To: 'WONDERVALLEYFENCECO@HOTMAIL.COM'
Subject: TAX FORM

Valerie,

Wonder Valley
Fence & Supply
"Where Quality Comes First"

Invoice: # 30502

Attn: Regina Gillespie

Date: 7/22/2013

Customer: Wessman Development Company

Address: 555 S. Sunrise Way – Suite 200,

Palm Springs, CA 92264

For Job Location: 123 N. Palm Canyon. DR., Palm Springs, CA

Phone: (760) 325-3050

Alt.Phone: cell (760) 408-7036

Description	Total
Install 65 - 12' x 6' chain link temporary panels with stands & clamps As per Octavio Fernandez	$7,068.75

Sub Total : $ 7,068.75
Paid : $ 3,535.00
Tax : $ 0
Delivery : $ 0
Total amt. due : $ 3,533.75

Wonder Valley Fence & Supply
83134 Virginia Rd., Twentynine Palms, Ca. 92277
(760) 367-7134 (951) 858-1978 Fax: (760) 896 - 1795
E-Mail: wondervalleyfenceco@hotmail.com

Lic. # 651785

Wonder Valley
Fence & Supply
"Where Quality Comes First"

Invoice: # 30501

Attn: Regina Gillespie

Date: ~~7/22/2013~~ 7/15/20

Customer: Wessman Development Company

Address: 555 S. Sunrise Way – Suite 200,

Palm Springs, CA 92264

For Job Location: 123 N. Palm Canyon. DR., Palm Springs, CA

Phone: (760) 325-3050 Alt.Phone: cell (760) 408-7036

Description	Total
Install 65 - 12' x 6' chain link temporary panels with stands & clamps As per Octavio Fernandez	6,500.00 ~~$7,068.75~~

Sub Total : ~~$7,068.75~~ 6500.00
Paid : ~~$3,535.00~~ .00
Tax : $ 0 568.75
Deposit Due Delivery : $ 0 (3535.00
Total amt. due at completion : $ 3,533.75

Wonder Valley Fence & Supply
83134 Virginia Rd.,Twentynine Palms, Ca. 92277
(760) 367-7134 (951) 956-1978 Fax: (760) 896 - 1795
E-Mail: wondervalleyfenceco@hotmail.com

Lic. # 951785

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)
Valerie A. Walton

Business name/disregarded entity name, if different from above
Wonder Valley Fence & Supply

Check appropriate box for federal tax classification:
☑ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

☐ Exempt payee

☐ Other (see instructions) ▶

Address (number, street, and apt. or suite no.)
83134 Virginia Rd.

Requester's name and address (optional)
Wenaman Development Company
543 S. Sunrise Way, Suite 200
Palm Springs, CA 92264

City, state, and ZIP code
Twentynine Palms, CA 92277

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
[ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ]

Employer identification number
2 0 - 0 6 4 1 8 7 1

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ Valerie A. Walton Date ▶ 7/22/15

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

Check Date:	7/22/2013	Check Preview Report	Page:	
Batch Number:	128 DTPS	MRI 4.0 data database	Date:	7/22/20
		Check Period - Current Entity Period	Time:	11:01 A

Check Number	S/P	Vendor/Alternate Address ID	Vendor Name	Check Period	Invoice Amount	Discount Amount	Check Amount
Bank ID/Acct		**06**	**513-501041**	**RABOBANK**			
Checks not separated by entity							
1		WONVA	Wonder Valley Fence & Supply	06	3,533.75	0.00	3,533.75
				Totals for bank 06 - RABOBANK	3,533.75	0.00	3,533.75
				Grand Total	3,533.75	0.00	3,533.75

Summary	Bank Id	# Checks	Amount
	06	1	3,533.75
Summary Total:		1	3,533.75

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-05	Deposit	7/15/2013	Perimeter fencing	3,535.00	0.00	3,535.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	Wonder Valley Fence & Supply	7/15/2013	007415	$3,535.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY - ste 200
PALM SPRINGS, CA 92264

RABOBANK
501 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

96-3842
1222

Date	Check No.	Check Amount
7/15/2013	007415	$3,535.00

Three Thousand Five Hundred Thirty Five AND 00/100 Dollars

Pay to the order of:

Wonder Valley Fence & Supply

63134 Virginia Rd
Twenty Nine Palms, CA 92277

Copy

UNCONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

(CALIFORNIA)

TYPE 2 FORM - Pursuant to Civil Code §8134 (Effective 7/1/2012)

NOTICE TO CLAIMANT: THIS DOCUMENT WAIVES AND RELEASES LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL WAIVER AND RELEASE FORM.

Claimant:	WONDER VALLEY FENCE & SUPPLY
Customer:	WESSMAN - DOWNTOWNPS
Job Location:	PALM SPRINGS, CA
Owner:	PALM SPRINGS PROMENADE, LLC
Through Date:	07/15/2013

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below.

The claimant has received the following progress payment: $ 3535.00

Exceptions This document does not affect any of the following: (1) Retentions. (2) Extras for which the claimant has not received payment. (3) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

The following invoices and pay applications are included in the above referenced amount:
50% DEPOSIT ON TOTAL BID OF $7068.75

Date Signed: 7/15/13

WONDER VALLEY FENCE
(Company Name)

By: [signature]
(Signature)

JAMES MARSHALL
(Title)

951-956-1978
(Claimant's Phone Number)

Estimate

77-899 Wolf Rd
Suite #107
Palm Desert, CA 92211
Phone # 760.578.0435 Jesse@SummitFramingInc.com
Fax # 760.391.8675

Date 1/27/2014
Estimate # 110

Name / Address
Wessman Development Company 555 S. Sunrise Way, Suite 200 Palm Springs, CA 92264

Project
Downtown Palm Springs Wessman Development Company 555 S. Sunrise Way, Suite 200 Palm Springs, CA 92264

Description	Qty	Rate	Total
Frame temp wall with 2x4 @ 24 in o.c studs and 12 ft sections with 1/2 CDX plywood brace with 2x4 on a 45 degree connect it to a K rail provided by Wessman Development.	104	360.00	37,440.00
		Subtotal	**$37,440.00**
		Sales Tax (0.0%)	**$0.00**
		Total	**$37,440.00**

Summit Framing Inc.

February 5, 2014

Wessman Development
Phone: 760-408-7036
Octavio
Email

Job Address:
123 N Palm Canyon Drive

PROPOSAL AND CONTRACT

DD Painting, Inc. proposes to furnish all materials and all labor necessary to complete the following:

DD SCOPE OF WORK

1. Barricade walls both sides
   a. 106 Panels 6 X 12
   b. Roughly 15,264 SF Brush & Roll application

Total Materials and Labor $6,100.00

Any item not mentioned above will be considered a change order and will be charged accordingly.

DD SPECIFICATIONS

DD Painting, Inc. notes below are to help notify General Contractor and/or client of any unforeseen trade problems or occurrences that may happen while work is being performed. Please read notes carefully.

DD NOTES

All work to be completed in a substantial and workmanlike manner according to standard practices.

Approved By _____

Date Approved _____

Vendor # 27957

CLAIM VOUCHER

To: Finance Department Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

Rejected!!

In payment for: Invoice Dated 6/5/12
Reimbursement Request – Design Competition

This invoice is being paid in 2-parts ...

1) 19,880.90 is being paid on P.O. 11-0626 (P.O. date 4/27/11) with that payment the purchase order will be closed and paid in full.

2) The remaining balance of this invoice, $30,119.10, is being processed on this Claim Voucher (Account Number 1400-65232) in the amount of $30,119.10

Account No.	Amount
001-1400-65232	$30,119.10
TOTAL THIS CLAIM VOUCHER:	$30,119.10

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012
REIMBURSEMENT REQUEST - DESIGN COMPETITION

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ALTEVERS ASSOCIATES	$	25,000.00	4/11/2012
RCH STUDIOS	$	25,000.00	4/11/2012
RSP ARCHITECTS	$	25,000.00	4/11/2012
ALLEN PHILP ARCHITECTS	$	25,000.00	4/23/2012
TOTAL DESIGN COMPETITION FEES	**$**	**100,000.00**	
50% DUE FROM CITY OF PALM SPRINGS AS PER AGREEMENT		**$50,000.00**	

TOTAL REIMBURSEMENT DUE THIS BILLING $ ~~50,000.00~~

19,880.90 ← PRV. Pd on Pd 11-0626

30,119.10 Bal pay on claim Voucher

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Purchase Order

PO Printed Date: 08/27/2012

PAYMENT COPY

☑ Approved for full payment
☐ Close PO - unencumber any remaining balance

Name:

Date: 9-9-12

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

02510 00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 08/21/2012
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 13-0355 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-13-04345	0 Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(988 - 63) Per the terms related to the Project Financing Agreement with Wessman Development dated September 29, 2011, this pays for certain park and plaza related improvements and enhancements. Notes: Confirming PO Only. Do Not Duplicate. Pricing as per invoice dated 6/5/2012.		14000-13-04345- 1	1.0	EA - Each	$10,687.50	$10,687.50

FY	Account Code	Dollar Amount
13	1400-65232	$10,687.50

Subtotal	$10,687.50
Tax	$0.00
Freight	$0.00
Discount	$0.00
	$10,687.50

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE CONCRETE PAD EXTENSION	$2,250.00

TOTAL DUE THIS BILLING **$2,250.00**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE SOD PLACEMENT COSTS

APPROX 11700 SQ FT @ $1.00 SQ FT	$11,700.00
TOTAL REIMBURSEMENT PER CITY AGREEMENT	$5,000.00
TOTAL DUE THIS BILLING/CITY PORTION	$5,000.00

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE SCREEN WALL FABRICATION	$6,375.00
DESIGN AND SUPERVISION FEE	$500.00
TOTAL	**$6,875.00**
50% REIMBURSEMENT AS PER AGREEMENT WITH CITY OF P.S.	**$3,437.50**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Purchase Order

PO Printed Date:
08/27/2012

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

02510 00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 08/21/2012
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number
13-0355 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-13-04345	0 Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(988 - 63) Per the terms related to the Project Financing Agreement with Wessman Development dated September 29, 2011, this pays for certain park and plaza related improvements and enhancements. Notes: Confirming PO Only. Do Not Duplicate. Pricing as per invoice dated 6/5/2012.		14000-13-04345- 1	1.0	EA - Each	$10,687.50	$10,687.50

FY	Account Code	Dollar Amount
13	1400-65232	$10,687.50

Subtotal	$10,687.50
Tax	$0.00
Freight	$0.00
Discount	$0.00
	$10,687.50

REQUISITION

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Requested Date: 08/16/2012 Required Date:	**Requisition No.** **14000-13-04345**

SHIP TO	City of Palm Springs Economic Development Admin. 3200 E, Tahquitz Canyon Way Palm Springs, CA 92262 US
INVOICE	City of Palm Springs PO BOX 2743 PALM SPRINGS, CA 92263 US

Requesting Department	Requestor	Phone #	Requisition Type
14000 - COMMUNITY & ECONOMIC DEVELOPMENT	Paula Sweat	(760)322-8321	

Item	Class-Item and Description	Quantity	Unit	Unit Price	Total
1	(988 - 63) Per the terms related to the Project Financing Agreement with Wessman Development dated September 29, 2011, this pays for certain park and plaza related improvements and enhancements. Account Number: 1400-65232 — Amount: $10,687.50	1.0	EA - Each	$10,687.50	$10,687.50
				Subtotal	$10,687.50
				Tax	$0.00
				Discount	$0.00
				Total	**$10,687.50**

I CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED FOR IN THE CURRENT BUDGET.

AUTHORIZED SIGNATURE

TITLE

BUYERS SIGNATURE

DATE PHONE

Vendor # 27957 ✓

F-11/12

CLAIM VOUCHER

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost ✓
Address: 555 S. Sunrise Way, Suite, 200 ✓
Palm Springs, CA 92264

RECEIVED
CITY OF PALM SPRINGS
2012 JUL 26 AM 9:48
FINANCE DEPARTMENT

In payment for: Invoice Dated 6/5/12
Reimbursement Request - Marilyn Monroe
Concrete Pad Extension

Account No.	Amount
001-1400-65232	$2,250.00 ✓
TOTAL THIS CLAIM VOUCHER:	$2,250.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # 27957

FY11/12

CLAIM VOUCHER

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

RECEIVED
CITY OF PALM SPRINGS
2012 JUL 26 AM 9:48
FINANCE DEPARTMENT

In payment for: Invoice Dated 6/5/12
Reimbursement Request
City Portion of Sod Placement Costs on Desert Fashion Plaza
Open Space (Bank of America Site)

Account No.	Amount
001-1400-65232	$5,000.00
TOTAL THIS CLAIM VOUCHER:	$5,000.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # 27957

FY11/12

CLAIM VOUCHER

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost

Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

RECEIVED
CITY OF PALM SPRINGS
2012 JUL 26 AM 9:48
FINANCE DEPARTMENT

In payment for: Invoice Dated 6/5/12
Reimbursement Request - Marilyn Monroe
Screen Wall Fabrication

Account No.	Amount
001-1400-65232	$3,437.50
TOTAL THIS CLAIM VOUCHER:	$3,437.50

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # 27957

C L A I M V O U C H E R

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

In payment for: Invoice Dated 6/5/12
Reimbursement Request - Marilyn Monroe
Concrete Pad Extension

Account No.	Amount
001-1400-65232	$2,250.00
TOTAL THIS CLAIM VOUCHER:	$2,250.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head
Director of Finance

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE CONCRETE PAD EXTENSION	$2,250.00
TOTAL DUE THIS BILLING	**$2,250.00**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Vendor # 27957

C L A I M V O U C H E R

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

In payment for: Invoice Dated 6/5/12
Reimbursement Request
City Portion of Sod Placement Costs on Desert Fashion Plaza
Open Space (Bank of America Site)

Account No.	Amount
001-1400-65232	$5,000.00
TOTAL THIS CLAIM VOUCHER:	$5,000.00

Goods and/or services were received. Payment is authorized.

By Order of: _____
Department Head

Approved: _____
Director of Finance

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE SOD PLACEMENT COSTS

APPROX 11700 SQ FT @ $1.00 SQ FT	$11,700.00
TOTAL REIMBURSEMENT PER CITY AGREEMENT	$5,000.00
TOTAL DUE THIS BILLING/CITY PORTION	$5,000.00

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Vendor # 27957

C L A I M V O U C H E R

To: Finance Department

Date: July 25, 2012

From: Community & Economic Development

Pay to: Wessman Development Company – Job Cost
Address: 555 S. Sunrise Way, Suite, 200
Palm Springs, CA 92264

In payment for: Invoice Dated 6/5/12
Reimbursement Request - Marilyn Monroe
Screen Wall Fabrication

Account No.	Amount
001-1400-65232	$3,437.50
TOTAL THIS CLAIM VOUCHER:	$3,437.50

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

As of June 05, 2012

MARILYN MONROE SCREEN WALL FABRICATION	$6,375.00
DESIGN AND SUPERVISION FEE	$500.00
TOTAL	**$6,875.00**
50% REIMBURSEMENT AS PER AGREEMENT WITH CITY OF P.S.	**$3,437.50**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY-JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Purchase Order

PO Printed Date:
07/19/2012

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

P2936 00002936
AP-Palm Springs Airport LLC
David Jorgensen
310 Golden Shore #300
Long Beach, CA 90802
US
Email: djorgensen@theabbeyco.com
Phone: (562)435-2100
FAX: (562)435-2109

PO Date: 07/19/2012
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 13-0261 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-13-04237	0 Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 28) Job Creation Incentive Program - 2nd year of 5 year agreement. Beginning 5/1/11 - 4/30/2012.		14000-13-04237- 1	1.0	EA - Each	$10,608.20	$10,608.20
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6167. APPROVED BY CITY COUNCIL ON 9/07/2011.						
	FY: 13 — Account Code: 2122-54111 — Dollar Amount: $10,608.20						
						Subtotal	$10,608.20
						Tax	$0.00
						Freight	$0.00
						Discount	$0.00
						Total	$10,608.20

Authorized City Signature		
FINANCE APPROVED	DATE	ENCUMBERED

PURCHASE ORDER TERMS AND CONDITIONS

1. Please Submit invoices in duplicate
2. Please submit separate invoices for each other
3. Show PO# on each carton label.
4. Notify at Once if Order cannot be filled
5. The city is not exempt from California sales tax.
6. The city is exempt from Federal excise tax.

1. Acceptance: City reserves the right to refuse any goods and to cancel all or any part of the goods not conforming to applicable specifications drawings, samples or descriptions Acceptance of any part of the order shall not bind City to accept future shipments, nor deprive it of the right to return goods already accepted.

2. Late Deliveries: If delivery of the commodity or service cannot be made as speicified or sooner and at the price shown, notify the City Purchasing Manager immediately. And correspondence, other than invoices, relating to this Order must be sent to the Purchasing Manager. The City reserves the right to cancel order if delivery is not made by the time specified.

3. Risk of Loss: Delivery shall not be deemed to be complete until the goods have been actually received and accepted by the City.

4. Defects: By accepting this order Seller acknowledges that the goods covered by this order are satisfactory for the purposes intended by City.

5. Prices: Unless otherwise provided, goods shall be furnished at the prices indicated on this order only. Invoices will be horored for purchase order prices only. Price on the order include delivery to the Department within building unless otherwise specified on the order.

6. Patent Infringement: Seller agrees to indemnify City and hold it harmless from and against all liability, loss, damage, and expense, including reasonable counsel fees resulting from any actual or claimed trademark patent or copyright infringement, or any litigation based thereon with respect to any part of the goods covered by the order, and such obligation shall survive acceptance of the goods and payment therefore by the City.

7. Packing: All goods, wrappers and containers must bear markings and labels required by applicable federal, state, and municipal laws and regulations for the protection and safety of persons and property and Seller warrants that prices include all charges to packing, crating, and transportation to f.o.b. point.

8. Nonassignment: This order must not be assigned or transferred to anyone without the written approval of the Purchasing Manager.

9. Labor Disputes: Whenever any actual or potential labor dispute delays or threatens to delay the timely performance of the order, Seller shall immediately give notice thereof to City.

10. HAZARDOUS MATERIAL: SELLER SHALL PROVIDE MATERIAL SAFTTY DATA SHEETS FOR EACH PRODUCT CONTAINING HAZARDOUS SUBSTANCES AS LISTED BY CALIF. DIR. IND. REL. IN CALIF. ADM. CODE, TITLE 8, SEC 5194 AND LABOR COSTS. Seller agrees to furish Material Safety Data Sheet (Form OSHA-20) as applicable for hazardous or potentially hazardous products.

11. Discounts: Discount period will be computed from date of receipt of invoice, or goods or services whichever is the later date.

12. Hold harmless: seller agrees to indemnify, defend and save City and its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to Sellers employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this agreement, or are caused or claim to be caused by the negligent acts of Seller, its agents or employees, and all expenses of investigating and defending against same; provided, however, that this indemnification and hold harmless shall not include any claim arising from the sole negligence or willful misconduct of the City, its agents or employees.

13. In the event of any conflict between the provisions of this Purchase Order Terms and Conditions and the terms of any proposal or

REQUISITION

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Abbey Co.

Requested Date: 07/18/2012 Required Date:	**Requisition No.** **14000-13-04237**

SHIP TO	City of Palm Springs Economic Development Admin. 3200 E, Tahquitz Canyon Way Palm Springs, CA 92262 US

INVOICE	City of Palm Springs PO BOX 2743 PALM SPRINGS, CA 92263 US

Requesting Department	Requestor	Phone #	Requisition Type
14000 - COMMUNITY & ECONOMIC DEVELOPMENT	Paula Sweat	(760)322-8321	

Item	Class-Item and Description	Quantity	Unit	Unit Price	Total
1	(961 - 28) Job Creation Incentive Program - 2nd year of 5 year agreement. Agreement No. A6167. Account Number: 2122-54111 — Amount: $10,608.20	1.0	EA - Each	$10,608.20	$10,608.20
				Subtotal	$10,608.20
				Tax	$0.00
				Discount	$0.00
				Total	**$10,608.20**

I CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED FOR IN THE CURRENT BUDGET.

AUTHORIZED SIGNATURE

TITLE

BUYERS SIGNATURE

DATE

PHONE

REQUISITION

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Requested Date: 11/21/2011 Required Date:	**Requisition No.** **14000-12-03509**

SHIP TO	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262 US

INVOICE	City of Palm Springs PO BOX 2743 PALM SPRINGS, CA 92263 US

Requesting Department	Requestor	Phone #	Requisition Type
14000 - COMMUNITY & ECONOMIC DEVELOPMENT	Marina Karas	(760)323-8264	

Item	Class-Item and Description	Quantity	Unit	Unit Price	Total
1	(961 - 28) Job Creation Incentive Program. Account Number: 1400-65150 — Amount: $10,608.20	1.0	EA - Each	$10,608.20	$10,608.20
				Subtotal	$10,608.20
				Tax	$0.00
				Discount	$0.00
				Total	**$10,608.20**

I CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED FOR IN THE CURRENT BUDGET.

AUTHORIZED SIGNATURE

TITLE

BUYERS SIGNATURE

DATE

PHONE

Purchase Order

PO Printed Date: 12/05/2011

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

P2936 00002936
AP-Palm Springs Airport LLC
David Jorgensen
310 Golden Shore #300
Long Beach, CA 90802
US
Email: djorgensen@theabbeyco.com
Phone: (562)435-2100
FAX: (562)435-2109

PO Date: 12/05/2011
Buyer: Cheryl Martin
Phone #: (760)322-8373
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number
12-0542 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
HOUSE - Housing
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-12-03509	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(961 - 28) Job Creation Incentive Program.		14000-12-03509- 1	1.0	EA - Each	$10,608.20	$10,608.20
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6167. APPROVED BY CITY COUNCIL ON 9/07/2011 .						
	FY 12 — Account Code 1400-65150 — Dollar Amount $10,608.20						
						Subtotal	$10,608.20
						Tax	$0.00
						Freight	$0.00
						Discount	$0.00
						Total	$10,608.20

Authorized City Signature		
FINANCE APPROVED	DATE	ENCUMBERED
Yes	12/05/11	Yes

PURCHASE ORDER TERMS AND CONDITIONS

1. Please Submit invoices in duplicate
2. Please submit separate invoices for each other
3. Show PO# on each carton label.
4. Notify at Once if Order cannot be filled
5. The city is not exempt from California sales tax.
6. The city is exempt from Federal excise tax.

1. Acceptance: City reserves the right to refuse any goods and to cancel all or any part of the goods not conforming to applicable specifications drawings, samples or descriptions Acceptance of any part of the order shall not bind City to accept future shipments, nor deprive it of the right to return goods already accepted.

2. Late Deliveries: If delivery of the commodity or service cannot be made as speicified or sooner and at the price shown, notify the City Purchasing Manager immediately. And correspondence, other than invoices, relating to this Order must be sent to the Purchasing Manager. The City reserves the right to cancel order if delivery is not made by the time specified.

3. Risk of Loss: Delivery shall not be deemed to be complete until the goods have been actually received and accepted by the City.

4. Defects: By accepting this order Seller acknowledges that the goods covered by this order are satisfactory for the purposes intended by City.

5. Prices: Unless otherwise provided, goods shall be furnished at the prices indicated on this order only. Invoices will be horored for purchase order prices only. Price on the order include delivery to the Department within building unless otherwise specified on the order.

6. Patent Infringement: Seller agrees to indemnify City and hold it harmless from and against all liability, loss, damage, and expense, including reasonable counsel fees resulting from any actual or claimed trademark patent or copyright infringement, or any litigation based thereon with respect to any part of the goods covered by the order, and such obligation shall survive acceptance of the goods and payment therefore by the City.

7. Packing: All goods, wrappers and containers must bear markings and labels required by applicable federal, state, and municipal laws and regulations for the protection and safety of persons and property and Seller warrants that prices include all charges to packing, crating, and transportation to f.o.b. point.

8. Nonassignment: This order must not be assigned or transferred to anyone without the written approval of the Purchasing Manager.

9. Labor Disputes: Whenever any actual or potential labor dispute delays or threatens to delay the timely performance of the order, Seller shall immediately give notice thereof to City.

10. HAZARDOUS MATERIAL: SELLER SHALL PROVIDE MATERIAL SAFTTY DATA SHEETS FOR EACH PRODUCT CONTAINING HAZARDOUS SUBSTANCES AS LISTED BY CALIF. DIR. IND. REL. IN CALIF. ADM. CODE, TITLE 8, SEC 5194 AND LABOR COSTS. Seller agrees to furish Material Safety Data Sheet (Form OSHA-20) as applicable for hazardous or potentially hazardous products.

11. Discounts: Discount period will be computed from date of receipt of invoice, or goods or services whichever is the later date.

12. Hold harmless: seller agrees to indemnify, defend and save City and its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to Sellers employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this agreement, or are caused or claim to be caused by the negligent acts of Seller, its agents or employees, and all expenses of investigating and defending against same; provided, however, that this indemnification and hold harmless shall not include any claim arising from the sole negligence or willful misconduct of the City, its agents or employees.

13. In the event of any conflict between the provisions of this Purchase Order Terms and Conditions and the terms of any proposal or related documents submitted by a vendor or a consultant, including without limitation a scope of work or alternate contract terms and conditions, the provisions of this Purchase Order Terms and Conditions shall control.

Fig. Typical — Reinforcement at TWA/Antecedent

Vendor # _____

CLAIM VOUCHER

To: Finance Department

Date: August 13, 2013

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 071913-128-9– Invoice Date: 07/19/13**
Desert Water Agency – May/June/July 2013

Account No.	Amount
FY 12/13:	
260-1396-42301	$911.37
FY 13/14:	
260-1396-42301	$483.42
TOTAL THIS CLAIM VOUCHER:	$1,394.79

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____

Department Head

Director of Finance

Vendor # _____

CLAIM VOUCHER

To: Finance Department

Date: August 13, 2013

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 071913-128-11– Invoice Date: 07/19/13**
Landscape Services – May and June 2013

Account No.	Amount
260-1396-42301	$3,200.00
TOTAL THIS CLAIM VOUCHER:	$3,200.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # _____

CLAIM VOUCHER

To: **Finance Department** Date: August 13, 2013

From: **Community** & Economic Development

Pay to: **Palm Springs** Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 071913-128-10– Invoice Date: 07/19/13**
So CA Edison – May and June 2013

Account No.	Amount
260-1396-42301	$742.61
TOTAL THIS CLAIM VOUCHER:	$742.61

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # _____

CLAIM VOUCHER

To: **Finance Department** Date: May 2, 2013

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 050113-128-6 – Invoice Date: 05/1/13**
Desert Water Agency

Account No.	Amount
260-1396-42301	$1,475.76
TOTAL THIS CLAIM VOUCHER:	$1,475.76

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # _____

CLAIM VOUCHER

To: Finance Department

Date: May 2, 2013

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 050113-128-7 – Invoice Date: 05/1/13**
Southern CA Edison

Account No.	Amount
260-1396-42301	$1,543.21
TOTAL THIS CLAIM VOUCHER:	$1,543.21

Goods and/or services were received. Payment is authorized.

By Order of: _____
Department Head

Approved: _____
Director of Finance

Vendor # _____

CLAIM VOUCHER

To: **Finance Department** Date: May 2, 2013

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 050113-128-8 – Invoice Date: 05/1/13**
Landscape Services

Account No.	Amount
260-1396-42301	$6,400.00
TOTAL THIS CLAIM VOUCHER:	$6,400.00

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Vendor # _____

C L A I M V O U C H E R

To: Finance Department

Date: December 19, 2012

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 121712-128-5 – Invoice Date: 12/17/12**
Southern CA Edison – Desert Water

Account No.	Amount
260-1396-42301	$9,386.04
TOTAL THIS CLAIM VOUCHER:	$9,386.04

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head
Director of Finance

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 121712-128-5

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City _____ State _____ ZIP _____
Phone _____

Misc

Date 12/17/2012
Order No. _____

Qty	Description	Unit Price	TOTAL
	Southern California Edison		
1	3-019-5880-33 10.29.12 to 11.29.12	$ 108.86	$ 108.86
1	3-019-5883-63 10.29.12 to 11.29.12	$ 190.15	$ 190.15
1	3-019-5878-85 10.29.12 to 11.29.12	$ 4,052.69	$ 4,052.69
1	3-019-5878-73 10.19.12 to 11.29.12 To be billed at a later time	$ -	$ -
1	3-019-5878-85 09.26.12 to 10.29.12 Not previously billed	$ 4,535.43	$ 4,535.43
1	3-019-5878-73 09.26.12 to 10.29.12 Not previously billed	$ 27.10	$ 27.10
	Desert Water Meters 11.02.12 to 12.05.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 233.32	$ 233.32
1	4-4-15-3015-1	$ 140.44	$ 140.44
1	4-4-15-3018-1	$ 36.00	$ 36.00
		SubTotal	$ 9,386.04
		Tax Rate(s)	
		TOTAL	$ 9,386.04

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Vendor # _____

C L A I M V O U C H E R

To: Finance Department

Date: December 10, 2012

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

In payment for: **Invoice No. 120712-128-4 – Invoice Date: 12/7/12**
Southern CA Edison / Desert Water / Landscape Services

Account No.	Amount
1400-65232	$2,393.71
TOTAL THIS CLAIM VOUCHER:	$2,393.71

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 120712-128-4

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 12/7/2012
Order No.

Qty	Description	Unit Price	TOTAL
	Southern California Edison		
1	3-019-5880-33 09.26.12 to 10.29.12	$ 125.88	$ 125.88
1	3-019-5883-63 09.26.12 to 10.29.12	$ 197.31	$ 197.31
	Desert Water Meters 10.03.12 to 11.02.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 241.06	$ 241.06
1	4-4-15-3015-1	$ 131.41	$ 131.41
1	4-4-15-3018-1	$ 36.00	$ 36.00
2	Landscape Services $800 twice a month - November 2012	$ 800.00	$ 1,600.00
		SubTotal	$ 2,393.71
		Tax Rate(s)	
		TOTAL	$ 2,393.71

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Service account 3-019-5880-33
Service address 123 N PALM CANYON DR UNIT 153
PALM SPRINGS, CA 92262
Rotating outage Group A008

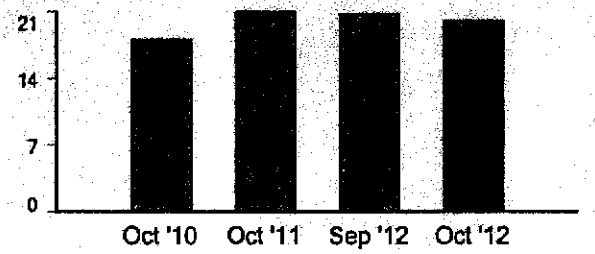
Compare the electricity you are using

For meter 256000-018342 from Sep 26 '12 to Oct 29 '12
Total electricity you used this month in kWh **670**

Your next meter read will be on or about Nov 29 '12.

Maximum demand is 1 kW

Your daily average electricity usage (kWh)



Usage comparison

	Oct '10	Oct '11	Nov '11	Dec '11	Jan '12	Feb '12	Mar '12	Apr '12	May '12	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12
Total kWh used	567	659	705	619	679	638	613	629	680	619	635	652	631	670
Number of days	31	31	33	29	32	30	29	29	32	29	30	31	30	33
Appx. average kWh used/day	18	21	21	21	21	21	21	21	21	21	21	21	21	20

Details of your new charges

Your rate: GS-1
Billing period: Sep 26 '12 to Oct 29 '12 (33 days Summer/Winter Season)

Delivery charges		
Energy summer	104 kWh x $0.06026	$6.27
Energy winter	566 kWh x $0.06260	$35.43
DWR bond charge	670 kWh x $0.00513	$3.44
Customer charge	33 days x $0.74900	$24.72
3 phase service chg	33 days x $0.03300	$1.09
Generation charges		
DWR		
DWR energy credit	670 kWh x -$0.00463	-$3.10
SCE		
Energy summer	104 kWh x $0.12585	$13.09
Energy winter	566 kWh x $0.06848	$38.76
Subtotal of your new charges		$119.70
Palm Springs UUT	$119.70 x 5.00000%	$5.99
State tax	670 kWh x $0.00029	$0.19
Your new charges		**$125.88**

Your Delivery charges include:
- *$7.23 transmission charges*
- *$49.71 distribution charges*
- *$0.10 nuclear decommissioning charges*
- *$8.88 public purpose programs charge*
- *$1.43 new system generation charge*

Your Generation charges include:
- *$0.70 competition transition charge*

Your overall energy charges include:
- *$1.08 franchise fees*

Additional Information:
- *Service voltage: 208 volts*

Service account	3-019-5883-63
Service address	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA 92262
Rotating outage	Group A008

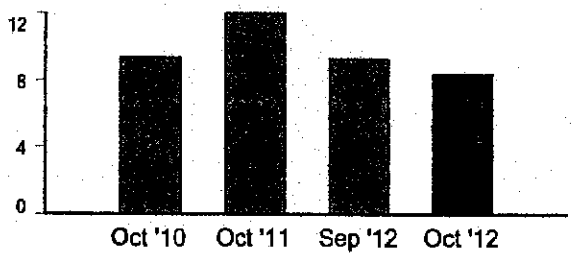
Compare the electricity you are using

For meter 259000-008582 from Sep 26 '12 to Oct 29 '12
Total electricity you used this month in kWh **285**

Your next meter read will be on or about Nov 29 '12.

Maximum demand is 2 kW

Your daily average electricity usage (kWh)



Usage comparison

	Oct '10	Oct '11	Nov '11	Dec '11	Jan '12	Feb '12	Mar '12	Apr '12	May '12	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12
Total kWh used	300	384	424	386	420	393	511	2,111	1,821	6,229	2,372	272	287	285
Number of days	31	31	33	29	32	30	29	29	32	29	30	31	30	33
Appx. average kWh used/day	9	12	12	13	13	13	17	72	56	214	79	8	9	8

Details of your new charges

Your rate: GS-2
Billing period: Sep 26 '12 to Oct 29 '12 (33 days Summer/Winter Season)

Delivery charges		
Facilities rel demand	2 kW x $12.64000 x 5/33 days	$3.83
Facilities rel demand	2 kW x $13.29000 x 28/33 days	$22.55
Energy summer	43 kWh x $0.01674	$0.72
Energy winter	242 kWh x $0.01679	$4.06
DWR bond charge	285 kWh x $0.00513	$1.46
Customer charge		$137.02
Generation charges		
DWR		
DWR energy credit	285 kWh x -$0.00463	-$1.32
SCE		
Summer time related	2 kW x $16.37000 x 5/33 days	$4.96
Energy summer	43 kWh x $0.06449	$2.77
Energy winter	242 kWh x $0.04873	$11.79
Subtotal of your new charges		$187.84
Palm Springs UUT	$187.84 x 5.00000%	$9.39
State tax	285 kWh x $0.00029	$0.08
Your new charges		**$197.31**

Your Delivery charges include:
- *$5.96 transmission charges*
- *$158.08 distribution charges*
- *$0.04 nuclear decommissioning charges*
- *$3.44 public purpose programs charge*
- *$0.59 new system generation charge*

Your Generation charges include:
- *$0.28 competition transition charge*

Your overall energy charges include:
- *$1.70 franchise fees*

Additional Information:
- *Service voltage: 480 volts*

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W** **FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

[illegible]	[illegible]
Service Charge	**$36.00**
Total Current Charges	**$36.00**

11/02/12
Received
NOV - 6 2012
BY.....

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
$36.00	**$36.00CR**		**$36.00**	**$36.00**

4-4-15-3005-2 **Retain Upper Portion for Your Records**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Yea 100 cu ft*
11/02/12	37	37	0	0

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	No Consumption	
	Consumption Charge	
	Water Service Charge	$23.05
	Backflow Charge	$3.00
	Total Current Charges	$26.05

Received
NOV - 6 2012
BY.....

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
$26.05	$26.05CR		$26.05	$26.05

4-4-15-3007-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Year 100 cu ft*
11/02/12	**12216**	**12385**	**169**	**206**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	Consumption 169 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$218.01**
	Water Service Charge	**$23.05**
	Total Current Charges	**$241.06**

Received
NOV - 6 2012
BY.....

$259.12	**$259.12CR**		**$241.06**	**$241.06**

4-4-15-3014-1 **Retain Upper Portion for Your Records**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Yea 100 cu ft*
11/02/12	**8672**	**8756**	**84**	**112**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	Consumption 84 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$108.36
	Water Service Charge	$23.05
	Total Current Charges	$131.41

Received
NOV - 6 2012
BY.....

$189.46	$389.46CR	$200.00CR	$131.41	$68.59CR

4-4-15-3015-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
	Service Charge	**$36.00**
	Total Current Charges	**$36.00**

11/02/12
Received
NOV - 6 2012
BY.....

Current Amount	Past Due Amount	Credit	Overdue Charge	Total Due
$36.00	**$36.00CR**		**$36.00**	**$36.00**

4-4-15-3018-1 **Retain Upper Portion for Your Records**

& LOURDES
ITENANCE STATEMENT
edral City, CA 92234 No. 3317
60) 219-0113 • (760) 324-1859

-12 TERMS 10-16 & 11-15-2012

0 • *

TO WI

ADDRESS SUITE 200

PALM

IN ACCOU

1,000 • +
800 • +
1,350 • +
100 • +
165 • 33 +
3,415 • 33 *

0 • *

	2	#	1000	00
	5260	#	800	00
PLAZA LAS FLORES	5240	#	1350	00
PLAZA LAS FLORES GARDEN	5260	#	100	00
PLAZA LAS FLORES COSTCO	5240	#	165	33
		#	3,515	33

Received
NOV 21 2012
BY.....

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234 No. 3318
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 11-30-12 TERMS NOV.

TO WEBSMAN DEV.

ADDRESS 555 S. SUNRISE WAY SUITE 200

PALM SPRINGS CA 92264

IN ACCOUNT WITH

PLAZA MERCADO		#	400	00
DATE PALM SQUARE		#	125	00
DATE PALM GRASS RESEEDING		#	275	00
TAHQUITZ SQUARE		#	200	00
TAHQUITZ GRASS RESEEDING		#	338	00
PALM SPRINGS PROMENA		#	800	00
		#	2128	00

CITY OF PALM SPRINGS
CLAIM VOUCHER

To: Finance Department **Date:** 12/9/13

From: Community & Economic Development

Pay To: Palm Springs Promenade, LLC **Vendor #:** 97773
c/o Spinello Property Management, Inc.

Address: P.O. Box 1419
Cathedral City, CA 92235

In payment of: Services Performed at Desert Fashion Plaza

INVOICE NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT
112713-128-14	11/27/13	260-1396-42301	$1,460.58
112713-128-14.2	11/27/13	260-1396-42301	$388.93
112713-128-12	11/27/13	260-1396-42301	$6,400.00

Submitted by: Paula Jean Sweat **TOTAL:** $8,249.51

Goods and/or services were received. Payment is authorized.

Approved: _____ **Audited by:** _____
Department Head

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 112713-128-14.2

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/27/2013
Order No.

Qty	Description	Unit Price	TOTAL
	Desert Water Meters 10.03.13 to 11.04.13		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 159.79	$ 159.79
1	4-4-15-3015-1	$ 131.09	$ 131.09
1	4-4-15-3018-1	$ 36.00	$ 36.00
	Desert Water Meters		
	4-4-15-3005-2		
	4-4-15-3007-2		
	4-4-15-3014-1		
	4-4-15-3015-1		
	4-4-15-3018-1		
	Desert Water Meters		
	4-4-15-3005-2		
	4-4-15-3007-2		
	4-4-15-3014-1		
	4-4-15-3015-1		
	4-4-15-3018-1		
		SubTotal	$ 388.93
		Tax Rate(s)	
		TOTAL	**$ 388.93**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 112713-128-14

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/27/2013
Order No.

Qty	Description	Unit Price	TOTAL
	Desert Water Meters 07.03.13 to 08.05.13		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 352.00	$ 352.00
1	4-4-15-3015-1	$ 326.20	$ 326.20
1	4-4-15-3018-1	$ 36.00	$ 36.00
	Desert Water Meters 08.05.13 to 09.05.13		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 161.08	$ 161.08
1	4-4-15-3015-1	$ 141.73	$ 141.73
1	4-4-15-3018-1	$ 36.00	$ 36.00
	Desert Water Meters 09.05.13 to 10.03.13		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 103.03	$ 103.03
1	4-4-15-3015-1	$ 82.39	$ 82.39
1	4-4-15-3018-1	$ 36.00	$ 36.00
		SubTotal	$ 1,460.58
	Tax Rate(s)		
		TOTAL	**$ 1,460.58**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 112713-128-12

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/27/2013
Order No.

Qty	Description	Unit Price	TOTAL
2	Landscape Services $800 twice a month - July 2013	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - August 2013	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - September 2013	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - October 2013	$ 800.00	$ 1,600.00
		SubTotal	$ 6,400.00
		Tax Rate(s)	
		TOTAL	**$ 6,400.00**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W** **FS5**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/05/13		
	Service Charge	**$36.00**
	Total Current Charges	**$36.00**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
			$36.00	**$36.00**

4-4-15-3005-2 Detach Upper Portion for Your Payment

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
8/05/13	**37**	**37**	**0**	**0**

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/05/13	No Consumption	
	Consumption Charge	
	Water Service Charge	**$23.05**
	Backflow Charge	**$3.00**
	Total Current Charges	**$26.05**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$26.05	**$26.05CR**		**$26.05**	**$26.05**

4-4-15-3007-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
8/05/13	**13649**	**13904**	**255**	**283**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/05/13	Consumption 255 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$328.95**
	Water Service Charge	**$23.05**
	Total Current Charges	**$352.00**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$242.35	**$242.35CR**		**$352.00**	**$352.00**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
8/05/13	**9583**	**9818**	**235**	**205**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/05/13	Consumption 235 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$303.15**
	Water Service Charge	**$23.05**
	Total Current Charges	**$326.20**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$143.02	**$143.03CR**	**$.01CR**	**$326.20**	**$326.19**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
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Date	Description	Amount
8/05/13		
	Service Charge	$36.00
	Total Current Charges	$36.00

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

Detach Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Received

BY

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W** **FS5**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/05/13		
	Service Charge	$36.00
	Total Current Charges	$36.00

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Received

BY.....

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
9/05/13	37	37	0	0

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/05/13	No Consumption	
	Consumption Charge	
	Water Service Charge	**$23.05**
	Backflow Charge	**$3.00**
	Total Current Charges	**$26.05**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$26.05	**$26.05CR**		**$26.05**	**$26.05**

4-4-15-3007-2 Detach Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Received

SEP 9

BY

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
9/05/13	**13904**	**14011**	**107**	**230**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/05/13	Consumption 107 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$138.03
	Water Service Charge	$23.05
	Total Current Charges	$161.08

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$352.00	$352.00CR		$161.08	$161.08

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER
Received
SEP 9 2013
BY .....

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
9/05/13	**9818**	**9910**	**92**	**153**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/05/13	Consumption 92 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$118.68**
	Water Service Charge	**$23.05**
	Total Current Charges	**$141.73**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$326.19	**$326.19CR**		**$141.73**	**$141.73**

4-4-15-3015-1 Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

P

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/05/13		
	Service Charge	$36.00
	Total Current Charges	$36.00

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00		$36.00	$36.00

4-4-15-3018-1 **Retain Upper Portion for Your Records**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W** FSS

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/13		
	Service Charge	$36.00
	Total Current Charges	$36.00

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3005-2 Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/13	**37**	**37**	**0**	**0**

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/13	No Consumption	
	Consumption Charge	
	Water Service Charge	**$23.05**
	Backflow Charge	**$3.00**
	Total Current Charges	**$26.05**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$26.05	**$26.05CR**		**$26.05**	**$26.05**

4-4-15-3007-2 Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/13	14011	14073	62	183

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/13	Consumption 62 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$79.98**
	Water Service Charge	**$23.05**
	Total Current Charges	**$103.03**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$161.08	**$161.08CR**		**$103.03**	**$103.03**

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/13	9910	9956	46	129

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/13	Consumption 46 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$59.34
	Water Service Charge	$23.05
	Total Current Charges	$82.39

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$141.73	$141.73CR		$82.39	$82.39

4-4-15-3015-1 Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

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Date	Description	Amount
10/03/13		
	Service Charge	**$36.00**
	Total Current Charges	**$36.00**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	**$36.00CR**		**$36.00**	**$36.00**

4-4-15-3018-1 **Retain Upper Portion for Your Records**

11-2113-2825

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAD	5230-000-00	8503/1013	10/3/2013	2-23-338-8503	5,520.25	0.00	5,520.25

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	SOUTHERN CALIFORNIA EDISON	10/4/2013	006104	$5,520.25

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR. SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No.	Check Amount
10/4/2013	006104	**$5,520.25**

Five Thousand Five Hundred Twenty AND 25/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

SOUTHERN CALIFORNIA EDISON

PO BOX 300
ROSEMEAD, CA 91771-0001

Copy

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

P.O. Box 300
Rosemead, CA
91772-0001
www.sce.com

Your electricity bill

For billing and service inquiries call 1-800-990-7788,
Mon - Fri 7 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
For emergency services call 24 hrs a day, 7 days a week

Date bill prepared: Oct 3 '13

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$5,287.63
Payment we received on Sep 13 '13 - thank you	-$5,287.63
Balance forward	$0.00
Your new charges	$5,520.25
Total amount you owe by Oct 22 '13	**$5,520.25**

Received
By

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Aug 30 '13 to Oct 1 '13	GS-2	$5,321.54
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Aug 30 '13 to Oct 1 '13	GS-2	$198.71
				$5,520.25

(14-574) Tear here

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

Tear here

Contact information

Customer service numbers

General Services (U.S. & Canada)	1-800-655-4555
Account Balance & Extensions	1-800-950-2356
Emergency Services & Outages	1-800-611-1911
California Alternate Rates for Energy (CARE)	1-800-447-6620
Electric Industry Restructuring	1-800-799-4723
Energy Theft Hotline	1-800-227-3901
Hearing & Speech Impaired (TTY)	1-800-352-8580

Multicultural services (Available Monday - Friday 8 a.m. - 5 p.m.)

Cambodian / ខ្មែរ	1-800-843-1309
Chinese / 中文	1-800-843-8343
Korean / 한국어	1-800-628-3061
Vietnamese / Tiếng Việt	1-800-327-3031
Spanish / Espanol	1-800-441-2233

(7 dias a la semana 8 a.m. - 8 p.m.)

Correspondence: Southern California Edison (SCE)
P. O. Box 6400, Rancho Cucamonga, CA 91729-6400

Important information

Rotating outages

A rotating outage is a controlled electric outage that lasts approximately one hour for a group of circuits, which is used during electric system emergency conditions to avoid widespread or uncontrolled blackouts. Each SCE customer is assigned a rotating outage group, shown on the upper part of the SCE bill. If your rotating outage group begins with the letters A, M, R, S, or X, you are subject to rotating outages. If it begins with N or Exempt, you are not. Your rotating outage group may change at any time. For more information, and to see which rotating outage groups are likely to be called in the event of a system emergency, visit www.sce.com or call 1-800-655-4555.

Options for paying your bill

On-line	www.sce.com or Electronic Fund Transfer	
Mail-in	Check or Money order	
In Person	Authorized payment locations	1-800-747-8908
Phone	QuickCheck	1-800-950-2356
	Credit Card-Visa/MasterCard*	1-800-254-4123
	Debit Card-ACCEL/NYCE/Pulse/Star*	1-800-254-4123

*The Credit/Debit card payment options are not available for payment of commercial services or security deposits for commercial services.

You may call us for electronic payment options, to make payment arrangements, or for information on agencies to assist you in bill payment. If service has been disconnected, on the day of the service reconnection, be sure all appliances and other electric devices are turned off. For additional home safety tips, visit www.sce.com/safety or you may call SCE Customer Service at 1-800-655-4555.

Past due bills

Your bill was prepared on October 3, 2013. Your bill is due when you receive it and becomes past due 19 days after the date the bill was prepared. You will have 15 days at your new address to pay a bill from a prior address before your service will be terminated. SCE does not terminate residential service for non-payment of bills for other classes of service. Termination of electric service requires a Service Connection charge. If you are a residential customer, and claim an inability to pay and payment arrangements have not been extended to you by SCE pursuant to SCE's filed tariffs, you may contact the California Public Utilities Commission (CPUC).

Rules and rates

SCE's rules and rates are available in full at www.sce.com or upon request.

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A late payment charge of 0.8% will be applied to the total unpaid balance on your account if full payment is not received by the due date on this bill (except for CARE and state agency accounts).

Disputed bills

If you think your bill is incorrect, call us and speak with a customer service representative, or if necessary, with a manager. If you feel unsatisfied with the result of such discussion(s), contact the CPUC, Consumer Affairs Branch by mail at: 505 Van Ness, Room 2003, San Francisco, CA 94102, or at: www.cpuc.ca.gov, 1-800-649-7570, TTY: 1-800-229-6846. Include a copy of your bill, why you believe SCE did not follow its rules and rates, and a check or money order made out to the CPUC for the disputed amount. You must pay the disputed amount, or send it to the CPUC, before the past-due date to avoid disconnection. The CPUC accepts payment only for matters relating directly to bill accuracy. While the CPUC is investigating your complaint, you must pay any new SCE bills that become due.

Electronic Fund Transfers (EFT)

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment. You will not receive your check back from your financial institution, but the transaction will appear on your financial institution statement. If you do not wish to authorize an electronic fund transfer, please call the 800 number on the front of your bill.

Definitions

- DWR Bond Charge: Bonds issued by the Department of Water Resources (DWR) to cover the cost of buying power for customers during the energy crisis are being repaid through this charge.
- SCE Generation: These charges recover energy procurement and generation costs for that portion of your energy provided by SCE. Beginning April 11, 2010, pursuant to CPUC Decision 10-03-022, Direct Access (DA) is again open to all non-residential customers, subject to annual limits during a four year phase-in period, and absolute limits following the phase-in. All residential customers currently returning to Bundled Service may not elect to return to DA service.

Things you should know

HEAT WAVE...

Due to the recent heat wave and period of higher than normal humidity you may have used more electricity than normal. As a result, you may notice an increase in your electric bill. For solutions to help you manage your energy usage and costs, visit www.sce.com/highbillhelp.

You may notice a change in your billing statement...

Effective 10/1/2013, the billing rates used to calculate your bill have been modified. You may notice the recurring line items in the "Details of New Charges" section which reflects the bill calculation before and after the rate change. The first line item reflects the rates pnor to 10/1/2013 and the second line item reflects the rates after 10/1/2013. For more information, please visit www.sce.com/bill_change.

Service account 3-019-5878-85
Service address 255 N PALM CANYON DR HM
PALM SPRINGS, CA 92262
Rotating outage Group A008

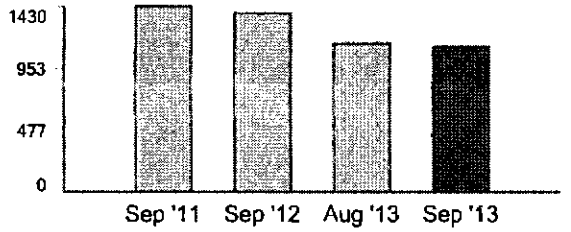
Compare the electricity you are using

For meter 259000-008579 from Aug 30 '13 to Oct 1 '13
Total electricity you used this month in kWh **35,872**

Your next billing cycle will end on or about Oct 31 '13.

Maximum demand is 58 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Sep '11	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13 *	May '13	Jun '13	Jul '13	Aug '13	Sep '13
Total kWh used	45,766	41,369	44,922	42,120	39,366	44,261	42,138	42,327	48,387	42,111	37,494	36,938	33,173	35,872
Number of days	32	30	33	31	29	32	30	29	34	32	29	30	29	32
Appx. average kWh used/day	1,430	1,378	1,361	1,358	1,357	1,383	1,404	1,459	1,423	1,315	1,292	1,231	1,143	1,121

Details of your new charges

Your rate: GS-2
Billing period: Aug 30 '13 to Oct 1 '13 (32 days)

Delivery charges		
Facilities rel demand	58 kW x $12.71000	$737.18
Energy summer	35,872 kWh x $0.01770	$634.93
DWR bond charge	35,872 kWh x $0.00493	$176.85
Customer charge		$189.25
Generation charges		
DWR		
DWR energy credit	35,872 kWh x -$0.00097	-$34.80
SCE		
Summer time related	58 kW x $20.64000	$1,197.12
Energy summer	35,872 kWh x $0.06015	$2,157.70
Subtotal of your new charges		$5,058.23
Palm Springs UUT	$5,058.23 x 5.00000%	$252.91
State tax	35,872 kWh x $0.00029	$10.40
Your new charges		**$5,321.54**

Your Delivery charges include:
- *$183.53 transmission charges*
- *$851.59 distribution charges*
- *$5.02 nuclear decommissioning charges*
- *$441.23 public purpose programs charge*
- *$71.39 new system generation charge*

Your Generation charges include:
- *$34.80 competition transition charge*

Your overall energy charges include:
- *$45.84 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Service account	3-019-5883-63
Service address	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA 92262
Rotating outage	Group A008

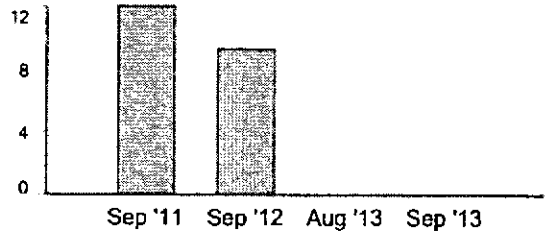
Compare the electricity you are using

For meter 259000-008582 from Aug 30 '13 to Oct 1 '13
Total electricity you used this month in kWh 0

Your next billing cycle will end on or about Oct 31 '13.

Maximum demand is 0 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Sep '11	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13	May '13	Jun '13	Jul '13	Aug '13	Sep '13
Total kWh used	398	287	285	264	251	278	236	0	0	0	0	0	0	0
Number of days	32	30	33	31	29	32	30	29	34	32	29	30	29	32
Appx. average kWh used/day	12	9	8	8	8	8	7	0	0	0	0	0	0	0

Details of your new charges

Your rate: GS-2
Billing period: Aug 30 '13 to Oct 1 '13 (32 days)

Delivery charges		
Customer charge		$189.25
Subtotal of your new charges		$189.25
Palm Springs UUT	$189.25 x 5.00000%	$9.46
Your new charges		**$198.71**

Your Delivery charges include:
- *$189.25 distribution charges*

Your overall energy charges include:
- *$1.72 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Para mas detalles en Español, llame al 1-800-441-2233 Monday - Sunday 8:00 a.m. - 8:00 p.m.
ไทย 1-800-843-1309 ▲ 中文 1-800-843-8343 ▲ 한국어 1-800-628-3061 ▲ Tiếng Việt 1-800-327-3031 Monday. - Friday 8:00 a.m. - 5:00 p.m.

SOUTHERN CALIFORNIA EDISON COMPANY (SCE)

NOTICE OF PROPOSED SETTLEMENT IN APPLICATION 10-11-009

PROPOSAL TO INCREASE YOUR ELECTRIC RATES

Southern California Edison Company (SCE) has filed a motion with the California Public Utilities Commission (CPUC) to approve a settlement for the 2011 Catalina Water General Rate Case (Application 10-11-009). The proposed settlement requests an additional $8.895 million, or 0.074%, of revenue from SCE's electric customers over current electnc utility revenues for a one-year period only and a substantial increase in residential Catalina Island average water rates.

If the CPUC approves the settlement as requested, an average residential electric customer using 600 kilowatt-hours per month would see an Increase of $0.09 per month for 12 months, from the current $108.76 to $108.85. The table set out below shows current rates compared to estimated rates by customer group.

SCE is the owner and operator of the CPUC-regulated water utility on Catalina Island off the coast of Southern California. SCE's application requested additional revenue from water sales on Catalina to compensate SCE for its investments in water service. If accepted, SCE's request would have led to an 85% water rate increase on Catalina Island. To mitigate the impact on Catalina Island residents and business from that rate increase, SCE provided an alternate proposal for the Commission's consideration that would recover a portion of the investment from the Catalina water customers and a portion from SCE's electric customers. SCE's alternate proposal recognized that a significant number of visitors to Catalina Island are visitors from the mainland and that those visitors to Catalina also benefit from water service on the island. Both proposals were thoroughly vetted through evidentiary hearings. The CPUC Administrative Law Judge (ALJ) presiding over the proceeding issued a Proposed Decision which would have adopted SCE's alternate proposal and would have shifted $10.7 million in revenue to SCE's electric customers. That proposed decision is still pending. Usually once a proposed decision is issued, the Commissioners schedule it for consideration at a Commission voting meeting where the Commissioners may accept it, modify it, approve an alternate sponsored by a Commissioner or reject the utility proposal in its entirety

However, all parties in the proceeding are requesting that the CPUC approve this unique settlement instead. It requires SCE to recover less than it requested from the CPUC to compensate it for the water service on Catalina, adopts rates that will lead to substantial average bill increases for Catalina Island's residential water utility customers, and recovers a portion of the increased costs for one year from SCE electric customers. The following table shows the impact on SCE's electric customers.

Customer Group Revenue Impact
A.10-11-009 Proposed Settlement

Customer Group	Revenue Change ($000)	% Change	Present Rates ¢/kWh	Proposed Rates ¢/kWh
Residential	4,580	0.091%	17.1	17.2
Lighting - Small and Medium Power	3,020	0.070%	16.4	16.4
Large Power	1,056	0.048%	11.5	11.5
Agricultural and Pumping	225	0.061%	12.8	12.8
Street and Area Lighting	14	0.011%	17.7	17.7
TOTAL	8,895	0.074%	15.5	15.5

FOR FURTHER INFORMATION FROM SCE

You may review the proposed settlement at SCE's corporate headquarters (2244 Walnut Grove Avenue, Rosemead, CA 91770). You may also view it at the following SCE business offices:

1 Pebbly Beach Rd. Avalon, CA 90704	1820 Rimrock Rd. Barstow, CA 92311	374 Lagoon St. Bishop, CA 93514
505 W. 14th Ave. Blythe, CA 92225	3001 Chateau Rd. Mammoth Lakes, CA 93546	510 S. China Lake Blvd. Ridgecrest CA 93555
26364 Pine Ave. Rimforest, CA 92378	41694 Dinkey Creek Rd. Shaver Lake, CA 93664	421 W. J St. Tehachapi, CA 93561
120 Woodland Dr. Wofford Heights CA 93285	6999 Old Woman Springs Rd. Yucca Valley, CA 92284	

Customers with Internet access may view and download the proposed settlement on SCE's website: **www.sce.com/applications**. Anyone who would like to obtain more information about the settlement or application, please write to:

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770
Attention: Case Administration

Continued on back

Continued from front

Notice of Proposed Settlement

Los usuarios con acceso al Internet podrán leer y descargar esta notificación en español en el sitio Web de SCE www.sce.com/avisos o escriba a:

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770
Atención: Comunicaciones Corporativas

COMMENTS AND MORE INFORMATION

Anyone may follow this proceeding using the CPUC's free subscription service. You can sign up for this service at **http://subscribecpuc.cpuc.ca.gov** and you will receive email notifications when documents are posted on the CPUC website.

Only formal parties to the proceeding may file a formal protest to this proposed rate increase. Anyone who wants to become involved in this or any CPUC proceeding can obtain information from the CPUC "Practitioners" page at www.cpuc.ca.gov or you may contact the Public Advisor's Office at the address and phone number below.

Anyone may comment informally on the substance of this notice without becoming a party to this proceeding. Your comments are tallied and circulated to the CPUC Commissioners, the assigned ALJ, CPUC staff, and provided to the public in the proceeding's formal file. **When commenting about this Application or settlement, please reference the proceeding number: A.10-11-009.**

You may submit comments or contact the Public Advisor's Office as follows:

Write: CPUC, Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

Email: public.advisor@cpuc.ca.gov

Call: 1-866-849-8390, or 1-415-703-2074

August 2013

Utility Bill Scams Continue to Target Southern California Edison Customers

Southern California Edison (SCE) is advising customers to be aware of a telephone scam that demands immediate payment for allegedly past due electricity bills.
Customers suspecting a fraudulent call should ask for the caller's name, department and business phone number. If the caller refuses to provide this information, customers should terminate the call and report the incident immediately to local police or SCE at **1-800-655-4555**.

SCE customers should also note that:

- An SCE employee will never ask for money in person.
- Never reveal your credit card, ATM or calling card numbers (or PIN numbers) to anyone.
- If someone calls and requests you leave your residence at a specific time for a utility-related cause, call the police. This could be a burglary attempt set up by the caller.
- Be suspicious of anyone who arrives at your house without an appointment asking to check an appliance, wiring or suggesting that there may be some other electrical problem inside or outside your residence.

For more ways customers can stay safe, please see **www.sce.com/safety** and read the safety tips section.

Don't Miss Out on Discounted Bulbs Purchased Online

For a limited time, Southern California Edison (SCE) is offering discounts ranging from $5 to $15 off select light-emitting diode (LED) and compact fluorescent light (CFL) bulbs. When you purchase online, you'll enjoy immediate savings on LEDs and CFLs, and c ontinued energy savings for years to come.

Visit **www.sce.com/bulbsoffer** for your discount today!

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5230-000-00	8503/0913	9/4/2013	2-23-338-8503	5,287.63	0.00	5,287.63

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	SOUTHERN CALIFORNIA EDISON	9/9/2013	006095	$5,287.63

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR . SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
9/9/2013	006095	**$5,287.63**

Five Thousand Two Hundred Eighty Seven AND 63/100 Dollars

Pay to the order of:

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

SOUTHERN CALIFORNIA EDISON

PO BOX 300
ROSEMEAD, CA 91771-0001

Copy

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

P.O. Box 300
Rosemead, CA
91772-0001
www.sce.com

Your electricity bill

For billing and service inquiries call 1-800-990-7788,
Mon - Fri 7 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
For emergency services call 24 hrs a day, 7 days a week

Date bill prepared: Sep 4 '13

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$11,493.69
Payment we received on Aug 08 '13 - thank you	-$11,493.69
Balance forward	$0.00
Your new charges	$5,287.63
Total amount you owe by Sep 23 '13	**$5,287.63**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Aug 1 '13 to Aug 30 '13	GS-2	$5,088.92
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Aug 1 '13 to Aug 30 '13	GS-2	$198.71
				$5,287.63

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(14 674) Tear here

Tear here

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Mail-In	Check or Money order	
In Person	Authorized payment locations	1-800-747-8908
Phone	QuickCheck	1-800-950-2356
	Credit Card-Visa/MasterCard*	1-800-254-4123
	Debit Card-ACCEL/NYCE/Pulse/Star*	1-800-254-4123

*The Credit/Debit card payment options are not available for payment of commercial services or security deposits for commercial services.

You may call us for electronic payment options, to make payment arrangements, or for information on agencies to assist you in bill payment. If service has been disconnected, on the day of the service reconnection, be sure all appliances and other electric devices are turned off. For additional home safety tips, visit www.sce.com/safety or you may call SCE Customer Service at 1-800-655-4555.

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Electronic Fund Transfers (EFT)

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment. You will not receive your check back from your financial institution, but the transaction will appear on your financial institution statement. If you do not wish to authorize an electronic fund transfer, please call the 800 number on the front of your bill.

Definitions

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To change your contact information or enroll in SCE's payment options, visit the [illegible]

Service account 3-019-5878-85
Service address 255 N PALM CANYON DR HM
PALM SPRINGS, CA 92262
Rotating outage Group A008

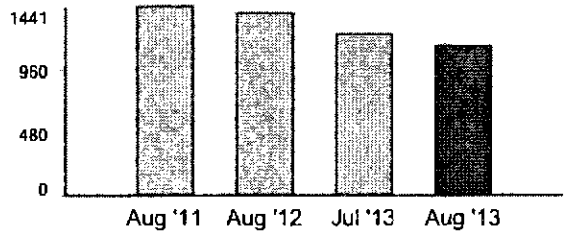
Compare the electricity you are using

For meter 259000-008579 from Aug 1 '13 to Aug 30 '13
Total electricity you used this month in kWh **33,173**

Your next billing cycle will end on or about Oct 1 '13.

Maximum demand is 58 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Aug '11	Aug '12	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13	May '13	Jun '13	Jul '13	Aug '13
Total kWh used	41,779	43,197	41,369	44,922	42,120	39,366	44,261	42,138	42,327	48,387	42,111	37,494	36,938	33,173
Number of days	29	31	30	33	31	29	32	30	29	34	32	29	30	29
Appx. average kWh used/day	1,440	1,393	1,378	1,361	1,358	1,357	1,383	1,404	1,459	1,423	1,315	1,292	1,231	1,143

Details of your new charges

Your rate: GS-2
Billing period: Aug 1 '13 to Aug 30 '13 (29 days)

Delivery charges		
Facilities rel demand	58 kW x $12.71000	$737.18
Energy summer	33,173 kWh x $0.01770	$587.16
DWR bond charge	33,173 kWh x $0.00493	$163.54
Customer charge		$189.25
Generation charges		
DWR		
DWR energy credit	33,173 kWh x -$0.00097	-$32.18
SCE		
Summer time related	58 kW x $20.64000	$1,197.12
Energy summer	33,173 kWh x $0.06015	$1,995.36
Subtotal of your new charges		$4,837.43
Palm Springs UUT	$4,837.43 x 5.00000%	$241.87
State tax	33,173 kWh x $0.00029	$9.62
Your new charges		**$5,088.92**

Your Delivery charges include:
- *$183.77 transmission charges*
- *$843.17 distribution charges*
- *$4.64 nuclear decommissioning charges*
- *$408.03 public purpose programs charge*
- *$66.01 new system generation charge*

Your Generation charges include:
- *$32.18 competition transition charge*

Your overall energy charges include:
- *$43.84 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Service account 3-019-5883-63
Service address 123 N PALM CANYON DR UNIT 325
PALM SPRINGS, CA 92262
Rotating outage Group A008

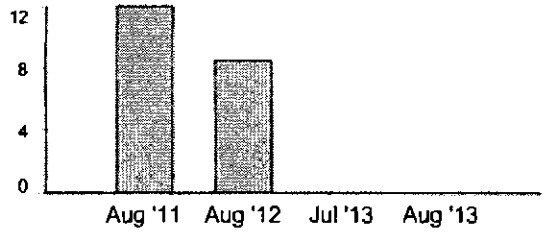
Compare the electricity you are using

For meter 259000-008582 from Aug 1 '13 to Aug 30 '13
Total electricity you used this month in kWh **0**

Your next billing cycle will end on or about Oct 1 '13.

Maximum demand is 0 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Aug '11	Aug '12	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13	May '13	Jun '13	Jul '13	Aug '13
Total kWh used	358	272	287	285	264	251	278	236	0	0	0	0	0	0
Number of days	29	31	30	33	31	29	32	30	29	34	32	29	30	29
Appx. average kWh used/day	12	8	9	8	8	8	8	7	0	0	0	0	0	0

Details of your new charges

Your rate: GS-2
Billing period: Aug 1 '13 to Aug 30 '13 (29 days)

Delivery charges

Customer charge		$189.25
Subtotal of your new charges		$189.25
Palm Springs UUT	$189.25 x 5.00000%	$9.46
Your new charges		**$198.71**

Your Delivery charges include:
- *$189.25 distribution charges*

Your overall energy charges include:
- *$1.72 franchise fees*

Additional information:
- *Service voltage: 480 volts*

UNDERSTANDING EMF - ELECTRIC AND MAGNETIC FIELDS

Questions have been raised about the possible health effects of 60-hertz (power frequency) electric and magnetic fields (EMF*), which are found wherever you have electric power. This article contains information that will help you understand the EMF issue, plus practical tips you can use if you want to reduce your exposure at home and at work.

Campos Eléctricos y Magnéticos (EMF): Si desea recibir información en español, comuníquese con SCE al 1-800-441-2233.

*The term EMF in this publication refers to extremely low frequency (ELF) 60-hertz electric and magnetic fields associated with power delivered by electric utilities does not refer to radio frequency (RF) waves associated with wireless communications such as cell phones.

Can EMF Harm Your Health?

Electric and magnetic fields are present wherever electricity flows—around appliances and power lines, and in offices, schools and homes. Many researchers believe that if there is a risk of adverse health effects from usual residential exposures to EMF, it is probably just at the detection limit of human health studies; nonetheless, the possible risk warrants further investigation. The varying results from epidemiological studies, which looked at estimated EMF exposures and childhood leukemia, are consistent with a weak link. Laboratory studies, including studies investigating a possible mechanism for health effects (mechanistic studies), provide little or no evidence to support this weak link.

The results from many research studies have been evaluated by international, national and California EMF research programs to determine whether EMF poses any health risk. Given the uncertainty of the issue, the medical and scientific communities have been unable to conclude that usual residential exposures to EMF cause health effects, or to establish any standard or level of residential exposure that is known to be either safe or harmful. These conclusions remain unchanged by recent studies.

World Health Organization Findings

The World Health Organization (WHO) completed a review of the potential health implications of extremely low frequency (ELF) EMF, which includes power-frequency fields. Their conclusions and recommendations were presented in June 2007 in a report known as the Extremely Low Frequency Fields, Environmental Health Criteria Monograph No. 238.

The WHO report concluded that evidence for a link between ELF magnetic fields and childhood leukemia "is not strong enough to be considered causal but sufficiently strong to remain a concern." "Virtually all of the laboratory evidence and the mechanistic evidence fail to support" this reported association. For all other diseases, there is inadequate or no evidence of health effects at low exposure levels.

The report emphasized that, given the weakness of the evidence for health effects, the health benefits of exposure reduction are unclear and adopting policies based on arbitrary low exposure limits is not warranted. In light of this situation, WHO made these and other recommendations:

- National authorities should implement communication programs with all stakeholders to enable informed decision-making, including how individuals can reduce their own exposure.
- Policy makers and community planners should implement very low-cost measures to reduce exposures when constructing new facilities and designing new equipment, including appliances.
- Policy makers should establish guidelines for ELF field exposure for both the general public and workers. The best source of guidance for both exposure levels and the principles of scientific review are the international guidelines.
- Government and industry should promote research to reduce the uncertainty of the scientific evidence on the health effects of ELF field exposure. Several recommended research projects are already under way through the Electric Power Research Institute, of which SCE is a member.

To view the full report and a fact sheet summarizing it, visit
www.who.int/peh-emf/publications/elf_ehc/en/index.html
www.who.int/peh-emf/publications/facts/fs322/en/index.html

Magnetic Fields at Home
(Measurements are in milligauss.)

	1.2" away	12" away	36" away
Microwave Oven	750 to 2,000	40 to 80	3 to 8
Clothes Washer	8 to 400	2 to 30	0.1 to 2
Electric Range	60 to 2,000	4 to 40	0.1 to 1
Compact Fluorescent Bulb	0 to 32.8	0 to 0.1	0
Hair Dryer	60 to 20,000	1 to 70	0.1 to 3
LCD/Plasma TV	1.1 to 73.6	0 to 2.5	0 to 2.2

Source: Adapted from Gauger 1985 & EPRI Appliance Measurement Study 2010.

Magnetic Fields Outside
(Maximum values may be lower for some California utilities.)

Distribution Lines	1 to 80 milligauss under the line
Transmission Lines	1 to 300 milligauss edge of right-of-way

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Continued from front

Understanding EMF

What You Can Do
In a situation of scientific uncertainty and public concern, WHO recommended that utilities explore "very low-cost" ways to reduce EMF exposure from new or upgraded facilities. SCE and other California public utilities have been pursuing no-cost and low-cost measures to reduce EMF levels from new utility transmission lines and substation projects. You, too, may want to take no-cost and low-cost measures to reduce your EMF exposure at home and at work.

Human studies have not produced a consensus about any health benefits from changing the way people use electric appliances. But, if you feel reducing your EMF exposure would be beneficial, you can increase your distance from electric appliances and/or limit the amount of time you use appliances at home or at work.

For instance, you can place phone answering machines and electric clocks away from the head of your bed. Increasing your distance from these and other appliances such as televisions, computer monitors and microwave ovens can reduce your EMF exposure.

You can also reduce your EMF exposure by limiting the time you spend using personal appliances such as hair dryers, electric razors, heating pads and electric blankets. You may also want to limit the time you spend using electric cooking appliances.

You can locate the sources of EMF in your work environment, and spend break time in lower-field areas.

It is not known whether such actions will have any impact on your health.

Additional Information Is Available
SCE provides free EMF information packages and home/business measurements upon request. We also invite you to attend a workshop on EMF at our EMF Education Center located in Irwindale. For any of these services, please call us at **1-800-200-4SCE**.

Additional information is also available at these links:

EMF Basics:
www.who.int/peh-emf/about/WhatisEMF/en/
www.niehs.nih.gov/health/assets/docs_p_z/emf-02.pdf

World Health Organization International EMF Project:
www.who.int/peh-emf/en/

National Institute of Environmental Health Sciences:
www.niehs.nih.gov/health/topics/agents/emf/

California Department of Health Services:
www.ehib.org/emf/

California Public Utilities Commission:
www.cpuc.ca.gov/PUC/energy/Environment/ElectroMagnetic+Fields/action.htm

Reviewed by: California Public Utilities Commission (CPUC)

POWER CONTENT LABEL

ENERGY RESOURCES	2012 SCE POWER MIX (Actual)	2011 CA POWER MIX**
Eligible Renewable	**20%**	**14%**
-- Biomass & waste	1%	2%
-- Geothermal	9%	5%
-- Small hydroelectric	1%	2%
-- Solar	1%	0%
-- Wind	8%	5%
Coal	7%	8%
Large Hydroelectric	4%	13%
Natural Gas	21%	37%
Nuclear	7%	16%
Other	0%	0%
Unspecified sources of power*	**41%**	**12%**
TOTAL	**100%**	**100%**

* "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.

** Percentages are estimated annually by the California Energy Commission based on the electricity sold to California consumers during the previous year.

For specific information about this electricity product, contact Southern California Edison. For general information about the Power Content Label, contact the California Energy Commission at 1-800-555-7794 or www.energy.ca.gov/consumer.

Stay connected to us.

Get energy-saving tips, safety and outage updates, and much more.

www.facebook.com/SCE

www.twitter.com/SCE

Para mas detalles en Español, llame al 1-800-441-2233 Monday - Sunday 8:00 a.m. - 8:00 p.m.
ไทย 1-800-843-1309 ▲ 中文 1-800-843-8343 ▲ 한국어 1-800-628-3061 ▲ Tiếng Việt 1-800-327-3031 Monday. - Friday 8:00 a.m. - 5:00 p.m.

SOUTHERN CALIFORNIA EDISON COMPANY (SCE)
NOTICE OF ENERGY RESOURCE RECOVERY ACCOUNT (ERRA) APPLICATION FILING IN A.13-08-004
PROPOSAL TO INCREASE YOUR ELECTRIC RATES

In compliance with California Public Utilities Commission (CPUC) decisions, Southern California Edison Company (SCE) has filed an Energy Resource Recovery Account (ERRA) forecast application. This application is referred to as A.13-08-004. In an ERRA forecast application, SCE estimates the costs of fuel and purchased power that is required to generate and procure electricity for the following year, in order to set rates and recover these costs.

In this application, SCE is requesting the Commission to authorize SCE's 2014 ERRA proceeding revenue requirement in the amount of $5.844 billion, which represents an increase of $1.174 billion from the ERRA revenue requirement SCE requested be included in 2013 rate levels.

The ERRA proceeding revenue requirement consists primarily of SCE's estimated 2014 fuel and purchased power costs. However, it also includes: (1) one-half of the currently estimated December 31, 2013 collective balances in certain balancing accounts that SCE requests to recover from customers, [1] and (2) other miscellaneous expenses recoverable in ERRA proceedings, such as expenses related to spent nuclear fuel.

The following table compares the rates forecast for the 2013 ERRA to the forecast for the 2014 ERRA.

Customer Group Revenue Impact
2014 ERRA Application compared to 2013 ERRA Application

Customer Group	Revenue Change ($000)	% Change	Proposed 2013 ERRA Rates ¢/kWh	Proposed 2014 ERRA Rates ¢/kWh
Residential	490,466	9.2%	18.38	20.06
Lighting - Small and Medium Power	403,476	8.8%	17.57	19.17
Large Power	207,848	10.0%	12.67	14.05
Agricultural and Pumping	36,536	9.3%	13.70	14.98
Street and Area Lighting	5,051	3.9%	18.14	18.85
Standby	30,806	11.0%	10.97	12.23
TOTAL	1,174,183	9.2%	16.60	18.16

[1] SCE is requesting to recover the other half of this estimated balance from customers in 2015.

The Commission has not acted on SCE's 2013 ERRA, and SCE rates have remained at the levels needed to cover its 2012 forecasts. Compared to 2012 rate levels, SCE's 2014 ERRA represents an increase of $1.963 billion. **If the Commission should approve total rates as requested, an average residential electric customer using 600 kilowatt-hours per month would expect to see an increase of $18.81 per month, from $114.45 to $133.26.** The chart below illustrate SCE's 2014 request compared to actual current rates.

Customer Group Revenue Impact
2014 ERRA Application compared to Current Rates

Customer Group	Revenue Change ($000)	% Change	Current Rates ¢/kWh	Proposed 2014 ERRA Rates ¢/kWh
Residential	828,799	16.6%	17.21	20.06
Lighting - Small and Medium Power	673,183	15.6%	16.50	19.17
Large Power	342,691	17.6%	11.78	14.05
Agricultural and Pumping	60,479	16.3%	12.86	14.98
Street and Area Lighting	7,623	6.0%	17.78	18.85
Standby	50,487	19.3%	10.17	12.23
TOTAL	1,963,263	16.3%	15.55	18.16

FOR FURTHER INFORMATION FROM SCE
As noted above, you may review a copy of this Application and related exhibits at SCE's corporate headquarters (2244 Walnut Grove Avenue, Rosemead, CA 91770). You may also view these materials at the following SCE business offices:

1 Pebbly Beach Rd. Avalon, CA 90704	1820 Rimrock Rd. Barstow, CA 92311	374 Lagoon St. Bishop, CA 93514
505 W. 14th Ave. Blythe, CA 92225	3001 Chateau Rd. Mammoth Lakes, CA 93546	510 S. China Lake Blvd. Ridgecrest, CA 93555
26364 Pine Ave. Rimforest, CA 92378	41694 Dinkey Creek Rd. Shaver Lake, CA 93664	421 W. J St. Tehachapi, CA 93561
120 Woodland Dr. Wofford Heights CA 93285	6999 Old Woman Springs Rd. Yucca Valley, CA 92284	

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ERRA Forecast Application

Customers with Internet access may view and download SCE's application and the papers supporting it on SCE's website, www.sce.com/applications. Anyone who would like to obtain more information about the application, please write to:

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770
Attention: Case Administration

Los usuarios con acceso al Internet podrán leer y descargar esta notificación en español en el sitio Web de SCE www.sce.com/aviso o escriba a:

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770
Atención: Comunicaciones Corporativas

CPUC PROCESS

The CPUC will evaluate and determine the ERRA forecast through its administrative law process where the proceeding is assigned to an Administrative Law Judge (ALJ) who will direct the method in which the record, upon which the Commission bases its decisions, is made. The ALJ **may** hold evidentiary hearings where parties to the proceeding provide testimony and other parties may cross-examine them. These hearings are open to the public, but only formal parties of record may participate. After considering all proposals and evidence presented, the assigned ALJ will issue a proposed decision. The Commissioners may approve the proposed decision as written, modify it, approve another proposal written by a Commissioner or completely deny SCE's request.

The CPUC also would like to hear from you. You may submit informal comments to the CPUC's Public Advisor's Office at:

Write: California Public Utilities Commission
Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

E-mail: Public.Advisor @cpuc.ca.gov

Telephone: 1-415-703-2074 or 1-866-849-8390

Please state that you are writing concerning SCE's application A.13-08-004. Your comments will become a part of the formal correspondence file for public comment in this proceeding. The Public Advisor's Office will circulate your comments to the five Commissioners, the ALJ, DRA, and to CPUC staff assigned to this proceeding.

You may also contact the CPUC Public Advisor's Office if you need advice on how to participate in this proceeding.

August 2013

September is National Preparedness Month

A natural disaster can strike at any moment and could cause a power outage. At Southern California Edison, an Edison International company, our number one priority is keeping your electricity on 24 hours a day – in a way that keeps you and our crews safe.

As a founding partner of **PrepareSoCal**, Edison International joined the American Red Cross in working together to promote emergency preparedness in Southern California. Edison and the Red Cross emphasize preparedness as key to helping prevent electricity-related injuries in the event of an emergency.

Here are important safety tips to help you and your family stay safe in case of an emergency:

- **Get a kit. Make a plan. Be informed.** The American Red Cross has made it easy by suggesting three simple steps to help you and your loved ones prepare:
  - Build a family disaster preparedness kit.
  - Make a family disaster plan.
  - Stay informed about disasters in your area.

  Remember to include your pets. For more emergency preparedness tips, visit **PrepareSoCal.org**.
- If someone in your home is dependent on electric-powered, life-sustaining medical equipment, have an emergency plan that includes a back-up power source, or make arrangements to relocate.
- The American Red Cross **Ready Rating** program provides information and tools for businesses, organizations and schools to prepare for emergencies. To learn more, visit **ReadyRating.org**.

Sometimes, due to extreme conditions, hazards or high demand, the power may go out temporarily. Here are important safety tips around power lines:

If you see a downed power line, stay away and call 911.

- Do not approach or touch the line or any person or object in contact with it.
- Inform the 911 operator it is an electrical emergency.
- Assume all wires are energized. **Coming into contact with energized wires can cause serious injury or even death.**
- Water conducts electricity, so it's possible to be electrocuted by water that has come in contact with electricity.

To learn more about safety around electricity, visit **www.sce.com/staysafe**.

Don't Miss Out on Discounted Bulbs Purchased Online

For a limited time, Southern California Edison (SCE) is offering discounts ranging from $5 to $15 off select light-emitting diode (LED) and compact fluorescent light (CFL) bulbs. When you purchase online, you'll enjoy immediate savings on LEDs and CFLs, and continued energy savings for years to come.

Visit **www.sce.com/bulbsoffer** for your discount today!

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5230-000-00	8503/0813	8/3/2013	3-019-5878-85	5,671.45	0.00	5,671.45
128	PALM SPRINGS PROMENAI	5230-000-00	8503/0813	8/3/2013	3-019-5878-85	5,623.53	0.00	5,623.53
128	PALM SPRINGS PROMENAI	5230-000-00	8503/0813	8/3/2013	3-019-5883-63	198.71	0.00	198.71

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	SOUTHERN CALIFORNIA EDISON	8/6/2013	006086	$11,493.69

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR., SUITE 102
PALM SPRINGS, CA 92262

90-4340
1222

Date	Check No.	Check Amount
8/6/2013	006086	**$11,493.69**

Eleven Thousand Four Hundred Ninety Three AND 69/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

SOUTHERN CALIFORNIA EDISON

PO BOX 300
ROSEMEAD, CA 91771-0001

Copy

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

P.O. Box 300
Rosemead, CA
91772-0001
www.sce.com

Your electricity bill

For billing and service inquiries call 1-800-990-7788,
Mon - Fri 7 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
For emergency services call 24 hrs a day, 7 days a week

Date bill prepared: Aug 3 '13

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Received
BY .....

Your account summary

Amount of your last bill	$4,630.14
Payment we received on Jul 10 '13 - thank you	-$4,630.14
Balance forward	$0.00
Your new charges	$11,493.69
Total amount you owe by Aug 22 '13	**$11,493.69**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jun 3 '13 to Jul 2 '13	GS-2	$5,671.45
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jul 2 '13 to Aug 1 '13	GS-2	$5,623.53
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Jul 2 '13 to Aug 1 '13	GS-2	$198.71
				$11,493.69

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

(14-574) Tear here Tear here

Contact information

Customer service numbers

General Services (U.S. & Canada)	1-800-655-4555
Account Balance & Extensions	1-800-950-2356
Emergency Services & Outages	1-800-611-1911
California Alternate Rates for Energy (CARE)	1-800-447-6620
Electric Industry Restructuring	1-800-799-4723
Energy Theft Hotline	1-800-227-3901
Hearing & Speech Impaired (TTY)	1-800-352-8580

Multicultural services (Available Monday - Friday 8 a.m. - 5 p.m.)

Cambodian / ខ្មែរ	1-800-843-1309
Chinese / 中文	1-800-843-8343
Korean / 한국어	1-800-628-3061
Vietnamese / Tiếng Việt	1-800-327-3031
Spanish / Espanol	1-800-441-2233

(7 dias a la semana 8 a.m. - 8 p.m.)

Correspondence: Southern California Edison (SCE)
P. O. Box 6400, Rancho Cucamonga, CA 91729-6400

Important information

Rotating outages

A rotating outage is a controlled electric outage that lasts approximately one hour for a group of circuits, which is used during electric system emergency conditions to avoid widespread or uncontrolled blackouts. Each SCE customer is assigned a rotating outage group, shown on the upper part of the SCE bill. If your rotating outage group begins with the letters A, M, R, S, or X, you are subject to rotating outages. If it begins with N or Exempt, you are not. Your rotating outage group may change at any time. For more information, and to see which rotating outage groups are likely to be called in the event of a system emergency, visit www.sce.com or call 1-800-655-4555.

Options for paying your bill

You can pay your bill by

On-line electronically	In Person	
- www.sce.com	- Authorized payment locations	1-800-747-8908
- Electronic Fund Transfer	Phone	
Mail-in	- QuickCheck	1-800-950-2356
- Check	- Credit Card-MasterCard*	1-800-254-4123
- Money order	- Debit Card-Star/NYCE/Pulse*	1-800-254-4123

*The Credit/Debit card payment options are not available for payment of commercial services or security deposits for commercial services.

You may call us for electronic payment options, to make payment arrangements, or for information on agencies to assist you in bill payment. If service has been disconnected, on the day of the service reconnection, be sure all appliances and other electric devices are turned off. For additional home safety tips, visit www.sce.com/safety or you may call SCE Customer Service at 1-800-655-4555.

Past due bills

Your bill was prepared on August 3, 2013. Your bill is due when you receive it and becomes past due 19 days after the date the bill was prepared. You will have 15 days at your new address to pay a bill from a prior address before your service will be terminated. SCE does not terminate residential service for non-payment of bills for other classes of service. Termination of electric service requires a Service Connection charge. If you are a residential customer, and claim an inability to pay and peyment arrangements have not been extended to you by SCE pursuant to SCE's filed tariffs, you may contact the California Public Utilities Commission (CPUC).

Rules and rates

SCE's rules and rates are available in full at www.sce.com or upon request.

Late Payment Charge (LPC)

A late payment charge of 0.8% will be applied to the total unpaid balance on your account if full payment is not received by the due date on this bill (except for CARE and state agency accounts)

Disputed bills

If you think your bill is incorrect, call us and speak with a customer service representative, or if necessary, with a manager. If you feel unsatisfied with the result of such discussion(s), contact the CPUC, Consumer Affairs Branch by mail at: 505 Van Ness, Room 2003, San Francisco, CA 94102; or at: www.cpuc.ca.gov, 1-800-649-7570. TTY: 1-800-229-6846. Include a copy of your bill, why you believe SCE did not follow its rules and rates, and a check or money order made out to the CPUC for the disputed amount. You must pay the disputed amount, or send it to the CPUC, before the past-due date to avoid disconnection. The CPUC accepts payment only for matters relating directly to bill accuracy. While the CPUC is investigating your complaint, you must pay any new SCE bills that become due.

Electronic Fund Transfers (EFT)

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment. You will not receive your check back from your financial institution, but the transaction will appear on your financial institution statement. If you do not wish to authorize an electronic fund transfer, please call the 800 number on the front of your bill.

Definitions

- DWR Bond Charge: Bonds issued by the Department of Water Resources (DWR) to cover the cost of buying power for customers during the energy crisis are being repaid through this charge.
- SCE Generation: These charges recover energy procurement and generation costs for that portion of your energy provided by SCE. Beginning April 11, 2010, pursuant to CPUC Decision 10-03-022, Direct Access (DA) is again open to all non-residential customers, subject to annual limits during a four year phase-in period, and absolute limits following the phase-in. All residential customers currently returning to Bundled Service may not elect to return to DA service.

Service account 3-019-5878-85
Service address 255 N PALM CANYON DR HM
PALM SPRINGS, CA 92262
Rotating outage Group A008

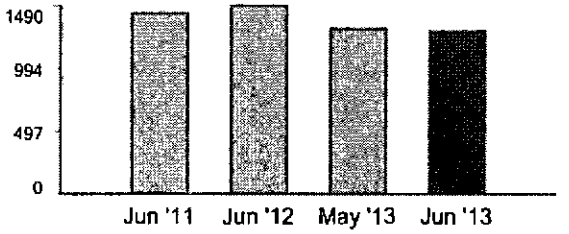
Compare the electricity you are using

For meter 259000-008579 from Jun 3 '13 to Jul 2 '13
Total electricity you used this month in kWh **37,494**

Your next billing cycle will end on or about Aug 30 '13.

Maximum demand is 64 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Jun '11	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13 *	May '13	Jun '13
Total kWh used	45,864	43,218	42,549	43,197	41,369	44,922	42,120	39,366	44,261	42,138	42,327	48,387	42,111	37,494
Number of days	32	29	30	31	30	33	31	29	32	30	29	34	32	28
Appx. average kWh used/day	1,433	1,490	1,418	1,393	1,378	1,361	1,358	1,357	1,383	1,404	1,459	1,423	1,315	1,292

Details of your new charges

Your rate: GS-2
Billing period: Jun 3 '13 to Jul 2 '13 (29 days)

Delivery charges		
Facilities rel demand	64 kW x $12.71000	$813.44
Energy summer	37,494 kWh x $0.01770	$663.64
DWR bond charge	37,494 kWh x $0.00493	$184.85
Customer charge		$189.25
Generation charges		
DWR		
DWR energy credit	37,494 kWh x -$0.00097	-$36.37
SCE		
Summer time related	64 kW x $20.64000	$1,320.96
Energy summer	37,494 kWh x $0.06015	$2,255.26
Subtotal of your new charges		$5,391.03
Palm Springs UUT	$5,391.03 x 5.00000%	$269.55
State tax	37,494 kWh x $0.00029	$10.87
Your new charges		**$5,671.45**

Your Delivery charges include:
- *$202.70 transmission charges*
- *$913.59 distribution charges*
- *$5.25 nuclear decommissioning charges*
- *$461.18 public purpose programs charge*
- *$74.61 new system generation charge*

Your Generation charges include:
- *$36.37 competition transition charge*

Your overall energy charges include:
- *$48.85 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Service account 3-019-5878-85
Service address 255 N PALM CANYON DR HM
PALM SPRINGS, CA 92262
Rotating outage Group A008

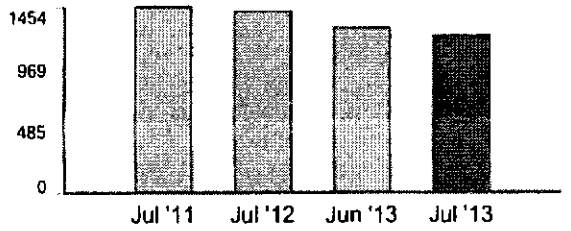
Compare the electricity you are using

For meter 259000-008579 from Jul 2 '13 to Aug 1 '13
Total electricity you used this month in kWh **36,938**

Your next billing cycle will end on or about Aug 30 '13.

Maximum demand is 64 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Jul '11	Jul '12	Aug '12	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13	May '13	Jun '13	Jul '13
Total kWh used	43,626	42,549	43,197	41,369	44,922	42,120	39,366	44,261	42,138	42,327	48,387	42,111	37,494	36,938
Number of days	30	30	31	30	33	31	29	32	30	29	34	32	29	30
Appx. average kWh used/day	1,454	1,418	1,393	1,378	1,361	1,358	1,357	1,383	1,404	1,459	1,423	1,315	1,292	1,231

Details of your new charges

Your rate: GS-2
Billing period: Jul 2 '13 to Aug 1 '13 (30 days)

Delivery charges		
Facilities rel demand	64 kW x $12.71000	$813.44
Energy summer	36,938 kWh x $0.01770	$653.80
DWR bond charge	36,938 kWh x $0.00493	$182.10
Customer charge		$189.25
Generation charges		
DWR		
DWR energy credit	36,938 kWh x -$0.00097	-$35.83
SCE		
Summer time related	64 kW x $20.64000	$1,320.96
Energy summer	36,938 kWh x $0.06015	$2,221.82
Subtotal of your new charges		$5,345.54
Palm Springs UUT	$5,345.54 x 5.00000%	$267.28
State tax	36,938 kWh x $0.00029	$10.71
Your new charges		**$5,623.53**

Your Delivery charges include:
- *$202.76 transmission charges*
- *$911.86 distribution charges*
- *$5.17 nuclear decommissioning charges*
- *$454.34 public purpose programs charge*
- *$73.51 new system generation charge*

Your Generation charges include:
- *$35.83 competition transition charge*

Your overall energy charges include:
- *$48.44 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Service account 3-019-5883-63
Service address 123 N PALM CANYON DR UNIT 325
PALM SPRINGS, CA 92262
Rotating outage Group A008

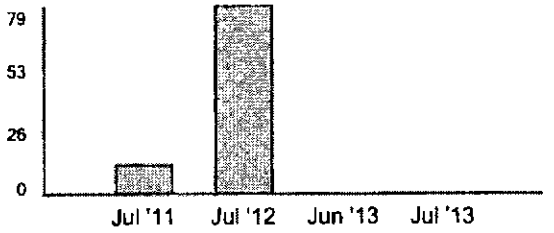
Compare the electricity you are using

For meter 259000-008582 from Jul 2 '13 to Aug 1 '13
Total electricity you used this month in kWh **0**

Your next billing cycle will end on or about Aug 30 '13.

Maximum demand is 0 kW

Your daily average electricity usage (kWh)



* Irregular billing period

Usage comparison

	Jul '11	Jul '12	Aug '12	Sep '12	Oct '12	Nov '12	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13 *	May '13	Jun '13	Jul '13
Total kWh used	371	2,372	272	287	285	264	251	278	236	0	0	0	0	0
Number of days	30	30	31	30	33	31	29	32	30	29	34	32	29	30
Appx. average kWh used/day	12	79	8	9	8	8	8	8	7	0	0	0	0	0

Details of your new charges

Your rate: GS-2
Billing period: Jul 2 '13 to Aug 1 '13 (30 days)

Delivery charges		
Customer charge		$189.25
Subtotal of your new charges		$189.25
Palm Springs UUT	$189.25 x 5.00000%	$9.46
Your new charges		**$198.71**

Your Delivery charges include:
- *$189.25 distribution charges*

Your overall energy charges include:
- *$1.72 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Health and Safety Tips for Temperature-Sensitive Customers

Extreme hot weather may be harmful to people who are in poor health or those who are sensitive to high temperatures. Here are steps you can take to avoid heat-related illness this summer, should you be without air conditioning:

To help you stay cool in hot weather:

- Take a cool shower or bath.
- Wear lightweight, loose, light-colored clothing and a head covering.
- Stay out of direct sunlight and limit outdoor activity to covered or shaded areas.
- Drink plenty of water to stay hydrated.
- Visit a movie theatre, an air-conditioned mall, a library or a community center.
- Visit friends or family whose homes are air-conditioned and are located in areas not affected by severe weather or rotating outages.

What to Do During Rotating Outages?

A rotating outage is a temporary electricity outage, designed to last no more than one hour, to help protect the integrity of the overall electric system. You can prepare for rotating outages by planning ahead. Your rotating outage group number is located at the top of your bill. Customers in rotating outage group N001 (or "Exempt") are normally not subject to rotating outages.

SCE strongly encourages you to be prepared for summer heat waves and potential outages. Power outages, regardless of their cause, can occur at any time. Since we cannot guarantee uninterrupted service to our customers, it is important that your emergency plan includes having sufficient standby battery power or a back-up portable unit available to power any in-home medical equipment you may have. If you have back-up power generation, we recommend you test it each month to ensure it is ready in case of a power interruption.

Advance Notification of a Rotating Outage

When possible, SCE will provide advance notice of a rotating outage via an automated telephone message to residential customers, or to someone in a customer's household who files an application certifying that their health is at risk when they are exposed to extreme temperatures.

Note: If you already participate in SCE's Medical Baseline program, you are automatically enrolled, so you do not need to complete this application form. Medical Baseline program participants receive advance notification, whenever possible, of rotating power outages that may affect them.

To sign up for advance notification, just call **1-800-655-4555** to request an application, complete it, and return it to the address shown on the application.

Upon receipt of your application, SCE will place your name on a calling list to receive advance notice, whenever practical, if a rotating outage is anticipated in your area. This service will be provided to you at no cost.

Call 811 Before You Dig

Southern California Edison wants you to have the information you need to help keep you and your family safe around electricity. We encourage you to share the safety tips below with family and loved ones.

Know what's below. Make the required 811 call to mark your underground utilities before starting any digging job, no matter how small.

- This service is free.
- You should call before any digging job– from small projects, such as planting trees and shrubs, to larger construction projects.
- Digging without calling can disrupt utility service to an entire neighborhood and harm you and those around you.

To learn more about safety around electricity, visit **www.sce.com/safety**.

Know what's below.
Call before you dig.

SCE's Business Energy Advisor Delivers Free, Customized Energy-Saving Tips

Want an online energy report showing customized money-saving ideas you can use now? Get connected with SCE's free, easy-to-use Business Energy Advisor. Just answer a few questions to get a quick, in-depth report with recommendations on how your type of business may save energy. The tool also tracks your progress so you can monitor your savings.

Fast, Easy, Accurate

Business Energy Advisor gives you instant concepts you can try now, tailored to your business type and size. It's designed to help you take action and start saving energy and money today. Business Energy Advisor features:

- Custom Recommendations: Answer questions about your business to get immediate, customized energy-saving options.
- Order of Priority: Your savings projections can be displayed in order of priority, to help you maximize your energy savings.
- End Use Insights: Find details about common commercial uses, and discover how your business uses energy.
- Energy Information: Learn more about saving energy, and how to benefit by taking specific measures.
- Energy Management Solutions: Explore energy-saving programs, like Demand Response and rebate initiatives, to see how they may enhance your energy strategy.
- Solar Sizing: Calculate which solar panels would be optimal for your business needs and efficiency goals.

Whether your business is an office building, retail store, restaurant, hotel, school, warehouse, or other type of building, Business Energy Advisor will provide the information you need to take action, learn about your payback period, and link to available financial incentives.

Get Started Today

Discover Business Energy Advisor and start saving. Visit **www.sce.com/BusinessAdvisor**.

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3539	10/31/2013	2013 OCT	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	11/1/2013	006106	$800.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N PALM CANYON DR SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
11/1/2013	006106	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

Copy

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

No. 3539

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 10-31-13

TERMS Cst.

TO WESSLAND INC.

ADDRESS 555 S. SUNRISE WAY Suite 200

PALM SPRINGS CA 92264

IN ACCOUNT WITH

		PALM SPRINGS PROJECT		#	600	00

Ent	Name	...t No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3530	0/15/2013	09.15.13 TO 10.15 13	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	10/16/2013	006105	$800.00

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
10/16/2013	006105	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

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BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

No. 3530

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 990113673

DATE 10-15-13

TERMS 9-15-10-15-2013

TO WESSMAN DEV

ADDRESS 555 S. SUNRISE WAY Ste 200

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

		PROMENA PALM SPRINGS		1#	200	00

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3515	10/1/2013	SEPTEMBER 2013	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	10/4/2013	006101	$800.00

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR., SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
10/4/2013	006101	**$800.00**

Eight Hundred AND 00/100 Dollars

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

Pay to the order of

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

Copy

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3515

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 12-21-2 | TERMS 30 D

TO [illegible]

ADDRESS [illegible]

[illegible] SPRINGS CA 92264

IN ACCOUNT WITH

		PLUMBING PROBLEM		-A	[illegible]	50

Received
BY .....

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3503	9/15/2013	09.01.13 O 09.15.13	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	9/16/2013	006096	$800.00

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N PALM CANYON DR., SUITE 102
PALM SPRINGS, CA 92262

90-4340
1222

Date	Check No	Check Amount
9/16/2013	006096	**$800.00**

Eight Hundred AND 00/100 Dollars

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

Pay to the order of

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

Copy

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3503

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 04-15-13

TERMS 09-04-15-2013

TO [illegible]

ADDRESS [illegible]

[illegible]

IN ACCOUNT WITH

		[illegible]		#	[illegible]	
		Received				
		Received				

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3493	9/1/2013	AUGUST 2013	800.00	0 00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	9/9/2013	006092	$800.00

Retain this statement for your records

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N PALM CANYON DR SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
9/9/2013	006092	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

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STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3493

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 09-01-13 TERMS Aug.

TO WEISSMAN DEV.

ADDRESS 555 S. SUNRISE WAY #ITE 206

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

		PALM SPRINGS PROJECTS		#	800	00

Received

BY .....

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3482	8/15/2013	07.15.13 TO 08.15.13	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	8/16/2013	006088	$800.00

Retain this statement for your records

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N PALM CANYON DR SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
8/16/2013	006088	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

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GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3482

Residential • Commercial
Windows • Patios • Gardens
Lic. # 990133673

DATE 08-15-13

TERMS 07-15 & 08-15-2013

TO WESTMIN DEL

ADDRESS 555 S SUNRISE WAY SUITE 202

PALM SPRINGS CA 92264

IN ACCOUNT WITH

		PIONEER PALM SPRINGS		#	800	00

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3471	7/31/2013	JULY	800.00	0.00	800 00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	8/6/2013	006084	$800.00

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N. PALM CANYON DR., SUITE 102
PALM SPRINGS, CA 92262

90-4340
1222

Date	Check No	Check Amount
8/6/2013	006084	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

Copy

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3471

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 07-31-13 TERMS C.O.D.

TO [illegible]

ADDRESS 555 [illegible]

[illegible]

IN ACCOUNT WITH

		PAID [illegible]		W	PCC	
		Received				

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
128	PALM SPRINGS PROMENAI	5260-000-00	3462	7/15/2013	06.15.13 TO 07.15.13	800.00	0.00	800.00

Payor:	PALM SPRINGS PROMENADE, LLC	Date	Check No.	Check Amount
Payee:	ISIDRO BENITEZ RIVAS	7/29/2013	006081	$800.00

Retain this statement for your records

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PALM SPRINGS PROMENADE, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF SOUTHERN CALIFORNIA
333 N PALM CANYON DR SUITE 102
PALM SPRINGS CA 92262

90-4340
1222

Date	Check No	Check Amount
7/29/2013	006081	**$800.00**

Eight Hundred AND 00/100 Dollars

Pay to the order of

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

ISIDRO BENITEZ RIVAS
DBA BENITEZ, ISIDRO & LOURDES GENER
35304 CORREGIDOR DRIVE
CATHEDRAL CITY, CA 92234

Copy

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3462

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 07 15-13

TERMS 06-15-13 07-15-2013

TO WESSMAN DEV.

ADDRESS 555 S SUNRISE WAY SUITE 200

PALM SPRINGS CA 92264

IN ACCOUNT WITH

		PROMELA PALM SPRINGS		$	800	00

Vendor # _____

C L A I M V O U C H E R

To: Finance Department Date: November 13, 2012

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

RECEIVED
CITY CLERK
2012 NOV 14 PM 2:00

In payment for: **Invoice No. 110912-128-3 – Invoice Date: 11/9/12**
Southern CA Edison – Landscape Services

Account No.	Amount
1400-65232	$7,862.94
TOTAL THIS CLAIM VOUCHER:	$7,862.94

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-3

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/9/2012
Order No.

Qty	Description	Unit Price	TOTAL
	Southern California Edison		
1	3-019-5880-33 08.27.12 to 09.26.12	$ 148.45	$ 148.45
1	3-019-5880-33 07.27.12 to 08.27.12	$ 153.60	$ 153.60
0.9	3-019-5880-33 06.2712 to 07.27.12 27 days out of 30	$ 150.42	$ 135.38
1	3-019-5883-63 08.27.12 to 09.26.12	$ 259.96	$ 259.96
1	3-019-5883-63 07.27.12 to 08.27.12	$ 227.94	$ 227.94
0.9	3-019-58833-63 06.27.12 to 07.27.12 27 days out of 30	$ 597.34	$ 537.61
2	Landscape Services $800 twice a month - July 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - August 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - September 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - October 2012	$ 800.00	$ 1,600.00
		SubTotal	$ 7,862.94
		Tax Rate(s)	
		TOTAL	**$ 7,862.94**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

P.O. Box 300
Rosemead, CA
91772-0001
www.sce.com

Your electricity bill

WESSMAN DEVELOPMENT CO / Page 1 of 14

For billing and service inquiries call 1-800-990-7788,
Mon - Fri 7 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
For emergency services call 24 hrs a day, 7 days a week

Date bill prepared: Oct 3 '12

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$7,170.36
Payment we received on Sep 06 '12 - thank you	-$6,931.97
Payment we received on Sep 10 '12 - thank you	-$238.39
Balance forward	$0.00
Your new charges	$12,516.90
Total amount you owe by Oct 22 '12	**$12,516.90**

Received
OCT - 4 2012
BY.....

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-1	$24.63
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-2	$6,017.67
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-2	$5,838.25
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-1	$148.45
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-2	$227.94
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-2	$259.96
				$12,516.90

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

(14-574) Tear here Tear here

Hyatt Hotel
285 No. Palm Canyon DR
PS CA 92262
Attn: DAN PUTNAM
(Billing)

Your electricity bill

...1-800-990-7788,
...aturday 8 a.m. to 5 p.m.
...r 24 hrs a day, 7 days a week

...Sep 1 '12

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$6,931.97
Past due amount	$6,931.97
Your new charges	$178.97
Late payment charge	$59.42
Total amount you owe	**$7,170.36**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-1	$25.37
3-019-5878-85 To be billed at a later date	255 N PALM CANYON DR HM PALM SPRINGS, CA		GS-2	$0.00
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-1	$153.60
3-019-5883-63 To be billed at a later date	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA		GS-2	$0.00
				$178.97

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

4-574) Tear here ... Tear here

Subtotal of your new charges		$24.16	
Palm Springs UUT	$24.16 x 5.00000%	$1.21	***Additional Information:***
Your new charges		**$25.37**	• *Service voltage: 208 volts*

Your electricity bill

...ervice inquiries call 1-800-990-7788,
... a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
...or emergency services call 24 hrs a day, 7 days a week

AUG 0 6 2012

Date bill prepared: Aug 3 '12

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$12,154.28
Payment we received on Jul 19 '12 - thank you	-$12,154.28
Balance forward	$0.00
Your new charges	$6,931.97
Total amount you owe by Aug 22 '12	**$6,931.97**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-1	$111.44
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-2	$6,072.77
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-1	$150.42
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-2	$597.34
				$6,931.97

(14-574) Tear here

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

Tear here

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

No. 3298

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 10-15-12

TERMS 09-[illegible] & 10-15-2012

TO KLEISMAN DEV

ADDRESS 555 S. SUNRISE WAY, [illegible]

PALM SPRINGS, Ca. 92264

IN ACCOUNT WITH

	PLAZA HERITAGE		$	1100	00
	[redacted]				
	PLAZA LAS FLORES		$	1350	00
	PLAZA LAS FLORES GARDEN		$	1100	00
	PLAZA LAS FLORES CENTER		$	345	00
			$	3595	00

BY: .....

FSA TAX 11.55
FSA TOTAL 21.54

CASHIER: OLIVIA J. REG# 61
10/17/2012 10:54 0441 61 0046 127

CA TAXES PAID ON ANY TOBACCO PURCHASES
THANK YOU!
PLEASE COME AGAIN!

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3286

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 10-01-12

TERMS Sept.

TO WESSMAN DEV.

ADDRESS 555 S. SUNRISE WAY, STE 200

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

BY: .....

		PLANNING 2 CHECKS		400	00
		DATE PALM SQUARE		125	00
		TANQUITZ SQUARE		200	00
		[redacted]			
		INDIO PARK CITIBANK SUITE 104		170	00
		LOS OLIVOS EL-125 FAYE CLEN.		150	00
		PALM SPRINGS 291 TAHQUITZ		100	00
				1,945	00

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3283

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 07-15-12

TERMS

TO WESSMAN DEV.

ADDRESS 555 S. SUNRISE WAY STE 200
PALM SPRINGS, CA. 92264

IN ACCOUNT WITH

PLAZA MERCADO		1000	00
[redacted]			
PLAZA LOS FLORES		1350	00
PLAZA LOS FLORES GARDEN		100	00
PLAZA LOS FLORES COSTCO GENERAL CLEAN 68-950 DATE PALM SUITE 1		227	50
		240	00
RANCHO P.B.C #45120		120	00
		3,837	00

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859
Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

No. 3271

DATE 09-01-12 | TERMS AUG.

TO WESSMAN DEV

ADDRESS 555 S. SUNRISE WAY SUITE 200

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

	PLAZA MERCADO	$	40	00
	DATE PALM SQUARE	$	125	00
	TAHQUITZ SQUARE	$	200	00
[redacted]		$	800	00
	RANCHO SAN PABLO	$	30	00
	2-D Cleanup	$	1555	00

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3265

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 08-15-12

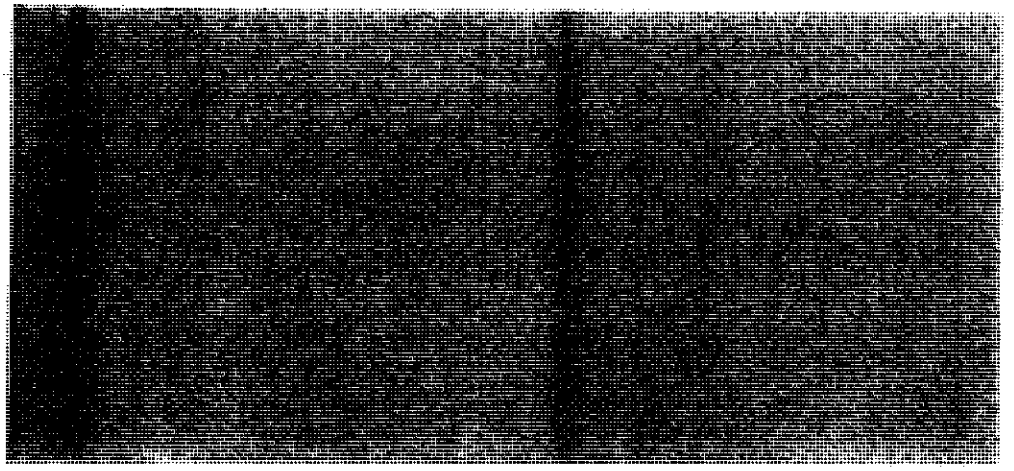
TERMS

TO

ADDRESS

IN ACCOUNT WITH

		PLAZA LOS FLORES		SV	130	
		PLAZA LOS FLORES GARDENS		SV	100	
		PLAZA LOS FLORES ESTATE		SV	266	99
		PLAZA MEADOWS		SV	100	
		[redacted]				
				SV	351	99



BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

No. 3252

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 07-31-12

TERMS July

TO WEISSMAN DEV.

ADDRESS 555 S. SUNRISE WAY SUITE 200

PALM SPRINGS CA 92264

IN ACCOUNT WITH

		PLAZA MERCADO		#	420	00
		DATE PALM SQUARE		#	125	00
		MARQUIZ SQUARE		$	200	00
		[redacted]			[redacted]	
		THE RIGHT STUFF 1SE PALM CANYON WAY T1		#	135	00
		SUITE 104 PLAZA SUNRISE 555 S. SUNRISE WAY T1		#	30	00
				#	1,690	00

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

No. 3247

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 07-15-12

TERMS

TO [illegible]

ADDRESS 555 E. [illegible]

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

		PLAZA LAS FLORES		$	1350	00
		PLAZA LAS FLORES CARWASH		$	100	00
		PLAZA LAS FLORES AUSTIN		$	267	95
		PLAZA MERCADO		$	1000	00
		[redacted]		$	[redacted]	
				$	3517	95

Vendor # _____

C L A I M V O U C H E R

To: Finance Department

Date: November 13, 2012

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

RECEIVED
CITY OF PALM SPRINGS
2012 NOV 14 PM 12:00
FINANCE DEPARTMENT

In payment for: **Invoice No. 110912-128-1 – Invoice Date: 11/9/12**
Desert Water Meter Services 7-3-12 to 8-6-12
Desert Water Meter Services 8-6-12 to 9-6-12

Account No.	Amount
1400-65232	$1,316.91
TOTAL THIS CLAIM VOUCHER:	$1,316.91

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-1

INVOICE

To:

Name: City of Palm Springs California
Address: Attn John Ramond
City: _____ State: _____ ZIP: _____
Phone: _____

Misc

Date: 11/9/2012
Order No.: _____

Qty	Description	Unit Price	TOTAL
	Desert Water Meters Service 07.03.12 to 08.06.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 23.87	$ 23.87
1	4-4-15-3014-1	$ 334.68	$ 334.68
1	4-4-15-3015-1	$ 248.14	$ 248.14
1	4-4-153018-1	$ 36.00	$ 36.00
	Desert Water Meters Service 08.06.12 to 09.06.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 319.75	$ 319.75
1	4-4-15-3015-1	$ 220.42	$ 220.42
1	4-4-153018-1	$ 36.00	$ 36.00
		SubTotal	$ 1,316.91
		Tax Rate(s)	
		TOTAL	**$ 1,316.91**

Payable to:

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
	Service Charge	$36.00
	Total Current Charges	$36.00

Received
AUG - 9 2012
BY.....
8/06/12

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3005-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Year 100 cu ft*
8/06/12	37	37	0	0

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/06/12	No Consumption	
	Consumption Charge	
	Water Service Charge	$20.87
	Backflow Charge	$3.00
	Total Current Charges	$23.87

Received
AUG - 9 2012
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$23.40	$23.40CR		$23.87	$23.87

4-4-15-3007-2

Retain Upper Portion for Your Records

1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Las 100*
8/06/12	**11520**	**11803**	**283**	**23**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/06/12	Consumption 283 @ $ 1.11 per 100 cu ft	
	Consumption Charge	$313.81
	Water Service Charge	$20.87
	Total Current Charges	$334.68

Received
AUG - 9 2012
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$234.40	$234.40CR		$334.68	$334.68

4-4-15-3014-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same P Last 100 c*
8/06/12	**8185**	**8390**	**205**	**14**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/06/12	Consumption 205 @ $ 1.11 per 100 cu ft	
	Consumption Charge	$227.27
	Water Service Charge	$20.87
	Total Current Charges	$248.14

Received
AUG - 9 2012
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$160.57	$160.57CR		$248.14	$248.14

4-4-15-3015-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
8/06/12	Service Charge	$36.00
	Total Current Charges	$36.00

Received
AUG - 9 2012
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3018-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

City

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/06/12		
	Service Charge	$36.00
	Total Current Charges	$36.00

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3005-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

City

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

Landscap U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Per. Last Ye. 100 cu f*
9/06/12	37	37	0	0
			XX	

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/06/12	No Consumption	
	Consumption Charge	
	Water Service Charge	$23.05
	Backflow Charge	$3.00
	Total Current Charges	$26.05

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$23.87	$23.87CR		$26.05	$26.05

4-4-15-3007-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Cday

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

IRRIgation U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Per. Last Ye. 100 cu f*
9/06/12	**11803**	**12033**	**230**	**320**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/06/12	Consumption 230 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$296.70
	Water Service Charge	$23.05
	Total Current Charges	$319.75

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$334.68	$334.68CR		$319.75	$319.75

4-4-15-3014-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

City

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

Irrigation U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Per. Last Ye. 100 cu f*
9/06/12	8390	8543	153	217

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/06/12	Consumption 153 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$197.37
	Water Service Charge	$23.05
	Total Current Charges	$220.42

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$248.14	$248.14CR		$220.42	$220.42

4-4-15-3015-1

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

City

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

Mall + Park U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
9/06/12		
	Service Charge	**$36.00**
	Total Current Charges	**$36.00**

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3018-1

Retain Upper Portion for Your Records

Vendor # _____

C L A I M V O U C H E R

To: Finance Department

Date: November 13, 2012

From: Community & Economic Development

Pay to: Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc.
P.O. Box 1419
Cathedral City, CA 92235

RECEIVED
CITY OF PALM SPRINGS
2012 NOV 14 PM 12:00
FINANCE DEPARTMENT

In payment for: **Invoice No. 110912-128-2 – Invoice Date: 11/9/12**
Desert Water Meter Services / Southern CA Edison

Account No.	Amount
1400-65232	$18,018.34
TOTAL THIS CLAIM VOUCHER:	$18,018.34

Goods and/or services were received. Payment is authorized.

By Order of: _____ Approved: _____
Department Head Director of Finance

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-2

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/9/2012
Order No.

Qty	Description	Unit Price	TOTAL
	Desert Water Meters Service 09.06.12 to 10.03.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 259.12	$ 259.12
1	4-4-15-3015-1	$ 189.46	$ 189.46
1	4-4-153018-1	$ 36.00	$ 36.00
	Southern California Edison		
1	3-019-578-73 08.27.12 to 09.26.12	$ 24.63	$ 24.63
1	3-019-578-73 07.27.12 to 08.27.12	$ 25.37	$ 25.37
0.9	3-019-578-73 06.2712 to 07.27.12 27 days out of 30	$ 111.44	$ 100.30
1	3-019-5878-85 08.27.12 to 09.26.12	$ 5,838.25	$ 5,838.25
1	3-019-5878-85 07.27.12 to 08.27.12	$ 6,017.67	$ 6,017.67
0.9	3-019-5878-85 06.27.12 to 07.27.12 27 days out of 30	$ 6,072.77	$ 5,465.49
		SubTotal	$ 18,018.34
		Tax Rate(s)	
		TOTAL	**$ 18,018.34**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management Inc
PO Box 1419
Cathedral City, Ca 92235

[redacted]

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2** FS5
Service Address **TAHQUITZ CYN W**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

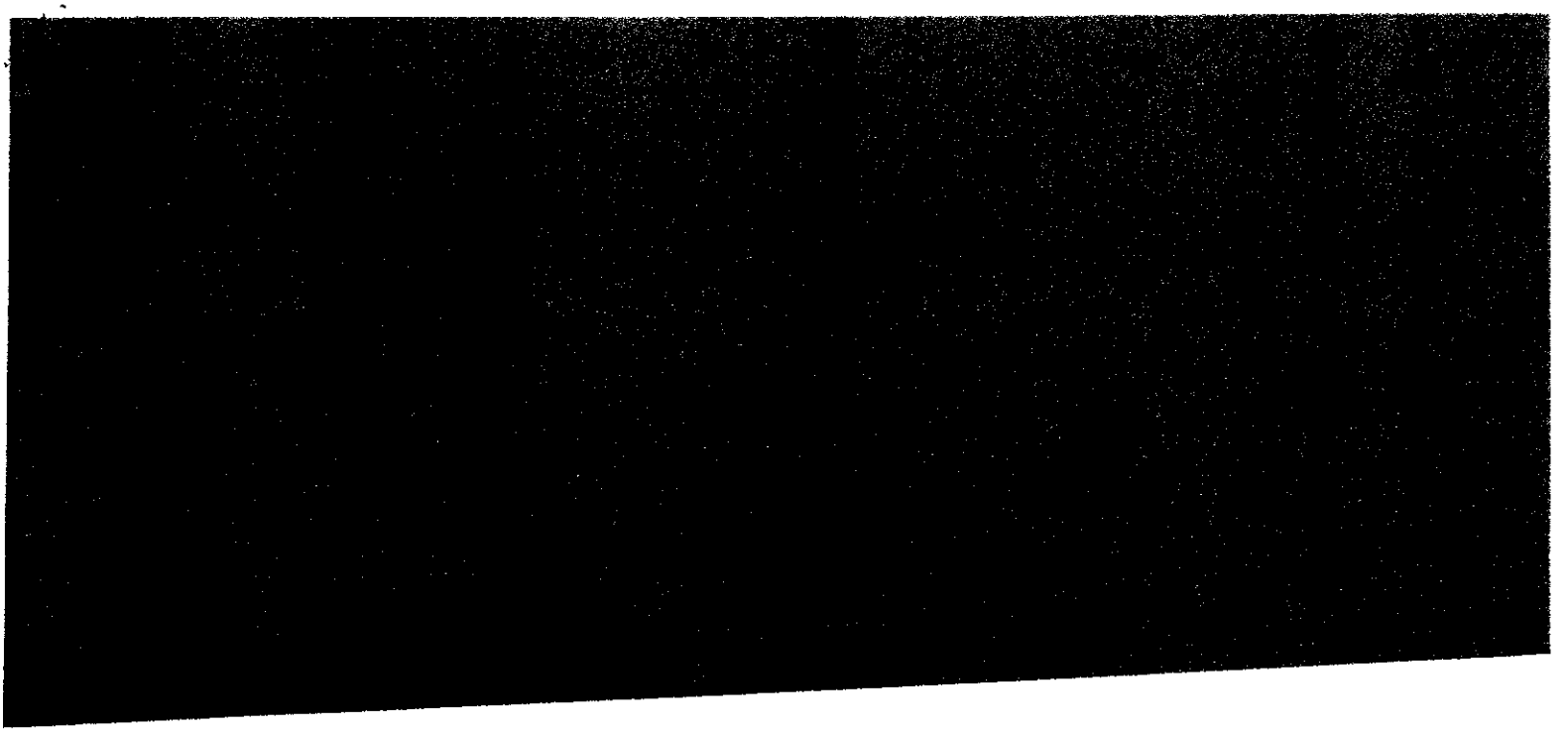
Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/12	Service Charge	$36.00
	Total Current Charges	$36.00

RECEIVED
OCT 0 8 2012
BY: 123

Previous Balance	Payment Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

Retain Upper Portion for Your Records



Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/12	37	37	0	0
			XX	

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/12	No Consumption	
	Consumption Charge	$23.05
	Water Service Charge	$3.00
	Backflow Charge	
	Total Current Charges	$26.05

RECEIVED
OCT 08 2012
BY: 128

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$26.05	$26.05CR		$26.05	$26.05

Detach Here for Your Records

[redacted]

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/12	12033	12216	183	222

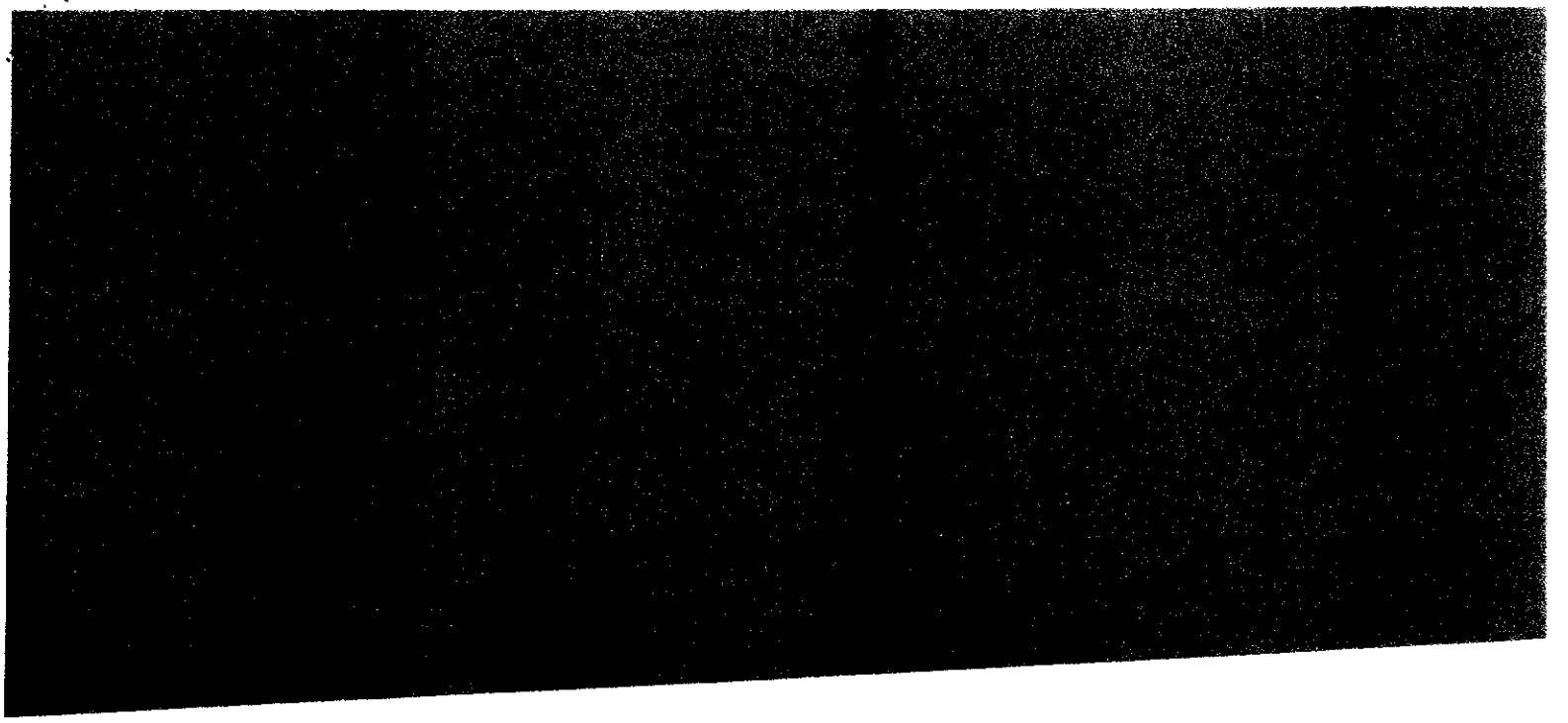
Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/12	Consumption 183 @ $ 1.29 per 100 cu ft	$236.07
	Consumption Charge	$23.05
	Water Service Charge	
	Total Current Charges	$259.12

RECEIVED
OCT 08 2012
BY: 128

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$319.75	$319.75CR		$259.12	$259.12

Retain Upper Portion for Your Records



Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Period Last Year 100 cu ft*
10/03/12	**8543**	**8672**	**129**	**131**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/12	Consumption 129 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$166.41
	Water Service Charge	$23.05
	Total Current Charges	$189.46

RECEIVED
OCT 0 8 2012
BY: ....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$220.42	$220.42CR		$189.46	$189.46

Detach and Return Portion for Your Records

[redacted]

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

DESERT WATER

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
10/03/12		
	Service Charge	**$36.00**
	Total Current Charges	**$36.00**

RECEIVED
OCT 08 2012
BY:

Previous Balance	Payment Received	Past Due	Current Charges	Total Due
$36.00	**$36.00CR**		**$36.00**	**$36.00**

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

P.O. Box 300
Rosemead, CA
91772-0001
www.sce.com

Your electricity bill

WESSMAN DEVELOPMENT CO / Page 1 of 14

For billing and service inquiries call 1-800-990-7788,
Mon - Fri 7 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
For emergency services call 24 hrs a day, 7 days a week

Date bill prepared: Oct 3 '12

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$7,170.36
Payment we received on Sep 06 '12 - thank you	-$6,931.97
Payment we received on Sep 10 '12 - thank you	-$238.39
Balance forward	$0.00
Your new charges	$12,516.90
Total amount you owe by Oct 22 '12	**$12,516.90**

Received
OCT - 4 2012
BY.....

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-1	$24.63
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-2	$6,017.67
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-2	$5,838.25
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-1	$148.45
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-2	$227.94
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Aug 27 '12 to Sep 26 '12	GS-2	$259.96
				$12,516.90

(14-574) Tear here

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

Tear here

Your electricity bill

...1-800-990-7788,
...Saturday 8 a.m. to 5 p.m.
...n 24 hrs a day, 7 days a week

...Sep 1 '12

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Your account summary

Amount of your last bill	$6,931.97
Past due amount	$6,931.97
Your new charges	$178.97
Late payment charge	$59.42
Total amount you owe	**$7,170.36**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-1	$25.37
3-019-5878-85 To be billed at a later date	255 N PALM CANYON DR HM PALM SPRINGS, CA		GS-2	$0.00
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Jul 27 '12 to Aug 27 '12	GS-1	$153.60
3-019-5883-63 To be billed at a later date	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA		GS-2	$0.00
				$178.97

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

14-574) Tear here — Tear here

Subtotal of your new charges		$24.16	
Palm Springs UUT	$24.16 x 5.00000%	$1.21	***Additional Information:***
Your new charges		**$25.37**	• *Service voltage: 208 volts*

Your electricity bill

...w.sce.com

...ervice inquiries call 1-800-990-7788,
... a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
...r emergency services call 24 hrs a day, 7 days a week

AUG 0 6 2012

Customer account 2-23-338-8503

PO BOX 1419
CATHEDRAL CITY, CA
92235-1419

Date bill prepared: Aug 3 '12

Your account summary

Amount of your last bill	$12,154.28
Payment we received on Jul 19 '12 - thank you	-$12,154.28
Balance forward	$0.00
Your new charges	$6,931.97
Total amount you owe by Aug 22 '12	**$6,931.97**

Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-019-5878-73	123 N PALM CANYON DR LOT PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-1	$111.44
3-019-5878-85	255 N PALM CANYON DR HM PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-2	$6,072.77
3-019-5880-33	123 N PALM CANYON DR UNIT 153 PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-1	$150.42
3-019-5883-63	123 N PALM CANYON DR UNIT 325 PALM SPRINGS, CA	Jun 27 '12 to Jul 27 '12	GS-2	$597.34
				$6,931.97

Please return the payment stub below with your payment and make your check payable to Southern California Edison.
If you want to pay in person, call 1-800-747-8908 for locations, or you can pay online at www.sce.com.

(14-574) Tear here Tear here

John Raymond

From: Cindy Lepley [Cindy@SpinelloPropertyManagement.com]
Sent: Thursday, November 08, 2012 11:48 AM
To: John Raymond
Cc: Sam Spinello; Linda Nu'uvali; Judea Gicaraya
Subject: RE: Palm springs Promebade billing for Electricity, Water, Landscape,

I billed them for 50% of the electricity only.

From: John Raymond [mailto:John.Raymond@palmsprings-ca.gov]
Sent: November 08 12 11:45 AM
To: Cindy Lepley
Subject: RE: Palm springs Promebade billing for Electricity, Water, Landscape,

We agreed to keep the agreement in place, at least for now. When you billed them, was it for electricity only or did it include water or landscaping too?

From: Cindy Lepley [mailto:Cindy@SpinelloPropertyManagement.com]
Sent: Thursday, November 08, 2012 11:35 AM
To: John Raymond
Cc: Linda Nu'uvali; Judea Gicaraya; Sam Spinello
Subject: RE: Palm springs Promebade billing for Electricity, Water, Landscape,

John,

No I billed them thru June 30, at which time I believe the parking structure became the city's. As I said, with the parking now being free to the public, I do not know how that interacts with the previous parking agreement.

Cindy
Spinello Property Management, Inc.
For Palm Springs Promenade, LLC

From: John Raymond [mailto:John.Raymond@palmsprings-ca.gov]
Sent: November 08 12 11:32 AM
To: Cindy Lepley
Subject: RE: Palm springs Promebade billing for Electricity, Water, Landscape,

So you never billed them, Wessman did directly?

From: Cindy Lepley [mailto:Cindy@SpinelloPropertyManagement.com]
Sent: Thursday, November 08, 2012 11:31 AM
To: John Raymond
Cc: Sam Spinello; Linda Nu'uvali; Judea Gicaraya
Subject: RE: Palm springs Promebade billing for Electricity, Water, Landscape,

John,
I would not know what arrangement you have made with the Hyatt. It is my understanding the previous electrical billing was due to a parking agreement.

Cindy

PARKING AGREEMENT

THIS AGREEMENT ("Agreement") is made effective as of the date that the last signature is placed on the signature page hereof by and between Palm Springs Promenade, LLC, a California limited liability company ("Promenade"), and PSH Holdings, Inc., a California corporation ("PSH"), with reference to the following:

A. Description of Properties. With reference to **Exhibit "A"** attached hereto, PSH is the owner of the Hotel (as defined below) and Promenade is the owner of the North Plaza and the South Plaza.

B. Description of Building Improvements. Building improvements on the Hotel and North and South Plaza properties are described as follows:

1. Hotel. As of the date hereof, a six story Hyatt Regency Suites hotel ("Hotel") is open and operating on the Hotel property.

2. Buildings in North and South Plaza. Building improvements containing approximately 331,000 square feet of commercial space were originally constructed by predecessors in interest of Promenade. Such improvements include building structures with frontage on Palm Canyon Drive ("Palm Canyon Buildings") and attached and/or detached building structures located westerly thereof ("Westerly Buildings"). Portions of the Palm Canyon Drive Buildings are leased and occupied, however, the Westerly Buildings are generally vacant.

3. Interior Mall Areas and Corridors in North and South Plaza. Interior mall areas and corridors in the North and South Plaza were closed to the public by predecessors in interest of Promenade, and remain closed. A large interior mall corridor originally connected to the interior of the Hotel, however, such corridor was also closed off by predecessors in interest of Promenade, and remains closed.

~~4. Pavilion Theater. Promenade has made arrangements with Palm Springs Pavilion, L.P., a California limited partnership ("Pavilion"), to demolish a substantial portion of one of the Westerly Buildings, and to erect in place thereof temporary tent facilities to be used as a theater ("Theater") for producing and conducting live on stage theater operations and ancillary activities. Demolition work in fact commenced on or about October 21, 2005.~~

C. Description of Parking Structure Improvements. There are three levels of parking structure improvements relevant to the Hotel and North and South Plaza that were originally constructed and currently exist as follows:

1. Lower Level Parking Structures.

(a) Hotel Lower Level Structure. A lower level parking structure ("Hotel Lower Level Structure") containing 179 parking spaces is located at the Hotel. The Hotel Lower Level Structure is connected to the NP Lower Level Structure (defined below), and is further

accessed by two driveway ramps, as follows:

(1) Palm Canyon Ramp. One ramp ("Palm Canyon Ramp") extends from the grade level Hotel reception area facing on Palm Canyon Drive southerly and downward into the NP Lower Level Structure.

(2) Belardo Ramp. A second ramp ("Belardo Ramp") extends from the southwest corner of the Hotel Lower Level Structure westerly and upward to Belardo Drive.

(b) NP Lower Level Structure. A lower level parking structure ("NP Lower Level Structure") containing 243 parking spaces is located at the North Plaza. The NP Lower Level Structure is connected to the Hotel Lower Level Structure and the SP Lower Level Structure (defined below), and is also accessed by a driveway ramp, as follows:

(1) Museum Road Ramp. A ramp ("Museum Road Ramp") extends from the grade level Museum Road Security Gate (defined below) easterly and downward into the NP Lower Level Structure.

(c) SP Lower Level Structure. A lower level parking structure ("SP Lower Level Structure") containing 278 parking spaces is located at the lower level of the South Plaza. The SP Lower Level Structure is connected to the NP Lower Level Structure. The SP Lower Level Structure is accessed by a driveway ramp, as follows:

(1) Tahquitz Ramp. A ramp ("Tahquitz Ramp") extends from the southwest corner of the SP Grade Level Structure (defined below) easterly and downward into the SP Lower Level Structure.

2. Grade Level Parking Structures.

(a) Hotel. There is no grade level parking structure at the Hotel.

(b) NP Grade Level Structure. A grade level parking structure ("NP Grade Level Structure") containing 71 parking spaces is located at the North Plaza. The NP Grade Level Structure is accessed through a security gate on Museum Road ("Museum Road Security Gate").

(c) SP Grade Level Structure. A grade level parking structure ("SP Grade Level Structure") containing 243 parking spaces is located at the South Plaza. The SP Grade Level Structure is accessed through a security gate on Tahquitz Canyon Way ("Tahquitz Security Gate").

3. Second Level Parking Structure.

(a) Hotel. There is no second level parking structure at the Hotel.

(b) NP Second Level Structure. A second level parking structure ("NP Second Level Structure") containing 179 parking spaces is located at the North Plaza, and is

WCE-2

connected by driveway ramps to the NP Grade Level Structure.

(c) South Plaza. There is no second level parking structure at South Plaza.

D. NP Management Area. By this Agreement, PSH desires to assume, for the term hereof, responsibility for management of an area ("PSH Management Area") consisting of the Museum Road Security Gate, the NP Grade Level Structure, the NP Second Level Structure, and a portion of the NP Lower Level Structure ~~as depicted on Exhibit "B" attached hereto~~ (which portion is to be separated from remaining portions of the NP Lower Level Structure by two rolling gates ["Rolling Gates"] that may be opened and closed for emergency and other appropriate purposes.)

JW as WCE attorney in fact

E. PSH Management Area Improvements. In preparation for assumption of management responsibilities as provided herein, PSH has installed, at its cost, certain improvements ("PSH Management Area Improvements") as described on **Exhibit "C"** attached hereto.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Operation of PSH Management Area. During the term of this Agreement, the PSH Management Area shall be operated, maintained, managed and used in accordance with the following:

A. Parking Company. Hotel shall engage, at its cost, Parking Companies of America or some other reputable and qualified parking company ("Parking Company") to provide parking attendant personnel each day during the hours of 6:00 AM and 12:00 PM at the Museum Road Security Gate.

B. Access through Museum Road Security Gate. Access through the Museum Road Security Gate and use of the PSH Management Area for parking shall be in accordance with the following:

(1) Hotel People.

(a) Employees. Employees of the Hotel will receive magnetic cards to gain ingress and egress to and from the PSH Management Area, and no fees will be imposed for such parking.

(b) Self Parking Guests. Self parking guests of the Hotel will receive magnetic cards to gain ingress and egress to and from the PSH Management Area, and fees for such parking will be added to their room charges.

(c) Valet Parking Guests. Valet parking guests of the Hotel will have to pay fees for parking, and such fees will be added to their room charges.

(2) Promenade People.

WCE-3

(a) Management Personnel. Promenade will receive 4 magnetic cards for use by its management personnel to gain ingress and egress to and from the PSH Management Area, and no fees will be imposed for such parking. Further, 4 parking spaces will be specifically designated for use by such personnel.

(b) Tenants. Promenade will receive 25 magnetic cards for use by certain of its tenants (that have businesses or offices located near the PSH Management Area) to gain ingress and egress to and from the PSH Management Area, and no fees will be imposed for such parking. Further, 25 parking spaces will be specifically designated for use by such tenants.

(3) Members of the Public. Members of the public will need to take a parking ticket from an automatic dispenser to enter the PSH Management Area, and will be charged the then going rate for parking ("Going Rate") upon exit. (Currently the Going Rate is $4.00 for the first hour and $1.00 per hour after that with a maximum rate of $8.00 per day, but with a rate of $10.00 for overnight parking. Material changes in the going rate shall be subject to reasonable approval by Promenade, not to be unreasonably delayed or withheld.)

~~(4) Theater Patrons. With respect to the Theater, the following will apply:~~

~~(a) Use of PSH Management Area - Fees to Promenade. It is expected that in the vast majority of cases, Theater patrons will enter through the Tahquitz Security Gate and use designated areas in the South or North Plaza for parking, and that they will not enter through the Museum Road Security Gate or use the PSH Management Area for parking. However, with respect to any Theater patrons that do enter through the Museum Road Security Gate and use the PSH Management Area for parking, the following will apply: (i) The Parking Company will implement a special system to identify such patrons and separately account for all parking fees (which shall be at the same rate as for members of the public unless otherwise designated by Promenade) paid by them, and (ii) all such parking fees shall be the property of Promenade and be separately paid to Promenade on a monthly basis. Promenade agrees that if in practice it is determined by Promenade that such use by Theater patrons is de minimus, Promenade will waive requirements further requirements for such special system and separate accounting and payment procedure.~~

~~(b) Occasional Exiting through PSH Management Area. It is also expected that in the vast majority of cases, it will be more than adequate for Theater patrons using the South or North Plaza for parking to exit the same way they came in, i.e., through the Tahquitz Security Gate. However, there may be occasions in which it would be expedient or convenient to have some of such patrons exit through the PSH Management Area, and Promenade reserves the right to require the Parking Company to open the Rolling Gates for such purposes.~~

JW by WCE attorney in fact

C. Maintenance, Security and Insurance of PSH Management Area.

(1) Maintenance. PSH shall, at its cost, be responsible for general maintenance and clean-up of the PSH Management Area, and shall keep same in a reasonably clean, safe and attractive condition.

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(2) Security. PSH shall, at its cost, be responsible for general security within the PSH Management Area.

(3) Insurance. PSH shall require, in its contract with the Parking Company, that the Parking Company obtain general liability insurance from a reputable insurance company, and cause PSH (and its agent managing the Hotel) and Promenade to be named as additional insureds thereon. Such policy shall provide coverage of at least $1,000,000 combined single limit and provide that it may not be terminated without at least 30 days prior written notice to all insureds and additional insureds.

(4) Bollard Control of NP Second Level Structure. With respect to the NP Second Level Structure, except during periods when use thereof is necessary or expedient, PSH may place bollard type post structures in driveways extending upward to such NP Second Level Structure and thereby block off vehicular traffic.

2. Operation of Parking Structures other than within PSH Management Area.

A. Use of Same Parking Company. Promenade will give reasonable consideration (but shall not be required) to use of the same Parking Company being used by PSH, on the premise that centralized and uniform methods and operations may be beneficial for overall systems and facilities.

B. Method of Collecting Parking Fees. Promenade will give reasonable consideration (but shall not be required) to modifying its current system of collecting fees at the Tahquitz Security Gate (which involves collections upon entry) to match that of the Parking Company (which involves collections upon exit).

3. Term. The term of this Agreement shall commence on the effective date as set forth above and continue for until June 30, ~~2009~~ 2008, AT WHICH TIME IT WILL TERMINATE (*) ~~Provided however, Promenade may terminate upon thirty (30) days notice upon the inception of Promenade's re-construction of the Parking Structure.~~ JW by WCE attorney in fact

4. Option to Purchase PSH Management Area Improvements. Promenade shall have the option, running for a period which commences 120 days prior to expiration of the term of this Agreement and continues until 30 days prior to expiration of the term of this Agreement, to purchase all removable property included within the PSH Management Area Improvements referenced above, for a price equal to the depreciated book value of such improvements based on a 5 year straight line method of depreciation. (Permanently affixed non-removable property shall remain at North Plaza and become the property of Promenade.) Promenade may exercise such option by providing written notice thereof to PSH during the specified option period. In the event Promenade does not exercise such option, PSH shall, at its sole cost, remove all such removable property and repair and restore any damage caused by such removal.

5. General Provisions. The parties hereby agree to the following general provisions:

JW by WCE attorney in fact (*) AND BE OF NO FURTHER FORCE OR EFFECT SUBJECT TO THE FOLLOWING: THE AGREEMENT MAY BE EXTENDED ON A MONTH TO MONTH BASIS SUBJECT TO TERMINATION UPON 30 DAYS WRITTEN NOTICE OF TERMINATION BY EITHER PARTY. WCE

A. Notices. Unless otherwise specifically provided herein, all notices, demands or other communications given hereunder shall be in writing and shall be (I) delivered personally, in which case notice shall be deemed to have been given upon delivery, (ii) delivered by United States registered or certified mail, return receipt requested and postage prepaid, in which case notice shall be deemed to have been given as of the third business day after mailing, (iii) delivered by a reputable and nationally recognized overnight courier, in which case notice shall be deemed to have been given upon delivery, or (iv) transmitted telephonically via facsimile, in which case notice shall be deemed to have been given upon receipt by the sender of certification of transmission, addressed as follows:

If to Promenade to:

John Wessman, Managing Member
Wessman Development
300 South Palm Canyon Drive
Palm Spring, California 92262
Telephone: 760/ 325-3050
Facsimile: 760/ 325-5848

If to PSH to:

PSH Holdings, Inc.
201 Merchant St., Suite 1650
Honolulu, HI 96813
Telephone: 808 537-6146
Facsimile: 808 523-1488

With a copy to:

Dania J. Duke, General Manager
Hyatt Regency Suites
285 North Palm Canyon Drive
Palm Springs, California 92262
Telephone: 760/ 322-9000
Facsimile: 760/ 969-6005

B. Entire Agreement. This Agreement contain the entire agreement between the parties relating to the matters contained herein, and, with respect to such matters, all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein.

C. Attorney's Fees. In the event of any litigation arising out of or relating to this Agreement or the breach or performance of it, the prevailing party shall be entitled to recover reasonable attorneys fees incurred in connection therewith.

D. Binding on Successors. Subject to restrictions on assignments as provided herein, all terms of this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties hereto and their respective legal representatives, heirs, successors and permitted assigns.

E. Effect of Unenforceable Terms. In the event any term, covenant, condition, provision, or agreement herein contained is held invalid, void or otherwise unenforceable by any

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court of competent jurisdiction, such decision shall not effect the remaining terms.

F. Governing Law. This Agreement, and the rights and obligations of the parties hereunder, shall be construed and enforced in accordance with the laws of the State of California.

G. Assignment. The rights and obligations of the parties to this Agreement may not be assigned or delegated, in whole or in part, without the prior written consent of all parties, which consent may not be unreasonably withheld. Notwithstanding the foregoing, no consent shall be required in connection with the sale of the Hotel.

H. Further Assurances. Each party agrees to and shall take and perform in good faith any and all further steps and actions, and execute and acknowledge any and all further documents, as may be reasonably necessary and/or expedient in order to effectuate the intents and purposes of this Agreement.

I. Legal Representation. Each party to this Agreement has had its own separate legal representation and counsel.

J. Reasonable Approvals. Whenever this Agreement calls for the approval or consent of either party, such approval or consent shall not be unreasonably withheld or delayed.

K. Time of Essence. Time is of the essence of this Agreement and each and every term and provision hereof.

L. Counterparts. This Agreement may be signed in counterparts and, when fully signed, such counterparts shall have the same effect as if signed in one document.

M. Exhibits and Recitals. All exhibits and recitals referenced herein are incorporated into this Agreement and made a part hereof as though set forth in full.

WEE-1

IN WITNESS WHEREOF, the parties have executed this Agreement and made it effective as of the day and year first above written.

PROMENADE:

Palm Springs Promenade,
a California limited liability

Date: 8/10/07

By: John Wessman by W Curt Eddy attorney in fact
Managing Member

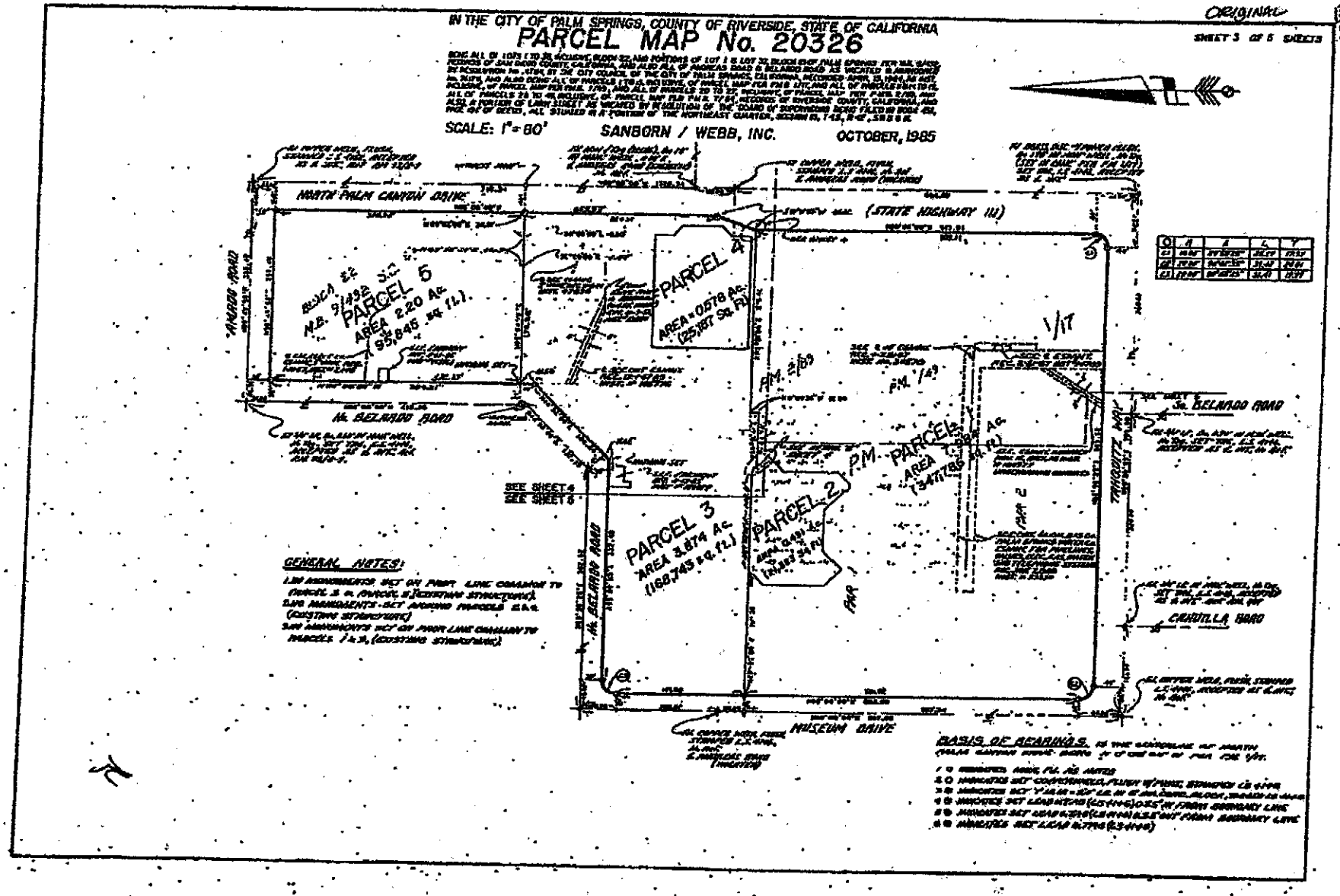
PSH:

PSH Holdings, Inc.,
a California corporation

Date: 7-24-07

By: _____
President

WCE-8



THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

Memorandum

Hyatt Regency Suites
Palm Springs
285 North Palm Canyon Drive
Palm Springs, CA 92262 USA

Telephone: (760) 322-9000
Executive Office Fax: (760) 969-6005

To: Martha Higgins
via e-mail: Martha@wessmandevelopment.com
Curt Baly
via fax: 320-9507

From: Dania Duke

Date: December 6, 2005

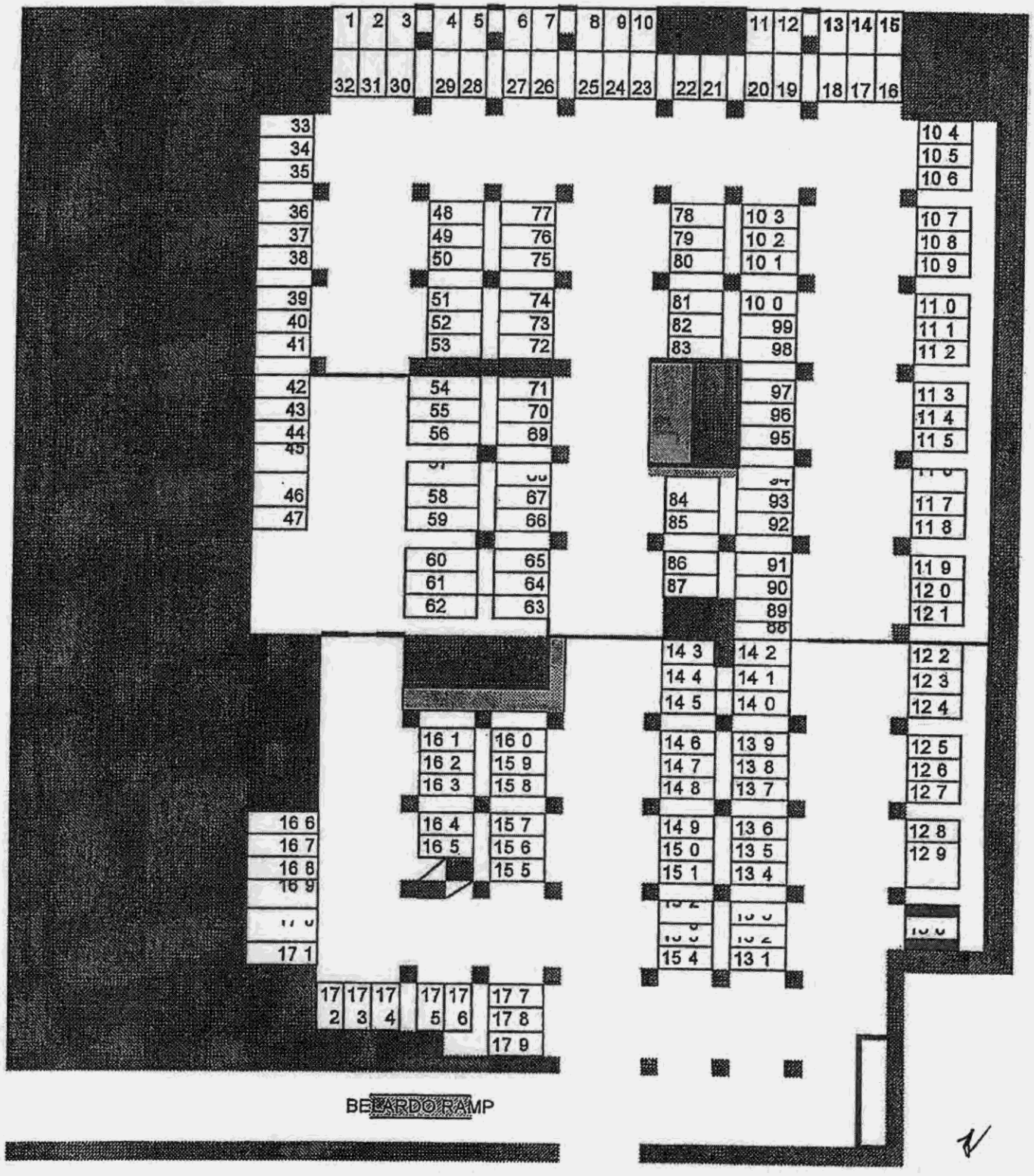
RE: IMPROVEMENTS IN PARKING GARAGE

Following are the improvements that the Hyatt Regency Suites Palm Springs has made in the parking garage:

- Added lighting
- Replaced lighting in need of repairs
- Steam cleaned garage
- Re-striped all parking spaces
- Added and replaced signage
- Added and replaced fencing
- Installed card reader/electric gate arms and cashier booth
- Point of sale system
- Telephone lines to cashier booth

EXHIBIT "C"

W CE-1D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32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47
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12 5 12 6 12 7 12 8 12 9
16 6 16 7 16 8 17 1
17 2 17 3 17 4 17 5 17 6 17 7 17 8 17 9
BELARDO RAMP

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Ealy, Hemphill, Blasdel & Oleson, LLP
Attn: W. Curt Ealy, Esq.
777 E. Tahquitz Canyon Way, Ste. 382
Palm Springs, CA 92262

AMENDMENT AND RESTATEMENT OF AMENDED AND RESTATED RECIPROCAL EASEMENT AND OPERATING AGREEMENT

THIS AMENDMENT AND RESTATEMENT OF AMENDED AND RESTATED RECIPROCAL EASEMENT AND OPERATING AGREEMENT ("Amendment and Restatement") is made effective as of the date that the last signature is placed on the signature page hereof by and between Palm Springs Promenade, LLC, a California limited liability company ("Promenade"), and PSH Holdings, Inc., a California corporation ("PSH"), with reference to the following:

A. On November 13, 1989, a document entitled Amended and Restated Reciprocal Easement and Operating Agreement ("Amended and Restated REOA") was recorded as Instrument No. 396373, Official Records of Riverside County, California. (For purposes of general clarification and understanding only, the Amended and Restated REOA is incorporated herein by reference as though set forth in full.)

B. The Amended and Restated REOA covered the real properties depicted on **Exhibit "A"** and legally described on **Exhibit "B"** attached hereto (hereinafter sometimes referred to in toto as the "Overall Property" and in separate parcels as the "Hotel", the "North Plaza" and the "South Plaza").

C. The Amended and Restated REOA provided that it was binding upon the parties thereto, their heirs, successors and assigns. The parties to this Amendment and Restatement constitute all of the heirs, successors and assigns of the parties to the Amended and Restated REOA, and, accordingly, have full right, power and authority to completely amend and restate said Amended and Restated REOA. In particular, Promenade is the owner of the North Plaza and the South Plaza, and PSH is the owner of the Hotel.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Complete Termination of Amended and Restated REOA. As of the effective date set forth above, the Amended and Restated REOA and all covenants, conditions, restrictions and easements contained and/or granted therein are completely and fully terminated and shall be of no further force or effect whatsoever or at all.

2. Replacement by this Amendment and Restatement. As of the effective date set forth above, the parties and the Overall Property shall be bound only by this Amendment and Restatement and the covenants, conditions, restrictions and easements contained and/or granted herein.

3. Grant of Access Easements. Easements are hereby established with reference to and in accordance with the following:

A. Hotel Building. The Hotel building currently consists, among other improvements, of a six story Hyatt Regency Suites hotel.

B. Hotel Lower Level Parking Structure. A lower level parking structure ("Hotel Lower Level Parking Structure") is located below portions of the Hotel.

C. North Plaza Buildings. The North Plaza parcel includes commercial shopping buildings and improvements (substantial portions of which are closed and being considered for renovation and/or demolition). A large interior corridor within the North Plaza originally connected to the interior of the Hotel, however, such corridor was closed off by predecessors in interest of Promenade, and remains closed at this time.

D. North Plaza Lower Level Parking Structure. A lower level parking structure ("North Plaza Lower Level Parking Structure") is located below portions of the North Plaza Buildings.

E. Connection between Parking Structures. The Hotel Lower Level Parking Structure is connected and adjacent to easterly portions of the North Plaza Lower Level Parking Structure. For clarity, in the event the North Plaza area is redeveloped, Promenade agrees, at their own cost and expense, to finish out the connection providing access between the properties.

F. Palm Canyon Ramp and Palm Canyon Access Route. Currently, in order to gain physical ingress from the Hotel reception area to the Hotel Lower Level Parking Structure, a ramp ("Palm Canyon Ramp") has been constructed and is used for vehicular and pedestrian purposes. The Palm Canyon Ramp extends southerly and downward into northeasterly portions of the North Plaza Lower Level Parking Structure, and, after entering into such northeasterly portions of the North Plaza Lower Level Parking Structure and promptly completing a 180 degree turn, vehicles and pedestrians are able to enter the Hotel Lower Level Parking Structure and use same for Hotel parking purposes. The Palm Canyon Ramp and the foregoing access route are hereinafter collectively referred to as the "Palm Canyon Access Route"). The Palm Canyon Access Route lies party on Hotel parcel and party on North Plaza parcel.

G. Belardo Ramp. Currently, in order to gain physical egress from the Hotel Lower Level Parking Structure, a ramp ("Belardo Ramp") has been constructed and is used for vehicular and pedestrian purposes. The Belardo Ramp extends westerly and upward from the Hotel Lower Level Parking Structure onto Belardo Drive, a public street.

H. Grant of Easement to PSH. In order to ensure continued ingress (and egress as desired) from the Hotel reception area to the Hotel Lower Level Parking Structure, Promenade, on behalf of its heirs, successors and assigns, hereby grants to PSH, its heirs, successors and assigns, an easement in perpetuity over and across the northeasterly portion of the North Plaza Lower Level Parking Structure and portions of the Palm Canyon Ramp and the Palm Canyon Access Route lying on the Hotel parcel, all as depicted on **Exhibit "C"** attached hereto and incorporated herein. (Said easement shall be deemed to be a "floating easement" in the sense that Promenade may move and adjust its exact location in accordance with redevelopment work as described below.) Said easement shall (i) be for purposes of providing pedestrian and vehicular traffic for PSH, its agents, employees, guests and invitees, over the Palm Canyon Access Route to and from the Hotel reception area to and from the Hotel Lower Level Parking Area, and (ii) be appurtenant to and run to the benefit of the Hotel parcel and be binding upon and burden the North Plaza parcel.

I. Grant of Easements to Promenade.

(1) Palm Canyon Ramp and Access Route. In order to ensure continued ingress and egress rights to Promenade, PSH, on behalf of its heirs, successors and assigns, hereby grants to Promenade, its heirs, successors and assigns, an easement in perpetuity over and across portions of the Palm Canyon Ramp (as shown on Exhibit "C") and the Palm Canyon Access Route lying on the Hotel parcel. Said easement shall (i) be for purposes of providing pedestrian and vehicular traffic to and from the North Plaza Lower Level Parking Structure, and (ii) be appurtenant to and run to the benefit of the North Plaza parcel and be binding upon and burden the Hotel parcel.

(2) Belardo Ramp. In order to ensure continued ingress and egress rights to Promenade, PSH, on behalf of its heirs, successors and assigns, hereby grants to Promenade, its heirs, successors and assigns, an easement in perpetuity over and across the Belardo Ramp together with an easement over and across driveway areas within the Hotel Lower Level Parking Structure. Said easements shall (i) be for purposes of providing pedestrian and vehicular traffic to and from the North Plaza Lower Level Parking Structure, and (ii) be appurtenant to and run to the benefit of the North Plaza parcel and be binding upon and burden the Hotel parcel.

(3) Redevelopment Work. With respect to the Palm Canyon Ramp and Palm Canyon Access Route, Promenade shall have the right and easement, in connection with redevelopment the North Plaza Buildings and North Plaza Lower Level Parking Structure (and adjacent improvements and facilities), to completely shut down the Palm Canyon Ramp and Palm Canyon Access Route to redevelop same. The period of such shut down and redevelopment shall not exceed 18 consecutive months from start to finish, and all redevelopment expenses incurred in connection therewith shall be borne by Promenade. The design of such redevelopment work shall be set up so as to provide substantially equivalent access to each party's facilities after completion. Such redevelopment easement shall include the right to go on and redevelop areas and improvements owned by PSH and located within reasonable proximity to the Palm Canyon Ramp, however, Promenade shall, at its expense, expeditiously repair any damage to such areas and improvements. Promenade covenants and agrees to indemnify, defend and hold PSH, it's officers, directors,

employees, agents and invitees, harmless against all claims, demands, liability, loss, damage, costs or expenses, including reasonable attorneys' fees, which results in personal injury, death or property damage, or results from claims of liens from laborers, materialmen, or from others, for work performed or supplies furnished, or which arise in connection with any action or proceeding, arising from or as a result of construction performed by or at the direction of Promenade, its contractors or agents, including any work authorized hereunder to be performed.

The exercise of rights granted in this Section (I) shall be subject, however, to the following conditions:

(a) Promenade, during the course of its construction, at its own cost and expense, shall take all steps reasonably necessary to protect the Hotel Building and the Hotel Lower Level Parking Structure or any other structures and shall perform every other act or thing which may be reasonably necessary for the preservation and safety thereof in connection with any work done by it;

(b) if at any time Promenade is performing any work which (i) could reasonably be deemed to constitute a hazardous condition, or (ii) substantially detracts from the appearance of the Project, Promenade shall erect and maintain through the course of such work an adequate barricade or other protective device providing protection to and screening from the public.

(c) Promenade, during the course of its construction, shall not unreasonably interfere with PSH's operation of its business or the business of the other occupants of the Hotel Building.

J. Indenmnity. Each party to this Amendment and Restatement will indemnify and save the other party to this Amendment and Restatement harmless from and defend them against any and all claims, demands, actions, damages, liabilities and expenses by or to third persons in connection with loss of life, personal injury or damage to property, or any of them, occasioned wholly or in part by any act or omission of such party, its tenants, subtenants, agents, contractors or employees in connection with their use of the easement granted to such party easement hereunder, except to the extent the party seeking to be indemnified and held harmless by the indemnifying party or its tenants, subtenants, agents, contractors or employees are found to be responsible for all or part of the injury, loss or damage.

4. Monthly Payments to Cease. Based on other agreements by the parties or their predecessors in interest, PSH has been paying to Promenade the sum of $73,462.56 per calendar year (payable in 12 equal installments of $6,121.88 each on the first day of each calendar month), subject to cost of living increases as of January 1 of each year. For valuable consideration, receipt of which is acknowledged, the parties hereto agree that the obligation of PSH to make such payments will permanently terminate effective June 30, 2007. Thereafter, the parties shall each be responsible for any expenses related to their own properties and the parties shall attempt to separately meter the properties as soon as is reasonable practicable.

5. General Provisions. The parties hereby agree to the following general provisions:

A. Notices. Unless otherwise specifically provided herein, all notices, demands or other communications given hereunder shall be in writing and shall be (I) delivered personally, in which case notice shall be deemed to have been given upon delivery, (ii) delivered by United States registered or certified mail, return receipt requested and postage prepaid, in which case notice shall be deemed to have been given as of the third business day after mailing, (iii) delivered by a reputable and nationally recognized overnight courier, in which case notice shall be deemed to have been given upon delivery, or (iv) transmitted telephonically via facsimile, in which case notice shall be deemed to have been given upon receipt by the sender of certification of transmission, addressed as follows:

If to Promenade to:

John Wessman, Managing Member
Wessman Development
300 South Palm Canyon Drive
Palm Spring, California 92262
Telephone: 760/ 325-3050
Facsimile: 760/ 325-5848

If to PSH to:

PSH Holdings, Inc.
201 Merchant St., Suite 1650
Honolulu, HI 96813
Telephone: 808 537-6146
Facsimile: 808 523-1488

With a copy to:

Dania J. Duke, General Manager
Hyatt Regency Suites
285 North Palm Canyon Drive
Palm Springs, California 92262
Telephone: 760/ 322-9000
Facsimile: 760/ 969-6005

B. Entire Agreement. This Amendment and Restatement contain the entire agreement between the parties relating to the matters contained herein. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein. This Amendment and Restatement may not be amended without the written consent of all parties. The foregoing notwithstanding, this Amendment and Restatement shall not serve to in any way modify any existing rights or obligations of the parties with respect to any lease arrangements in effect as of the date of this Amendment and Restatement.

C. Attorney's Fees. In the event of any litigation arising out of or relating to this Amendment and Restatement or the breach or performance of it, the prevailing party shall be entitled to recover reasonable attorneys fees incurred in connection therewith.

D. Binding on Successors. All terms of this Amendment and Restatement shall be binding upon and inure to the benefit of and be enforceable by the parties hereto and their respective legal representatives, heirs, successors and assigns.

E. Effect of Unenforceable Terms. In the event any term, covenant, condition, provision, or agreement herein contained is held invalid, void or otherwise unenforceable by any court of competent jurisdiction, such decision shall not effect the remaining terms.

F. Governing Law. This Amendment and Restatement, and the rights and obligations of the parties hereunder, shall be construed and enforced in accordance with the laws of the State of California.

G. Assignment and Delegation. The rights and obligations of the parties to this Amendment and Restatement shall be automatically assumed by and delegated to any buyer/transferee upon any sale/transfer by PSH of the Hotel parcel or any sale/transfer by Promenade of the North Plaza parcel.

H. Further Assurances. Each party agrees to and shall take and perform in good faith any and all further steps and actions, and execute and acknowledge any and all further documents, as may be reasonably necessary and/or expedient in order to effectuate the intents and purposes of this Amendment and Restatement.

I. Legal Representation. Each party to this Amendment and Restatement has had its own separate legal representation and counsel.

J. Reasonable Approvals. Whenever this Amendment and Restatement calls for the approval or consent of either party, such approval or consent shall not be unreasonably withheld or delayed.

K. Time of Essence. Time is of the essence of this Amendment and Restatement and each and every term and provision hereof.

L. Counterparts. This Amendment and Restatement may be signed in counterparts and, when fully signed, such counterparts shall have the same effect as if signed in one document.

M. Exhibits and Recitals. All exhibits and recitals referenced herein are incorporated into this Amendment and Restatement and made a part hereof as though set forth in full.

IN WITNESS WHEREOF, the parties have executed this Amendment and Restatement and made it effective as of the day and year first above written.

PROMENADE:

Palm Springs Promenade,
a California limited liability

Date: 6/28/07

By: _____
Managing Member

PSH:

PSH Holdings, Inc.,
a California corporation

Date: 6-26-07

By: _____
President Tim P. Chun

NOTE: ALL SIGNATURES MUST BE NOTARIZED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of ORANGE } ss.

On June 26, 2007 (Date) before me, April Marie Vera, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Tim Chun (Name(s) of Signer(s))

☑ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

April Marie Vera
Signature of Notary Public

APRIL MARIE VERA
Commission # 1739166
Notary Public - California
Orange County
My Comm. Expires Apr 15, 2011

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Amendment & Restatement to Opt. Agreement

Document Date: June 26, 2007 Number of Pages: 9

Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer

Signer's Name: Tim Chun

☑ Individual
☑ Corporate Officer — Title(s): President
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: PSH Holdings Inc., a Cal. Corp.

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1999 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.nationalnotary.org Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On _____, before me, notary for Tim Chun, See Attached, personally appeared _____, ☐ personally known to me - or - ☐ proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

_____
SIGNATURE OF NOTARY

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 28 2007, before me, MARTHA R. HIGGINS, personally appeared JOHN WESSMAN, ☒ personally known to me ~~- or -~~ ☐ ~~proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

Witness my hand and official seal.

Martha R. Higgins
SIGNATURE OF NOTARY

MARTHA R. HIGGINS
Comm. #1530694
Notary Public-California
Riverside County
My Commission Expires
December 27, 2008

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On _____, before me, _____, personally appeared _____, ☐ personally known to me - or - ☐ proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

_____
SIGNATURE OF NOTARY

SUBORDINATION AGREEMENT

PSH TO PROVIDE INFORMATION ON ANY EXISTING LOANS ON HOTEL PARCEL.

PROMENADE TO THEN INSERT STANDARD SUBORDINATION LANGUAGE PURSUANT TO WHICH HOLDERS OF ANY SUCH EXISTING LOANS AGREE AND SUBORDINATE TO THE AMENDMENT AND RESTATEMENT.

ORIGINAL

133
81

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP No. 20326

SHEET 1 OF 5 SHEETS

BEING ALL OF LOTS 1 TO 36, INCLUSIVE, BLOCK 22, AND PORTIONS OF LOT 1 & LOT 37, BLOCK 21 OF PALM SPRINGS PER M.B. 9/432, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND ALSO ALL OF ANDREAS ROAD & BELARDO ROAD AS VACATED & ABANDONED BY RESOLUTION No. H784, BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECORDED APRIL 13, 1984, AS INST. No. 78179, AND ALSO BEING ALL OF PARCELS 1 TO 13, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/17, AND ALL OF PARCELS 8 & 14 TO 19, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/49, AND ALL OF PARCELS 20 TO 27, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/39, AND ALL OF PARCELS 28 TO 49, INCLUSIVE, OF PARCEL MAP PER P.M.B. 7/84, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND ALSO, A PORTION OF LAWN STREET AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS BEING FILED IN BOOK 451, PAGE 197 OF DEEDS, ALL SITUATED IN A PORTION OF THE NORTHEAST QUARTER, SECTION 15, T.4S., R.4E., S.B.B.& M.

SANBORN / WEBB, INC. & OCTOBER, 1985

RECORDER'S CERTIFICATE

FILED THIS 31st DAY OF January, 1986, AT 9:00 M. IN BOOK 133 OF MAPS, AT PAGES 81-85, AT THE REQUEST OF THE CITY CLERK OF THE CITY OF PALM SPRINGS, CALIFORNIA.

NO. 2641
FEE $ Free

WILLIAM E. OBRIEN
COUNTY RECORDER

BY: [signature], DEPUTY

SUBDIVISION GUARANTEE BY: TRANSAMERICA TITLE INSURANCE CO

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THIS SUBDIVISION SHOWN HEREON; THAT WE ARE THE ONLY PERSONS WHOSE CONSENTS ARE NECESSARY TO PASS A CLEAR TITLE TO SAID LAND; THAT WE CONSENT TO THE MAKING AND RECORDING OF THIS PARCEL MAP AS SHOWN WITHIN THE DISTINCTIVE BORDERLINE.

① NORTH PLAZA ASSOCIATES, A GENERAL PARTNERSHIP
BY: [signature] AND BY: [signature]
BY: DESERT PREMIER PLAZA, INC., AN OHIO CORPORATION
BY: [signature] VP [signature]

② SOUTH PLAZA ASSOCIATES, A GENERAL PARTNERSHIP
BY: [signature] AND BY: [signature]
BY: DESERT PREMIER PLAZA, INC., AN OHIO CORPORATION
BY: [signature] VP [signature]

③ THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS
BY: [signature] AND BY: [signature]
EXECUTIVE DIRECTOR ASSISTANT SECRETARY

④ PRATT/NORTH PLAZA ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP
BY: PRATT HOME CORPORATION, A DELAWARE CORPORATION GENERAL PARTNER
BY: [signature]
BY: DESERT PREMIER PLAZA, INC., AN OHIO CORPORATION GENERAL PARTNER
BY: [signature] VP [signature]

⑤ SERRANO RECONVEYANCE COMPANY, A CALIFORNIA CORPORATION, TRUSTEE UNDER DEED OF TRUST RECORDED APRIL 20, 1979, AS INST. No. 79-079378 AND OCTOBER 22, 1982, AS INST. No. 194722.
BY: [signature] AND BY: [signature]
VICE PRESIDENT ASST. SECRETARY

⑥ TRANSAMERICA TITLE INSURANCE COMPANY, TRUSTEE UNDER DEEDS OF TRUST RECORDED SEPTEMBER 21, 1984, AS INST. NOS. 222599, 222600 AND 222602.
BY: [signature] AND BY: [signature]
VICE PRESIDENT ASST. SECRETARY

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA THAT THIS MAP CONSISTING OF 5 SHEETS CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING JULY, 1985; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR WILL BE SET AT FACE WITHIN ONE YEAR AFTER THE RECORDATION OF THIS MAP AND SUBDIVISION AS REQUIRED HEREON; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN.

DATED Oct 2, 1985.

[signature]
JOHN L. SANBORN L.S. NO. 4442

CITY ENGINEER'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES.

DATED: Oct. 11, 1985.

[signature]
RICHARD E. McCOY R.C.E. 25935
CITY ENGINEER

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR INTERESTS HAVE BEEN OMITTED:

CALIFORNIA ELECTRIC POWER CO. EASEMENT RECORDED OCTOBER 9, 1940, AS INSTR. No. 54650; CALIFORNIA ELECTRIC POWER CO. EASEMENT RECORDED JANUARY 10, 1907 AS INSTR. No. 2445; SOUTHERN CALIFORNIA EDISON CO. EASEMENT RECORDED FEBRUARY 15, 1907 AS INSTR. No. 2455; SOUTHERN CALIFORNIA EDISON CO. EASEMENT RECORDED APRIL 10, 1907 AS INSTR. No. 3455; GENERAL TELEPHONE CO. OF CALIFORNIA EASEMENT RECORDED NOVEMBER 12, 1947 AS INSTR. No. 90877; SOUTHERN CALIFORNIA EDISON CO. AND CALIFORNIA INTERSTATE TELEPHONE CO. EASEMENT RECORDED DECEMBER 1, 1947 AS INSTR. No. 105776; PALM SPRINGS WATER CO. EASEMENT RECORDED JUNE 3, 1948 AS INSTR. No. [illegible]; SOUTHERN CALIFORNIA EDISON CO., CONTINENTAL WATER AND TELEPHONE CO., SOUTHERN CALIFORNIA GAS CO. AND PALM SPRINGS WATER CO. EASEMENT RECORDED JUNE 7, 1948 AS INSTR. No. 53390; SOUTHERN CALIFORNIA EDISON CO. EASEMENT RECORDED MAY 6, 1911 AS INSTR. No. 4986.

CITY CLERK'S CERTIFICATE

I, [illegible] CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA, HEREBY CERTIFY THAT SAID CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE 2nd DAY OF [illegible], 1985, DULY APPROVED THE ANNEXED MAP OF PARCEL NO. 20326, THE TENTATIVE MAP FOR SAID PARCEL MAP HAVING BEEN APPROVED BY THE CITY COUNCIL AT ITS REGULAR MEETING HELD ON THE 7TH DAY OF SEPTEMBER, 1983.

[signature]
CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE WITHIN MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES.

DATED: January 22, 1986

ELAINE METZ
TAX COLLECTOR,
RIVERSIDE COUNTY

BY: [signature], DEPUTY

EXHIBIT A

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

ORIGINAL

SHEET 2 OF 5 SHEETS

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP No. 20326

BEING ALL OF LOTS 1 TO 36, INCLUSIVE, BLOCK 22, AND PORTIONS OF LOT 1 & LOT 37, BLOCK 21 OF PALM SPRINGS PER M.B. 5/152, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND ALSO ALL OF ANDREAS ROAD & BELARDO ROAD AS VACATED & ABANDONED BY RESOLUTION No. 14784, BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECORDED APRIL 13, 1964, AS INST. No. 75673, AND ALSO BEING ALL OF PARCELS 1 TO 12, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/17, AND ALL OF PARCELS 11A1 & 2 TO 19, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/18, AND ALL OF PARCELS 20 TO 27, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/23, AND ALL OF PARCELS 28 TO 40, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/24, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND ALSO, A PORTION OF LAWS STREET AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS BEING FILED IN BOOK 486, PAGE 187 OF DEEDS; ALL SITUATED IN A PORTION OF THE NORTHEAST QUARTER, SECTION 19, T.4 S., R.4 E., S.B.B.&M.

SANBORN / WEBB, INC. OCTOBER, 1985

① NOTARY ACKNOWLEDGEMENT

STATE OF Ohio
COUNTY OF Hamilton } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS THE [illegible] PRESIDENT AND SECRETARY OF DESERT PAVILION HOTEL, INC., THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME, AS SAID MANAGING PARTNER OF NORTH PLAZA ASSOCIATES, THE GENERAL PARTNERSHIP THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME, AS SAID MANAGING PARTNER AND THAT SAID GENERAL PARTNERSHIP EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

② NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS GENERAL PARTNER OF THE PARTNERSHIP THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH PARTNERSHIP EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

③ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF THE PARTNERSHIP THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH PARTNERSHIP EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

④ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF [illegible] THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME, AS SAID TRUSTEE AND THAT SAID TRUST EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

⑤ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

⑥ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF [illegible] THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

⑦ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF [illegible] THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

⑧ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF [illegible] THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

⑨ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE } ss

ON OCT. 2 1985 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME TO BE THE [illegible] AND [illegible] SECRETARY OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, AND KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, AND ACKNOWLEDGED TO ME THAT THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES 4/6/87

Alice S. Mansell

⑩ NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE } ss

ON OCT. 9, 1985 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED FRED SCARLE AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS THE PRESIDENT OF DESERT PAVILION HOTEL, INC., THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME, AS MANAGING PARTNER OF NORTH PLAZA ASSOCIATES, THE GENERAL PARTNERSHIP THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SAID GENERAL PARTNERSHIP EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES 4/6/87

Jessica A Stewart

⑪ NOTARY ACKNOWLEDGEMENT

STATE OF California
COUNTY OF [illegible] } ss

ON [illegible] BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED [illegible] AND [illegible] PERSONALLY KNOWN TO ME (/ PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS [illegible] AND [illegible] OF [illegible] THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES [illegible]

[illegible]

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

ORIGINAL

83/83

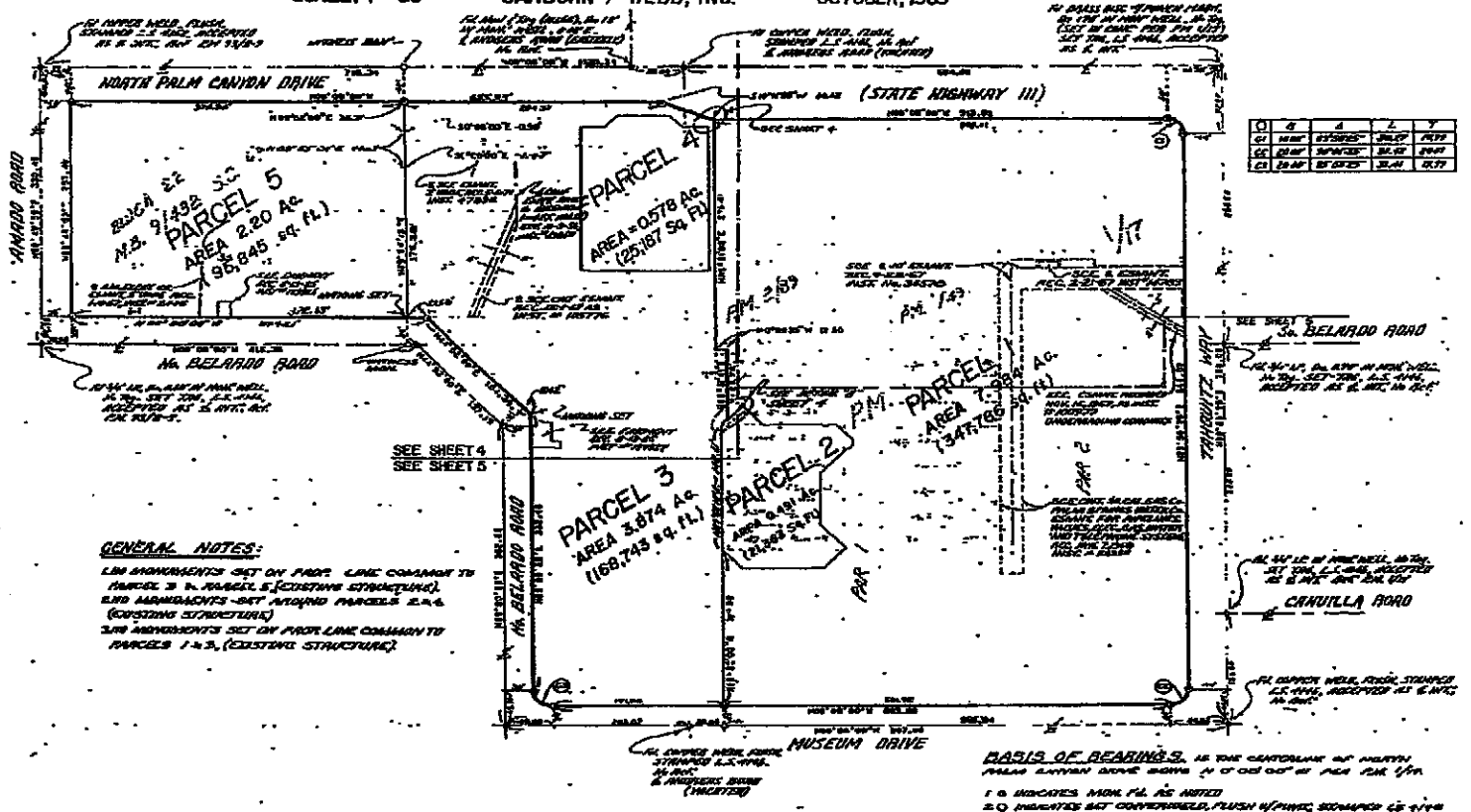
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP No. 20326

SHEET 3 OF 5 SHEETS

BEING ALL OF LOTS 1 TO 36, INCLUSIVE, BLOCK 22, AND PORTIONS OF LOT 1 & LOT 22, BLOCK 23 OF PALM SPRINGS, PER M.B. 3/105, RECORDS OF SAN BIEGO COUNTY, CALIFORNIA, AND ALSO ALL OF ANDREAS ROAD & BELARDO ROAD AS VACATED & ABANDONED BY RESOLUTION No. 4784, BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECORDED APRIL 15, 1964, AS INST. No. 70293, AND ALSO BEING ALL OF PARCELS 1 TO 6, INCLUSIVE, OF PARCEL MAP FOR PM# 1/12, AND ALL OF PARCELS 2 & 3 OF SAID M.B. 3/105, INCLUSIVE, OF PARCEL MAP PER BOOK 1/100, AND ALL OF PARCELS 20 TO 27, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/105, AND ALL OF PARCELS 29 TO 43, INCLUSIVE, OF PARCEL MAP PER PM B. 7/84, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND ALSO, A PORTION OF LAWN STREET AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS BEING FILED IN BOOK 434, PAGE 197 OF DEEDS, ALL SITUATED IN A PORTION OF THE NORTHEAST QUARTER, SECTION 15, T 4 S., R 4 E., S.B.B & M.

SCALE: 1"= 80' SANBORN / WEBB, INC. OCTOBER, 1985



	Δ	R	L	T
C1	14.00°	475.00'	116.07'	58.33'
C2	0.00°	475.00'	0.00'	0.00'
C3	13.98°	25.00'	6.10'	3.07'

GENERAL NOTES:

LINE MONUMENTS SET ON PROP. LINE COMMON TO PARCEL 3 & PARCEL 5 (EXISTING STRUCTURE).
END MONUMENTS -SET AT/ON PARCELS 2 & 4. (EXISTING STRUCTURE)
LINE MONUMENTS SET ON PROP. LINE COMMON TO PARCELS 1 & 2, (EXISTING STRUCTURE)

BASIS OF BEARINGS,

AS THE CENTERLINE OF NORTH PALM CANYON DRIVE SHOWN AS N 0° 00' 00" W PER P.M. 1/99.

1 ⊙ INDICATES MON. FD. AS NOTED
2 ○ INDICATES SET COPPERWELD, FLUSH W/PAVE, STAMPED LS 4146
3 ⊕ INDICATES SET 1" I.P. P.C. = 2.0' LD. IN 6" DIA. CONC. BLOCK, STAMPED LS 4146
4 ⊙ INDICATES SET LEAD & TAG (LS 4146) 0.5' IN FROM BOUNDARY LINE
5 ⊕ INDICATES SET LEAD & TAG (LS 4146) 0.5' OUT FROM BOUNDARY LINE
6 ⊕ INDICATES SET LEAD & TAG (LS 4146)

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

ORIGINAL 133/84

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP No. 20326

SHEET 1 OF 5 SHEETS

BEING ALL OF LOTS 1 TO 24, INCLUSIVE, BLOCK 32, AND PORTIONS OF LOT 1 IS, LOT 32, BLOCK 31 OF PALM SPRINGS, PER M.B. 6/402, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND ALSO ALL OF ANDREAS ROAD & BELARDO ROAD AS VACATED & ABANDONED BY RESOLUTION No. 4784, BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECORDED APRIL 13, 1984, AS INST. No. 75675, AND ALSO BEING ALL OF PARCELS 1 TO 15, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/117, AND ALL OF PARCELS 16 TO 19, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/120, AND ALL OF PARCELS 20 TO 37, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/120, AND ALL OF PARCELS 38 TO 49, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/121, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND ALSO A PORTION OF LINDA STREET, AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS BEING P.B. 2/121 AT PAGE 124, INST. 137 OF DEEDS; ALL SITUATED IN A PORTION OF THE NORTHEAST QUARTER, SECTION 15, T 4 S., R 4 E., S.B.B.&M.

SCALE: 1" = 40' SANBORN / WEBB, INC. OCTOBER, 1985

GENERAL NOTES:

1. REFER TO SHEET 2 FOR MONUMENT IDENTIFICATION.
2. NO MONUMENTS SET ON PARCEL LINE COMMON TO PARCEL 1 AND 3.(COAST STRAIGHT)
3. NO MONUMENTS SET ALONG PARCEL 4 (LUIST SERVICE)
4. NO MONUMENT SET ON PARC LINE COMMON TO PARCEL 3 AND 5.(EAST STREET)

NORTH PALM CANYON DRIVE (STATE HIGHWAY 111)

AMADO ROAD

NORTH BELARDO ROAD

PARCEL 5
AREA 2.20 Ac.
(95,845 sq. ft.)

PARCEL 4
AREA = 0.578 Ac.
(25,187 sq. ft.)

PARCEL 3
AREA 3.874 Ac.
(168,743 sq. ft.)

PARCEL 1

PARCEL 2

No.	BEARING	DIST.
T1	S.44°56'50"E.	19.46'
T2	S.44°56'50"E.	19.50'
T3	S.0°04'44"E.	20.01'

DETAIL "A"

DETAIL "B"

NOTES:
1. REFER TO SHEET 2 FOR MONUMENT IDENTIFICATION.
2. NO MONUMENTS SET ON ℄ CHANNEL TO ANDREAS 1/4TH (EXISTING STRUCTURE).
3. NO MONUMENT SET ON PARCEL 4 (EXISTING STRUCTURE)
4. NO MONUMENTS SET ON ℄ CHANNEL TO ANDREAS 3 E.S. (EXISTING STRUCTURE).

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

ORIGINAL

33/85

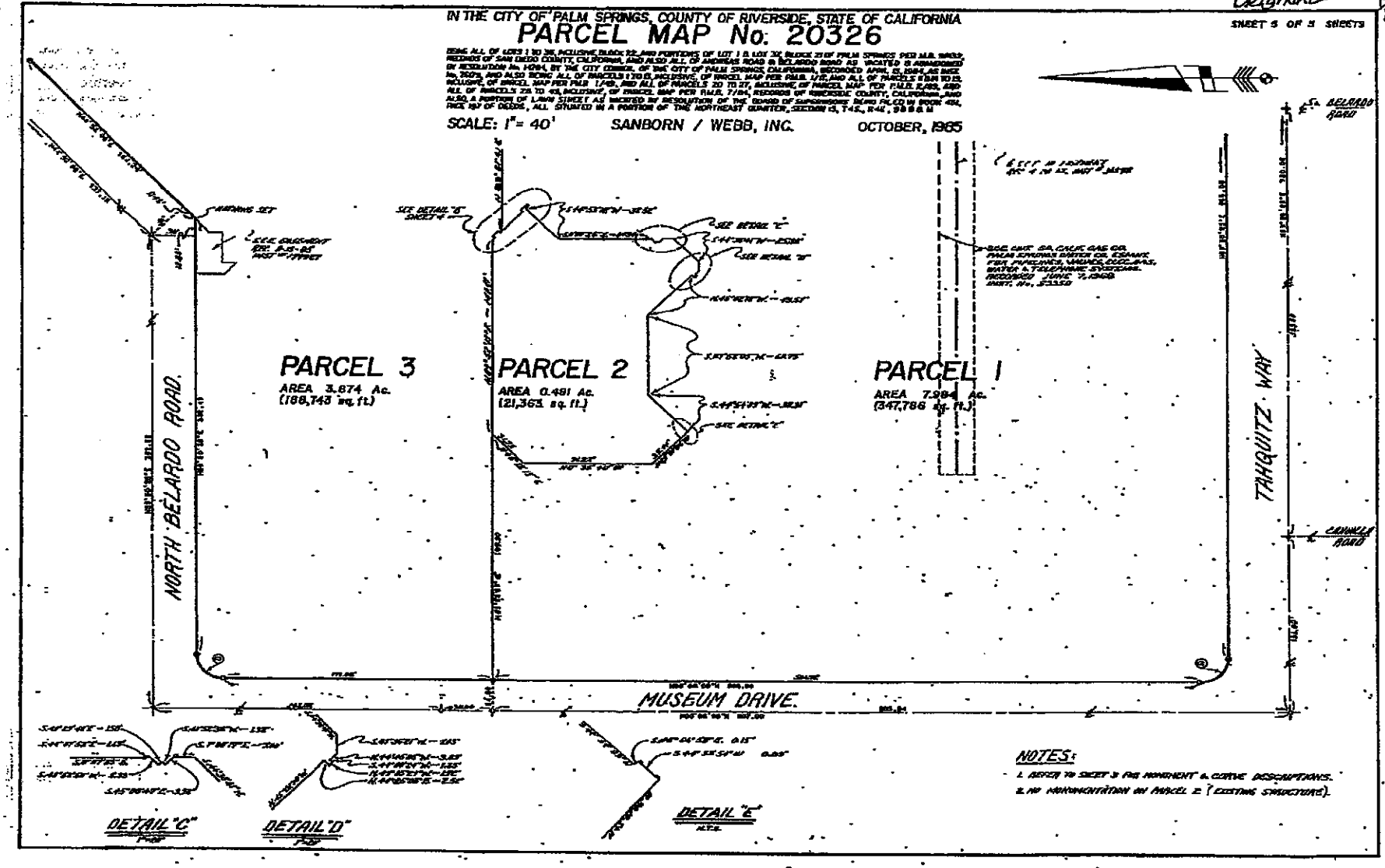
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP No. 20326

SHEET 5 OF 5 SHEETS

BEING ALL OF LOTS 1 TO 30, INCLUSIVE, BLOCK 32, AND PORTIONS OF LOT 1 & LOT 30, BLOCK 31 OF PALM SPRINGS PER M.B. 5/60/3, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND ALSO ALL OF ANDREAS ROAD & BELARDO ROAD AS VACATED & ABANDONED BY RESOLUTION No. 1084, BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECORDED APRIL 15, 1948 AS INST. No. 7809, AND ALSO BEING ALL OF PARCELS 1 TO 13, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/15, AND ALL OF PARCELS 1 TO 15, INCLUSIVE, OF PARCEL MAP PER P.M.B. 1/49, AND ALL OF PARCELS 20 TO 27, INCLUSIVE, OF PARCEL MAP PER P.M.B. 2/69, AND ALL OF PARCELS 28 TO 43, INCLUSIVE, OF PARCEL MAP PER P.M.B. 7/184, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND ALSO, A PORTION OF LAWN STREET AS VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS RECORDED IN BOOK 424, PAGE 197 OF DEEDS, ALL SITUATED IN A PORTION OF THE NORTHEAST QUARTER, SECTION 13, T.4S., R.4E., S.B.B.&M.

SCALE: 1"= 40' SANBORN / WEBB, INC. OCTOBER, 1965



THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

EXHIBIT B

LEGAL DESCRIPTION

All of that certain real property situated in the City of Palm Springs, County of Riverside, State of California, described as follows:

Parcels 1, 2, 3, 4 and 5 of Parcel Map 20326, as per Parcel Map recorded in book 133, Pages 81 through 85, inclusive, of Parcel Maps, in the Office of the County Recorder of said County.

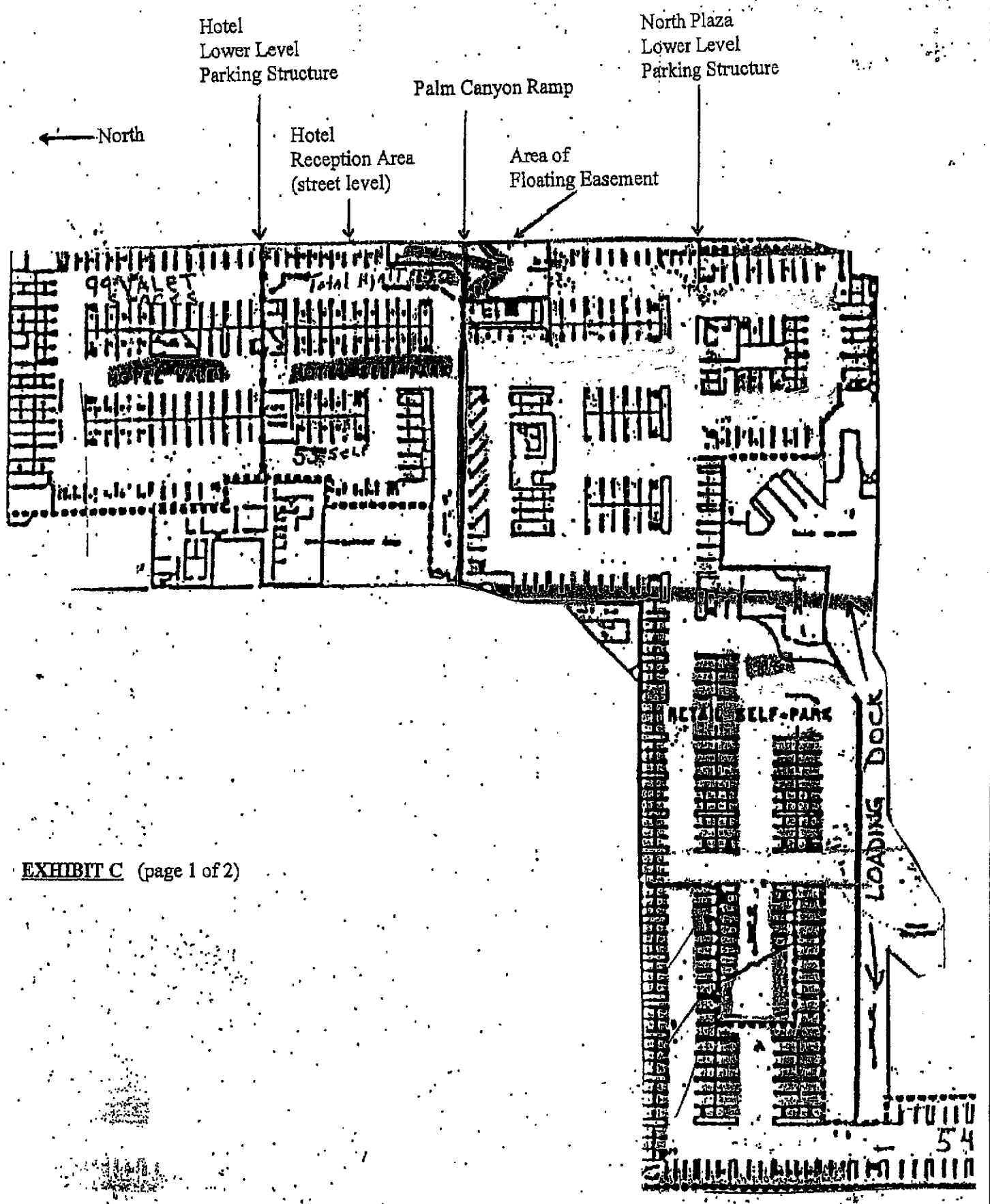
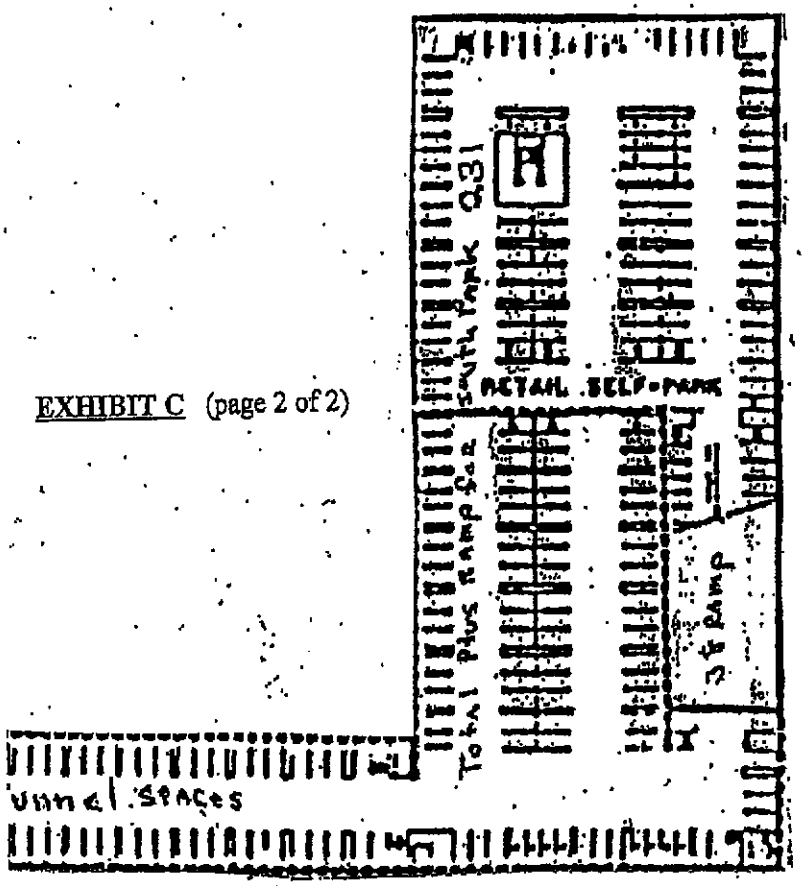


EXHIBIT C (page 1 of 2)

EXHIBIT C (page 2 of 2)



Measure J Special Cost Items, September 5, 2012 Agenda Item 2.O.
City of Palm Springs

Parking Operations & Maintenance:		Implementation & Administrative:	
Electricity (SCE)	$5,400	State fee (one-time)	$30,000
Water (DWA)	1,290	State fee (on-going)	80,000
Security	2,400	Ratings review	0
Landscape Maintenance	1,600	Continuing Disclosure	1,500
Janitorial	1,000	Trustee Fees	1,500
Maintenance & Sweeping	1,000	Arbitrage Report	1,000
Monthly Gross Total	$12,690	Miscellaneous	1,000
Hyatt Monthly Share	(3,345)	Total Implementation & Admin	$115,000
Monthly Net Total	$9,345		
Parking Ops & Mnt Annual Net Total	$112,140	Special Audit Costs	$5,000
NW Corner of Tahquitz & Palm Canyon:			
Landscape Maintenance	$7,300		
Plant & Turf Fertilizer & Aeration	3,360		
Sidewalk & Gutter Maintenance	1,680		
Litter, Graffiti & Bench Maintenance	3,075		
NW Corner-Tahquitz & Palm Cyn Total	$15,415		
Total for Maintaining Newly Acquired Parking Operations & NW Corner	$127,555	Grand Total for All Costs	$247,555

Measure J Special Cost Items, September 5, 2012 Agenda Item 2.O.
City of Palm Springs

Parking Operations & Maintenance:	
Electricity (SCE)	$5,400
Water (DWA)	1,290
Security	2,400
Landscape Maintenance	1,600
Janitorial	1,000
Maintenance & Sweeping	1,000
Monthly Gross Total	$12,690
Hyatt Monthly Share	(3,345)
Monthly Net Total	$9,345
Parking Ops & Mnt Annual Net Total	$112,140

NW Corner of Tahquitz & Palm Canyon:	
Landscape Maintenance	$7,300
Plant & Turf Fertilizer & Aeration	3,360
Sidewalk & Gutter Maintenance	1,680
Litter, Graffiti & Bench Maintenance	3,075
NW Corner-Tahquitz & Palm Cyn Total	$15,415

Total for Maintaining Newly Acquired Parking Operations & NW Corner	$127,555

Implementation & Administrative:	
State fee (one-time)	$30,000
State fee (on-going)	80,000
Ratings review	0
Continuing Disclosure	1,500
Trustee Fees	1,500
Arbitrage Report	1,000
Miscellaneous	1,000
Total Implementation & Admin	$115,000

Special Audit Costs	$5,000

Grand Total for All Costs	$247,555

SELECTION CRITERIA: orgn.fund='001' expledgr.key_orgn='1400' and expledgr.account='65232'
ACCOUNTING PERIODS: 1/13 THRU 6/13

SORTED BY: FUND,FUNCTION,DEPARTMENT,1ST SUBTOTAL,2ND SUBTOTAL,ACCOUNT

TOTALED ON: FUND,FUNCTION,DEPARTMENT,1ST SUBTOTAL

PAGE BREAKS ON: FUND,FUNCTION,DEPARTMENT

FUND - 001 - GENERAL FUND
DEPARTMENT - 1400 - COMMUNITY & ECONOMIC DEV

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION	CUMULATIVE BALANCE
65232 FASHION PLAZA FIN AGREE									
001-10-1400-1400 - COMMUNITY & ECONOMIC DEV									
65232 FASHION PLAZA FIN AGREE					.00	.00	.00	BEGINNING BALANCE	
07/01/12	13-1				180,000.00			CONT APPROP BUD ADJ 7/1-1	
07/02/12	11-1				.00			POSTED FROM BUDGET SYSTEM	
08/21/12	17-2	00130356-02		02510 WESSMAN DEVELOPM			10,687.50	MARILYN MONROE WORK	
08/23/12	21-2		1058239	97773 PALM SPRINGS PRO		613.96	.00	SCOTTSDALE TRIP-7/23	
08/29/12	17-2	00130355-01		02510 WESSMAN DEVELOPM			10,687.50	WESSMAN DEV PROJECT	
08/29/12	21-2	00130356-02		02510 WESSMAN DEVELOPM		.00	.00	MARILYN MONROE WORK	
08/29/12	18-2	00130356-02		02510 WESSMAN DEVELOPM			.00	MARILYN MONROE WORK	
08/29/12	18-2	00130356-02		02510 WESSMAN DEVELOPM			-10,687.50	MARILYN MONROE WORK	
09/04/12	17-2	00130381-01		P03238 MIKE HONZ ENTERP			15,414.96	LANDSCAPE MAINTENANCE	
09/06/12	21-3	00130355-01	1058555	02510 WESSMAN DEVELOPM		2,250.00	-2,250.00	WESSMAN DEV PROJECT	
09/06/12	21-3	00130355-01	1058555	02510 WESSMAN DEVELOPM		5,000.00	-5,000.00	WESSMAN DEV PROJECT	
09/06/12	21-3	00130355-01	1058555	02510 WESSMAN DEVELOPM		3,437.50	-3,437.50	WESSMAN DEV PROJECT	
09/13/12	21-3		1058650	E2545 CRAIG EWING		282.59	.00	AIRFAIRE TO PHX	
10/11/12	21-4		1059206	97773 PALM SPRINGS PRO		920.94	.00	ALLEN PHILP TRIP-8/30	
10/11/12	21-4		1059205	97773 PALM SPRINGS PRO		613.96	.00	ALLEN PHILP TRIP-8/27	
10/18/12	21-4	00130381-01	1059333	P03238 MIKE HONZ ENTERP		1,453.45	-1,453.45	LNDSCPE MAINT-MARILYN	
10/18/12	21-4	00130381-01	1059333	P03238 MIKE HONZ ENTERP		1,284.53	-1,284.53	LNDSCPE MAINT-MARILYN	
11/19/12	21-5		1060082	97773 PALM SPRINGS PRO		1,316.91	.00	DW 7.3.12-9.6.12	
11/19/12	21-5		1060081	97773 PALM SPRINGS PRO		7,862.94	.00	SCE LANDSCAPE SVCS	
11/19/12	21-5		1060082	97773 PALM SPRINGS PRO		18,018.34	.00	DW/SCE	
11/19/12	21-5	00130381-01	1060074	P03238 MIKE HONZ ENTERP		1,284.53	-1,284.53	13-0381 #2	
11/19/12	21-5	00130616-01		11751 MAXWELL SECURITY			3,000.00	UNARMED SECURITY DFP	
12/13/12	21-6		1060466	97773 PALM SPRINGS PRO		2,393.71	.00	SCE/DW/LANDSCP SVCS	
12/17/12	18-6	00130616-01		11751 MAXWELL SECURITY			-3,000.00	UNARMED SECURITY DFP	
12/17/12	18-6	00130616-01		11751 MAXWELL SECURITY			6,868.55	UNARMED SECURITY DFP	
TOTAL FASHION PLAZA FIN AGREE					180,000.00	46,733.36	18,261.00		115,005.64
TOTAL 1ST SUBTOTAL - CAPITAL					180,000.00	46,733.36	18,261.00		115,005.64
TOTAL DEPARTMENT - COMMUNITY & ECONOMIC DEV					180,000.00	46,733.36	18,261.00		115,005.64
TOTAL FUNCTION - GENERAL GOVERNMENT					180,000.00	46,733.36	18,261.00		115,005.64
TOTAL FUND - GENERAL FUND					180,000.00	46,733.36	18,261.00		115,005.64
TOTAL REPORT					180,000.00	46,733.36	18,261.00		115,005.64

Total MAXWELL Security

* THERE IS A NOTE ASSOCIATED WITH THIS TRANSACTION

Service account 3-019-5880-33
Service address 123 N PALM CANYON DR UNIT 153
PALM SPRINGS, CA 92262
Rotating outage Group A008

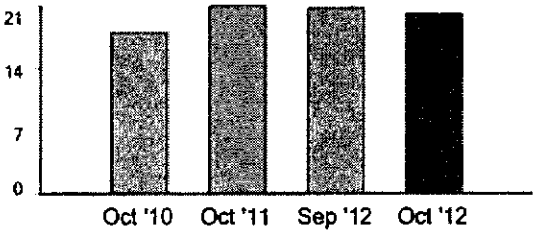
Compare the electricity you are using

For meter 256000-018342 from Sep 26 '12 to Oct 29 '12
Total electricity you used this month in kWh **670**

Your next meter read will be on or about Nov 29 '12.

Maximum demand is 1 kW

Your daily average electricity usage (kWh)



Usage comparison

	Oct '10	Oct '11	Nov '11	Dec '11	Jan '12	Feb '12	Mar '12	Apr '12	May '12	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12
Total kWh used	567	659	705	619	679	638	613	629	680	619	635	652	631	670
Number of days	31	31	33	29	32	30	29	29	32	29	30	31	30	33
Appx. average kWh used/day	18	21	21	21	21	21	21	21	21	21	21	21	21	20

Details of your new charges

Your rate: GS-1
Billing period: Sep 26 '12 to Oct 29 '12 (33 days Summer/Winter Season)

Delivery charges		
Energy summer	104 kWh x $0.06026	$6.27
Energy winter	566 kWh x $0.06260	$35.43
DWR bond charge	670 kWh x $0.00513	$3.44
Customer charge	33 days x $0.74900	$24.72
3 phase service chg	33 days x $0.03300	$1.09
Generation charges		
DWR		
DWR energy credit	670 kWh x -$0.00463	-$3.10
SCE		
Energy summer	104 kWh x $0.12585	$13.09
Energy winter	566 kWh x $0.06848	$38.76
Subtotal of your new charges		$119.70
Palm Springs UUT	$119.70 x 5.00000%	$5.99
State tax	670 kWh x $0.00029	$0.19
Your new charges		**$125.88**

Your Delivery charges include:
- *$7.23 transmission charges*
- *$49.71 distribution charges*
- *$0.10 nuclear decommissioning charges*
- *$8.88 public purpose programs charge*
- *$1.43 new system generation charge*

Your Generation charges include:
- *$0.70 competition transition charge*

Your overall energy charges include:
- *$1.08 franchise fees*

Additional information:
- *Service voltage: 208 volts*

Service account 3-019-5883-63
Service address 123 N PALM CANYON DR UNIT 325
PALM SPRINGS, CA 92262
Rotating outage Group A008

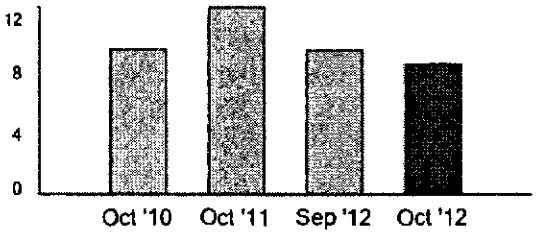
Compare the electricity you are using

For meter 259000-008582 from Sep 26 '12 to Oct 29 '12
Total electricity you used this month in kWh **285**

Your next meter read will be on or about Nov 29 '12.

Maximum demand is 2 kW

Your daily average electricity usage (kWh)



Usage comparison

	Oct '10	Oct '11	Nov '11	Dec '11	Jan '12	Feb '12	Mar '12	Apr '12	May '12	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12
Total kWh used	300	384	424	386	420	393	511	2,111	1,821	6,229	2,372	272	287	285
Number of days	31	31	33	29	32	30	29	29	32	29	30	31	30	33
Appx. average kWh used/day	9	12	12	13	13	13	17	72	56	214	79	8	9	8

Details of your new charges

Your rate: GS-2
Billing period: Sep 26 '12 to Oct 29 '12 (33 days Summer/Winter Season)

Delivery charges		
Facilities rel demand	2 kW x $12.64000 x 5/33 days	$3.83
Facilities rel demand	2 kW x $13.29000 x 28/33 days	$22.55
Energy summer	43 kWh x $0.01674	$0.72
Energy winter	242 kWh x $0.01679	$4.06
DWR bond charge	285 kWh x $0.00513	$1.46
Customer charge		$137.02
Generation charges		
DWR		
DWR energy credit	285 kWh x -$0.00463	-$1.32
SCE		
Summer time related	2 kW x $16.37000 x 5/33 days	$4.96
Energy summer	43 kWh x $0.06449	$2.77
Energy winter	242 kWh x $0.04873	$11.79
Subtotal of your new charges		$187.84
Palm Springs UUT	$187.84 x 5.00000%	$9.39
State tax	285 kWh x $0.00029	$0.08
Your new charges		**$197.31**

Your Delivery charges include:
- *$5.96 transmission charges*
- *$158.08 distribution charges*
- *$0.04 nuclear decommissioning charges*
- *$3.44 public purpose programs charge*
- *$0.59 new system generation charge*

Your Generation charges include:
- *$0.28 competition transition charge*

Your overall energy charges include:
- *$1.70 franchise fees*

Additional information:
- *Service voltage: 480 volts*

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3005-2**
Service Address **TAHQUITZ CYN W** **FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
	Service Charge	$36.00
	Total Current Charges	$36.00

11/02/12
Received
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3005-2 **Retain Upper Portion for Your Records**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3007-2**
Service Address **MUSEUM DR**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Yeo 100 cu ft*
11/02/12	37	37	0	0

XX

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	No Consumption	
	Consumption Charge	
	Water Service Charge	$23.05
	Backflow Charge	$3.00
	Total Current Charges	$26.05

Received
BY.. .....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$26.05	$26.05CR		$26.05	$26.05

4-4-15-3007-2

Retain Upper Portion for Your Records

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3014-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Perio Last Year 100 cu ft*
11/02/12	**12216**	**12385**	**169**	**206**

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	Consumption 169 @ $ 1.29 per 100 cu ft	
	Consumption Charge	**$218.01**
	Water Service Charge	**$23.05**
	Total Current Charges	**$241.06**

Received
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$259.12	**$259.12CR**		**$241.06**	**$241.06**

4-4-15-3014-1 **Retain Upper Portion for Your Records**

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-2

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 11/9/2012
Order No.

Qty	Description	Unit Price	TOTAL
	Desert Water Meters Service 09.06.12 to 10.03.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 259.12	$ 259.12
1	4-4-15-3015-1	$ 189.46	$ 189.46
1	4-4-153018-1	$ 36.00	$ 36.00
	Southern California Edison		
1	3-019-578-73 08.27.12 to 09.26.12	$ 24.63	$ 24.63
1	3-019-578-73 07.27.12 to 08.27.12	$ 25.37	$ 25.37
0.9	3-019-578-73 06.2712 to 07.27.12 27 days out of 30	$ 111.44	$ 100.30
1	3-019-5878-85 08.27.12 to 09.26.12	$ 5,838.25	$ 5,838.25
1	3-019-5878-85 07.27.12 to 08.27.12	$ 6,017.67	$ 6,017.67
0.9	3-019-5878-85 06.27.12 to 07.27.12 27 days out of 30	$ 6,072.77	$ 5,465.49
		SubTotal	$ 18,018.34
		Tax Rate(s)	
		TOTAL	**$ 18,018.34**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management Inc
PO Box 1419
Cathedral City, Ca 92235

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 120712-126-4

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City State ZIP
Phone

Misc

Date 12/7/2012
Order No.

Qty	Description	Unit Price	TOTAL
	Southern California Edison		
1	3-019-5880-33 09.26.12 to 10.29.12	$ 125.88	$ 125.88
1	3-019-5883-63 09.26.12 to 10.29.12	$ 197.31	$ 197.31
	Desert Water Meters 10.03.12 to 11.02.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 241.06	$ 241.06
1	4-4-15-3015-1	$ 131.41	$ 131.41
1	4-4-15-3018-1	$ 36.00	$ 36.00
2	Landscape Services $800 twice a month - November 2012	$ 800.00	$ 1,600.00

SubTotal $ 2,393.71

Tax Rate(s)

TOTAL **$ 2,393.71**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3015-1**
Service Address **123 PALM CANYON DR N**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

Read Date	*Reading*	*Current Reading*	*Use This... Period... 100 cu ft*	*Same Peri... Last Yea... 100 cu ft*
11/02/12	8672	8756	84	112

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
11/02/12	Consumption 84 @ $ 1.29 per 100 cu ft	
	Consumption Charge	$108.36
	Water Service Charge	$23.05
	Total Current Charges	$131.41

Received
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$189.46	$389.46CR	$200.00CR	$131.41	$68.59CR

4-4-15-3015-1 **Retain Upper Portion for Your Records**

Office 1200 South Gene Autry Trail
Palm Springs

Hours Weekdays: 8am - 5pm

Inquiries **Call: 760-323-4971**
Web Site **www.dwa.org**

Desert Water Agency
P.O. Box 1710
Palm Springs, CA
92263-1710

U

Account Number **4-4-15-3018-1**
Service Address **123 PALM CANYON DR N FS**

WESSMAN DEVEL CO-PS PROMENADE
% SPINELLO PROPERTY MGMT INC
PO BOX 1419
CATHEDRAL CITY, CA 92235

FIRE SERVICE

Added New Feature: Pay Online!
Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Date	Description	Amount
	Service Charge	$36.00
	Total Current Charges	$36.00

11/02/12
Received
BY.....

Previous Balance	Payments Received	Past Due	Current Charges	Total Due
$36.00	$36.00CR		$36.00	$36.00

4-4-15-3018-1 **Retain Upper Portion for Your Records**

& LOURDES
ITENANCE

STATEMENT

No. 3317

edral City, CA 92234
60) 219-0113 • (760) 324-1859

G.
Resi
Windo

DATE 12

TERMS

TO

ADDRESS

PALM

IN ACCOU

			$ 1000	00
			$ 50	00
	PLAZA LAS FLORES		$ 1350	00
	PLAZA LAS FLORES GARDENS		$ 100	00
	PLAZA LAS FLORES POSTAGE		$ 165	00
			$ 3,515	00

Received
BY.....

BENITEZ, ISIDRO & LOURDES
GENERAL MAINTENANCE

STATEMENT

No. 3318

35304 Corregidor Dr. • Cathedral City, CA 92234
Garden (760) 202-3869 • Residential (760) 219-0113 • (760) 324-1859

Residential • Commercial
Windows • Patios • Gardens
Lic. # 99013673

DATE 11-30-12

TERMS NOV.

TO

ADDRESS

PALM SPRINGS CA. 92264

IN ACCOUNT WITH

	PLAZA MEXICO		$ 400	00
	DATE PALM CANYON		$ 125	00
	DATE PALM CANYON RESIDENCE		$ 275	00
	ASHOUTE SQUARE		$ 200	00
	ANHEUTE CANYON RESIDENCE		$ 338	00
	PALM SPRINGS PLAZA		$ 50	00
			$ 2128	00

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-1

INVOICE

To:

Name City of Palm Springs California
Address Attn John Ramond
City _____ State _____ ZIP _____
Phone _____

Misc

Date 11/9/2012
Order No. _____

Qty	Description	Unit Price	TOTAL
	Desert Water Meters Service 07.03.12 to 08.06.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 23.87	$ 23.87
1	4-4-15-3014-1	$ 334.68	$ 334.68
1	4-4-15-3015-1	$ 248.14	$ 248.14
1	4-4-153018-1	$ 36.00	$ 36.00
	Desert Water Meters Service 08.06.12 to 09.06.12		
1	4-4-15-3005-2	$ 36.00	$ 36.00
1	4-4-15-3007-2	$ 26.05	$ 26.05
1	4-4-15-3014-1	$ 319.75	$ 319.75
1	4-4-15-3015-1	$ 220.42	$ 220.42
1	4-4-153018-1	$ 36.00	$ 36.00
		SubTotal	$ 1,316.91
		Tax Rate(s)	
		TOTAL	**$ 1,316.91**

Payable to:

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Palm Springs Promenade, LLC
c/o Spinello Property Management, Inc
PO Box 1419 Cathedral City, Ca 92235

Invoice No. 110912-128-3

INVOICE

To:

Name City of Palm Springs California
Address Attn: John Raymond
City _____ State _____ ZIP _____
Phone _____

Misc

Date 11/9/2012
Order No. _____

Qty	Description	Unit Price	TOTAL
	Southern California Edison		
1	3-019-5880-33 08.27.12 to 09.26.12	$ 148.45	$ 148.45
1	3-019-5880-33 07.27.12 to 08.27.12	$ 153.60	$ 153.60
0.9	3-019-5880-33 06.2712 to 07.27.12 27 days out of 30	$ 150.42	$ 135.38
1	3-019-5883-63 08.27.12 to 09.26.12	$ 259.96	$ 259.96
1	3-019-5883-63 07.27.12 to 08.27.12	$ 227.94	$ 227.94
0.9	3-019-58833-63 06.27.12 to 07.27.12 27 days out of 30	$ 597.34	$ 537.61
2	Landscape Services $800 twice a month - July 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - August 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - September 2012	$ 800.00	$ 1,600.00
2	Landscape Services $800 twice a month - October 2012	$ 800.00	$ 1,600.00
		SubTotal	$ 7,862.94
		Tax Rate(s)	
		TOTAL	**$ 7,862.94**

Payable to:

Palm Springs Promenade LLC
c/o Spinello Property Management, Inc
PO Box 1419
Cathedral City, Ca 92235

Purchase Order

PO Printed Date: 04/27/2011

CITY OF PALM SPRINGS
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

VENDOR

27951 00002759
John Wessman dba Wessman Development
Job Cost
Martha Higgins
555 South Sunrise Way
Suite 200
Palm Springs, CA 92264
US
Email: martha@wessmandevelopment.com
Phone: (760)325-3321
FAX: (760)325-5848

PO Date: 04/27/2011
Buyer: Leigh A. Gileno
Phone #: (760)322-8374
FOB: F.O.B., Destination
Terms: Net 30

Purchase Order Number 11-0626 : 0

ALL PACKING SLIPS, INVOICES AND CORRESPONDENCE MUST REFERENCE THIS NUMBER.

SHIP TO

14000 - COMMUNITY & ECONOMIC DEVELOPMENT
ECDV - Community & Economic Development
Economic Development Admin.
3200 E, Tahquitz Canyon Way
Palm Springs, CA 92262
US

BILL TO

Accounts Payable
PO BOX 2743
PALM SPRINGS, CA 92263
US

Department	Bid Number	Requisition Number	Delivery Date
14000 - COMMUNITY & ECONOMIC DEVELOPMENT		14000-11-03015	Days ARO

Item	Class-Item	Bid Item #	Req Line Item #	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza.		14000-11-03015- 1	1.0	EA - Each	$200,000.00	$200,000.00
2	THIS PURCHASE ORDER IS FOR PAYMENT PURPOSES ONLY AND DOES NOT CONSTITUTE NOTICE TO PROCEED. SERVICES SHALL BE PROVIDED IN ACCORDANCE WITH AGREEMENT NO. 6085. APPROVED BY CITY COUNCIL ON 3/2/2011.						
	FY: 11 — Account Code: 1400-58029 — Dollar Amount: $200,000.00						

Subtotal	$200,000.00
Tax	$0.00
Freight	$0.00
Discount	$0.00
Total	$200,000.00

Authorized City Signature

FINANCE APPROVED	DATE	ENCUMBERED
CW	4/27	

PURCHASE ORDER TERMS AND CONDITIONS

1. Please Submit invoices in duplicate
2. Please submit separate invoices for each other
3. Show PO# on each carton label.
4. Notify at Once if Order cannot be filled
5. The city is not exempt from California sales tax.
6. The city is exempt from Federal excise tax.

1. Acceptance: City reserves the right to refuse any goods and to cancel all or any part of the goods not conforming to applicable specifications drawings, samples or descriptions Acceptance of any part of the order shall not bind City to accept future shipments, nor deprive it of the right to return goods already accepted.

2. Late Deliveries: If delivery of the commodity or service cannot be made as speicified or sooner and at the price shown, notify the City Purchasing Manager immediately. And correspondence, other than invoices, relating to this Order must be sent to the Purchasing Manager. The City reserves the right to cancel order if delivery is not made by the time specified.

3. Risk of Loss: Delivery shall not be deemed to be complete until the goods have been actually received and accepted by the City.

4. Defects: By accepting this order Seller acknowledges that the goods covered by this order are satisfactory for the purposes intended by City.

5. Prices: Unless otherwise provided, goods shall be furnished at the prices indicated on this order only. Invoices will be horored for purchase order prices only. Price on the order include delivery to the Department within building unless otherwise specified on the order.

6. Patent Infringement: Seller agrees to indemnify City and hold it harmless from and against all liability, loss, damage, and expense, including reasonable counsel fees resulting from any actual or claimed trademark patent or copyright infringement, or any litigation based thereon with respect to any part of the goods covered by the order, and such obligation shall survive acceptance of the goods and payment therefore by the City.

7. Packing: All goods, wrappers and containers must bear markings and labels required by applicable federal, state, and municipal laws and regulations for the protection and safety of persons and property and Seller warrants that prices include all charges to packing, crating, and transportation to f.o.b. point.

8. Nonassignment: This order must not be assigned or transferred to anyone without the written approval of the Purchasing Manager.

9. Labor Disputes: Whenever any actual or potential labor dispute delays or threatens to delay the timely performance of the order, Seller shall immediately give notice thereof to City.

10. HAZARDOUS MATERIAL: SELLER SHALL PROVIDE MATERIAL SAFTTY DATA SHEETS FOR EACH PRODUCT CONTAINING HAZARDOUS SUBSTANCES AS LISTED BY CALIF. DIR. IND. REL. IN CALIF. ADM. CODE, TITLE 8, SEC 5194 AND LABOR COSTS. Seller agrees to furish Material Safety Data Sheet (Form OSHA-20) as applicable for hazardous or potentially hazardous products.

11. Discounts: Discount period will be computed from date of receipt of invoice, or goods or services whichever is the later date.

12. Hold harmless: seller agrees to indemnify, defend and save City and its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to Sellers employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this agreement, or are caused or claim to be caused by the negligent acts of Seller, its agents or employees, and all expenses of investigating and defending against same; provided, however, that this indemnification and hold harmless shall not include any claim arising from the sole negligence or willful misconduct of the City, its agents or employees.

13. In the event of any conflict between the provisions of this Purchase Order Terms and Conditions and the terms of any proposal or related documents submitted by a vendor or a consultant, including without limitation a scope of work or alternate contract terms and conditions, the provisions of this Purchase Order Terms and Conditions shall control.

Transactions - CITY OF PALM SPRINGS LIVE

File Edit Help

Date: 06/04/2012 Through Period: 11/12

OK

Back

DEPARTMENT	1400	COMMUNITY & ECONOMIC DEV
Account	58029	DESIGN/DEV-MUSEUM MKT PLZ
Budget Orgn	1400	COMMUNITY & ECONOMIC DEV
Budget Acct	58029	DESIGN/DEV-MUSEUM MKT PLZ

Search Criteria

Year
Period
Transaction Date
Transaction Code
Vendor
Encumbrance
Invoice
Amount
Control Number

Find

Date	Period	TC	DEPARTMENT	Description	Budget	Expense	Encumbrance
02/09/12	8	21	00110626	WESSMAN DEVELOPMENT CO.	0.00	3768.69	-3768.69
02/09/12	8	21	00120657	FICCADENTI & WAGGONER	0.00	3700.00	-3700.00
01/23/12	7	17	00120657	FICCADENTI & WAGGONER	0.00	0.00	18500.00
12/21/11	6	21	00110626	WESSMAN DEVELOPMENT CO.	0.00	26272.54	-26272.54
12/01/11	5	21	00110626	WESSMAN DEVELOPMENT(USE 2	0.00	55803.06	-55803.06
10/10/11	4	25		BUD ADJ 10/10-3B	10000.00	0.00	0.00
10/10/11	4	25		BUD ADJ 10/10-4B	10000.00	0.00	0.00
09/01/11	2	21	00110626	WESSMAN DEVELOPMENT CO.	0.00	38664.91	-38664.91
07/05/11	1	11		POSTED FROM BUDGET SYSTEM	0.00	0.00	0.00
07/01/11	1	17	00110626	WESSMAN DEVELOPMENT CO.	0.00	0.00	144390.10
07/01/11	1	13		PRIOR YR ENCUM-N0110626	144390.10	0.00	0.00

Total Budget: 164390.10 Expense: 143009.20 Encumbrance: 19880.90

Payroll Encumbrance 0.00 Balance 1500.00

OVR

0.*

WESSMAN

16,147.05+
39,462.85+
38,664.91+
55,803.06+
26,272.54+
3,768.69+
180,119.10*

0.*

0.*

200,000.00+
180,119.10-
19,880.90*

Transactions - CITY OF PALM SPRINGS - LIVE

File Edit Help

Date: 05/29/2014 Through Period: 11/14

DEPARTMENT	1400	COMMUNITY & ECONOMIC DEV
Account	58029	DESIGN/DEV-MUSEUM MKT PLZ
Budget Orgn	1400	COMMUNITY & ECONOMIC DEV
Budget Acct	58029	DESIGN/DEV-MUSEUM MKT PLZ

Search Criteria

Year	2011	Encumbrance	
Period		Invoice	
Transaction Date		Amount	
Transaction Code		Control Number	
Vendor			

Find

Date	Period	TC	DEPARTMENT	Description	Budget	Expense	Encumbrance
05/12/11	11	21	00110626	WESSMAN DEVELOPMENT CO.	0.00	16147.05	-16147.05
04/27/11	10	17	00110626	WESSMAN DEVELOPMENT CO.	0.00	0.00	200000.00
03/17/11	9	11		SET UP	0.00	0.00	0.00
03/17/11	9	13		RES 22889 BUD ADJ 3/17-2B	200000.00	0.00	0.00

Total Budget: 200000.00 Expense: 16147.05 Encumbrance: 183852.95

Payroll Encumbrance 0.00 Balance 0.00

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

PO- **11-0626**

Partial #1

Received from:

VENDOR

Wessman Development Company Job Cost
555 South Sunrise Way, Suite 20
Palm Springs, CA 92264

Date: April 28, 2011

Vendor: _____

Invoice No.	Description	Amount
Invoice #1 - Dated 4/21/11		$16,147.05

Account No. 1400-58029

TOTAL: $16,147.05

Remarks: _____

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by _____

5/4/11
Date

Economic Development Director

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

OK to pay

April 21, 2011

City of Palm Springs
P.O. Box 2743
Palm Springs, 92263

Attention: John Raymond
Redevelopment Director

Re: Reimbursement Agreement
Request #1
Museum Market Plaza
Palm Springs, CA

Dear John:

Please find enclosed Request #1 for reimbursement for paid expenses as per the Reimbursement Agreement. I did this in a very simple format which I hope is acceptable to you.

Should you have any questions or need anything further, do not hesitate to contact me.

Sincerely,

Martha Higgins

Martha Higgins

555 S. SUNRISE WAY • SUITE 200 • PALM SPRINGS, CA 92264 • PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS / WESSMAN / WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA/TOWN AND COUNTRY CENTER
MUSEUM MARKET PLAZA

APRIL 21, 2011
REIMBURSEMENT REQUEST #1

DESCRIPTION		REQUESTED DISB
ENGINEERING: SANBORN A/E	$	7,725.00
PLANS: ALL VALLEY REPROGRAPHICS, LLC	$	348.22
ARCHITECTURAL: ALLEN + PHILP ARCHITECTS, PC	$	24,145.88
TRAVEL EXPENSE: GERNOT KOLB - RENTAL CAR, ARIZONA	$	74.99
*** COPIES OF PAID INVOICES AND CHECKS ATTACHED		
TOTAL - WESSMAN PAID TO DATE	$	32,294.09
		x .50
TOTAL REIMBURSEMENT REQUEST #1	**$**	**16,147.05**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
WESSMAN DEVELOPMENT	1350-128-01	77933	3/14/2011	DFP-ARCH & ENG	7,725.00	0.00	7,725.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	SANBORN A/E	3/25/2011	007127	$7,725.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
3/25/2011	007127	**$7,725.00**

[redacted] Seven Thousand Seven Hundred Twenty Five AND 00/100 Dollars [redacted]

Pay to the order of:

SANBORN A/E

71-780 SAN JACINTO, SUITE E-1
RANCHO MIRAGE, CA 92270

Copy

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

71780 San Jacinto Dr.
Bldg. E1
Rancho Mirage, CA 92270

SANBORN A / E

INVOICE

Invoice Number:
7793
Invoice Date:
Mar 14, 2011

1350
12801

WESSMAN DEVELOPMENT
Michael Braun
555 S. Sunrise Way
Palm Springs, CA 92264

Job Description : **Desert Inn Fashion Plaza Site Plan**

Work Order No.	Payment Terms	Due Date	Project Manager
11-105	Net 1st of Next Month	4/1/11	John L. Sanborn

Hours/Quantity	Item	Description	Rate	Extension
56.00		Site planning and presentation drawings	135.00	7,560.00
11.00		Presentation drawings	15.00	165.00

Subtotal **7.725.00**

TOTAL BALANCE DUE **7,725.00**

A MONTHLY FINANCE CHARGE OF 1.5% WILL BE APPLIED TO PAST DUE INVOICES

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

71780 San Jacinto Dr.
Bldg. E1
Rancho Mirage, CA 92270

SANBORN A / E

INVOICE

Invoice Number:
7793
Invoice Date:
Mar 14, 2011

WESSMAN DEVELOPMENT
Michael Braun
555 S. Sunrise Way
Palm Springs, CA 92264

Job Description : **Desert Inn Fashion Plaza Site Plan**

Work Order No.	Payment Terms	Due Date	Project Manager
11-105	Net 1st of Next Month	4/1/11	John L. Sanborn

Hours/Quantity	Item	Description	Rate	Extension
56.00		Site planning and presentation drawings	135.00	7,560.00
11.00		Presentation drawings	15.00	165.00

OK pw
Mar 14/11
pay from WHLLC → contr to PSPA.
WDJ Cost

Subtotal **7.725.00**

TOTAL BALANCE DUE **7,725.00**

A MONTHLY FINANCE CHARGE OF 1.5% WILL BE APPLIED TO PAST DUE INVOICES

Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
WESSMAN DEVELOPMENT	1350-128-01	592403	3/14/2011	BLUEPRINTING	348.22	0.00	348.22

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALL VALLEY REPROGRAPHICS, LLC	3/29/2011	007128	$348.22

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
3/29/2011	007128	**$348.22**

Three Hundred Forty Eight AND 22/100 Dollars

Pay to the order of:

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Copy

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
3/14/2011	59240

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-01536 AVR	Net 15	FASHION PLAZA

Qty./Sq.Ft.	Description	Rate	Amount
1	W F BLUEPRINTING ON B/W PAPER 30 X 42, 304 ORIGINALS, 1 SET STAPLED AND SCAN TO FILE	320.20	320.20T
	DELIVER @ NO CHARGE		
	ORDERED BY OCTAVIO		
	Sales Tax	8.75%	28.02

DIO
BD 125 01

Thank you for your business.

Total $348.22

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
10	WESSMAN DEVELOPMENT	1350-128-01	AP1102-01	4/1/2011	AP1102	24,145.88	0.00	24,145.88

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	4/1/2011	007129	$24,145.88

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
4/1/2011	007129	**$24,145.88**

Twenty Four Thousand One Hundred Forty Five AND 88/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

Copy

Allen + Philp

MEMORANDUM

To: Michael Braun

From: Ken Allen

cc: File

Date: March 31, 2011

Re: Palm Springs MXD
AP1102

Michael,
Attached is our Invoice for March 2011. As we agreed, for this Planning & Preliminary Design effort we are invoicing at 20% reduced hourly rates. Backup will be provided each month identifying hours spent, by whom and dates.

Allen + Philp
architects · interiors

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: March 31, 2011
Invoice Number: AP1102-01

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: Thru March 31, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 23,628	*N/A*	$ -	$ -	$ -	$ 23,628.00
Total	$ 23,628	*N/A*	$ -	$ -	$ -	$ 23,628.00
Reimbursables	*N/A*	*N/A*	$ -	$ -	$ -	$ 517.88
			Past + Current Amounts Due:		$ -	$ 24,145.88
				Total Now Due		**$ 24,145.88**

JW April 7 2011

Allen + Philp

Time by Project (w/ Rates)

Report Date: Mar 31, 2011 12:15:15 PM

Access Level: All Report Data
Project Leader (All Projects)

Date Range: Entire Project
Project: AP1102 Palm Springs MXD
Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Allen, Kenneth				
			Mar 8, 2011	2.00	USD$ 240.00	USD$ 480.00
			Mar 15, 2011	1.00	USD$ 240.00	USD$ 240.00
			Mar 17, 2011	1.00	USD$ 240.00	USD$ 240.00
			Mar 18, 2011	2.00	USD$ 240.00	USD$ 480.00
			Mar 24, 2011	1.00	USD$ 240.00	USD$ 240.00
			Mar 28, 2011	3.00	USD$ 240.00	USD$ 720.00
			Mar 31, 2011	2.00	USD$ 240.00	USD$ 480.00
		Allen, Kenneth Summary		**12.00**		**USD$ 2,880.00**
		Fox, Craig				
			Mar 18, 2011	5.00	USD$ 72.00	USD$ 360.00
			Mar 28, 2011	1.00	USD$ 90.00	USD$ 90.00
		Fox, Craig Summary		**6.00**		**USD$ 450.00**
		Heilman, Jonathan				
			Mar 8, 2011	3.00	USD$ 132.00	USD$ 396.00
			Mar 17, 2011	1.00	USD$ 132.00	USD$ 132.00
			Mar 21, 2011	3.00	USD$ 132.00	USD$ 396.00
			Mar 23, 2011	2.00	USD$ 132.00	USD$ 264.00
			Mar 24, 2011	7.50	USD$ 132.00	USD$ 990.00
			Mar 28, 2011	6.00	USD$ 132.00	USD$ 792.00
			Mar 29, 2011	4.00	USD$ 132.00	USD$ 528.00
		Heilman, Jonathan Summary		**26.50**		**USD$ 3,498.00**
		Kosednar, Matthew				
			Mar 28, 2011	3.00	USD$ 120.00	USD$ 360.00
			Mar 29, 2011	3.00	USD$ 120.00	USD$ 360.00
		Kosednar, Matthew Summary		**6.00**		**USD$ 720.00**
		Philp, Mark				
			Feb 15, 2011	0.50	USD$ 240.00	USD$ 120.00
			Feb 16, 2011	0.50	USD$ 240.00	USD$ 120.00
			Mar 16, 2011	1.00	USD$ 240.00	USD$ 240.00
			Mar 17, 2011	2.50	USD$ 240.00	USD$ 600.00
			Mar 18, 2011	8.00	USD$ 240.00	USD$ 1,920.00
			Mar 19, 2011	2.00	USD$ 240.00	USD$ 480.00
			Mar 21, 2011	3.00	USD$ 240.00	USD$ 720.00
			Mar 22, 2011	4.50	USD$ 240.00	USD$ 1,080.00
			Mar 23, 2011	6.00	USD$ 240.00	USD$ 1,440.00
			Mar 24, 2011	6.00	USD$ 240.00	USD$ 1,440.00
			Mar 25, 2011	5.00	USD$ 240.00	USD$ 1,200.00
			Mar 26, 2011	5.00	USD$ 240.00	USD$ 1,200.00
			Mar 27, 2011	3.00	USD$ 240.00	USD$ 720.00
			Mar 28, 2011	7.00	USD$ 240.00	USD$ 1,680.00
			Mar 29, 2011	2.00	USD$ 240.00	USD$ 480.00
			Mar 30, 2011	4.00	USD$ 240.00	USD$ 960.00
			Mar 31, 2011	3.00	USD$ 240.00	USD$ 720.00
			Apr 1, 2011	3.00	USD$ 240.00	USD$ 720.00
		Philp, Mark Summary		**66.00**		**USD$ 15,840.00**

Shirk, Zachary				
	Mar 18, 2011	2.00	USD$ 120.00	USD$ 240.00
Shirk, Zachary Summary		**2.00**		**USD$ 240.00**
Programming / Feasibility Summary		**118.50**		**USD$ 23,628.00**
AP1102 Summary		**118.50**		**USD$ 23,628.00**
Full Summary		**118.50**		**USD$ 23,628.00**

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Generated Wednesday, March 30, 2011 at 1:24:01PM

Copies by Device

From: '2011-3-1' To: '2011-3-29'

AP1102 Palm Springs MXD

Starting Date: 3/1/2011 Ending Date: 3/29/2011 Number of Days: 29

Terminal : Copier	Count	Amount
SCO-F0-002: Canon IR 4580	6	$4.80
SCO-F0-004: Canon ImagePress C1	1	$0.80
Totals for Project: AP1102 Palm Springs MXD	**7**	**$5.60**

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architects • interiors

Generated Wednesday, March 30, 2011 at 12:57:13PM

Printing by Device

From: '2011-3-1' To: '2011-3-29'

AP1102 Palm Springs MXD

Starting Date: 3/1/2011 Ending Date: 3/29/2011 Number of Days: 29

Print Device	Count	Amount
Canon C1 Color Copier	32	$29.60
Canon iR 4580 Color Copier	21	$23.20
Canon iR 5055 B/W Copier	1	$0.15
Color Inkjet DO	3	$0.75
HP DesignJet 4000	9	$377.23
HP Deskjet 6940 series	2	$1.60
Oce TDS600	3	$8.40
Totals for Project: AP1102 Palm Springs MXD	**71**	**$440.93**

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Allen + Philp
architects·interiors

Generated Wednesday, March 30, 2011
at 5:27:46PM

Telephone Log
From: '2011-3-1' To: '2011-3-29'

AP1102 Palm Springs MXD

Starting Date: **3/1/2011** Ending Date: **3/29/2011** Number of Days: **29**

Date	Time	Extension	Number	Destination	Duration	Amount
3/9/2011	10:59:51AM	8632	1(760)325-2790	PALM SPGS CA	00:02:08	$0.40
3/29/2011	10:02:27AM	8602	1(760)641-4046	PALM SPGS CA	00:16:53	$3.40
Totals for AP1102 Palm Springs MXD					**00:19:01**	**$3.80**

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Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
WESSMAN DEVELOPMENT	1350-128-01	032311	3/23/2011	3/18 TRIP	74.79	0.00	74.79

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	GERNOT KOLB	3/25/2011	007126	$74.79

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
3/25/2011	007126	**$74.79**

Seventy Four AND 79/100 Dollars

Pay to the order of:

GERNOT KOLB

67988 VIA SEGURO
CATHEDRAL CITY, CA 92234

Copy

Invoice

Gernot Kolb
37068 Southham Court
Indio, CA 92203

Date: 03-23-11

Bill To:
Wessman Aircraft Sales & Leasing **555 S. Sunrise Way, Ste200** **Palm Springs, CA 92264**

Description	Qty	Rate	Amount
Reimbursements SDL trip 03/18 Rental Car	1	$74.79	$74.79
		Total	**$74.79**

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

PO- **11-0626**

Partial #2

Received from:

V
E Wessman Development Company Job Cost — Date: June 2, 2011
N
D 555 South Sunrise Way, Suite 20
O
R Palm Springs, CA 92264 — **Vendor:** _____

Invoice No.	Description	Amount
Invoice #2 - Dated 5/30/11		$39,462.85

Account No. 1400-58029

TOTAL: $39,462.85

Remarks: _____

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by _____

6/2/11
Date

Economic Development Director

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / TOWN AND COUNTRY CENTER
MUSEUM MARKET PLAZA

MAY 30, 2011
REIMBURSEMENT REQUEST #2

DESCRIPTION		REQUESTED DISBURSEMENT
ENGINEERING - SANBORN	$	5,267.25
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	38,527.29
PLANS: ALL VALLEY REPROGRAPHICS	$	430.65
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	27,200.50
APPRAISAL - CAPITAL REALTY ANALYSTS	$	7,500.00
TOTAL REIMBURSEMENT #2 PAID TO DATE AND UNREIMBURSED	$	78,925.69
TOTAL REIMBURSEMENT #2 REQUEST FROM CITY	**$**	**39,462.85**

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

May 30, 2011

City of Palm Springs
P.O. Box 2743
Palm Springs, 92263

Attention: John Raymond
Redevelopment Director

Re: Reimbursement Agreement
Request #2
Museum Market Plaza
Palm Springs, CA

Dear John:

Please find enclosed Request #2 for reimbursement for paid expenses as per the Reimbursement Agreement. I did this in a very simple format which I hope is acceptable to you.

Should you have any questions or need anything further, do not hesitate to contact me.

Sincerely,

Martha Higgins

555 S. SUNRISE WAY • SUITE 200 • PALM SPRINGS, CA 92264 • PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-02	11-3313	4/8/2011	APPRAISAL C	7,500.00	0.00	7,500.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	CAPITAL REALTY ANALYSTS	4/20/2011	007130	$7,500.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
4/20/2011	007130	**$7,500.00**

Seven Thousand Five Hundred AND 00/100 Dollars

Pay to the order of:

CAPITAL REALTY ANALYSTS

78015 MAIN STREET, SUITE 204
LA QUINTA, CA 92253

Copy

Capital Realty Analysts

78015 Main Street, Suite 204
La Quinta, CA 92253

Invoice

DATE	INVOICE #
4/8/2011	11-3313

BILL TO	SHIP TO
Wessman Development Attn: Mr. John Wessman 555 South Sunrise Way, Suite 200 Palm Springs, CA 92262	Wessman Development Attn: Mr. John Wessman 555 South Sunrise Way, Suite 200 Palm Springs, CA 92262

TERMS

ITEM	DESCRIPTION	AMOUNT
Appraisal - C	Appraisal Fee - Commercial "Museum Market Plaza Property" A 1,054-Space Parking Garage and 5 Parcels of Land, Located at the NWC of Tahquitz Canyon Way and Palm Canyon Drive; City of Palm Springs, Riverside County, CA.; Otherwise Known As Portions of APN's: 513-560-002, 004, and 007 Through 009; Riverside County, CA.	7,500.00
	Total	$7,500.00

Federal Employer Identification Number: 33-0740705

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	49622	4/8/2011	DFP	10,485.00	0.00	10,485.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	4/20/2011	007132	$10,485.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
4/20/2011	007132	**$10,485.00**

Ten Thousand Four Hundred Eighty Five AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

April 08, 2011

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

Invoice 49622
For Services Through

March 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	41.10	250.00	$10,275.00
EMILY PERRI HEMPHILL	0.70	300.00	$210.00

	Amount
PREVIOUS BALANCE	$6,335.00
3/30/2011 PAYMENT - THANK YOU	($6,335.00)
Total payments and adjustments	($6,335.00)
TOTAL AMOUNT DUE	$10,485.00

Professional Services

	Hours
3/2/2011 EPH [redacted]	0.70

VENDOR FORM 4099-LG1

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	497524	4/30/2011	DFP	16,715.50	0.00	16,715.50

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	EALY,HEMPHILL & BLASDEL, LLP	5/11/2011	007134	$16,715.50

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
5/11/2011	007134	**$16,715.50**

Sixteen Thousand Seven Hundred Fifteen AND 50/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

May 06, 2011

Invoice 49752
For Services Through

April 30, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	66.70	250.00	$16,675.00
LUCY SWANNER	0.30	135.00	$40.50

	Amount
PREVIOUS BALANCE	$10,485.00
4/25/2011 PAYMENT - THANK YOU	($10,485.00)
Total payments and adjustments	($10,485.00)
TOTAL AMOUNT DUE	$16,715.50

Professional Services

		Hours
4/1/2011	WCE	[redacted] 2.00
4/2/2011	WCE	[redacted] 4.00

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	7803	5/3/2011	11-105	5,267.25	0.00	5,267.25

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	SANBORN A/E	5/11/2011	007135	$5,267.25

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
5/11/2011	007135	**$5,267.25**

Five Thousand Two Hundred Sixty Seven AND 25/100 Dollars

Pay to the order of:

SANBORN A/E

71-780 SAN JACINTO, SUITE E-1
RANCHO MIRAGE, CA 92270

Copy

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

71-780 San Jacinto Dr.
Suite E-1
Rancho Mirage, Ca.
92270

SANBORN A / E

INVOICE

Invoice Number:
7803
Invoice Date:
May 3, 2011

WESSMAN DEVELOPMENT
Michael Braun
555 S. Sunrise Way
Palm Springs, CA 92264

Job Description : **Desert Inn Fashion Plaza Site Plan**

Work Order No.	Payment Terms	Due Date	Project Manager
11-105	Net 1st of Next Month	6/1/11	John L. Sanborn

Hours/Quantity	Item	Description	Rate	Extension
9.00		DESIGN SERVICES FOR PRESENTATION DRAWINGS	135.00	1,215.00
36.00		BASE MAPPING FROM EXISTING DRAWINGS, COORDINATION WITH ARCHITECT AND CONTRACTOR	110.00	3,960.00
9.00		COLOR PRINTING PRESENTATION DRAWINGS	10.25	92.25

Subtotal **5,267.25**

TOTAL BALANCE DUE **5,267.25**

A MONTHLY FINANCE CHARGE OF 1.5% WILL BE APPLIED TO PAST DUE INVOICES

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-02	4/30/2011	AP 1102	38,527.29	0.00	38,527.29

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	5/23/2011	007136	$38,527.29

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
5/23/2011	007136	**$38,527.29**

Thirty Eight Thousand Five Hundred Twenty Seven AND 29/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

Copy

Allen + Philp
architects · interiors

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: April 30, 2011
Invoice Number: AP1102-02

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: April 1 Thru April 30, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 60,439	*N/A*	$ 23,628.00	$ 23,628.00	$ -	$ 36,811.00
Total	$ 60,439	*N/A*	$ 23,628.00	$ 23,628.00	$ -	$ 36,811.00
Reimbursables	*N/A*	*N/A*	$ 517.88	$ 517.88	$ -	$ 1,716.29
				Past + Current Amounts Due:	$ -	$ 38,527.29
				Total Now Due		**$ 38,527.29**

[illegible]

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	60433	5/2/2011		430.65	0.00	430.65

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALL VALLEY REPROGRAPHICS, LLC	5/23/2011	007137	$430.65

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
5/23/2011	007137	**$430.65**

Four Hundred Thirty AND 65/100 Dollars

Pay to the order of:

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Copy

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/2/2011	60433

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-02692 AVR	Net 15	DESERT FASHION

Qty./Sq.Ft.	Description	Rate	Amount
1	WIDE FORMAT COLOR PRINTING ON HP 5000 1 SHEET 36 X 48 11 SHEETS LIGHT COLOR ORDERED BY MICHAEL (HOLD) PLAZA	396.00	396.00T
	Sales Tax	8.75%	34.65

Thank you for your business.

Total $430.65

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

CITY OF PALM SPRINGS

PO- 11-0626

PARTIAL RECEIVING REPORT

Partial #3

Received from:

VENDOR

Wessman Development Company Job Cost
555 South Sunrise Way, Suite 20
Palm Springs, CA 92264

Date: August 17, 2011

Vendor: _____

Invoice No.	Description	Amount
Invoice #3 - Dated 7/19/11		$38,664.91

Account No. 1400-58029

TOTAL: $38,664.91

Remarks: _____

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

Received by _____

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

8/23/11 _____

Date Economic Development Director

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

JULY 19, 2011
REIMBURSEMENT REQUEST #3

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ENGINEERING - SANBORN			19-Apr-11
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	31,385.79	28-Jun-11
	$	10,724.61	7/7/2011
P.S. DOWNTOWN REVITALIZATION COMMITTEE	$	50,000.00	23-May-01
PLANS - ALL VALLEY REPROGRAPHICS	$	35.59	9-Jun-11
	$	3.37	9-Jun-11
	$	19.74	9-Jun-11
	$	6.80	9-Jun-11
	$	84.83	9-Jun-11
	$	104.67	21-Jun-11
	$	103.92	21-Jun-11
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	14,440.50	21-Jun-11
APPRAISAL - CAPITAL REALTY ANALYSTS On Garage and Streets	$	18,900.00	7-Jul-11
KW PAINTING	$	1,520.00	9-Jun-11
PENTA BUILDING GROUP	$	11,500.00	21-Jun-11
TOTAL REIMBURSEMENT #3 PAID TO DATE AND UNREIMBURSED	$	127,329.82	
		revised 77,329.82	
TOTAL REIMBURSEMENT #3 REQUEST DUE FROM CITY	**$**	**63,664.91**	

We do not pay on this

now pay -> 38,664.91

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

FOR QUESTIONS, CALL MARTHA HIGGINS AT 760-325-3321

ATTACHMENTS: COPIES OF CHECKS AND INVOICES

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7146	**6/28/2011**	**06/11**	**ALLPH**	**ALLEN + PHILP ARCHITECTS, PC**						
010	AP11102			1350-128-01	AP1102-03	5/31/2011	5/31/2011	31,385.79	0.00	31,385.79
							Check Total:	*31,385.79*	*0.00*	*31,385.79*
7147	**7/7/2011**	**07/11**	**ALLPH**	**ALLEN + PHILP ARCHITECTS, PC**						
010	AP1102-04			1350-128-01	AP1102-04	6/30/2011	6/30/2011	10,724.61	0.00	10,724.61
							Check Total:	*10,724.61*	*0.00*	*10,724.61*
							ALLEN + PHILP ARCHITECTS, PC Total:	*42,110.40*	*0.00*	*42,110.40*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-03	5/31/2011	AP11102	31,385.79	0.00	31,385.79

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	6/28/2011	007146	$31,385.79

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/28/2011	007146	**$31,385.79**

Thirty One Thousand Three Hundred Eighty Five AND 79/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

Copy

Allen + Philp

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: May 31, 2011
Invoice Number: AP1102-03

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: May 1 Thru May 31, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 91,075	*N/A*	$ 60,439.00	$ 60,439.00	$ -	$ 30,636.00
Total	$ 91,075	*N/A*	$ 60,439.00	$ 60,439.00	$ -	$ 30,636.00
Reimbursables	*N/A*	*N/A*	$ 2,234.17	$ 2,234.17	$ -	$ 749.79
				Past + Current Amounts Due:	$ -	$ 31,385.79
					Total Now Due	**$ 31,385.79**

Allen + Philp

Time by Project (w/ Rates)

Report Date: May 31, 2011 5:31:53 PM

Access Level: All Report Data
Project Leader (All Projects)

Date Range: Apr 30, 2011 - May 27, 2011
Project: AP1102 Palm Springs MXD
AP1102PR Palm Springs MXD PR
Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Allen, Kenneth				
			May 3, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 6, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 9, 2011	2.50	USD$ 240.00	USD$ 600.00
			May 13, 2011	2.00	USD$ 240.00	USD$ 480.00
			May 16, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 19, 2011	1.50	USD$ 240.00	USD$ 360.00
			May 24, 2011	2.00	USD$ 240.00	USD$ 480.00
		Allen, Kenneth Summary		**11.00**		**USD$ 2,640.00**
		Kosednar, Matthew				
			May 9, 2011	4.00	USD$ 120.00	USD$ 480.00
			May 10, 2011	3.00	USD$ 120.00	USD$ 360.00
			May 26, 2011	1.00	USD$ 120.00	USD$ 120.00
		Kosednar, Matthew Summary		**8.00**		**USD$ 960.00**
		Marcoux, Michael				
			May 2, 2011	7.50	USD$ 132.00	USD$ 990.00
			May 3, 2011	9.50	USD$ 132.00	USD$ 1,254.00
			May 4, 2011	5.50	USD$ 132.00	USD$ 726.00
			May 5, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			May 6, 2011	7.50	USD$ 132.00	USD$ 990.00
			May 9, 2011	9.00	USD$ 132.00	USD$ 1,188.00
			May 10, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			May 11, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			May 12, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			May 13, 2011	7.50	USD$ 132.00	USD$ 990.00
			May 16, 2011	12.00	USD$ 132.00	USD$ 1,584.00
			May 17, 2011	9.50	USD$ 132.00	USD$ 1,254.00
			May 18, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			May 19, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			May 20, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			May 23, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			May 24, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			May 25, 2011	8.00	USD$ 132.00	USD$ 1,056.00
		Marcoux, Michael Summary		**150.00**		**USD$ 19,800.00**
		Philp, Mark				
			May 3, 2011	1.50	USD$ 240.00	USD$ 360.00
			May 4, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 6, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 9, 2011	2.50	USD$ 240.00	USD$ 600.00
			May 17, 2011	1.50	USD$ 240.00	USD$ 360.00
			May 18, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 19, 2011	1.00	USD$ 240.00	USD$ 240.00
			May 23, 2011	0.50	USD$ 240.00	USD$ 120.00
			May 24, 2011	1.50	USD$ 240.00	USD$ 360.00
			May 25, 2011	0.50	USD$ 240.00	USD$ 120.00
			May 26, 2011	0.50	USD$ 240.00	USD$ 120.00

Philp, Mark Summary		**12.50**		**USD$ 3,000.00**
Programming / Feasibility Summary		**181.50**		**USD$ 26,400.00**
AP1102 Summary		**181.50**		**USD$ 26,400.00**
AP1102PR				
Programming / Feasibility				
Heilman, Jonathan				
	May 6, 2011	6.00	USD$ 132.00	USD$ 792.00
	May 9, 2011	4.00	USD$ 132.00	USD$ 528.00
	May 10, 2011	5.00	USD$ 132.00	USD$ 660.00
	May 12, 2011	2.00	USD$ 132.00	USD$ 264.00
	May 27, 2011	1.00	USD$ 132.00	USD$ 132.00
Heilman, Jonathan Summary		**18.00**		**USD$ 2,376.00**
Kosednar, Matthew				
	May 11, 2011	4.00	USD$ 120.00	USD$ 480.00
	May 26, 2011	3.00	USD$ 120.00	USD$ 360.00
	May 27, 2011	8.50	USD$ 120.00	USD$ 1,020.00
Kosednar, Matthew Summary		**15.50**		**USD$ 1,860.00**
Programming / Feasibility Summary		**33.50**		**USD$ 4,236.00**
AP1102PR Summary		**33.50**		**USD$ 4,236.00**
Full Summary		**215.00**		**USD$ 30,636.00**

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Generated Tuesday, May 31, 2011 at 3:27:36PM

Copies by Device

From: "2011-5-1" To: "2011-5-30

AP1102 Palm Springs MXD

Starting Date: 5/2/2011 Ending Date: 5/27/2011 Number of Days: 26

Terminal : Copier	Count	Amount
SCO-F0-002: Canon IR 4580	4	$3.20
SCO-F0-004: Canon ImagePress C1	30	$24.00
Totals for Project: AP1102 Palm Springs MXD	**34**	**$27.20**

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Printing by Device

From: '2011-5-1' To: '2011-5-30'

AP1102 Palm Springs MXD

Starting Date: 5/2/2011 Ending Date: 5/28/2011 Number of Days: 27

Print Device	Count	Amount
Canon iR 4580 Color Copier	108	$135.45
Canon iR 5055 B/W Copier	11	$2.25
Color Inkjet DO	2	$0.50
HP DesignJet 4000	8	$420.04
HP Deskjet 6940 series	12	$9.60
HP LaserJet 3600 - 01	9	$2.25
Totals for Project: AP1102 Palm Springs MXD	**150**	**$570.09**

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Generated Tuesday, May 31, 2011 at 4:02:31PM

Printing by Device

From: '2011-5-1' To: '2011-5-30'

AP1106 Durango Hotel - Wessman

Starting Date: 5/2/2011 Ending Date: 5/28/2011 Number of Days: 27

Print Device	Count	Amount
Canon C1 Color Copier	10	$14.40
Oce TDS600	11	$23.10
Totals for Project: AP1106 Durango Hotel - Wessman	**21**	**$37.50**

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Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-04	6/30/2011	AP1102-04	10,724.61	0.00	10,724.61

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	7/7/2011	007147	$10,724.61

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
7/7/2011	007147	**$10,724.61**

Ten Thousand Seven Hundred Twenty Four AND 61/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

Copy

Allen + Philp

architects interiors

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102
Invoice Date: June 30, 2011
Invoice Number: AP1102-04

Contract Type: Hourly Rates + Reimbursable Expenses
Contract Amount: *TBD*

Professional Services for the Period: June 1 Thru June 30, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 101,647	*N/A*	$ 91,075.00	$ 60,439.00	$ 30,636.00	$ 10,572.00
Total	$ 101,647	*N/A*	$ 91,075.00	$ 60,439.00	$ 30,636.00	$ 10,572.00
Reimbursables	*N/A*	*N/A*	$ 2,983.96	$ 2,234.17	$ 749.79	$ 152.61

Past + Current Amounts Due: $ ~~31,385.79~~ Paid $ 10,724.61

Total Now Due $ ~~42,110.39~~ 10,724.61

Allen Philp

Time by Project (w/ Rates)

Report Date: Jul 1, 2011 11:47:40 AM

Access Level: All Report Data
Project Leader (All Projects)

Date Range: May 28, 2011 - Jul 1, 2011
Project: AP1102 Palm Springs MXD
AP1102PR Palm Springs MXD PR
Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Allen, Kenneth				
			Jun 9, 2011	1.00	USD$ 240.00	USD$ 240.00
			Jun 14, 2011	1.00	USD$ 240.00	USD$ 240.00
		Allen, Kenneth Summary		**2.00**		**USD$ 480.00**
		Marcoux, Michael				
			May 31, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			Jun 1, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			Jun 2, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			Jun 3, 2011	8.00	USD$ 132.00	USD$ 1,056.00
			Jun 6, 2011	8.50	USD$ 132.00	USD$ 1,122.00
			Jun 7, 2011	1.00	USD$ 132.00	USD$ 132.00
			Jun 8, 2011	2.50	USD$ 132.00	USD$ 330.00
			Jun 13, 2011	4.00	USD$ 132.00	USD$ 528.00
		Marcoux, Michael Summary		**49.00**		**USD$ 6,468.00**
		Philp, Mark				
			Jun 2, 2011	0.50	USD$ 240.00	USD$ 120.00
			Jun 3, 2011	0.50	USD$ 240.00	USD$ 120.00
			Jun 4, 2011	0.50	USD$ 240.00	USD$ 120.00
			Jun 12, 2011	1.00	USD$ 240.00	USD$ 240.00
			Jun 14, 2011	0.50	USD$ 240.00	USD$ 120.00
		Philp, Mark Summary		**3.00**		**USD$ 720.00**
	Programming / Feasibility Summary			**54.00**		**USD$ 7,668.00**
AP1102 Summary				**54.00**		**USD$ 7,668.00**
AP1102PR						
	Programming / Feasibility					
		Heilman, Jonathan				
			Jun 1, 2011	1.00	USD$ 132.00	USD$ 132.00
			Jun 2, 2011	1.00	USD$ 132.00	USD$ 132.00
		Heilman, Jonathan Summary		**2.00**		**USD$ 264.00**
		Kosednar, Matthew				
			May 31, 2011	11.00	USD$ 120.00	USD$ 1,320.00
			Jun 1, 2011	7.00	USD$ 120.00	USD$ 840.00
		Kosednar, Matthew Summary		**18.00**		**USD$ 2,160.00**
		Philp, Mark				
			May 31, 2011	0.50	USD$ 240.00	USD$ 120.00
			Jun 1, 2011	1.00	USD$ 240.00	USD$ 240.00
			Jun 13, 2011	0.50	USD$ 240.00	USD$ 120.00
		Philp, Mark Summary		**2.00**		**USD$ 480.00**
	Programming / Feasibility Summary			**22.00**		**USD$ 2,904.00**
AP1102PR Summary				**22.00**		**USD$ 2,904.00**
Full Summary				**76.00**		**USD$ 10,572.00**

"LASER" FORM #APHLG

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	5270-000-00	DONATION	5/23/2011		50,000.00	0.00	50,000.00

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	P.S. DOWNTOWN REVITALIZATION	5/23/2011	007139	$50,000.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
5/23/2011	007139	**$50,000.00**

Fifty Thousand AND 00/100 Dollars

Pay to the order of:

P.S. DOWNTOWN REVITALIZATION
COMMITTEE - C/O LYNNE BUSHORE
1801 E. TAHQUITZ CANYON WAY, 202
PALM SPRINGS, CA 92262

Copy

CHECK REQUEST

~~White~~ Job Cost

VENDOR CODE:	AMOUNT: $ 50000.00

MAKE CHECK PAYABLE TO:
Palm Springs Downtown
Revitalization Committee
c/o Lynne Bushore
1801 E. Tahquitz Canyon Way, Ste 202
Palm Springs CA 92262

ACCOUNTING INFORMATION:

ENTITY: _____	CHECK REQUESTED BY: _____
G/L ACCOUNT: _____-_____-_____	APPROVED DATE: _____

SPECIAL INSTRUCTIONS: Pd. Donation - but not reportable
~~X Call Lynne @ 760 325-9163~~
when ck is ready.

P.S. DOWNTOWN REVITALIZATION
COMMITTEE - C/O LYNNE BUSHORE
1801 E. TAHQUITZ CANYON WAY, 202
PALM SPRINGS, CA 92262

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5/24/2011 Through 7/8/2011

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7140	**6/9/2011**	**06/11**	**ALLVA**	**ALL VALLEY REPROGRAPHICS, LLC**						
010				1350-128-01	60810	5/19/2011	5/19/2011	84.83	0.00	84.83
010				1350-128-01	60779	5/18/2011	5/18/2011	35.59	0.00	35.59
010				1350-128-01	60780	5/18/2011	5/18/2011	3.37	0.00	3.37
010				1350-128-01	60794	5/18/2011	5/18/2011	19.74	0.00	19.74
010				1350-010-01	60795	5/18/2011	5/18/2011	6.80	0.00	6.80
							Check Total:	*150.33*	*0.00*	*150.33*
7143	**6/21/2011**	**06/11**	**ALLVA**	**ALL VALLEY REPROGRAPHICS, LLC**						
010				1350-128-01	61067	6/15/2011	6/15/2011	104.67	0.00	104.67
010				1350-128-01	61145	6/15/2011	6/15/2011	103.92	0.00	103.92
							Check Total:	*208.59*	*0.00*	*208.59*
							ALL VALLEY REPROGRAPHICS, LLC Total:	*358.92*	*0.00*	*358.92*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	60779	5/18/2011		35.59	0.00	35.59
010	WESSMAN DEVELOPMENT	1350-128-01	60780	5/18/2011		3.37	0.00	3.37
010	WESSMAN DEVELOPMENT	1350-128-01	60794	5/18/2011		19.74	0.00	19.74
010	WESSMAN DEVELOPMENT	1350-010-01	60795	5/18/2011		6.80	0.00	6.80
010	WESSMAN DEVELOPMENT	1350-128-01	60810	5/19/2011		84.83	0.00	84.83

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	ALL VALLEY REPROGRAPHICS, LLC	6/9/2011	007140	$150.33

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/9/2011	007140	**$150.33**

One Hundred Fifty AND 33/100 Dollars

Pay to the order of:

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

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ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/18/2011	60779

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-03052 AVR	Net 15	P S DOWNTOWN

Qty./Sq.Ft.	Description	Rate	Amount
1	W F BLUEPRINTING ON B/W PAPER 30 X 42, 1 ORIGINAL, 14 SETS FOLDED AND SCAN TO FILE	14.70	14.70T
1	FOLDING DOCUMENTS TO 8.5 X 11	19.60	19.60
	ORDERED BY MICHAEL (HOLD)		
	Sales Tax	8.75%	1.29

Thank you for your business.

Total $35.59

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/18/2011	60780

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-03053 AVR	Net 15	P S DOWNTOWN

Qty./Sq.Ft.	Description	Rate	Amount
1	W F BLUEPRINTING ON B/W PAPER 30 X 42, 1 ORIGINAL, 2 SETS LOOSE AND SCAN TO FILE	3.10	3.10T
	ORDERED BY MICHAEL (HOLD)		
	Sales Tax	8.75%	0.27

Thank you for your business.

Total $3.37

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/18/2011	60794

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-03077 AVR	Net 15	P S DOWNTOWN

Qty./Sq.Ft.	Description	Rate	Amount
1	W F BLUEPRINTING ON B/W PAPER 30 X 42, 1 ORIGINAL, 14 SETS LOOSE AND SCAN TO FILE	18.15	18.15T
	ORDERED BY MICHAEL (HOLD)		
	Sales Tax	8.75%	1.59

Thank you for your business.

Total $19.74

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/18/2011	60795

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-03078 AVR	Net 15	P S DOWNTOWN

Qty./Sq.Ft.	Description	Rate	Amount
1	W F BLUEPRINTING ON B/W PAPER 30 X 42, 1 ORIGINAL, 5 SETS LOOSE AND SCAN TO FILE	6.25	6.25T
	ORDERED BY MICHAEL (HOLD) SITE PLAN		
	Sales Tax	8.75%	0.55

Thank you for your business.

Total $6.80

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
5/19/2011	60810

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Order #	Terms	Project Name
11-03091 AVR	Net 15	P S DOWNTOWN

Qty./Sq.Ft.	Description	Rate	Amount
1	WIDE FORMAT COLOR PRINTING ON HP 5000 1 SHEET 24 X 36 2 SETS HEAVY COLOR	78.00	78.00T
	ORDERED BY MICHAEL (HOLD)		
	Sales Tax	8.75%	6.83

Thank you for your business.

Total $84.83

Phone #	Fax #	E-mail	Web Site
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com	www.allvalleyrepro.com

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	610676	6/15/2011		104.67	0.00	104.67
010	WESSMAN DEVELOPMENT	1350-128-01	611456	6/15/2011		103.92	0.00	103.92

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	ALL VALLEY REPROGRAPHICS, LLC	6/21/2011	007143	$208.59

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/21/2011	007143	**$208.59**

Two Hundred Eight AND 59/100 Dollars

Pay to the order of:

ALL VALLEY REPROGRAPHICS, LLC

P.O. BOX 425
THOUSAND PALMS, CA 92276

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ALL VALLEY
REPROGRAPHICS, LLC
P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
6/15/2011	61067

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Terms	Due Date	Order #
Net 15	6/30/2011	AVR 11-03368

Description	Qty / Sq Ftg	Rate	Amount
FULL COLOR 30X42 PRINTS ON PRESENTATION BOND ORDERED BY MICHAEL 6-1-11 **RUSH** PALM SPRINGS DOWNTOWN	17.5	5.50	96.25T

DSP

okrd

Thank you for your business.

Subtotal	$96.25
Sales Tax (8.75%)	$8.42
Total	$104.67
Balance Due	$104.67

Phone #	Fax #	E-mail
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com

ALL VALLEY
REPROGRAPHICS, LLC
P.O. BOX 425
THOUSAND PALMS, CA 92276

Invoice

Date	Invoice #
6/15/2011	61145

Bill To
WESSMAN DEVELOPMENT 555 S SUNRISE WAY SUITE 200 PALM SPRINGS,CA 92262

Terms	Due Date	Order #
Net 15	6/30/2011	AVR 11-03469

Description	Qty / Sq Ftg	Rate	Amount
1 MEDIUM COLOR 24X36 PRINT ON 7 MIL SATIN	6	5.00	30.00T
FOAM CORE PEEL & STICK PER SQ '	6	4.00	24.00T
1 MEDIUM COLOR 30X42 PRINT ON PRESENTATION BOND	8.75	4.75	41.56T
ORDERED BY MICHAEL BRAUN 6-6-11 PALM SPRINGS DOWN TOWN REVISED			

Thank you for your business.

Subtotal	$95.56
Sales Tax (8.75%)	$8.36
Total	$103.92
Balance Due	$103.92

Phone #	Fax #	E-mail
760/343-5090	760/343-5093	Cherie@allvalleyrepro.com

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7144	**6/21/2011**	**06/11**	**EALHE**	**EALY,HEMPHILL & BLASDEL, LLP**						
010	DFP			1350-128-03	49880	6/7/2011	6/7/2011	14,440.50	0.00	14,440.50
							Check Total:	*14,440.50*	*0.00*	*14,440.50*
							EALY,HEMPHILL & BLASDEL, LLP Total:	*14,440.50*	*0.00*	*14,440.50*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	49880	6/7/2011	DFP	14,440.50	0.00	14,440.50

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	6/21/2011	007144	$14,440.50

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/21/2011	007144	**$14,440.50**

Fourteen Thousand Four Hundred Forty AND 50/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

June 07, 2011

Invoice 49880
For Services Through

May 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	57.60	250.00	$14,400.00
LUCY SWANNER	0.30	135.00	$40.50

	Amount
PREVIOUS BALANCE	$16,715.50
5/17/2011 PAYMENT - THANK YOU	($16,715.50)
Total payments and adjustments	($16,715.50)
TOTAL AMOUNT DUE	$14,440.50

Professional Services

			Hours
5/4/2011	WCE	PREP FOR AND ATTEND MEETING AT CITY	2.80
5/9/2011	WCE	REVIEW AND ORGANIZE FILES; REVISE PROJECT DESCRIPTION TO REFLECT JOHN RAYMOND CHANGES BUT ELIMINATE	1.50

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

June 07, 2011

Invoice 49880

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		LANGUAGE REGARDING PROJECT FINANCE AGREEMENT ("PFA")		
5/9/2011	WCE	REVIEW FILE; PREPARE E-MAIL TO CLIENT REGARDING ADDITIONAL DEVELOPMENT AGREEMENT ISSUES; DISCUSSION WITH CLIENT REP REGARDING SAME; PREPARE E-MAIL TO DOUG HOLLAND AND JOHN RAYMOND REGARDING SAME	2.00	
5/10/2011	WCE	T CONF W/ CLIENT REGARDING CONFIDENTIALITY AGREEMENT; T CONF W/ CITY ATTY REGARDING SAME; T CONF W/ CLIENT	0.70	
5/11/2011	WCE	PREPARE DRAFT OF CONFIDENTIALITY AGREEMENT WITH CITY; REVIEW AND REVISE SAME PER DISCUSSION WITH CLIENT; AUTHORIZE MARTHA TO E-MAIL TO DOUG HOLLAND AND JOHN RAYMOND; PREP FOR AND ATTEND MEETING AT CITY	4.80	
5/12/2011	WCE	WORK ON AND FINALIZE, WITH INPUT FROM CLIENT, EXHIBIT "D" TO DEVELOPMENT AGREEMENT REGARDING PARKING WITHIN SPECIFIC PLAN; REVIEW TRANSIENT OCCUPANCY TAX ("TOT") REIMBURSEMENT ORDINANCES; WORK ON AND FINALIZE, WITH INPUT FROM CLIENT, EXHIBIT "E" TO DEVELOPMENT AGREEMENT REGARDING TOT REIMBURSEMENTS; E-MAILS TO AND FROM CLIENT REPS; REVIEW AND REVISE EXHIBIT "A" TO DEVELOPMENT AGREEMENT (PROJECT DESCRIPTION); REVIEW PROPOSED DOUG HOLLAND CHANGES TO DEVELOPMENT AGREEMENT; DISCUSS SAME WITH CLIENT; E-MAIL TO DOUG HOLLAND AND JOHN RAYMOND ATTACHING FINAL VERSIONS OF	6.00	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

June 07, 2011

Invoice 49880

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		EXHIBIT "A", "D" AND "E"; E-MAIL TO DOUG HOLLAND REGARDING SIGNING CONFIDENTIALITY AGREEMENT		
5/17/2011	WCE	T CONF W/ CLIENT; REVIEW FILES, INCLUDING EXHIBITS "A", "D" AND "E"; PREPARE CHANGES TO PROJECT DESCRIPTION	2.80	
5/18/2011	WCE	REVIEW REVISED PROJECT DESCRIPTION TO INCORPORATE NEW SITE PLAN; MAKE FURTHER CHANGES; E-MAIL TO CLIENT; OFFICE CONFERENCE W/ JOHN AND MICHAEL; MAKE FURTHER CHANGES TO PROJECT DESCRIPTION AND EXHIBIT "D" (PARKING AGREEMENTS); PREP FOR AND ATTEND MEETING AT CITY	4.50	
5/19/2011	LES	INTEROFFICE CONF W/ ATTORNEY W. CURT EALY; PULL GOVERNMENT CODE SECTIONS	0.30	
5/22/2011	WCE	REVIEW, ORGANIZE AND UPDATE FILES; REVIEW STAFF REPORT TO PLANNING COMMISSION AND ATTACHED DEVELOPMENT AGREEMENT AND EXHIBITS; PREPARE BLACKLINE REFLECTING LATEST CHANGES TO PROJECT DESCRIPTION REQUESTED BY JOHN RAYMOND; E-MAIL TO CLIENT REGARDING STAFF REPORT ISSUES	3.00	
5/23/2011	WCE	REVIEW FILE; BEGIN WORKING ON PROJECT FINANCE AGREEMENT (PFA)	1.50	
5/24/2011	WCE	REVIEW FILE; CONTINUE WORK ON PFA; T CONF W/ CLIENT REGARDING SAME	5.00	

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(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

June 07, 2011

Invoice 49880

MATTER: **DESERT FASHION PLAZA**

			Hours	Amount
5/25/2011	WCE	REVIEW AND ORGANIZE FILES	1.00	
5/26/2011	WCE	CONTINUE WORK ON PFA; PREP FOR AND ATTEND MEETING AT CITY; DISCUSSION WITH DOUG HOLLAND AFTER MEETING; PREPARE E-MAIL TO CLIENT REGARDING DISCUSSION WITH DOUG	4.50	
5/29/2011	WCE	CONTINUE WORK ON PFA TO REFLECT CHANGES REQUESTED BY CLIENT AND RESTRUCTURE CONCEPTS	6.00	
5/30/2011	WCE	CONTINUE WORK ON PFA; E-MAIL TO CLIENT; T CONF W/ CLIENT REGARDING NEED FOR ADDITIONAL CHANGES	5.00	
5/31/2011	WCE	MEETING WITH JOHN AND MICHAEL REGARDING FURTHER CHANGES TO PFA; CONTINUE WORK ON PFA AND CHANGES THERETO; E-MAIL SAME TO CLIENT; E-MAIL TO DOUG HOLLAND REGARDING SIGNING CONFIDENTIALITY AGREEMENT	6.50	
FOR PROFESSIONAL SERVICES RENDERED			57.90	$14,440.50

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7148	**7/7/2011**	**07/11**	**CAPRE**	**CAPITAL REALTY ANALYSTS**						
010	APPRAISAL C			1350-128-02	11-3312	6/9/2011	6/9/2011	18,900.00	0.00	18,900.00
							Check Total:	*18,900.00*	*0.00*	*18,900.00*
							CAPITAL REALTY ANALYSTS Total:	*18,900.00*	*0.00*	*18,900.00*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-02	11-3312	6/9/2011	APPRAISAL C	18,900.00	0.00	18,900.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	CAPITAL REALTY ANALYSTS	7/7/2011	007148	$18,900.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
7/7/2011	007148	**$18,900.00**

Eighteen Thousand Nine Hundred AND 00/100 Dollars

Pay to the order of:

CAPITAL REALTY ANALYSTS

78015 MAIN STREET, SUITE 204
LA QUINTA, CA 92253

Copy

Capital Realty Analysts

78015 Main Street, Suite 204
La Quinta, CA 92253

Invoice

DATE	INVOICE #
6/9/2011	11-3312

BILL TO	SHIP TO
Wessman Development Attn: Mr. John Wessman 555 South Sunrise Way Palm Springs, CA 92264-7894	Wessman Development Attn: Mr. John Wessman 555 South Sunrise Way Palm Springs, CA 92264-7894

TERMS

ITEM	DESCRIPTION	AMOUNT
Appraisal - C	Appraisal Fee - Commercial The Desert Fashion Plaza Parking Garage and Parking Garage Land and Streets; Located at the NWC of Tahquitz Canyon Way and Palm Canyon Drive; City of Palm Springs, Riverside County, CA.	18,900.00

Total $18,900.00

Federal Employer Identification Number: 33-0740705

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7141	**6/9/2011**	**06/11**	**KWPAI**	**K W PAINTING**						
010	PAINT-TENT AREA			1350-128-05	052011	5/20/2011	5/20/2011	1,520.00	0.00	1,520.00
							Check Total:	*1,520.00*	*0.00*	*1,520.00*
							K W PAINTING Total:	*1,520.00*	*0.00*	*1,520.00*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-05	052011	5/20/2011	PAINT-TENT AREA	1,520.00	0.00	1,520.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	K W PAINTING	6/9/2011	007141	$1,520.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/9/2011	007141	**$1,520.00**

One Thousand Five Hundred Twenty AND 00/100 Dollars

Pay to the order of:

K W PAINTING
DAVE KASHAK
POB 565
THOUSAND PALMS, CA 92276-0565

Copy

K W PAINTING
Post Office Box 565
Thousand Palms, CA 92276
Tel (760) 343-5363
Fax (760) 343-2023

Date: May 20, 2011

To: Wessman Development

Fax: (760) 325-5848

Attn: Octavio

Re: Painting Invoice:

Painting the back part of Desert Fashion Plaza, Pavilions tent area.

$1,520.00

Check # / Entity	Check Date / Reference	Check Pd	Vendor/Alternate Address ID / P.O. Number	Vendor Name / Account Number	Invoice Number	Invoice Date	Due Date	Invoice Amount	Discount Amount	Check Amount
7145	**6/21/2011**	**06/11**	**PENBU**	**THE PENTA BUILDING GROUP**						
010				1350-128-05	20110518	5/18/2011	5/18/2011	11,500.00	0.00	11,500.00
							Check Total:	*11,500.00*	*0.00*	*11,500.00*
							THE PENTA BUILDING GROUP Total:	*11,500.00*	*0.00*	*11,500.00*

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-05	20110518	5/18/2011		11,500.00	0.00	11,500.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	THE PENTA BUILDING GROUP	6/21/2011	007145	$11,500.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
6/21/2011	007145	**$11,500.00**

Eleven Thousand Five Hundred AND 00/100 Dollars

Pay to the order of:

THE PENTA BUILDING GROUP

44250 MONTEREY AVE.
PALM DESERT, CA 92260

Copy

The PENTA Building Group

44250 Monterey Ave.
Palm Desert, CA 92260

Phone: (760) 776-6111
Fax: (760) 776-6628
E-mail: jwallis@pentabldggroup.com

Invoice - Desert Fashion Plaza

Invoice # 20110518
Date: May 18, 2011
Customer ID: Wessman Development Co.

Bill To: Wessman Development Co.
300 S. Palm Canyon Dr.
Palm Springs, CA 92262
Attn: Michael Braun

Date	Type	Invoice #	Description	Amount	Payment	Balance
5/18/2011	100%	PENTA	Preconstruction Services	$11,500.00	$ -	$11,500.00
	All taxes have been paid and are included in this statement amount					
					Total	$ 11,500.00

Reminder: Please include the statement number on your check.

Terms: Balance due in 30 days.

REMITTANCE	
Customer Name:	Wessman Development Co.
Customer ID:	Wessman Development Co.
Statement #:	20110518
Date:	May 18, 2011
Amount Due:	$11,500.00
Amount Enclosed:	

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

PO- 11-0626

Partial #3

Received from:

VENDOR

Wessman Development Company Job Cost
555 South Sunrise Way, Suite 20
Palm Springs, CA 92264

Date: August 17, 2011

Vendor: _____

Invoice No.	Description	Amount
Invoice #3 - Dated 7/19/11		$38,664.91

Account No. 1400-58029

TOTAL: $38,664.91

Remarks: _____

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by _____

8/23/11
Date

Economic Development Director

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

JULY 19, 2011
REIMBURSEMENT REQUEST #3

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ENGINEERING - SANBORN			19-Apr-11
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	31,385.79	28-Jun-11
	$	10,724.61	7/7/2011
P.S. DOWNTOWN REVITALIZATION COMMITTEE	$	50,000.00	23-May-01
PLANS - ALL VALLEY REPROGRAPHICS	$	35.59	9-Jun-11
	$	3.37	9-Jun-11
	$	19.74	9-Jun-11
	$	6.80	9-Jun-11
	$	84.83	9-Jun-11
	$	104.67	21-Jun-11
	$	103.92	21-Jun-11
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	14,440.50	21-Jun-11
APPRAISAL - CAPITAL REALTY ANALYSTS On Garage and Streets	$	18,900.00	7-Jul-11
KW PAINTING	$	1,520.00	9-Jun-11
PENTA BUILDING GROUP	$	11,500.00	21-Jun-11
TOTAL REIMBURSEMENT #3 PAID TO DATE AND UNREIMBURSED	$	127,329.82	
	revised	77,329.82	
TOTAL REIMBURSEMENT #3 REQUEST DUE FROM CITY	$	**63,664.91**	

We do not pay on this

now pay -> 38,664.91

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

FOR QUESTIONS, CALL MARTHA HIGGINS AT 760-325-3321

ATTACHMENTS: COPIES OF CHECKS AND INVOICES

CITY OF PALM SPRINGS

PO- **11-0626:0**

PARTIAL RECEIVING REPORT

Partial #4

Received from:

V
E Wessman Development Company Job Cost
N
D 555 South Sunrise Way, Suite 20
O
R Palm Springs, CA 92264

Date received 10/18/11

Date 11/29/11

Vendor #

Invoice No.	Description	Amount
Request #4	**Reimbursement Agreement for design/development of Museum Market Plaza. (October, 2011)**	28,506.61 ~~$25,506.61~~
Request #5	**Reimbursement Agreement for design/development of Museum Market Plaza. (November, 2011)**	**$27,296.45**
Account #1400-58029	#55803.06 (MK) ~~$52,803.06~~	
	TOTAL:	**$52,803.06**

55,803.06

Remarks:

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by

11/29/11
Date

Department Head

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

October 17, 2011

City of Palm Springs
P.O. Box 2743
Palm Springs, Ca 92263

Attention: John Raymond
Redevelopment Director

OCT 18 2011

Re: Reimbursement Agreement
Request #4
Museum Market Plaza
Palm Springs, CA

Dear John:

Please find enclosed Request #4 for reimbursement for paid expenses as per the Reimbursement Agreement. Should you have any questions or need anything further, do not hesitate to contact me.

Sincerely,

Elly Sproston

Enclosure – Reimbursement Request #4

555 S. SUNRISE WAY · SUITE 200 · PALM SPRINGS, CA 92264 · PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

OCTOBER 17, 2011
REIMBURSEMENT REQUEST #4

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ENGINEERING - SANBORN	$	9,150.00	15-Sep-11
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	166.21	11-Aug-11
PLANS - ALL VALLEY REPROGRAPHICS			
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	17,870.00	14-Jul-11
	$	17,575.00	11-Aug-11
PENTA BUILDING GROUP	$	12,252.00	11-Aug-11
TOTAL REIMBURSEMENT #4 PAID TO DATE AND UNREIMBURSED	$	**57,013.21**	
TOTAL REIMBURSEMENT #4 REQUEST DUE FROM CITY	$	**28,506.61**	

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

FOR QUESTIONS, CALL MARTHA HIGGINS AT 760-325-3321

ATTACHMENTS: COPIES OF CHECKS AND INVOICES

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	50128	8/4/2011	DFP	17,575.00	0.00	17,575.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	8/11/2011	007155	$17,575.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
8/11/2011	007155	**$17,575.00**

Seventeen Thousand Five Hundred Seventy Five AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

August 04, 2011

Invoice 50128
For Services Through

July 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	70.30	250.00	$17,575.00

	Amount
PREVIOUS BALANCE	$17,870.00
7/19/2011 PAYMENT - THANK YOU	($17,870.00)
Total payments and adjustments	($17,870.00)
TOTAL AMOUNT DUE	$17,575.00

Professional Services

		Hours
7/1/2011 WCE	PREP FOR AND MEETING WITH JOHN WESSMAN AND JOHN RAYMOND; PREPARE NOTES REGARDING MEETING AND REVIEW CHANGES TO PSA REQUESTED BY HOLLAND	6.00

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
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RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

August 04, 2011

Invoice 50128

MATTER: DESERT FASHION PLAZA

			Hours	Amount
7/2/2011	WCE	REVIEW NOTES FROM MEETING WITH JOHN RAYMOND; WORK ON CHANGES TO PROJECT FINANCING AGREEMENT	7.00	
7/3/2011	WCE	CONTINUE WORK ON CHANGES TO PROJECT FINANCING AGREEMENT	5.00	
7/5/2011	WCE	MEETING WITH JOHN WESSMAN TO GO OVER CHANGES TO LATEST VERSION OF PROJECT FINANCING AGREEMENT; T CONF W/ ATTY DOUG HOLLAND; REVIEW AND MAKE ADDITIONAL CHANGES REQUESTED BY JOHN WESSMAN; E-MAIL SAME TO ATTY HOLLAND, ATTACHING CLEAN AND BLACKLINE COPIES	3.20	
7/6/2011	WCE	PREP FOR AND ATTEND WEEKLY MEETING AT CITY	3.30	
7/7/2011	WCE	REVIEW FILES; E-MAIL TO JOHN WESSMAN REGARDING REVISING PROJECT FINANCING AGREEMENT, PREPARING EASEMENT AGREEMENT, PREPARING SEPARATE (NO CONDEMNATION) AGREEMENT WITH REDEVELOPMENT AGENCY, DEVELOPMENT FEES, SCHEDULE OF PERFORMANCE, AND RESPONDING TO EMINENT DOMAIN LETTER FROM REDEVELOPMENT AGENCY	0.70	
	WCE	T CONF W/ JOHN WESSMAN REGARDING REPORT FROM CITY MANAGER THAT COUNCIL IS CONCERNED ABOUT DEFAULTS AND PERSONAL GUARANTEE; T CONF W/ ATTY DOUG HOLLAND REGARDING SAME; CONF CALL W/ DOUG AND JOHN WESSMAN; 2ND T CONF W/ DOUG; T CONF W/ JOHN WESSMAN; PREPARE E-MAIL TO DOUG REGARDING PERSONAL GUARANTEE	3.50	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
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RANCHO MIRAGE, CA 92270

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MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

August 04, 2011

Invoice 50128

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		AND CITY PUTTING IN ALL MONEY UP FRONT; REVIEW E-MAIL FROM DOUG		
7/8/2011	WCE	REVIEW LETTER FROM CITY ATTORNEY (DOUG HOLLAND) REGARDING RESOLUTION OF NECESSITY HEARING ON JULY 20, 2011; REVIEW PAST CORRESPONDENCE REGARDING CONDEMNATION; PREPARE RESPONSE LETTER FROM JOHN WESSMAN TO LETTER FROM CITY ATTORNEY; T CONF W/ MARTHA HIGGINS REGARDING SAME	2.50	
7/9/2011	WCE	REVIEW/ORGANIZE FILES; E-MAIL TO JOHN WESSMAN REGARDING STATUS AND EASEMENT AGREEMENT	1.00	
7/12/2011	WCE	FURTHER REVIEW/ORGANIZATION OF FILES	1.00	
7/13/2011	WCE	T CONF W/ JOHN WESSMAN REGARDING CONF CALL W/ CITY; PREP FOR AND PARTICIPATE IN CONF CALL W/ CITY	4.00	
7/14/2011	WCE	REVIEW NOTES FROM CONF CALL W/ CITY ON JULY 13; REVIEW EASEMENT AGREEMENT FOR GARDENS AT EL PASEO; T CONF W/ JOHN WESSMAN REGARDING RESERVING EASEMENTS IN GRANT DEED NOT WORKING BECAUSE OF DIFFERENT OWNERSHIP OF TOWN & COUNTRY CENTER	1.80	
7/18/2011	WCE	FURTHER REVIEW OF NOTES FROM CONF CALL W/ CITY; T CONF W/ JOHN WESSMAN REGARDING RESPONSE TO RESOLUTION OF NECESSITY;	0.80	
7/19/2011	WCE	REVIEW STAFF REPORT FOR PFA; REVIEW STAFF REPORT FOR RESOLUTION OF NECESSITY; REVIEW STAFF REPORT FOR	3.80	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
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RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

August 04, 2011

Invoice 50128

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		BALLOT MEASURE; BEGIN REVIEW OF CONDEMNATION FILE		
7/20/2011	WCE	CONTINUE REVIEW OF CONDEMNATION FILE AND STAFF REPORTS; T CONF W/ ATTY HOLLAND REGARDING COUNCIL MEETING AGENDA AND RESOLUTION OF NECESSITY; T CONF W/ JOHN WESSMAN REGARDING SAME; E-MAIL TO ATTY HOLLAND CONFIRMING DISCUSSION; REVIEW RESPONSE FROM ATTY HOLLAND AND FORWARD SAME TO JOHN WESSMAN; T CONF W/ JOHN WESSMAN REGARDING DESERT SUN AND COUNCIL MEETING	3.20	
7/25/2011	WCE	E-MAIL TO ATTY DOUG HOLLAND REGARDING COMPLETING PROJECT FINANCING AGREEMENT; REVIEW RESPONSE FROM HOLLAND; T CONF W/ JOHN WESSMAN REGARDING EASEMENT AGREEMENT; T CONF W/ JOHN SANBORN REGARDING SAME	1.00	
7/26/2011	WCE	LEGAL RESEARCH REGARDING "AIRSPACE" ISSUES CONCERNING UNDERGROUND PARKING STRUCTURES IN CONNECTION WITH CONVEYANCES TO CITY; T CONF W/ JOHN SANBORN REGARDING SAME; T CONF W/ JOHN WESSMAN REGARDING SAME	1.80	
7/27/2011	WCE	FURTHER LEGAL RESEARCH REGARDING "AIRSPACE" ISSUES; BEGIN WORK ON EASEMENT AGREEMENT; PREPARE E-MAIL TO ATTY HOLLAND	3.20	
7/28/2011	WCE	T CONF W/ JOHN SANBORN; CONTINUE WORK ON EASEMENT AGREEMENT	2.50	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
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RANCHO MIRAGE, CA 92270

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MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

August 04, 2011

Invoice 50128

MATTER: DESERT FASHION PLAZA

			Hours	Amount
7/30/2011	WCE	REVIEW FILES; WORK ON EASEMENT AGREEMENT; E-MAIL TO CLIENT; REVIEW/RESPOND TO E-MAILS	7.50	
7/31/2011	WCE	REVIEW FILES; WORK ON IMPROVEMENT ESCROW AGREEMENT; MEETING WITH JOHN WESSMAN TO REVIEW EASEMENT AGREEMENT AND DISCUSS TERMS OF IMPROVEMENT ESCROW AGREEMENT; REVISE EASEMENT AGREEMENT PER MEETING WITH JOHN AND E-MAIL SAME TO JOHN; FINISH FIRST DRAFT OF IMPROVEMENT ESCROW AGREEMENT AND E-MAIL SAME TO JOHN	7.50	
FOR PROFESSIONAL SERVICES RENDERED			70.30	$17,575.00

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-05	7/31/2011	AP1102	166.21	0.00	166.21

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	8/11/2011	007153	$166.21

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
8/11/2011	007153	**$166.21**

One Hundred Sixty Six AND 21/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

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Allen + Philp

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: July 31, 2011
Invoice Number: AP1102-05

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: July 1 Thru July 31, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 101,779	*N/A*	$ 101,647.00	$ 101,647.00	$ -	$ 132.00
Total	$ 101,779	*N/A*	$ 101,647.00	$ 101,647.00	$ -	$ 132.00
Reimbursables	*N/A*	*N/A*	$ 3,136.57	$ 3,136.57	$ -	$ 34.21
				Past + Current Amounts Due:	$ -	$ 166.21
					Total Now Due	**$ 166.21**

Allen Phillips

Time by Project (w/ Rates)

Report Date: Aug 2, 2011 7:59:14 AM

Access Level: All Report Data
Project Leader (All Projects)

Date Range: Jul 2, 2011 - Jul 29, 2011

Project: AP1102 Palm Springs MXD
AP1102PR Palm Springs MXD PR

Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Marcoux, Michael				
			Jul 20, 2011	1.00	USD$ 132.00	USD$ 132.00
		Marcoux, Michael Summary		**1.00**		**USD$ 132.00**
	Programming / Feasibility Summary			**1.00**		**USD$ 132.00**
AP1102 Summary				**1.00**		**USD$ 132.00**
Full Summary				**1.00**		**USD$ 132.00**

Allen + Philp

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Copies by Device

From: '2011-6-29' To: '2011-7-31'

AP1102 Palm Springs MXD

Starting Date: 6/29/2011 Ending Date: 7/30/2011 Number of Days: 32

Terminal : Copier	Count	Amount
SCO-F0-003: IR 2800	2	$0.50
Totals for Project: AP1102 Palm Springs MXD	**2**	**$0.50**

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Printing by Device

From: '2011-6-29' To: '2011-7-31'

AP1102 Palm Springs MXD

Starting Date: 6/29/2011 Ending Date: 7/29/2011 Number of Days: 31

Print Device	Count	Amount
Canon iR 4580 Color Copier	17	$22.55
HP LaserJet 3600 - 01	24	$6.00
Totals for Project: AP1102 Palm Springs MXD	**41**	**$28.55**

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Printing by Device

From: 2011-6-29 To: 2011-7-31

AP1106 Durango Hotel - Wessman

Starting Date: 6/29/2011 Ending Date: 7/29/2011 Number of Days: 31

Print Device	Count	Amount
HP LaserJet 3600 - 01	2	$0.50
Totals for Project: AP1106 Durango Hotel - Wessman	**2**	**$0.50**

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Generated Monday, August 01, 2011 at 8:36:22AM

Telephone Log

From: '2011-6-29' To: '2011-7-31'

AP1102 Palm Springs MXD

Starting Date: **6/29/2011** Ending Date: **7/29/2011** Number of Days: **31**

Date	Time	Extension	Number	Destination	Duration	Amount
6/29/2011	3:29:46PM	8602	1(760)325-3050	PALM SPGS CA	00:01:15	$0.20
Totals for AP1102 Palm Springs MXD					**00:01:15**	**$0.20**

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Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	50016	7/7/2011	DFP	17,870.00	0.00	17,870.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	7/14/2011	007150	$17,870.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
7/14/2011	007150	**$17,870.00**

Seventeen Thousand Eight Hundred Seventy AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

July 07, 2011

Invoice 50016
For Services Through

June 30, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	70.60	250.00	$17,650.00
EMILY PERRI HEMPHILL	0.60	300.00	$180.00

	Amount
PREVIOUS BALANCE	$14,440.50
6/24/2011 PAYMENT - THANK YOU	($14,400.50)
Total payments and adjustments	($14,400.50)
TOTAL AMOUNT DUE	$17,870.00

Professional Services

		Hours
6/1/2011 WCE	FURTHER WORK ON PROJECT FINANCING AGREEMENT; E-MAIL REVISED DRAFT TO CLIENT; PREP FOR AND MEETING AT CITY; E-MAIL TO CLIENT REGARDING SAME	5.50

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

July 07, 2011

Invoice 50016

MATTER: DESERT FASHION PLAZA

			Hours	Amount
6/3/2011	WCE	REVIEW/ORGANIZE FILES; T CONF W/ CLIENT REGARDING ADDITIONAL CHANGES TO PROJECT FINANCE AGREEMENT	2.40	
6/4/2011	WCE	REVIEW/REVISE PROJECT FINANCE AGREEMENT PER DISCUSSION WITH CLIENT; E-MAIL CLEAN AND BLACKLINE COPIES TO CLIENT	4.80	
6/6/2011	WCE	SEVERAL T CONF W/ CLIENT; MAKE REVISIONS TO PROJECT FINANCE AGREEMENT ACCORDINGLY	1.50	
6/7/2011	EPH	T CONF W/ ATTORNEY W. CURT EALY REGARDING MEANS OF OBTAINING VESTED RIGHTS AND CITY'S REFUSAL TO DO DEVELOPMENT AGREEMENT	0.30	
6/8/2011	WCE	T CONF W/ CLIENT REGARDING ADDITIONAL CHANGES TO PROJECT FINANCE AGREEMENT; MAKE CHANGES ACCORDINGLY AND E-MAIL SAME TO CLIENT; E-MAIL SAME TO CITY ATTY; PREP FOR AND ATTEND WEEKLY MEETING AT CITY; SUBSEQUENT MEETING WITH CITY ATTY AND JOHN RAYMOND	5.00	
6/9/2011	WCE	PREP FOR AND ATTEND WEEKLY MEETING AT CITY	2.80	
6/12/2011	WCE	WORK ON CREATING PURCHASE AND SALE AGREEMENT TO REPLACE PROJECT FINANCE AGREEMENT	7.00	
6/13/2011	WCE	MEETING AT CLIENT'S OFFICE WITH CLIENT AND TOM NOCE TO REVIEW PURCHASE AND SALE AGREEMENT AND EXHIBITS	1.80	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

July 07, 2011

Invoice 50016

MATTER: DESERT FASHION PLAZA

			Hours	Amount
6/13/2011	WCE	CONTINUE WORK ON CREATING PURCHASE AND SALE AGREEMENT TO REPLACE PROJECT FINANCE AGREEMENT; WORK ON CREATING EXHIBIT B (PROJECT DESCRIPTION)	6.20	
	WCE	T CONF W/ CLIENT REGARDING CHANGES TO PURCHASE AND SALE AGREEMENT AND EXHIBIT B (PROJECT DESCRIPTION); T CONF W/ TOM NOCE REGARDING TAX ISSUES	0.80	
6/15/2011	WCE	WORK ON PURCHASE AND SALE AGREEMENT AND EXHIBITS; NUMEROUS T CONF W/ CLIENT REGARDING SAME; PREPARE OUTLINE OF PURCHASE AND SALE AGREEMENT	6.50	
6/16/2011	WCE	T CONF W/ CLIENT REGARDING CCRS AND SCHEDULE OF PERFORMANCE; PREP FOR AND ATTEND WEEKLY MEETING AT CITY	3.00	
6/17/2011	WCE	INTER OFFICE CONF; T CONF W/ CLIENT REGARDING ATTY HOLLAND; REVIEW CITY/KMA PROJECT FINANCIAL ANALYSIS	0.80	
6/18/2011	WCE	REVIEW AND REVISE PURCHASE AND SALE AGREEMENT AND EXHIBIT B (PROJECT DESCRIPTION) TO ELIMINATE TOWN AND COUNTRY CENTER; PREPARED E-MAIL TO CITY ATTORNEY; T CONF W/ CLIENT REGARDING SAME	2.70	
6/20/2011	WCE	T CONF W/ CLIENT; REVIEW DON PRESS E-MAIL; 2ND T CONF W/ CLIENT; SEND E-MAIL TO ATTY HOLLAND REGARDING KEEPING PURCHASE PRICE THE SAME AND NOT INCLUDING LOAN TO BE REPAID WITH FUTURE SALES TAX PROCEEDS; REVIEW AND MAKE CHANGES TO PURCHASE AND	3.30	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

July 07, 2011

Invoice 50016

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		SALE AGREEMENT PER REQUEST OF CLIENT; E-MAIL SAME TO CLIENT; T CONF W/ CLIENT REGARDING FURTHER CHANGES		
6/21/2011	WCE	REVIEW AND REVISE PURCHASE AND SALE AGREEMENT PER T CONF W/ CLIENT ON 6/20/11; T CONF W/ CLIENT; FURTHER REVIEW AND REVISION OF PURCHASE AND SALE AGREEMENT; E-MAIL REVISED PURCHASE AND SALE AGREEMENT TO ATTY HOLLAND	1.80	
6/22/2011	WCE	PREP FOR AND ATTEND WEEKLY MEETING AT CITY	2.50	
6/24/2011	WCE	REVIEW LETTER FROM ATTY HOLLAND REGARDING CITY CONDEMNATION OF SPECIFIC PLAN PROPERTY; T CONF W/ CLIENT REGARDING SAME	0.50	
6/26/2011	WCE	REVIEW RECORDED DOCUMENTS FOR THE GARDENS IN PALM DESERT; E-MAIL TO MARTHA REGARDING MISSING EASEMENT AGREEMENT	1.00	
6/27/2011	WCE	REVIEW EMINENT DOMAIN LETTER FROM ATTY HOLLAND; REVIEW FILES REGARDING EMINENT DOMAIN; LEGAL RESEARCH REGARDING SAME	1.80	
6/28/2011	EPH	REVIEW/RESPOND TO E-MAIL FROM ATTORNEY W. CURT EALY SEEKING LETTER FROM CITY ATTORNEY	0.30	
	WCE	FURTHER REVIEW OF LETTER FROM ATTY HOLLAND REGARDING CONDEMNATION; REVIEW PRIOR CORRESPONDENCE WITH CITY REGARDING SAME	1.30	

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

July 07, 2011

Invoice 50016

MATTER: DESERT FASHION PLAZA

			Hours	Amount
6/29/2011	WCE	REVIEW CHANGES TO PURCHASE AND SALE AGREEMENT FROM ATTY HOLLAND; LEGAL RESEARCH REGARDING CONDEMNATION ISSUES; MEETING WITH CLIENT REGARDING CHANGES TO PURCHASE AND SALE AGREEMENT MADE BY ATTY HOLLAND, AND REGARDING GINNY FOAT CHANGES AND APPROVALS OF AGREEMENT; REVIEW KMA REPORT ON PROJECT "GAP"; PREP FOR AND ATTEND WEEKLY MEETING AT CITY; PREPARED RESPONSE TO ATTY HOLLAND LETTER REGARDING CONDEMNATION; E-MAIL TO JOHN RAYMOND REGARDING OBTAINING COPY OF STAFF REPORT	5.80	
6/30/2011	WCE	T CONF W/ CLIENT; REVIEW PROPOSED STAFF REPORT FROM JOHN RAYMOND; REVIEW PARKING EASEMENT AGREEMENT FOR THE GARDENS AT PALM DESERT	1.80	
FOR PROFESSIONAL SERVICES RENDERED			71.20	$17,830.00

RECORDER FORM #089-LG

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-05	20110803	8/3/2011	PRECON	12,252.00	0.00	12,252.00

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	THE PENTA BUILDING GROUP	8/11/2011	007156	$12,252.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
8/11/2011	007156	**$12,252.00**

Twelve Thousand Two Hundred Fifty Two AND 00/100 Dollars

Pay to the order of:

THE PENTA BUILDING GROUP

44250 MONTEREY AVE.
PALM DESERT, CA 92260

Copy

The PENTA Building Group

44250 Monterey Ave.
Palm Desert, CA 92260

Phone: (760) 776-6111
Fax: (760) 776-6628
E-mail: jwallis@pentabldggroup.com

Invoice - Desert Fashion Plaza

Invoice # 20110803
Date: August 3, 2011
Customer ID: Wessman Development Co.

Bill To: Wessman Development Co.
300 S. Palm Canyon Dr.
Palm Springs, CA 92262
Attn: Michael Braun

Date	Type	Invoice #	Description	Amount	Payment	Balance
5/18/2011	100%	PENTA	Preconstruction Services	$11,500.00	$ -	$11,500.00
6/28/2011	100%	PENTA	Check # 007145		$ 11,500.00	$ (11,500.00)
8/3/2011	100%	PENTA	Preconstruction Services	$12,252.00		$12,252.00
	Accounting Error - Corrected Invoice - Remainder of Preconstruction Costs					
	All taxes have been paid and are included in this statement amount					
					Total	$12,252.00

Reminder: Please include the statement number on your check.

Terms: Balance due in 30 days.

REMITTANCE	
Customer Name:	Wessman Development Co.
Customer ID:	Wessman Development Co.
Statement #:	20110803
Date:	August 3, 2011
Amount Due:	$12,252.00
Amount Enclosed:	

REORDER FORM #099-LG

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	7834	8/5/2011	11-105	9,150.00	0.00	9,150.00

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	SANBORN A/E	9/15/2011	007157	$9,150.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
9/15/2011	007157	**$9,150.00**

Nine Thousand One Hundred Fifty AND 00/100 Dollars

Pay to the order of:

SANBORN A/E

71-780 SAN JACINTO, SUITE E-1
RANCHO MIRAGE, CA 92270

Copy

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

71-780 San Jacinto Dr.
Suite E-1
Rancho Mirage, Ca.
92270

SANBORN A / E

INVOICE

Invoice Number:
7834
Invoice Date:
Aug 5, 2011

WESSMAN DEVELOPMENT
Michael Braun
555 S. Sunrise Way
Palm Springs, CA 92264

Job Description : **Desert Inn Fashion Plaza Site Plan**

Work Order No.	Payment Terms	Due Date	Project Manager
11-105	Net 1st of Next Month	9/1/11	John L. Sanborn

Hours/Quantity	Item	Description	Rate	Extension
6.00		Modify site plan, calc areas, coordinate information - July/August	100.00	600.00
19.00		Prepare Easement Plats and Legals and Calculation closures / Meetings	450.00	8,550.00
			Subtotal	**9,150.00**
			TOTAL BALANCE DUE	**9,150.00**

A MONTHLY FINANCE CHARGE OF 1.5% WILL BE APPLIED TO PAST DUE INVOICES

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

NOV 28 2011

November 21, 2011

City of Palm Springs
P.O. Box 2743
Palm Springs, 92263

Attention: John Raymond
Redevelopment Director

Re: Reimbursement Agreement
Request #5
Museum Market Plaza
Palm Springs, CA

Dear John:

Please find enclosed Request #5 for reimbursement for paid expenses as per the Reimbursement Agreement. Should you have any questions or need anything further, do not hesitate to contact me.

Sincerely,

Martha Higgins

Martha Higgins

555 S. SUNRISE WAY · SUITE 200 · PALM SPRINGS, CA 92264 · PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

NOVEMBER 21, 2011
REIMBURSEMENT REQUEST #5

DESCRIPTION		**REQUESTED DISBURSEMENT**	**DATE PAID**
RCH STUDIOS	$	12,000.00	10/11/2011
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	1,370.89	10/28/2011
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	19,745.00	9/22/2011
	$	19,977.00	10/20/2011
APPRAISAL - CAPITAL REALTY ANALYSTS On Garage and Streets	$	1,500.00	10/20/2011
TOTAL REIMBURSEMENT #5 PAID TO DATE AND UNREIMBURSED	$	54,592.89	
TOTAL REIMBURSEMENT #5 REQUEST DUE FROM CITY	**$**	**27,296.45**	

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

FOR QUESTIONS, CALL ELLY SPROSTON AT 760-325-3321

ATTACHMENTS: COPIES OF CHECKS AND INVOICES

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	1ST DRAW	10/11/2011	PS PROMENADE	12,000.00	0.00	12,000.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	RCH STUDIOS	10/11/2011	007159	$12,000.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
10/11/2011	007159	**$12,000.00**

Twelve Thousand AND 00/100 Dollars

Pay to the order of:

RCH STUDIOS

639 N. LARCHMONT DRIVE, STE. 100
LOS ANGELES, CA 900041310

Copy

Elly Sproston

From: Michael Braun
Sent: Tuesday, October 11, 2011 10:22 AM
To: Mark Rios
Cc: Bob Hale; Leilani Lacusong; Martha Higgins; Elly Sproston
Subject: Re: Invoice

Mark

We can not locate the previously issued check, so we will issue a new one today for $12k and overnight it. If you get the previous issued check, notify us and we simply let it run against the next billing cycle from you.

Thank you
MB -sent from my I Phone

On Oct 11, 2011, at 9:34 AM, "Mark Rios" <mark@rchstudios.com> wrote:

> Michael. Can you check the status of our first invoice. I need to
> send a check to the renderrer. Thnks!
>
> Sent from my iPhone

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-06R	9/30/2011	AP1102	1,370.89	0.00	1,370.89

		Date	Check No.	Check Amount
Payor:	WESSMAN DEVELOPMENT COMPANY			
Payee:	ALLEN + PHILP ARCHITECTS, PC	10/28/2011	007162	$1,370.89

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
10/28/2011	007162	**$1,370.89**

One Thousand Three Hundred Seventy AND 89/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

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Allen + Philp
architects • interiors

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: September 30, 2011
Invoice Number: AP1102-06R

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: August 1 Thru September 30, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 103,135	*N/A*	$ 101,779.00	$ 101,779.00	$ -	$ 1,356.00
Total	$ 103,135	*N/A*	$ 101,779.00	$ 101,779.00	$ -	$ 1,356.00
Reimbursables	*N/A*	*N/A*	$ 3,170.78	$ 3,170.78	$ -	$ 14.89
				Past + Current Amounts Due:	$ -	$ 1,370.89
				Total Now Due		**$ 1,370.89**

plc mtk 10/26/11

7154 East Stetson Drive Fourth Floor Scottsdale, Arizona 85251 USA
480.990.2500 Fax 480.990.3800 www.allenphilp.com

Allen + Philp

Time by Project (w/ Rates)

Report Date: Oct 6, 2011 10:31:16 AM

Access Level: Project Leader (All Projects)

Date Range: Sep 1, 2011 - Sep 30, 2011

Project: AP1102 Palm Springs MXD

Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Allen, Kenneth				
			Sep 12, 2011	1.50	USD$ 240.00	USD$ 360.00
		Allen, Kenneth Summary		**1.50**		**USD$ 360.00**
		Marcoux, Michael				
			Sep 12, 2011	0.50	USD$ 132.00	USD$ 66.00
			Sep 19, 2011	2.50	USD$ 132.00	USD$ 330.00
		Marcoux, Michael Summary		**3.00**		**USD$ 396.00**
		Philp, Mark				
			Sep 12, 2011	1.50	USD$ 240.00	USD$ 360.00
			Sep 19, 2011	1.00	USD$ 240.00	USD$ 240.00
		Philp, Mark Summary		**2.50**		**USD$ 600.00**
	Programming / Feasibility Summary			**7.00**		**USD$ 1,356.00**
AP1102 Summary				**7.00**		**USD$ 1,356.00**
Full Summary				**7.00**		**USD$ 1,356.00**

Allen + Philp
architects · interiors

Generated Wednesday, August 31, 2011
at 4:11:22PM

Copies by Device

From: '2011-7-30' To: '2011-8-30'

AP1102 Palm Springs MXD

Starting Date: **7/30/2011** Ending Date: **8/30/2011** Number of Days: **32**

Terminal : Copier	Count	Amount
SCO-F0-003: IR 2800	2	$0.50
Totals for Project: AP1102 Palm Springs MXD	**2**	**$0.50**

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Generated Monday, October 03, 2011 at 8:45:00AM

Copies by Device

From: "2011-8-31" To: "2011-9-30"

AP1102 Palm Springs MXD

Starting Date: 8/31/2011 Ending Date: 9/30/2011 Number of Days: 31

Terminal : Copier	Count	Amount
SCO-F0-002: Canon IR 4580	4	$3.20
Totals for Project: AP1102 Palm Springs MXD	**4**	**$3.20**

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Printing by Device

From: '2011-7-30' To: '2011-8-30'

AP1102 Palm Springs MXD

Starting Date: 8/1/2011 Ending Date: 8/30/2011 Number of Days: 30

Print Device	Count	Amount
HP LaserJet 3600 - 01	11	$2.75
Totals for Project: AP1102 Palm Springs MXD	11	$2.75

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Generated Thursday, September 01, 2011 at 9:03:09AM

Printing by Device

From: '2011-7-30' To: '2011-8-30'

AP1106 Durango Hotel - Wessman

Starting Date: 8/1/2011 Ending Date: 8/30/2011 Number of Days: 30

Print Device	Count	Amount
HP LaserJet 3600 - 01	1	$0.25
Totals for Project: AP1106 Durango Hotel - Wessman	**1**	**$0.25**

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Generated Monday, October 03, 2011 at 9:11:49AM

ing by Device

11-8-31' To: '2011-9-30'

AP1102 Palm Springs MXD

g Date: 8/31/2011 Ending Date: 9/30/2011 Number of Days: 31

rint Device	Count	Amount
Canon iR 4580 Color Copier	3	$4.00
Color Inkjet DO	2	$0.50
IP 4000	4	
IP LaserJet 3600 - 01	6	$1.50
otals for Project: AP1102 Palm Springs MXD	**15**	**$6.00**

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Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-02	APPRAISAL	10/20/2011	GENERAL APPRAISAL	1,500.00	0.00	1,500.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	CAPITAL REALTY ANALYSTS	10/20/2011	007160	$1,500.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
10/20/2011	007160	**$1,500.00**

One Thousand Five Hundred AND 00/100 Dollars

Pay to the order of:

CAPITAL REALTY ANALYSTS

78015 MAIN STREET, SUITE 204
LA QUINTA, CA 92253

Copy

Check Requests:

1. Mike Bancella ($1500)
   General Appraisal Fees

Capital Realty Analysts

DCP

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	502749	9/12/2011	DFP	19,745.00	0.00	19,745.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	9/22/2011	007158	$19,745.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
9/22/2011	007158	**$19,745.00**

Nineteen Thousand Seven Hundred Forty Five AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

September 12, 2011

Invoice 50274
For Services Through

August 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	78.50	250.00	$19,625.00
EMILY PERRI HEMPHILL	0.40	300.00	$120.00

	Amount
PREVIOUS BALANCE	$17,575.00
8/17/2011 PAYMENT - THANK YOU	($17,575.00)
Total payments and adjustments	($17,575.00)
TOTAL AMOUNT DUE	$19,745.00

Professional Services

		Hours
8/1/2011 WCE	T CONF W/ CLIENT REGARDING CHANGES TO EASEMENT AGREEMENT AND IMPROVEMENT ESCROW AGREEMENT; REVIEW AGREEMENTS REGARDING SAME	1.50

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	50274	9/12/2011	DFP	19,745.00	0.00	19,745.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	9/22/2011	007158	$19,745.00

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
9/22/2011	007158	**$19,745.00**

Nineteen Thousand Seven Hundred Forty Five AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

September 12, 2011

Invoice 50274
For Services Through

August 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	78.50	250.00	$19,625.00
EMILY PERRI HEMPHILL	0.40	300.00	$120.00

	Amount
PREVIOUS BALANCE	$17,575.00
8/17/2011 PAYMENT - THANK YOU	($17,575.00)
Total payments and adjustments	($17,575.00)
TOTAL AMOUNT DUE	$19,745.00

Professional Services

		Hours
8/1/2011 WCE	T CONF W/ CLIENT REGARDING CHANGES TO EASEMENT AGREEMENT AND IMPROVEMENT ESCROW AGREEMENT; REVIEW AGREEMENTS REGARDING SAME	1.50

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	50395	10/11/2011	DFP	19,977.00	0.00	19,977.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	10/20/2011	007161	$19,977.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
10/20/2011	007161	**$19,977.00**

Nineteen Thousand Nine Hundred Seventy Seven AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71780 SAN JACINTO DR., BDG I, STE.3
RANCHO MIRAGE, CA 92270

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71780 SAN JACINTO DRIVE
BUILDING I, SUITE 3
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

October 11, 2011

Invoice 50395
For Services Through

September 30, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	79.90	250.00	$19,975.00

Reimbursable Costs:

		Amount
9/2/2011	DOCUMENT RETRIEVAL: FEE TO THE CLERK OF THE COURT TO PURCHASE THE COURT'S RULING ON PETITION FOR WRIT OF MANDATE IN CASE NUMBER INC062704	2.00
TOTAL REIMBURSABLE COSTS		$2.00
CURRENT INVOICE AMOUNT		$19,977.00
PREVIOUS BALANCE		$19,745.00
9/30/2011	PAYMENT - THANK YOU	($19,745.00)
Total payments and adjustments		($19,745.00)
TOTAL AMOUNT DUE		$19,977.00

CITY OF PALM SPRINGS

PO- **11-0626:0**

PARTIAL RECEIVING REPORT

Partial #5

Received from:

V
E Wessman Development Company Job Cost
N
D 555 South Sunrise Way, Suite 20
O
R Palm Springs, CA 92264

Date received 12/15/11

Date 12/15/11

Vendor #

Invoice No.	Description	Amount
Request #5	**Reimbursement Agreement for design/development of Museum Market Plaza. (October, 2011)**	**$26,272.54**

Account #1400-58029 **$26,272.54**

TOTAL: **$26,272.54**

Remarks:

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by _____

12/14/11
Date

Department Head

REIMBURSEMENT AGREEMENT DATED 3/31/2011
CITY OF PALM SPRINGS/WESSMAN/WESSMAN HOLDINGS, LLC
DESERT FASHION PLAZA / MUSEUM MARKET PLAZA

DECEMBER 13, 2011
REIMBURSEMENT REQUEST #6

DESCRIPTION		REQUESTED DISBURSEMENT	DATE PAID
ARCHITECTURAL - ALLEN + PHILP ARCHITECTS, PC	$	1,741.65	11/16/2011
ARCHITECTURAL - JAMES CIOFFI ARCHITECT	$	6,728.43	11/16/2011
ARCHITECTURAL - RCH STUDIOS	$	40,000.00	12/13/2011
LEGAL FEES - EALY, HEMPHILL, BLASDEL, LLP	$	3,225.00	11/16/2011
L.Y. ENVIRONMENTAL	$	850.00	12/6/2011
TOTAL REIMBURSEMENT #6 PAID TO DATE AND UNREIMBURSED	$	52,545.08	
TOTAL REIMBURSEMENT #5 REQUEST DUE FROM CITY	**$**	**26,272.54**	

PLEASE MAKE CHECK PAYABLE TO:
WESSMAN DEVELOPMENT COMPANY JOB COST
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

FOR QUESTIONS, CALL ELLY SPROSTON AT 760-325-3321

ATTACHMENTS: COPIES OF CHECKS AND INVOICES

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	AP1102-07	10/31/2011	AP1102	1,741.65	0.00	1,741.65

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	ALLEN + PHILP ARCHITECTS, PC	11/16/2011	007163	$1,741.65

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
11/16/2011	007163	**$1,741.65**

One Thousand Seven Hundred Forty One AND 65/100 Dollars

Pay to the order of:

ALLEN + PHILP ARCHITECTS, PC

7154 EAST STETSON DR. 4TH FL
SCOTTSDALE, AZ 85251

Copy

Allen + Philp
architects · interiors

INVOICE

Michael Braun
Wessman Development Company
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Project Name: Palm Springs MXD
Project Number: AP1102

Invoice Date: October 31, 2011
Invoice Number: AP1102-07

Contract Type: Hourly Rates + Reimbursable Expenses

Contract Amount: *TBD*

Professional Services for the Period: October 1 thru October 31, 2011

Statement of Account	Fee	Percent Complete To Date	Prior Billings	Payments To Date	Past Due	Current
Schematic Design						
Based on 20% Reduced Hourly Rates (Ref Attached)	$ 103,495	*N/A*	$ 103,135.00	$ 101,779.00	$ 1,356.00	$ 360.00
Total	$ 103,495	*N/A*	$ 103,135.00	$ 101,779.00	$ 1,356.00	$ 360.00
Reimbursables	*N/A*	*N/A*	$ 3,185.67	$ 3,170.78	$ 14.89	$ 10.75
				Past + Current Amounts Due:	$ 1,370.89	$ 370.75

Total Now Due **$ 1,741.65**

415.982.2000

Allen + Philp

Time by Project (w/ Rates)

Report Date: Oct 31, 2011 4:17:50 PM

Access Level: All Report Data
Project Leader (All Projects)

Date Range: Oct 1, 2011 - Oct 28, 2011
Project: AP1102 Palm Springs MXD
Task Time Entry Status: Tasks With Actual Hours

Project Code	Task Name	User Name	Entry Date	Total Hrs	Billing Rate	Hours x Rate
AP1102						
	Programming / Feasibility					
		Philp, Mark				
			Oct 17, 2011	1.50	USD$ 240.00	USD$ 360.00
		Philp, Mark Summary		**1.50**		**USD$ 360.00**
	Programming / Feasibility Summary			**1.50**		**USD$ 360.00**
AP1102 Summary				**1.50**		**USD$ 360.00**
Full Summary				**1.50**		**USD$ 360.00**

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Printing by Device

AP1102 Palm Springs MXD

From: '2011-10-1' To: '2011-10-31'

Starting Date: 10/3/2011 Ending Date: 10/31/2011 Number of Days: 29

Print Device	Count	Amount
Canon iR 4580 Color Copier	35	$7.35
HP LaserJet 3600 - 01	8	$2.00
Totals for Project: AP1102 Palm Springs MXD	**43**	**$9.35**

Ent	Name	Acct N	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	00-0000	10/21/2011	DESIGN,MTGS,SITE VIS	6,728.43	0.00	6,728.43

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	JAMES CIOFFI ARCHITECT	11/16/2011	007164	$6,728.43

Retain this statement for your records

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
11/16/2011	007164	**$6,728.43**

Six Thousand Seven Hundred Twenty Eight AND 43/100 Dollars

Pay to the order of:

JAMES CIOFFI ARCHITECT

2121 E TAHQUITZ CANYON WAY, SUITE 3
PALM SPRINGS, CA 92262

⑈007164⑈ ⑆122238420⑆ 013⑈501041⑈

OCTOBER 21, 2011
WESSMAN DEVELOPMENT COMPANY
ATTN: MICHAEL BRAUN
555 S SUNRISE WAY, SUITE 200
PALM SPRIINGS, CA 92264-7894

Cioffi
ARCHITECT

S T A T E M E N T

DESIGN, MEETINGS, SITE VISIT
BLOCK A-1, MUSEUM MARKET PLACE, PRELIMINARY BUILDING DESIGN AS PER CONCEPTUAL SITE PLAN DATED JUNE 13, 2011

JOB # 1115 INVOICE # 00-0000

JCA SERVICES

NAME	*HOURS*		*RATE*		*TOTAL*
PRINCIPAL	20.75	@	$275.00	=	$5,706.25
TECHNICIAN 1	29.00	@	$95.00	=	$2,755.00
TECHNICIAN 2	6.00	@	$55.00	=	$330.00
	TOTAL CIOFFI ARCHITECT SERVICES:				$8,791.25

REIMBURSABLES @ COST + 15%:

VENDOR	*INVOICE #*	*DESCRIPTION*	*TOTAL*
JCA PLOTS	9/21/11	[2] 30" X 42" SD	$26.00
JCA PLOTS	9/26/11	[1] 30" X 42" HD	$60.00
JCA PLOTS	10/21/11	[1] 30" X 42" SD	$13.00
JCA PRINTS	10/17/11	[6] 11" X 17" COLOR	$36.00
	TOTAL REIMBURSABLES:		$135.00

CONSULTANTS @ COST + 20%:

CONSULTANT	*INVOICE*	*DESCRIPTION*	*TOTAL*
0	0	0	$0.00
	TOTAL CONSULTANT COST:		$0.00

JCA SERVICES SUB-TOTAL	$8,791.25
REIMBURSABLES SUB-TOTAL	$135.00
CONSULTANTS SUB-TOTAL	$0.00
	$8,926.25

CREDITS **AMOUNT**

LESS 25% DISCOUNT: - **$2,197.82**

BALANCE DUE: = **$6,728.43**

2121 E. TAHQUITZ CANYON WAY, SUITE 3
PALM SPRINGS, CALIFORNIA 92262-7021
TEL 760 325 1557
FAX 760 327 8214
WWW.CIOFFIARCHITECT.COM

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	0003690	12/9/2011	01140.01	40,000.00	0.00	40,000.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	RCH STUDIOS	12/13/2011	007168	$40,000.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
12/13/2011	007168	**$40,000.00**

Forty Thousand AND 00/100 Dollars

Pay to the order of:

RCH STUDIOS

639 N. LARCHMONT DRIVE, STE. 100
LOS ANGELES, CA 900041310

Copy

Invoice

Rios Clementi Hale Studios
639 N. Larchmont Boulevard, Suite 100
Los Angeles, CA 90004
323.785.1800

December 9, 2011
Project No: 01140.01
Invoice No: 0003690

Wessman Development Company
Attn: Michael Braun
300 South Palm Canyon Drive
Palm Springs, CA 92262

Project 01140.01 Palm Springs Wessman Development

Professional Services from October 1, 2011 to November 30, 2011

Fee

Total Fee	40,000.00			
Percent Complete	100.00	Total Earned	40,000.00	
		Previous Fee Billing	0.00	
		Current Fee Billing	40,000.00	
		Total Fee		**40,000.00**
		Total this Invoice		**$40,000.00**

e-mail: mbraun@wessmandevelopment.com

Due upon Receipt

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-03	50524	11/7/2011	DFP	3,225.00	0.00	3,225.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	EALY,HEMPHILL & BLASDEL, LLP	11/16/2011	007165	$3,225.00

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WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
11/16/2011	007165	**$3,225.00**

Three Thousand Two Hundred Twenty Five AND 00/100 Dollars

Pay to the order of:

EALY,HEMPHILL & BLASDEL, LLP

71905 HIGHWAY 111, SUITE H
RANCHO MIRAGE, CA 922704825

Copy

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71905 HIGHWAY 111
SUITE H
RANCHO MIRAGE, CA 92270

(760) 340-0666

November 07, 2011

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

Invoice 50524
For Services Through

October 31, 2011

MATTER: DESERT FASHION PLAZA

ATTORNEY Summary

Name	Hours	Rate	Amount
W. CURT EALY	12.90	250.00	$3,225.00

	Amount
PREVIOUS BALANCE	$19,977.00
10/26/2011 PAYMENT - THANK YOU	($19,977.00)
Total payments and adjustments	($19,977.00)
TOTAL AMOUNT DUE	$3,225.00

Professional Services

		Hours
10/5/2011	WCE PREP FOR AND MEETING AT CLIENT'S OFFICE TO MAKE FINAL REVIEW OF AGREEMENTS WITH CITY; TRAVEL TO CITY FOR MEETING WITH DOUG HOLLAND, AND INITIALING TWO REPLACEMENT DOCUMENTS; REVIEW COMPLETE DOCUMENT PACKAGE AND OBTAIN FULLY	2.80

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
71905 HIGHWAY 111
SUITE H
RANCHO MIRAGE, CA 92270

(760) 340-0666

MR. JOHN WESSMAN
WESSMAN DEVELOPMENT
COMPANY
555 SOUTH SUNRISE WAY
SUITE 200
PALM SPRINGS,, CA 92264

November 07, 2011

Invoice 50524

MATTER: DESERT FASHION PLAZA

			Hours	Amount
		SIGNED AND INITIALED COPIES OF AGREEMENTS FROM DOUG HOLLAND		
10/27/2011	WCE	T CONF W/ CLIENT REGARDING CITY APPROVAL OF GRANT DEED; T CONF W/ DOUG HOLLAND REGARDING SAME AND REGARDING APPRAISAL ISSUES; T CONF W/ SCARCELLA REGARDING SAME; E-MAIL TO SCARCELLA; T CONF W/ CLIENT	2.50	
10/28/2011	WCE	REVIEW E-MAIL FROM HOLLAND REGARDING APPRAISAL; E-MAIL TO MARTHA REGARDING SCARCELLA CONTRACT; REVIEW LETTER FROM SCARCELLA AND FORWARD TO CLIENT	1.80	
10/30/2011	WCE	REVIEW PROPOSED APPRAISAL LETTER FROM SCARCELLA; REVIEW PROPOSED GRANT DEED AND EXHIBITS "A" (ENTIRE PROPERTY), "B" (PROPERTY TO BE CONVEYED TO CITY), AND E-MAIL SAME TO CLIENT AND SCARCELLA; PREP FOR AND MEETING WITH CLIENT AT CLIENT'S OFFICE; REVISE SCARCELLA LETTER AND ATTEMPT TO CONTACT SCARCELLA	3.50	
10/31/2011	WCE	REVIEW REVISED LETTER FROM SCARCELLA AND RELATED E-MAILS; ATTEMPT TO CONTACT CITY ATTORNEY REGARDING LIMITATIONS; T CONF W/ CLIENT REGARDING SENDING LETTER TO CITY ATTY; T CONF W/ CITY ATTY	2.30	
FOR PROFESSIONAL SERVICES RENDERED			12.90	$3,225.00

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	25875	1/29/2011	B OF A BLDG	850.00	0.00	850.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	L.Y. ENVIRONMENTAL INC.	12/6/2011	007167	$850.00

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VESSMAN DEVELOPMENT COMPANY
OB COST
55 S SUNRISE WAY, STE 200
ALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
12/6/2011	007167	**$850.00**

Eight Hundred Fifty AND 00/100 Dollars

y to the order of:

L.Y. ENVIRONMENTAL INC.

30255 FRONTERA DEL NORTE
HIGHLAND, CA 92346

Copy

L.Y. Environmental, Inc.
30255 Frontera Del Norte
Highland, CA 92346
(909) 471-2098
(909) 307-9740 fx

Invoice

Date	Invoice #
11/29/2011	2587

Bill To
Octavio Hernandez Wessman Development Co. 555 S. Sunrise Way. Ste. 200 Palm Springs, Ca 92264 Fax: 760-325-5848

Terms
Due on receipt

Item	Quantity	Description	Rate	Amount
Asbestos Survey		Asbestos Survey & Report @ 125 N. Palm Canyon, Palm Springs, CA	495.00	495.00
Lab Fees		Laboratory Analysis Fees (Rush Turnaround)	230.00	230.00
Courier svc.		Courier Services (same day delivery to Lab in Sierra Madre, CA.)	125.00	125.00

Federal Tax I.D # 76-0782916

Total $850.00

	Fax #
(909) 471-2098	(909) 307-9740

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

PO- **11-0626**

Partial #6

Received from:

VENDOR

Wessman Development Company Job Cost
555 South Sunrise Way, Suite 20
Palm Springs, CA 92264

Date: January 30, 2012

Vendor: _____

Invoice No.	Description	Amount
Invoice #Cioffi 1215-1115 - Dated 12/15/11		$ 3,768.69

Account No. 1400-58029

TOTAL: $ 3,768.69

Remarks: _____

FOR PURCHASING DEPT USE

Partial No.:
Invoice No.:
Amount :
Checked By :

I certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Received by _____

1/30/12
Date

Economic Development Director

talk to JR 1-25-12

DECEMBER 15, 2011
WESSMAN DEVELOPMENT COMPANY
ATTN: MICHAEL BRAUN
555 S SUNRISE WAY, SUITE 200
PALM SPRIINGS, CA 92264-7894

Cioffi
ARCHITECT

S T A T E M E N T

ARCHITECTURAL SERVICES, DESIGN, MEETINGS, DESIGN, MODELING & MEETING WITH SANBORN CIVIL ENGINEERING

BLOCK A-1, MUSEUM MARKET PLACE, PRELIMINARY BUILDING DESIGN AS PER CONCEPTUAL SITE PLAN DATED JUNE 13, 2011

JOB # 1115 INVOICE # 1215-1115

JCA SERVICES

NAME	*HOURS*		*RATE*		*TOTAL*
PRINCIPAL	10.00	@	$275.00	=	$2,750.00
TECHNICIAN 1	73.50	@	$95.00	=	$6,982.50
	TOTAL CIOFFI ARCHITECT SERVICES:				$9,732.50

REIMBURSABLES @ COST + 15%:

VENDOR	*DESCRIPTION*	*TOTAL*
JCA PLOTS	[1] 30" X 42" SD	$13.00
JCA PLOTS	[1] 30" X 42" SD	$13.00
JCA PLOTS	[5] 30" X 42" SD	$65.00
JCA PRINTS	[5] 11" X 17" COLOR	$30.00
JCA PLOTS	[9] 30" X 42" SD	$117.00
	TOTAL REIMBURSABLES:	$238.00

CONSULTANTS @ COST + 20%:

CONSULTANT	*INVOICE*	*DESCRIPTION*	*TOTAL*
0	0	0	$0.00
	TOTAL CONSULTANT COST:		$0.00

JCA SERVICES SUB-TOTAL	$9,732.50
REIMBURSABLES SUB-TOTAL	$238.00
CONSULTANTS SUB-TOTAL	$0.00
	$9,970.50

CREDITS **AMOUNT**

LESS 25% DISCOUNT:	-	**-$2,433.12**
BALANCE DUE:	=	**$7,537.38**

2121 E. TAHQUITZ CANYON WAY, SUITE 3
PALM SPRINGS, CALIFORNIA 92262-7021
TEL 760 325 1557
FAX 760 327 8214
WWW.CIOFFIARCHITECT.COM

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	1215-1115	1/18/2012	PRELIN BUILDING DESI	7,537.38	0.00	7,537.38

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	JAMES CIOFFI ARCHITECT	1/18/2012	007172	$7,537.38

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
1/18/2012	007172	**$7,537.38**

Seven Thousand Five Hundred Thirty Seven AND 38/100 Dollars

Pay to the order of:

JAMES CIOFFI ARCHITECT

2121 E TAHQUITZ CANYON WAY, SUITE 3
PALM SPRINGS, CA 92262

Copy

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

July 20, 2011

City of Palm Springs
P.O. Box 2743
Palm Springs, 92263

Attention: John Raymond
Redevelopment Director

Re: Reimbursement Agreement
Request #3
Museum Market Plaza
Palm Springs, CA

Dear John:

Please find enclosed Request #3 for reimbursement for paid expenses as per the Reimbursement Agreement. Should you have any questions or need anything further, do not hesitate to contact me.

Sincerely,

Martha Higgins

Martha Higgins

555 S. SUNRISE WAY • SUITE 200 • PALM SPRINGS, CA 92264 • PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

REQUISITION

City of Palm Springs
Procurement & Contracting Division
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Requested Date: 04/26/2011 Required Date:	**Requisition No.** **14000-11-03015**

SHIP TO	INVOICE
City of Palm Springs Economic Development Admin. 3200 E, Tahquitz Canyon Way Palm Springs, CA 92262 US	City of Palm Springs PO BOX 2743 PALM SPRINGS, CA 92263 US

Requesting Department	Requestor	Phone #	Requisition Type
14000 - COMMUNITY & ECONOMIC DEVELOPMENT	Paula Sweat	(760)322-8321	

Item	Class-Item and Description	Quantity	Unit	Unit Price	Total
1	(906 - 10) Reimbursement Agreement for design/development of Museum Market Plaza. Approved by City Council 3/2/11- Agreement No. A6085. **Account Number** / **Amount**: 1400-58029 / $200,000.00	1.0	EA - Each	$200,000.00	$200,000.00
				Subtotal	$200,000.00
				Tax	$0.00
				Discount	$0.00
				Total	**$200,000.00**

I CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED FOR IN THE CURRENT BUDGET.

AUTHORIZED SIGNATURE

TITLE

BUYERS SIGNATURE

DATE

PHONE

REIMBURSEMENT AGREEMENT

This REIMBURSEMENT AGREEMENT ("Agreement") is entered into as of this 31 day of March, 2011, by and between the CITY OF PALM SPRINGS, a California public entity ("City"), and JOHN WESSMAN, an individual, and WESSMAN HOLDINGS, LLC, a California limited liability company (collectively the "Owner").

RECITALS

A. Owner is the owner of the Desert Fashion Plaza and the Town and Country Center ("Properties"), two developed properties that make up the planning area of the adopted Museum Market Plaza Specific Plan. On or about March 2, 2010, Owner presented a plan for the redevelopment of the Properties ("Project") to the City Council of the City of Palm Springs as a part of the City Community Visioning Process for the implementation of the Specific Plan. A description of the Project ("Project Description") is attached hereto as Exhibit "A" and incorporated herein by reference.

B. The City agreed to enter into a reimbursement agreement with Owner for a portion of all costs reasonably incurred by Owner in pursuit of the Project ("Pursuit Costs").

C. City and Owner desire to enter into this Agreement to provide for City to reimburse Owner for a portion of Owner's predevelopment costs, including without limitation architectural, planning, and engineering costs ("Pursuit Costs").

AGREEMENT

Based upon the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, City and Owner hereby agree as follows:

1. Pursuit Period. The City and Owner acknowledge that time is of the essence and agree, for the Pursuit Period (as hereinafter defined), to work diligently and in good faith to pursue the Project, and cause preparation of preliminary design plans, drawings, and schematics in sufficient detail to allow the City of Palm Springs to process and review a Development Agreement, and related financial agreements for the implementation of the Project. The duration of this Agreement ("Pursuit Period") shall be from March 2, 2011, until November 2, 2011, unless the period has been mutually extended by the City and the Owner or terminated earlier pursuant to Section 7 of this Agreement. (Note: Fees and charges by Alan Sanborn for work performed prior to March 2, 2011, in connection with preparing and revising Project Description, shall be reimbursable Pursuit Costs.)

2. Owner's Responsibility for Design. Owner shall be solely responsible for design of the Project, consisting of the preparation of preliminary plans, drawings, and schematics as described in Section 1. Owner shall submit all design documents to the Agency, conforming to all applicable legal authority and standards, in accord with established City policies and procedures and compliance with all applicable authority, and City shall receive and expeditiously review and process same. The adequacy of "work product" with respect to design

documents shall be subject to the City's reasonable satisfaction. All parties acknowledge that the City shall have, with respect to any formal applications submitted by Owner, normal discretionary approval rights as provided under State law and City Ordinances.

3. City Reimbursement. City shall promptly, within 30 days after receipt from Owner of bills and reasonable supporting information, reimburse Owner for 50% of Owner's Pursuit Costs, as from time to time incurred; provided, however, the total reimbursement obligation of City shall not exceed Two Hundred Thousand Dollars ($200,000.00).

4. Compliance With Laws. All work performed under the terms of this Agreement shall be in strict conformity with all laws, ordinances, rules, regulations applicable to the Project and shall require the design professionals retained to prepare the design documents to comply with all such requirements.

5. Insurance.

5.1 Owner's and Contractor's Insurance.

5.1.1 At all relevant times during this Agreement and until the City has accepted the work, the Owner shall, if requested by City, require each design professional to maintain at least $1,000,000 in errors and omissions (professional liability) insurance applicable to his/its design work, and to defend, indemnify and hold harmless the City and its respective officers, employees, and agents, from any and all claims due to the design professional's negligent acts or omissions or intentional wrongful conduct in its performance of design work. Such insurance shall be in form and substance as reasonably acceptable to City.

5.1.2 Design professionals shall also provide the following insurance for its work on the Project:

(a) Workers' compensation insurance in at least the minimum amounts required under California Law.

(b) Comprehensive general liability insurance, for injuries to persons and property, and automobile liability insurance, each with limits not less than $1,000,000 combined single limit, per occurrence and $2,000,000 in the aggregate.

5.1.3 Each insurance policy required to be maintained pursuant to this Section 5.1 shall be issued by a company admitted in California and having an A.M. Best's Guide Rating of "A-", Class VII or better. The Owner shall, if requested by City, require its design professionals to obtain and provide to City an endorsement for each of the policies providing the above insurance (except for worker's compensation insurance and errors and omissions insurance) naming the City and its respective officers, employees and agents as additional insureds. Each policy shall be endorsed to require 30 days advance notice to the City of cancellation or material modification of the policy. Each worker's compensation policy shall be endorsed to waive any right of subrogation against the City.

Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees, expert fees, costs of investigation, and costs of suit from the losing party.

8.4 Interpretation; Governing Law. This Agreement shall be construed according to its fair meaning and as if prepared by both of the parties hereto. This Agreement shall be construed in accordance with the internal laws of the State of California without regard to conflict of law principles.

8.5 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement.

8.6 Non-Liability of Officials and Employees of the City. No official or employee of City or the City shall be personally liable to Owner in the event of any default or breach by City, or for any amount that will become due to Owner, or any obligation under the terms of this Agreement.

8.7 No Third-Party Beneficiaries. This Agreement is made only for the benefit of the parties hereto; it is not intended that any rights under this Agreement shall accrue to any third person.

8.8 Independent Contractor. It is expressly understood and agreed by the Parties that the Owner, while engaged in carrying out the terms and conditions of this Agreement, is an independent contractors and not an employee of the City.

8.9 Authority to Execute. The persons executing this Agreement warrant and represent that they have the authority to execute this Agreement and represent that they have the authority to bind the parties for which they are signing to the performance of the obligations hereunder.

8.10 Execution in Counterpart. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on both parties hereto, notwithstanding that both parties are not signatories to the original or the same counterpart.

8.11 Cooperation. Subject to the City's discretionary approval rights as set forth in Section 2 above, each party agrees to do and perform such other and further acts, and execute and deliver such other and further acts as may be reasonably necessary to effectuate the intents and purposes of this Agreement.

(signatures on next page)

IN WITNESS WHEREOF, City and Owner have entered into this Agreement as of the date set forth above.

"CITY"

CITY OF PALM SPRINGS

By: _____
Its: CITY MANAGER

ATTEST:

_____

APPROVED AS TO FORM:

_____

APPROVED BY CITY COUNCIL
03/02/2011 1.A
A6085

"OWNER" PALM SPRINGS PROMENADE, LLC
By: PALM SPRINGS PROMENADE, INC.
ITS MANAGING MEMBER

By: _____
Its: PRESIDENT

WESSMAN HOLDINGS, LLC
By: _____
JOHN WESSMAN
ITS MANAGING MEMBER

PROJECT DESCRIPTION
FOR MUSEUM MARKET PLAZA
REIMBURSEMENT AGREEMENT

I. BACKGROUND.

A. Specific Plan. On December 2, 2009, the City Council ("Council") of the City of Palm Springs ("City") adopted Ordinance 1764, which approved the Museum Market Plaza Specific Plan ("Specific Plan"). The Specific Plan covered two existing downtown commercial complexes, i.e., the area commonly known as Desert Fashion Plaza ("DFP Area"), and the area (shown on the Specific Plan as Blocks K-1 and K-2) commonly known as Town & Country Center ("TCC Area"). In granting such approval, the Council found that the Specific Plan was consistent with applicable provisions of the State Government Code, and the General Plan of the City. Among other things, the Specific Plan established criteria, standards, restrictions, requirements and limitations (collectively "criteria") for major redevelopment, in phases until build out ("Build Out"), of both the DFP Area and the TCC Area. Such criteria included without limitation, criteria for land use (allowed and prohibited uses), development standards (minimum setbacks and maximum heights), land regulations (allowable square footage and building mass), and design guidelines (architectural themes and concepts). The Specific Plan also included a a substantially more moderate and less ambitious plan ("Renovation Plan"), which contemplated that existing buildings within the DFP Area would largely remain intact but be upgraded with exterior architectural improvements. In Section V.C of the Specific Plan, the Renovation Plan, which was approved as an optional "phase one" of the Specific Plan.

B. EIR Certification. Concurrently with approval of the Specific Plan, the Council approved and adopted Resolution 22625, which certified an Environmental Impact Report for the Specific Plan. Such Resolution included, without limitation, the making of amendments to the General Plan and Zoning Ordinance of the City, the making of certain findings relative to environmental effects identified in the EIR, the adoption of a Statement of Overriding Consideratons, and the adoption of a Mitigation Monitoring Plan and Reporting Plan. The Resolution also included the incorporation of the Renovation Plan as an option, i.e., a phase one for remodeling the DFP Area.

II. CURRENT PROPOSAL

A. Project Description for Revitalization Plan. The Revitalization Plan is intended to expand upon the prior Renovation Plan, and continue to remain in substantial conformance with the Specific Plan. In essence, the Revitalization Plan will constitute part of the redevelopment "phasing" process recognized and approved in the Specific Plan. Relevant aspects of the Revitalization Plan are considered below.

1. **New Site Plan**. The new site plan for the Revitalization Plan ("New Site Plan") is attached hereto as *Exhibit "A"* and, as can be seen, it contains some

modifications from the prior site plan for the Renovation Plan ("Prior Site Plan"). With respect to the New Site Plan (and the Revitalization Plan) the comments below are relevant.

2. **Internal Street Improvements**. The New Site Plan shows the main internal street running the full distance from Indian Canyon Drive to Museum Drive(?). In this respect, it is consistent with ultimate Specific Plan redevelopment concepts, and provides an important part of the solution to making the DFP Area commercially successful, i.e., direct east-west access from Indian Canyon Drive into the DFP Area. The New Site Plan also shows an extension from the roundabout at the "center" of the DFP Area southerly to become part of an extension of Belardo Road into the DFP Area. (Note: [1] Construction of the Belardo Bridge over Tahquitz Creek will provide a large new segment of residential areas with direct northerly access to the DFP Area. [2] Under the New Site Plan, internal streets will be public, i.e., owned by the City rather than the Developer.)

3. **New Building Improvements**. The Prior Site Plan contemplated that existing buildings within the DFP Area would largely remain in place but be upgraded with exterior architectural improvements. The New Site Plan contemplates the demolition, reconfiguration and replacement of some buildings, particularly in the southeast corner of the DFP Area. In that location, existing buildings will be demolished, a new open space area will be located at the northwest corner of Tahquitz Canyon Way and North Palm Canyon Drive, and a landscaped pedestrian walkway will extend from the corner open space area into the center of the DFP Area, connecting to the "roundabout" described in Section 2. above. New retail building improvements are planned for location in the area shown as Block 2 on the New Site Plan. A new movie theater complex is planned for location directly north of the roundabout in the center of the DFP Area. (The Prior Site Plan showed the theater as being located immediately southwest of the center of the DFP Area – at the site of the former Pavilion Theatre tent.)

4. **Retention and Use of Existing Building Improvements**. The New Site Plan contemplates the retention, upgrade and use of some existing building improvements, as follows: (1) the former Saks Fifth Avenue building located on Palm Canyon Drive may be retained and used for major retail purposes, (2) the former I. Magnin building located directly northwest of the center roundabout in the DFP Area may be retained and used as an entertainment venue, such as for fitness/spa uses and/or recreational bowling purposes, (3) existing building improvements shown as Block 1 on the New Site Plan (located on Palm Canyon Drive), may be retained and used for retail purposes, and (4) existing building improvements located immediately adjacent to the Hyatt Hotel may be retained and used for hotel ballroom and conference center purposes. Depending on the condition of these properties, the needs of potential tenants, and economic feasibility, any of these buildings could be replaced with new structures. (Note: The foregoing identification of potential uses is not intended to preclude other uses authorized by the Specific Plan.)

5. **Retention of Block 6 for Future Development**. The New Site Plan calls for the area shown thereon as Block 6 to be retained by the Developer and be held for future development for a variety of potential uses including, without limitation, boutique gourmet grocery, bar/restaurant, entertainment, multi-story housing and/or office uses.

6. **City Purchase of Improvements for Public Parking**. The Revitalization Plan calls for certain parking improvements within the DFP Area to be purchased by the City from the Developer, and be used by the City in perpetuity as and for free public parking. These may include all or part of the above-ground parking structure at the northwest corner of the property, the parking deck and associated underground parking at the southwest corner of the property, the parking underneath developed portions of the DFP property, and all associated ramps, driveways and approaches currently owned by the Developer.

7. **City Purchase of Land for Public Streets**. The Revitalization Plan calls for the City to purchase from the Developer the ground upon which the interior streets shown on the New Site Plan will be built. This purchase could be the ground only or the purchase from the Developer the full street in a finished condition.

8. **City Purchase of Land (Parcels A and B) for Future Use**. The Revitalization Plan calls for two parcels within the DFP Area, i.e., the two parcels directly east of the Palm Springs Art Museum (the "Art Museum") which are currently used for open space and sculpture garden purposes ("Parcels A and B"), to be purchased by the City from the Developer and be held for future development opportunities including, without limitation, possible expansion of Art Museum facilities.

B. **City Administration and Processing of Revitalization Plan**. With respect to City Administration and processing, a number of matters need to be considered, as follows:

1. **Development Agreement**. Under certain provisions of the State Government Code, local governments are authorized to enter into binding contracts with developers known as development agreements. Among other things, a development agreement, once consummated, gives the developer a vested right to proceed to develop his property in the manner specified in the development agreement and/or entitlements adopted concurrently therewith or prior thereto. In this case, the Developer has filed an application for approval of a Development Agreement. Once approved and executed, the Development Agreement will, among other things, grant the Developer the vested right to develop the DFP Area in accordance with the Revitalization Plan, and the TCC Area in accordance with the Revitalization Plan (construction of the public street from Indian Canyon Drive to Palm Canyon Drive) and other entitlements authorized by the Specific Plan (hotel and retail use), but subject to all criteria (restrictions, standards, requirements and limitations) contained in the Specific Plan.

2. **Major Architectural Review**. Section V.A of the Specific Plan provides that implementation tools will be major architectural reviews, conditional use permits, subdivision maps and, in certain circumstances, planned development permits. For purposes of the subject Revitalization Plan, the Planning Commission and City Council will consider and act on the Development Agreement application, in conjunction prior to major architectural review of proposed revitalization improvements.

3. **Substantial Conformance of Revitalization Plan**. For reasons indicated herein, the Revitalization Plan and New Site Plan are consistent and in substantial conformance with the Specific Plan in general, and the prior Renovation Plan in particular. Land uses under the Revitalization Plan will be fully consistent with land uses allowed under the Specific Plan, development standards and land use regulations set forth in the Specific Plan will be followed in the Revitalization Plan, and architectural and design concepts under the Revitalization Plan will be consistent with those contained in the Specific Plan.

4. **Project Funding Agreement**. Section V.D of the Specific Plan acknowledges (1) that although the Specific Plan occurs in an area in which infrastructure is generally complete, improvements and alterations will be required throughout the development of Museum Market Plaza, and (2) that financing for such improvements and alterations is likely to come from a number of sources, both public and private.

Paula Sweat

From: John Raymond
Sent: Tuesday, April 26, 2011 3:11 PM
To: Paula Sweat
Subject: FW: Account Number for Wessman Reimbursement Agreement

From: Catherine Salazar-Wilson
Sent: Tuesday, April 26, 2011 3:10 PM
To: John Raymond
Subject: RE: Account Number for Wessman Reimbursement Agreement

Hey JR,

Found it!

001-1400-58029 Design/Development Museum Market Plaza - $200,000
March 16, 2011
Resolution No. 22889
Nancy's id on the resolution is 3-17-11-2-B

Cat

From: John Raymond
Sent: Tuesday, April 26, 2011 11:54 AM
To: Geoffrey Kiehl
Cc: Catherine Salazar-Wilson
Subject: Account Number for Wessman Reimbursement Agreement

I think we brought an item to Council a few weeks ago to transfer funds to an account for the Reimbursement Agreement with Wessman on the Fashion Plaza. Paula is trying to get the P.O. set up to begin paying bills. Do we have an account number?

JR

John S. Raymond
Director of Community & Economic Development
City of Palm Springs
P.O. Box 2743
Palm Springs, California 92263-2743
office ph: 760.323.8228
work cell: 760.219.1727
cell: 760.902.1903
e-mail: john.raymond@palmspringsca.gov

Find us on Facebook | | Find me on LinkedIn.

38:03 42:25 offered Public Comment
43:03

Kim Pierce #11
Press Ent
951 368 9552

Hotel Mexicks
Tahquitz Cmty.
Hotel

1235 4/4

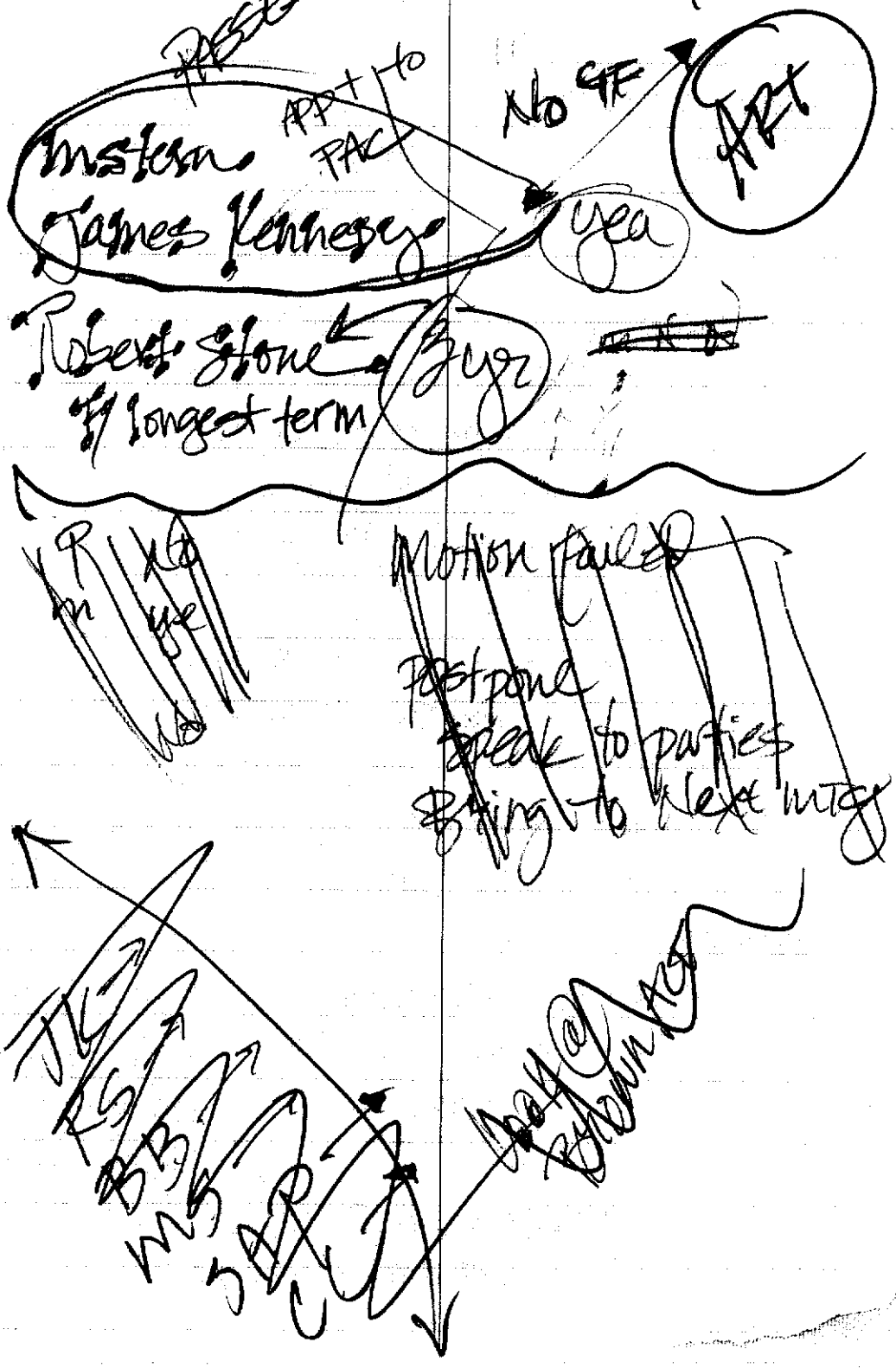
431 P/C

Debi Hamilton
REDEV.
5709 El Dorado
951-845-5341

Hi Debi
Tues 5:00
Red Brownie
7:45 PM
2 PM

5:18

5:29:04


Motion
James Kennedy
APPT to PAC
No QF
APPT
yea
Robert Stone
yea
longest term
Motion failed
Postpone
Speak to parties
Bring to next mtg

Contract and assessment App. by Council

inform Dig need due commiss.

562 216 1634

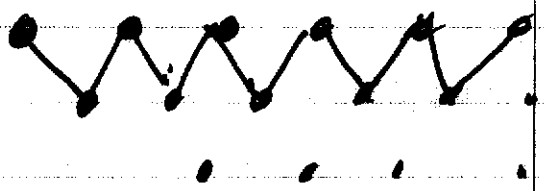
Long Terms of Comm.

6

462
ERIC cell
451 5625446990
ERIC
Abbey Co

Guiding Principles
Ordinance Code
Study Session Rules

mom
But chair no.
Chair Steer Pac
But!
Pa But
5/1 cidi
VC BB / By
PA Stn
6/0



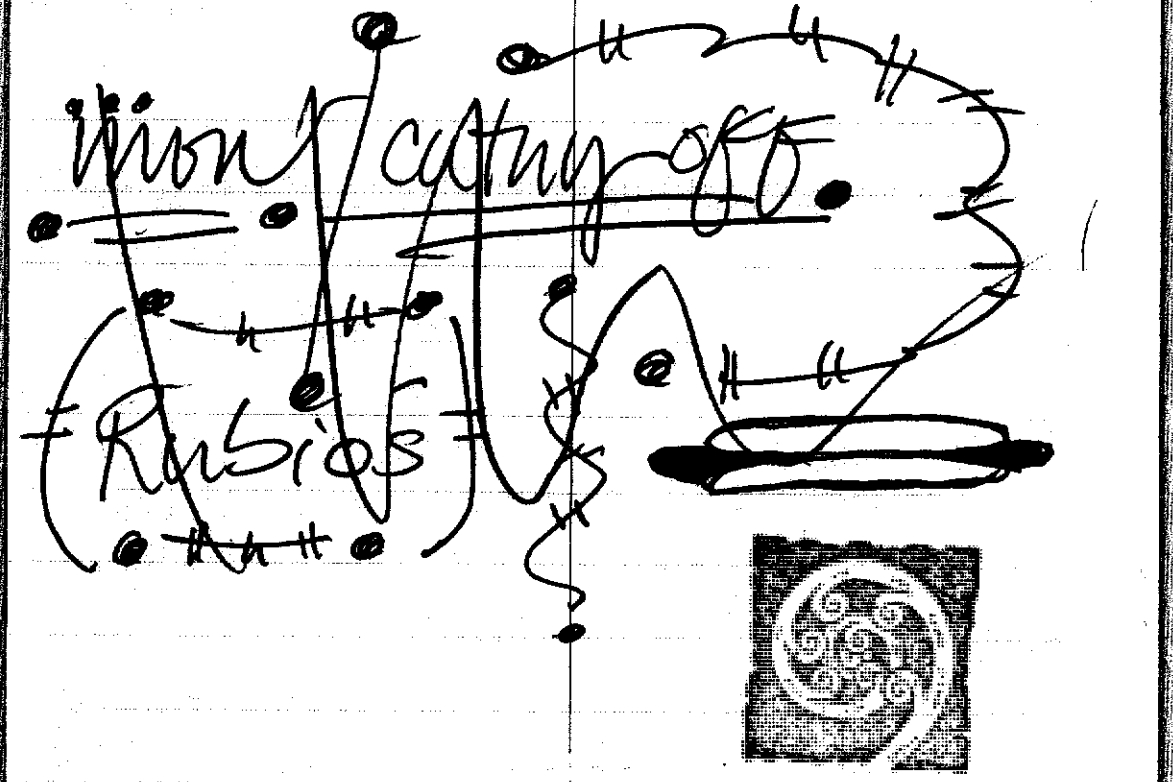
get a clue!!

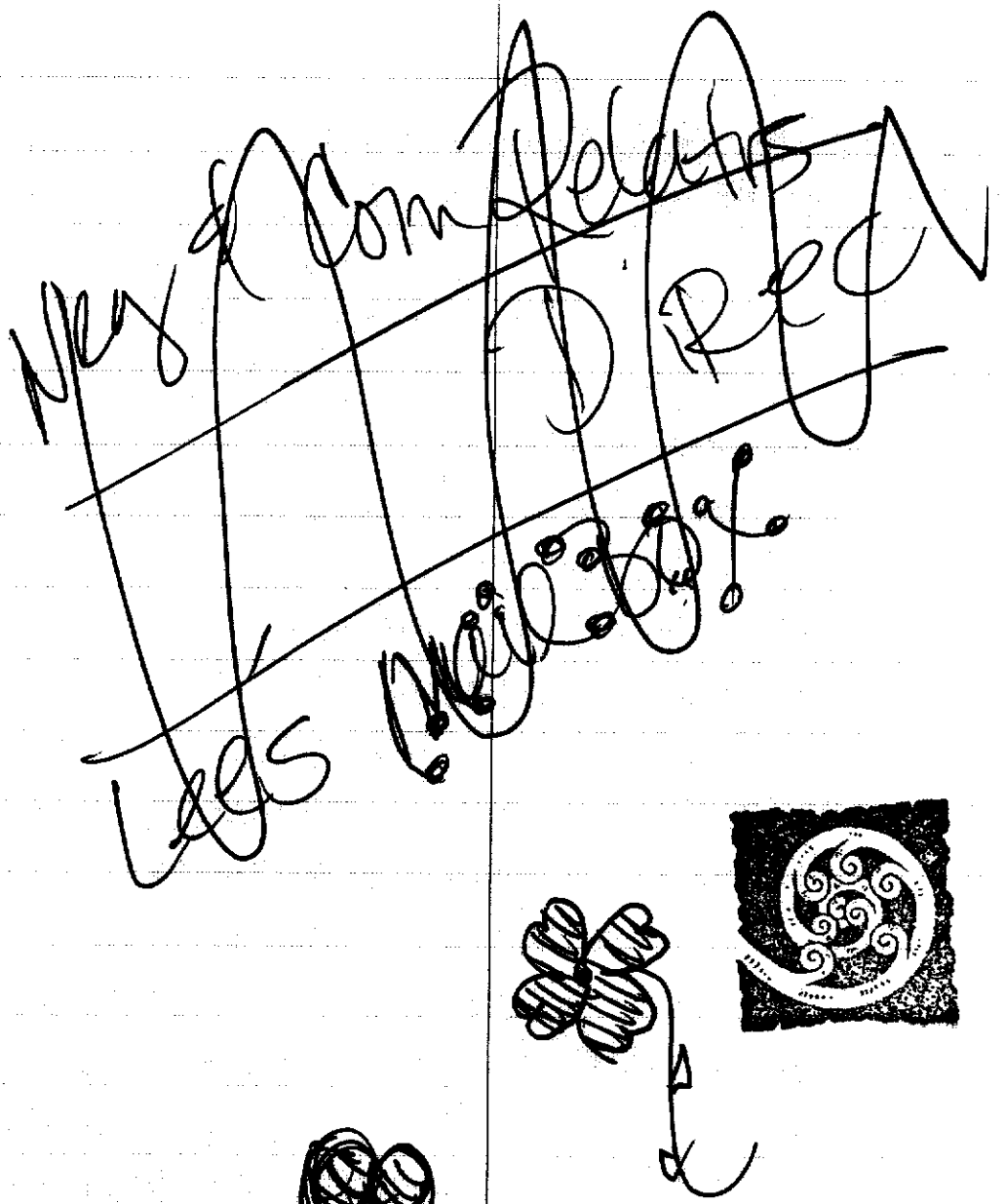
Time, Bandwidth, Site:

Mount
United
Way
or
Block
Well

Per Diem
10 15 25
50

Meal Allowance
15 20 30


Vision casting off
Risks



68

33

Vendor # 12-7543

(B7-4898-43240

4

250-8608

Sandra

Staff Mtg 8/2/07

Agenda

Fri 8-31

Mon 9-3 holiday

Out on 9-6

email

~~tom Mola~~

~~welcome~~

call ICSC @ IC

Hotel RESERVations

Copy PA ltr to Dept.

~~Staff~~ goke ~~Next Month~~ Matrix

~~Aug~~ September

~~Oct~~ Dodd town ~~Asphalt~~ STAMPing

Aug 8

Candidate

Speaker Lunch

Aug 28 Tram 5-730

Chamber Mixer

Pass

Look up Griffin

9-7/ 8/7 Linda @ AP
Tom Nolan
Lando Acquisition
Bio Tenders 818 380 5

~~Bob~~ 8/8 Bob
~~F265~~

Swift parcel -- leasehold
~~Electronic~~
RDA - implementation
Plan?
949 307 6597 cell
EDward ~~BERTrand~~
714-564-2625

Smoketree / Ralphs
Riley's Le Focus
Fresh & Easy?
760-774-1127

~~WHITE~~

Greg Day
Home

Jen out
8/9

Greg

Lee office supply
Acct. 001-10-1111-42100

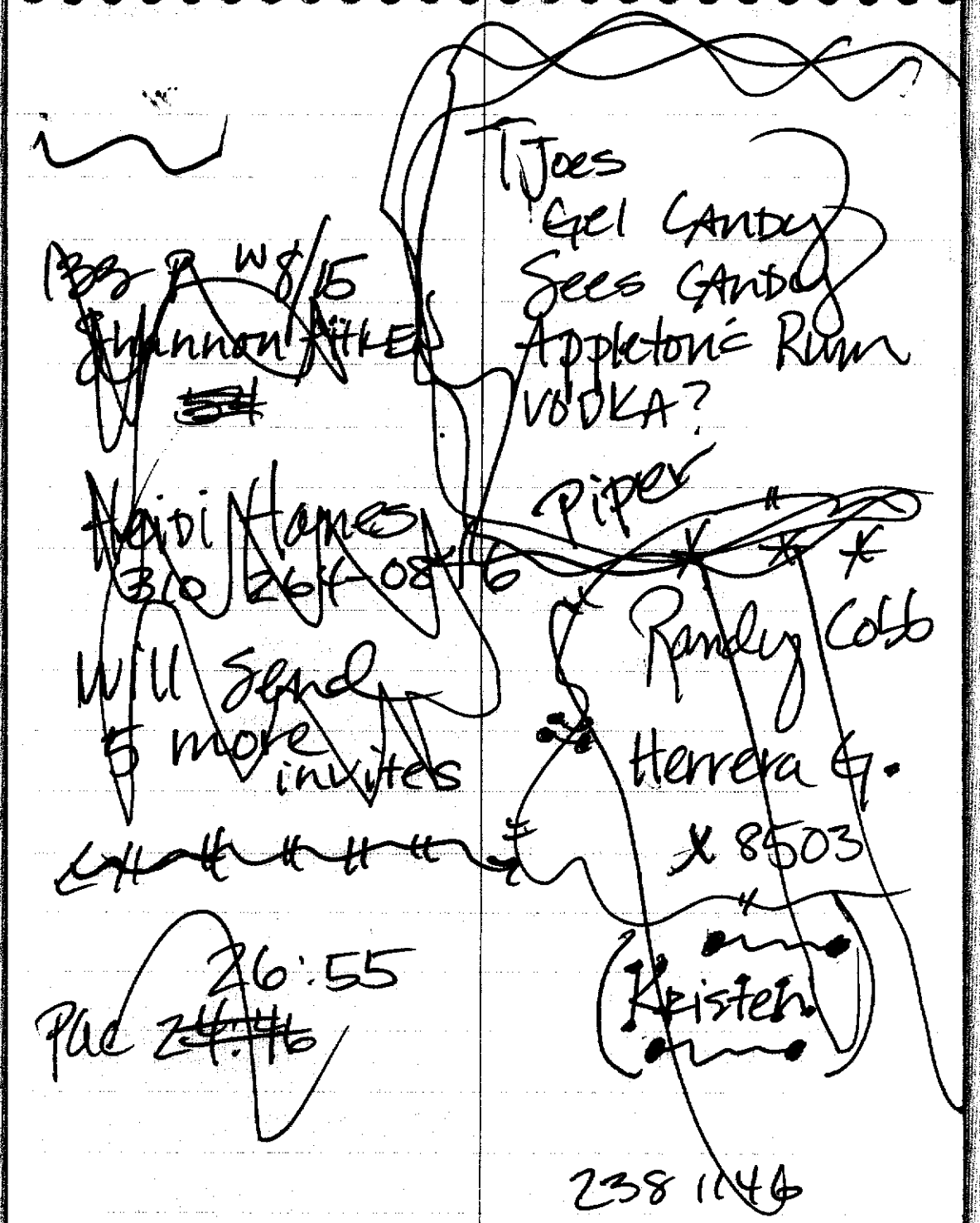
931 8/9 Jen

Delos Van Eaac
ins. Reqs to Katrie Aud
meets Reqs

Leigh and 1250 8/24
ART museum paperwork
(8374)

Puppy Food
For Beanie

Rug


TJoes
Gel Candy
Sees Candy
Appletonic Rum
VODKA?
Piper
Randy Cobb
Herrera 4.
X 8503
Kristen
238 1146
BB @ W 8/15
Shannon Aitken
Heidi Haines
360 266-0816
Will send
5 more
invites
26:55
Pac 24.46

8314

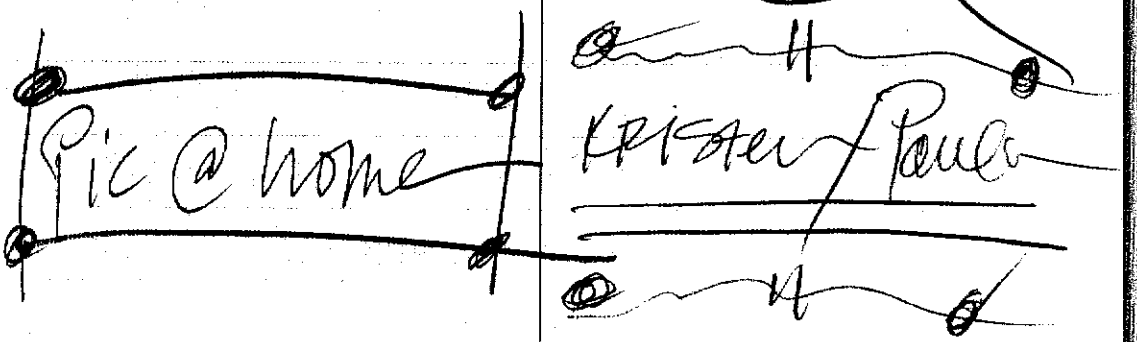
Palm Springs
PW D.
760
416-3336

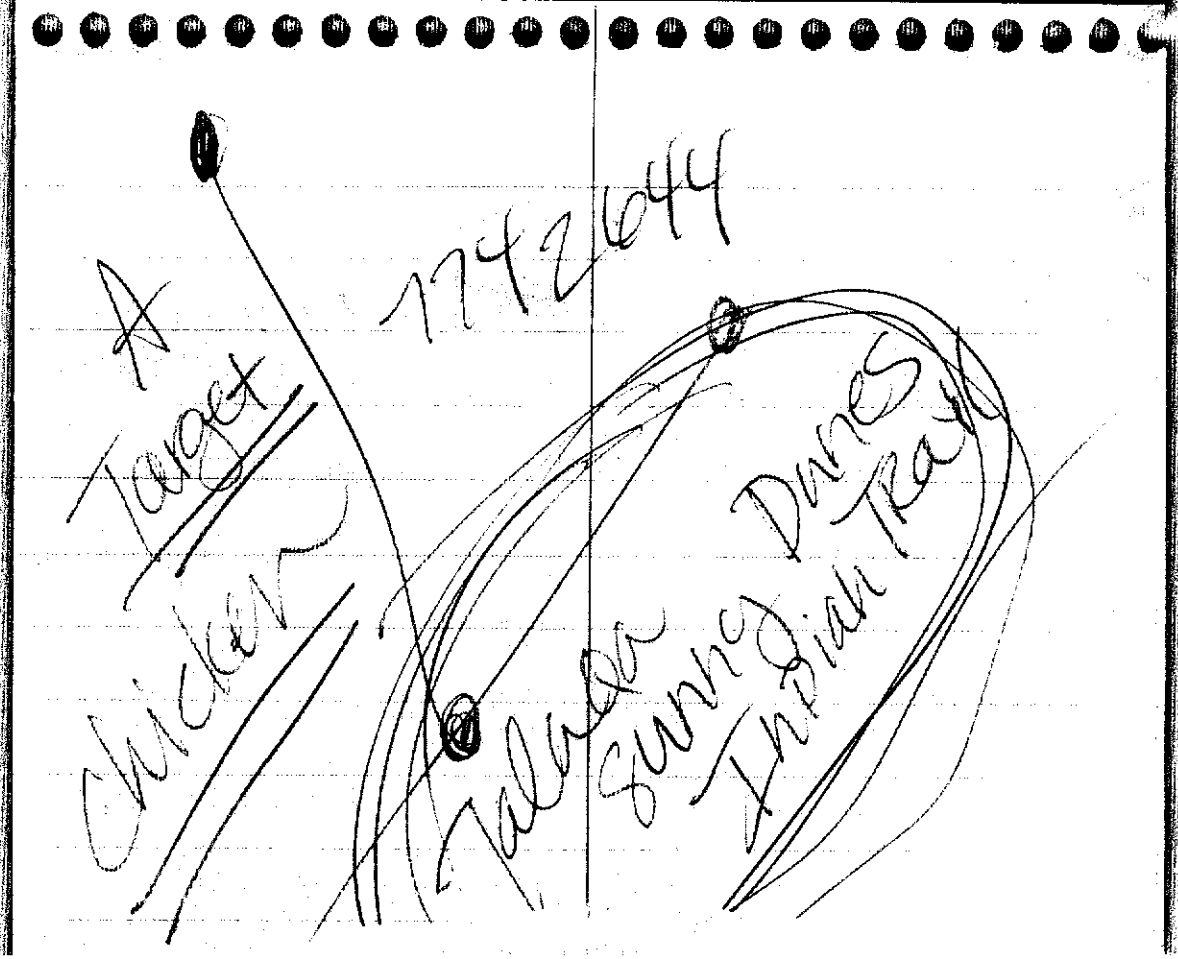
Jim
Goeddert
8206

8206

Dania Agreement? No?
not going on 5th.

3/9 Tue 8/21
Put
RE Appraiser
818 593 7200

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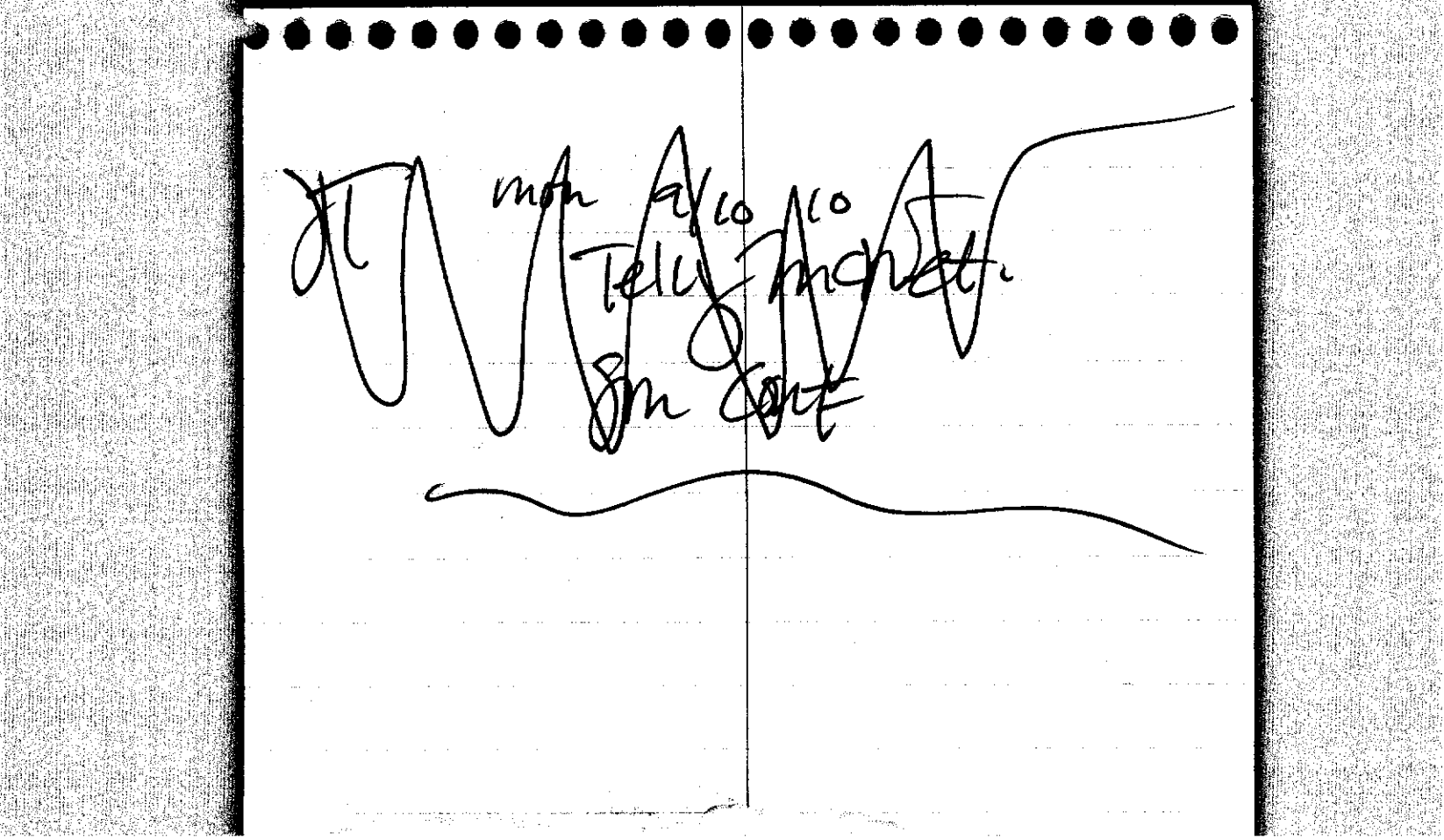

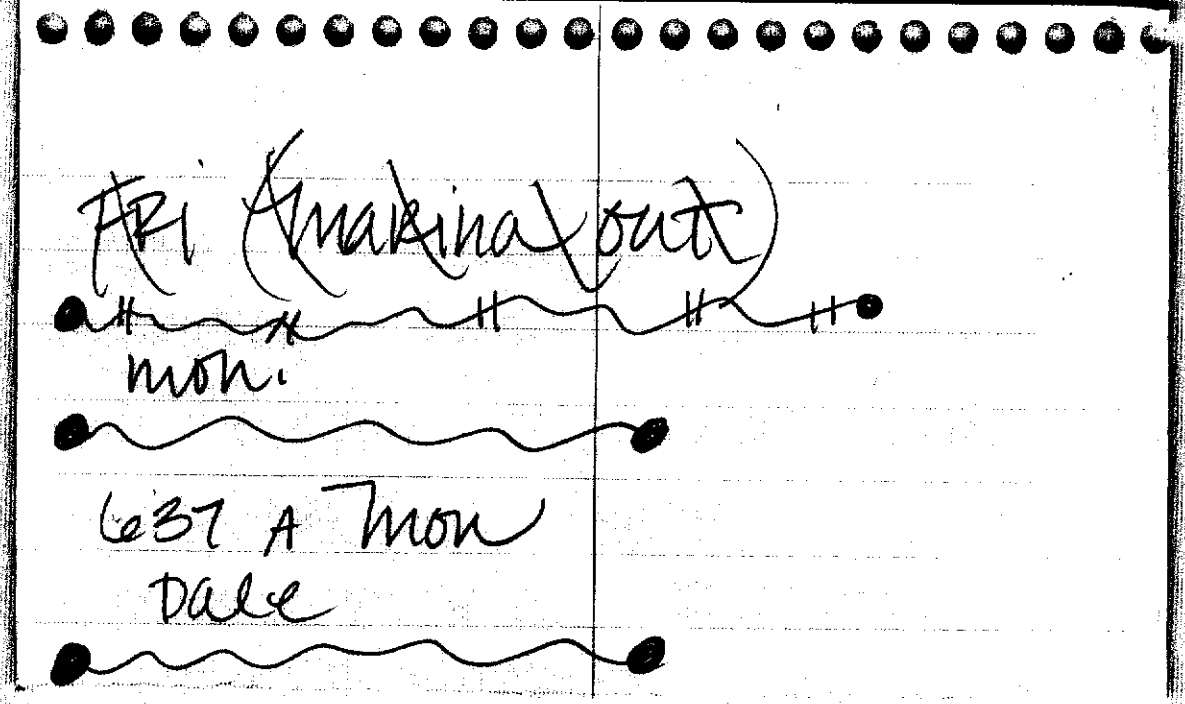
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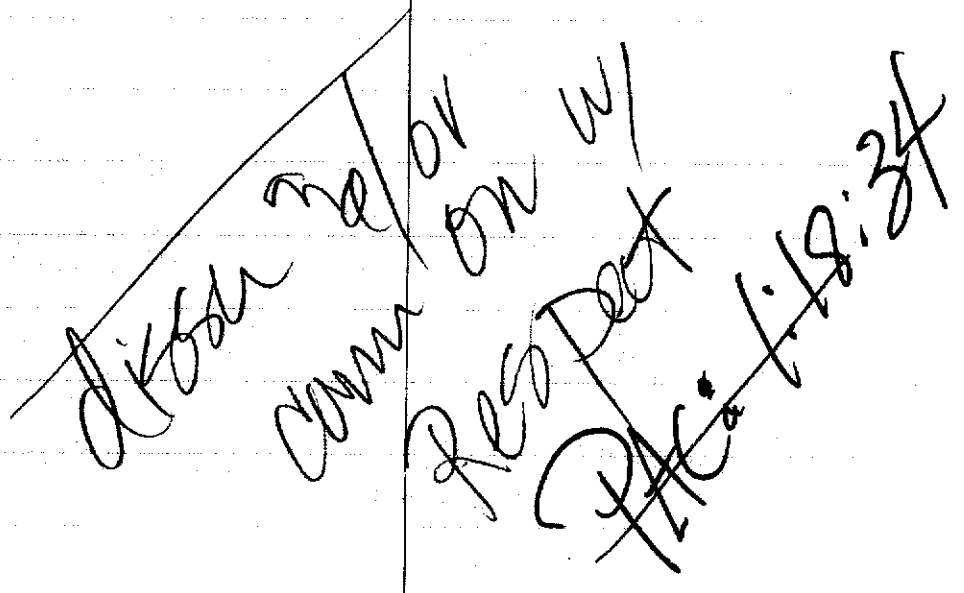
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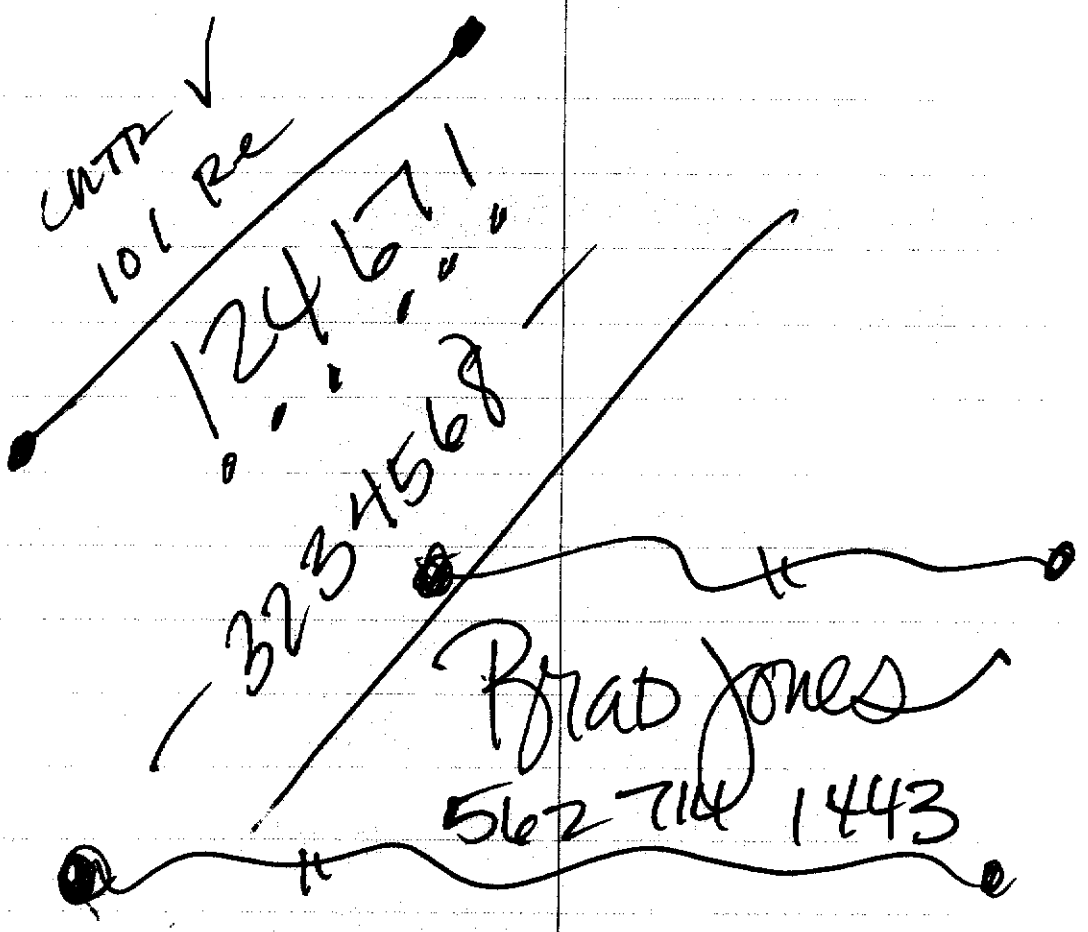
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101 Re
12467!
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Brad Jones
562 714 1443

Vacations@VRBO.com

Rental House #975 –

Kevin Spurbeck - Virginia (girlfriend)

Baja - put in for mon. 12/31 off!!

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fax

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Diana Gray (Exec)

Detail Prop
Cathedral Canyon
CC County

324-0388

Richard Weiss

Your Patio

The ultimate challenge of austerity politics

Michael Gerson

America is entering a period of prolonged austerity. The entitlement commitments made in a past generation have been rendered untenable by demographics . The problem is no one's particular fault, but it is very, very large. Failing to get borrowing under control would deny our children the lives we have had in this country.

This readjustment has begun to change the tenor of politics, which is increasingly focused on the distribution of painful burdens. It used to be that a budget compromise between Republicans and Democrats meant both sides got what they wanted — tax cuts and spending increases, respectively — and neither had to pay for it. Now compromise has to involve both sides losing something and neither getting the political upside. This is what it means to run out of money.

The politics of austerity is inherently divisive. It becomes disturbingly easy to turn group against group. Divisions can arise by class. The top 1 percent of earners take home about 17 percent of national income. They currently pay about 37 percent of federal income taxes. Does the 99 percent want them to pay 40 percent? More?

What burdens should be imposed on the vote-rich middle class? Or the conflict can become generational. In 1970, federal spending on Social Security and Medicare was about 20 percent of the budget. By 2030, it is projected to be 50 percent. Is it fair for those who are younger and poorer to provide dramatically increasing subsidies to those who are older and wealthier?

It is a marvel that anyone should strive and sacrifice to be a legislator in a period of austerity. Perhaps it weeds the field to the most cynical and the most public-spirited. A few demagogues thrive by feeding divisions and leading factions. But the best leaders in lean times share certain attributes:

» **A sense of proportion**: They focus the most attention on the things that matter most. In our case, the main problem is not simply public spending, it is entitlement programs on a path of accelerating, unsustainable spending. Those who devote their main attention to cutting food stamps or soaking the rich are grinding ideological axes, not confronting fiscal realities.

» **The courage to take on large interests**: If the largest voting bloc or the most organized pressure group always prevails, then public benefits and burdens become a function of political influence, not need or merit. So politicians, at various points, will be required to resist AARP and Americans for Tax Reform, public employee unions and tea party activists.

» **A sense of humanity**: Cuts that are equally applied are not equally felt. The reduction of a malaria program that saves the lives of children is not the same as the reduction in highway funding. Across-the-board cuts avoid political choices, but they do not avoid human consequences.

These leadership attributes came to mind with the approach of World AIDS Day. Foreign assistance is an illuminating example of the politics of austerity. It is particularly easy to highlight the division between citizens and non-citizens and impose burdens on those who do not vote in American elections. Sen. Rand Paul, R-Ky., has made the most of this argument — opposing not only security assistance in troubled regions but all foreign aid.

There are a variety of substantive responses to Paul's critique of aid. American foreign policy would not be particularly American if a commitment to universal human dignity did not play some role. Acting according to that commitment has been an important element of American influence — shaping our image and serving our interests.

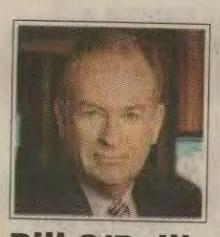
But Paul's crusade against aid is most notable as a failure of leadership. It lacks proportion, since the total of humanitarian assistance amounts to less than 1 percent of the federal budget — an expenditure irrelevant to America's long-term, structural fiscal challenge. He is targeting some of the most vulnerable people for ideological rather than fiscal reasons — attempting to undermine bipartisan, humanitarian achievements on AIDS, malaria and other issues that have saved millions of lives.

This is the ultimate challenge of austerity politics: to reduce the size of the government without dishonoring the values of the nation.

Michael Gerson is a Washington Post columnist. Email him at michaelgerson@washpost.com

CHRIS BRITT/STATE JOURNAL-REGISTER (SPRINGFIELD, ILL.)

Those teenage werewolves were easier to deal with



Bill O'Reilly

In the 1950s, "Little Joe Cartwright" starred in a movie called "I Was a Teenage Werewolf."

After seeing a full moon, Michael Landon ran around a high school foaming at the mouth and out of control. Since there was little difference between his behavior and that of other students, he got away with it for two semesters.

As I watched the film, I remember thinking that it was going to be tough for Landon to get into college with that on his résumé. But then the 1960s happened, so that was that.

This brings me to the present. My life these days is largely confronting madness on television and then going home to deal with teenage drama from an almost-14-year-old girl. I vaguely remember being 14, because I was ensconced in a Catholic high school that gave out homework assignments like they were M&M's. I had plenty of angst. Nobody paid much attention.

Like today, many teenagers back then brooded full time. Check out James Dean, an outstandingly cloudy guy. But now teens have two things that embolden their disenchantment: the Internet and permissive parents. Earlier this week, I was encouraging my urchins to speed it up because the bus was coming.

"I can't go faster 'cause you're staring at me," the teen wailed.

"I'm not staring at you. I just came into the room."

"But I can see you!"

You get the idea. My daughter also did not want to wear anything that covered her legs — even though it was 39 degrees outside. She wanted to wear shorts. I started wishing she'd turn into a werewolf. The fur would warm her.

But it is the Internet that is changing the teenage dynamic in America. It used to be that teenagers would hang out together and swap stories of woe. I remember seeing Billy Joel and his crew at stores on Levittown Parkway. They were just slouching around the same as my guys were. Just being with other teenagers was comforting, but we actually had to leave our houses to do that. Now, teens can gang-brood from their rooms on the Net.

Because nearly every awful occurrence is highlighted on Facebook pages, teenagers now find it easier to justify their own craziness. "How can you criticize me for getting a C when Shelley got all F's and crashed her dad's car?"

Nothing is private anymore. Teenagers are subjected to (and some participate in) incredibly destructive behavior online. And parents have few options. Even if you ban home computers, hand-held devices are all over the place. You'd have to put a full-time bodyguard on the child in order to provide complete protection.

All parents can do is try their best to impose a sense of responsibility. Be watchful at all times. Kids today are growing up at warp speed; the machines march them into adulthood way before they're ready.

Even with fangs, Landon had it easier.

Bill O'Reilly is a political commentator and host of "The O'Reilly Factor" on Fox News. Reach him at oreilly@foxnews.com

VALLEY VOICE

Ruiz answers specific questions with generalities

Donald Prell

The Desert Sun's political reporter Erica Felci is to be congratulated on writing an incisive Nov. 11 article regarding the task facing Dr. Raul Ruiz as he prepares to take his seat in a sorely divided Congress. However, in reading the interview, it became obvious that Ruiz avoided direct answers to Felci's questions.

The thrust of her questions included: "What role the federal government, and in particular Congress, should take in lowering unemployment, reducing the federal deficit, modifying health care legislation and immigration reform?" Ruiz provided answers that were political rhetoric and vague equivocations. Even more revealing, almost all of his "action list" are items not determined by Congress.

Ruiz replied: "We have to minimize foreclosures, revive the middle class and restore spending.

"We need to strengthen new industries so we're less dependent on the volatility of tourism.

"Our best options are health care research and alternative energy development.

"Allow Medicare to negotiate for lower prices with the drug companies.

"Address our local physician shortage crisis.

"Use electronic record keeping to eliminate expensive duplicate tests."

"Pass into law the executive order to stop deporting young people who were brought here through no fault of their own.

"Congress should stop playing politics and recognize that everyone has an interest in immigration reform. Everyone wants a reliable system that allows people who play by the rules to become productive members of society."

Ruiz was also asked, "Would you support amnesty?" He did not reply to the question.

Felci asked Ruiz, "What specific spending cuts would you support to help balance the federal budget, and what other deficit-reduction efforts should Congress pursue?"

Ruiz: "Bring troops home from Afghanistan to save $120 billion annually."

Does Dr. Ruiz not understand that when the troops leave Afghanistan they will be deployed elsewhere in the world, or if returned to bases in the U.S. they will still need to be fed, housed and paid? In addition, the U.S. will continue funding the government in Afghanistan. The actual annual savings will only be a fraction of $120 billion.

Ruiz: "Require people who earn more than $1 million annually to pay their fair share of a minimum tax rate of 30 percent. It is wrong that Mitt Romney pays a 13 percent tax rate while hardworking businesspeople, teachers or entrepreneurs pay twice that." Romney was a hardworking entrepreneur. He, like those of us in the middle class, pay the full tax rate on income from our work. And when we invest the funds we have saved, receiving interest income and long-term capital gains from that already taxed money, the tax laws provide a lower tax rate on those forms of income.

Is Dr. Ruiz proposing only those earning more than $1 million annually pay 30 percent on their income from interest and capital gains while the rest of us pay only the present rate of 15 percent? Maybe he should be asked, "Isn't it fair for our already-taxed savings to be reinvested and taxed at a lower rate?"

Ruiz: "Create jobs to increase revenues, decreasing demand for social services." Felici's question was about specific spending cuts, and he answered: "Create jobs." Congress does not create jobs, except government jobs. It is my hope that Dr. Ruiz will brief himself on what Congress can and cannot do, and in particular, federal tax law.

Note: I have never registered as a Democrat or a Republican. I am one of those independents who votes for the individual not a party.

Donald Prell of Palm Springs can be reached at dbprell@gmail.com

Democratic power in California capitol has limits

Dan Walters

So now we know. When the California Legislature reconvenes this month for brief organizational sessions, it will have historic Democratic supermajorities — 54 Assembly members and 29 senators.

However, when it returns to Sacramento in January, supposedly to do its real work, those numbers will change, because two Democratic senators will resign to take their seats in Congress, and that will touch off a game of musical chairs.

Those two departing senators, Juan Vargas and Gloria Negrete-McLeod, will almost certainly be succeeded by Democrats, most likely members of the Assembly who then would have to resign, thus sparking special elections for their seats that would stretch over most, if not all, of the 2013 session.

By winning 29 Senate seats, Democrats could lose Vargas and Negrete-McLeod and still have a 27-senator supermajority, which means they could, in theory, move legislation — tax increases and constitutional amendments — without Republican votes.

But it's more theory than reality. There are at least four Democratic senators who would be uncertain votes for major legislation that falls into the "very liberal" category, especially if it adversely affects business interests.

Lobbyists for the California Chamber of Commerce and other business groups will be paying a lot of attention to those four — Rod Wright, Ron Calderon, Lou Correa and Michael Rubio.

Nor would Cathleen Galgiani, the 29th Democrat elected this year, whose paper-thin victory was finally declared last week, be eager to vote for anything that might backfire later in her fairly conservative San Joaquin Valley district.

So while liberal activists may be clamoring for Democrats to act quickly and boldly on taxes, environmental regulations, curbs on initiatives and other matters, the Senate votes are probably not there.

The votes might be there when the two vacant Senate seats are filled, but if even one Democratic Assembly member moves up to the Senate, it would suspend the party's supermajority in that house until the vacancy is filled by another special election.

Meanwhile, Democratic Sen. Curren Price is almost certain to resign from the Senate by June to take a seat on the Los Angeles City Council, which would spark another special election. If it were to be won by a Democratic Assembly member, there would be still another Assembly vacancy.

Finally, even were two-thirds votes to be mustered in both houses for the bold steps that liberal activists want, they would have to contend with Gov. Jerry Brown, who has reiterated his 2010 campaign pledge not to raise taxes without voter approval.

The supermajorities have sparked lots of radio talk show and blogosphere speculation about what could happen but what actually does happen is likely to be much more modest.

Dan Walters is a columnist for the Sacramento Bee. Reach him at dwalters@sacbee.com

OPINION

"Congress shall make no law respecting an establishment of religion, or prohibiting the exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievanc
FIRST AMENDMENT TO THE U.S. CONSTITUTION

COMMUNITY CONVERSATIONS EDITOR **JAMES FOLMER** (760) 778-4625 or james.folmer@thedesertsun.com

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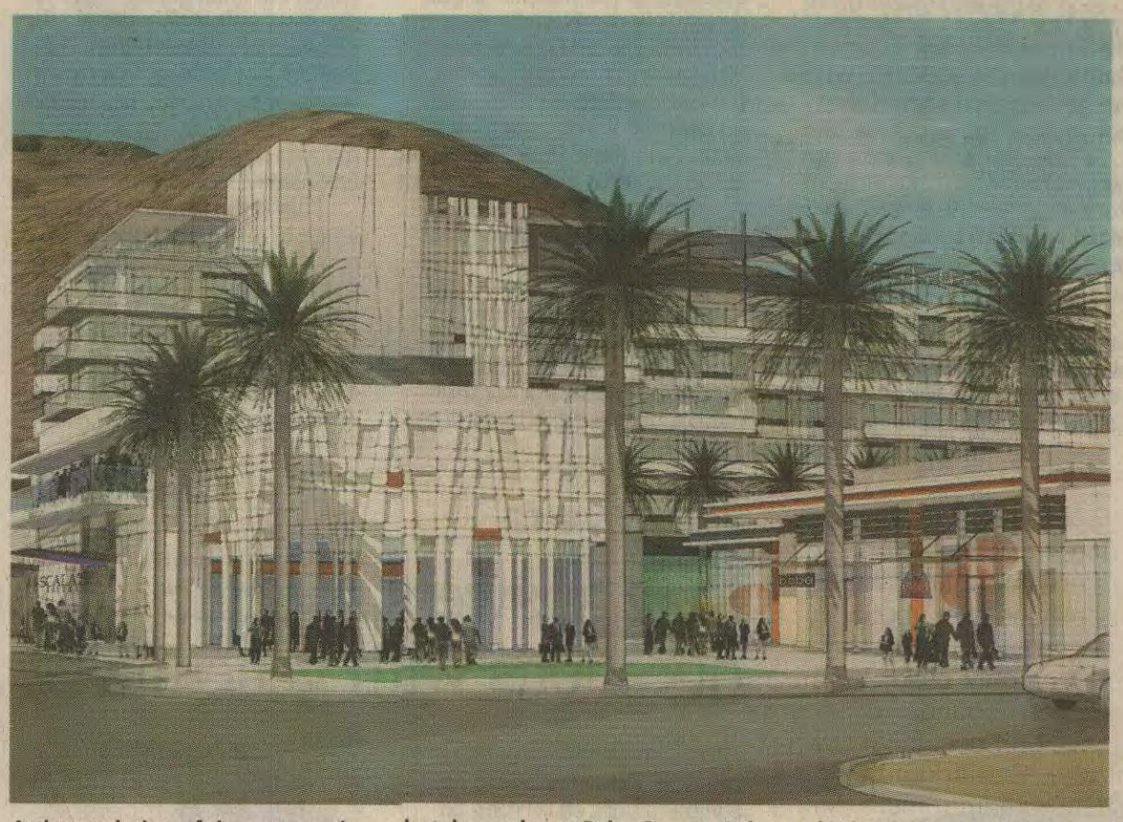
OUR VOICE

Our new downtown



Artist rendering of the proposed new hotel complex at Palm Canyon Drive and Tahquitz Canyon Way.
PROVIDED BY WESSMAN DEVELOPMENT.

The hotel should be the centerpiece

A large hotel is the linchpin to the revitalization of downtown Palm Springs.

Yet, the city's Architectural Advisory Committee and now the Planning Commission are taking shots at the proposed Hotel Palomar. That's their prerogative, and we respect all those who serve on city panels. But the city would be foolhardy to blow the deal with Kimpton Hotels, a first-class chain with more than 50 luxury hotels around the world.

A 2006 study commissioned by the Palm Springs Convention Center & Bureau of Tourism found the city needs 1,000 more rooms to attract major conventions. The Aviation Summit held in Palm Springs last month provided a perfect example. The convention needed 1,600 rooms. The tourism bureau worked with 11 hotels, some as far 3 miles away, and coordinated four shuttle routes to help visitors get around.

More rooms within walking distance of the convention center will enhance its appeal.

Members of the advisory committee said the hotel was too tall and too big.

TELL US WHAT YOU THINK.

The Desert Sun welcomes responses to its editorials. Email your comments to letters@thedesertsun.com

Developer John Wessman originally proposed 165 rooms for the Hotel Palomar, but Kimpton asked to increase the number to at least 185 to ensure profitability. The plan is to add the extra rooms to a retail building planned next door with a glass-enclosed walkway.

How tall is too tall? Nearby Hyatt Regency Suites is 65 feet tall and has 197 rooms. Hotel Palomar is proposed at 70 feet, not counting a 19-foot elevator tower. The Agua Caliente Casino Resort Spa in Rancho Mirage is 120 feet tall with 565 rooms. The Morongo Casino, Resort & Spa is 330 feet tall with 310 rooms.

Mount San Jacinto looms above Palm Springs at 10,834 feet. Naturalist John Muir wrote of San Jacinto Peak, "The view from San Jacinto is the most sublime spectacle to be found anywhere on this earth!" The view from the proposed rooftop bar and pool will be spectacular, too.

Debating the height of the hotel is certainly appropriate and healthy. The commissioners have a right — indeed, an obligation — to challenge developers. These decisions will chart the future of Palm Springs for decades and the city cannot afford to repeat the mistakes made with the creation of Desert Fashion Plaza.

However, The Desert Sun believes the height is reasonable and probably the only way to keep Kimpton Hotels in the picture.

Retail won't save downtown. Nearly one in five storefronts in the valley are empty, the highest rate of any major retail corridor in Southern California. At the end of June, the retail vacancy rate was 18.2 percent. Some of the new retail space created in the past few years has never been occupied, and the old Palm Springs Mall is practically a ghost town.

Some retail downtown is appropriate, because tourists and locals like to shop. A luxury hotel will attract high-end retailers. Tourism has been trending up in the first three months of the fiscal year and over the past two years. The city and Wessman Development are wise to capitalize on that trend.

And Kimpton Hotels & Restaurants looks like a good fit. According to its website, Bill Kimpton pioneered the boutique in 1981 — not too big but with luxurious amenities.

The chain makes a commitment to the green movement, using only recycled paper and no disposable cups. It also boasts a 100 percent rating from the Human Rights Campaign for its treatment of LGBT employees.

The Museum Market Plaza Specific Plan aims to "complement the distinctive, eclectic townscape character" that made Palm Springs famous. Similarly, the architectural advisory guidelines aspire to create a "harmonious relationship with existing and proposed adjoining developments." That's the challenge at hand.

Insisting on quality is important, but judging architecture also is subjective. Suggested improvements are appreciated, but let's not take our eye off the goal. The hotel is what makes the plan work. It is the best way to fulfill the promises to taxpayers who took the bold step of raising taxes for a brighter future for their downtown.

MYDESERT POLL

What do you think of the height of the proposed Kimpton hotel? A) Too tall. B) Just right. C) Could be taller. Cast your vote at mydesert.com/opinion

VALLEY VOICE

A great opportunity to revitalize Palm Spring

Dave Baron

Harold Matzner

It's time to revitalize downtown Palm Springs!

We have survived the economic downturn and we have a unique opportunity for Palm Springs to capture our share of the travel, vacation and business meeting recovery that is occurring.

People from all over Southern California and elsewhere have "found" Palm Springs. Of course, we were never "lost." We have a world-class brand. But Palm Springs has been hurt by the empty Fashion Plaza in its downtown core.

We need a revitalized downtown experience

Our small boutique hotels and larger hotels are prospering, yet virtually all of them, as well as our restaurateurs and business owners, complain about the same thing: We need a defining and vibrant hotel/retail shopping experience to replace the empty Desert Fashion Plaza.

It is essential that we have more specialty boutique retail stores with unique merchandise like Trina Turk and Wil and Molly's and hip, cutting-edge dining like Trio's and LuLu's. This combination will not only bring folks to Palm Springs, but will encourage them to come back time and time again and spend their dollars here.

We must take action now

As a community, we have invested a lot of resources, hard work and hope to restore our brand and position in the convention and tourism industry. We must take action now! The Palm Springs Downtown Revitalization Plan is a precious opportunity to shape our future as a city and as a vibrant, healthy community. The decayed Fashion Plaza has been and continues to be a black hole highlighting our downtown and economic failure for nearly a generation. We have an opportunity to change that right now.

Downtown plan has years of support

The plan is the product of years of planning-and-visioning forums well attended by Palm Springs residents. This has been one of the most scrutinized and planned projects in the history of our valley. And what is before the city is exactly what the voters demanded and expected when they approved Measure J.

Plan is strong and economically viable

We urge everyone to study the project on the city's website or at City Hall. You will find a project that marries new and unique retail, a vibrant restaurant scene, pedestrian-friendly plazas and open space alongside a four-star Kimpton hotel. The business plan that is used to develop the Kimpton must meet their criteria and still be buildable based on the economics of the project.

Supports businesses and restaurants

We are lucky to get the Kimpton brand in our town. Anyone who has stayed at one of the 54 Kimpton hotels will know that they are exactly what we need in terms of brand and ambience to complete our city hotel assortment. The ro top pool and bar will be a huge attraction for touri and locals alike. The Kim ton brand is the kind of magnet today's specialty retailers and finer restau rants demand when they are selecting new locatio This project will be anchored by the Kimpton, Hyatt and the Palm Sprin Art Museum that will co bine to bring 300,000 visi tors each year to its store and restaurants. Each co ponent of this plan will contribute to the overall cumulative economic suc cess of the project.

» Read your letters about the hotel on **Page B15**.

Creates mountain vie

Another benefit of the downtown plan is that it creates two new viewshe to the mountains that do currently exist — views that for the past 40 years have been hidden by the Fashion Plaza. Also, whil the zoning allows for 60-foot tall buildings stretch along the face of Palm Ca yon Drive, this plan goes lower. Palm Canyon will have single-story shops a restaurants, separated by through-streets, and som setback double-story buil ings. The hotel is setback minimum o 200 feet — a greater set-back than a other hotel Palm Canyo Drive. By transferring density to the Kimpton, w are able to have lower buildings, more open area and more views of the mountains and an econom cally viable hotel. That is important!

Supports the museum

We are also excited about the new 50,000-square-foot open area in front of the art museum. This space will be used fo concerts and other specia events that will be enjoye by both residents and visi tors alike.

Our opportunity to revitalize downtown

Palm Springs has a pre cious opportunity to re-build its downtown, and significantly improve its economic future. That is a very rare option for any municipality today. It is a opportunity that must not be squandered.

Harold Matzner is the chairma of the board of the Palm Spring International Film Festival, fir vice chairman of the Palm Springs Art Museum and the owner of Spencer's. Email him Matzner.harold@gmail.com

Dave Baron is a partner at SBEMP LLP and vice chair of the Palm Springs Internationa Film Festival. Email him at baron@sbemp.com

INSIDE OPINION

MICHAEL GERSON
The ultimate challenge of austerity politics. **B14**

VALLEY VOICE
Ruiz answers specific questions with generalities. **B14**

LETTER OF THE WEEK
Christmas display in Palm Desert is worth a look. **B15**

State of the City 2014

State of the City Luncheon Table List

Table 1	Table 2	Table 3
Mayor & Council	**City of Palm Springs**	**City of Palm Springs**
Mayor Steve Pougnet	Chief of Staff Jay Thompspn	[redacted]er Kathi Hart
Mayor Pro Tem Rick Hutcheson	Kim Hardcastle	Margo Wheeler
Councilmember Ginny Foat	Bette O'Camb	John Raymond (JR)
Councilmember Paul Lewin	Jennifer Nelson	Jeanyne Locke
Councilmember Chris Mills	Shelly Saunders	Dawn Hunter
Kelly McLean	Chief John Allen	Jonathan Bierner
Ginny Ehrlich	City Attorney Doug Holland	Barbara Rose (Vegetarian)
City Manager David Ready	Perry Madison	Marge Bush
David Urman	Amy Blaisdell	Cathy Van Horn
Pam Genevrino	Chief Al Franz	Denise Blotter
Table 4	**Table 5**	**Table 6**
City of Palm Springs	**City of Palm Springs**	**City of Palm Springs**
Jeff Kiehl	Jim Webb	Jim Gross
Al Smoot	Jason Loya	Ron Willison
Michele Mician (Vegetarian)	Mark Diaz	Lee Bonno
Kate Castle (Vegetarian)	John Krohngold	Tom DeLeeuw
Bob Elsner	Mitch Spike	Jeannie Kays
Tom Nolan	Bryan Reyes	Ron King
Dee Dee Wilson-Barton	Katherine Johnson	Vicki Oltean
Bill Notte	William Hutchinson	Jennifer Henning
Carolyn Notte	Chris Jaeger	Dave Darrin
Pat Sweeney	Walter Combs	Patrick Sheehan

55.00

Since MAPS bought a table at the State of the City Luncheon, we drew 2 extra names to give to you for the 2 seats reserved for MAPS.

They are Angela LaFrance and Diana Shay.
Do you want them to just give their names when they check in at the luncheon?

Thanks,

Rick Mozzillo MCSE
SR. PC/Network Administrator
City of Palm Springs
(760) 323.8235
Rick.mozzillo@palmsprings-ca.gov

See more about Rick Mozzillo.

Doug Hudson	6-30-15	320-4898
Lyndon Calerdine	6-30-15	416-2075
Kathleen Weremiuk	6-30-15	310-663-0002
~~*Douglas Donenfeld~~	6-30-14	218-7101
J. R. Roberts	6-30-14	415-297-9309
Philip Klatchko	6-30-16	320-7878
Randy Lowe	6-30-16	832-7145

PUBLIC ARTS COMMISSION

Buddy West	6-30-15	321-5770
Joanie Wilcox	6-30-16	327-7033
~~*Patrick Sheehan~~	6-30-15	325-1932
Angela Valente Romeo	6-30-14	510-334-6996
Joshua Edmundson	6-30-14	534-2984
Anne Rowe	6-30-15	202-2252
Amy Sand	6-30-16	831-0248

RENT REVIEW COMMISSION

Eli Stiny	6-30-14	Contact
Carol Ramsey	6-30-14	through
Bob Turanchik	6-30-16	City
Vacant	6-30-16	778-8465
Vacant	6-30-16	

SUSTAINABILITY COMMISSION

Grant Wilson	6-30-16	416-2075
Victor Yepello	6-30-16	660-0010
Thom Bettinger	6-30-16	717-364-7043
Travis Armstrong	6-30-16	832-7365
~~*Brett Klein~~	6-30-15	902-6489
Joseph C. Jackson	6-30-15	318-3508
Vacant	6-30-15	
~~Kate Castle~~	6-30-14	898-9522
~~Brielle McNeel~~	6-30-14	449-0594
Mark Polischak	6-30-14	464-2029
Paul McCreesh	6-30-14	641-7003

TRAMWAY BOARD (City Rep.)

Nancy Stuart	9-19-15	Contact thru
Jerry Ogburn	9-19-15	Tramway

VILLAGEFEST BOARD

Michael Ziskind	6-30-15	399-0976
Vacant	6-30-15	
~~[redacted]~~	6-30-16	969-9808
Joy Meredith	6-30-16	322-7799
John Fleming	6-30-16	328-1813
Vacant	6-30-14	
Mary Ann Kaestner	6-30-14	416-7534

CITY COUNCIL

Ginny Foat	11-17	Contact
Chris Mills	11-17	at City
Rick Hutcheson	11-15	City Hall
Mayor Steve Pougnet	11-15	323-8200
Paul Lewin	11-15	

City Council Meetings, 1st and 3rd Wednesday 6:00 PM
Closed Sessions, Wednesday at time indicated on posted agenda

Mayors State of the City Jan 16 11:30 AM Hard Rock Hotel

760-322-8366

*denotes Chair

updated as of 1/8/2014

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BOARDS AND COMMISSIONS ROSTER

ADMINISTRATIVE APPEALS BOARD

Stephanie Arrache	6-30-14	778-7615
Steve Rosenberg	6-30-15	324-9797
William Johnson	6-30-13	
Glen Perry	6-30-15	898-8853
*Ted Grofer	6-30-16	325-3636

P.S. INT'L AIRPORT COMMISSION

Fred Fabricant	6-30-14	567-7783
Richard (Rick) Stelk	6-30-14	902-8161
Manuel Suero	6-30-14	992-3731
Clinton Moore	6-30-15	322-9210
Michael Call	6-30-16	322-8859
Robert Eisner (*)	6-30-16	416-1799
Charles Conine	6-30-15	325-6095
Norm King	6-30-16	320-5908
Brian Wachs	6-30-15	325-7799
Bruce Bushore	6-30-15	285-8380
Peter Freymuth (County)	6-30-14	619-2349
D. Clayton Mayes (RM)	1-31-15	324-4511
Douglas Gordon (IW)	6-30-15	200-0582
Rolf Hoehn (PD)	6-30-15	346-0611
Samuel Medrano (CathCity)	6-30-15	864-1114
Robert Teal (LaQuinta)	6-30-14	899-4171
Jack Horner (Indio)	6-30-13	342-3302
David Garcia (Coachella)	12-31-13	398-3502
Jan Pye (DHS)	1-31-14	329-6411

BID ADVISORY BOARD

Tracy Heller	6/30/12	322-8806
Vacant	6/30/15	
Vacant	6/30/13	
*Keith McCormick	6/30/13	320-3290
Larry Abel	6/30/14	323-934-4704
Larry Bitonti	6/30/14	323-9890
Vacant	6/30/14	

BOARD OF APPEALS

Chris Foster		325-5028
Rod Bruce		457-7538
Ted Mandinach		325-6704
Vacant		
Frank Urrutia		327-6800
Vacant		
Vacant		

HISTORIC SITE PRESERVATION BOARD

[redacted]	6-30-14	Contact
Dick Burkett	6-30-14	through
Gary Johns	6-30-15	Planning
Roxann Ploss	6-30-16	Dept.
James Williamson	6-30-16	
Todd Hays	6-30-16	323-8270
Vacant	6-30-15	

HUMAN RIGHTS COMMISSION

Dr. Les Zendle	6-30-15	626-827-4911
Dee Dee Wilkinson	6-30-15	832-6601
David Brown	6-30-15	699-3395
Elena Chvany	6-30-14	202-2330
Deborah Sutton-Weiss	6-30-14	909-904-1861
Wes Rankins	6-30-14	866-9135
Janel Hunt	6-30-16	327-6171
Jilska Chandrasena	6-30-16	808-1416
Jack Newby	6-30-16	325-6393

BOARD OF LIBRARY TRUSTEES

Ron Williamson	6-30-15	218-5080
Linda Futterer	6-30-15	327-5591
Harry Courtright	6-30-14	835-0161
*David Gray	6-30-16	320-4147
Fred Jandt	6-30-16	318-2930

MEASURE "J" OVERSIGHT COMMISSION

Christine Hammond	6-30-15	898-4466
Mark Marshall	6-30-15	904-5112
Kevin Towner	6-30-15	898-9985
David Vogel	6-30-15	818-601-5005
John Williams	6-30-15	668-5244
Aftab Dada	6-30-14	318-8500
Kristin Bloomer	6-30-14	617-429-0607
Lee Cohen	6-30-14	567-1773
#Robert Moon	6-30-14	832-2122
Alternates		
Elizabeth "Liz" Glass	6-30-15	617-1054
Curt Watts	6-30-14	324-4511

MOSQUITO/VECTOR CONTROL (City Rep.)

Sharon Lock	12-31-15	202-6645

PARKS & RECREATION COMMISSION

Cosimo Aiello	6-30-14	902-3193
Miguel Navarro	6-30-14	413-2626
Scott Meredith	6-30-14	322-7799
[redacted]	6-30-15	325-5035
Carol Davis	6-30-15	413-2613
Jeff Conwell	6-30-15	661-993-2868
Clifford Reed	6-30-16	327-2151
Sid Craig	6-30-16	770-4035
Cheryl Houk	6-30-16	779-5265
Vacant PSUSD (appt by Supt, no term)		416-6029

PERSONNEL BOARD

Don Way	6-30-14	
*John Price	6-30-14	699-5641
Pete Rode	6-30-16	
James Reed	6-30-16	778-2879
Russ Uthe	6-30-15	327-2640

PLANNING COMMISSION

*denotes Chair

updated as of 1/8/2014

State of the City Luncheon Table List

Table 1	Table 2	Table 3
Mayor & Council	**Department Heads**	**Department Heads**
Mayor Steve Pougnet	~~City Clerk~~ Chief of Staff Jay Thompspn	Doug Donenfeld
Mayor Pro Tem Rick Hutcheson	Terri Milton	Margo Wheeler
Councilmember Ginny Foat	Bette O'Camb	John Raymond (JR)
Councilmember Paul Lewin	Jennifer Nelson	Jeanyne Locke
Councilmember Chris Mills	Shelly Saunders	Dawn Hunter
Kelly McLean	John Allen - chief	Jeanie Kays
Amy Blaisdell	Lee Bonno	Barbara Rose (Vegitarian)
City Manager David Ready	Perry Madison	Marge Bush
City Attorney Doug Holland	Pat Sweeney	Jennifer Henning
Pam Genevrino	Chief Al Franz	Diana Shay
Table 4	**Table 5**	**Table 6**
Department Heads	**Bargaining**	**PSNIG** PS NIC
Jeff Kiehl	Jim Webb	Jim Gross
Al Smoot	Jason Loya	Ron Willison
Michele Mician (Vegitarian)	~~Bill Nocte~~ Mark Diaz	?
Kate Castle (Vegitarian)	~~Carolyn Notte~~ John Krahnfeld	?
Bob Elsner	Mitch Spike	?
Tom Nolan	Bryan Reyes	?
Dee Dee Wilson-Barton	Katherine Johnson	?
? Bill Notte	William Hutchinson	?
? Carolyn Notte	Chris Jaeger	?
?	?	?

12 left

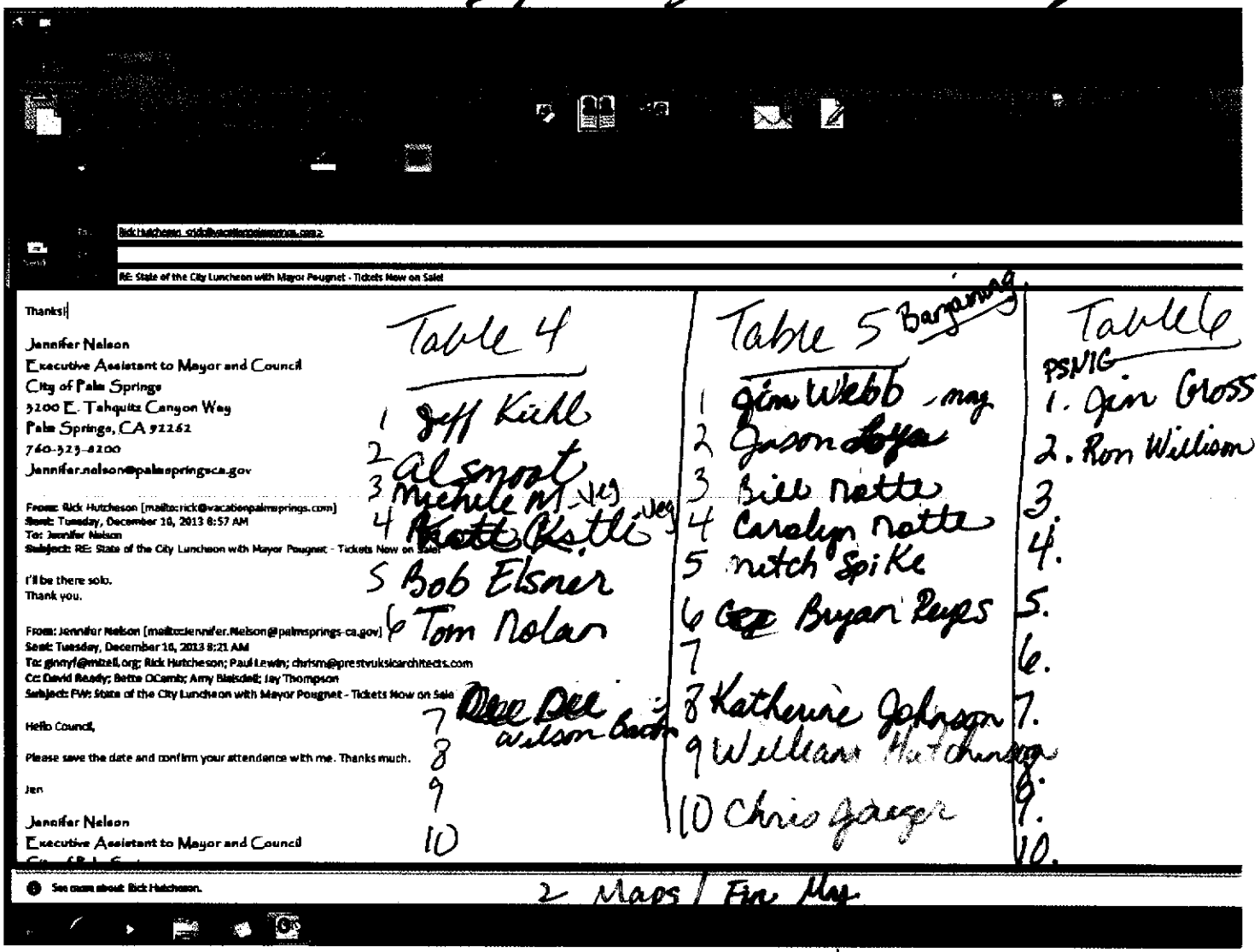
3 spots

Rick - 1
mayor - 1

Planning
Library

Cost of food for tickets

Measure A
Chair - Rob Moon
Vice Chair



RE: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!

Thanks!

Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov

From: Rick Hutcheson [mailto:rick@vacationpalmsprings.com]
Sent: Tuesday, December 10, 2013 8:57 AM
To: Jennifer Nelson
Subject: RE: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!

I'll be there solo.
Thank you.

From: Jennifer Nelson [mailto:Jennifer.Nelson@palmsprings-ca.gov]
Sent: Tuesday, December 10, 2013 8:21 AM
To: ginnyf@mitzell.org; Rick Hutcheson; Paul Lewin; chrism@prestvuksicarchitects.com
Cc: David Ready; Bette OCamb; Amy Blaisdell; Jay Thompson
Subject: FW: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale

Hello Council,

Please save the date and confirm your attendance with me. Thanks much.

Jen

Jennifer Nelson
Executive Assistant to Mayor and Council

See more about: Rick Hutcheson.

Table 4

1 Jeff Kidd
2 Al Smoot
3 Michele M - veg
4 Kathy Kistle - veg
5 Bob Elsner
6 Tom Nolan
7 Dee Dee Wilson Beach
8
9
10

Table 5 Bargaining

1 Jim Webb - mayor
2 Jason Loya
3 Bill Natte
4 Carolyn Natte
5 Mitch Spike
6 Bryan Reyes
7
8 Katherine Johnson
9 William Hutchinson
10 Chris Yeager

Table 6

PSMG
1. Jim Gross
2. Ron Willson
3.
4.
5.
6.
7.
8.
9.
10.

2 Maps / For Me

Table 1

1 Mayor
2 Rick Hutcheson
3 Ginny Foat
4 Paul Lewin
5 Kelly McClear
6 Amy Blaisdell
7 David Ready
8 Doug Holland
9 Pam Serviss
10

Table 2 - Dept Heads

1 Jay T. Thompson
2 Jerri Milton
3 Bette O'Camb
4 Jen Nelson
5 Shelly Saunders
6 John Allen
7 Lee Bonno
8 Perry Madison
9 Pat Sweeney
10 Chief Fritz

Table 3

1 Doug Donnerfeld
2 Margo Wheeler
3 JR
4 Deanyne Locke
5 Dawn Hunter
6 Jeanine Kaye
7 Barbara Rose - Vegetarian
8 Marge Bush
9 Jacque Henning
10 Dana Shaw

Jennifer Nelson

From: Bette OCamb
Sent: Wednesday, January 08, 2014 9:16 AM
To: Jennifer Nelson
Subject: FW: State of the City January 16

Whew! I did remember to copy you, but fyi, below are the reps:

Police Safety Association
Bill Hutchinson, President — Representative - William Phillips
Office 760-778-8440 ext 6529 — Cell 310-697-6964
Cell 760-285-9566

Police Management Association
Mitch Spike, President — Representative - None
Office 760-
Cell 760-

Fire Safety Association
Mark Diaz — Representative - Mark Reid
Office
Cell

Fire Management Association
Jim Webb, President — Representative - None
Office 760-323-8183
Cell 760-217-8541

Management Association of Palm Springs
Rick Mozzillo, President — Representative - Mike Powell
Office 760-323-8235 — Office 800-274-9968
Cell 760-218-1045 — Cell 619-277-9968

General Unit
Bill Notte, President — Representative - Mark Reid
Office 760-323-8168 — Office 951-529-2052
Home 760-329-1880 — Cell 909-529-6424

Bette O'Camb
City Manager's Office
760 322 8362
Bette.OCamb@palmspringsca.gov

From: Bette OCamb
Sent: Tuesday, January 07, 2014 5:39 PM
To: William Hutchinson; Mitch Spike; 'bn-721ps@msn.com'; James Webb; Mark Diaz; Rick Mozzillo

Diner >

7pm = Wisman >

Cleaton Reception Change

Cancel =

Call Lady Flint Michigan
Mayor's Ex neighbor

Friday - audience -

Companion =

Arsenal

Jane Rengo - 80

Joe

Sponsorship email to Jeanette

8362

8350

Jan. 13

a few more edits.

State of the City 2014 11:30am Thursday, January 16th

Welcome and Thank you's

1. Thank the Chamber of Commerce and Sponsors
2. Thank Dignitaries
3. Thank David Ready and City Staff
4. Thank City Council

Roll Video

6 Main Topics

I. Budget
II. Public Safety
III. Health and Wellness/Sustainability
IV. Economic Development
V. Measure J
VI. Downtown Project

I. Budget

a. Overview Budget Summary (Operating)
b. Sales, Utility, TOT, and Property Taxes
c. Measure J
d. Cash Reserve
(All should compare to previous year)

II. Public Safety

a. Police:
b. Fire:
c. Overall crime stats (if improved)
d. New fire station info. goes here- need to include how it will reduce response times.

III. Health and Wellness/Sustainability

a. Mayor's Healthy Planet, Healthy You Race and Wellness Festival – 2014 (2 slides)
b. Michele to provide
c. Michele to provide
~~d. Michele to provide~~

IV. Economic Development

a. Airport
b. Hotels - Dolce, Port Lawrence, Arrive (slides)
c. Update on Incentive programs (number of applications)
d. I-10 Corridor

V. Measure J

a. Highlight what has been funded
b. Update on "Strategic Plan"
c. Downtown Project
    1. Updated timeline
    2. Announce any L.O.I./leases ??

The End – off to block party

VI. Downtown Project
a. Updated timeline
b. Announce any LOI / Leases

State of the City 2014

5 Elements

1 Budget
2 Sust/Wellness
3 Eco. Dev - outside of Downtown - Measure Q!
4 General
5 Measure J

5 Fashion Plaza - Timeline (Tenants?)

Slide Show

Budget - normal slide - 1st quarter
Healthcare $
Growth
Hotel Revenue

David/Chief Public Safety?
New Fire Station =
Crime #'s
Stats
response times

Hutch - BBQ Events in neighborhood

Sustainability

Mayors Race
Sust. Grant

Top 3

Eco Dev.

Vacancy review - Code Enforcement

✓ Incentive Program # of applications

✓ Airport -

Hotel

Port Lawrence slide

Dolci slide

Hubbard slide

Amine slide

? CoD

✓ ★ Dolly

✓ * Dev. around I-10 interchange

Measure O - slides - quick

Measure O signs up 12/16

paved roads museum

bike lanes

long term projects - (large)

DEP
Ceremonial groundbreaking

Block Party = Groundbreaking for THE PROJECT

Belardo going thru

Street sign? - ~~found~~

P | C | New Main to Museum

Jennifer Nelson

From: Jennifer Nelson
Sent: Wednesday, December 18, 2013 3:35 PM
To: David Ready
Cc: Bette OCamb; Amy Blaisdell; John Raymond
Subject: Mayor's State of the City rundown
Attachments: mayorsspeech2014.docx

To DHR

David,

Per our discussion this afternoon, I have attached a copy of the outline for the Mayor's 2014 State of the City Speech. I am happy to assist you in retrieving the needed information from Staff if you want me to. Thanks.

Jen

Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov

Jennifer Nelson

To: Ginny Foat (ginnyf@mizell.org); Rick Hutcheson; Paul Lewin; chrism@prestvuksicarchitects.com
Cc: David Ready; bette.ocamb@palmspringsca.gov; Amy Blaisdell (amy.blaisdell@palmspringsca.gov); Jay Thompson (Jay.Thompson@palmspringsca.gov)
Subject: FW: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!

Hello Council,

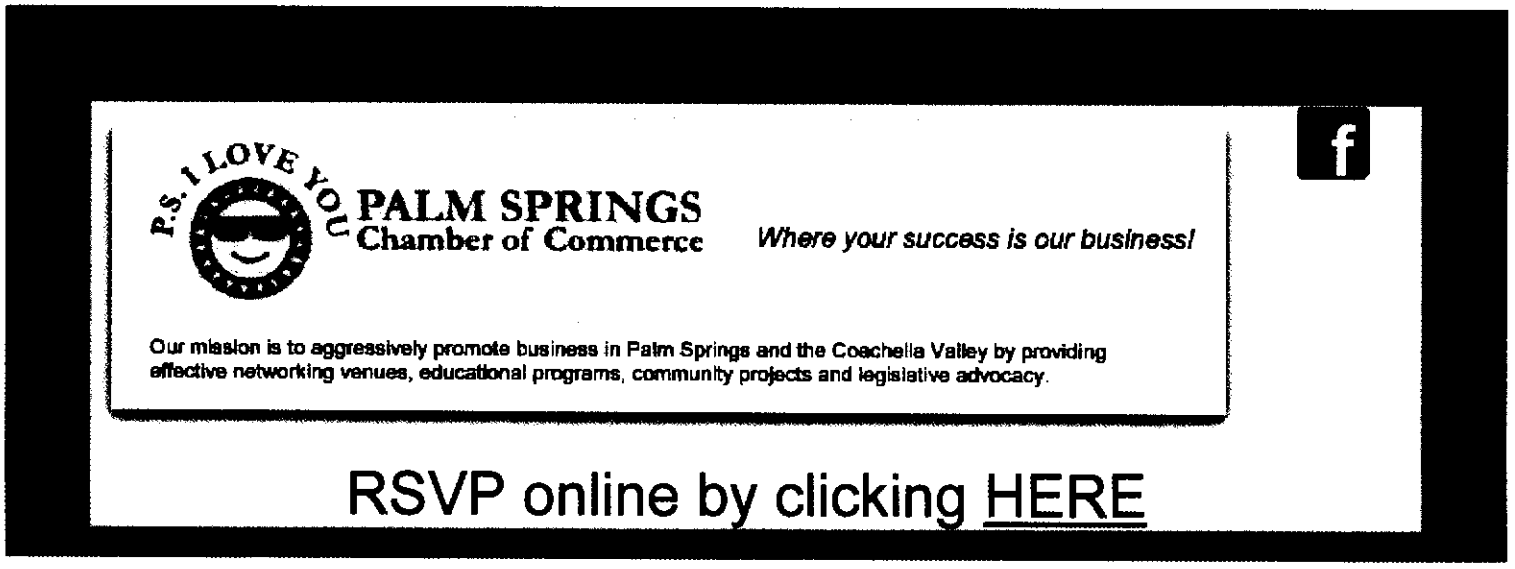
Please save the date and confirm your attendance with me. Thanks much.

Jen

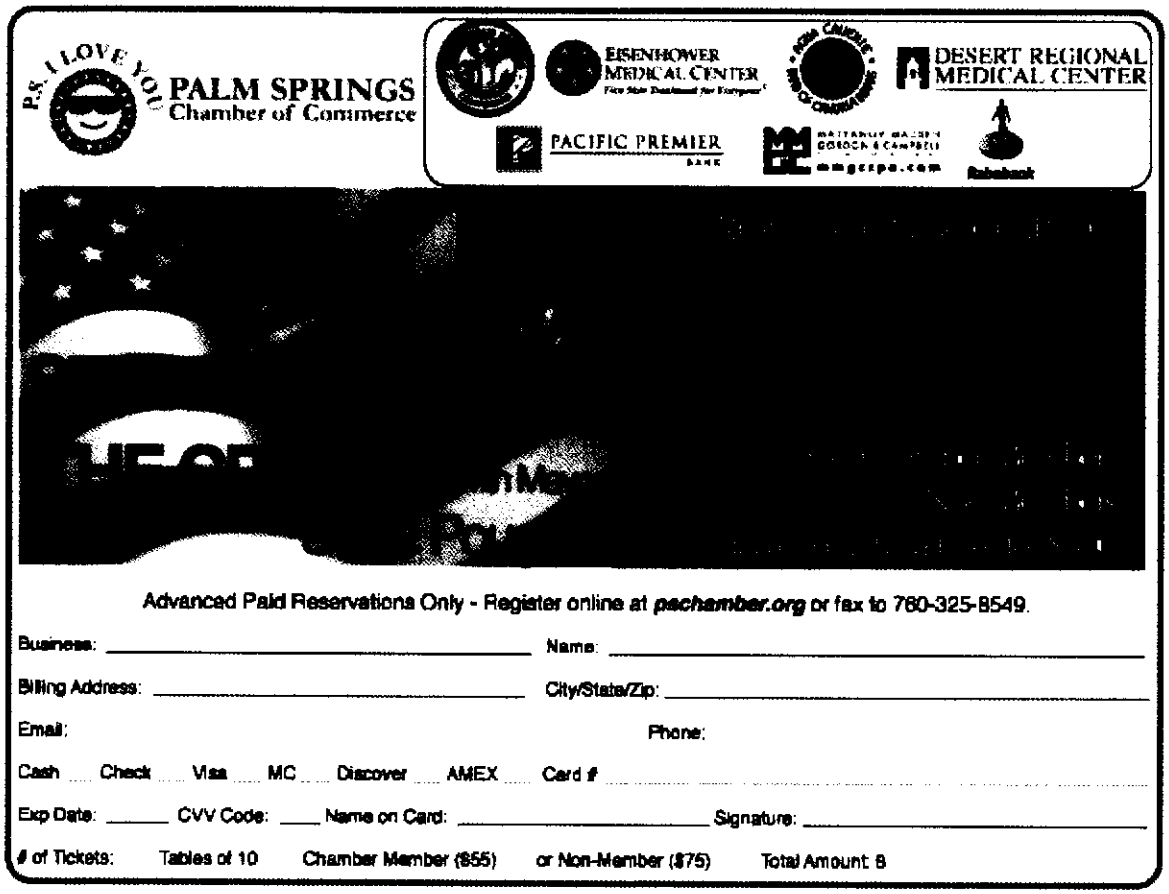
Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov

From: Palm Springs Chamber of Commerce [mailto:info@pschamber.ccsend.com] **On Behalf Of** Palm Springs Chamber of Commerce
Sent: Tuesday, December 10, 2013 1:18 AM
To: Jennifer Nelson
Subject: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!

Having trouble viewing this email? Click here



or on the Flyer below!



Forward this email

This email was sent to jennifer.nelson@palmsprings-ca.gov by nwatson@pschamber.org |
Update Profile/Email Address | Instant removal with SafeUnsubscribe™ | Privacy Policy.
Palm Springs Chamber of Commerce | 190 W Amado Road | Palm Springs | CA | 92262

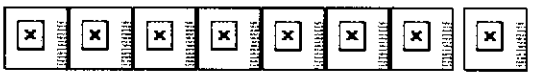
Jennifer Nelson

From: Steve Pougnet <stephenpougnet@gmail.com>
Sent: Tuesday, December 10, 2013 8:59 AM
To: Jennifer Nelson
Subject: Re: State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!

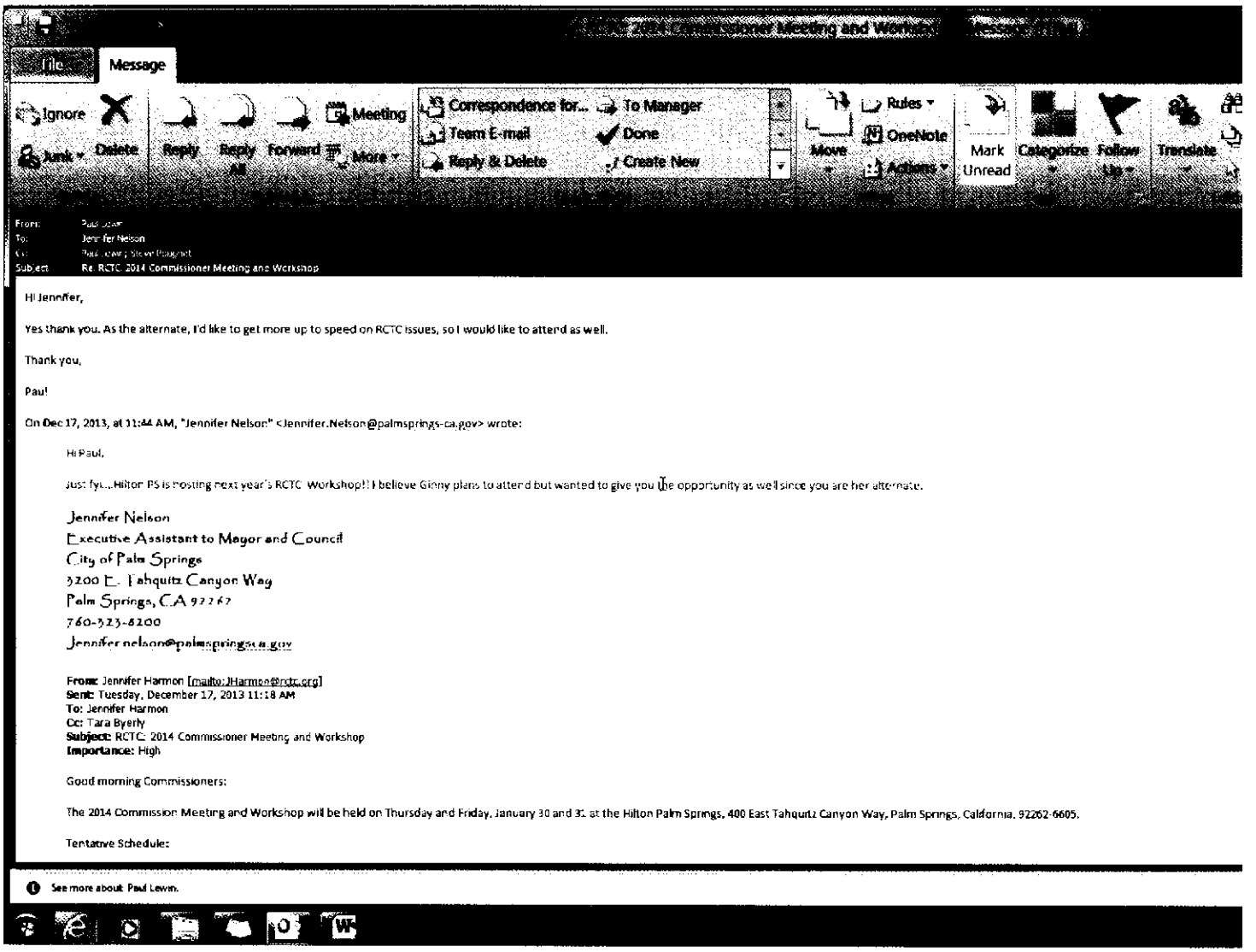
Yes, let's wait until next week last year we had 12 tables $500.00 per table

On Dec 10, 2013, at 9:23 AM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:

> Mayor,
>
> We get 3 tables for this comped....That's one for Council, one for Staff, how do you want to handle the 3rd table and do you want to purchase a fourth? Perhaps we wait and discuss with David and Amy at your meeting next week?? Let me know.
>
> Jen
>
> Jennifer Nelson
> Executive Assistant to Mayor and Council
> City of Palm Springs
> 3200 E. Tahquitz Canyon Way
> Palm Springs, CA 92262
> 760-323-8200
> Jennifer.nelson@palmspringsca.gov
>
> **From:** Palm Springs Chamber of Commerce [mailto:info@pschamber.ccsend.com] **On Behalf Of** Palm Springs Chamber of Commerce
> **Sent:** Tuesday, December 10, 2013 1:18 AM
> **To:** Jennifer Nelson
> **Subject:** State of the City Luncheon with Mayor Pougnet - Tickets Now on Sale!
>
> Having trouble viewing this email? Click here



[redacted]



Hi Jennifer,

Yes thank you. As the alternate, I'd like to get more up to speed on RCTC issues, so I would like to attend as well.

Thank you,

Paul

On Dec 17, 2013, at 11:44 AM, "Jennifer Nelson" <Jennifer.Nelson@palmsprings-ca.gov> wrote:

> Hi Paul,
>
> Just fyi...Hilton PS is hosting next year's RCTC Workshop!!! I believe Ginny plans to attend but wanted to give you the opportunity as well since you are her alternate.

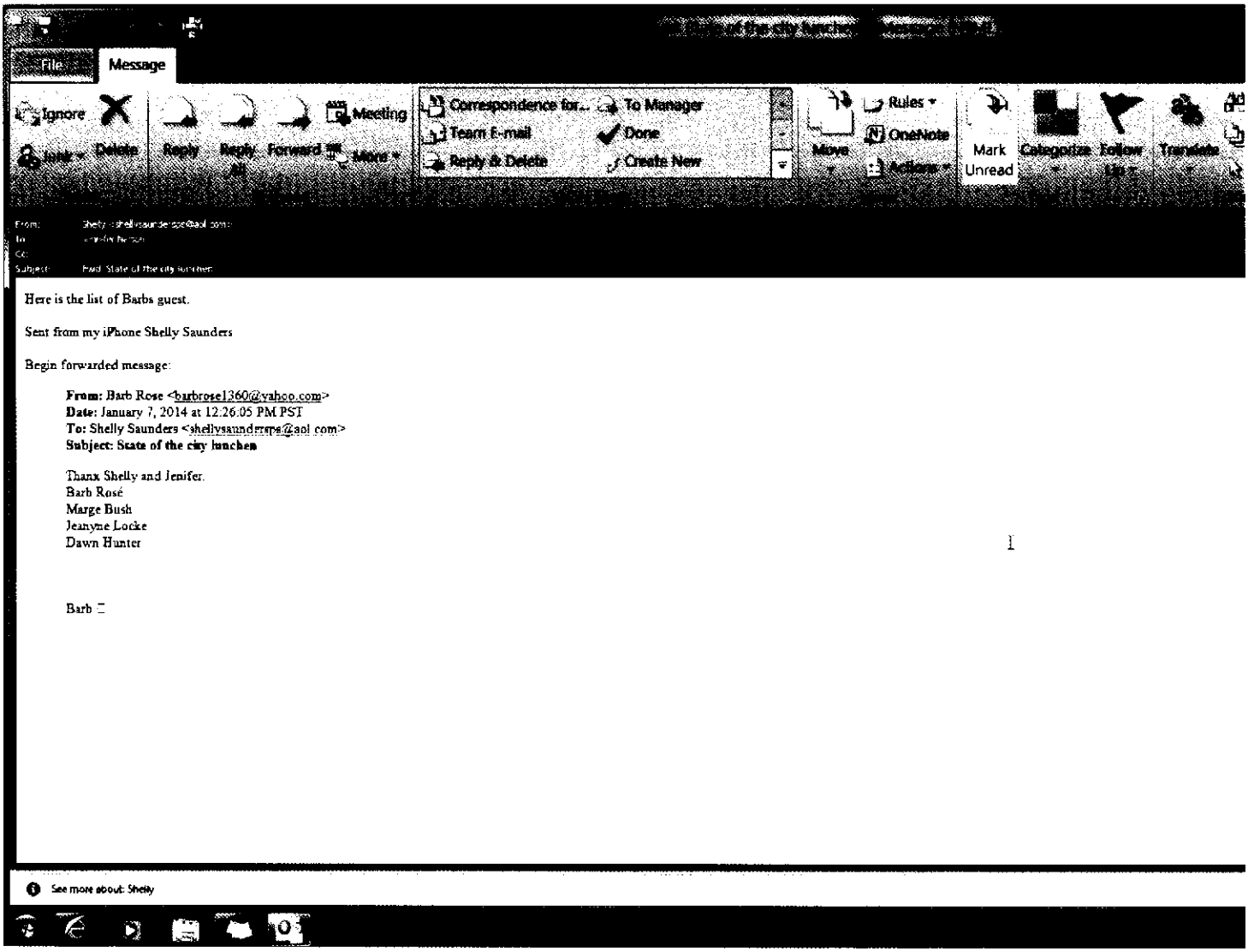
Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov

From: Jennifer Harmon [mailto:JHarmon@rctc.org]
Sent: Tuesday, December 17, 2013 11:18 AM
To: Jennifer Harmon
Cc: Tara Byerly
Subject: RCTC 2014 Commissioner Meeting and Workshop
Importance: High

Good morning Commissioners:

The 2014 Commission Meeting and Workshop will be held on Thursday and Friday, January 30 and 31 at the Hilton Palm Springs, 400 East Tahquitz Canyon Way, Palm Springs, California. 92262-6605.

Tentative Schedule:


File
Message
Ignore
Delete
Reply
Reply All
Forward
Meeting
More
Correspondence for...
To Manager
Team E-mail
Done
Reply & Delete
Create New
Move
Rules
OneNote
Actions
Mark Unread
Categorize
Follow Up
Translate
From:
To:
Cc:
Subject:
Here is the list of Barbs guest.
Sent from my iPhone Shelly Saunders
Begin forwarded message:
From: Barb Rose <barbrose1360@yahoo.com>
Date: January 7, 2014 at 12:26:05 PM PST
To: Shelly Saunders <shellysaundersps@aol.com>
Subject: State of the city luncheon
Thanx Shelly and Jenifer.
Barb Rosé
Marge Bush
Jeanyne Locke
Dawn Hunter
Barb
See more about: Shelly

(1) Main sponsor - DRMC or Bethlehem
John Benoit (2) VIP's to elected officials that are present
(2) no need to highlight -

*pointer, mic - Leslie

April 29 - Tuesday
groundbreaking

State of the City Luncheon Table List

Table 1

Mayor & Council

Mayor Steve Pougnet
Mayor Pro Tem Rick Hutcheson
Councilmember Ginny Foat
Councilmember Paul Lewin
Councilmember Chris Mills
Kelly McLean
Ginny Ehrlich
City Manager David Ready
David Urman
Pam Genevrino

Table 2

City of Palm Springs

Chief of Staff Jay Thompspn
Terri Milton
Bette O'Camb
Jennifer Nelson
Shelly Saunders
Chief John Allen
City Attorney Doug Holland
Perry Madison
Amy Blaisdell
Chief Al Franz

Table 3

City of Palm Springs

Doug Donenfeld
Margo Wheeler
John Raymond (JR)
Jeanyne Locke
Dawn Hunter
Jonathan Bierner
Barbara Rose (Vegetarian)
Marge Bush
Jennifer Henning
Diana Shay

Table 4

City of Palm Springs

Jeff Kiehl
Al Smoot
Michele Mician (Vegetarian)
Kate Castle (Vegetarian)
Bob Elsner
Tom Nolan
Dee Dee Wilson-Barton
Bill Notte
Carolyn Notte
Pat Sweeney

Table 5

City of Palm Springs

Jim Webb
Jason Loya
Mark Diaz
John Krohngold
Mitch Spike
Bryan Reyes
Katherine Johnson
William Hutchinson
Chris Jaeger
Mark Marshal ??

Table 6

City of Palm Springs

Jim Gross
Ron Willison
Lee Bonno
Tom DeLeeuw
Jeannie Kays
Ron King
Vicki Oltean
Angela LaFrance
Dave Darrin
Patrick Sheehan

2014 State of the City

Mayor Steve Pougnet

What's On Tap Today

- Budget
- Public Safety
- Health and Wellness/Sustainability
- Economic Development
- Measure J
- Downtown Project

Revitalization

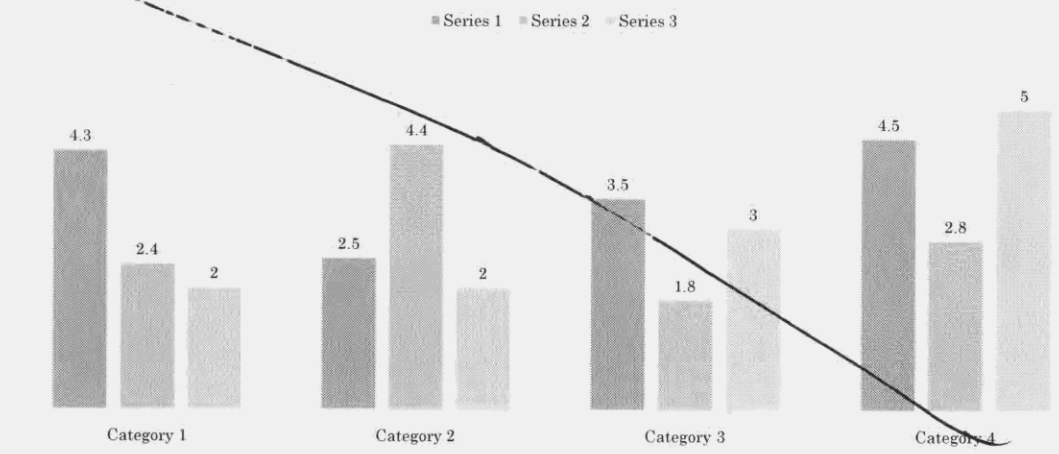
Budget

2 slides only

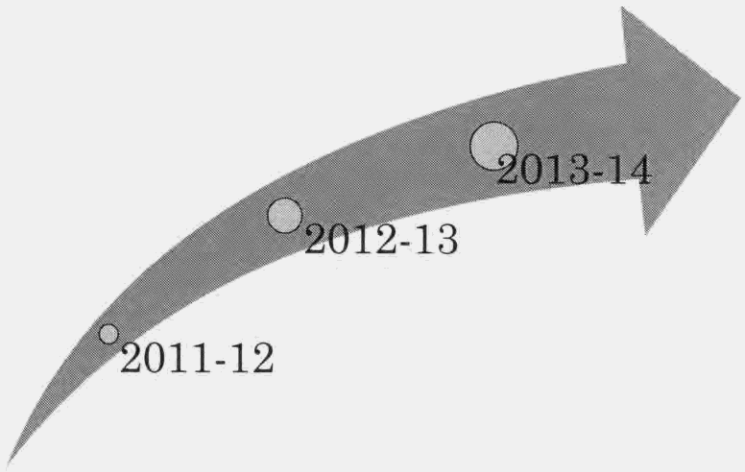
Summary, Revenue, Measure J, Cash Reserve

(1) all revenue sources included

Budget Summary (This is a Place Holder)



Growth in TOT Collections



Sales Tax, TOT, and Property Taxes

- First bullet point here
- Second bullet point here
- Third bullet point here

	2012-13	2013-14
TOT	76	88

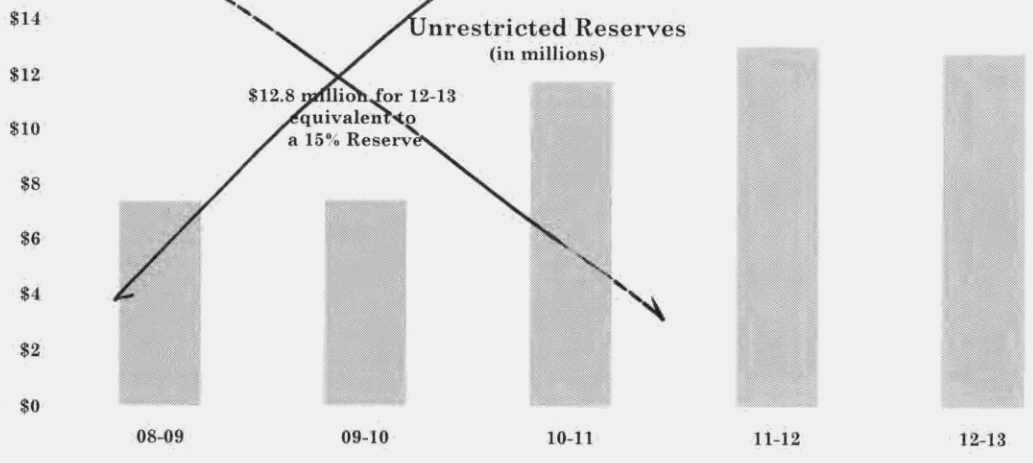
Budget Summary

Budget Summary	Actuals 2012-2013	Projected 2013-2014
Revenues	$82,212,857	$82,100,790
One-time Revenue	2,351,372	1,850,403
Savings Carryforward from prior fiscal year	1,350,000	
Expenditures	(81,432,574)	(85,571,067)
Net Surplus / (Deficit)	$3,131,655	($269,874)
Mid-Year		

(2) Operating Reserve slide is XX

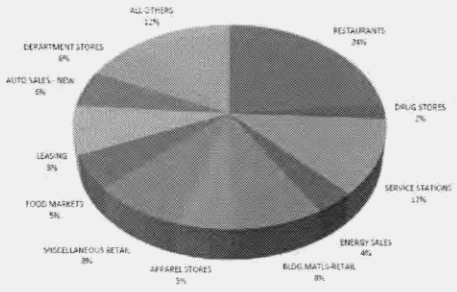
#2

Unrestricted Reserves

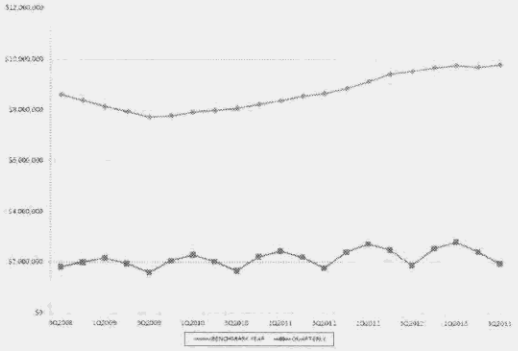


Sales Tax Performance

Sales Tax By Category



Historical Sales Tax Performance



Public Safety

Police, Fire, Emergency Services

2 slides

Measure J - New Light and Air Unit

Light and Air units are critical for modern fire fighting operations

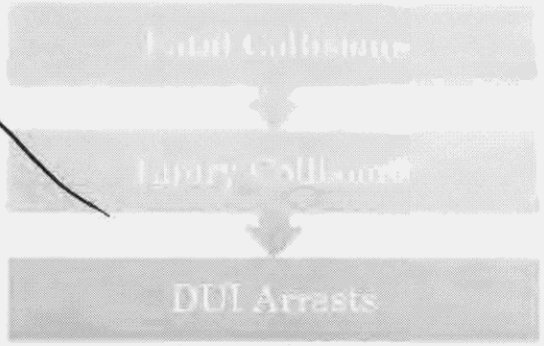
Public Safety

- Dispatch handled 67,772 police and fire calls for service.
- 42,305 were 911 emergency calls
- 2,502 animal related calls for service

- 3,167 arrests/over 2,600 traffic citations
- No homicides in 2013
- Violent crime decreased by 10% (robbery, rape, assaults)
- Residential burglary decreased 13%
- Commercial burglary decreased 31%
- Motor vehicle theft, larceny (petty theft, identity and "paper" crimes) increased

Public Safety - Traffic

- In 2013, fatal traffic collisions decrease 50%, from 10 in 2012 to 5 fatal collisions in 2013.
- Injury collisions decreased by 3%, from 248 in 2012 to 241 in 2013.
- Officers made 367 DUI arrests. This is a 37% increase from 2012 when we had 225 DUI arrests.



Public Safety

Grant Funding:

Received $250, 000 in grant funding for our traffic enforcement efforts and to purchase police equipment .

Technology:

Using technology and social media to be more efficient. In June, the Police Department launched an App that allows reporting of graffiti, suspicious activity, and will allow residents to receive alerts via their smart phone.

Volunteers:

The Police department is very proud of its volunteers. The Citizens on Patrol, Reserve Police Officers, Search and Rescue Unit, Aero Squadron, and Explorer programs have a logged over **13,000 volunteer hours combined**.

-3 slides

Health and Wellness/Sustainability

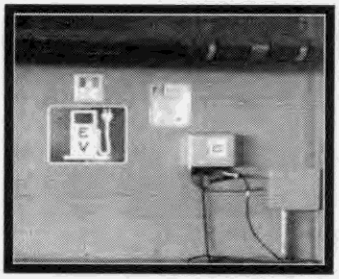
~~Mayor's Race, Bike Lanes, Charging Stations~~

additional video

#2

$383,500 in Sustainability Grants in 2013

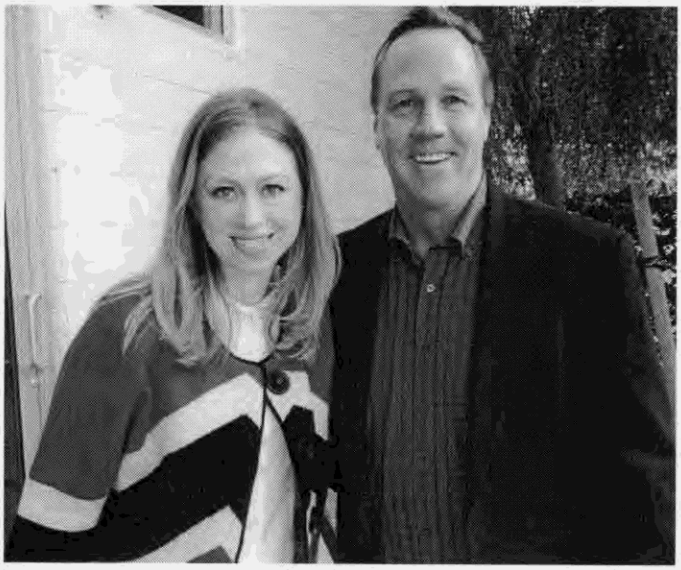
- $150,000 in grants awarded for 31 Electric Vehicle Charging Stations
- $65,000 for Biking Infrastructure
- ~~*~~$80,000 Urban Forestry Management Plan - Michele M.
- $85,000 Sustainability & Health Master Plan Update



Health and Wellness Programs

slide #2

- Over 1,000 Participants in Annual race and Wellness Festival
- $3,500 in local grants for wellness programs
- Raised over $1,000,000 in three years for Clinton Health Matters Initiatives



Clinton Health Matters Initiative

Sponsored the first "Codeathon" at the Ace Hotel to health new applications for healthy living

#3 Tribe medians & completion date

JFK Bust next year - 2015

Economic Development

Aiport, Hotels, Incentive Programs, ~~Indian/I-10~~

- Palm Springs International Airport
- Tourism
- Special Events
- Hotel Incentive Program and New Hotels
- Special Focus Incentive Area
- ~~Freeway Area Development~~
- ~~Downtown Revitalization Project~~

Economic Development Activities

It's been a tremendous year in economic development in Palm Springs!

roll video

PSP Airport Facts

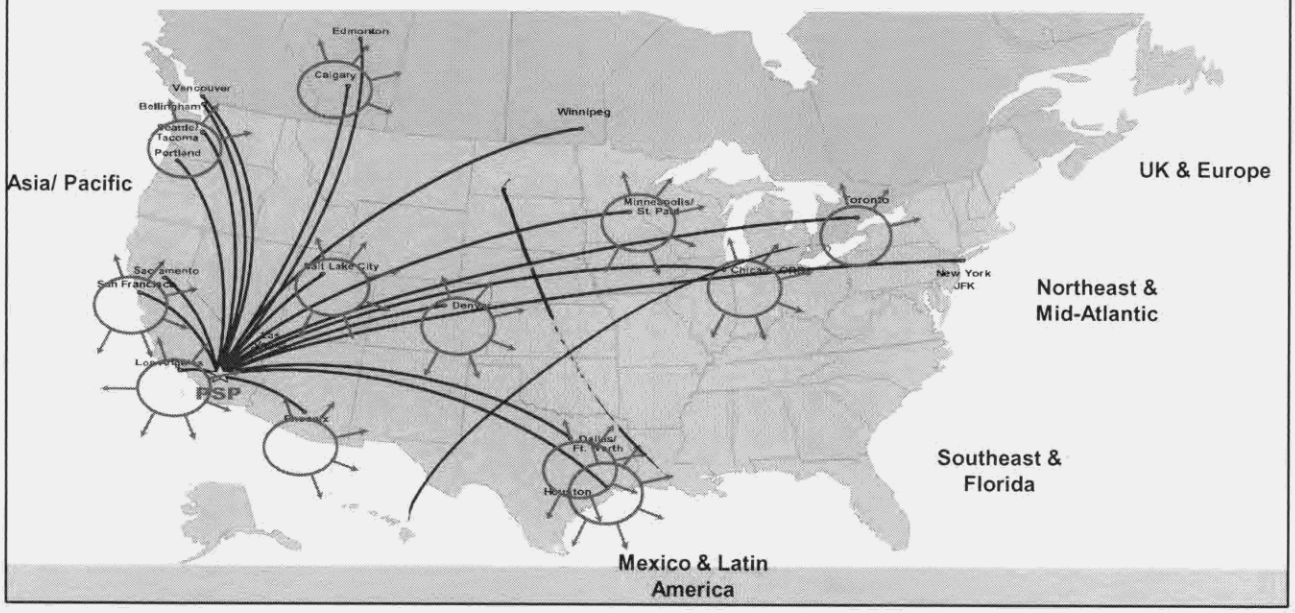
- Palm Springs International Airport generates significant levels of activity:

2009 - ...
2008 - ...
2007 - ...

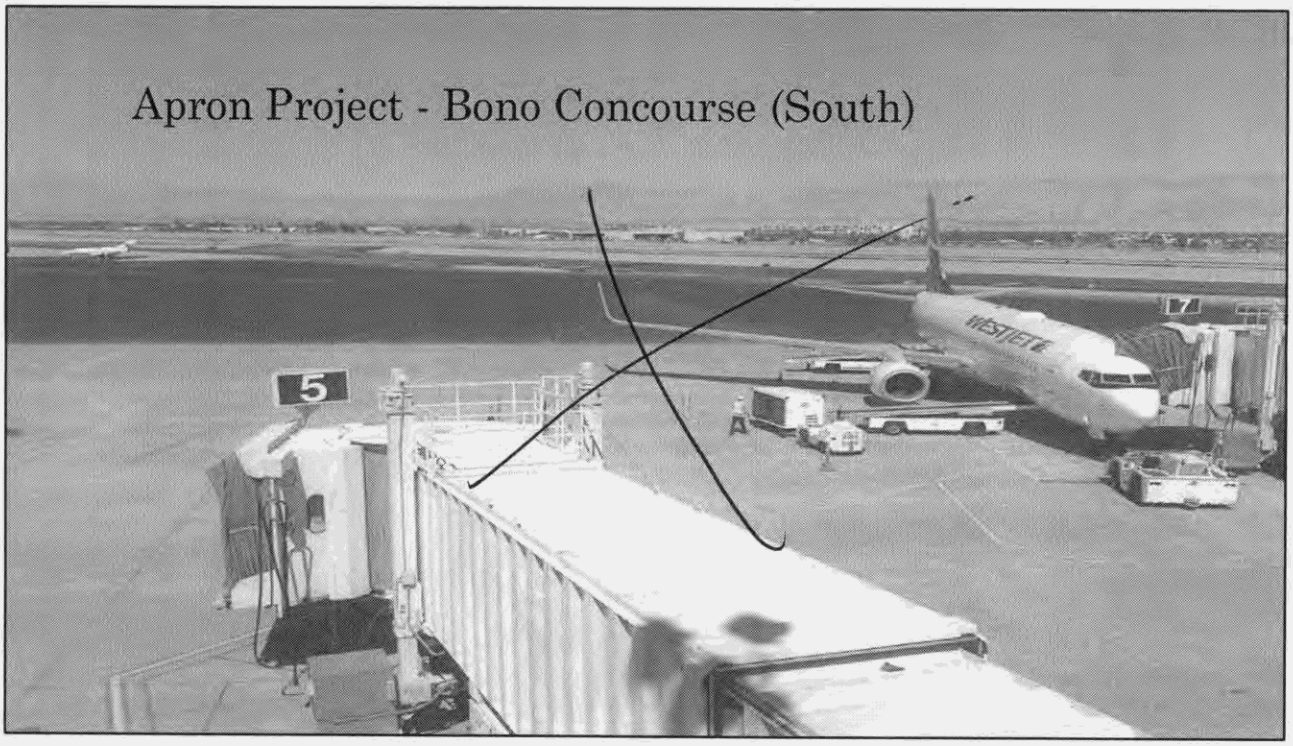
185,000 vehicles rented

Air travelers to/from 550 places worldwide

Access to over 500 cities every year.



Apron Project - Bono Concourse (South)



New Air Traffic Control Tower

#4

2007 Record Year Comparisons

Market	2007 Psgrs	2012 Psgrs	07-12 Chng
Tucson	2,178,909	1,710,638	-21%
Savannah-Hilton Head	992,569	789,256	-20%
Pensacola	832,127	740,852	-11%
Palm Springs	805,546	866,095	8%
Myrtle Beach	804,789	722,775	-10%
Sarasota-Bradenton	782,459	637,260	-19%
Vail	231,691	167,901	-28%
Aspen	182,198	214,892	18%
Totals - All but PSP	6,004,742	4,983,574	-17%
TOP 100 US Airports (Mil)	716.8	688.2	-4%

(Source: FAA Enplaned Passengers)

Annual Economic Impact of Growth

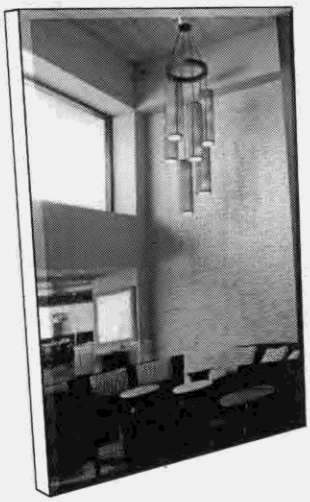
Variable	Value
PSP 2007 Passenger Enplanements	805,546
PSP 2013 Passenger Enplanements (Estim)	870,000
Actual Passenger Growth	64,454
Esimated Economic Impact Per Visitor	$1,000
Net Economic Impact @ 70% Visitor Rate	$45,117,800

Hotel Development

Renovation, Hotel Incentive Program, New Hotels

#of applications

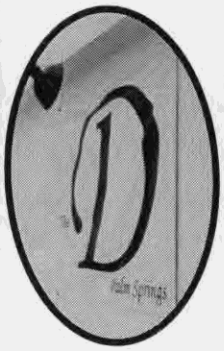
Hotel Remodel Projects

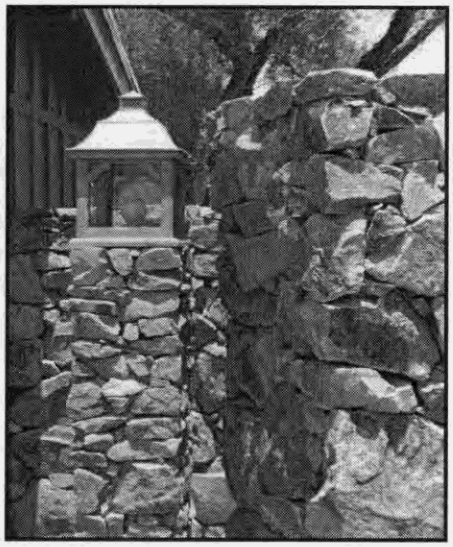


HILTON AND HARD ROCK

North End Hotel Remodel Projects

Other Hotel Projects





Arrive Hotel

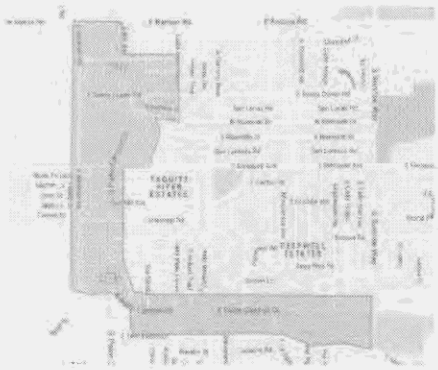
Scheduled to open

Port Lawrence

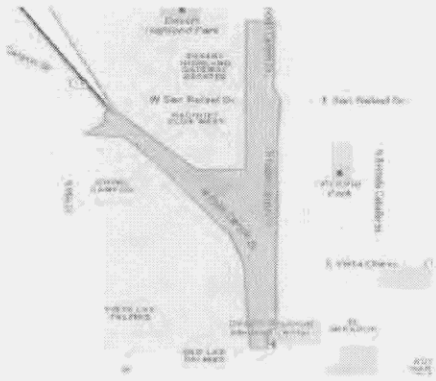
Dolce Resort

Special Focus Incentive Zone Program

Southern Focus Area

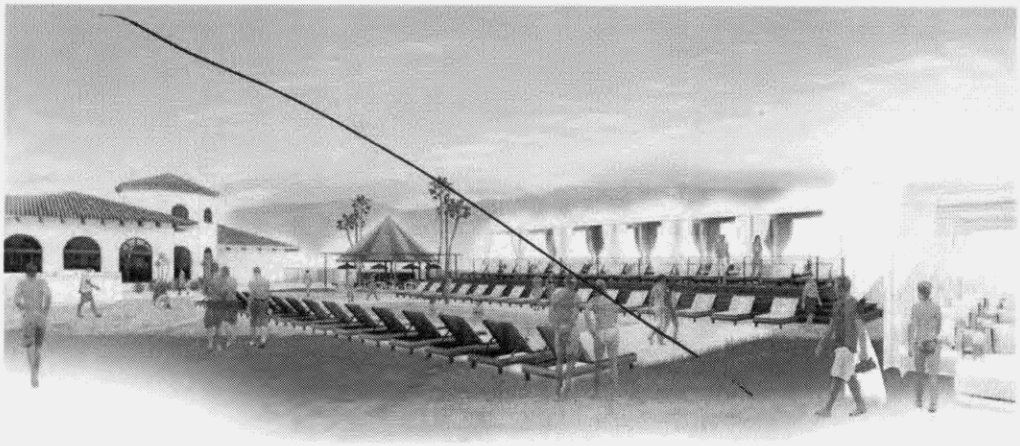


Northern Focus Area



Incentive Program (More Photos to Come)

Incentive Program – Hacienda Cantina



Measure J

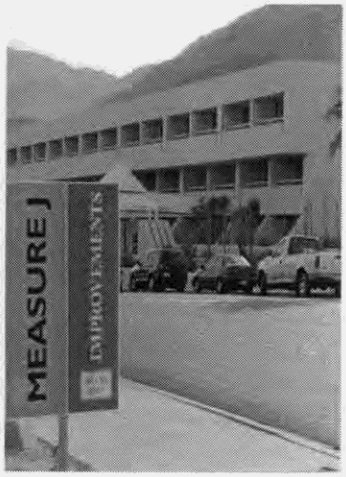
Streets, Parks, Community Improvement Projects

Measure J
11 slides

1 To date collected

Measure J Projects - Streets

Work Continues on Street Resurfacing



2nd slide total approved to be spent.

Measure J Projects - Streets

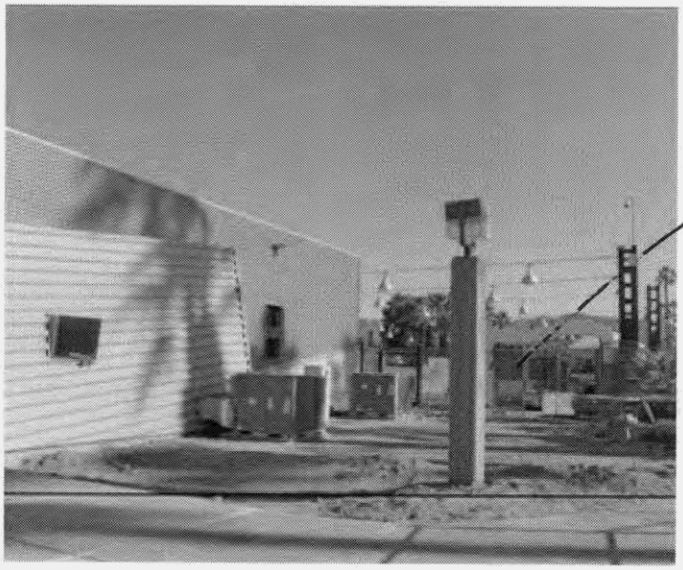
Street Paving has occurred in areas throughout the entire city.

3rd every project list

4- strategic planning
key areas
- Library
- parks
- public safety / Fire stats
streets / bike lanes

Bike Lanes

Work is Ongoing

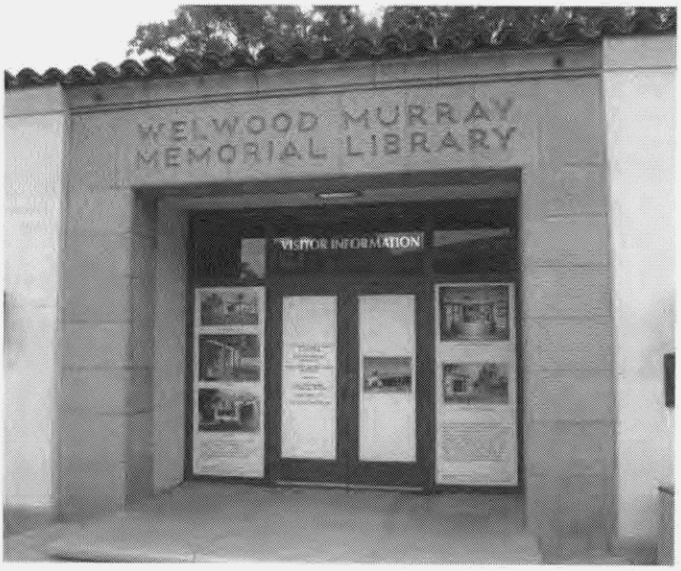


Skate Park

Completed September 2013

Village Green Repairs

Work on Cornelia White House Out to Bid

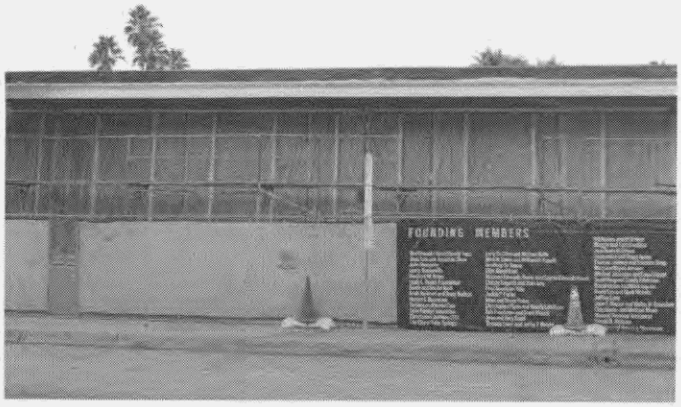


Welwood Murray Memorial Library

Renovation Work is in Design Process, Work to be Completed in August, 2014

Palm Springs High School Auditorium

Two Year Commitment to Fund Sound System Improvements



Palm Springs Art Museum Edwards Harris Design and Architecture Center

Three Year Commitment to Fund the Improvements to the Center

iHub Accelerator Campus

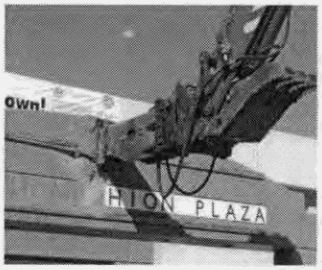
Three Year Commitment to Fund Facility Improvements and Provide a Match for Federal EDA Grants

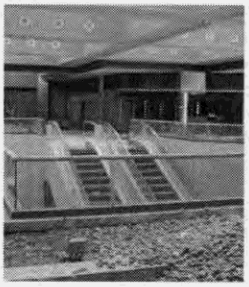
Tourism

USA Today

Downtown Redevelopment

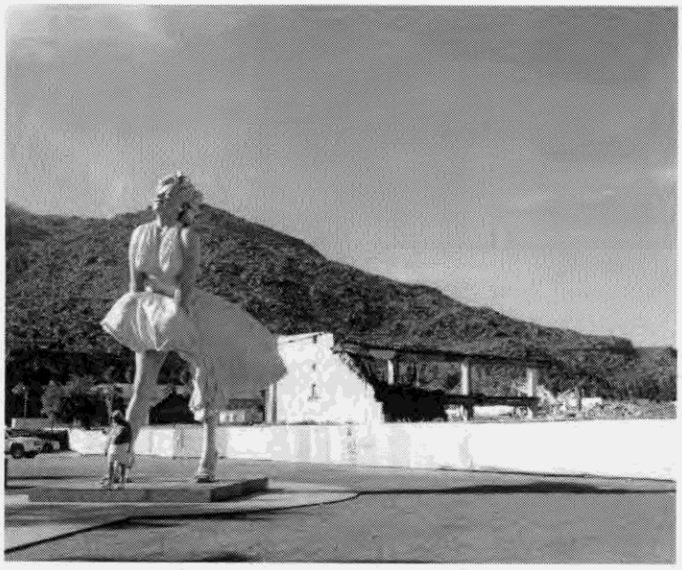
Status, Streets and Infrastructure, Leasing/Tenants





Downtown Project

Demolition Progress in 2013

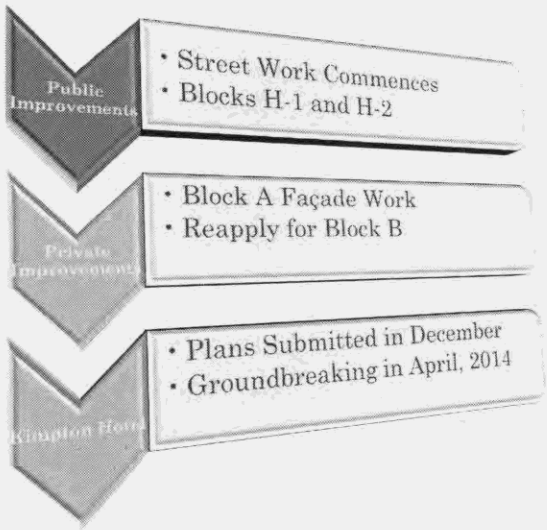


Downtown Project

Demolition Completed in January

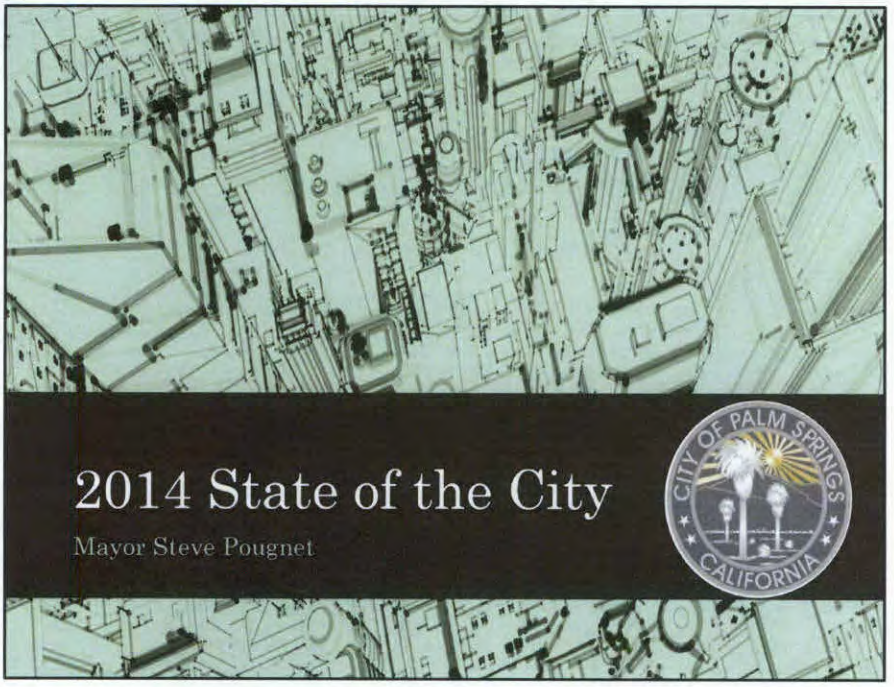
Downtown Project

Kimpton plans submitted for plan check in December, 2013



Downtown Project

Updated Project Schedule and Tasks



Thank you's

1. Sponsor's - Desert Regional, Eisenhower, Agua Caliente

Jessica Nurse
Anthony Andreas

Tribal Chairman Jeff Grubbe

Supervisor John Benoit

- Ginny Ehlich
- Kay Hazen

Representing Assemblyman Brian Nestande – Lupe Ramos Watson

Representing Congressman Raul Ruiz – Greg Rodriguez

City of Indio Councilmember Glenn Miller

* Riverside County Superintendent Steve Hovey

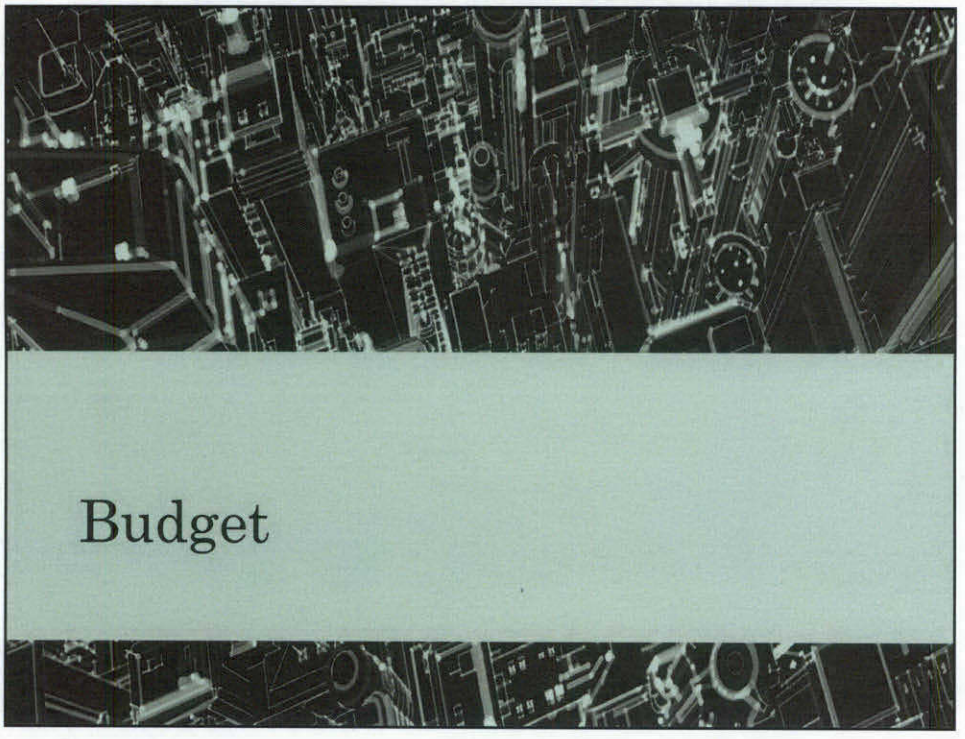
3. Staff - David Ready
Jennifer Nelson

4. City Council.

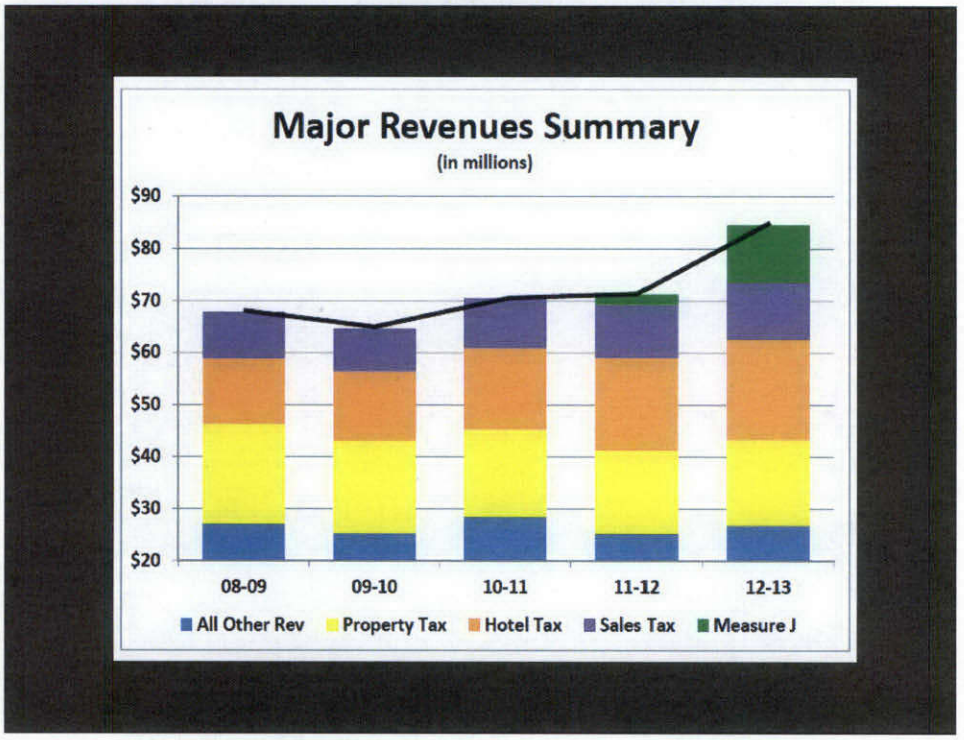
Roll Video

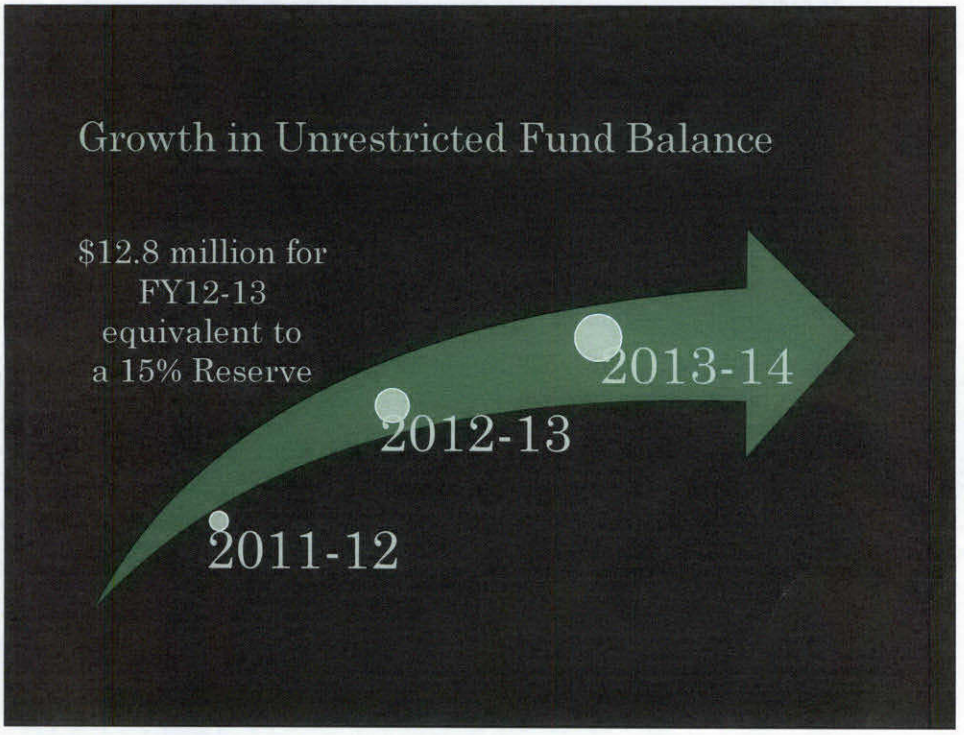
What's On Tap Today

- Budget
- Public Safety
- Health and Wellness/Sustainability
- Economic Development
- Measure J
- Downtown Revitalization Project



Budget


Major Revenues Summary
(in millions)
$90
$80
$70
$60
$50
$40
$30
$20
08-09
09-10
10-11
11-12
12-13
All Other Rev
Property Tax
Hotel Tax
Sales Tax
Measure J

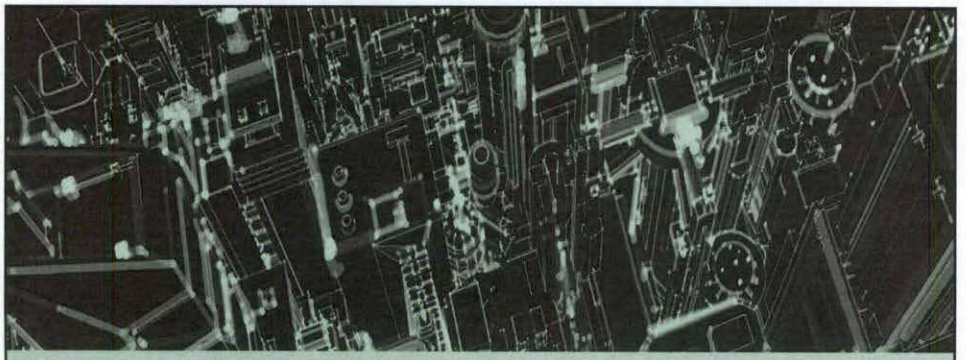

Growth in Unrestricted Fund Balance
$12.8 million for FY12-13 equivalent to a 15% Reserve
2011-12
2012-13
2013-14

Fiscal Management

Standard and Poors Raised the City's Bond Rating from

A to A+

"Good financial practices including historical proactive budget adjustments"



Public Safety

Public Safety - Police

59,172 calls for service

No homicides in 2013
Violent crime down 10%
Residential burglary down 13%
Commercial burglary down 31%

Public Safety - Fire

8,600 calls for service.

Health and Wellness/Sustainability

ROLL VIDEO

Health and Wellness Programs

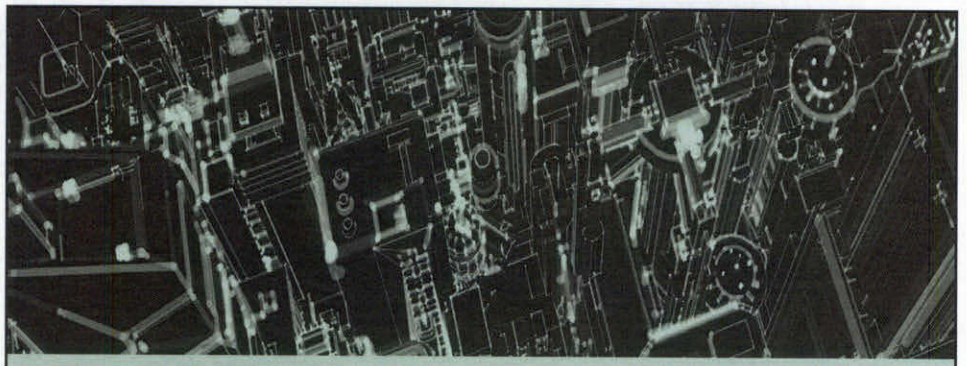
- Over 1,000 Participants in Mayor's Race and Wellness Festival…a "Healthy Planet Healthy You" event
- Raised $1,000,000 in three years to fund "Bold Steps" in Clinton Health Matters Initiatives, the Coachella Valley Blueprint for Action

$383,000 in Sustainability Grants in 2013

$150,000 for 31 Electric Vehicle Charging Stations
$65,000 for Biking Infrastructure
$80,000 Urban Forestry Management Plan
$85,000 Sustainability & Health Master Plan Update

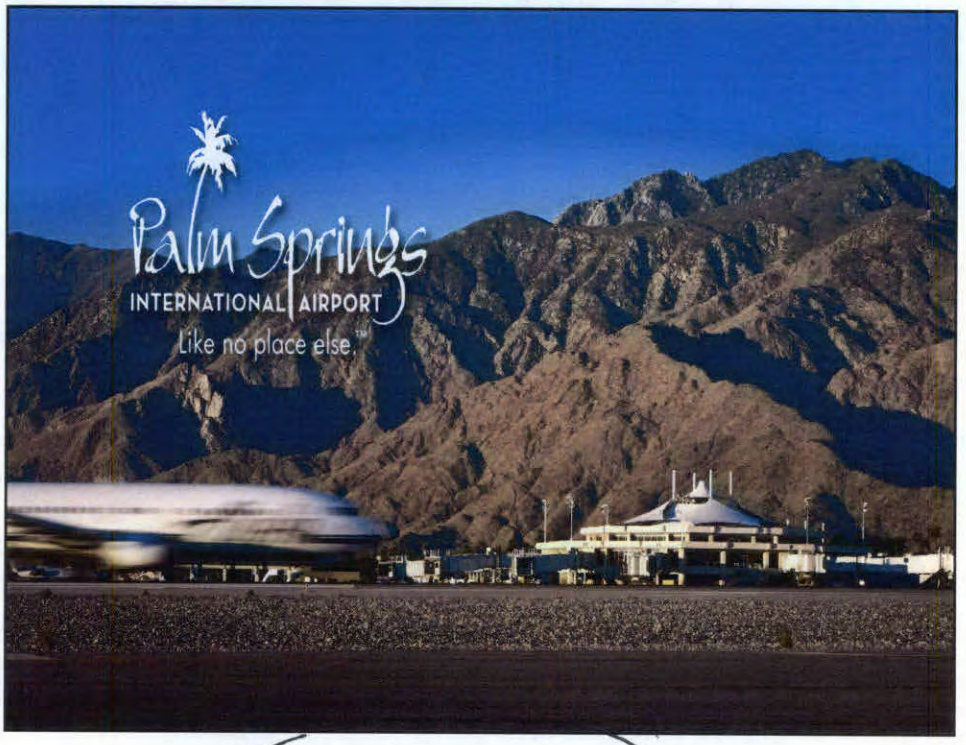
Tahquitz Median Islands

$2,000,000 $2,000,000



Economic Development

- Palm Springs International Airport
- Hotels
- Incentive Programs
- Innovation Hub/Accelerator Campus



ROLL VIDEO

Palm Springs International Airport

- 2007: New $25 million Regional Concourse added 6 new gates.
- 2008: $5 million expanded gift, beverage, and food concessions.
- 2008: $2 million expansion of car rental ready lot, doubled in capacity.
- 2008: $4 million terminal and courtyard remodel project.
- 2008: Taxi passenger "Bill of Rights" was implemented

Palm Springs International Airport

- 2010: $6 million pavement rehabilitation project.
- 2010: $450K new interior advertising program integrated a digital based advertising network.
- 2012: Named one of "America's Most Stress Free Airports."
- 2013: $25 million Air Traffic Control Tower opens.

Palm Springs International Airport

Total Investment: $100 million over the past six years.

Jennifer Nelson

From: Don Perry <don@siliconsprings.com>
Sent: Friday, January 17, 2014 12:08 PM
To: Jennifer Nelson
Cc: Len Kapner; Joel Fashingbauer; Rich Silveira
Subject: Re: Promoting Silicon Springs - The Movement

FYI for meeting Thurs. 2/6 2pm SCR

Jennifer -

Just checking back to see if you received this and can give me some guidance on which time period works best for Steve and his team. Let me know please.

Thanks!

Don

On Wed, Jan 15, 2014 at 10:11 PM, Don Perry <don@siliconsprings.com> wrote:
Jennifer -

Thanks for the note. We are excited to meet with the Mayor and his key staff. The best day and time for us will be Thursday, 2/6, at 2pm, although Monday, 2/3, at 3pm would also work (and its right before our Desert Tech Meet-up at The Ace Hotel at which the Mayor will be speaking!). Unfortunately, there is a Workforce Excellence fund-raiser the afternoon of the 4th in Indian Wells, although if that becomes the only day Steve and his team can all be available, we will make that day work.

Since there will be four attending from the city, we will bring 4 from our group. In addition to myself, Len and Joel, I have also asked our VP and CFO, Rich Silveira, to join us. For a quick bio on each of us, by the way, I encourage you to check out our web site (www.siliconsprings.com) and click onto The Team.

See you in a few weeks!

Don

On Wed, Jan 15, 2014 at 11:59 AM, Jennifer Nelson <Jennifer.Nelson@palmsprings-ca.gov> wrote:

Hello Mr. Perry and Happy New Year!!

Mayor Pougnet has asked me to coordinate a meeting with you and your group for the week of February 3rd. The dates below are what I have to work with. Please indicate if any/all of these will work. Thank you.

1. Monday, Feb. 3, 4pm- City Hall

2. Tuesday, Feb. 4, 3pm – City Hall

3. Thursday, Feb. 6, anytime between 2-4pm – City Hall

We will have David Ready, John Raymond from Eco Dev. and Councilmember Paul Lewin attending along with the Mayor. I look forward to hearing from you shortly so we can get this confirmed and on the Mayor's calendar.

Best,

Jennifer

Jennifer Nelson

Executive Assistant to Mayor and Council

City of Palm Springs

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92262

760-323-8200

Jennifer.nelson@palmspringsca.gov

City Hall is open Monday - Thursday from 8am to 6pm

Closed Fridays

From: Don Perry [mailto:don@siliconsprings.com]
Sent: Friday, January 10, 2014 10:27 AM
To: Steve Pougnet
Cc: Len Kapner; Joel Fashingbauer; Jennifer Nelson
Subject: Re: Promoting Silicon Springs - The Movement

Steve -

Happy New Year!

I am reaching back to you on behalf of Len to set up a meeting to discuss this marketing idea we tossed around in December. Our Silicon Springs team had a terrific Board Meeting yesterday and we all think the timing is perfect for such a strategic move! I read yet another article in Fortune Magazine last night about the traffic problems in Silicon Valley.

We think to begin, the group should include Len, Joel and myself in addition to you, David and whoever else you would like from the city. We are fairly open the week of 1/20 and 1/27 at this point so if you could have Jennifer give us a couple of dates that work, we'd be happy to come to City Hall.

Let me know how you would like to proceed.

Best,

Don

On Fri, Dec 20, 2013 at 12:47 PM, Len Kapner <len@siliconsprings.com> wrote:

Steve,

OK - I'll reach out during week of January 5th to figure out next steps. Small group = greater efficiency. If we need to talk before then, call cell number below.

Len Kapner

from my iPhone 5

(760) 485-5200

On Dec 20, 2013, at 11:55 AM, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov> wrote:

Yes, and let's keep the first meeting small as you suggested.

Stevr

On Dec 20, 2013, at 11:32 AM, "Len Kapner" <len@siliconsprings.com> wrote:

Steve,

After the first of the year, why don't we contrive to get David, Don, Paul, you and me in the same room together to talk strategy?

SSV has been developing some targeted strategic ideas about mounting a a campaign that could do just what you and I envision.

I recommend a quiet lunch somewhere to exchange ideas and to percolate up a probable community of interest that might take a notion like this forward.

I also suspect some of your fellow mayors (think DeRosa, Harnik and Holmes, for starters) and the tech titans (think IBM, Microsoft, Oracle) who vacation here in the cooler months might have some interest in this idea.

Best for the holidays and let's huddle on this one!

<SSV_Email_Len.png>

--

On Dec 20, 2013, at 10:29 AM, Steve Pougnet <Steve.Pougnet@palmsprings-ca.gov> wrote:

Len,

This is something the City of Palm Springs has been thinking very seriously about... I have seen all the recent articles . Councilman Lewin has a very strong interest as well.

Steve

On Dec 20, 2013, at 6:43 AM, "Len Kapner" <len@siliconsprings.com> wrote:

Hi Steve,

Overnight, our President, Joel Fashingbauer drew my attention to the attached, recent article in the Washington Post bemoaning the unavailability of affordable residential housing for those who wish to live in the middle of existing tech enclaves, particularly those in metropolitan California and New York.

As you know, one of the premises behind starting Silicon Springs - The Movement was to offer a measurably lower cost of living alternative to both Silicon Beach and Silicon Valley, with less congestion, better weather and world-class resort amenities thrown in.

A brief assessment of who showed up to the most recent Desert Tech Meetup in November at the Jackalope Ranch indicates that a trickle of disgruntled techies from both San Francisco and West L.A. is beginning. As partners in progress, you and I have the power to catalyze and accelerate this phenomenon.

Business and civic leaders like you who really care about economic renewal and longer-term regional prosperity might do well to collaborate behind a marketing and public relations initiative that highlights greater Palm Springs as having most, if not all the pieces in place to become the next significant California tech enclave.

If you'd like to lead the development of such a campaign in 2014, we'd be happy to help with strategy and content development.

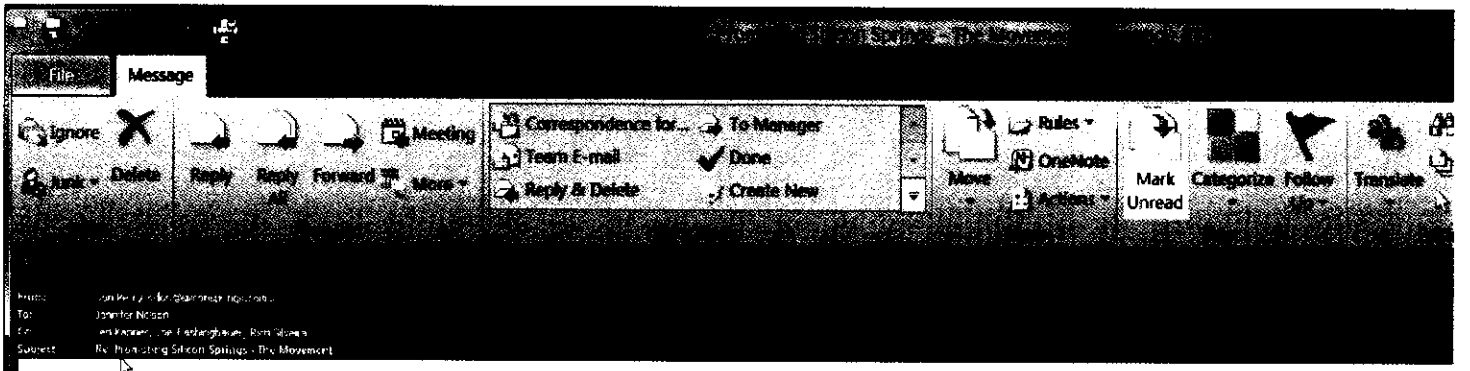
Just let us know.

<SSV_Email_Len.png>

<131219 Washington Post-DePillis.pdf>

Len Kepner
Joel Fashingbauer

Feb



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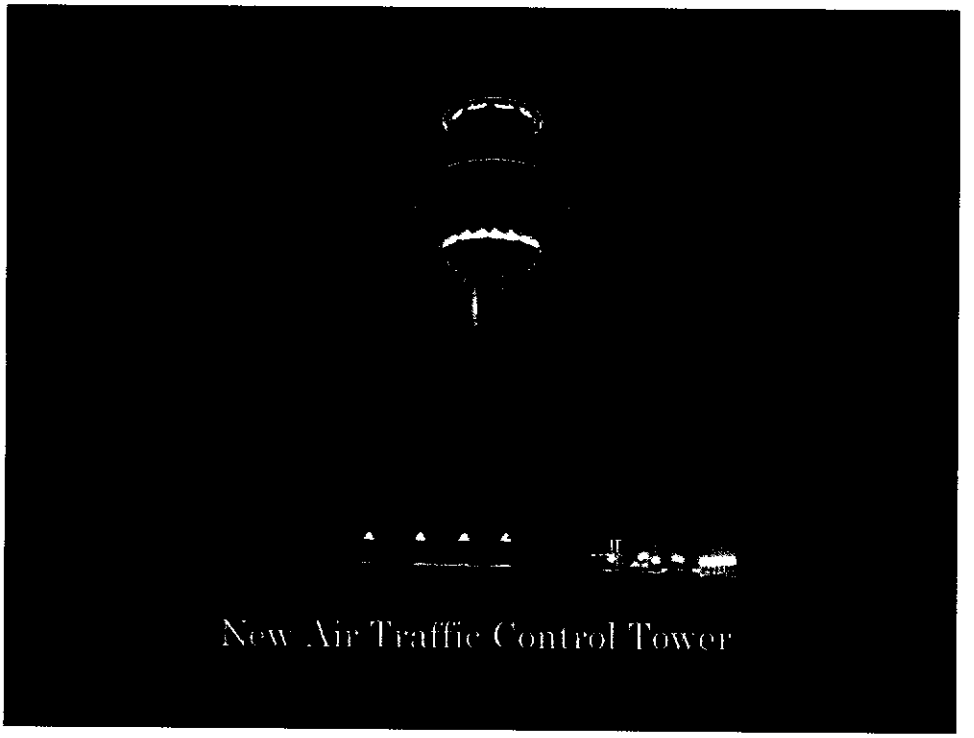
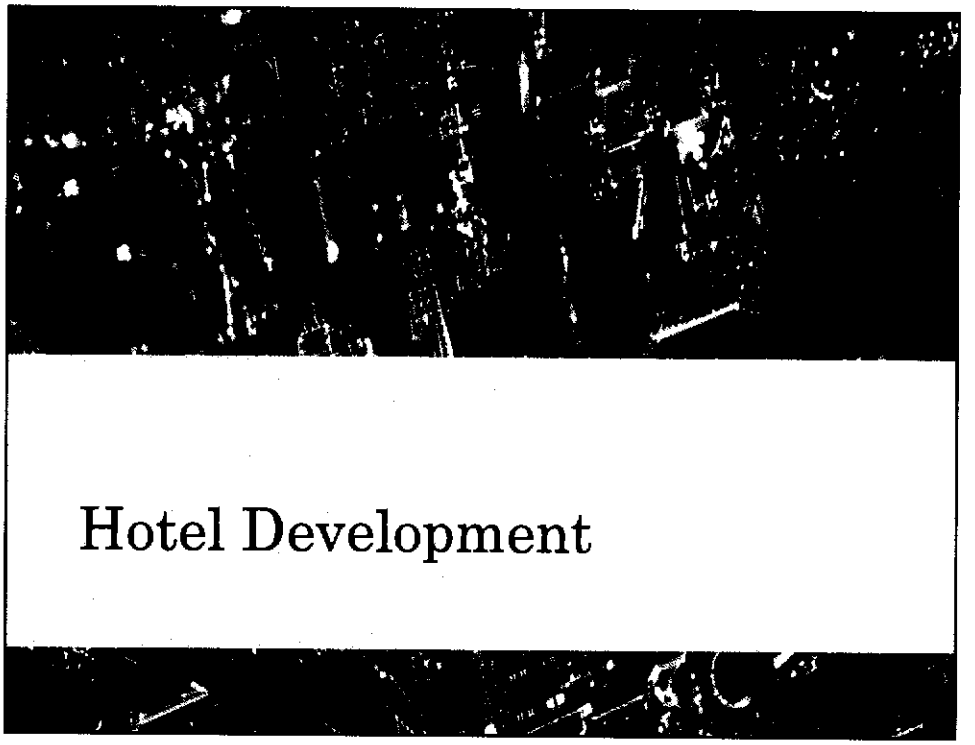
Pensacola	832,127	740,852	-11%
[redacted]			
Myrtle Beach	804,789	722,775	-10%
Sarasota-Bradenton	782,459	637,260	-19%
Vail	231,691	167,901	-28%
Aspen	182,198	214,892	18%
[redacted]			
TOP 100 US Airports (Mil)	716.8	688.2	-4%

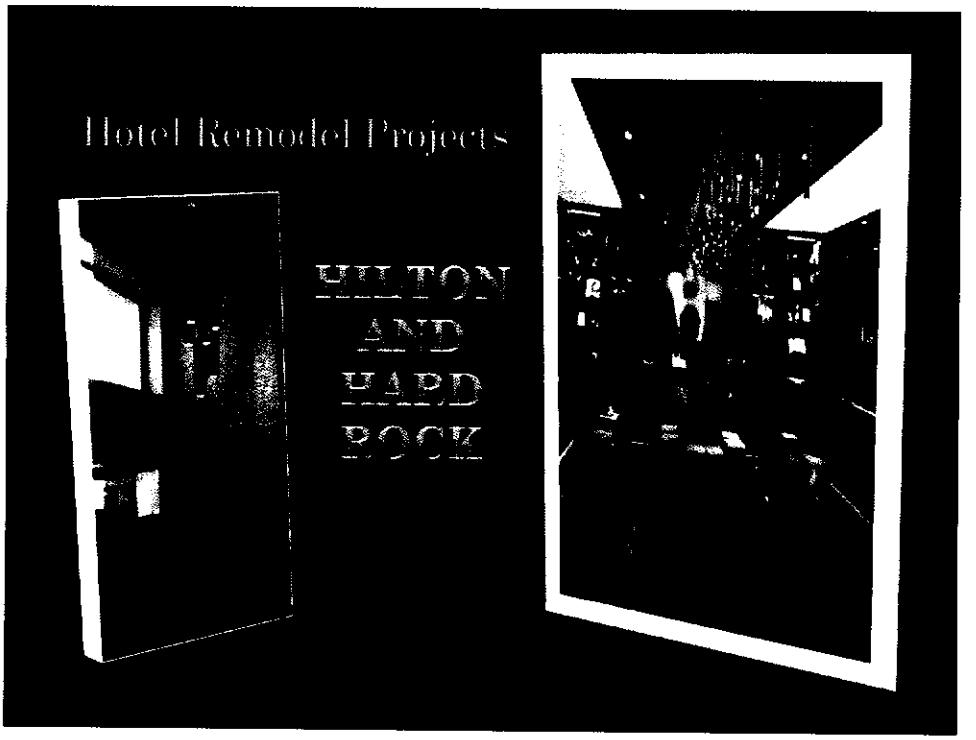
*(Source * FAA Enplaned Passengers)*



New Air Traffic Control Tower



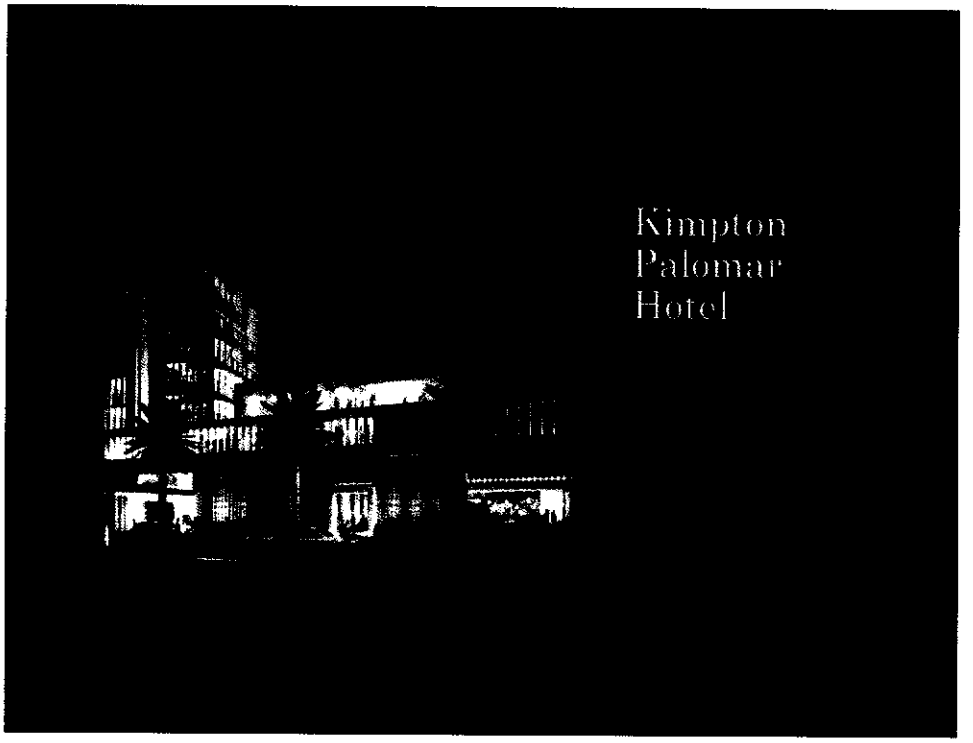
Hotel Development



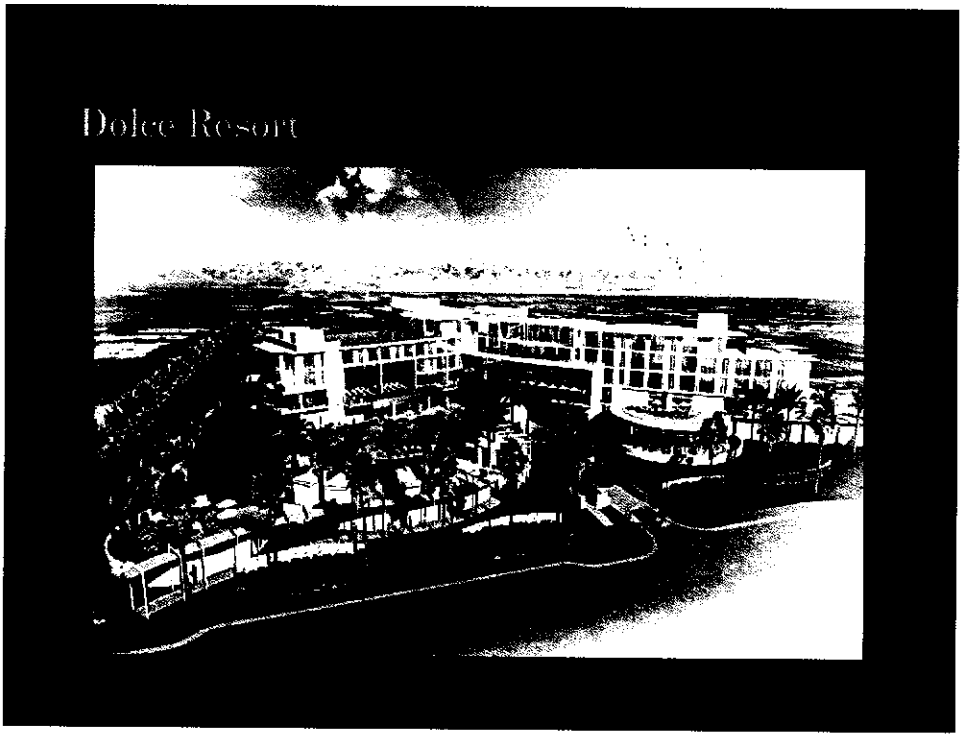
North End
Hotel Remodel Projects
THE MONROE
PALM SPRINGS

Arrive Hotel

SEPT. 2014



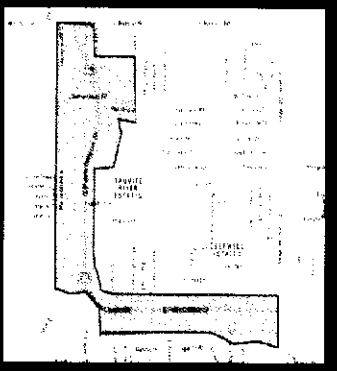
June 2014



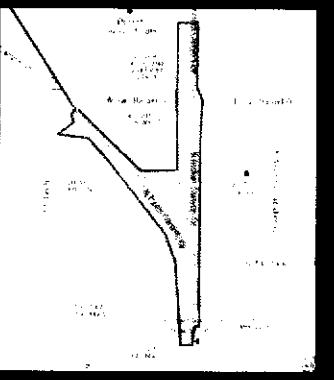
April 29

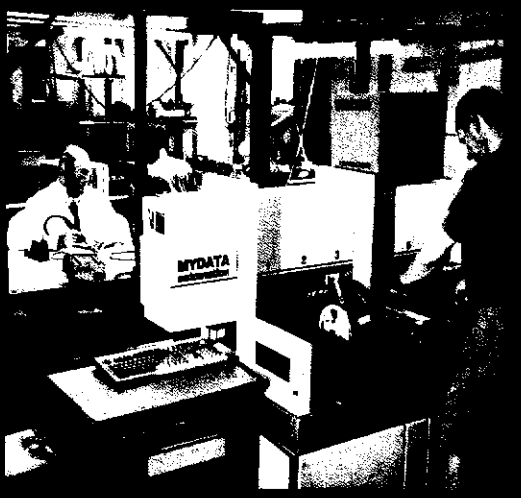
Special Focus Incentive Zone Program

Southern Focus Area



Northern Focus Area



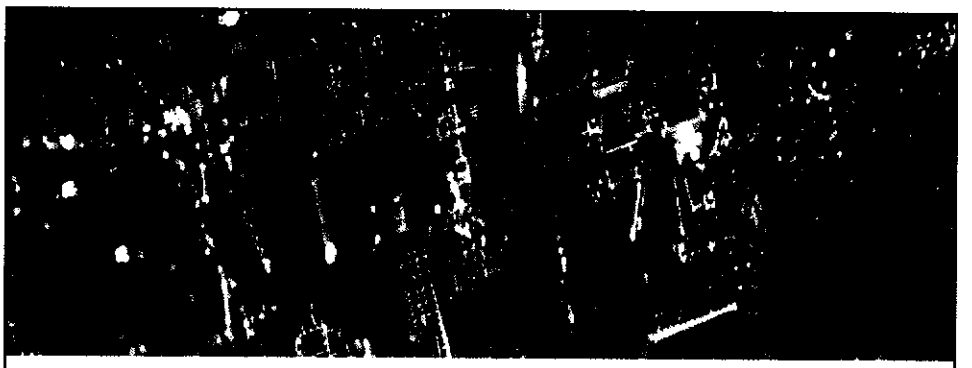


iHub and Accelerator Campus

iHub – 11 current clients

Accelerator Campus - 6 clients

Over 50 jobs created.



Measure J

Measure J Receipts to Date

$24 Million in Measure J Revenue Received

Measure J – Total Dollars Spent, Pledged

$21.5 Million in Measure J Dollars Pledged or Spent

All the Measure J Projects

- Downtown Property Maintenance and Landscaping
- Streets – Reconstruction
- Streets – Overlay
- Streets – Slurry Seal
- Pavilion Kitchen Equipment Replacement
- Desert Highland Light Poles / Fixture Replacement
- New Fire Station #5 Site Location and Design Study
- Ruth Hardy Park Security Path Lighting

All the Measure J Projects

- Desert Highland Small Parking Lot Repairs
- Dog Park Improvements
- Sidewalk Replacement in Parks Citywide
- Demuth Park - Softball Field Wiring Replacement
- Demuth Community Center - Gymnasium Floor Repairs
- Sunrise Park Water Valve Replacement
- Demuth and Ruth Hardy Parks - Parking Lot Repairs

All the Measure J Projects

- Stadium Fencing Repairs
- Replace 20 Trees - Palm Canyon, Indian Canyon, Sunrise Park
- Village Green - Electric Meter Panel Replacement
- Downtown / Uptown Crosswalks
- Light Poles - Raise Footings – Citywide
- Traffic Signal & Queuing Study (Sunrise @ Ralph's Center)
- Lighting - Replace Underground Electrical
- Welwood Murray Memorial Library Renovation Project

All the Measure J Projects

- iHUB Accelerator Campus
- Edwards Harris Architecture and Design Center
- Firefighting Support Unit
- Downtown Palm Springs Development Swim Center Deck
- Swim Center Underwater Lights
- Bike Crossing at Date Palm (50% paid for by Cathedral City)
- Shade Cover at Mizell Senior Center

All the Measure J Projects

- Trailhead Waste
- Airport Back-up Generator (1/2 paid for by Airport)
- Security Cameras at Park Restrooms
- Baristo Sidewalk
- Palm Springs High School Auditorium Remodel
- Visitors' Center Landscaping
- Library Computers
- Library Planning

All the Measure J Projects

- Property Acquisition (near Chino Cone)
- James O. Jessie Desert Highland Unity Center - Gym Air Conditioning
- Entry Way Signs
- Police Training Center Upgrades
- Building Department Microfilm to Internet
- Veteran's Memorial
- Police Records Area - Redesign and Renovate
- NMTP/Biking Issues

All the Measure J Projects

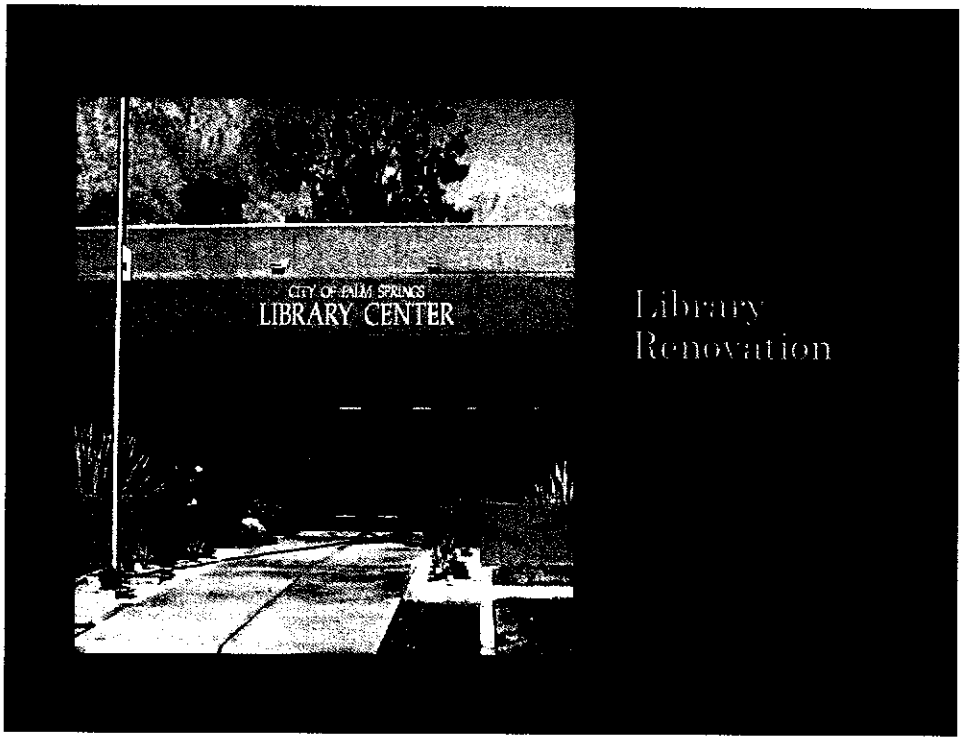
- Tahquitz Creek Master Plan
- Repave Police Rear and Front Parking Lots
- Fire Station #4 - Roof Replacement
- Fire Station #4 - Chiller Replacement
- Police Dept Initial Design and Renovation
- Fire Stations Security Cameras
- Fire Stations Keyless Entry System
- Uptown Treewell Irrigation

All the Measure J Projects

- Village Green – Improvements
- Pavilion Gymnasium Floor Repair and Refinish
- City Hall Security Design and Installation
- Arnico Tract Sewer Improvements
- City Hall Parking Lot Resurfacing

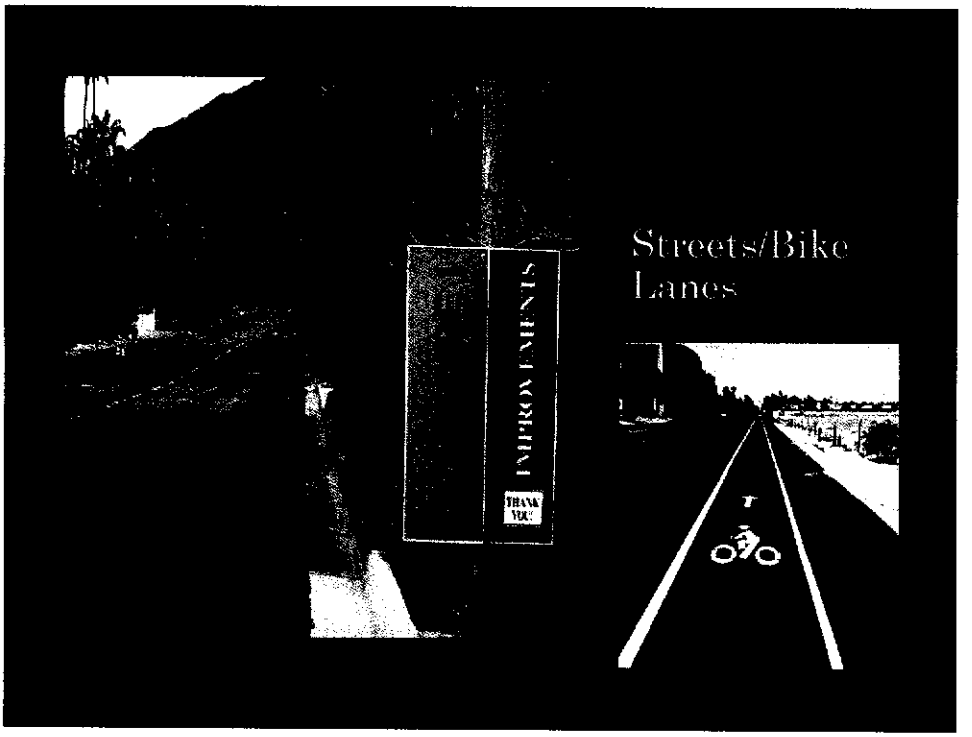
Measure J Strategic Planning – Four Key Areas

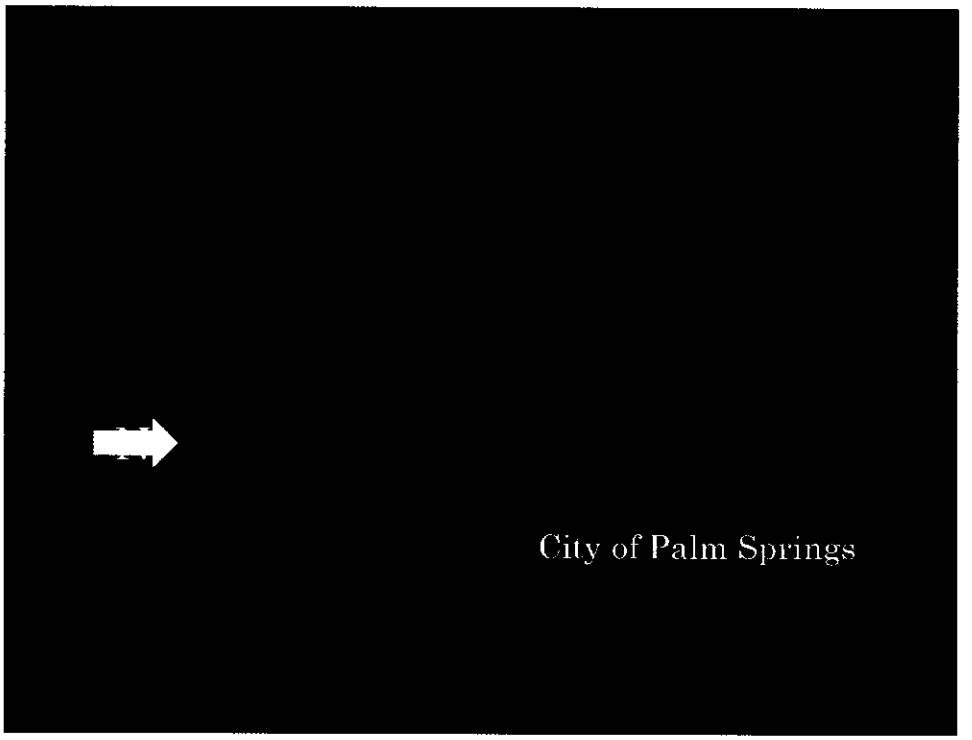
- Library Renovation
- Parks/Soccer Park
- Public Safety/Fire Station
- Streets/Bike Lanes


CITY OF PALM SPRINGS
LIBRARY CENTER
Library
Renovation

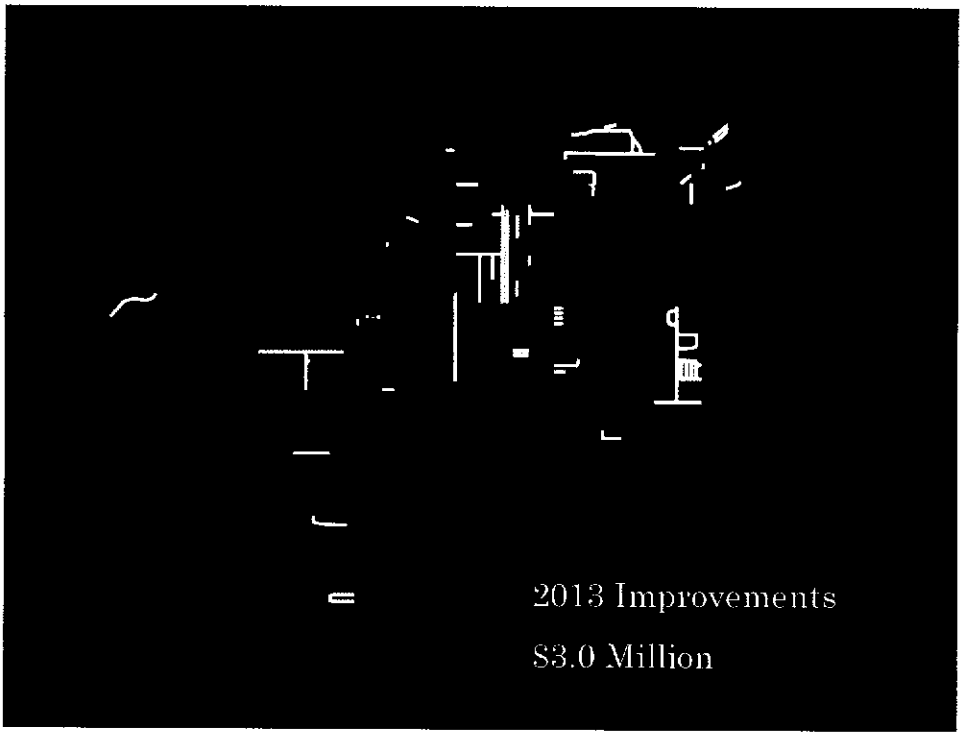
Parks/Soccer
Park

Public
Safety/Fire
Station

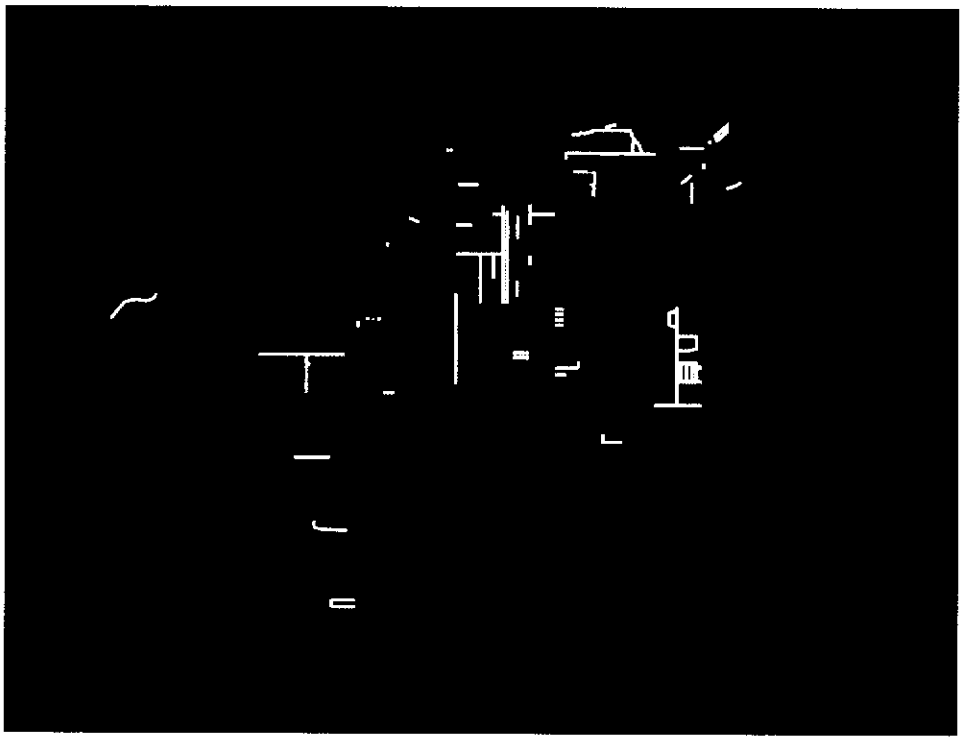

Streets/Bike
Lanes



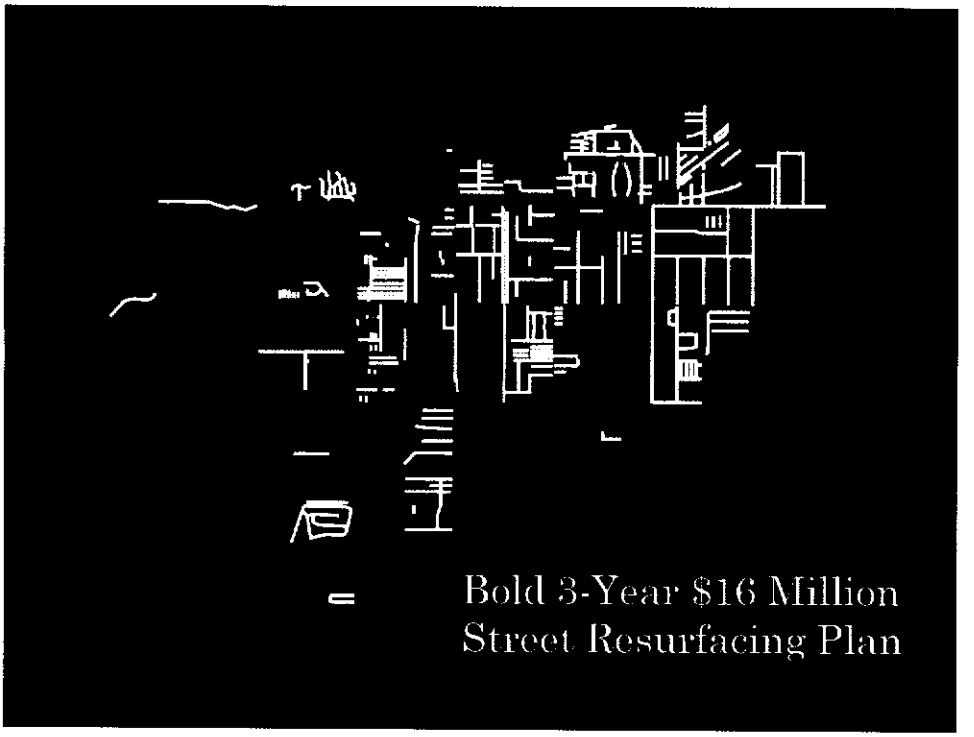
270 M.Ln



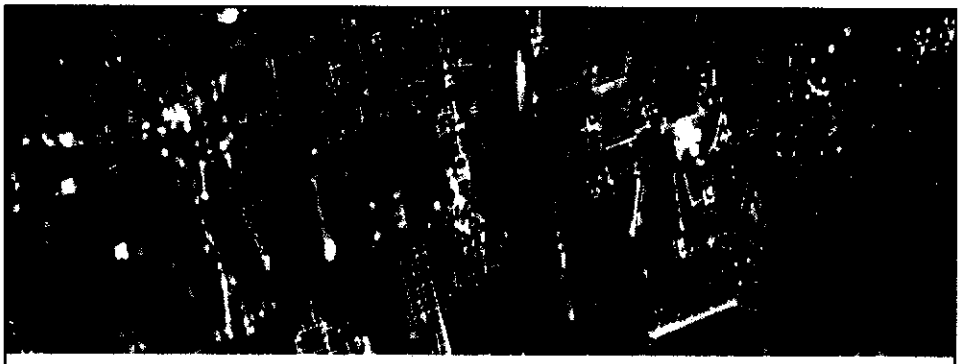
10 M.Lns



6 miles.



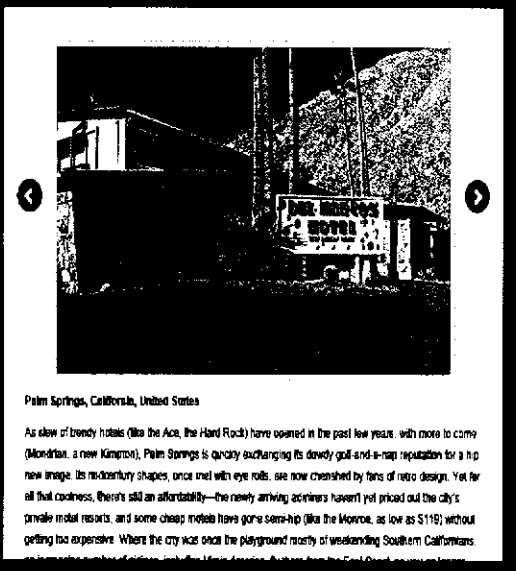
50 miles



Worldwide Media and Branding

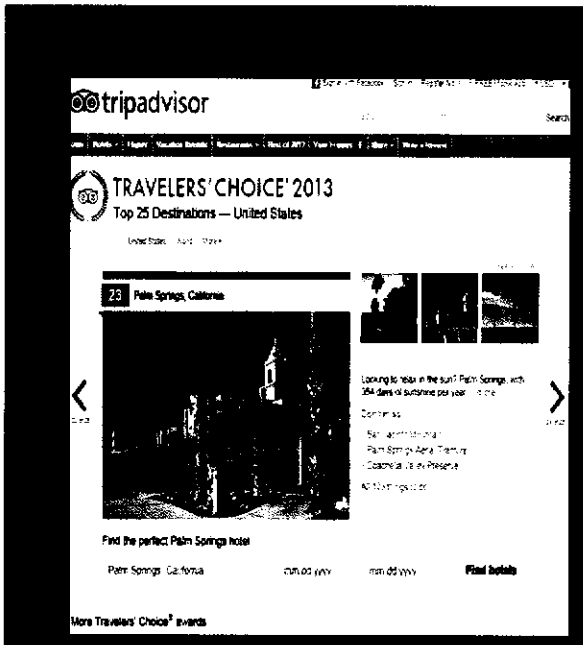
Travel & Leisure Magazine

Palm Springs Named one of America's Top Romantic Winter Destinations



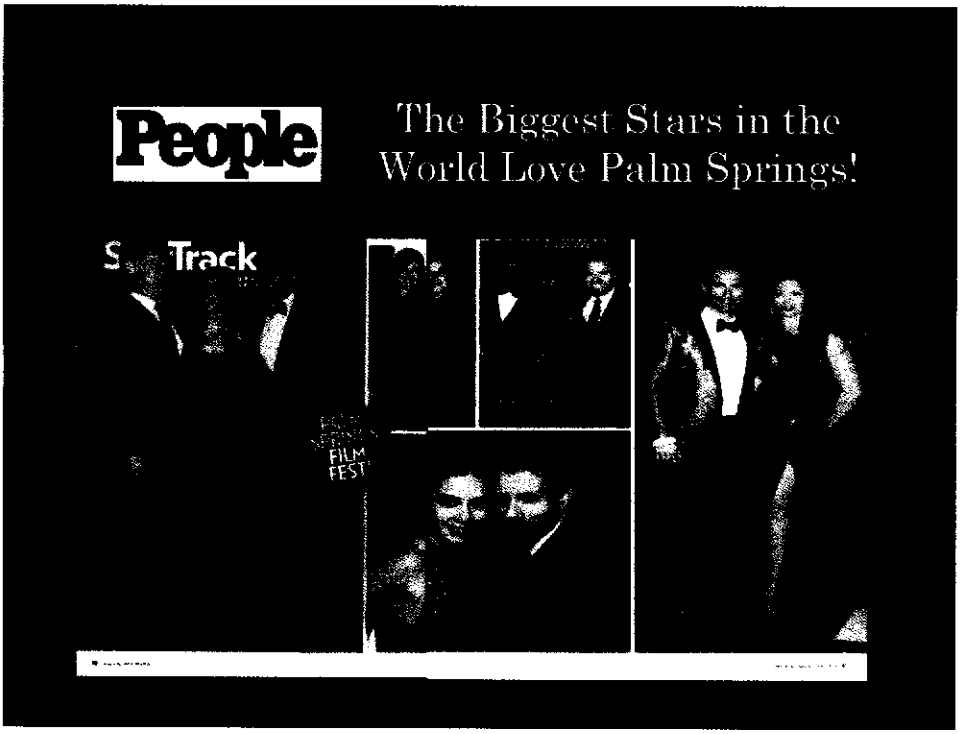
Frommers.com

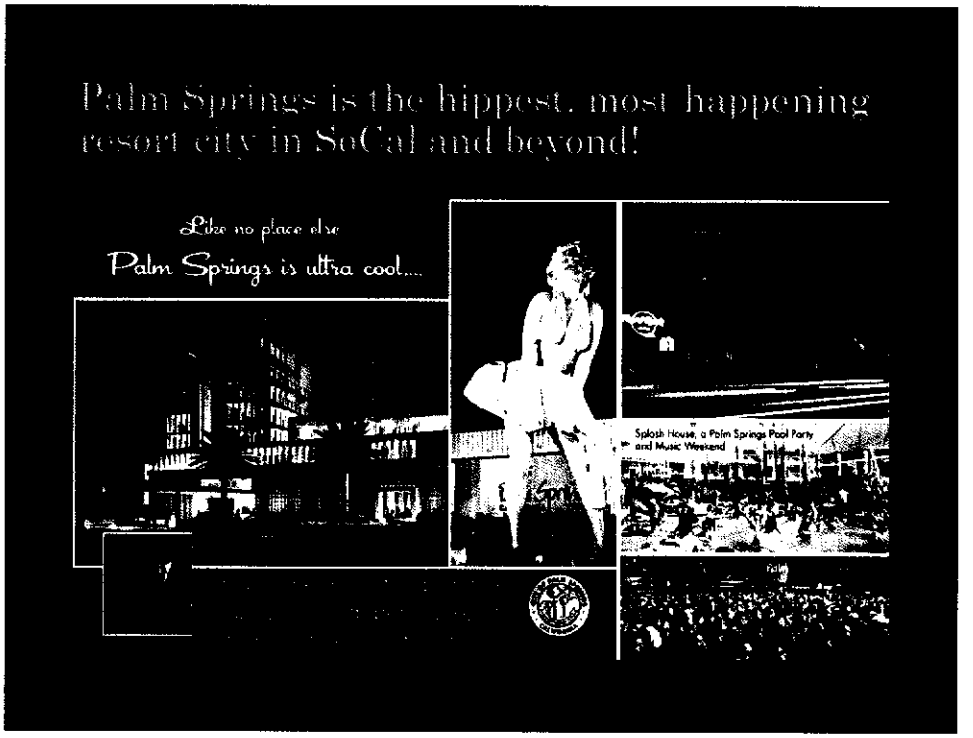
Palm Springs named one of Top 2014 Travel Destinations



Trip.Advisor.com

Palm Springs named in Top 25 "Travelers' Choice" Destinations




Palm Springs is the hippest, most happening resort city in SoCal and beyond!
Like no place else
Palm Springs is ultra cool....
Splash House, a Palm Springs Pool Party and Music Weekend

wessman

- Didn't like the ad?

- Frank + 100th customer
  "didn't tell truth"

- Frank / Kimpton CEO / obstruction
  " stuck in the 40's

- All lawsuits / Preserve business
  "- filed appeal"
- Hurts our merchants, families, tourist, other towns

- Remarkable 3 years - Wessman 3.5 M

- Stand together again.

- Special Meeting.

Aranesp®
(darbepoetin alfa)

Vote Yes!
wessman

Rotary Lunch 3:00

2015 State of the City meeting
2/19/15 1/8/15
11:30 AM

① PSA - record RNR @ 3:30pm 1/22 before Swim event.

*Eco Dev. 8 years of *20 30 minutes on the Buzz - video tour

Where the City has come?
① Shopping Centers
Snowtree ② Hotels
The Springs
BMW
The PS Hotel
Come Catch the Buzz w/me!

Property Interest List
JR- possible places for tour stops will narrow down & catagories
list Incentive Program Businesses
Amy Point 7 West
Ford Media - 5,000 budget
calender - 1/2 day 1/22
11-4pm Friday 1/23 - DHR meeting w/Chad Lamps

Topics of video

Health + Wellness Sustainability

Airport / new terminal / Measure J

Economic Development

Downtown Project

Splash House

Day of Action / Bus Opening

~~Speech~~

* Budget

Public Safety

Wellness?

Throw in measure

5-7 video stops

Goal - 20 minutes

1. Pit of DFP = working that day
2. Airport
3. The Spring - shopping centers - Vacancy rates & down
4. Sol - Housing Dev. - working?

Esuna

~~5. Shorebird / Lighthouse PSMC~~

5. Hotel (done) Tri Mda
6. Convention Center - Film Festival
7. Business uptown - ~~Bike Corral~~ Bike Corral Soiree

Jennifer Nelson

To: Amy Blaisdell (amy.blaisdell@palmspringsca.gov); David Ready; John Raymond
Cc: Steve Pougnet
Subject: Re-cap from State of the City meeting

All,

Just a follow up on where we are right now –

JR – you are in the process of compiling a list of places/businesses, particularly those that participated in the City's Incentive Program, for the Mayor to utilize in his video tour. Our categories are – Constructions site (Downtown Plaza), Airport, Shopping Centers (The Springs/Smoketree), Housing Developments (Escena, Sol) Hotels (Tri Ada) Conventions Center (PSIFF here too) Uptown Businesses. Please also check with the Trolley folks to be sure we will have a Trolley and driver to use on **Friday, Jan. 23 from 11am to 4pm**.

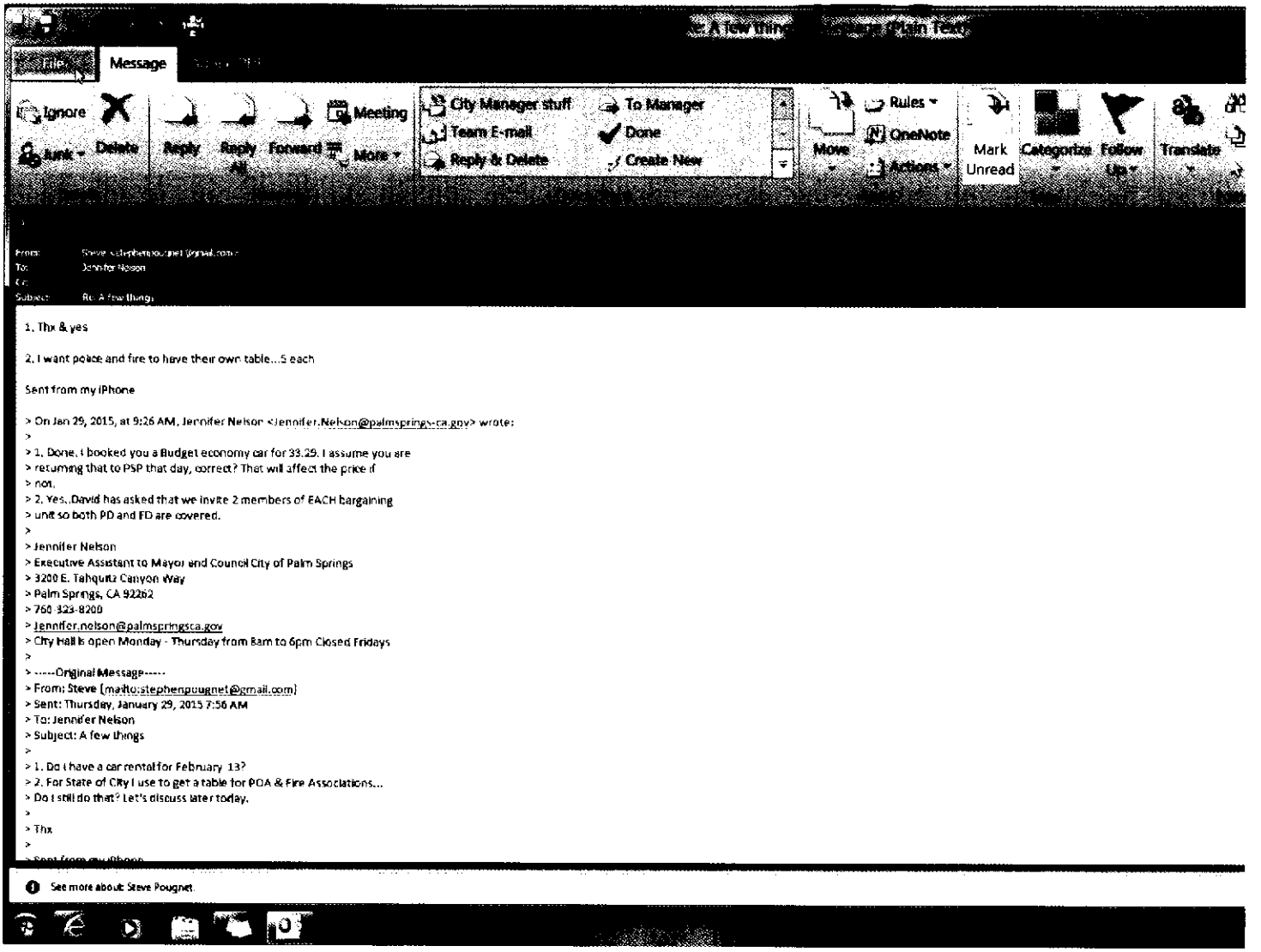
Amy – You are reaching out to Point 7 West to schedule the videotaping on Friday the 23rd from 11am to 4pm. Meet at City Hall. If they can't do it for our budget of 5,000.00 you will ask Cord Media. Also, please get back to me right away if this date doesn't work for them as you know how tight the Mayor's schedule is.

David – You are going to reach out to Lisa Middleton to produce a list of possible PSNIC people to do the ride along with Mayor Pougnet on the 23rd. He would like to review the list before we confirm anyone but would like to select 6 people total.

Once we can confirm the who, (PSNIC folks) when (date and time) and where (tour stops) we will go from there.

Thank you,
Jen

Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov
City Hall is open Monday - Thursday from 8am to 6pm
Closed Fridays


A few things
Plain Text
File
Message
Ignore
Junk
Delete
Reply
Reply All
Forward
Meeting
More
City Manager stuff
Team E-mail
Reply & Delete
To Manager
Done
Create New
Move
Rules
OneNote
Actions
Mark Unread
Categorize
Follow Up
Translate
From:
To: Jennifer Nelson
Cc:
Subject: Re: A few things
1. Thx & yes
2. I want police and fire to have their own table...5 each
Sent from my iPhone
> On Jan 29, 2015, at 9:26 AM, Jennifer Nelson <Jennifer.Nelson@palmsprings-ca.gov> wrote:
>
> 1. Done, I booked you a Budget economy car for 33.29. I assume you are
> returning that to PSP that day, correct? That will affect the price if
> not.
> 2. Yes, David has asked that we invite 2 members of EACH bargaining
> unit so both PD and FD are covered.
>
> Jennifer Nelson
> Executive Assistant to Mayor and Council City of Palm Springs
> 3200 E. Tahquitz Canyon Way
> Palm Springs, CA 92262
> 760-323-8200
> Jennifer.nelson@palmspringsca.gov
> City Hall is open Monday - Thursday from 8am to 6pm Closed Fridays
>
> -----Original Message-----
> From: Steve [mailto:stephenpougnet@gmail.com]
> Sent: Thursday, January 29, 2015 7:56 AM
> To: Jennifer Nelson
> Subject: A few things
>
> 1. Do I have a car rental for February 13?
> 2. For State of City I use to get a table for POA & Fire Associations...
> Do I still do that? Let's discuss later today.
>
> Thx
>
> Sent from my iPhone
See more about Steve Pougnet.

State of the City 2/19/15
Slides

Ethans video will incorporate everything

Theme - 8th speech - Look where we are now
If PS were a stork - I'd buy it.

Same 6 major areas from slide show -

Budget
Hotel Tax
Sales
Property

Chart

individual slides

Cash Reserve - slide

Public Safety - David
P.D.
F.D.

high paramedic calls

(5) Measure J

A Buzz - pics
B Roads - pics
C Wellwood - pics
D Commuter area 4/1/12 = $
Announce Public Wellwood R/C.
E. Bike Lanes - pics
F. A/D center
? ~~& Future projects by Measure J~~
~~Roads, Libraries~~
Safety ?

Community pujet 1 million annually - check

(6) Downtown Project

Kimpton groundbreaking pictures

video

Mayor's video / testimonials

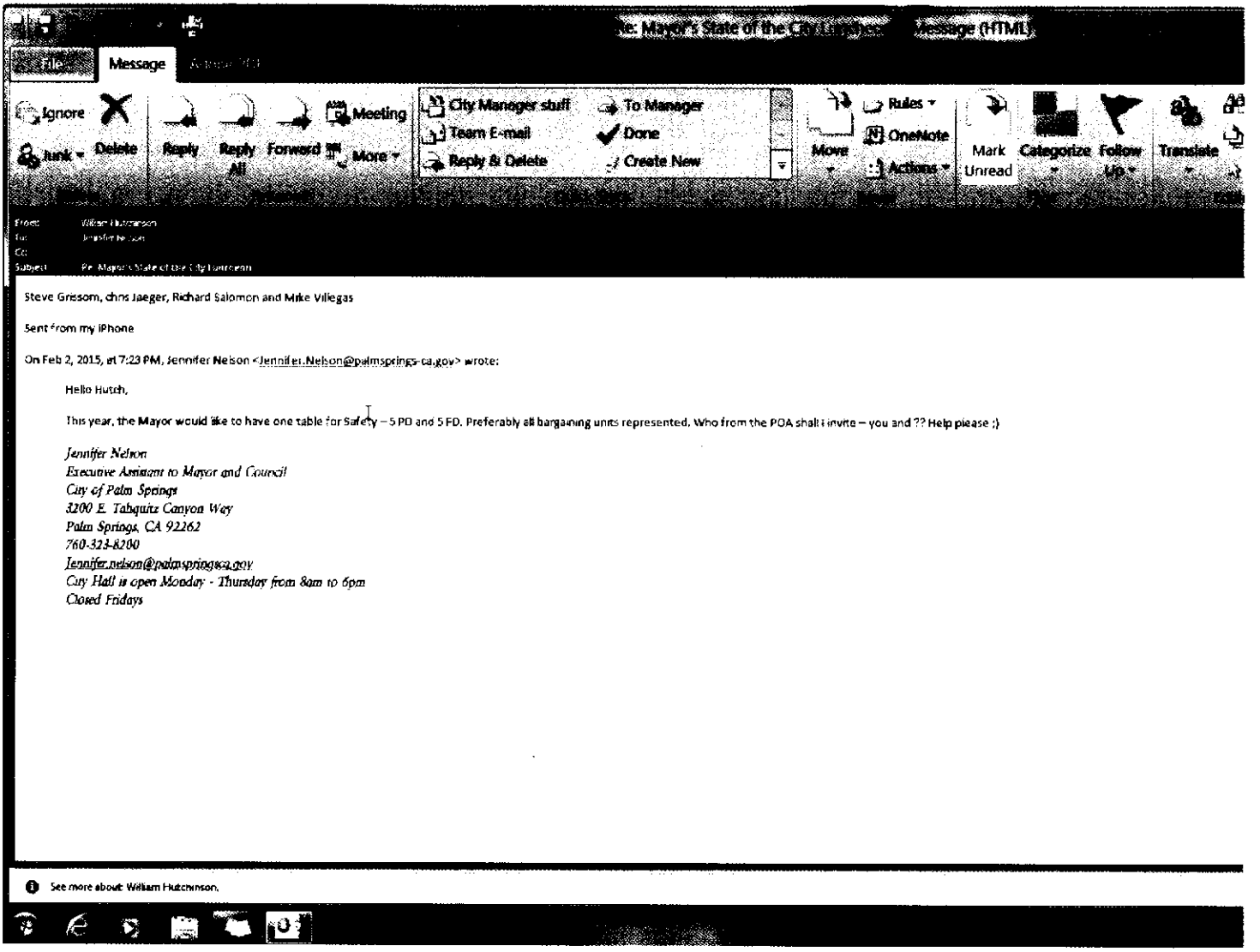
(2) Health/Wellness/Sustainability
Events program 1 slide of each 2-3, Michele
(2) DOT - Chelsea video
(3) CV Savings Deduction 1/22
(4) ⊕ Successful turf buyback/Water conservation

(4) ECO Dev.

A. Airport - slide + passenger traffic
B. Hotel - Arrive photo construction
Tradex - picture

C. Hotel convention program refurbished slide
#= beds
#= construction jobs
#= Total investment

D. Building permit - David increase slide
All Permit activity


Re: Mayor's State of the City Luncheon
Message (HTML)
File
Message
Ignore
Junk
Delete
Reply
Reply All
Forward
Meeting
More
City Manager stuff
Team E-mail
Reply & Delete
To Manager
Done
Create New
Move
Rules
OneNote
Actions
Mark Unread
Categorize
Follow Up
Translate
From: William Hutchinson
To: Jennifer Nelson
Cc:
Subject: Re: Mayor's State of the City Luncheon
Steve Griesom, chris Jaeger, Richard Salomon and Mike Villegas
Sent from my iPhone
On Feb 2, 2015, at 7:23 PM, Jennifer Nelson <Jennifer.Nelson@palmsprings-ca.gov> wrote:
Hello Hutch,
This year, the Mayor would like to have one table for Safety – 5 PD and 5 FD. Preferably all bargaining units represented. Who from the POA shall I invite – you and ?? Help please ;)
Jennifer Nelson
Executive Assistant to Mayor and Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8200
Jennifer.nelson@palmspringsca.gov
City Hall is open Monday - Thursday from 8am to 6pm
Closed Fridays
See more about: William Hutchinson.

City Flag!

2015

City of Palm Springs

Mayor's State of the City Address

February 19, 2015

* Chamber list of links is coming on 2/18

Music Video

Introduction

Today's Central Themes

This is a Different City than Eight Years Ago,

and

"If Palm Springs Were a Stock- I'd Buy It!"

Remember These?

Via LoLa

old Holiday Inn (now Saguaro Ramada

Old Airport Terminal

Dump Site pic

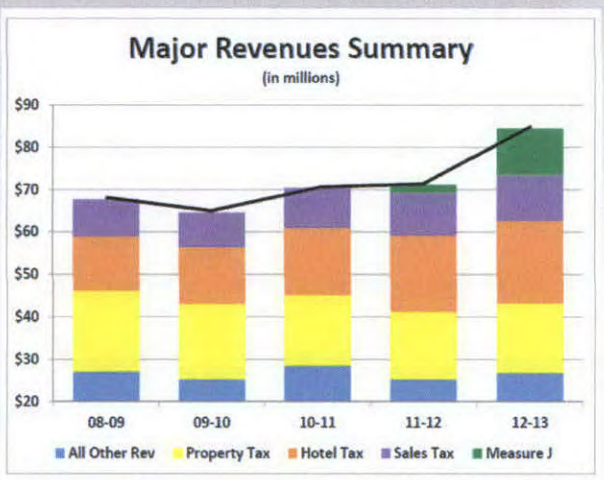
7 all befores

old

Daniels DFP photo

Then Afters

Revenue Over the Past 8 Years



Reserve Fund Balance

$12.8 million for FY12-13
equivalent to
a 15% Reserve

How Busy they all!

Public Safety Calls for Service

Police

61,548 calls for service

Dispatch answered a total of 126,886 calls; 46,155 of these were 911 police and fire calls.

Animal Control handled 2,267 animal calls.

Police Officers made 2,080 arrests and issued 1,705 citations.

3 homicides in 2014

Violent crime increased by 18% (Homicide, robbery, rape, assaults, aggravated assaults)

6% decrease in residential burglary and a 75% increase in commercial burglary (explain change in reporting factors-Hotel burglaries)

Larceny (petty theft, identity and paper type crimes) increased by 28%

We did see a decrease of 30% in motor vehicle thefts

Total property crimes increased by 16%

Fire

911 slide

Health and Wellness

Mayor's Race video

Clinton Foundation *Day of Action* video

"Ready, Set, Swim" Program video

Turf Buyback and Water Saving Programs

MAYOR'S RACE

CLINTON FOUNDATION DAY OF ACTION

READY, SET, SWIM PROGRAM

Partnership with Desert Healthcare District, Palm Springs Unified School District, Buys & Girls Club and the City of Palm Springs to teach third graders to swim.

TURF BUY BACK PROGRAM

Results so far:

- 144 residential applicants
- 51 HOAs
- 286,638 square feet of turf replacement incentivized
- About 15 million gallons of water saved with incentivized turf conversion

Economic Development

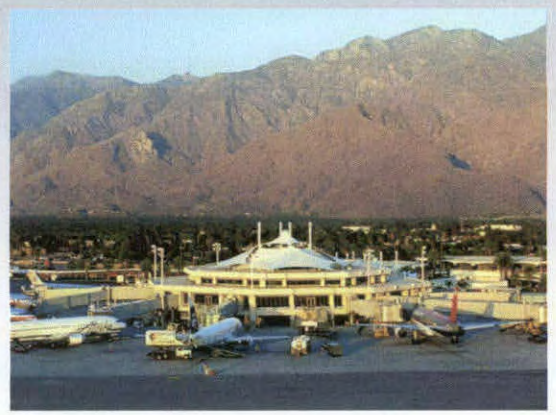
Palm Springs International Airport

Hotel Development and Hotel Incentive Program

Planning and Building Permit Activity

PALM SPRINGS INTERNATIONAL

Airport Traffic Increases:



ARRIVE HOTEL

TRIADA RESORT AND SPA

HOTEL INCENTIVE PROGRAM

Major Remodels Include:

Riviera
Hyatt
Hilton
Hard Rock
Saguaro
Colony Palms
Triada
Bearfoot Inn
Skylark
Sparrows
Palm Springs Hotel
Renaissance*

Other Approved Agreements

Total Remodel So Far Since Program Began: $200 million

Projected New Hotel Development: $250 million

PLANNING & BUILDING PERMITS

2800 - 3600

Measure J Programs

The Palm Springs BUZZ Trolley

Streets/Roads/Bike Lanes

Welwood Murray Memorial Library

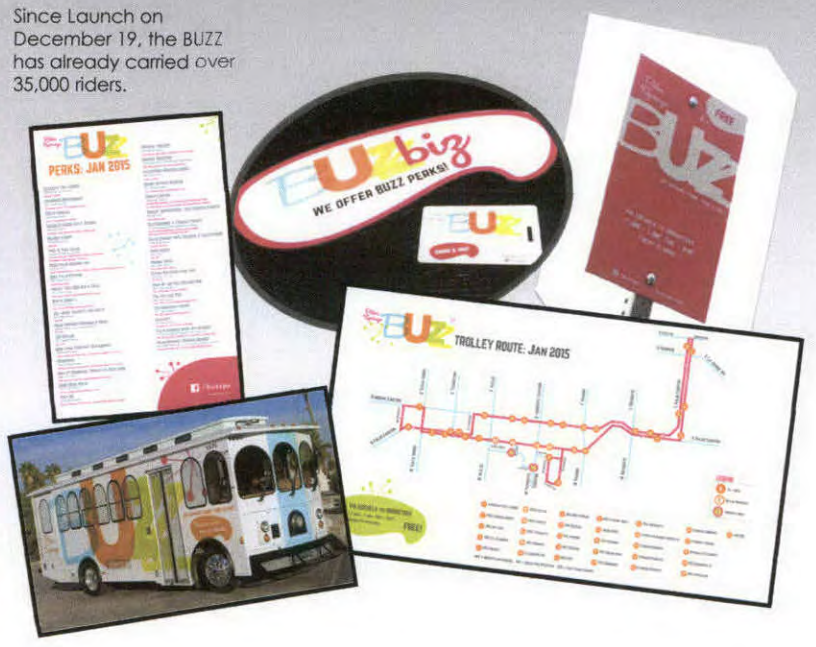
Palm Springs Architecture & Design Center

Palm Springs Accelerator Campus

Measure J
1080

PALM SPRINGS BUZZ TROLLEY

Since Launch on December 19, the BUZZ has already carried over 35,000 riders.



STREETS/ROADS/BIKE LANES

WELWOOD MURRAY MEMORIAL LIBRARY

Need to take an up to date picture.

ARCHITECTURE & DESIGN CENTER

IHUB ACCELERATOR CAMPUS

Downtown Project

Kimpton Hotel

Block A Retail Building

Event Center

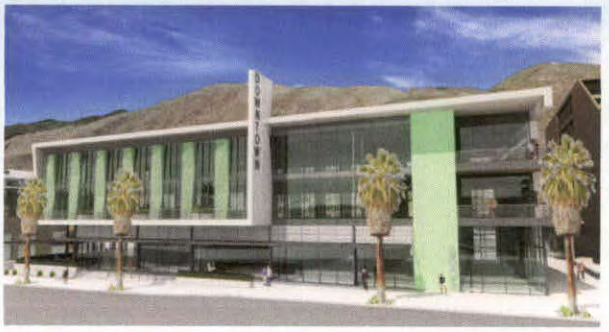
Block C

West Elm store slide

Coming Soon!

Kimpton Hotel

Block A



EVENT CENTER

laser pointer Coke w/ice on podium

State of the City 2015 11:30am Thursday, February 19th

Welcome and Thank you's

Special Olympics video - Sonny Canfield

1. Thank the Chamber of Commerce and Sponsors
2. Thank Dignitaries
3. Thank David Ready and City Staff
4. Thank City Council

Remember these -

THEME: What we have accomplished in the last 8 years. "If Palm Springs were a stock, I'd buy it!"

Roll Video

6 Main Topics

I. Budget - Speech
II. Public Safety - Speech
III. Health and Wellness/Sustainability - Video
IV. Economic Development - Video
V. Measure J - Video
VI. Downtown Project - Video

I. Budget

a. Overview Budget Summary (Operating)
b. Sales, Utility, TOT, and Property Taxes
c. Measure J
d. Cash Reserve
(All should compare to previous year)

II. Public Safety

a. Police: (high call volume)
b. Fire:
c. ~~Overall crime stats (if improved)~~

III. Health and Wellness~~/Sustainability~~

a. Mayor's Healthy Planet, Healthy You Race and Wellness Festival – 2015 (2 slides)
b. Chelsea Clinton's Day of Action
c. T~~urf buyback program~~ (slides)
d. Ready, Set, Swim program (slides)

IV.

IV. Economic Development

a. Airport – passenger traffic (slide)
b. Hotels (Arrive construction slide)
c. Update on Incentive programs
    1. Number of beds
    2. Number of construction jobs created
    3. Total investment
d. Building permit (increase show slide)

V. Measure J

Jack Jones song video

a. Buzz (slide)
b. Roads (slide)
c. Welwood (slide)
    1. Announce the public ribbon cutting 2/19 6pm
d. Bike lanes (slide)
e. A and D Center (slide)
f. Total cumulative dollars since 4/1/12
~~g. Future projects~~

Palm Springs

VI. Downtown Project – ~~roll interview with~~ Wessman

a. Updated timeline

1. 1. Kimpton groundbreaking (slide)
2. 2. West Elm Block A
3. ~~3. Aveda~~
4. ~~4. El Corso~~ Block C

~~2. video~~

4. Picture of whole project phase 1

~~Tourism video/testimonials??~~

Close – video again

redraw/ new Kimpton photo

2015

City of Palm Springs

Mayor's State of the City Address

February 19, 2015

Introduction

- City Council
- Goodbye + Thank you
- David ready.

8th Speech - Asked you for

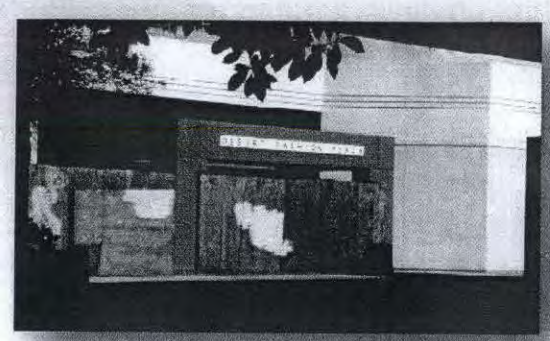
- 2011 - Working together
- 2012 - Bank of America
- 2013 - Rest of Plaza
- 2014 - Public Improvements.
- 2015 - Still to come.

Today's Central Themes

This is a Different City than Eight Years Ago.

"If Palm Springs Were a Stock- I'd Buy It!"

Remember These?



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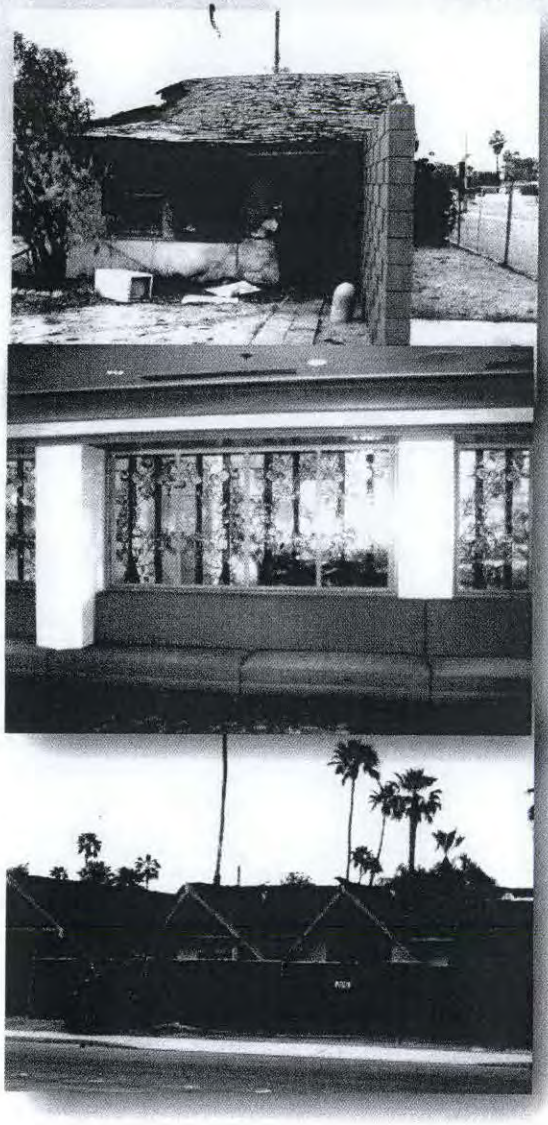


cle + Roll Video.

Separate Sheet

Today's topics.

I. The Budget

II. Public Safety

III. Sustainability

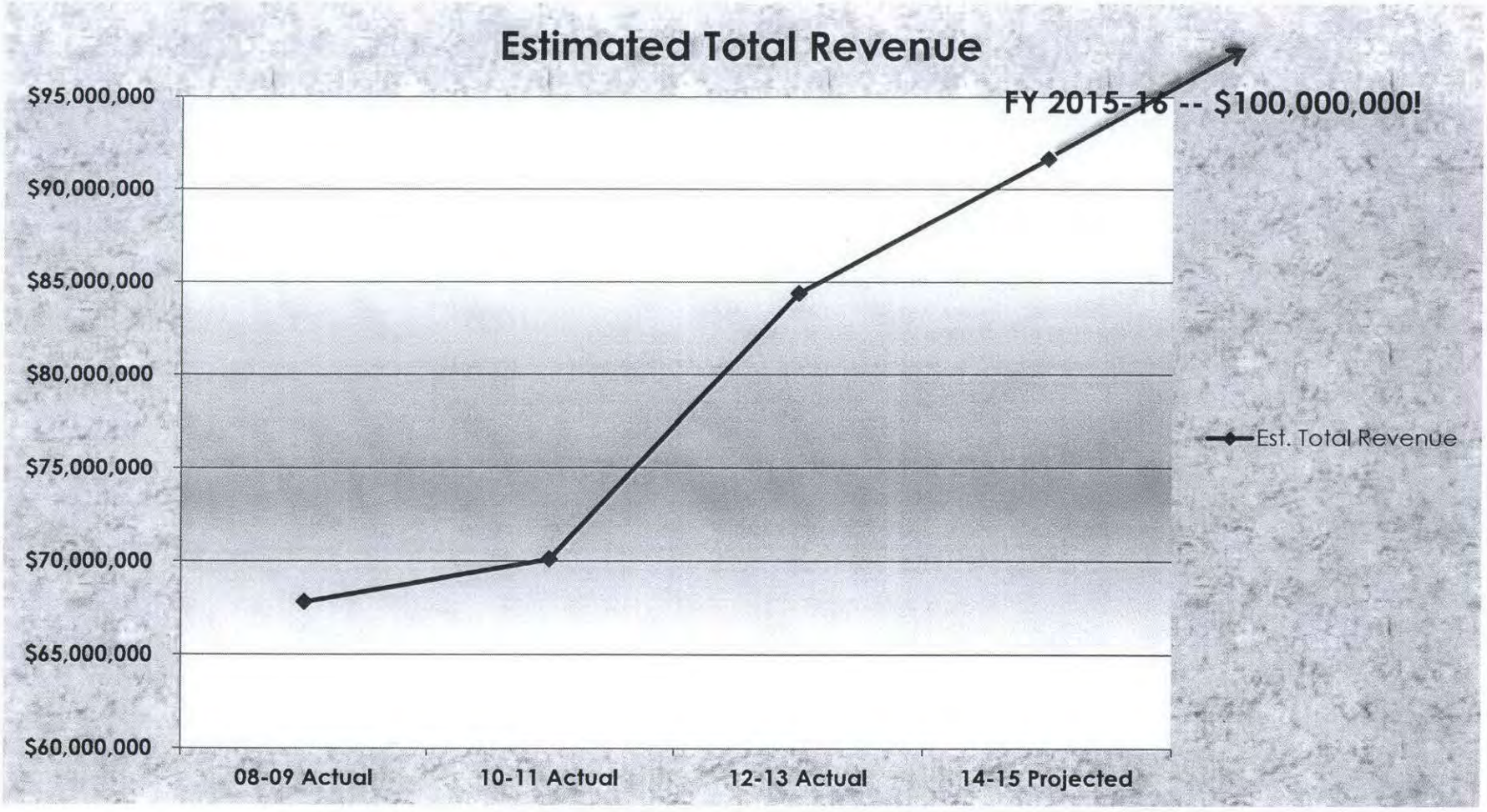
IV. Health + Wellness

V. Economic Development

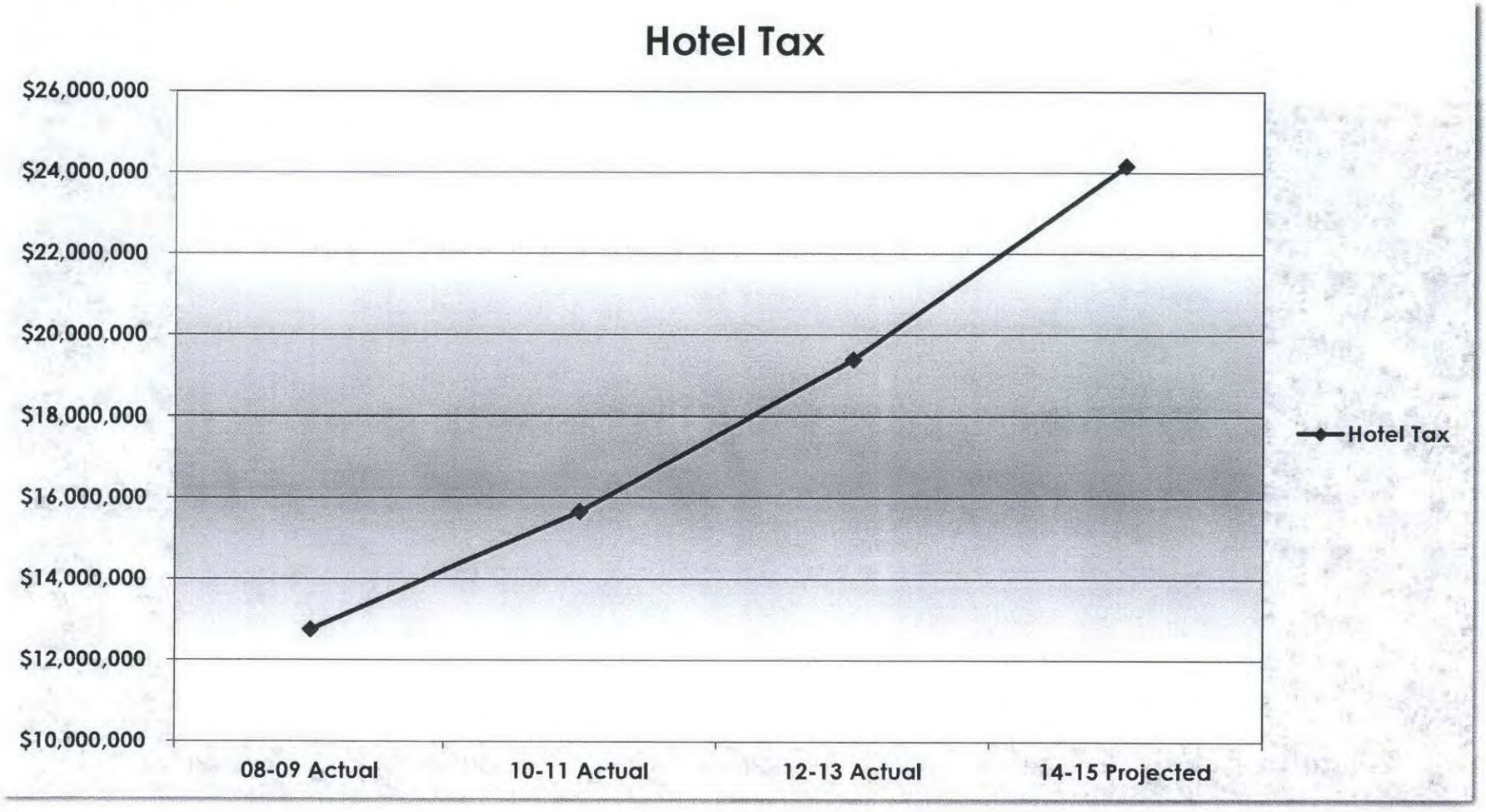
VI. Measure J.

VII. Downtown Palm Springs.

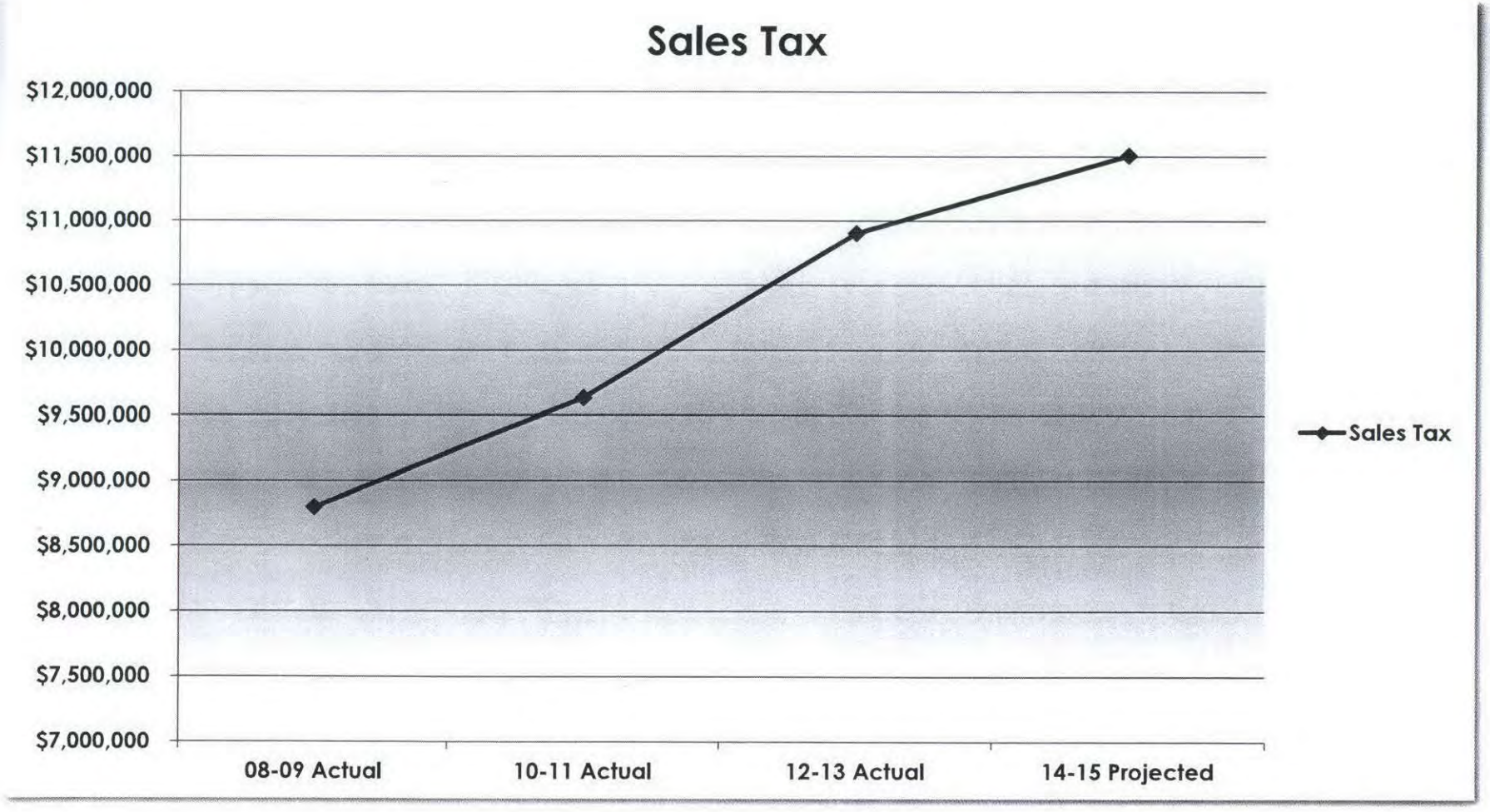
Total Revenue



Hotel Tax


Hotel Tax
$26,000,000
$24,000,000
$22,000,000
$20,000,000
$18,000,000
$16,000,000
$14,000,000
$12,000,000
$10,000,000
08-09 Actual
10-11 Actual
12-13 Actual
14-15 Projected
Hotel Tax

Sales Tax


Sales Tax
$12,000,000
$11,500,000
$11,000,000
$10,500,000
$10,000,000
$9,500,000
$9,000,000
$8,500,000
$8,000,000
$7,500,000
$7,000,000
08-09 Actual
10-11 Actual
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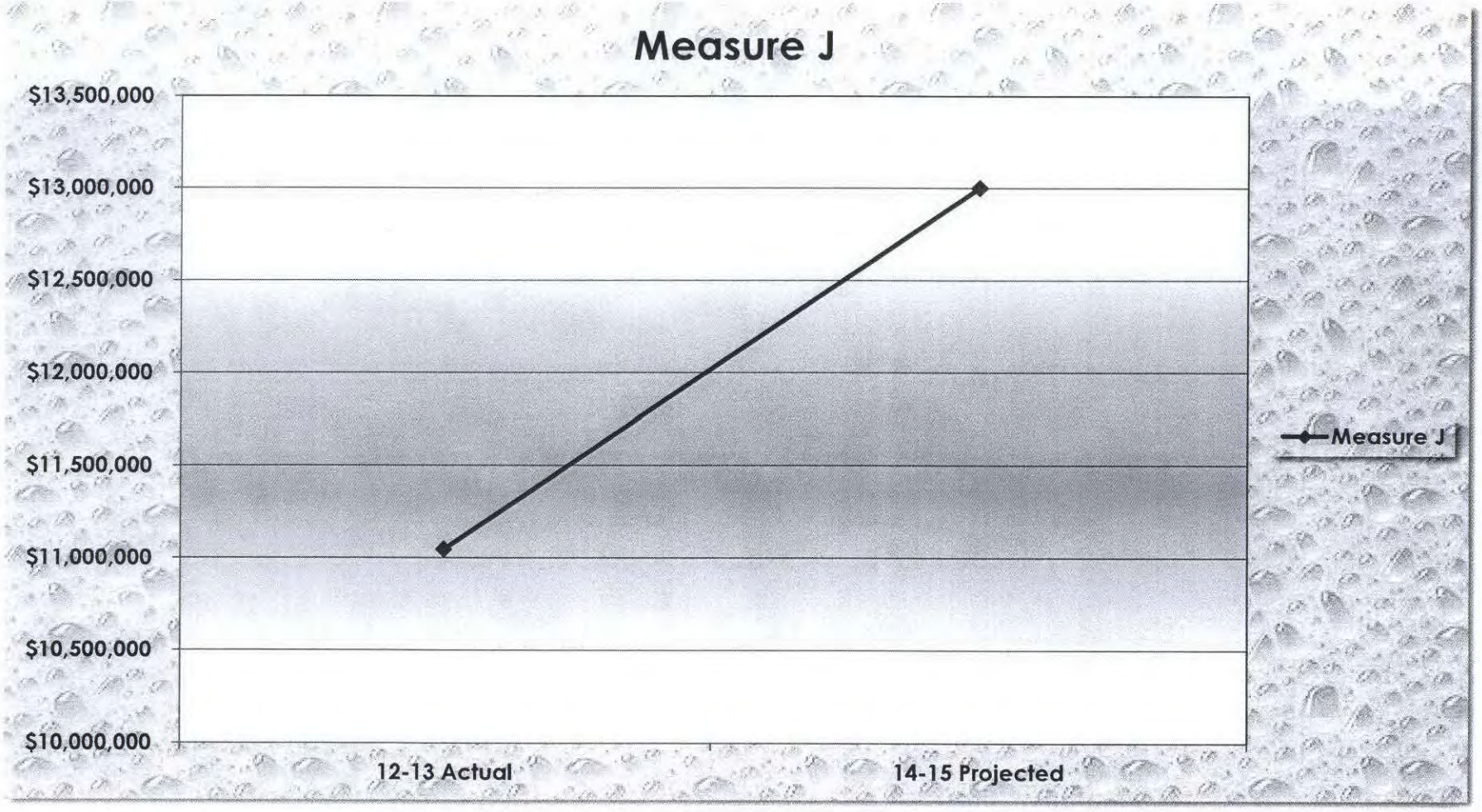
Sales Tax

Measure J


Measure J
$13,500,000
$13,000,000
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$12,000,000
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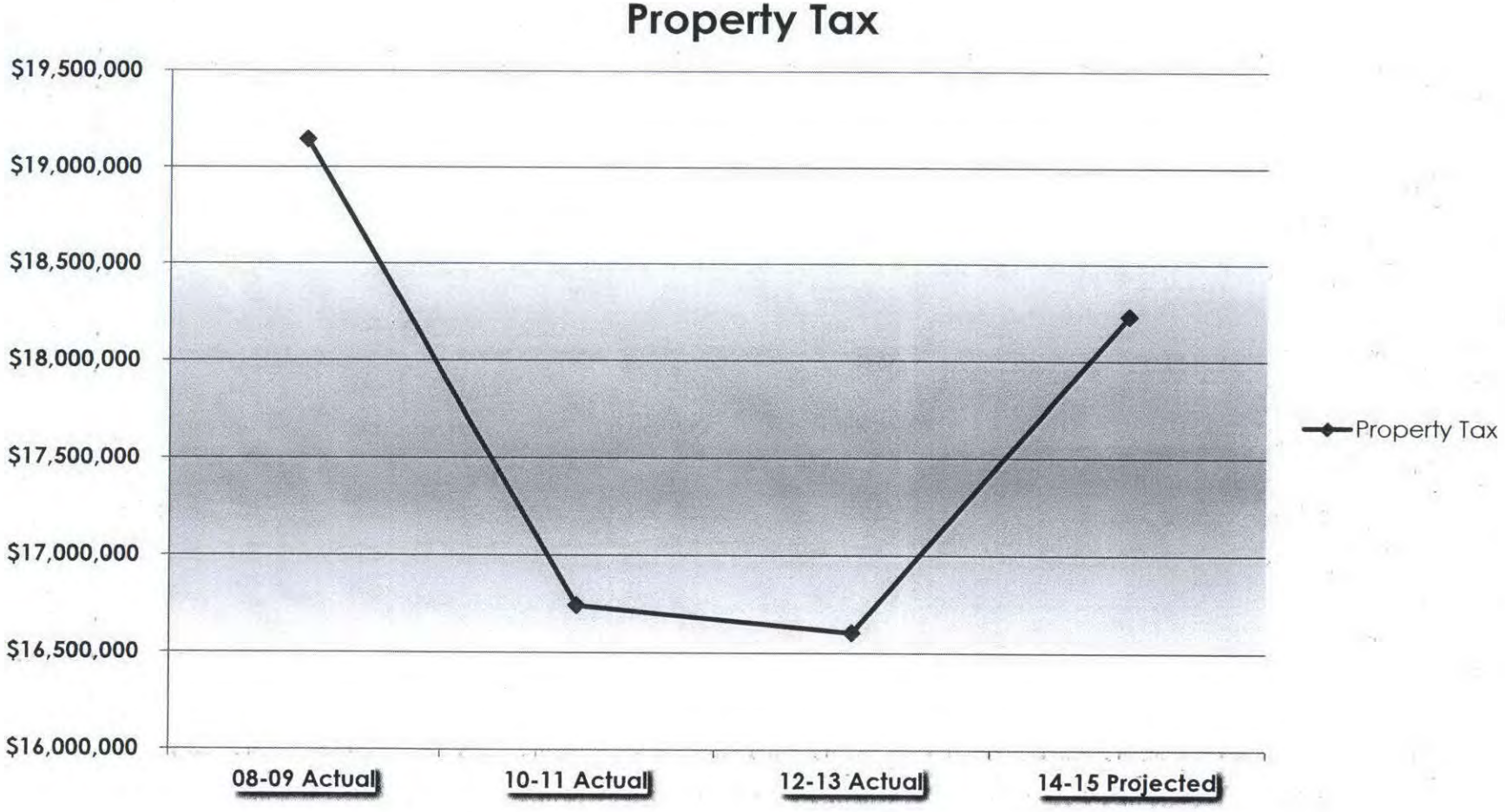
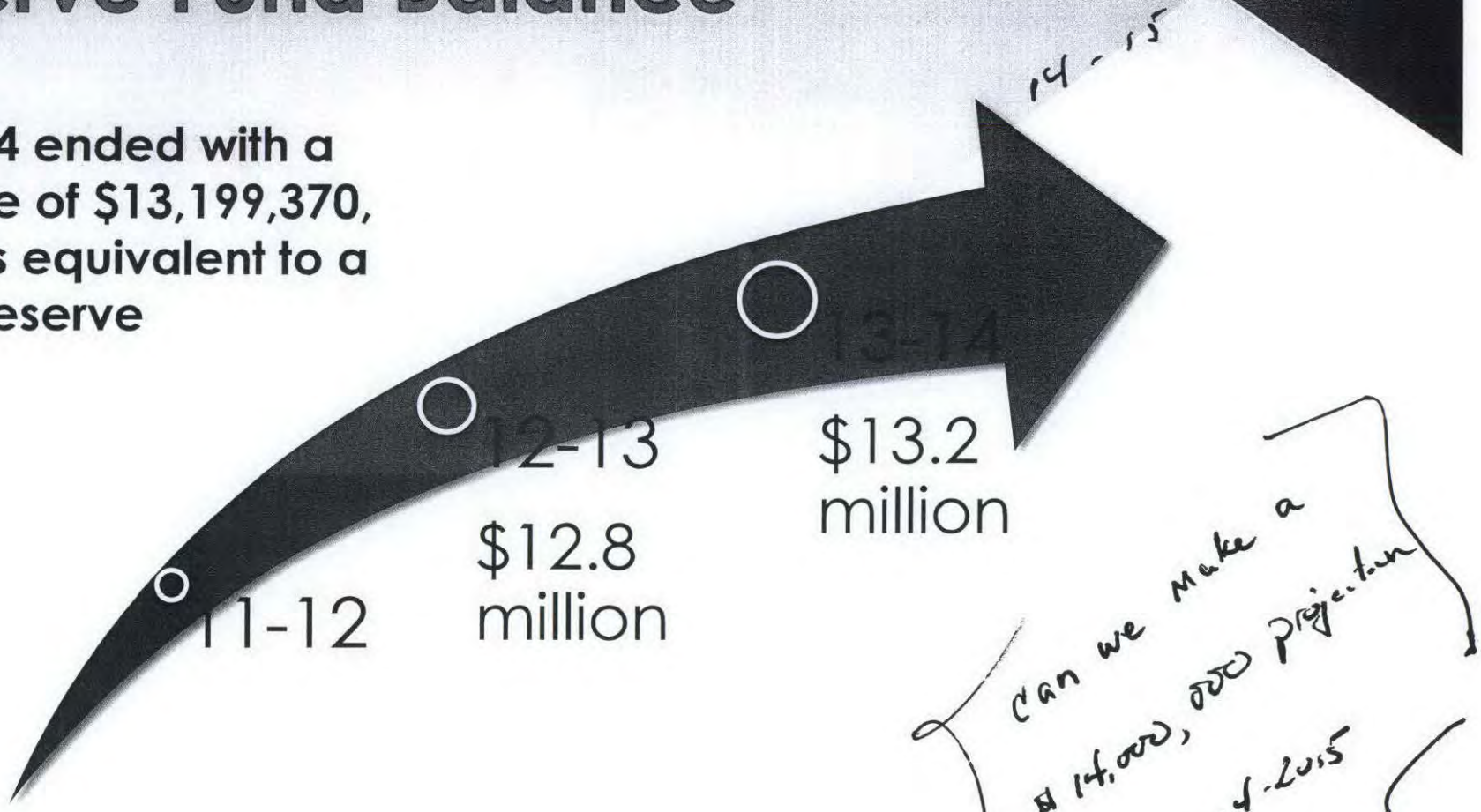
12-13 Actual
14-15 Projected
Measure J

Property Tax



Reserve Fund Balance

FY 13-14 ended with a balance of $13,199,370, which is equivalent to a 16.6% reserve



can we make a
14,000, 000 projection
for 2014-2015

1st slide : Public Safety

~~Public Safety Calls for Service~~

Police

~~Police~~

Total calls: **61,548 ~~calls for service~~**

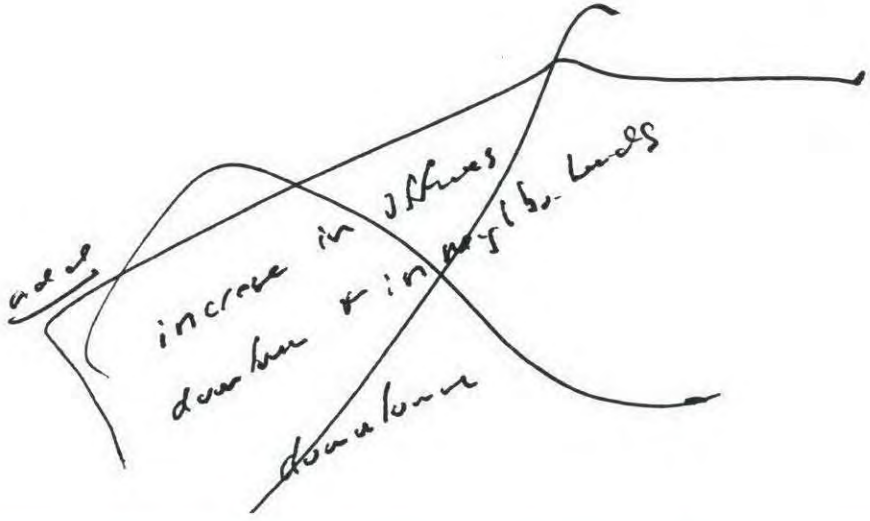
increase of what from 20 to --

Dispatch answered a total of 126,886 calls, 46,155 of these were 911 police and fire calls.

same slide as Fire.

Animal Control handled 2,267 animal calls.

Police Officers made 2,080 arrests and issued 1,705 citations.



Fire

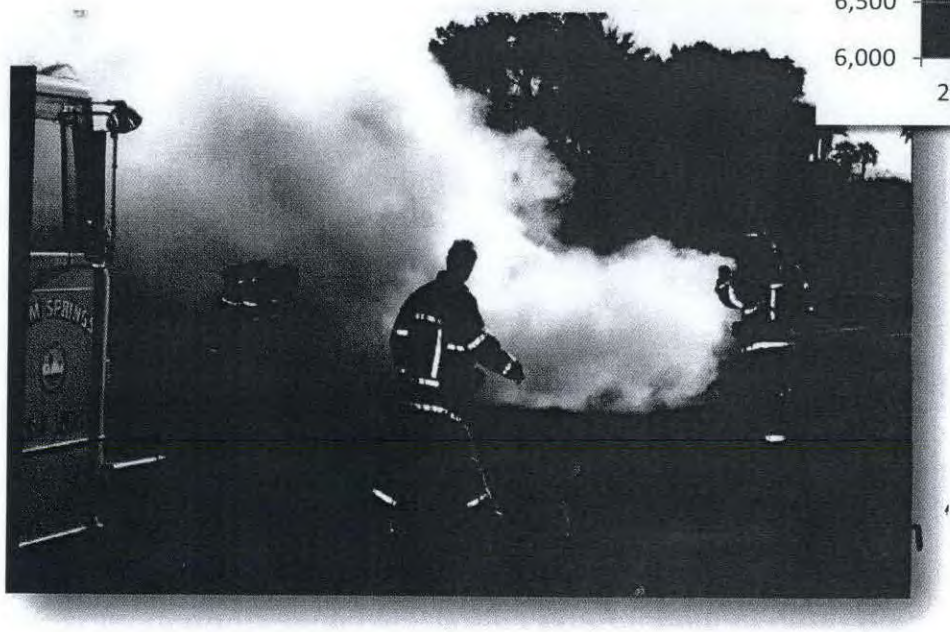
2014

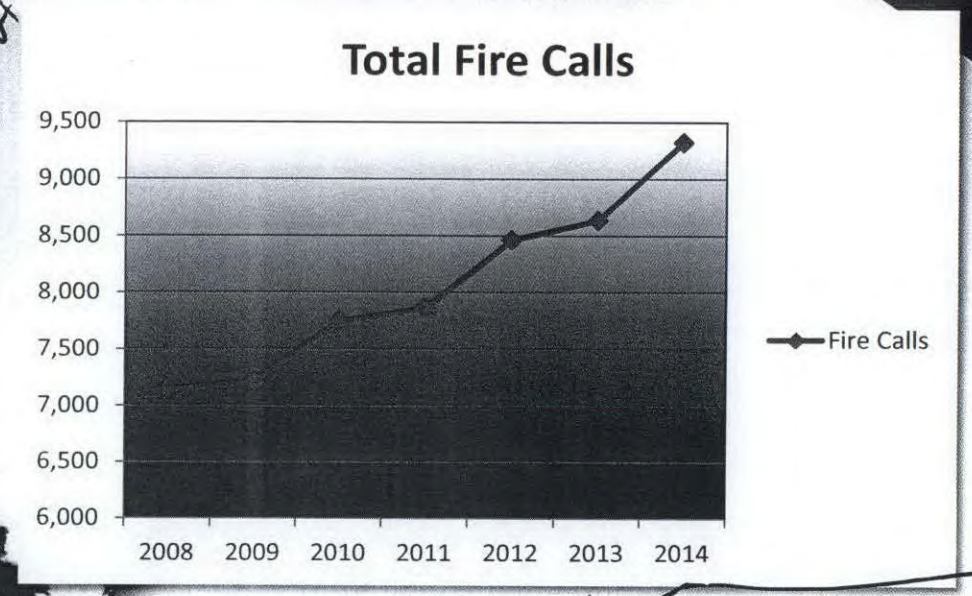
Total Calls : 9,320

Rescue & EMS Calls 6,956

~~**Percent of Total**~~

~~**74.6%**~~

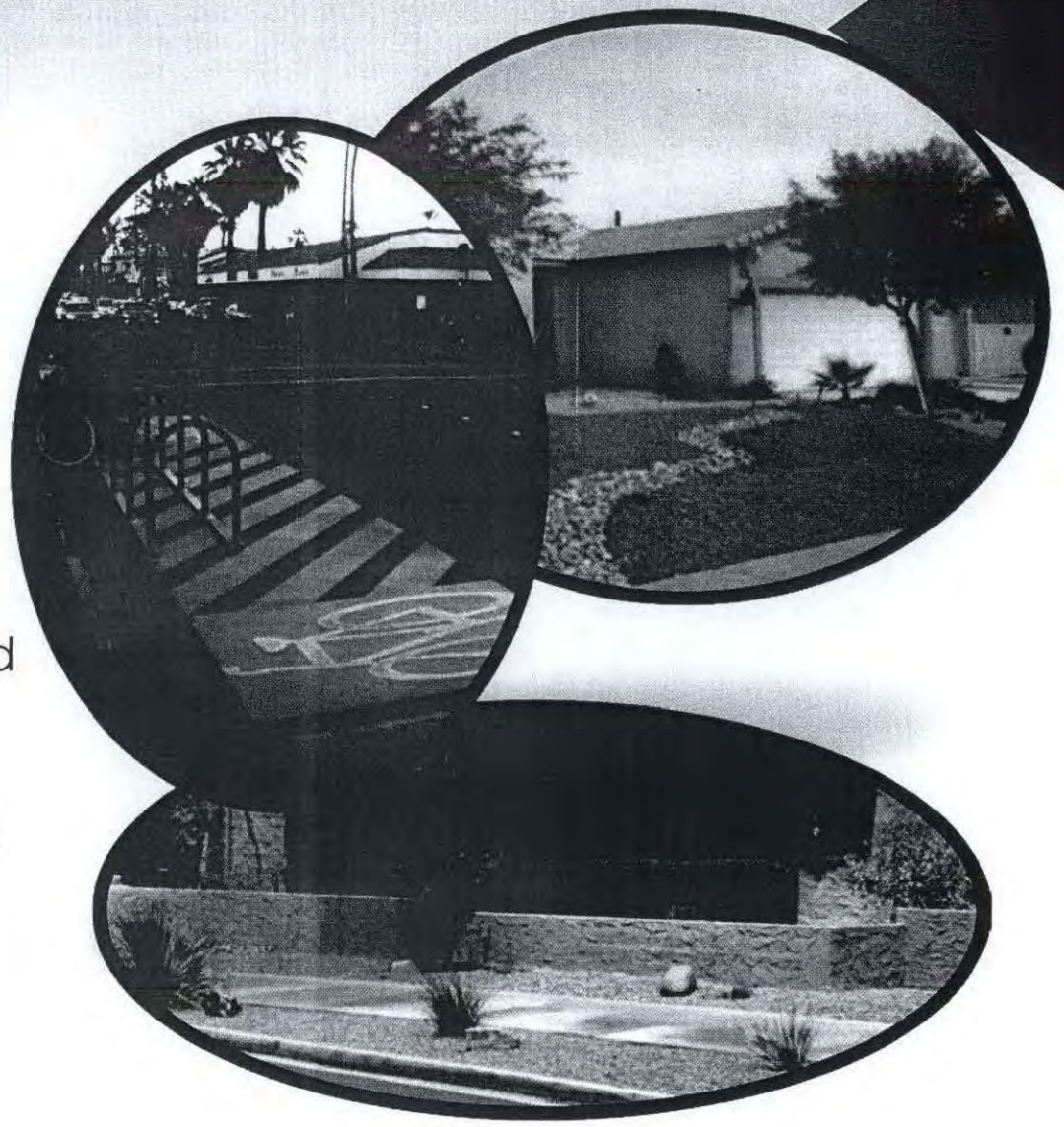




- Need names of both firefighters who came to my office.
- Picture of 9-11 Memorial

1st slide : Sustainability.

Sustainaility



Turf Buyback Results:

- 144 residential applicants
- 51 HOAs
- 286,638 square feet of turf replacement incentivized
- About 15 million gallons of water saved with incentivized turf conversion

big letters.

~~**Chevron Study and Retrofit**~~

Sustainability Program Awards

list them

energy Savings

Health and Wellness

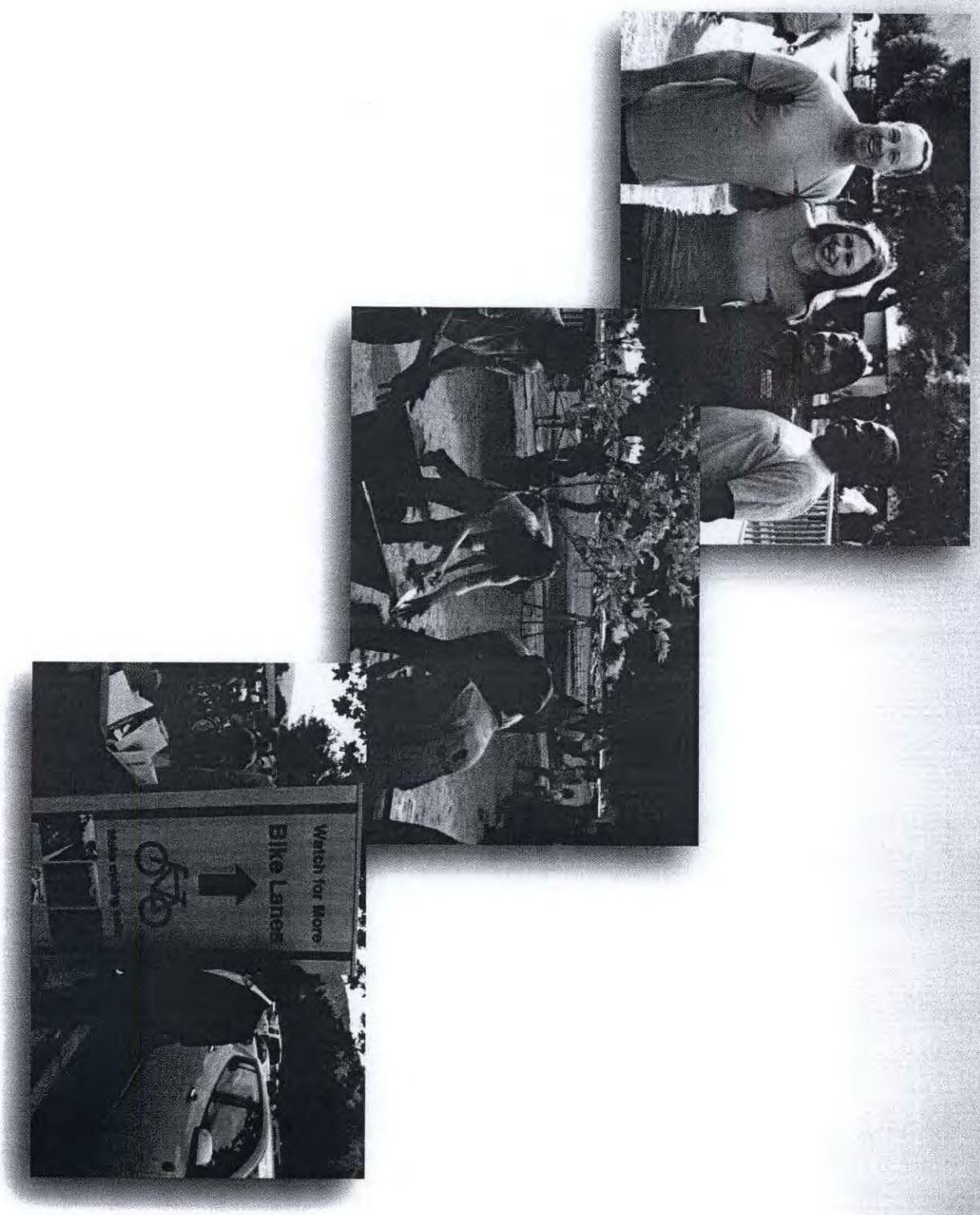
Activating Health and Wellness in every generation – Palm Springs is leading the way!

Rob Nideo.

Thank You Sponsors
CITY OF PA
SUSTA
CE
PALM SPRINGS
VABILITY
ATION
ELCOME
AND
NESS
TIVAL

MAYOR'S RACE

CHELSEA CLINTON DAY OF ACTION



READY, SET, SWIM PROGRAM

Partnership with Desert Healthcare District, Palm Springs Unified School District, Buys & Girls Club and the City of Palm Springs to teach third graders to swim.

Jennifer Nelson

From: Steve Pougnet
Sent: Monday, February 09, 2015 6:40 PM
To: Jennifer Nelson
Subject: Fwd: Shelter Stats

Please print

Sent from my iPhone

Begin forwarded message:

From: "Ginny Foat" <ginnyf@mizell.org>
Date: February 9, 2015 at 6:54:37 PM MST
To: <stephenpougnet@gmail.com>, "Steve Pougnet" <Steve.Pougnet@palmsprings-ca.gov>
Subject: FW: Shelter Stats

Hi Steve,
Hope you are feeling better. I did mention to you that I would really like you to in some small way mention the success of the shelter. The Board of the Friends bought a table at the State of the City luncheon. Below is a lot of information on the shelter and stats. We are being held up as an example of a truly successful and innovative municipal shelter. We have had people and cities coming from all over to tour, we have a full service vet clinic and surgery center – very unusual for a municipal shelter. I think the success we have achieved is worth mentioning in your speech. Even if it is one sentence.

In the last two years the shelter population has gone from 570 animals to 254 due to the City/Friends partnership and programs and we are now a teaching facility - see below. Last year we only had 1 euthanasia for behavior and the rest (96) were all very bad medical issues – hit by a car, mauled etc. Roughly 1500 – 1700 euthanasia's per year were performed before the City/Friends new shelter partnership. This Council and you as the Mayor need to take credit for that.
Thanks,
See you next week.
Ginny

From: Shayda Ahkami [mailto:sahkami@psanimalshelter.org]
Sent: Monday, February 09, 2015 3:37 PM
To: Ginny Foat
Subject: FW: Shelter Stats

He could also mention we are a teaching facility. we have health club high school students that mentor under the med team, years 1-3 western university students assist with tnr and now we also offer their 4th yr rotations for month long.

Sent from my Sony Xperia™ Z on T-Mobile's 4G LTE Network

-------- Original Message --------
Subject: Shelter Stats
From: Jennifer Orkney <jorkney@psanimalshelter.org>

To: "Dr. Shayda Ahkami" <sahkami@psanimalshelter.org>
CC:

Hi -
Here are a few stats...

Current Census (as of today at 2pm)
Cats: 105 in shelter + 34 in foster = 139 total
Dogs: 90 in shelter + 25 in foster = 115 total
Cats & Dogs: 195 in shelter + 59 in foster = 254 total
Plus: 1 ferret, 1 rabbit, 2 turtles (that I know of...)

Adoptions (2014)
Cats: 889
Dogs: 611
Cats & Dogs: 1500

RTGs (2014)
Cats: 23
Dogs: 255
Cats & Dogs: 278

Transfers Out (2014)
Cats: 38
Dogs: 159
Cats & Dogs: 197

TNRs Returned to Colony or Relocated (2014)
Cats: 486

Spay/Neuter Surgeries (2014)
Cats (Non-TNR): 753
Cats (TNR): 467
Dogs: 625

Other Surgeries (2014)
Cats: 47
Dogs: 129

--

Jennifer Orkney
Palm Springs Animal Shelter
Assistant Director, Operations
jorkney@psanimalshelter.org

ANIMAL SHELTER

Census (as of February 9)
Cats: 105 in shelter + 34 in foster = 139 total
Dogs: 90 in shelter + 25 in foster = 115 total
Total Cats & Dogs: 195 in shelter + 59 in foster = 254 total
Plus: 1 ferret, 1 rabbit, 2 turtles

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Cats: 47
Dogs: 129

Economic Development

- Palm Springs International Airport
- Hotel Development and Hotel Incentive Program
- Planning and Building Permit Activity

PALM SPRINGS INTERNATIONAL

Airport Traffic Increases

Projection 2015 2,000,000 +

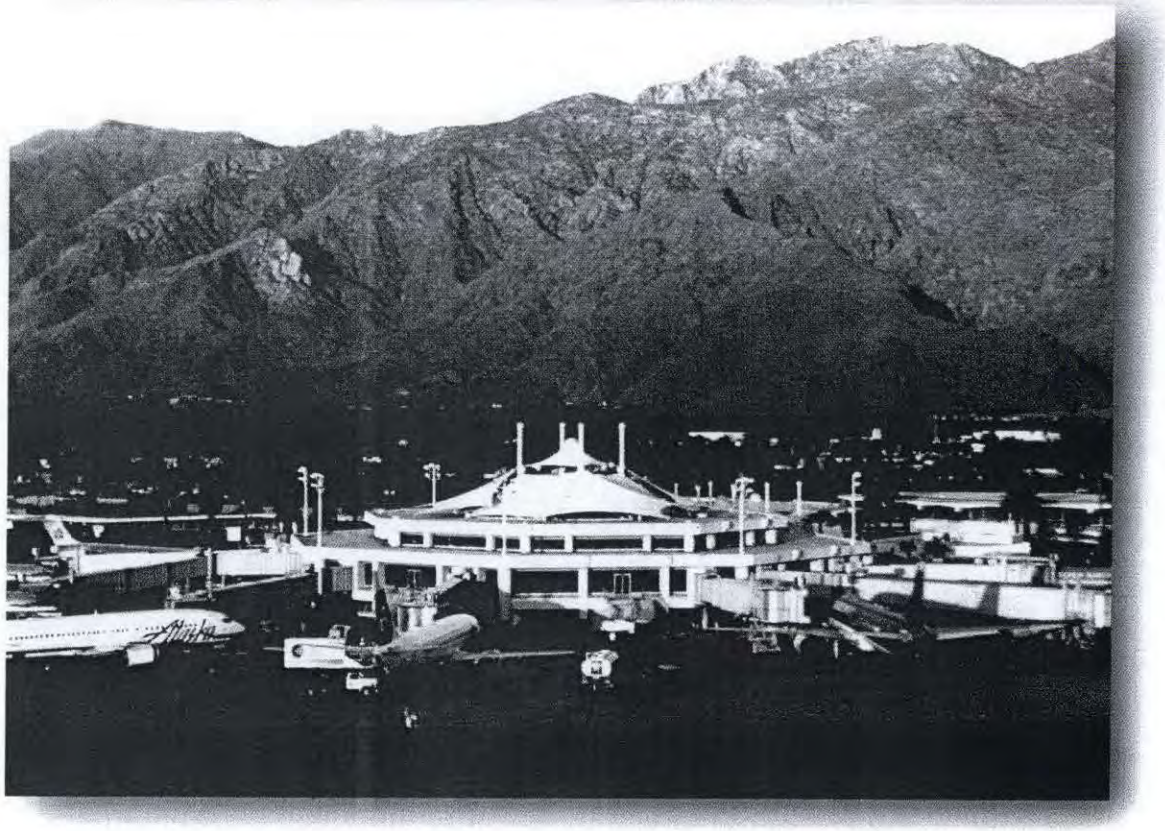
Total Passengers in 2014: 1,914,402

~~Total Passengers in 2013: 1,752,180~~

~~Year Over Year Increase (2013-2014): 9.3%~~

Total Passengers in 2007 (pre-recession high): 1,610,943

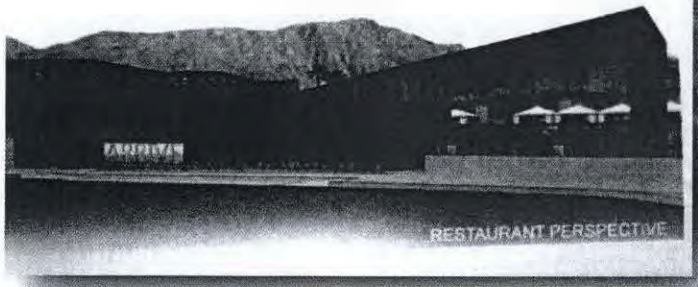
Eight Year Increase (2007 to 2014), Percent: 18.8%



graph 1.1b Sales tax revenue.

ARRIVE HOTEL

Now Under Construction!



TRIADA RESORT AND SPA

Completed!

HOTEL INCENTIVE PROGRAM

Major Remodels Include:

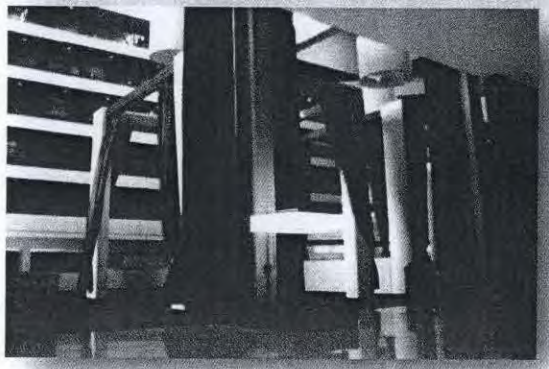
Riviera
Hyatt
Hilton
Hard Rock
Saguaro
Colony Palms
Triada
Bearfoot Inn
Skylark
Sparrows
Palm Springs Hotel
Renaissance*

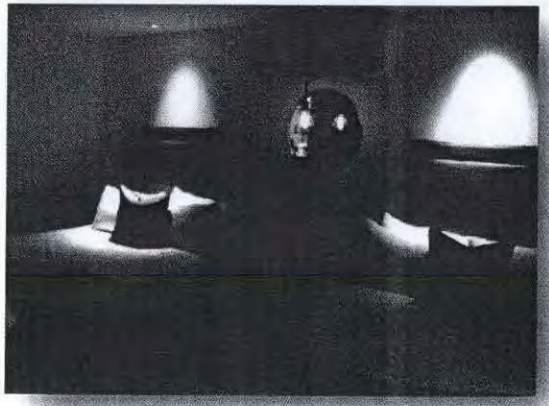
Other Approved Agreements

# of rooms

Total Remodel So Far Since Program Began:
$200 million

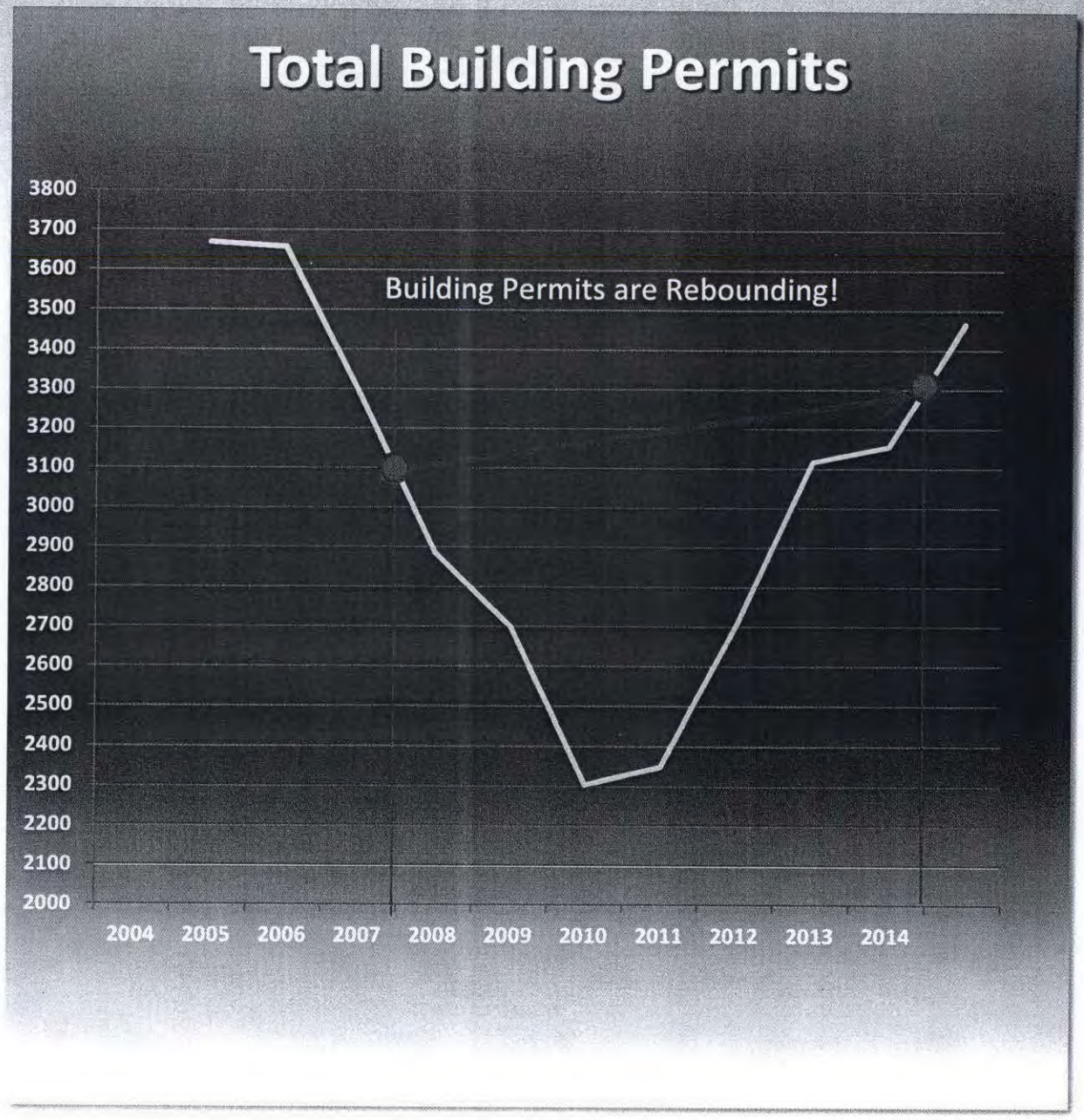
Projected New Hotel Development:
$250 million





PLANNING & BUILDING PERMITS

Total Building Permits have exceeded 2007 and are beginning to approach the peak years of 2004-05.



Measure J Programs

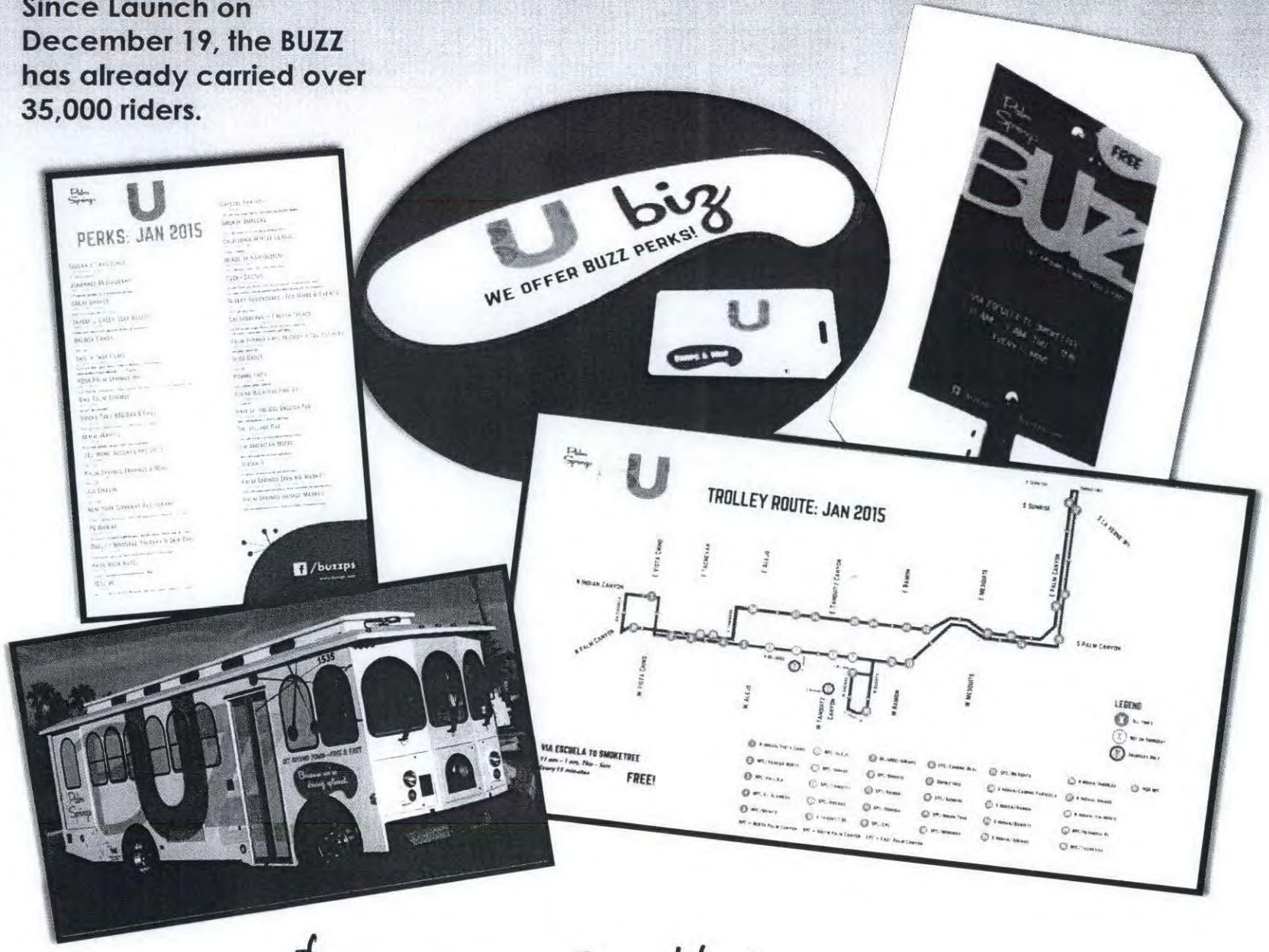
1st slide : Total dollars received.

- The Palm Springs BUZZ Trolley
- Streets/Roads/Bike Lanes
- Welwood Murray Memorial Library
- Palm Springs Architecture & Design Center
- Palm Springs Accelerator Campus

Rail Rides.

PALM SPRINGS BUZZ TROLLEY

Since Launch on December 19, the BUZZ has already carried over 35,000 riders.



$ 900, ow Cum Heal.

STREETS/ROADS/BIKE LANES

total dollars committed.

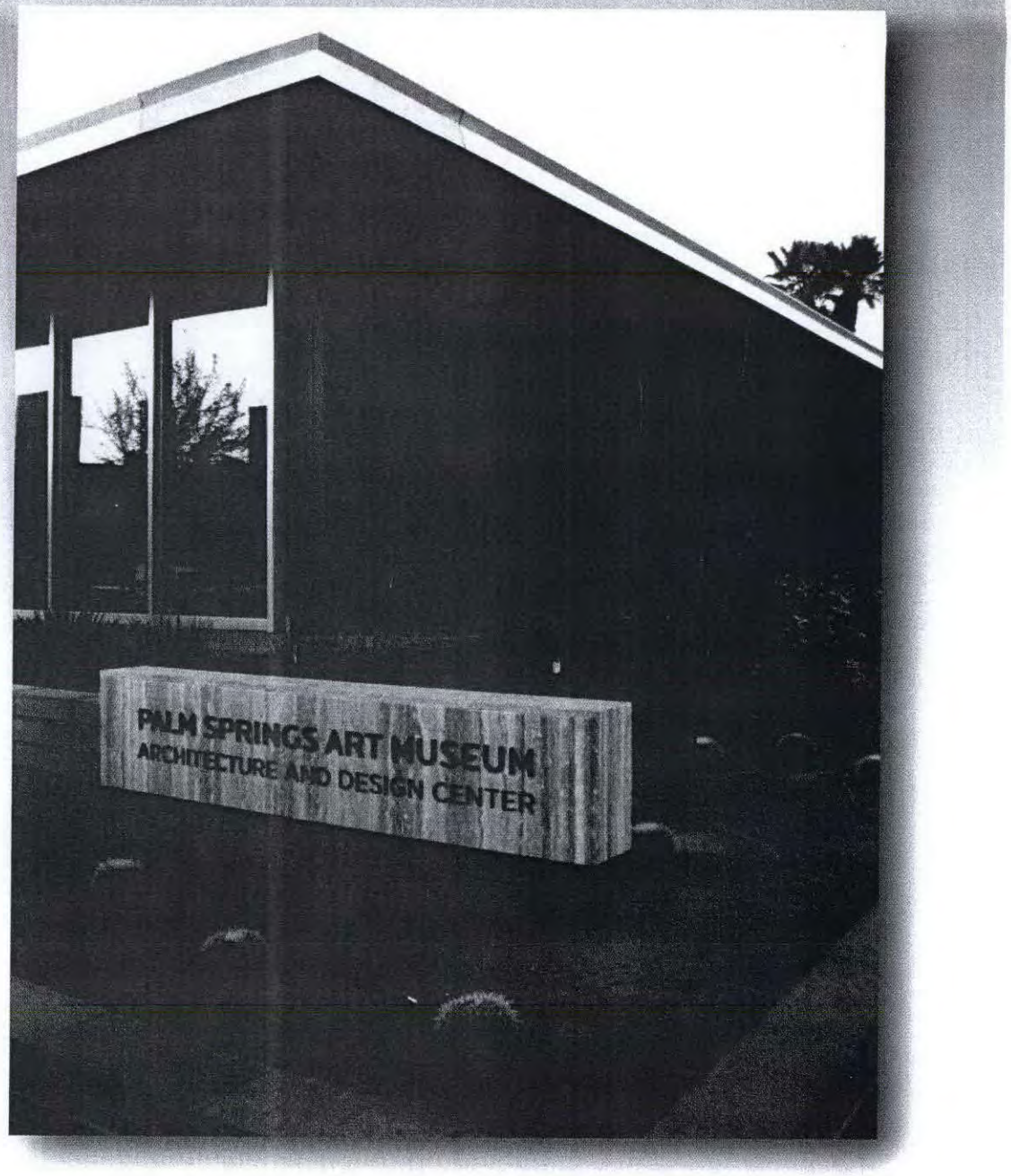
WELWOOD MURRAY MEMORIAL LIBRARY

Need to take an up to date picture.

Cum Hall.

ARCHITECTURE & DESIGN CENTER

The City provided $850,000 in Measure J funds toward the Palm Springs Art Museum's $5,000,000 Architecture and Design Center at 300 South Palm Canyon Drive, in the former Santa Fe Savings building designed by E. Stewart Williams. It opened to the public in November, 2014.



#850,000 Comm Hsg.

IHUB ACCELERATOR CAMPUS

The City committed $1,000,000 in Measure J funds toward the Palm Springs Accelerator Campus, part of the Innovation Hub, in order to provide a match for a $785,000 US EDA grant and a $500,000 Desert Healthcare District grant.

Resident companies	5
Virtual Companies	12
Accelerator Campus Clients	5
or Number of graduating companies	6
Number of jobs created to date	69

$ 1,000,000 Comm Hsg.

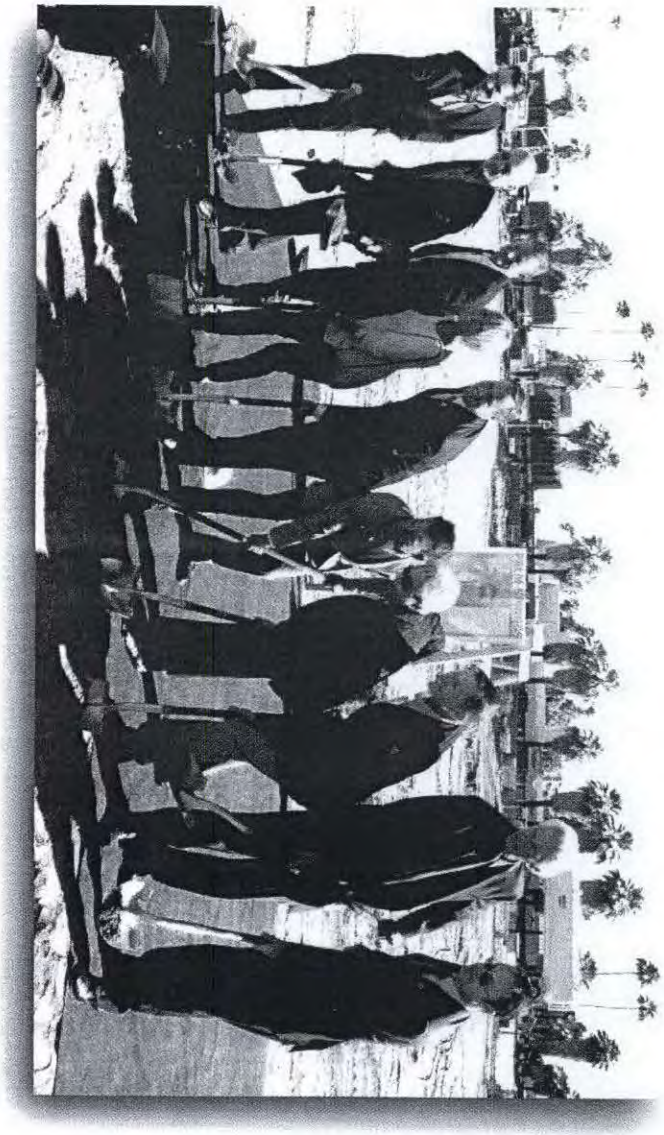
Downtown Project Update

- Kimpton Hotel
- ~~Block A Retail Building~~ OK

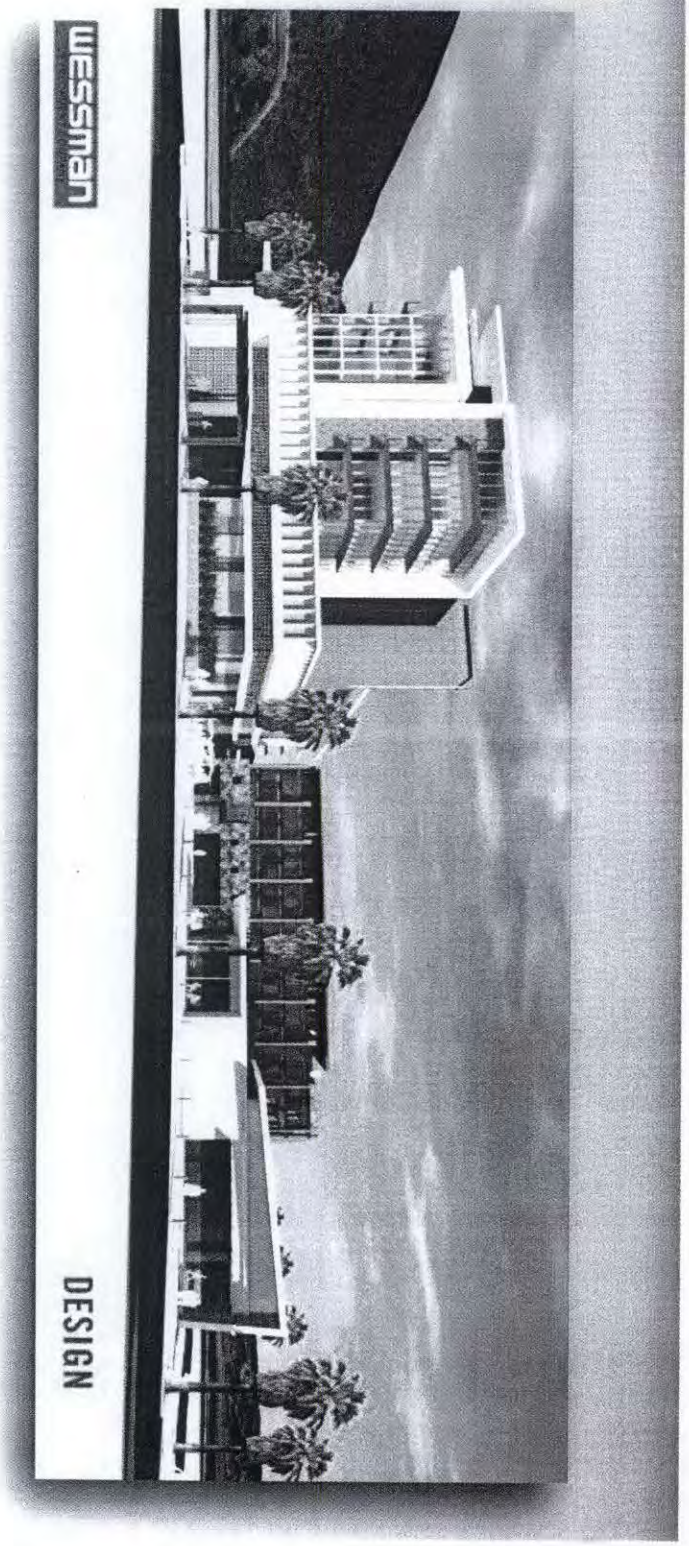
leave in.

Coming Soon!

Groundbreaking



Kimpton Hotel



Block A

West Elm.

1

2015

City of Palm Springs

Mayor's State of the City Address

February 19, 2015

2

Introduction

3

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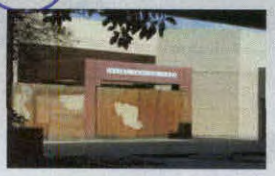
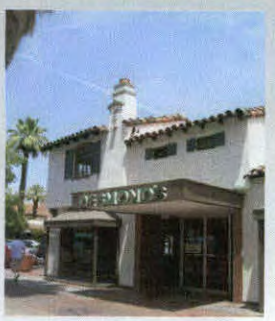



- convention center

Remember These?

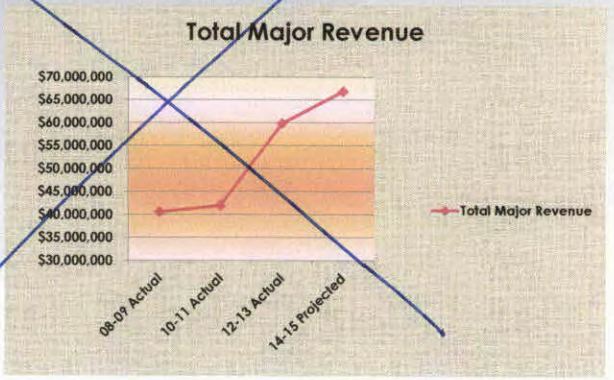
roll music video

table of contents insert The Budget Heads

Revenue Over the Past 8 Years

Major Revenue Categories:

- Hotel Tax
- Sales Tax
- Measure J
- Property Tax



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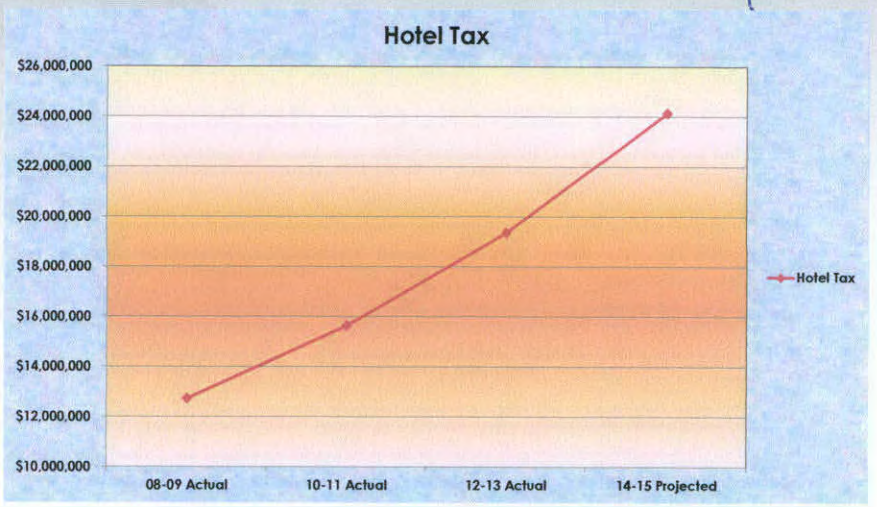

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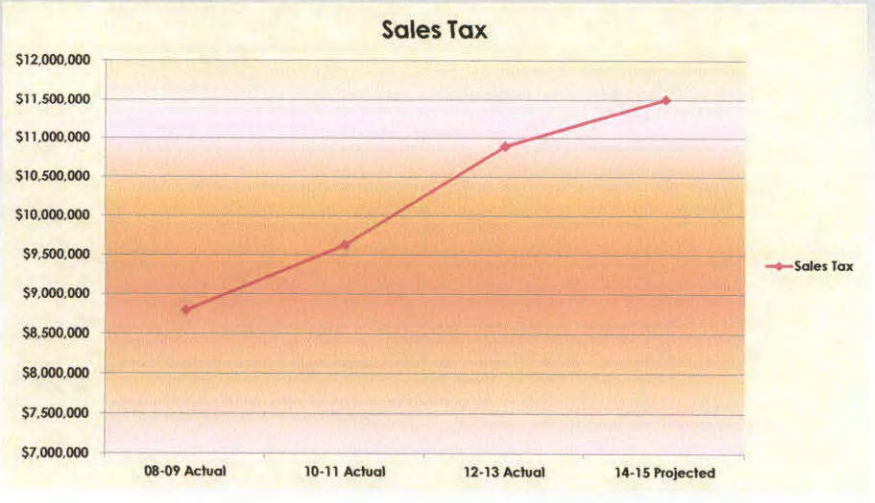
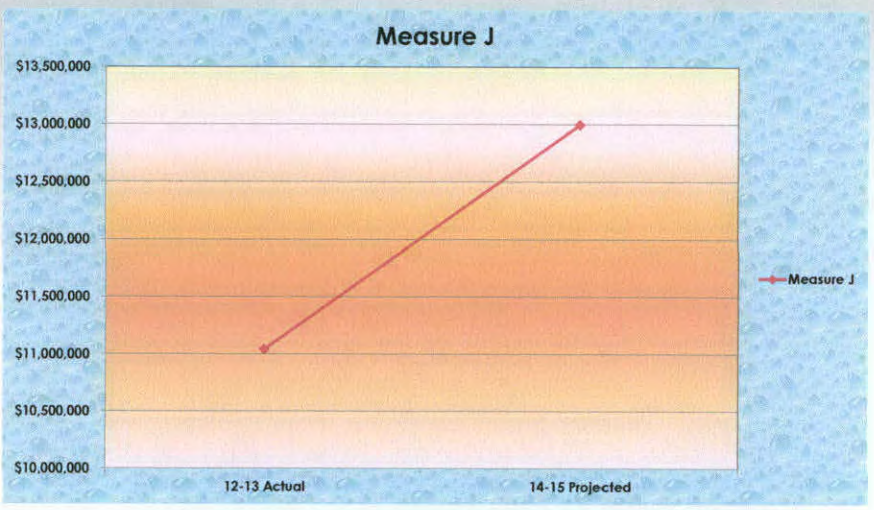
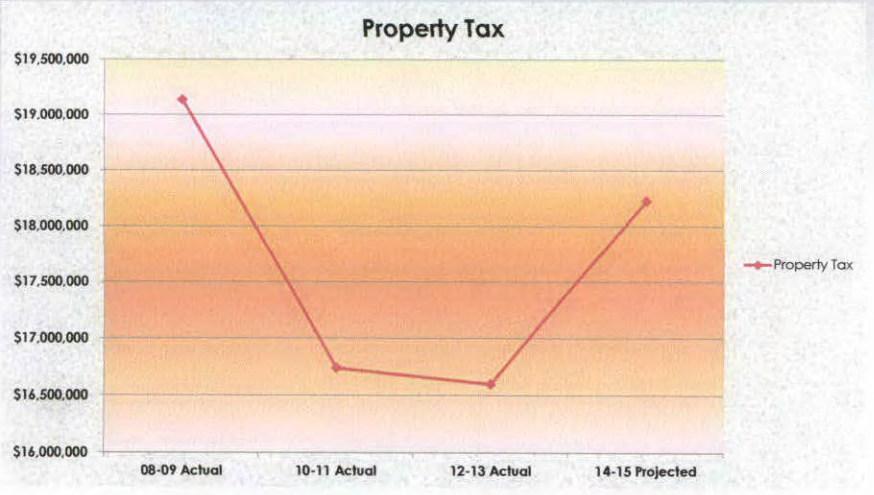


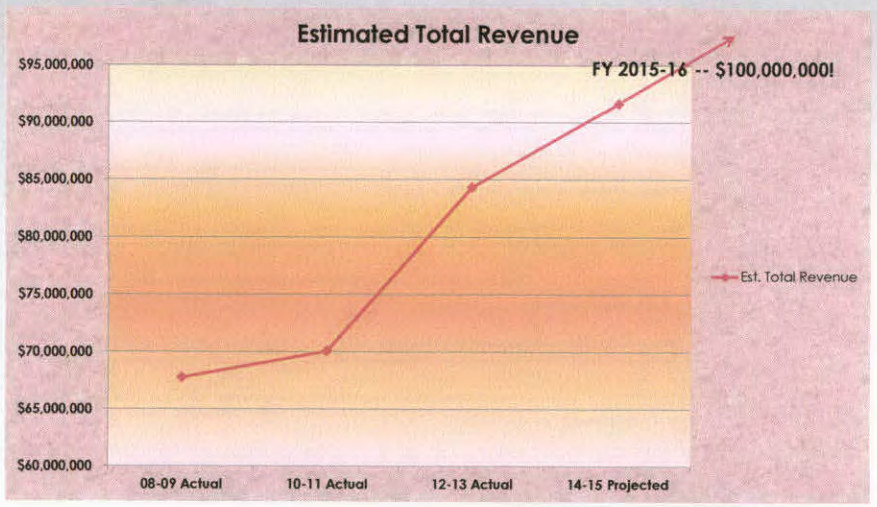
Measure J



Property Tax



Total Revenue



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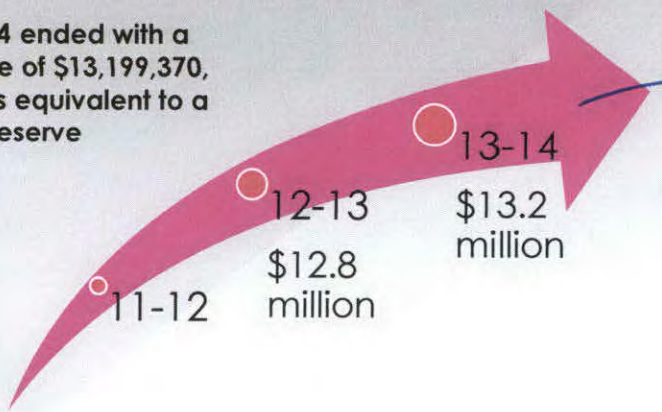

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Sustainability

Turf Buyback Results:

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- 286,638 square feet of turf replacement incentivized
- About 15 million gallons of water saved with incentivized turf conversion

~~**Chevron Study and Retrofit**~~

Sustainability Program Awards

list awards

new slide

Health and Wellness

Activating Health and Wellness in every generation – Palm Springs is leading the way!

roll video Health Wellness

MAYOR'S RACE

CHELSEA CLINTON DAY OF ACTION

READY, SET, SWIM PROGRAM

Partnership with Desert Healthcare District, Palm Springs Unified School District, Buys & Girls Club and the City of Palm Springs to teach third graders to swim.

ANIMAL SHELTER

Census (as of February 9)
Cats: 105 in shelter + 34 in foster = 139 total
Dogs: 90 in shelter + 25 in foster = 115 total
Total Cats & Dogs: 195 in shelter + 59 in foster = 254 total
Plus: 1 ferret, 1 rabbit, 2 turtles

Adoptions (2014)
Cats: 889
Dogs: 611
Cats & Dogs: 1500

Return to Guardians (2014)
Cats: 23
Dogs: 255
Cats & Dogs: 278

Transfers Out (2014)
Cats: 38
Dogs: 159
Cats & Dogs: 197

TNRs Returned to Colony or Relocated (2014)
Cats: 486

Spay/Neuter Surgeries (2014)
Cats (Non-TNR): 753
Cats (TNR): 467
Dogs: 625

Other Surgeries (2014)
Cats: 47
Dogs: 129

Full Service Vet Clinic

Economic Development

- **Palm Springs International Airport**
- **Hotel Development and Hotel Incentive Program**
- **Planning and Building Permit Activity**

PALM SPRINGS INTERNATIONAL

Airport Traffic Increases

Total Passengers in 2014: 1,914,402

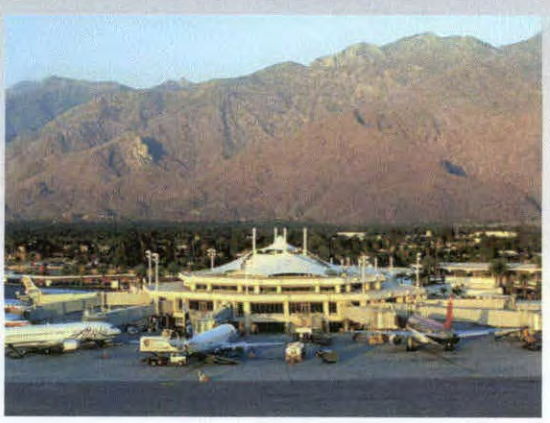
Total Passengers in 2013: 1,752,180

Year Over Year Increase (2013-2014): 9.3%

Total Passengers in 2007 (pre-recession high): 1,610,943

Eight Year Increase (2007 to 2014), Percent: 18.8%

Graph like sales Tax



2 million plus 2015

ARRIVE HOTEL

Now Under Construction!

TRIADA RESORT AND SPA

Completed!

HOTEL INCENTIVE PROGRAM

Major Remodels Include:

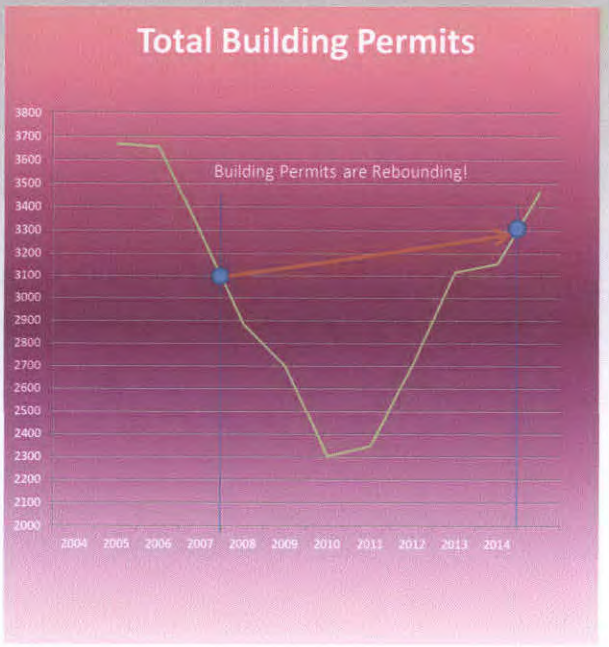
Riviera
Hyatt
Hilton
Hard Rock
Saguaro
Colony Palms
Miada
Bearfoot Inn
Skylark
Sparrows
Palm Springs Hotel
Renaissance*

Other Approved Agreements
Rooms done
Total Remodel So Far Since Program Began:
$200 million

Projected New Hotel Development:
$250 million

PLANNING & BUILDING PERMITS

Total Building Permits have exceeded 2007 and are beginning to approach the peak years of 2004-05.



add streets

Total Revenue

Measure J Programs

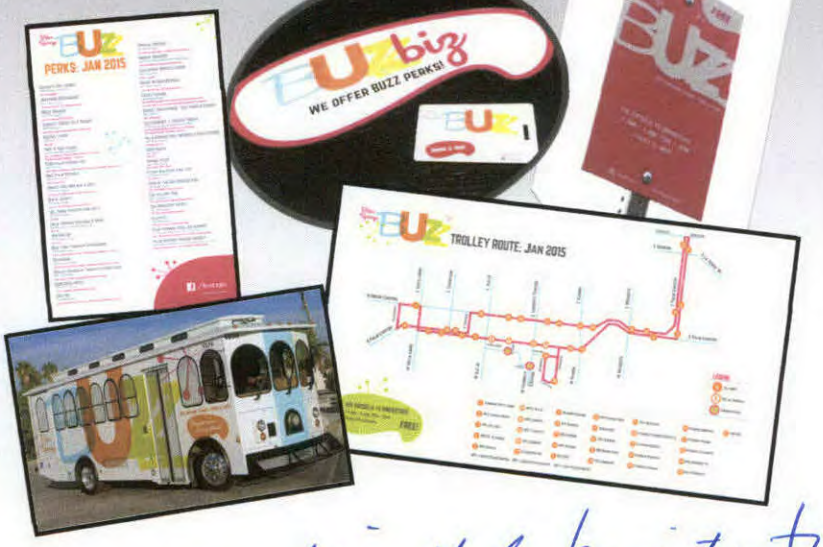
- The Palm Springs BUZZ Trolley
- Streets/Roads/Bike Lanes
- Welwood Murray Memorial Library
- Palm Springs Architecture & Design Center
- Palm Springs Accelerator Campus

the #

1 Roll Buzz video

PALM SPRINGS BUZZ TROLLEY

Since Launch on December 19, the BUZZ has already carried over 35,000 riders.



amount committed by city to each project

STREETS/ROADS/BIKE LANES

PALM SPRINGS
MEASURE J
AT WORK!

Total $

WELWOOD MURRAY MEMORIAL LIBRARY

Need to take an up to date picture.

Total $

ARCHITECTURE & DESIGN CENTER

The City provided $850,000 in Measure J funds toward the Palm Springs Art Museum's $5,000,000 Architecture and Design Center at 300 South Palm Canyon Drive, in the former Santa Fe Savings building designed by E. Stewart Williams. It opened to the public in November, 2014.

850,000

IHUB ACCELERATOR CAMPUS

The City committed $1,000,000 in Measure J funds toward the Palm Springs Accelerator Campus, part of the Innovation Hub, in order to provide a match for a $785,000 US EDA grant and a $500,000 Desert Healthcare District grant.

Resident companies	5
Virtual Companies	12
Accelerator Campus Clients	5
Number of graduating companies	6
Number of jobs created to date	69

1,000,000

Downtown Project Update

- Kimpton Hotel
- Block A Retail Building

West Elm Logo

Coming Soon!

Kimpton Hotel

Groundbreaking

Block A – First Retail Building

West Elm picture

State of the City 2015 11:30am Thursday, February 19th

Welcome and Thank you's

1. Thank the Chamber of Commerce and Sponsors
2. Thank ~~Dignitaries~~ Dignitaries ~~and~~ Tribal Council, Healthcare District by name
3. Thank David Ready and City Staff
4. ~~Thank City Council~~

DWA
School board

THEME: What we have accomplished in the last 8 years. "If Palm Springs were a stock, I'd buy it!"

Roll Video

6 Main Topics

I. Budget - Speech
II. Public Safety - Speech
III. Health and Wellness/~~Sustainability~~ - Video
IV. Economic Development - Video
V. Measure J - Video
VI. Downtown Project - Video

I Remember Trust roll video

I. Budget

a. Overview Budget Summary (Operating)
b. Sales, Utility, TOT, and Property Taxes
c. Measure J
d. Cash Reserve
(All ~~should~~ compare to previous year)

II. Public Safety

a. Police: (high call volume)
b. Fire:
c. Overall crime stats (if improved)

Sustainability

III. Health and Wellness/~~Sustainability~~

a. Mayor's Healthy Planet, Healthy You Race and Wellness Festival – 2015 (2 slides)
b. Chelsea Clinton's Day of Action
c. Turf buyback program (slides)
d. Ready, Set, Swim program (slides)

IV. Economic Development

a. Airport – passenger traffic (slide)
b. Hotels (Arrive construction slide)
c. Update on Incentive programs
    1. Number of beds
    2. Number of construction jobs created
    3. Total investment
d. Building permit (increase show slide)

V. Measure J

a. Buzz (slide)
b. Roads (slide)
c. Welwood (slide)
    1. Announce the public ribbon cutting 2/19 6pm
d. Bike lanes (slide)
e. A and D Center (slide)
f. Total cumulative dollars since 4/1/12
g. Future projects

VI. Downtown Project – roll interview with Wessman

a. Updated timeline
    1. Kimpton groundbreaking (slide)
    2. West Elm
    3. Aveda
    4. El Corso

Tourism video/testimonials??

State of the City 2015 11:30am Thursday, February 19th

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(Slide 1)

1. Thank the Chamber of Commerce and Sponsors
2. Thank City Council
3. Thank Dignitaries
   A. Tribal Council – **Jeff Grubbe, Larry Olinger, Vincent Gonzales, Anthony Andreas III, Reid Milanovich**
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   C. Desert Water Agency – **Craig Ewing, Richard Oberhaus**
   D. PS Unified School District – **James Williamson, Karen Cornett, Shari Stewart**
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(slide 2)

THEME: What we have accomplished in the last 8 years. "If Palm Springs were a stock, I'd buy it!"

(Slide 3)

Remember These? – Desert Fashion Plaza, Desmond's Vacant, El Paseo Building, Convention Center Before, City Dumpsite, Desert Hotel, Before LuLu's

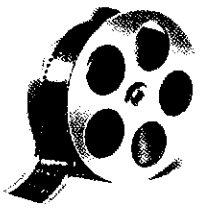
(Slide 4)

Remember These? – Clara Bee, Desert Moon, Hyatt Before, Tiki Palms, Spanish Inn, Dee's Bar and Grill

(Slide 5)

7 Main Topics

I. The Budget
II. Public Safety
III. Sustainability
IV. Health and Wellness
V. Economic Development
VI. Measure J
VII. Downtown Project

**** **Roll Video** 

I. **Budget -(slide six)**

A. Total Revenue (slide seven)
B. Hotel Tax (slide eight)
C. Sales Tax (slide nine)
D. Measure J (slide ten)
E. Property Tax (slide eleven)

II. **Public Safety – (slide twelve)**

A. Police – Calls up 4% (Slide thirteen)
   Animal Control (Slide thirteen)
B. Fire – Calls up 8.4% (slide fourteen)
   911 Memorial (slide fifteen) –
   Jeff Kelshiemer, Greg Lyle

III. **Sustainability – (slide sixteen)**

A. Turf Buyback Results (slide seventeen)
B. Program Awards (slide eighteen)

IV. **Health and Wellness – (slide nineteen)**

********Roll wellness video***

A. Mayor's race 2015 (slide twenty)
B. Chelsea Clinton Day of Action (slide 21)
C. Ready, Set, Swim Program (slide 22)
D. PS Animal Shelter (slide 23)

V. Economic Development – (slide 24)

A. Palm Springs Airport (slide 25)

B. Hotel Development and Incentive Program

1. Arrive Hotel – under construction (slide 26)
2. Triada Resort and Spa completed (slide 27)
3. Hotel Incentive Program (slide 28)

C. Planning and Building Activity (slide 29)

VI. Measure J Programs (slide 30)

A. Total Measure J Revenue (slide 31)

$30,510,310!

*********Roll Buzz video****

The Palm Springs Buzz Trolley (slide 32)

$900,000

Streets/Roads/Bike Lanes (slide 33)

$16,000,000

Welwood Murray Memorial Library (slide 34)

$780,000

Palm Springs Architecture & Design Center (slide 35)

$850,000

Palm Springs IHUB Accelerator Campus (slide 36)

$1,000,000

VII.Downtown Project Update – (slide 37)

A. Kimpton Hotel/Groundbreaking (slide 38)

*********Roll Wessman video****

B. West Elm (slide 39)

TRANSFORMATIONAL (slide 40)

Goodbye and Thank you all for coming!

Roll State of the City Video again

1

2015

City of Palm Springs

Mayor's State of the City Address

February 19, 2015

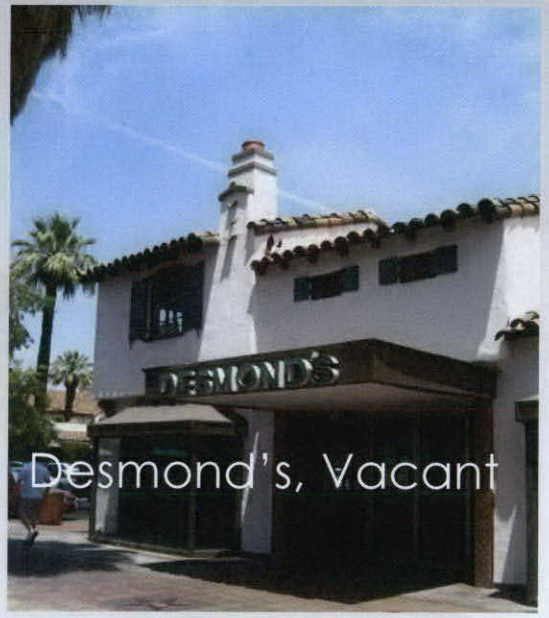
Today's Central Themes

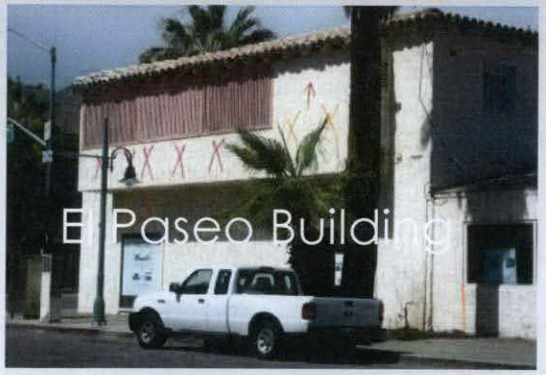
This is a Different City than Eight Years Ago.

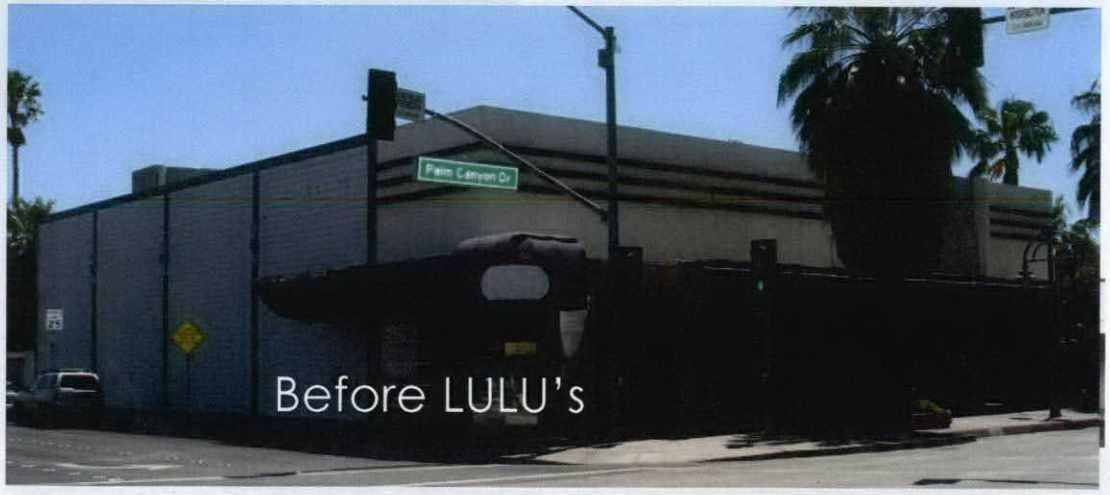
"If Palm Springs Were a Stock- I'd Buy It!"

Remember These?

3







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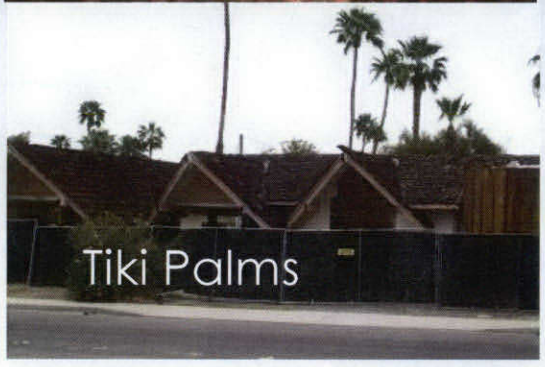


Today's Talk

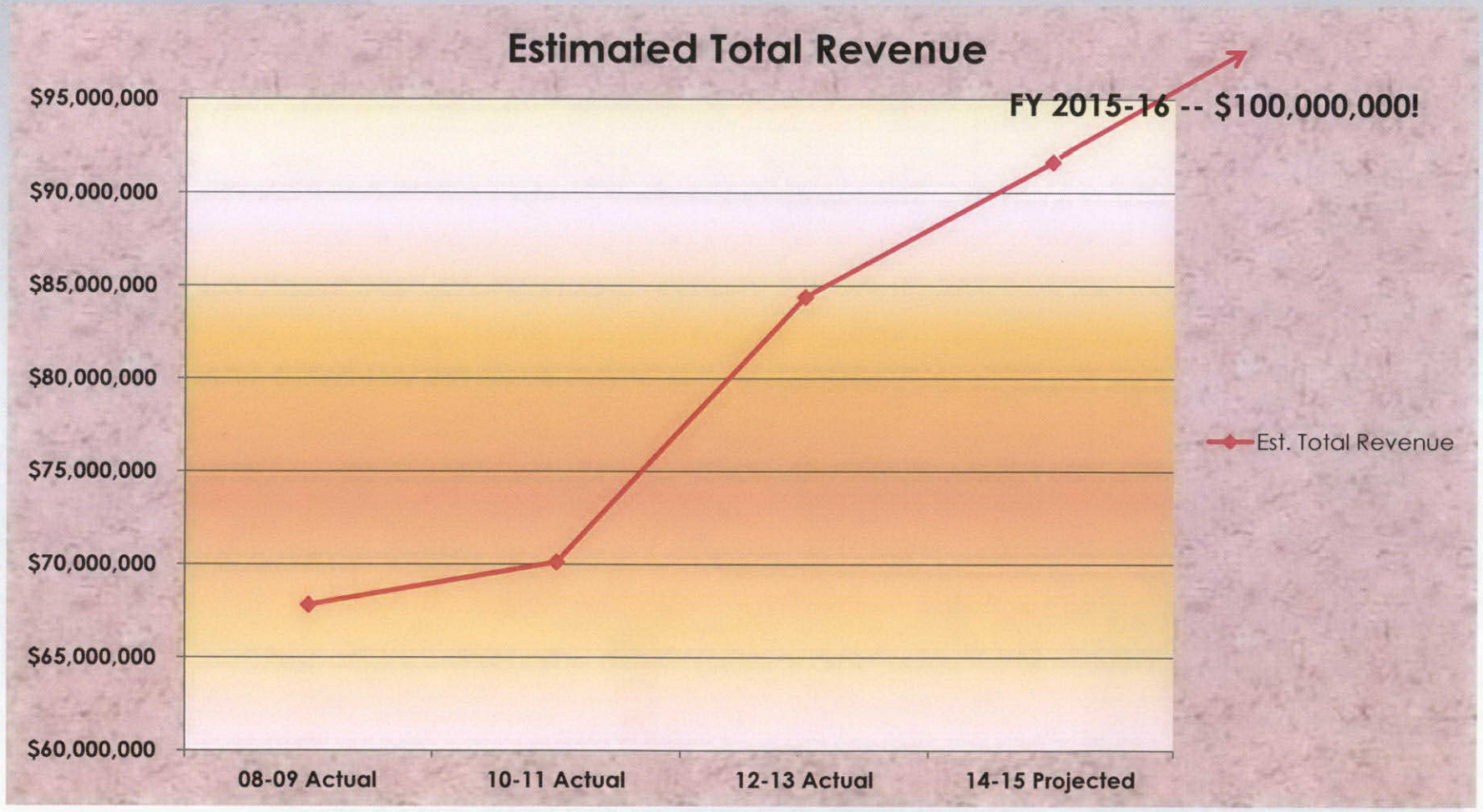
(5)

- The Budget
- Public Safety
- Sustainability
- Health and Wellness
- Economic Development
- Measure J
- Downtown Project Update

roll video

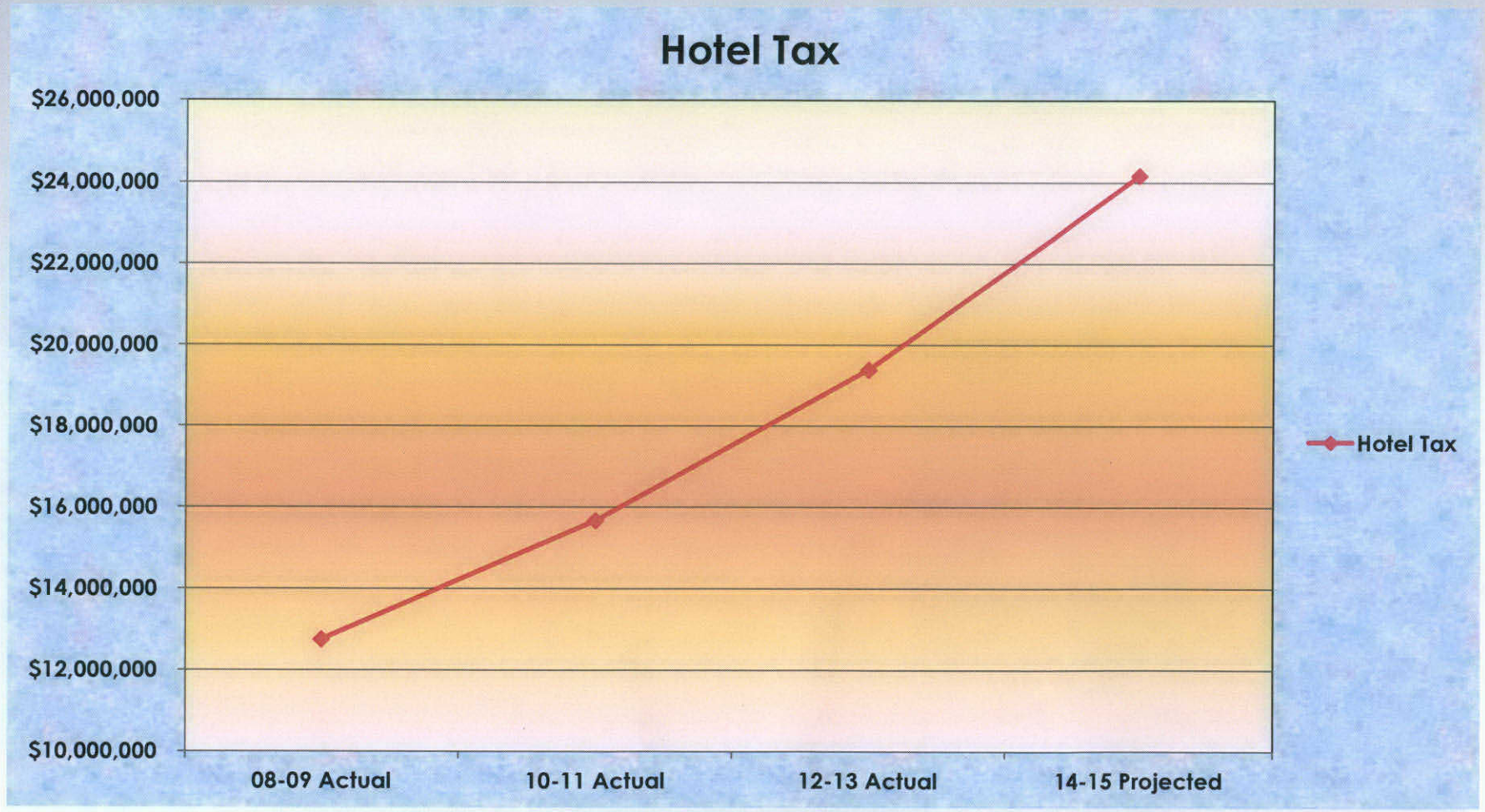
The Budget

Total Revenue

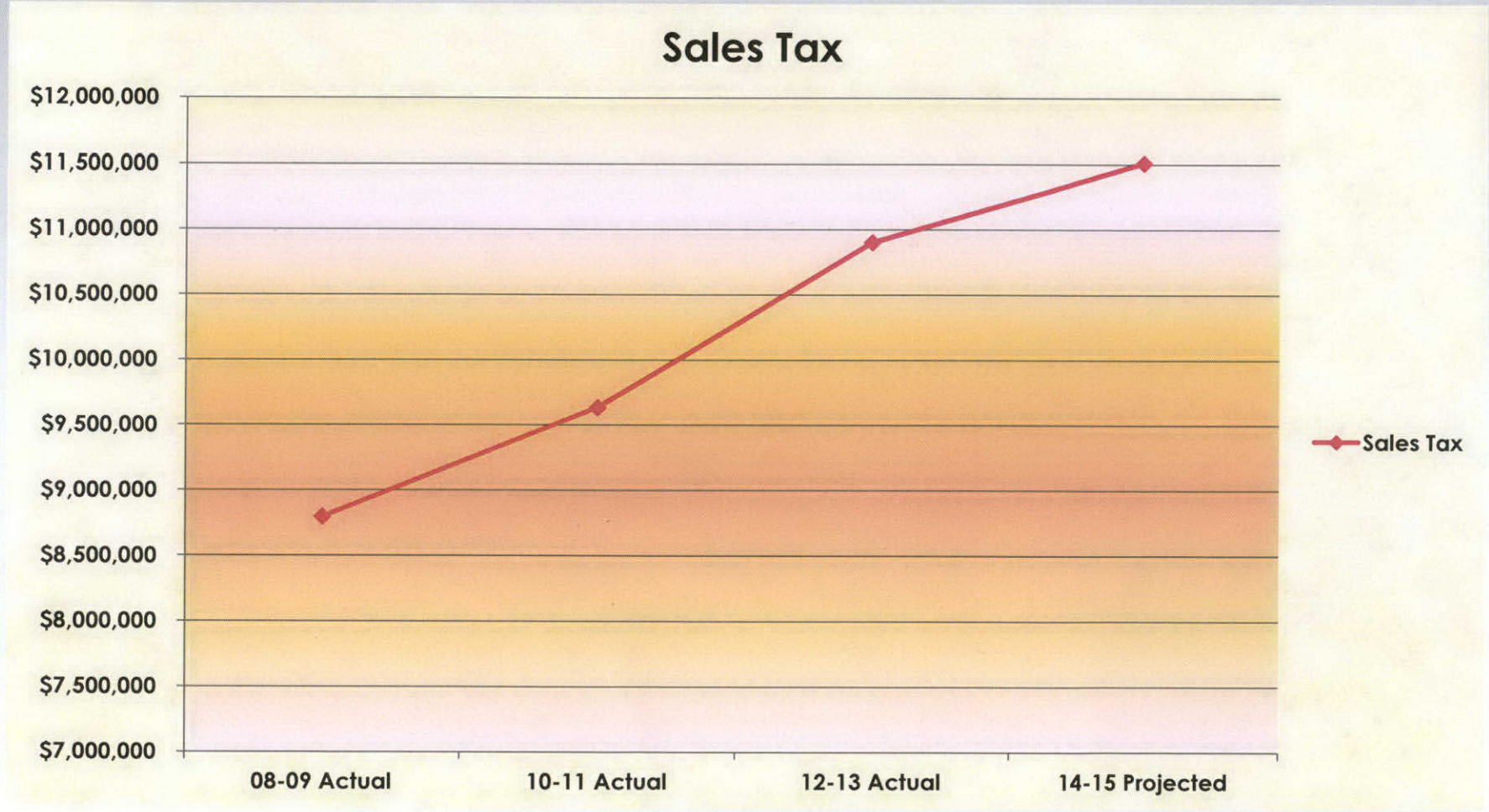


Hotel Tax

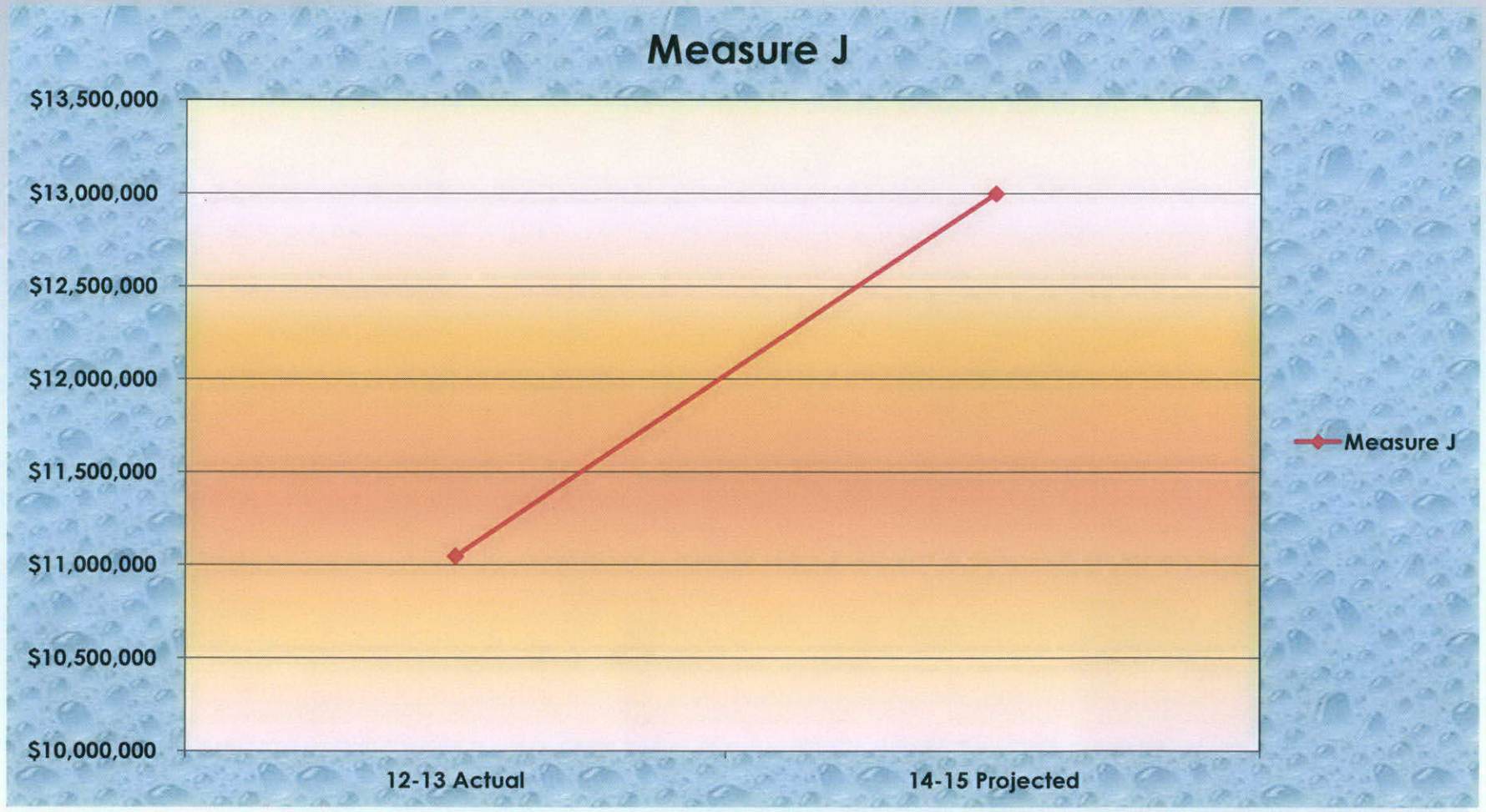
8


Hotel Tax
$26,000,000
$24,000,000
$22,000,000
$20,000,000
$18,000,000
$16,000,000
$14,000,000
$12,000,000
$10,000,000
08-09 Actual
10-11 Actual
12-13 Actual
14-15 Projected
Hotel Tax

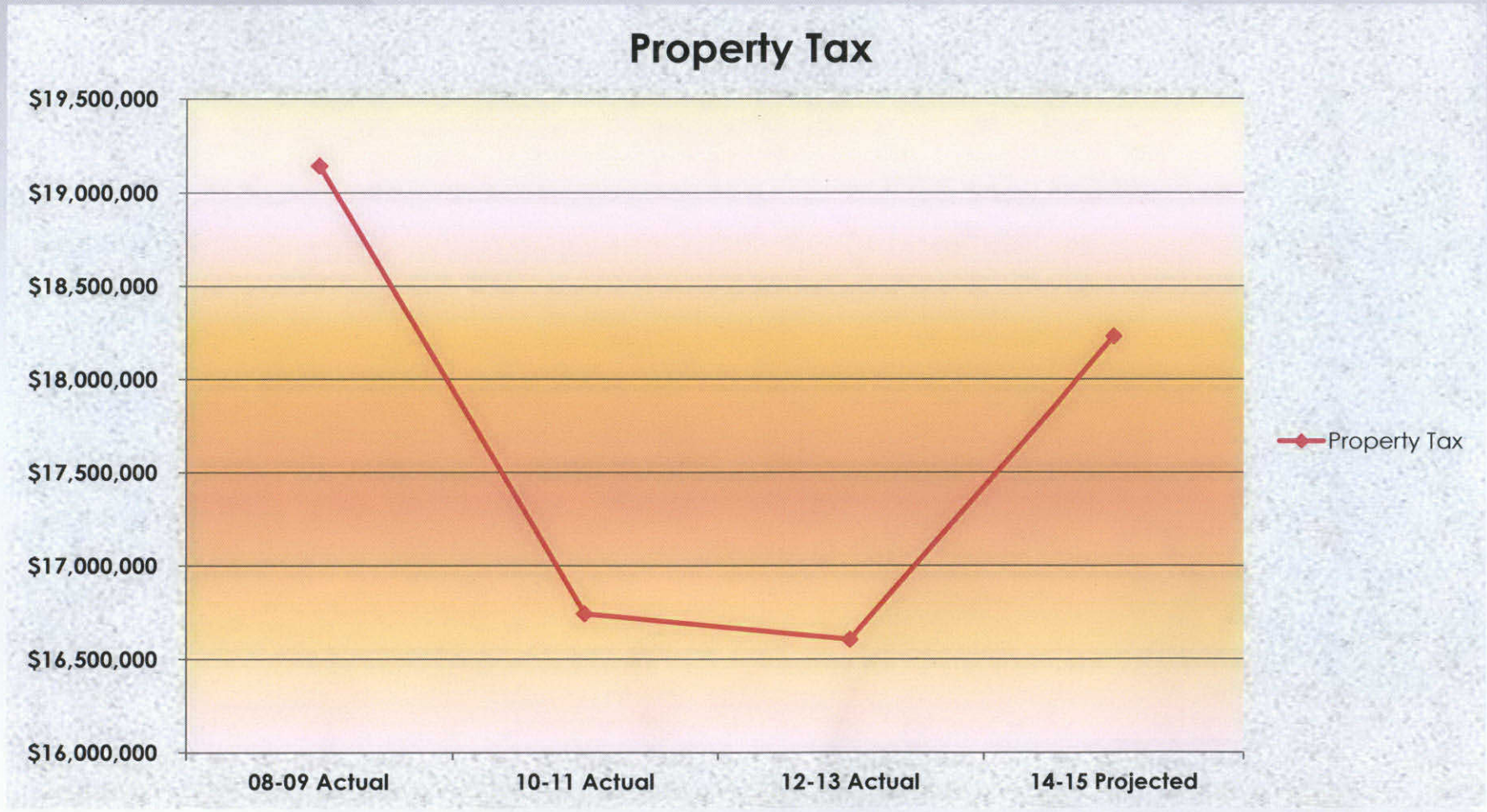
Sales Tax


Sales Tax
$12,000,000
$11,500,000
$11,000,000
$10,500,000
$10,000,000
$9,500,000
$9,000,000
$8,500,000
$8,000,000
$7,500,000
$7,000,000
08-09 Actual
10-11 Actual
12-13 Actual
14-15 Projected
Sales Tax

Measure J


Measure J
$13,500,000
$13,000,000
$12,500,000
$12,000,000
$11,500,000
$11,000,000
$10,500,000
$10,000,000
12-13 Actual
14-15 Projected
Measure J

Property Tax

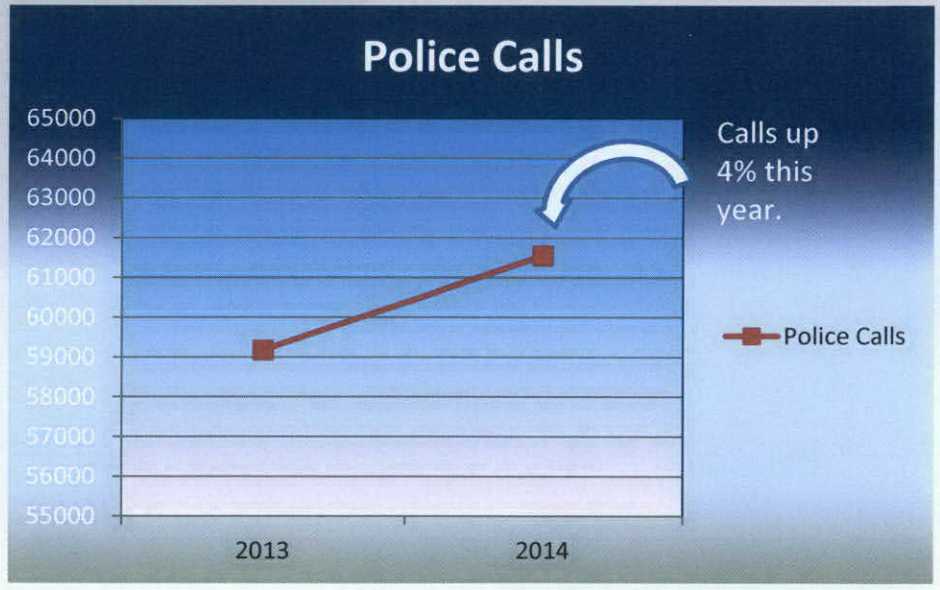


Public Safety

Police

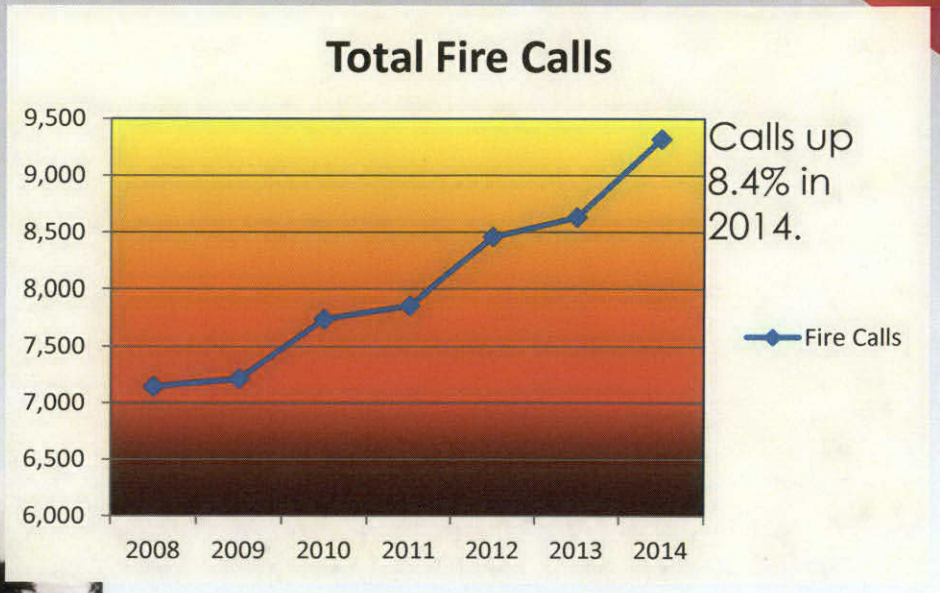
61,548 calls for service in 2014, up 4% from 2013.

Animal Control handled 2,267 animal calls.



Fire

Total Calls in 2014
9,320
Rescue & EMS Calls
6,956



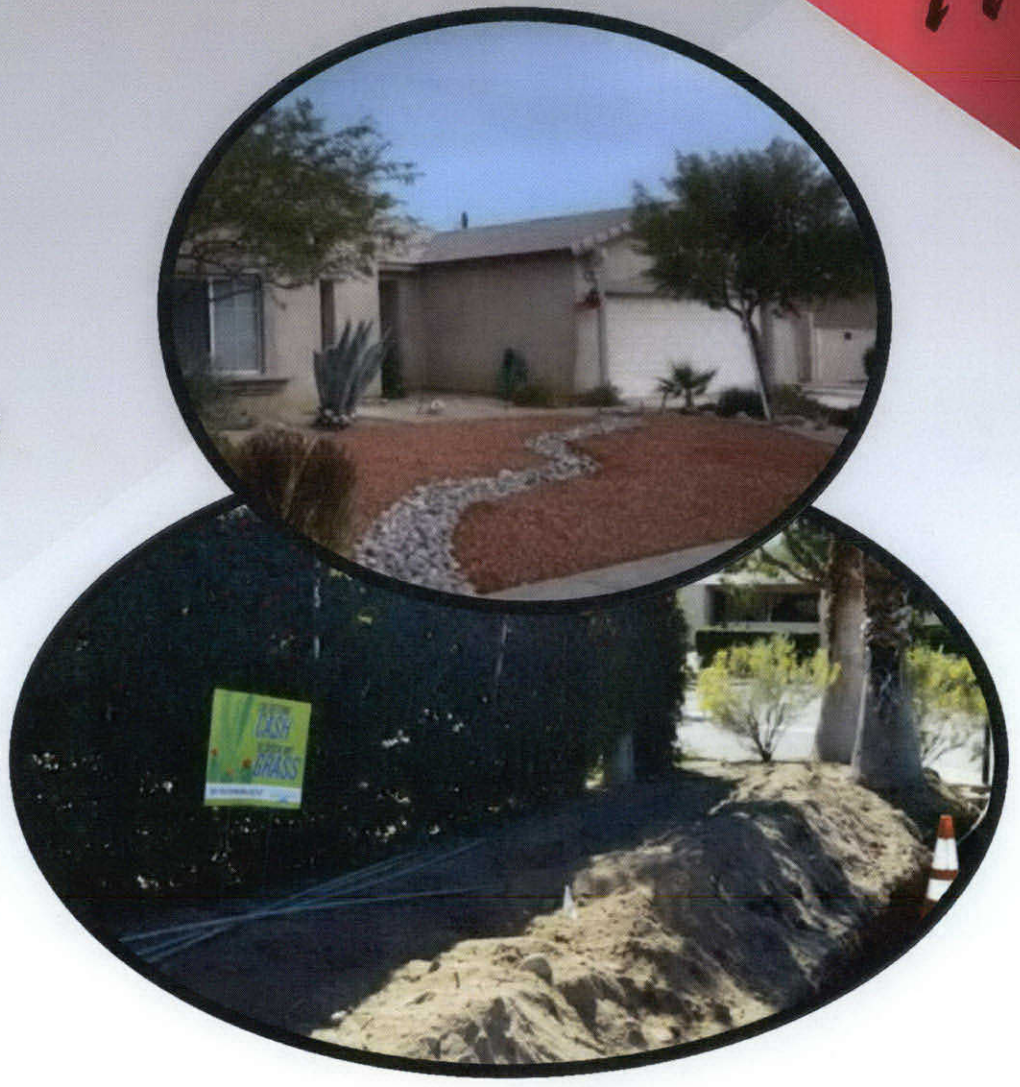
9/11 Memorial

Sustainability

Sustainability

Turf Buyback Results:

- 286,638 square feet of turf replaced since program began in July 2012
- 15 million gallons of water saved with turf conversion in that time



Sustainability Program Awards

- Climate Registry & Desert Cities Energy Partnership Awards
- Energy Efficiency All Star Award
- Five Gold Medals at *Let's Move! Cities, Towns and Counties Celebration Event,* Congress of Cities
- Friends of the CV Link Award to Sustainability Office and Commission for Biking Advocacy
- Cielo Vista Elementary Community Partner Award

Health and Wellness

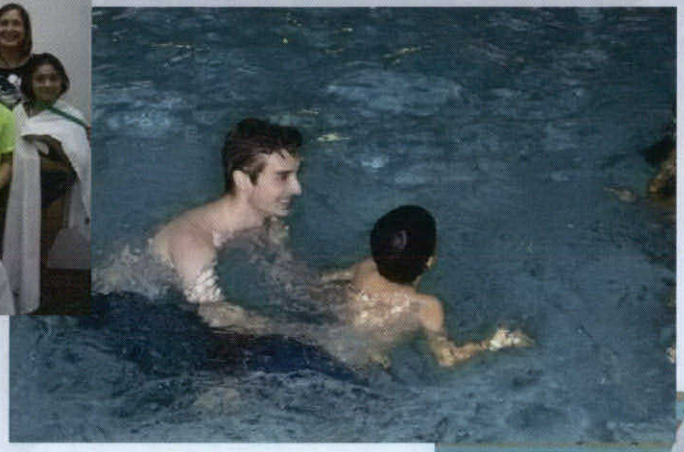
Activating Health and Wellness in every generation – Palm Springs is leading the way!

roll video

Mayor's Race

Chelsea Clinton Day of Action

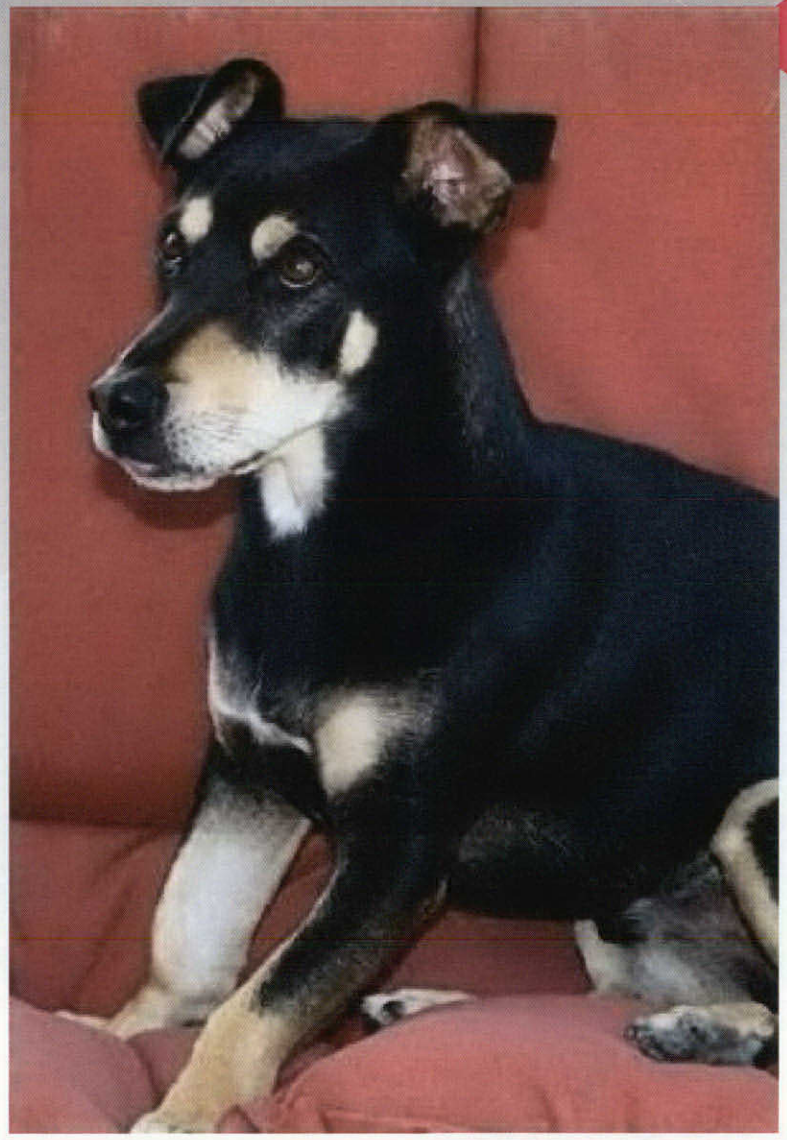
Ready, Set, Swim Program



Partnership with Desert Healthcare District, PSUSD, Boys & Girls Club and the City of Palm Springs to teach third graders to swim.

Animal Shelter

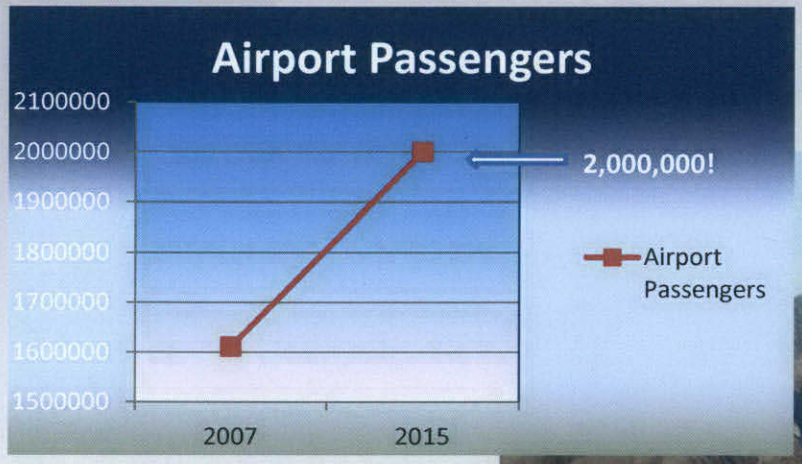
- Now held up as an example of a *truly successful and innovative* municipal shelter with a full service vet clinic and surgery center.
- In the last two years the shelter population has gone from 570 animals to 254, due to the City/Friends partnership.
- 1,500 adoptions in 2014:
  - Cats – 889
  - Dogs -- 611

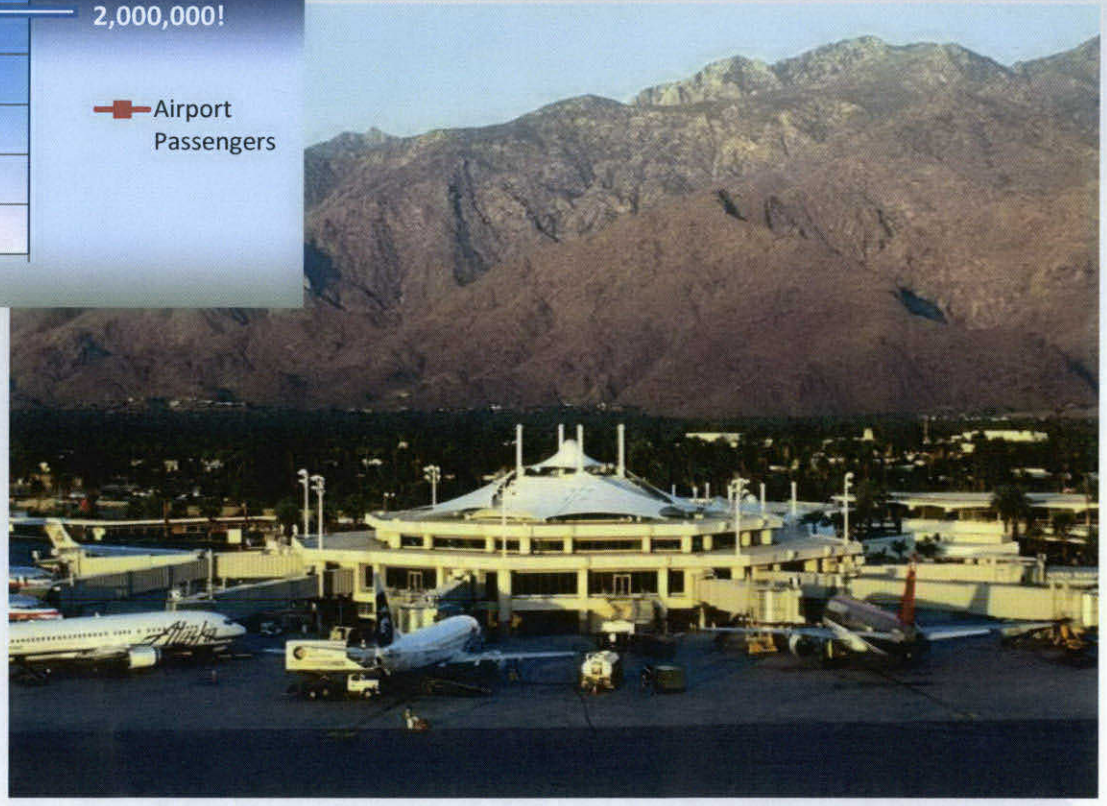


Economic Development

- Palm Springs International Airport
- Hotel Development and Hotel Incentive Program
- Building Permit Activity

Palm Springs International Airport





Arrive Hotel

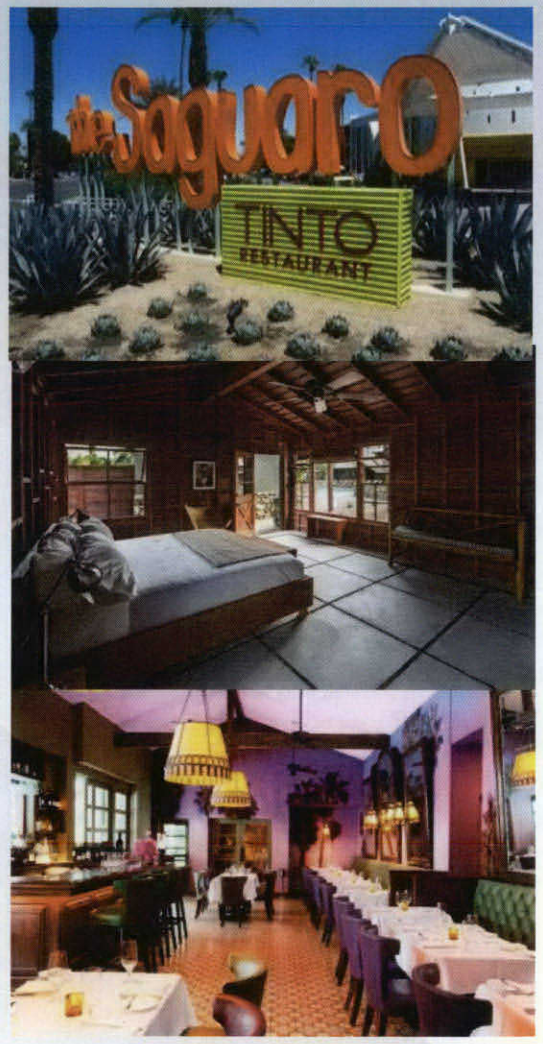
Now Under Construction!

Triada Resort and Spa

Completed!

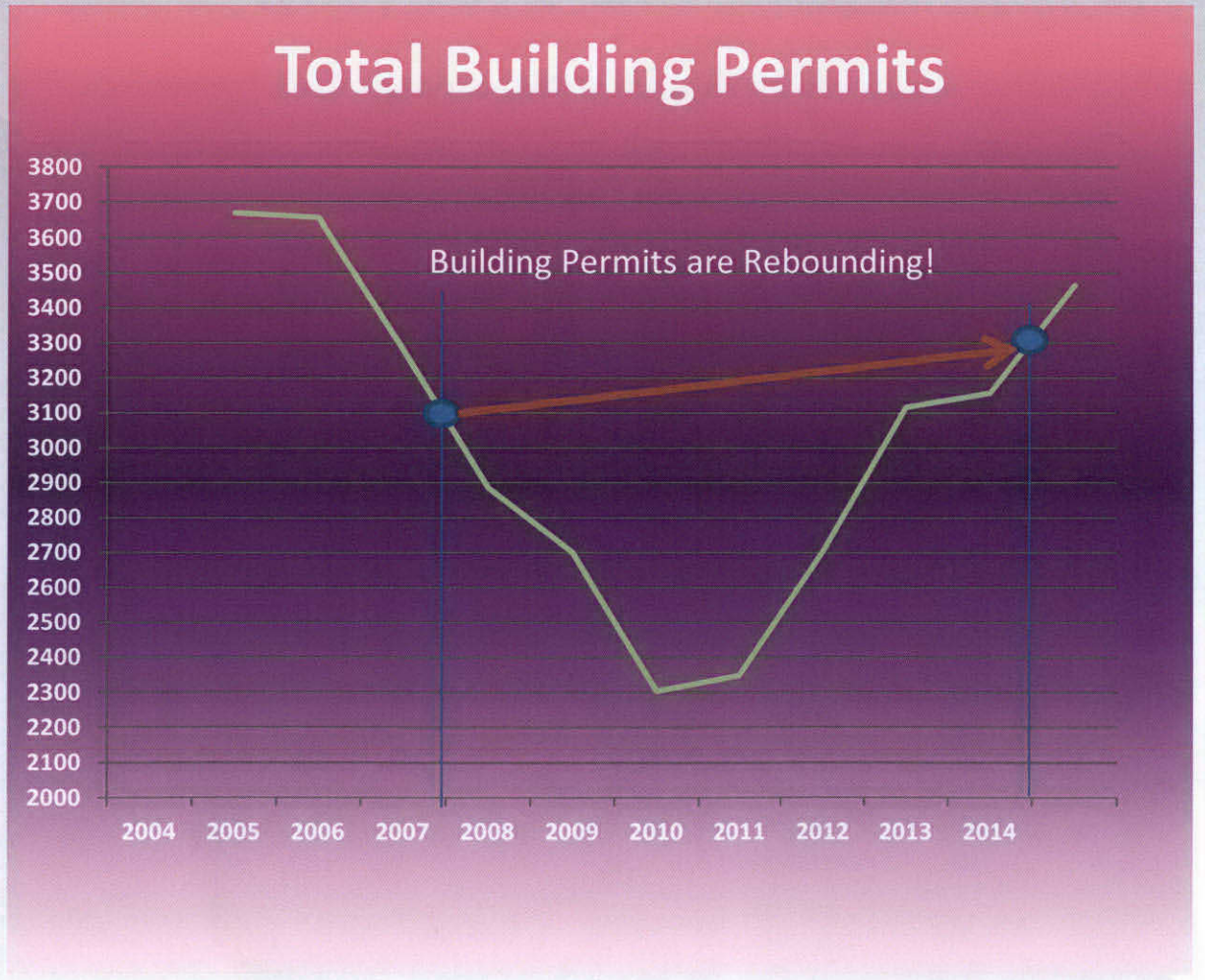
Hotel Incentive Program

- **Major Remodels So Far of Over 1,830 Rooms!**
- Total Value of Remodel So Far Since Program Began:
- $200 million
- Projected New Hotel Development:
- $250 million



Planning & Building Activity

- **Total Building Permits have exceeded 2007 and are beginning to approach the peak years of 2004-05.**



Measure J Programs

- The Palm Springs BUZZ Trolley
- Streets/Roads/Bike Lanes
- Welwood Murray Memorial Library
- Palm Springs Architecture & Design Center
- Palm Springs Accelerator Campus

31

Total Measure J Revenue Collected Since April 1, 2012

$30,510,310!

roll Buzz idw

Palm Springs BUZZ Trolley

Since Launch on December 19, the BUZZ has already carried over 35,000 riders.

$900,000

Streets/Roads/Bike Lanes

PALM SPRINGS

MEASURE J

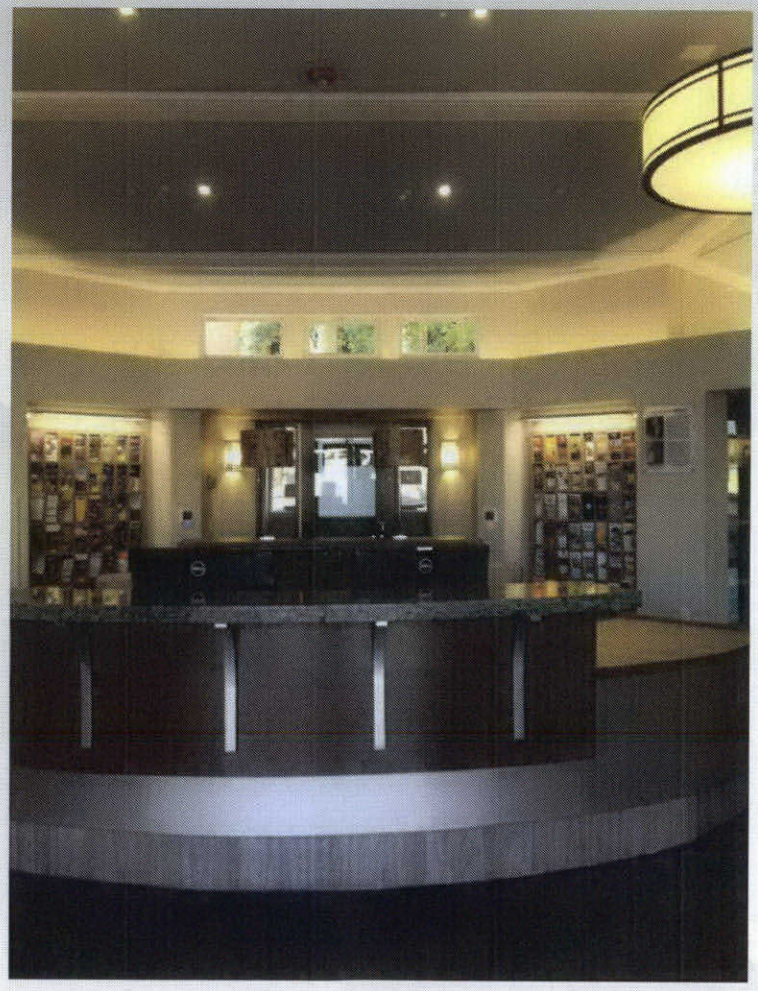
AT WORK!

$16,000,000

Welwood Murray Memorial Library

34

$780,000



Architecture and Design Center

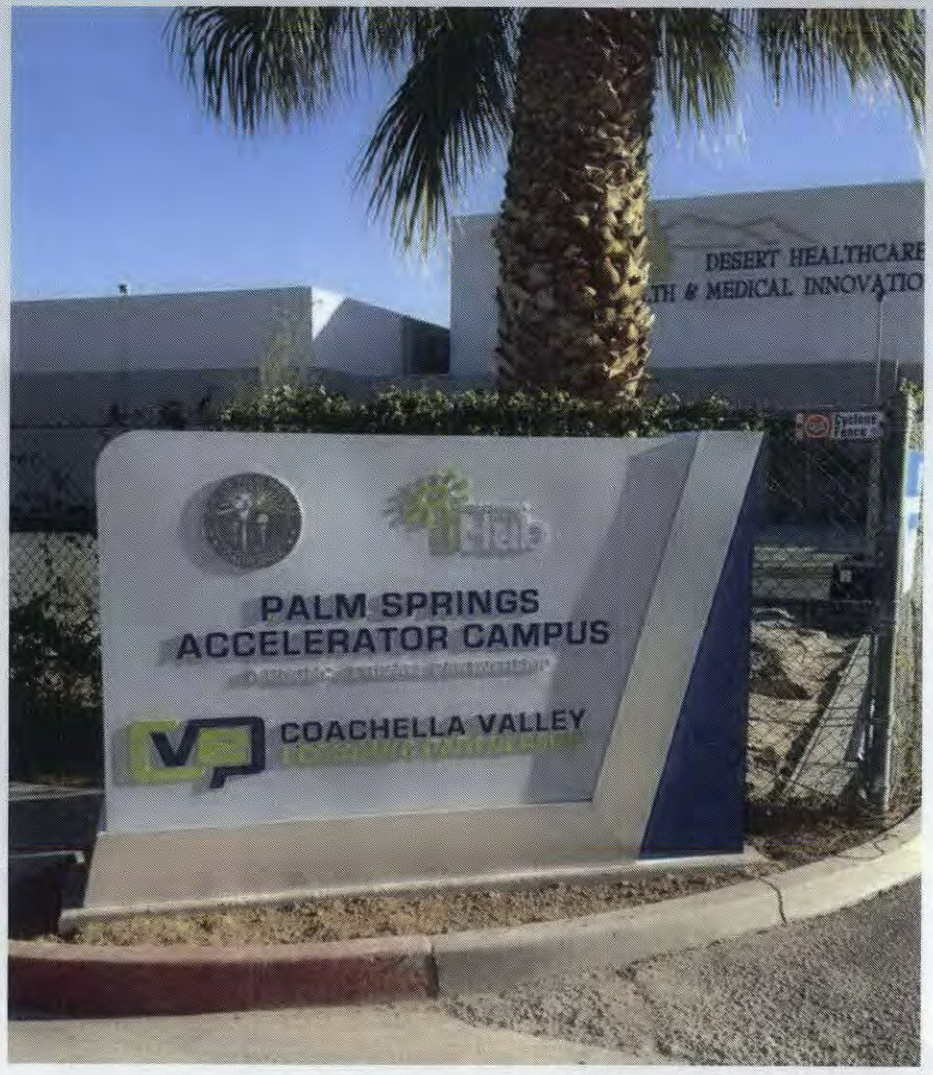
35

$850,000

iHub Accelerator Campus

36

- Resident companies 5
- Virtual Companies 12
- Accelerator Campus Clients 5
- Number of graduating companies 6
- Number of jobs created to date 69



$1,000,000

37

Downtown Project Update

Ron Weisman Video

- **Kimpton Hotel**
- **First Retail Building**

Coming Soon!

New Kimpton Hotel!

Groundbreaking

First Retail Building

west elm

40
Transformational
HAPPENING
Festivals
Hip!
Modern
Palm Springs
Forward-Thinking
BUZZ! City
World Famous
ULTRA COOL
roll 5 of C video again!

State of the City 2015 11:30am Thursday, February 19th

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[redacted]

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(slide 2)

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(Slide 4)

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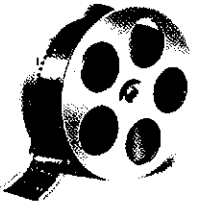
(Slide 5)

7 Main Topics

I. The Budget
II. Public Safety
III. Sustainability
IV. Health and Wellness
V. Economic Development
VI. Measure J
VII. Downtown Project

**** **Roll Video** 

I. **Budget -(slide six)**

A. Total Revenue (slide seven)
B. Hotel Tax (slide eight)
C. Sales Tax (slide nine)
D. Measure J (slide ten)
E. Property Tax (slide eleven)

II. **Public Safety – (slide twelve)**

A. Police – Calls up 4% (Slide thirteen)
   Animal Control (Slide thirteen)
B. Fire – Calls up 8.4% (slide fourteen)
   [redacted] Monorial (slide fifteen) Need name of firefighters here.

III. **Sustainability – (slide sixteen)**

A. Turf Buyback Results (slide seventeen)
B. Program Awards (slide eighteen)

IV. **Health and Wellness – (slide nineteen)**

****Roll wellness video***

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C. Planning and Building Activity (slide 29)

VI D. Measure J Programs (slide 30)

Total Measure J Revenue (slide 31)

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Palm Springs Architecture & Design Center (slide 35)

$850,000

Palm Springs IHUB Accelerator Campus (slide 36)

$1,000,000

V.Downtown Project Update – (slide 37)

*********Roll Wessman video****

A. Kimpton Hotel/Groundbreaking (slide 38)

B. West Elm (slide 39)

TRANSFORMATIONAL (slide 40)

Goodbye and Thank you all for coming!

Roll State of the City Video again

State of the City 2015 11:30am Thursday, February 19th

Welcome and Thank you's

1. Thank the Chamber of Commerce and Sponsors
2. Thank Dignitaries
3. Thank David Ready and City Staff
4. Thank City Council

THEME: What we have accomplished in the last 8 years. "If Palm Springs were a stock, I'd by it!"

Roll Video

6 Main Topics

I. Budget - Speech
II. Public Safety - Speech
III. Health and Wellness/Sustainability - Video
IV. Economic Development - Video
V. Measure J - Video
VI. Downtown Project - Video

I. Budget

a. Overview Budget Summary (Operating)
b. Sales, Utility, TOT, and Property Taxes
c. Measure J
d. Cash Reserve
(All should compare to previous year)

II. Public Safety

a. Police: (high call volume)
b. Fire:
c. Overall crime stats (if improved)

III. Health and Wellness/Sustainability

a. Mayor's Healthy Planet, Healthy You Race and Wellness Festival – 2015 (2 slides)
b. Chelsea Clinton's Day of Action
c. Turf buyback program (slides)
d. Ready, Set, Swim program (slides)

IV. Economic Development

a. Airport – passenger traffic (slide)
b. Hotels (Arrive construction slide)
c. Update on Incentive programs
    1. Number of beds
    2. Number of construction jobs created
    3. Total investment
d. Building permit (increase show slide)

V. Measure J

a. Buzz (slide)
b. Roads (slide)
c. Welwood (slide)
    1. Announce the public ribbon cutting 2/19 6pm
d. Bike lanes (slide)
e. A and D Center (slide)
f. Total cumulative dollars since 4/1/12
g. Future projects

VI. Downtown Project – roll interview with Wessman

a. Updated timeline
    1. Kimpton groundbreaking (slide)
    2. West Elm
    3. Aveda
    4. El Corso

Tourism video/testimonials??

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<div
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How to Remove Dark Spots

Watch Shocking Presentation

2015

City of Palm Springs

Mayor's State of the City Address

February 19, 2015

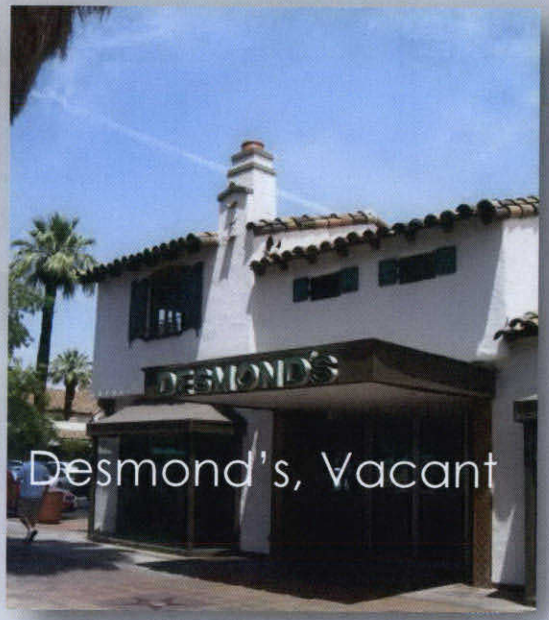
Today's Central Themes

This is a Different City than Eight Years Ago.

"If Palm Springs Were a Stock- I'd Buy It!"

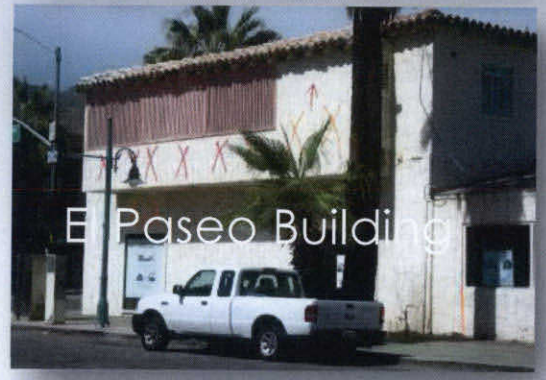
Remember These?

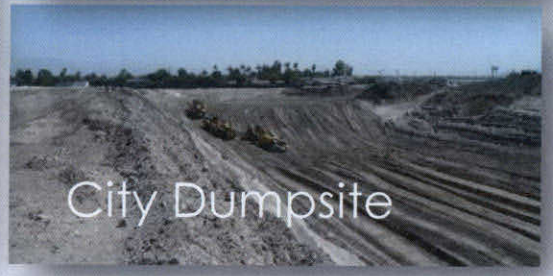
Desert Fashion Plaza

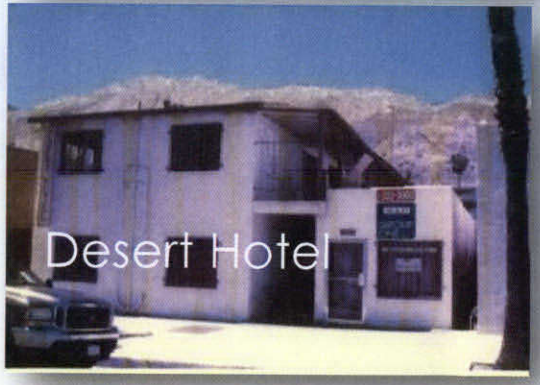


Desmond's, Vacant

Convention Center Before

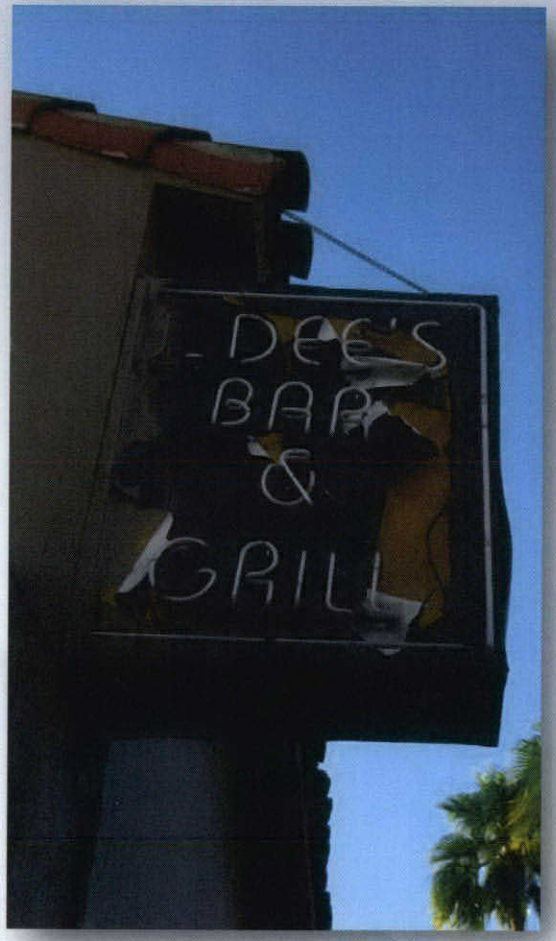

El Paseo Building


City Dumpsite


Desert Hotel

Before LULU's

Remember These?

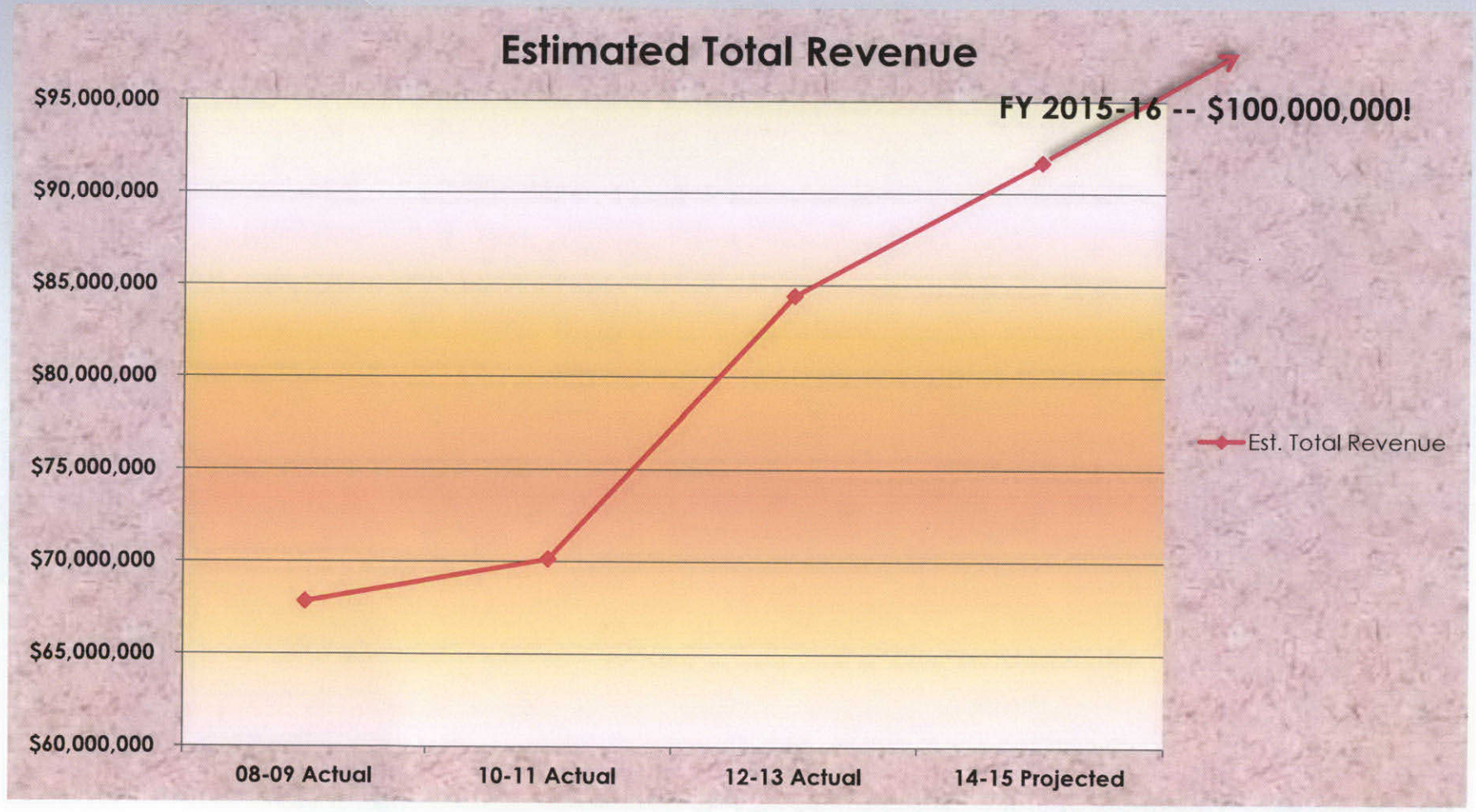


Today's Talk

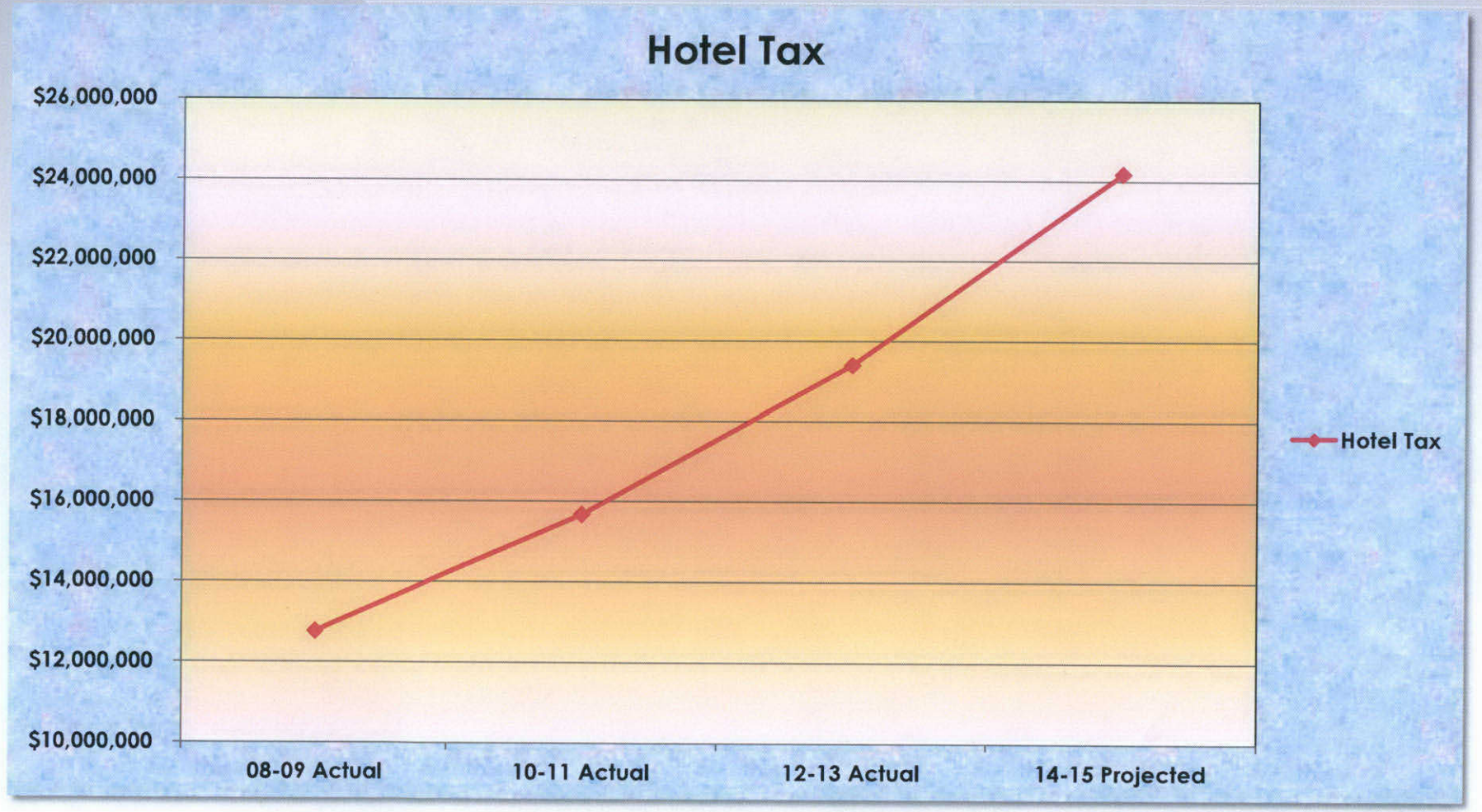
- The Budget
- Public Safety
- Sustainability
- Health and Wellness
- Economic Development
- Measure J
- Downtown Project Update

The Budget

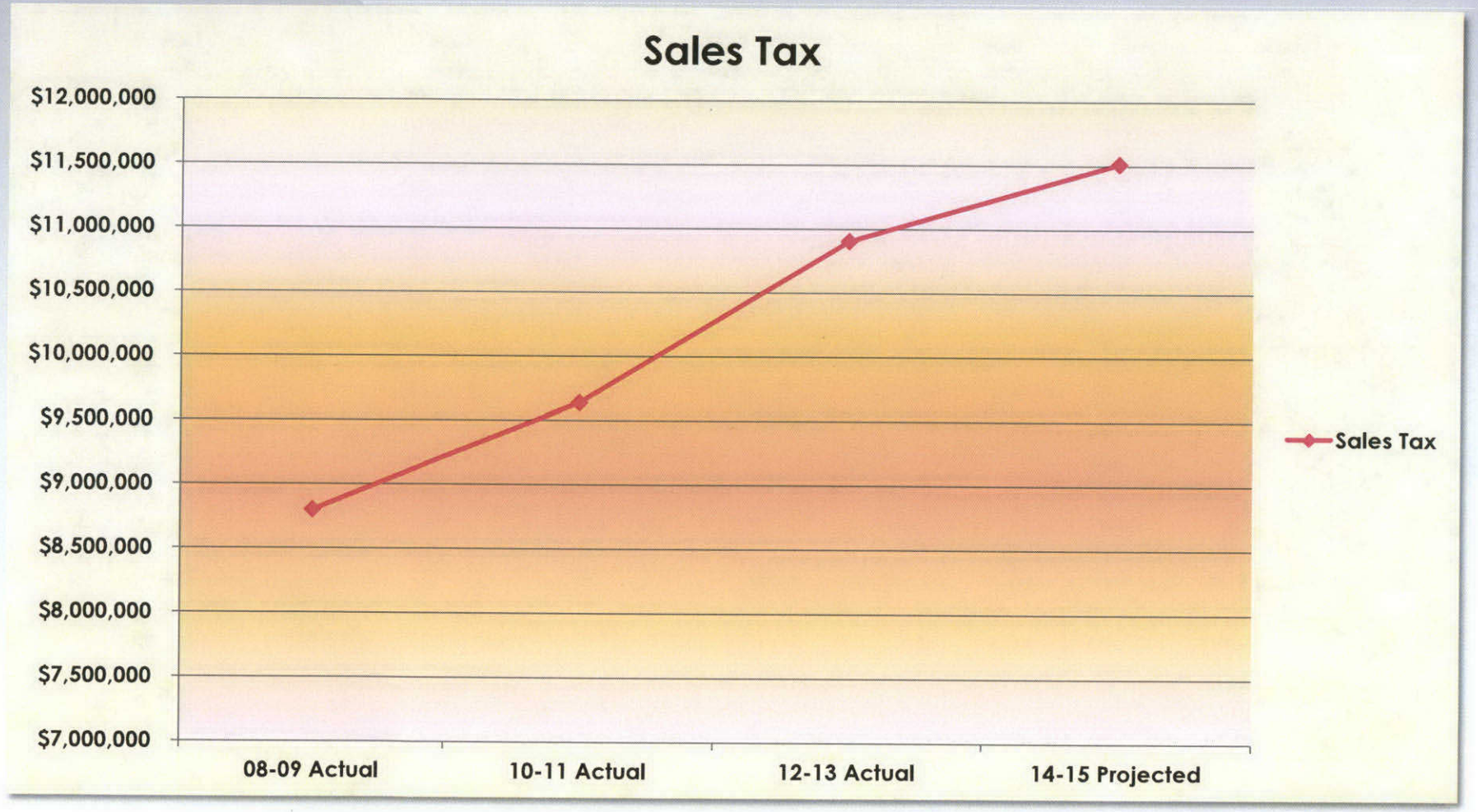
Total Revenue



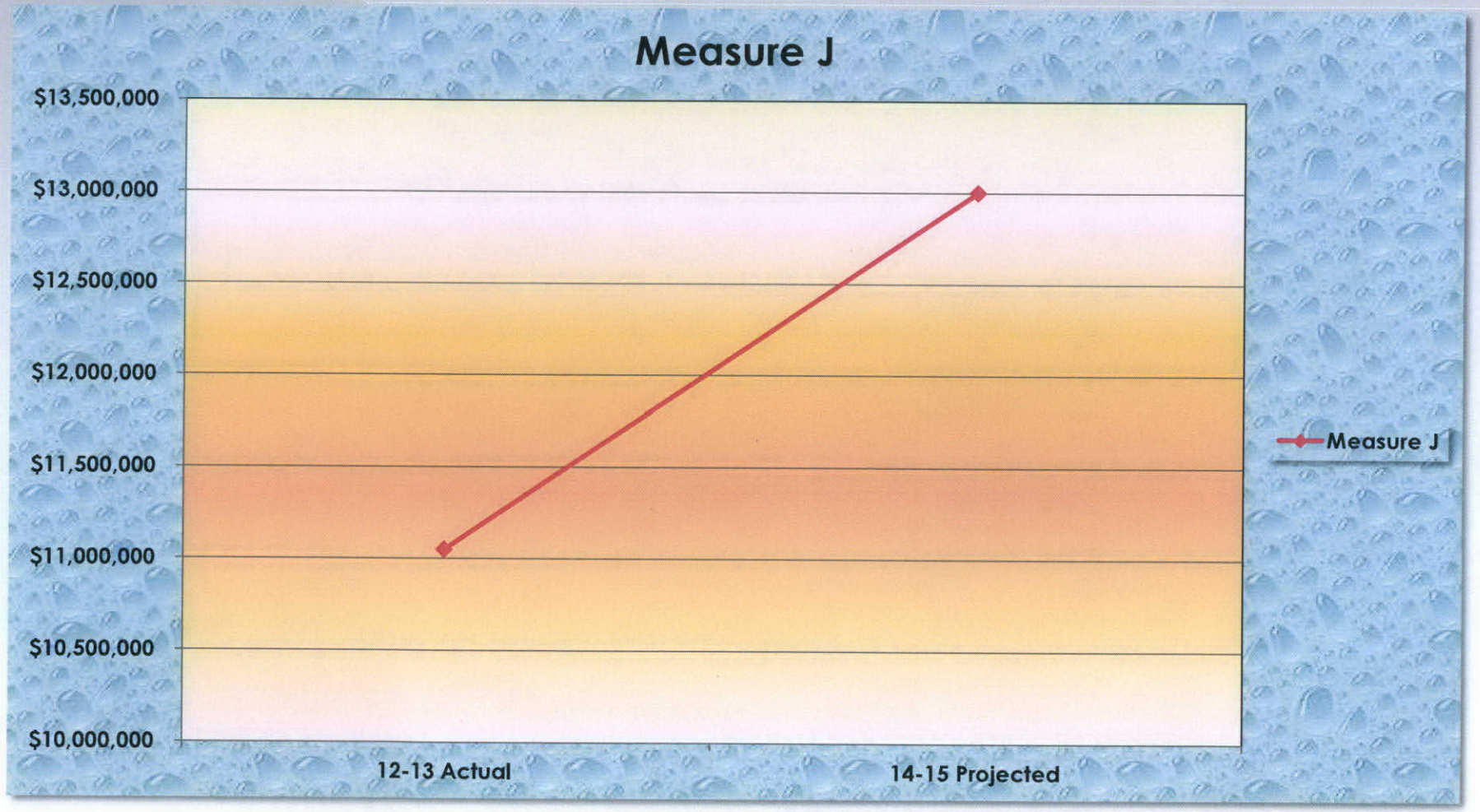
Hotel Tax


Hotel Tax
$26,000,000
$24,000,000
$22,000,000
$20,000,000
$18,000,000
$16,000,000
$14,000,000
$12,000,000
$10,000,000
08-09 Actual
10-11 Actual
12-13 Actual
14-15 Projected
Hotel Tax

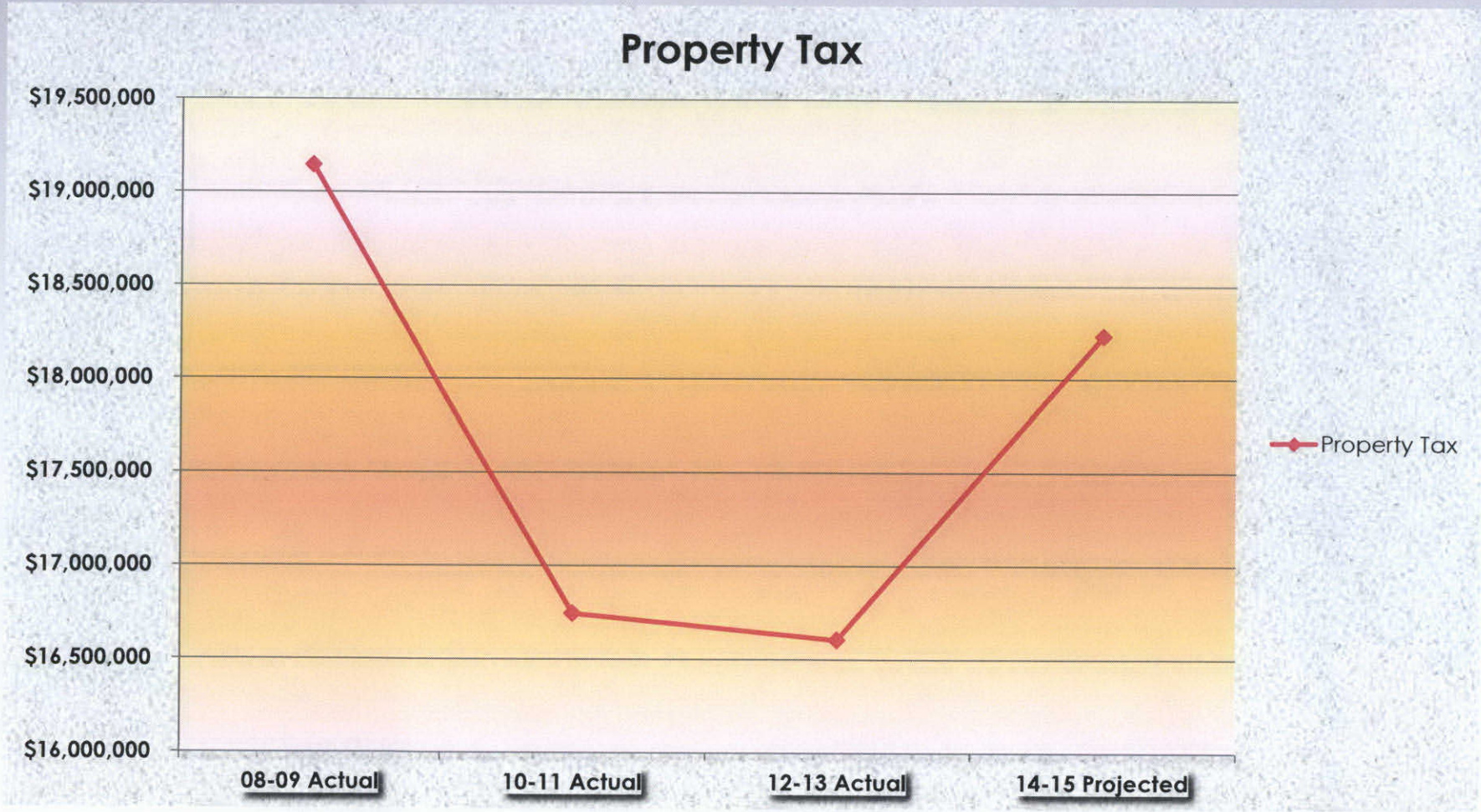
Sales Tax


Sales Tax
$12,000,000
$11,500,000
$11,000,000
$10,500,000
$10,000,000
$9,500,000
$9,000,000
$8,500,000
$8,000,000
$7,500,000
$7,000,000
08-09 Actual
10-11 Actual
12-13 Actual
14-15 Projected
Sales Tax

Measure J


Measure J
$13,500,000
$13,000,000
$12,500,000
$12,000,000
$11,500,000
$11,000,000
$10,500,000
$10,000,000
12-13 Actual
14-15 Projected
Measure J

Property Tax

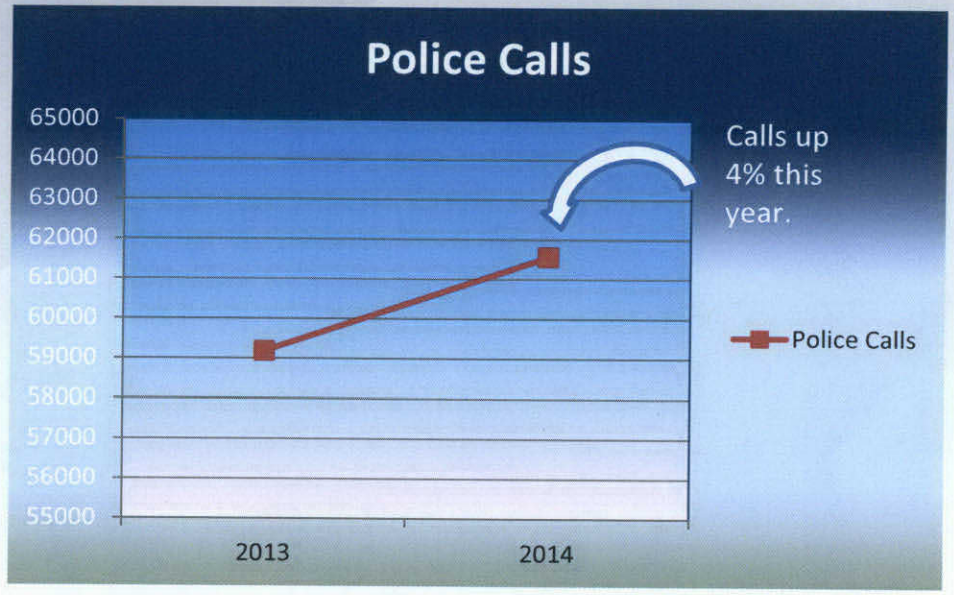


Public Safety

Police

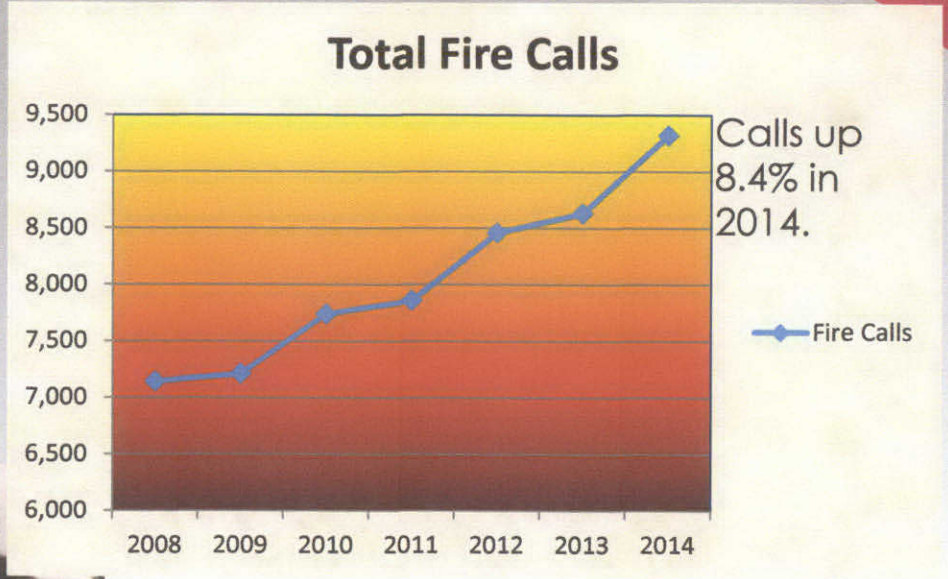
61,548 calls for service in 2014, up 4% from 2013.

Animal Control handled 2,267 animal calls.



Fire

Total Calls in 2014
9,320
Rescue & EMS Calls
6,956



9/11 Memorial

Sustainability

Sustainability

Turf Buyback Results:

- 286,638 square feet of turf replaced since program began in July 2012
- 15 million gallons of water saved with turf conversion in that time

Sustainability Program Awards

- Cielo Vista Elementary Community Partner Award
- Climate Registry & Desert Cities Energy Partnership Awards
- Energy Efficiency All Star Award
- Five Gold Medals at *Let's Move! Cities, Towns and Counties Celebration Event*, Congress of Cities
- Friends of the CV Link Award to Sustainability Office and Commission for Biking Advocacy

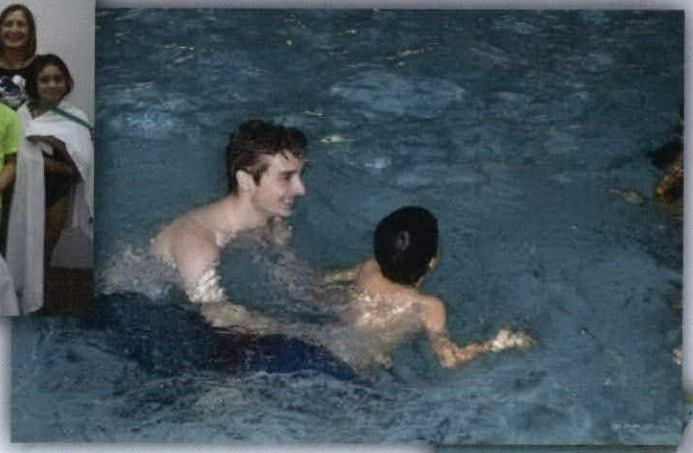
Health and Wellness

Activating Health and Wellness in every generation – Palm Springs is leading the way!

Mayor's Race

Chelsea Clinton Day of Action

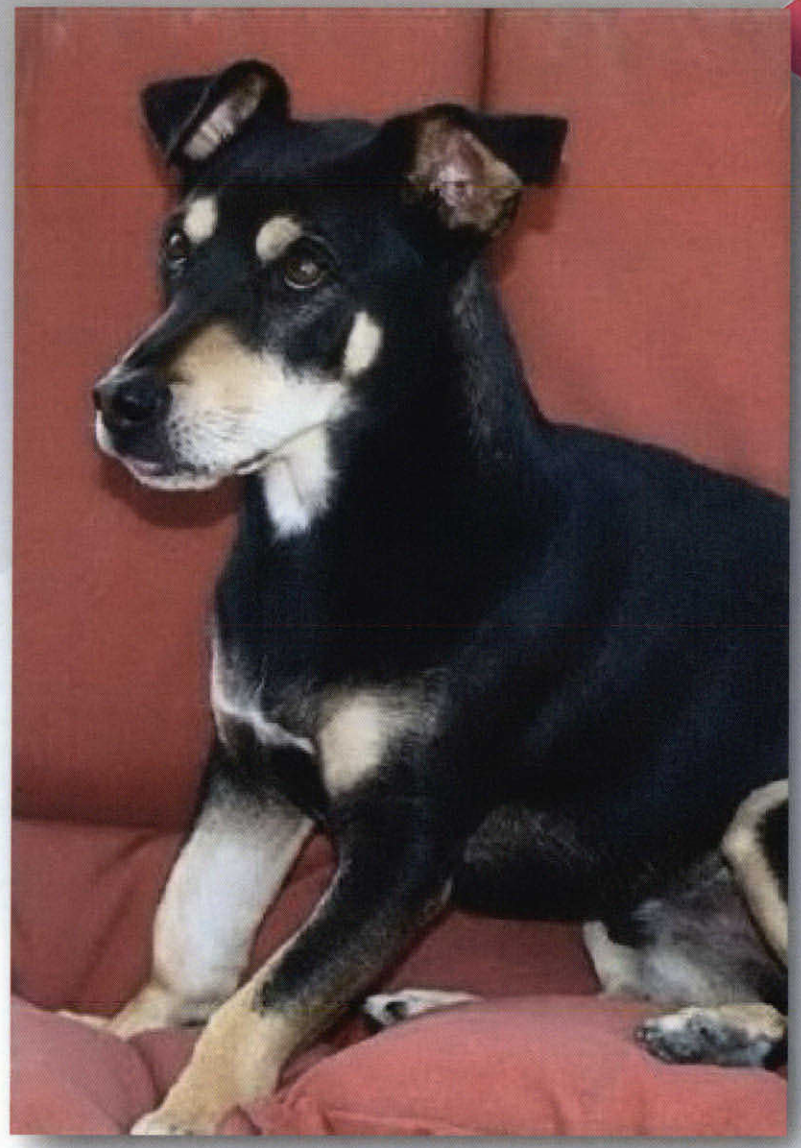
Ready, Set, Swim Program



Partnership with Desert Healthcare District, PSUSD, Boys & Girls Club and the City of Palm Springs to teach third graders to swim.

Animal Shelter

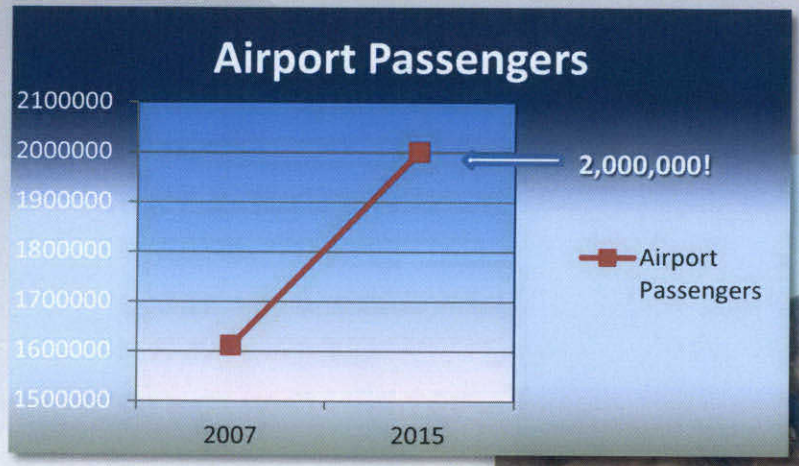
- Now held up as an example of a *truly successful and innovative* municipal shelter with a full service vet clinic and surgery center.
- In the last two years the shelter population has gone from 570 animals to 254, due to the City/Friends partnership.
- 1,500 adoptions in 2014:
  - Cats – 889
  - Dogs -- 611

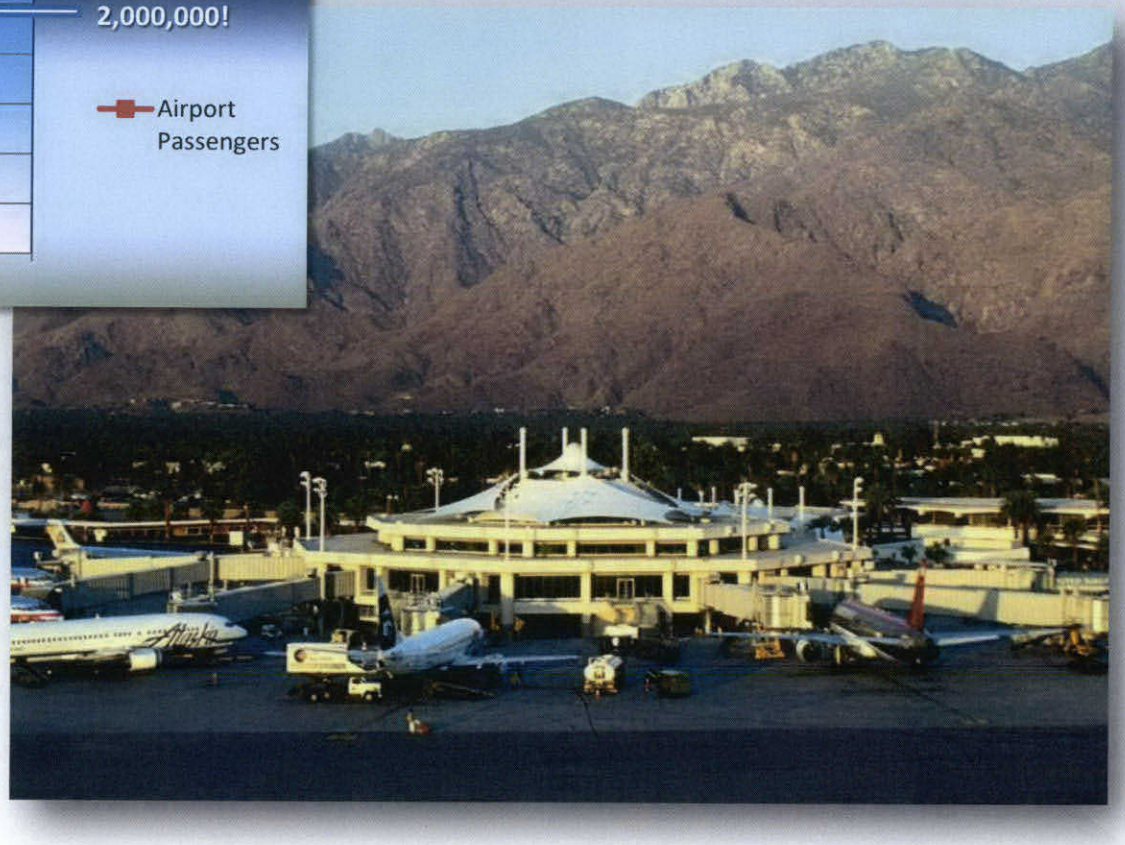


Economic Development

- Palm Springs International Airport
- Hotel Development and Hotel Incentive Program
- Building Permit Activity

Palm Springs International Airport





Arrive Hotel

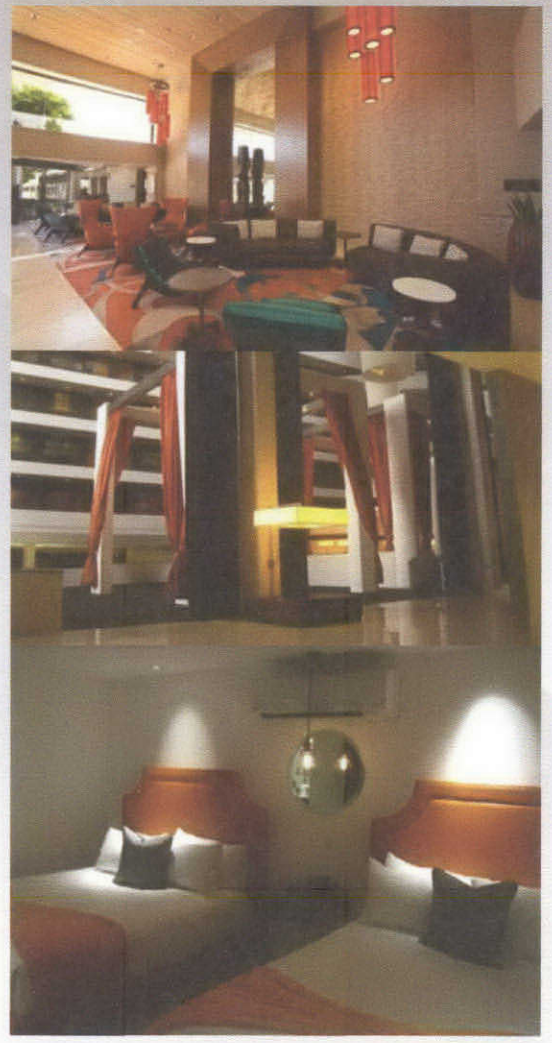
Now Under Construction!

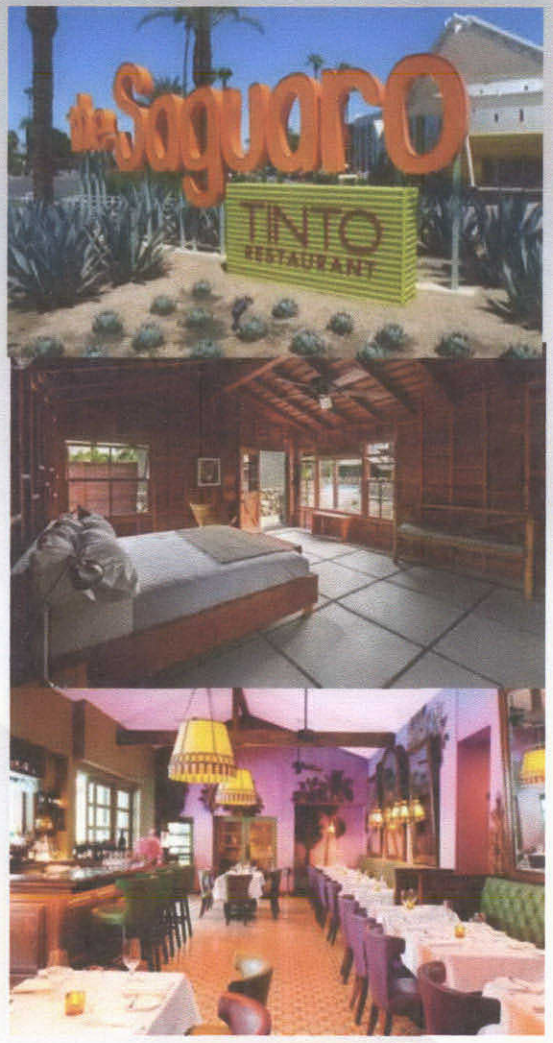
Triada Resort and Spa

Completed!

Hotel Incentive Program

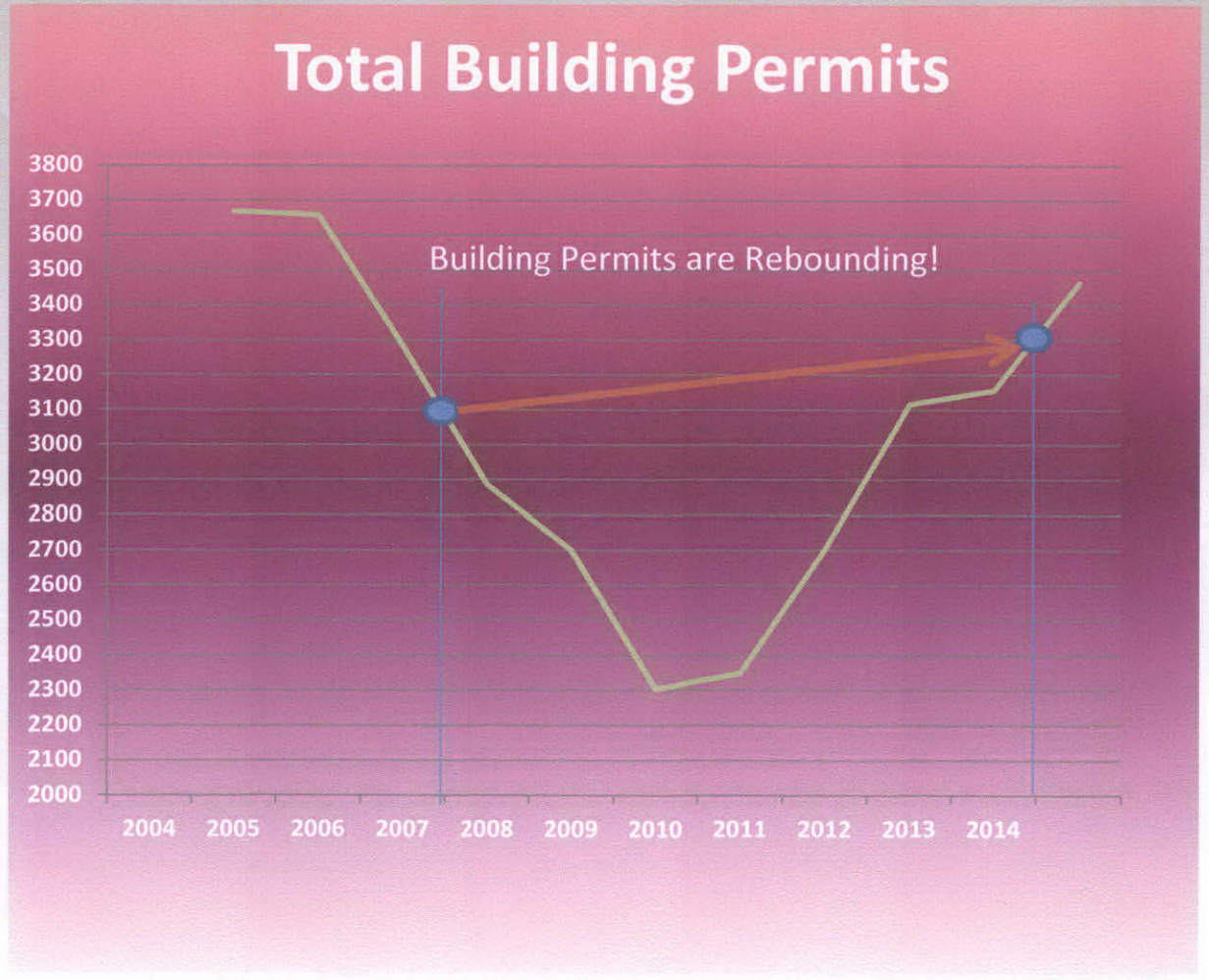
- **Major Remodels So Far of Over 1,830 Rooms!**
- Total Value of Remodel So Far Since Program Began:
- $200 million
- Projected New Hotel Development:
- $250 million





Planning & Building Activity

- **Total Building Permits have exceeded 2007 and are beginning to approach the peak years of 2004-05.**



Measure J Programs

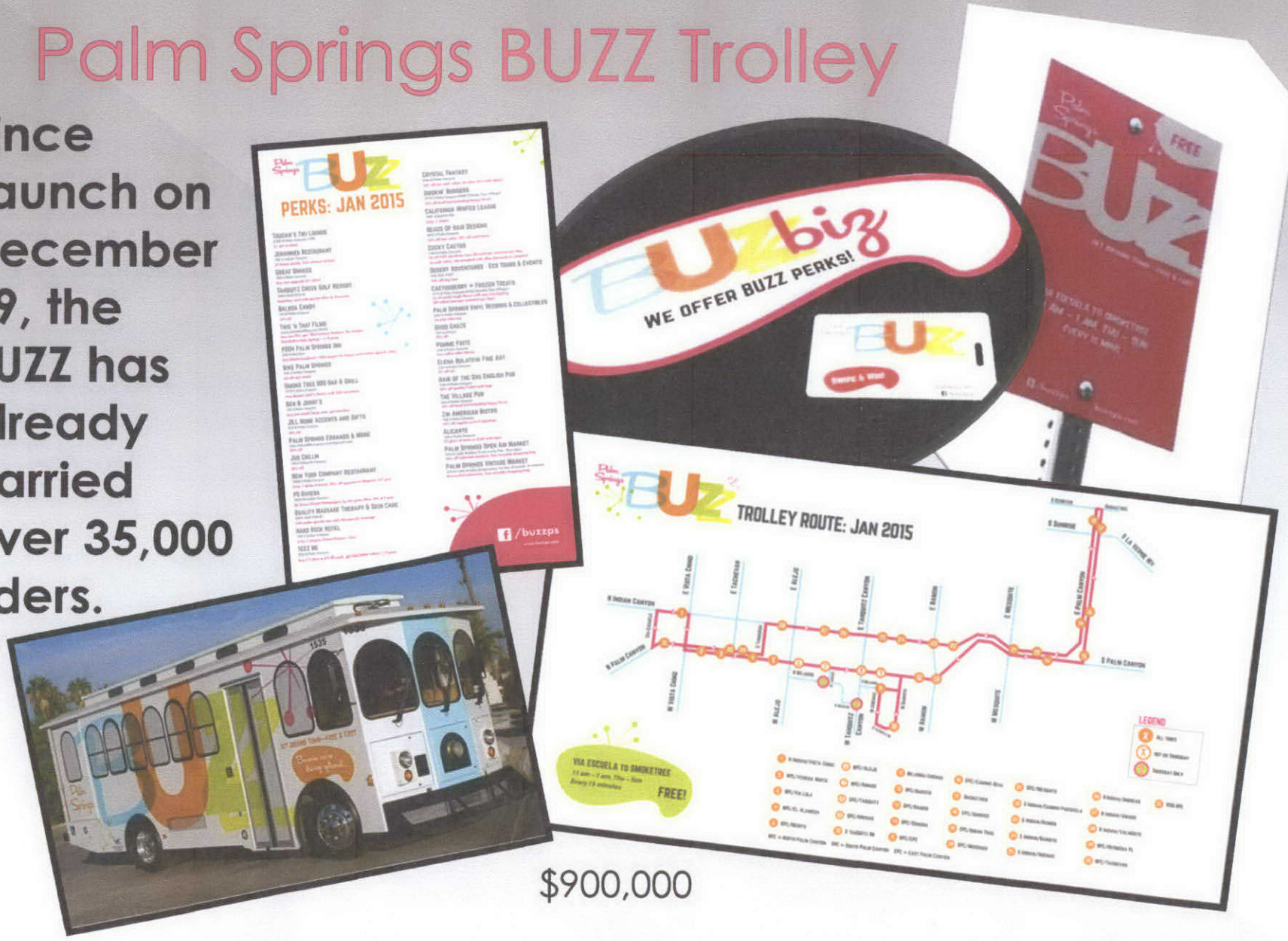
- The Palm Springs BUZZ Trolley
- Streets/Roads/Bike Lanes
- Welwood Murray Memorial Library
- Palm Springs Architecture & Design Center
- Palm Springs Accelerator Campus

Total Measure J Revenue Collected Since April 1, 2012

$30,510,310!

Palm Springs BUZZ Trolley

Since Launch on December 19, the BUZZ has already carried over 35,000 riders.



$900,000

Streets/Roads/Bike Lanes

PALM SPRINGS

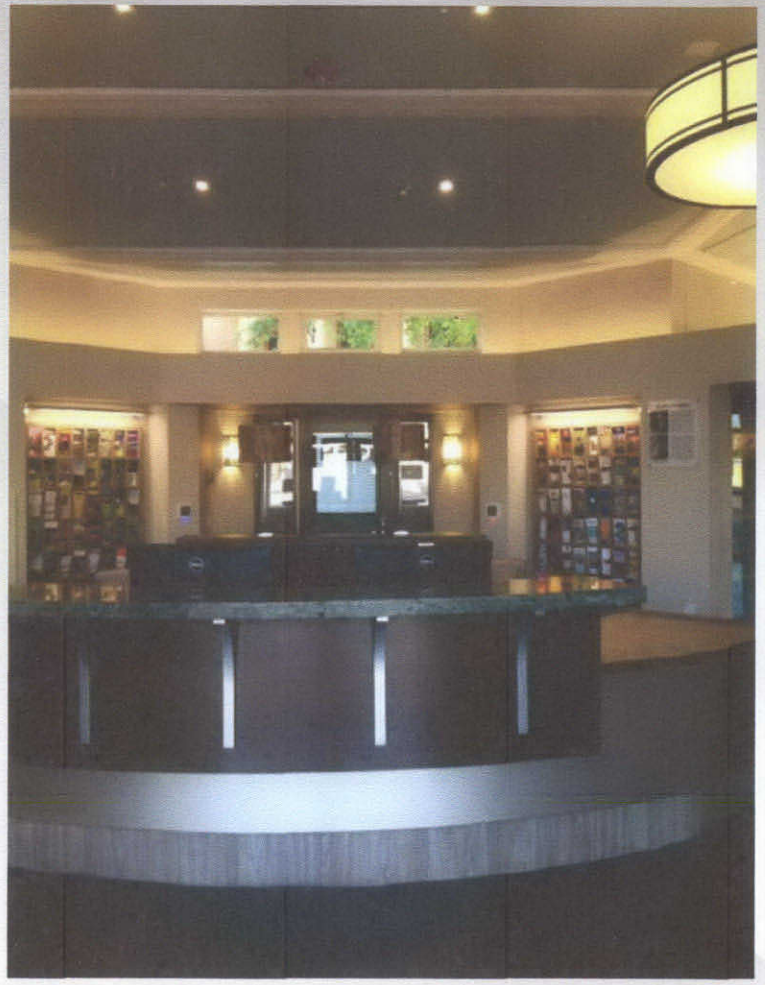
MEASURE J

AT WORK!

$16,000,000

Welwood Murray Memorial Library

$780,000

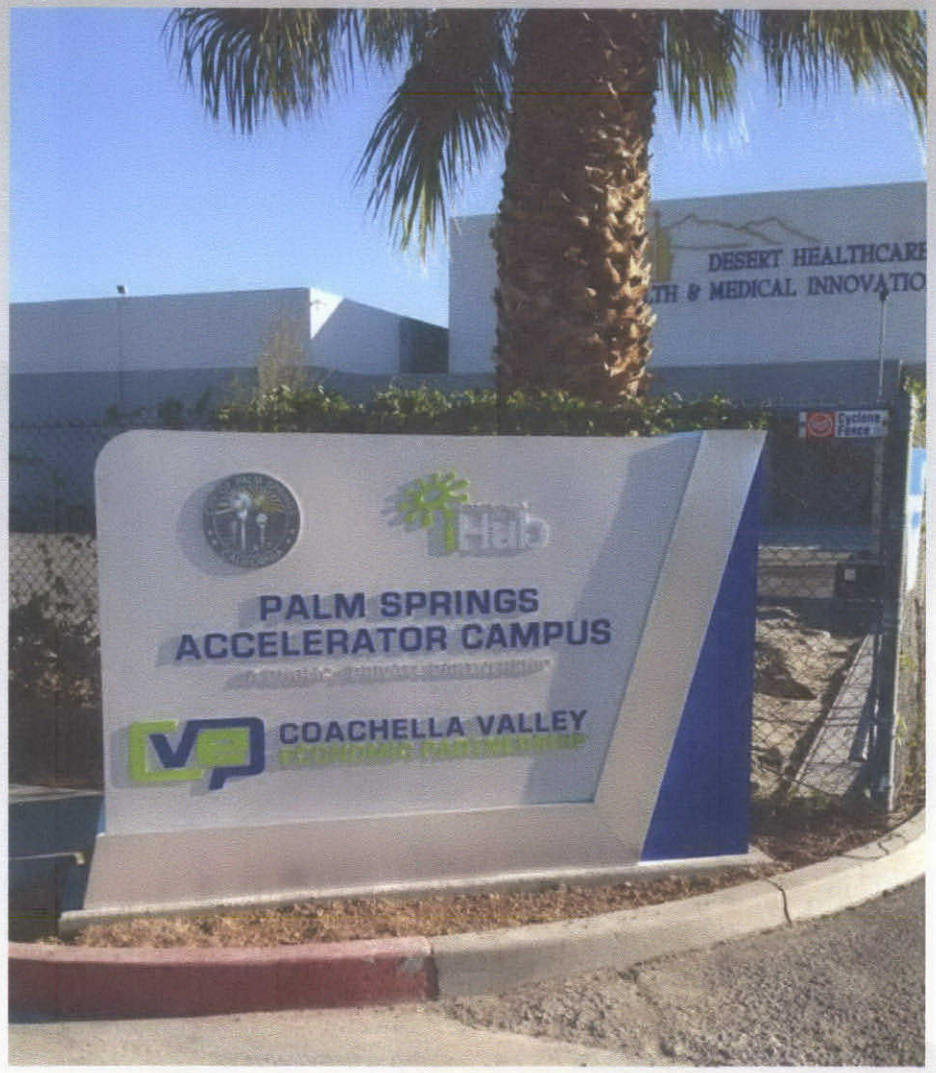


Architecture and Design Center

$850,000

iHub Accelerator Campus

- Resident companies 5
- Virtual Companies 12
- Accelerator Campus Clients 5
- Number of graduating companies 6
- Number of jobs created to date 69



$1,000,000

Downtown Project Update

- Kimpton Hotel
- First Retail Building

Coming Soon!

New Kimpton Hotel!

First Retail Building

west elm

Transformational
HAPPENING
Hip!
Festivals
Modern
Palm Springs
Forward-Thinking
BUZZ! City
World Famous
ULTRA COOL

State of the City 2015 11:30am Thursday, February 19th

Welcome and Thank you's

8th year.

(Slide 1)

1. Thank the Chamber of Commerce and Sponsors
2. Thank City Council + David Ready + Staff
3. Thank Dignitaries ~~Chairman~~ Vice-Chairman
   A. Tribal Council – ~~**Jeff Grubbe**~~, **Larry Olinger,** ~~**Vincent Gonzales**~~, ~~**Anthony Andreas III**~~, **Reid Milanovich** President
   B. Health Care District – **Dr. Michael Solomon, Kay Hazen** President
   C. Desert Water Agency – **Craig Ewing, Richard Oberhaus**
   D. PS Unified School District – **James Williamson,** President: **Karen Cornett, Shari Stewart** - ~~President~~
4. ~~Thank David Ready and City Staff~~ [redacted]

2011 2013
2012 2014

(slide 2)

THEME: What we have accomplished in the last 8 years. "If Palm Springs were a stock, I'd buy it!"

OLD PHOTOS

(Slide 3)

Remember These? – Desert Fashion Plaza, Desmond's Vacant, El Paseo Building, Convention Center Before, City Dumpsite, Desert Hotel, Before LuLu's

(Slide 4)

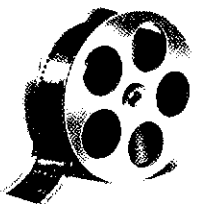
Remember These? – Clara Bee, Desert Moon, Hyatt Before, Tiki Palms, Spanish Inn, Dee's Bar and Grill

(Slide 5)

Roll Video.

7 Main Topics

I. The Budget
II. Public Safety
III. Sustainability
IV. Health and Wellness
V. Economic Development
VI. Measure J
VII. Downtown Project



**** **Roll Video**

I. **Budget -(slide six)**
   A. Total Revenue (slide 7)
   B. Hotel Tax (slide 8)
   C. Sales Tax (slide 9)
   D. Measure J (slide 10)
   E. Property Tax (slide 11)

"If Palm Spr..."

II. **Public Safety – (slide 12)**
   A. Police – Calls up 4% (Slide 13)
      Animal Control (Slide 13)
   B. Fire – Calls up 8.4% (slide 14)
      911 Memorial (slide 15) –
      [redacted]r, [redacted]eg Lyle - [redacted] Captain
      [redacted]fighter.

III. **Sustainability – (slide sixteen)**
   A. Turf Buyback Results (slide 17)
   B. Program Awards (slide 18) [redacted] Sesame Workshop.

"If Palm Spr..."

IV. **Health and Wellness – (slide nineteen)**
   ****_Roll wellness video_**
   A. Mayor's race 2015 (slide 20)
   B. Chelsea Clinton Day of Action (slide 21)
   C. Ready, Set, Swim Program (slide 22)
   D. PS Animal Shelter (slide 23)

"If Palm Spr..."

V. Economic Development – (slide 24)

A. Palm Springs Airport (slide 25)

B. Hotel Development and Incentive Program

1. Arrive Hotel – under construction (slide 26)
2. Triada Resort and Spa completed (slide 27)
3. Hotel Incentive Program (slide 28)

C. Planning and Building Activity (slide 29)

VI. Measure J Programs (slide 30)

A. Total Measure J Revenue (slide 31)

$30,510,310!

**********Roll Buzz video******

The Palm Springs Buzz Trolley (slide 32)

$900,000

Streets/Roads/Bike Lanes (slide 33)

$16,000,000

Welwood Murray Memorial Library (slide 34)

$780,000

Palm Springs Architecture & Design Center (slide 35)

$850,000

Palm Springs IHUB Accelerator Campus (slide 36)

$1,000,000

VII.Downtown Project Update – (slide 37)

A. Kimpton Hotel/Groundbreaking (slide 38)

*********Roll Wessman video****

B. West Elm (slide 39)

TRANSFORMATIONAL (slide 40)

Goodbye and Thank you all for coming!

Roll State of the City Video again

Jennifer Nelson

From: Sandy Miller [smiller@acedirect.com]
Sent: Wednesday, April 04, 2012 9:14 AM
To: Michele Mician
Cc: Jennifer Henning; Jennifer Nelson
Subject: RE: Mailer

FYI

File in Mayor Mail

Good morning, Michele: do you want the letter to be printed both sides? Or on two sheets of paper, single-sided? Also, the mail lists all appear to be the same list...please verify. If they are the same list, you have 225 records for mailing.

On the envelope, do you want a return address? The city seal? Or do you have envelopes to supply for this mailing?

Let me know your answers and I can get both a quote and production rolling for you.
Thanks,

Sandy Miller
Ace Printing
smiller@aceprintingps.com
948 Vella Road, Palm Springs, CA 92264
direct 760.969.5540 | fax 760.969.5541

From: Michele Mician [mailto:Michele.Mician@palmsprings-ca.gov]
Sent: Tuesday, April 03, 2012 4:59 PM
To: Sandy Miller
Cc: Jennifer Henning; Jennifer Nelson
Subject: RE: Mailer

Hi Sandy,

Will you please prepare and send out the attached mailer for us? I need a quote so I can open the purchase order ASAP. The addresses are all attached as well as the letter.

Thanks

Michele

Michele Catherine Mician, MS, LEED GA
City of Palm Springs, Sustainability Manager
3200 Tahquitz Canyon Way
Palm Springs, CA 92264
760-323-8214 Phone☞ 760-322-8360 Fax
www.yoursustainablecity.com
Please consider the environment before printing this email.

From: Sandy Miller [mailto:smiller@acedirect.com]
Sent: Thursday, March 15, 2012 2:41 PM
To: Michele Mician
Cc: Jennifer Henning
Subject: RE: Mailer

Yes, we are a full service mail house. We inkjet the addresses directly onto the envelopes, rather than use labels. It's more efficient. The list can come as an Excel document, .csv file or tab delimited.

Thank you,

Sandy Miller
Ace Printing
smiller@aceprintingps.com
948 Vella Road, Palm Springs, CA 92264
direct 760.969.5540 | fax 760.969.5541

From: Michele Mician [mailto:Michele.Mician@palmsprings-ca.gov]
Sent: Thursday, March 15, 2012 2:28 PM
To: Sandy Miller
Cc: Jennifer Henning
Subject: Mailer
Importance: High

Hi Sandy,

I have a rather large mailer to get sent out. Can you do address labels, stuffing and printing. I am sure you can but just wanted to ask before I sent it to you. Also, what formats do you prefer?

Thanks

Michele

Michele Catherine Mician, MS, LEED GA
City of Palm Springs, Sustainability Manager
3200 Tahquitz Canyon Way
Palm Springs, CA 92264
760-323-8214 Phone☞ 760-322-8360 Fax
www.yoursustainablecity.com
Please consider the environment before printing this email.

REORDER FORM 0094 G1

USE WITH COMPANION ENVELOPE #44-005

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
003	WESSMAN HOLDINGS, LLC	5270-000-00	HEALTHY YOU	4/9/2012	MICHAEL BRAUN	30.00	0.00	30.00
003	WESSMAN HOLDINGS, LLC	5270-000-00	HEALTHY YOU	4/9/2012	JOHN WESSMAN	30.00	0.00	30.00
003	WESSMAN HOLDINGS, LLC	5270-000-00	HEALTHY YOU	4/9/2012	JACK BRAUN	30.00	0.00	30.00
003	WESSMAN HOLDINGS, LLC	5270-000-00	HEALTHY YOU	4/9/2012	HENRY BRAUN	30.00	0.00	30.00

Payor: WESSMAN HOLDINGS, LLC
Payee: CITY OF PALM SPRINGS

Date	Check No.	Check Amount
4/9/2012	004367	$120.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN HOLDINGS, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF AMERICA
588 S. PALM CANYON DRIVE
PALM SPRINGS, CA 92264

16-66
1220

Date	Check No.	Check Amount
4/9/2012	004367	**$120.00**

One Hundred Twenty AND 00/100 Dollars

Pay to the order of:

CITY OF PALM SPRINGS
OFFICE OF SUSTAINABILITY
3200 EAST TAHQUITZ CANYON WY
PALM SPRINGS, CA 92264

⑈004367⑈ ⑆122000661⑆ 07500 00000

PARTICIPANT REGISTRATION Please TYPE or PRINT clearly all information

Name MICHAEL BRAUN

Address 555 S. SUNRISE WAY STE 200

City PALM SPRINGS State CA ZIP 92264

Phone 760-325-3050

Email mbraun@wessmandevelopment.com

Gender and Age on 4/21/2012 ☒ Male ☐ Female Age: 49

Waiver Signature

ENTRY FEES

• 1K KIDS RUN AT 10 AM	FREE	
• REGISTER FOR THE MAYOR'S 5K RACE BY MARCH 31, 2012 (pets permitted on 5K course only)	$25 ☐	Breakfast is included
• LATE REGISTRATION MAYOR'S 5K	$30 ☒	Breakfast is included
• REGISTER FOR THE MAYOR'S 7 MILE RACE BY MARCH 31, 2012	$30 ☐	Breakfast is included
• LATE REGISTRATION MAYOR'S 7 MILE RACE	$35 ☐	Breakfast is included
• CARBO LOAD DINNER FRI., APRIL 20TH 5 PM TO 7 PM - MIZELL SENIOR CENTER	$12* ☐	Packet pick-up night
• I would like to give ☐ $2 ☐ $5 or ☐ $10 more to fight Childhood obesity in my community	$_____	
TOTAL AMOUNT ENCLOSED	$_____	

*Carbo Load Dinner hosted by Palm Springs Mayor Steve Pougnet, benefits Rotary of Palm Springs & Mizell Senior Center - Garden Salad, Pasta Dinner, Dessert and Drink included

PLEASE SELECT: VEGETARIAN? YES ☐ NO ☒

SELECT T-SHIRT SIZE CHILD SMALL ☐ CHILD MEDIUM ☐ CHILD LARGE ☐ ADULT SMALL ☐ ADULT MEDIUM ☒ ADULT LARGE ☐ ADULT XL ☐

EXHIBITOR REQUEST $50 ☐

- Exhibitors are provided with a table and one chair-please be prepared to bring a pop-up tent or shade structure, table cloth and any items to give away. Sales and political materials are prohibited. The City of Palm Springs reserves the right to deny any vendor admission into exhibitor festival.
- Exhibit Schedule - April 21, 2012 Setup 6:30 am to 7:30 AM Tear Down 12 PM

EVENT INFO

- The race includes :
  - 1K fun run for kids
  - 5K (3.1 mile) timed run/walk (Strollers and Pets on 5K only, please. Pets must be leashed and be under the control of their owner)
  - 7 Mile competitive run through uptown and downtown Palm Springs (no dogs, please)
- All registered entrants receive a t-shirt. Awards will be provided for top three finishers in each age category. Goody bags and breakfast provided.
- Packet Pick-Up -available at Running Wild, Fri. April 20 from 10 am - 4 pm, and at the Carbo Load Dinner. Day of Race Registration and number and packet pick-up at event site begins at 6:30 AM
- Aid Stations - Water and Gatorade® will be provided at the two aid stations on the course and at the start/finish area.
- Information: Call Michele Mician at 760-323-8214 or Molly Thorpe at 760-413-6508 or e-mail michele.mician@palmspringsca.gov
- Registration also available at active.com. Results will be available at www.resultsbyprimetime.com and at www.active.com
- Rest Rooms will be provided on site as well as within the park and on the 7 mile course. All pet waste and refuse must be collected. All human refuse must be collected as well - no littering!
- Food - Post-race food, breakfast and drink will be provided.
- Join us for a Carbo Load Dinner at 5 PM and packet pick-up from 4 to 7 PM on Friday, April 20th at the Mizell Senior Center. (must prepay)

PAYMENT Your contribution is tax-deductible to the extent allowed by law.

PLEASE MAKE CHECK PAYABLE TO: CITY OF PALM SPRINGS OFFICE OF SUSTAINABILITY AND MAIL FORM AND PAYMENT FOR TOTAL AMOUNT BY APRIL 6, 2012 TO: City of Palm Springs, Office of Sustainability, 3200 East Tahquitz CanyonWay Palm Springs, CA 92264 • Credit card payment accepted online at: www.active.com

For more information, please contact Michele Mician at (760) 323-8214 or Email: michele.mician@palmspringsca.gov

PARTICIPANT REGISTRATION Please TYPE or PRINT clearly all information

Name HENRY BRAUN

Address 555 S. SUNRISE WAY STE 200

City PALM SPRINGS State CA ZIP 92264

Phone 760-325-3050

Email mbraun@wessmandevelopment.com

Gender and Age on 4/21/2012 ☒ Male ☐ Female Age: 8

Waiver Signature

ENTRY FEES

• 1K KIDS RUN AT 10 AM	FREE	
• REGISTER FOR THE MAYOR'S 5K RACE BY MARCH 31, 2012 (pets permitted on 5K course only)	$25 ☐	Breakfast is included
• LATE REGISTRATION MAYOR'S 5K	$30 ☒	Breakfast is included
• REGISTER FOR THE MAYOR'S 7 MILE RACE BY MARCH 31, 2012	$30 ☐	Breakfast is included
• LATE REGISTRATION MAYOR'S 7 MILE RACE	$35 ☐	Breakfast is included
• CARBO LOAD DINNER FRI., APRIL 20TH 5 PM TO 7 PM - MIZELL SENIOR CENTER	$12* ☐	Packet pick-up night
• I would like to give ☐ $2 ☐ $5 or ☐ $10 more to fight Childhood obesity in my community	$_____	
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PLEASE SELECT: VEGETARIAN? YES ☐ NO ☒

SELECT T-SHIRT SIZE CHILD SMALL ☐ CHILD MEDIUM ☐ CHILD LARGE ☒ ADULT SMALL ☐ ADULT MEDIUM ☐ ADULT LARGE ☐ ADULT XL ☐

EXHIBITOR REQUEST $50 ☐

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PARTICIPANT REGISTRATION Please TYPE or PRINT clearly all information

Name JACK BRAUN

Address 555 S. SUNRISE WAY STE. 200

City PALM SPRINGS State CA ZIP 92264

Phone 760-325-3050

Email mbraun@wessmandevelopment.com

Gender and Age on 4/21/2012 ☒ Male ☐ Female Age: 9

Waiver Signature

ENTRY FEES

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• REGISTER FOR THE MAYOR'S 5K RACE BY MARCH 31, 2012 (pets permitted on 5K course only)	$25	☐	Breakfast is included
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SELECT T-SHIRT SIZE CHILD SMALL ☐ CHILD MEDIUM ☐ CHILD LARGE ☒ ADULT SMALL ☐ ADULT MEDIUM ☐ ADULT LARGE ☐ ADULT XL ☐

EXHIBITOR REQUEST $50 ☐

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PARTICIPANT REGISTRATION Please TYPE or PRINT clearly all information

Name JOHN WESSMAN

Address 555 S. SUNRISE WAY STE 200

City PALM SPRINGS State CA ZIP 92264

Phone 760-325-3050

Email mbraune@wessmandevelopment.com

Gender and Age on 4/21/2012 ☒ Male ☐ Female Age: 73

Waiver Signature

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DESERT OASIS HEALTHCARE
MEDICAL GROUP
275 N. El Cielo Rd
Palm Springs, CA 92262

BANK OF AMERICA
College Heights Branch 1120
2800 Oswell Avenue
Bakersfield, CA 93306
(661) 633-5380
16-66-1220

No. 067434
Date 4/20/2012

Amount
250.00

TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS

Donation

PAY
TO THE
ORDER OF

CITY OF PALM SPRINGS
HOLIDAY CONCERT
ATTN: JASMINESULLIVAN-WAITS
401 S. PAVILLION WAY
PALM SPRINGS, CA 92263-1743

By

Details on back.
Security Features Included

⑈067434⑈ ⑆122000661⑆ 11207114618⑈

See seperate **REMITTANCE** for explanation of payment for check # DMG - 067434

000061

VENDOR: CITY OF PALM SPRINGS
HOLIDAY CONCERT
PALM SPRINGS, CA 92263-1743

CHECK#: 067434
CHECK AMOUNT: 250.00
CHECK DATE: 4/20/2012

DESERT OASIS HEALTHCARE MEDICAL GROUP 275 N EL CIELO PALM SPRINGS, CA 92262

Ref No G 272405681

✓

Jennifer Nelson

From: Michele Mician
Sent: Wednesday, April 11, 2012 8:14 PM
Subject: Have Dinner with Mayor Steve Pougnet on April 20th

Just FYI
I know you will be there

Palm Springs Rotary CARBO LOAD DINNER Sponsor

You're Invite to Have Dinner with the Mayor!

CHARITY PASTA DINNER HOSTED BY CITY OF PALM SPRINGS MAYOR STEVE POUGNET

Proceeds for Earth Day Weekend Events go to fight childhood obesity! Spaghetti dinner benefits Mizell Senior Center & Palm Springs Rotary

Come make friends, meet community members and get a great dinner bargain next Friday Night!

FRIDAY, APRIL 20TH 5 PM TO 7 PM AT MIZELL SENIOR CENTER

ONLY $12.00 - Benefits Rotary and Mizell Senior Center (Pre-payment or reservations are appreciated)

Call 760-323-8214 TODAY AS SEATS ARE LIMITED

There will also be Mayor's Healthy Planet -Healthy You Race packet pick-up from 4 to 7 PM on Friday, April 20th at the Mizell Senior Center. DINNER IS ONLY $12 and Includes Garden Salad, Pasta Dinner, Dessert and Drink

Go to www.active.com to register for the race and dinner TODAY!

Michele Catherine Mician, MS, LEED GA

City of Palm Springs, Sustainability Manager

3200 Tahquitz Canyon Way

Palm Springs, CA 92264

760-323-8214 Phone ☞ 760-322-8360 Fax

www.yoursustainablecity.com

City of Palm Springs

Stephen P. Pougnet, Mayor

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8200 • Fax: (760) 323-8282 • Web: www.palmspringsca.gov

January 4, 2011

Mr. Tim Hanlon, President
Wells Fargo Foundation
1800 Century Park East, Suite 1200
Los Angeles, CA 90067

Dear Tim:

We are very appreciative of the relationship between the City of Palm Springs and Wells Fargo Foundation. Together, we support many charitable works in the City. Our request for funding is again $60,000, which includes $15,000 that will remain at the Wells Fargo Foundation. We show a balance of $11,378.82 in this account that remains at Wells Fargo – after deducting the $5,000 for Steve Chase Humanitarian awards which I understand will go out soon. The $15,000, together with the $11,378.82 will bring this account to $26,378.82.

The $45,000 will be used to support a variety of causes here in Palm Springs, such as:

Veterans Day Parade	$ 10,000
Desert AIDS Project	5,000
Community Concerts	10,000
Mizell Senior Center	5,000
Miscellaneous Request	15,000
TOTAL	***$45,000***

As always, thank you, Tim, and Happy New Year to you and Tony.

Sincerely,

Stephen P. Pougnet, Mayor

SPP:mme

Jennifer Nelson

From: Michele Mician
Sent: Monday, April 16, 2012 7:29 PM
To: Amy Blaisdell
Cc: Steve Pougnet; Jennifer Nelson; 'Thorpe, Molly (mthorpe@psusd.us)'
Subject: Announcements

Hello all,

Please send me a list of all dignitaries, agencies, or attendees that you would like the announcer to recognize at the beginning of the race.

Jennifer- could you please confirm and send me a list of the confirmed Galaxy sponsors and any other donors that we should recognize? - Wells Fargo, Wessman, Agua Caliente

Amy- who are our celebrities? Spurlock

Thanks all,

Michele

Michele Catherine Mician, MS, LEED GA

City of Palm Springs, Sustainability Manager

3200 Tahquitz Canyon Way

Palm Springs, CA 92264

760-323-8214 Phone ☞ 760-322-8360 Fax

www.yoursustainablecity.com

Please consider the environment before printing this email.

REORDER FORM #0918-LG1 USE WITH COMPANION ENVELOPE #1445

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
003	WESSMAN HOLDINGS, LLC	5270-000-00	GALAXY SPONS	2/14/2012	GALAXY SPONSORSHIP	5,000.00	0.00	5,000.00

Payor:	WESSMAN HOLDINGS, LLC	Date	Check No.	Check Amount
Payee:	CITY OF PALM SPRINGS	2/14/2012	004172	$5,000.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN HOLDINGS, LLC

555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

BANK OF AMERICA
588 S. PALM CANYON DRIVE
PALM SPRINGS, CA 92264

16-66
1220

Date	Check No.	Check Amount
2/14/2012	004172	**$5,000.00**

Five Thousand AND 00/100 Dollars

Pay to the order of:

CITY OF PALM SPRINGS
OFFICE OF SUSTAINABILITY
3200 EAST TAHQUITZ CANYON WY
PALM SPRINGS, CA 92264

⑈004172⑈ ⑆122000661⑆ 09500⑈66897⑈

WELLS FARGO

VOID

Remitter:
WELLS FARGO BANK, N.A.
90 SOUTH 7TH STREET
MINNEAPOLIS, MN 55479

Payor:
WELLS FARGO BANK, N.A.
4TH AND PLUM STREETS
RED WING, MN 55066
1-800-794-1522
75-46/919

1004338878

VOID

Details on Back.

Security Features Included.

Pay **Date** 02/27/2012 **Pay Amount** **$5,000.00*****

****FIVE THOUSAND AND XX / 100 DOLLAR****

To The Order Of
CITY OF PALM SPRINGS
3200 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

Authorized Signature

⑈1004338878⑈ ⑆091900465⑆ 00000201677⑈

WELLS FARGO & COMPANY, MINNEAPOLIS, MINNESOTA 55479 - ANY QUESTIONS: CALL 800-794-1522 **Check No.** 1004338878

Company	Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
WFB-C070	10225889	02/22/2012	00010226	5,000.00	0.00	5,000.00

RACE AND WELLNESS FESTIVAL

Vendor Number	Name		Total Discounts	
0000101254	CITY OF PALM SPRINGS		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
1004338878	02/27/2012	$5,000.00	$0.00	$5,000.00

RECEIPT	DATE	BATCH	EMPLOYEE	CUSTOMER NAME	REFERENCE NO	CHECK AMOUNT	CASH AMOUNT
				CREDIT AMOUNT	OTHER AMOUNT	APPLIED CREDIT	TOTAL

LN	REV CODE	CUSTOMER ID	DESCRIPT/INVOICE	-LN	FUND	CASH_ACT	CRED_ACT	PROJECT	PROJ_ACT	AMOUNT
1	NGOVCTRB	POLICE K9 S & R	CONTRIB NON GOV SPEC		160	11010	160 37105			1000.00
01000049117	04/04/12	CR040412	CR		LEISURE CNTR RECAP				.00	.00
							.00	5,093.50	.00	5,093.50
11	NGOVCTRB	MAYORS RUN DONATIONS	CONTRIB NON GOV SPEC		160	11010	160 37105			250.00
01000049126	04/04/12	CR040412	CR		WELLS FARGO CASHIER		0030810038		1,000.00	.00
							.00	.00	.00	1,000.00
1	NGOVCTRB	DHUC TOY FUND	CONTRIB NON GOV SPEC		160	11010	160 37105			1000.00
01000049156	04/05/12	CR040512	CR		LEISURE CNTR RECAP				.00	.00
							.00	5,161.00	.00	5,161.00
8	NGOVCTRB	MAYOR'S RUN DONATIONS	CONTRIB NON GOV SPEC		160	11010	160 37105			250.00
01000049266	04/11/12	CR041112	CR		LEISURE CNTR RECAP				.00	.00
							.00	8,188.00	.00	8,188.00
12	NGOVCTRB	MAYORS RUN DONATIONS	CONTRIB NON GOV SPEC		160	11010	160 37105			100.00

REPORT TOTALS :	CHECK AMOUNT	CASH AMOUNT	CREDIT AMOUNT	OTHER AMOUNT	APPLIED CREDIT	TOTAL
	172,436.60	101.50	.00	31,749.25	.00	204,287.35

RECEIPT / LN	DATE	BATCH	EMPLOYEE	CUSTOMER NAME / REV CODE / CUSTOMER ID / DESCRIPT/INVOICE	-LN	FUND	CASH_ACT	REFERENCE NO / CREDIT AMOUNT / CRED_ACT	CHECK AMOUNT / OTHER AMOUNT / PROJECT	CASH AMOUNT / APPLIED CREDIT / PROJ_ACT	TOTAL / AMOUNT
01000048168	02/22/12	CR022212	CR	PS WALK OF STARS				2919		2,000.00	.00
								.00	.00	.00	2,000.00
1	NGOVCTRB	PS WALK OF STARS	CONTRIB NON GOV SPEC		160	11010	160	37105			2000.00
01000048570	03/13/12	CR031312	CR	PRIDE ONE INC				1117502		3,500.00	.00
								.00	.00	.00	3,500.00
1	NGOVCTRB	CASE 5.1171PD351-SAN	CONTRIB NON GOV SPEC		160	11010	160	37105			3500.00
01000048646	03/14/12	CR031412	CR	ENDA R COYNE				8086		100.00	.00
								.00	.00	.00	100.00
1	NGOVCTRB	POLICE K9S	CONTRIB NON GOV SPEC		160	11010	160	37105			100.00
01000048711	03/19/12	CR031912	CR	MAYOR'S RACE DONATI				various		18,250.00	.00
								.00	.00	.00	18,250.00
1	NGOVCTRB	WELLS FARGO BANK	CONTRIB NON GOV SPEC		160	11010	160	37105			5000.00
2	NGOVCTRB	NATURE'S NATURAL HEAL	CONTRIB NON GOV SPEC		160	11010	160	37105			500.00
3	NGOVCTRB	PS DISPOSAL SRVCS	CONTRIB NON GOV SPEC		160	11010	160	37105			2500.00
4	NGOVCTRB	AGUA CALIENTE BAND	CONTRIB NON GOV SPEC		160	11010	160	37105			5000.00
5	NGOVCTRB	TEMECULA OLIVE OIL CO	CONTRIB NON GOV SPEC		160	11010	160	37105			250.00
6	NGOVCTRB	PS POLICE OFFICERS	CONTRIB NON GOV SPEC		160	11010	160	37105			5000.00
01000048811	03/21/12	CR032112	CR	PS WALK OF STARS				2934		2,000.00	.00
								.00	.00	.00	2,000.00
1	NGOVCTRB	TOMLIN/WAGNER/LITTLE	CONTRIB NON GOV SPEC		160	11010	160	37105			2000.00
01000048835	03/22/12	CR032212	CR	LEISURE CNTR RECAP						.00	.00
								.00	5,443.50	.00	5,443.50
13	NGOVCTRB	MAYOR'S RUN DONATIONS	CONTRIB NON GOV SPEC		160	11010	160	37105			1100.00
01000048885	03/27/12	CR032712	CR	EISENHOWER MED CNTR				773543		5,000.00	.00
								.00	.00	.00	5,000.00
1	NGOVCTRB	MAYORS RACE DONATION	CONTRIB NON GOV SPEC		160	11010	160	37105			5000.00
01000048971	03/29/12	CR032912	CR	WES HENDERSON						.00	1.50
								.00	.00	.00	1.50
1	NGOVCTRB	HISTORY BROCHURE	CONTRIB NON GOV SPEC		160	11010	160	37105			1.50
01000048975	03/29/12	CR032912	CR	KENNEL CLUB OF PS				3003		1,000.00	.00
								.00	.00	.00	1,000.00

Mayor's Race Donors 2012
City of Palm Springs

Name/Organization	Amount of Donation
Wessman Development	$5,000.00
Eisenhower Medical Center	5,000.00
Wells Fargo Bank	5,000.00
Agua Caliente Band of Cahuilla Indians	5,000.00
Palm Springs Police Officer's Association	5,000.00
Palm Springs Disposal Service	2,500.00
Underground Fit Club	650.00
Nature's Health Food Market & Café	500.00
Temecula Olive Oil Company	250.00
Rabobank	250.00
The Gas Company	250.00
Palm Springs Follies	250.00
	$29,650.00

Mr. Jack Martin	Veolia Water Inc	760-323-8166 ext 111
~~Alva Johnson~~	~~Agua Caliente Tribal Council~~	760-699-6926
Jim Houston		760-325-6055
Ric and Rozene Supple	RR Broadcasting	760-325-2582
Kathi Jacobs	Time Warner-Desert Cities Div	760-674-5377
Fred Noble	Wintec Energy Ltd. ?	760-774-9160
Harold Matzner	Spencer's ?	760-409-5143
John Wessman	Wessman Development	760-408-7038
Julius Kazen	PS Hospitality Assoc. ?	760-272-0047
Cliff Daniels	Desert Regional	760-323-6790
Greg Burton	Desert Sun	760-322-8889
John Shay	PS Restaurant Assoc.	760-325-2794

City of Palm Springs

Stephen P. Pougnet, Mayor

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8200 • Fax: (760) 323-8282 • Web: www.palmspingsca.gov

Wessman Development
Attn. John Wessman
555 S. Sunrise Way, STE. 200
Palm Springs, CA 92264

February 14, 2012

Dear John,

As Mayor of Palm Springs I feel a sense of duty to support and encourage the health and wellness of our community and residents. This is especially important and of utmost importance to me when it comes to the health of our children. To help in this endeavor I am proud to present the **Mayor's 7 Mile, 5K and 1K Healthy Planet, Healthy You Race and Wellness Festival** on April 21, 2012 from 8 am to 1 pm at the City of Palm Springs Wellness Park on Tachevah and Via Miraleste. To spur even greater change and positive health initiatives for our community I have charged the City of Palm Springs Office of Sustainability with creating this premier wellness event for our community.

We hope you will be able to join us as a sponsor of this event, the premier wellness and sustainability event in our region. All proceeds will benefit organizations that work to fight childhood obesity in our community. The funds from sponsors and exhibitors of the **Mayor's 7 Mile, 5 K and 1K Healthy Planet, Healthy You Race and Wellness Fair** cover the cost of the event which serves as not only an educational opportunity for members of the public but also as a celebration of the positive changes we can make together. With your support this year, we feel confident we can achieve our goal of raising $50,000 to help fight childhood obesity in our community.

The goal of the event is to educate the community about the connection between how we care for our health and the affects on our planet. Thousands of members of the community are expected to attend the event. This includes high school students, college students, business leaders, not for profit sector and elected officials.

I have attached a description of the various sponsorship opportunities and respectfully ask you to become one of our Galaxy Sponsors of $5000.00 or more to help us in the fight against childhood obesity. I will contact you within the week to follow-up. I look forward to your support in making the Mayor's 7 Mile, 5K and 1K Healthy Planet, Health You Race and Wellness Fair a winning success.

Sincerely,

Stephen P. Pougnet, Mayor

Sponsorship
Thanks
Letter
Tax Deductible
Tax letter
Desert Healthcare Foundation
Thousands of
Services
Desert Healthcare Foundation
Checks are made out to Palm Springs

FEB 21 2012

Post Office Box 2743 • Palm Springs, California 92263-2743

5000.00 sponsor letters

Person Bus

Mr. Jack Martin	Veolia Water Inc	760-323-8166 ext 111	4375 mesquite 92264	$5,000
Alva Johnson	Agua Caliente Tribal Council	760-699-6926	5401 Dinah Shore 92264	$5,000
Jim Houston		760-325-6055	345 Via Las Palmas 92262	$5,000
Ric and Rozene Supple	RR Broadcasting	760-325-2582	1850 Smoke Tree Lane 92264	$5,000
Kathi Jacobs	Time Warner-Desert Cities Div	760-674-5377	41-725 Cook Street 92211	$5,000
Fred Noble	Wintec Energy Ltd.	760-774-9160	1090 NPC Drive 92262	$5,000
Harold Matzner	Spencer's	760-409-5143	181 S. Civic Dr. #1 92262	$5,000
~~John Wessman~~	~~Wessman Development~~	~~760-408-7030~~	~~555 S Sunrise Ste. 200 92264~~	~~$5,000~~ rec'd 2/22/12
Julius Kazen	PS Hospitality Assoc.	760-272-0047	100 S Sunrise Way PMB 297 92262	$5,000
Cliff Daniels	Desert Regional	760-323-6790	~~Desert~~ 1150 N Indian 92262	$5,000
~~Greg Burton~~	~~Desert Sun~~	~~760-322-8889~~	~~750 N Gene 92262~~	~~$5,000~~
John Shay	PS Restaurant Assoc.	760-325-2794	P.O. Box 4507 92263	$5,000
TOTAL				$60,000

MC Donalds Dick Shalhoub

Mailing labels

Veolia
Attn. Jack Martin

* Wells Fargo - 5,000.00

* POA - 5000.00

Mayor's Race Donors 2012
City of Palm Springs

Name/Organization	Amount of Donation
Wessman Development ✓	$5,000
Eisenhower Medical Center - online	5000
Wells Fargo Bank ✓	5000
Agua Caliente Band of Cahuilla Indians ✓	5000
Palm Springs Police Officer's Association ✓	5000
Harold Matzner/Spencer's Restaurant ✓	5000
Palm Springs Resorts ✓	5000
Desert Hospital ✓ [redacted]	5000
Wintec Energy	5000
Palm Springs Disposal Service ✓	2500
Veolia Water ✓	1000
American Lung Association - 150 S Indian Canyon PS 92262 ✓	1000
Jessup Auto ✓	1000
Palm Springs Hospitality Association ✓	1000
Lulu California Bistro - 200 SPC 92262	1000
Underground Fit Club - 820 E Research Dr #9 92262	650
Nature's Health Food Market & Café - 555 S Sunrise Way 92264	500
~~Temecula~~ Olive Oil Company - 28653 old town Front St Temecula 92590	250
~~Rabobank~~ - 1111 E Tahquitz Canyon 92262	250
~~The Gas Company~~ - 211 N Sunrise way 92262	250
~~Palm Springs Follies~~ - 128 S PC 92262	250
~~Desert Oasis Healthcare~~ - 275 N El Cielo Rd #C 92262	250
~~Hot Purple Energy~~ - 870 E Research Dr. 92262	250
~~Misc Donations~~	~~60~~
	$55,210

May 24, 2012

Personalize

Mayor OK to send out? JP

Dear Community Partner in Sustainability,

I want to sincerely thank you for your tremendous support of the City's sustainability efforts and the first ever Mayor's Healthy Planet Healthy You Race and Wellness Festival. What a huge success! And we owe so much thanks to you. Without your generous donation this program would not have been possible. Thanks to you the City of Palm Springs raised over $100,000 in funds including a generous match from the Desert Healthcare Foundation.

The funds that were raised through the Mayor's Healthy Planet, Healthy You Race and Wellness Festival have been earmarked for an amazing new program spearheaded by the Alliance for a Healthier Generation and the Desert Healthcare Foundation. The program will be administered by a Relationship Manager who will work for the Alliance for a Healthier Generation and will partner with the leaders of the three school districts to provide and implement programming and policies to reduce childhood obesity in the Coachella Valley.

As Mayor of Palm Springs I am committed to advancing the health of our citizens and to end childhood obesity in our community. The health of our children is of incredible importance as they are our legacy. Instilling in them a sense of the significance of health and preserving our community and environment is part of the City's mission that is lead through our sustainability programs and partnerships.

~~The Mayor's Healthy Planet Healthy You Race and Wellness Festival event was part of my challenge to the Mayor of the City of Indio to compete with our City in the Coachella Valley Healthy Living Challenge~~. ~~I am happy to announce that we have succeeded~~ in ~~winning this challenge and in addition we saw over a thousand members of our community take part in the days events~~. Thank you for becoming one of our Galaxy Sponsors of $5,000 or more that helped us in the fight against childhood obesity.

Sincerely,

Stephen P. Pougnet, Mayor

~~Steve Pougnet~~

~~Mayor of the City of Palm Springs~~

Michele, Jennifer asked me to get a draft letter from you to major donors of Mayor's race. Please include "what is going to happen with race donations" and "the plans." (Jennifer's words from her note re To Do items.) Hopefully, I can get Steve's OK when he is here Wed. afternoon.

Many thanks, Michele!

Martha

5/24 re draft from Michele, I don't know anything about it Sorry MK

Jennifer Nelson, Executive Assistant
Office of the Mayor and Council
City of Palm Springs
760-323-8200
Jennifer.Nelson@palmspringsca.gov
Please note City Hall is open Monday-Thursday
8am to 6pm - Closed on Fridays at this time

~~May 24, 2012~~ June 12, 2012

Name

Address

Address

Dear Community Partner in Sustainability,

I want to sincerely thank you for your tremendous support of the City's sustainability efforts and the first ever Mayor's Healthy Planet Healthy You Race and Wellness Festival. What a huge success! And we owe so much thanks to you. Without your generous donation this program would not have been possible. Thanks to you the City of Palm Springs raised over $100,000 in funds including a generous match from the Desert Healthcare Foundation.

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As Mayor of Palm Springs I am committed to advancing the health of our citizens and to end childhood obesity in our community. The health of our children is of incredible importance as they are our legacy. Instilling in them a sense of the significance of health and preserving our community and environment is part of the City's mission that is lead through our sustainability programs and partnerships.

Thank you for becoming one of our Galaxy Sponsors of $5,000 or more that helped us in the fight against childhood obesity.

Sincerely,

Stephen P. Pougnet, Mayor

TENTATIVE TRACT NO. 36876

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE STATE OF CALIFORNIA

DATE: DECEMBER 2014

LEGAL DESCRIPTION:
BEING PORTIONS OF BLOCKS 7, 8, 9, 10 AND 111, AND VACATED CALLE ALVARADO, IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN.

ASSESSOR PARCEL NUMBERS:
508-055-003, 006, 007, 008 & 009

ACREAGE:
424,717 SQ. FT. – 9.75 ACRES GROSS
380,907 SQ. FT. – 8.74 ACRES NET

OWNER/DEVELOPER:
O & M HR, LLC, A DELAWARE LIMITED LIABILITY COMPANY
1 MACARTHUR PLACE, SUITE 300
SANTA ANA, CA 92707
(714) 546-5600

OWNER:
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS

NOTES:
1. SEE CONCEPTUAL GRADING PLAN FOR PROPOSED ONSITE SEWER, WATER AND PROPOSED GRADES.

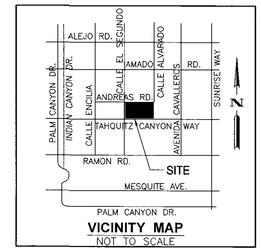
SITE DATA:
GENERAL PLAN DESIGNATION:
RA – RESORT ATTRACTION
REO – RETAIL/ENTERTAINMENT/OFFICE

ZONING:
SECTION 14 SPECIFIC PLAN – CU AND REO

LAND USE:
EXISTING – VACANT
PROPOSED – RESIDENTIAL AND RETAIL

PROPOSED LOTS:
93 NUMBERED
8 LETTERED

SCALE IN FEET
1 inch = 40 ft.



VICINITY MAP
NOT TO SCALE

EASEMENT LEGEND:

A EASEMENT FOR STREET RIGHTS OF WAY IN FAVOR OF THE CITY OF PALM SPRINGS, APPROVED MAY 15, 1959 IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF FEBRUARY 5, 1948 (62 STAT. 17) DESCRIBED IN DOCUMENT ON FILE IN THE OFFICE OF THE BUREAU OF INDIAN AFFAIRS NO. 7351-59. SAID EASEMENT IS 100' IN WIDTH, APPROXIMATELY 67' OF WHICH LIES ALONG SOUTH BOUNDARY OF THIS TRACT.

B EASEMENT FOR STREET RIGHTS OF WAY IN FAVOR OF THE CITY OF PALM SPRINGS, APPROVED JANUARY 5, 1966 ACCORDANCE WITH THE PROVISIONS OF THE ACT OF FEBRUARY 5, 1948 (62 STAT. 17) DESCRIBED IN DOCUMENT ON FILE IN THE OFFICE OF THE BUREAU OF INDIAN AFFAIRS NO. 584-418. SAID EASEMENT IS VARIABLE IN WIDTH, 25' OF WHICH LIES ALONG THE WEST BOUNDARY OF THIS TRACT.

C THE RIGHTS OF THE PUBLIC IN AND TO THAT PORTION LYING WITHIN TAHQUITZ DRIVE AS DEDICATED BY THAT CERTAIN INSTRUMENT ENTITLED "PULIC LAW 70-64; 70TH CONGRESS H.R. 3631, AUGUST 11, 1967.

(D) EASEMENT FOR STREETS AND PUBLIC UTILITIES IN FAVOR OF CITY OF PALM SPRINGS, RECORDED JUNE 3, 1974 AS INSTRUMENT NO. 67034 OF OFFICIAL RECORDS.

(E) EASEMENT FOR PUBLIC UTILITIES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, RECORDED MAY 24, 1977 AS INSTRUMENT NO. 93842 OF OFFICIAL RECORDS.

F EASEMENT FOR FIBER OPTIC CONDUIT ENCROACHMENT IN FAVOR OF AGUA CALIENTE BAND OF CAHUILLA INDIANS OVER TAHQUITZ CANYON WAY, RECORDED DECEMBER 30, 2005 AS INSTRUMENT NO. 1079229 AND AMENDMENT RECORDED APRIL 6, 2007 AS INSTRUMENT NO. 2007-0234080, BOTH OF OFFICIAL RECORDS.

G EASEMENT FOR WATER PIPELINES AND RIGHT OF WAY IN FAVOR OF PALM SPRINGS WATER COMPANY, RECORDED MARCH 17, 1955 AS INSTRUMENT NO. 17428, IN BOOK 1709, PAGE 158 OF OFFICIAL RECORDS. (SAID EASEMENT IS NOT PLOTTABLE FROM RECORD).

H EASEMENT RIGHTS FOR ELECTRIC DISTRIBUTION LINE PURPOSES IN FAVOR OF THE CALIFORNIA ELECTRIC POWER COMPANY, A CORPORATION, GRANTED SEPTEMBER 17, 1951 UNDER THE ACT OF MARCH 4, 1911, 36. STAT. 1253, AS AMENDED, 43 U.S.C. 961. SAID EASEMENT SHOWN ON THE MAP FILED IN THE INDIAN BUREAU FILE NO. 3754-1947 DATED DECEMBER 26, 1947.

I EASEMENT RIGHT OF WAY FOR SEWER LINE PURPOSES, GRANTED JANUARY 15, 1963 IN FAVOR OF THE CITY OF PALM SPRINGS, PURSUANT TO THE ACT OF FEBRUARY 5, 1948, 62 STAT. 17, 25 U.S.C. 323.

J EASEMENT RIGHT OF WAY FOR SEWER LINE PURPOSES, GRANTED JULY 3, 1963 IN FAVOR OF THE CITY OF PALM SPRINGS, PURSUANT TO THE ACT OF FEBRUARY 5, 1948, 62 STAT. 17, 25 U.S.C. 323.

K EASEMENT RIGHT OF WAY FOR ROAD PURPOSES GRANTED MAY 15, 1959 TO THE CITY OF PALM SPRINGS, PURSUANT TO THE ACT FEBRUARY 5, 1948, 62 STAT. 17, 25 U.S.C. 323. EASEMENT IS SHOWN ON STREET RIIGHT OF WAY FOR TAHQUITZ DRIVE INDEX NO. 375 FILE NO. 144 AND FILED AS DOCUMENT NO. 7351-59.

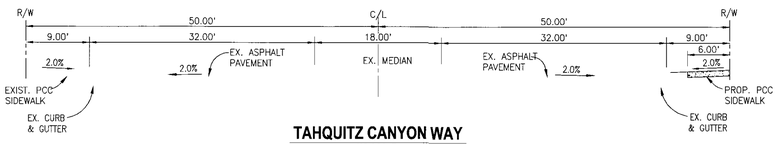
L EASEMENT FOR RIGHT OF WAY FOR ROAD PURPOSES GRANTED JULY 26, 1968 IN FAVOR OF THE CITY OF PALM SPRINGS, PURSUANT TO THE ACT OF AUGUST 11, 1967 81 STAT. 166.

(M) EASEMENT FOR SEWER LINES AND OTHER PUBLIC UTILITIES IN FAVOR OF THE CITY OF PALM SPRINGS, PER RESOLUTION NO. 15302 RECORDED DECEMBER 19, 1984 AS INSTRUMENT NO. 146861 OF OFFICIAL RECORDS.

(N) EASEMENT FOR PUBLIC UTILITIES IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY AND CALIFORNIA WATER AND TELEPHONE COMPANY, RECORDED OCTOBER 4, 1956 AS INSTRUMENT NO. 68805 OF OFFICIAL RECORDS. (SAID EASEMENT ℄ SHOWN, NO WIDTH OF RECORD).

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	90°17'54"	25.00'	39.40'
C2	89°58'24"	20.00'	31.41'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°58'34" E	30.00'
L2	N 00°06'04" W	65.59'
L3	N 00°04'33" W	4.84'
L4	N 89°56'23" W	15.00'



TAHQUITZ CANYON WAY
NO SCALE

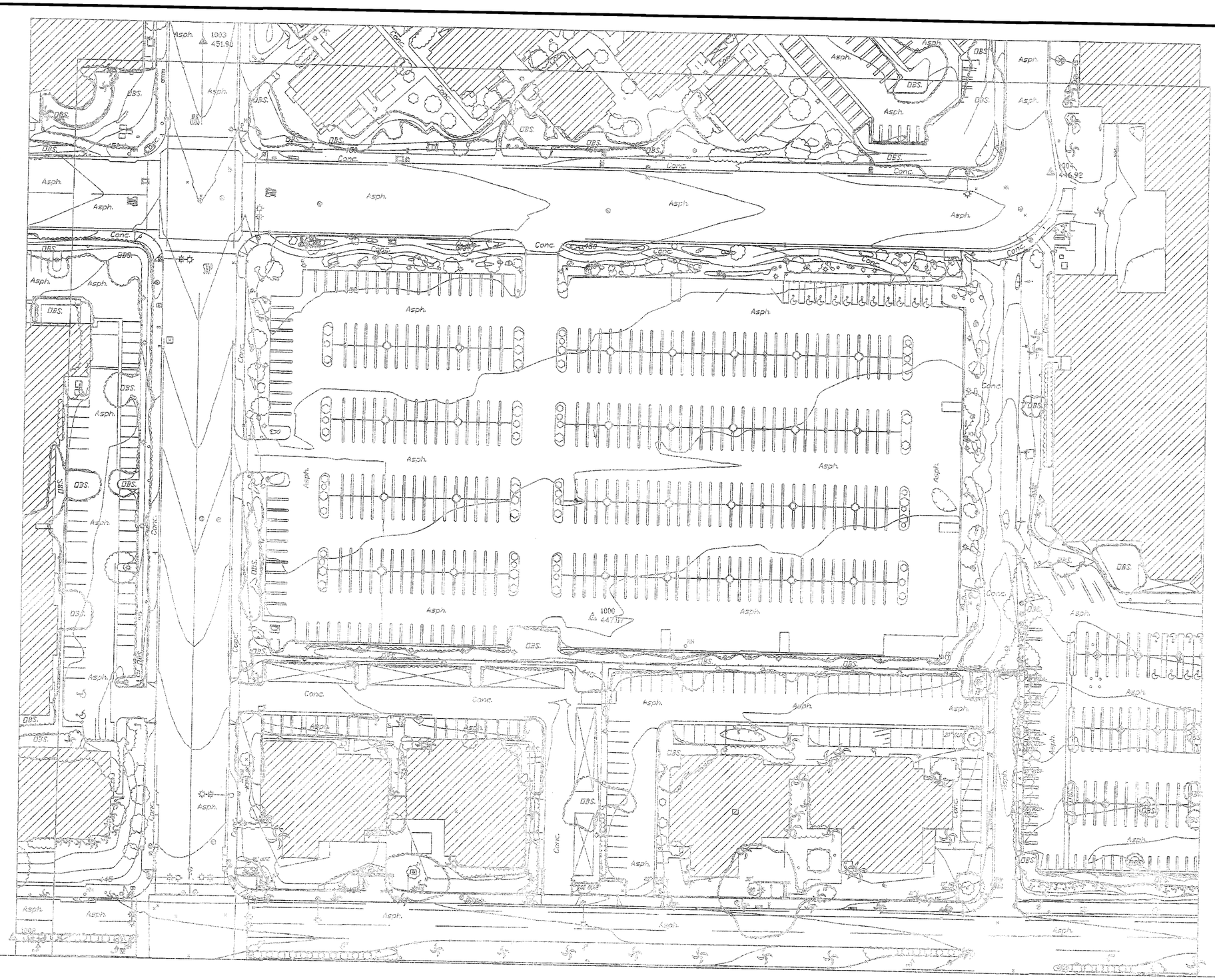
PROFESSIONAL LAND SURVEYOR JEFFREY ALLEN WALDEN No. 7914 Exp. 12-31-15 STATE OF CALIFORNIA

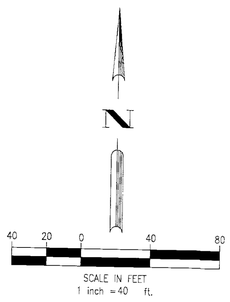
WALDEN & ASSOCIATES
CIVIL ENGINEERS
LAND SURVEYORS
PLANNERS
2552 WHITE ROAD, SUITE B, IRVINE, CA 92614
(949) 660-0110 FAX: 660-0418

TENTATIVE
TRACT NO. 36876

600 AND 700 EAST TAHQUITZ CANYON DRIVE
PALM SPRINGS, CALIFORNIA

JOB NUMBER	1804-573-001
DATE:	02/11/2015
DRAWN:	B.J.W.
CHECKED:	D.B.
SHEET	1 OF 1





TOPOGRAPHIC MAP
TRACT NO. 36876

600 AND 700 EAST TAHQUITZ CANYON DRIVE
PALM SPRINGS, CALIFORNIA

DEPARTMENT OF PLANNING SERVICES
Application Review & Processing

Project/Location: _____ Case: _____

Applicant/ Address: _____ Phone: _____

Planner Assigned: _____ Fax: _____

	NOTES:	Date Completed	Comments
1.	Pre-Application Conference -		
	* Staff Review	_____	_____
	* Director's Review	_____	_____
	* Letter(s) to Applicant - Completeness, Environment & Scheduling	_____	_____
2.	Pre-Application Project Review -		
	* Date submitted	_____	_____
	* Planning Staff	_____	_____
	Development Committee - Letter		
	* Design Review - Letter	_____	_____
	* Pl. Comm. Study Session - Letter	_____	_____
3.	**Application Filed (Incl. Date)**	_____	_____
4.	**Planning Case Review**	_____	_____
5.	Dev. Committee - Report to Director w/Conditions-Planner shall schedule	_____	_____
6.	Application - Date Completed If not, date incomplete letter to appl.	_____	_____
7.	Environmental Assessment/Staff Report Prep. - Discuss issues w/Director, Planning Manager & Applicant	_____	_____
8.	Public Notice - (10 or 20 days in advance) Plus time to publish - if applicable printing and mailing	_____	_____
9.	Staff Report finalized and printed	_____	_____
10.	Review Conditions of Appl. w/ applicant	_____	_____
11.	**Staff/Planning Comm. Review & Approval**	_____	_____
12.	Stamped Conditions of Appr/Reso/Plans and route to Engr'g & Fire Dept.	_____	_____
13.	Appeal Period (10 - 15 days) Review appeal, if applicable	_____	_____
14.	**Total Days to Process (#6 to #11)**	_____	_____

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

April 27, 2015

Mr. John Wessman
Palm Springs Promenade, LLC
555 South Sunrise Way, Suite 200
Palm Springs, California 92264

Re: Case TPM 36909 Parcel Map Waiver
Northwest Corner of Palm Canyon Drive and Andreas Road

Dear Mr. Wessman,

Attached is the Final Resolution with Conditions of Approval for the above-referenced project. The Planning Commission of the City of Palm Springs reviewed and approved the above-referenced project at its public meeting on March 25, 2015. This approval is final and the filing of the certificate of compliance must be completed within two years from the effective date of approval, pursuant to Section 9.63.110 of the Palm Springs Municipal Code.

Thank you for working with staff during this application process. Should you have any further questions, please feel free to contact me at (760) 323-8245.

Sincerely,

David A. Newell
Associate Planner

Attachment:

- Planning Commission Resolution 6474

cc: Engineering & Public Works Department
File

RESOLUTION NO. 6474

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PARCEL MAP WAIVER TO SUBDIVIDE ONE PARCEL INTO TWO FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND ANDREAS ROAD.

WHEREAS, Palm Springs Promenade, LLC (Applicant) has submitted a request that the Planning Commission waive the requirement for a parcel map (TPM 36909), and a request for a Certificate of Compliance to be issued and recorded, to subdivide one parcel into two parcels for the property located at the northwest corner of Palm Canyon Drive and Andreas Road, Zone CBD, Section 15; and

WHEREAS, on March 25, 2015, a public meeting on the map waiver request was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The Planning Commission approval of TPM 36909 is within the scope of the original Specific Plan EIR adopted on December 2, 2009, and none of the circumstances triggering further environmental review have occurred since the adoption of the EIR, subsequent Addendum and further city approvals related to the overall project. Therefore, no further environmental review is required (Public Resources Code § 21166; California Code of Regulations § 15162.).

Section 2: The proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

1. Area

There are no minimum area requirements specified under the Museum Market Plaza Specific Plan. Each parcel will is adequate in size to accommodate development as shown by surrounding properties of similar size or smaller.

2. *General Plan*

The General Plan designation is CBD (Central Business District). The proposed split will allow for development in accordance with this General Plan land use designation.

3. *Improvements and design*

Street improvements are installed along Palm Canyon Drive and will be installed on Belardo Road and Andreas Road in accordance with Parcel Map 36446. No further improvements are required for accommodating the proposed lot split.

4. *Floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*

Drainage control, public roads, sanitary facilities, water supply availability and environmental protection were analyzed and addressed as a part of Parcel Map 36446. The proposed lot split will not further affect these criteria.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves the parcel map waiver for TPM 36909, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 25th day of March, 2015.

AYES:	7, Commissioner Roberts, Commissioner Weremiuk, Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Vice-Chair Klatchko and Chair Hudson
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. 6474

EXHIBIT A

TPM 36909

Palm Springs Promenade, LLC
NW Corner of North Palm Canyon Drive and Andreas Road

March 25, 2015

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PLANNING

ADMINISTRATIVE

ADM 1. Project Description. This approval is for the project described per Case TPM 36909 Parcel Map Waiver, except as modified by the conditions below.

ADM 2. Parcel Map Waiver. This approval is for Parcel Map Waiver TPM 36909, date stamped February 19, 2015, located at the northwest corner of North Palm Canyon Drive and Andreas Road. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.

ADM 3. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 4. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Parcel Map Waiver TPM 36909. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake

defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive further indemnification hereunder, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 5. Time Limit on Approval. Approval of the Parcel Map Waiver (TPM 36909) shall be valid for a period of two (2) years from the effective date of the approval, unless an extension is granted by the Subdivision Map Act and / or the Planning Commission. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

ADM 6. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ENGINEERING DEPARTMENT

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

MAP

ENG 1. The applicant shall submit an application to the Engineering Division for a Certificate of Compliance, prepared by either an appropriately licensed registered Civil Engineer or a Land Surveyor. The Certificate of Compliance shall be approved prior to issuance of a building permit on Parcel 2

END OF CONDITIONS

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 25, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Hudson called the meeting to order at 1:30 pm.

ROLL CALL:

Present: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

Staff Present: City Attorney Daudt, Director Fagg, Planning Administrative Coordinator Hintz, Assistant Director of Public Works Khamphou, Associate Planner Lyon, Assistant Planner Mlaker and Associate Planner Newell

*Commissioner Weremiuk arrived at 1:34 pm.

REPORT OF POSTING OF AGENDA:

The agenda was posted for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 pm on Thursday, March 19, 2015.

ACCEPTANCE OF THE AGENDA:

Vice-Chair Hudson reported that Item 3A would be continued to April 8, 2015.

Vice-Chair Klatchko noted his abstention on both sets of minutes due to his absence.

ACTION: Accept the agenda, as amended.

Motion: Commissioner Roberts, seconded by Commissioner Middleton and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

PUBLIC COMMENTS:

Chair Hudson opened public comments:

The following persons spoke in opposition of Item 2A:

ERIK ROSENOW, Palm Springs Preservation Foundation, president, requested denial of the proposed plan or a continuance for the plan to incorporate the entire Kaptur buildings.

BARBARA MARSHALL, suggested as a public benefit - real space should be dedicated to the art community.

JUDY DEERTRACK, commented that this project should have gone for review to the Historic Preservation Board with an environmental study.

JOANNE HARRIS, requested a plan to include all of the Kaptur buildings.

GARY JOHNS, urged the Commission to demand something unique.

CHRIS MENRAD, Palm Springs Modern Committee, president, said that the Board requested to keep the entire 650 building and integrate it into a much larger project.

ROBERT IMBER, PS Modern Tours, urged the Commission to reconsider something that is appropriate for this city.

RON MARSHALL, suggested that a true compromise is to retain the entire buildings and build the new project behind it.

FRANK TYSEN, expressed concern with the water consumption that will be used to prepare the land.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

ACTION: Approve Items 1A and 1B as part of the Consent Calendar.

Motion: Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried 7-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

1A. APPROVAL OF MINUTES: MARCH 11, 2015 STUDY SESSION AND REGULAR MEETING MINUTES

Approved, as submitted. (Vice-Chair Klatchko abstained on the study session and regular minutes.)

1B. PALM SPRINGS PROMENADE, LLC FOR A PARCEL MAP WAIVER TO SUBDIVIDE ONE LOT INTO TWO PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD, ZONE CBD (CASE NO. TPM 36909). (DN)

Approved, as submitted.

1C. BARBARA FOSTER HENDERSON, OWNER REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 4,879-SQUARE FOOT HOUSE ON A HILLSIDE LOT AND AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT LOCATED AT 888 LA MIRADA CIRCLE. (CASE 3.3834 MAJ; 7.1455 AMM). (GM)

Assistant Mlaker described the screen wall structure and noted that no objections were received.

JAMES CIOFFI, Cioffi Architect, said his client has a concern with the Cypress trees and requested a condition to return at staff level to replace them.

ACTION: Approve with conditions as amended:

- Allow the applicant to come back with the change in trees at staff level.

Motion: Commissioner Lowe, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

2. PUBLIC HEARINGS:

2A. O & M HR, LLC. (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL

SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

Associate Planner Newell noted that the description of the project in the agenda has changed and provided an overview of the modifications made to the proposed development.

Technical Questions:

The Commission questioned and/or commented on the following items:

1. Public testimony regarding consideration of the buildings as a historic resource.
2. Parking in the front of the live/work units.
3. Does ordinance allow for Historic designation of buildings? What is the process?
4. Points of access on the east/west street to the live/work units on Palm Canyon?
5. Distance between the buildings.
6. Internal street width requirements.
7. Modification of Calle Alvarado extension.
8. Installation of a traffic signal for two-way access.
9. Setbacks and building height for the townhouses and live/work units

Commissioner Calerdine commented that it would not be fair to the developer to put in all the traffic signals. He suggested the possibility of restricting the access to right turn in / right turn out.

ROB ERES, Nexus Development, applicant, stated that they tried to accomodated as many of the Commission comments as possible. Mr. Eres described the modifications made to the development including incorporating the entire western building into the project. He provided details relating to the setbacks, parking count, pre-wired for solar, Calle Alvarado street width and the public benefit for the community. Mr. Eres requested Condition PSP. 1 be removed in reference to the internal streets and requested an action be taken today.

Commissioner Calerdine noted that the first issue that needs to be addressed is the historic preservation of the building and his first inclination is to deny the project to get a decision from the City Council. He has questions regarding the parking for the live/work units; however, he likes the project and thinks the density is a good idea.

Commissioner Roberts disclosed that he met with the applicant on several occasions. He applauds the applicant's willingness to keep one of the Kaptur buildings given their financial viability.

Commissioner Weremiuk a motion for denial.

Commission comments were made:

Vice-Chair Hudson stated that this project is very problematic and not just because of the Kaptur buildings (retention versus demotion). He continues to have problems with gated communities for high-end townhomes that are private courts. This is a very central location in the city and these projects need to be more porous and welcoming. The parking has been handled better because of the driveways and is a more realistic scenario. The streetscape has one unit type around three sides of the project because of the change that has been made to retain one of the Kaptur buildings and the meandering sidewalk along Andreas was lost. Chair Hudson said the live/work spaces are so close to the sidewalk and noted the specific standards for Section 14. He said they may work on North Palm Canyon but does not think this will be a vibrant artist colony. There are a lot of missed opportunities to treat the Tahquitz frontage in a much more realistic manner. He said these the two buildings are a pair with a breezeway in the middle and recommended to Council to retain at least 50% - one of the buildings. He encouraged Council to demand more diversity in terms of housing types and affordability.

Commissioner Lowe said he agreed with many of the comments and appreciates that 1/4 of the Kaptur building will be preserved. He said preserving 50% of the historic buildings is essential in retaining the original architecture of the project. He commented that Tahquitz is a not a walking street but rather a driving street for the live/work units.

Vice-Chair Klatchko said he has many other concerns such as losing the landscaping on Andreas and perspective drawings were just received today. He noted on the west elevation next to the residential there is only a wall and virtually no landscaping. He said Alvarado Street as a two-way access and inclusion of the Kaptur buildings are significant public benefits. He indicated that the applicant has tried to address the issues.

Commissioner Middleton was very complimentary to Palm Springs Modern for their responsiveness and timeliness in trying to work with the developer on this project. Ms. Middleton said this has been a difficult project and thanked the applicant for being very responsive to what was asked of them. She still has concerns with the viability of the live/work units on Tahquitz Canyon. She said she appreciates more sidewalk space on Tahquitz Canyon and thinks the integration of the remaining Kaptur building is very esthetically pleasing. She spoke in support of the project.

Commissioner Roberts expressed concern about sending mixed messages to the applicant. He said the Commission did not specify which building was to be retained. And in regards to Calle Alvarado, a big area of parking space behind the live/work was created. He can't say if the live/work will be a success - and many conditions could be placed so that it will not be used as storage space. He feels strongly that the applicant has come a long way and made significant changes and sacrifices for this project.

Commissioner Calerdine said there is no real analysis on the historic significance of the buildings. He does not have a concern with the density and the separation of the buildings. He likes the urban style. However, he does not think the parking layout will function for the live/work units.

ACTION: Deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks and viability of the live/work space on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and carried 4-3-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Weremiuk, Chair Hudson
NOES: Commissioner Middleton, Commissioner Roberts, Vice-Chair Klatchko

2B. CITY OF PALM SPRINGS TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTIONS 93.20.07 AND 93.20.08 REGARDING REAL ESTATE AND OTHER TEMPORARY SIGNS (CASE 5.1338 ZTA). (FF)

Director Fagg provided an overview on the proposed zone text amendment relative to real estate signs.

The Commission discussed and/or commented on the following items:

1. The original approval was for real estate signs only.
2. Prior discussion on signs is allowed in the public right-a-way.
3. Realtor's concerns for sign coverage.
4. Staff to review Planning Commission video on previous action.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

Vice-Chair Klatchko said that if signs will be allowed in the public right-a-way (not only if it doesn't block the traffic) much more consideration should be given. This has been a problematic issue in the CBD district and suggested further review of the language by the City Attorney.

Commissioner Roberts expressed concern with allowing signs in the public right-a-way (medians) which would create safety issues and enforcement problems.

Commissioner Calerdine said signs should be excluded from any median or within 50 - 100 feet of an intersection or over any part of the sidewalk. However, allowing them in large setback areas that cause no safety issues would be allowed.

ACTION: Continue to a date uncertain and refer to the City Attorney for review.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

3. UNFINISHED BUSINESS:

3A. CONT'D - A MAJOR ARCHITECTURAL APPLICATION BY DENLAR LLC FOR A SINGLE-FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 2110 NORTH LEONARD, ZONE R-1-B (CASE 3.3817 MAJ). (KL)

Table to the next meeting.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS: None.

PLANNING DIRECTOR'S REPORT:

Director Fagg provided an update on the PPD subcommittee.

ADJOURNMENT:

The Planning Commission adjourned at 3:32 pm to Wednesday, April 8, 2015, at 1:30 pm, at the City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

PLANNING COMMISSION STAFF REPORT

DATE: March 25, 2015

SUBJECT: PALM SPRINGS PROMENADE, LLC FOR A PARCEL MAP WAIVER TO SUBDIVIDE ONE LOT INTO TWO PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD, ZONE CBD (CASE NO. TPM 36909). (DN)

FROM: Department of Planning Services

SUMMARY

The Planning Commission will consider a waiver of parcel map application for Tentative Parcel Map (TPM) 36909 to subdivide one parcel into two at the northwest corner of North Palm Canyon Drive and Andreas Road. The purpose of the lot split is for financing purposes.

RECOMMENDATION:

Approve, subject to conditions.

ISSUES:

None

BACKGROUND:

The subject site is part of the Palm Springs Promenade / Downtown Redevelopment project and has been referred to as Block "A" under the Museum Market Specific Plan. The parcel is Lot 1 of Parcel Map 36446, which was recently approved by City Council on November 5, 2015. Because there will be adequate improvements on and adjacent to the lots as a result of Map 36446, the applicant has requested that a parcel map waiver (rather than a parcel map subdivision).

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	CBD(Central Business District)	Vacant	CBD
North	CBD	Under Construction	CBD
South	CBD	Under Construction	CBD
East	CBD	Commercial-Retail	CBD
West	CBD	Under Construction	CBD

ANALYSIS:

The existing property is approximately 1.59-acres or 69,260-square feet in size. The existing lot width is 226.95 feet and lot depth is approximately 308 feet. The subdivision will create two parcels:

1. Parcel 1 will be approximately 31,147-square feet in size, 136 feet wide and 226 feet deep.
2. Parcel 2 will be approximately 38,077-square feet in size, 170 feet wide and 226 feet deep.

The proposed parcels are located within the CBD Zone of the Museum Market Plaza Specific Plan (MMPSP). The MMPSP does not specify requirements for minimum lot area, lot width and lot depth. Development on the proposed parcels will be required to standards specified within the Plan.

MAP WAIVER

The applicant has applied for a parcel map waiver with a subsequent action to issue a Certificate of Compliance after the approval of the waiver. The City's Municipal Code outlines the process for a map waiver. Pursuant to the Palm Springs Municipal Code (PSMC) the following sections outline the process:

Section 9.63.160, *Application*:

> *"An application for a* waiver *of a parcel map, pursuant to Section 9.62.015 shall be filed on forms and accompanied by such data and information as may be prescribed by the director of planning and zoning together with an approved description of the real property involved."*

Section 9.63.170, *Referrals*:

> *"Copies of the application may be referred to other appropriate city departments or other public or private agencies affected, together with a request for a written recommendation to be returned to the director of planning and zoning within fifteen working days. Failure to submit such*

written recommendations may be deemed waiver of any objections to the application."

The application was referred to the Engineering department, which stated that parcel map waivers are used when the property to be subdivided into new parcels is already developed (thus, environmental, flood control and other related issues are already mitigated / resolved).

Section 9.62.070, *Waiver of a parcel map:*

"Except where required by the Subdivision Map *Act, no parcel map need be filed or recorded provided that pursuant to the procedure set forth in Chapter 9.63, the planning commission finds and determines that the proposed division of land complies with all applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and all other requirements of the Subdivision* Map *Act and any applicable provisions of this title."*

The Subdivision Map Act allows parcel map waivers for the division of land of less than five parcels as long as the local agency (the City) provides a procedure for waiving the requirement for a parcel map. The Municipal Code sections below outline the procedures for a map waiver.

Section 9.63.180, *Planning commission action*:

"(a) The planning commission shall consider the application within forty-five days after the filing of the application. The planning commission may grant the application, provided that it finds that the proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title. The time limit for action may be extended by mutual consent of the subdivider and the director of planning and zoning.
(b) If a parcel map waiver approval is granted, a certificate of compliance shall be filed with the county recorder, which certificate shall describe the real properties involved, name the owners thereof, and state that a parcel map waiver *has been granted by action of the planning commission, giving the date thereof."*

Section 9.63.280, *Issuance when application for* waiver *of parcel map approved:*

"Upon request of the owner of the property, a certificate of compliance may be issued and filed for record for any real property for which an

application for waiver *of the requirement of a parcel map has been approved under this chapter."*

After the Planning Commission makes the required findings for the map waiver, the approval process becomes similar to a Lot Line Adjustment (in that a Certificate of Compliance is issued creating the new parcels proposed as part of the parcel map waiver. The Certificate of Compliance is processed by the Engineering Department at the staff level.)

REQUIRED FINDINGS:

The approval of the map waiver is dependent on the Planning Commission findings that the proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

1. *Area*

There are no minimum area requirements specified under the Museum Market Plaza Specific Plan. Each parcel will is adequate in size to accommodate development as shown by surrounding properties of similar size or smaller.

2. *General Plan*

The General Plan designation is CBD (Central Business District). The proposed split will allow for development in accordance with this General Plan land use designation.

3. *Improvements and design*

Street improvements are installed along Palm Canyon Drive and will be installed on Belardo Road and Andreas Road in accordance with Parcel Map 36446. No further improvements are required for accommodating the proposed lot split.

4. *Floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*

Drainage control, public roads, sanitary facilities, water supply availability and environmental protection were analyzed and addressed as a part of Parcel Map 36446. The proposed lot split will not further affect these criteria.

ENVIRONMENTAL DETERMINATION:

The subdivision of parcels for finance purposes were considered under the Museum Market Plaza EIR. The proposed lot split for financing purposes is consistent with the impacts identified in the EIR and Addendum. No changed circumstances, changes in

the environment or changes in regulations have occurred since the certification of the EIR, the adoption of the Addendum, or actions on the overall project to date. Based on the requirements of the Public Resources Code and the CEQA Guidelines, no additional environmental analysis is required for this project and the mitigation measures previously imposed within the EIR will apply.

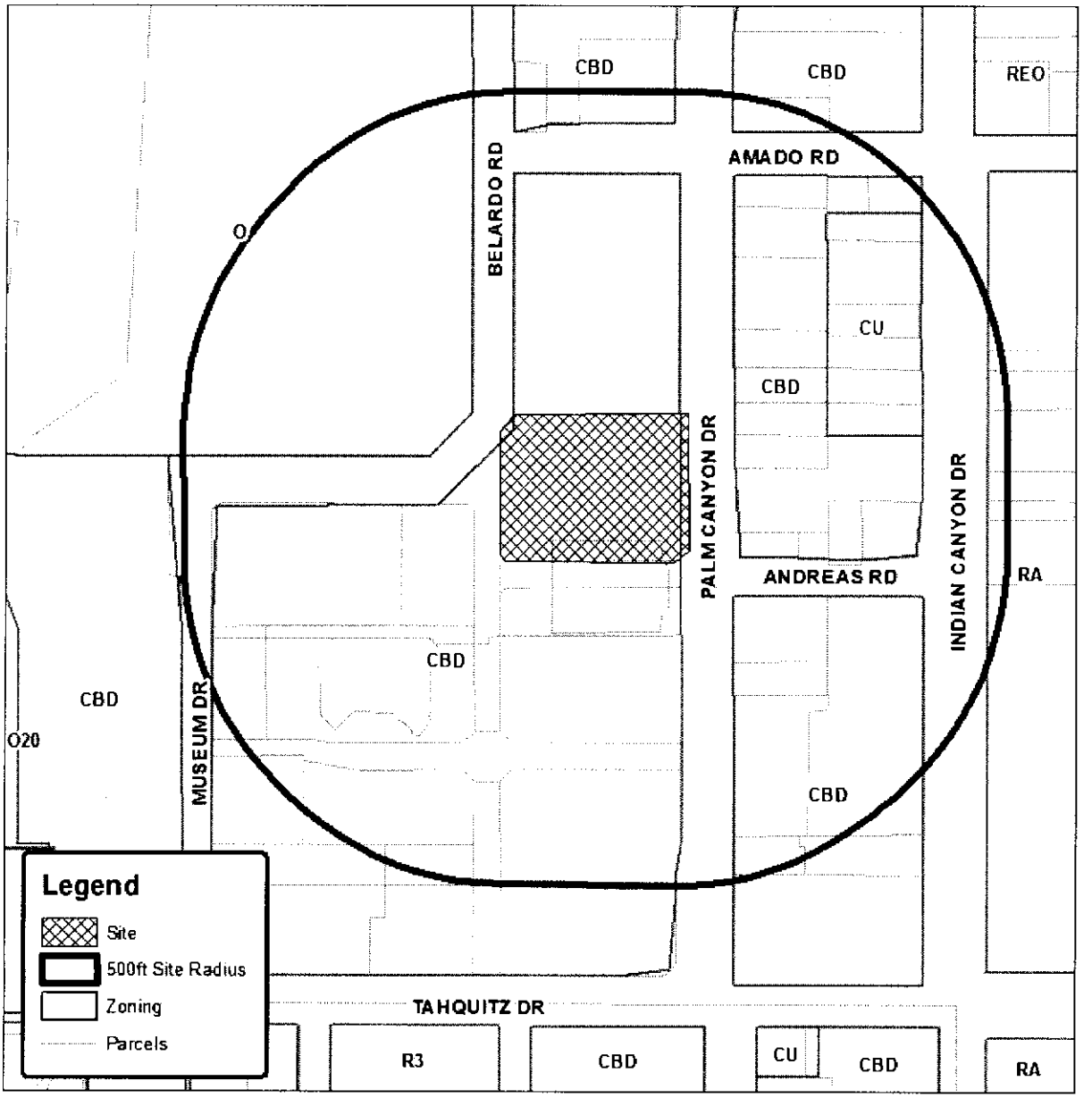
David A. Newell
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. TPM 36909

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TPM 36909

APPLICANT: PS Promenade, LLC

DESCRIPTION: An application for a waiver of parcel map for TPM 36909 to split one parcel into two lots for the property located at the northwest corner of N. Palm Canyon Drive and Andreas Road, Zone CBD, Section 15.

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A PARCEL MAP WAIVER TO SUBDIVIDE ONE PARCEL INTO TWO FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND ANDREAS ROAD.

WHEREAS, Palm Springs Promenade, LLC (Applicant) has submitted a request that the Planning Commission waive the requirement for a parcel map (TPM 36909), and a request for a Certificate of Compliance to be issued and recorded, to subdivide one parcel into two parcels for the property located at the northwest corner of Palm Canyon Drive and Andreas Road, Zone CBD, Section 15; and

WHEREAS, on March 25, 2015, a public meeting on the map waiver request was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The Planning Commission approval of TPM 36909 is within the scope of the original Specific Plan EIR adopted on December 2, 2009, and none of the circumstances triggering further environmental review have occurred since the adoption of the EIR, subsequent Addendum and further city approvals related to the overall project. Therefore, no further environmental review is required (Public Resources Code § 21166; California Code of Regulations § 15162.).

Section 2: The proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

1. Area

There are no minimum area requirements specified under the Museum Market Plaza Specific Plan. Each parcel will is adequate in size to accommodate development as shown by surrounding properties of similar size or smaller.

2. *General Plan*

The General Plan designation is CBD (Central Business District). The proposed split will allow for development in accordance with this General Plan land use designation.

3. *Improvements and design*

Street improvements are installed along Palm Canyon Drive and will be installed on Belardo Road and Andreas Road in accordance with Parcel Map 36446. No further improvements are required for accommodating the proposed lot split.

4. *Floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*

Drainage control, public roads, sanitary facilities, water supply availability and environmental protection were analyzed and addressed as a part of Parcel Map 36446. The proposed lot split will not further affect these criteria.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves the parcel map waiver for TPM 36909, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 25th day of March, 2015.

AYES:
NOES:
ABSENT:
ABSTENTIONS:

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

_____
Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. ____

EXHIBIT A

TPM 36909

Palm Springs Promenade, LLC
NW Corner of North Palm Canyon Drive and Andreas Road

March 25, 2015

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PLANNING

ADMINISTRATIVE

ADM 1. Project Description. This approval is for the project described per Case TPM 36909 Parcel Map Waiver, except as modified by the conditions below.

ADM 2. Parcel Map Waiver. This approval is for Parcel Map Waiver TPM 36909, date stamped February 19, 2015, located at the northwest corner of North Palm Canyon Drive and Andreas Road. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.

ADM 3. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 4. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Parcel Map Waiver TPM 36909. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake

defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive further indemnification hereunder, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 5. Time Limit on Approval. Approval of the Parcel Map Waiver (TPM 36909) shall be valid for a period of two (2) years from the effective date of the approval, unless an extension is granted by the Subdivision Map Act and / or the Planning Commission. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

ADM 6. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ENGINEERING DEPARTMENT

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

MAP

ENG 1. The applicant shall submit an application to the Engineering Division for a Certificate of Compliance, prepared by either an appropriately licensed registered Civil Engineer or a Land Surveyor. The Certificate of Compliance shall be approved prior to issuance of a building permit on Parcel 2

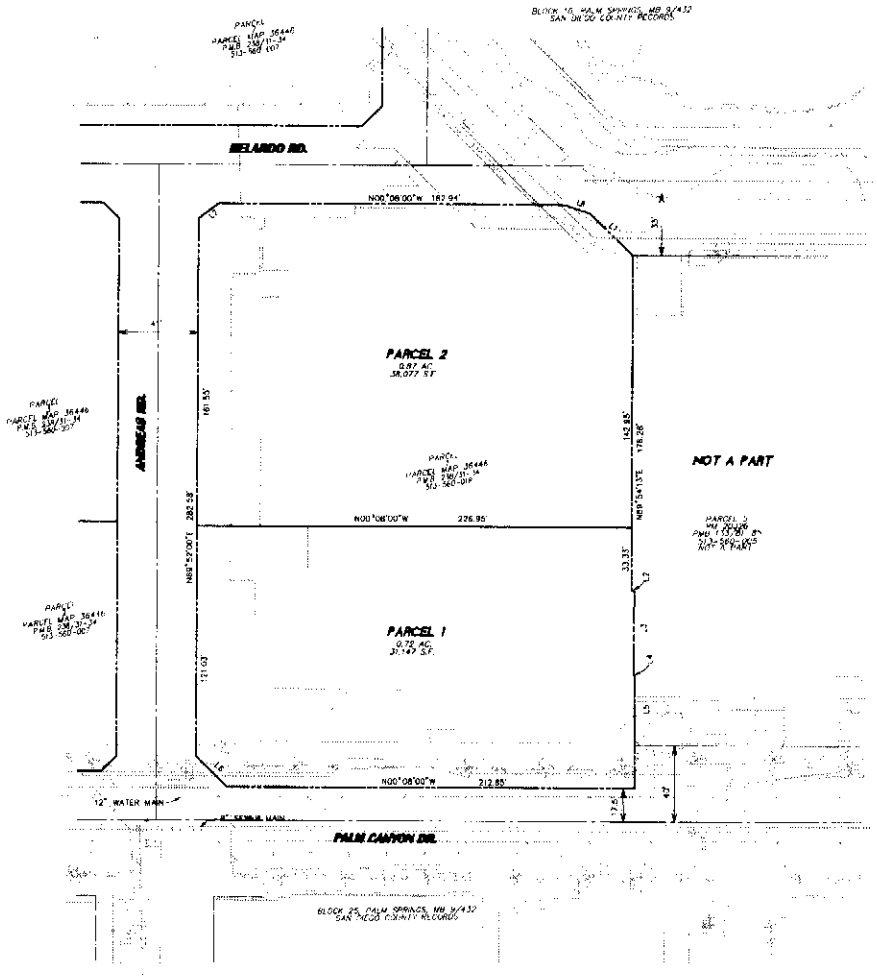
END OF CONDITIONS

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE PARCEL MAP NO. 36909

BEING A SUBDIVISION OF PARCEL 1 OF PARCEL MAP NO. 36446, P.M.B. 238/01-34, RIVERSIDE COUNTY RECORDS, SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.M.

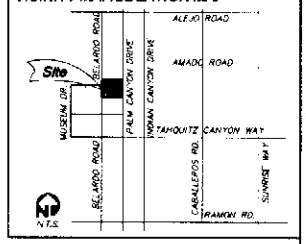
SANBORN A/E, Inc. FEBRUARY 2015



LINE TABLE

#	BEARING	LENGTH
L1	N44°52'00"E	35.44'
L2	N00°08'00"W	1.41'
L3	N89°52'00"E	44.68'
L4	N00°08'00"W	0.80'
L5	N89°52'00"E	59.67'
L6	N44°52'00"E	22.62'
L7	N 5°08'00"W	8.9'
L8	N87°56'29"E	14.47'
L9	N45°08'00"W	63.96'

VICINITY MAP/LOCATION MAP



OWNER/DEVELOPER:

OWNER: NESSMAN HOLDINGS, 555 S. SUNRISE WAY, STE. 200, PALM SPRINGS, CALIFORNIA 92264

ENGINEER: SANBORN A/E, INC., 71-760 SAN JACINTO DR. SUITE C-1, RANCHO MIRAGE, CA 92270, (760) 423-0600

UTILITY NOTIFICATIONS:

ELECTRIC: SO. CALIFORNIA EDISON (760-202-4291)

GAS: SO. CALIFORNIA GAS CO. (760-324-4551) ATTN: BARTRUM WILLIAMS

TELEPHONE: VERIZON (760-778-3611) ATTN: LARRY MOORE

TELEVISION: TIME WARNER (760-324-4551) ATTN: DAVE SCANNER

SEWER: VEOLIA WATER (760-323-8505 X7) ATTN: CARL GRAY

WATER: DESERT WATER AGENCY (760-323-4971) ATTN: DEBBIE RANDALL

BASIS OF BEARINGS:

CENTERLINE OF NORTH PALM CANYON DRIVE, BEING N 00°08'00" W PER PARCEL MAP NO. 20... PMB 33/38-45

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT, 980 EAST TAHQUITZ CANYON WAY, PALM SPRINGS, CALIFORNIA 92262, (760) 416-6000

ASSESSOR'S PARCEL NUMBERS

513-560-018

2008 THOMAS GUIDE LOCATION

PAGE 706 / J3

FEMA FLOOD ZONE

ZONE: X-SCIO & X

COMMUNITY PANEL NO.: 0602970550G

DATED: 08/28/2008

TOPOGRAPHIC SOURCE

ON-LAND AERIAL SURVEY

DATE OF SURVEY: 10/2014

AREA INFORMATION

TOTAL NO OF NUMBERED PARCELS = 2

TOTAL NO OF LETTERED LOTS = 0

THE PROPERTY SHOWN HEREIN CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP

TOTAL GROSS AREA = 1.52 ACRES = 66,224 SQ.FT.

MINIMUM PARCEL SIZE = 0.77 ACRES = 33,147 SQ.FT.

LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP 36446, PMB 238/01-34 RIVERSIDE COUNTY RECORDS

LAND USE INFORMATION

EXISTING ZONING = PD-147

ADJACENT EXISTING LAND USE: NORTH - HOTEL / VISTA COND... SOUTH - COMMERCIAL, EAST - COMMERCIAL / RETAIL, WEST - COMMERCIAL / GOLF COURSE

GENERAL NOTES

1. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE.
2. THIS MAP IS COMPILED FROM RECORD INFORMATION ONLY AND IS NOT TO BE USED AS A BOUNDARY SURVEY.

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GRAPHIC SCALE

10 5 0 20 40 80

SCALE 1" = 30'

SANBORN ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN
P.L.S.
71-760 SAN JACINTO DR. SUITE E-1
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0603

TENTATIVE PARCEL MAP NO. 36909 for NESSMAN DEVELOPMENT

PARCEL 1 OF PARCEL MAP NO. 36446, PMB 238/01-34, SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.B.M.

W.O.	14-110	SCALE	1" = 30'
SAVE DATE	2/18/2015	SHEET NO.	T1.0
DRAWN	AHS		

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
TEL: (760) 323-8245 • FAX: (760) 322-8360 • TDD: (760) 864-9527

Project Application Routing

DATE: March 12, 2015

TO:
- ☒ Rick Minjares, Engineering
- ☐ John Shoemaker, Building
- ☐ Ron Beverly, Fire Dept.
- ☐ Tom Nolan, Airport
- ☐ Margaret Park, Agua Caliente Band of Cahuilla Indians

FROM: David A. Newell

RE: **Case TPM 36909**

Parcel Map Waiver for a subdivision of modification of parcel locations.

The Palm Springs Planning Department has received an application for the above-referenced project. Please review the attached plans and submit your comments / conditions to me for the **March 25, 2015 Planning Commission meeting**. Thank You.

APPLICANT: Palm Springs Promenade, LLC (760) 325-3050

LOCATION: 123 North Palm Canyon Drive

APN(s): 513-560-018

Zone: CBD **Gen. Plan:** Central Business District

Attachments:

☒ Tentative Map	☐ Site Plan	☐ Elevations
☐ Landscape Plan	☐ Floor Plans	☐ Grading/Drainage Plan
☒ Application	☐ Roof Plan	☐ Site Sections
☐ Special Study:		
☐ Other:		

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

For Staff Use Only
Case Number: 36909 TPM
In-Take Planner: CM
Date: 2/19/15

PARCEL OR TENTATIVE TRACT MAP

PLANNING / ZONING GENERAL INFORMATION FORM

PLANNING ENTITLEMENTS REQUESTED:

- ○ Administrative Minor Modification
- ○ Change of Zone
- ○ Conditional Use Permit
- ○ HSPB Action
- ○ Major Architectural
- ○ Minor Architectural
- ◉ Parcel Map / Tract Map
- ○ Planned Development District
- ○ Single-Family Architectural
- ○ Variance

TO THE APPLICANT: Please fill out information requested below and attach the appropriate supplemental application.

Project Site Information:

Project Address: NW Corner of Palm Canyon Dr & Andreas Rd APN: 513-560-018

RECEIVED
FEB 19 2015
PLANNING SERVICES
DEPARTMENT

Project Name: (Name of Condo or HOA) Downtown Palm Springs Block A

Zone: PD-147 GP: CBD Section/Township/Range: 15 / 4 / 4

Description of Project:

Redevelopment of Desert Fashion Plaza. Creating 2 parcels on Block A for financing purposes

Request Parcel Map Waiver

Property Owner Information:

Property Owner's Name: Palm Springs Promenade LLC
Property Owner's Address: 555 S. Sunrise Way Suite 200
Palm Springs, CA 92264
Property Owner's Phone #: 760-325-3050 FAX: 760-325-5848
Property Owner's Email: mbraun@wessmandevelopment.com

Project Manager, Contractor, Owner's Representative:

Company / Agent's Name: Wessman Development Company
Agent's Signature:
Agent's Mailing Address: 555 S. Sunrise Way Suite 200
Palm Springs, CA 92264
Agent's Owner's Phone #: 760-408-7038, 760-641-4046 FAX: 760-325-5848
Agent's Owner's Email: mbraun@wessmandevelopment.com

CITY OF PALM SPRINGS

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PLANNING DEPARTMENT APPLICATION
PARCEL OR TENTATIVE TRACT MAP

TO THE APPLICANT: Fill out a General Information Cover Form first and attach this supplemental information sheet.

Is the proposed project:

- ○ Conservation Area (MSHCP)
- ○ Historic Designation / District
- ○ Water Course / Floodplain
- ○ Abut State Highway 111
- ○ Specific Plan
- ○ Hillside Lot
- ○ Downtown Parking Combining Zone
- ○ Resort Combining Zone
- ○ Noise Impact Zone
- ○ On the Agua Caliente Band of Cahuilla Indian Reservation Land
- ○ Fall within the Riverside County Airport Land Use Commission Review Area

General Information:

Common Name of Project: DOWNTOWN PALM SPRINGS BLOCK A

When did present owner acquire the property: 2004

Relationship to larger project: _____

Existing use of project site: VACANT

Residential Projects:

Proposed building square footage: _____ Net Lot Area: _____

Number of dwelling units: _____ Number of stories: _____ Height: _____ ft.

Largest single building: (sq. ft.) _____ Number of stories: _____ Height: _____ ft.

Describe recreational facilities: _____

Parking spaces required: _____ Number provided: _____
(Per PSZC 93.06)

Commercial Projects:

Proposed building square footage: N/A Net Lot Area: 69,224 S.F.

Type of uses and major functions: COMMERCIAL

Square footage of building area devoted to each proposed use: N/A

Number of stories: N/A Height: N/A ft.

Largest single building: (sq. ft.) _____ Number of stories: _____ Height: _____ ft.

Parking spaces required: _____ Number provided: _____
(Per PSZC 93.06)

Hours of operation: _____

Maximum number of clients, patrons, shoppers at one time: _____

Maximum number of employees at one time: _____

Area and percent of total project devoted to:

Building	_____ sq. ft.	_____ %
Paving including streets or drives:	_____ sq. ft.	_____ %
Landscaping, Open, Recreation:	_____ sq. ft.	_____ %
TOTAL PROJECT AREA	_____ sq. ft.	_____ %

The following information is required for the City to process your application properly:

Company Name: PALM SPRINGS PROMENADE

Address: 555 S. SUNRISE WAY, #200, PALM SPRINGS, CA. 92264

Phone #: 760-325-3050 Web Site: _____

OFFICERS

Name: John Wessman Title: President

Address: 555 S. Sunrise Way #200 Palm Springs CA 92264

Phone #: 760-408-7038 Email: jsanborn@wessmandevelopment.com

Name: Michael Braun Title: Senior V.P.

Address: 555 S. Sunrise Way #200 Palm Springs CA 92264

Phone #: 760-641-4046 Email: mbraun@wessmandevelopment.com

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

ARCHITECT

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

ENGINEER

Name: SANBORN A/E, INC. Title: _____

Address: 71780 SAN JACINTO RD. E-1, RANCHO MIRAGE, CA. 92270

Phone #: 760-423-0600 Email: ASANBORN@SANBORANE.COM

LANDSCAPE ARCHITECT

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
PARCEL OR TENTATIVE TRACT MAP

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Parcel or Tentative Tract Map application will be accepted. Please check off each item to assure completeness.

	Applicant Only	City Use Only
Application Information:		
• General Information Form + Parcel or Tentative Tract Map Form (3 copies with notarized signature)	☑	☐
• Justification Letter	☐	☐
• Title Report	☑	☐
• Public Hearing Labels	☐	☐
• Project sponsorship labels	☐	☐
Tentative Map:		
• Full size (20 copies) folded no larger than 9" x 12". If the project fronts on State Highway 111, two (2) additional copies are required for CalTrans review.	☑	☐
• Tract or Parcel number. This number shall be obtained from the Riverside County Road Department.	☑	☐
• Complete legal description	☑	☐
• Date, north arrow, scale, gross new site area (acreage and square footage), project phasing, and zoning	☑	☐
• Location map indicating the location of the proposed land division in relation to the surrounding area	☑	☐
• Name, address, and phone number of the record owners, lessee, subdivider, and the registered civil engineer or licensed surveyor (and the registration number) under whose direction the map was prepared	☑	☐
• The existing topography of the land proposed to be subdivided using Minimum contour intervals of: 2' on terrain 0-2% 4' on terrain 3-9% 10' on terrain 10% plus	☑	☐
• Tentative grading and drainage plan	☑	☐

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On February 19, 2015 before me, Jeanette L. Sanborn, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared John Wessman
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

JEANETTE L. SANBORN
Commission # 2037158
Notary Public - California
Riverside County
My Comm. Expires Aug 16, 2017

Signature Jeanette L. Sanborn
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: TTM Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

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CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

JUSTIFICATION LETTER
PARCEL OR TENTATIVE TRACT MAP

A Justification Letter explaining your application will be included in the materials reviewed by the Planning Commission; multiple related applications may be addressed in a single comprehensive letter. This letter may be prepared by the applicant or a representative. The following format is provided to assist you in the preparation of this letter.

Project Description:
Please provide a detailed description of the project. Include items such as intended use of the property; possible environmental impacts; and architectural changes.

Information:
Please provide the following information and any other that will assist the Planning Commission in making their decision:

- Number of employees / residents
- Number of lots
- Any existing similar uses owned or operated by the applicant and their location
- Range or sale prices / rents
- Number of clients, patrons, shoppers, etc...

Findings:
Please describe in detail how the project meets/supports existing City regulations for ALL of the findings of approval of each application type per the Palm Springs Zoning Ordinance.

The Justification Letter must have original signature of named owner, applicant or representative identified as such.

Note: Palm Springs Zoning Code (PSZC) Finding Sections as follows:

- Administrative Minor Modification: 94.07.00(B)(2)
- Change of Zone: 94.07.00(A)
- Conditional Use Permit: 94.02.00(B)(6)
- Minor / Major Architectural: 94.04.00(D)
- Planned Development District: 94.02.00(B)(6)
- Parcel or Tentative Tract Map: 9.63.070

PSZC can be found on the Planning Services web page at www.palmspringsca.gov

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

DEVELOPER NEIGHBORHOOD PROCEDURES

The City of Palm Springs strongly recommends that project applicants meet with surrounding property owners and Neighborhood Organizations located in or near the project to solicit input in the beginning stage of the design and development process.

Some of the benefits that can result from early consultation with the neighbors:

- Neighborhood feedback can strengthen projects and add value to final results.
- Neighborhood feedback may prevent problems at a later stage in the development process, often avoiding expensive delays.
- The Planning Commission and the City Council prefer to know that development applicants have contacted Neighborhood Organizations and sought their input.

APPLICANT'S STEPS TO TAKE FOR ANY NEIGHBORHOOD MEETING:

SETTING UP

- Meeting should be held at least 7 days prior to the Architectural Advisory Committee or Planning Commission meeting (whichever comes first).
- Determine a place and time for your meeting, within the following guidelines:

  Time: Start between 5:30 p.m. – 6:30 p.m.

  Days: Monday, Tuesday, or Thursday only.

  Place: Use a commercial or public location (not a private residence), as close as possible to the project location, and located within the city.

- Prepare notice with contents:

  a. Thorough description of proposed project. Include "From . . . To . . .," street address and / or Assessor Parcel Number.
  b. Date of meeting.
  c. Time of meeting: Provide a start time, but do not list an end time.

d. Place of meeting: Include room number / name and directions.
e. Contact name and phone number for night of meeting for directions / questions (contact number must be available up to and during the time of the meeting).
f. Tentative date of Architectural Advisory Committee or Planning Commission meeting.

- Fax or E-notice meeting information to the Department of Planning Services 760-322-8360. City staff will assess for suitability of time and location. Approval or corrections to notice will be faxed back within 1-2 working days.

MAILING

- Approved notices are to be mailed to all property owners and Lessees and Sub-Lessees (as recorded with the Riverside County Assessor's office) within five hundred (500') of subject property and electronically mailed to City of Palm Springs registered Neighborhood Organizations within one half mile of subject property.

- Notices should be postmarked at least 10 days prior to the neighborhood meeting date.

MEETING

- Applicant and/or representative(s) to conduct the meeting, answer questions and open and close the facility. City staff will attend, but only to monitor.

- Applicant to have someone available to answer the phone number given at least one half (1/2) hour before and after the start time regardless of attendance.

- Applicant to remain on-site at least one half (1/2) hour after the start time regardless of attendance.

STAFFING

- City staff will attend the meeting to observe only. They will be available to answer technical questions as necessary

FILING

- Applicant to complete the Neighborhood Meeting Affidavit indicating time and date of meeting and attach the mailing list used along with a copy of the notice.

- Deliver affidavit and mailing list to the Department of Planning Services, at least seventy-two (72) hours prior to the Architectural Advisory Committee or Planning Commission meeting (whichever comes first).

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

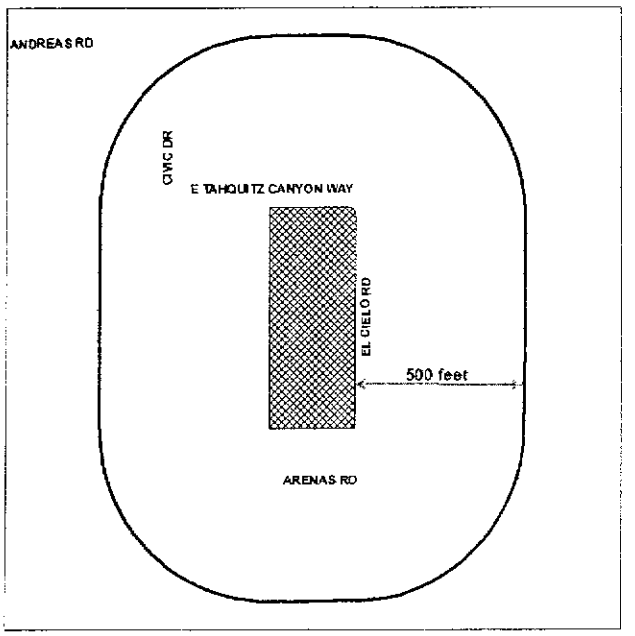
PUBLIC HEARING NOTICE REQUIREMENTS

This project requires a public hearing.

The applicant is required to obtain the following information from a certified title company. Incorrect or insufficient information may delay the development proposal.

1. Three (3) sets of typed, self-adhesive labels including assessor's parcel number and mailing addresses for properties within a 500-foot radius of the subject property and one copy of the list on plain white paper.
2. All mailing addresses of owners within a condominium project must be included in the three (3) sets of labels if any portion of the complex is affected by the 500-foot radius.
3. A list of parcels owned by Tribal Indian members owners if applicable. Contact the Bureau of Indian Affairs for information.
4. Labels for the project owner, engineer, architect, etc.
5. Assessor's parcel maps showing the 500-foot radius drawn neatly and accurately with the subject property identified.
6. A certified letter from the title company verifying property owner accuracy.

Example of required map:



Note: Palm Springs Zoning Code Public Hearing notice:

Conditional Use Permit – 94.02.00(B)(5)
Planned Development District - 94.02.00(B)(5)
Variance - 94.02.00(B)(5)
Change of Zone 94.07.00(B)(4)

PM 36909

RECEIVED
FEB 19 2015
PLANNING SERVICES
DEPARTMENT

First American Title Company
National Commercial Services
3281 E Guasti Road, Suite 440
Ontario, CA 91761

January 29, 2015

Jeanette Wessman
Wessman Development
555 South Sunrise Way #200
Palm Springs, CA 92264
Phone: (760)325-3050
Fax: (760)325-5848

Customer Reference:	LLA - Block A
Title Officer:	Kimberly Delpolito
Phone:	(909)510-6202
Fax No.:	(877)461-2090
E-Mail:	kdelpolito@firstam.com
Buyer:	
Property:	Vacant Land, Palm Springs, CA

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of January 26, 2015 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

To Be Determined

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Palm Springs Promenade, LLC, a California limited liability company

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee Simple

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2015-2016, a lien not yet due or payable.

2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.

3. Water rights, claims or title to water, whether or not shown by the public records.

4. The effect of a notice of existence of the Whitewater Watershed Benefit Assessment District which provides for the issuing of bonds and the levying of a special tax to pay the interest and principal payments on such bonds upon the herein described property, recorded June 10, 1991 as Instrument No. 193750 of Official Records of Riverside County, California, reference hereby being made to the record for full particulars.

5. An easement for ditches and incidental purposes, recorded April 22, 1885 in Book 50, Page 91 of Deeds, Records of San Diego County.
   In Favor of: Palm City Land Company
   Affects: As described therein

6. An easement for flumes, ditches and incidental purposes, recorded August 10, 1887 in Book 68 of Deeds, Page 471 Records of San Diego County.
   In Favor of: Palm Valley Land and Water Company
   Affects: As described therein

The location of the easement cannot be determined from record information.

7. An easement for either or both pole lines, conduits or underground facilities and incidental purposes, recorded December 01, 1967 as Instrument No. 105776 of Official Records.
In Favor of: California Water and Telephone Company
Affects: As described therein

8. An easement for streets, highways, sewers and public utilities and incidental purposes, recorded November 20, 1968 as Instrument No. 111594 of Official Records.
In Favor of: The City of Palm Springs
Affects: As described therein

9. An easement for streets, highways, sewers and public utilities and incidental purposes, recorded November 22, 1968 as Instrument No. 112899 of Official Records.
In Favor of: The City of Palm Springs
Affects: As described therein

10. Easements, Covenants and Conditions contained in the deed from The Community Redevelopment Agency of the City of Palm Springs, as Grantor, to North Plaza Associates, a California general partnership, as Grantee, recorded April 13, 1984 as Instrument No. 76181 of Official Records. Reference being made to the document for full particulars, but deleting any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, sexual orientation, familial status, disability, handicap, national origin, genetic information, gender, gender identity, gender expression, source of income (as defined in California Government Code § 12955(p)) or ancestry, to the extent such covenants, conditions or restrictions violation 42 U.S.C. § 3604(c) or California Government Code § 12955. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

The terms and provisions contained in the document entitled "Certificate of Compliance and Release of Liens" recorded October 18, 1989 as Instrument No. 360240 of Official Records.

11. An unrecorded Redevelopment Plan and Participation Agreement as disclosed by the document recorded April 13, 1984 as Instrument No. 76181 of Official Records.

The terms and provisions contained in the document entitled "Certificate of Compliance and Release of Liens" recorded October 18, 1989 as Instrument No. 360240 of Official Records.

12. The terms, provisions and easement(s) contained in the document entitled "Reciprocal Easement and Operating Agreement" recorded March 10, 1987 as Instrument No. 65787 of Official Records.

Document(s) declaring modifications thereof recorded August 08, 1989 as Instrument No. 265868 of Official Records.

November 13, 1989 as Instrument No. 396373 of Official Records.
October 27, 1997 as Instrument No. 388929 of Official Records.
December 13, 2007 as Instrument No. 2007-0744406 of Official Records.

13. The fact that the land lies within the boundaries of the Central Business District Redevelopment Project Area, as disclosed by the document recorded November 12, 1987 as Instrument No. 323683 of Official Records.

14. Terms and provisions of an unrecorded lease dated February 24, 1994, by and between South Plaza Associates, a California general partnership as lessor and California Pizza Kitchen, Inc., a California corporation as lessee, as disclosed by a Memorandum of Lease recorded May 16, 1994 as Instrument No. 199901 of Official Records.

    Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records are not shown herein.

15. The terms, provisions and easement(s) contained in the document entitled "Grant of Easement and Agreement" recorded June 21, 1996 as Instrument No. 230374 of Official Records.

16. An unrecorded Contract Agreement dated May 22, 1995 as disclosed by the document recorded November 08, 1996 as Instrument No. 428747 of Official Records.

    Rights to said contract have been assigned to Palm Springs Gaming Corporation, a California corporation by that certain assignment of agreement recorded November 08, 1996 as Instrument No. 428747 of Official Records of Riverside County, California. Said agreement is for contractual rights with respect to real property.

17. The terms and provisions contained in the document entitled "Grant Deed" recorded June 27, 2012 as Instrument No. 2012-0298855 of Official Records.

18. The terms and provisions contained in the document entitled "Easement Agreement" recorded June 27, 2012 as Instrument No. 2012-0298856 of Official Records.

19. A Deed of Trust to secure an original indebtedness of $(performance) recorded June 27, 2012 as Instrument No. 2012-0298857 of Official Records.

Dated:	June 27, 2012
Trustor:	Palm Springs Promenade, LLC, a California limited liability company
Trustee:	Fidelity National Title Company, a California corporation
Beneficiary:	City of Palm Springs, a municipal corporation and charter city
Affects:	The land and other property.

20. The terms, provisions and easement(s) contained in the document entitled "Easement Agreement" recorded November 03, 2014 as Instrument No. 2014-0417465 of Official Records.

21. This report is preparatory to the issuance of a subdivision guarantee and is intended solely for the use of those parties directly involved in the preparation and checking of said map.

22. Rights of parties in possession.

INFORMATIONAL NOTES

1. General and special taxes and assessments for the fiscal year 2014-2015.

First Installment:	$14,128.59, PAID
Penalty:	$0.00
Second Installment:	$14,128.59, PAID
Penalty:	$0.00
Tax Rate Area:	011-008
A. P. No.:	513-560-018-7

2. This report is preparatory to the issuance of an ALTA Loan Policy. The property covered by this report is vacant land.

3. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

   None

4. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.

5. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:

   A. WITH RESPECT TO A CORPORATION:
      1. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
      2. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.
      3. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

   B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:
      1. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
      2. A full copy of the partnership agreement and any amendments;
      3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
      4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

   C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:
      1. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;

2. A full copy of the partnership agreement and any amendment;
3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

D. WITH RESPECT TO A GENERAL PARTNERSHIP:

1. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-I), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
2. A full copy of the partnership agreement and any amendments;
3. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.

E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:

1. A copy of its operating agreement and any amendments thereto;
2. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
3. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
4. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
   (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;
   (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.
5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

F. WITH RESPECT TO A TRUST:

1. A certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company.
2. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
3. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.

G. WITH RESPECT TO INDIVIDUALS:

1. A statement of information.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American Title Insurance Company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

*****To obtain wire instructions for deposit of funds to your escrow file please contact your Escrow Officer.******

LEGAL DESCRIPTION

Real property in the City of Palm Springs, County of Riverside, State of California, described as follows:

PARCEL 1 OF PARCEL MAP NO. 36446, AS FILED IN BOOK 238, PAGES 31 THROUGH 34 INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 513-560-018

The First American Corporation
First American Title Company
Privacy Policy

We Are Committed to Safeguarding Customer Information
In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability
This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values, a copy of which can be found on our website at www.firstam.com.

Types of Information
Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information
We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers
Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security
We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   (a) building; (d) improvements on the Land;
   (b) zoning; (e) land division; and
   (c) land use; (f) environmental protection.
   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
   (a) that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
   (b) that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
   (c) that result in no loss to You; or
   (d) that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
   (a) to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   (b) in streets, alleys, or waterways that touch the Land.
   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1% of Policy Amount or $2,500.00 (whichever is less)	$10,000.00
Covered Risk 18:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 19:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 21:	1% of Policy Amount or $2,500.00 (whichever is less)	$5,000.00

ALTA RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)
EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
   (a) and use
   (b) improvements on the land
   (c) and division
   (d) environmental protection
   This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.
   This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
   (a) a notice of exercising the right appears in the public records on the Policy Date
   (b) the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking

3. Title Risks:
   (a) that are created, allowed, or agreed to by you
   (b) that are known to you, but not to us, on the Policy Date -- unless they appeared in the public records
   (c) that result in no loss to you
   (d) that first affect your title after the Policy Date -- this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
   (a) to any land outside the area specifically described and referred to in Item 3 of Schedule A OR
   (b) in streets, alleys, or waterways that touch your land
   This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
      i. the occupancy, use, or enjoyment of the Land;
      ii. the character, dimensions, or location of any improvement erected on the Land;
      iii. the subdivision of land; or
      iv. environmental protection;

      or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   a. created, suffered, assumed, or agreed to by the Insured Claimant;
   b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   a. a fraudulent conveyance or fraudulent transfer, or
   b. a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to

   i. the occupancy, use, or enjoyment of the Land;
   ii. the character, dimensions, or location of any improvement erected on the Land;
   iii. the subdivision of land; or
   iv. environmental protection;

   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

   b.Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   a. created, suffered, assumed, or agreed to by the Insured Claimant;
   b. not Known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   a. a fraudulent conveyance or fraudulent transfer, or
   b. a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   i. the occupancy, use, or enjoyment of the Land;
   ii. the character, dimensions, or location of any improvement erected on the Land;
   iii. the subdivision of land; or
   iv. environmental protection;

   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

   b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters

   a. created, suffered, assumed, or agreed to by the Insured Claimant;
   b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   c. resulting in no loss or damage to the Insured Claimant;
   d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   a. a fraudulent conveyance or fraudulent transfer, or
   b. a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
36909	TPM	Wessmann Development Co.	513-560-018	123 N. Palm Canyon Drive

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$0.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

TOTAL FEE(S) $0.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Kenneth Sanborn		2/19/2015

☒ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6937

DEPARTMENT OF PLANNING SERVICES
Application Review & Processing

Project/Location: TTM | Case: _____
Applicant/ Address: _____ | Phone: _____
Planner Assigned: EDWARD ROBERTSON: 3.13.12 | Fax: _____

	NOTES:	Date Completed	Comments
1.	Pre-Application Conference -		
	* Staff Review	_____	_____
	* Director's Review	_____	_____
	* Letter(s) to Applicant - Completeness, Environment & Scheduling	_____	_____
2.	Pre-Application Project Review -		
	* Date submitted	_____	_____
	* Planning Staff	_____	_____
	Development Committee - Letter		
	* Design Review - Letter	_____	_____
	* Pl. Comm. Study Session - Letter	_____	_____
3.	**Application Filed (Incl. Date)**	3.7.12	_____
4.	**Planning Case Review**	_____	_____
5.	Dev. Committee - Report to Director w/Conditions-Planner shall schedule	_____	_____
6.	Application - Date Completed If not, date incomplete letter to appl.	7.24.12	_____
7.	Environmental Assessment/Staff Report Prep. - Discuss issues w/Director, Planning Manager & Applicant	_____	_____
8.	Public Notice - (10 or 20 days in advance) Plus time to publish - if applicable printing and mailing	_____	_____
9.	Staff Report finalized and printed	_____	_____
10.	Review Conditions of Appl. w/ applicant	_____	_____
11.	**Staff/Planning Comm. Review & Approval**	_____	_____
12.	Stamped Conditions of Appr/Reso/Plans and route to Engr'g & Fire Dept.	_____	_____
13.	Appeal Period (10 - 15 days) Review appeal, if applicable	_____	_____
14.	**Total Days to Process (#6 to #11)**	_____	_____

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
A CALIFORNIA LIMITED LIABILITY PARTNERSHIP

W. Curt Ealy
Emily Perri Hemphill
Diane C. Blasdel

71905 Highway 111, Suite H
Rancho Mirage, California 92270
Telephone: (760) 340-0666
Facsimile: (760) 340-4666

December 4, 2012

Doug Holland
City Attorney
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Response to Comments to Museum Market Plaza FEIR and Addendum

Dear Mr. Holland:

As you know, this office represents John Wessman and Palm Springs Promenade, LLC, the owner of the property currently known as the Desert Fashion Plaza. The purpose of this letter is to respond to a letter from Kimberly Huangfu of Buchalter Nemer to Craig Ewing dated November 28, 2012, stating the opposition of North First Street Properties, LP to the Final Environmental Impact Report and Addendum for the Downtown Palm Springs Museum Market Plaza Specific Plan.

Much of Ms. Huangfu's comments appear to be directed at criticism of the Final Environmental Impact Report (FEIR) that was certified in 2009. It is therefore important to note that when the FEIR was certified, the City posted a Notice of Determination, triggering the statutory thirty (30) day challenge period for that decision. No challenge was ever filed within the statutory period, and therefore, under CEQA, the approval is conclusively presumed to be valid for all purposes (Pub. Res. Code 21080.1, 21167.2.) Ms. Huangfu's letter, which claims that the FEIR did not contain a sufficient project description, aside from being meritless, is also long overdue and now moot.

Ms. Huangfu references Cal. Pub. Res. Code 21167(c) in her claim that the statute of limitations for legal challenge of the Addendum is 180 days because the City did not file a Notice of Determination (NOD) with the State Office of Planning and Research. This claim is simply incorrect, as under Pub. Res. Code 21167(c), 21108(a) and 21152(a), filing the NOD with the Office of Planning and Research in order to shorten the statute of limitations to 30 days is required only if the project is approved by a state agency. Projects approved by a local agency, such as the City, need only file with the County Clerk in order to trigger the shorter 30 day statute of limitations. In this case, the City filed an NOD for the Addendum on October 18, 2012 with the County

Wessman
Property
W Tahquitz Canyon Way
S Belard
S Pal
Starbucks
N Palm Canyon Dr
Forever
Marilyn
N Museum Dr
101
111

December 5, 2012

The site chosen by Mr. Wessman is not suitable for such a hotel. Nothing on the old Fashion Plaza site should be over two stories in height. If approved as proposed, it will come home to haunt Palm Springs in the future.

Some years ago Mr. Wessman was turned down on his application to build a similar hotel on his personally owned property (southwest corner of Tahquitz Canyon Way and Cahilla Rd.), which is no more than 100 yards due west of where he hopes to use "Measure J" funds to construct a Kimpton Hotel. Should the city decide to approve a downtown multistory-hotel, let it be built on Wessman's own property, *using his own money. Yes, the old Fashion Plaza buildings must be torn down, and* streets, open areas, and low-scaled buildings put in their place; "Measure J" taxes are paying for all that to be accomplished. However, Palm Springs appears to be heading toward making the same mistakes as were perpetrated when the Desert Fashion Plaza was foist upon us some 25 years ago. A multistory Kimpton Hotel is not as someone wrote in Sunday's Desert Sun: "the key to our future." The key will be when we recognize; Palm Springs' future is in being Palm Springs and not some trumped-up architectural mishmash. For several years, I have suggested to the mayor, we need to *take the time to do some real visioning and construct scenarios of what Palm Springs* will likely be in the next 25 to 50 years. That way, what is built today, will be relevant in the future. Nothing more than two story structures should be built on the old Fashion Plaza property. When the City agreed to purchasing the parking garage, and then paying for the roads, infrastructure and low-rise buildings they were not approving the taxpayers financing a multi-story hotel for Mr. Wessman.

Donald Prell
PO Box 1927
Palm Springs, CA dbprell@gmail.com

Submitted to
Planning Commission
DEC 05 2012
Case #_____

Addendum as compared to the FEIR. On that basis, the CEQA guidelines indicate that at most, an Addendum is appropriate.

Once an EIR for a project is approved and beyond challenge, the City's determination of whether a further EIR is required will be upheld as long as its decision is supported by substantial evidence (*Moss v County of Humboldt* (2008) 162 CA 4th 1041, 1058.) In this case, the evidence shows that the Addendum presents a less dense and impactful project overall as compared to the level of development analyzed in the FEIR for the same blocks. The evidence before the City further showed that in the one area of possible new impacts, that of visual impacts, the City required and considered view shed studies of the FEIR as compared to the Addendum, and based on that substantial evidence, reasonably found that the impacts of the Addendum were no greater than those analyzed in the FEIR, nor did the Addendum create new impacts not previously analyzed. As a result, and contrary to the assertions made by Ms. Huangfu, the City's action in approving the Addendum was wholly proper under CEQA, and the City is entitled to rely upon the approved FEIR, as modified by the Addendum, in considering specific development projects within the Museum Market Plaza.

We would ask that this letter be made of part of the administrative record in this matter and provided to the Planning Commission Members.

Sincerely,

Emily Perri Hemphill
Ealy, Hemphill & Blasdel, LLP

cc: Craig Ewing
David Ready
Mayor Steve Pougnet
Mayor Pro Tem Ginny Foat
Councilmember Chris Mills
Councilmember Rick Hutcheson
Councilmember Paul Lewin
John Wessman

Clerk, thereby triggering the 30 day statute of limitations, making Ms. Huangfu's comments on the Addendum also untimely.

Despite the procedural and legal deficiencies of Ms. Huangfu's objections, we would also like to address the substance of the issues raised.

As you know, in 2009, the City certified the FEIR for the Museum Market Plaza and that document was not challenged within the allowable challenge period, making it now conclusively presumed valid. Contrary to the assertions in Ms. Huangfu's letter, CEQA includes a strong presumption against requiring further environmental review once an EIR has been certified for a project. (Pub. Res. C 21166.) Under CEQA and the implementing Guidelines, a proposed change to a project that has undergone an approved EIR will trigger the preparation of a supplemental or subsequent EIR only if four conditions are all found to exist:

1) The change to the project is substantial
2) The changes involves new or more severe significant environmental impacts
3) The change will require major revisions to the EIR because of the new or more severe significant impacts
4) The new or more severe impacts were not considered in the approved EIR.

In the current situation, the original FEIR analyzed the maximum density project that could be constructed within the bounds of the Museum Market Plaza Specific Plan (MMP SP). The original FEIR analyzed for 1,443,000 square feet of mixed retail/office/restaurant/residential space within the blocks covered by the Addendum. The Addendum and its modifications reduce the amount of development within the same geographic area by 57,000 square feet. Therefore, while the Addendum relocates certain uses, it does not increase the overall density of development within the Specific Plan Area, nor does it modify traffic patterns within that area. As a result, the City reasonably could and did find that the Addendum's impacts with respect to traffic, air quality, water quality, utilities, public services and the other topics covered in the FEIR would be equal to or less than those studied in the FEIR, and therefore, no supplemental or subsequent EIR was proper.

The one issue that the City felt should be considered was that of aesthetics/visual impacts because relocation of buildings could change the impacts of the project from a visual standpoint. Toward that end, the City did require revised view shed analyses showing the difference between the visual impacts under the FEIR and under the new Addendum. Having studied that analysis, the City concluded that the impacts from an aesthetic/view standpoint were the same or better from the proposed

Jack Moore
240 Tunis Street
Palm Springs, California, 92264
760.322.8882

November 25, 2012

To: The Mayor, the City Council. The Planning Commission and the Architectural Advisory Committee.

I am confused. Very confused, actually, about the overhaul of the Desert Fashion Plaza. And, if I am, I'm sure there are others who are also confused. Erica Felci's article in this morning's Desert Sun brought it to a head for me.

When we were being sold the plans for the Plaza and also for Measure J, I don't recall a six story hotel in the mix. I do recall a movie theatre and/or a bowling alley. But not a six story hotel with a pool and bar on top, which, in essence, makes it, seven stories. The last time I heard about a tall hotel with a pool and bar on top was when John Wessman was trying to build one next to Casa Cody and Ginny insisted on story poles. Has he just moved it across the street? That doesn't cut the height any.

So, this afternoon, I went to the city website and read the Faqs (from where did THAT spelling come?) and I tried to reconcile them with the "conceptual" maps – two of them - A and A-1. The Faqs say the hotel is on the back of lot A. But the maps didn't have a lot A. They did have lots A-1 and A-2. So I'm guessing it is the one next to the Hyatt. But I shouldn't be guessing – I should be able to be certain. If it is next to the Hyatt that seems like it will give a citadel effect – sort of like a Rock of Gibraltar in the middle of downtown. That will certainly block views. And what of the "view corridors" about which we heard so much? That doesn't sound like corridors to me but, then, I may have it all wrong because of the "conceptual" maps.

Are the two renderings on the website what is really planned or are they "conceptual" too? Chris is quoted in this morning's paper as saying, "Archtecture can be fixed." Oh! I certainly wouldn't order a new house from a contractor without seeing the floor and site plans and a rendering of what it would look like. Why should anyone buy this without definite plans and drawings? I'm afraid we are going to get a duplicate of what is being torn down. Then we would be giving Wesswman and Co. a lot of money for what we already have.

And what about parking? From "the conceptual" maps it appears that all of the street level parking is gone. As I recall, that underground parking doesn't hold THAT many cars. And, in this day and age, who wants to go underground at night? With all of those

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Item 1A

shops and restaurants and a hotel, and outdoor gathering place, it seems as though parking will be a nightmare.

I'd sure like to know some definites instead of some concepts that "can be fixed".

Sincerely,

Jack Moore

Terri Hintz

From: Jay Thompson
Sent: Monday, November 26, 2012 2:28 PM
To: Terri Hintz; Kathie Hart
Subject: FW:
For PC, AAC and City Council. J

From: pkeati7@aol.com [mailto:pkeati7@aol.com]
Sent: Monday, November 26, 2012 2:06 PM
To: Jay Thompson
Subject:

To Mr. Jay Thompson, I think the plans for the new downtown hotel are atrocious. What are the people on that planning committee thinking of? Downtown does not need a seven story hotel in that spot, maybe a two story & set back a bit. Plus, it needs to conform to the charm of the whole downtown area. I'm sure most of you have been to La Jolla in San Diego? I grow up in La Jolla, and I watched developers totally destroy a beautiful small village. They tore down all the cute shops, and put up big black bldgings, and restaurants that donot blend in, and parking is a nightmare. Before I moved from La Jolla, I started walking into downtown because it was impossible to park anywhere. So please don't do the same with downtown Palm Springs. Thank You Patrick Keating-----Rancho Mirage, Ca.

Planning Commission Meeting
Date: 11/28/12
Additional Material
Item 1A

Terri Hintz

From: Jay Thompson
Sent: Tuesday, November 20, 2012 11:50 AM
To: 'Roxann Ploss'
Cc: Kathie Hart; Terri Hintz
Subject: RE: Downtown development

Thanks Roxann, information received and your testimony will be included in the packets for AAC, Planning Commission and City Council. Jay

James Thompson
CHIEF OF STAFF/CITY CLERK
TEL (760) 323-8204

From: Roxann Ploss [mailto:riploss@gmail.com]
Sent: Tuesday, November 20, 2012 11:26 AM
To: bill scott; Chris Mills; Craig Ewing; David Ready; doug hudson (pc); Jay Thompson; Ken Lyon; Rick Hutcheson; Steve Pougnet; tracy conrad; Ginny Foat; Paul Lewin
Subject: Downtown development

Dear All,
I know this will NOT come as a surprise to any of you but I feel the need to register a strong protest against the proposed hotel on the site of The Desert Inn. (And I hope that you will at least read the message despite the messenger!)

Firstly, when the people of Palm Springs were asked to tax themselves in order to pay for development, they were told they would be getting boutique shopping, perhaps an Apple store and loads of entertainment venue.
Now they are getting an extra street which they will have to pay to maintain AND no theatres.

Secondly, the people were most certainly NOT told that there would be a block-long, seven story hotel which would run parallel to the mountains thus blocking all views. Apparently, only tourists will have the right to see the O'Donnell House, the foothills or the Museum.....which was another argument for putting in another new street.

Thirdly, the design is lacking. It is a very ordinary (albeit very LARGE), standard-issue, big-city downtown model! I read the New

York Times daily and check out glossy magazines regularly; in three out of every four issues of the travel section(s), a full-page article is devoted to out-of-the-way, exotic places which are

1) devoted to health and well-being
2) respectful of the environment
3) taking full advantage of the beauty of the land around it
4) NOT "selling" hustle and bustle.

Unfortunately, the direction this hotel would be taking us is away from all that we already offer. The wheel does NOT need to be re-invented.

As someone who did NOT vote for Measure J, I am not surprised by any of this. We have a lot of history to tell us that something exactly like this would transpire. But I am disappointed that there is, seemingly, a rush to get this approved whether the people, the AAC or any other commission wish to see it happen. The "outreach" on the night of the first presidential debate was not only ill-timed but it had mixed reviews at best.

What about the crying need for story poles in this instance? What about a 3-D presentation so the true impact could be better assessed? We have all complained that the defunct Fashion Plaza was ill-advised and brought us decades of pain and shouts of recrimination. I am sincerely afraid that this will have the same result.

Thank you for your time,

Roxann Ploss

--

Roxann Ploss
Palm Springs, Ca.

"You cannot maintain a soul of a community if you detach it from history." Dani Dayan

Terri Hintz

From: Craig Ewing
Sent: Tuesday, November 20, 2012 1:38 PM
To: Terri Hintz
Subject: FW: Downtown development

Terri,
Please make this e-mail available to the AAC and Planning Commission. Thank you.

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8269

-----Original Message-----
From: Hayes, Kitty (khayes@psusd.us) [mailto:khayes@psusd.us]
Sent: Tuesday, November 20, 2012 1:36 PM
To: Roxann Ploss; bill scott; Chris Mills; Craig Ewing; David Ready; doug hudson (pc); Jay Thompson; Ken Lyon; Rick Hutcheson; Steve Pougnet; tracy conrad; Ginny Foat; Paul Lewin
Subject: RE: Downtown development

Roxanne: Once again you make several great point with which I agreee.

This, of course, you know is special territory to me and I want to see it treated is a special way to be reflective of all that was and is good about Palm Springs!

I am supporting Measure J in a different way. I bought two of the bonds. This should entitle me to some say in what is done.

1. This proposed plan is not what for presented to the population as a downtown full of charming shops, restaurants, and entertainment venues. We do not need more street in the project.

2. We should have long ago learned the lesson that building the Hyatt did. Jeremy Crocker told people that it would block the view of the mountain and make the shops on the east side of Palm Canyon Drive dreary. Sure enough! That's just what happened. The stores there aren't lively and busy. Just look the blocks to the south where there is a view of the mountain. The 100 South block is busy. The 200 South block is jammed with patrons and lively all the time. The mountain is the magnet!

We villagers have repeatedly said that we don't want smoke stacks in the heart of our center. I believe that the Agua Calientes will not allow this type of structure on Section 14. They want the area to be open and have a view.

Why shouldn't we be able to see our mother earth mountain? Why is it only for tourists? This would certainly block the O'Donnell's view of the desert.

Those who stay at the Tennis Club area hotels would not like to see a tower in their view and have those in the tower invading their privacy in their bit of paradise!

The buildings are so non descript. At the street the building should only be one story high. The second story should have to be back from the front at least 40 feet. Each additional story needs to be set back as well. Nothing should be taller than 3 floors that are 30 feet in height.

The planners should be designing something that looks like our historical Mediterranean architecture and match the O'Donnell house.

We certainly don't need any steel and glass boxes.

3. People are not looking for giant hotels. They can get that in any big city or Las Vegas. Just look at how well the Hotel California on the south end and all of the Tennis Club area hotels are doing.

4. People want small intimate places that give individual attention. They don't want hustle.

I don't know anyone who thinks that this plan is an asset or likes the design.

How can we get plenty of people to tell the City, "Stop. This won't work. We will have years more of emply places with this."?

Come on, folks, learn the lessons that the last 40 years of history should have taught us. Carmel is doing quite well and it isn't planning multi story hotels.

Thanks, Roxann, for speak up. We need a ground swell of help to make this a

memorable project that will be a legacy for generations to come.

Kitty

From: Roxann Ploss [riploss@gmail.com]
Sent: Tuesday, November 20, 2012 11:26 AM
To: bill scott; chris mills; craig ewing; david h. ready; doug hudson (pc); jay thompson; ken lyon; Rick Hutcheson; steve pougnet; tracy conrad; Ginny Foat; Paul Lewin
Subject: Downtown development

Dear All,
I know this will NOT come as a surprise to any of you but I feel the need to register a strong protest against the proposed hotel on the site of The Desert Inn. (And I hope that you will at least read the message despite the messenger!)

Firstly, when the people of Palm Springs were asked to tax themselves in order to pay for development, they were told they would be getting boutique shopping, perhaps an Apple store and loads of entertainment venue.
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or the Museum.....which was another argument for putting in another new street.

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1) devoted to health and well-being
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3) taking full advantage of the beauty of the land around it
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As someone who did NOT vote for Measure J, I am not surprised by any of this. We have a lot of history to tell us that something exactly like this would transpire. But I am disappointed that there is, seemingly, a rush to get this approved whether the people, the AAC or any other commission wish to see it happen. The "outreach" on the night of the first presidential debate was not only ill-timed but it had mixed reviews at best.

What about the crying need for story poles in this instance? What about a 3-D presentation so the true impact could be better assessed? We have all complained that the defunct Fashion Plaza was ill-advised and brought us decades of pain and shouts of recrimination. I am sincerely afraid that this will have the same result.

Thank you for your time,

Roxann Ploss

--
Roxann Ploss
Palm Springs, Ca.

"You cannot maintain a soul of a community if you detach it from history." Dani Dayan

November 19, 2012

To: Honorable Steve Pougnet, Mayor and Councilmembers Lewin, Foat, Mills, and Hutcheson

Fm: Robert Stone
Warm Sands Neighborhood Organization

Re: Downtown Palm Springs Redesign
Desert Fashion Plaza (DFP) Demolition and Rebuild

I am writing about the current plan for downtown revitalization as presented this week to the Architectural Advisory Committee (AAC) and Palm Springs Planning Commission (PC). I am writing as a citizen, taxpayer, homeowner, and proponent of Measure J which allowed this project to move forward, and not as the representative of the neighborhood organization I formerly chaired.

The current DFP proposal raises serious questions about the promises made to Palm Springs residents by the City Council and Mayor in order to get the necessary funding for this project. They also belie the Mayor's election promise to dedicate himself to transparency in government. The seeming rush to slam this proposal through does not inspire confidence or respect.

There are significant problems with the current proposal that mandate a relaxation of project timeframes to allow for adequate public input and evaluation. The AAC and the PC must be allowed the time to do the important work the citizens of Palm Springs count on them to accomplish. The worst decisions on Palm Springs history were those in which the Mayor and Council ignored the advice of these important commissions. It would be a tragedy if history were allowed to repeat itself in this instance. This is how we got the Desert Fashion Plaza to begin with, as well as the dreadful Shadowrock development proposal City Council pushed through, only to be reversed by a ballot initiative that overturned Council's decision by a 2-to-1 majority vote.

Currently, the most important and relevant fact right now is that no one – not a single citizen of Palm Springs – ever signed on for a project resembling the one currently on the table, because no such plan was ever presented.

THE FIRST PASS

Before the passage of Measure J, the public was invited to three wine and cheese soirees held at the convention center and billed as "visioning sessions." At those sessions, the only discussion regarding building height for the proposed DFP remodel centered on a collection of structures that were well within the general 60-foot height limit of the specific plan. In addition, the public was promised world class architecture, and shown renderings prepared by Rios, Clementi, Hale, an award-winning Los Angeles architectural firm, of what the new downtown would look like.

Then, after the tax measure was passed, the developer hired a Phoenix firm and not the firm used to sell Measure J. This move did not inspire confidence. Then on November 13, 2012 at 3 p.m. AAC met for a "first pass" review of the presentation. The

staff placed the review of this proposal as the 8th item on a calendar of 8 items, when as the most important issue to come before the city in 25 years, it should clearly have been first. To add insult to injury, the public was informed just before discussions began that the entire item had to be wrapped-up in 35 minutes because the borrowed room needed to be vacated. This clearly seems to be an orchestrated attempt to stifle public input; this sort of thing does not happen by accident.

At this meeting, the public had their first chance to see the proposed redesign. The four members of the public who gave testimony all objected to the proposed 90-foot height of the hotel. But no member of the general public can be expected to assimilate or grasp the implications of relatively complex architectural renderings on a first viewing. No models were presented, only elevations and selected renderings. And the staff report prepared in advance by the Planning Director omitted many details. No demolition plan was presented (although I do not believe anyone would object to moving demolition forward now).

Although there is a one-line footnote in the Museum Market Plaza Specific Plan (SP) that allows a hotel to exceed the 60-foot height limit with City Council approval, the current proposal clearly violates both the letter and the intent of the General and Specific plans. Heretofore there was no discussion of a 90-foot tall building. It should come as no surprise that many residents will consider the current proposal to be a betrayal of the public trust. Public funds are paying for this project.

NON-CONFORMANCE WITH SPECIFIC AND GENERAL PLANS

On December 2, 2009 Palm Springs passed the Museum Market Plaza Specific Plan which amended the 2007 General Plan and its 2005 Downtown Development Guidelines. The current DFP remodel proposal conflicts with our (GP) in several critical ways. Section I of the GP states the priorities of the plan are to "strengthen and promote those things that make Palm Springs a one-of-a-kind resort destination" and "promote development that enhances scenic views and provides visual and physical access to the city's surrounding mountains and...other scenic and natural resources." (pp. 1-12 and 1-13) The proposal on the table does not conform to these basic requirements.

The GP section on PDDs (page 1-18) requires project sponsors to "mitigate any impacts that would be generated by the modifications" proposed to existing building codes and zoning. The October 17, 2012 amendment to the SP alleges the current plan qualifies under the existing Environmental Impact Report (EIR), yet no 90-foot hotel project was ever presented during the EIR review process and this plan fails the test of reasonableness required for re-certification of a "neg dec."

The Land Use section of the GP (Section 2) permits "43 hotel rooms per net acre; it also states that such hotel projects "should be designed to be compatible with neighboring development." The 2009 SP allows up to 70 units per acre for hotel use. The 2012 revision to the SP allows the developer to negotiate for a hotel of "170 plus" rooms. The current proposal for 180 rooms and their configuration is not compatible with surrounding development, unless you consider the Hyatt Hotel, commonly seen as most insensitive and inappropriate commercial structure in downtown.

Appendix A to the GP covers the Downtown Urban Design Plan (DUDP) which requires developers to "protect or create public view corridors" and states that building

frontages should be relieved with occasional courtyards, passageways, patios, and setbacks." Some such relief is included in the current proposal, but none can be found in the hotel which has no setback on the new Belardo Road frontage at all and only the porte cochere setback and four-story monumental entrance element on the Tahquitz side. It is otherwise a vertical monolith that shoots directly upward from its foundations.

The 2012 revision to the SP says, "Each of the component blocks must be effectively permeated with public and private open spaces, allowing view corridors from the public domain and thus avoiding the creation of an overwhelming and impenetrable built form."

It also says, "Hotels may exceed 60 feet only with sympathetic massing and effective architectural treatment to visually reduce building bulk." It continues with, "Building elements throughout the Specific Plan must be varied to include stepping down so the apparent mass of the building is reduced, austere 'cliff-face' frontages avoided, and view corridors created." This passage could have been written specifically to eliminate the hotel design now on the table.

The DUDP also says "stepped building setbacks should be used in taller building to preserve/enhance existing view corridors." It specifies that land use for PPDs in the downtown core "should be comprised of a central core area consisting of taller (max. 60 ft.)" buildings "with shorter outer core (max. 30 to 45 ft.)" structures. "Building height within the central core area should be a maximum of 30 feet on the street front stepping back to 60 feet in height with minor intrusions for architectural features." (Page 35-36) The current PDD does not conform to these requirements of the GP. On page 37 of the DUDP, it states, "the east/west orientation of tall buildings is recommended." The proposed hotel is oriented north/south, as it the existing Hyatt.

OTHER DESIGN PROBLEMS

Nothing in the current design proposal approximates the quality of architecture promised the citizens of Palm Springs prior to the passage of Measure J. I trust the AAC and PC to articulate design problems. Hopefully, Council will listen. But some things are abundantly clear.

There is not a single element in the proposed elevations for the new buildings that has not already been seen elsewhere in architecture throughout America for the last 25 years. The current design is banal and mediocre, at best. These structures could be found in Phoenix, West Covina, or Palm Desert – circa 1999. When we need to be setting the gold standard for progressive thinking in terms of sustainability and architectural sophistication, we're putting forward a proposal that simply recycles existing styles. The design lacks character and distinction. And Palm Springs will have to live with – and try to promote – this design for the next 50 years.

No discussion has yet taken place about meeting the parking requirements for the proposed 180-room hotel. Is parking, which is now owned by the city and advertised in the Measure J proposal as remaining free to the public in perpetuity, now expected to be dedicated to the hotel without concomitant reimbursement?

At the November 13 AAC meeting it was revealed for the first time that the proposed six-story hotel now has an adjacent suite annex on a parcel previously shown on

the site plans as "future development." This newly revealed building, which was not shown in the staff report made available to the public, is proposed as being connected to the six-story main hotel building by glass bridges over the street level. he bridges encroach on open space. Dropping down a new box, and connecting it to another much taller one by bridges is a solution typically found in 1990s industrial parks when attempting to satisfy the growing needs of existing tenants. It looks like a "remuddle." If additional space is needed by the hotel, an entirely new design should be created. At this point, the developer has no binding commitment whatsoever from the Kimpton Hotel chain – just a "letter of intent," which any licensed real estate broker (and I have been one in California for 20 years) can tell you is only worth as much as the paper it's written on.

The inclusion of a hotel on the site is not a problem. "Heads in beds" is a concept anyone can understand, and few would question its importance in a city whose economy is based on tourism. After all, a hotel originally occupied this site. But the proposed monolith resembles a Russian housing block, with double loaded corridors and rooms facing east that will enjoy a view of rooftop HVAC equipment. The design's offensive and banal massing is not made more palatable by the proposed porte cochere and monumental glass entry. And, of course, there is the insensitivity of the design to view corridors and neighboring structures like the museum.

SOME SUGGESTIONS

It is disappointing to find ourselves, at this point in the process, with a design as crude as the current one. Certainly a shorter hotel and a reorientation to an east/west axis, instead of a north/south access would help minimize the adverse impact on views. Also a curving structure with an off-street porte cochere entry embedded inside the curve would help; even an east/west V-shape would provide some relief. Certainly a variation in the rectilinear blocks that comprise the entire project would provide some relief. Where are the curving elements? Where are the promised shaded or arcaded walkways that will allow year-round use of the new downtown buildings and protect pedestrians and shoppers during our relentless summer months? Where is the variety in shapes and street orientation, the originality of design concept, the progressive approach to 21st Century living?

One minor detail in the architects' rendering for the Market Street segment of the current plan reveals the level of sophistication at play here. That rendering shows strings of bare light bulbs criss-crossing Market Street. Unless the project is going to come complete with strippers, a carnival barker, and a bearded lady, this sort of honky tonk midway must be avoided at all costs. But there is it in the plans, and it speaks volumes.

We can and must do better than the current design.

Terri Hintz

From: Craig Ewing
Sent: Wednesday, November 14, 2012 11:49 AM
To: Terri Hintz
Subject: FW: Plans for a 99 feet building on former fashion plaza grounds

For today's Planning Commission meeting...

- Craig

From: Jeri Vogelsang [mailto:pshistoricalsociety@gmail.com]
Sent: Wednesday, November 14, 2012 11:48 AM
To: Craig Ewing
Subject: Fwd: Plans for a 99 feet building on former fashion plaza grounds

---------- Forwarded message ----------
From: **Jeri Vogelsang** <pshistoricalsociety@gmail.com>
Date: Wed, Nov 14, 2012 at 10:21 AM
Subject: Re: Plans for a 99 feet building on former fashion plaza grounds
To: pauli vander zijden <paulivanderzijden@hotmail.com>

Thank you Pauli-I will take it to the meeting today.

On Tue, Nov 13, 2012 at 9:36 PM, pauli vander zijden <paulivanderzijden@hotmail.com> wrote:

To the major of the city of Palm Springs
To the planning committee for architectural advisory

Could the city clark please bring this to attention at the council meeting?

Following I would bring to your attention at the meeting on nov. 14, 2012.

Let me first introduce myself briefly.
I am a new happy homeowner in Palm Springs, and from the Netherlands.
In my home country I am amongst many cultural organizations also a member of the museum for architecture and have travelled all over the world and enjoyed and respected preservation of heritage.

I am by now a member of 3 cultural organizations in Palm Springs.
I love the city and the way most of you put much effort, leisure time and money in the preservation of your beautiful area.
One thing has daily bothered me over the years. The Hyatt building. It is totally out of place.
At a seaside resort it would make a better picture. The Sheraton in Madeira is an example.

Now my point
Today I heard that there are plans to build a 90 feet high building/hotel on the spot of the former fashion plaza.

In the first place, though I have not seen the plans,this is way to high.
Are you taking away the mountain view? To me this is one of the most important charming backdrops of the city and for me a major decision to buy here. I enjoy walking through the historical streets.

Please stay away from high-rise.
Selling permissions, if this is the case, is a short term view.
Another ugly spot in town?
I do understand that you need to fill up the empty spots.
I can think of a different way.
That is another conversation.
I wish you wisdom in making your decision.

Kind regards,

Pauli van der Zijden, Palm Springs.
paulivanderzijden@hotmail.com

Sent from my iPad

PAULA AUBURN & KEITH KNAUSS
1369 CAMPEON CIRCLE
PALM SPRINGS, CA 92262
760-320-1683 PAANDKK1@AOL.COM

RECEIVED
NOV 13 2012
PLANNING SERVICES
DEPARTMENT

November 12, 2012

TO: City of Palm Springs Planning Commission

RE: Downtown Development

We have been so excited about Measure J and the potential for downtown revitalization! We remain so.

Specifically the new streets will provide additional street frontage for retail and restaurants, a developers dream. The planned visibility of the Art Museum may be a key to keeping it in its current location. It is a no secret that Palm Desert would like the entire museum. It would be fantastic if Marilyn could stay but we understand that is not possible. The razing of the bank building certainly gave us, both locals and tourists, quite a panorama of blue sky and breath-taking mountains.

We do remain, however, very concerned about the proposed hotel with its massive footprint and mountain-and-museum-blocking location. Yes, we need a hotel and, yes, it needs to be financially feasible. Is it remarkable that the proposed small boutique Arrive hotel is a viable development at two stories and yet in the heart of downtown it takes 6 stories?

The downtown rendering depicted a large, white shoebox – nothing distinctive, nothing classy – a design we fear will be a white elephant in very few years. The north-south orientation blocks the Art Museum AND the mountains. To many of us who worked to pass Measure J this is a mystery. We believed that the preservation of mountain views and opening up the view of the Art Museum were key goals.

At the very least the hotel needs to come down a floor or two and be orientated on an east-west axis allowing each room access to a view. Many oceanside hotel developers discovered such an orientation to a key view. The design and placement need serious attention.

Thank you for taking our comments into consideration.

Sincerely,

Paula Auburn & Keith Knauss

Cc: Palm Springs Mayor and Council Members

PC Mtng
11/14/12

Terri Hintz

From: Craig Ewing

Sent: Tuesday, November 13, 2012 10:29 AM

To: Dan Thompson; Donald Wexler (wexlerdon@aol.com); 'gary@garyfredricksdesign.com'; JimHarlan@aol.com; Paul Ortega (paul@desertgardencenter.com); Paul Ortega (portega@dc.rr.com); 'rpurnel@rpla.net'; secoy architects, inc.; 'wdfauber@yahoo.com'; William Kleindienst (willkaia@aol.com); Doug Donenfeld; Douglas Hudson (doughud@aol.com); John JR Roberts (jr66@mac.com); Kathleen Weremiuk (kathy.weremiuk@verizon.net); Leslie Munger (lesliemunger@yahoo.com); Lyn Calerdine (Lyn.Calerdine@lsa-assoc.com); Phillip Klatchko (philip@klatchko.com)

Cc: Terri Hintz; Edward Robertson

Subject: FW: Case 5.1290 PDD 361 / Downtown Palm Springs Project

To All,

The e-mail below is forwarded for your information regarding the Downtown Palm Springs project (Desert Fashion Plaza site). Let me know if you have any questions (no Reply All).

- Craig A. Ewing, AICP
- Director of Planning Services
- City of Palm Springs

From: aylaian@aol.com [mailto:aylaian@aol.com]
Sent: Monday, November 12, 2012 1:11 PM
To: Craig Ewing
Cc: Steve Pougnet; Chris Mills
Subject: Case 5.1290 PDD 361 / Downtown Palm Springs Project

Mr. Craig Ewing
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Ewing:

RE: Case 5.2190 PDD 361 / Downtown Palm Springs Project

I see that the Downtown Palm Springs Project is on the agendas for the Architectural Advisory Committee meeting on 13 November 2012 and the Planning Commission on 14 November 2012. I would appreciate it if you would distribute my comments to them for their review as they consider the subject project.

The proposed project is an exciting step forward for Palm Springs, and it goes without saying that, as a resident, I'm anxious for the long-vacant Fashion Center to be redeveloped. Nonetheless, I am concerned about the proposed height of the project.

The Palm Springs Downtown Urban Design Plan that was adopted in 2005 represents several years of collaborative work between residents, business owners, policy makers, and professional planners and architects. No one party or interest group prevailed in the preparation of these guidelines; everyone won a little and lost a little, which is the sign of a good compromise. Under these guidelines, building height in the area in question was limited to 30 feet at the street front, stepping back to 60 feet.

The Museum Market Place Specific Plan obviously governs over the Downtown Urban Design Plan, and it limits building height to 60 feet, except for hotels which may be taller if a PDD is approved by the City Council. In theory, the City Council could allow the Morongo Casino to be plopped down in the middle of town by approving a PDD. However, that doesn't mean that such a structure would be aesthetically appealing, suitably scaled, or in any way appropriate for the location.

PC Mtg 11/14/12
Item 3C

From: "I. Block" <iblock@iblock.com>
Date: November 12, 2012, 6:32:48 AM MST
To: <steve.pougnet@palmsprings-ca.gov>
Cc: <Ginny.Foat@palmsprings-ca.gov>, <Chris.Mills@palmsprings-ca.gov>, "Rick Hutcheson" <rhutcheson@dc.rr.com>
Subject: HTCNO

Dear Mr. Mayor,

I am out of town and a member of the HTCNO. I want you to know without a doubt that there is NOT unity behind Frank Tyson and his usual objections to everything Wessman does. The height of his hotel is NOT a problem to me or most of my neighbors. I live at the top of Ramon and will see the structure and it is perfectly okay with me. In fact, I think I might enjoy a skyline.

We might as well call Palm Springs "Frank Tyson City" as he has interfered with everything positive downtown. I am sorry his hotel is near this development but it is time for PALM SPRINGS TO MOVE FORWARD.

PLEASE show some backbone and perseverance in moving forward. We cannot afford more years of foot dragging because Frank Tyson doesn't want anyone to use the property around him.

You have a lot of supporters that cannot spend time like Tyson making noise and being heard. We have voted, we have approved this development, we want to move forward. Frank Tyson and his followers have had their way for 10 years downtown and enough is enough.

Thank you for understanding that there are over 40,000 residents, a majority of which are behind you and a loud minority behind Frank Tyson. Please don't let the tail wag the dog. We are counting on you to get of out of this unproductive, anti-everything attitude that has dragged this city to its feet. You have a mandate and a chance to move forward and WE ARE BEHIND YOU.

Thank you for your consideration,
Ilene Block
575 So. Fern Canyon
PS, CA 92264
760-401-0557

PC Meeting
11/14/12
Item 3C

HISTORICAL TENNIS CLUB NEIGHBORHOOD ORGANIZATION

Mayor Steve Pougnet, Mayor Pro Tem Ginny Foat & Council Members Rick Hutcheson, Chris Mills & Paul Lewin.
City of Palm Springs
3200 East Tahquitz Way
Palm Springs, CA 92262

RE: DOWNTOWN REDEVELOPMENT

Cc: Mr. David Ready, Mr. Jay Thompson, Members of the Palm Springs Planning Commission & Architectural Advisory Committee.

Dear Mayor Pougnet et al:

Being the Palm Springs neighborhood perhaps most immediately affected by the future shape of our new downtown redevelopment, our HTCNO Board Members and residents have been closely monitoring the evolving plans for the property.

During the Measure J campaign, we wholeheartedly supported its passage. We were very pleased by the transparency displayed in the public participation, and our representatives participated and played a clear role in that process.

The recently disclosed Wessman Development plans for the project seem to be moving in a favorable direction, specifically in the following areas:

- The addition of the "Market" street between Palm Canyon Drive & Belardo, with the flexibility to be converted to a pedestrian-only street for evening dining & special events.
- The retention of the "green space" at the Corner of Tahquitz & Palm Canyon, to provide a people-friendly entrance and enhance the connection to existing properties at our most central downtown intersection.
- The open-air entertainment "mini-park" venue near the Museum.
- Abandonment of the Bowling Alley, Movie Complex & Urban Style Fitness Center.
- The addition of an upscale Hotel, to provide much needed foot traffic, increase T.O.T revenues & support retail and entertainment venues.

However, with respect to the Hotel being proposed, we are very much concerned about the height and juxtaposition of the structure between Palm Canyon and our cherished mountains. It appears that the proposed Hotel could perhaps be reduced in overall height & extended further North, wherein it could maintain the same occupancy, have even more roof-deck & garden amenities, and not impose such an "Urban" presence on

Submitted to
Planning Commission

NOV 07 2012

Case #_____

our precious "Suburban" resort village. We certainly understand the importance of the numbers working out for each component of the new downtown, and that hotel financing is a tricky venture, at best. And we unanimously want this hotel to succeed. But let us first and foremost consider the root problems with the prior developments on this site.

It has been generally agreed upon that the Hyatt Hotel was built too tall and was a mistake in terms of the downtown urban design & the preservation of vistas. We all celebrated when the former BA building was demolished, and the presence of the Marilyn statue with the ever-changing backdrop of the mountains behind her has been an inspiration for all of us, to realize what we give up when we make mistakes like the Fashion Plaza and the Hyatt Hotel.

And that is not meant to demean the Hyatt Hotel as a member of our business community, as we are certainly proud to have the Hyatt brand presence in our downtown. Rather, we believe it is important to reflect on how its design & execution might have been incorporated more appropriately into our downtown, so as to have created a more timeless and user friendly addition to our landscape.

Our point is primarily that we must be sure not to repeat a well-recognized mistake. We would rather look towards the highly-successful resort town of Aspen, which has several high quality new hotels kept to a few stories. As we recapture and reconstruct our downtown, let's make sure we don't have to replace it again in another generation because we didn't have the foresight to make tough decisions and hold our ground on the most important and essential elements that make Palm Springs the most unique, famous and beautiful Desert Resort in the world. We love to say that we are the "Name Brand", so let's not lose sight of what that means and how we got there.

Thank you for your consideration of our concerns.

Respectfully,

Frank Tysen,

Chairman of the Historical Tennis Club Neighborhood Organization (HTCNO), writing for the Board Members and Citizens of our neighborhood, by majority vote of the HTCNO Board.

KAISER FAMILY of RESTAURANTS

WWW.RESTAURANTSOFPALMSPRINGS.COM

78-100 MAIN STREET, SUITE 203 LA QUINTA, CA 92253

December 7, 2012

Dear Palm Springs Planning Commission:

I am sending this letter to stress my utmost support of Wessman Development and Mr. John Wessman and his plan to renovate the Desert Fashion Plaza and bring the Four Star Kimpton Hotel to downtown Palm Springs.

The revitalization of downtown Palm Springs is imperative.

I have known Mr. Wessman personally and professionally for years. He is a man of great character and integrity. He is intimately aware of the great importance and impact that this project will have on Palm Canyon Drive and the City of Palm Springs. Wessman Development has invested tremendous time money and commitment to do the project right the first time; it has been in the planning stage for 10 years. This project will create jobs, tax revenues, visibility and most of all revitalize downtown Palm Springs.

Linking the downtown area with the new Kimpton hotel, the Palm Springs Desert Arts Museum and the pedestrian friendly streets will encompass the entire area with the wonderful views of the mountains. Many residents don't even know of the Museum, this will shed new light on the Museum helping to generate our local residents to branch out and enjoy many of the deserts gems.

This project will do for downtown Palm Springs what the Gardens did for El Paseo.

Please take all the information provided by everyone involved into consideration and vote in favor of this new project it would be a travesty to let downtown Palm Springs continue to deteriorate.

Most sincerely,

Lee Morcus

Lee Morcus
Kaiser Restaurant Group

BuchalterNemer
A Professional Law Corporation

55 SECOND STREET, SUITE 1700 SAN FRANCISCO, CALIFORNIA 94105-3493
TELEPHONE (415) 227-0900 / FAX (415) 227-0770

Direct Dial Number: (415) 296-1696
Direct Facsimile Number: (415) 296-1766
E-Mail Address: *khuangfu@buchalter.com*

December 5, 2012

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
VIA ELECTRONIC MAIL (CRAIG.EWING@PALM SPRINGS-CA.GOV)

City of Palm Springs
Department of Planning Services
Attn: Craig A. Ewing, AICP
Director of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: *Downtown Palm Springs Project (Planning Commission December 5, 2012 Meeting - Case 5.1290-PD361 – Applications by Wessman Development for a Tentative Parcel Map (TPM 36446), Planned Development District (5.1290-PD361), Major Architectural Applications (3.3605-MAJ, 3.3606-MAJ & 3.3607-MAJ)) - Comments to Museum Market Plaza Specific Plan Final Environmental Impact Report and Addendum (SCH No. 2008060184)*

Dear Mr. Ewing:

To supplement this office's November 28, 2012 letter, incorporated by reference in its entirety hereto, the following constitute additional comments of North First Street Properties, LP ("North First Street"), submitted in opposition to the approval and use of the Addendum to the Museum Market Plaza Specific Plan Final Environmental Impact Report ("Addendum" and "MMPSP FEIR", respectively) as the underlying environmental analysis for the Downtown Palm Springs Project ("Downtown Project").

Nearly one month following the City of Palm Springs City Council's October 17, 2012 approval of the Addendum to the FEIR, the Department of Planning Services ("Planning") expressed its intent to "use the Final EIR and Addendum as the environmental document" for the Downtown Project. (Dept. of Planning Services Memo to AAC, Nov. 13, 2012 at p. 1 and Planning Commission Staff Report, Nov. 7, 2012 at p. 5.) The Tentative Parcel Map, Planned Development Permit, and Major Architectural Approvals related to the Downtown Project are currently before Planning.

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PLANNING SERVICES
DEPARTMENT

As noted in our November 28, 2012 letter, this comes as a surprise given the City's prior representations that it would prepare an Initial Study for the Desert Fashion Plaza Renovation Project "[a]t the time a formal application is submitted." (City Dept. of Planning Services, Feb. 17, 2009 Letter to Wessman re: Pre-App. 09-001 for the Desert Fashion Plaza Renovation Project at p. 11.) It appears that this is no longer the case. Had North First Street been privy to the City's decision to circumvent further additional environmental review and public comment, as required by the California Environmental Quality Act ("CEQA"), North First Street would have vehemently opposed approval of the Addendum, specifically its application to the Downtown Project.

1. SUBSTANTIAL CHANGES TO THE DOWNTOWN PROJECT THAT WERE NOT PREVIOUSLY ANALYZED IN THE MMPSP FEIR RENDER ENVIRONMENTAL REVIEW FOR THE DOWNTOWN PROJECT BY WAY OF AN ADDENDUM INSUFFICIENT

Under CEQA, a lead agency is required to prepare a subsequent or supplemental environmental impact report, and cannot proceed by way of an addendum, if one or more of the following events have occurred: (a) *substantial changes are proposed in the project which will require major revisions of the previous EIR* or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (b) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of *new significant, environmental effects or a substantial increase in the severity of previously identified significant effects*; or, (c) new information of substantial importance, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available. (14 Cal. Code of Regs. ("CEQA Guidelines") §§ 15162-15163, emphasis added; *see also*, Cal. Pub. Res. Code § 21166.)

It is well-established that significant changes to a project, particularly when the project entails phased construction as it does here, trigger additional environmental review by way of a subsequent or supplemental EIR for changes that are more minor in nature. For instance, an approved amphitheater project was deemed to have been substantially changed when the plans increased the number of seats from 5,000 to 7,000, and the configuration of the stage was reoriented adjacent to a neighboring residential area, presumably increasing potential noise impacts. (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Ass'n* (1986) 42 Cal.3d 929.) Similarly, in *American Canyon Community United for Responsible Growth v. City of American Canyon* (2006) 145 Cal.App.4th 1062, 1066-1067, the court held that the city prejudicially violated CEQA by failing to prepare a supplemental EIR to assess changes related to the size and type of retail development proposed to replace a shopping center with a 24-hour supercenter.

Similar to the facts at issue here, the MMPSP FEIR is not sufficiently elastic to cover new developments and substantial changes that have since been introduced. Accordingly, the preparation of an addendum in this instance was inappropriate given the nature and scope of the project changes that have occurred since the MMPSP FEIR was certified in December 2009.

a. Project Changes and Modifications

In 2009, the MMPSP FEIR proposed policies and development standards for a master planned, mixed use project to include retail, office, high density residential, and hotel development on 20.6 acres, including the delineation of three Planning Areas that set forth the following configurations specific to expected uses and maximum land use intensities. (MMPSP FEIR at p. I-12.)

Table I-1
Maximum Land Use Intensities[1]

Land Use	Planning Area 1	Planning Area 2	Planning Area 3	Total
Retail or Office (square feet)	385,000	15,000	N/A	400,000
Residential (dwelling units)	900	55	N/A	955
Hotel (rooms)	565	55	N/A	620

As proposed, however, the Downtown Project purports to "develop a total of approximately 1.4 million square feet of mixed commercial space on a portion of the site", which includes "three separate blocks of commercial retail space, a [89 foot tall] 170-room hotel [with a rooftop pool], a [newly proposed] major public outdoor performance space (1.3 acres of 57,000 sq. ft.), underground public parking and the establishment of a public street grid." (Addendum at p. 1.) Public improvements for the 13.2-acre planning area include streets, sidewalks, drainage, approximately 1,100 public parking spaces, public restrooms and other associated facilities. (*Id.* at p. 6.)

Notwithstanding the conversion of the previously considered movie theater to what has now been deemed as an "Event Area" or "outdoor entertainment venue" for concerts and other large-scale public events, the Addendum erroneously concludes that "the proposed Downtown Palm Springs project does not present any new potentially significant effects not evaluated in the previous EIR." (Addendum at p. 4.) This is simply not true. Conspicuously absent from the Addendum is any analysis or explanation of the environmental impacts that will emanate from

[1] The Addendum notes that "in adopting the Specific Plan in 2009, the City Council deleted two areas that were identified in the draft Specific Plan," namely Planning Area 2 and Planning Area 3 which are no longer part of the Specific Plan. (Addendum at p. 8.) This further reduces the maximum allowable land use intensity for Planning Area 1 (the Downtown Project Area) to 385,000 square feet for retail and office and 565 hotel rooms.

the proposed Event Area or any of the changed land use designations. Therefore, the Addendum provides an incomplete and legally insufficient analysis that is not supported by substantial evidence.

2. THE ANALYSIS (OR LACK THEREOF) PROVIDED IN THE ADDENDUM IS NOT SUPPORTED BY SUBSTANTIAL EVIDENCE AND FAILS TO PROPERLY EXPLAIN WHY THE CITY DECIDED NOT TO PREPARE A SUBSEQUENT OR SUPPLEMENTAL EIR

Though CEQA does not set forth a specific format for addendums, CEQA Guideline Section 15164 states that the agency must, at a minimum, explain why it decided not to prepare a subsequent EIR and support it findings with substantial evidence in the record, neither of which have occurred here. Not only does the Addendum fail to clearly articulate the precise post-2009 FEIR project changes, with respect to height and other considerations that would arguably result in environmental impacts, the Addendum superficially concludes that "[n]o substantial changes have occurred within the planning area," and that the Downtown Project "would therefore not result in new or expanded impacts beyond those identified in the previously certified Special Plan EIR and Addendum." (Addendum at p. 4.)

The following provides a non-exhaustive list of environmental impacts that were not properly assessed in the Addendum.

a. A Supplemental or Subsequent EIR is Needed to Assess Noise, Traffic, and Air Quality Impacts Associated with the New Event Area

In 2009, the MMPSP FEIR concluded that the "[b]uildout of the proposed project will result in short-term, yet potentially intrusive, noise impacts associated with demolition of existing structures, grading and construction, as well as the transport of construction workers, materials, and equipment to and from the site." (MMPSP FEIR at p. III-144.) Thus, the "[d]emolition, grading and construction noise impacts will be temporary and short-lived and are not expected to impact community noise levels on a long-term basis." (*Ibid.*) Though the MMPSP FEIR considers potential traffic noise and operational noise impacts associated with construction of the project, the Addendum fails to assess or analyze the need for additional long-term mitigation measures, such as the inclusion of sound walls or other noise-reducing measures, related to the Event Area on a forward going basis following construction.

Likewise, traffic conditions and related air quality impacts should be reassessed on both a short and long-term basis as the change in land use from a movie theater to an outdoor entertainment venue could significantly alter projected traffic patterns.

b. A Supplemental or Subsequent EIR is Needed to Further Analyze the Project Size and Designated Land Uses

The Addendum provides a block-by-block comparison between the MMPSP uses and the proposed Downtown Project uses, showing a total aggregate reduction from 1,443,000 to 1,386,000 square feet. On the surface, this block-by-block comparison appears to reduce the size of the Downtown Project. Upon further review, however, it appears that alterations have been made to the land use designations that could significantly impact the analyses set forth in the MMPSP FEIR.

For instance, the proposed uses now include categories of "mixed retail/office" and "mixed retail/hotel" that were not previously assessed. Block B previously contemplated 3,000 square feet of restaurant space that now has been changed to 90,000 of mixed retail and office. Block C now includes hotel use instead of office. Though seemingly subtle in scope, these alterations in land use designations could significantly impact traffic patterns and require further review.

c. Height of the Newly Proposed Kimpton Hotel Was Not Previously Evaluated in the MMPSP FEIR and Grossly Exceeds the Allowable Height Limit of 60 Feet

The revised site plans for the Kimpton Hotel propose the construction of a six-story hotel with a rooftop pool area. Standing at 89 feet in height, the hotel would tower over all of the other proposed development within the Downtown Project area and exceeds the 60 foot height limit set forth in the MMPSP, thus potentially imposing additional shadow impacts not previously considered in the MMPSP FEIR. Any such shadow analysis would be separate and apart from the artificial aesthetic analysis provided in the Addendum.

As is the case with several of the developments within the Downtown Project, the specifics of the proposed project were not previously assessed in the MMPSP FEIR because such information was simply not known at that time. While it is understandable that project refinements will occur over time, there comes a point when such "refinements" trigger further environmental review when the changes are substantial in nature, as is the case here.

3. CONCLUSION

The Downtown Project, as proposed in the various applications pending before Planning today, is comprised of a series of substantial "project" changes that were not previously analyzed in the FEIR. As the Downtown Project changes have occurred in serial increments, over a protracted period of time, the full environmental significance of them in the aggregate has only recently emerged. By its very nature, this sort of process unfairly disguises the reality, a defect that can only be cured by a full environmental analysis of the final product.

As a result, the City has a legal obligation to meaningfully evaluate changes that have since occurred specific to the proposed Downtown Project, and provide additional review by way of a subsequent or supplemental EIR. The intent of this letter is to highlight various shortcuts that have been taken that constitute a disservice to the environmental protections that CEQA affords. The scale of the Downtown Project warrants a full and thorough review of the potential environmental impacts to assess whether additional mitigation measures should be instituted before a project of this magnitude can proceed and add impacts not previously disclosed or greater in intensity than previously studied.

BUCHALTER NEMER
A Professional Corporation

By Kimberly A. Huangfu

Kimberly Huangfu

KH:lg

cc: Douglas Holland, City Attorney (via e-mail - dholland@wss-law.com and fax - (714) 415-1142)
David H. Ready, Esq., Ph.D., City Manager (via e-mail - CityManager@palmspringsca.gov and fax - (760) 323-8207)
Planning Commissioner Leslie Munger (via First Class Mail)
Planning Commissioner Philip Klatchko (via First Class Mail)
Planning Commissioner J.R. Roberts (via First Class Mail)
Planning Commission Chair Donenfeld (via First Class Mail)
Planning Commission Vice-Chair Hudson (via First Class Mail)
Planning Commissioner Lyn Calerdine (via First Class Mail)
Planning Commissioner Kathy Weremuik (via First Class Mail)
Councilmember Chris S. Mills (via e-mail - Chris.Mills@palmsprings-ca.gov)
Mayor Steve Pougnet (via e-mail - Steve.Pougnet@palmsprings-ca.gov)
Mayor Pro Tem Ginny Foat (via e-mail - Ginny.Foat@palmsprings-ca.gov)
Councilmember Rick Hutcheson (via e-mail - Rick.Hutcheson@palmsprings-ca.gov)
Councilmember Paul Lewin (via e-mail - Paul.Lewin@palmspringsca.gov)

PROPOSED ADDITIONAL CONDITIONS FOR LANDSCAPE PLAN

The applicant shall submit a unified landscape plan for the entire project consistent with the Project financing agreement, including the following elements.

1. ***Preliminary Landscape Development Plan*** *(1 colored copy) The applicant shall indicate, on a separate site plan or incorporated into the colored site plan, the basic landscape concepts for the project. This should include tree and shrub grouping, groundcover areas, flatwork concepts, significant grading concepts and a written statement of the landscape development concept for the project.*

2. Project Master Streetscape Plan

- Establishment of a basic design theme for street furniture and similar hardscape elements
- Proposed location of hardscape elements including planters, fountains, retaining walls, others
- Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks, others?
- Proposed thematic plantings
- Proposed street signage and way finding
- Transitions to existing improvements
- Locations for public art
- Plans for temporary and permanent preservation of the Palm Springs Walk of Fame
- Plans for temporary pedestrian routes during construction

3. Master Pedestrian Paseo Plan:
The project proposes a pedestrian promenade from the Hilton Hotel to the new public square at the corner of Tahquitz and North Palm Canyon. The promenade includes four elements from north to south:

- The connection from the Hyatt Hotel through Building "A"
- Market Street between Building "B" and "B-1"

Submitted to Planning Commission

DEC 05 2012

Case # 1

- Pedestrian Plaza from New Main Street and to the new public square at
- New Public Square at the corner of Tahquitz and North Palm Canyon

As part of the Landscape Plan, the applicant shall prepare a master plan for this promenade element including the following elements.

- Establishing a unified "brand" for the four elements of the Paseo to encourage pedestrians to follow the entire Paseo.
- Proposed location of hardscape elements including planters, fountains, retaining walls, others
- Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks, others?
- Proposed thematic plantings
- Proposed Paseo signage and way finding
- Locations for public art
- Easements required to ensure public access along the Paseo, including through Building A.
- Operational Plan for Market Street, including timing and procedures for opening and closure of the street to vehicles
- Establishing of a minimum clear width for the Paseo between New Main Street and Tahquitz in this segment. 12', 20'?
- Considerations for bicycle usage on the Paseo segment between New Main Street and Tahquitz (if allowed).
- Establishing guidelines for business encroachment (i.e., outdoor dining) into Market Street and the pedestrian connection from New Main Street to Tahquitz. (this may go somewhere else)
- Master Plan for the Public Square at Tahquitz and North Palm Canyon (This intersection is the exact center of downtown Palm Springs and the design of the Public Square should reflect the importance of the location)

At the block level, there would be a condition that the landscape plans for each building be consistent with the approved Master Landscape Plan

Talking Points DFP for Architectural Advisory Committee

November 18, 2012

*I am Harold Meyerman, Chairman, Board of Trustees, Palm Springs Art Museum

*Mr. Matzner and I were appointed some years ago by the Board of Trustees to represent the Board in all matters pertaining to the Desert Fashion Plaza project.

*For well over 10 years we have tried to make do behind the dump across the street from us. Finally there is hope for progress.

*The Wessman Group has done a fine job recently cleaning up at least a portion of the property so now you can actually see the Museum from Palm Canyon.

*The Museum has expressed its 4 critical goals over the years:

1.) We should be visible from PC

2.) We should be accessible from PC

3.) We need parking, badly

4.) We need room for expansion if we want to have our Palm Springs location as the center of all our museum activities in the region in the future.

*The project as it is configured now, meets our 4 goals

*Recently, we had expressed our concerns re a kink in the road to Mr. Wessman and Mr. Braun since it harmed visibility from Palm Canyon. They have now dealt with it;

*The design will allow us to be visible from Palm Canyon. There will be a major 14 1/2ft Wang sculpture in front of the Museum presently being built in China. Where today we have a fountain in front of the Museum, the sculpture should be visible from Palm Canyon;

*The Museum now attracts over 180,000. People. Admissions have grown at a rate of 10% per year;

*We take care of in excess of 50,000. Students

*We have opened in Palm Desert, both a Museum building, the Galen, and a sculpture garden, called the Faye Sarkowsky sculpture gardens. Our facility is already successful beyond our imagination

*We hope to soon start the renovation of our A&D Center along Palm Canyon.

*This acquisition was negotiated with Mr. Matzner and myself and with Messrs Wessman and Braun

*We have an exceptional Architecture and Design Curator, Sidney Wiliams, who I believe is with us today

*There should be no question in anyone's mind that the Museum considers A&D as an increasingly important strategic part of what we are all about as a Museum. We expect that the architecture being considered across the street from us will live up to our expectations;

*We are on the move and assuming we can get past the issues under discussion, sooner rather than later, the Museum will be increasingly perceived as central to our downtown revitalization;

*We are now amongst the leading, top 10 mid size museums in the country. We have a fabulous team under the leadership of Dr. Steven Nash

*We have one of the best boards in the desert, increasingly weighted to the East Valley since 90% of our funding comes from that part of the world;

*We have an exciting exhibitions program and, as a regional museum, are increasingly focusing on outreach throughout the desert;

*We also seek to become a destination point where people come to Palm Springs because we have a magnificent Museum, hence our excitement to have a top flight, financially viable hotel across the street

*The project as it is envisaged, with restaurants, galleries et al across the street suits our needs as a Museum.

*Our four major goals: Visibility, Access, Parking and room for expansion are all met

*The Board of the Museum strongly supports going forward and hopes that the community can pull together and make it come about without any further delay

*Thank you

RECEIVED
CITY OF PALM SPRINGS
2012 DEC -5 PM 12:15
JAMES THOMPSON
CITY CLERK

My name is Kathleen Adams and I was born and raised in Palm Springs.

I was young when Palm Springs was in its full glory, Bullocks, Robinsons, Sacs 5th Avenue, George Wilde's, Mary Helens, Woolworths, and the famous Desert Inn, all on Palm Canyon Drive, downtown Palm Springs.

Palm Springs was built as o destination, for many as a health retreat, believed to have heoling waters,a dry climate, and the benefit of the spiritual powers of the mountains.

People came here to be heoled and faund the beauty of PS a constant and were immersed in a life style that forever changed their lives. Many stayed becoming permanent residence of the desert.

Many years ago there were city laws in place that prevented high rise buildings because it was thought that our vistas were more important than commerce. Some believe that our quiet solitude reigns over glitter, sparkle, and the towering shadings of sunless buildings.

Slowly things changed and we have notstopped chasing a glitzy Palm Springs.

I was here when the Desert Inn was torn down and we mourned. I was here when the Hyatt went up and we picketed, nat wanting to endure that weighted structure with hidden views blacked out forever by its massive size. The Fashian Inn Plaza a monster misplaced in down town Palm Springs.

I believe we know what does not work. Since our slow unsuccessful down town ventures, Palm Desert created El Paseo, Rancho Mirage a town less, exclusive city, create a center, a sort of down town with the River.

This is our chance to create something special. Something creative without losing what Palm Springs is without any help from us, beoutiful, serene, healing, quiet, an experience that changes lives.

Why can't our down town reflect that? Low key, peaceful, beautiful with mountain views at every stop. A pace that speaks of health, and wellbeing instead of hip, fast glitzy and foreign.

Why do we not review our possible unrealistic time table placed on completing this project?Why are we not using local Palm Springs architects that love our desert and savor all its glory?

John Wessman can build a building anywhere and without a doubt beautiful, but at what cost? Has he lost sight of the natural beauty of Palm Springs and is trying to build just another Fashion Inn?

I know whatever we decide as a city, our decision lasts a life time, as the down town existing project, although, failed and empty many years ago, has remained a constant reminder of our failure to create a better Palm Springs

Please don't make the same historicol mistake. Why doeshistory repeats itself? We need to learn from our mistakes. The Fashion Inn Plaza was in part not successful due to itsmassive dominating shadowing structures. Don't do it again only bigger and taller.

Item 1

Planning Commission Meeting
Date: 12/5/12
Additional Material

December 5, 2012

The site chosen by Mr. Wessman is not suitable for such a hotel. Nothing on the old Fashion Plaza site should be over two stories in height. If approved as proposed, it will come home to haunt Palm Springs in the future.

Some years ago Mr. Wessman was turned down on his application to build a similar hotel on his personally owned property (southwest corner of Tahquitz Canyon Way and Cahilla Rd.), which is no more than 100 yards due west of where he hopes to use "Measure J" funds to construct a Kimpton Hotel. Should the city decide to approve a downtown multistory-hotel, let it be built on Wessman's own property, *using his own money. Yes, the old Fashion Plaza buildings must be torn down, and* streets, open areas, and low-scaled buildings put in their place; "Measure J" taxes are paying for all that to be accomplished. However, Palm Springs appears to be heading toward making the same mistakes as were perpetrated when the Desert Fashion Plaza was foist upon us some 25 years ago. A multistory Kimpton Hotel is not as someone wrote in Sunday's Desert Sun: "the key to our future." The key will be when we recognize; Palm Springs' future is in being Palm Springs and not some trumped-up architectural mishmash. For several years, I have suggested to the mayor, we need to *take the time to do some real visioning and construct scenarios of what Palm Springs* will likely be in the next 25 to 50 years. That way, what is built today, will be relevant in the future. Nothing more than two story structures should be built on the old Fashion Plaza property. When the City agreed to purchasing the parking garage, and then paying for the roads, infrastructure and low-rise buildings they were not approving the taxpayers financing a multi-story hotel for Mr. Wessman.

Donald Prell

PO Box 1927

Palm Springs, CA dbprell@gmail.com

Submitted to Planning Commission

DEC 05 2012

Case #_____

N Palm Canyon Dr
S Pal
Starbucks
S Belard
N Museum Dr
Wessman
Property

Talking Points DFP for Architectural Advisory Committee

November 18, 2012

*I am Harold Meyerman, Chairman, Board of Trustees, Palm Springs Art Museum

*Mr. Matzner and I were appointed some years ago by the Board of Trustees to represent the Board in all matters pertaining to the Desert Fashion Plaza project.

*For well over 10 years we have tried to make do behind the dump across the street from us. Finally there is hope for progress.

*The Wessman Group has done a fine job recently cleaning up at least a portion of the property so now you can actually see the Museum from Palm Canyon.

*The Museum has expressed its 4 critical goals over the years:

1.) We should be visible from PC

2.) We should be accessible from PC

3.) We need parking, badly

4.) We need room for expansion if we want to have our Palm Springs location as the center of all our museum activities in the region in the future.

*The project as it is configured now, meets our 4 goals

*Recently, we had expressed our concerns re a kink in the road to Mr. Wessman and Mr. Braun since it harmed visibility from Palm Canyon. They have now dealt with it;

*The design will allow us to be visible from Palm Canyon. There will be a major 14 1/2ft Wang sculpture in front of the Museum presently being built in China. Where today we have a fountain in front of the Museum, the sculpture should be visible from Palm Canyon;

*The Museum now attracts over 180,000. People. Admissions have grown at a rate of 10% per year;

*We take care of in excess of 50,000. Students

*We have opened in Palm Desert, both a Museum building, the Galen, and a sculpture garden, called the Faye Sarkowsky sculpture gardens. Our facility is already successful beyond our imagination

*We hope to soon start the renovation of our A&D Center along Palm Canyon.

*This acquisition was negotiated with Mr. Matzner and myself and with Messrs Wessman and Braun

*We have an exceptional Architecture and Design Curator, Sidney Wiliams, who I believe is with us today

*There should be no question in anyone's mind that the Museum considers A&D as an increasingly important strategic part of what we are all about as a Museum. We expect that the architecture being considered across the street from us will live up to our expectations;

*We are on the move and assuming we can get past the issues under discussion, sooner rather than later, the Museum will be increasingly perceived as central to our downtown revitalization;

*We are now amongst the leading, top 10 mid size museums in the country. We have a fabulous team under the leadership of Dr. Steven Nash

*We have one of the best boards in the desert, increasingly weighted to the East Valley since 90% of our funding comes from that part of the world;

*We have an exciting exhibitions program and, as a regional museum, are increasingly focusing on outreach throughout the desert;

*We also seek to become a destination point where people come to Palm Springs because we have a magnificent Museum, hence our excitement to have a top flight, financially viable hotel across the street

*The project as it is envisaged, with restaurants, galleries et al across the street suits our needs as a Museum.

*Our four major goals: Visibility, Access, Parking and room for expansion are all met

*The Board of the Museum strongly supports going forward and hopes that the community can pull together and make it come about without any further delay

*Thank you

DFP Talking Points 11182012

RECEIVED
CITY OF PALM SPRINGS
2012 DEC -5 PM 12:15
JAMES THOMPSON
CITY CLERK

My name is Kathleen Adams and I was born and raised in Palm Springs.

I was young when Palm Springs was in its full glory, Bullocks, Robinsons, Sacs 5th Avenue, George Wilde's, Mary Helens, Woolworths, and the famaus Desert Inn, oll on Palm Canyon Drive, downtown Palm Springs.

Polm Springs was built as a destination, for many as a health retreat, believed to have healing waters,a dry climate, and the benefit of the spiritual powers of the mountains.

People came here to be healed and found the beauty of PS a constant and were immersed in a life style that forever changed their lives. Many stayed becoming permanent residence of the desert.

Many years ago there were city laws in place that prevented high rise buildings because it was thought that our vistas were more important thon commerce. Some believe thot our quiet solitude reigns over glitter, sparkle, and the towering shadings of sunless buildings.

Slowly things changed and we have notstopped chasing a glitzy Palm Springs.

I was here when the Desert Inn was torn down and we mourned. I wos here when the Hyatt went up and we picketed, not wanting to endure that weighted structure with hidden views blocked out forever by its massive size. The Fashion Inn Plaza a monster misplaced in down town Palm Springs.

I believe we know what does not work. Since our slow unsuccessful down town ventures, Palm Desert created El Poseo, Roncho Mirage a town less, exclusive city, create a center, a sort of down town with the River.

This is our chance to create something special. Something creative without losing what Palm Springs is without any help from us, beautiful, serene, healing, quiet, on experience that changes lives.

Why can't our down town reflect that? Low key, peoceful, beautiful with mountain views ot every stop. A poce that speaks of heolth, and wellbeing instead of hip, fast glitzy and foreign.

Why da we not review our possible unrealistic time table placed on completing this project?Why are we not using locol Palm Springs architects that love our desert and savor all its glory?

John Wessman can build a building anywhere and without a doubt beautiful, but at what cost? Has he lost sight of the natural beauty of Palm Springs and is trying to build just another Fashion Inn?

I know whatever we decide as a city, our decision lasts a life time, as the down town existing project, olthough, failed and empty many years ago, has remained a constant reminder of our failure to create a better Palm Springs

Please don't moke the same historical mistake. Why doeshistory repeats itself? We need to learn from our mistokes. The Fashion Inn Plaza was in part not successful due to itsmassive dominoting shadowing structures. Don't do it again only bigger ond taller.

Item 1

Planning Commission Meeting
Date: 12/5/12
Additional Material

BuchalterNemer
A Professional Law Corporation

55 SECOND STREET, SUITE 1700 SAN FRANCISCO, CALIFORNIA 94105-3493
TELEPHONE (415) 227-0900 / FAX (415) 227-0770

Direct Dial Number: (415) 296-1696
Direct Facsimile Number: (415) 296-1766
E-Mail Address: *khuangfu@buchalter.com*

RECEIVED
DEC 03 2012
PLANNING SERVICES
DEPARTMENT

November 28, 2012

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
VIA FACSIMILE (760/322-8360)

City of Palm Springs
Department of Planning Services
Attn: Craig A. Ewing, AICP
Director of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: *Downtown Palm Springs Project (Planning Commission November 28, 2012 Regular Meeting, Agenda No. 1A) - Comments to Draft Museum Market Plaza Specific Plan Final Environmental Impact Report and Addendum*

Dear Mr. Ewing:

The following constitute the comments of North First Street Properties, LP ("North First Street")[1] submitted to oppose the use of the Final Environmental Impact Report (SCH No. 2008060184) and Addendum to Museum Market Plaza Specific Plan Final Environmental Impact Report ("FEIR" and "Addendum", respectively) for the "Downtown Palm Springs Project"[2] absent further environmental review. In light of the deficiencies set forth below, North First Street respectfully requests that the City of Palm Springs Planning Commission, City Council, and City Attorney's Office (collectively, hereinafter referred to as the "City") require

[1] North First Street is an owner of real property in the City of Palm Springs and has a vested interest in upholding the integrity of the environmental review process as intended under the California Environmental Quality Act ("CEQA").

[2] Hereinafter, referred to as the "Downtown Project", which is defined in the Addendum (but not the FEIR) as a "development program" that includes the construction of three separate blocks of commercial retail space, including the Desert Fashion Plaza Renovation Project discussed in further detail below, a 170-room hotel, a 1.3-acre public "event space", underground public parking, and a public street grid with extension through the project site to existing streets. (Addendum at p. 1.)

further environmental review for the Downtown Project and all of the individual project components subsumed within the "development program," as required by CEQA.

On October 22, 2008, the City, as the lead agency, released the draft EIR for the Museum Market Plaza Specific Plan ("Specific Plan DEIR"), which effectively sought to amend the City's land use and community development policies as applied to the Museum Market Plaza Specific Plan ("Specific Plan" or "Specific Plan Project") area. Subsequent thereto, the project sponsor, Wessman Development, LLC ("Wessman"), amended the Specific Plan DEIR to include an "option to remodel the existing Desert Fashion Plaza" ("Desert Fashion Plaza Renovation Project"). Set forth generally in the Specific Plan DEIR, no project-specific environmental review for what the City is now referring to as the "Downtown Project" or the Desert Fashion Plaza Renovation Project was performed as part of the Specific Plan DEIR, FEIR, or Addendum process.

At this critical juncture, it is unclear if and when the City intends to conduct any additional environmental reviews. As of February 17, 2009, the City stated that "an Initial Study will be prepared under the guidelines of the California Environmental Quality Act (CEQA)" for the Desert Fashion Plaza Renovation Project "[a]t the time a formal application is submitted." (City Dept. of Planning Services, Feb. 17, 2009 Letter to Wessman re: Pre-App. 09-001 for the Desert Fashion Plaza Renovation Project at p. 11.) Oddly, this is in stark contrast to more recent representations where the City has indicated that it does not intend to undergo further environmental review on a project-level basis, but rather that "[t]he City proposes to use the Final EIR and Addendum as the environmental document for th[e] Downtown Palm Springs Project." (City Memo from Planner E. Robertson to AAC, Nov. 13, 2012 at p. 1.)

As such, it appears that no initial study, or any environmental review for that matter, has been considered with respect to the revised Downtown Project, which now entails the subdivision of a 13.2-acre site into thirteen parcels, as well as the construction of a "major public outdoor performance space (1.3 acres or 57,000 sq. ft.), underground public parking and the establishment of a public street grid, including extension through the project site of existing streets." Said projects are part of the Downtown Project submittals that are currently pending before the Planning Commission. (Addendum at p. 1.) Apparently, the Addendum further provides that "[f]ull implementation of the [Downtown] project will include future phases west of Belardo Road that are not proposed at this time . . . " (*Id.*) Once again, it appears that the public is to presume that the City will similarly forgo further environmental review so long as the future "phases" fall under the larger subset of the "Downtown Project" area.

This is of grave concern as the lack of required environmental review runs afoul of the protections provided for under CEQA. During the October 17, 2012 City Council meeting, one of the City councilmembers aptly stated that the Downtown Project is the "largest project in the history (and quite possible the future) of Palm Springs." In order to assess the totality of cumulative environmental impacts, further consideration must be afforded to properly define the

scope of each individual project, as well as of the Downtown Project in the aggregate. Given the expedited nature of recent approvals related to the Downtown Project, we are asking the City to give the pending approvals the time and consideration that a project of this magnitude requires.

I. FACTUAL BACKGROUND

On April 30, 2008, Wessman presented the City with a draft Specific Plan for the Museum Market Plaza. Initiated by the City Council, City staff ("Staff") was charged with the task of assessing whether the Specific Plan conformed with the Palm Springs General Plan, Downtown Design Guidelines, and the Palm Springs Zoning Code.

On June 13, 2008, the City issued a Notice of Preparation ("NOP") and Initial Study, which indicated that the following environmental factors would be potentially affected by the Specific Plan Project as contemplated at that time, including aesthetics, hazards and hazardous materials, public services, utilities/service systems, cultural resources, hydrology/water quality, noise, recreation, air quality, geology/soils, land use/planning, population/housing, and transportation/traffic, all of which would require a Statement of Overriding Considerations. (DEIR, App. A, Initial Study at p. 4.) Accordingly, the City prepared a DEIR and "undertook a *preliminary review* of the potential environmental impacts associated with the build out of the Specific Plan," specifically to identify "the range of development that would be permitted within the Specific Plan or Project Area . . . [and] evaluate[d] . . . the various policies and development standards for a master planned, mixed use project that would accommodate retail, office, high density residential, and resort development, and the environmental impacts the Project would cause if it were approved and developed." (City Council Staff Report, Dec. 2, 2009 at p. 0004; *see also*, Specific Plan DEIR at p. I-1, emphasis supplied.)

The Specific Plan Project proposes program-level "policies and development standards for a master planned, mixed use project to include Retail, Office, High Density Residential and Resort development on 20.6 acres," which initially allowed for the development of 400,000 square feet of retail or office, 955 residential dwelling units, and 620 hotel rooms. (*Id.* at App. A, NOP at p. 2.) The DEIR contained a "program-level analysis" of the environmental impacts related to the Specific Plan Project, which sought to:

> "examine . . . the total scope of environmental effects that would occur as a result of buildout of the entire proposed project. By examining the full scope of the proposed project and subsequent applications and approvals at this stage of planning, the *Program EIR provides a full disclosure of the environmental impacts that may occur throughout the project site*, together with an analysis of the site specific and cumulative environmental impacts that will occur throughout the buildout time frame of the project and may be

> found to support all levels of approvals necessary to implement the Project."

(City Council Staff Report, Dec. 2, 2009 at p. 0005 adopted Resolution No. 22077, emphasis added.)

Following several continuances, the City Council enacted Ordinance No. 1764 and adopted the Specific Plan Project and the DEIR on December 2, 2009. (Ord. No. 1764, §3 at p. 2 [Museum Market SP "includes comprehensive rules and regulations that will govern future development that may occur within the boundaries of the specific plan and such regulations may conflict with provisions of the Palm Springs Zoning Ordinance."].) As for the Desert Fashion Plaza Renovation Project, the City Council conducted a Conformity Review under the draft Museum Market Plaza Specific Plan and found the proposed plan for revitalization of the Desert Fashion Plaza Renovation Project to be in general conformance with the Specific Plan. (City Council Staff Report, Oct. 17, 2012 at p. 002.) The scope and specifics of the proposed Desert Fashion Plaza Renovation Project, however, were not contemplated as a part of the DEIR or Addendum. A Notice of Determination as to the initial Specific Plan Project was filed on December 7, 2009.

Nearly three years later, City Staff reviewed the latest site and development plans for the Specific Plan Project Area and concluded that "no new impacts are expected which were not fully analyzed in the Specific Plan [D]EIR, except for aesthetics/visual resources." (City Council Staff Report, Oct. 17, 2012 at p. 003.) The City noted, however, that "since the new plan proposes building height and mass in different configurations from the Specific Plan, it was necessary to analyze the new project's visual impacts and prepare an addendum of the aesthetics/visual resources section of the EIR" and included photographic simulations to reflect environmental impacts associated with the new height and mass configurations associated with the Downtown Palm Springs Project. (*Id.*)

No additional studies concerning air quality, noise, water availability, traffic, or population and housing were provided, despite numerous and substantial modifications to the original Specific Plan Project that were not assessed in the DEIR or Addendum.

Notwithstanding these substantial project changes, the City adopted an Addendum to the FEIR on October 17, 2012 for the newly entitled "Proposed Renovation Plan," also referred as the "Downtown Palm Springs Project." A subsequent notice of determination with respect to the Addendum has not been filed with the Office of Planning and Research, thereby extending the applicable statute of limitations for legal challenges from 30 to 180 days. (Cal. Pub. Res. Code § 21167(c).)

Future expansion and actions related to the Downtown Project, which presently includes the four pending approvals before the Planning Commission, namely the (1) Tentative Parcel

Map No. 36446 to subdivide the parcel; (2) Major Architectural Approval 3.3605/Block A; (3) Major Architectural Approval 3.3606/Block B; (4) Major Architectural Approval 3.3607/Block C; and (4) Planned Development District PD 361/Block C-1, will indisputably be significant. Consequently, such changes and refinements to the "Downtown Project," which were never assessed on a project-level in the Specific Plan Project, should either have been analyzed as part of the original DEIR, or become the subject of subsequent or supplemental environmental review. (14 Cal. Code of Regs. §§ 15162-15164.) Therefore, issues concerning the applicability of the Addendum and the FEIR for the Specific Project Plan to the pending City approvals for the Downtown Project are currently outstanding and have been timely raised for consideration by the Planning Commission.

II. THE PROJECT DESCRIPTION IN THE DEIR AND THE ADDENDUM IS INSUFFICIENT AS APPLIED TO THE DOWNTOWN PROJECT

"CEQA requires that '[a]n accurate, stable and finite description' of the project be established 'early enough in the planning stages of [the] project to enable environmental concerns to influence the project's program and design, yet late enough to provide meaningful information for environmental assessment." (*Planning and Conservation League v. Castaic Lake Water Agency*, 180 Cal.App.4th 210, 234-35 (2009), quoting *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692, 738 (1990).) An EIR must, therefore, "include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." (*Id.*) Of course, "if the future action is not considered at that time, it will have to be discussed in a subsequent EIR before the future action can be approved under CEQA." (*Id.*)

None of these conditions has been met in this instance. The Specific Plan Project, as defined in the FEIR, serves to provide a framework of guidelines and regulations with a roadmap for long-term growth consistent with the City's general plan. As specific projects evolve, such as changes to the Desert Fashion Plaza Renovation Project or the newly proposed "Event Area," the scope of the "project" should similarly account for subsequent modifications and project refinements, which would require additional environmental review, at a minimum. Nevertheless, the fact that the Downtown Project and the Desert Fashion Plaza Renovation Project were not reviewed in its entirety at the outset, but rather broken down into components to be separately reviewed at separate times, renders the Addendum and any prior environmental document upon which it is based per se inadequate.

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III. THE INADEQUATE PROJECT DESCRIPTION IS INEXTRICABLY LINKED TO THE SPECIFIC PLAN PROJECT'S IMPROPER SEGMENTATION AND COMPLETE LACK OF ENVIRONMENTAL REVIEW WITH RESPECT THE DOWNTOWN PROJECT

CEQA defines "project" broadly to encompass "the whole of an action which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (*Planning and Conservation League, supra*, 180 Cal.App.4th at 235, quoting CEQA Guidelines § 15378(a) and (c).) This definition precludes "piecemeal review which results from chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." (*Planning and Conservation, supra*, 180 Cal.App.4th at 235 [citations omitted].)

Nevertheless, the City engaged in just such "segmentation" or "piecemealing" here. In 2009, the "project description" for the Specific Plan DEIR, as applied to the Downtown Project, is non-existent and sorely inadequate under CEQA. For instance, the DEIR generally alludes to project phrasing with no specificity as to what the individual phased projects would entail. Beyond vague references to "allow[ing] for the broadest range of development" and ballpark estimates of the anticipated square footage of projects classified by land use (and not when the projects would be constructed), no specific assertions are made as to the individual or cumulative impacts of these phased projects. (DEIR at p. I-12.)

Furthermore, the City made certain assurances to the public that it would undergo additional environmental review and conduct an initial study for the Desert Fashion Plaza Renovation Project to gauge whether additional environmental review was warranted. To date, no such evaluation has occurred. As a result, the Downtown Project cannot proceed without a project-specific environmental assessment.

IV. THE ADDENDUM DID NOT ALLOW ADEQUATE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT GIVEN THE SUPERFICIAL NATURE OF THE ENVIRONMENTAL REVIEW AS TO THE DOWNTOWN PROJECT

"Generally, the ultimate decision of whether to approve a project, be that decision right or wrong, is a nullity if based upon an EIR that does not provide the decisionmakers, and the public, with the information about the project that is required by CEQA." (*Planning and Conservation League, supra*, 180 Cal.App.4th at 241[cites omitted].) Just such absence of adequate public disclosure renders the Addendum, in this instance, a "nullity."

It is readily apparent that the FEIR for the Specific Plan Area provided inadequate public disclosure by setting forth nothing more than a wide-ranging plan for the systematic implementation of certain planning objectives and policies for a defined area. What the Specific

Plan FEIR and Addendum lack, however, is a sufficiently detailed accounting of the facts and environmental analyses needed to provide any meaningful evaluation of significant environmental impacts and the implementation of potential mitigation measures.

V. CONCLUSION

For the foregoing reasons, the City should reevaluate the scope of the Specific Plan FEIR, as applied to the Downtown Project, and provide supplemental review by way of a subsequent or supplemental EIR. Inconsistent with all of the primary CEQA objectives, the Addendum and FEIR for the Specific Plan, as adopted, not only fail to provide adequate notice to the public, but also fail to provide the City and interested parties with the information needed to thoroughly assess and mitigate avoidable environmental damage. As a result, the City's misplaced attempt to streamline the Downtown Project by inappropriately circumventing CEQA requirements for such a large-scale series of long-term phased projects constitutes a manifest injustice and must be remedied before the Downtown Project can proceed.

Very truly yours,

BUCHALTER NEMER
A Professional Corporation

By Kimberly A. Huangfu

Kimberly Huangfu

KH:lg

cc: Douglas Holland, City Attorney (via e-mail - dholland@wss-law.com and fax - (714) 415-1142)
David H. Ready, Esq., Ph.D., City Manager (via e-mail - CityManager@palmspringsca.gov and fax - (760) 323-8207)
Planning Commissioner Leslie Munger (via First Class Mail)
Planning Commissioner Philip Klatchko (via First Class Mail)
Planning Commissioner J.R. Roberts (via First Class Mail)
Planning Commission Chair Donenfeld (via First Class Mail)
Planning Commission Vice-Chair Hudson (via First Class Mail)
Planning Commissioner Lyn Calerdine (via First Class Mail)
Planning Commissioner Kathy Weremuik (via First Class Mail)

Councilmember Chris S. Mills (via e-mail - Chris.Mills@palmsprings-ca.gov)
Mayor Steve Pougnet (via e-mail - Steve.Pougnet@palmsprings-ca.gov)
Mayor Pro Tem Ginny Foat (via e-mail - Ginny.Foat@palmsprings-ca.gov)
Councilmember Rick Hutcheson (via e-mail - Rick.Hutcheson@palmsprings-ca.gov)
Councilmember Paul Lewin (via e-mail - Paul.Lewin@palmspringsca.gov)
Councilmember Chris Mills (via e-mail - Chris.Mills@palmspringsca.gov)

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BuchalterNemer
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55 Second Street, Suite 1700 San Francisco, California 94105-3493
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FACSIMILE TRANSMISSION

DATE: November 28, 2012 **FILE NUMBER:** B1251-0010

To:

NAME:	FAX NO.:	PHONE NO.:
Craig A. Ewing, AICP	760-322-8360	
cc: Douglas Holland	714-415-1142	
cc: David H. Ready, Esq., Ph.D.	760-323-8207	

FROM: Kimberly Huangfu **PHONE:** (415) 296-1696

NUMBER OF PAGES WITH COVER PAGE: 9	Originals Will Not Follow

Message:

Please see attached. Thank you.

IRS Circular 230 Disclosure: In order to comply with the requirements imposed by the Internal

Gerace, Lucy

From:	Gerace, Lucy
Sent:	Wednesday, November 28, 2012 12:44 PM
To:	'dholland@wwslaw.com'
Cc:	Huangfu, Kimberly
Subject:	FW: Downtown Palm Springs Project - Comments to Draft Museum Market Plaza Specific Plan
Attachments:	2012-11-28 Letter to City of Palm Springs, Craig A. Ewing, re Museum Market Plaza Specific Plan Fina.PDF

Lucy Gerace
BuchalterNemer, A Professional Corporation
55 Second Street, Suite 1700 | San Francisco, CA 94105-3493
Direct Dial: (415) 227-3631 | Switchboard: (41S) 227-0900
Email: lgerace@buchalter.com | www.buchalter.com

From: Gerace, Lucy
Sent: Wednesday, November 28, 2012 12:43 PM
To: 'dholland@wws-law.com'; 'CityManager@palmspringsca.gov'; 'Chris.Mills@palmspringsca.gov'; 'Steve.Pougnet@palmspringsca.gov'; 'Ginny.Foat@palmspringsca.gov'; 'Rick.Hutcheson@palmspringsca.gov'; 'Paul.Lewin@palmspringsca.gov'
Cc: Huangfu, Kimberly; Wright, James
Subject: Downtown Palm Springs Project - Comments to Draft Museum Market Plaza Specific Plan

On behalf of Ms. Huangfu, please see attached. Thank you.

Lucy Gerace
BuchalterNemer, A Professional Corporation
55 Second Street, Suite 1700 | San Francisco, CA 94105-3493
Direct Dial: (415) 227-3631 | Switchboard: (415) 227-0900
Email: lgerace@buchalter.com | www.buchalter.com

Terri Hintz

From: Jay Thompson
Sent: Tuesday, November 20, 2012 11:50 AM
To: 'Roxann Ploss'
Cc: Kathie Hart; Terri Hintz
Subject: RE: Downtown development

Thanks Roxann, information received and your testimony will be included in the packets for AAC, Planning Commission and City Council. Jay

James Thompson
CHIEF OF STAFF/CITY CLERK
TEL (760) 323-8204

From: Roxann Ploss [mailto:riploss@gmail.com]
Sent: Tuesday, November 20, 2012 11:26 AM
To: bill scott; Chris Mills; Craig Ewing; David Ready; doug hudson (pc); Jay Thompson; Ken Lyon; Rick Hutcheson; Steve Pougnet; tracy conrad; Ginny Foat; Paul Lewin
Subject: Downtown development

Dear All,
I know this will NOT come as a surprise to any of you but I feel the need to register a strong protest against the proposed hotel on the site of The Desert Inn. (And I hope that you will at least read the message despite the messenger!)

Firstly, when the people of Palm Springs were asked to tax themselves in order to pay for development, they were told they would be getting boutique shopping, perhaps an Apple store and loads of entertainment venue.
Now they are getting an extra street which they will have to pay to maintain AND no theatres.

Secondly, the people were most certainly NOT told that there would be a block-long, seven story hotel which would run parallel to the mountains thus blocking all views. Apparently, only tourists will have the right to see the O'Donnell House, the foothills or the Museum.....which was another argument for putting in another new street.

Thirdly, the design is lacking. It is a very ordinary (albeit very LARGE), standard-issue, big-city downtown model! I read the New

Terri Hintz

From: Craig Ewing
Sent: Tuesday, November 20, 2012 1:38 PM
To: Terri Hintz
Subject: FW: Downtown development

Terri,
Please make this e-mail available to the AAC and Planning Commission. Thank you.

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8269

-----Original Message-----
From: Hayes, Kitty (khayes@psusd.us) [mailto:khayes@psusd.us]
Sent: Tuesday, November 20, 2012 1:36 PM
To: Roxann Ploss; bill scott; Chris Mills; Craig Ewing; David Ready; doug hudson (pc); Jay Thompson; Ken Lyon; Rick Hutcheson; Steve Pougnet; tracy conrad; Ginny Foat; Paul Lewin
Subject: RE: Downtown development

Roxanne: Once again you make several great point with which I agreee.

This, of course, you know is special territory to me and I want to see it treated is a special way to be reflective of all that was and is good about Palm Springs!

I am supporting Measure J in a different way. I bought two of the bonds. This should entitle me to some say in what is done.

The planners should be designing something that looks like our historical Mediterranean architecture and match the O'Donnell house.

We certainly don't need any steel and glass boxes.

3. People are not looking for giant hotels. They can get that in any big city or Las Vegas. Just look at how well the Hotel California on the south end and all of the Tennis Club area hotels are doing.

4. People want small intimate places that give individual attention. They don't want hustle.

I don't know anyone who thinks that this plan is an asset or likes the design.

How can we get plenty of people to tell the City, "Stop. This won't work. We will have years more of emply places with this."?

Come on, folks, learn the lessons that the last 40 years of history should have taught us. Carmel is doing quite well and it isn't planning multi story hotels.

Thanks, Roxann, for speak up. We need a ground swell of help to make this a

or the Museum.....which was another argument for putting in another new street.

Thirdly, the design is lacking. It is a very ordinary (albeit very LARGE), standard-issue, big-city downtown model! I read the New York Times daily and check out glossy magazines regularly; in three out of every four issues of the travel section(s), a full-page article is devoted to out-of-the-way, exotic places which are

1) devoted to health and well-being
2) respectful of the environment
3) taking full advantage of the beauty of the land around it
4) NOT "selling" hustle and bustle.

Unfortunately, the direction this hotel would be taking us is away from all that we already offer. The wheel does NOT need to be re-invented.

As someone who did NOT vote for Measure J, I am not surprised by any of this. We have a lot of history to tell us that something exactly like this would transpire. But I am disappointed that there is, seemingly, a rush to get this approved whether the people, the AAC or any other commission wish to see it happen. The "outreach" on the night of the first presidential debate was not only ill-timed but it had mixed reviews at best.

What about the crying need for story poles in this instance? What about a 3-D presentation so the true impact could be better assessed? We have all complained that the defunct Fashion Plaza was ill-advised and brought us decades of pain and shouts of recrimination. I am sincerely afraid that this will have the same result.

Thank you for your time,

Roxann Ploss

--
Roxann Ploss
Palm Springs, Ca.

"You cannot maintain a soul of a community if you detach it from history." Dani Dayan

staff placed the review of this proposal as the 8th item on a calendar of 8 items, when as the most important issue to come before the city in 25 years, it should clearly have been first. To add insult to injury, the public was informed just before discussions began that the entire item had to be wrapped-up in 35 minutes because the borrowed room needed to be vacated. This clearly seems to be an orchestrated attempt to stifle public input; this sort of thing does not happen by accident.

At this meeting, the public had their first chance to see the proposed redesign. The four members of the public who gave testimony all objected to the proposed 90-foot height of the hotel. But no member of the general public can be expected to assimilate or grasp the implications of relatively complex architectural renderings on a first viewing. No models were presented, only elevations and selected renderings. And the staff report prepared in advance by the Planning Director omitted many details. No demolition plan was presented (although I do not believe anyone would object to moving demolition forward now).

Although there is a one-line footnote in the Museum Market Plaza Specific Plan (SP) that allows a hotel to exceed the 60-foot height limit with City Council approval, the current proposal clearly violates both the letter and the intent of the General and Specific plans. Heretofore there was no discussion of a 90-foot tall building. It should come as no surprise that many residents will consider the current proposal to be a betrayal of the public trust. Public funds are paying for this project.

NON-CONFORMANCE WITH SPECIFIC AND GENERAL PLANS

On December 2, 2009 Palm Springs passed the Museum Market Plaza Specific Plan which amended the 2007 General Plan and its 2005 Downtown Development Guidelines. The current DFP remodel proposal conflicts with our (GP) in several critical ways. Section I of the GP states the priorities of the plan are to "strengthen and promote those things that make Palm Springs a one-of-a-kind resort destination" and "promote development that enhances scenic views and provides visual and physical access to the city's surrounding mountains and...other scenic and natural resources." (pp. 1-12 and 1-13) The proposal on the table does not conform to these basic requirements.

The GP section on PDDs (page 1-18) requires project sponsors to "mitigate any impacts that would be generated by the modifications" proposed to existing building codes and zoning. The October 17, 2012 amendment to the SP alleges the current plan qualifies under the existing Environmental Impact Report (EIR), yet no 90-foot hotel project was ever presented during the EIR review process and this plan fails the test of reasonableness required for re-certification of a "neg dec."

The Land Use section of the GP (Section 2) permits "43 hotel rooms per net acre; it also states that such hotel projects "should be designed to be compatible with neighboring development." The 2009 SP allows up to 70 units per acre for hotel use. The 2012 revision to the SP allows the developer to negotiate for a hotel of "170 plus" rooms. The current proposal for 180 rooms and their configuration is not compatible with surrounding development, unless you consider the Hyatt Hotel, commonly seen as most insensitive and inappropriate commercial structure in downtown.

Appendix A to the GP covers the Downtown Urban Design Plan (DUDP) which requires developers to "protect or create public view corridors" and states that building

the site plans as "future development." This newly revealed building, which was not shown in the staff report made available to the public, is proposed as being connected to the six-story main hotel building by glass bridges over the street level. he bridges encroach on open space. Dropping down a new box, and connecting it to another much taller one by bridges is a solution typically found in 1990s industrial parks when attempting to satisfy the growing needs of existing tenants. It looks like a "remuddle." If additional space is needed by the hotel, an entirely new design should be created. At this point, the developer has no binding commitment whatsoever from the Kimpton Hotel chain – just a "letter of intent," which any licensed real estate broker (and I have been one in California for 20 years) can tell you is only worth as much as the paper it's written on.

The inclusion of a hotel on the site is not a problem. "Heads in beds" is a concept anyone can understand, and few would question its importance in a city whose economy is based on tourism. After all, a hotel originally occupied this site. But the proposed monolith resembles a Russian housing block, with double loaded corridors and rooms facing east that will enjoy a view of rooftop HVAC equipment. The design's offensive and banal massing is not made more palatable by the proposed porte cochere and monumental glass entry. And, of course, there is the insensitivity of the design to view corridors and neighboring structures like the museum.

SOME SUGGESTIONS

It is disappointing to find ourselves, at this point in the process, with a design as crude as the current one. Certainly a shorter hotel and a reorientation to an east/west axis, instead of a north/south access would help minimize the adverse impact on views. Also a curving structure with an off-street porte cochere entry embedded inside the curve would help; even an east/west V-shape would provide some relief. Certainly a variation in the rectilinear blocks that comprise the entire project would provide some relief. Where are the curving elements? Where are the promised shaded or arcaded walkways that will allow year-round use of the new downtown buildings and protect pedestrians and shoppers during our relentless summer months? Where is the variety in shapes and street orientation, the originality of design concept, the progressive approach to 21st Century living?

One minor detail in the architects' rendering for the Market Street segment of the current plan reveals the level of sophistication at play here. That rendering shows strings of bare light bulbs criss-crossing Market Street. Unless the project is going to come complete with strippers, a carnival barker, and a bearded lady, this sort of honky tonk midway must be avoided at all costs. But there is it in the plans, and it speaks volumes.

We can and must do better than the current design.

Terri Hintz

From: Jay Thompson
Sent: Sunday, November 18, 2012 3:33 PM
To: Terri Hintz; Craig Ewing
Cc: Kathie Hart
Subject: FW: REDELV /FASION Plaza

Public testimony to include in packets. Jay

From: Ginny Foat
Sent: Wednesday, November 14, 2012 5:27 PM
To: Jay Thompson
Subject: FW: REDELV /FASION Plaza

From: Ginny Foat [mailto:ginnyf@mizell.org]
Sent: Wednesday, November 14, 2012 5:21 PM
To: Ginny Foat
Subject: RE: REDELV /FASION Plaza

Great! Please forward this letter to Jay

From: Thomas Ledwith [mailto:thomas_m_ledwith@yahoo.com]
Sent: Wednesday, November 14, 2012 4:34 AM
To: stephenpougnet@gmail.com; Ginny Foat; Rick Hutcheson; Rick Hutcheson; Chris Mills; Paul Lewin; David Ready
Cc: X Pena
Subject: REDELV /FASION Plaza

To All,

The council needs to really Re Think this Concept. The Height of this building is to TALL.

It look's like a Convention center. The Mountains are very important and that is another reason why the "TOURIST" come to Palm Springs.

Thank you,
Thomas M Ledwith

Jack Moore
240 Tunis Street
Palm Springs, California, 92264
760.322.8882

November 25, 2012

To: The Mayor, the City Council. The Planning Commission and the Architectural Advisory Committee.

I am confused. Very confused, actually, about the overhaul of the Desert Fashion Plaza. And, if I am, I'm sure there are others who are also confused. Erica Felci's article in this morning's Desert Sun brought it to a head for me.

When we were being sold the plans for the Plaza and also for Measure J, I don't recall a six story hotel in the mix. I do recall a movie theatre and/or a bowling alley. But not a six story hotel with a pool and bar on top, which, in essence, makes it, seven stories. The last time I heard about a tall hotel with a pool and bar on top was when John Wessman was trying to build one next to Casa Cody and Ginny insisted on story poles. Has he just moved it across the street? That doesn't cut the height any.

So, this afternoon, I went to the city website and read the Faqs (from where did THAT spelling come?) and I tried to reconcile them with the "conceptual" maps – two of them - A and A-1. The Faqs say the hotel is on the back of lot A. But the maps didn't have a lot A. They did have lots A-I and A-2. So I'm guessing it is the one next to the Hyatt. But I shouldn't be guessing – I should be able to be certain. If it is next to the Hyatt that seems like it will give a citadel effect – sort of like a Rock of Gibraltar in the middle of downtown. That will certainly block views. And what of the "view corridors" about which we heard so much? That doesn't sound like corridors to me but, then, I may have it all wrong because of the "conceptual" maps.

Are the two renderings on the website what is really planned or are they "conceptual" too? Chris is quoted in this morning's paper as saying, "Archtecture can be fixed." Oh! I certainly wouldn't order a new house from a contractor without seeing the floor and site plans and a rendering of what it would look like. Why should anyone buy this without definite plans and drawings? I'm afraid we are going to get a duplicate of what is being torn down. Then we would be giving Wesswman and Co. a lot of money for what we already have.

And what about parking? From "the conceptual" maps it appears that all of the street level parking is gone. As I recall, that underground parking doesn't hold THAT many cars. And, in this day and age, who wants to go underground at night? With all of those

ARC Mtg.
11/26/12

shops and restaurants and a hotel, and outdoor gathering place, it seems as though parking will be a nightmare.

I'd sure like to know some definites instead of some concepts that "can be fixed".

Sincerely,

Jack Moore

BuchalterNemer
A Professional Law Corporation

55 Second Street, Suite 1700 San Francisco, California 94105-3493
Telephone (415) 227-0900 / Fax (415) 227-0770

Direct Dial Number: (415) 296-1696
Direct Facsimile Number: (415) 296-1766
E-Mail Address: *khuangfu@buchalter.com*

December 10, 2012

RECEIVED
CITY OF PALM SPRINGS
2012 DEC 11 AM 8:07
JAMES THOMPSON
CITY CLERK

Response due 12/21

VIA FACSIMILE ((760) 323-8332)

City of Palm Springs
Office of the City Clerk
Attn: James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Sir or Madam:

Pursuant to the Public Records Act, as codified at California Government Code Section 6250, *et seq.*, please provide copies of the following public records available in files (whether in paper or electronic format) of the City of Palm Springs ("**City**")[1], which may likely include documents from the City's Department of Planning Services ("**Planning**") and Architectural Advisory Committee ("**AAC**"), within ten (10) days from the date of this request.[2]

The requested documents relate specifically to any and all City records and files, correspondence, notes, or other documentation pertaining to the proposed "Downtown Palm Springs Project" ("**Project**"), including but not limited to the following:

1. Any and all documents, records, meeting minutes, correspondence, and/or handwritten or typed notes relating to Palm Springs Promenade, LLC or Wessman Development Company's ("**Developer**") applications filed with Planning, including but not limited to Project models, photo-simulations of the Project, completed "Environmental Assessment" documents, site maps, architectural

[1] "City" relates to all former and present City employees, including but not limited to members of the City Council, Planning Services Department, and the Architectural Advisory Committee.

[2] I do not seek any records or portions of records that are protected by the Public Records Act, the attorney-client privilege, or the attorney work product doctrine, and thus consent to the City's redaction of any responsive records, but only to the extent redaction is absolutely necessary in order to preserve these privileges. (Cal. Gov't Code § 6253(a) ["Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law."].)

Please note that this request includes electronic communications of the City. You are being asked to ensure that responsive emails or technical documents maintained electronically are not destroyed.

elevations, floor plans and roof plans, exhibits, preliminary landscape development plan, drainage map, topographic map, exterior lighting plan, and grading plan, for the following[3]:

a) Planning Development District for Block C of the Museum Market Plaza Specific Plan area (Case No. 5.1290-PD361) [previously requested on December 6, 2012 with a statutory response date of December 16, 2012];

b) Tentative Tract Map No. 36446 to subdivide the Museum Market Plaza property [previously requested on December 6, 2012 with a statutory response date of December 16, 2012];

c) Major Architectural Approval 3.3605-MAJ/Block A;

d) Major Architectural Approval 3.3606-MAJ/Block B; and,

e) Major Architectural Approval 3.3607-MAJ/BlockC.

2. Any and all e-mails, letters, or any other communication by and between the City and the Developer, and all others acting or purporting to act on behalf of the Developer, from 2009 to present, related to the Downtown Palm Springs Project Applications.

3. Any and all internal and external e-mails, letters, or any other communication or report by the City, or included in the City's file, related to the Museum Market Plaza Specific Plan Addendum to the Final Environmental Impact Report ("**MMPSP Addendum**") that was approved by the City Council on October 17, 2012. This request includes any findings or determinations by the City specific to the MMPSP Addendum.

4. Any and all agendas, meeting minutes, public comments letters, and materials distributed, including memorandums and staff reports that were not posted to the City of Palm Springs website but disseminated at the following ***Planning Commission*** meetings:

a) December 5, 2012, including copies of the approved final resolutions when available; and,

b) November 28, 2012, including a copy of the Developer's Powerpoint presentation that was displayed on the overhead projector during the meeting;

c) November 14, 2012;

d) November 7, 2012; and,

e) May 25, 2011.

///

[3] Collectively, hereinafter referred to as the "Downtown Palm Spring Project Applications."

5. Any and all agendas, meeting minutes, public comments letters, and materials distributed, including memorandums and staff reports related to the following ***City Council*** meetings:

a) October 17, 2012;

b) April 18, 2012;

c) June 20, 2011;

d) December 2, 2009;

e) May 13, 2009; and,

f) January 14, 2009.

6. Any and all agendas, meeting minutes, public comment letters, and materials distributed, including memorandums and staff reports related to the following ***AAC*** meetings:

a) November 26, 2012;

b) November 19, 2012; and,

c) November 13, 2012.

It is my understanding that Marci Knighten of this office requested copies of the 2008 Museum Market Plaza Specific Plan ("MMPSP"), MMPSP Addendum to the Final Environmental Impact Report (approved on Oct. 17, 2012), Wessman Applications for the Planned Development District (Case No. 5.1290-PD361) and Tentative Parcel Map No. 36446, and the Project Financing Agreement for the Desert Fashion Plaza, entered into by and between the City of Palm Springs and Developer on September 29, 2011, on December 6, 2012. Please provide these previously requested documents as soon as they become available.

I can be reached at (415) 296-1696 if you have any questions regarding the requested documents listed above. I would be happy to make arrangements for copying or assist in reviewing files. Please let me know if there is a security deposit for any copying related charges and send all final invoices to my attention to ensure prompt payment.

Very truly yours,

BUCHALTER NEMER
A Professional Corporation

By Kimberly A. Huangfu

Kimberly Huangfu

BuchalterNemer
A Professional Law Corporation

55 SECOND STREET, SUITE 1700 SAN FRANCISCO, CALIFORNIA 94105-3493
TELEPHONE (415) 227-0900 / FAX (415) 227-0770

FACSIMILE TRANSMISSION

DATE: December 10, 2012 **FILE NUMBER:** B1251-0010

To:

NAME:	FAX NO.:
James Thompson, City Clerk City of Palm Springs	(760) 323-8332

FROM: Kimberly Huangfu **PHONE:** (415) 296-1696

NUMBER OF PAGES WITH COVER PAGE: 4	Originals Will Not Follow

IRS Circular 230 Disclosure: In order to comply with the requirements imposed by the Internal Revenue Service, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

Start Time:		a.m. / p.m.
Finish Time:		a.m. / p.m.
Vicinity:	____Local ____Long Dist. ____International	

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If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the US Postal Service. Thank You

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL HOWARD N. ELLMAN AT (415) 296-1610 AS SOON AS POSSIBLE.

GREATER palm springs oasis
a brand new day.

RECEIVED
CITY OF PALM SPRINGS
2012 DEC 18 PM 12:06
JAMES THOMPSON
CITY CLERK

December 14, 2012

City Council
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

To the City Council of Palm Springs:

The Greater Palm Springs Convention & Visitors Bureau (CVB) is the regional organization dedicated to marketing the valley's nine cities as one destination, generating economic impact, incremental tax revenue and long-term strategies.

Tourism is the leading industry in the Coachella Valley. In 2011, Greater Palm Springs welcomed an estimated 11.5 million domestic and international travelers and generated over $5 billion in sales. Overall, tourism is responsible for one out of every four jobs in Greater Palm Springs and saves each household an estimated $3,100 each year in local taxes.

The modern traveler is looking for destinations that are relevant and current, which greatly impacts the tourism industry's competitive nature. To increase market share, it is critical to continually enhance the City of Palm Springs' destination product and maintain its world-class brand.

The transformation of downtown Palm Springs will have a positive impact on the entire region and will be a "demand driver" for new travelers. Today's visitor is drawn to pedestrian-friendly plazas, open spaces, and brands that are unique, authentic and emotionally relevant to their needs.

We believe the Kimpton brand and design will deliver on these important aspects and integrates well into our long-term destination strategies. The Kimpton brand has already proven to be a very desirable product for the 25-45 age group, recently identified through current research as a high-interest demographic for Greater Palm Springs.

Additionally, we estimate the new Kimpton Hotel will generate over $17 million in visitor spending annually and will supplement efforts in attracting more group business for Palm Springs Convention Center. Conventions typically have a higher economic impact than leisure travelers, based on a greater delegate spend.

On behalf of the Greater Palm Springs CVB, we are very excited about the new direction of downtown Palm Springs and the addition of the Kimpton Hotel. We thank you for your commitment, vision and support in helping to guide our destination forward with positive and productive opportunities.

It truly is a "Brand New Day" in our Oasis!

Sincerely,

Scott White
President & CEO

Additional Material
Item 1.A.
12/19/12

greater palm springs convention & visitors bureau
70-100 highway 111 • rancho mirage, ca 92270
t: 760.770.9000 • 800.969.3767 • f: 760.770.9001
palmsprings oasis.com

COACHELLA VALLEY ECONOMIC PARTNERSHIP

RECEIVED
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2012 DEC 18 AM 8:23
JAMES THOMPSON
CITY CLERK

XC - Council
CHR
JR
Jay T

December 13, 2012

DEC 17 2012

Mayor Steve Pougnet and
City Councilmembers
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mayor Pougnet:

The Coachella Valley Economic Partnership is a regional economic development organization devoted to expanding the business community, improving the quality of the workforce and strengthening the overall economy and quality of life for the region.

We wholeheartedly support the plans for revitalizing Downtown. This project will not only revitalize downtown Palm Springs, but it will attract, support and expand many new and existing businesses in the area.

The Kimpton Hotel will bring 80,000 visitors annually to the center of our downtown. These visitors are the important consumers with buying power our local retailers, businesses and restaurants are trying to attract to Palm Springs.

The revitalization of downtown will also create 1,000 new construction jobs and 1,500 new permanent restaurant, hotel and management jobs. It will also provide needed support to ancillary businesses such as marketing firms and accountants.

Revitalizing downtown Palm Springs will have tremendous benefits regionally as the new prosperity spills over into other communities. A new downtown Palm Springs will mean a stronger Coachella Valley.

The team developing this project has a tremendous track record of the highest standards of architectural accomplishments. For five decades the acclaimed architecture firm Allen & Philp has masterfully created successful and vibrant hospitality and mixed-use projects. That is exactly what they have designed for our downtown. Wessman Development is one of the Valley's most notable developers. One only has to look at Plaza Mercado as proof of Wessman's success. Exceptionally designed, it is the most successful retail and culinary center in downtown Palm Springs.

We commend the City Council for having the vision to support this project. We commend the people of Palm Springs for supporting Measure J that made this project possible. This downtown plan has been in the works for nearly ten years and most California cities would dream of the opportunity before us. We look forward to your approval and moving Palm Springs and the entire Coachella Valley forward.

Sincerely,

Thomas E. Flavin
President & CEO

Cc: David Ready, City Manager
John Raymond, Director of Community & Economic Development
CVEP Executive Committee

3111 EAST TAHQUITZ CANYON WAY • PALM SPRINGS, CALIFORNIA 92262 • PH: 760.340.1575 • FX: 760 548 0370 • WWW.CVEP.COM

RECEIVED
OF PALM SP
2012 DEC 18 AM 8:27
JAMES THOMP
CITY CLERK

December 17, 2012

Mr. Michael Depatie, Chief Executive Officer
Kimpton Hotel and Restaurant Group, LLC
222 Kearny Street, Suite 200
San Francisco, CA 94108

Subject: Kimpton Hotel and Restaurant Group Interest in Palm Springs

Dear Mr. Depatie,

The Palm Springs Preservation Foundation is a highly-regarded non-profit California corporation with an all-volunteer board and more than 1,800 members. Aside from our extensive advocacy efforts we produce a variety of educational products that celebrate southern California's architecture and the preservation of the area's historic resources.

We understand that the Kimpton Hotel and Restaurant Group has signed a "Letter of Intent" to occupy a proposed hotel in the Desert Fashion Plaza being developed by Wessman Development in the city of Palm Springs. We enthusiastically and sincerely welcome your distinctive and exceptional brand to become part of the Palm Springs tradition. However, because this development venture will receive almost $43 million in taxpayer subsidies we feel we have a special obligation to state our concerns about this project.

As you know, Palm Springs has an international reputation for its historic character and magnificent mountain views. Over the years our citizens have fought strenuously to preserve view corridors, significant architecture and the scale of our beautiful city.

We are encouraged that the current development plan restores the historic street grid and provides new opportunities for the rehabilitation of the architecturally-significant Town & Country Center (Paul R. Williams and A. Quincy Jones, 1948). However, a portion of the developer's plan includes a six-story hotel (with an 89-foot tower) and a design described as "cliff-like." This building height, which is out of scale with our downtown, is being touted by the local developer as "essential" for your involvement in this project. In view of Kimpton's reputation as a civic-minded corporation sensitive to local quality of life issues, we are skeptical this is the case and we would be happy to discuss our concerns with you in detail.

If you have any questions, or if we can be of further assistance, please contact the foundation at (760) 837-7117 or info@pspreservationfoundation.org.

Sincerely,

Ron Marshall

Ron Marshall
President

Copy to:
Mr. David Sussman, Sr. Vice-President for Hotel Development and Design ((Kimpton Hotel and Restaurant Group, LLC)
City Clerk, City of Palm Springs (Mr. Jay Thompson)

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
(760) 837-7117 • info@pspreservationfoundation.org • www.pspreservationfoundation.org

Cindy Berardi

RECEIVED
OF PALM
2012 DEC 18 AM 8:36
JAMES THOMP
CITY CLERK

From: Donald Prell [dbp2@dc.rr.com]
Tuesday, December 18, 2012 7:17 AM
To: CityClerk
Subject: Council Meeting December 19, 2012
Attachments: PS City Council.pdf; ATT62183.htm; PS City Council.doc; ATT62184.htm

To the Palm Springs City Clerk

Re: Palm Springs Council Meeting December 19, 2012

Please provide a copy of this "Public Comment" to the Mayor, City Council members, City Manager, City Clerk and the City Attorney to be added to the official record of the meeting.

Thank you for your assistance regarding this request.

Donald Prell

(PO Box 1927, Palm Springs, CA 92263) (760-835-4080)

****

For the record --- Palm Springs City Council Meeting, December 19, 2012

My name is Donald Prell. Palm Springs is my year-round home. As the city council is about to approve the construction of a "high-rise-hotel," in part to replace the former ill-conceived Desert Fashion Plaza, I wish to go on record pointing out the city is about to repeat the mistakes made thirty years ago.

Yes, more hotel space is needed in Palm Springs to help bring the Convention Center to break-even; but this downtown hotel is not how to do it. Big hotels need to be constructed walking distance from the Convention Center, not where this one is to be built.

The foot-print of what is proposed is not large enough to provide the necessary underground parking to meet code requirements. The developer may be able to supply 75 to 100 underground spaces, but the code dictates at least 250 spaces, to cover the number of hotel rooms and event/banquet facilities in the above ground structure.

Since the mayor and city council seem not to be addressing this problem, the plan will be approved as-is. Then when questions

arise concerning parking, the mayor and city council will go along with the developer, approving many 'exceptions.' The first undoubtedly will be allowing the hotel to construct substantially fewer parking spaces than required by code. Second, granting the hotel use of the free-parking being offered to the public by the city, located in the present underground garage, which the city is currently purchasing from the developer. For hotel guests to get to the hotel's parking spaces, they will need to drive through the city owned parking structure. Who will pay the additional cost for security and upkeep, the city or the developer?

A few years from now, the developer will come to the city with plans to build high-rise residential condos and apartments on the vacant pads west of the hotel, and of course they will be approved; ending open space in downtown Palm Springs!

As I am in my late eighties, I will be unable to attend the meeting of the Palm Springs city council on December 16, 2037. Yet I am certain they will be attempting to explain, why in December 2012, the city rushed ahead to approve an ill-conceived high-rise hotel in what should have remained a low-rise development in the center of downtown Palm Springs.

****

By Desert Sun Editorial Board

A large hotel is the linchpin to the revitalization of downtown Palm Springs.

Yet, the city's Architectural Advisory Committee and now the Planning Commission are taking shots at the proposed Hotel Palomar. That's their prerogative, and we respect all those who serve on city panels. But the city would be foolhardy to blow the deal with Kimpton Hotels, a first-class chain with more than 50 luxury hotels around the world.

A 2006 study commissioned by the Palm Springs Convention Center & Bureau of Tourism found the city needs 1,000 more rooms to attract major conventions. The Aviation Summit held in Palm Springs last month provided a perfect example. The convention needed 1,600 rooms. The tourism bureau worked with 11 hotels, some as far 3 miles away, and coordinated four shuttle routes to help visitors get around.

More rooms within walking distance of the convention center will enhance its appeal.

Members of the advisory committee said the hotel was too tall and too big. Developer John Wessman originally proposed 165 rooms for the Hotel Palomar, but Kimpton asked to increase the number to at least 185 to ensure profitability. The plan is to add the extra rooms to a retail building planned next door with a glass-enclosed walkway.

How tall is too tall? Nearby Hyatt Regency Suites is 65 feet tall and has 197 rooms. Hotel Palomar is proposed at 70 feet, not counting a 19-foot elevator tower. The Agua Caliente Casino Resort Spa in Rancho Mirage is 120 feet tall with 565 rooms. The Morongo Casino, Resort & Spa is 330 feet tall with 310 rooms.

Mount San Jacinto looms above Palm Springs at 10,834 feet. Naturalist John Muir wrote of San Jacinto Peak, "The view from San Jacinto is the most sublime spectacle to be found anywhere on this earth!" The view from the proposed rooftop bar and pool will be spectacular, too.

Debating the height of the hotel is certainly appropriate and healthy. The

commissioners have a right — indeed, an obligation — to challenge developers. These decisions will chart the future of Palm Springs for decades and the city cannot afford to repeat the mistakes made with the creation of Desert Fashion Plaza. A large hotel is the linchpin to the revitalization of downtown Palm Springs.

Yet, the city's Architectural Advisory Committee and now the Planning Commission are taking shots at the proposed Hotel Palomar. That's their prerogative, and we respect all those who serve on city panels. But the city would be foolhardy to blow the deal with Kimpton Hotels, a first-class chain with more than 50 luxury hotels around the world.

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Mount San Jacinto looms above Palm Springs at 10,834 feet. Naturalist John Muir wrote of San Jacinto Peak, "The view from San Jacinto is the most sublime spectacle to be found anywhere on this earth!" The view from the proposed rooftop bar and pool will be spectacular, too.

Debating the height of the hotel is certainly appropriate and healthy. The

commissioners have a right — indeed, an obligation — to challenge developers. These decisions will chart the future of Palm Springs for decades and the city cannot afford to repeat the mistakes made with the creation

OUR TIME IS NOW

by Harold Matzner and David Baron

It's time to revitalize downtown Palm Springs!

We have survived the economic downturn and we have a unique opportunity for Palm Springs to capture our share of the travel, vacation, and business meeting recovery that is occurring.

People from all over Southern California and elsewhere have 'found' Palm Springs. Of course, we were never "lost." We have a world-class brand. But Palm Springs has been hurt by the empty Fashion Plaza in its Downtown core.

We need a revitalized Downtown experience
Our small boutique hotels and larger hotels are prospering, yet virtually all of them, as well as our restaurateurs and business owners, complain about the same thing -- We need a defining and vibrant hotel/retail shopping experience to replace the empty Desert Fashion Plaza.

It is essential that we have more specialty boutique retail stores with unique merchandise like Trina Turk and Wil and Molly's and hip, cutting-edge dining like Trio's and LuLu's. This combination will not only bring folks to Palm Springs, but will encourage them to come back time and time again and spend their dollars here.

We must take action now
As a community we have invested a lot of resources, hard work, and hope to restore our brand and position in the convention and tourism industry. We must take action now!

The Palm Springs Downtown Revitalization Plan is a precious opportunity to shape our future as a city and as a vibrant, healthy community. The decayed Fashion Plaza has been and continues to be a 'black hole' highlighting our downtown and economic failure for nearly a generation. We have an opportunity

to change that right now.

Downtown Plan has years of planning and support
The Downtown Plan is the product of years of planning and visioning forums well attended by Palm Springs residents. This has been one of the most scrutinized and planned projects in the history of our Valley. And what is before the City is exactly what the voters demanded and expected when they approved Measure J.
Plan is strong and economically viable
We urge everyone to study the project on the City's website or at City Hall. You will find a project that marries new and unique retail, a vibrant restaurant scene, pedestrian-friendly plazas and open space alongside a four star Kimpton hotel. The business plan that is used to develop the Kimpton must meet their criteria and still be buildable based on the economics of the project.

Supports local businesses and restaurants
We are lucky to get the Kimpton brand in our town. Anyone who has stayed at one of the 54 Kimpton hotels will know that they are exactly what we need in terms of brand and ambiance to complete our City's hotel assortment. The rooftop pool and bar will be a huge attraction for tourists and locals alike. The Kimpton brand is the kind of magnet today's specialty retailers and finer restaurants demand when they are selecting new locations. This project will be anchored by the Kimpton, Hyatt, and the Palm Springs Art Museum that will combine to bring 300,000 visitors each year to its stores and restaurants. Each component of this plan will contribute to the overall cumulative economic success of the project.

Creates mountain views
Another benefit of the Downtown plan is that it creates two new viewsheds to the mountains that do not currently exist -- views that for the past 40 years have been hidden by the old Fashion Plaza. Also, while the zoning allows for 60-foot tall buildings stretched along the face of Palm Canyon, this plan goes lower. Palm Canyon will have single story shops and restaurants, separated by through-streets, and some setback double story buildings. The hotel is setback a minimum of 200 feet – a greater setback than any other hotel on Palm Canyon. By transferring density to the Kimpton, we are able to have lower buildings, more open areas and more views of the mountains, and an economically viable hotel. That is important!
Supports Art Museum
We are also excited about the new 50,000 square foot open area in front of the

Art Museum. This space will be used for concerts and other special events that will be enjoyed by both residents and visitors alike.

Support our opportunity to revitalize Downtown
The City of Palm Springs has a precious opportunity to rebuild its Downtown, and significantly improve its economic future. That is very rare option for any municipality today. It is an opportunity that must not be squandered.

November 28, 2012

Members of the Palm Springs Planning Commission, City staff, my name is Robert Moon and I have lived in the Vista Last Palmas neighborhood for 11 years. I am here today speaking as a private citizen and full time year around resident and not as a representative of any board or commission on which I currently serve.

The City of Palm Springs is famous throughout the world for it's beautiful scenery, incredible weather, and iconic architecture. However our beloved downtown has begun to stagnate. The old Fashion Plaza sits deteriorating on 13 acres right in the heart of our city. I have heard people say that the downtown should continue to be a village; that the new hotel should mirror the 13 small boutique hotels lined up along Bellardo. I most strongly disagree. Yes, we need to continue to aggressively preserve the best examples of our architectural heritage, and our small intimate family hotels are a priceless assets to our city. However, we will not survive, much less prosper, if we try to wrap downtown Palm Springs in a giant roll of saran wrap and wish for a time that has long since passed. If we are to survive and flourish it is imperative that we continue to evolve and grow. This plan for downtown Palm Springs with it's plazas, open spaces, sight lines and village green, all with the Kimpton hotel as it's focal point, will be the key to our future and our prosperity for decades to come.

Is the proposed hotel too tall? No. The scale of the hotel is appropriate to the location and will stand proudly as a centerpiece in the very heart of our downtown. Is it too massive? No. It is just large enough and grand enough to attract upscale corporate executive offsite meetings and conference business as well as be a destination point for sophisticated travellers from throughout the US and abroad - without being so large as to dominate the downtown. It's scale fits with the proposed downtown development. It's setback will minimize the blocking of the view from Palm Canyon Drive. The architecture of the hotel as well as the entire development is creative, modern, varied, and interesting. The recent changes made to the hotel design, such as the 30 foot prow windows, have made it even more interesting. This is a building that will represent the spirit and taste of our current early 21st century just as our mid century modern architecture represented the spirit and taste of the Palm Springs of 50 years ago. This exciting hotel with it's iconic roof top deck will be to the Palm Springs of today what the El Mirador and Racquet Club were to the Palm Springs of yesterday.

Success breeds success. This new downtown development with it's vibrant up-scale full service hotel as a centerpiece will be a needed shot of adrenaline right into the heart of our beautiful city. It will create an excitement and a vibe that will be contagious and result in a 21st century renaissance of our downtown. It is a critical first step in moving Palm Springs from being a 1960 village to that of a proud, beautiful, vibrant and diverse city that reflects the excitement and wonder of this new 21st century.

Let's all get on board, get on track, and get it built.

Robert Moon
1196 Abrigo Road, Palm Springs CA 92262
760.832.2122

Jay Thompson

RECEIVED
CITY OF PALM SPRINGS
2012 DEC 19 AM 11:53
JAMES THOMPSON
CITY CLERK

From: T.M. Fiegenschuh [tommfig@yahoo.com]
Sent: Wednesday, December 19, 2012 10:33 AM
To: Jay Thompson
Subject: Hotel and Mall and Retailers

Hi Jay Thompson,

This is a letter to the City Council, Planning Commission, and Architectural Review Commissions. Could you please forward to all of them?

Dear Council and Commission Members,

My partner and I both live in Palm Springs and own a small business in Palm Springs. We are all for whatever can be done to revitalize the City. I'm okay with the size and appearance of the hotel. I know Kimpton Hotels; if they are okay with it then it will be successful. Please approve this hotel and get the mall going so that we can have a draw downtown.

That includes the Monroe statue. Personally, it does nothing for me. However, the tourists seem to love it. Is there any way to keep it?

Lastly, I see Palm Desert has landed another major retailer. (Wine and Cork). We wish we could get stores like that in Palm Springs. Especially, a retailer list Costco who would bring in lots of sales tax revenue, but is very good to their employees.

Tom Fiegenschuh
Donovan Marks
1100 Via San Dimas Rd
Palm Springs, CA 92262

RECEIVED
CITY OF PALM SPRINGS
2012 DEC 18 PM 3:37
JAMES THOMPSON
CITY CLERK

Babak Naficy
LAW OFFICE OF BABAK NAFICY
1504 Marsh Street
San Luis Obispo, CA 93401
Ph (805) 593-0926
babaknaficy@sbcglobal.net

December 18, 2012

Via Email

CITY OF PALM SPRINGS
Department of Planning
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
ATTENTION: Craig A. Ewing, AICP
craig.ewing@palmsprings-ca.gov

RE: The City's Council's upcoming consideration of Downtown Palm Springs Project,

Dear Mr. Ewing:

Advocates for Better Community Development ("ABCD") continues to be seriously considered about the City of Palm Springs' ("City") apparent intention to hastily approve the current iteration of the Downtown Palm Springs Project, despite the Project's many inconsistencies with the Specific Plan and the City's failure to adequately analyze the Project's potential impacts. I previously described the City's failure to adequately review the project as required by the California Environmental Quality Act ("CEQA") in a letter I submitted to the City on December 5, 2012. Please distribute a copy of this letter to each member of the City Council in advance of tomorrow's hearing.

A. **The City should not proceed until there is a final and stable project description.**

The record shows that despite the many revisions to the Project, the record does not include a stable and finite project description. The project description underwent revisions in October 2012, and again in advance of the Planning Commission's consideration in November. Yet, as the Staff Report admits, the applicant has yet to submit a final and conforming project description for the buildings on Block b-1. According to the Staff Report, the applicant will submit the plans at a later date, yet the City is poised to approve the Project now. As a finite and stable project description is essential for a careful review of the Project impacts, the City must put off any final approvals until all aspects of the Project are adequately defined.

B. Owing to Project inconsistencies with the Specific Plan, the City Council may not approve the Project as currently proposed.

1. The City may not approve the Project because Blocks b and b-1 are inconsistent with the height and set back standards set forth in the Specific plan

The City's failure to require a final project description before approving the Project is particularly egregious because the applicant's current proposal for Blocks b, b-1, (and c and c-1) are inconsistent with the height and setback requirements set forth in the Specific Plan. The City apparently believes that despite these inconsistencies, the Project can be considered consistent with the Specific Plan. As the Staff Report describes it, "the City Council deemed the present plan (including the development of Block "b-1") to be conforming, requiring that flexibility be used in applying Plan's Block B standards. Staff believes that the general height standards (max. 60 feet) can apply to Block "b/b-1," which would make the proposed buildings conforming. The height in Block "c-1" may be addressed through the hotel Development Permit. Dec. 19, 2012 Staff Report, p.9.

Where the maximum height and minimum set back limits are specifically set in the Specific Plan, the City may not invoke "flexibility" to deem non-conforming buildings somehow consistent. Staff's proposed strategy of applying "general height standards" to Blocks b/b1 does not cure the inconsistency. There is simply no "general height" standard, as the Staff apparently believes. The Specific Plan, which was adopted following extensive public consideration and debate, includes very specific height and set back restrictions for each designated block. There is no authority for the Staff's contention that "the general" height standard can be applied to Blocks b and b-1 in direct contravention of the Specific Plan height/set back designations for these blocks. Gov. Code §65455 (No public work, subdivision map may be approved unless it is consistent with the adopted specific plan.)

Rather than invoking "flexibility", the Project proponent was required to apply for an exception to the Specific Plan requirements, which would be akin to requesting a zoning variance. Committee to Save Hollywoodland Specific Plan v. City of Los Angeles (2008) 161 Cal.App.4th 1168. To be granted an exception (similar to a request for a variance), the applicant has the burden of demonstrating conditions, such as the peculiar conditions of the particular lot, that justify a departure from the carefully laid out requirements of the Specific Plan. It is highly doubtful that the applicant here would be able to make such a showing under the facts of this case.

2. The City may not approve the Project as proposed because buildings proposed in Blocks b and b-1 exceed the maximum allowed square footage.

The Project is also inconsistent with the maximum square footage allowed by the Specific Plan. As the Staff Report readily admits (at p. 10), according to the Specific Plan, the maximum allowed floor square footage on Block b/b-1 is 3000 square feet (Sq Ft). The current proposal calls for a whopping 75,562 Sq Ft on Block b and b-1. Although the Specific Plan permits a

maximum of 15% transfer between blocks, the proposed Project exceeds this limit by a significant margin. Moreover, the "westerly building encroaches into setbacks and right-of-ways . . . ." Staff Report at p. 13. It is clear that the proposed Project is inconsistent with and betrays the Specific Plan's vision of Block b and b-1 as a central public gathering place by calling for two story buildings, a private alley and encroachment into setbacks and right-of-ways.

Ignoring this straight forward and specific standard, Staff opines that "a larger transfer may be recognized [??] between Blocks "A" and "b / b-1" so long as the maximum sum allowed on the two blocks is not exceeded." The Staff Report fails to offer any justification for this novel and unwarranted interpretation of the plain language of the Specific Plan. Contrary to the Staff's proposed approach, the City may not simply ignore the plain language of its own recently adopted Specific Plan.

The Staff Report admits that "the Specific Plan's approach to Block B has been modified by this proposal and the Council's conformity review of October 17, 2012." The approach proposed by Staff therefore violates California's planning laws by attempting to modify and revise the Specific Plan in a significant manner without following the procedures set forth in the Government Code, or compliance with CEQA.

The Staff attempts to gloss over the clear inconsistency by euphemistically describing the current plan as simply "postponing" the Specific Plan's vision for Block B. Staff Report at p. 15. Yet the Staff Report does not explain or expand on the concept of "postponing" the Specific Plan's vision of a central public gathering place. This is not a case where the City postpones implementation of a goal or policy; here, the City is being asked to approve a Project that would essentially make the attainment of the Specific Plan's goal impossible. The Project, therefore, is inconsistent with the Specific Plan.

3. <u>The City may not approve the proposed Hotel on Block c-1</u>

The proposed 185 room, 84 foot high hotel cannot be approved under the current Specific Plan. As set forth in my December 5, 2012 letter, the City has yet to conduct adequate environmental review of the proposed hotel to the extent that it is substantially more massive and taller than the hotel considered in the Specific Plan EIR. The proposed hotel, moreover, is inconsistent with the specific building standards set forth in the Specific Plan and is incompatible with the City's own vision for Downtown.

As the Staff Report recognizes, the "major challenge is the height of the hotel along West Tahquitz Canyon Way" where the proposed set back is 30-35 feet. Staff Report at p. 11. Staff goes on to recognize that the hotel would represent a "significant mass" on Tahquitz Canyon at Belardo Rd. p. 12. As proposed, the hotel would be inconsistent with the Specific Plan's requirement that significant building mass not be located along the street edge.

Staff also notes that the varying elevations and building facades throughout the site do not fulfill

the Specific Plan's goal of achieving a "coherent visual identity." I should also note that the Staff's analysis of the Project's visual impact and consistency with the Specific Plan is exactly the kind of analysis that ought to be conducted within the framework of CEQA in order to afford the public adequate opportunity to study the proposed plans provide comments to the City.

In several places, the Staff claims that the size and height of the proposed hotel is "necessary to support of the project." See, e.g., Staff Report at p. 13. Yet, there is no evidence or discussion in the record to support this contention. Put another way, there is no evidence to support the conclusion that the City could not have required the applicant to modify the hotel design by reducing the height, location and massing in order to make the Project consistent with the Specific Plan. There is no evidence, for example, of any economic studies to lend credence to the applicant's apparent contention that building a smaller hotel would render the Project economically infeasible.

In order to get around the Specific Plan's height and set-back standards, the applicant has requested that the City process this application as a Planned Development District or PDD. As an initial matter, I question the application of the PDD process in this instance. A PDD may be appropriate where the project is subject to the general plan and zoning standards. In this instance, however, the hotel is subject, not to general development standards, but the specific and carefully laid out standards set out in the Specific Plan, including set-back standards which this Project ignores. By adopting a Specific Plan in this instance, the City has already adequately considered the appropriate development standards that should apply to this specific project. Deviation from these standards by analyzing the Project as a PDD is antithetical to the careful planning work the City undertook in adopting the Specific Plan.

The City may not attempt to revise or abrogate the Specific Plan development standards by invoking the general provisions of PDD pursuant to Palm Springs Municipal Code ("PSMC") 93.040. Once development standards are adopted pursuant to a Specific Plan, any revisions thereto must comply with process and procedures set forth in Government Code, subject to compliance with CEQA. See, Longtin's California Land Use, 2nd Ed., at §2.30.

Even if processing the Project as a PDD were appropriate in this case, the City may not approve the requested added height and deviation from the minimum set-back standards because it cannot make the requisite findings. As the Staff Report explains, the City may not allow the hotel to exceed 60 feet unless the City Council can make a finding that the intent of the High Rise Ordinance (93.04.00) is met. The City may not approve a Project that is inconsistent with the Specific Plan's building standards and policy of not locating significant building mass near the edge of a street by making a finding that the Project meets the intent of the High Rise Ordinance. The City may not invoke an ordinance to approve a project that is fundamentally inconsistent with an adopted Specific Plan. Put another way, the Specific Plan trumps the ordinance.

The Staff Report attempts to paper over the proposed hotel's inconsistency with the Specific Plan by listing some of the Specific Plan's objectives which Staff contends are implemented by

the Proposed Project. Staff Report at p. 24. What Staff seems to ignore, however, is that while the Project as a whole may be consistent with some aspects of the Specific Plan, it simply does not follow that it is consistent with all relevant provisions of the Specific Plan. As I have explained above, the City may not approve the proposed hotel in reliance on the PDD ordinance to the extent that the proposed hotel is inconsistent with specific development standards (set back) set forth in the Specific Plan.

Conclusion

Owing to significant inconsistencies with the Specific Plan, the City cannot approve the Project as proposed. As I have described above, the City has yet to identify a stable and finite project description. To the extent that the current proposal is significantly inconsistent with the Specific Plan, it appears that the applicant expects the City simply to ignore the Specific Plan by approving a Project that meets the applicant's private vision for Downtown, but betrays that of the Specific Plan the residents of Palm Springs. Unfortunately, the City appears to be willing a partner in this enterprise. I implore you to reconsider and require the applicant to come back with a plan that is consistent with the Specific Plan.

Sincerely,

/ s /
Babak Naficy
Counsel for ADVOCATES FOR BETTER
COMMUNITY DEVELOPMENT

BN/sb
cc: ABCD

December 19, 2012

Re: Palm Springs Downtown Renovation Project

Note to Council:

Modify the indemnification provisions in each set of conditions of approval for the Downtown Palm Springs Renovation Project to read as follows:

Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case _____. The City will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the owner will undertake the defense of the matter at the owner's sole cost and expense, including without limitation owner's attorney's fees and costs. The foregoing notwithstanding, the City shall be solely responsible for its own attorney's fees and legal costs. The City retains the right to settle or abandon the matter without the owner's consent but should it do so, the City shall completely waive the indemnification obligation of owner herein, except the City's decision to settle or abandon a matter following an adverse final judgment shall not cause a waiver of the indemnification rights herein.

12/19/2012
ITEM 1.A.
REVISED CONDITION

Jay Thompson

RECEIVED
CITY OF PALM SPRINGS
2012 DEC 19 PM 3:32
JAMES THOMPSON
CITY CLERK

From: Ginny Foat
Sent: Wednesday, December 19, 2012 3:24 PM
To: Jay Thompson; 'Ginny Foat'
Subject: FW: Tonight's meeting

From: Terry House [mailto:terry.house@gmail.com]
Sent: Wednesday, December 19, 2012 10:32 AM
To: Ginny Foat; steve.pougnet@palmspring-ca.gov; Paul Lewin; rhutcheson@palmsprings-ca.gov; cmills@palmsprings-ca.gov
Subject: Tonight's meeting

Councilmembers,

I hope you have all read Robert Stone's excellent op-ed in the Sun a few days ago. Stone articulated my position perfectly and I hope you read it carefully.
The Maxim now Hyatt should be a lesson in what not to do, what not to build and where not to build it. I appreciate the reminder to us all of the hotel Wessman wanted to build next to Le Valluris. Same type of arrogance. Spreading the hotel mass along the mountains so the hotel rooms have the best view, and consequently block views from Palm Canyon and the area we most need to redevelop in the old mall space (closest to Palm Canyon).
Not only is the hotel too tall, the architecture is underwhelming to say the least. We need bold, exciting, contemporary modern architecture that will sit comfortably and appropriately beside the incredible stock of midcentury architecture our City is famous for!! And that will blend with faux-Spanish village fell, but not too much.
More arrogance from Wessman in his take or leave attitude when faced with criticism of the hotel design. Did he really think this bland, large mass would fly with those of who really care about architecture and what we can see from Palm Canyon.
Resist the urge to approve by being pushed by those who say enough has been said already.
Resist the urge to rush and push through what we will live with for generations.
Sincerely,

Terry House
2138 N Berne Drive
760-325-4522

Jay Thompson

RECEIVED
PALM SPRINGS
2012 DEC 19 PM 3:32
JAMES THOMPSON
CITY CLERK

From: Ginny Foat
Sent: Wednesday, December 19, 2012 3:14 PM
To: Jay Thompson
Subject: FW: FROM ROBERT IMBER re tonight

From: MRIMBER@aol.com [mailto:MRIMBER@aol.com]
Sent: Wednesday, December 19, 2012 1:37 PM
To: steve.pougnet@palm-springs.ca.gov; Ginny Foat; ginny.foat@palm-springs.ca.gov; p.lewin@palmspringsca.gov; g.foat@palmspringsca.gov; c.mills@palmspringsca.gov; s.pougnet@palmsprimgsca.gov; d.ready@palmspringsc.gov; citymanager@palmspringscas.gov
Subject: FROM ROBERT IMBER re tonight

Dear All;

Tonight, I urge you personally draw on what ever it takes...common sense, logic or just plain political responsibility to address realistic concerns regarding downtown. An successful, lasting end result *cannot* be accomplished with the hastened review and decisions of late. **Municipalities nationwide regularly accomplish similar major redevelopment successfully** (e.g. *LIND Project*, San Diego; *Movietown Plaza*, West Hollywood; Portland, OR; Santa Barbara and Ventura,CA).

Committee and Commission review, much overridden or shelved, supported by informed public and professional input clearly determined copious insufficiencies and exclusions... not just "Sea of Sameness" architecture, building heights, views, paint colors or planters but critical planning, environmental and safety components that have not been sufficiently addressed at this juncture.

For example:

conformance (City, State); parking; deliveries and loading bays; density and congestion; public services and safety; disabled access; police and fire access and evacuation; pedestrian and vehicular access and circulation; viable road and sidewalk parameters; sustainability; noise; lighting; viable year-round use; walkability; deliveries and traffic back-up on streets (per the developer: it is to be as it is today...already often untenable); permanent indoor/outdoor uses; after business hours needs and activities; trash removal; promised permanent open spaces; views; architecture, perimeter parking (elsewhere) to remove cars from the center...the list goes on.

What a remarkable opportunity still, to bring our divergent community proudly together to its shared goal. Sadly, an opportunity seemingly devastated by repeating divisive"*business as usual*" than brought us here originally.

As an architectural and tourism expert who has brought thousands of worldwide visitors and millions of dollars to Palm Springs (including via real estate purchased by tourgoers), the innocuous architecture is an embarrassment...and should not be accepted by leadership of a city known and much revitalized by its built environment.

Robert Imber
Palm Springs Modern Tours

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
A CALIFORNIA LIMITED LIABILITY PARTNERSHIP

W. Curt Ealy
Emily Perri Hemphill
Olane C. Blasdel

71905 Highway 111, Suite H
Rancho Mirage, California 92270
Telephone: (760) 340-0666
Facsimile: (760) 340-4666

December 19, 2012

Craig Ewing
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Comments by ABCD to Downtown Palm Springs Project

Dear Mr. Ewing:

This office represents John Wessman and Palm Springs Promenade, LLC, the applicant for various entitlements related to the Downtown Palm Springs Project. The purpose of this letter is to respond to correspondence from Advocates for Better Community Development ("ABCD") submitted on December 4, 2012 and December 18, 2012.

In their letter of 12/4/12, ABCD complains that the EIR does not analyze the "current project". However, the current project is the implementation of the Museum Market Plaza Specific Plan ("SP"). The SP was fully analyzed in the project EIR, a document certified in 2009 which is now beyond challenge. While the SP provides the basic framework for the Downtown Palm Springs Project, the SP did contemplate that some adjustments would be necessary and therefore, it specifically provides that in conjunction with Phase One of the SP's implementation, the property owner may seek a "conformity review" to determine that the project, as proposed "is generally consistent with the Specific Plan." (SP page V-2.) The standard for this conformity finding is that the proposal "reasonably furthers the goals or objectives of the Specific Plan." (ibid.)

At the time it was considering the Addendum, the City completed a conformity review on the revised site plan, and found that the revision was in conformance with the SP. In demanding further environmental review, ABCD ignores CEQA's mandate that provides that once an EIR is approved, the City may not require further environmental review unless it finds that the changes in the project trigger new significant impacts or increase the severity of previously analyzed impacts.

12/19/2012
ITEM 1.A

The Addendum considered the revised site plan which is now brought forward for development in the current applications. The City found that except for visual impacts, the proposed project would not increase the impacts as analyzed in the EIR, nor would it create new impacts. With respect to the visual impacts, the City required new viewshed analyses, using the exact same locations as used in the EIR. These showed that while one area had greater visual impacts, overall, the revised project presented less of an impact to the mountain views and therefore did not trigger the requirement for new environmental review.

The City's determinations in this regard are given great weight by the courts, and are upheld so long as there is substantial evidence in the record to support the council's decision. The analysis and comparisons done to the original EIR provide that evidence and the Council's decision with regard to the addendum and their approval of the applications tonight are within the CEQA guidelines.

ABCD complains that the project description is not "stable", however, the applications clearly set forth what is being proposed and the City has built into its conditions of approval specific additional reviews to make certain that the details are consistent with expectations. Such follow up procedures are not indicative of an "unstable" project description, but rather are additional steps built in by the City to assure that the end product conforms with the City's environmental expectations as defined in the EIR and the Addendum.

ABCD's complaints about b-1 are premature since the resolutions do not approve, but rather, continue that building for redesign.

ABCD complains that the City's approval of the hotel's height/set backs should not be allowed via a PDD. Yet, the Specific Plan directly says *"Hotels may exceed 60 feet in height, subject to approval by the City Council via a Planned Development District."* (SP p. III-9, fn 12.) It is not up to ABCD to replace its own version of procedure with that approved by the City via the SP. The City, through the proposed resolution, is making the findings they need to approve the PDD as requested.

The revised site plan which was considered and approved with the Addendum presents modifications to Block B and the open space originally planned in that area. This revised site plan relocates, but does not eliminate the originally planned open space, making a finding of consistency with the overall goals of the SP appropriate in this regard. Furthermore, the SP, as originally approved, recognized that certain improvements would not be required to be implemented with Phase One of the Project, including the provision of open space in Block B. (See SP, page V-3.)

ABCD's primary complaint appears to be an objection to the City's use of its discretionary powers to determine how it wishes the Downtown Project to develop. The EIR, along with the Addendum, analyzes a project that is more densely developed than the project currently being proposed, thereby maximizing the impacts analyzed. The SP, recognizing that this is a large project which will take time to complete, provides for some flexibility via the phasing as discussed above, and via the conformity review process. In the context of that process, the Council must find that the proposed project "*is generally consistent*" with the SP, with the standard being "*whether the proposal reasonably furthers the goals or objectives of the Specific Plan.*" (SP, page V-2.) The Conformity Review process does not require that the Council find the proposed project to match precisely the conceptual elements analyzed in the SP and the EIR. Rather, it demands that the review bear in mind the goals and objectives of the SP, which the Council clearly found were supported by the Addendum and which are supported by the pending applications.

Sincerely,

W. Curt Ealy

W. Curt Ealy
Ealy, Hemphill & Blasdel, LLP

cc: John Wessman

City of Palm Springs

Addendum to Final Environmental Impact Report (Museum Market Plaza Specific Plan)

Prepared for Proposed Renovation Plan ("Downtown Palm Springs")

1. Summary

A. Introduction

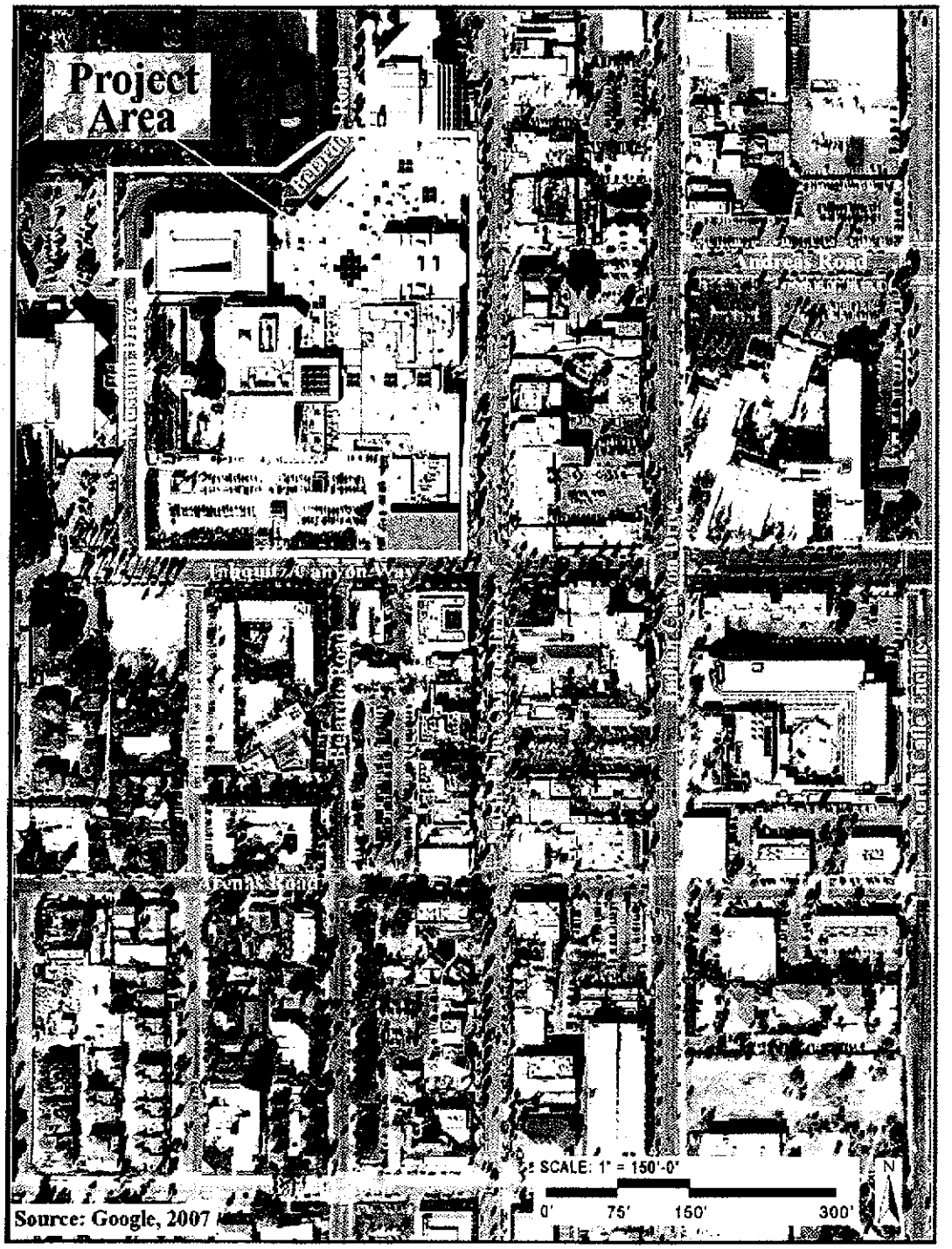
This Addendum to the Environmental Impact Report for the Museum Market Plaza Specific Plan has been prepared by the City of Palm Springs in compliance with the requirements of the California Environmental Quality Act (CEQA). The EIR was certified in December 2009 based on the development program identified in the Specific Plan. The City previously updated its General Plan in November of 2007, providing additional policy direction for land use, housing, circulation and other long-range community planning issues. This Addendum identifies changes in a proposed development program ("Downtown Palm Springs" or "project") for the subject 13.2-acre site, along with updated site and contextual information useful in review of the proposed project.

The project consists of the subdivision and development of 13.2 acres within the Museum Market Specific Plan, located at the northwest corner of Tahquitz Canyon Way and Palm Canyon Drive (see Figure 1). The project sponsor, Palm Springs Promenade, LLC, proposes to develop a total of approximately 1.4 million square feet of mixed commercial space on a portion of the site, along with related public facilities as further described in Chapter 2A below. The project site adjoins existing development to the north, east, west and south.

Development of the project, as proposed, include three separate blocks of commercial retail space, a 170-room hotel, a major public outdoor performance space (1.3 acres or 57,000 sq. ft.), underground public parking and the establishment of a public street grid, including extension through the project site of existing streets: Belardo and Andreas Roads. Full implementation of the project will include future phases west of Belardo Road that are not proposed at this time, but which are defined by the provisions of the approved Specific Plan. This Addendum examines the consistency of the current project design and implementation with the Specific Plan EIR. Following this Summary Chapter, the Addendum includes the following major components:

- Chapter 2: Project Description
- Chapter 3: Review of Current Project Setting, Impacts and Mitigation Measures
- Chapter 4: Conclusions
- Chapter 5: Technical Appendices

Figure 1: Project Location



MUSEUM MARKET PLAZA SPECIFIC PLAN EIR ADDENDUM - FIGURE 1

B. Previous EIR and Need for Addendum

The Museum Market Plaza Specific Plan and EIR were approved / certified in December of 2009[1]. The Specific Plan establishes detailed standards and guidelines for land use, development density, design and infrastructure, as well as policies and procedures for administration, implementation and phasing. The Specific Plan EIR evaluated development on all of the properties within the original 19.4-acre planning area at a project level, and includes specific mitigation measures to address both site-specific and cumulative effects of planned development.

The Specific Plan EIR identifies thresholds of significance for all project impacts, and includes a comprehensive set of mitigation measures to reduce the potential effects of development on aesthetics / visual resources, air quality, cultural resources, geology / soils, hazards and hazardous materials, hydrology, water quality / resources, land use planning, noise, population and housing, public services, recreational resources, transportation / traffic, utilities / service systems and economics. In all cases other than aesthetics / visual resources, air quality and cultural resources, the proposed mitigation measures were found to reduce the effects of buildout under the Specific Plan to a less than-significant level.

The City adopted a Statement of Overriding Considerations on December 2, 2009, finding that the benefits derived from implementing the Specific Plan outweighed the remaining (unavoidable) post-mitigation significant effects identified in the EIR. As further discussed in Chapters 3 and 4, the aesthetics / visual resources, air quality, cultural resources and other environmental effects of the proposed Downtown Palm Springs project would be less than those associated with the original Specific Plan project. This addendum has been prepared incorporating updated project information, with recommendations for refinement of several original Specific Plan mitigation measures, as appropriate, to efficiently address the current project design and context.

This Museum Market Plan EIR Addendum has been prepared in accordance with the standards identified in Section 15164 of the CEQA Guidelines to evaluate the proposed project. As discussed in Chapters 2 and 3, the proposed Downtown Palm Springs project calls for commercial mixed use densities which are consistent with those identified in the Specific Plan. The project proposes a street arrangement, building heights and masses, and commercial uses which differ from those identified in the Specific Plan; nevertheless the proposed streets, structures and uses achieve the basic purposes of the Specific Plan. Subsection (a) of CEQA Guidelines Section 15164 provides that:

> *"The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of*

[1] Terra Nova Planning & Research, Inc., Museum Market Plaza Specific Plan and Draft and Final EIR, SCH #2008061084.

the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

It is the conclusion of the analysis presented in Chapters 2 and 3 that *none* of the conditions identified in Guidelines Section 15162, as summarized below, would apply to the proposed project for the following reasons:

(1) Substantial changes proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The proposed Downtown Palm Springs project is consistent with all elements of the adopted Specific Plan, and would therefore not result in new or expanded impacts beyond those identified in the previously certified Specific Plan EIR and Addendum.

(2) Substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No substantial changes have occurred within the planning area, community or region which would lead to new or expanded significant project impacts. As described in Chapters 2 and 3, cumulative development within the planning area is no greater than anticipated under the Specific Plan project-level EIR.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.

The proposed Downtown Palm Springs project does not present any new potentially significant effects not evaluated in the previous EIR.

(b) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

The analysis provided in this Addendum shows that the previously identified significant effects of the Specific Plan would not be accentuated through implementation of the proposed Downtown Palm Springs project.

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

No changes in the feasibility of Specific Plan mitigation measures have been identified.

(d) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No new significant effects on the environment have been identified from the Downtown Palm Springs project. No mitigation measures or alternatives except those mitigation measures adopted with the 2009 Specific Plan EIR are considered necessary to substantially reduce significant impacts associated with the project. A Statement of Overriding Considerations adopted in 2009 remains a part of the certified EIR and applicable to the Downtown Palm Springs project.

2. Project Description

A. Proposed Land Uses and Improvements

The Downtown Palm Springs project proposes the subdivision and public improvements for 13.2 acres of the Museum Market Plaza Specific Plan planning area and the development of four blocks within the planning area. The project proposes a total of 1,237,000 square feet of mixed-use commercial development (retail, restaurants and office), a 170-room hotel with appurtenant uses on three blocks and a 1.3-acre (57,000 sq. ft.) outdoor entertainment venue on the fourth block. Public improvements for the 13.2-acre planning area includes streets, sidewalks, drainage, approximately 1,100 public parking spaces, public restrooms and other associated facilities.

A parcel map is called for to realign property boundaries, allow dedication of public streets and abandonment of certain rights-of-way, and offer of public easements. Two existing streets adjacent to the project area will be extended through the site:

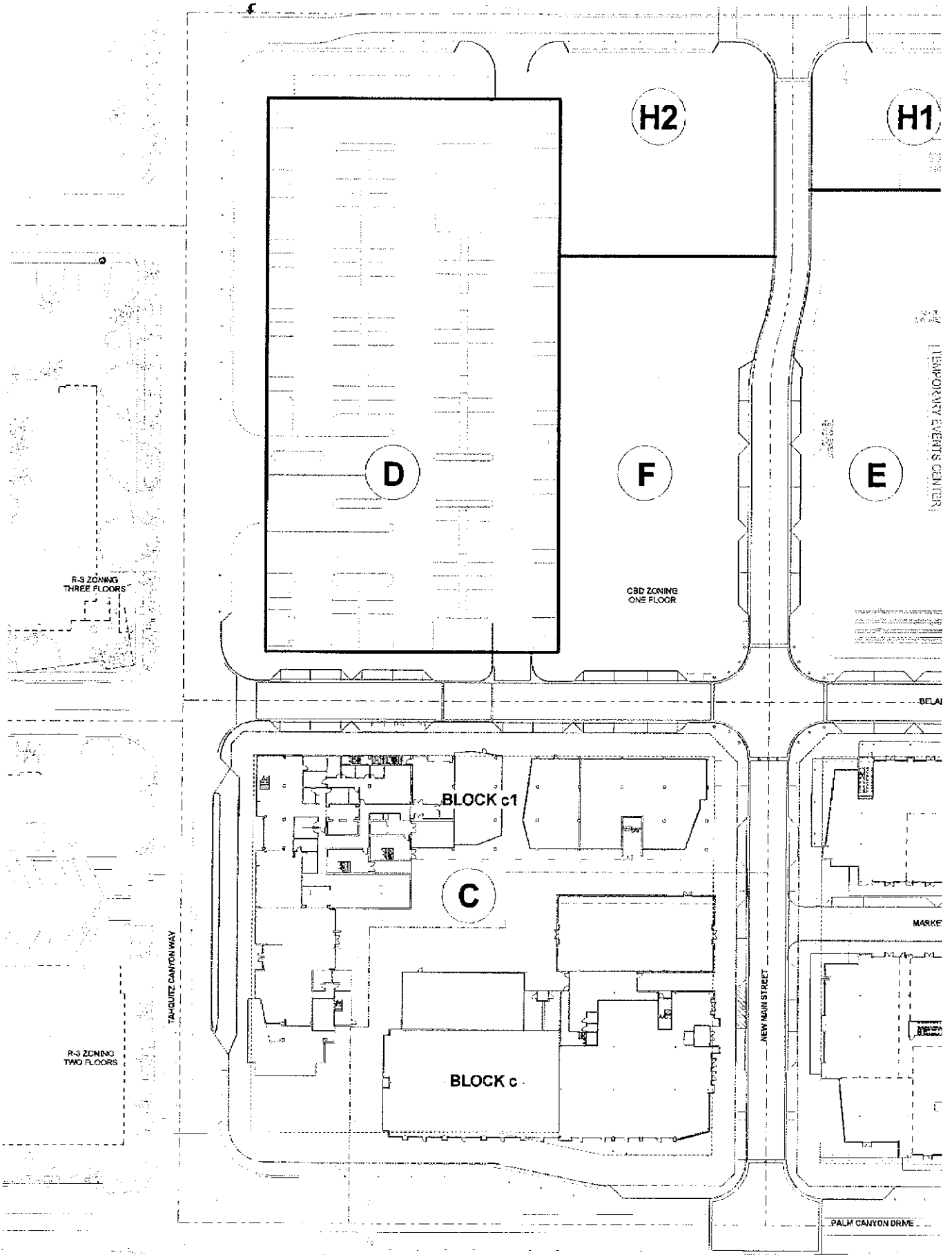
- Belardo Road, a north-south local street will be extended through the site, from Tahquitz Canyon Way to Museum Drive, and
- Andreas Road, an east-west local street will be extended through the site, from North Palm Canyon Drive to Belardo Road.

As shown in Figure 2, the Downtown Palm Springs project includes construction of all streets and public improvements. The proposed project entitlements, including a tentative parcel map, Planned Development Permit and architectural design approval, and related plans and permits are associated with a Project Financing Agreement (as amended) between the developer and the City.

A majority of the subject property has been developed as an enclosed shopping mall. The westerly third of the site is developed with surface and underground parking associated with the shopping center. This parking was identified in the Specific Plan as to be retained for future use, and it is preserved in the proposed Downtown Palm Springs project. The physical characteristics of the project site itself are substantially unchanged from the description presented in the 2009 EIR, and the conditions of surrounding properties have also not substantially changed. No significant new development in the surrounding commercial, residential and institutional areas has occurred.

As noted above, the Downtown Palm Springs project proposes a total of 272,000 square feet of mixed-use commercial (retail, restaurant and office) in the three blocks fronting N. Palm Canyon Drive (Blocks A, B and C). A 170-room hotel is also proposed for Block C. Block E is proposed as an outdoor entertainment venue.

Figure 2 – Project Site Plan


H2
H1
D
F
E
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THREE FLOORS
CBD ZONING
ONE FLOOR
BLOCK c1
C
TAHQUITZ CANYON WAY
NEW MAIN STREET
R-3 ZONING
TWO FLOORS
BLOCK c
PALM CANYON DRIVE
CBD ZONING
ONE FLOOR
CBD ZONING
ONE FLOOR

FIGURE 2

A block-by-block comparison of the Specific Plan and the Downtown Palm Springs project is provided below:

Block	**MMP Specific Plan** Uses / Sq Ft		**Proposed** Uses / Sq Ft	
A	Mixed Retail	220,000	Mixed Retail / Office	92,000
B	Restaurant	3,000	Mixed Retail / Office	90,000
C	Mixed Retail / Office	245,000	Mixed Retail / Hotel	229,000
D & F	Retail / Residential	455,000	Retail / Residential	455,000
E, G & H	Retail / Residential	520,000	Retail / Residential	520,000
TOTAL SF		1,443,000		1,386,000

Downtown Palm Springs has been planned for construction in multiple phases. Phase I includes all public street and infrastructure improvements and the development of Blocks A, B, C and E. Subsequent phases for Block D, F, G and H are not scheduled at this time (Figures 2 and 4).

B. Relationship to Adopted Museum Market Plaza Specific Plan

Current land use classifications and planned roadway alignments for the Museum Market Plaza Specific Plan are shown in Figure 3 below. The project adjoins two Major Thoroughfare streets, Tahquitz Canyon Way on the south and N. Palm Canyon Drive on the east. It also adjoins Museum Drive on the west, a Collector Street. Since the adoption of the Specific Plan in 2009, no changes to these streets have occurred.

In adopting Specific Plan in 2009, the City Council deleted two areas that were identified in the draft Specific Plan and analyzed in the Specific Plan EIR:

- Planning Area 2, southwest of Tahquitz Canyon Way and Belardo Road, and
- Planning Area 3, northeast of Arenas Drive and Belardo Road

Development of these sites was evaluated in the Specific Plan EIR, but such development is no longer part of the Specific Plan. In addition, Blocks K-1 and K-2 of the Specific Plan are not a part of this project; no plans are currently pending for any of these sites.

As called for in the Specific Plan, the proposed project extends a Collector Street (Belardo Road) through the site with a 62-foot right-of-way, connecting it with the existing Belardo Road alignment at both the south and north ends of the project (see Figure 2). A new east-west street called for in the Specific Plan (labeled, "Museum Way", 48-foot right-of-way) is also to be constructed with the Downtown Palm Springs Project, beginning at N. Palm Canyon Drive to the east and terminating in front of the Palm Springs Art Museum at existing Museum Way. The Specific Plan called for a portion of existing Museum Way along the north-west corner of the site near O'Donnell Golf Course to be abandoned, but this is to be retained as a public street in the proposed project.

The proposed project will also construct Andreas Road, a Collector Street, from its current terminus at N. Palm Canyon Drive to Belardo Road (new) within the project site, and a private street ("Market Street") within Block B. A street identified in the Specific Plan within Blocks D and F, from W. Tahquitz Canyon Way to Museum Way (new) is not part of the current project.

The Downtown Palm Springs project indicates Belardo Road at a right-of-way at 41 feet for one lane of travel in each direction and parallel parking. Additional width for sidewalks is to be dedicated by the developer via easements with the tentative parcel map. The new Main Street (called Museum Drive in the Specific Plan) is also proposed at a right-of-way width at 41 feet, with additional sidewalk width to be dedicated. The exact configurations of Belardo Road and new Museum Way will be subject to further review and refinement consistent with future detailed plans for the project.

The internal street pattern has achieved the Specific Plan goal of affording multiple points of access to the project. Primary access to the project site will be provided from N. Palm Canyon Drive, W. Tahquitz Canyon Way, the extension of Belardo Road, as indicated in the Specific Plan. Additional access will be afforded by the retention of Museum Drive (existing) near O'Donnell Golf Course and the extension of Andreas Road from N. Palm Canyon Drive.

As noted in the preceding section, commercial land use densities for the 13.2-acre project are consistent with those shown in the adopted Specific Plan. The proposed street grid is generally consistent with the Specific Plan and divides the site into development blocks similar to the Specific Plan's planning areas. The changes to the street grid and the relocation of the public space from Block B to Block E re-arranges the distribution of development spaces within the project area, increasing the development potential of Block B and creating a larger outdoor entertainment venue on Block E (Figure 4).

As proposed, the Downtown Palm Springs project would comply with all applicable mitigation measures identified in the Specific Plan EIR. No supplemental mitigation measures are recommended as a result of the analysis contained in this. Please see Section 3.B for additional analysis.

Figure 3: 2009 Specific Plan Land Use Map

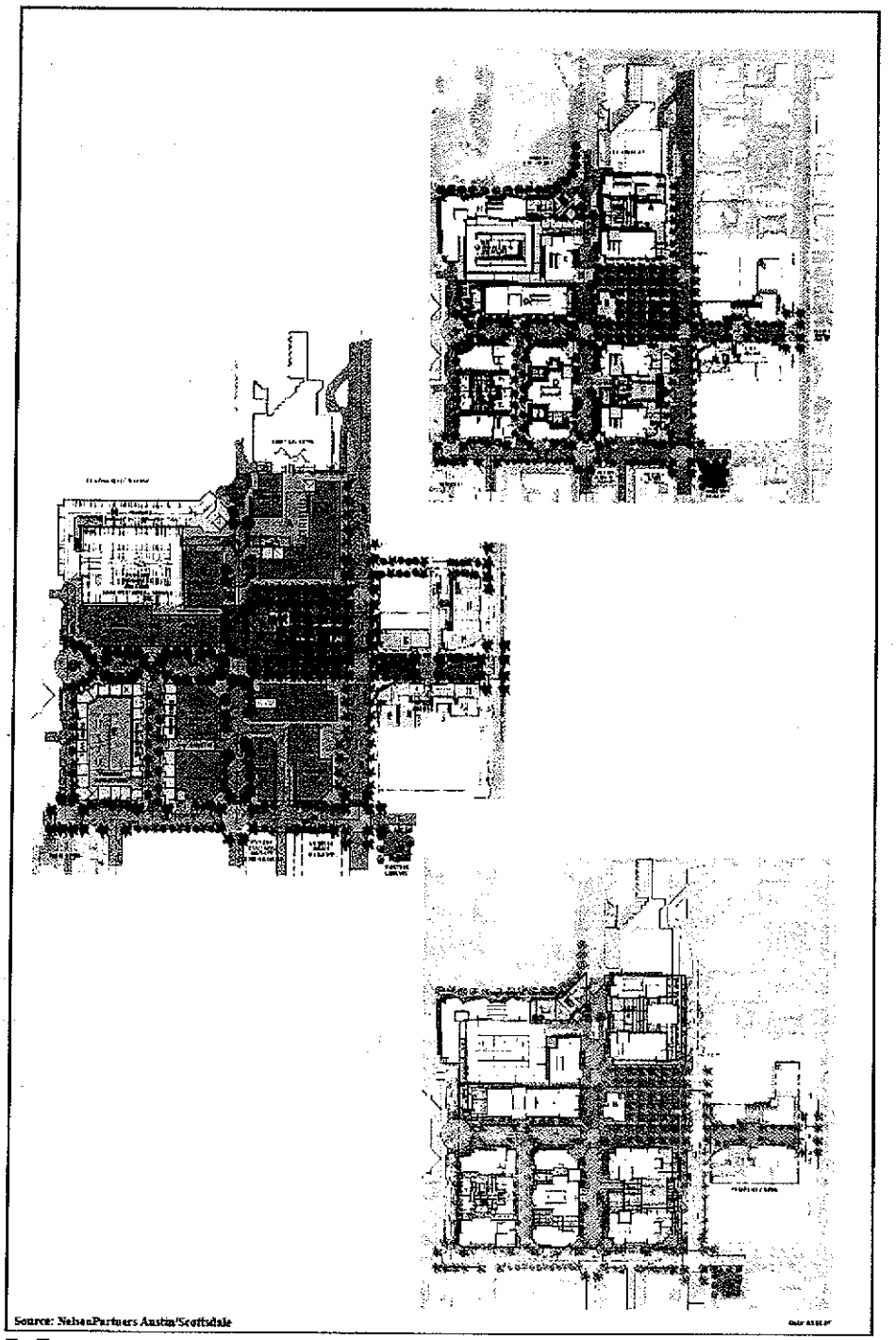
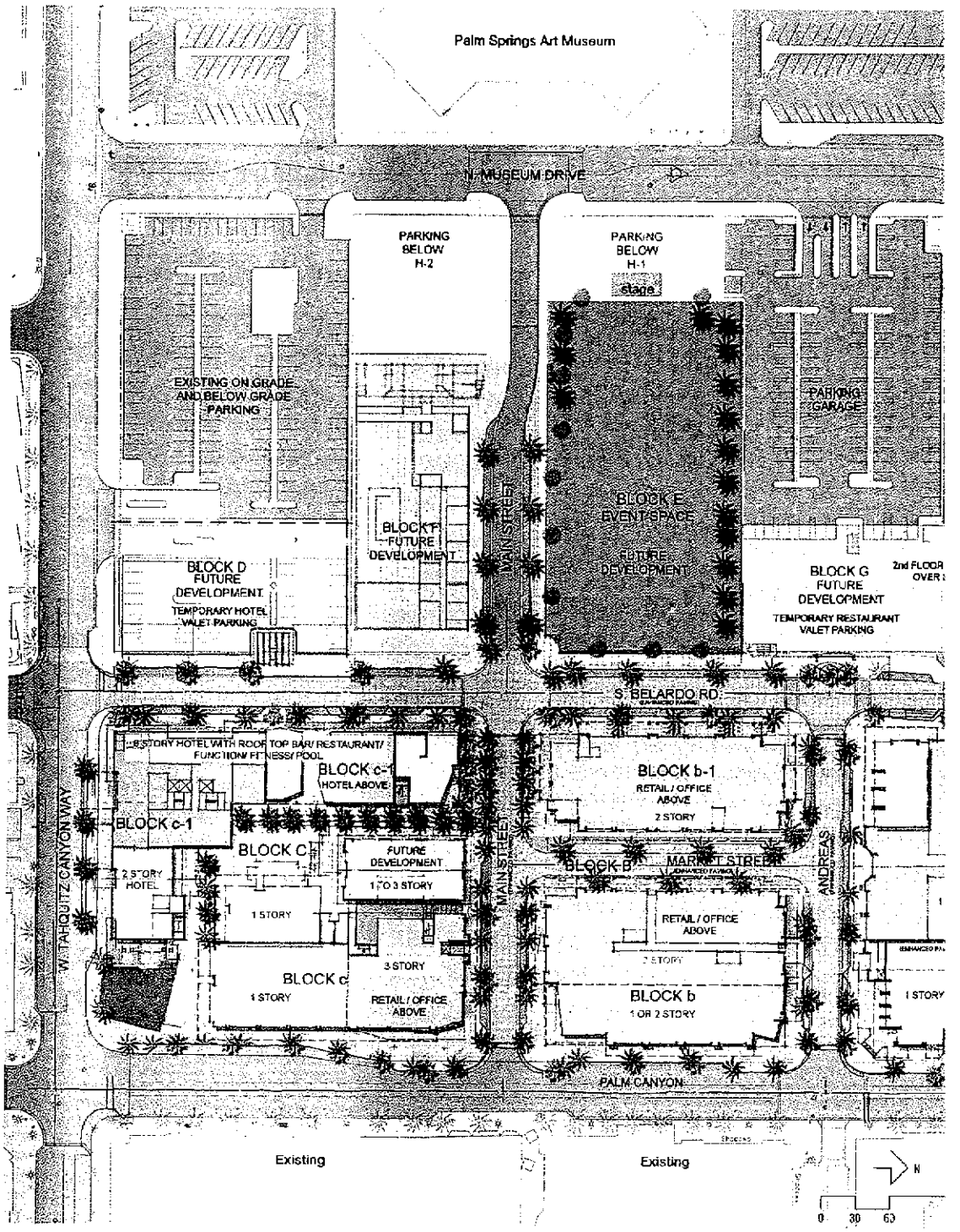


Figure 4: Downtown Palm Springs Site and Land Use Plan



DOWNTOWN PALM SPRINGS

WESSMAN DEVELOPMENT

Prepared by ALLEN WILLIAMS ASSOCIATES • NILES, ILLINOIS (847) 647-2600

FIGURE 4

C. Environmental Context of Proposed Project

The project site and the contiguous parcels to the north, east, west and south remain developed, with no significant change following preparation of the Museum Market Plaza Specific Plan and supporting EIR analysis. Today, the site continues to be at the center of Palm Springs' traditional downtown commercial district. No development has occurred within one-half (1/2) mile of the project site.

Access to the project will continue to be provided by the City's existing street network, including Major Arterials adjacent to the project (Palm Canyon Drive and Tahquitz Canyon Way) as well as those within one mile of the project (Indian Canyon Way and Ramon Road). Collector and local streets also serving the project site and vicinity are unchanged. Approximately three-quarters mile south of the site, Belardo Road now extends to the intersection of South and East Palm Canyon Drives by construction of a new bridge over Tahquitz Creek. This completion (bridge dedicated September 2012) provides an alternate route of access to the project site; however, the extended portion does not serve significant residential or commercial properties and is not expected to be an additional source of trips to the project. No other changes to the street network have occurred and no new impacts to traffic are expected from the proposed project beyond that analyzed in the Specific Plan EIR.

The Downtown Palm Springs project proposes a reduction and re-arrangement of certain uses and development areas, most notably the substitution of a hotel for the commercial office building in Block C. Other blocks show both an individual and overall reduction in square footage and building mass, and the overall proposal is similar to the renovation plan accepted by the City Council as conforming to the Specific Plan in 2009. Nevertheless, the proposed project's relocation of development among the planning area blocks may result in altered visual impacts, especially on views toward the San Jacinto Mountains to the west. This is further discussed and analyzed in Chapter 3, below.

As the last remaining large-scale redevelopment project in the Palm Springs central commercial district, the proposed project will provide an important anchor to the City's commercial and touristic core over the next several decades. Completion of this project per the terms of the associated Project Financing Agreement (as amended) will also provide for an outdoor performance venue within the Specific Plan area. The 1.3-acre event space will serve the needs of residents and visitors in the form of urban open space and as a venue for cultural and social activities. No loss of cultural or social amenities will occur as a result of the project.

No other environmental impacts are expected to result from the project which are not already analyzed and, as needed, mitigated in the Museum Market Plaza Specific Plan EIR and associated Statement of Overriding Consideration and Mitigation Monitoring Program.

3. Environmental Setting, Impacts and Mitigation

A. Certified FEIR for the Museum Market Plaza Specific Plan

The certified project EIR for the Museum Market Plaza Specific Plan anticipated development of the subject property without the need for further environmental documentation. The final Mitigation Monitoring and Reporting Plan, adopted with the EIR certification, includes a complete set of measures to avoid or substantially lessen the effects of implementing the Specific Plan (including development of the subject property), with three exceptions: A Statement of Overriding Considerations was adopted on December 9, 2009, as part of the EIR certification and Specific Plan approval, finding that the benefits derived from implementing the Specific Plan outweighed a remaining post-mitigation significant effect on aesthetics / visual resources, regional air quality and cultural resources. These original unavoidable significant impacts were found to be a function of the location, scale and urban intensity of the Specific Plan project and region-wide air quality conditions.

The proposed Downtown Palm Springs project is consistent with the land uses and improvements as analyzed for this site and the surrounding area under the Specific Plan EIR. The resulting the aesthetic / visual resources, air quality, cultural resources and other environmental effects of the Downtown Palm Springs project will be no greater than those associated with the adopted Specific Plan project, as discussed below

The adopted Mitigation Measures for the Museum Market Plaza Specific Plan are attached to this Addendum as Appendix I. The proposed project must comply with each applicable measure. The analysis provided in Section 3.B below confirms that the proposed project would not differ materially in its effects on aesthetics / visual resources from the analysis presented in the Specific Plan EIR.

B. Updated CEQA Documentation – Aesthetics / Visual Resources

The following analysis on the potential impacts of the Downtown Palm Springs project is based on photo-simulations which may be compared with the photographic analysis of the Specific Plan EIR. In the EIR's analysis of project impacts on aesthetics / visual resources, eleven view locations were identified and photographed. (Three locations – numbers 1, 2, and 11 – were oriented to portions of the original Specific Plan project area that are not part of the Downtown Palm Springs project and are not necessary for this analysis.) The remaining eight locations are:

View 3 – from the intersection of Indian Canyon Drive and Andreas Road, looking west along Andreas Road.

View 4 – from the east side of Palm Canyon Drive, approximately mid-way between the intersections with Tahquitz Canyon Way and Andreas Road at the pedestrian signal light, looking north along the west side of Palm Canyon Drive.

View 5 – from the east side of Palm Canyon Drive at a point opposite the Hyatt Hotel, looking south along the west side of Palm Canyon Drive.

View 6 – from within the O'Donnell Golf Course, looking in a southeasterly direction.

View 7 – from the northeastern corner of the Art Museum, looking across Museum Drive in a northeasterly direction.

View 8 – from the east side of Cahuilla Road, looking in a northwesterly direction.

View 9 – from the intersection of Belardo and Arenas Roads, looking in a northeasterly direction.

View 10 – from the intersection of Palm Canyon Drive and Tahquitz Canyon Way, looking west along the north side of Tahquitz Canyon Way.

In the Specific Plan, EIR, the viewsheds were digitally photographed and images of the proposed building envelopes were incorporated into the photographs to simulate the appearance of the site at project completion. The simulations did not depict building architecture, but provided a concept illustrating the potential maximum building height, the minimum setback and stepbacks, and the spatial distribution of structures within the plan.

For the proposed Downtown Palm Springs project, these same digital photographs were used and images of the proposed buildings were incorporated into the photographs to simulate the appearance of the site upon completion of the new project. Both photo-simulations – for the Specific Plan and for the Downtown Palm Springs project – have been compared to determine the individual and cumulative changes to impacts on aesthetics / visual resources of the Downtown Palm Springs project.

View 3
This view is taken from the intersection of Indian Canyon Drive and Andreas Road, looking west along Andreas Road. Proposed development evaluated in the Specific Plan EIR included Block K to the immediate right and Block A in the center and further distant. The Downtown Palm Springs project does not include Block K. The exclusion of Block K provides significant reduction in the amount of building mass in the viewshed. The development of Block A according to the Downtown Palm Springs project provides an incremental improvement in mountain views, as compared to the Specific Plan, as the new project's buildings are lower in height and setback further from the viewer.

View 4
This view is taken from the east side of Palm Canyon Drive, approximately mid-way between the intersections with Tahquitz Canyon Way and Andreas Road at the pedestrian signal light, looking north along the west side of Palm Canyon Drive. Proposed development in the Specific Plan includes a low-rise (one-story) building in Block B, and multiple story buildings in Block A. The Downtown Palm Springs project proposes more intense development in Block B which results in greater building bulk in

view. Views of the mountains to the left, behind trees and other in Blocks E, G & H will be lost. This incremental loss of mountain views is not considered significant compared to the Specific Plan as the proposed buildings are consistent with and similar to buildings already occurring in the area. No other scenic resources, such as historic buildings are visible.

View 5
This view is taken from the east side of Palm Canyon Drive at a point opposite the Hyatt Hotel, looking south along the west side of Palm Canyon Drive. The Specific Plan building allowance for Block A is a multi-story building along N. Palm Canyon Drive which serves as the primary building mass from this view. The Downtown Palm Springs project proposes only one-story buildings along the street frontage of Blocks A and B. The reduction in building mass proposed by the Downtown Palm Springs project restores the views of distant mountains, incrementally improving long-range views.

View 6
This view is taken from within the O'Donnell Golf Course, looking in a southeasterly direction. No significant view elements or scenic resources beyond the trees at the golf course are visible. The Specific Plan would allow a small amount of building mass to be visible above the trees, and the Downtown Palm Springs project would show similar or slightly less building mass. No change to these insignificant view impacts would result.

View 7
This view is taken from the northeastern corner of the Art Museum, looking across Museum Drive in a northeasterly direction. No significant view elements or scenic resources except the trees at O'Donnel Golf Course are visible. The Specific Plan would allow a multiple story building mass up to a height of 60 feet within Block H. The Downtown Palm Springs project would eliminate this building with single story parking in its place. New two-story buildings to be constructed in future phases to the west and south two stories present significantly less mass from this viewpoint. The impacts of the Specific Plan on this viewshed are substantially reduced by the Downtown Palm Springs project.

View 8
This view is taken from the east side of Cahuilla Road, looking in a northwesterly direction. Proposed development evaluated in the Specific Plan EIR included Block L to the immediate left and Blocks D and F in the center-right and further distant. The Downtown Palm Springs project does not include Block L, which was deleted from the final Specific Plan. The deletion of Block L provides significant reduction in the amount of building mass in the viewshed, revealing significant views of the mountains and the Palm Springs Art Museum. The development of Blocks D and F according to the Downtown Palm Springs project provides significant additional reductions in building mass, as compared to the Specific Plan, as the new project's buildings are limited to the far right side of the perspective and only surface parking is provided to the center and left.

View 9
This view is taken from the intersection of Belardo and Arenas Roads, looking in a northeasterly direction. Proposed development evaluated in the Specific Plan EIR included Block J to the center and right and Block C in the far distant center-left of this viewpoint. The Downtown Palm Springs project does not include Block J, which was deleted from the final Specific Plan. The deletion of Block J provides significant reduction in the amount of building mass in the viewshed. The development of Blocks D and F according to the Downtown Palm Springs project provides incremental increase in visible building mass, but it is only a small addition to the overall perspective and does not hinder views of any scenic resource, including historic buildings. The impacts on this viewshed are substantially reduced by the Downtown Palm Springs project.

View 10
This view is taken from the intersection of Palm Canyon Drive and Tahquitz Canyon Way, looking west along the north side of Tahquitz Canyon Way. Proposed development in the Specific Plan allows multiple story building mass up to 60 feet in height in Blocks C, D and F. The Downtown Palm Springs project proposes slightly less intense overall development in Block C, but with one and two story buildings in the foreground of this view and greater building bulk (ranging from 70 to 89 feet) further back. One to three-story buildings are planned for the nearer portion of Block D. Views of the mountains will be modified such that more of the mountain base will be visible in the center-left, while somewhat less mountain and ridgeline will be seen in the center of the perspective. Overall, the impact is about the same, although the loss of ridgeline views can be considered significant. No other scenic resources, such as historic buildings are visible.

Summary and Determination
Based on an analysis of the eight photographic viewpoints from the Specific Plan EIR, the development of the Downtown Palm Springs project as compared to potential development allowed by the Specific Plan will have incrementally different effects on views. With the exception of View 10, the impact are not individually nor cumulative significant. The loss of ridgeline views may be considered significant, but View 10 indicates that the amount of ridgeline lost from view is less than 15% of the visible ridgeline. Further, other portions of the mountain are revealed in View 10 by the Downtown Palm Springs project. Taken together, the overall effect on aesthetics and visual resources of the Downtown Palm Springs project is no more significant that the Museum Market Plaza Specific Plan.

4. Conclusions

A. No Substantial Change in the Project

Implementation of the proposed Downtown Palm Springs project would result in substantially the same scale and nature of commercial development contemplated in the 2009 Specific Plan EIR. The proposed project is substantially consistent with land use, circulation, open space, grading and related policies contained in the Museum Market Plaza Specific Plan.

B. No Substantial Changes in Circumstances

There are no substantial changes in the circumstances under which the Downtown Palm Springs project would be carried out. Three years following preparation of the Specific Plan EIR, the project site remains the last significant property available for redevelopment in the City's commercial / touristic core. The site adjoins an established street grid that has not changed since certification of the EIR. Implementation of the proposed project would create a key public event and entertainment venue, as identified in the Specific Plan, and improve the internal circulation by constructing additional public and private streets.

C. No New Information of Substantial Importance

Supplemental information has been assembled for the preparation of this Addendum. None of this information is of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete. Specifically, the project does not present any new potentially significant effects not evaluated in the previous EIR. In addition, the previously identified significant effects of the Specific Plan would not be accentuated through implementation of the proposed Park Ridge project. No changes in the feasibility of originally adopted Specific Plan mitigation measures have been identified (see Appendix I).

5. Technical Appendix

Photo-simulations for the Downtown Palm Springs project (numbered based on Specific Plan EIR

Key Map – indicates all eleven photo locations analyzed in the EIR. Three photo locations (1, 2 and 11) do not address the Downtown Palm Springs project boundaries and are excluded from this analysis.

View 3 – from the intersection of Indian Canyon Drive and Andreas Road, looking west along Andreas Road.

View 4 – from the east side of Palm Canyon Drive, approximately mid-way between the intersections with Tahquitz Canyon Way and Andreas Road at the pedestrian signal light, looking north along the west side of Palm Canyon Drive.

View 5 – from the east side of Palm Canyon Drive at a point opposite the Hyatt Hotel, looking south along the west side of Palm Canyon Drive.

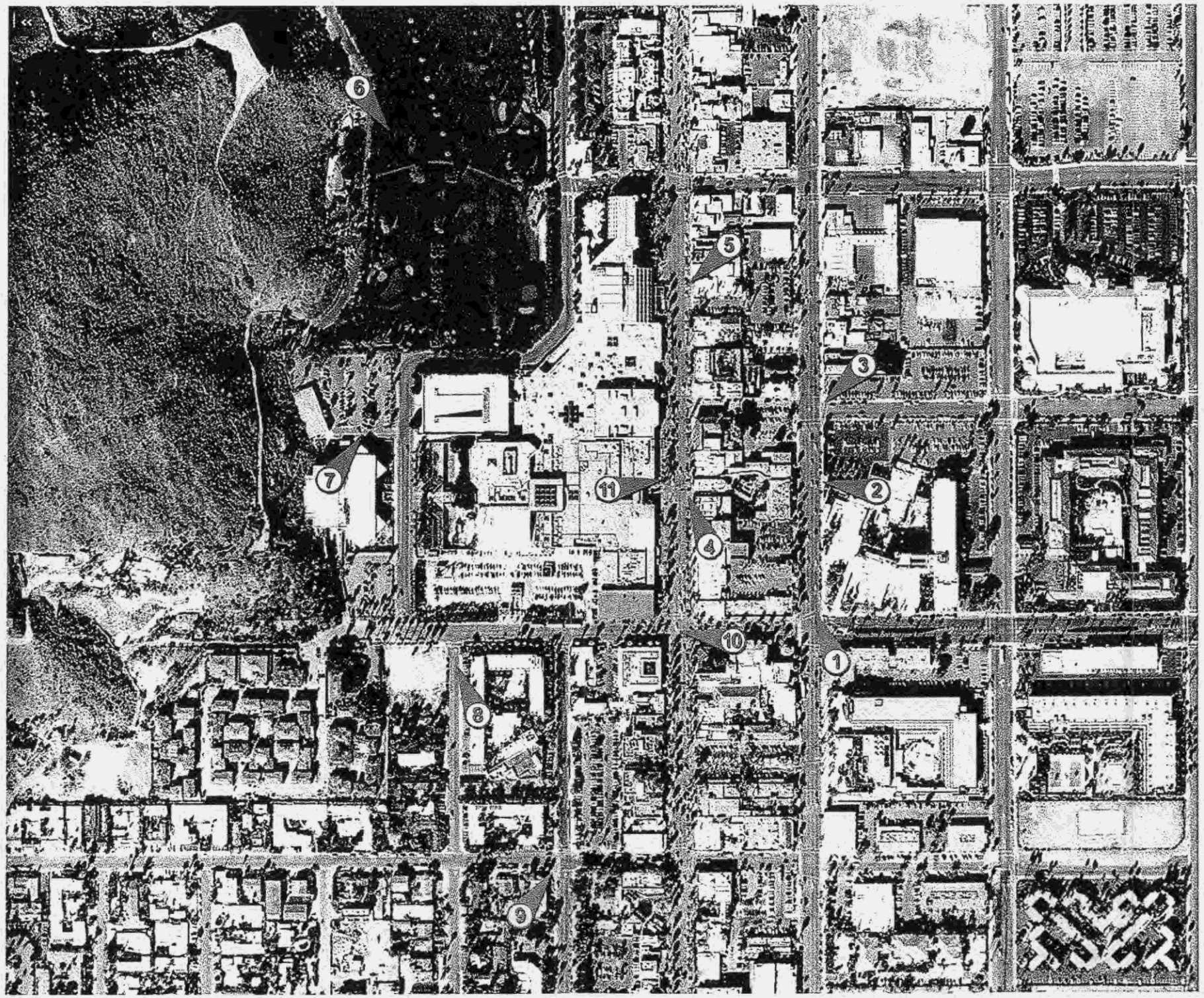
View 6 – from within the O'Donnell Golf Course, looking in a southeasterly direction.

View 7 – from the northeastern corner of the Art Museum, looking across Museum Drive in a northeasterly direction.

View 8 – from the east side of Cahuilla Road, looking in a northwesterly direction.

View 9 – from the intersection of Belardo and Arenas Roads, looking in a northeasterly direction.

View 10 – from the intersection of Palm Canyon Drive and Tahquitz Canyon Way, looking west along the north side of Tahquitz Canyon Way.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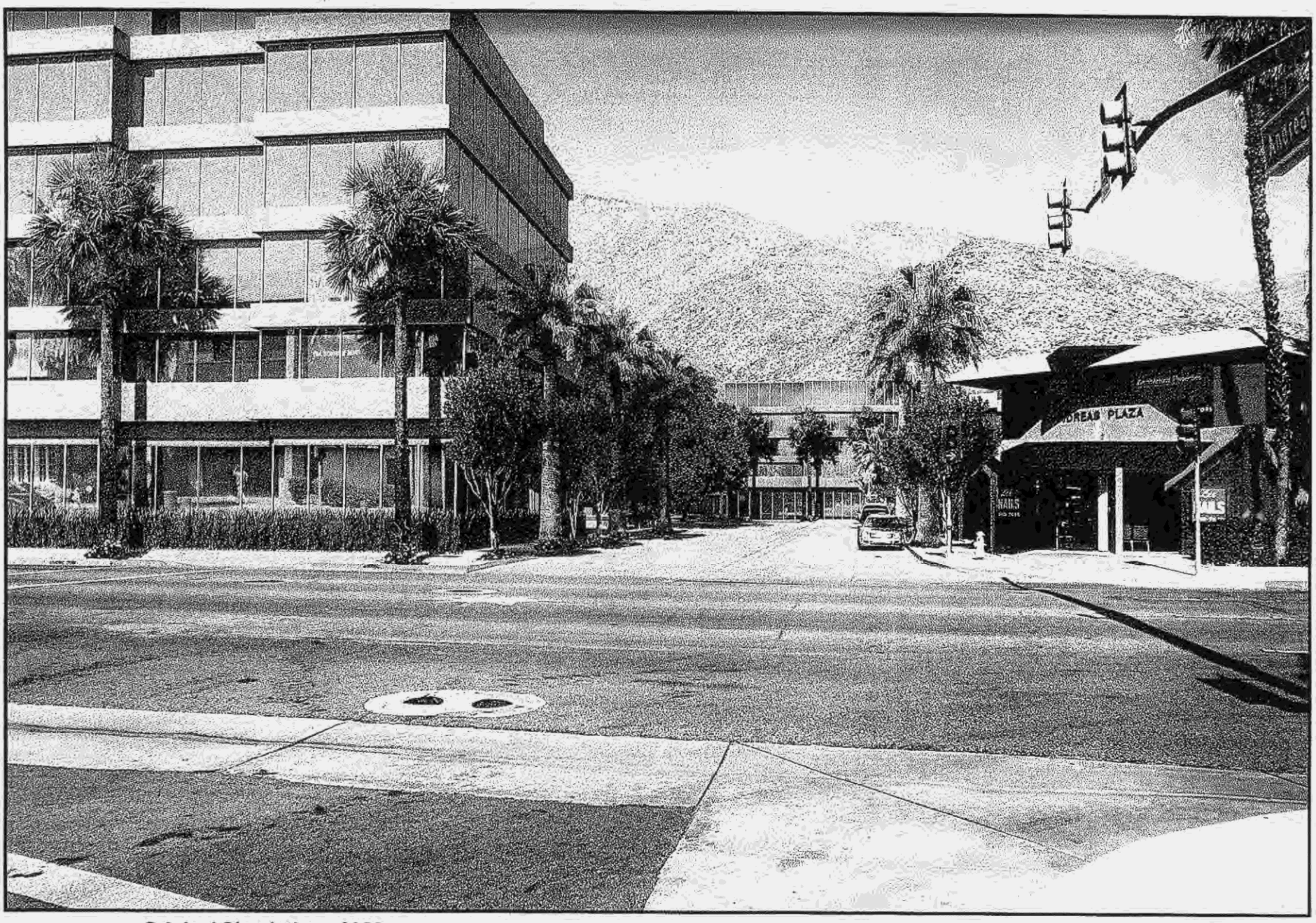
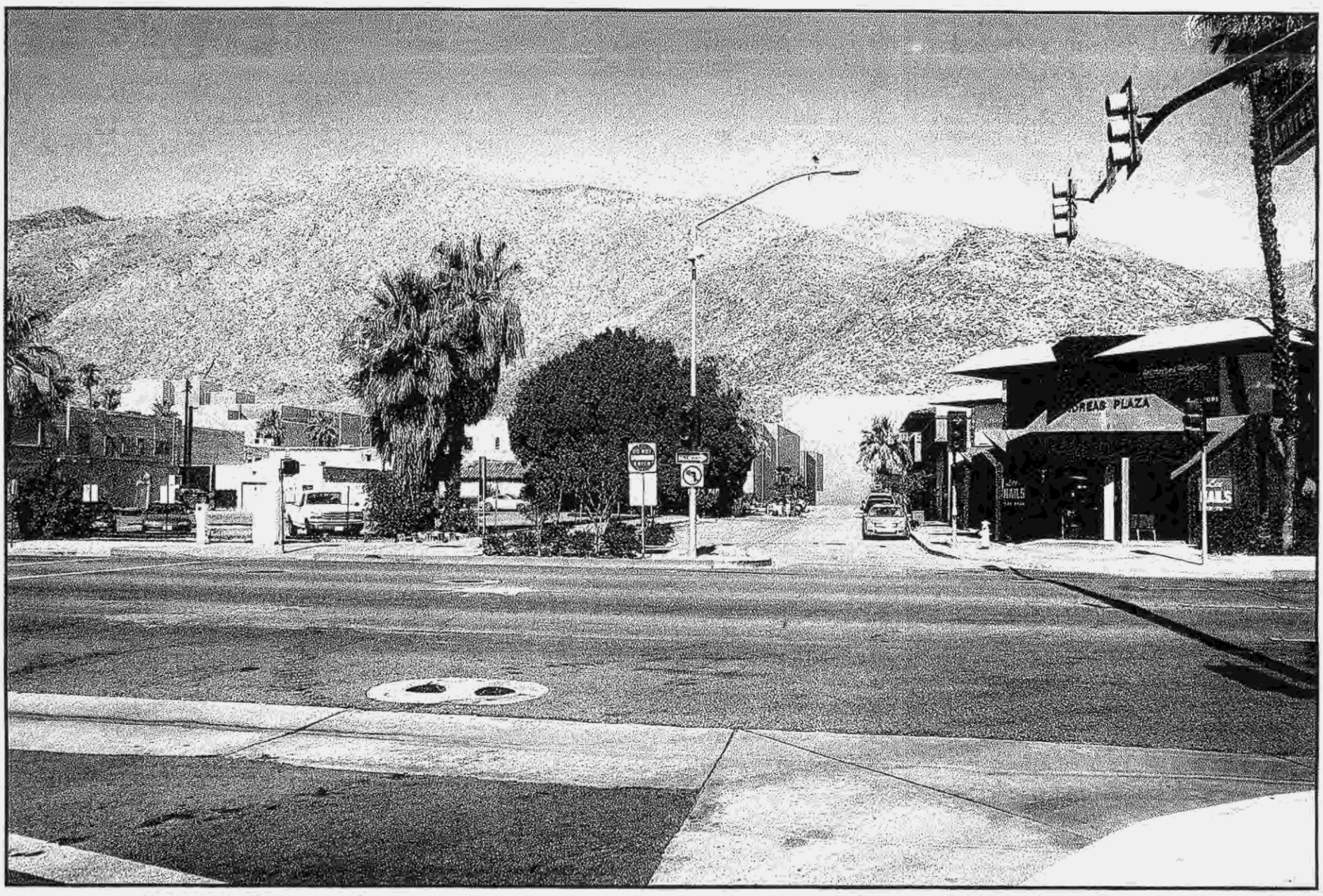


Original Simulation - 2008



Proposed View

VisionScape IMAGERY

Existing View

Proposed View

VisionScape IMAGERY

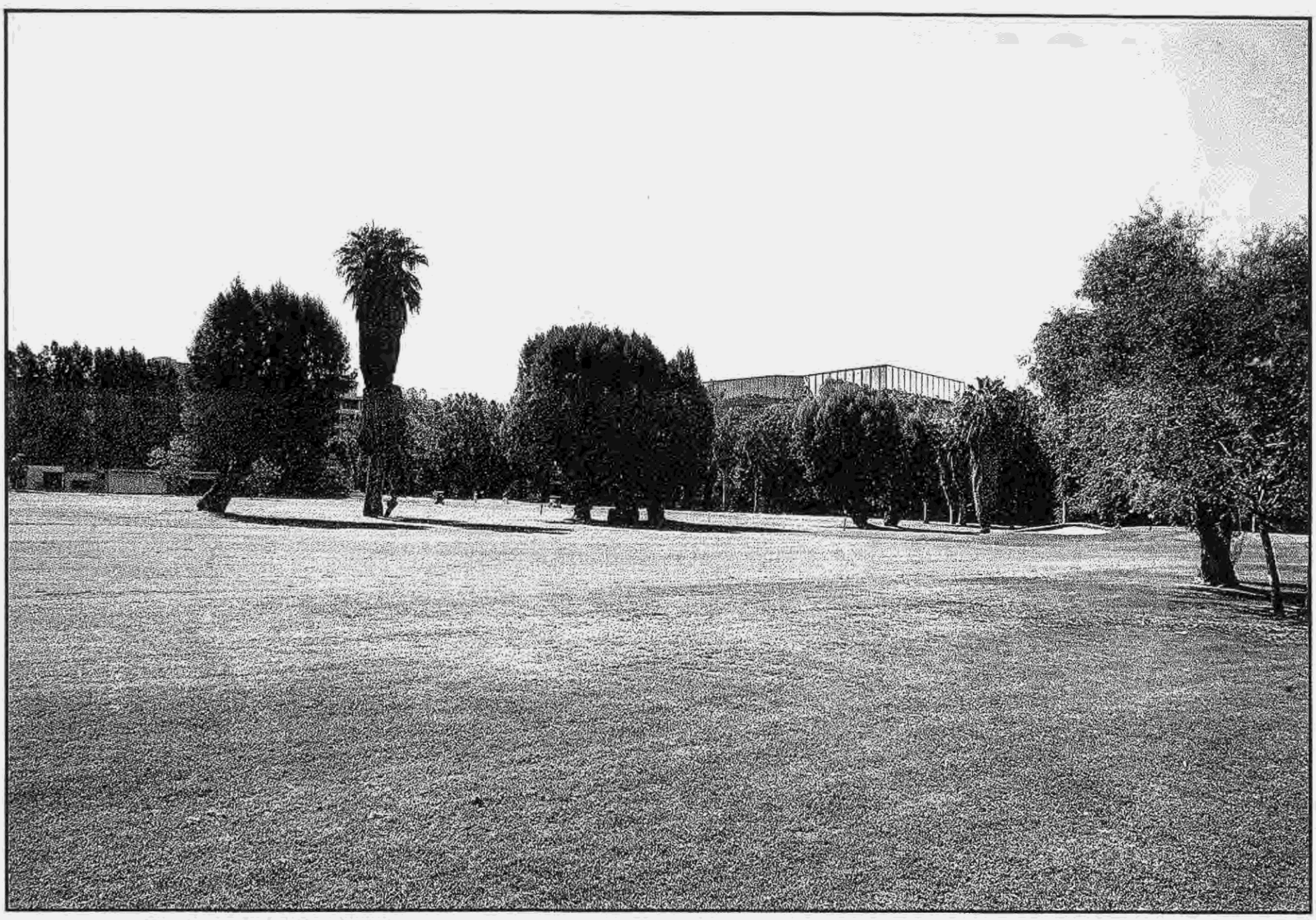
PALM SPRINGS PROMENADE

Visual Simulation

View 04

Original Simulation - 2008

Proposed View



Original Simulation - 2008

Proposed View

VisionScape IMAGERY

PALM SPRINGS PROMENADE

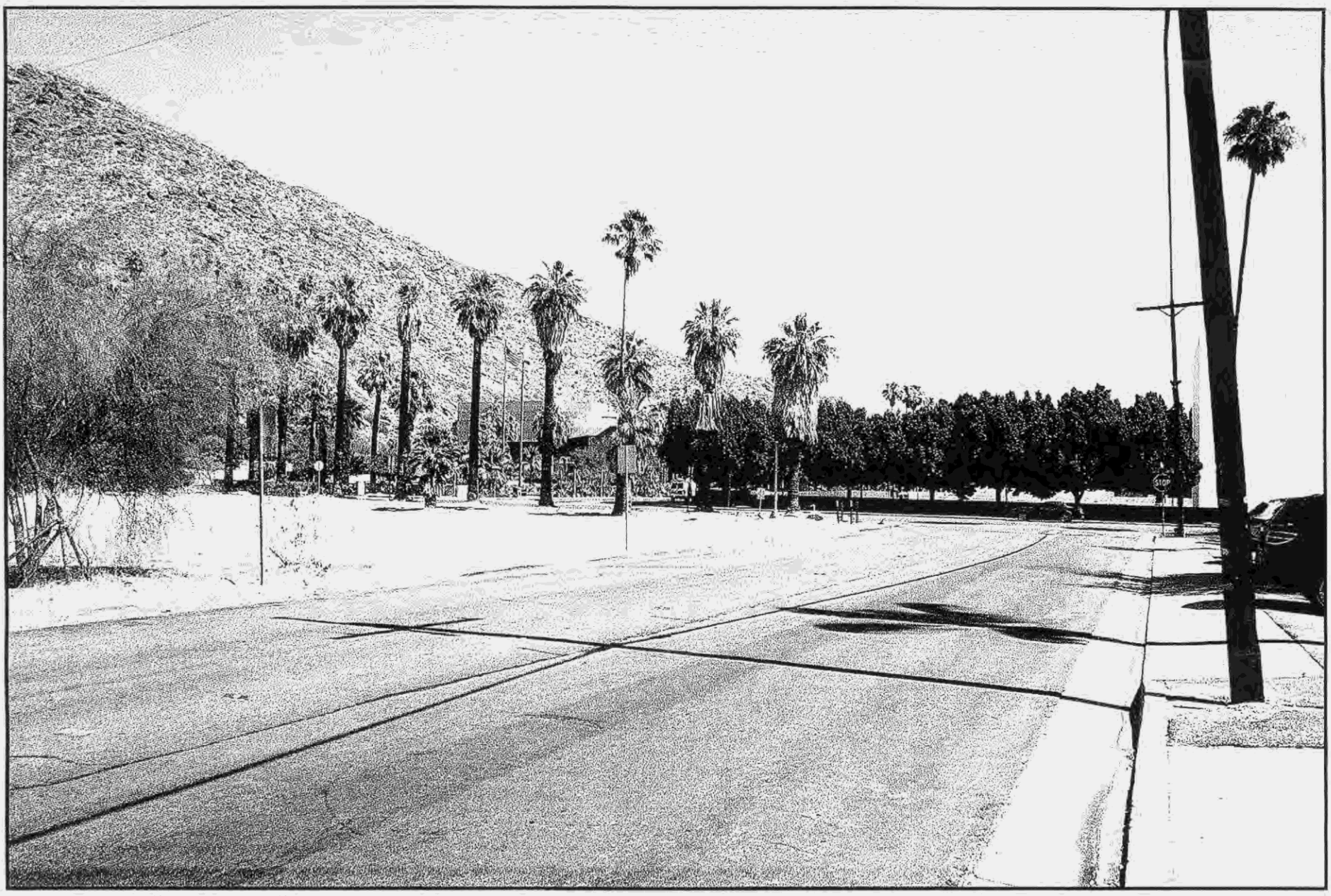
Visual Simulation

View 06

Original Simulation - 2008

Proposed View

Original Simulation - 2008



Proposed View

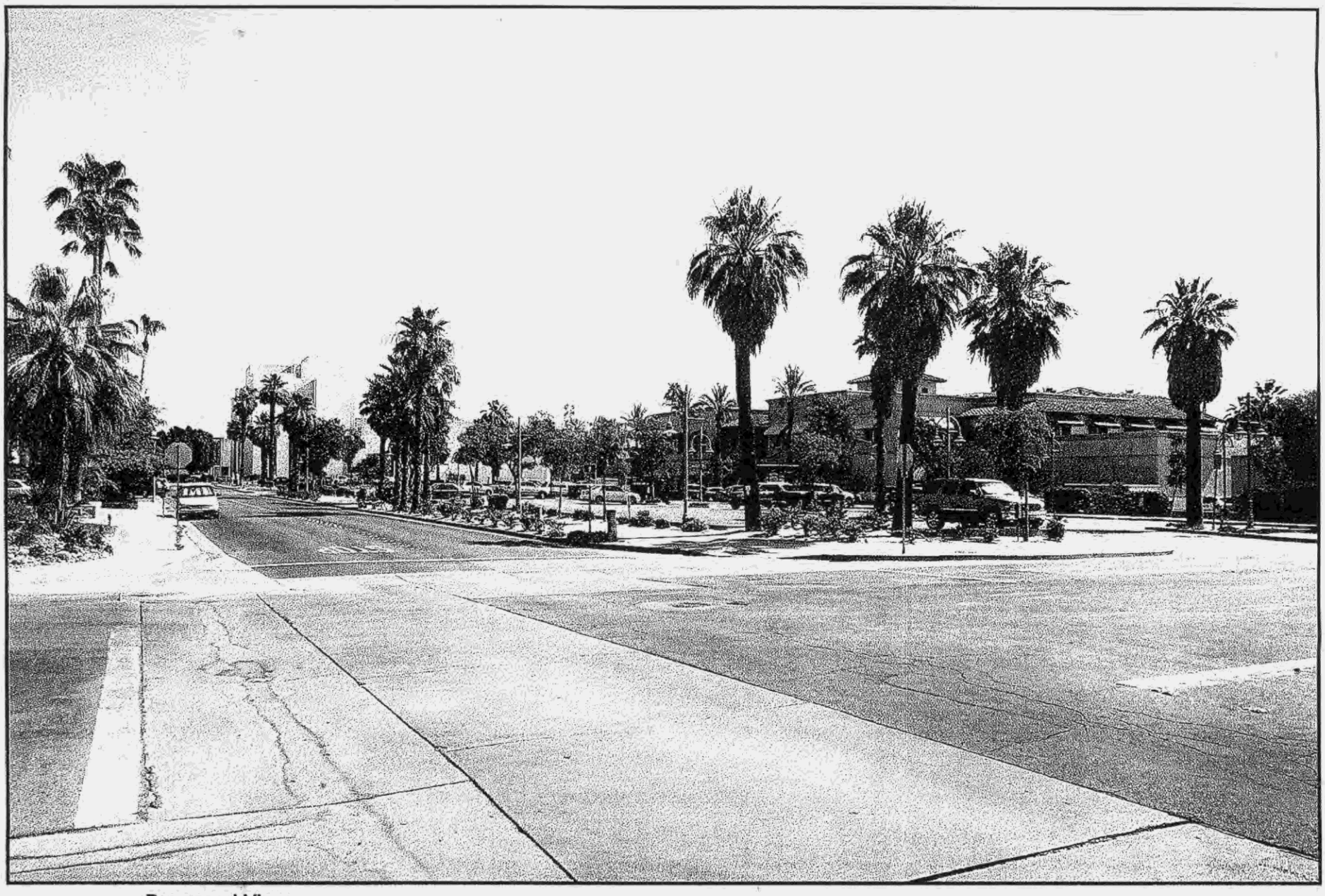
VisionScape IMAGERY

PALM SPRINGS PROMENADE

Visual Simulation

View 08

Original Simulation - 2008



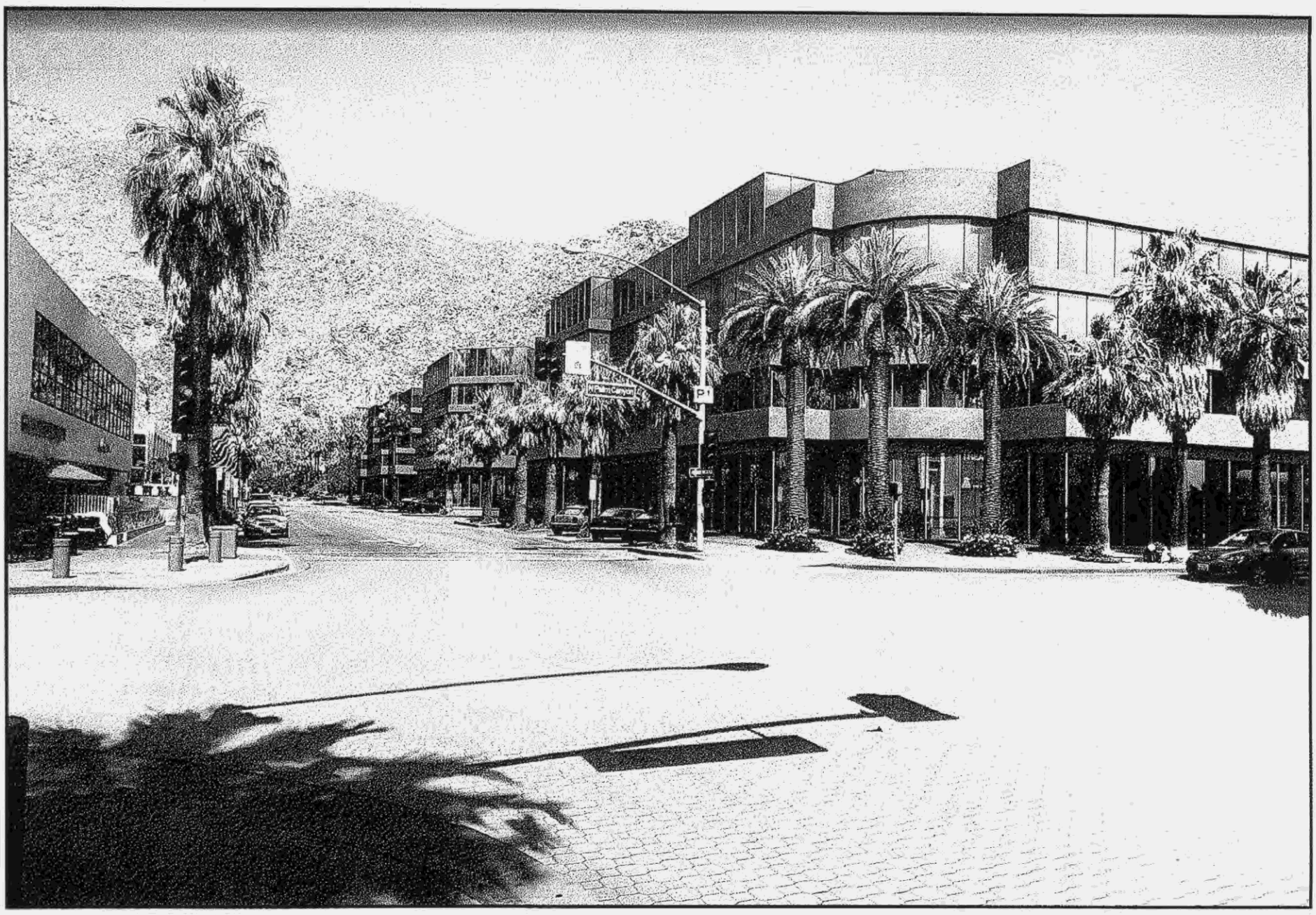
Proposed View

VisionScape IMAGERY

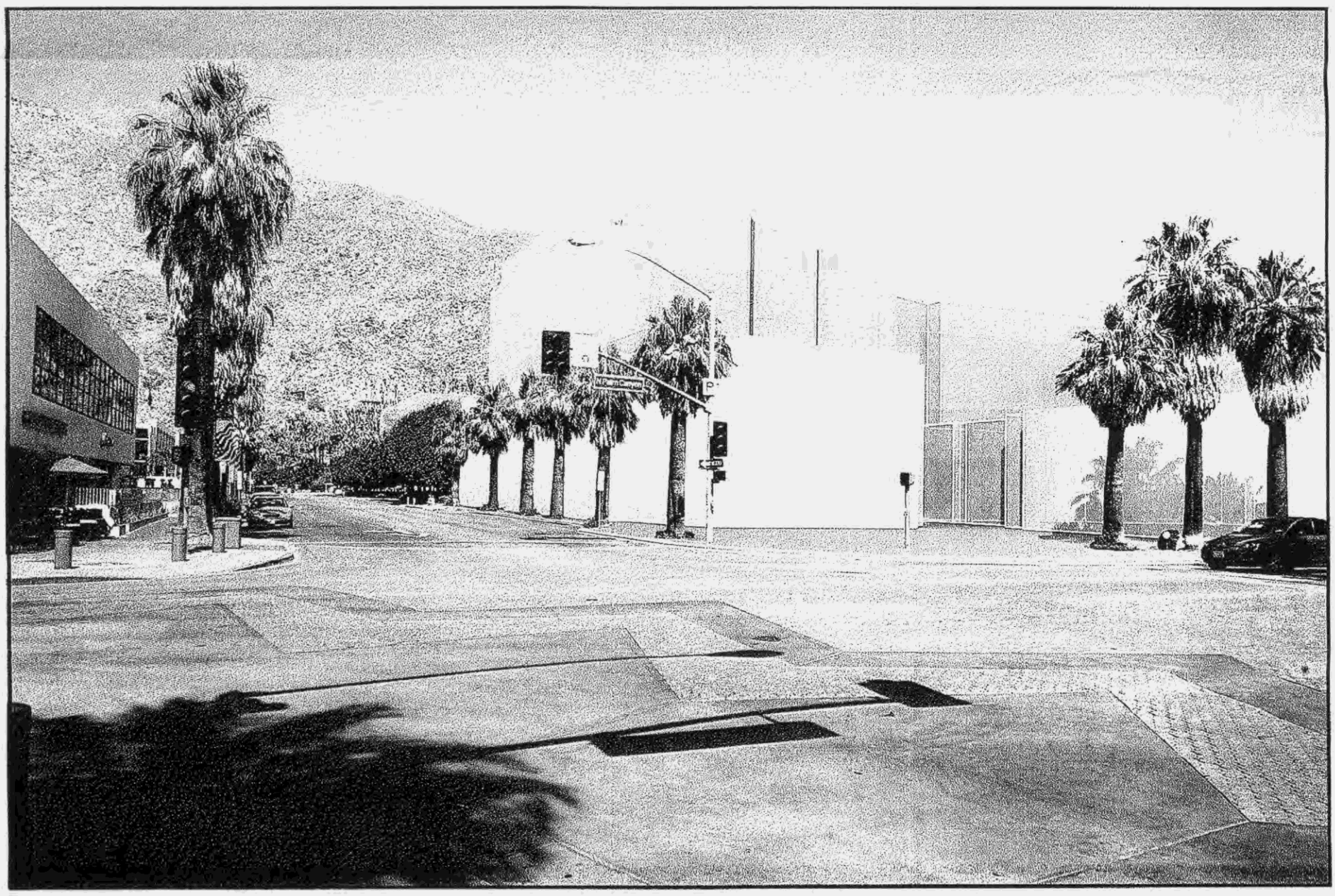
PALM SPRINGS PROMENADE

Visual Simulation

View 09



Existing View



Proposed View

COPY of Document Recorded on 6/21/12 as No: 2012-0298855 has not been compared with original.
LARRY W. WARD
County Recorder
RIVERSIDE COUNTY CALIFORNIA

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Exempt from Filing Fee per Government Code Section 27383
No Documentary Transfer Tax per Revenue and Tax Code Section 11822

GRANT DEED

Grant of Fee Title by Grantor. Palm Springs Promenade, LLC, a California limited liability company ("Grantor"), as the owner of fee title to the real property legally described on *Exhibit "A"* attached hereto ("Entire Property"), hereby grants to the City of Palm Springs, a municipal corporation and charter city ("City"), the portions of the Entire Property legally described and depicted on *Exhibit "B"* attached hereto ("Granted Property"), and retains the portions of the Entire Property described on *Exhibit "C"* attached hereto ("Retained Property"), subject to terms, covenants, conditions, restrictions, reservations, easements, exceptions and agreements as set forth below:

(1) The Granted Property shall not be sold, transferred or conveyed to any person, entity, or agency, other than to a successor public agency to the City or the Palm Springs Public Financing Authority so long as such sale, transfer or conveyance is subject to the authority and responsibility to fully comply with all of the terms, covenants, conditions, restrictions, reservations, easements, exceptions and agreements contained in this grant deed;

(2) City acknowledges that private facilities consisting of commercial, retail, office, theater, hotel and residential uses are planned for construction and operation in the vicinity of the Parking Facilities, and that such uses would not be possible or economically viable without ongoing and continued operation and maintenance of the Parking Facilities; accordingly, subject to City's rights to temporarily close all or a portion of the Parking Facilities and/or otherwise limit vehicular and/or pedestrian access as the City may reasonably determine is necessary for the restoration, demolition and construction or reconstruction, or renovation of Parking Facilities, City agrees as follows: (a) City shall operate, maintain, and use the Parking Facilities as and for free parking, in a safe, sound, attractive, operational and top quality condition, in perpetuity, for the benefit of the public, including without limitation Grantor, its authorized agents, employees, guests, invitees and customers, and Grantor's authorized tenants and subtenants, and their authorized agents, employees, guests, invitees and customers; (b) Parking Facilities and two existing escalators therein will be operated every day during all hours in which any business in the Project (including any 24 hour fitness center) is open, and (c) during any and all times when a hotel is open for business and operating within the Project, surface and subsurface Parking Facilities within Parcel 11 and subsurface Parking Facilities within Airspace Parcel 4 will be operated 24 hours a day, seven days a week.

(3) The public, including without limitation Grantor, its authorized agents, employees, guests, invitees, and customers, and Grantor's authorized tenants and subtenants, and their authorized agents, employees, guests, invitees, and customers, shall have the right of vehicular and pedestrian ingress and egress into and out of Parking Facilities for vehicle parking, and all ancillary and related vehicle and pedestrian use incidental thereto; and

Grant of Easements for Utility Facilities. Grantor, as the owner of the Retained Property, hereby Grants to City, as the owner and for the benefit of the Granted Property, and any and all portions thereof and any and all improvements now or hereafter constructed or maintained thereon ("Granted Property"), rights, as follows: City shall have rights, within any and all public and/or quasi public portions of the Retained Property, to install and maintain utility facilities. Concerning utility facilities, City's rights and obligations (as owner of the Granted Property and with respect to the Retained Property) shall be essentially the same as Grantor's rights and obligations (as owner of the Retained Property and with respect to the Granted Property) concerning utility facilities, as set forth in the paragraph immediately above.

Maintenance Costs – Support Devices and Utility Facilities. With respect to support devices and utility facilities as referenced above, the following shall apply: Grantor shall be obligated to maintain, in a safe, sound and operable condition and at Grantor's cost, support devices and utility facilities located within the Retained Property and support devices and utility facilities that support the Retained Property or improvements thereon located within the Granted Property, and City shall be obligated to maintain, in a safe, sound and operable condition and at City's cost, support devices and utility facilities located within the Granted Property and utility facilities that support the Granted Property located on the Retained Property. In the event that Grantor fails to so maintain, City may go upon the Retained Property and perform maintenance and hold Grantor responsible for all costs reasonably incurred in connection therewith, and, in the event that City fails to so maintain, Grantor may go upon the Granted Property and perform maintenance and hold City responsible for all costs reasonably incurred in connection therewith.

Mechanical Room Airspace. The mechanical room airspace, i.e., airspace Lot C Parcel 1, shall be retained by Grantor as part of the Retained Property, but be subject to the following: The mechanical room airspace will contain mechanical, electrical and other equipment necessary, expedient or convenient to operate facilities and equipment located both within the Retained Property and the Granted Property; accordingly, both Grantor and City shall have access to and reasonable use of said mechanical room airspace, and facilities therein. City (and Grantor) shall have rights to install, use, operate and/or maintain mechanical, electrical and other equipment as reasonably necessary, expedient or convenient. Each party shall be responsible for its own installation and maintenance costs. The parties agree to cooperate with each other and make reasonable efforts to promote and achieve effective, efficient and proper operations.

Grantor's Covenant to Operate and Maintain. Grantor, as the owner of the Retained Property, acknowledges that in order for the City to make the commitments to operate the Parking Facilities as provided in Section (2) of this Grant Deed, the commercial, retail, office, theater, hotel and residential uses must be designed, operated, and maintained at a high commercial standard; accordingly, Grantor shall operate and maintain all commercial, retail, office, theater, hotel and residential uses constructed or installed on the Retained Property in a first class condition and Grantor shall use commercially reasonable efforts to lease the premises.

Indemnification. Grantor shall indemnify, defend and hold harmless City and City's employees, contractors, agents, public officials, council members, and invitees from any damage to the Granted Property or any improvements thereon or any third party claims, costs, fees or suits arising from Grantor's exercise of any rights, privileges or obligations provided or retained pursuant to the provisions of this Grant Deed; and, likewise, City shall indemnify, defend and hold harmless Grantor and Grantor's agents and employees from any damage to the Retained Property or any improvements thereon or any third party claims, costs, fees or suits arising from City's exercise of any rights, privileges or obligations provided or granted pursuant to the provisions of this Grant Deed.

Characteristics of Easement Rights. Easement rights and obligations, as set forth above, shall extend in perpetuity, be appurtenant to benefitted properties, be binding on the burdened property, enforceable as easements, covenants running with the land and/or equitable servitudes, and be enforceable by and binding upon the respective heirs, successors and assigns of Grantor and City.

Grantor:

Palm Springs Promenade, LLC
A California limited liability company
By: John Wessman
Title: ~~Managing Member~~ Manager
Dated: 6/25/2012

Acceptance and Agreement by City. The City of Palm Springs, a municipal corporation and charter city, City named in the foregoing grant, hereby accepts and agrees to said grant, and each and all terms, covenants, conditions, restrictions, reservations, easements, exceptions and agreements thereof.

City:

City of Palm Springs,
~~A municipal corporation and charter city~~
By:
Title: CITY MANAGER
Dated: 6/25/12

(NOTARIES ON FOLLOWING PAGE)

APPROVED BY CITY COUNCIL
06/20/2012 4.A
A61444

APPROVED AS TO FORM
City Attorney
06.25.2012
Date

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 25, 2012, before me, C. Jill Hernandez, Notary Public, personally appeared John Wessman who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed this same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

SIGNATURE OF NOTARY

(NOTARY SEAL)

C. JILL HERNANDEZ
Commission # 1807462
Notary Public - California
Riverside County
My Comm. Expires Jul 26, 2012

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On June 25, 2012, before me, C. Jill Hernandez, Notary Public, personally appeared David H. Ready who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed this same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

SIGNATURE OF NOTARY

(NOTARY SEAL)

C. JILL HERNANDEZ
Commission # 1807462
Notary Public - California
Riverside County
My Comm. Expires Jul 26, 2012

EXHIBIT "A"

TO

GRANT DEED

LEGAL DESCRIPTION

OF

ENTIRE PROPERTY

LEGAL DESCRIPTION

Real property in the City of Palm Springs, County of Riverside, State of California, described as follows:

PARCEL A:

PARCELS 1 AND 2 OF PARCEL MAP 20326, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 133, PAGE(S) 81 THROUGH 85, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, COMMONLY KNOWN AS DESERT FASHION PLAZA-SOUTH.

TOGETHER WITH THAT PORTION OF NORTH PALM CANYON DRIVE, DESCRIBED IN THE RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968 WHICH WOULD PASS WITH CONVEYANCE OF PARCEL 1 OF PARCEL MAP 20326 BY OPERATION OF LAW.

PARCEL B:

PARCELS 3 AND 4 OF PARCEL MAP 20326, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 133, PAGE(S) 81 THROUGH 85, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, COMMONLY KNOWN AS DESERT FASHION PLAZA-NORTH.

TOGETHER WITH THAT PORTION OF NORTH PALM CANYON DRIVE DESCRIBED IN THE RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968 WHICH WOULD PASS WITH A CONVEYANCE OF PARCEL 3 OF PARCEL MAP 20326 BY OPERATION OF LAW.

PARCEL C:

NON-EXCLUSIVE EASEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED MARCH 10, 1987 AS INSTRUMENT NO. 65787, AMENDED BY DOCUMENTS RECORDED AUGUST 08, 1989 AS INSTRUMENT NO. 265868, NOVEMBER 13, 1989 AS INSTRUMENT NO. 396373 AND OCTOBER 27, 1997 AS INSTRUMENT NO. 388929, ALL OF OFFICIAL RECORDS OF SAID COUNTY.

APN: 513-560-002-2, 513-560-004-4, 513-560-007-7, 513-560-008-8 and 513-560-009-9

EXHIBIT "B"

TO

GRANT DEED

LEGAL DESCRIPTION AND DEPICTIONS

OF

GRANTED PROPERTY

LOT "A" CONT;

THENCE NORTH 89° –52'-00" EAST, A DISTANCE OF 265.65 FEET TO THE WEST LINE OF SAID NORTH PALM CANYON DRIVE;
THENCE SOUTH 00°-08'-00" EAST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 29,386 SQ. FT./ 0.67 AC. MORE OR LESS

SEE EXHIBIT "B" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

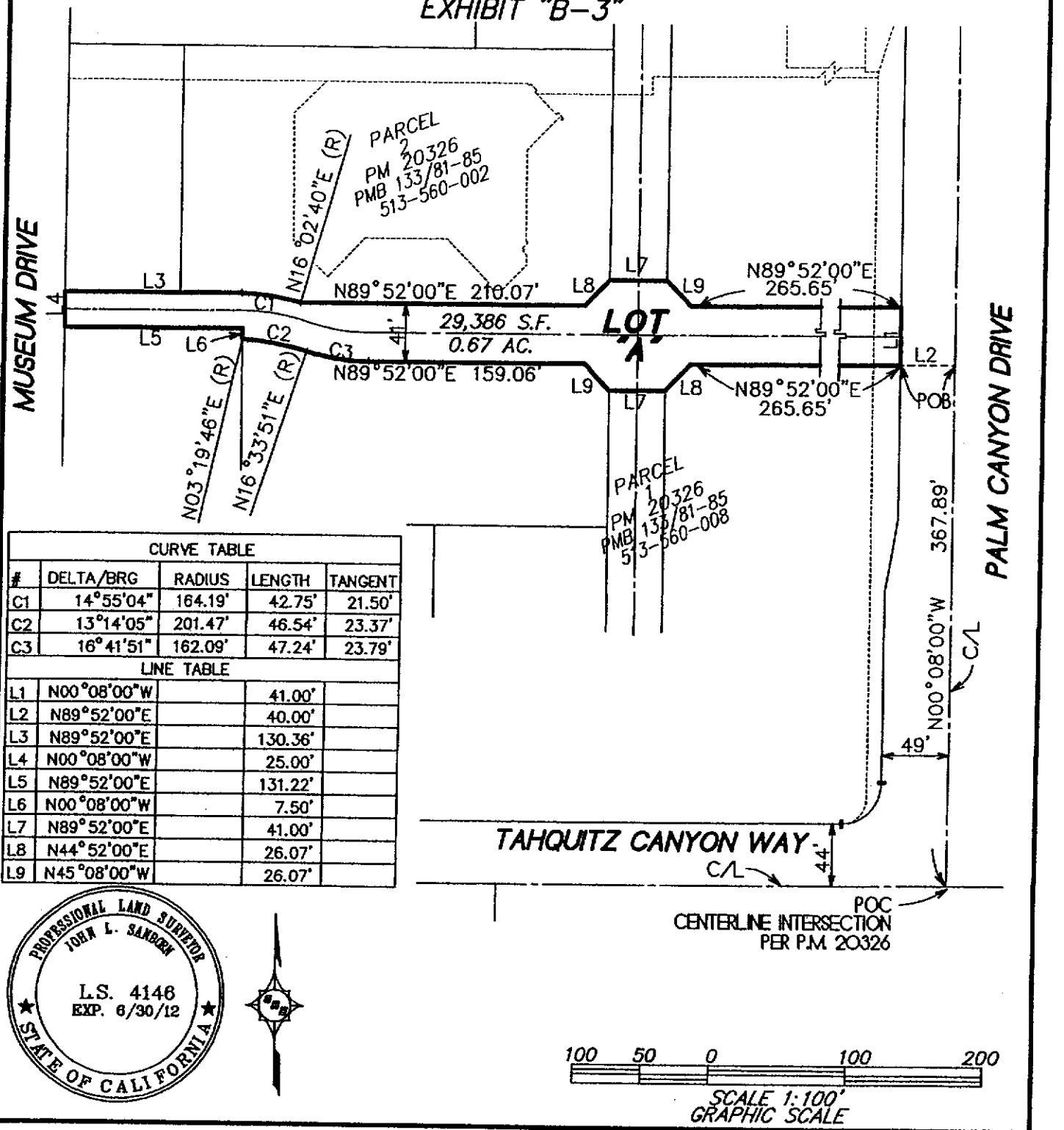
JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-1"

LOT A

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, AND A PORTION OF NORTH PALM CANYON DRIVE AS VACATED BY THE CITY OF PALM SPRINGS BY RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968. RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE, AND ***THE TRUE POINT OF BEGINNING***;
THENCE CONTINUING SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE SOUTH 44°-52'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89° –52'-00" WEST, A DISTANCE OF 159.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 162.09 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°-41'-51" AND A LENGTH OF 47.24 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 201.47 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°-14'-05" AND A LENGTH OF 46.54 FEET;
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 7.50 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 131.22 FEET TO THE EASTERLY RIGHT OF WAY OF MUSEUM DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID RIGHT OF WAY LINE , A DISTANCE OF 25.00 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 130.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 164.19 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°-55'-04" AND A LENGTH OF 42.75 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 210.07 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 26.07 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 45°-08'-00" EAST, A DISTANCE OF 26.07 FEET;

EXHIBIT "B-3"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	14°55'04"	164.19'	42.75'	21.50'
C2	13°14'05"	201.47'	46.54'	23.37'
C3	16°41'51"	162.09'	47.24'	23.79'

LINE TABLE			
L1	N00°08'00"W		41.00'
L2	N89°52'00"E		40.00'
L3	N89°52'00"E		130.36'
L4	N00°08'00"W		25.00'
L5	N89°52'00"E		131.22'
L6	N00°08'00"W		7.50'
L7	N89°52'00"E		41.00'
L8	N44°52'00"E		26.07'
L9	N45°08'00"W		26.07'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

R-O-W PLAT

LEGAL DESCRIPTION:

SEE EXHIBIT "B-1, B-2"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-4"

LOT B

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1 AND ***THE TRUE POINT OF BEGINNING;***
THENCE SOUTH 89°-50'-25" WEST ALONG SAID NORTH LINE, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 305.63 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 305.61 FEET TO SAID NORTH LINE OF TAHQUITZ CANYON WAY AND THE TRUE POINT OF BEGINNING.

CONTAINING 12,530 SQ. FT./ 0.29 AC. MORE OR LESS

SEE EXHIBIT "B-5" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

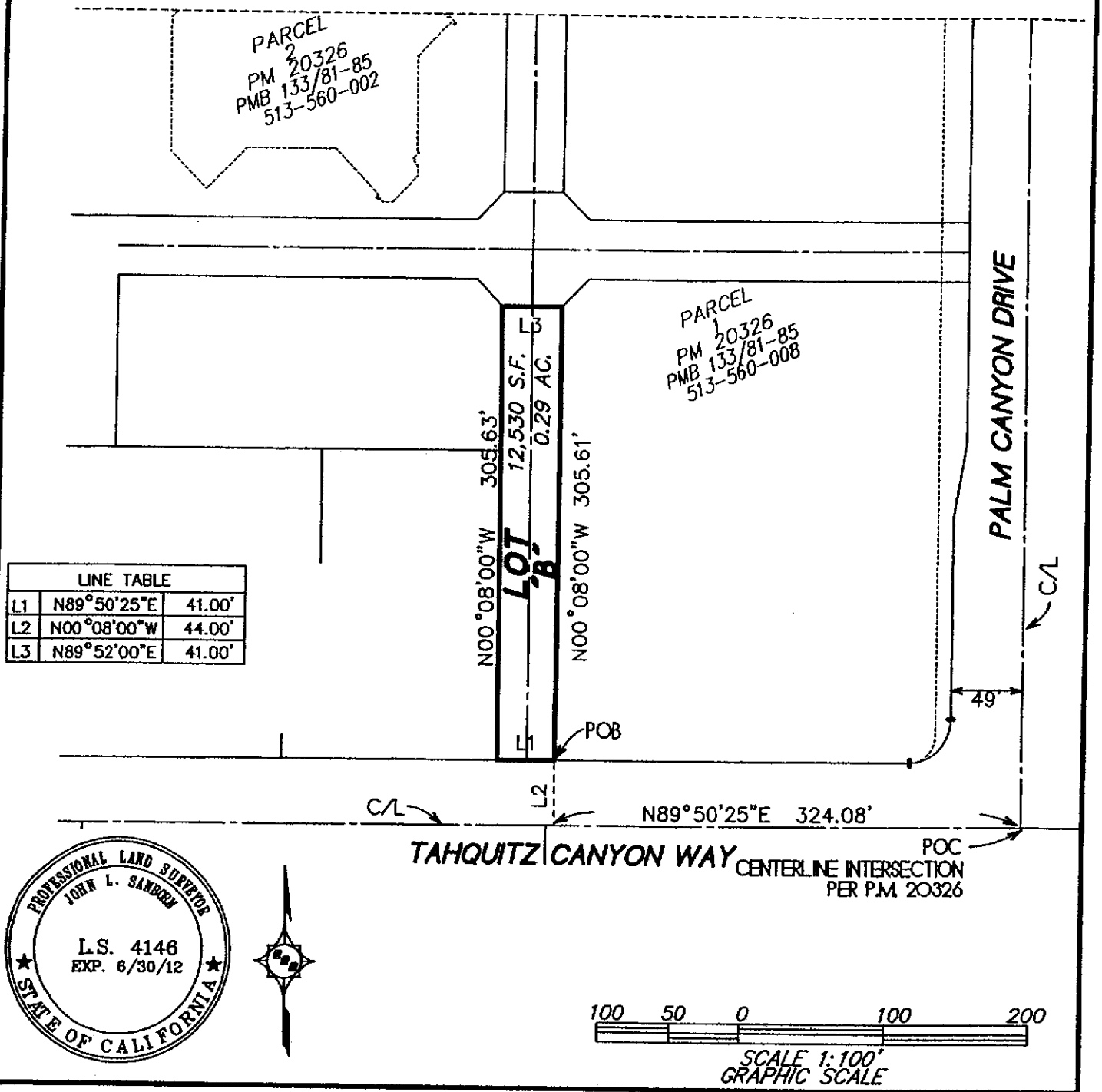
PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING:

AIRSPACE LOT "B" AS DESCRIBED AND DEPICITED ON EXHIBIT "C" (RETAINED PROPERTY) ATTACHED.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-5"



LINE TABLE		
L1	N89°50'25"E	41.00'
L2	N00°08'00"W	44.00'
L3	N89°52'00"E	41.00'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

R-O-W PLAT

LEGAL DESCRIPTION:

SEE EXHIBIT "B-4"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-6"

LOT C

ALL THAT PORTION OF PARCEL 1 AND PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°- 08'-00" WEST, ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89° –52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE NORTH 00 –08'-00" WEST, A DISTANCE OF 439.01 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 3;
THENCE SOUTH 44° –52'-00" WEST ALONG SAID NORTH LINE, A DISTANCE OF 126.62 FEET;
THENCE NORTH 89° –50'-25" EAST, A DISTANCE OF 40.53 FEET;
THENCE SOUTH 45°-08'-47" EAST A DISTANCE OF 11.31 FEET;
THENCE SOUTH 00° –08'-00" EAST, A DISTANCE OF 341.50 FEET;
THENCE NORTH 89°-52'-00" EAST A DISTANCE OF 41.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 18,368 SQ. FT./ 0.42 AC. MORE OR LESS

SEE EXHIBIT "B-7" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING:

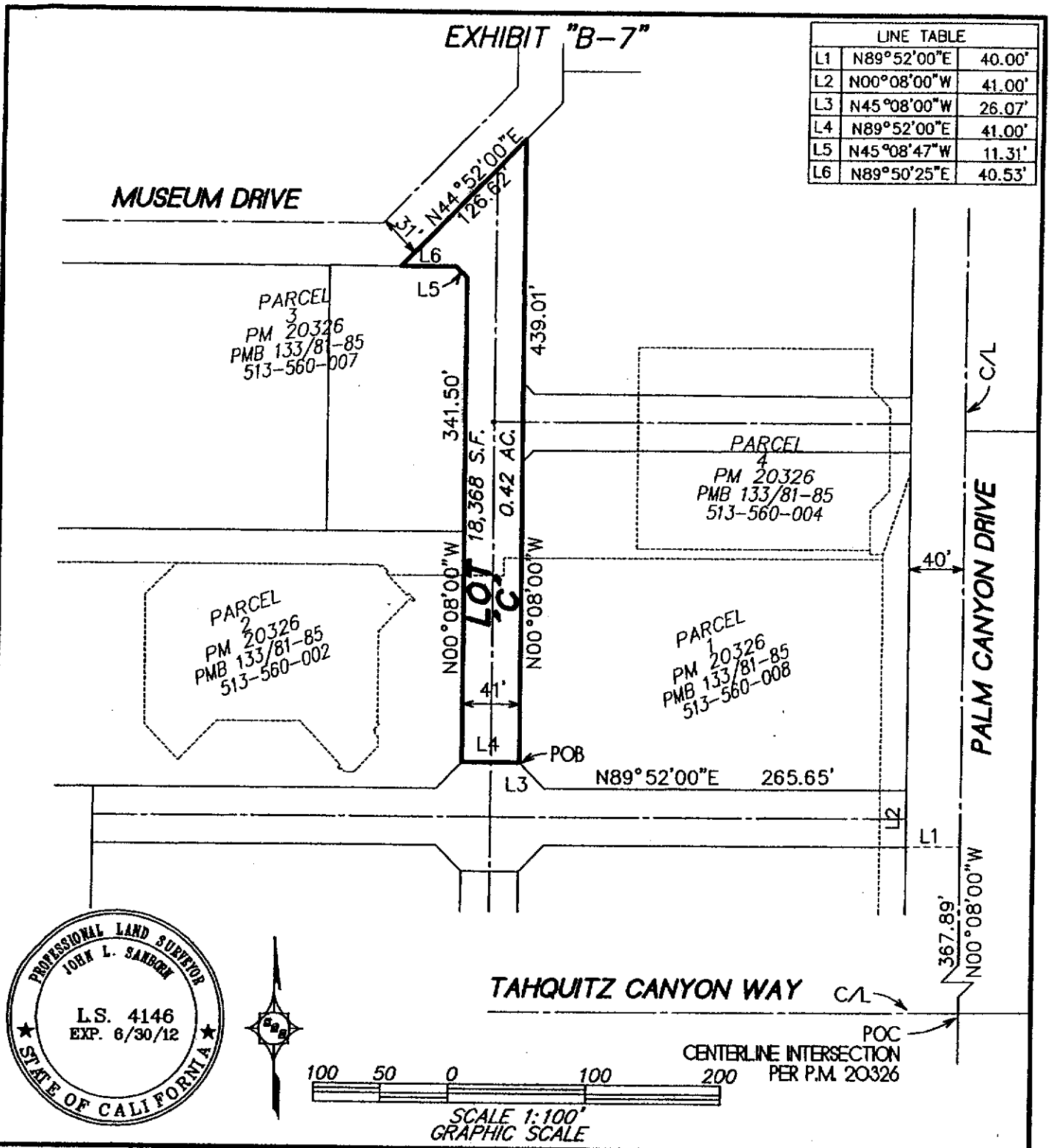
AIRSPACE LOT "C" PARCELS 1 AND 2 AS DESCRIBED AND DEPICITED ON EXHIBIT "C" (RETAINED PROPERTY) ATTACHED.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-7"

LINE TABLE		
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N45°08'00"W	26.07'
L4	N89°52'00"E	41.00'
L5	N45°08'47"W	11.31'
L6	N89°50'25"E	40.53'



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

R-O-W PLAT

LEGAL DESCRIPTION:

SEE EXHIBIT "B-6"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-8"

LOT D

ALL THAT PORTION OF PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, AND A PORTION OF NORTH PALM CANYON DRIVE AS VACATED BY THE CITY OF PALM SPRINGS BY RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968. RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 646.50 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE, AND ***THE TRUE POINT OF BEGINNING***;
THENCE CONTINUING SOUTH 89°-52'-00" WEST, A DISTANCE OF 276.08 FEET;
THENCE SOUTH 44°-52'-00" WEST, A DISTANCE OF 11.31 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 57.00 FEET;
THENCE SOUTH 45°-08'-00" EAST, A DISTANCE OF 11.31 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 276.08 FEET TO SAID WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE SOUTH 00°-08'-00" EAST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 11,711 SQ. FT./ 0.27 AC. MORE OR LESS

SEE EXHIBIT "B-9" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

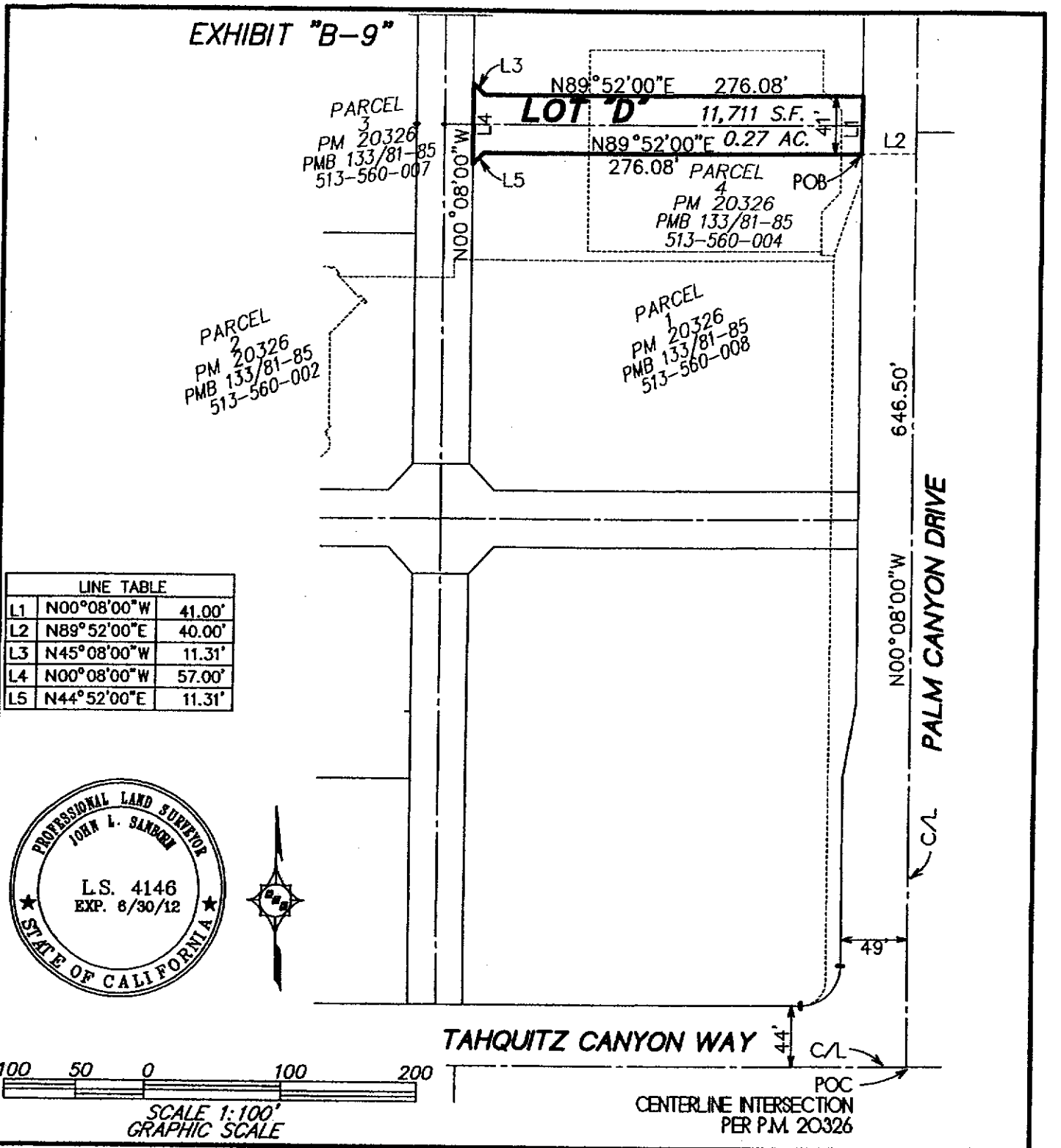
PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING:

AIRSPACE LOT "D" AS DESCRIBED AND DEPICITED ON EXHIBIT "C" (RETAINED PROPERTY) ATTACHED

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-9"



LINE TABLE		
L1	N00°08'00"W	41.00'
L2	N89°52'00"E	40.00'
L3	N45°08'00"W	11.31'
L4	N00°08'00"W	57.00'
L5	N44°52'00"E	11.31'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200

SCALE 1:100'
GRAPHIC SCALE

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

R-O-W PLAT

LEGAL DESCRIPTION:

SEE EXHIBIT "B-8"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-10"

PARCEL 8

ALL THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 162.23 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 102.02 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 187.23 FEET TO THE NORTH LINE OF SAID PARCEL 3, THE FOLLOWING THREE COURSES BEING ALONG THE NORTH AND WEST LINE OF SAID PARCEL 3;
THENCE SOUTH 89°-50'-25 " WEST, A DISTANCE OF 278.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-58'-25" AND A LENGTH OF 31.41 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 167.10 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 298.98 FEET TO THE POINT OF BEGINNING.

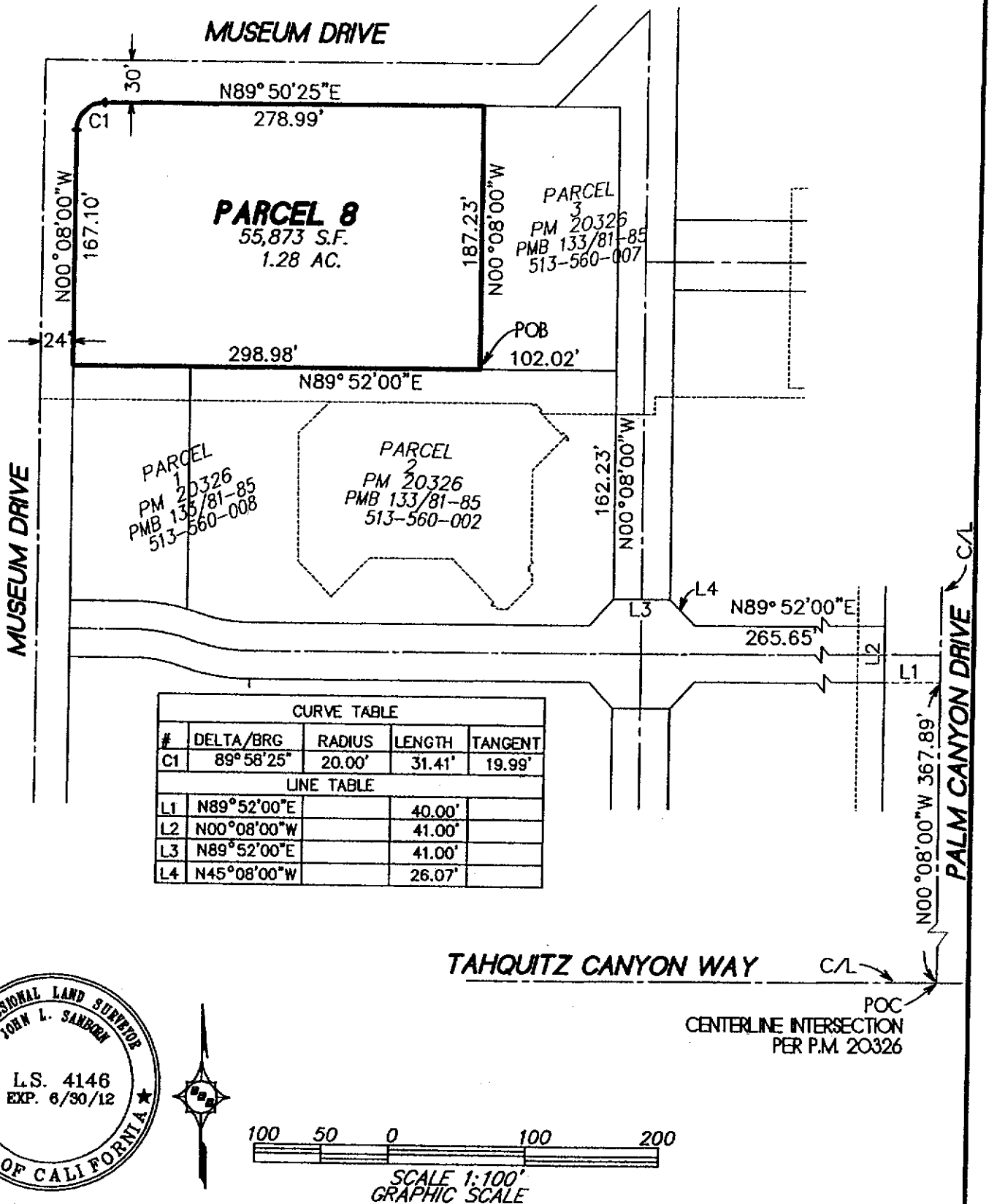
CONTAINING 55,873 SQ. FT./ 1.28 AC. MORE OR LESS

SEE EXHIBIT "B-11" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-11"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	89°58'25"	20.00'	31.41'	19.99'

LINE TABLE				
L1	N89°52'00"E		40.00'	
L2	N00°08'00"W		41.00'	
L3	N89°52'00"E		41.00'	
L4	N45°08'00"W		26.07'	

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "B-10"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-12"

PARCEL 9

ALL THAT PORTION OF PARCEL 1 AND PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMMON LINE, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 208.67 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 401.00 FEET TO THE WEST LINE OF SAID PARCEL 1 AND THE EAST LINE OF MUSEUM DRIVE AS SHOWN ON SAID PARCEL MAP;
THENCE NORTH 00°-08'-00" WEST ALONG SAID COMMON LINE, A DISTANCE OF 162.86 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST ALONG SAID COMMON LINE AND WEST LINE OF SAID PARCEL 1 AND PARCEL 3, A DISTANCE OF 174.20 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 85.00 FEET;
THENCE SOUTH 00°-08'-00" WEST, A DISTANCE OF 174.20 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT OVER THE NORTHERLY 25.00 FEET FOR EGRESS AND INGRESS AND UTILITIES FOR THE ADJACENT PROPERTY.

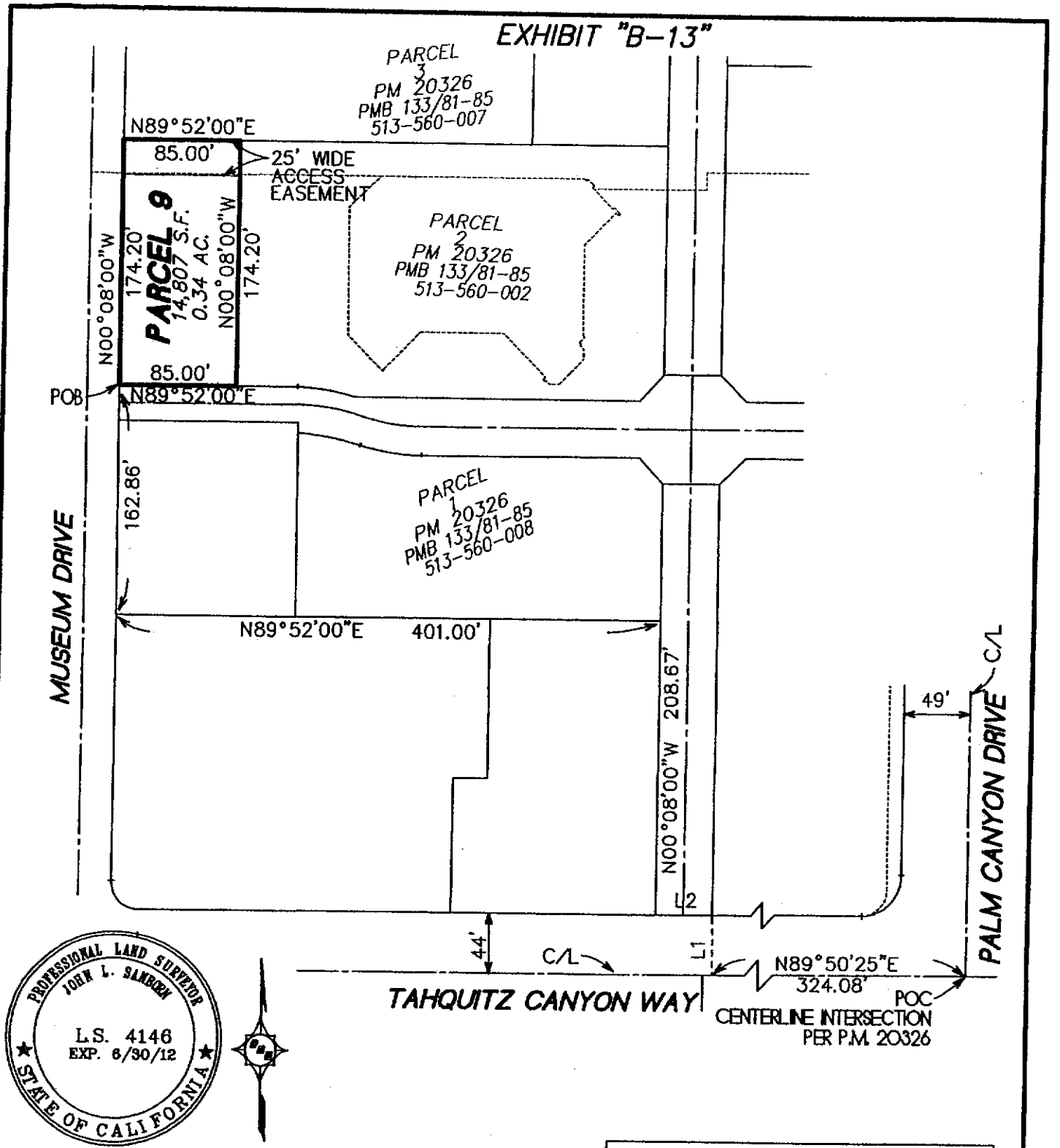
CONTAINING 14,807 SQ. FT./ 0.34 AC. MORE OR LESS

SEE EXHIBIT "B-13" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
04/26/12 WO. 11-105

EXHIBIT "B-13"



PROFESSIONAL LAND SURVEYOR
JOHN L. SAMBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

LINE TABLE				
L1	N00°08'00"W		44.00'	
L2	N89°50'25"E		41.00'	

100 50 0 100 200

SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "B-12"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-14"

PARCEL 10

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMMON LINE, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 208.67 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 269.78 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING SOUTH 89°-52'-00" WEST, A DISTANCE OF 131.22 FEET TO THE WEST LINE OF SAID PARCEL 1 AND THE EAST LINE OF MUSEUM DRIVE AS SHOWN ON SAID PARCEL MAP;
THENCE NORTH 00°-08'-00" WEST , ALONG SAID COMMON LINE, A DISTANCE OF 137.86 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 131.22 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 137.86 FEET TO THE TRUE POINT OF BEGINNING.

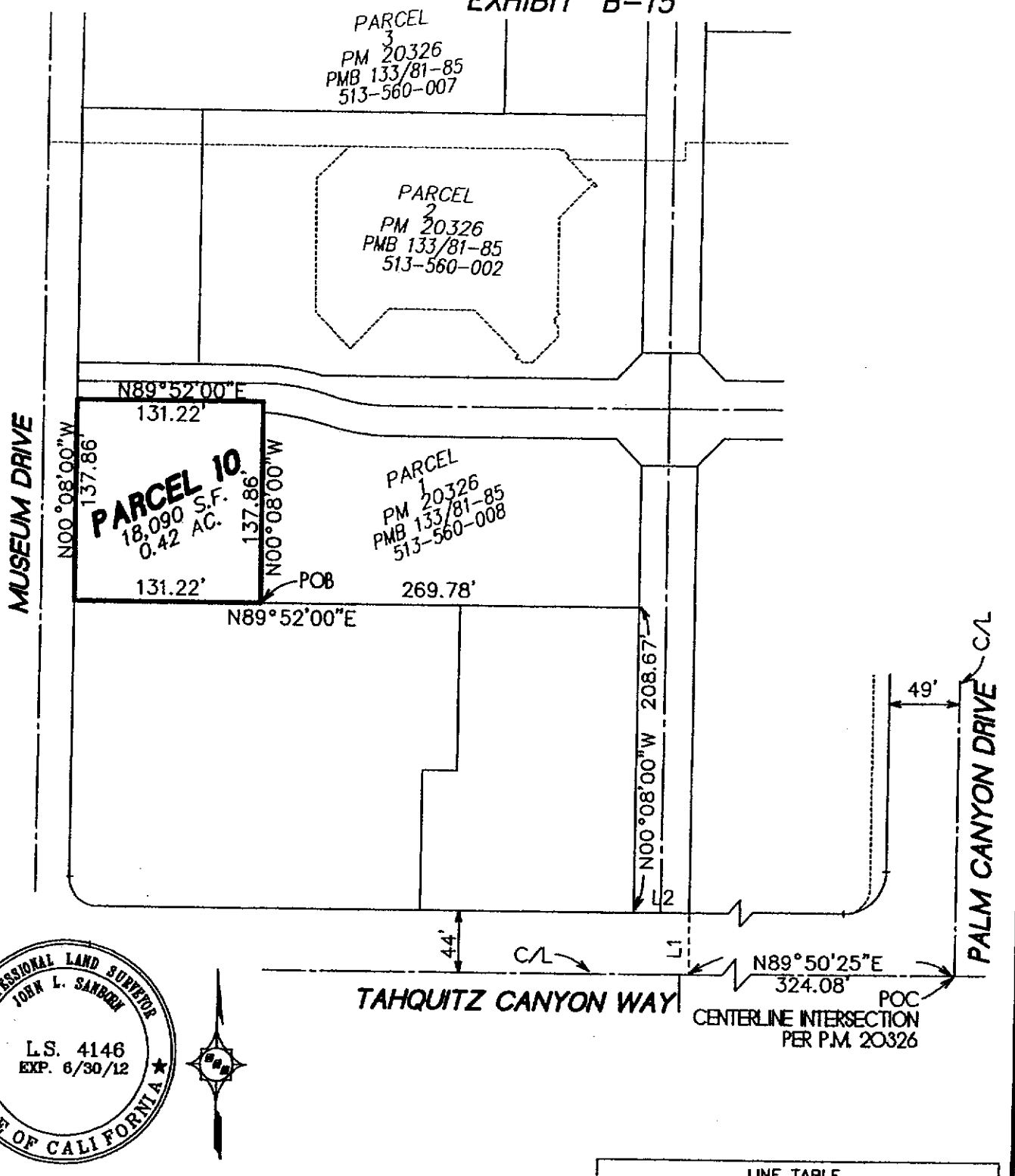
CONTAINING 18,090 SQ. FT./ 0.42 AC. MORE OR LESS

SEE EXHIBIT "B15" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-15"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

LINE TABLE				
L1	N00°08'00"W		44.00'	
L2	N89°50'25"E		41.00'	

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "B-14"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	–
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-16"

PARCEL 11

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMMON LINE, A DISTANCE OF 193.17 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 95.47 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 24.79 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 113.27 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 273.62 FEET TO THE WEST LINE OF SAID PARCEL 1, THE FOLLOWING THREE COURSES BEING ALONG THE WEST AND SOUTH LINES OF SAID PARCEL 1;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 188.84 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-01'-35" AND A LENGTH OF 31.43 FEET;
THENCE NORTH 89°-50'-25" EAST, A DISTANCE OF 228.82 FEET TO THE TRUE POINT OF BEGINNING.;

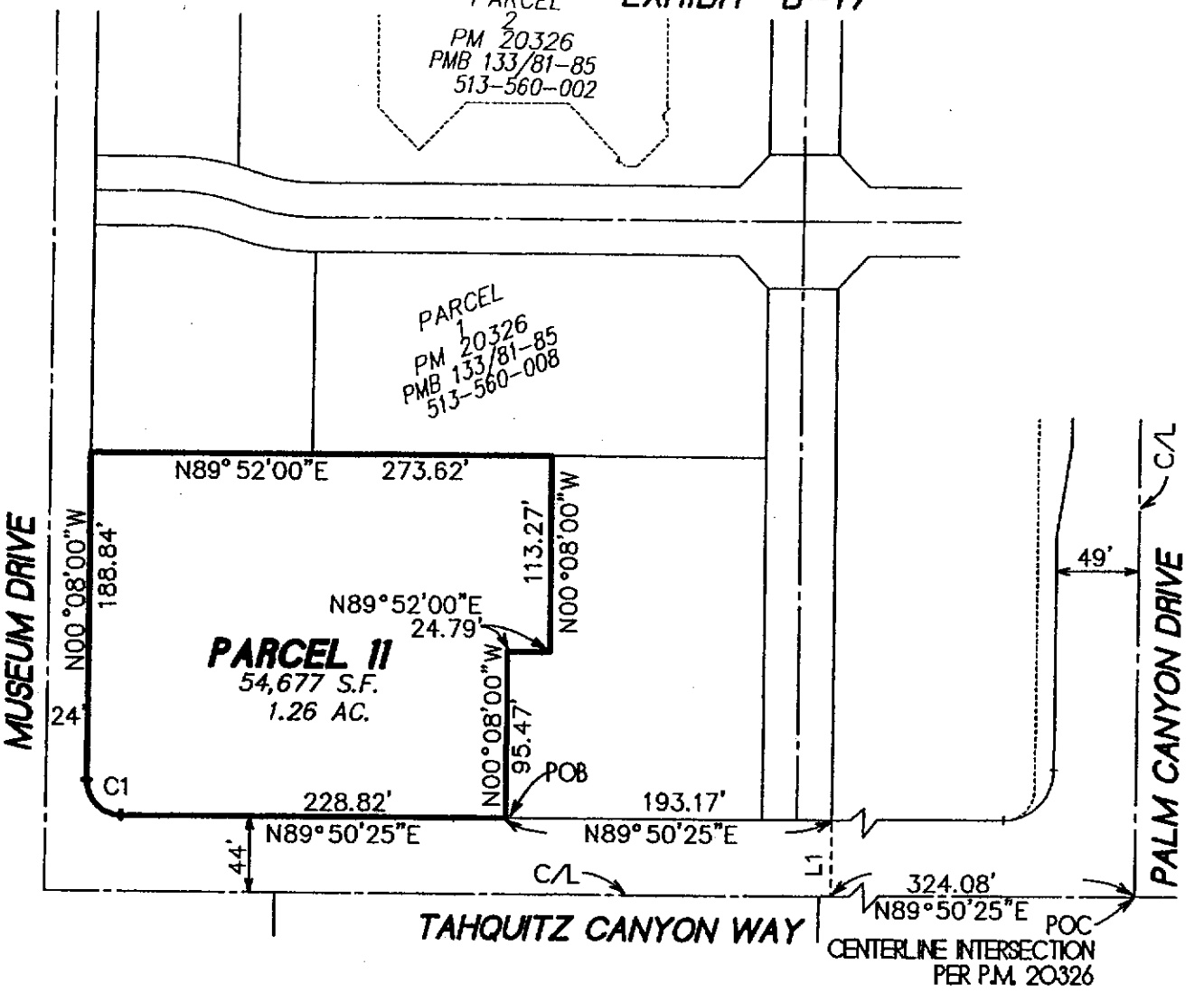
CONTAINING 54,677 SQ. FT./ 1.26 AC. MORE OR LESS

SEE EXHIBIT "B-17" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/-8/12 WO. 11-105

EXHIBIT "B-17"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	90°01'35"	20.00'	31.43'	20.01'
LINE TABLE				
L1	N00°08'00"W		44.00'	

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "B-16"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-18"

AIR-SPACE PARCEL 1

ALL THAT PORTION OF PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 646.50 FEET;
THENCE SOUTH 89°52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE AND THE WEST LINE OF SAID PARCEL 3;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF PALM CANYON DRIVE AND EAST LINE OF SAID PARCEL 3, A DISTANCE OF 59.47 FEET;
THENCE SOUTH 89°-52'-00" WEST A DISTANCE OF 11.49 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 74.50 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 75.50 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 104.00 FEET;
THENCE NORTH 00°-08'-00" EAST, A DISTANCE OF 15.33 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 18.59 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 46.68 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 19.53 FEET;
THENCE NORTH 00°-08'-00" WEST, A DSITANCE OF 106.79 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 26.16 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 21.27 FEET;
THENCE NORTH 89°-54'-13" EAST, A DISTANCE OF 218.22 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 2.77 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 24.38 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 195.06 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 10.00 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 15.33 FEET TO THE TRUE POINT OF BEGINNING.

LOWER BOUNDARY LIMITS 451.00 FEET.
UPPER BOUNDARY LIMITS 461.00 FEET
ALSO SEE EXHIBIT "B" FOR VERTICAL LIMITS

SEE EXHIBIT "B-19" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-20"

AIR-SPACE PARCEL 4

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMMON LINE, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 8.67 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST, A DISTANCE OF 200.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 127.38 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 113.27 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 24.79 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 86.81 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 152.17 FEET TO THE TRUE POINT OF BEGINNING.

SEE EXHIBIT "B" FOR VERTICAL LIMITS

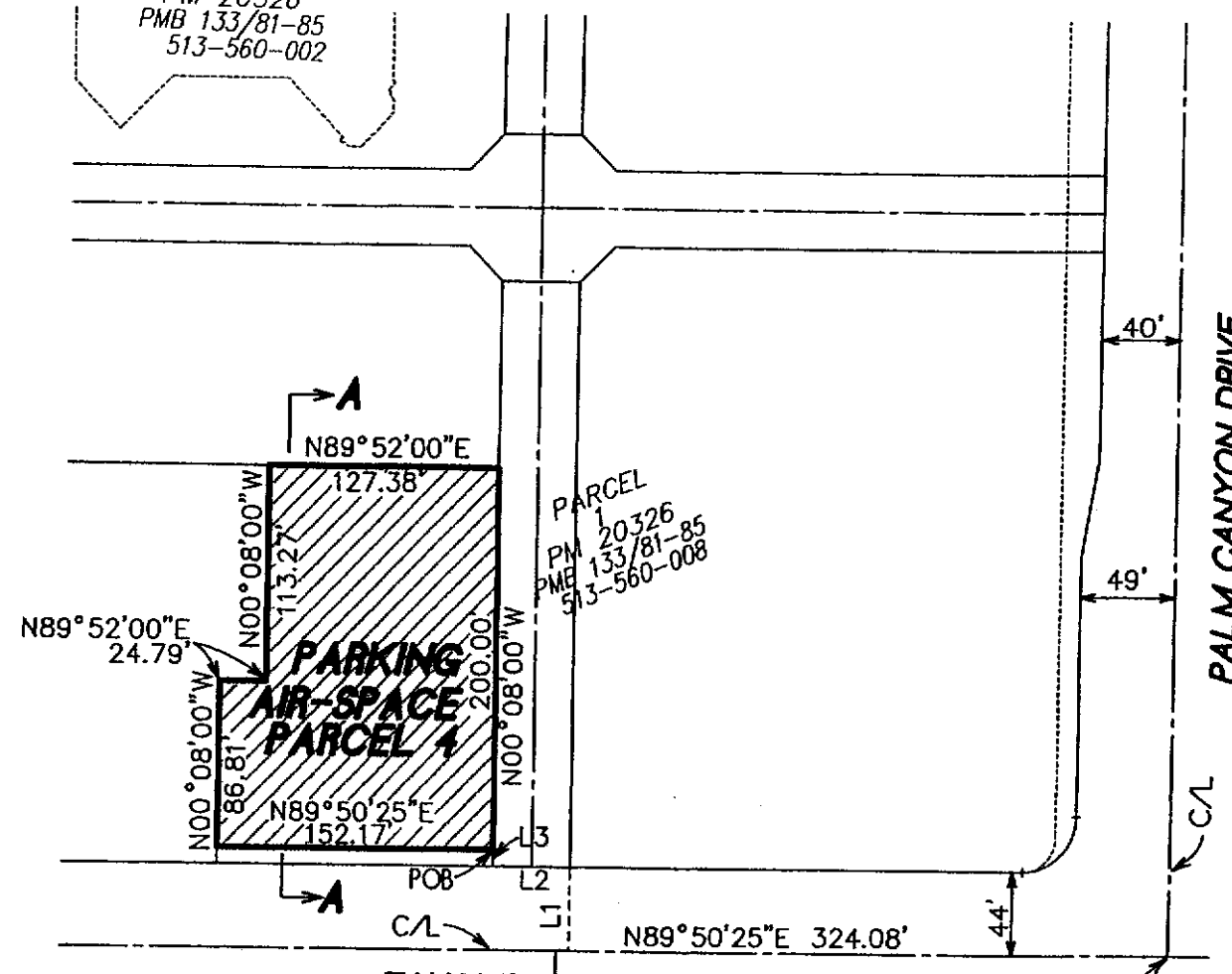
SEE EXHIBIT "B-21" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

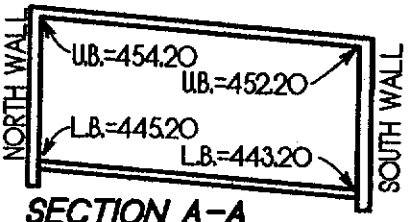
PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146

05/08/12 WO. 11-105

EXHIBIT "B-21"





SECTION A-A
UPPER AND LOWER BOUNDARIES

LINE TABLE		
#	DELTA/BRG	LENGTH
L1	N00°08'00"W	44.00'
L2	N89°50'25"E	41.00'
L3	N00°08'00"W	8.67'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

PARKING AREA AIR-SPACE PARCEL 4

LEGAL DESCRIPTION:

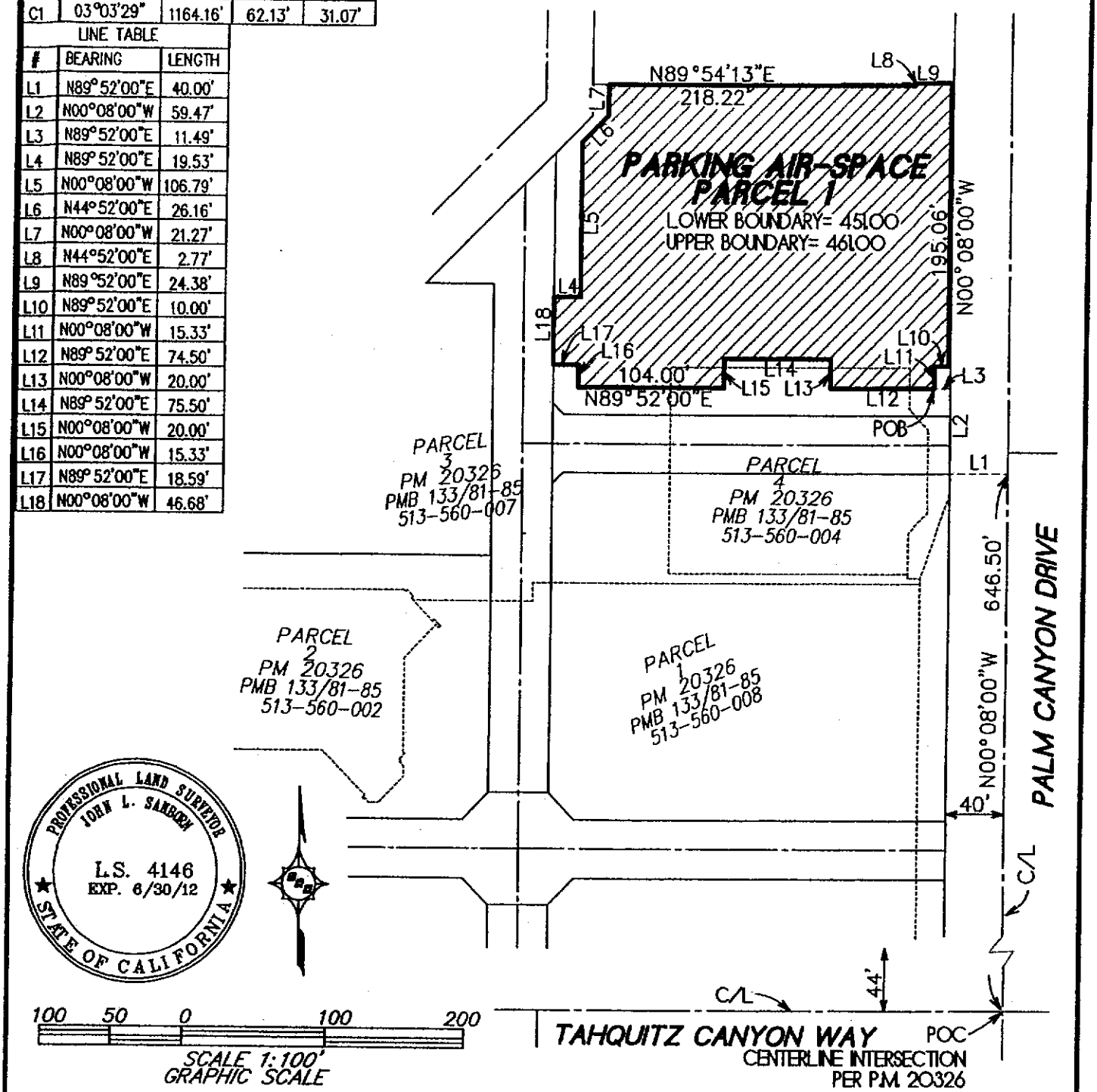
SEE EXHIBIT "B-20"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-19"

CURVE TABLE				
#	DELTA	RADIUS	LENGTH	TANGENT
C1	03°03'29"	1164.16'	62.13'	31.07'

LINE TABLE		
#	BEARING	LENGTH
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	59.47'
L3	N89°52'00"E	11.49'
L4	N89°52'00"E	19.53'
L5	N00°08'00"W	106.79'
L6	N44°52'00"E	26.16'
L7	N00°08'00"W	21.27'
L8	N44°52'00"E	2.77'
L9	N89°52'00"E	24.38'
L10	N89°52'00"E	10.00'
L11	N00°08'00"W	15.33'
L12	N89°52'00"E	74.50'
L13	N00°08'00"W	20.00'
L14	N89°52'00"E	75.50'
L15	N00°08'00"W	20.00'
L16	N00°08'00"W	15.33'
L17	N89°52'00"E	18.59'
L18	N00°08'00"W	46.68'



CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

PARKING AREA AIR-SPACE PARCEL 1

LEGAL DESCRIPTION:

SEE EXHIBIT "B-18"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "B-22"

AIR-SPACE PARCEL 7

ALL THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 180.45 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST A DISTANCE OF 161.05 FEET;
THENCE NORTH 45°-08'-47" WEST, A DISTANCE OF 7.06 FEET;
THENCE SOUTH 44°-52'-00" WEST, A DISTANCE OF 8.22 FEET;
THENCE SOUTH 89°-52'-00 WEST, A DISTANCE OF 90.71 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 177.41 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 71.65 FEET;
THENCE NORTH 59°-53'-30" EAST, A DISTANCE OF 34.48 FEET TO THE POINT OF BEGINNING.

LOWER BOUNDARY 449.70 FEET.
UPPER BOUNDARY 461.00 FEET.
ALSO SEE EXHIBIT "B" FOR VERTICAL LIMITS

SEE EXHIBIT "B-23" FOR DEPECTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "B-23"

LINE TABLE		
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N45°08'00"W	26.07'
L4	N89°52'00"E	41.00'
L5	N59°53'30"E	34.48'
L6	N44° 52'00"E	8.22'
L7	N45°08'47"W	7.06'

MUSEUM DRIVE

PARKING AIR-SPACE PARCEL 7
LOWER BOUNDARY= 449.70
UPPER BOUNDARY= 461.00

90.71'
N89°50'25"E
177.41'
N00°08'00"W
161.05'
N00°08'00"W
71.65'
L5
POB
N89°52'00"E

PARCEL 3
PM 20326
PMB 133/81-85
513-560-007

PARCEL 4
PM 20326
PMB 133/81-85
513-560-004

PARCEL 2
PM 20326
PMB 133/81-85
513-560-002

PARCEL 1
PM 20326
PMB 133/81-85
513-560-008

180.45'
N00°08'00"W
L4
L3 N89°52'00"E 265.65'
L2
L1
40'
C/L
PALM CANYON DRIVE
367.89'
N00°08'00"W
POC
CENTERLINE INTERSECTION
PER P.M. 20326
C/L
TAHQUITZ CANYON WAY

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

PARKING AREA AIR-SPACE PARCEL 7

LEGAL DESCRIPTION:

SEE EXHIBIT "B-22"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C"

TO

GRANT DEED

(RETAINED PROPERTY)

THE RETAINED PROPERTY WILL BE THE ENTIRE PROPERTY, EXCLUDING AND EXCEPTING THEREFROM THE GRANTED PROPERTY, AS DESCRIBED ON EXHIBIT "B" TO THE GRANT DEED.

THE RETAINED PROPERTY INCLUDES, WITHOUT LIMITATION, PARCELS 1 THROUGH 7 INCLUSIVE, AND AIR-SPACE LOTS "B", "C", AND "D" AS DESCRIBED IN THIS EXHIBIT "C."

EXHIBIT "C-1"

PARCEL 1

ALL THAT PORTION OF PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 646.50 FEET;
THENCE SOUTH 89°52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE AND THE EAST LINE OF SAID PARCEL 3;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE AND EAST LINE OF SAID PARCEL 3, A DISTANCE OF 41.00 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 276.08 FEET;
THENCE NORTH 45°-08'-00" WEST A DISTANCE OF 11.31 FEET;
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 170.84 FEET TO THE NORTHWEST LINE OF SAID PARCEL 3;
THE FOLLOWING EIGHT COURSES BEING ALONG THE NORTHWESTERLY, WEST, NORTH AND EAST LINES OF SAID PARCEL 3;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 37.62 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 21.60 FEET;
THENCE NORTH 89°-54'-13" EAST, A DISTANCE OF 176.28 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 1.47 FEET;
THENCE NORTH 89°-55'-24" EAST, A DISTANCE OF 42.63 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 0.50 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 38.57 FEET;
THENCE SOUTH 00°-08'-00" EAST A DISTANCE OF 228.85 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 63,654 SQ. FT./ 1.46 AC. MORE OR LESS

SEE EXHIBIT "C-2" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING AIRSPACE:

ALL THAT PORTION OF PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 646.50 FEET;
THENCE SOUTH 89°52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE AND THE WEST LINE OF SAID PARCEL 3;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF PALM CANYON DRIVE AND EAST LINE OF SAID PARCEL 3, A DISTANCE OF 59.47 FEET;
THENCE SOUTH 89°-52'-00" WEST A DISTANCE OF 11.49 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 74.50 FEET;

THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 75.50 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 104.00 FEET;
THENCE NORTH 00°-08'-00" EAST, A DISTANCE OF 15.33 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 18.59 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 46.68 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 19.53 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 106.79 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 26.16 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 21.27 FEET;
THENCE NORTH 89°-54'-13" EAST, A DISTANCE OF 218.22 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 2.77 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 24.38 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 195.06 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 10.00 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 15.33 FEET TO THE TRUE POINT OF BEGINNING.

LOWER BOUNDARY LIMITS 451.00 FEET.
UPPER BOUNDARY LIMITS 461.00 FEET

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-2"

LINE TABLE		
#	DELTA/BRG	LENGTH
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N44°52'00"E	37.62'
L4	N00°08'00"W	21.60'
L5	N00°08'00"W	1.47'
L6	N89°55'24"E	42.63'
L7	N00°08'00"W	0.50'
L8	N89°52'00"E	38.57'
L9	N45°08'00"W	11.31'

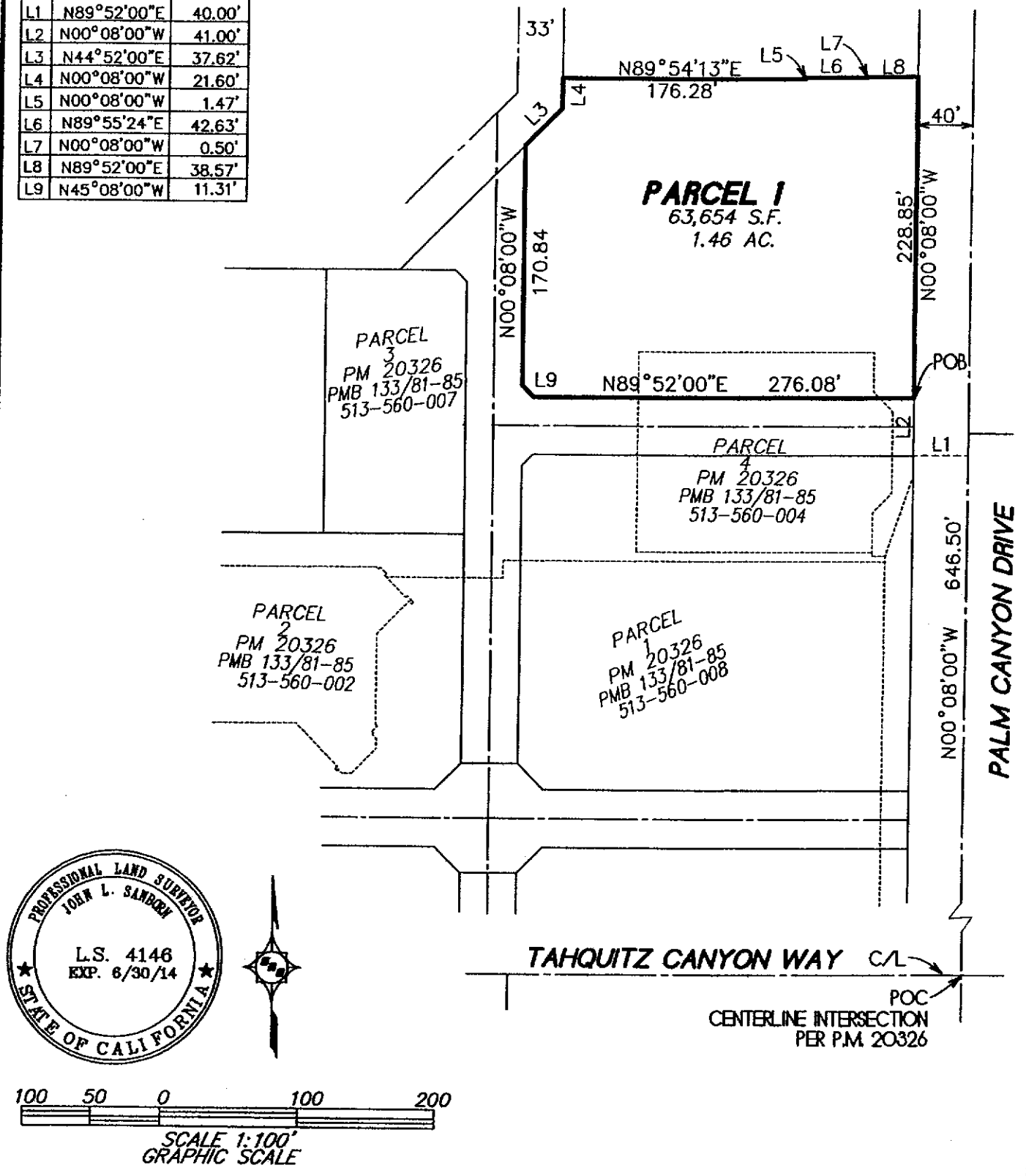


EXHIBIT "B"	DESIGN BY:	SCALE:	FILE NO.:
LEGAL DESCRIPTION:	D.B.	1" = 100'	-
SEE EXHIBIT "C-1"	CHECKED BY:	W.O. #	SHEET NO.:
	J.L.S.	11-105	1 OF 1

EXHIBIT "C-3"

PARCEL 2

ALL THAT PORTION OF PARCEL 1, PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, AND A PORTION OF NORTH PALM CANYON DRIVE AS VACATED BY THE CITY OF PALM SPRINGS BY RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968. RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE, A DISTANCE OF 41.00 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE NORTH 00° –08'-00" WEST, A DISTANCE OF 211.18 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 11.31 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 276.08 FEET TO THE WEST LINE OF SAID NORTH PALM CANYON DRIVE;
THENCE SOUTH 00°-08'-00" EAST ALONG SAID WEST LINE, A DISTANCE OF 237.61 FEET TO THE POINT OF BEGINNING.

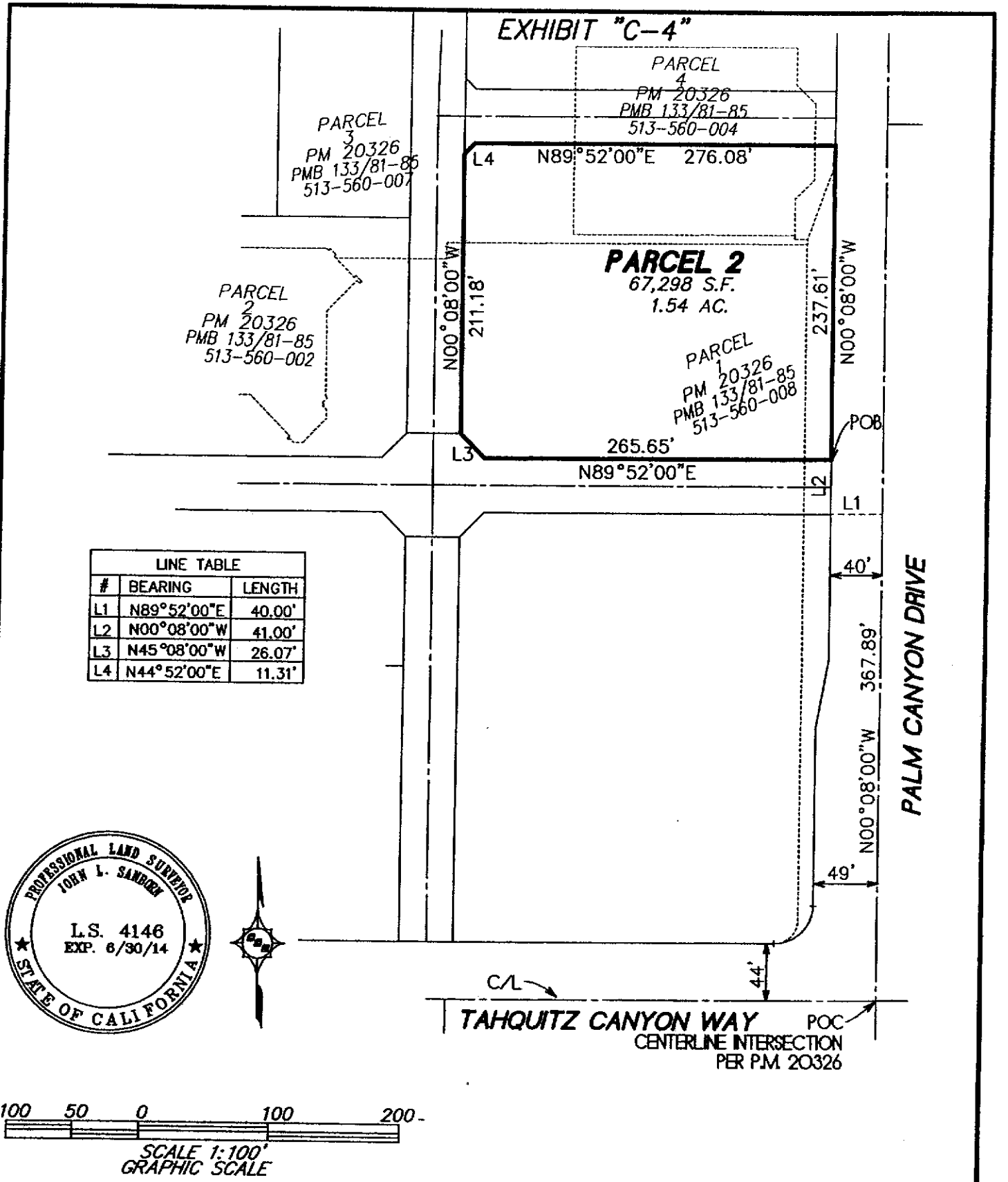
CONTAINING 67,298 SQ. FT./ 1.54 AC. MORE OR LESS

SEE EXHIBIT "C-4" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-4"



LINE TABLE		
#	BEARING	LENGTH
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N45°08'00"W	26.07'
L4	N44°52'00"E	11.31'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

100 50 0 100 200

SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "C-3"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-5"

PARCEL 3

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS AND A PORTION OF NORTH PALM CANYON DRIVE AS VACATED BY THE CITY OF PALM SPRINGS BY RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968. RIVERSIDE COUNTY RECORDS, DESCRIBED AS
FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1 AND ***THE TRUE POINT OF BEGINNING***;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 305.61 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 26.07 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 265.65 FEET TO THE WESTERLY LINE OF SAID NORTH PALM CANYON DRIVE, THE FOLLOWING FOUR COURSES BEING ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 112.44 FEET;
THENCE SOUTH 11°-17'-39" WEST, A DISTANCE OF 45.43 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 141.97 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-58'-25" AND A LENGTH OF 39.26 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST, ALONG SAID NORTH LINE OF TAHQUITZ CANYON WAY A DISTANCE OF 250.09 FEET TO THE TRUE POINT OF BEGINNING.

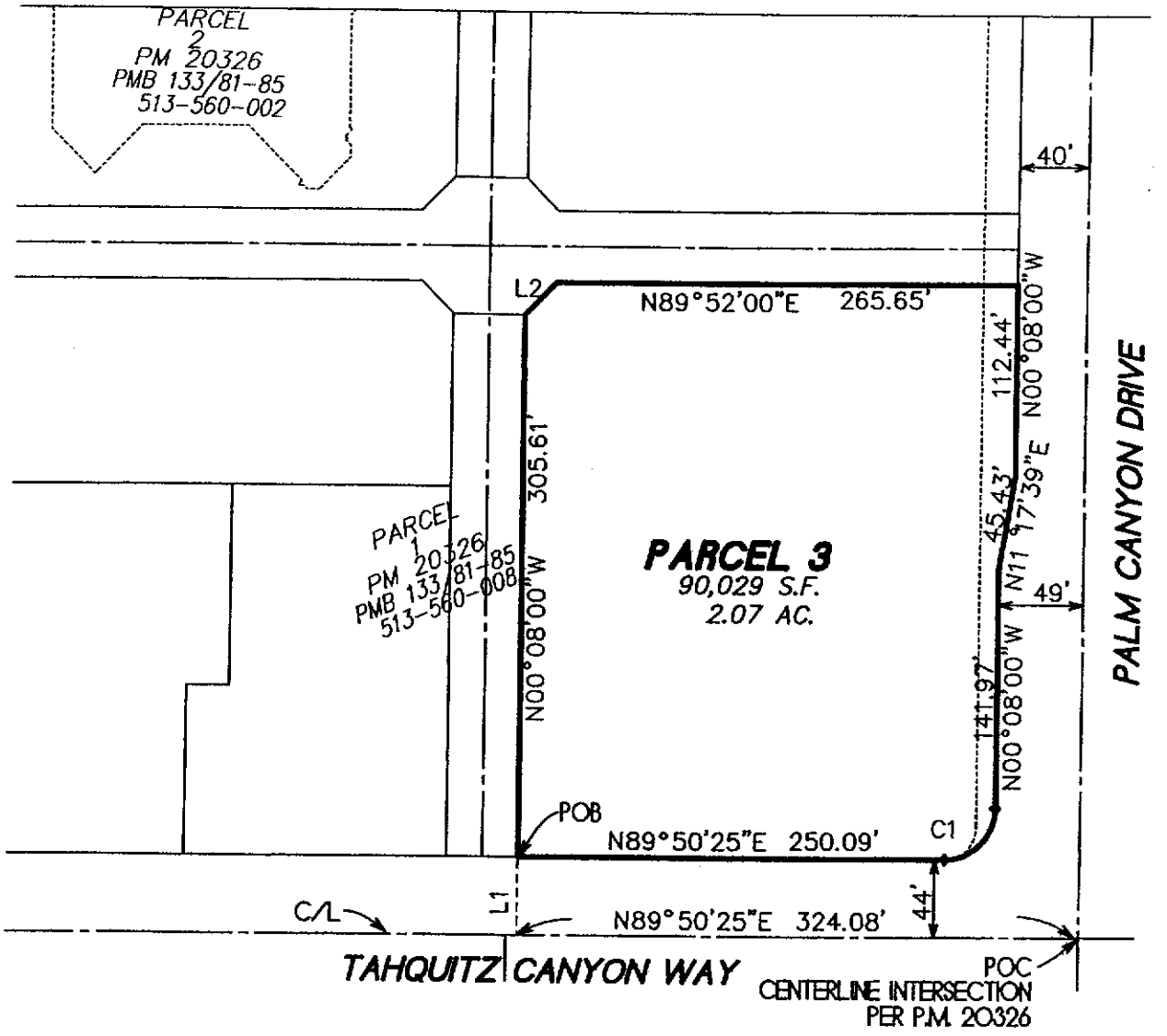
CONTAINING 90,029 SQ. FT./ 2.07 AC. MORE OR LESS

SEE EXHIBIT "C-6" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-6"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	89°58'25"	25.00'	39.26'	24.99'
LINE TABLE				
L1	N00°08'00"W		44.00'	
L2	N44°52'00"E		26.07'	

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

100 50 0 100 200

SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "C-5"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-7"

PARCEL 4

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°50'-25" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 41.00 TO ***THE TRUE POINT OF BEGINNING;***
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 208.40 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 127.38 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 113.27 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 24.79 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 95.47 FEET TO THE SOUTH LINE OF SAID PARCEL 1;
THENCE NORTH 89°-50'-25" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 152.17 FEET TO THE TRUE POINT OF BEGINNING.

CONTANING 28,949 S.F./ 0.66 AC.

SEE EXHIBIT "C-8" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING AIRSPACE:

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMMON LINE, A DISTANCE OF 41.00 FEET;

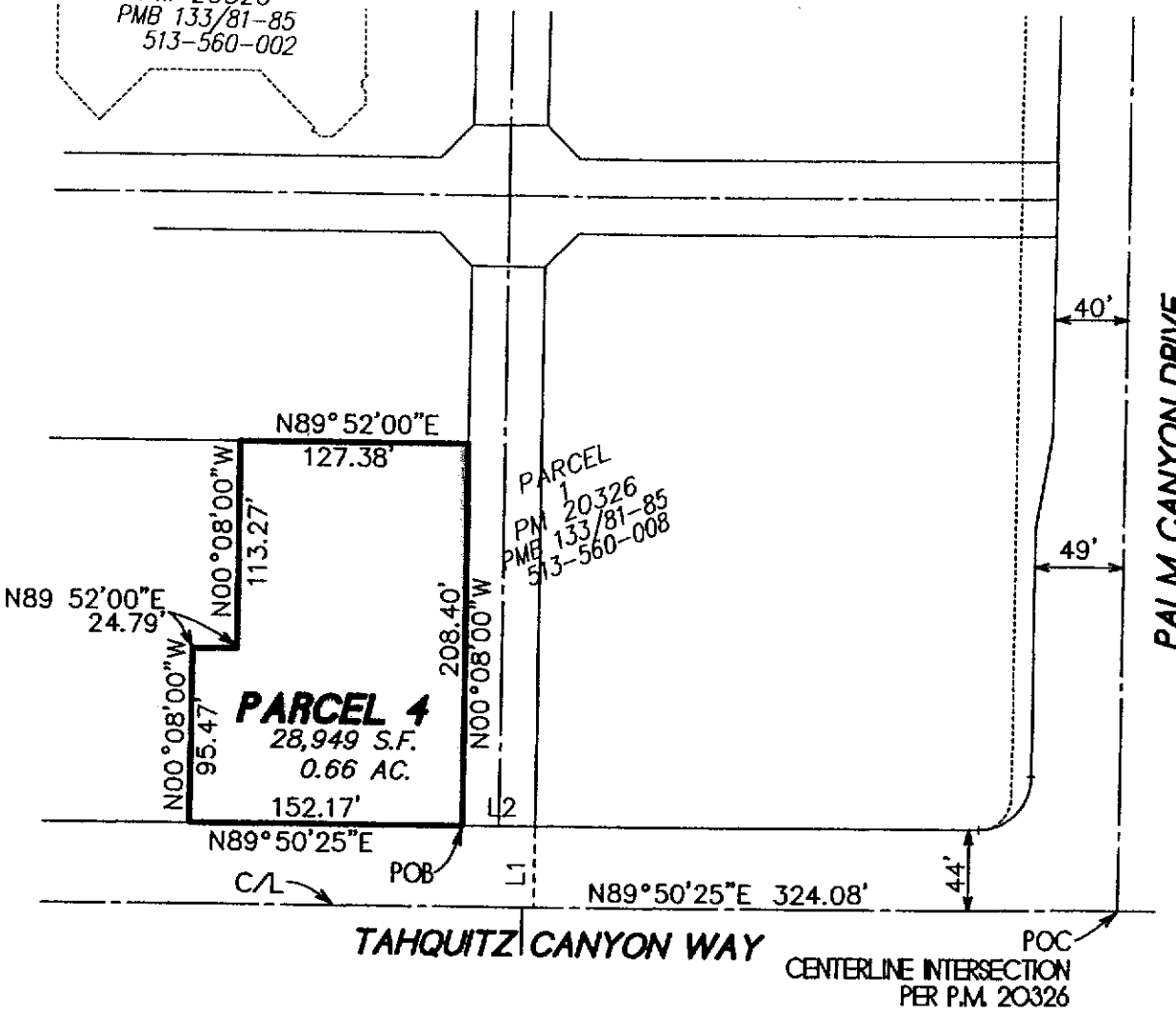
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 8.67 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST, A DISTANCE OF 200.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 127.38 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 113.27 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 24.79 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 86.81 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 152.17 FEET TO THE TRUE POINT OF BEGINNING.

LOWER BOUNDARY 443.20 FEET.
UPPER BOUNDARY 454.20 FEET

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-8"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

LINE TABLE		
#	DELTA/BRG	LENGTH
L1	N00°08'00"W	44.00'
L2	N89°50'25"E	41.00'

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"
LEGAL DESCRIPTION:
SEE EXHIBIT "C-7"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-9"

PARCEL 5

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL I;
THENCE SOUTH 89°-50'-25" WEST ALONG SAID COMON LINE, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 208.40 FEET ***TO THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°- 08'-00" WEST, A DISTANCE OF 96.96 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 159.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 162.09 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°-41'-51" AND A LENGTH OF 47.24 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 201.47 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°-14'-05" AND A LENGTH OF 46.54 FEET;
THENCE SOUTH 00°-08'-00"EAST, A DISTANCE OF 130.36 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 269.78 FEET TO THE TRUE POINT OF BEGINNING.

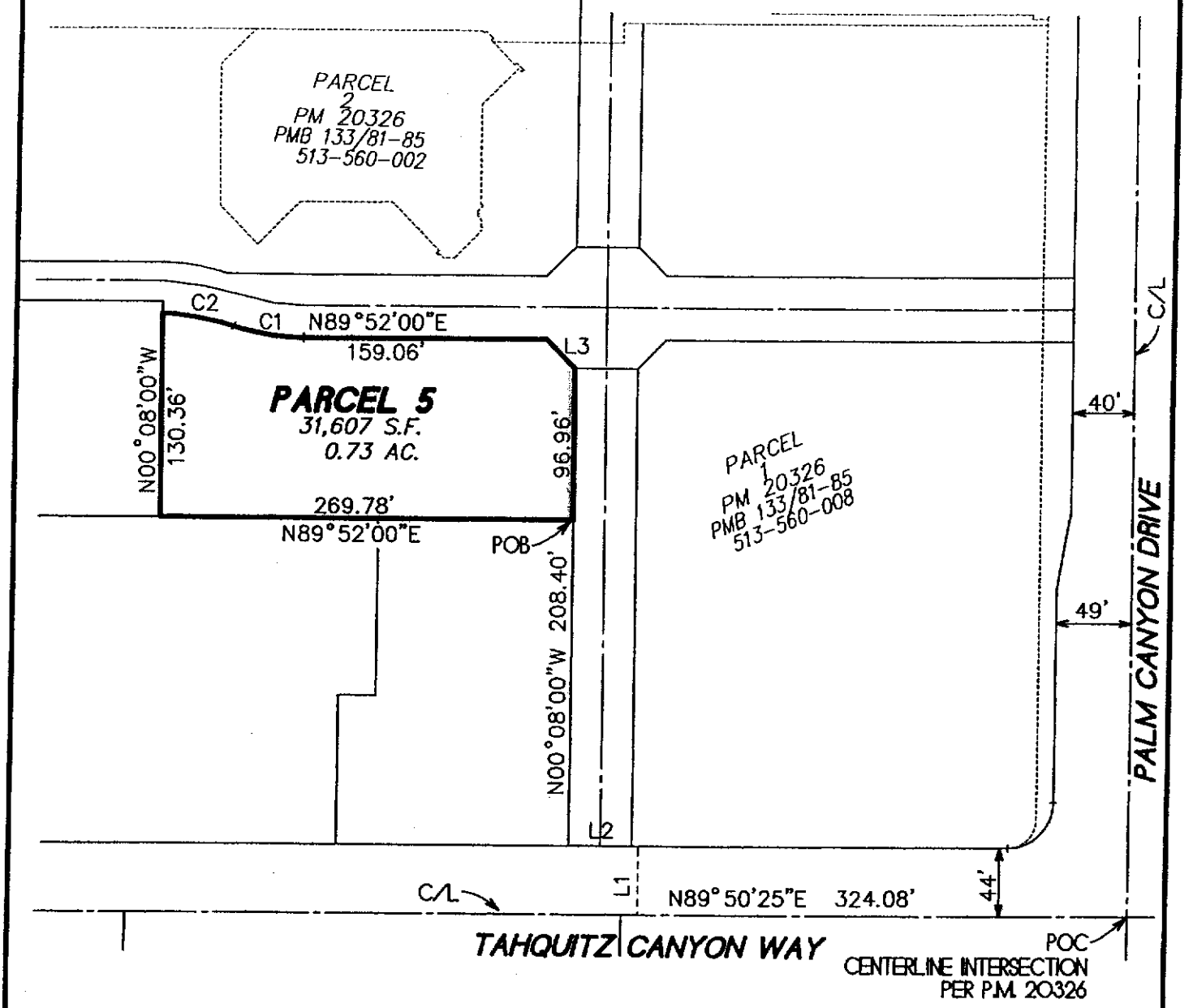
CONTAINING 31,607 SQ. FT./ 0.73 AC. MORE OR LESS

SEE EXHIBIT "C-10" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-10"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	16° 41'51"	162.09'	47.24'	23.79'
C2	13°14'05"	201.47'	46.54'	23.37'
LINE TABLE				
L1	N00°08'00"W		44.00'	
L2	N89°50'25"E		41.00'	
L3	N45°08'00"W		26.07'	

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"
LEGAL DESCRIPTION:
SEE EXHIBIT "C-9"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-11"

PARCEL 6

ALL THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 162.23 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 316.00 FEET
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 174.20 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 46.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 164.19 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°55'-04" AND A LENGTH OF 42.75 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 210.07 FEET;
THENCE NORTH 44°-52'-00" EAST, A DISTANCE OF 26.07 FEET TO THE TRUE POINT OF BEGINNING.

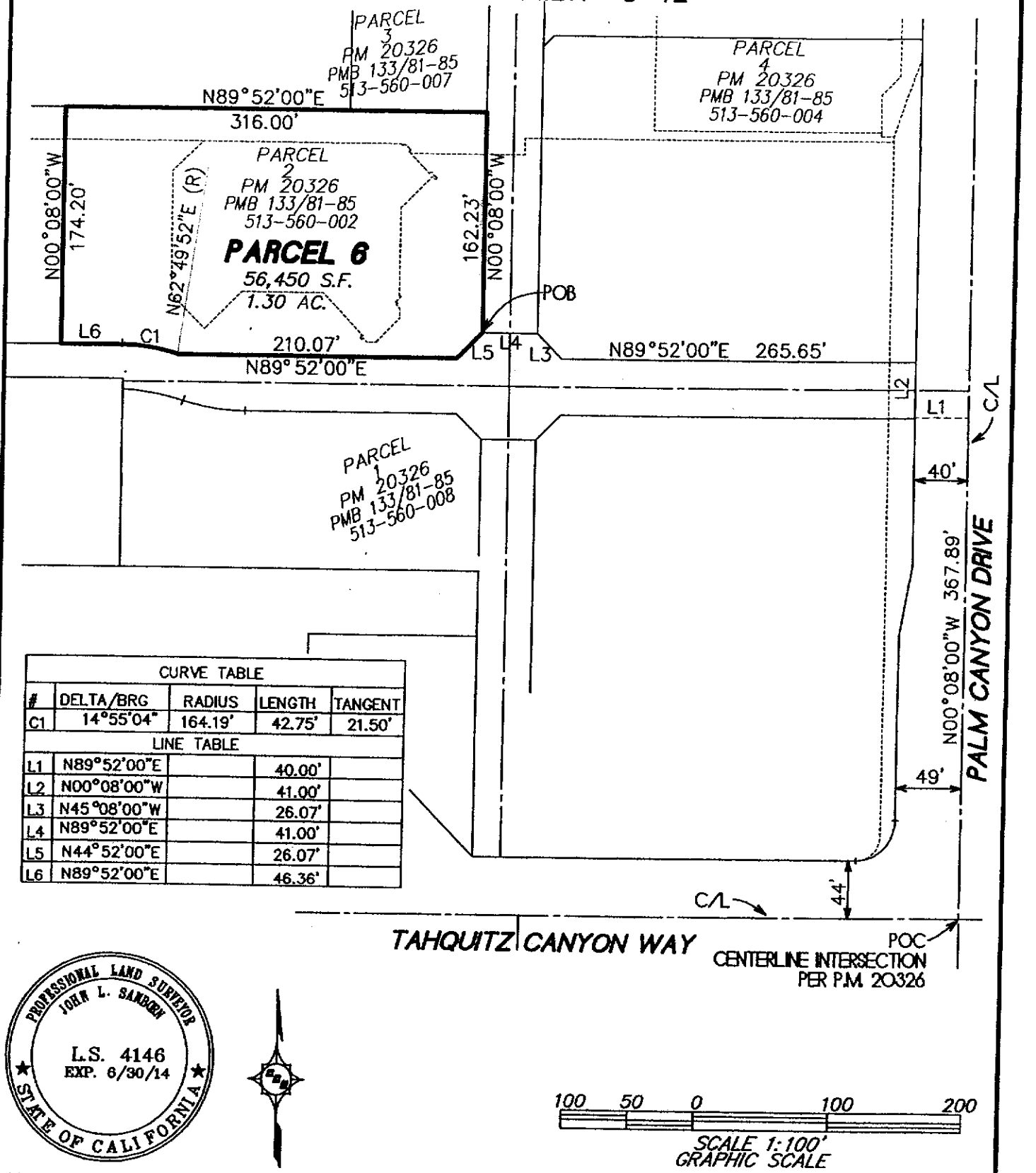
CONTAINING 56,450 SQ.FT./ 1.30 AC. MORE OR LESS

SEE EXHIBIT "C-12" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-12"



CURVE TABLE				
#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	14°55'04"	164.19'	42.75'	21.50'

LINE TABLE				
L1	N89°52'00"E		40.00'	
L2	N00°08'00"W		41.00'	
L3	N45°08'00"W		26.07'	
L4	N89°52'00"E		41.00'	
L5	N44°52'00"E		26.07'	
L6	N89°52'00"E		46.36'	

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

100 50 0 100 200
SCALE 1:100'
GRAPHIC SCALE

EXHIBIT "B"
LEGAL DESCRIPTION:
SEE EXHIBIT "C-11"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	-
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-13"

PARCEL 7

ALL THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE OF NORTH PALM CANYON DRIVE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 162.23 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST, A DISTANCE OF 179.27 FEET;
THENCE NORTH 45°-08'-48" WEST, A DISTANCE OF 11.31 FEET TO A POINT ON THE EASTERLY EXTENTION OF THE NORTH LINE OF SAID PARCEL 3;
THENCE SOUTH 89°-50'-25 " WEST ALONG SAID EXTENTION AND THE NORTH LINE OF SAID PARCEL 3, A DISTANCE OF 94.02 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 187.23 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 102.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,071 SQ. FT./ 0.44 AC. MORE OR LESS

SEE EXHIBIT "C-14" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PROVIDED HOWEVER, EXCEPTED AND RESERVED FROM THE FOREGOING THE FOLLOWING AIRSPACE:

ALL THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF
367.89 FEET;

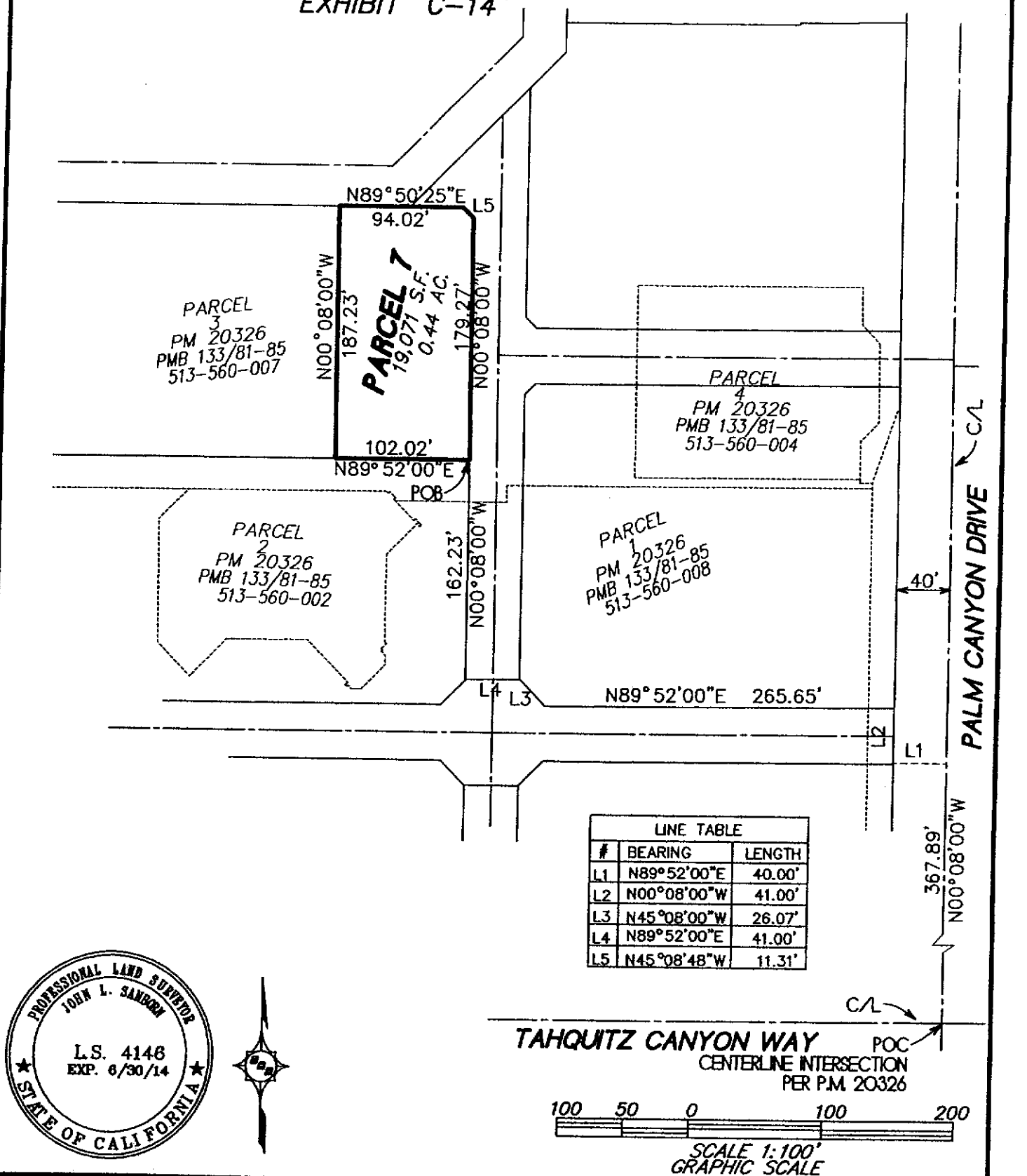
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET;
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 180.45 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST A DISTANCE OF 161.05 FEET;
THENCE NORTH 45°-08'-47" WEST, A DISTANCE OF 7.06 FEET;
THENCE SOUTH 44°-52'-00" WEST, A DISTANCE OF 8.22 FEET;
THENCE SOUTH 89°-52'-00 WEST, A DISTANCE OF 90.71 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 177.41 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 71.65 FEET;
THENCE NORTH 59°-53'-30" EAST, A DISTANCE OF 34.48 FEET TO THE POINT OF BEGINNING.

LOWER BOUNDARY 449.70 FEET.
UPPER BOUNDARY 461.00 FEET.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
06/13/12 WO. 11-105

EXHIBIT "C-14"



LINE TABLE		
#	BEARING	LENGTH
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N45°08'00"W	26.07'
L4	N89°52'00"E	41.00'
L5	N45°08'48"W	11.31'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

EXHIBIT "B"

LEGAL DESCRIPTION:

SEE EXHIBIT "C-13"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	--
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-15"

LOT B AIR-SPACE

ALL THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ CANYON WAY AS SHOWN ON SAID PARCEL MAP, THENCE SOUTH 89° –50'-25" WEST ALONG THE CENTERLINE OF SAID TAHQUITZ CANYON WAY, A DISTANCE OF 324.08 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 44.00 FEET TO THE NORTH LINE OF SAID TAHQUITZ CANYON WAY AND THE SOUTH LINE OF SAID PARCEL 1
THENCE CONTINUING NORTH 00°-08'-00" WEST, A DISTANCE OF 7.60 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE SOUTH 89°-50'-25" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 201.05 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 31.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 5.70 FEET;
THENCE NORTH 89°-52'-00" EAST, A DISTANCE OF 10.00 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 206.75 FEET TO THE TRUE POINT OF BEGINNING.

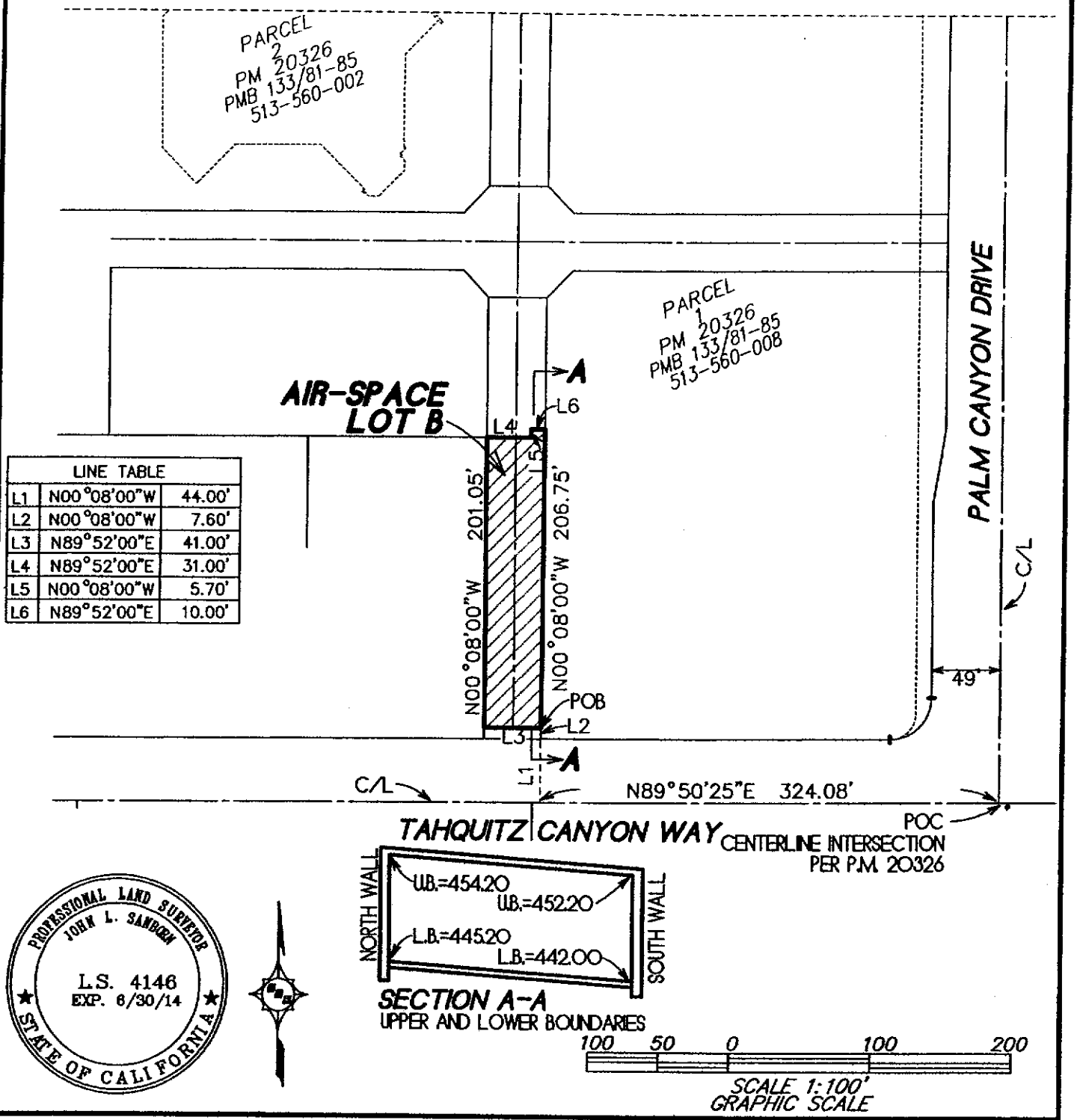
SEE EXHIBIT "B" FOR VERTICAL LIMITS

SEE EXHIBIT "C-16" FOR DEPICTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

EXHIBIT "C-16"



LINE TABLE		
L1	N00°08'00"W	44.00'
L2	N00°08'00"W	7.60'
L3	N89°52'00"E	41.00'
L4	N89°52'00"E	31.00'
L5	N00°08'00"W	5.70'
L6	N89°52'00"E	10.00'

PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/14
STATE OF CALIFORNIA

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

AIR-SPACE LOT B

LEGAL DESCRIPTION:

SEE EXHIBIT "C-15"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	–
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

EXHIBIT "C-17"

LOTS C AIR-SPACE PARCEL 1

ALL THAT PORTION OF PARCEL 3 AND 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET;
THENCE CONTINUING SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET TO THE
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 341.50 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE NORTH 45°-08'-47" WEST, A DISTANCE OF 7.06 FEET;
THENCE NORTH 44°--52'-00" EAST, A DISTANCE OF 65.04 FEET;
THENCE SOUTH 00°-08'-00" EAST, A DISTANCE OF 50.98 FEET'
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET TO THE TRUE POINT OF BEGINNING;

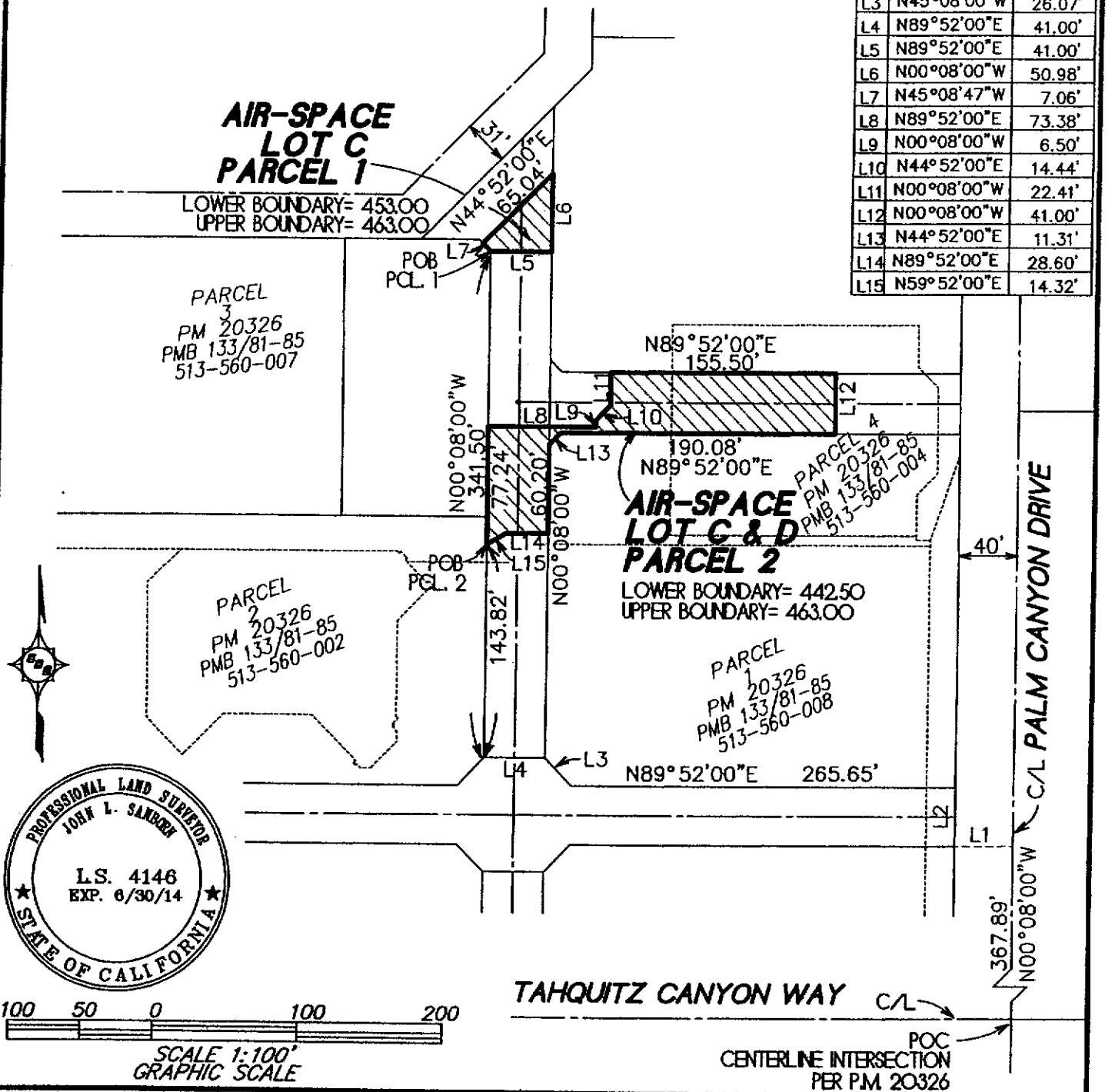
LOWER BOUNDARY 453.00 FEET.
UPPET BOUNDARY 463.00 FEET.
ALSO SEE EXHIBIT "B" FOR VERTICAL LIMITS.

LOTS C AND D AIR-SPACE PARCEL 2

ALL THAT PORTION OF PARCEL 3 AND 4 OF PARCEL MAP NO. 20326 AS FILED IN PARCEL MAP BOOK 133 AT PAGES 81 THROUGH 85 INCLUSIVE, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS;
COMMENCING AT THE CENTERLINE INTERSECTION OF NORTH PALM CANYON DRIVE AND TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP, THENCE NORTH 00°-08'-00" WEST ALONG THE CENTERLINE OF SAID NORTH PALM CANYON DRIVE, A DISTANCE OF 367.89 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 40.00 FEET TO THE WEST LINE OF NORTH PALM CANYON DRIVE;
THENCE NORTH 00°-08'-00" WEST ALONG SAID WEST LINE, A DISTANCE OF 41.00 FEET;
THENCE CONTINUING SOUTH 89°-52'-00" WEST, A DISTANCE OF 265.65 FEET TO THE
THENCE NORTH 45°-08'-00" WEST, A DISTANCE OF 26.07 FEET;
THENCE SOUTH 89°-52'-00" WEST, A DISTANCE OF 41.00 FEET;
THENCE NORTH 00°-08'-00" WEST, A DISTANCE OF 143.82 FEET TO ***THE TRUE POINT OF BEGINNING;***
THENCE CONTINUING NORTH 00°-08'-00" WEST A DISTANCE OF 77.24 FEET;
THENCE NORTH 89°-52'-00" EAST A DISTANCE OF 73.38 FEET;
THENCE NORTH 00°-08'-00" WEST A DISTANCE OF 6.50 FEET;

EXHIBIT "C-19"

LINE TABLE		
L1	N89°52'00"E	40.00'
L2	N00°08'00"W	41.00'
L3	N45°08'00"W	26.07'
L4	N89°52'00"E	41.00'
L5	N89°52'00"E	41.00'
L6	N00°08'00"W	50.98'
L7	N45°08'47"W	7.06'
L8	N89°52'00"E	73.38'
L9	N00°08'00"W	6.50'
L10	N44°52'00"E	14.44'
L11	N00°08'00"W	22.41'
L12	N00°08'00"W	41.00'
L13	N44°52'00"E	11.31'
L14	N89°52'00"E	28.60'
L15	N59°52'00"E	14.32'



CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE _____

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

AIR-SPACE LOTS C AND D

LEGAL DESCRIPTION:

SEE EXHIBIT "C-17, C-18"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 100'	–
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-105	1 OF 1

LOTS C AND D AIR-SPACE PARCEL 2, CONT:

THENCE NORTH 44°-52'-00" EAST A DISTANCE OF 14.44 FEET;
THENCE NORTH 89°-52'-00" EAST A DISTANCE OF 155.50 FEET;
THENCE SOUTH 00°-08'-00" WEST A DISTANCE OF 41.00 FEET;
THENCE SOUTH 89°-52'-00" WEST A DISTANCE OF 190.08 FEET;
THENCE SOUTH 44°-52'-00" WEST A DISTANCE OF 11.31 FEET;
THENCE SOUTH 00°-08'-00" EAST A DISTANCE OF 60.20 FEET;
THENCE SOUTH 89°-52'-00" WEST A DISTANCE OF 28.60 FEET;
THENCE SOUTH 59°-42'-00" WEST A DISTANCE OF 14.32 FEET TO THE TRUE POINT OF BEGINNING.

LOWER BOUNDARY 442.50 FEET.
UPPER BOUNDARY 463.00 FEET.
ALSO SEE EXHIBIT "B" FOR VERTICAL LIMITS

SEE EXHIBIT "C-19" FOR DEPECTION ATTACHED HERETO AND MADE A PART HEREIN.

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN PLS 4146
05/08/12 WO. 11-105

PROPOSED ADDITIONAL CONDITIONS FOR LANDSCAPE PLAN

The applicant shall submit a unified landscape plan for the entire project consistent with the Project financing agreement, including the following elements.

1. *Preliminary Landscape Development Plan (1 colored copy) The applicant shall indicate, on a separate site plan or incorporated into the colored site plan, the basic landscape concepts for the project. This should include tree and shrub grouping, groundcover areas, flatwork concepts, significant grading concepts and a written statement of the landscape development concept for the project.*

2. Project Master Streetscape Plan

- Establishment of a basic design theme for street furniture and similar hardscape elements
- Proposed location of hardscape elements including planters, fountains, retaining walls, others
- Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks, others?
- Proposed thematic plantings
- Proposed street signage and way finding
- Transitions to existing improvements
- Locations for public art
- Plans for temporary and permanent preservation of the Palm Springs Walk of Fame
- Plans for temporary pedestrian routes during construction

3. Master Pedestrian Paseo Plan:
The project proposes a pedestrian promenade from the Hilton Hotel to the new public square at the corner of Tahquitz and North Palm Canyon. The promenade includes four elements from north to south:

- The connection from the Hyatt Hotel through Building "A"
- Market Street between Building "B" and "B-1"

Submitted to Planning Commission

DEC 05 2012

Case # 1

- Pedestrian Plaza from New Main Street and to the new public square at
- New Public Square at the corner of Tahquitz and North Palm Canyon

As part of the Landscape Plan, the applicant shall prepare a master plan for this promenade element including the following elements.

- Establishing a unified "brand" for the four elements of the Paseo to encourage pedestrians to follow the entire Paseo.
- Proposed location of hardscape elements including planters, fountains, retaining walls, others
- Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks, others?
- Proposed thematic plantings
- Proposed Paseo signage and way finding
- Locations for public art
- Easements required to ensure public access along the Paseo, including through Building A.
- Operational Plan for Market Street, including timing and procedures for opening and closure of the street to vehicles
- Establishing of a minimum clear width for the Paseo between New Main Street and Tahquitz in this segment. 12', 20'?
- Considerations for bicycle usage on the Paseo segment between New Main Street and Tahquitz (if allowed).
- Establishing guidelines for business encroachment (i.e., outdoor dining) into Market Street and the pedestrian connection from New Main Street to Tahquitz. (this may go somewhere else)
- Master Plan for the Public Square at Tahquitz and North Palm Canyon (This intersection is the exact center of downtown Palm Springs and the design of the Public Square should reflect the importance of the location)

At the block level, there would be a condition that the landscape plans for each building be consistent with the approved Master Landscape Plan

CITY COUNCIL STAFF REPORT

DATE: December 19, 2012 PUBLIC HEARING

SUBJECT: Downtown Palm Springs Renovation Project:
TPM 36446 / Tentative Parcel Map,
MAJ 3.3605, 3.3606, 3.3607 / Major Architectural Approvals, and
5.1290 PD 361 / Planned Development Permit

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council will review the following applications:

1. By Palm Springs Promenade LLC (Wessman Development) and the City of Palm Springs:
   a. Tentative Parcel Map No. 36446 to subdivide 13.6 acres into fourteen lots for development and four lots for public streets.

2. By Palm Springs Promenade LLC (Wessman Development):
   a. Major Architectural Approval Case No. 3.3605 for development of lands located at the northwest corner of North Palm Canyon and Andreas Road (new): Block "A",
   b. Major Architectural Approval Case No. 3.3606 for development of lands located at the northwest of North Palm Canyon and "New Main Street": Block "B",
   c. Major Architectural Approval Case No. 3.3607 for development of lands located along the westerly frontage of North Palm Canyon Drive, south of "New Main Street": Block C, and
   d. Planned Development District Case No. 5.1290 / PDD 361 for development of a hotel in excess of 60 feet in height and associated uses located at the northeast corner of West Tahquitz Canyon Way and Belardo Road (new): Block "c-1".

The applications are collectively submitted as the Downtown Palm Springs Renovation Project for lands within the existing Desert Fashion Plaza site, generally located at the northwest corner of N. Palm Canyon Drive and W. Tahquitz Canyon Way. A public

PLANNED DEVELOPMENT DISTRICT

hearing is required.

RECOMMENDATION:

1. Open the public hearing and receive public testimony;

2. Adopt the following resolutions:

   A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 36446 TO SUBDIVIDE THE MUSEUM MARKET PLAZA PROPERTY OF APPROXIMATELY 13.57 ACRES INTO 14 PARCELS FOR DEVELOPMENT AND 4 LOTS FOR PUBLIC INFRASTRUCTURE, LOCATED AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND TAHQUITZ CANYON WAY

   B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.3605 – MAJ FOR THE DEVELOPMENT OF BLOCK A OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT, LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD (NEW)

   C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.3606 – MAJ FOR THE DEVELOPMENT OF BLOCK B OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT, LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND "NEW MAIN STREET"

   D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.3607 – MAJ FOR THE DEVELOPMENT OF BLOCK C OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT, LOCATED ALONG THE WESTERLY FRONTAGE OF NORTH PALM CANYON DRIVE, SOUTH OF "NEW MAIN STREET"

   E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING CASE NO. 5.1290 / PDD 361 / BLOCK "C-1", A PRELIMINARY PLANNED DEVELOPMENT DISTRICT FOR A HOTEL OF APPROXIMATELY 185 ROOMS, RESTAURANTS, MEETING ROOMS, RETAIL USES AND ANCILLARY USES, LOCATED WITHIN BLOCK C OF THE MUSEUM MARKET PLAZA SPECIFIC PLAN AT THE

PLANNED DEVELOPMENT DISTRICT

NORTHEAST CORNER OF WEST TAHQUITZ CANYON WAY AND BELARDO ROAD

PRIOR ACTIONS:

On December 2, 2009, the City Council made findings, adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and certified the Museum Market Specific Plan Environmental Impact Report ("Specific Plan EIR") and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan. The Specific Plan covers the design guidelines and development standards for the area commonly known as the Desert Fashion Plaza.

On September 29, 2011, the City and Palm Springs Promenade, LLC, entered into a Project Financing Agreement applicable to the financing, development, redevelopment, creation and refurbishment of public and private improvements within the Specific Plan area (the "Agreement"). The Agreement included, among other things, a Site Plan and Project Description depicting the proposed improvements.

On October 17, 2012, the City Council approved Amendment No. 2 to the Project Financing Agreement between the City and Palm Springs Promenade, LLC (the "Amendment"). The Amendment included an Updated Site Plan and "Updates to Project Description" reflecting modifications to the proposed improvements originally approved in the Agreement. The Amendment provided that the Updated Site Plan and Updates to Project Description amended and superseded the original Site Plan and Project Description, respectively, in the Agreement. On October 17, 2012, the City Council also conducted a conformity review of the project described in the Amendment, as allowed by the Museum Market Plaza Specific Plan, and concluded that the project conformed to the policies and objectives of the Specific Plan. In support of these actions, the City Council adopted an Addendum to the Specific Plan EIR pursuant to the California Environmental Quality Act ("CEQA"). The City Council found that the proposed project described in the Amendment was within the scope of the Specific Plan EIR, and, based on the Specific Plan EIR and Addendum, found that no further environmental review was required. (Public Resources Code § 21166; California Code of Regulations, Title 14, §§ 15162, 15164.)

The City is now in the process of considering additional entitlements implementing the project approved in the Amendment for CEQA purposes on October 17, 2012. On December 5, 2012, the Planning Commission adopted resolutions recommending the Tentative Parcel Map and approving the three Major Architectural Approvals and the Planned Development District permit.

On December 6, 2012, the City received Councilmember Mills request to review the Planning Commission actions on the project.

BACKGROUND AND SETTING

PLANNED DEVELOPMENT DISTRICT

The Museum Market Plaza is located in the heart of the City's Business District, specifically at the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way. The irregularly shaped property is bounded by Belardo Road to the north, Tahquitz Canyon Way to the south, Museum Drive to the west and North Palm Canyon Drive to the east.

The original Desert Fashion Plaza was built in the late 1960's; since then there have been several renovations and additions especially around the 1980's. A portion of the property that was once occupied by Bank of America was recently demolished as part of the preparations for the redevelopment of the site.

Table 2: Surrounding land uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Hyatt Hotel & Retail & Comm.	CBD & Open Space	C-B-D
South	Retail / Commercial Buildings	CBD & Small Hotels	R-3
East	Retail / Commercial Uses	CBD	C-B-D
West	Palm Springs Art Museum	Public/Quasi-Public	C-B-D

PROJECT DESCRIPTION

Tentative Parcel Map 36446

The proposed tentative parcel map (TPM 36446) would create fourteen (14) parcels for future development and four (4) lots for public street right-of-way. The map is required to reconfigure the site for development and financing purposes. The development parcels will range from 11,486 to 66,940 square feet in size. Lots A, B, C and D represent public street rights-of-way, and are generally sized and designed for two lanes of vehicular traffic (one lane each way) and on-street parking. The street lots and parcels 8, 9, 10 and 11 will be owned by the City, who is co-applicant for the map:

There are four zoning entitlements associated with the project: Three Major Architectural Approvals and a Planned Development District.

Major Architectural Approval 3.3605 / Block "A"

This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with a portion of the Desert Fashion Plaza and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,607 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of the block. The applicant reports that the remainder of the site is divided between landscaping (10%) and hardscape (12%).

PLANNED DEVELOPMENT DISTRICT

Major Architectural Approval 3.3606 / Blocks "b / b-1"

Blocks b / b-1 are immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed (Block b and Block b-1), with a maximum of two-stories and about 40 feet in height. Total square footage is not known at this time as the applicant has indicated that the building along the westerly side is to be redesigned and resubmitted; the proposed uses of the remaining building will be retail, restaurant and office. The building pads are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings, a private street is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The applicant reports that building coverage will be about 67% of the site, with landscaping and hardscape covering 33%.

Major Architectural Approval 3.3607 / Block "c"

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block c is proposed to be divided into two projects. Block C will include buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to N. Palm Canyon Drive and "New Main Street", but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling about 45,000 square feet. The applicant reports that building coverage will be about 53% of this portion of Block C, with 26% landscaping and 7% paving.

Planned Development District PD 361 / Block "c-1"

A hotel of approximately 185 rooms is proposed on the westerly (back) half of Block c-1, with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 84 feet (plus elevator / stair tower). Total floor area is about 180,000 square feet, and includes restaurant and retail uses in addition to the hotel and its support uses and services. The applicant reports that the building footprint will cover about 60% of the site; landscaping and hardscape will comprise the remaining 40%.

STAFF ANALYSIS:

The General Plan policies and zoning will be governed by the development standards and guidelines of the Museum Market Plaza Specific Plan. The Central Business District allows a minimum lot size of 9,600 square feet, with a minimum lot width of 75 feet, and minimum lot depth of 128 feet. The proposed mixed-use lot sizes will range from 14,807 to 66,940 square feet; the public access lots (lettered lots A-D) sizes will range from 12,240 square feet to 30,399 square feet in size, additional analysis are provided below. All other development standards in the new subdivision will be consistent with the General Plan and the Specific Plan.

Site Layout / Access

PLANNED DEVELOPMENT DISTRICT

The most notable physical changes in the layout of the proposed parcel map are the lots designated for public roads.

- Lot A, will be developed as pubic access linking Palm Canyon Drive to Museum Drive, and terminates directly at the entry to the Palm Springs Art Museum.
- Lots B and C will extend Belardo Road through the site, connecting it to the existing streets south of Tahquitz Canyon Way and behind the Hyatt Hotel to the north.
- Lot D will be an extension of Andreas Road, from Palm Canyon Drive to the Belardo Road extension.

These new streets will be owned and maintained by the City; the developer will have air rights to these parcels. In addition, the City will own Parcels 8, 9, 10, and 11; currently, these parcels contain the subterranean and above ground parking structures (see attached map).

Vacations and Acquisitions

To accommodate future development along the frontage of City streets, the City will vacate portions of the current sidewalk areas, as agreed to in the Project Financing Agreement. These areas will be rededicated to the City as easements for sidewalks and pedestrian rights-of-way upon completion of construction activities on these parcels. In addition to the above-mentioned areas, the City will acquire Parcels 8, 9, 10 and 11.

Property Development Standards

The Museum Market Plaza Specific Plan standards and guidelines govern the development of the site and apply to the three Major Architectural Approvals and the Planned Development District. The standards to be evaluated are:

- Permitted and Conditionally Permitted Uses
- Setbacks, Overall Building Height and Stepbacks
- Maximum Allowed Square Footage and Building Mass
- Projections Above Building Height or into Rights-of-Way
- Open Space
- Building Articulation
- Parking and Trash Enclosures

It should be noted that the blocks proposed on the Tentative Parcel Map vary from those shown on the Specific Plan. On October 17, 2012, the proposal was reviewed by the City Council under Section V.2 "Conformity Review Procedure". Since the public parking and a portion of the Desert Fashion Plaza (Block A) are proposed to be retained, the proposal was accepted by the Council as a renovation project, and further determined to be conforming to the Specific Plan. Consequently, staff has approached the project's review against the Specific Plan's development standards with some flexibility, as further explained below.

Permitted and Conditionally Permitted Uses

Permitted and conditionally permitted uses by the Specific Plan are found on the table attached to this report as Exhibit 3. In addition, there are "ground floor use limitations"

PLANNED DEVELOPMENT DISTRICT

(Section III.E.1) which require that street frontages be reserved for retail and tourist-oriented goods and services. Based on staff's understanding of the project, the proposal is expected to conform to the allowed uses, including the hotel. The buildings are generally oriented for retail commercial, restaurant and upstairs office uses. Final review and approval of specific uses will be undertaken at the time any business license application or other zoning clearance is submitted by future tenants.

Setbacks and Overall Building Height

The setbacks required by the Specific Plan for these applications may be summarized as follows: For Palm Canyon, 15 feet; for all other streets, 12 feet; and for interior property lines, zero setback. The following table summarizes actual and required setbacks:

Block and Street	Provided (Ft)	Required Setback (Ft.)
Block "A"		
N. Palm Canyon Drive	17	15
Andreas Road	12	12
Belardo Road	17	12
Interior Line (north side)	0	0
Block "b"		
N. Palm Canyon Drive	18	15
New Main Street	14	12
Interior Line (west side)	0	0
Andreas Road	15	12
Block "b-1"		
New Main Street	***1***	12
Belardo Road	***0***	12
Andreas Road	***7***	12
Interior Line (east side)	35	0
Block "c"		
N. Palm Canyon Drive	15	15
Tahquitz Canyon Way	94	12
Interior Line (west side)	0	0
New Main Street	12	12
Block "c-1"		
Tahquitz Canyon Way	15	12
Belardo Road	***7***	12
New Main Street	***10***	12
Interior Line (east side)	0	0

As noted in bold / italics, Block "b-1" and "c-1" provide less setbacks than required. The applicant has indicated that a redesign of the building on Block "b-1" will be submitted at a later date, and the Commission has approved the associated case (3.3606-MAJ) for such resubmittal. For the hotel in block "c-1", the applicant has requested the identified reductions as part of the Planned Development District permit.

Stepbacks

Stepbacks are intended to provide additional distance from the street for taller building elements to improve long-distance views and reduce any 'canyon effect' for pedestrians. The Specific Plan defines stepbacks as, "...the horizontal distance a building face must be set back from the property line at each given height." Different stepbacks have been adopted for the various streets in the Specific Plan area, and the following chart shows the actual and required stepbacks for the proposed project:

Block and Street	Provided (Ft) Height / Stepback	Required (Ft.) Height / Stepback
Block "A"		
N. Palm Canyon Drive	Height under 30 ft.	30 / 20
Andreas Road	Height under 30 ft.	30 / 10
Belardo Road	Height under 30 ft.	30 / 15
Block "b"		
N. Palm Canyon Drive	30 / 70	30 / 20
New Main Street	30 / 15	30 / 10
Andreas Road	30 / 14	30 / 10
Block "b-1"		
New Main Street	30 / ***1***	30 / 10
Belardo Road	30 / ***0***	30 / 15
Andreas Road	30 / ***7***	30 / 10
Block "c"		
N. Palm Canyon Drive	30 / 18	30 / 20
Tahquitz Canyon Way	35 / 217	35 / 20
New Main Street	30 / 11	30 / 10
Block "c-1"		
Tahquitz Canyon Way	35 / ***15***	35 / 20
Belardo Road	30 / ***7***	30 / 15
New Main Street	30 / 10	30 / 10

Again, Blocks "b-1" and "c-1" have non-conforming conditions. The Planned Development Permit for the hotel may be used to allow the Block "c-1" encroachments.

As previously noted, the building on Block "b-1" is proposed and conditioned to be resubmitted at a future date.

Building Height
The maximum allowed building height for the Specific Plan is generally 60 feet, but there are exceptions:

Block	Provided (Ft)	Maximum Allowed Building Height (Ft)
A	20.5	60
b	***38***	16 (former Block B)
b-1	***39***	16 (former Block B)
c	46.5	60
c-1	***84***	60

The Specific Plan envisioned Block B as a green space with few buildings. On October 17, 2012, the City Council's deemed the present plan (including development of Block "b / b-1") to be conforming, requiring that flexibility be used in applying the Plan's Block B standards. Staff believes that the general height standards (max. 60 feet) can apply to Block "b / b-1", which would make the two proposed buildings conforming. The height in Block "c-1" may be addressed through the hotel Planned Development Permit.

Projections above Height or into Rights-of-Way
The Specific Plan allows limited projections above the maximum building height (vertical projections) or into street rights-of-way (horizontal projections). Vertical projections may not exceed fifteen (15) feet above the building height. Horizontal projections are allowed as:

- Awnings or architectural features (no more than 10 feet into the ROW),
- Porticos (not exceeding 20% of the building's linear frontage), or
- Balconies and terraces (not more than six (6) feet into the ROW)

Since the map proposes a revision to property boundaries, staff has concluded that no ROW encroachments (horizontal projections) are evident in any of the blocks. Vertical projections above the building heights are:

Block	Provided (Ft)	Maximum Above Building Height (Ft)
A	+ 8	+ 15
b	+ 7	+ 15
b-1	+ 9	+ 15
c	+ 7	+ 15
c-1	+ 8	+ 15

The project conforms to this standard.

Maximum Allowed Square Footage and Building Mass

The Specific Plan establishes limits for development intensity using standards for maximum square footage (floor area) and maximum building mass (volume). The applicant has not submitted information on building mass, so only square footage can be analyzed at this time:

Block	Provided (Sq Ft)	Maximum Allowed Floor Area (Sq Ft)
A	52,507	220,000
b / b-1	75,562	3,000
c / c-1	223,900	245,000

As with building height, staff has concluded that the maximum allowed floor area standard must be treated with some flexibility based on the Council's action of October 17, 2012. While transfers of square footage between blocks are permitted by the Specific Plan, such transfers are limited to no more than 15%. Staff believes that a larger transfer may be recognized between Blocks "A" and "b / b-1" so long as the maximum sum allowed on the two blocks is not exceeded. Such is the case with the proposal and staff believes that it can be determined to be conforming.

Open Space

A minimum amount of open space is required by the Specific Plan in each Block:

Block	Provided (%)	Minimum Open Space (%)
A	21.6	10
b / b-1	33.1	90
c	47.1	10
c-1	40.3	10

Here is another case where the Block B standards from the Specific Plan require interpretation and a flexible approach. Block "b / b-1" has been accepted by the City Council as appropriate for more intensive development under the proposed renovation plan. Consequently, a lower percentage more closely aligned with the other blocks is appropriate. Since all blocks provide open space in a range from 20 to over 45%, the project overall can be considered conforming to the Specific Plan.

Building Articulation

Standards for the articulation of building facades are established in the Specific Plan to avoid excessive uniformity / monotony. An articulation may either protrude or recess at least two (2) feet from adjoining wall surfaces, and at intervals of no less than sixty (60 feet across an exterior elevation. Staff has reviewed the proposed elevations and determined that the upper floor west elevations of both buildings on Blocks "b" and "b-1" lack sufficient articulation to meet the standard. These conditions may be resolved with

further design work through the architecture review process. All other building facades provide the minimum articulation specified in the Plan.

Parking, Loading and Trash Enclosures
The parking standards for the project as established in the Specific Plan are relatively straightforward: Hotels must provide one vehicle space for each room and all other uses must provide one space for each 325 square feet of floor area. Staff has calculated the parking requirement for the project:

Block and Floor Area (Sq Ft) / Rooms		Required (No. of Spaces)
A	52,507 ÷ 325	162
b	42,082 ÷ 325	129
b-1	33,480 ÷ 325	103
c	45,937 ÷ 325	141
c-1	14,107 ÷ 325	43
c-1	185 Hotel Rooms	185
Required Parking **TOTAL**		**793+**

Staff notes that there are approximately eleven hundred (1,100) public parking spaces within the Specific Plan area. Further, the project is deemed by the City Council to be sufficiently supplied with parking via these public parking facilities. Consequently the parking demand is considered to be met.

Loading facilities and trash enclosures are shown throughout the project, and will be further discussed following review by the Architectural Advisory Committee.

Architecture – General Provisions
The Museum Market Plaza Specific Plan discussion of architecture identifies certain general principles for the physical development of the site. The existing surrounding environment needs to be taken into account so that development achieves, "...sympathetic relationships between the new buildings and the existing adjoining developments..." The blocks of the Specific Plan must be "...clearly identified by a coherent visual identity." Lastly, the Specific Plan calls for a, "...unified, distinctive and adaptable urban design concept, that is based on versatile design principles..."

The "sympathetic relationships" objective appears to be generally met by the project as the edge of the blocks fronting N. Palm Canyon Drive are proposed to be one story buildings, with the exception of the three story corner building in Block C, at Palm Canyon and "New Main". The major challenge is the height of the hotel along West Tahquitz Canyon Way; where the six-story building is setback from the street curb about 30 to 35 feet. Adjacent existing development includes the three-story Palm Mountain Resort & Spa at the southwest corner of Tahquitz and Belardo, but directly south is a surface parking lot serving the Oasis mixed use commercial building (southwest corner W.

Tahquitz Way and S. Palm Canyon Drive). The overall plan respects the scale of development along Palm Canyon Drive and at the corner of Palm Canyon Drive and Tahquitz Canyon Way, but the hotel presents a significant mass close to Tahquitz at Belardo Road.

The "coherent visual identity" objective is met in part by the grid of small, urban-scale blocks that provides a repetitive block pattern along N. Palm Canyon Drive. Further, distinctive street paving will enhance a visual identity of the site. Finally, the landscape and street furniture plans have the potential to confirm a coherent visual identity, and should be reviewed with that goal in mind. Meanwhile, building architecture is not seen as fulfilling this objective as the elevations and building façades are proposed to vary throughout the site.

The last overall objective is to establish a "unified, distinctive and adaptable urban design concept". Since "unified" and "distinctive" are potentially conflicting ideas, the question is whether the sum of the projects' design elements meets the objective in a coherent, successful way. As noted above, the block pattern, streetscape, and landscape should contribute to a unified look and should be sufficient for that purpose. Distinctiveness should be achieved through building architecture, materials, finishes and colors. The building elevations on Blocks A, B and C provide distinctive looks within a contemporary genre, but it is unlikely that upon completion the present design will be read as anything but a single project. This will be mitigated over time as new tenants modify individual façades for their own branded look.

The last part of the objective is "adaptable", which has to be taken into consideration within the context of buildings which will have a life of thirty to fifty years. This proposal provides adaptability in the storefront elevations that will be modified by individual tenants, the open courtyards and Market Street that are available for outdoor uses and the flexible use of Block A as a new-styled multi-tenant retail complex.

Architecture – Building Height, Scale and Massing

The Specific Plan recognizes that the site is intended for "...an intensive level of development...", but that the pedestrian experience requires buildings to be "...designed to the human scale with active, pedestrian friendly frontages." View corridors and public and private open spaces are to be provided throughout. An average maximum height of 60 feet is to be maintained, although hotels may exceed 60 feet. Most significantly, building elements must be varied to reduce the appearance of mass and avoid "cliff-face" frontages. Guidelines for individual blocks are also identified and discussed below.

The pedestrian-level objectives are generally met by the project as one-story buildings predominate along N. Palm Canyon Drive and the internal street frontages are primarily retail and restaurant spaces. Necessary "back-of-house" and service entries are minimized. View corridors along the internal east-west streets are provided. Public and private open spaces are found on Blocks B and C, with the existing building on Block A

retained and re-purposed to including interior public circulation, including connection to the abutting Hyatt Hotel.

Overall height of the three blocks is maintained at an average less than 60 feet, including the hotel in Block C which has a maximum height approaching 90 feet. However, the proposed hotel presents a tall façade at Tahquitz Canyon Way as well as a six-plus story building mass along Belardo. The architecture mitigates some of the building's height so that it does not appear "cliff-faced", but its overall volume remains pronounced. Given the developer's expressed need for a hotel of 185 rooms to support the remainder of the project and the goals of creating pedestrian-friendly street frontages and useful open spaces, the design and placement of the hotel is the project's primary trade-off within the Specific Plan's design guidelines.

Block A
The massing of Block A buildings is relatively low in respect to the Hyatt Hotel to the north. Since the existing mall building is to be retained, the relationship to the hotel's south elevation is unchanged. The three street elevations are arranged to include entryways oriented to pedestrian uses, and retail and restaurant facades "frames" that are available for future tenant customization.

Block B
The Specific Plan's approach to Block B has been modified by this proposal and the Council's conformity review of October 17, 2012. Consequently, the development of Block B with two two-story buildings and a private alley should be evaluated in light of the overall plan's scope. The one-story portion facing N. Palm Canyon Drive is respectful of the scale of development along the street, and the two story portion is setback significantly. The overall scale and placement of the Block B buildings are an appropriate transition between Block A and C; however the westerly building encroaches into setbacks and rights-of-way and is proposed, and conditioned for redesign and resubmittal.

Block C
Stepped frontages and massing "concentrated toward the center" are required in order that the volume of the larger buildings respects the surrounding streetscapes and development intensities. This is achieved along Palm Canyon in Block C, with the exception of a three-story building at the corner of Palm Canyon and "New Main" providing a modest landmark statement. As previously noted, the proposed hotel does not meet the guidelines for avoiding significant building mass along the street edge. Neither does it step back from Tahquitz Canyon or Belardo, nor concentrate that mass toward the center. As previously noted, this arrangement allows for several desirable features: The lower, pedestrian-oriented buildings along Palm Canyon; the internal pedestrian courtyard; and the size of hotel identified as necessary to support the project.

Architecture – Architectural Style and Treatment

Recognizing that Palm Springs' existing downtown development is an eclectic mix of styles, the Specific Plan also states that new development should be "of its time, using contemporary designs of a scale and form reflective of locally distinctive models." The challenge noted by the Specific Plan is to provide variations on a consistent architectural theme, with a variety of detailing and materials; the buildings should not be too "idiosyncratic".

Additional objectives include incorporating a sustainability paradigm, a response to the demands of the desert climate, and the sensitive treatment of street fronts. More specific direction is provided to assure the recesses and reveals provide shade and visual interest, including building projections, covered walkways and arcades. Buildings situated at important intersections should receive special treatments.

Overall, the project achieves the stated objectives. A contemporary style is adopted throughout the project, without the introduction of artificial variety (such as Mission Revival or Art Deco segments). The elevations at the street level as well as on the upper floors are composed of a variety of materials and colors arranged with slight variations in scale, massing, and repetition. The architecture supports the underlying objective of most downtowns: Providing "safe discovery" for pedestrians moving among the small blocks of shops and restaurants.

Architecture – Storefronts

According to the Specific Plan, storefronts should be "visually permeable", with clearly-defined entrances. While detailed storefront designs will be provided by individual tenants in the future, the elevations proposed for the retail and restaurant buildings show significant glazing and flexible "frames" for future tenant use.

Architecture – Building Materials

Exterior building materials are to be provided from a "rich palette of complementary materials and finishes." The Specific Plan also notes that the intense level of development contemplated for the area requires that building facades be "softened" by surface treatments. The deliberate and coordinated use of colors, materials, textures and glazing should aim to visually reduce building mass, create shadow effects and promote a sense of permeability and spaciousness.

The project includes color / material boards for each block that provide coordinated, but varied palettes of muted colors for the main stucco finishes with stone, tile, aggregates and metals used for accents and highlights. The colors are muted desert colors, with coordinated accents, and materials include tiles and metal to add interest. It is expected that the ground floors will present more diverse and energized elevations, especially once tenants propose their specific storefront designs. Upper levels are somewhat more subdued to achieve the 'softening' contemplated by the Specific Plan. Overall, the color and material boards achieve the Plan's objectives.

Connectivity, Streetscapes, Open Spaces

The Museum Market Plaza Specific Plan recognizes that the configuration and design of streets and passageways are vital to assuring full use of the downtown area by pedestrians and drivers. East-west linkages are especially important and the Tentative Parcel Map and proposed site plan provide an extension of Andreas Road, as well as a new "Main" street to penetrate the site. "New Main" Street's western terminus in front of the Palm Springs Art Museum will provide a formal and dramatic visual connection between N. Palm Canyon and a major community institution and architectural landmark.

The extension of Belardo Road through the site (north-south) further develops the idea of a downtown by creating small blocks for increased retail frontage and pedestrian access. Outdoor passageways within Blocks B and C and the indoor passage in the Block A building further enhance opportunities for exploring the area and creating the hierarchy of streets and pedestrian linkages called for in the Plan.

The importance of off-site views is highlighted in the Specific Plan as, "...existing view corridors are protected and new ones created." The new east-west streets provide for enhancement of existing and new views, with street trees providing a frame as called for in the Plan. The proposed arrangement of one- to three-story buildings and a six-plus story hotel is expected to have a mixed impact on views, depending on the location of the observer. By eliminating major portions of the existing Desert Fashion Plaza, the plan is anticipated to open up some views that did not exist before, while reducing others somewhat.

Street design treatments are to provide "...a strong sense of continuity and place..." Consistent with the Plan's direction, sidewalks are provided on the streets and internal open spaces, "...to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use." Most sidewalks are at least 8-feet wide, and internal passageways range in width from ten (10) to eighty (80) or more feet. While street treatments and furnishings are not specifically identified, the applicant has indicated that pavers and other decorative treatment will characterize the streets and that asphalt concrete will be minimal. These treatments will provide the unifying character to the area as the buildings and open spaces provide unique shopping and dining experiences, storefront-by-storefront and block-by-block.

Connectivity – Public Open Spaces

The Specific Plan's discussion of Block B highlights its role in the Plan's vision of a central public gathering place. The City Council's October 17, 2012 conformity determination of the current site plan postpones this vision for the current renovation plan. The distinctive sense of place that is to be anchored by the public plaza is now achieved by other means: The Market Street in Block B, the pedestrian corridor from the Hyatt to the corner of Palm Canyon and Tahquitz and the use of Block E as an interim outdoor event space (not a part of the current entitlements).

Landscaping

Landscape guidelines in the Specific Plan focus on assuring that landscaping adds to the area's high-quality design, while respecting the desert setting and the need to be drought-tolerant. The choice of landscape materials must also consider the "vertical dimension" in the use of palm trees, as well as trees that will provide shade. The Specific Plan calls for the establishment of three landscape zones: 1) The Streetscape Zone, with palm trees predominating along the streets (to emulate those on Palm Canyon Drive), 2) The Transition Zone with a greater variety of shade trees and shrubs on secondary streets (Market Street), and 3) The Open Space Zone, where the widest variety of plants is used in the plazas and public spaces.

Further, landscaping is supposed to highlight and enhance focal points, including a Major Focal Point at Museum Drive and New Main (called Museum Way in the Specific Plan). Minor Focal Points (Palm Canyon and New Main, Belardo and New Main, and Andreas and Belardo) must also be give special attention. Finally, the Specific Plan provides a recommended landscape palette from which a landscape plan should be developed. While only a conceptual landscape plan has been submitted, it appears to achieve the goals of the Specific Plan. More detailed landscaping needs to be presented before a final action is taken by the City.

Street Furniture, Lighting and Art

As a vision for a pedestrian-oriented area, the Specific Plan recognizes that "Well-designed street furniture, lighting and public art enliven townscape character and contribute to a strong sense of local identity." As with other design elements, street furniture, lighting, and art should be selected to support the overall identity of the planning area, yet also providing variety and distinctiveness. No plan for these elements has been presented, and detailed specifications and plans will be needed prior to final action.

Public Benefit Policy for Planned Development Districts

On September 17, 2008, the City Council adopted a policy requiring public benefits be provided with every proposed Planned Development District. The policy states that the public benefit should be proportionate to the deviation or relief sought from the underlying development standards for the zone.

The applicant is seeking relief from the height standards and certain setback and stepback standards of the Museum Market Plaza Specific Plan, and the following public benefits have been proposed:

- Fulfillment of the Museum Market Plaza Specific Plan objectives;
- Redevelopment of the Desert Fashion Plaza site;
- Revitalization of the downtown core;
- Construction of a new, high-quality hotel; and
- Development of public courtyards and other pedestrian-oriented spaces

Staff believes the degree of relief sought by the applicant is significant, but that the proposed public benefits are proportionate with the deviations being sought by the PDD.

A finding in support of this conclusion is provided below.

REQUIRED FINDINGS:

Tentative Parcel Map Findings

The following findings required for the proposed Tentative Parcel Map are pursuant to Section 66474 of the California Subdivision Map Act. Unlike most findings used by the City, these findings are presented in the negative such that if any of them are met, the City shall deny approval:

1. *That the proposed map is not consistent with applicable general and specific plans as specific in Section 65451;*

   The project is subject to the Museum Market Plaza Specific Plan ("Specific Plan'), which governs as both general plan and specific plan (zoning) for the site. The proposed map implements the land use and development objectives of the Specific Plan by establishing a public street grid within the boundaries of the site and in alignment with surrounding streets. The plan further establishes lots of record for the redevelopment of small commercial blocks in the City's downtown core, which is a primary objective of the specific plan. Consequently, the proposed map is consistent with the applicable general and specific plans, and this finding is not met.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

   The design of the proposed subdivision and the associated improvements will implement the goals and objectives of the applicable Museum Market Plaza Specific Plan in that public streets, sidewalks, parking facilities and related public facilities will be established within the project boundaries in support of future private development. The design of the street grid will provide vehicular access and parking, as well as pedestrian access in alignment with surrounding streets and sidewalks ways that will extend the urban character of the surrounding area into the site. Consequently, the design of the proposed subdivision and the associated improvements are consistent with the applicable general and specific plans, and this finding is not met.

3. *That the site is not physically suitable for the type of development;*

   The site is slightly more than thirteen (13) acres and is generally flat with a gentle slope from north to south and west to east. Existing improvements on the site include underground parking facilities, which are to be retained and an enclosed retail shopping center, which will be largely demolished. Surrounding areas are developed with urban commercial buildings and

uses. The site will accommodate the proposed subdivision of fourteen private lots and associated public streets, and the subdivision will facilitate re-use of the site for an expansion of the City's downtown retail commercial core, as intended by the applicable Museum Market Plaza Specific Plan. Consequently, the site is physically suitable for the type of development, and this finding is not met.

4. *That the site is not physically suitable for the proposed density of development;*

The subdivision proposes to establish public streets and public and private parcels within a flat, gently sloping site to expand the existing downtown core. The proposed density of development will include existing underground parking; one, two and three story buildings; as well as a multi-story hotel and future development on fourteen parcels. The site is bordered by two major thoroughfares (N. Palm Canyon Drive and West Tahquitz Canyon Way), and additional local public streets will be constructed. Adequate lot sizes, access and parking are provided for the proposed density of development. Consequently, the site is physically suitable for the proposed density of development and this finding is not met.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;*

The design of the subdivision and the proposed improvements have been evaluated under the provisions of the California Environmental Quality Act (CEQA) and an Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program and subsequent EIR Addendum have been prepared and certified for the proposed subdivision. No substantial environmental damage nor substantially or avoidable injury to fish, wildlife or their habitat is expected to occur. Consequently, this finding is not met.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems;*

No serious public health problems have been identified in the certified Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program or subsequent EIR Addendum prepared for the proposed subdivision and its anticipated improvements. Consequently, this finding is not met.

7. *That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large, for access through or use*

of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easement of record or to easement established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property with the proposed subdivision;

All easements on or near the subject site have been identified. New easements and other agreements have been established between the applicants, including the City of Palm Springs to resolve all access issues. Consequently, this finding is not met.

Major Architectural Approval Guidelines

The Palm Springs Zoning Code Section 94.04.00(D) provides guidelines for the architectural review of development projects, with conformance evaluated based on the guidelines presented below. The attached draft resolutions provide block-specific responses to each of the guidelines; a summary of these findings is provided in this report.

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

   The project proposes the demolition of a portion of the existing Desert Fashion Plaza building and the construction of retail commercial buildings fronting either N. Palm Canyon Drive, Belardo Road (new), Andreas Road (new) and "New Main" street. The buildings will range in size from one to three stories, thereby maintaining a low-rise appearance along N. Palm Canyon consistent with the building scale in the area. Pedestrian access is provided on sidewalks along all perimeter public streets and via the private street ("Market Street") in Block B and the open courtyard within Block C / C-1. Underground parking can be accessed from nearby stairways and elevators via public sidewalks.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

   The buildings are constrained in size by the street grid so that they remain in scale with the surrounding area. The heights of the proposed buildings range from 28 to 50 feet and are generally consistent with the development

character of the surrounding area, which includes one-, two- and multiple-story buildings. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs among the blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The proposed buildings' mass and overall height are generally consistent with development patterns in the area. The setbacks for the buildings fronting N. Palm Canyon provide sufficient sidewalk width and additional space for outdoor seating. The building identified as Block "b-1" is proposed for continuance and redesign, as indicated in the conditions of approval for Case No. 3.3606. Parapets and other design elements will provide screening of proposed rooftop equipment.

4. *Building design, materials and colors to be sympathetic with desert surroundings; and*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building elevations facing the perimeter public streets, while umbrellas and other movable shading are proposed for Market Street within Block B. Individual tenancies will establish street level storefronts and would be subject to further review.

6. *Consistency of composition and treatment;*

The buildings are proposed with a consistent use of contemporary design elements. Corner tenancies and restaurant locations are distinguished from the remainder of the building exteriors with more color and glass in order to highlight building corners as visual landmarks and connect indoor seating with outdoor seating areas.

PLANNED DEVELOPMENT DISTRICT

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

   Landscape plans have not been submitted in sufficient detail to evaluate against this guideline and recommendations for further review are incorporated into the attached conditions of approval.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

   A sign program not been submitted to evaluate against this guideline and recommendations for further review are incorporated into the attached conditions of approval.

9. *The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.*

   The Architectural Advisory Committee and Planning Commission provided the recommendations for guidelines for design and subsequent architectural review, which are provided for the City Council's consideration and described in the attached draft resolution.

Planned Development District Findings.

Pursuant to the Museum Market Plaza Specific Plan and Palm Springs Zoning Code Section 94.02.00 (Conditional Use Permit) and Section 94.03.00 (Planned Development District), the City Council must make the following findings to approve a Planned Development District. Staff has prepared a response to each finding for the Council's consideration:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

   Pursuant to the Museum Market Plaza Section III.C.1, hotels are permitted by right, but under Section III.D, hotels are subject to a Planned Development District permit if they are proposed at more than sixty (60) feet in height. Planned Development District permits are regulated in the Palm Springs Zoning Code under Sections 93.03, including Section 93.03.B, which states, *"...the proposed uses as shown on the preliminary development plan for the PD are in conformity with the required findings and conditions as set forth in Section 94.02.00 (conditional use permit)..."* Consequently, the proposed hotel, with a building height in excess of sixty (60) feet is properly one for which a conditional use permit is authorized by the zoning code and the project conforms to this finding.

PLANNED DEVELOPMENT DISTRICT

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed hotel with ancillary and accessory uses will complement the retail commercial character of the City's downtown core and have been demonstrated to be necessary and desirable for the successful redevelopment of the site and surrounding area. The proposed development conforms to the land use plan of the Museum Market Plaza Specific Plan, which is the General Plan for the site. The proposed uses are expected to attract additional tourists, shoppers, workers and patrons such that the project will not be detrimental to, but is anticipated to enhance existing and future uses permitted in the Museum Market Plaza Specific Plan and adjacent Central Business District zone.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The proposed project is located on the westerly half of Block C of the Museum Market Plaza Specific Plan, which is also proposed under separate permits to be developed with an open courtyard and other retail commercial buildings. The site plan proposed for the hotel provides adequate setbacks and stepbacks in conformance with the development standards of Museum Market Plaza Specific Plan Section III.D. The additional height above sixty (60) feet requested by the applicant is specifically recognized in Specific Plan Section III.D as allowable with approval of a Planned Development District permit, and this finding is met.

4. *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The hotel development is proposed on a site that is surrounded on four sides by public streets, including two major thoroughfares, N. Palm Canyon Drive and W. Tahquitz Canyon Way. A two-lane, undivided collector (Belardo Road) is proposed along the westerly property line, and a local street ("New Main Street") will be constructed along the north side of the site. The hotel entry will front on W. Tahquitz Canyon Way and support services will take access from Belardo Road. The traffic analysis for the project has concluded that the street pattern will be adequate to carry the

type and quantity of traffic to be generated by the proposed use and this finding is met.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

Conditions have been developed for the proposed site plan to address all development issues, including public improvements, mitigation measures, building construction, design and esthetics, minor modifications of the development standards of the Museum Market Plaza Specific Plan, an increase in proposed height and all other issues related to the public health, safety and general welfare, and are attached and made a part of this resolution; this finding is met.

<u>High-rise Building Finding.</u>
Pursuant to Palm Springs Zoning Code Section 93.04.00 (High-rise buildings), the City Council must make the following finding to allow the height of the hotel to exceed the Specific Plan standard of sixty (60) feet:

1. *That the provisions of Section 93.04.00 (High-rise buildings) may be altered by the City Council upon finding that the intent of this section is met.*

Section 93.04.00 (High-rise buildings) establishes provisions in the form of standards for landscape and open space, maximum height, setbacks and stepbacks, and conformity with the resort character of the community and the natural surroundings. No specific intent statement is included in Section 93.04.00; however, the following intent statements for the entire Palm Springs Zoning Code and for Planned Development District permits are considered applicable and appropriate to this section:

a. The stated purpose of the Palm Springs Zoning Code, as codified in Section 91.01 is *"...promoting and protecting the public health, safety and welfare of the people of the city of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources."*; and
b. The intent of the Planned Development District permit as codified in Section 94.03.00 is, *"...to insure compliance with the general plan and good zoning practices while allowing certain desirable departures from the strict provisions of specific zone classifications."*

The provisions of Section 93.04.00 are altered for this Planned Development District permits, as allowed by Section 93.04.00.G, because the proposed development is located in the center of the most urbanized and densely developed commercial district of the City and will provide a

hotel to anchor the area's retail, commercial, hotel and tourist activity, thereby improving the economic health of the City's central business district. Further, the additional height and building volume of the proposed hotel will establish a visual landmark for the downtown core without adversely affecting background views of the mountains to the west. These outcomes will meet the intent of the zoning code by promoting the rejuvenation of the City's downtown, expanding and improving retail and tourist industries, increasing social activities and encouraging new investment in surrounding properties. The proposal will also insure compliance with the General Plan and good zoning practices because it will implement the Museum Market Plaza Specific Plan, which is the General Plan for the Site, by contributing to the following Specific Plan objectives:

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*
2. *The creation of a pedestrian and vehicular connection from the Palm Springs Art Museum, through Palm Canyon and Indian Canyon Drives, to the Resort/Convention Center District.*
3. *The development of retail commercial development which successfully mixes national and regional chain stores with local businesses, focused on the major roadways which bound the site, including North Palm Canyon, Indian Canyon, Tahquitz Canyon and Belardo.*

   ...

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

Policy on Public Benefits

Pursuant to the policy on public benefits for Planned Development Districts, the City Council must find that the following public benefits are deemed proportionate to the level of zoning flexibility requested, including deviations from the height and other development standards of the Museum Market Plaza Specific Plan:

1. Fulfillment of the Museum Market Plaza Specific Plan objectives;
2. Redevelopment of the Desert Fashion Plaza site;
3. Revitalization of the downtown core;
4. Construction of a new, high-quality hotel; and
5. Development of public courtyards and other pedestrian-oriented spaces

Staff recommends that the City Council make such finding.

CONCLUSION:

The five applications represent a significant renovation of the Desert Fashion Plaza and site, including new public and private streets, repurposing of a portion of the existing shopping center and new buildings for retail, commercial, office, restaurant, hotel and other uses. As previously noted, the Planning Commission has reviewed the proposal

PLANNED DEVELOPMENT DISTRICT

and adopted resolutions to approve (or recommend approval, in the case of the Tentative Parcel Map) the applications. Their actions and comments, including certain concerns related to the open space elements of the project and the hotel design, generally match those of the Architectural Advisory Committee. While minutes of the AAC and Planning Commission meetings are not yet available, the Commissions comments are attached to this report. Staff recommends that the City Council approve the five entitlement applications, subject to conditions of approval provided on the draft resolutions.

ENVIRONMENTAL DETERMINATION:

An Addendum to a Final Environmental Impact Report was approved by the City Council on October 17, 2012. The City Council certified that the certified Specific Plan EIR and the Addendum together are adequate to support approval of each component of the proposed project as approved in the Amendment and any future discretionary approvals needed to implement the project. The entitlements currently under consideration by the City Council simply implement the project approved in the Amendment for CEQA purposes on October 17, 2012 No further environmental review is required. (Public Resources Code § 21166; California Code of Regulations, Title 14, § 15162.)

NOTIFICATION:

A notice was mailed to all listed property owners within a four hundred foot radius in accordance with state law. As of the writing of this staff report, staff received correspondence from the public which is attached to this report.

FISCAL IMPACT: No fiscal impact.

Craig A. Ewing, AICP
Director of Planning Services

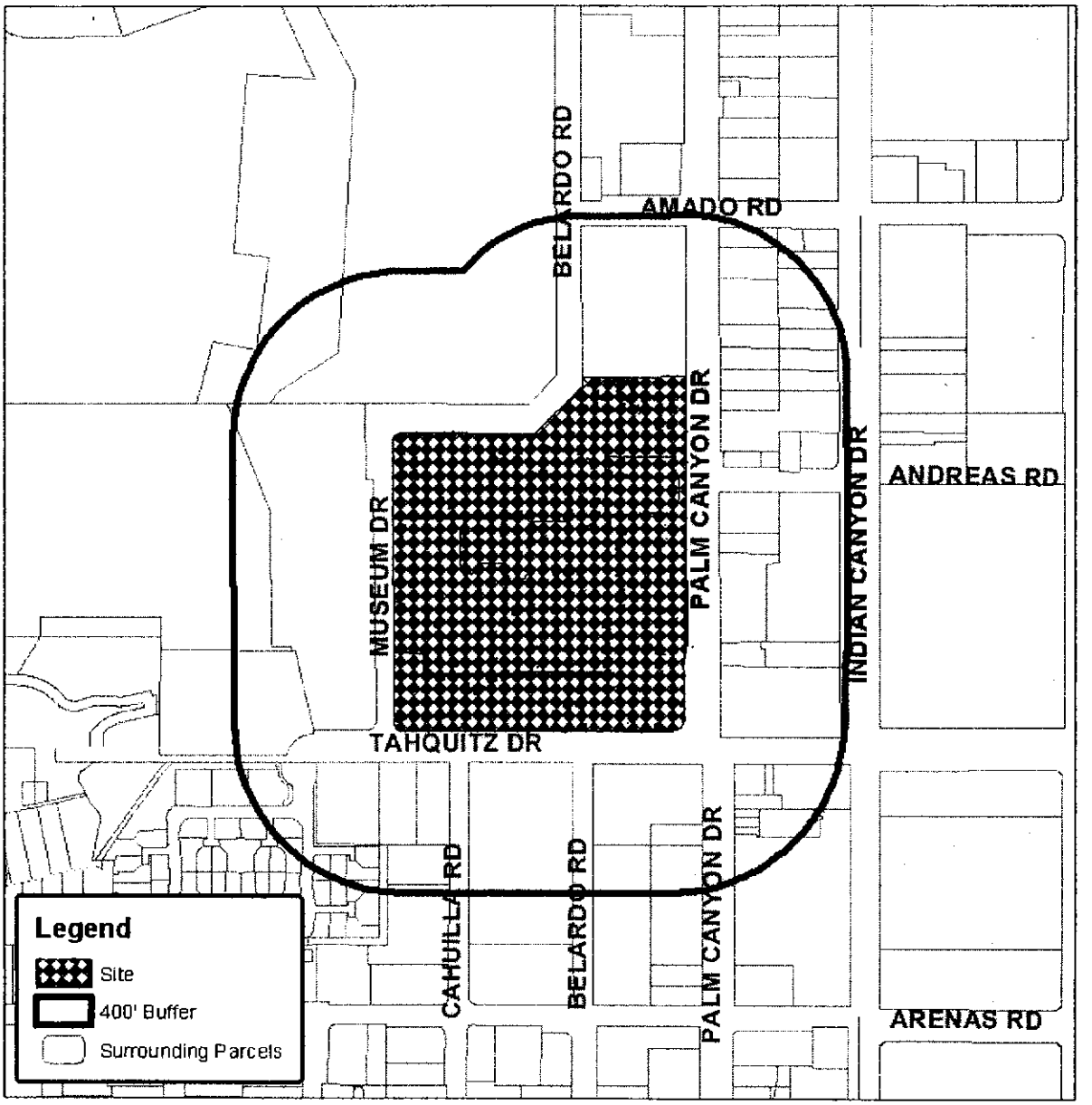
Thomas Wilson, Assistant City Manager

David H. Ready, City Manager

Attachments:
- 400' Radius Vicinity Map
- Draft Resolutions and Conditions of Approval
- Planning Commission resolutions and comments
- Site Plan, elevations, landscape plan, perspective images
- Public Correspondence

PLANNED DEVELOPMENT DISTRICT

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: Tentative Parcel Map TPM 36446, Planned Development District Case No. 5.1290-PDD 361, and Major Architectural Approvals 3.3605-MAJ, 3.3606-MAJ and 3.3607-MAJ

APPLICANT: Palm Springs Promenade, LLC

DESCRIPTION: Applications to subdivide the property into 14 parcels for development and 4 lots for public infrastructure, develop a hotel in excess of 60 feet; and allow development under three Major Architectural Approvals. The 13.57-acre property is located at northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way.

Babak Naficy
LAW OFFICE OF BABAK NAFICY
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San Luis Obispo, CA 93401
Ph (805) 593-0926
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December 18, 2012

Via Email

CITY OF PALM SPRINGS
Department of Planning
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
ATTENTION: Craig A. Ewing, AICP
craig.ewing@palmsprings-ca.gov

RE: The City's Council's upcoming consideration of Downtown Palm Springs Project,

Dear Mr. Ewing:

Advocates for Better Community Development ("ABCD") continues to be seriously considered about the City of Palm Springs' ("City") apparent intention to hastily approve the current iteration of the Downtown Palm Springs Project, despite the Project's many inconsistencies with the Specific Plan and the City's failure to adequately analyze the Project's potential impacts. I previously described the City's failure to adequately review the project as required by the California Environmental Quality Act ("CEQA") in a letter I submitted to the City on December 5, 2012. Please distribute a copy of this letter to each member of the City Council in advance of tomorrow's hearing.

A. The City should not proceed until there is a final and stable project description.

The record shows that despite the many revisions to the Project, the record does not include a stable and finite project description. The project description underwent revisions in October 2012, and again in advance of the Planning Commission's consideration in November. Yet, as the Staff Report admits, the applicant has yet to submit a final and conforming project description for the buildings on Block b-1. According to the Staff Report, the applicant will submit the plans at a later date, yet the City is poised to approve the Project now. As a finite and stable project description is essential for a careful review of the Project impacts, the City must put off any final approvals until all aspects of the Project are adequately defined.

B. Owing to Project inconsistencies with the Specific Plan, the City Council may not approve the Project as currently proposed.

1. The City may not approve the Project because Blocks b and b-1 are inconsistent with the height and set back standards set forth in the Specific plan

The City's failure to require a final project description before approving the Project is particularly egregious because the applicant's current proposal for Blocks b, b-1, (and c and c-1) are inconsistent with the height and setback requirements set forth in the Specific Plan. The City apparently believes that despite these inconsistencies, the Project can be considered consistent with the Specific Plan. As the Staff Report describes it, "the City Council deemed the present plan (including the development of Block "b-1") to be conforming, requiring that flexibility be used in applying Plan's Block B standards. Staff believes that the general height standards (max. 60 feet) can apply to Block "b/b-1," which would make the proposed buildings conforming. The height in Block "c-1" may be addressed through the hotel Development Permit. Dec. 19, 2012 Staff Report, p.9.

Where the maximum height and minimum set back limits are specifically set in the Specific Plan, the City may not invoke "flexibility" to deem non-conforming buildings somehow consistent. Staff's proposed strategy of applying "general height standards" to Blocks b/b1 does not cure the inconsistency. There is simply no "general height" standard, as the Staff apparently believes. The Specific Plan, which was adopted following extensive public consideration and debate, includes very specific height and set back restrictions for each designated block. There is no authority for the Staff's contention that "the general" height standard can be applied to Blocks b and b-1 in direct contravention of the Specific Plan height/set back designations for these blocks. Gov. Code §65455 (No public work, subdivision map may be approved unless it is consistent with the adopted specific plan.)

Rather than invoking "flexibility", the Project proponent was required to apply for an exception to the Specific Plan requirements, which would be akin to requesting a zoning variance. Committee to Save Hollywoodland Specific Plan v. City of Los Angeles (2008) 161 Cal.App.4th 1168. To be granted an exception (similar to a request for a variance), the applicant has the burden of demonstrating conditions, such as the peculiar conditions of the particular lot, that justify a departure from the carefully laid out requirements of the Specific Plan. It is highly doubtful that the applicant here would be able to make such a showing under the facts of this case.

2. The City may not approve the Project as proposed because buildings proposed in Blocks b and b-1 exceed the maximum allowed square footage.

The Project is also inconsistent with the maximum square footage allowed by the Specific Plan. As the Staff Report readily admits (at p. 10), according to the Specific Plan, the maximum allowed floor square footage on Block b/b-1 is 3000 square feet (Sq Ft). The current proposal calls for a whopping 75,562 Sq Ft on Block b and b-1. Although the Specific Plan permits a

maximum of 15% transfer between blocks, the proposed Project exceeds this limit by a significant margin. Moreover, the "westerly building encroaches into setbacks and right-of-ways . . . ." Staff Report at p. 13. It is clear that the proposed Project is inconsistent with and betrays the Specific Plan's vision of Block b and b-1 as a central public gathering place by calling for two story buildings, a private alley and encroachment into setbacks and right-of-ways.

Ignoring this straight forward and specific standard, Staff opines that "a larger transfer may be recognized [??] between Blocks "A" and "b / b-1" so long as the maximum sum allowed on the two blocks is not exceeded." The Staff Report fails to offer any justification for this novel and unwarranted interpretation of the plain language of the Specific Plan. Contrary to the Staff's proposed approach, the City may not simply ignore the plain language of its own recently adopted Specific Plan.

The Staff Report admits that "the Specific Plan's approach to Block B has been modified by this proposal and the Council's conformity review of October 17, 2012." The approach proposed by Staff therefore violates California's planning laws by attempting to modify and revise the Specific Plan in a significant manner without following the procedures set forth in the Government Code, or compliance with CEQA.

The Staff attempts to gloss over the clear inconsistency by euphemistically describing the current plan as simply "postponing" the Specific Plan's vision for Block B. Staff Report at p. 15. Yet the Staff Report does not explain or expand on the concept of "postponing" the Specific Plan's vision of a central public gathering place. This is not a case where the City postpones implementation of a goal or policy; here, the City is being asked to approve a Project that would essentially make the attainment of the Specific Plan's goal impossible. The Project, therefore, is inconsistent with the Specific Plan.

3. <u>The City may not approve the proposed Hotel on Block c-1</u>

The proposed 185 room, 84 foot high hotel cannot be approved under the current Specific Plan. As set forth in my December 5, 2012 letter, the City has yet to conduct adequate environmental review of the proposed hotel to the extent that it is substantially more massive and taller than the hotel considered in the Specific Plan EIR. The proposed hotel, moreover, is inconsistent with the specific building standards set forth in the Specific Plan and is incompatible with the City's own vision for Downtown.

As the Staff Report recognizes, the "major challenge is the height of the hotel along West Tahquitz Canyon Way" where the proposed set back is 30-35 feet. Staff Report at p. 11. Staff goes on to recognize that the hotel would represent a "significant mass" on Tahquitz Canyon at Belardo Rd. p. 12. As proposed, the hotel would be inconsistent with the Specific Plan's requirement that significant building mass not be located along the street edge.

Staff also notes that the varying elevations and building facades throughout the site do not fulfill

the Specific Plan's goal of achieving a "coherent visual identity." I should also note that the Staff's analysis of the Project's visual impact and consistency with the Specific Plan is exactly the kind of analysis that ought to be conducted within the framework of CEQA in order to afford the public adequate opportunity to study the proposed plans provide comments to the City.

In several places, the Staff claims that the size and height of the proposed hotel is "necessary to support of the project." See, e.g., Staff Report at p. 13. Yet, there is no evidence or discussion in the record to support this contention. Put another way, there is no evidence to support the conclusion that the City could not have required the applicant to modify the hotel design by reducing the height, location and massing in order to make the Project consistent with the Specific Plan. There is no evidence, for example, of any economic studies to lend credence to the applicant's apparent contention that building a smaller hotel would render the Project economically infeasible.

In order to get around the Specific Plan's height and set-back standards, the applicant has requested that the City process this application as a Planned Development District or PDD. As an initial matter, I question the application of the PDD process in this instance. A PDD may be appropriate where the project is subject to the general plan and zoning standards. In this instance, however, the hotel is subject, not to general development standards, but the specific and carefully laid out standards set out in the Specific Plan, including set-back standards which this Project ignores. By adopting a Specific Plan in this instance, the City has already adequately considered the appropriate development standards that should apply to this specific project. Deviation from these standards by analyzing the Project as a PDD is antithetical to the careful planning work the City undertook in adopting the Specific Plan.

The City may not attempt to revise or abrogate the Specific Plan development standards by invoking the general provisions of PDD pursuant to Palm Springs Municipal Code ("PSMC") 93.040. Once development standards are adopted pursuant to a Specific Plan, any revisions thereto must comply with process and procedures set forth in Government Code, subject to compliance with CEQA. See, Longtin's California Land Use, 2nd Ed., at §2.30.

Even if processing the Project as a PDD were appropriate in this case, the City may not approve the requested added height and deviation from the minimum set-back standards because it cannot make the requisite findings. As the Staff Report explains, the City may not allow the hotel to exceed 60 feet unless the City Council can make a finding that the intent of the High Rise Ordinance (93.04.00) is met. The City may not approve a Project that is inconsistent with the Specific Plan's building standards and policy of not locating significant building mass near the edge of a street by making a finding that the Project meets the intent of the High Rise Ordinance. The City may not invoke an ordinance to approve a project that is fundamentally inconsistent with an adopted Specific Plan. Put another way, the Specific Plan trumps the ordinance.

The Staff Report attempts to paper over the proposed hotel's inconsistency with the Specific Plan by listing some of the Specific Plan's objectives which Staff contends are implemented by

the Proposed Project. Staff Report at p. 24. What Staff seems to ignore, however, is that while the Project as a whole may be consistent with some aspects of the Specific Plan, it simply does not follow that it is consistent with all relevant provisions of the Specific Plan. As I have explained above, the City may not approve the proposed hotel in reliance on the PDD ordinance to the extent that the proposed hotel is inconsistent with specific development standards (set back) set forth in the Specific Plan.

Conclusion

Owing to significant inconsistencies with the Specific Plan, the City cannot approve the Project as proposed. As I have described above, the City has yet to identify a stable and finite project description. To the extent that the current proposal is significantly inconsistent with the Specific Plan, it appears that the applicant expects the City simply to ignore the Specific Plan by approving a Project that meets the applicant's private vision for Downtown, but betrays that of the Specific Plan the residents of Palm Springs. Unfortunately, the City appears to be willing a partner in this enterprise. I implore you to reconsider and require the applicant to come back with a plan that is consistent with the Specific Plan.

Sincerely,

/ s /
Babak Naficy
Counsel for ADVOCATES FOR BETTER COMMUNITY DEVELOPMENT

BN/sb
cc: ABCD

Law Offices of **Babak Naficy**

December 12, 2012

Via Email and Regular U.S. Mail

CITY OF PALM SPRINGS
Department of Planning
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

ATTENTION: Craig A. Ewing, AICP
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fax: 805.593.0946

babaknaficy@socglobal.net

RE: Downtown Palm Springs Project
Comments Re Museum Market Plaza Specific Plan

Dear Mr. Ewing:

This letter is a follow-up to our correspondence of December 4, 2012 and our email of December 6, 2012 asking for information on the Downtown Palm Springs Project. The City Clerk's Office informs us that the project is tentatively being placed on the Agenda for the December 19, 2012 City Council meeting but could not confirm that the project will actually go in front of the Council on that date. We still have not received any response from you regarding our earlier document request.

I am asking for your help in finding copies of final staff reports, resolutions or other actions/recommendations adopted by the Planning Commission on December 5, 2012, in connection with the Downtown Palm Springs Project. In particular, I would like to obtain a copy of any reports, including staff reports, and final conditions of approval for all of the various inter-related Downtown Palm Springs sub-projects, particularly the Planned Development District (PDD) for the proposed hotel.

I would also like to inform you that I was unable to view a video or even the agenda of the Planning Commission's December 5, 2012 hearing. Instead of the Planning Commission meeting, the link on http://palmsprings.granicus.com/ViewPublisher.php?view_id=3 directs the viewer to a November 27, 2012 meeting of Villagefest Board.

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DEC 17 2012
PLANNING SERVICES
DEPARTMENT

No agenda, staff report or minutes are currently available for the Planning Commission meeting on the City's website. The City's failure to make these documents available on the website has seriously hampered our ability to understand and participate in the City's review process.

We would appreciate obtaining the aforementioned documents prior to the December 19th meeting.

Thank you,

Babak Naficy
Counsel for ADVOCATES FOR
BETTER COMMUNITY DEVELOPMENT

BN/sb

RESOLUTION NO. 6300

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE PARCEL MAP 36446 TO SUBDIVIDE THE MUSEUM MARKET PLAZA PROPERTY OF APPROXIMATELY 13.57 ACRES INTO 14 PARCELS FOR DEVELOPMENT AND 4 LOTS FOR PUBLIC INFRASTRUCTURE, LOCATED AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND TAHQUITZ CANYON WAY.

WHEREAS, Palm Springs Promenade, LLC and the City of Palm Springs, ("applicants") has filed an application with the City, pursuant to the Museum Market Specific Plan and Section 9.62.010 of the Palm Springs Municipal Code for a Tentative Parcel Map to subdivide the Museum Market Plaza property of approximately 13.57 acres into 14 parcels for development and 4 lots for public infrastructure, located at the northwest corner of Palm Canyon Drive and Tahquitz Canyon, APN's: 513-560-002, -004, -007 - 008 and -009), zone Museum Market Plaza Specific Plan, Section 15/R4/T4; and

WHEREAS, on October 17, 2012, the City Council reviewed a project description of the proposed development and adopted an Addendum to the Museum Market Plaza Specific Plan Final Environmental Impact Report (EIR) and certified that the EIR, with the accompanying Statement of Overriding Considerations and Mitigation Monitoring Program, and the Addendum, is an adequate and complete analysis of the potential environmental impacts of the proposed project; and

WHEREAS, on November 13, 19 and 26, 2012, the Architectural Advisory Committee (AAC) reviewed the proposed project and voted 6-0 to recommend approval, with conditions, to the Planning Commission; and

WHEREAS, on November 7, 2012, the Planning Commission conducted an orientation session on the proposed project, and on November 14 and 28, 2012, the Commission conducted a public hearing in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the project description and exhibits, the staff report and memoranda, and written and oral testimony presented at the meetings.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The following findings required for the proposed Tentative Parcel Map are pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

1. *That the proposed map is not consistent with applicable general and specific plans as specific in Section 65451;*

   The project is subject to the Museum Market Plaza Specific Plan ("Specific Plan'), which governs as both general plan and specific plan (zoning) for the site. The proposed map implements the land use and development objectives of the Specific Plan by establishing a public street grid within the boundaries of the site and in alignment with surrounding streets. The plan further establishes lots of record for the redevelopment of small commercial blocks in the City's downtown core, which is a primary objective of the specific plan. Consequently, the proposed map is consistent with the applicable general and specific plans, and this finding is not met.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

   The design of the proposed subdivision and the associated improvements will implement the goals and objectives of the applicable Museum Market Plaza Specific Plan in that public streets, sidewalks, parking facilities and related public facilities will be established within the project boundaries in support of future private development. The design of the street grid will provide vehicular access and parking, as well as pedestrian access in alignment with surrounding streets and sidewalks ways that will extend the urban character of the surrounding area into the site. Consequently, the design of the proposed subdivision and the associated improvements are consistent with the applicable general and specific plans, and this finding is not met.

3. *That the site is not physically suitable for the type of development;*

   The site is slightly more than thirteen (13) acres and is generally flat with a gentle slope from north to south and west to east. Existing improvements on the site include underground parking facilities, which are to be retained and an enclosed retail shopping center, which will be largely demolished. Surrounding areas are developed with urban commercial buildings and uses. The site will accommodate the proposed subdivision of fourteen private lots and associated public streets, and the subdivision will facilitate re-use of the site for an expansion of the City's downtown retail commercial core, as intended by the applicable Museum Market Plaza Specific Plan. Consequently, the site is physically suitable for the type of development, and this finding is not met.

4. *That the site is not physically suitable for the proposed density of development;*

The subdivision proposes to establish public streets and public and private parcels within a flat, gently sloping site to expand the existing downtown core. The proposed density of development will included existing underground parking; one, two and three story buildings; as well as a multi-story hotel and future development on fourteen parcels. The site is bordered by two major thoroughfares (N. Palm Canyon Drive and West Tahquitz Canyon Way), and additional local public streets will be constructed. Adequate lot sizes, access and parking are provided for the proposed density of development. Consequently, the site is physically suitable for the proposed density of development and this finding is not met.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;*

The design of the subdivision and the proposed improvements have been evaluated under the provisions of the California Environmental Quality Act (CEQA) and an Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program and subsequent EIR Addendum have been prepared and certified for the proposed subdivision. No substantial environmental damage nor substantially or avoidable injury to fish, wildlife or their habitat is expected to occur. Consequently, this finding is not met.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems;*

No serious public health problems have been identified in the certified Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program or subsequent EIR Addendum prepared for the proposed subdivision and its anticipated improvements. Consequently, this finding is not met.

7. *That the design of the subdivision or the type of improvements will conflict with easement, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easement of record or to easement established by judgment of a court of competent jurisdiction and no authority is hereby*

granted to a legislative body to determine that the public at large has acquired easements for access through or use of property with the proposed subdivision;

All easements on or near the subject site have been identified. New easements and other agreements have been established between the applicants, including the City of Palm Springs to resolve all access issues. Consequently, this finding is not met.

NOW, THEREFORE, BE IT RESOLVED, that, based on the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 36446 to subdivide the Museum Market Plaza property of approximately 13.57 acres into 14 parcels for development and 4 lots for public infrastructure, located at the northwest corner of Palm Canyon Drive and Tahquitz Canyon, as indicated on the attached map, Exhibit A, and subject to those conditions set forth in Exhibit B, attached hereto and made a part of this resolution.

ADOPTED this 5th day of December, 2012.

AYES: 7, Calerdine, Weremiuk, Klatchko, Munger, Roberts, Vice Chair Hudson and Chair Donenfeld
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO. 6300

EXHIBIT A

Case Tentative Parcel Map No. 36446
Downtown Palm Springs

December 5, 2012

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PROJECT CONDITIONS (AS ADOPTED BY PLANNING COMMISSION):

1. Prior to recordation of the Final Map, the applicant shall submit for review by the AAC and Planning Commission a unified landscape plan for the entire project consistent with the Project Financing Agreement, including the following elements:
    a. Preliminary Landscape Development Plan: The applicant shall indicate, on a separate site plan or incorporated into the colored site plan, the basic landscape concepts for the project. This should include tree and shrub grouping, groundcover areas, flatwork concepts, significant grading concepts and a written statement of the landscape development concept for the project.

    b. Project Master Streetscape Plan
        i. Establishment of a basic design theme for street furniture and similar hardscape elements
        ii. Proposed location of hardscape elements including planters, fountains, retaining walls, others
        iii. Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks, others?
        iv. Proposed thematic plantings
        v. Proposed street signage and way finding
        vi. Transitions to existing improvements
        vii. Locations for public art
        viii. Plans for temporary and permanent preservation of the Palm Springs Walk of Fame

ix. Plans for temporary pedestrian routes during construction

c. Master Pedestrian Paseo Plan. The project proposes a pedestrian promenade from the Hilton Hotel to the new public square at the corner of Tahquitz and North Palm Canyon. The promenade includes four elements from north to south:
   i. The connection from the Hyatt Hotel through Building "A"
   ii. Market street between Building "b" and "B-1"
   iii. Pedestrian Plaza from New Main Street and to the new public square at the corner of Tahquitz and North Palm Canyon

2. As part of the Landscape Plan to be submitted in accordance with Condition No. 1, above, the applicant shall prepare a master plan for the pedestrian promenade elements of Blocks B and C and associated street crossings, including the following elements.
   iv. Establishing a unified "brand" for the four elements of the Paseo to encourage pedestrians to follow the entire Paseo.
   v. Proposed location of hardscape elements including planters, fountains, retaining walls
   vi. Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks
   vii. Proposed thematic plantings
   viii. Proposed Paseo signage and way finding
   ix. Locations for public art
   x. Easements required to ensure public access along the Paseo, including through Building A.
   xi. Operational Plan for Market Street, including timing and procedures for opening and closure of the street to vehicles
   xii. Establishing of a minimum clear width for the Paseo between New Main Street and Tahquitz in this segment.
   xiii. Considerations for bicycle usage on the Paseo segment between New Main Street and Tahquitz.
   xiv. Establishing guidelines for business encroachment (i.e., outdoor dining) into Market Street and the pedestrian connection from New Main Street to Tahquitz.
   xv. Master Plan for the Public Square at Tahquitz and North Palm Canyon

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case 3.3605 – MAJ, except as modified by the conditions below.

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations,

exterior materials and colors, landscaping, and grading on file in the Planning Division, except as modified by the conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.

ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach,. set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3467-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains'the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the properly if required by the City.

ADM 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being ½% for commercial projects or ¼% for residential projects with first $100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADM 10. Complv with Citv Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1 Coachella Vallev Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

PLANNING DEPARTMENT CONDITIONS

PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning or designee for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.

PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.

PLN 5. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

PLN 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Abandonment of right-of-way is required to facilitate the proposed development application. The abandonment of right-of-way shall be completed with the recordation of Parcel Map No. 36446, as indicated by the conditions herein. The abandonment of right-of-way shall be approved by the City Council in conjunction with the approval of Parcel Map No. 36446.

ENG 2. All private and public street improvements are subject to the Project Financing Agreement as amended.

N. PALM CANYON DRIVE

ENG 3. Vacate 9.5 feet of public right-of-way from the south property line of proposed Parcel 13, to a point approximately 110 feet south of the north property line of proposed Parcel 13, as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446; a 25 feet radius property line at the intersection of

N. Palm Canyon Drive and Tahquitz Canyon Way shall be maintained, as shown and detailed on the approved version of TPM36446. From the point 110 feet south of the north property line of proposed Parcel 13, abandon 14.5 feet northerly to the north property line of proposed Parcel 1, with the following exception: from approximately 70 feet south of the north property line of Parcel 13 northerly to approximately 40 feet north of the south property line of Parcel 2, the vacation width shall be 17.5 feet, as shown and detailed on the approved version of TPM36446.

ENG 4. Dedicate public utility easements in areas for which public right-of-way has been vacated on Parcel Map No. 36446.

ENG 5. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match existing sidewalk) for those portions of sidewalk located outside of the public right-of-way after vacation of right-of-way on N. Palm Canyon Drive. Any existing underground utilities under the existing sidewalk, shall not be relocated in conjunction with this project.

ENG 6. All broken or off grade street improvements shall be repaired or replaced.

TAHQUITZ CANYON WAY

ENG 7. Vacate public right-of-way from the east property line of proposed Parcel 13 westerly to the west property line of proposed Parcel 4 as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446. 11.5 feet of right-of-way shall be abandoned (leaving a 25 feet radius property line at the curb return at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way) to a point approximately 100 feet west of the east property line of proposed parcel 13 of TPM36446, at which point, 23.53 feet of public right-of-way shall be abandoned westerly to a point approximately 25 feet easterly of the west property line of proposed Parcel 12 of TPM36446; from this point, the abandonment decreases to 11.5 feet, extending to the west property line of proposed Parcel 4 as shown and detailed on TPM36446.

ENG 8. Dedicate public utility easements in areas for which public right-of-way has been vacated on Parcel Map No. 36446.

ENG 9. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match existing sidewalk) for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on Tahquitz Canyon Way. Any existing underground utilities under the existing sidewalk, shall not be relocated in conjunction with this project.

ENG 10. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE PUBLIC STREETS (LOTS "A" (NEW MAIN STREET), LOT "B" AND "C" (BELARDO ROAD), AND LOT "D" (ANDREAS ROAD)

ENG 11. Dedicate full street right-of-way width of 41 feet as shown on the approved version of Tentative Parcel Map No. 36446, together with property line - corner cut-backs at each intersection between Lots "A", "B", "C", and "D", as required by the City Engineer.

ENG 12. Parking shall be restricted along both sides of Lot "A", "B", "C", and "D" as necessary to maintain a minimum 24 feet wide clear two-way travel way, except for designated parallel parking spaces. Regulatory Type R26 "No Parking" signs shall be installed along Lot "A", Lot "B", Lot "C", and Lot "D", as necessary to enforce parking restrictions.

ENG 13. The proposed Lot B (Belardo Road) grades shall meet the existing grades at the existing escalator located approximately 130 feet north of the south property line of proposed Parcel 4 (after abandonment of right-of-way), on the west side of the proposed Belardo Road.

ENG 14. The proposed Lot B (Belardo Road) includes airspace of 10.20 feet under the south end of Lot B and airspace of 9.0 feet under the north end of Lot B; the airspace is owned by the applicant.

ENG 15. The proposed Lot C (Belardo Road) grades shall meet the existing grades at the existing escalator located approximately 25 feet south of the north property line of proposed Parcel 3, on the east side of the proposed Belardo Road. Note that this escalator is proposed for removal, which would void this condition if the proposal for removal becomes a reality.

ENG 16. The proposed Lot C (Belardo Road) shall cross over the underground parking garage from the approximate proposed curb lines of Lot "D" (Andreas Road) on the east end of the proposed Belardo Road, to approximately 45 feet south of the south curb line; and to approximately 105 feet north of the north curb line, of Lot "D" (Andreas Road), respectively; the crossing(s) over the underground parking structure shall extend to the west property line of Lot "C" (Belardo Road); the airspace is owned by the applicant.

ENG 17. The proposed Lot C (Belardo Road) includes airspace of 10.0 feet adjacent to the east end of Lot C and the existing portion of Belardo Road that turns to the north along the west wall of the Hyatt Hotel; the airspace is owned by the applicant.

ENG 18. The proposed Lot C (Belardo Road) includes airspace of 20.2 feet along approximately 75 feet of Lot C (that is adjacent to and south of Lot D), in

accordance with legal descriptions provided by applicant; the airspace is owned by the applicant.

ENG 19. The proposed Lot D (Andreas Road) includes airspace of 20.2 feet along approximately 190 feet south of Lot D (that is adjacent to and south of Lot C), in accordance with legal descriptions provided by applicant. The airspace is owned by the applicant.

ENG 20. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed travelway along the entire proposed New Main Street, Belardo Road, and Andreas Road frontages, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed for New Main Street and intersections (such as decorative concrete pavers), the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

MARKET STREET (ON-SITE PRIVATE STREET)

ENG 21. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private travelway between Parcel 2 and Parcel 3.

ENG 22. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed travelway along the entire proposed alleyway frontage in accordance with City of Palm Springs Standard Drawing No. 110. If an alternative pavement section is proposed (such as decorative concrete pavers), the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

DRAINAGE

ENG 23. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to N. Palm Canyon Drive, Tahquitz Canyon Way, proposed New Main Street (Lot A), proposed Belardo Road (Lot B and C), and Andreas Road (Lot D). Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

ENG 24. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

MAP

ENG 25. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.

ENG 26. In accordance with Government Code Section 66411.1 (b), the Tentative Parcel Map is a subdivision of five or more lots (parcels), and is subject to construction of all required public improvements. Prior to approval of a Parcel Map, all required public improvements shall be completed to the satisfaction of the City Engineer, or shall be secured by the Project Financing Agreement signed by Palm Springs Promenade, LLC and the City of Palm Springs on September 7, 2011 (in accordance with Government Code Section 66462) as amended.

ENG 27. In accordance with Section 66445 (j) of the Government Code, the western existing public right-of-way of 9.5 feet for N. Palm Canyon may be vacated upon the filing of a Parcel Map identifying the abandonment of the right-of-way granted to the City of Palm Springs, from the south property line of proposed Parcel 13, to a point located approximately 110 feet south of the north property line of proposed Parcel 13 (leaving a 25 feet radius property line at the curb return at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way), at which, 14.5 feet of public right-of-way shall be abandoned northerly to the north property line of proposed Parcel 1, with the following exception: from approximately 70

feet south of the north property line of Parcel 13 northerly to approximately 40 feet north of the south property line of Parcel 2, the vacation width shall be 17.5 feet, as shown and detailed on the approved version of TPM36446. Sidewalk easements and public utility easements shall be dedicated on the Parcel Map (or by separate instrument) as needed for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on N. Palm Canyon Drive.

ENG 28. In accordance with Section 66445 (j) of the Government Code, the northern existing public right-of-way of 11.5 feet for Tahquitz Canyon Way may be vacated upon the filing of a Parcel Map identifying the abandonment of the right-of-way granted to the City of Palm Springs, from the east property line of proposed Parcel 13 (leaving a 25 feet radius property line at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way), to a point located approximately 100 feet west of the east property line of the proposed Parcel 13 as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446. From that point, 23.53 feet of public right-of-way shall be abandoned westerly to a point approximately 25 feet easterly of the west property line of the proposed Parcel 12 of TPM36446; from this point, the abandonment decreases back down to 11.5 feet, extending to the west property line of the proposed Parcel 4 of TPM36446, as shown and detailed on TPM36446. Sidewalk easements and public utility easements shall be dedicated on the Parcel Map (or by separate instrument) as needed for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on Tahquitz Canyon Way.

ENG 29. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

ENG 30. No construction traffic shall enter the project site from N. Palm Canyon Drive or Tahquitz Canyon Way.

LAW OFFICES OF
EALY, HEMPHILL & BLASDEL, LLP
A CALIFORNIA LIMITED LIABILITY PARTNERSHIP

W. Curt Ealy
Emily Perri Hemphill
Diane C. Blasdel

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Facsimile: (760) 340-4666

December 4, 2012

Doug Holland
City Attorney
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: Response to Comments to Museum Market Plaza FEIR and Addendum

Dear Mr. Holland:

As you know, this office represents John Wessman and Palm Springs Promenade, LLC, the owner of the property currently known as the Desert Fashion Plaza. The purpose of this letter is to respond to a letter from Kimberly Huangfu of Buchalter Nemer to Craig Ewing dated November 28, 2012, stating the opposition of North First Street Properties, LP to the Final Environmental Impact Report and Addendum for the Downtown Palm Springs Museum Market Plaza Specific Plan.

Much of Ms. Huangfu's comments appear to be directed at criticism of the Final Environmental Impact Report (FEIR) that was certified in 2009. It is therefore important to note that when the FEIR was certified, the City posted a Notice of Determination, triggering the statutory thirty (30) day challenge period for that decision. No challenge was ever filed within the statutory period, and therefore, under CEQA, the approval is conclusively presumed to be valid for all purposes (Pub. Res. Code 21080.1, 21167.2.) Ms. Huangfu's letter, which claims that the FEIR did not contain a sufficient project description, aside from being meritless, is also long overdue and now moot.

Ms. Huangfu references Cal. Pub. Res. Code 21167(c) in her claim that the statute of limitations for legal challenge of the Addendum is 180 days because the City did not file a Notice of Determination (NOD) with the State Office of Planning and Research. This claim is simply incorrect, as under Pub. Res. Code 21167(c), 21108(a) and 21152(a), filing the NOD with the Office of Planning and Research in order to shorten the statute of limitations to 30 days is required only if the project is approved by a state agency. Projects approved by a local agency, such as the City, need only file with the County Clerk in order to trigger the shorter 30 day statute of limitations. In this case, the City filed an NOD for the Addendum on October 18, 2012 with the County

Clerk, thereby triggering the 30 day statute of limitations, making Ms. Huangfu's comments on the Addendum also untimely.

Despite the procedural and legal deficiencies of Ms. Huangfu's objections, we would also like to address the substance of the issues raised.

As you know, in 2009, the City certified the FEIR for the Museum Market Plaza and that document was not challenged within the allowable challenge period, making it now conclusively presumed valid. Contrary to the assertions in Ms. Huangfu's letter, CEQA includes a strong presumption against requiring further environmental review once an EIR has been certified for a project. (Pub. Res. C 21166.) Under CEQA and the implementing Guidelines, a proposed change to a project that has undergone an approved EIR will trigger the preparation of a supplemental or subsequent EIR only if four conditions are all found to exist:

1) The change to the project is substantial
2) The changes involves new or more severe significant environmental impacts
3) The change will require major revisions to the EIR because of the new or more severe significant impacts
4) The new or more severe impacts were not considered in the approved EIR.

In the current situation, the original FEIR analyzed the maximum density project that could be constructed within the bounds of the Museum Market Plaza Specific Plan (MMP SP). The original FEIR analyzed for 1,443,000 square feet of mixed retail/office/restaurant/residential space within the blocks covered by the Addendum. The Addendum and its modifications reduce the amount of development within the same geographic area by 57,000 square feet. Therefore, while the Addendum relocates certain uses, it does not increase the overall density of development within the Specific Plan Area, nor does it modify traffic patterns within that area. As a result, the City reasonably could and did find that the Addendum's impacts with respect to traffic, air quality, water quality, utilities, public services and the other topics covered in the FEIR would be equal to or less than those studied in the FEIR, and therefore, no supplemental or subsequent EIR was proper.

The one issue that the City felt should be considered was that of aesthetics/visual impacts because relocation of buildings could change the impacts of the project from a visual standpoint. Toward that end, the City did require revised view shed analyses showing the difference between the visual impacts under the FEIR and under the new Addendum. Having studied that analysis, the City concluded that the impacts from an aesthetic/view standpoint were the same or better from the proposed

Addendum as compared to the FEIR. On that basis, the CEQA guidelines indicate that at most, an Addendum is appropriate.

Once an EIR for a project is approved and beyond challenge, the City's determination of whether a further EIR is required will be upheld as long as its decision is supported by substantial evidence (*Moss v County of Humboldt* (2008) 162 CA 4th 1041, 1058.) In this case, the evidence shows that the Addendum presents a less dense and impactful project overall as compared to the level of development analyzed in the FEIR for the same blocks. The evidence before the City further showed that in the one area of possible new impacts, that of visual impacts, the City required and considered view shed studies of the FEIR as compared to the Addendum, and based on that substantial evidence, reasonably found that the impacts of the Addendum were no greater than those analyzed in the FEIR, nor did the Addendum create new impacts not previously analyzed. As a result, and contrary to the assertions made by Ms. Huangfu, the City's action in approving the Addendum was wholly proper under CEQA, and the City is entitled to rely upon the approved FEIR, as modified by the Addendum, in considering specific development projects within the Museum Market Plaza.

We would ask that this letter be made of part of the administrative record in this matter and provided to the Planning Commission Members.

Sincerely,

Emily Perri Hemphill
Ealy, Hemphill & Blasdel, LLP

cc: Craig Ewing
David Ready
Mayor Steve Pougnet
Mayor Pro Tem Ginny Foat
Councilmember Chris Mills
Councilmember Rick Hutcheson
Councilmember Paul Lewin
John Wessman

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA

3200 East Tahquitz Canyon Way, Palm Springs, California
www.palmspringsca.gov

AGENDA

Wednesday, December 5, 2012	1:30 PM Meeting

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 6:00 p.m. on Thursday, November 29, 2012. A posting of this Agenda can be found on the City's website at: www.palmspringsca.gov. Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Planning Commission is the Office of the City Clerk, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the Public Hearing described in this notice or in written correspondence at, or prior to, the Planning Commission meeting.

Please silence all cell phones, pagers and/or other electronic devices for the duration of the meeting.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing.

OTHER BUSINESS:

1. Tentative Tract Map No. 36446 – A Tentative Parcel Map (TPM 36446) to subdivide the Museum Market Plaza property of approximately 13.57 acres into 14 parcels for development and 4 lots for public infrastructure, located at the northwest corner of Palm Canyon Drive and Tahquitz Canyon Way.

   Recommendation: Adopt draft resolution requested by the Planning Commission on November 28, 2012.

2. Major Architectural Approval 3.3605-MAJ / Block A – To allow the renovation and remodel of a one-story retail commercial portion of the existing Desert Fashion Plaza, located in Block A of the Museum Market Plaza Specific Plan and at the northwest corner of N. Palm Canyon Drive and Andreas Road (new).

   Recommendation: Adopt the draft resolution requested by the Planning Commission on November 28, 2012.

3. Major Architectural Approval 3.3606-MAJ / Block B – To allow the redevelopment of a portion of the Desert Fashion Plaza with two two-story retail commercial buildings and a private street, located in Block B of the Museum Market Plaza Specific Plan and at the northwest corner of N. Palm Canyon Drive and "New Main Street".

   Recommendation: Adopt draft resolution requested by the Planning Commission on November 28, 2012.

4. Major Architectural Approval 3.3607-MAJ / Block C – To allow the redevelopment of a portion of the Desert Fashion Plaza with a one- and three-story retail commercial building, located in Block C of the Museum Market Plaza Specific Plan and along the westerly frontage of N. Palm Canyon Drive, south of "New Main Street"

   Recommendation: Adopt draft resolution requested by the Planning Commission on November 28, 2012.

5. Planned Development District 5.1290 / PD 361 / Block c-1 – A preliminary Planned Development District (PDD) within Block C of the Museum Market Plaza Specific Plan area for a hotel of approximately 185 rooms and various accessory and ancillary uses, including adjustments in certain Specific Plan development standards, including building height in excess of sixty (60) feet; located at the northeast corner of West Tahquitz Canyon Way and Belardo Road

   Recommendation: Adopt draft resolution requested by the Planning Commission on November 28, 2012.

PLANNING COMMISSION COMMENTS: This portion of the meeting is set aside for brief general comments and/or other issues of concern from members of the Planning Commission.

PLANNING DIRECTOR'S REPORT: This time is set aside for the Planning Director to update the Planning Commission on important items initiated by staff or members of the City Council.

ADJOURNMENT: The Planning Commission will adjourn to 1:30 p.m., Wednesday, December 12, 2012, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

ADDED STARTERS: If there are added starters, action is required to determine eligibility for consideration.

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November 28, 2012

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
VIA FACSIMILE (760/322-8360)

City of Palm Springs
Department of Planning Services
Attn: Craig A. Ewing, AICP
Director of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: *Downtown Palm Springs Project (Planning Commission November 28, 2012 Regular Meeting, Agenda No. 1A) - Comments to Draft Museum Market Plaza Specific Plan Final Environmental Impact Report and Addendum*

Dear Mr. Ewing:

The following constitute the comments of North First Street Properties, LP ("North First Street")[1] submitted to oppose the use of the Final Environmental Impact Report (SCH No. 2008060184) and Addendum to Museum Market Plaza Specific Plan Final Environmental Impact Report ("FEIR" and "Addendum", respectively) for the "Downtown Palm Springs Project"[2] absent further environmental review. In light of the deficiencies set forth below, North First Street respectfully requests that the City of Palm Springs Planning Commission, City Council, and City Attorney's Office (collectively, hereinafter referred to as the "City") require

[1] North First Street is an owner of real property in the City of Palm Springs and has a vested interest in upholding the integrity of the environmental review process as intended under the California Environmental Quality Act ("CEQA").

[2] Hereinafter, referred to as the "Downtown Project", which is defined in the Addendum (but not the FEIR) as a "development program" that includes the construction of three separate blocks of commercial retail space, including the Desert Fashion Plaza Renovation Project discussed in further detail below, a 170-room hotel, a 1.3-acre public "event space", underground public parking, and a public street grid with extension through the project site to existing streets. (Addendum at p. 1.)

further environmental review for the Downtown Project and all of the individual project components subsumed within the "development program," as required by CEQA.

On October 22, 2008, the City, as the lead agency, released the draft EIR for the Museum Market Plaza Specific Plan ("Specific Plan DEIR"), which effectively sought to amend the City's land use and community development policies as applied to the Museum Market Plaza Specific Plan ("Specific Plan" or "Specific Plan Project") area. Subsequent thereto, the project sponsor, Wessman Development, LLC ("Wessman"), amended the Specific Plan DEIR to include an "option to remodel the existing Desert Fashion Plaza" ("Desert Fashion Plaza Renovation Project"). Set forth generally in the Specific Plan DEIR, no project-specific environmental review for what the City is now referring to as the "Downtown Project" or the Desert Fashion Plaza Renovation Project was performed as part of the Specific Plan DEIR, FEIR, or Addendum process.

At this critical juncture, it is unclear if and when the City intends to conduct any additional environmental reviews. As of February 17, 2009, the City stated that "an Initial Study will be prepared under the guidelines of the California Environmental Quality Act (CEQA)" for the Desert Fashion Plaza Renovation Project "[a]t the time a formal application is submitted." (City Dept. of Planning Services, Feb. 17, 2009 Letter to Wessman re: Pre-App. 09-001 for the Desert Fashion Plaza Renovation Project at p. 11.) Oddly, this is in stark contrast to more recent representations where the City has indicated that it does not intend to undergo further environmental review on a project-level basis, but rather that "[t]he City proposes to use the Final EIR and Addendum as the environmental document for th[e] Downtown Palm Springs Project." (City Memo from Planner E. Robertson to AAC, Nov. 13, 2012 at p. 1.)

As such, it appears that no initial study, or any environmental review for that matter, has been considered with respect to the revised Downtown Project, which now entails the subdivision of a 13.2-acre site into thirteen parcels, as well as the construction of a "major public outdoor performance space (1.3 acres or 57,000 sq. ft.), underground public parking and the establishment of a public street grid, including extension through the project site of existing streets." Said projects are part of the Downtown Project submittals that are currently pending before the Planning Commission. (Addendum at p. 1.) Apparently, the Addendum further provides that "[f]ull implementation of the [Downtown] project will include future phases west of Belardo Road that are not proposed at this time . . . " (*Id.*) Once again, it appears that the public is to presume that the City will similarly forgo further environmental review so long as the future "phases" fall under the larger subset of the "Downtown Project" area.

This is of grave concern as the lack of required environmental review runs afoul of the protections provided for under CEQA. During the October 17, 2012 City Council meeting, one of the City councilmembers aptly stated that the Downtown Project is the "largest project in the history (and quite possible the future) of Palm Springs." In order to assess the totality of cumulative environmental impacts, further consideration must be afforded to properly define the

City of Palm Springs

Department of Planning Services

Memorandum

Date: December 5, 2012

To: Planning Commission

From: Craig A. Ewing, AICP, Director of Planning Services

Subject: Draft Resolutions of Approval:
- Tentative Parcel Map No. TPM 36446,
- Major Architectural Approvals 3.3605, 3.3606 and 3.3607, and
- Planned Development District Permit 5.1290 / PD 360 / Block "c-1"

On November 28, 2012, the Planning Commission directed staff to prepare draft resolutions of approval, with conditions, on the above five applications. The draft resolutions are attached for the Commission's consideration and action.

Attachment: Draft Resolutions, TPM 36446, MAJ 3.3605, 3.3606, 3.3607 and PDD 5.1290 / PD 360 / Block "c-1"

DRAFT

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE PARCEL MAP 36446 TO SUBDIVIDE THE MUSEUM MARKET PLAZA PROPERTY OF APPROXIMATELY 13.57 ACRES INTO 14 PARCELS FOR DEVELOPMENT AND 4 LOTS FOR PUBLIC INFRASTRUCTURE, LOCATED AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND TAHQUITZ CANYON WAY.

WHEREAS, Palm Springs Promenade, LLC and the City of Palm Springs, ("applicants") has filed an application with the City, pursuant to the Museum Market Specific Plan and Section 9.62.010 of the Palm Springs Municipal Code for a Tentative Parcel Map to subdivide the Museum Market Plaza property of approximately 13.57 acres into 14 parcels for development and 4 lots for public infrastructure, located at the northwest corner of Palm Canyon Drive and Tahquitz Canyon, APN's: 513-560-002, -004, -007 - 008 and -009), zone Museum Market Plaza Specific Plan, Section 15/R4/T4; and

WHEREAS, on October 17, 2012, the City Council reviewed a project description of the proposed development and adopted an Addendum to the Museum Market Plaza Specific Plan Final Environmental Impact Report (EIR) and certified that the EIR, with the accompanying Statement of Overriding Considerations and Mitigation Monitoring Program, and the Addendum, is an adequate and complete analysis of the potential environmental impacts of the proposed project; and

WHEREAS, on November 13, 19 and 26, 2012, the Architectural Advisory Committee (AAC) reviewed the proposed project and voted 6-0 to recommend approval, with conditions, to the Planning Commission; and

WHEREAS, on November 7, 2012, the Planning Commission conducted an orientation session on the proposed project, and on November 14 and 28, 2012, the Commission conducted a public hearing in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the project description and exhibits, the staff report and memoranda, and written and oral testimony presented at the meetings.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The following findings required for the proposed Tentative Parcel Map are pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

1. *That the proposed map is not consistent with applicable general and specific plans as specific in Section 65451;*

   The project is subject to the Museum Market Plaza Specific Plan ("Specific Plan'), which governs as both general plan and specific plan (zoning) for the site. The proposed map implements the land use and development objectives of the Specific Plan by establishing a public street grid within the boundaries of the site and in alignment with surrounding streets. The plan further establishes lots of record for the redevelopment of small commercial blocks in the City's downtown core, which is a primary objective of the specific plan. Consequently, the proposed map is consistent with the applicable general and specific plans, and this finding is not met.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*

   The design of the proposed subdivision and the associated improvements will implement the goals and objectives of the applicable Museum Market Plaza Specific Plan in that public streets, sidewalks, parking facilities and related public facilities will be established within the project boundaries in support of future private development. The design of the street grid will provide vehicular access and parking, as well as pedestrian access in alignment with surrounding streets and sidewalks ways that will extend the urban character of the surrounding area into the site. Consequently, the design of the proposed subdivision and the associated improvements are consistent with the applicable general and specific plans, and this finding is not met.

3. *That the site is not physically suitable for the type of development;*

   The site is slightly more than thirteen (13) acres and is generally flat with a gentle slope from north to south and west to east. Existing improvements on the site include underground parking facilities, which are to be retained and an enclosed retail shopping center, which will be largely demolished. Surrounding areas are developed with urban commercial buildings and uses. The site will accommodate the proposed subdivision of fourteen private lots and associated public streets, and the subdivision will facilitate re-use of the site for an expansion of the City's downtown retail commercial core, as intended by the applicable Museum Market Plaza Specific Plan. Consequently, the site is physically suitable for the type of development, and this finding is not met.

4. *That the site is not physically suitable for the proposed density of development;*

The subdivision proposes to establish public streets and public and private parcels within a flat, gently sloping site to expand the existing downtown core. The proposed density of development will included existing underground parking; one, two and three story buildings; as well as a multi-story hotel and future development on fourteen parcels. The site is bordered by two major thoroughfares (N. Palm Canyon Drive and West Tahquitz Canyon Way), and additional local public streets will be constructed. Adequate lot sizes, access and parking are provided for the proposed density of development. Consequently, the site is physically suitable for the proposed density of development and this finding is not met.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;*

The design of the subdivision and the proposed improvements have been evaluated under the provisions of the California Environmental Quality Act (CEQA) and an Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program and subsequent EIR Addendum have been prepared and certified for the proposed subdivision. No substantial environmental damage nor substantially or avoidable injury to fish, wildlife or their habitat is expected to occur. Consequently, this finding is not met.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems;*

No serious public health problems have been identified in the certified Environmental Impact Report, Statement of Overriding Considerations, Mitigation Monitoring Program or subsequent EIR Addendum prepared for the proposed subdivision and its anticipated improvements. Consequently, this finding is not met.

7. *That the design of the subdivision or the type of improvements will conflict with easement, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easement of record or to easement established by judgment of a court of competent jurisdiction and no authority is hereby*

granted to a legislative body to determine that the public at large has acquired easements for access through or use of property with the proposed subdivision;

All easements on or near the subject site have been identified. New easements and other agreements have been established between the applicants, including the City of Palm Springs to resolve all access issues. Consequently, this finding is not met.

NOW, THEREFORE, BE IT RESOLVED, that, based on the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 36446 to subdivide the Museum Market Plaza property of approximately 13.57 acres into 14 parcels for development and 4 lots for public infrastructure, located at the northwest corner of Palm Canyon Drive and Tahquitz Canyon, as indicated on the attached map, Exhibit A, and subject to those conditions set forth in Exhibit B, attached hereto and made a part of this resolution.

ADOPTED this 5th day of December, 2012.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case Tentative Parcel Map No. 36446
Downtown Palm Springs

December 5, 2012

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case 3.3605 – MAJ, except as modified by the conditions below.

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division, except as modified by the conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.

ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach,. set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3467-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake

defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the properly if required by the City.

ADM 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being ½% for commercial projects or ¼% for residential projects with first $100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADM 10. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1 Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

PLANNING DEPARTMENT CONDITIONS

PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning or designee for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.

PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.

PLN 5. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

PLN 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Abandonment of right-of-way is required to facilitate the proposed development application. The abandonment of right-of-way shall be completed with the recordation of Parcel Map No. 36446, as indicated by the conditions herein. The abandonment of right-of-way shall be approved by the City Council in conjunction with the approval of Parcel Map No. 36446.

ENG 2. All private and public street improvements are subject to the Project Financing Agreement as amended.

N. PALM CANYON DRIVE

ENG 3. Vacate 9.5 feet of public right-of-way from the south property line of proposed Parcel 13, to a point approximately 110 feet south of the north property line of proposed Parcel 13, as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446; a 25 feet radius property line at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way shall be maintained, as shown and detailed on the approved version of TPM36446. From the point 110 feet south of the north property line of proposed Parcel 13, abandon 14.5 feet northerly to the north property line of proposed Parcel 1, with the following exception: from approximately 70 feet south of the north property line of Parcel 13 northerly to approximately 40 feet north of the south property line of Parcel 2, the vacation width shall be 17.5 feet, as shown and detailed on the approved version of TPM36446.

ENG 4. Dedicate public utility easements in areas for which public right-of-way has been vacated on Parcel Map No. 36446.

ENG 5. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match existing sidewalk) for those portions of sidewalk located outside of the public right-of-way after vacation of right-of-way on N. Palm Canyon Drive. Any existing underground utilities under the existing sidewalk, shall not be relocated in conjunction with this project.

ENG 6. All broken or off grade street improvements shall be repaired or replaced.

TAHQUITZ CANYON WAY

ENG 7. Vacate public right-of-way from the east property line of proposed Parcel 13 westerly to the west property line of proposed Parcel 4 as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446. 11.5 feet of right-of-way shall be abandoned (leaving a 25 feet radius property line at the curb return at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way) to a point approximately 100 feet west of the east property line of proposed parcel 13 of TPM36446, at which point, 23.53 feet of public right-of-way shall be abandoned westerly to a point approximately 25 feet easterly of the west property line of proposed Parcel 12 of TPM36446; from this point, the abandonment decreases to 11.5 feet, extending to the west property line of proposed Parcel 4 as shown and detailed on TPM36446.

ENG 8. Dedicate public utility easements in areas for which public right-of-way has been vacated on Parcel Map No. 36446.

ENG 9. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match existing sidewalk) for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on Tahquitz Canyon Way. Any existing underground utilities under the existing sidewalk, shall not be relocated in conjunction with this project.

ENG 10. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE PUBLIC STREETS (LOTS "A" (NEW MAIN STREET), LOT "B" AND "C" (BELARDO ROAD), AND LOT "D" (ANDREAS ROAD)

ENG 11. Dedicate full street right-of-way width of 41 feet as shown on the approved version of Tentative Parcel Map No. 36446, together with property line - corner cut-backs at each intersection between Lots "A", "B", "C", and "D", as required by the City Engineer.

ENG 12. Parking shall be restricted along both sides of Lot "A", "B", "C", and "D" as necessary to maintain a minimum 24 feet wide clear two-way travel way, except for designated parallel parking spaces. Regulatory Type R26 "No Parking" signs shall be installed along Lot "A", Lot "B", Lot "C", and Lot "D", as necessary to enforce parking restrictions.

ENG 13. The proposed Lot B (Belardo Road) grades shall meet the existing grades at the existing escalator located approximately 130 feet north of the south property line of proposed Parcel 4 (after abandonment of right-of-way), on the west side of the proposed Belardo Road.

ENG 14. The proposed Lot B (Belardo Road) includes airspace of 10.20 feet under the south end of Lot B and airspace of 9.0 feet under the north end of Lot B; the airspace is owned by the applicant.

ENG 15. The proposed Lot C (Belardo Road) grades shall meet the existing grades at the existing escalator located approximately 25 feet south of the north property line of proposed Parcel 3, on the east side of the proposed Belardo Road. Note that this escalator is proposed for removal, which would void this condition if the proposal for removal becomes a reality.

ENG 16. The proposed Lot C (Belardo Road) shall cross over the underground parking garage from the approximate proposed curb lines of Lot "D" (Andreas Road) on the east end of the proposed Belardo Road, to approximately 45 feet south of the south curb line; and to approximately 105 feet north of the north curb line, of Lot "D" (Andreas Road), respectively; the crossing(s) over the underground parking structure shall extend to the west property line of Lot "C" (Belardo Road); the airspace is owned by the applicant.

ENG 17. The proposed Lot C (Belardo Road) includes airspace of 10.0 feet adjacent to the east end of Lot C and the existing portion of Belardo Road that turns to the north along the west wall of the Hyatt Hotel; the airspace is owned by the applicant.

ENG 18. The proposed Lot C (Belardo Road) includes airspace of 20.2 feet along approximately 75 feet of Lot C (that is adjacent to and south of Lot D), in accordance with legal descriptions provided by applicant; the airspace is owned by the applicant.

ENG 19. The proposed Lot D (Andreas Road) includes airspace of 20.2 feet along approximately 190 feet south of Lot D (that is adjacent to and south of Lot C), in accordance with legal descriptions provided by applicant. The airspace is owned by the applicant.

ENG 20. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed travelway along the entire proposed New Main Street, Belardo Road, and Andreas Road frontages, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed for New Main Street and intersections (such as decorative concrete pavers), the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

MARKET STREET (ON-SITE PRIVATE STREET)

ENG 21. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private travelway between Parcel 2 and Parcel 3.

ENG 22. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed travelway along the entire proposed alleyway frontage in accordance with City of Palm Springs Standard Drawing No. 110. If an alternative pavement section is proposed (such as decorative concrete pavers), the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

DRAINAGE

ENG 23. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to N. Palm Canyon Drive, Tahquitz Canyon Way, proposed New Main Street (Lot A), proposed Belardo Road (Lot B and C), and Andreas Road (Lot D). Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

ENG 24. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

MAP

ENG 25. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.

ENG 26. In accordance with Government Code Section 66411.1 (b), the Tentative Parcel Map is a subdivision of five or more lots (parcels), and is subject to construction of all required public improvements. Prior to approval of a Parcel Map, all required public improvements shall be completed to the satisfaction of the City Engineer, or shall be secured by the Project Financing Agreement signed by Palm Springs Promenade, LLC and the City of Palm Springs on September 7, 2011 (in accordance with Government Code Section 66462) as amended.

ENG 27. In accordance with Section 66445 (j) of the Government Code, the western existing public right-of-way of 9.5 feet for N. Palm Canyon may be vacated upon the filing of a Parcel Map identifying the abandonment of the right-of-way granted to the City of Palm Springs, from the south property line of proposed Parcel 13, to a point located approximately 110 feet south of the north property line of proposed Parcel 13 (leaving a 25 feet radius property line at the curb return at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way), at which, 14.5 feet of public right-of-way shall be abandoned northerly to the north property line of proposed Parcel 1, with the following exception: from approximately 70 feet south of the north property line of Parcel 13 northerly to approximately 40 feet north of the south property line of Parcel 2, the vacation width shall be 17.5 feet, as shown and detailed on the approved version of TPM36446. Sidewalk easements and public utility easements shall be dedicated on the Parcel Map (or by separate instrument) as needed for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on N. Palm Canyon Drive.

ENG 28. In accordance with Section 66445 (j) of the Government Code, the northern existing public right-of-way of 11.5 feet for Tahquitz Canyon Way may be vacated upon the filing of a Parcel Map identifying the abandonment of the right-of-way granted to the City of Palm Springs, from the east property line of proposed Parcel 13 (leaving a 25 feet radius property line at the intersection of N. Palm Canyon Drive and Tahquitz Canyon Way), to a point located approximately 100 feet west of the east property line of the proposed Parcel 13 as shown and detailed on the approved version of Tentative Parcel Map No. (TPM) 36446. From that point, 23.53 feet of public right-of-way shall be abandoned westerly to a point approximately 25 feet easterly of the west property line of the proposed Parcel 12 of TPM36446; from this point, the abandonment decreases back down to 11.5 feet, extending to the west property line of the proposed Parcel 4 of

TPM36446, as shown and detailed on TPM36446. Sidewalk easements and public utility easements shall be dedicated on the Parcel Map (or by separate instrument) as needed for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on Tahquitz Canyon Way.

ENG 29. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

ENG 30. No construction traffic shall enter the project site from N. Palm Canyon Drive or Tahquitz Canyon Way.

BuchalterNemer
A Professional Law Corporation

55 SECOND STREET, SUITE 1700 SAN FRANCISCO, CALIFORNIA 94105-3493
TELEPHONE (415) 227-0900 / FAX (415) 227-0770

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DEPARTMENT

FACSIMILE TRANSMISSION

DATE: November 28, 2012 **FILE NUMBER:** B1251-0010

To:

NAME:	FAX NO.:	PHONE NO.:
Craig A. Ewing, AICP	760-322-8360	
cc: Douglas Holland	714-415-1142	
cc: David H. Ready, Esq., Ph.D.	760-323-8207	

FROM: Kimberly Huangfu **PHONE:** (415) 296-1696

NUMBER OF PAGES WITH COVER PAGE: 9	Originals Will Not Follow

Message:

Please see attached. Thank you.

IRS Circular 230 Disclosure: In order to comply with the requirements imposed by the Internal Revenue Service, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for the purpose of

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scope of each individual project, as well as of the Downtown Project in the aggregate. Given the expedited nature of recent approvals related to the Downtown Project, we are asking the City to give the pending approvals the time and consideration that a project of this magnitude requires.

I. FACTUAL BACKGROUND

On April 30, 2008, Wessman presented the City with a draft Specific Plan for the Museum Market Plaza. Initiated by the City Council, City staff ("Staff") was charged with the task of assessing whether the Specific Plan conformed with the Palm Springs General Plan, Downtown Design Guidelines, and the Palm Springs Zoning Code.

On June 13, 2008, the City issued a Notice of Preparation ("NOP") and Initial Study, which indicated that the following environmental factors would be potentially affected by the Specific Plan Project as contemplated at that time, including aesthetics, hazards and hazardous materials, public services, utilities/service systems, cultural resources, hydrology/water quality, noise, recreation, air quality, geology/soils, land use/planning, population/housing, and transportation/traffic, all of which would require a Statement of Overriding Considerations. (DEIR, App. A, Initial Study at p. 4.) Accordingly, the City prepared a DEIR and "undertook a *preliminary review* of the potential environmental impacts associated with the build out of the Specific Plan," specifically to identify "the range of development that would be permitted within the Specific Plan or Project Area . . . [and] evaluate[d] . . . the various policies and development standards for a master planned, mixed use project that would accommodate retail, office, high density residential, and resort development, and the environmental impacts the Project would cause if it were approved and developed." (City Council Staff Report, Dec. 2, 2009 at p. 0004; *see also*, Specific Plan DEIR at p. I-1, emphasis supplied.)

The Specific Plan Project proposes program-level "policies and development standards for a master planned, mixed use project to include Retail, Office, High Density Residential and Resort development on 20.6 acres," which initially allowed for the development of 400,000 square feet of retail or office, 955 residential dwelling units, and 620 hotel rooms. (*Id.* at App. A, NOP at p. 2.) The DEIR contained a "program-level analysis" of the environmental impacts related to the Specific Plan Project, which sought to:

> "examine . . . the total scope of environmental effects that would occur as a result of buildout of the entire proposed project. By examining the full scope of the proposed project and subsequent applications and approvals at this stage of planning, the *Program EIR provides a full disclosure of the environmental impacts that may occur throughout the project site*, together with an analysis of the site specific and cumulative environmental impacts that will occur throughout the buildout time frame of the project and may be

> found to support all levels of approvals necessary to implement the Project."

(City Council Staff Report, Dec. 2, 2009 at p. 0005 adopted Resolution No. 22077, emphasis added.)

Following several continuances, the City Council enacted Ordinance No. 1764 and adopted the Specific Plan Project and the DEIR on December 2, 2009. (Ord. No. 1764, §3 at p. 2 [Museum Market SP "includes comprehensive rules and regulations that will govern future development that may occur within the boundaries of the specific plan and such regulations may conflict with provisions of the Palm Springs Zoning Ordinance."].) As for the Desert Fashion Plaza Renovation Project, the City Council conducted a Conformity Review under the draft Museum Market Plaza Specific Plan and found the proposed plan for revitalization of the Desert Fashion Plaza Renovation Project to be in general conformance with the Specific Plan. (City Council Staff Report, Oct. 17, 2012 at p. 002.) The scope and specifics of the proposed Desert Fashion Plaza Renovation Project, however, were not contemplated as a part of the DEIR or Addendum. A Notice of Determination as to the initial Specific Plan Project was filed on December 7, 2009.

Nearly three years later, City Staff reviewed the latest site and development plans for the Specific Plan Project Area and concluded that "no new impacts are expected which were not fully analyzed in the Specific Plan [D]EIR, except for aesthetics/visual resources." (City Council Staff Report, Oct. 17, 2012 at p. 003.) The City noted, however, that "since the new plan proposes building height and mass in different configurations from the Specific Plan, it was necessary to analyze the new project's visual impacts and prepare an addendum of the aesthetics/visual resources section of the EIR" and included photographic simulations to reflect environmental impacts associated with the new height and mass configurations associated with the Downtown Palm Springs Project. (*Id.*)

No additional studies concerning air quality, noise, water availability, traffic, or population and housing were provided, despite numerous and substantial modifications to the original Specific Plan Project that were not assessed in the DEIR or Addendum.

Notwithstanding these substantial project changes, the City adopted an Addendum to the FEIR on October 17, 2012 for the newly entitled "Proposed Renovation Plan," also referred as the "Downtown Palm Springs Project." A subsequent notice of determination with respect to the Addendum has not been filed with the Office of Planning and Research, thereby extending the applicable statute of limitations for legal challenges from 30 to 180 days. (Cal. Pub. Res. Code § 21167(c).)

Future expansion and actions related to the Downtown Project, which presently includes the four pending approvals before the Planning Commission, namely the (1) Tentative Parcel

Map No. 36446 to subdivide the parcel; (2) Major Architectural Approval 3.3605/Block A; (3) Major Architectural Approval 3.3606/Block B; (4) Major Architectural Approval 3.3607/Block C; and (4) Planned Development District PD 361/Block C-1, will indisputably be significant. Consequently, such changes and refinements to the "Downtown Project," which were never assessed on a project-level in the Specific Plan Project, should either have been analyzed as part of the original DEIR, or become the subject of subsequent or supplemental environmental review. (14 Cal. Code of Regs. §§ 15162-15164.) Therefore, issues concerning the applicability of the Addendum and the FEIR for the Specific Project Plan to the pending City approvals for the Downtown Project are currently outstanding and have been timely raised for consideration by the Planning Commission.

II. THE PROJECT DESCRIPTION IN THE DEIR AND THE ADDENDUM IS INSUFFICIENT AS APPLIED TO THE DOWNTOWN PROJECT

"CEQA requires that '[a]n accurate, stable and finite description' of the project be established 'early enough in the planning stages of [the] project to enable environmental concerns to influence the project's program and design, yet late enough to provide meaningful information for environmental assessment." (*Planning and Conservation League v. Castaic Lake Water Agency*, 180 Cal.App.4th 210, 234-35 (2009), quoting *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692, 738 (1990).) An EIR must, therefore, "include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." (*Id.*) Of course, "if the future action is not considered at that time, it will have to be discussed in a subsequent EIR before the future action can be approved under CEQA." (*Id.*)

None of these conditions has been met in this instance. The Specific Plan Project, as defined in the FEIR, serves to provide a framework of guidelines and regulations with a roadmap for long-term growth consistent with the City's general plan. As specific projects evolve, such as changes to the Desert Fashion Plaza Renovation Project or the newly proposed "Event Area," the scope of the "project" should similarly account for subsequent modifications and project refinements, which would require additional environmental review, at a minimum. Nevertheless, the fact that the Downtown Project and the Desert Fashion Plaza Renovation Project were not reviewed in its entirety at the outset, but rather broken down into components to be separately reviewed at separate times, renders the Addendum and any prior environmental document upon which it is based per se inadequate.

///

///

III. THE INADEQUATE PROJECT DESCRIPTION IS INEXTRICABLY LINKED TO THE SPECIFIC PLAN PROJECT'S IMPROPER SEGMENTATION AND COMPLETE LACK OF ENVIRONMENTAL REVIEW WITH RESPECT THE DOWNTOWN PROJECT

CEQA defines "project" broadly to encompass "the whole of an action which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (*Planning and Conservation League, supra*, 180 Cal.App.4th at 235, quoting CEQA Guidelines § 15378(a) and (c).) This definition precludes "piecemeal review which results from chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." (*Planning and Conservation, supra*, 180 Cal.App.4th at 235 [citations omitted].)

Nevertheless, the City engaged in just such "segmentation" or "piecemealing" here. In 2009, the "project description" for the Specific Plan DEIR, as applied to the Downtown Project, is non-existent and sorely inadequate under CEQA. For instance, the DEIR generally alludes to project phrasing with no specificity as to what the individual phased projects would entail. Beyond vague references to "allow[ing] for the broadest range of development" and ballpark estimates of the anticipated square footage of projects classified by land use (and not when the projects would be constructed), no specific assertions are made as to the individual or cumulative impacts of these phased projects. (DEIR at p. I-12.)

Furthermore, the City made certain assurances to the public that it would undergo additional environmental review and conduct an initial study for the Desert Fashion Plaza Renovation Project to gauge whether additional environmental review was warranted. To date, no such evaluation has occurred. As a result, the Downtown Project cannot proceed without a project-specific environmental assessment.

IV. THE ADDENDUM DID NOT ALLOW ADEQUATE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT GIVEN THE SUPERFICIAL NATURE OF THE ENVIRONMENTAL REVIEW AS TO THE DOWNTOWN PROJECT

"Generally, the ultimate decision of whether to approve a project, be that decision right or wrong, is a nullity if based upon an EIR that does not provide the decisionmakers, and the public, with the information about the project that is required by CEQA." (*Planning and Conservation League, supra*, 180 Cal.App.4th at 241[cites omitted].) Just such absence of adequate public disclosure renders the Addendum, in this instance, a "nullity."

It is readily apparent that the FEIR for the Specific Plan Area provided inadequate public disclosure by setting forth nothing more than a wide-ranging plan for the systematic implementation of certain planning objectives and policies for a defined area. What the Specific

Plan FEIR and Addendum lack, however, is a sufficiently detailed accounting of the facts and environmental analyses needed to provide any meaningful evaluation of significant environmental impacts and the implementation of potential mitigation measures.

V. CONCLUSION

For the foregoing reasons, the City should reevaluate the scope of the Specific Plan FEIR, as applied to the Downtown Project, and provide supplemental review by way of a subsequent or supplemental EIR. Inconsistent with all of the primary CEQA objectives, the Addendum and FEIR for the Specific Plan, as adopted, not only fail to provide adequate notice to the public, but also fail to provide the City and interested parties with the information needed to thoroughly assess and mitigate avoidable environmental damage. As a result, the City's misplaced attempt to streamline the Downtown Project by inappropriately circumventing CEQA requirements for such a large-scale series of long-term phased projects constitutes a manifest injustice and must be remedied before the Downtown Project can proceed.

Very truly yours,

BUCHALTER NEMER
A Professional Corporation

By Kimberly A. Huangfu

Kimberly Huangfu

KH:lg

cc: Douglas Holland, City Attorney (via e-mail - dholland@wss-law.com and fax - (714) 415-1142)
David H. Ready, Esq., Ph.D., City Manager (via e-mail - CityManager@palmspringsca.gov and fax - (760) 323-8207)
Planning Commissioner Leslie Munger (via First Class Mail)
Planning Commissioner Philip Klatchko (via First Class Mail)
Planning Commissioner J.R. Roberts (via First Class Mail)
Planning Commission Chair Donenfeld (via First Class Mail)
Planning Commission Vice-Chair Hudson (via First Class Mail)
Planning Commissioner Lyn Calerdine (via First Class Mail)
Planning Commissioner Kathy Weremuik (via First Class Mail)

Councilmember Chris S. Mills (via e-mail - Chris.Mills@palmsprings-ca.gov)
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Mayor Pro Tem Ginny Foat (via e-mail - Ginny.Foat@palmsprings-ca.gov)
Councilmember Rick Hutcheson (via e-mail - Rick.Hutcheson@palmsprings-ca.gov)
Councilmember Paul Lewin (via e-mail - Paul.Lewin@palmspringsca.gov)
Councilmember Chris Mills (via e-mail - Chris.Mills@palmspringsca.gov)

P.01

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MEMORANDUM

DATE: November 27, 2012 **W.O.** 11-105

TO: Craig Ewing
City of Palm Springs

FROM: John Sanborn

SUBJECT: Tent. Parcel Map No. 36446
Revised Tentative

Craig:

Attached are the following

1. Ten copies of revised tentative map.

The revision was to Block "C". The block was divided into three lots (12,13 & 14) from two lots (12 & 13).

John

71780 San Jacinto Dr.l * Suite E-1 * Rancho Mirage, California 92270 * (760) 423-0600 * Fax (760) 423-0603
john@sanbornae.com

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA
Council Chamber

3200 East Tahquitz Canyon Way, Palm Springs, California
www.palmspringsca.gov

AGENDA

Wednesday, November 28, 2012	1:30 PM Regular Meeting

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda is available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 6:00 p.m. on Tuesday, November 20, 2012. A posting of this Agenda can be found on the City's website at: www.palmspringsca.gov. Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Planning Commission is the Office of the City Clerk, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the Public Hearing described in this notice or in written correspondence at, or prior to, the Planning Commission meeting.

Please silence all cell phones, pagers and/or other electronic devices for the duration of the meeting.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing.

1. PUBLIC HEARING:

1A. Case 5.1290-PD361 – Applications by Wessman Development for a Tentative Parcel Map (TPM 36446) to subdivide a property of approximately 13.57 acres into 13 parcels for development and 4 lots for public infrastructure and Planned Development District (5.1290-PD361) for a hotel in excess of 60 feet in height as allowed under the provisions of Museum Market Plaza Specific Plan; Major Architectural applications (3.3605-MAJ, 3.3606-MAJ & 3.3607-MAJ) for Blocks A, b/b-1 and c/c-1 of the site. The site is located at the northwest corner of West Tahquitz Canyon Way and North Palm Canyon Drive. Zone Museum Market Plaza Specific Plan, Section 15. (Craig A. Ewing)

Recommendation: Open the public hearing, accept any testimony and continue the hearing to the meeting of December 5, 2012.

2. **DISCUSSION ITEM:** Time Extension Requests – New formats and requirements for the extensions of previously approved projects.

PLANNING COMMISSION COMMENTS: This portion of the meeting is set aside for brief general comments and/or other issues of concern from members of the Planning Commission.

PLANNING DIRECTOR'S REPORT: This time is set aside for the Planning Director to update the Planning Commission on important items initiated by staff or members of the City Council.

ADJOURNMENT: The Planning Commission will adjourn to 1:30 p.m., Wednesday, December 5, 2012, at 1:30 pm, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

ADDED STARTERS: If there are added starters, action is required to determine eligibility for consideration.

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 28, 2012

To: Planning Commission

From: Craig A. Ewing, AICP

Subject: Downtown Palm Springs Project – Report on AAC Actions:
TPM 36446 / Tentative Parcel Map,
5.1290 PD 361 / Planned Development Permit, and
MAJ 3.3605, 3.3606, 3.3607 / Major Architectural Approvals

On Monday, November 26, 2012, the Architectural Advisory Committee (AAC) conducted its third meeting on the above applications. The following recommendations were adopted:

MAJ 3.3605 / Block A (between Andreas Road extension and Hyatt Hotel):
Motion by Jensen / second by Fauber / approved 6-0; to recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Review by the AAC of exterior elevation details at 40% and again at 70% construction drawings, including the following additional information:
    a. All proposed colors, materials and finishes;
    b. Those portions of existing building to be removed and all new construction; and
    c. Details on building interface with Hyatt Hotel building and lobby;
2. Review by the AAC of conceptual landscape plan at time of 40% construction drawing review, with AAC review of detailed plans to follow;
3. Review by the AAC of exterior elevations for all individual tenancies;
4. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture, subject to the following
    a. Seek expansion of landscaping areas from proposed 10% of site, and
    b. Use a variety of plant materials in landscape pallette;
5. Review by the AAC of street paving plans, and traffic movement patterns; and
6. Submission and review by AAC of a sign program for Block A.

MAJ 3.3606 / Block B (between "New Main" and Andreas Road extension):
Motion by Harlan / second by Thompson / approved 6-0; to recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Building B-1 not approved, but continued for redesign;
2. Review by the AAC of exterior elevation details at 40% and again at 70% construction drawings, including the following additional information:
    a. All proposed colors, materials and finishes;
    b. Trash areas to be re-studied;
3. Review by the AAC of conceptual landscape plan at time of 40% construction drawing review, with AAC review of detailed plans to follow;
4. Review by the AAC of exterior elevations for all individual tenancies;
5. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture, subject to the following
    a. Use a variety of plant materials in landscape pallette;
6. Review by the AAC of street paving plans, and traffic movement patterns; and
7. Submission and review by AAC of a sign program for Block B.

MAJ 3.3607 / Block C (south of "New Main", along N. Palm Canyon Drive only):
Motion by Harlan / second by Fauber / approved 6-0; to recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Review by the AAC of exterior elevation details at 40% and again at 70% construction drawings, including the following additional information:
    a. All proposed colors, materials and finishes;
2. Review by the AAC of conceptual landscape plan at time of 40% construction drawing review, with AAC review of detailed plans to follow;
3. Review by the AAC of exterior elevations for all individual tenancies;
4. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture, subject to the following
    a. Use a variety of plant materials in landscape pallette;
5. Review by the AAC of street paving plans, and traffic movement patterns; and
6. Submission and review by AAC of a sign program for Block C.

5.1290 / PD 361 / Hotel
Motion by Fauber / second by Thompson / approved 6-0; to recommend denial as submitted, with comments:

Vice-Chair Harlan:

Cannot support as presented due to building height and bulk; hotel does not support character of boutique hotels on S. Belardo (HTCNO); too similar to Tahquitz Canyon Way development; architecture not the same caliber as remainder of project.

Fauber:

Project should go forward; hotel size will change area character, but that doesn't make him uncomfortable; hotel height OK with new revisions; prefers transparent 'bridge'; hotel not ideal design.

Fredricks:

Project design not "ready"; use balloons to show building height; building materials should be first quality.

Jensen:

Hotel architecture not "ready"; needs story poles / balloons to show building height; needs greater emphasis on sustainability in design.

Thompson:

Supports hotel; likes proposed changes; height not an issue, but architecture should be more interesting; materials are of concern, but can be worked out.

Purnel:

Hotel architecture should be more eclectic within overall project.

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 28, 2012

To: Planning Commission

From: Craig A. Ewing, AICP

Subject: Downtown Palm Springs Project:
TPM 36446 / Tentative Parcel Map,
5.1290 PD 361 / Planned Development Permit, and
MAJ 3.3605, 3.3606, 3.3607 / Major Architectural Approvals

Introduction:

At the meeting of Wednesday, November 14, 2012, the Planning Commission received a staff report on Downtown Palm Springs Project, with specific attention given to the project's conformance with the development standards of the Museum Market Plaza Specific Plan. The Commission opened the public hearing on the project, following notification as required by law, and continued the hearing to November 28. The Commission also identified the following additional information that it wished to receive about the project and staff forwarded the list to the applicant that evening (see attached e-mail):

a. Modeling of the project within the larger downtown area (update the last sheet of today's handout with more accurate building volumes),
b. Photo-simulations of the proposed project from the east side of N. Palm Canyon Drive,
c. The agreement regarding the interim use of Block D for a public event venue,
d. Design options for the 'billboard' space on the hotel's elevation tower (east elevation),
e. Sightline studies for views, comparing the existing condition with proposed project,
f. The structural configuration of the underground parking,
g. Sun / shadow studies for the open space areas (Blocks B and C),
h. Anticipate vehicular traffic movement patterns (see Public Works for assistance).

At the time this memo was prepared, items "f" and "h" have been received and will be presented at the meeting. Other items may also be presented to the Commission.

As previously noted, the Planning Commission has been requested by the City Council to complete your review of the project so that the Council might begin its deliberations on December 19, 2012. To help achieve this, staff has prepared a report for this meeting to focus on the project's conformance with the design guidelines of the Specific Plan. The Commission now has the basic information it needs to take action on the requests. Staff will be prepared to offer draft resolutions for Commission consideration and action at your meeting of Wednesday, December 5, 2012, and set the stage for the Council's review.

This memorandum provides a discussion of the project in light of the design policies of the Museum Market Plaza Specific Plan, which governs the development of the property. These policies are for use by the AAC, Planning Commission and City Council to evaluate the proposal and more fully inform the Architectural Review findings of the Zoning Code (Section 94.04.D, attached).

Project Description:

As more fully described in your prior staff reports, the proposal is made up of five entitlements: A Tentative Parcel Map to reconfigure the site for development and financing purposes, three Major Architectural Approvals for the proposed buildings, and a Planned Development District for a hotel exceeding 60 feet in height.

Tentative Parcel Map No. 36446
The proposed tentative parcel map (TPM 36446) would create thirteen (13) parcels for future development and four (4) lots for public street right-of-way. The map is required to reconfigure the site for development and financing purposes. On November 19, 2012, the applicant submitted a revised tentative map and site plan which re-aligns "New Main" (see attached exhibit). These changes alter the proposed areas of Block B and C / C-1 and may also modify the setbacks and stepbacks for the buildings. At the time this memo was prepared, staff had not completed its analysis of the new plan's conformance with the development standards of the Museum Market Plaza Specific Plan. A new analysis will be provided at the meeting of November 28, 2012.

Major Architectural Approval 3.3605 / Block A
This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with a portion of the Desert Fashion Plaza multi-tenant building and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,608 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of

the block. The remainder of the site is divided between landscaping (10%) and paving (12%).

Major Architectural Approval 3.3606 / Block B

Block B is immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed, with a maximum of two-stories and 45 feet in height; they are proposed for use as retail, restaurant and office. The buildings are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings a private street ("Market Street") is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The buildings will cover about 66% of the site, with landscaping covering 25% and streets and paving 9%.

Major Architectural Approval 3.3607 / Block C

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block C is proposed to be divided into two projects. Block C-1 will include buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to W. Tahquitz Canyon Way and N Palm Canyon Drive, but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling 57,050 square feet. Building coverage is 67% of this portion of Block C, with 26% landscaping and 7% paving.

Planned Development District PD 361 / Block C-1

A hotel is proposed on the westerly (back) half of Block C, with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 89 feet. Total square footage is approximately 140,272. The building footprint will cover about 51% of the site; landscaping will comprise about 26% of the site; and another 23% will be devoted to streets other paving.

Analysis:

The General Plan policies and zoning will be governed by the development standards and design guidelines of the Museum Market Plaza Specific Plan. An analysis of the project against the Specific Plan development standards was presented to the Commission on November 14, 2012. The Specific Plan's design guidelines (see attached) also must be considered by the Commission and they are presented below.

Architecture – General Provisions

The Museum Market Plaza Specific Plan discussion of architecture identifies certain general principles for the physical development of the site. The existing surrounding environment needs to be taken into account so that development achieves, "...sympathetic relationships between the new buildings and the existing adjoining

developments..." The blocks of the Specific Plan must be "...clearly identified by a coherent visual identity." Lastly, the Specific Plan calls for a, "...unified, distinctive and adaptable urban design concept, that is based on versatile design principles..."

The "sympathetic relationships" objective appears to be generally met by the project as the edge of the blocks fronting N. Palm Canyon Drive are proposed to be one story buildings, with the exception of the three story corner building in Block C, at Palm Canyon and "New Main". The major challenge is the height of the hotel along West Tahquitz Canyon Way, where the six-story building is setback from the street curb about 30 to 35 feet. Adjacent existing development includes the three-story Palm Mountain Resort & Spa at the southwest corner of Tahquitz and Belardo, but directly south is a surface parking lot serving the Oasis mixed use commercial building (southwest corner W. Tahquitz Way and S. Palm Canyon Drive). The overall plan respects the scale of development along Palm Canyon Drive and at the corner of Palm Canyon Drive and Tahquitz Canyon Way, but the hotel presents a significant mass close in to Tahquitz at Belardo Road..

The "coherent visual identity" objective is met in part by the grid of small, urban-scale blocks provides a repetitive block pattern along N. Palm Canyon Drive. Further, distinctive street paving will enhance a visual identity of the site. Finally, the landscape and street furniture plans have the potential to confirm a coherent visual identity, and should be reviewed with that goal in mind. Meanwhile, building architecture is not seen as fulfilling this objective as the elevations and building façades are proposed to vary throughout the site.

The last overall objective is to establish a "unified, distinctive and adaptable urban design concept". Since "unified" and "distinctive" are potentially conflicting ideas, the question is whether the sum of the projects' design elements provide meet the objective in a coherent, successful way. As noted above, the block pattern, streetscape and landscape should contribute to a unified look and should be sufficient for that purpose. Distinctiveness should be achieved through building architecture, materials, finishes and colors. The building elevations on Blocks A, B and C provide distinctive looks within a contemporary genre, but it is unlikely that upon completion the present design will be read as anything but a single project. The ability of buildings' to "learn" over time should mitigate this, as new tenants modify individual façades for their own branded look.

The last part of the objective is "adaptable", which has to be taken into consideration within the context of buildings which will have a life of thirty to fifty years. This proposal provides adaptability in the storefront elevations that will be modified by individual tenants, the open courtyards and Market Street that are available for outdoor uses and the flexible use of Block A as a new-styled multi-tenant retail complex.

Architecture – Building Height, Scale and Massing

The Specific Plan recognizes that the site is intended for "...an intensive level of development...", but that the pedestrian experience requires buildings to be

"...designed to the human scale with active, pedestrian friendly frontages." View corridors and public and private open spaces are to be provided throughout. An average maximum height of 60 feet is to be maintained, although hotels may exceed 60 feet. Most significantly, building elements must be varied to reduce the appearance of mass and avoid "cliff-face" frontages. Guidelines for individual blocks are also identified, and discussed below.

The pedestrian-level objectives are generally met by the project as one-story buildings predominate along N. Palm Canyon Drive and the internal street frontages are primarily retail and restaurant spaces. Necessary "back-of-house" and service entries are minimized. View corridors along the internal east-west streets are provided. Public and private open spaces are found on Blocks B and C, with the existing building on Block A retained and re-purposed to including interior public circulation, including connection to the abutting Hyatt Hotel.

Overall height of the three blocks is maintained at an average less than 60 feet, including the hotel in Block C which has a maximum height approaching 90 feet. However, the proposed hotel presents a tall façade at Tahquitz Canyon Way as well as a six-plus story building mass along Belardo. The architecture mitigates some of the building's height so that it does not appear "cliff-faced", but its overall volume is remains pronounced. Given the developer's expressed need for a hotel of 185 rooms to support the remainder of the project and the goals of creating pedestrian-friendly street frontages and useful open spaces, the design and placement of the hotel is the project's primary trade-off within the Specific Plan's design guidelines proposed by.

Block A
The massing of Block A buildings is required to respect of the Hyatt Hotel to the north. The existing mall building is to be retained, maintaining the existing relationship with the hotel's south elevation, and no changes are proposed here. The three street elevations are arranged with retail and restaurant facades "frames" that are oriented to pedestrian uses and available for future tenant customization.

Block B
The Specific Plan's approach to Block B has been modified by this proposal and the Council's conformity review of October 17, 2012. Consequently, the development of Block B with two two-story buildings and a private alley should be evaluated in light of the overall plan's scope. The one-story portion facing N. Palm Canyon Drive is respectful of the scale of development along the street, and the two story portion is setback significantly. The overall scale and placement of the Block B buildings is an appropriate transition between Block A and C; however the westerly building encroaches into setbacks and rights-of-way and is recommended for redesign.

Block C
Stepped frontages and massing "concentrated toward the center" are required in order that the volume of the larger buildings respects the surrounding streetscapes and

development intensities. This is achieved along Palm Canyon in Block C, with the exception of a three-story building at the corner of Palm Canyon and "New Main" providing a modest landmark statement. As previously noted, the proposed hotel does not meet the guidelines for avoiding significant building mass along the street edge. Neither does it step back from Tahquitz Canyon or Belardo, nor concentrate that mass toward the center. Also previously noted, this arrangement allows for the lower, pedestrian-oriented buildings along Palm Canyon and the internal streets; for the open spaces within Blocks C and B; and for the size of hotel identified as necessary to support the project.

Architecture – Architectural Style and Treatment

Recognizing that Palm Springs' existing downtown development is an eclectic mix of styles, the Specific Plan also states that new development should be "of its time, using contemporary designs of a scale and form reflective of locally distinctive models." The challenge noted by the Specific Plan is to provide variations on a consistent architectural theme, with a variety of detailing and materials; the buildings should not be too "idiosynchratic".

Additional objectives include incorporating a sustainability paradigm, a response to the demands of the desert climate, and the sensitive treatment of street fronts. More specific direction is provided to assure the recesses and revieals provide shade and visual interest, including building projections, covered walkways and arcades. Buildings situated at important intersections should receive special treatments.

Overall, the project achieves the stated objectives. A contemporary style is adopted throughout the project, without the introduction of artificial variety (such as Mission Revival or Art Deco segments). The elevations at the street level as well as on the upper floors are composed of a variety of materials and colors arranged with slight variations in scale, massing, and repetition. The architecture supports the underlying objective of most downtowns: Providing "safe discovery" for pedestrians moving among the small blocks of shops and restaurants.

Architecture – Storefronts

According to the Specific Plan, storefronts should be "visually permeable", with clearly-defined entrances. While detailed storefront designs will be provided by individual tenants in the future, the elevations proposed for the retail and restaurant buildings show significant glazing and flexible "frames" for future tenant use.

Architecture – Building Materials

Exterior building materials are to be provided from a "rich palette of complementary materials and finishes." The Specific Plan also notes that the intense level of development contemplated for the area requires that building facades be "softened" by surface treatments. The deliberate and coordinated use of colors, materials, textures and glazing should aim to visually reduce building mass, create shadow effects and promote a sense of permeability and spaciousness.

The project includes color / material boards for each block that provide coordinated, but varied palettes of muted colors for the main stucco finishes with stone, tile, aggregates and metals used for accents and highlights. for the four main developments (Block A, Block B, Block C and the hotel). The colors are muted desert colors, with coordinated accents, and materials include tiles and metal to add interest. It is expected that the ground floors will present more diverse and energized elevations, especially once tenants propose their specific storefront designs. Upper levels should be more subdued to achieve the 'softening' contemplated by the Specific Plan. Overall, the color and material boards achieve the Plan's objectives.

Connectivity, Streetscapes, Open Spaces

The Museum Market Plaza Specific Plan recognizes that the configuration and design of streets and passageways are vital to assuring full use of the downtown area by pedestrians and drivers. East-west linkages are especially important and the Tentative Parcel Map and proposed site plan provide an extension of Andreas Road, as well as a new "Main" street to penetrate the site. "New Main" Street's western terminus in front of the Palm Springs Art Museum will provide a formal and dramatic visual connection between N. Palm Canyon and a major community institution and architectural landmark.

The extension of Belardo Road through the site (north-south) further develops the idea of a downtown by creating small blocks for increased retail frontage and pedestrian access. Outdoor passageways within Blocks B and C and the indoor passage in the Block A building further enhance opportunities for exploring the area and creating the hierarchy of streets and pedestrian linkages called for in the Plan.

The importance of off-site views is highlighted in the Specific Plan as, "...existing view corridors are protected and new ones created." The new east-west streets provide for enhancement of existing and new views, with street trees providing a frame as called for in the Plan. The proposed arrangement of one-story buildings and six-plus story hotel is expected to have a mixed impact on views, depending on the location of the observer. By eliminating major portions of the existing Desert Fashion Plaza, the plan is anticipated to open up some views that did not exist before, while reducing others somewhat.

Street design treatments are to provide "...a strong sense of continuity and place..." Consistent with the Plan's direction, sidewalks are provided on the streets and internal open spaces, "...to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use." Most sidewalks are at least 8-feet wide, and internal passageways range in width from ten (10) to eighty (80) or more feet. While street treatments and furnishings are not specifically identified, the applicant has indicated that pavers and other decorative treatment will characterize the streets and that asphalt concrete will be minimal. These treatments will provide the unifying character to the area as the buildings and open spaces provide unique shopping and dining experiences, storefront-by-storefront and block-by-block.

Connectivity – Public Open Spaces

The Specific Plan's discussion of Block B highlights its role in the Plan's vision of a central public gather place. The City Council's October 17, 2012 conformity determination of the current site plan postpones this vision for the current renovation plan. The distinctive sense of place that is to be anchored by the public plaza is now achieved by other means: The Market Street in Block B, the pedestrian corridor from the Hyatt to the corner of Palm Canyon and Tahquitz and the use of Block D as an interim outdoor event space (not a part of the current entitlements).

Landscaping

Landscape guidelines in the Specific Plan focus on assuring that landscaping adds to the area's high-quality design, while respecting the desert setting and the need to be drought-tolerant. The choice of landscape materials must also consider the "vertical dimension" in the use of palm trees, as well as trees that will provide shade. The Specific Plan calls for the establishment of three landscape zones: 1) The Streetscape Zone, with palm trees predominating along the streets (to emulate those on Palm Canyon Drive), 2) The Transition Zone with a greater variety of shade trees and shrubs on secondary streets (Market Street), and 3) The Open Space Zone, where the widest variety of plants is used in the plazas and public spaces.

Further, landscaping is supposed to highlight and enhance focal points, including a Major Focal Point at Museum Drive and New Main (called Museum Way in the Specific Plan). Minor Focal Points (Palm Canyon and New Main, Belardo and New Main, and Andreas and Belardo) must also be give special attention. Finally, the Specific Plan provides a recommended landscape palette from which a landscape plan should be developed. While only a conceptual landscape plan has been submitted, it appears to achieve the goals of the Specific Plan. More detailed landscaping needs to be presented before a final action is taken by the City.

Street Furniture, Lighting and Art

As a vision for a pedestrian-oriented area, the Specific Plan recognizes that "Well-designed street furniture, lighting and public art enliven townscape character and contribute to a strong sense of local identity." As with other design elements, street furniture, lighting, and art should be selected to support the overall identity of the planning area, yet also providing variety and distinctiveness. No plan for these elements has been presented, and detailed specifications and plans will be needed prior to final action.

Recommendation:

The Commission may close the hearing and discuss the project. Any actions on the applications should be in the form of motions to direct staff to prepare draft resolutions; these would be available for final action at your meeting of December 5, 2102.

Attachments:

- Exhibits (previously distributed)
- E-mail to Michael Braun, November 14, 2012
- Revised Tentative Parcel Map 36446
- Palm Springs Zoning Code Section 94.04.D
- Museum Market Plaza Specific Plan Design Guidelines (pages III-17 thru -38)

Craig Ewing

From: Craig Ewing
Sent: Wednesday, November 14, 2012 5:54 PM
To: Michael Braun (MBraun@wessmandevelopment.com)
Cc: Terri Hintz; Doug Donenfeld
Subject: Requirements for 11/28 Planning Commission - Downtown Palm Springs

Michael,

Based on today's meeting, we will be seeking from you by noon, Tuesday, November 21 the following items:

1. **Modeling of the project within the larger downtown area (update the last sheet of today's handout with more accurate building volumes),**
2. **Photo-simulations of the proposed project from the east side of N. Palm Canyon Drive,**
3. **The agreement regarding the interim use of Block D for a public event venue,**
4. **Design options for the 'billboard' space on the hotel's elevation tower (east elevation),**
5. **Sightline studies for views, comparing the existing condition with proposed project,**
6. **The structural configuration of the underground parking,**
7. **Sun / shadow studies for the open space areas (Blocks B and C),**
8. **Anticipate vehicular traffic movement patterns (see Public Works for assistance).**

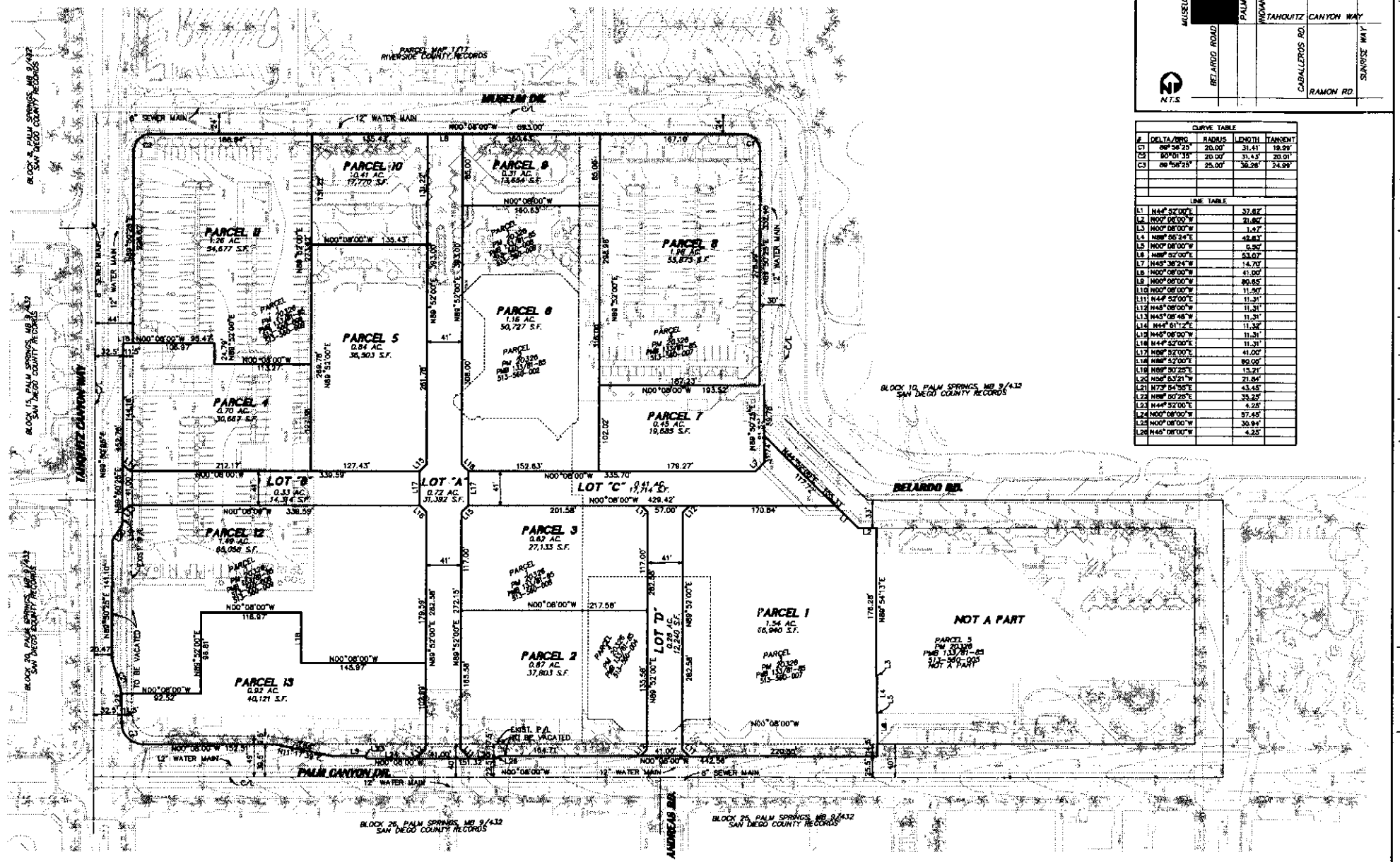
Thank you,

- **Craig A. Ewing, AICP**
- **Director of Planning Services**
- **City of Palm Springs**

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

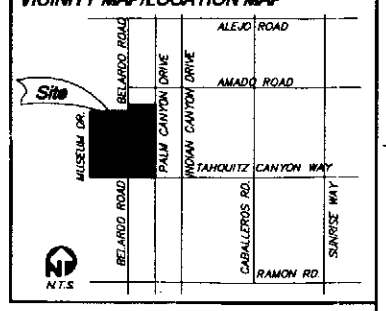
TENTATIVE PARCEL MAP NO. 36446

BEING A SUBDIVISION OF PARCELS 1,2,3 & 4 OF PARCEL MAP NO. 20326,
P.M.B. 133/81-85, RIVERSIDE COUNTY RECORDS
SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.M.
SANBORN A/E, Inc. MARCH 2012



GRAPHIC SCALE
0 30 60 120 150
SCALE 1"=60'

VICINITY MAP/LOCATION MAP



CURVE TABLE

#	DELTA/BRG	RADIUS	LENGTH	TANGENT
C1	89°56'25"	20.00'	31.41	19.99'
C2	90°03'35"	20.00'	31.43'	20.01'
C3	89°56'25"	25.00'	39.26'	24.99'

LINE TABLE

#	BRG	LENGTH
L1	N44°52'00"E	57.82'
L2	N00°08'00"W	21.46'
L3	N00°08'00"W	1.47'
L4	N89°55'24"E	42.63'
L5	N00°08'00"W	0.95'
L6	N89°52'00"E	53.07'
L7	N45°38'24"W	14.70'
L8	N00°08'00"W	41.00'
L9	N00°08'00"W	89.85'
L10	N00°08'00"W	11.50'
L11	N44°52'00"E	11.31'
L12	N45°08'00"W	11.31'
L13	N45°08'48"W	11.31'
L14	N44°51'12"E	11.32'
L15	N45°08'00"W	11.31'
L16	N44°52'00"E	11.31'
L17	N89°52'00"E	41.00'
L18	N89°52'00"E	90.00'
L19	N89°30'25"E	13.21'
L20	N36°53'21"W	21.84'
L21	N73°54'56"E	43.45'
L22	N89°30'25"E	33.25'
L23	N44°52'00"E	4.28'
L24	N00°08'00"W	97.45'
L25	N00°08'00"W	30.94'
L26	N45°08'00"W	4.25'

OWNER/DEVELOPER:

OWNER: WESSMAN HOLDINGS
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CALIFORNIA 92264

ENGINEER: SANBORN A/E, INC.
77-780 SAN JACINTO DR
SUITE E-1
RANCHO MIRAGE, CA. 92270
(760) 423-0600

UTILITY NOTIFICATIONS:

ELECTRIC: SO. CALIFORNIA EDISON
760-202-4201

GAS: SO. CALIFORNIA GAS CO.
760-324-4651
ATTN: BERTRUM WILLIAMS

TELEPHONE: VERIZON
760-778-3401
ATTN: LARRY MOORE

TELEVISION: TIME WARNER
760-324-3452
ATTN: DAVE SCRIVNER

SEWER: VEOLIA WATER
760-323-1846 x9
ATTN: GARY GRAY

WATER: DESERT WATER AGENCY
760-323-4971
ATTN: DEBBIE RANDALL

BASIS OF BEARINGS:

CENTERLINE OF NORTH PALM CANYON DRIVE
BEING N 00°08'00" W PER PARCEL MAP NO. 20342,
PMB 133/81-85

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT
980 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CALIFORNIA 92262
(760) 416-6000

ASSESSOR'S PARCEL NUMBERS

513-560-002, 004, 007, 008 & 009

2008 THOMAS GUIDE LOCATION

PAGE 766 / 2D

FEMA FLOOD ZONE

ZONE: X500 & X
COMMUNITY PANEL NO.: 060257 1558G
DATED: 08/28/2008

TOPOGRAPHIC SOURCE

INLAND AERIAL SURVEY
DATE OF SURVEY: 10/1999

AREA INFORMATION

TOTAL NO. OF NUMBERED PARCELS = 13
TOTAL NO. OF LETTERED LOTS = 4
THE PROPERTY SHOWN HEREIN CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP.

TOTAL GROSS AREA = 13.160 ACRES = 573,305 SQ.FT.
4 LETTER LOTS AREA = 1.74 ACRES = 75,660 SQ.FT.
13 NUMBER LOTS AREA = 11.86 ACRES = 516,545 SQ.FT.
MINIMUM PARCEL SIZE = 0.31 ACRES = 13,654 SQ.FT.

LEGAL DESCRIPTION

PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 20326,
PMB 133/81-85, RIVERSIDE COUNTY RECORDS

LAND USE INFORMATION

EXISTING ZONING = PD-147

ADJACENT EXISTING LAND USE – NORTH = HOTEL/ GOLF COURSE
SOUTH = COMMERCIAL/HOTEL
EAST = COMMERCIAL/RETAIL
WEST = MUSEUM AND GOLF COURSE

GENERAL NOTES

1. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE.
2. THIS MAP IS COMPILED FROM RECORD INFORMATION ONLY AND IS NOT TO BE USED AS A BOUNDARY SURVEY.

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SANBORN ARCHITECTURE
CIVIL ENGINEERING
LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN
P.L.S.
LS 4146
EXP. 6/30/14
77-780 SAN JACINTO DR. SUITE E-1
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0609

TENTATIVE PARCEL MAP NO. 36446
for
WESSMAN DEVELOPMENT
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 20326, PMB 133/81-85
SECTION 15, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.B.&M.

W.O.	11-105	SCALE	1"=60'
SAVE DATE	11/6/2012		SHEET NO. T1.0
DRAWN	ANS		

G:\Current Projects\Wessman CPP\TRACT MAP\TENTATIVE MAP

94.04.D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

1. Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;

2. Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

3. Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;

4. Building design, materials and colors to be sympathetic with desert surroundings;

5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;

6. Consistency of composition and treatment;

7. Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;

8. Signs and graphics, as understood in architectural design including materials and colors;

9. The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.

F. Design Guidelines

1. Architecture

a. General Provisions

Consistent with the requirements and recommendations of the General Plan and the Downtown Urban Design Guidelines, all development within the Specific Plan area will complement the distinctive, eclectic townscape character that has made Palm Springs nationally and internationally famous. The existing built form and characteristic townscape spatial arrangements, together with the startling local topography, have created a unique environment that provides all users with a well-defined sense of place.

The northwest corner of the area contained within the Specific Plan fronts open space, but other than that, the Specific Plan addresses an area that is bordered on all sides by existing urban development. Achieving sympathetic relationships between new buildings and the existing adjoining developments will therefore be fundamental to the successful integration of forthcoming development into the wider context.

The Specific Plan area will be known as the Museum Market Plaza and its component blocks must be clearly unified by a coherent visual identity. An encompassing visual identity creates an essential sense of place and all design elements must work together to reinforce an underlying perception of continuity. The formulation of a unified, distinctive and adaptable urban design concept, that is based on versatile design principles and can, while retaining integrity, lend itself to interesting variations in application, detail and materials, is therefore an essential element of the Specific Plan.

b. Building Height, Scale and Massing

The Specific Plan allows for an intensive level of development, where careful attention to appropriate building height, scale and massing will be essential. The area is pedestrian oriented and all buildings should be sensitively designed to the human scale with active, pedestrian friendly frontages. Each of the component blocks must be effectively permeated with public and private open spaces, allowing view corridors to and from the public domain and thus avoiding the creation of an overwhelming and impenetrable built form. Within each block, individual buildings must be treated with care and consistency.

With the exception of Block K, all Blocks within Specific Plan are defined as Central Core in terms of the Palm Springs Downtown Urban Design Guidelines. In accordance with the recommendations of the Guidelines, this Specific Plan allows for an average maximum building height of 60 feet. However, with sympathetic massing and effective architectural treatment to visually reduce building bulk, hotels may exceed 60 feet, subject to City Council approval. The

design of the buildings, and the layout of the Specific Plan area, is intended to implement the goals of the General Plan, to create a new mixed use center of Palm Springs.

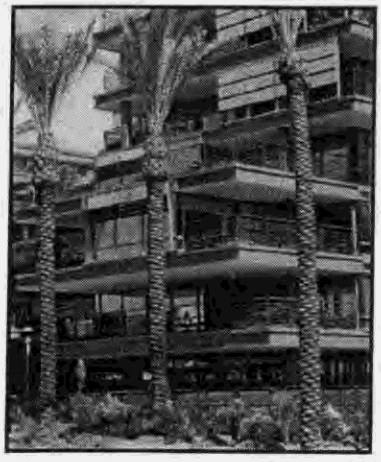
Building elements throughout the Specific Plan must be varied to include stepping down so that the apparent mass of the building is reduced, austere 'cliff-face' frontages avoided, and view corridors created.

In addition to conforming to the requirements concerning building height and stepped frontages, massing of the buildings in Block A must also respect the presence of the existing building to the north, the largely open space of the Plaza to the south and the hierarchy of streetscapes to either side.

Block B provides the public open space for the Plaza and the built form should therefore remain entirely subordinate to that of the blocks abutting, allowing views across the Plaza in all directions. So that the unimpeded views and predominance of landscaping that typically characterize public open spaces can prevail, buildings shall be visually permeable and not exceed one story in height. They are limited to a maximum total area of 3,000 square feet and should be massed to the east and west of the block, gently framing a central open space.

Buildings included in Block C should conform to the requirements concerning building height and stepped frontages, with massing concentrated towards the centre. Sympathetic massing of the new built form will also respect the spatial characteristics of the Plaza to the north, the surrounding hierarchy of streetscapes and the modest levels of existing development to the southwest of the block.

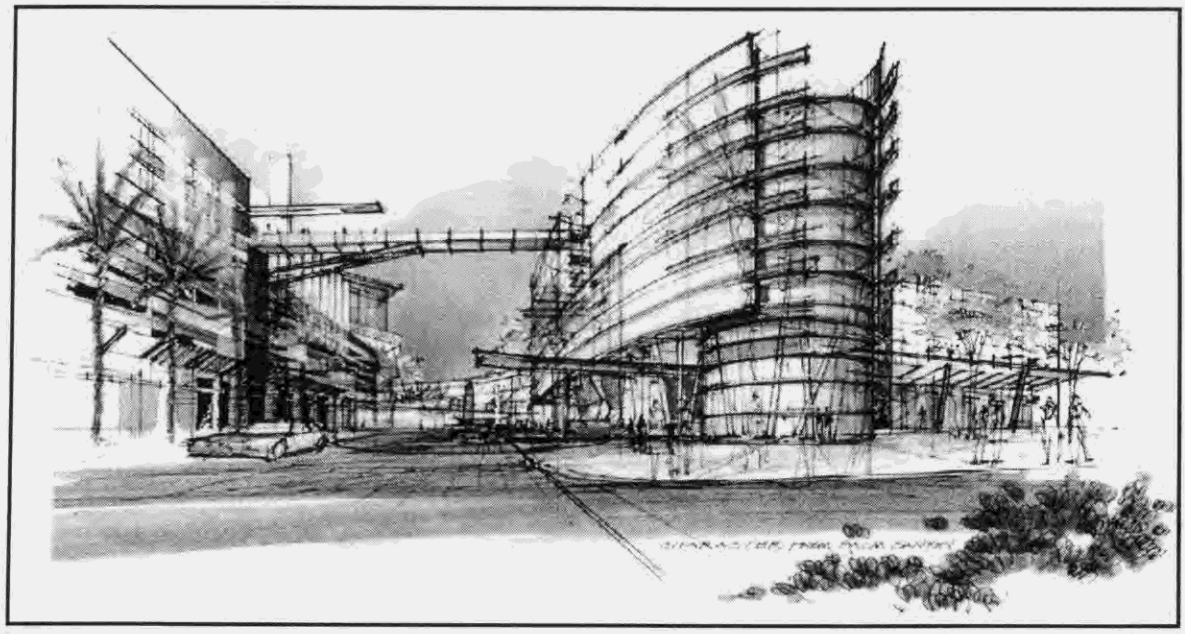
The blocks defined as D and F may be developed together as one block, or as two blocks divided by a central access route, and with limited exceptions, the standard constraint on building height will apply, together with the requirement for stepped frontages. If developed as one block, massing should be concentrated away from Tahquitz Canyon Way, and pedestrian and visual permeability must be included so that the creation of an impenetrable and overtly urban mega-block is avoided. If the two blocks are separated by the introduction of a parking access drive, massing of the component buildings will require careful consideration so that the creation of an uninviting, alley-like access route is avoided. Sympathetic massing of the new built form will respect the spatial characteristics of the Museum and open areas to the west, as well as the surrounding hierarchy of streetscapes.



For the purposes of the Specific Plan, Blocks E, G and H are discussed as a single entity. However, with sympathetic massing and effective architectural treatment to visually reduce building bulk, elements to the north and west of the block may be

developed as a hotel to a height exceeding 60 feet, subject to City Council approval. To the north east of Block E, G and H, built form of approximately 75 feet in height already exists and its well-articulated frontage provides an effective edge to the open space of the golf course. Subject to sensitive architectural treatment, the new built form will continue the adjacent well-defined edge along the northern frontage of Block E, G and H. Massing of the new development towards the north and northwest of the block also results in it having minimal impact on any of the significant streetscenes within the Specific Plan. To avoid the creation of an impenetrable and overtly urban mega-block, effective massing of the new built form will include ample provision for visual and pedestrian permeability.

Another potential exception to the 60-foot height limit may be at Block K, where subject to City Council approval, additional building heights may be developed. Increased building height at



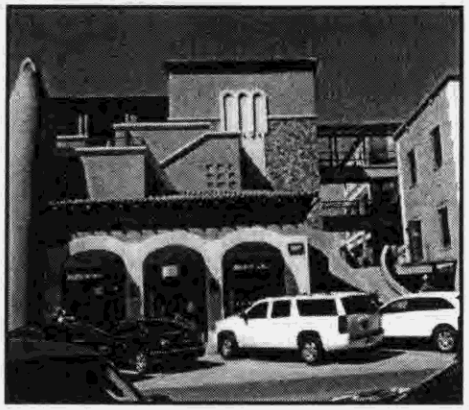
Block K will result in the new built form providing visual continuity between the constrained level of development allowed to the west and the intensive levels of existing and proposed development in Section 14, to the east, including the new proposed Spa Hotel and Hard Rock Hotel, both proposed at 100 feet in height. Block K includes a private street that provides east-west permeability and connects the areas to the east of the Specific Plan with the new Plaza and the existing Museum. The fragmented nature of the block presents challenges in terms of achieving sympathetic massing, as all street frontages should be designed to the human scale and the existing modest levels of development at abutting sites must be respected.

Exhibit III-2: Cross Sections with stepbacks.

c. Architectural Style and Treatment

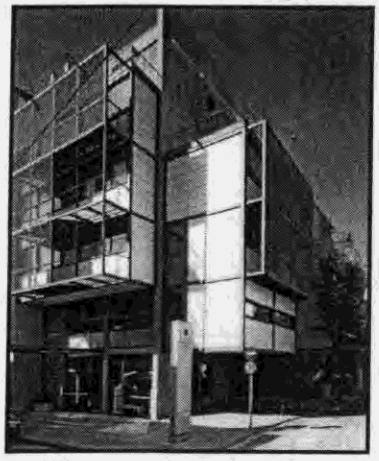
Eclectic Architecture is a defining feature of Downtown Palm Springs and while renown for its uniquely Californian Modernist buildings, the area is also rich in interesting examples of Spanish and Mediterranean styles.

Where the distinctive character of an area derives from its diversity of development over many decades, new built form that merely replicates previous styles is counter to the way in which the area has evolved. New development, while contextual, should therefore be of its time, using contemporary designs of a scale and form reflective of locally distinctive models.



Aside from landmark buildings, most buildings forming part of a streetscape do not need to be idiosyncratic. Too many buildings of individual dominance and distinction compete with each other and create urban chaos. A more harmonious townscape is achieved by using variations on a consistent architectural theme, with variety in the detailing and materials.

With reference to the City's legacy of Modern, Spanish and Mediterranean styles, a forward-looking architectural theme recognizing a new sustainability paradigm is the primary direction for future development in the Specific Plan area. The theme seeks to encourage architecture that builds on Palm Springs' tradition of responding to the demands of a desert climate, but with new respect for minimizing energy and materials use in construction and occupancy. New design esthetics will be needed to incorporate solar control, passive energy production (solar and wind), and wireless technologies with time-honored concerns for pedestrian entries, security and orientation, building function, view preservation and visual appeal in the manipulation of form, materials and color. Particular attention to the sensitive treatment of the street front forms a core objective within the unified Urban Design concept. Together, these principles will provide the Museum Market Plaza area with a cohesive and distinctive character. Within this overall architectural theme, interesting variation in rooflines, elevational articulation, detailing and materials will be needed to create a richly textured built environment. Recesses and reveals that provide shade and create shadow lines, such as building projections, covered walkways, colonnades, arcades, and other human scale openings shall be included to reduce the impact of building mass and create visual interest. The means of enclosure



to courtyards and balconies shall be visually permeable where appropriate and the stepping back of upper floors will also be utilized to further reduce the visual impact of building mass and maximize view corridors.

In accordance with the prevailing architectural theme, buildings are to be clearly legible with active main frontages and well-defined entrances. All elevations of a building shall be consistently treated, and rooftop mechanical and electrical equipment must be screened as an integral part of the architectural treatment.

Buildings situated at important intersections should receive special treatments. The inclusion of architecturally definitive features and corner cut-backs assists in the creation of a distinctive sense of place, as well increasing opportunities to create useable outdoor public spaces.

Block K will accommodate an architecturally inspired landmark building that will be the 'Flagship' of the Museum Market Plaza. In its location at the eastern end of the new east-west thoroughfare, it will form a balanced counterpart to the Palm Springs Art Museum building located at the western extreme of the new street. Although standing alone as a landmark building, its architectural treatment will complement the architectural theme prevailing throughout the Museum Market Plaza. In addition to the frontages enclosing the private street that bisects block K, the building will have two major street frontages and distinctive 'gateway' features must form an integral part of the architectural treatment of both the eastern and western facades.

Special architectural treatments will also be required for the western and northern elevations of the buildings included in Block EGH, and the western elevation of Block DF. While consistent with the prevailing architectural theme, western elevational treatments should defer to the presence of the adjacent Art Museum building and relate to the public open space immediately in front of it. Effective articulation of the northwestern and northern frontages of Block EGH will be essential to reduce the visual dominance of the tall building.

Parking structures at street level have a potential to result in austere and impermeable frontages. While consistent with the prevailing architectural theme, they will require special design treatment to minimize the impact of the structure on the pedestrian experience. Parking structures must be visually permeable and include 'designed-in' safety features. Elevations require effective articulation, incorporating projections, recesses and interesting combinations of materials to avoid the creation of continuous, harsh frontages. Parking structures must also have well defined entrances, easy access and legible interior spatial arrangements to invite consistent usage.

Exhibit III-3
Architectural Treatments

d. Storefronts

Well-designed storefronts make a significant contribution to streetscape character and assist in the creation of lively frontages. The pedestrian experience is enhanced by visually permeable, largely glazed storefronts that minimize the division between interior and exterior space, and allow interesting views of inviting interiors. Clearly defined and easily accessible entrances create active frontages and draw people into the store, while visually permeable design treatment allows the interior of the store to function as an extensive display area at all hours, thereby maximizing economic opportunities for vendors.

Essential security equipment must be inconspicuously located so that the creation of a hostile atmosphere is avoided. If permitted, security grilles must be internally mounted, fully retractable during trading hours and visually permeable when in use after the store is closed.

While allowing flexibility for individual distinctiveness, shopfront design should be compatible with the Museum Market Plaza architectural theme and reflect the appearance and scale of the building above.

e. Building Materials

Designed as an integral component of the Museum Market Plaza architectural theme, a rich palette of complementary materials and finishes will create subtle continuity throughout the area by visually linking eclectic architectural styles. While consistent with the broader theme, it is essential that materials, colors and finishes are appropriate to the architectural style of individual buildings.

The Specific Plan allows for an intensive level of development and building facades must be softened and articulated by the innovative use of a harmonious range of surface treatments. In addition to visually reducing building mass, interesting variety in color and material assist in the creation of a lively townscape. Intense sunshine is a prevailing feature of the Palm Springs environment and textured surface finishes on which interesting shadow effects can be achieved will contribute much to distinctive local character. Wide expanses of glazing blur the distinction between interior and exterior space, promoting an essential sense of permeability and spaciousness long associated with the Palm Springs townscape.

2. Connectivity, Streetscapes, Open Spaces

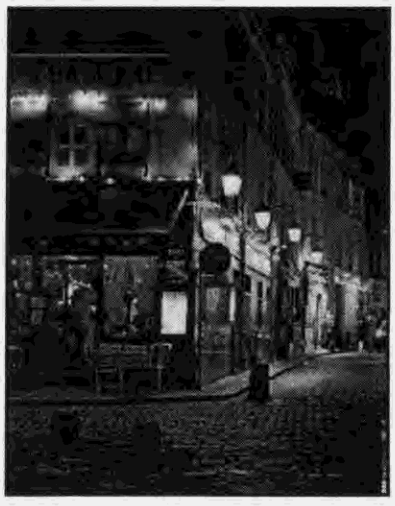
a. Connectivity and Streetscenes

Streetscape character has a fundamental impact on the vitality of downtown by either encouraging or deterring pedestrian activities and a legible, well defined hierarchy of streets and pedestrian links, connected by a sequence of versatile public open spaces, effectively permeates the Specific Plan.

East-west connectivity is facilitated for both vehicles and pedestrians. Upgrading the streetscape of Andreas Road and introducing a street that bisects block K and continues through to the Art Museum will enhance connectivity to and from Section 14, as well as providing an opportunity to form several definitive intersections. The existing link between Museum Drive and Belardo Road is not essential to successful circulation, and subject to an appropriate design solution, severance of the two could occur.

Permeating the blocks included in the Specific Plan with well-designed pedestrian connections avoids the creation of overwhelmingly urban mega-blocks, adds visual interest to the streetscene and encourages pedestrian activity. The design treatment of pedestrian links, both within the Plan Area and to adjacent development, forms an integral part of the Museum Market Plaza Urban Design concept, creating inviting, multi-purpose spaces of distinctive character that include 'designed-in' safety features.

View corridors have contributed much to the unique townscape character of Palm Springs. The mountains form a spectacular backdrop to the City and downtown streetscenes offer distinctive longitudinal views, where the vertical rhythm of the mature palm trees acts as an effective foil to the general horizontality of the built form. In terms of preserving local distinctiveness, it is important that existing view corridors are protected and new ones created. As building heights within the Specific Plan generally exceed those previously existing, it is essential that architectural elements and building components be varied and reduce the overall perception of mass, resulting in graduated frontages that allow generous view corridors. A particularly definitive local view will be created by the opening of a new east-west street that allows tree-framed views in both directions. Views to the east will extend to the startling focal point of the new building and views to the west will include the iconic Art Museum, with the mountain behind. The new street will also be the starting point of an interconnected town center extending from the Museum, through the new Spa Resort and Casino, and to the Hard Rock Hotel and Convention Center.



In accordance with the Museum Market Plaza Urban Design concept, streetscapes should be characterized by consistent, but adaptable, design treatments so that a strong sense of continuity and place is achieved. Component spaces of special use or interest can be individually defined by a complementary variety of detailing and material. Major vehicle and pedestrian routes within the Specific Plan shall be enclosed by active frontages, with sidewalks designed to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use. Consistent with the Urban Design concept for the Museum Market Plaza, a full range of features and amenities to

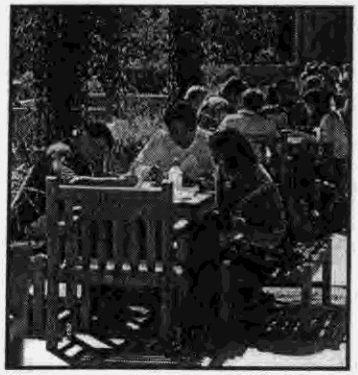
enhance the pedestrian experience and encourage pedestrian activity shall be incorporated into the design of sidewalks and other public open spaces (see Section III.4 Street Furniture). Parking structures at street level have a potential to result in austere and impermeable frontages and the sidewalk fronting a street level parking structure will require sensitive design treatment and landscaping to soften the visual impact of the parking structure.

Within the Specific Plan, a hierarchy of definitive intersections is to be created. Street surfaces at selected intersections will be given visual definition by the introduction of special surface finishes, while landscaped sidewalk projections or 'bulbs', together with building corner cutbacks, will create useable public open spaces and contribute to a more pleasing pedestrian experience. All design treatments will be consistent with the unified Urban Design concept, with special interest and variety being achieved in the detailing. Key definitive intersections should be created at all four corners of the Main Plaza and at the junctions of Tahquitz Canyon Way with Belardo Road and North Palm Canyon Drive. Secondary definitive intersections may be created at other minor intersections within the Specific Plan area. A visual link between the Museum Market Plaza and the Section 14 district immediately to the east should be achieved by the introduction of special street surface finishes to Indian Canyon Drive, at the gateway to the new connector through Block K. This will draw the attention of drivers to the gateway as well as encouraging pedestrian circulation between the two areas.

Exhibit III-4: Open Spaces

b. Public Open Spaces

The Main Plaza, occupying Block B fulfills the need for a public gathering place in the Specific Plan area. Successful, pedestrian oriented open spaces have clearly defined edges, are well connected by being situated adjacent to, but not on, main movement spaces and they are well integrated into the surrounding urban fabric. The Main Plaza is centrally located between North Palm Canyon Drive and Belardo Road, thereby linking two important north-south routes and providing east-west connectivity. The area is effectively enclosed by the surrounding blocks and its spatial characteristics provide opportunity for extended and varied uses. The Main Plaza is fundamental to the creation of a distinctive sense of place and it will be a definitive space, forming the nucleus of the Museum Market Plaza. Design and detailing must be consistent with the wider Urban Design concept and the Main Plaza will include a distinctive central focal point, such as a commanding piece of art or water feature, creative landscaping and a wide range of amenities to facilitate pedestrian activities. Built form within the Plaza will remain limited and subordinate; wide views should exist in all directions.



Public gathering spaces on a smaller scale will also be created in front of the Art Museum and in the center of Block K. The two secondary open spaces will form an integral part of the significant view corridor that will exist between the Art Museum to the west and the Block K buildings to the east. The design treatment of the two spaces will complement that of the Main Plaza so that a clear hierarchical relationship between the open spaces within the Museum Market Plaza is evident and continuity of theme maintained.

c. Common Open Space in Residential Projects

Common area open space for residential projects is intended to provide opportunities for views within the blocks to the surrounding mountains and streetscene. When designed in conjunction with building articulation, the aesthetic effect will be improved for residents and visitors alike. Permeating the built form with interesting and sensitively designed open spaces prevents the creation of continuous frontages and overwhelming urban 'mega-blocks', while facilitating the safety of users by allowing spontaneous observation.

The domestic use of common open spaces in residential projects must be reflected in spatial proportions to the human scale and in gentle means of enclosure that, while providing residents with an essential level of privacy, allow landscape features and a sense of spaciousness to prevail. Design treatments must be consistent with the wider urban design concept and result in lively and inviting common spaces that complement the architectural style of the adjacent buildings and encourage appropriate use.

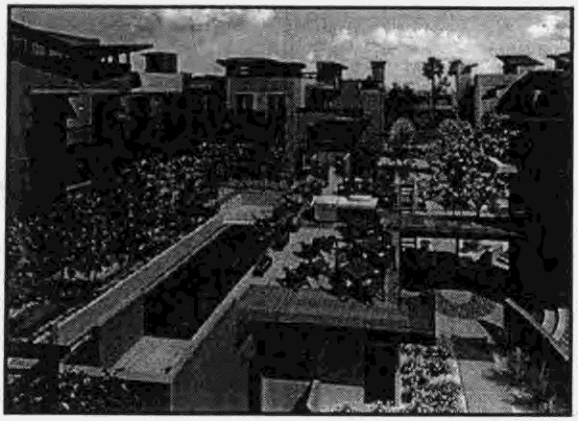


Exhibit III-5: Conceptual Master Landscape Plan

3. Landscaping

Highly defined landscaping is an essential part of achieving quality design within the Museum Market Plaza Specific Plan, and will have a profound effect on the quality of life enjoyed by residents and visitors. Development of this landscape plan has been guided by a variety of considerations, including the natural and developed setting within which the planning area occurs.

The Specific Plan landscape plan has been designed to be compatible and consistent with the local setting as well as the Downtown Design Guidelines. Landscaped open space areas that are responsive to desert conditions, utilizing thoughtful and creative designs that limit water demand and are in harmony with the natural setting. The master landscape palette includes a variety of drought tolerant and native species.

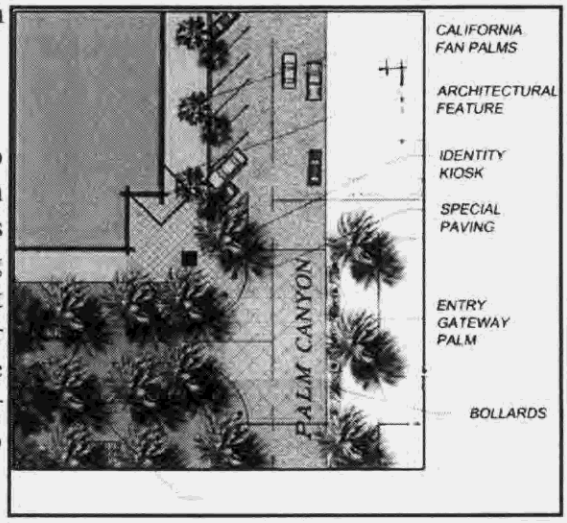
Use of landscaping throughout the site to provide connectivity linking all residential, commercial and mixed-use areas. Open space areas provide for pedestrian and bicycle access and connect to the hotels and Convention Center to the east.

Landscaping will be utilized as a functional design element within all planning areas. Landscape treatments and enhancements are designed to maximize the use of native desert and compatible drought-tolerant planting materials. Landscape plans will address water erosion issues and must demonstrate the water efficiency gained from plant and irrigation system selection.

To accomplish the design objectives, landscape elements will incorporate vertical dimension. Fan palms, date palms, acacia and Rhus lancia are appropriate trees within the project. Trees can also be used to provide shading and cooling. Use of trees shall take into careful account the viewsheds, as well as that rightfully enjoyed by adjoining properties.

The conceptual Master Landscaping Plan for the Museum Market Plaza is shown in Exhibit III-5. The Museum Market Plaza is divided into a series of Major and Minor Entries, and Major and Minor Focal Points.

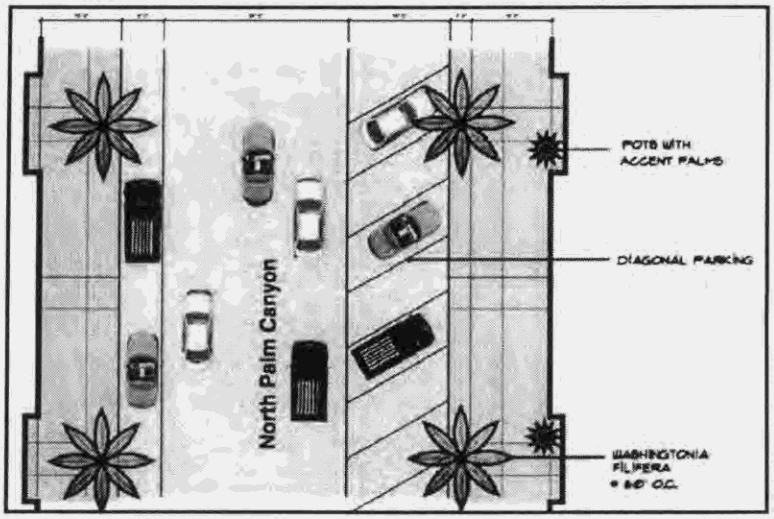
As the central focal point to the entire project, the Main Plaza is to be given particular attention and care. The Plaza is to transition between the regimented street landscaping on surrounding streets, into a shaded, people friendly place where the atmosphere invites visitors to sit, enjoy the cool air, and the water feature. Shade trees are intended to have larger canopies, including Desert Museum Cercidium, and Tipu Tree. Although by necessity the Plaza will be finished in decorative pavement to a great extent, lawn areas and fountains are encouraged in this area, as are benches, and restaurant terraces associated with the two planned single story buildings.



From the Plaza, the landscaping plan returns to the theme of California fan palm and date palm trees lining interior streets, with shade trees provided at intersections. Additional planting along the streets should focus on potted accent palms, typical of an urban environment, rather than planting strips and beds. Planting beds are appropriate when surrounding shade trees near parking areas, particularly on secondary streets, to soften the asphalt and hardscape.

Landscaping Zones

The landscaping concept divides landscaping into three "zones": the Streetscape Zone, the Transition Zone and the Open Space Zone.



The Streetscape Zone is designed to integrate into the landscaping patterns already occurring in Downtown Palm Springs. Street trees and plantings will emulate the rows of palm trees which now flank Palm Canyon Drive, and will extend throughout the primary streets in all planning areas. Shade trees are provided at intersections to break up the linear nature of the palms, and cool the environment for both pedestrians and vehicles. Plantings are focused on potted palms and annual color, which does not block pedestrian activity.

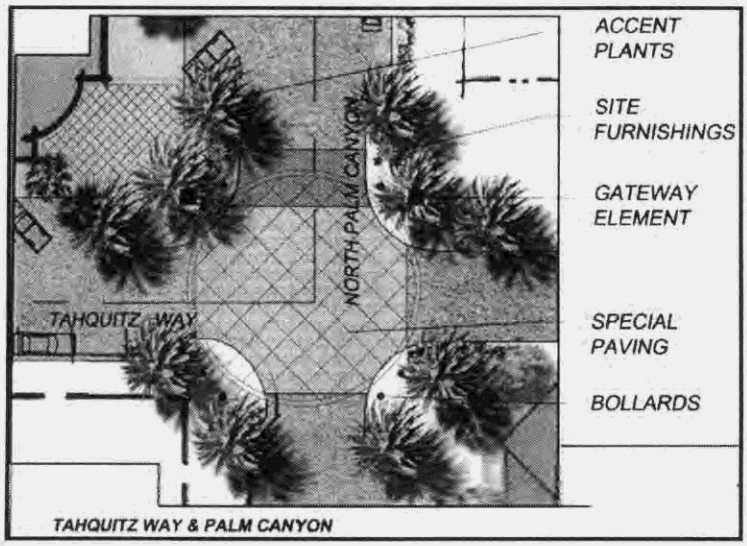
The Transition Zone has a less intense focus on palm trees, and introduces a greater variety of shade trees and shrubs. The Transition Zone plants should apply to the secondary streets and the

residential areas, to soften the built environment, and provide greater shade and cooling. Planting areas should include a mix of potted palms and plants, as well as planting beds surrounding street trees, to reflect a less intense urban environment.

The Open Space Zone applies not only to the Main Plaza, but also to the common area open spaces that will be created within each Block. This Zone includes the widest variety of plant materials, and is intended to connect the Streetscape and Transition Zones. In areas away from the Main Plaza, the focus should be on canopy and accent trees, and a higher intensity of groundcovers, particularly in areas where the primary uses are residential.

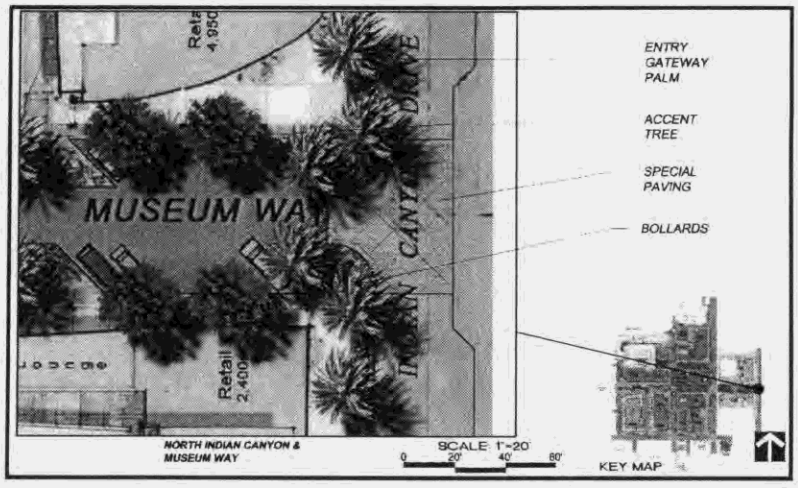
Entries and Focal Points

In addition to the Main Plaza, particular care must be taken in the landscape design of Major and Minor Entries, and Major and Minor Focal Points, as depicted in Exhibit III-7. The Entries to the Specific Plan must be designed to include the signature palms, accent trees and special paving, to draw the visitor in, and define the space.



The Major Focal Point in the project will be the intersection of Museum Way and Museum Drive. This area, in front of the Museum, must be designed to draw the eye from as far away as Indian Canyon, and should include not only significant vertical elements, but also extensive special paving and public art. Landscaping in this area should act as a frame to the Museum building, and not obliterate the structure.

At Minor Focal Points, the emphasis must be on landscaping and hardscape which is at a pedestrian scale, and provides opportunities for street furniture, directional signage and shade. Again, accent paving which defines the area is critical to providing a sense of place within the project.



Continuity of Theme

The overall theme of the landscaping plan must be maintained throughout the Specific Plan. Since it is expected that the project will develop in phases, and that individual buildings and blocks will have differing architectural character, the connecting thread between the buildings and blocks will be the landscaping. As projects are reviewed and approved, the least amount of variation should be allowed in landscaping patterns, unlike the architectural variety which is expected in architecture. Since the Main Plaza and major roadway streetscapes are expected to be the in the first phase of development, these areas will set the tone for the balance of the landscaping plans throughout Museum Market Plaza. Once established, their design theme should be adhered to for all subsequent phases of the project.

Table III-5
Landscape Palette

Plant Zone			Scientific Name	Common Name	Size
			Palms		
S		O	Butia capitata	Pindo Palm	36"-Box
S			Phoenix dactylifera	Date Palm	20' B.T.H.
S	T	O	Washingtonia filifera	California fan palm	8' – 20' ht.
S	T	O	Washingtonia robusta	Mexican fan palm	8' – 16' ht.
S	T	O	Chamaerops humillis	Mediterranean fan palm	24" – 36"Box
			Trees		
S			Acacia salicina	Willow Acacia	24" – Box
		O	Citrus sp.	Citrus sp.	24" – Box
	T	O	Fraxinus udei 'Majestic Beauty'	Evergreen ash	36" – Box
S	T		Cercidium 'Desert Museum'	Desert Museum	36" – Box
S	T		Prosopis h. 'Phoenix'	Phoenix	24" – 36"Box
	T	O	Rhus lancea	African sumac	24" – 48"Box
	T	O	Schinus molle	California pepper tree	24" – 48"Box
		O	Schinus terebinthifolius	Brazilian pepper tree	24" – 36"Box
	T	O	Ulmus parvifolia	Evergreen Elm	24" – 36"Box
	T	O	Tipuana Tipu	Tipu tree	24" – 36"Box
			Accents		
		O	Beaucarnea recurvata	Ponytail palm	15 – Gal.
		O	Cycas revoluta	Sago palm	24" – Box
S	T		Dasylirion longissima	Mexican grass tree	15 – Gal.
S	T		Daslirion wheeleri	Desert spoon	15 – Gal.
	T	O	Muhlenbergia rigens	Dear grass	5 – Gal.
			Shrubs		
S	T	O	Bougainvillea 'Oo La La'	Bougainvillea	5 – Gal.
S	T		Caesalpinia pulcherrima	Red Bird of Paradise	5 – Gal.
S	T	O	Carissa grandiflora spp.	Natal plum	5 – Gal.
S		O	Cassia artemesoides	Desert cassis	5 – Gal.

Table III-5
Landscape Palette

Plant Zone			Scientific Name	Common Name	Size
S	T	O	Cassia nemophila	Bushy senna	5 – Gal.
S	T	O	Dodonaea viscose	Hopseed bush	5 – Gal.
S		O	Euryops pectnatis	Green leaf euryops	5 – Gal.
S	T	O	Hesperaloe parvifolia	Red yucca	5 – Gal.
		O	O Hibiscus Rosa-Sinensis	Chinese hibiscus	5 – Gal.
S	T		Leucophyllum spp.	Texas ranger	5 – Gal.
	T	O	Nandina domestica	Heavenly bamboo	5 – Gal.
	T	O	Nerium oleander 'Petite'	Dwarf oleander	5 – Gal.
		O	Pittosporum t. 'Variegata'	Variegated Pittosporum	5 – Gal.
		O	Pittosporum t. 'Wheelers dwarf'	Wheelers dwarf tobira	5 – Gal.
		O	O Rhaphiolepis indica	India hawthorn	5 – Gal.
S	T		Salvia greggii	Red salvia	5 – Gal.
S	T	O	Thevetia peruviana	Yellow oleander	15 – Gal.
S	T	O	Xylosma congestum 'Compacta'	Xylosma	5 – Gal.
S		O	Prunus caroliniana	Carolina laurel cherry	15 – Gal.
		O	Ligustrum j. 'Texanum'	Japanese privet	5 – Gal.
			Vines & Groundcovers		
S	T	O	Bougainvillea 'B. Karst'	Bougainvillea Barbara Karst	15 – Gal.
S	T	O	Calliandra inaequilatera	Pink powder puff	15 – Gal.
S	T	O	Tecoma spp.		15 – Gal.
S		O	Carrisa g. 'Green Carpet'	Green carpet	1 – Gal.
		O	Annual Color	Seasonal	Flats
S			Baccharis h. 'Thompson'	Desert Bloom	1 – Gal @ 5' o.c.
S	T	O	Lantana montevidensis	Trailing lantana	1 – Gal @ 4' o.c.
S	T	O	Lantana 'New Gold'	New Gold Lantana	1 – Gal @ 4' o.c.
		O	Trachelospermum jasminoides	Star jasmine	1 – Gal.
			Cobble 'Sunburst Pebbles'		2" – 4" dia.
			DG	3/8" Minus Desert Gold	Compacted 2" depth
			2' – 5' dia. Desert Chocolate Boulders		
Sod			Hybrid Bermuda		
Legend: S= Streetscape Zone; T= Transition Zone; O= Open Space Zone					

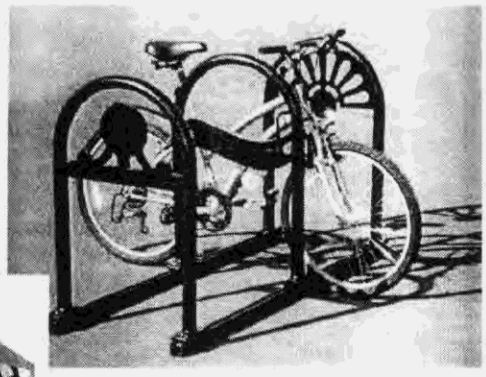
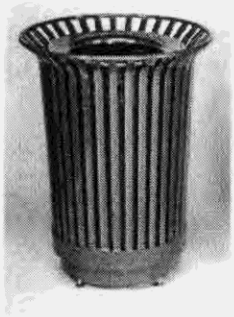
Exhibits III-6: Landscaping Hierarchy

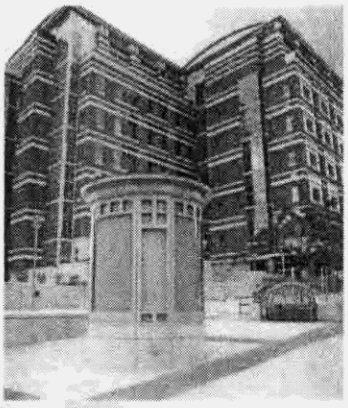
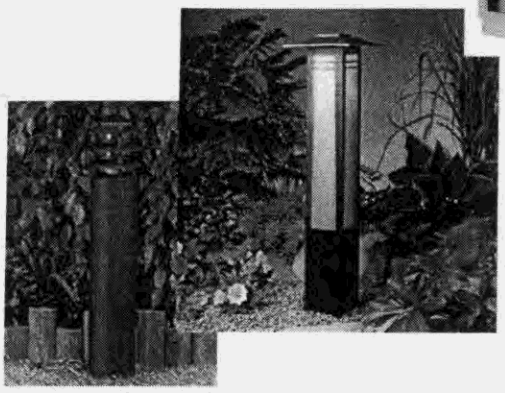
4. Street Furniture, Lighting and Art

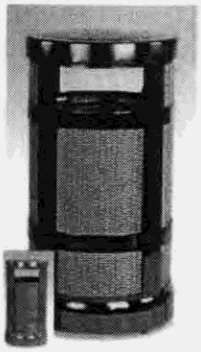
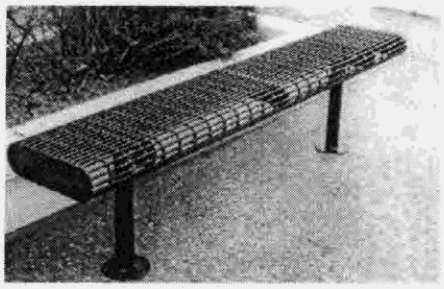
Well-designed street furniture, lighting and public art enliven townscape character and contribute to a strong sense of local identity. The Museum Market Plaza is a pedestrian oriented area and street furniture should be designed to the human scale and placed to enhance the pedestrian experience. While consistent with the general design principles included in the Palm Springs Downtown Urban Design Plan, a variation on the recommended theme that complements the Urban Design concept for the Museum Market Plaza should be implemented within the confines of the Specific Plan. Special detailing will define the Museum Market Plaza as an area of distinctive identity, while maintaining continuity of theme ensures that the downtown area as a whole engenders a clearly perceptible sense of place. While allowing for interesting variations in complementary design, all elements must work together to create a distinctive, unified identity.

The Plan's downtown location offers many opportunities for public art and items of cultural or educational interest to be incorporated into the design of public open spaces, with the Main Plaza presenting an opportunity to display an exceptionally commanding piece. Lighting, while facilitating public safety, should provide illumination levels appropriate to the uses of the area and contribute to the general ambience.

Exhibit III-7
Street Furniture

ARCHITECTURAL ADVISORY COMMITTEE

CITY OF PALM SPRINGS
City Hall, Council Chamber
3200 East Tahquitz Canyon Way
Monday, November 26, 2012
3:00 p.m.

AGENDA

CALL TO ORDER -

REPORT OF POSTING OF AGENDA - Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Tuesday, November 20, 2012. A posting of this Agenda can be found on the City's web site at: www.palmspringsca.gov Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Architectural Advisory Committee is the office of the City Clerk, City Hall located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting, to inform us of your particular needs and to determine if accommodation is feasible.

PUBLIC COMMENTS - Three (3) minute time limit per person on matters within the jurisdiction of the Architectural Advisory Committee.

ACTION ITEMS:

TIME Est.	NO.	CASE #:	DESCRIPTION:
3:05	2.	5.1290 PDD-361	Wessman Development – A Planned Development District and three Major Architectural Applications for development of the Downtown Palm Springs project located at 123 North Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive, Zone Museum Market Specific Plan; Section 15. (CE)
			Non-Action Item Committee Member Discussion

Estimated time of Adjournment – 6:00 pm

ADJOURNMENT: The Architectural Advisory Committee will adjourn to its regularly scheduled meeting on Monday, December 10, 2012, at 3:00 p.m., City Hall, Council Chamber, 3200 E. Tahquitz Canyon Way.

CHAIRMAN / COMMISSIONER / STAFF COMMENTS:

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 26, 2012

To: Architectural Advisory Committee

From: Craig A. Ewing, AICP

Subject: Downtown Palm Springs Project:
5.1290 PD 361 / Planned Development Permit, and
MAJ 3.3605, 3.3606, 3.3607 / Major Architectural Approvals

The Architectural Advisory Committee has received materials on the four applications, taken public comment and may now adopt a recommendation for each request. This memo summarizes the four applications and possible motions regarding each item based on comments received from the AAC over the last three meetings.

Major Architectural Approval 3.3605 / Block A

This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with a portion of the Desert Fashion Plaza multi-tenant building and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,608 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of the block. The remainder of the site is divided between landscaping (10%) and paving (12%).

Potential Action:

Recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Final review by the AAC of exterior elevation details (90% construction drawings);
2. Review by the AAC of exterior elevations for all individual tenancies;
3. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture;
4. Review by the AAC of street paving plans
5. Submission and review by AAC of a sign program for Block A.
6. (other)

Major Architectural Approval 3.3606 / Block B

Block B is immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed, with a maximum of two-stories and 45 feet in height, for retail, restaurant and office uses. The buildings are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings a private street ("Market Street") is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The buildings will cover about 66% of the site, with landscaping covering 25% and streets and paving 9%.

Potential Action:

Recommend approval, subject to standard conditions and the following conditions:

1. Continuance of Building B-1 (west side) for resubmission and review;

The following conditions are to be accomplished prior to issuance of building permits:

2. Final review by the AAC of exterior elevation details (90% construction drawings);
3. Review by the AAC of exterior elevations for all individual tenancies;
4. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture;
5. Review by the AAC of street paving plans
6. Submission and review by AAC of a sign program for Block B.
7. (other)

Major Architectural Approval 3.3607 / Block C

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block C is proposed to be divided into two projects. Block C-1 will include buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to W. Tahquitz Canyon Way and N Palm Canyon Drive, but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling 57,050 square feet. Building coverage is 67% of this portion of Block C, with 26% landscaping and 7% paving.

Potential Action:

Recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Final review by the AAC of exterior elevation details (90% construction drawings);
2. Review by the AAC of exterior elevations for all individual tenancies;
3. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture;
4. Review by the AAC of street paving plans
5. Submission and review by AAC of a sign program for Block C.
6. (other)

Planned Development District PD 361 / Block C-1

A hotel of approximately 185 rooms is proposed on the westerly (back) half of Block C (referred to as Block C-1), with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 89 feet. Total square footage is 140,272, including the following uses:

Hotel –	117,978 sf
Restaurant –	8,512 sf
Retail –	5,595 sf
Assembly –	8,187 sf

The building footprint will cover about 51% of the site; landscaping will comprise about 26% of the site; and another 23% will be devoted to streets other paving.

Potential Actions:

Recommend approval, subject to standard conditions and the following conditions, to be accomplished prior to issuance of building permits:

1. Revise exterior elevations to address:
    a. Eliminate 'billboard' on exterior of elevator shaft and develop appropriate architectural design statement, subject to AAC review
    b. Redesign exterior to reflect local stylistic elements, subject to AAC review
    c. (other)
2. Review by the AAC of exterior elevations for all individual tenancies;
3. Review by the AAC of landscape, lighting and hardscape plans, including all street furniture;
4. Review by the AAC of street paving plans
5. Submission and review by AAC of a sign program for Block C-1.
6. (other)

- *or* -

Recommend denial, based AAC comments (height, mass, orientation, etc.)

RECEIVED
NOV 20 2012
PLANNING SERVICES
DEPARTMENT

MUSEUM DR.

CITY OWNED BLOCK H2

CITY OWNED BLOCK H1

CITY OWNED GARAGE

CITY OWNED GARAGE

EXIST. PLAZA TO BE REMOVED

EXIST. GARAGE TO BE REMOVED

BLOCK F

BLOCK E

BLOCK D

BLOCK G

EXIST. GARAGE TO BE REMOVED

TAHQUITZ CANYON WAY

MAIN STREET

BELARDO RD.

BELARDO RD.

BLOCK 10, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

BLOCK C

BLOCK B

EXIST. GARAGE TO BE REMOVED

ANDREAS RD.

BLOCK A

HYATT HOTEL
NOT A PART

Shadows

PALM CANYON DR.

BLOCK 26, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

ANDREAS RD.

BLOCK 25, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

40 20 0 40 80
SCALE 1"=40'
GRAPHIC SCALE

EXISTING CITY OWNED GARAGE TO REMAIN

SANBORN ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

SANBORN A/E INC.
ALLEN M. SANBORN
ARCHITECT
77-780 SAN JACINTO DR.
SUITE "E-1"
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0603

REGISTERED ARCHITECT ALLEN M. SANBORN NO. C-16091 EXP. 12/31/2013 STATE OF CALIFORNIA

PROJECT TITLE:
DOWNTOWN PALM SPRINGS

Wessman Development
PALM SPRINGS, CALIFORNIA TEL (760) 325-3050

E.O.	11-105
SCALE	1"=40'
FILE NAME	CITY ROS PLAN
SAVE DATE	11/14/2012
DRAWN	AMS
SHEET NO.	G1.0

11/15/2012

RECEIVED
NOV 20 2012
PLANNING SERVICES
DEPARTMENT

MUSEUM DR.

CITY OWNED GARAGE

CITY OWNED BLOCK H2

CITY OWNED BLOCK H1

CITY OWNED GARAGE

EXISTING PLAZA TO BE REMOVED

EXIST. I. MAGNIN TO BE REMOVED

BLOCK F

BLOCK E

BLOCK D

EXIST. SURFACE PARKING TO BE RENOVATED

EXIST. STRUCTURE TO BE REMOVED

BLOCK G

EXIST. STRUCTURE TO BE REMOVED

BLOCK 10, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

TAHQUITZ CANYON WAY

MAIN STREET

BELARDO RD.

BELARDO RD.

EXIST. SURFACE PARKING TO BE REMOVED

BLOCK C

EXIST. STRUCTURE TO BE REMOVED

BLOCK B

EXIST. STRUCTURE TO BE REMOVED

ANDREAS RD.

EXIST. SAKS TO BE REMOVED

BLOCK A
EXIST. STRUCTURE TO BE RENOVATED

HYATT HOTEL
NOT A PART

PALM CANYON DR.

BLOCK 26, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

ANDREAS RD.

BLOCK 25, PALM SPRINGS, MB 9/432
SAN DIEGO COUNTY RECORDS

SCALE 1"=40'
GRAPHIC SCALE

SANBORN A/E INC.
ALLEN M. SANBORN
ARCHITECT
11-780 SAN JACINTO DR.
SUITE "E-1"
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0603

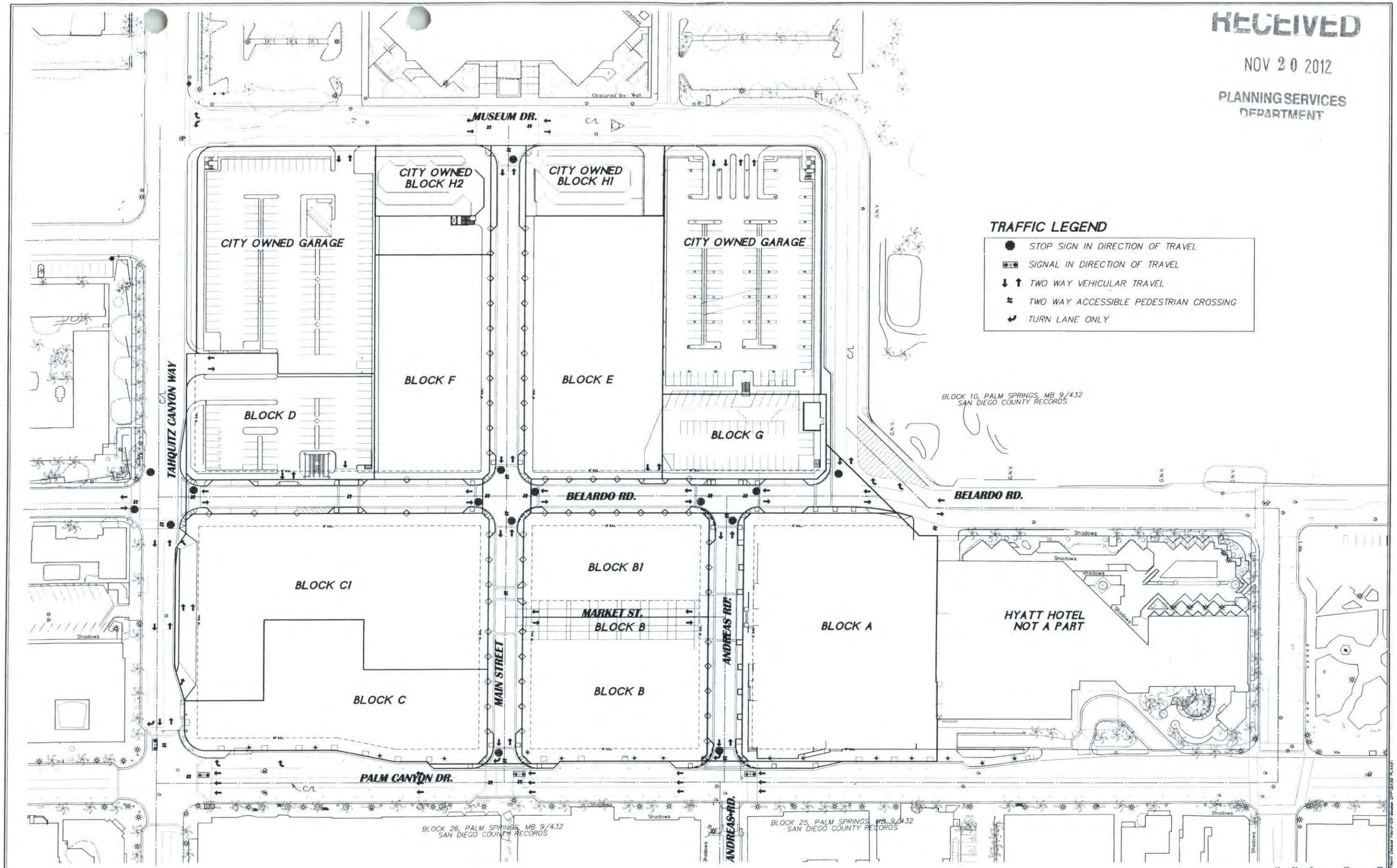
PROJECT TITLE:
DOWNTOWN PALM SPRINGS

Wessman Development
PALM SPRINGS, CALIFORNIA TEL (760) 325-3050

E.G.	11-105
SCALE	1"=40'
FILE NAME	CITY ROW PLAN
SAVE DATE	5/14/2013
DRAWN	AMS
SHEET NO.	**S1.0**

11/15/2012

RECEIVED
NOV 20 2012
PLANNING SERVICES
DEPARTMENT



TRAFFIC LEGEND

- STOP SIGN IN DIRECTION OF TRAVEL
- SIGNAL IN DIRECTION OF TRAVEL
- TWO WAY VEHICULAR TRAVEL
- TWO WAY ACCESSIBLE PEDESTRIAN CROSSING
- TURN LANE ONLY

SCALE 1"=40'
GRAPHIC SCALE

SANBORN A/E INC.
ALLEN M. SANBORN
ARCHITECT
11-780 SAN JACINTO DR.
SUITE "E-1"
RANCHO MIRAGE, CA. 92270
TEL (760) 323-0600
FAX (760) 323-0603

LICENSED ARCHITECT
ALLEN M. SANBORN
NO. C-16991
EXP. 12/31/2013
STATE OF CALIFORNIA

PROJECT TITLE:
DOWNTOWN PALM SPRINGS
TRAFFICE CONTROL PLAN
Wessman Development
PALM SPRINGS, CALIFORNIA TEL (760) 325-3050

W.O.	11-105
SCALE	1"=40'
FILE NAME	CITY ROW PLAN
SAVE DATE	5/16/2013
DRAWN	AMS
SHEET NO.	T1.0

11/19/2012

CITY OF PALM SPRINGS

ARCHITECTURAL ADVISORY COMMITTEE

Council Chamber, City Hall
3200 East Tahquitz Canyon Way, Palm Springs, CA 92262

MINUTES OF NOVEMBER 19, 2012

CALL TO ORDER: Vice Chair Harlan called the meeting to order at 3:05 p.m.

ATTENDANCE - YTD	Present:	#	Absent:	#	Total
William Kleindienst, Chair		16	X	5	22
James Harlan, Vice Chair	X	21		1	22
William Fauber	X	21		1	22
Gary Fredricks	X	17		6	22
Susan Secoy-Jensen	X	19		3	22
Randy Purnel	X	20		2	22
Paul Ortega		15	X	7	22
Dan Thompson	X	14			N/A

(Attendance record begins on January 2012 through the meeting of November 19, 2012.)

Planning Commission Members Present: Hudson

City Staff Present: David Ready – City Manager

REVISIONS TO AGENDA:

PUBLIC COMMENTS: Three (3) minute time limit per person on matters within the jurisdiction of the Architectural Advisory Committee.

There were no public comments.

AGENDA ITEM #2: Case 5.1290 PDD-361 – Downtown Palm Springs
Wessman Development – A Planned Development District and three Major Architectural Applications for development of the Downtown Palm Springs project located at 123 North Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive, Zone Museum Market Specific Plan; Section 15. (CE)

Vice Chair Harlan invited members of the public to speak regarding the Downtown Palm Springs Plan.

Harold Meyerman – representing the Palm Springs museum supports the plan.

Helene Galen – representing the Palm Springs Museum supports the plan.

Aftab Dada – General Manager of the Hilton Palm Springs and Chair of Palm Springs Resorts supports the Kimpton Hotel proposal and the plan.

Harold Matzner – On the Board of Directors of the Palm Springs Art Museum stated that the Board voted unanimously to support the proposed plan.

Robert Stone – stated that he likes the street grid system and the exterior finishes. The level of architecture is mediocre with no curvilinear elements. Does not support the height of the hotel. He stated that the Museum Market Specific Plan does not support buildings over 60' in height. The hotel should have an orientation of east-west not north-south.

Tee Jones – local resident supports the plan.

Chris Brookes – speaking on behalf of Valley builders and contactors supports the plan.

Jerry Keller – owner of Lulu's restaurant supports the plan.

Andrew Starke – President of the Palm Springs Chamber supports the plan and likes the courtyard concept.

Jim Gazan – supports the plan, however the hotel design is not unique and he presented several possible design concepts to the AAC.

Gary Johns – stated that the review process has been rushed. The new main street will benefit the museum; however the tall hotel will block views of the museum.

Frank Tyson – requested that the architecture be improved; height be reduced; eclectic architecture should be used. The process is rushed.

Richard Clifford – supports the plan.

Planning Director Ewing stated that the new plan before the AAC includes a new street alignment of Market Street. He directed the AAC's attention to the Staff Report for suggested guidelines.

Vice Chair Harlan asked for clarification on page 5 of the Staff report regarding the proposed height of the hotel. Was an alternative plan proposed that met this goal?

Director Ewing responded by saying that other options were reviewed, however when a 180-room hotel came into play the height was driven by the design. He continued with a more detailed description of the project; a discussion on Block A; and the intent of the museum market plaza specific plan (MMSP).

Member Thompson asked if the hotel messaging on the elevator tower was part of the plan. In reference to building height in the Planning Commission report on page 8 of 10; clarification regarding the building height chart.

Member Fauber stated that he was not clear on what is considered non-conforming conditions and encroachments. The MMSP references blocks, do these blocks correspond

to the current submission. He asked for an explanation on the proposed time limit on development on Block E – open space. Are there material boards?

Director Ewing responded by stating that material boards are available for viewing. A separate sign package will be submitted at a later date. He stated that the City is in negotiations with the developer to hold the public event space for ten years from the completion of the project.

Member Fredricks – asked if there is a time line for construction on the parcels other than Block C-1.

Director Ewing responded by stating that no specific time line has been devised, however the MMSP does allow phasing for a project.

Member Secoy-Jensen asked if the AAC should review each of the blocks separately.

Vice Chair Harlan stated that the Planning Commission staff report discussed possible uses in the new development and referred to 1st chart on page 8 of 11.

Member Thompson asked if the AAC will review final plans at a later date.

John Wessman provided detailed background information followed by a presentation by the architect.

CHAIRMAN / COMMITTEE / STAFF COMMENTS:

None.

ADJOURNMENT:

There being no further comments, the AAC meeting adjourned at 7:30 pm.

Edward O. Robertson
Principal Planner

ARCHITECTURAL ADVISORY COMMITTEE

CITY OF PALM SPRINGS
City Hall, Council Chamber
3200 East Tahquitz Canyon Way
Monday, November 19, 2012
3:00 pm

AGENDA

CALL TO ORDER -

REPORT OF POSTING OF AGENDA - Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Thursday, November 15, 2012. A posting of this Agenda can be found on the City's web site at: www.palmspringsca.gov Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Architectural Advisory Committee is the office of the City Clerk, City Hall located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting, to inform us of your particular needs and to determine if accommodation is feasible.

PUBLIC COMMENTS - Three (3) minute time limit per person on matters within the jurisdiction of the Architectural Advisory Committee.

ACTION ITEMS:

TIME Est.	NO.	CASE #:	DESCRIPTION:
3:00	1.	5.1290 PDD-361	Wessman Development – A Planned Development District and three Major Architectural Applications for development of the Downtown Palm Springs project located at 123 North Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive, Zone Museum Market Specific Plan, Section 15. (CE)
			Non-Action Item Committee Member Discussion

Estimated time of Adjournment – 4:30 pm

ADJOURNMENT: The Architectural Advisory Committee will adjourn to its regularly scheduled meeting on Monday, November 26, 2012, at 3:00 p.m., City Hall, Council Chamber, 3200 E. Tahquitz Canyon Way.

CHAIRMAN / COMMISSIONER / STAFF COMMENTS:

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 19, 2012

To: Architectural Advisory Committee

From: Craig A. Ewing, AICP

Subject: Downtown Palm Springs Project

Introduction:

At the meeting of Tuesday, November 13, 2012, the Architectural Advisory Committee (AAC) received an orientation on Downtown Palm Springs Project. As noted at that meeting, the AAC and Planning Commission are being requested by the City Council to complete your review of the project so that the Council might begin its deliberations on December 19, 2012. To help achieve this, staff has scheduled this special meeting to focus on the project and set the stage for the AAC to adopt its recommendation.

This memorandum provides a discussion of the project in light of the design policies of the Museum Market Plaza Specific Plan, which governs the development of the property. These policies are used by the AAC, Planning Commission and staff to evaluate the proposal and more fully inform the Architectural Review findings of the Zoning Code (Section 94.04.D, attached). A separate memo to the Planning Commission was prepared to analyze the projects' conformance with the development standards of the Museum Market Plaza Specific Plan (zoning conformance), which is attached.

Project Description:

As more fully described in your memo of November 13, 2012, the proposal is made up of four entitlements: Three for architectural approval of proposed buildings, and a Planned Development District for a hotel exceeding 60 feet in height. of America was recently demolished as part of the preparations for the redevelopment of the site. (A Tentative Parcel Map is also required to reconfigure the site for development and financing purposes; the map is not subject to AAC review.)

Major Architectural Approval 3.3605 / Block A

This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with a portion of the Desert Fashion Plaza multi-tenant building and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,608 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of the block. The remainder of the site is divided between landscaping (10%) and paving (12%).

Major Architectural Approval 3.3606 / Block B

Block B is immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed, with a maximum of two-stories and 45 feet in height. Total square footage is 75,636 and the uses will be retail and restaurant. The buildings are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings a private street is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The buildings will cover about 66% of the site, with landscaping covering 25% and streets and paving 9%.

Major Architectural Approval 3.3607 / Block C-1

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block C is proposed to be divided into two projects. Block C-1 will include buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to W. Tahquitz Canyon Way and N Palm Canyon Drive, but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling 57,050 square feet. Building coverage is 67% of this portion of Block C, with 26% landscaping and 7% paving.

Planned Development District PD 361 / Block C-2

A hotel is proposed on the westerly (back) half of Block C, with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 89 feet. Total square footage is 140,272, including the following uses:

Hotel –	117,978 sf
Restaurant –	8,512 sf
Retail –	5,595 sf
Assembly –	8,187 sf

The building footprint will cover about 51% of the site; landscaping will comprise about 26% of the site; and another 23% will be devoted to streets other paving.

Analysis:

The General Plan policies and zoning will be governed by the development standards and design guidelines of the Museum Market Plaza Specific Plan. The development standards are not the direct purview of the AAC, but we have provided the analysis in the attached Planning Commission staff report for background information. The Specific Plan's design guidelines (see attached) directly pertain to the AAC's review and they are presented below.

Architecture – General Provisions

The Museum Market Plaza Specific Plan discussion of architecture identifies certain general principles for the physical development of the site. The existing surrounding environment needs to be taken into account so that development achieves, "...sympathetic relationships between the new buildings and the existing adjoining developments..." The blocks of the Specific Plan must be "...clearly identified by a coherent visual identity." Lastly, the Specific Plan calls for a, "...unified, distinctive and adaptable urban design concept, that is based on versatile design principles..."

The "sympathetic relationships" objective appears to be generally met by the project as the edge of the blocks fronting N. Palm Canyon Drive are proposed to be one story buildings, with the exception of the three story corner building in Block C, at Palm Canyon and "New Main". The major challenge is the height of the hotel along West Tahquitz Canyon Way, where the six-story building is setback from the street curb about 30 to 35 feet. Adjacent existing development includes the three-story Palm Mountain Resort & Spa at the southwest corner of Tahquitz and Belardo, but directly south is a surface parking lot serving the Oasis mixed use commercial building (southwest corner W. Tahquitz Way and S. Palm Canyon Drive). The overall plan respects the scale of development along Palm Canyon Drive and at the corner of Palm Canyon Drive and Tahquitz Canyon Way, but the hotel presents a significant mass close in to Tahquitz at Belardo Road..

The "coherent visual identity" objective is met in part by the grid of small, urban-scale blocks provides a repetitive block pattern along N. Palm Canyon Drive. Further, distinctive street paving will enhance a visual identity of the site. Finally, the landscape and street furniture plans have the potential to confirm a coherent visual identity, and should be reviewed with that goal in mind. Meanwhile, building architecture is not seen as fulfilling this objective as the elevations and building façades are proposed to vary throughout the site.

The last overall objective is to establish a "unified, distinctive and adaptable urban design concept". Since "unified" and "distinctive" are potentially conflicting ideas, the question is whether the sum of the projects' design elements provide meet the objective in a coherent, successful way. As noted above, the block pattern, streetscape and landscape should contribute to a unified look and should be sufficient for that purpose. Distinctiveness should be achieved through building architecture, materials, finishes and colors. The building elevations on Blocks A, B and C provide distinctive looks within a

contemporary genre, but it is unlikely that upon completion the present design will be read as anything but a single project. The ability of buildings' to "learn" over time should mitigate this, as new tenants modify individual façades for their own branded look.

The last part of the objective is "adaptable", which has to be taken into consideration within the context of buildings which will have a life of thirty to fifty years. This proposal provides adaptability in the storefront elevations that will be modified by individual tenants, the open courtyards and Market Street that are available for outdoor uses and the flexible use of Block A as a new-styled multi-tenant retail complex.

Architecture – Building Height, Scale and Massing

The Specific Plan recognizes that the site is intended for "...an intensive level of development...", but that the pedestrian experience requires buildings to be "...designed to the human scale with active, pedestrian friendly frontages." View corridors and public and private open spaces are to be provided throughout. An average maximum height of 60 feet is to be maintained, although hotels may exceed 60 feet. Most significantly, building elements must be varied to reduce the appearance of mass and avoid "cliff-face" frontages. Guidelines for individual blocks are also identified, and discussed below.

The pedestrian-level objectives are generally met by the project as one-story buildings predominate along N. Palm Canyon Drive and the internal street frontages are primarily retail and restaurant spaces. Necessary "back-of-house" and service entries are minimized. View corridors along the internal east-west streets are provided. Public and private open spaces are found on Blocks B and C, with the existing building on Block A retained and re-purposed to including interior public circulation, including connection to the abutting Hyatt Hotel.

Overall height of the three blocks is maintained at an average less than 60 feet, including the hotel in Block C which has a maximum height approaching 90 feet. However, the proposed hotel presents a tall façade at Tahquitz Canyon Way as well as a six-plus story building mass along Belardo. The architecture mitigates some of the building's height so that it does not appear "cliff-faced", but its overall volume is remains pronounced. Given the developer's expressed need for a hotel of 185 rooms to support the remainder of the project and the goals of creating pedestrian-friendly street frontages and useful open spaces, the design and placement of the hotel is the project's primary trade-off within the Specific Plan's design guidelines proposed by.

Block A

The massing of Block A buildings is required to respect of the Hyatt Hotel to the north. The existing mall building is to be retained, maintaining the existing relationship with the hotel's south elevation, and no changes are proposed here. The three street elevations are arranged with retail and restaurant facades "frames" that are oriented to pedestrian uses and available for future tenant customization.

Block B

The Specific Plan's approach to Block B has been modified by this proposal and the Council's conformity review of October 17, 2012. Consequently, the development of Block B with two two-story buildings and a private alley should be evaluated in light of the overall plan's scope. The one-story portion facing N. Palm Canyon Drive is respectful of the scale of development along the street, and the two story portion is setback significantly. The overall scale and placement of the Block B buildings is an appropriate transition between Block A and C; however the westerly building encroaches into setbacks and rights-of-way and is recommended for redesign.

Block C
Stepped frontages and massing "concentrated toward the center" are required in order that the volume of the larger buildings respects the surrounding streetscapes and development intensities. This is achieved along Palm Canyon in Block C, with the exception of a three-story building at the corner of Palm Canyon and "New Main" providing a modest landmark statement. As previously noted, the proposed hotel does not meet the guidelines for avoiding significant building mass along the street edge. Neither does it step back from Tahquitz Canyon or Belardo, nor concentrate that mass toward the center. Also previously noted, this arrangement allows for the lower, pedestrian-oriented buildings along Palm Canyon and the internal streets; for the open spaces within Blocks C and B; and for the size of hotel identified as necessary to support the project.

Architecture – Architectural Style and Treatment
Recognizing that Palm Springs' existing downtown development is an eclectic mix of styles, the Specific Plan also states that new development should be "of its time, using contemporary designs of a scale and form reflective of locally distinctive models." The challenge noted by the Specific Plan is to provide variations on a consistent architectural theme, with a variety of detailing and materials; the buildings should not be too "idiosynchratic".

Additional objectives include incorporating a sustainability paradigm, a response to the demands of the desert climate, and the sensitive treatment of street fronts. More specific direction is provided to assure the recesses and revieals provide shade and visual interest, including building projections, covered walkways and arcades. Buildings situated at important intersections should receive special treatments.

Overall, the project achieves the stated objectives. A contemporary style is adopted throughout the project, without the introduction of artificial variety (such as Mission Revival or Art Deco segments). The elevations at the street level as well as on the upper floors are composed of a variety of materials and colors arranged with slight variations in scale, massing, and repetition. The architecture supports the underlying objective of most downtowns: Providing "safe discovery" for pedestrians moving among the small blocks of shops and restaurants.

Architecture – Storefronts
According to the Specific Plan, storefronts should be "visually permeable", with clearly-defined entrances. While detailed storefront designs will be provided by individual

tenants in the future, the elevations proposed for the retail and restaurant buildings show significant glazing and flexible "frames" for future tenant use.

Architecture – Building Materials

Exterior building materials are to be provided from a "rich palette of complementary materials and finishes." The Specific Plan also notes that the intense level of development contemplated for the area requires that building facades be "softened" by surface treatments. The deliberate and coordinated use of colors, materials, textures and glazing should aim to visually reduce building mass, create shadow effects and promote a sense of permeability and spaciousness.

The project includes color / material boards for each block that provide coordinated, but varied palettes of muted colors for the main stucco finishes with stone, tile, aggregates and metals used for accents and highlights. for the four main developments (Block A, Block B, Block C and the hotel). The colors are muted desert colors, with coordinated accents, and materials include tiles and metal to add interest. It is expected that the ground floors will present more diverse and energized elevations, especially once tenants propose their specific storefront designs. Upper levels should be more subdued to achieve the 'softening' contemplated by the Specific Plan. Overall, the color and material boards achieve the Plan's objectives.

Connectivity, Streetscapes, Open Spaces

The Museum Market Plaza Specific Plan recognizes that the configuration and design of streets and passageways are vital to assuring full use of the downtown area by pedestrians and drivers. East-west linkages are especially important and the Tentative Parcel Map and proposed site plan provide an extension of Andreas Road, as well as a new "Main" street to penetrate the site. "New Main" Street's western terminus in front of the Palm Springs Art Museum will provide a formal and dramatic visual connection between N. Palm Canyon and a major community institution and architectural landmark.

The extension of Belardo Road through the site (north-south) further develops the idea of a downtown by creating small blocks for increased retail frontage and pedestrian access. Outdoor passageways within Blocks B and C and the indoor passage in the Block A building further enhance opportunities for exploring the area and creating the hierarchy of streets and pedestrian linkages called for in the Plan.

The importance of off-site views is highlighted in the Specific Plan as, "...existing view corridors are protected and new ones created." The new east-west streets provide for enhancement of existing and new views, with street trees providing a frame as called for in the Plan. The proposed arrangement of one-story buildings and six-plus story hotel is expected to have a mixed impact on views, depending on the location of the observer. By eliminating major portions of the existing Desert Fashion Plaza, the plan is anticipated to open up some views that did not exist before, while reducing others somewhat.

Street design treatments are to provide "...a strong sense of continuity and place..." Consistent with the Plan's direction, sidewalks are provided on the streets and internal

open spaces, "...to accommodate a variety of compatible outdoor activities and thereby extend the hours of active use." Most sidewalks are at least 8-feet wide, and internal passageways range in width from ten (10) to eighty (80) or more feet. While street treatments and furnishings are not specifically identified, the applicant has indicated that pavers and other decorative treatment will characterize the streets and that asphalt concrete will be minimal. These treatments will provide the unifying character to the area as the buildings and open spaces provide unique shopping and dining experiences, storefront-by-storefront and block-by-block.

Connectivity – Public Open Spaces

The Specific Plan's discussion of Block B highlights its role in the Plan's vision of a central public gather place. The City Council's October 17, 2012 conformity determination of the current site plan postpones this vision for the current renovation plan. The distinctive sense of place that is to be anchored by the public plaza is now achieved by other means: The Market Street in Block B, the pedestrian corridor from the Hyatt to the corner of Palm Canyon and Tahquitz and the use of Block D as an interim outdoor event space (not a part of the current entitlements).

Landscaping

Landscape guidelines in the Specific Plan focus on assuring that landscaping adds to the area's high-quality design, while respecting the desert setting and the need to be drought-tolerant. The choice of landscape materials must also consider the "vertical dimension" in the use of palm trees, as well as trees that will provide shade. The Specific Plan calls for the establishment of three landscape zones: 1) The Streetscape Zone, with palm trees predominating along the streets (to emulate those on Palm Canyon Drive), 2) The Transition Zone with a greater variety of shade trees and shrubs on secondary streets (Market Street), and 3) The Open Space Zone, where the widest variety of plants is used in the plazas and public spaces.

Further, landscaping is supposed to highlight and enhance focal points, including a Major Focal Point at Museum Drive and New Main (called Museum Way in the Specific Plan). Minor Focal Points (Palm Canyon and New Main, Belardo and New Main, and Andreas and Belardo) must also be give special attention. Finally, the Specific Plan provides a recommended landscape palette from which a landscape plan should be developed. While only a conceptual landscape plan has been submitted, it appears to achieve the goals of the Specific Plan. More detailed landscaping needs to be presented before a final action is taken by the City.

Street Furniture, Lighting and Art

As a vision for a pedestrian-oriented area, the Specific Plan recognizes that "Well-designed street furniture, lighting and public art enliven townscape character and contribute to a strong sense of local identity." As with other design elements, street furniture, lighting and art should be selected with the overall identity of the planning area in mind, yet also providing variety and distinctiveness. No plan for these elements has been presented, and detailed specifications and plans will be needed prior to final action.

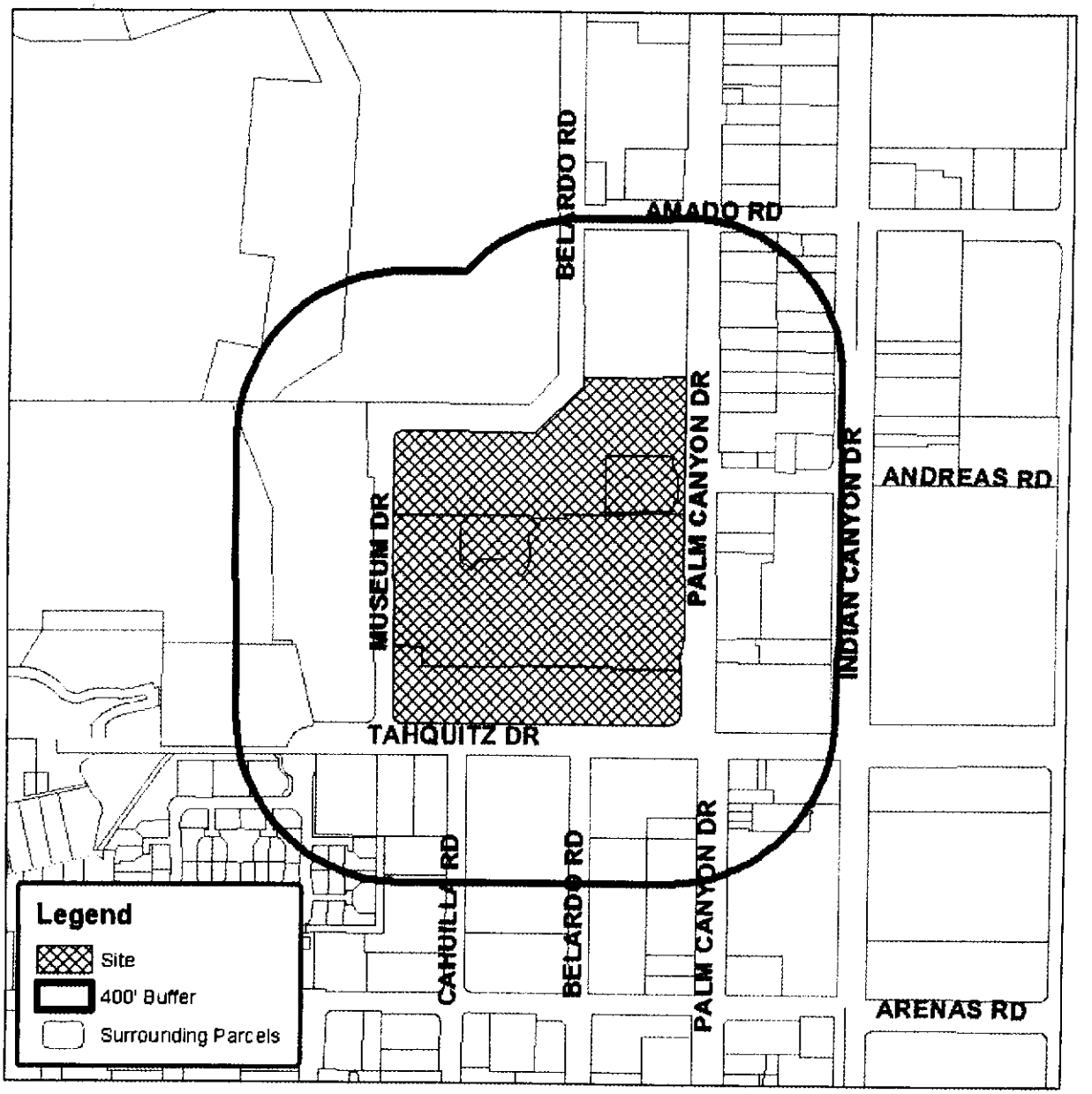
Recommendation:

Recommendations from the AAC will be forwarded to the Planning Commission for a final action.

Attachments:

- Vicinity Map
- Exhibits
- Palm Springs Zoning Code Section 94.04.D
- Planning Commission Staff Report, November 14, 2012
- Museum Market Plaza Specific Plan Design Guidelines (pages III-17 thru -38)

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TPM 36446

APPLICANT: Wessman Development

DESCRIPTION: An application to subdivide the Museum Market Plaza into 17 parcels for future development and 4 lots for public infrastructure. The approximately 13.57-acre property is located at 101 & 123 South Palm Canyon Drive.

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

1. Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;

2. Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

3. Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;

4. Building design, materials and colors to be sympathetic with desert surroundings;

5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;

6. Consistency of composition and treatment;

7. Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;

8. Signs and graphics, as understood in architectural design including materials and colors;

9. The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA

3200 East Tahquitz Canyon Way, Palm Springs, California
www.palmspringsca.gov

AGENDA

Wednesday, November 14, 2012	1:30 PM Regular Meeting

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Thursday, November 8, 2012. A posting of this Agenda can be found on the City's website at: www.palmspringsca.gov. Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Planning Commission is the Office of the City Clerk, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the Public Hearing described in this notice or in written correspondence at, or prior to, the Planning Commission meeting.

Please silence all cell phones, pagers and/or other electronic devices for the duration of the meeting.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing.

1. CONSENT CALENDAR:

1A. Minutes of October 10, 2012.

Recommendation: To approve, minutes of October 10, 2012.

2. OTHER BUSINESS:

2A. Discussion of Tour of Desert Water Agency Facilities

2B. Case 5.1285 CUP – A resolution of denial for the installation of tennis court lighting, and the approval of Case 3.3594 SFR for the construction of a new 6,283-square foot single family residence within the Estancias Development at 3181 Las Brisas Way, Zone R-1-B, Section 35. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)

Recommendation: To adopt a denial resolution for Case 5.1285 CUP, and approved Case 3.3594 SFR subject to the Conditions of Approval.

2. PUBLIC HEARINGS:

3A. Case 5.1143 CUP – A request by Brook Anthony Ortiz for approval of a conditional use permit to operate a cocktail lounge at 188 South Indian Canyon Drive, Zone RA Section 14. (Ken Lyon, Associate Planner)

Recommendation: That the Planning Commission approve Case 5.1143 CUP to operate a cocktail lounge at 188 South Indian Canyon Drive, subject to Conditions of Approval.

3B. Case 5.1277 CUP – An application by Whitewater Solar Farm 1, LLC., for a Conditional Use Permit and a request for 7.75 acres of "Take" under the guidelines of the Coachella Valley Multiple Species Conservation Plan, to develop a 3 Megawatt solar energy production facility on roughly 12 acres of a 108-acre parcel located at 58641 Tipton Road, Zone 0-5 (Open Space) and W (Watercourse). (Ken Lyon, Associate Planner)

Recommendation: That the Planning Commission adopt the draft Mitigated Negative Declaration (MND), approve Case 5.1277 CUP, subject to Conditions of Approval and recommend to the City Council to allocate 7.75 acres of Take to this project from the Whitewater River Conservation Area.

3C. Case 5.1290-PD361 – Applications by Wessman Development for a Tentative Parcel Map (TPM 36446) to subdivide a property of approximately 13.57 acres into 13 parcels for development and 4 lots for public infrastructure and a Planned Development District (5.1290-PDD 361) for a hotel in excess of 60 feet in height as allowed under the provisions of Museum Market Plaza Specific Plan; Major Architectural applications (3.3605-MAJ, 3.3606-MAJ & 3.3607-MAJ) for Blocks A, b/b-1 and c/c-1 of the site. The site is located at the northwest corner of West Tahquitz Canyon Way and North Palm Canyon Drive.

Recommendation: Open the public hearing, accept any testimony and continue the hearing to the meeting of November 28, 2012

PLANNING COMMISSION COMMENTS: This portion of the meeting is set aside for brief general comments and/or other issues of concern from members of the Planning Commission.

PLANNING DIRECTOR'S REPORT: This time is set aside for the Planning Director to update the Planning Commission on important items initiated by staff or members of the City Council.

ADJOURNMENT: The Planning Commission will adjourn to 1:30 p.m., Wednesday, November 28, 2012, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

ADDED STARTERS: If there are added starters, action is required to determine eligibility for consideration.

Planning Commission Staff Report

Date:	November 14, 2012
Case Nos.:	TPM 36446, 5.1290 PD 361 MAJ 3.3605, 3.3606, 3.3607
Application Type:	Tentative Parcel Map, Planned Development Permit and Major Architectural Approvals to develop the Downtown Palm Springs project
Location:	Northwest corner of North Palm Canyon Drive and Tahquitz Canyon Way; approximately 14 acres.
Applicant:	Wessman Development Company and the City of Palm Springs
Zone and General Plan:	Museum Market Plaza Specific Plan
APN:	513-560-002 & 513-560-004
From:	Craig Ewing, AICP, Director of Planning Services

PROJECT SUMMARY

The proposal is a revision of the applications for a tentative parcel map and zoning entitlements filed by Wessman Development Company to subdivide and develop the approximately 13.6-acre Desert Fashion Plaza property. The Desert Fashion Plaza property is located along the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way.

In a revision since the report of November 7, 2012 was prepared, the map would divide the site into thirteen (13) parcels for future development and four (4) lettered lots for public access ways, with new lot sizes and configurations.

The entitlements are for a Planned Development District for a hotel exceeding 60 feet in height and for architectural approval of the remaining buildings. As with the map, the

plans for new construction have been modified sine the November 7, 2012 report, including an expansion of the hotel.

This staff report provides a description of the proposed project, an analysis of the map and development entitlements against the Specific Plan. Additional analysis, information regarding design guidelines, and findings and draft resolutions for consideration by the Commission will be forthcoming.

RECOMMENDATION

1. Open the public hearing, accept any testimony continue the matter to the meeting of November 28, 2012.

PRIOR ACTIONS

On December 2, 2009, the City Council certified the Final Environmental Impact Report and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan. The Specific Plan covers the design guidelines and development standards for the area commonly known as the Desert Fashion Plaza.

On October 17, 2012, the City Council adopted an Addendum to the Final EIR of the Museum Market Plaza Specific Plan and certified the FEIR and Addendum as an adequate and complete environmental analysis of the project. The City Council also conducted a conformity review of the Downtown Palm Springs proposal, as allowed by the Museum Market Plaza Specific Plan and concluded that the project conformed to the policies and objectives of the Specific Plan.

On November 7, 2012, the Planning Commission received an orientation on the proposed development.

BACKGROUND

The Museum Market Plaza is located in the heart of the City's Business District, specifically at the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way. The irregularly shaped property is bounded by Belardo Road to the north, Tahquitz Canyon Way to the south, Museum Drive to the west and North Palm Canyon Drive to the east.

The original Desert Fashion Plaza was built in the late 1960s; since then there have been several renovations and additions especially around the 1980s. A portion of the property that was once occupied by Bank of America was recently demolished as part of the preparations for the redevelopment of the site.

Table 2: Surrounding land uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Hyatt Hotel & Retail & Comm.	CBD & Open Space	C-B-D
South	Retail / Commercial Buildings	CBD & Small Hotels	R-3
East	Retail / Commercial Uses	CBD	C-B-D
West	Palm Springs Art Museum	Public/Quasi-Public	C-B-D

PROJECT DESCRIPTION

Tentative Parcel Map 36446

The proposed tentative parcel map (TPM 36446) would create thirteen (13) parcels for future development and four (4) lots for public street right-of-way. The map is required to reconfigure the site for development and financing purposes. The development parcels will range from 14,807 to 66,940 square feet in size. Lots A, B, C and D represent public street rights-of-way, and are generally sized and designed for two lanes of vehicular traffic (one lane each way) and on-street parking. The street lots and parcels 8, 9, 10 and 11 will be owned by the City, who is co-applicant for the map:

Dev't Lot No.	Proposed Area – sq ft	Block No.	Proposed Uses
1	66,940	A	Mixed Retail
2	41,398	b	Mixed Retail / Office
3	29,280	b-1	Mixed Retail / Office
4	30,667	D	(future use)
5	31,573	F	(future use)
6	56,412	E	Event Venue (Interim)
7	19,284	G	(future use)
8	55,873	---	Public Parking
9	14,807	H-1	Museum
10	18,090	H-2	Museum
11	54,667	---	Public Parking
12	61,476	c-1	Hotel
13	37,423	c	Mixed Retail

Street Lot No.		
A	30,399	New "Main" street
B	12,862	Belardo Road extension
C	19,142	Belardo Road extension
D	12,240	Andreas Road extension
TOTAL	592,533 / 13.6 Ac	

There are four zoning entitlements associated with the project: Three Major Architectural Approvals and a Planned Development District.

Major Architectural Approval 3.3605 / Block "A"

This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with the former Saks Fifth Avenue building and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,607 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of the block. The remainder of the site is divided between landscaping (10%) and hardscape (12%).

Major Architectural Approval 3.3606 / Blocks "b / b-1"

Blocks b / b-1 are immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed (Block b and Block b-1), with a maximum of two-stories and about 40 feet in height. Total square footage is 75,562 and the uses will be retail, restaurant and office. The buildings are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings, a private street is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The buildings will cover about 67% of the site, with landscaping and hardscape covering 33%.

Major Architectural Approval 3.3607 / Block "c"

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block c is proposed to be divided into two projects. Block C-1 will including buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to W. Tahquitz Canyon Way and N Palm Canyon Drive, but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling 45,937 square feet. Building coverage is 53% of this portion of Block C, with 26% landscaping and 7% paving.

Planned Development District PD 361 / Block "c-1"

A hotel of approximately 185 rooms is proposed on the westerly (back) half of Block c-1, with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 89 feet. Total square footage is 177,963, including the following uses:

Hotel –	148,459 sf
Restaurant –	8,512 sf
Rooftop (Non A/C) –	15,397 sf
Retail –	5,595 sf

The building footprint will cover about 60% of the site; landscaping and hardscape will comprise the remaining 40%.

ANALYSIS

The General Plan policies and zoning will be governed by the development standards and guidelines of the Museum Market Plaza Specific Plan. The Central Business District allows a minimum lot size of 9,600 square feet, with a minimum lot width of 75 feet, and minimum lot depth of 128 feet. The proposed mixed-use lot sizes will range from 14,807 to 66,940 square feet; the public access lots (lettered lots A-D) sizes will range from 12,240 square feet to 30,399 square feet in size, additional analysis are provided below. All other development standards in the new subdivision will be consistent with the General Plan and the Specific Plan.

Site Layout / Access

The most notable physical changes in the layout of the proposed parcel map are the lots designated for public roads.

- Lot A, will be developed as pubic access linking Palm Canyon Drive to Museum Drive
- Lots B and C will extend Belardo Road north of Tahquitz Canyon Way.
- Lot D will be an additional linkage from Palm Canyon Drive to the Belardo Road extension.
- Parcel 17 is a private alley way designed to connect the future street on Lot D to the future street on Lot A.

These new streets, with the exception of the alley way (Parcel 17), will be owned and maintained by the City; the developer will have air rights to these parcels. In addition, the City will also own Parcels 8, 9, 10, and 11; currently, these parcels contain the subterranean and above ground parking structures (see attached).

Vacations and Acquisitions

To accommodate future development along the frontage of proposed Parcels 1, 2, 12, 13 and 15, under a Financing Agreement (Attachment 5) between the City and the developer, the City will vacate portions of the current sidewalk areas; along Tahquitz Canyon Way, the City will also vacate portions of current sidewalk areas along Parcels 3, 4, and 12. These areas will be rededicated to the City as easements for sidewalks and pedestrian rights-of-way upon completion of construction activities on these parcels. In addition to the above-mentioned areas, the City will acquire Parcels 8, 9, 10 and 11.

Property Development Standards

The Museum Market Plaza Specific Plan standards and guidelines govern the development of the site. The standards to be evaluated are:

- Permitted and Conditionally Permitted Uses
- Setbacks, Overall Building Height and Stepbacks
- Maximum Allowed Square Footage and Building Mass
- Projections Above Building Height or into Rights-of-Way
- Open Space
- Building Articulation
- Parking and Trash Enclosures

It should be noted that the blocks proposed on the Tentative Parcel Map vary from those shown on the Specific Plan. On October 17, 2012, the proposal was reviewed by the City Council under Section V.2 "Conformity Review Procedure". Since the public parking and a portion of the Desert Fashion Plaza (Block A) are proposed to be retained, the proposal was accepted by the Council as a renovation project, and further determined to be conforming to the Specific Plan. Consequently, staff has approached the project's review against the Specific Plan's development standards with some flexibility, as further explained below.

Permitted and Conditionally Permitted Uses

Permitted and conditionally permitted uses by the Specific Plan are found on the table attached to this report as Exhibit 3. In addition, there are "ground floor use limitations" (Section III.E.1) which require that street frontages be reserved for retail and tourist-oriented goods and services. Based on staff's understanding of the project, the proposal is expected to conform to the allowed uses, including the hotel. The buildings are generally oriented for retail commercial, restaurant and upstairs office uses. Final review and approval of specific uses will be undertaken at the time any business license application or other zoning clearance is submitted by future tenants.

Setbacks and Overall Building Height

The setbacks required by the Specific Plan for these applications may be summarized as follows: For Palm Canyon, 15 feet; for all other streets, 12 feet; and for interior property lines, zero setback. The following table summarizes actual and required setbacks:

Block and Street	Provided (Ft)	Required Setback (Ft.)
Block "A"		
N. Palm Canyon Drive	17	15
Andreas Road	12	12
Belardo Road	17	12
Interior Line (north side)	0	0
Block "b"		
N. Palm Canyon Drive	18	15
New Main Street	14	12
Interior Line (west side)	0	0
Andreas Road	15	12
Block "b-1"		
New Main Street	***1***	12
Belardo Road	***0***	12
Andreas Road	***7***	12
Interior Line (east side)	35	0

Block and Street	Provided (Ft)	Required Setback (Ft)
Block "c"		
N. Palm Canyon Drive	15	15
Tahquitz Canyon Way	94	12
Interior Line (west side)	0	0
New Main Street	12	12
Block "c-1"		
Tahquitz Canyon Way	15	12
Belardo Road	***7***	12
New Main Street	***10***	12
Interior Line (east side)	0	0

As noted in bold / italics, Block "b-1" and "c-1" provide less setbacks than required. The applicant has requested the identified reductions for Block "c-1" through the hotel Planned Development, but no reductions have been sought for Block "b-1".

Stepbacks

Stepbacks are intended to provide additional distance from the street for taller building elements to improve long-distance views and reduce any 'canyon effect' for pedestrians. The Specific Plan defines stepbacks as, "...the horizontal distance a building face must be set back from the property line at each given height." Different stepbacks have been adopted for the various streets in the Specific Plan area, and the following chart shows the actual and required stepbacks for the proposed project:

Block and Street	Provided (Ft) Height / Stepback	Required (Ft.) Height / Stepback
Block "A"		
N. Palm Canyon Drive	Height under 30 ft.	30 / 20
Andreas Road	Height under 30 ft.	30 / 10
Belardo Road	Height under 30 ft.	30 / 15
Block "b"		
N. Palm Canyon Drive	70	30 / 20
New Main Street	15	30 / 10
Andreas Road	14	30 / 10
Block "b-1"		
New Main Street	***1***	30 / 10
Belardo Road	***0***	30 / 15
Andreas Road	***7***	30 / 10

Block and Street	Provided (Ft) Height / Stepback	Required (Ft.) Height / Stepback
Block "c"		
N. Palm Canyon Drive	18	30 / 20
Tahquitz Canyon Way	217	35 / 20
New Main Street	11	30 /10
Block "c-1"		
Tahquitz Canyon Way	***15***	35 / 20
Belardo Road	***7***	30 / 15
New Main Street	10	30 / 10

Again, Blocks "b-1" and "c-1" have non-conforming conditions. The Planned Development Permit for the hotel may be used to allow the Block "c-1" encroachments. Block "b-1" must be redesigned or the application amended.

Building Height
The maximum allowed building height for the Specific Plan is generally 60 feet, but there are exceptions:

Block	Provided (Ft)	Maximum Allowed Building Height (Ft)
A	20.5	60
b	***38***	16 (former Block B)
b-1	***39***	16 (former Block B)
c	46.5	60
c-1	***81.5***	60

The Specific Plan envisioned Block B as a green space with few buildings. On October 17, 2012, the City Council's deemed the present plan (including development of Block "b / b-1") to be conforming, requiring that flexibility be used in applying the Plan's Block B standards. Staff believes that the general height standards (max. 60 feet) can apply to Block "b / b-1", which would make the two proposed buildings conforming. The height in Block "c-1" may be addressed through the hotel Planned Development Permit.

Projections above Height or into Rights-of-Way
The Specific Plan allows limited projections above the maximum building height (vertical projections) or into street rights-of-way (horizontal projections). Vertical projections may not exceed fifteen (15) feet above the building height. Horizontal projections are allowed as:

- Awnings or architectural features (no more than 10 feet into the ROW),
- Porticos (not exceeding 20% of the building's linear frontage), or
- Balconies and terraces (not more than six (6) feet into the ROW)

Since the map proposes a revision to property boundaries, staff has concluded that no ROW encroachments (horizontal projections) are evident in any of the blocks. Vertical projections above the building heights are:

Block	Provided (Ft)	Maximum Above Building Height (Ft)
A	+ 8	+ 15
b	+ 7	+ 15
b-1	+ 9	+ 15
c	+ 7	+ 15
c-1	+ 8	+ 15

The project conforms to this standard.

Maximum Allowed Square Footage and Building Mass
The Specific Plan establishes limits for development intensity using standards for maximum square footage (floor area) and maximum building mass (volume). The applicant has not submitted information on building mass, so only square footage can be analyzed at this time:

Block	Provided (Sq Ft)	Maximum Allowed Floor Area (Sq Ft)
A	52,507	220,000
b / b-1	75,562	3,000
c / c-1	223,900	245,000

As with building height, staff has concluded that the maximum allowed floor area standard must be treated with some flexibility based on the Council's action of October 17, 2012. While transfers of square footage between blocks is permitted by the Specific Plan, such transfers are limited to no more than 15%. Staff believes that a larger transfer may be recognized between Blocks "A" and "b / b-1" so long as the maximum sum allowed on the two blocks is not exceeded. Such is the case with the proposal and staff believes that it can be determined to be conforming.

Open Space
A minimum amount of open space is required by the Specific Plan in each Block:

Block	Provided (%)	Minimum Open Space (%)
A	21.6	10
b / b-1	33.1	90
c	47.1	10
c-1	40.3	10

Here is another case where the Block B standards from the Specific Plan require interpretation and a flexible approach. Block "b / b-1" has been accepted by the City Council as appropriate for more intensive development under the proposed renovation plan. Consequently, a lower percentage more closely aligned with the other blocks is

appropriate. Since all blocks provide open space in a range from 20 to over 45%, the project overall can be considered conforming to the Specific Plan.

Building Articulation
Standards for the articulation of building facades are established in the Specific Plan to avoid excessive uniformity / monotony. An articulation may either protrude or recess at least two (2) feet from adjoining wall surfaces, and at intervals of no less than sixty (60 feet across an exterior elevation. Staff has reviewed the proposed elevations and determined that the upper floor west elevations of both buildings on Blocks "b" and "b-1" lack sufficient articulation to meet the standard. These conditions may be resolved with further design work through the architecture review process. All other building facades provide the minimum articulation specified in the Plan.

Parking, Loading and Trash Enclosures
The parking standards for the project as established in the Specific Plan are relatively straitforward: Hotels must provide one vehicle space for each room and all other uses must provide one space for each 325 square feet of floor area. Staff has calculated the parking requirement for the project:

Block and Floor Area (Sq Ft) / Rooms		Required (No. of Spaces)
A	52,507 ÷ 325	162
b	42,082 ÷ 325	129
b-1	33,480 ÷ 325	103
c	45,937 ÷ 325	141
c-1	14,107 ÷ 325	43
c-1	185 Hotel Rooms	185
Required Parking **TOTAL**		**793**

Staff notes that there are approximately eleven hundred (1,100) public parking spaces within the Specific Plan area. Further, the project is deemed by the City Council to be sufficiently supplied with parking via these public parking facilities. Consequently the parking demand is considered to be met.

Loading facilities and trash enclosure are shown throughout the project, and will be further discussed following review by the Architectural Advisory Committee.

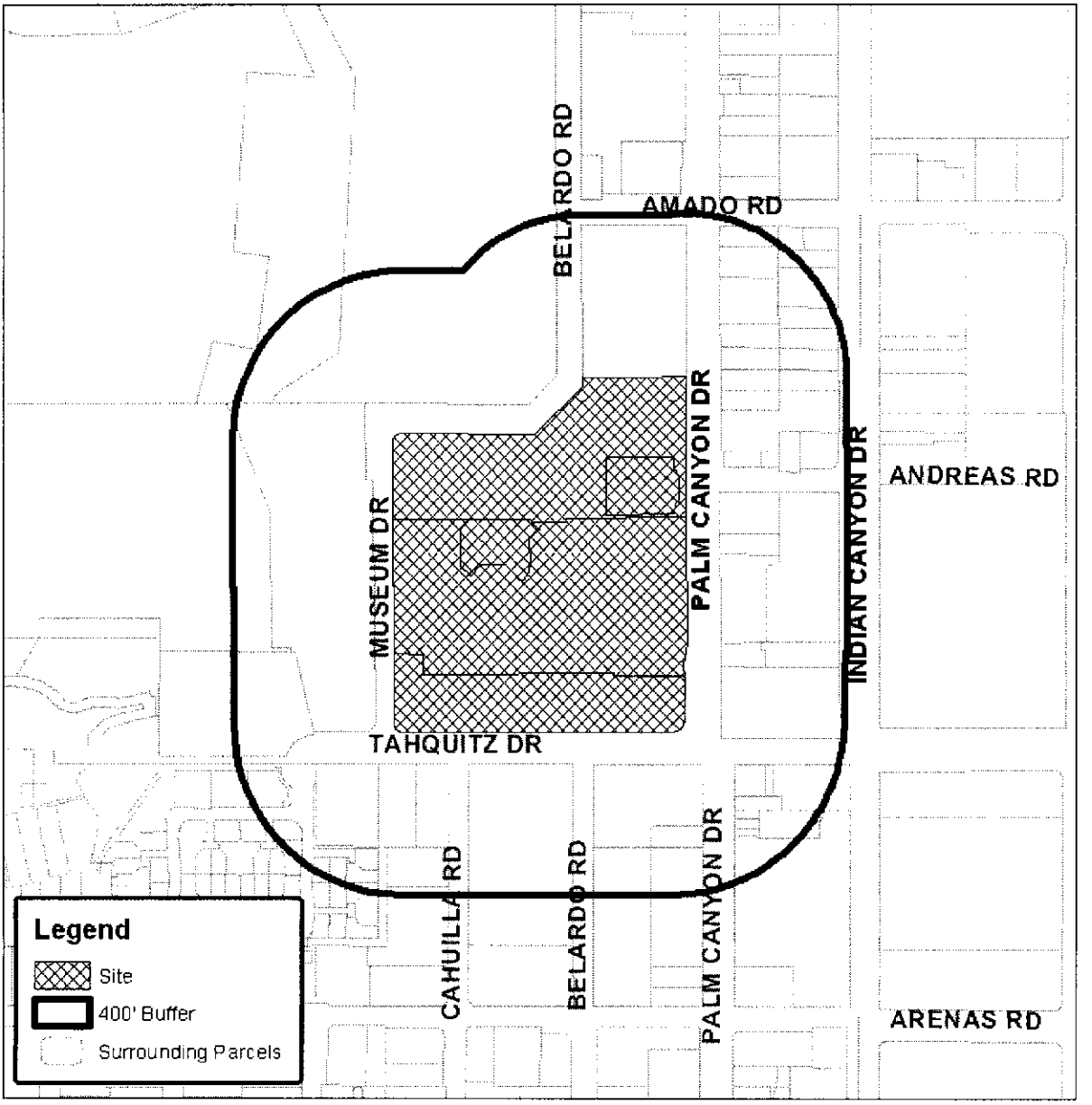
Design Review
The Specific Plan includes guidelines for Architecture, Streetscapes, Open Space and Landscaping. Staff will develop additional information for the Architectural Advisory Committee and the Planning Commission for subsequent review.

Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS

1. Vicinity Map
2. Project Exhibits
3. List of Uses Allowed by the Museum Market Plaza Specific Plan

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: CASE 5.1290-PDD 361 & TPM 36446

APPLICANT: Wessman Development

DESCRIPTION: Applications to develop a hotel in excess of 60 feet and to subdivide the Museum Market Plaza property into 13 parcels for future development and 4 lots for public infrastructure. The approximate 13.57-acre property is located at 101 & 123 South Palm Canyon Drive.

C. Uses

1. Allowable Uses

Uses permitted within the Specific Plan are listed in Table III-I. If a proposed use is not listed in the Table, the Planning Director shall, upon written request and in conformance with the provisions of Section 94.01.02 of the Palm Springs Zoning Ordinance, review the proposed unlisted use and determine whether it is permitted, requires a Conditional Use Permit or is prohibited.

According to the provisions of the General Plan, supermarket uses are prohibited in the downtown area. However, in view of the potential for residential uses, an appropriately located supermarket may be accepted in the Specific Plan.

All uses listed in the Table will be applied to requests for new development, alteration or expansion of existing uses, tenant improvements resulting in a listed use, or change in occupancy.

In accordance with Section 9404.00 of the Palm Springs Zoning Ordinance, all new structures for permitted uses require Major Architectural Approval to be granted by the Planning Commission.

Table III-1
Allowable Uses
P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit
TUP = Temporary Use Permit required; X = Prohibited

TYPE OF USE	USE STATUS IN SPECIFIC PLAN
Retail Goods	
Antiques	P
Art (galleries)	P
Baked goods	P
Beauty supplies	P
Bicycles, including accessory repair	P
Books and Stationery	P
Candies and Confections	P
Clothing and Apparel	P
Delicatessens	P
Department stores	P
Drafting and art supplies	P
Drugs and Pharmacies	P
Drugs and Pharmacies, Drive through	CUP
Flowers and Plants	P
Furniture	P

Table III-1
Allowable Uses
P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit
TUP = Temporary Use Permit required; X = Prohibited

Gifts	P
Groceries	P
Hardware and Appliances	P
Hobbies, Stamps and Coins	P
Jewelry	P
Leather goods and Luggage	P
Music and Musical instruments	P
Newspapers and Magazines	P
Pet shops, including grooming; no kennel facilities	LUP
Photographic equipment, retail	P
Shoes	P
Tobacco products, excluding on-site consumption	LUP
Toys	P
Personal Services	
Artist studios	P
Banks, excluding drive through	P
Barbers and Hairdressers	P
Beauty shops	P
Bicycle rentals	LUP
Dry cleaners & Laundries, including self-service	CUP
Nail salons	CUP
Photographic studios	P
Picture framing (retail & assembly only)	P
Spas	LUP
Tailors	P
Travel agencies	P
Food and Beverage Services	
Bars and Cocktail lounges	LUP
Beer, Wine and Liquor, packaged	LUP
Coffee house	P
Coffee house, drive through	CUP
Ice cream, Yoghurt, Doughnuts, Bagels, etc.	P
Nightclubs and Discotheques	CUP
Restaurants, all types including take-out and delivery	P
Tobacco products, on-site consumption	CUP

Table III-1
Allowable Uses

P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit
TUP = Temporary Use Permit required; X = Prohibited

Services for Groups[3]	
Art schools	P
Athletic clubs, Fitness centers, Gyms, Health clubs and Slimming salons	P
Auction galleries	P
Commercial recreational facilities	P
Dance studios	P
Lodges, meeting halls and private clubs	P
Movie, radio, TV production & broadcast facilities	CUP
Video/amusement arcades & machines[4]	LUP
Office and Related[1]	
General and professional offices	P
Insurance	P
Real estate	P
Residential	
Multiple family dwellings and condominiums	P
Tourist and Related Services	
Automotive rental, only as accessory to a resort hotel	P
Bed and Breakfast establishments	P
Catering, as accessory to a restaurant or any hotel	LUP
Convention center, only as accessory to a resort hotel	P
Hotels and Resort hotels	P
Time-share and Fractional ownership Resorts	P
Public and Semi-public	
Festivals and Exhibits	LUP
Libraries	P
Museums	P
Post office branches	P
Public Parks and Plazas	P
Theatres, Cinema or Stage	P

[3] *Services for Groups*, and *Office and Related* uses are restricted on street frontage (see Section III.E.1).

[4] Arcades as primary use, machines as secondary use (except as otherwise regulated) located no closer than 300 feet to any other such use, or as a secondary use in conjunction with a resort hotel. In all cases, the use is subject to Palm Springs Zoning Code Section 93.16.00.

Table III-1
Allowable Uses
P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit
TUP = Temporary Use Permit required; X = Prohibited

Accessory uses[5]	P
Outdoor uses accessory to permitted main use and located on same property or in MMP Plazas: - art displays - artisans, artists - display cases in malls/courts - farmers market - fashion shows - festivals, exhibits & special events - florists - musicians/entertainment[6] - dining & beverage service - plant/floral sales & displays - post card displays[7] - theatre & public assembly - vending carts[8]	LUP
Outdoor uses: located on public property/rights of way, in a designated area approved by the City Council & undertaken as part of a festival/event/program to promote commercial, artistic or cultural activity: - art displays - artisans, artists - farmers market - fashion shows - festivals, exhibits & special events - florists - musicians entertainment - dining & beverage service - plant/floral sales and displays	P

[5] Accessory uses customarily incidental to permitted uses & located on the same lot.
[6] Subject to provisions of Noise Ordinance, Section 11.74 of the Municipal Code.
[7] One per store front.
[8] Dispensing: food, beverage, crafts, floral items, other uses determined by the Planning Commission.

Table III-1
Allowable Uses
P = Permitted; CUP = Conditional Use Permit required; LUP = Land Use Permit
TUP = Temporary Use Permit required; X = Prohibited

- theatre & public assembly - vending carts - tourism activities kiosks	

2. Similar Uses

Similar uses that are not detrimental to permitted uses or to public health, safety and welfare, may be permitted by the Planning Commission, under Section 94.01 (Commission Determination) of the Palm Springs Zoning Code.

3. Prohibited Uses

In addition to the land uses prohibited in Table III-1, the uses listed below will not be permitted in the Specific Plan area:

Adult entertainment
Automobile parking as Primary use
Automobile service stations
Dog kennels and Catteries
Drive-in and Drive-through restaurants, banks and all uses not specifically permitted
Industrial or Manufacturing
Massage (except in conjunction with resort hotel or spa)
Motor scooter, Motorbike or Motorcycle Rentals or Sales
Pawn shops
Second hand or Used goods Stores
Single family residences
Tatoo, Piercing or Body art Parlors
Upholstery shops
Wholesale or Warehousing

CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION

PLANNING SERVICES DEPARTMENT
Craig Ewing, Director of Planning Services

Meeting Date: November 14, 2012

Subject: Case 5.1290 PD 361 – Downtown Palm Springs Hotel

AFFIDAVIT OF MAILING

I, Joanne Bruggemans, Senior Secretary of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on November 3, 2012 in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (70 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF PUBLICATION

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing will be published in the Desert Sun on November 3, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF POSTING

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 East Tahquitz Canyon Drive, on the exterior legal notice posting board and in the Office of the City Clerk on November 1, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE NOS. 5.1290-PDD 361 & TPM 36446
THE MUSEUM MARKET PLAZA BY WESSMAN DEVELOPMENT
101 & 123 NORTH PALM CANYON DRIVE

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of November 14, 2012. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider applications by Wessman Development for a Tentative Parcel Map (TPM 36446) to subdivide the property of an approximately 13.57 acres into 13 parcels for development and 4 lots for public infrastructure and a Planned Development District (PDD 361) for a hotel in excess of 60 feet in height as allowed under the provisions of Museum Market Plaza Specific Plan. The Planning Commission will also consider Major Architectural applications for other components of the project. The site is located at the northwest corner of West Tahquitz Canyon Way and North Palm Canyon Drive.

ENVIRONMENTAL DETERMINATION: An Addendum to a Final Environmental Impact Report was previously approved by the City Council on October 17, 2012 for the subject site. The City Council certified that the certified Specific Plan EIR and the Addendum together are adequate to support approval of each component of the proposed Downtown Palm Springs project, any minor modifications to the project, and any future discretionary approvals needed to implement the Downtown Palm Springs Project. The certified Final EIR and approved Addendum are proposed to be used as the environmental document for this project.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

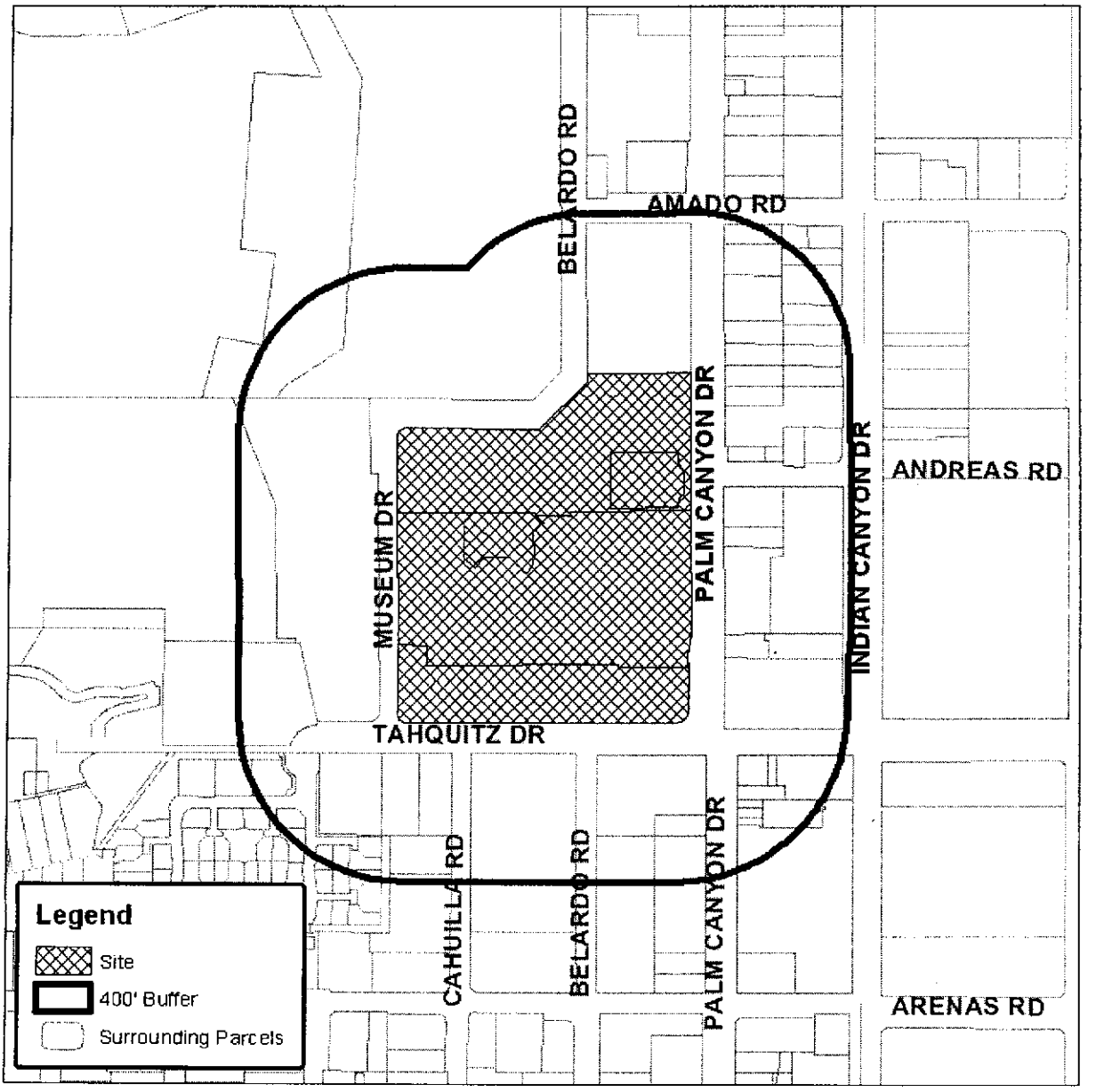
Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding these cases may be directed to Craig A. Ewing, AICP, Director of Planning Services, or Edward Robertson, Principal Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: CASE 5.1290-PDD 361 & TPM 36446

APPLICANT: Wessman Development

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No 2906

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

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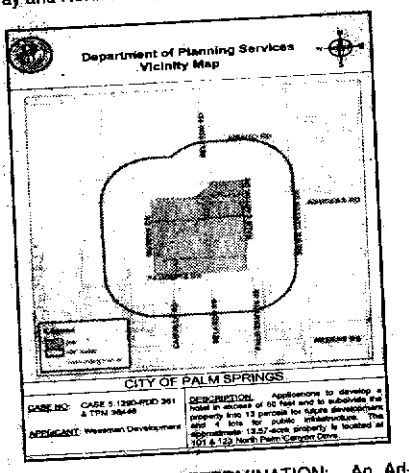

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James Thompson, City Clerk

Published: 11/3/12

Case 5.1290 PD 361 Downtown P.S. Springs PC 11.14.12 (1)

513 070 006
Harris Separate Prop 2005 Trus
Elizabeth T Harris
3410 Hermosa Ave
Hermosa Beach, CA 90254

513 070 009
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 070 010
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 002
Project 92
303 N Indian Canyon Dr
Palm Springs, CA 92262

513 091 003
Community Redev Agcy of Cty & Palm
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 091 004
Redevelopment Agency City of Palm Sp
PO Box 2743
Palm Springs, CA 92263

513 091 005
G & W Lee Investment Corp
303 W Palm Dr
Arcadia, CA 91007

513 091 008
Lori Simmons
939 N Camino Condor
Palm Springs, CA 92262

513 091 010
Jonathan Noah
1138 S La Cienega Blvd #10
Los Angeles, CA 90035

513 091 011
Judy Goldring & Palm Springs Burston
1454 E Gem Cir
Palm Springs, CA 92262

513 091 012
McB Prop
448 E 4th St
Hinsdale, IL 60521

513 091 016
Hazel Gaytan
850 Avenida Acapulco
San Clemente, CA 92672

513 091 017
Betty Vogel
1745 W Orangewood Ave #201
Orange, CA 92868

513 091 018
Palm Springs Broughton
9701 Wilshire Blvd #700
Beverly Hills, CA 90212

513 091 020
Henry Frank
550 N Cahuilla Rd
Palm Springs, CA 92262

513 091 021
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 022
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 023
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513 091 024
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 025
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 026
Southern California Edison Co
C S Reenders Asst Co
PO Box 800
Rosemead, CA 91770

513 092 003
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 092 004
Palm Corner Assoc
121 S Palm Canyon Dr #216
Palm Springs, CA 92262

513 092 005
Frank Prop
550 N Cahuilla Rd
Palm Springs, CA 92262

513 092 006
Doyle
808 E Highland Ave
Redlands, CA 92374

513 092 007
Plaza Investment Inc & Pitts Zachary
115 S Indian Ave
Palm Springs, CA 92262

513 092 009
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 092 010
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 094 001
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

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Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 003
Robert Brackey
80 Arlington Ave E
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513 094 004
Robert Brackey
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Robert Brackey
80 Arlington Ave E
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Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 009
John & Joan Oliveri
2033 Flower Ct
Upland, CA 91784

513 110 034
Palm Springs Art Museum Inc
101 N Museum Dr
Palm Springs, CA 92262

513 110 035
Conrad-Marut
PO Box 3340
Palm Springs, CA 92263

513 110 036
Rose Mihata
468 W Tahquitz Canyon Way
Palm Springs, CA 92262

513 110 054
Paul Marut & Tracy Conrad
PO Box 56958
Sherman Oaks, CA 91413

513 120 080
Karlsson
2231 Calle Margarita
San Dimas, CA 91773

513 120 081
Eric Wohlschlegel & Patricia Powers
611 Massachusetts Ave NE
Washington, DC 20002

513 120 094
Villas In Old Palm Springs Inc
PO Box 13710
Palm Desert, CA 92255

513 120 098
Villas In Old Palm Springs Inc
PO Box 13710
Palm Desert, CA 92255

513 141 004
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 141 005
Casa Cody Bed & Breakfast Inc
141 S Cahuilla Rd
Palm Springs, CA 92262

513 141 011
Cal Wahoo
4109 NE 19th Ave #B
Portland, OR 97211

513 141 013
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 141 016
Casa Cody Bed & Breakfast Inc
141 S Cahuilla Rd
Palm Springs, CA 92262

513 141 017
Frank Clement & Marilyn Clement
3701 E Marion St
Seattle, WA 98122

513 141 018
J Bruce Jacobs & Karen Dring
310 Villaggio E
Palm Springs, CA 92262

513 141 019
William Varecha & Debbie Varecha
444 Seasons Dr
Grand Junction, CO 81507

513 141 020
Jne Autry
6110 Archway
Irvine, CA 92618

513 141 022
Janette Eastwood & David Eastwood
Box 546 135 1st West Cochrane
AB T4C 1A7
CANADA

513 141 023
James Thomas Rust & Patricia Anne Ru
350 Villaggio E
Palm Springs, CA 92262

513 142 001
Mountain Resort Palm
11250 El Camino Real #N100
San Diego, CA 92130

513 143 008
Oasis Plaza Brandenburg
1122 Willow St #200
San Jose, CA 95125

513 143 009
Oasis Plaza Brandenburg
1122 Willow St #200
San Jose, CA 95125

513 143 017
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 143 019
Mercado Plaza
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 001
John Wessman
PO Box 2743
Palm Springs, CA 92263

513 144 002
John Wessman
PO Box 2743
Palm Springs, CA 92263

513 144 006
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 144 007
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 144 009
Plaza Investment Co & Pitts Zachary
115 S Indian Canyon Dr
Palm Springs, CA 92262

513 144 010
Community Redev Agency City of Palm
PO Box 2743
Palm Springs, CA 92263

513 144 011
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 012
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 013
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 560 002
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 004
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 005
Hotel Palm Springs Rbd
3340 Players Club Pkwy #200
Memphis, TN 38125

513 560 007
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 008
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 009
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

[redacted]

MODCOM AND
HISTORIC SITE REP ⇨ ⇨ ⇨

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE ⇨ ⇨ ⇨

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / 5.1290 PD 361
PO BOX 2743
PALM SPRINGS, CA 92263-2743

CASE 5.1290 PD 361
MRS. JOANNE BRUGGEMANS
506 W. SANTA CATALINA ROAD
PALM SPRINGS, CA 92262

AGUA CALIENTE BAND OF CAHUILLA
INDIANS ⇨ ⇨ ⇨ ⇨ ⇨ ⇨

MS MARGARET PARK
AGUA CALIENTE BAND OF CAHUILLA
INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES ⇨ ⇨ ⇨

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

LUEBBEN JOHNSON & BARNHOUSE,
LLP
ATTN: RICHARD C. WADE, PARALEGAL
7424 4TH STREET NW
LOS RANCHOS DE ALBUQUERQUE, NM
87107

SPONSORS ⇨ ⇨ ⇨ ⇨ ⇨

MR JOHN WESSMAN
PALM SPRINGS PROMENADE, LLC
555 SOUTH SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

MR MICHAEL BRAUN
PALM SPRINGS PROMENADE, LLC
555 SOUTH SUNRISE WAY, STE. 200
PALM SPRINGS, CA 92264

MR MICHAEL MAC VITTIE
ALLEN + PHILIP ARCHITECTS
7154 E. STETSON DRIVE, 4TH FLOOR
SCOTTSDALE, AZ 85251

MR ALLEN SANBORN
A.E. SANBORN
71780 SAN JACINTO DR., BLDG. E1
RANCHO MIRAGE, CA 92270

PK ASSOCIATES, LLC
7434 E. MC DONALD DRIVE
SCOTTSDALE, AZ 85251

THE DESIGN ELEMENT
ATTN: MARC
1230 WEST WASHINGTON STREET
SUITE 202
TEMPE, AZ 85281

acres or a 134.3 acre site located at 5400 North Indian Canyon Drive, Zone W & W-M-1-P, Section 23. (DN)
Associate Planner Newell described the proposed solar project as outlined in the staff report. The facility will generate up to 5.0 Megawatts of energy with 17,000 solar panels on single-axis trackers.

Chair Kleindienst asked that staff ensure right-of-way improvements in front of the site along Indian Canyon Drive be made.

ACTION: M/S/C (Ortega / Secoy-Jensen 7-0) To recommend approval as submitted.

AGENDA ITEM #8: Case 5.1290 PDD – 361 – Downtown Palm Springs
Wessman Development – A Planned Development District and three Major Architectural Applications for development of the Downtown Palm Springs project located at 123 N. Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive, Zone Museum Market Specific Plan, Section 15. (CE)

ACTION: No action taken – introductory session with discussion to continue at future meetings.

CHAIRMAN / COMMITTEE / STAFF COMMENTS:

None.

ADJOURNMENT:

There being no further comments, the AAC meeting adjourned at 7:05 pm.

Edward O. Robertson
Principal Planner

ARCHITECTURAL ADVISORY COMMITTEE

CITY OF PALM SPRINGS
City Hall, Council Chamber
3200 East Tahquitz Canyon Way
Tuesday, *November 13, 2012*
3:00 p.m.

AGENDA

CALL TO ORDER -

REPORT OF POSTING OF AGENDA - Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 12:00 pm on Thursday, November 8, 2012. A posting of this Agenda can be found on the City's web site at: www.palmspringsca.gov Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Architectural Advisory Committee is the office of the City Clerk, City Hall located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting, to inform us of your particular needs and to determine if accommodation is feasible.

PUBLIC COMMENTS - Three (3) minute time limit per person on matters within the jurisdiction of the Architectural Advisory Committee.

CONSENT ITEMS:		
3:00	1.	Approval of Minutes from the October 22, 2012 meeting.

ACTION ITEMS:

TIME Est.	**NO.**	**CASE #:**	**DESCRIPTION:**
3:05	2.	3.2312 MAA	Allen Ladd Building for a revised landscaping, new entry canopy, revised exterior lighting, and building repaint located at 500 South Palm Canyon Drive, Zone C-1, Section 22. (GM)
3:15	3.	3.1754 MAA	La Casita Restaurant for the repaint of an existing patio railing to yellow color located at 106 South Indian Canyon Drive, Zone RA, Section 14. (GM)

3:25	4.	3.0222 MAA	Palm Springs Life Building for exterior repaint to three colors located at 303 North Indian Canyon Drive, Zone CBD, Section 15. (GM)
3:35	5.	5.1289 CUP	The Copa Room a Conditional Use Permit application for a new 6,000-square foot cocktail lounge and night club including changes to building exterior located at 244 E. Amado Road, Zone REO, Section 14. (GM)
3:50	6.	3.3292 MAA	SunUp Energy for a rooftop solar hot water system without screening at the Iron Tree Inn located at 1600 Calle Palo Fierro, Zone R-2, Section 23. (DN)
4:00	7.	5.1252 GPA /CUP	Energy Source Group, Inc. for a 5.0 Megawatt solar energy production facility on roughly 39.7 acres of a 134.3 acre site located at 5400 North Indian Canyon Drive, Zone W & W-M-1-P, Section 23. (DN)
4:15	8.	5.1290 PDD-361	Wessman Development – A Planned Development District and three Major Architectural Applications for development of the Downtown Palm Springs project located at 123 N. Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive, Zone Museum Market Specific Plan, Section 15. (CE)
	9.		Non-Action Item Committee Member Discussion

Estimated time of Adjournment – 5:15 pm

ADJOURNMENT: The Architectural Advisory Committee will adjourn to Monday, November 19, 2012, at 3:00 p.m., City Hall, Council Chamber, 3200 E. Tahquitz Canyon Way.

CHAIRMAN / COMMISSIONER / STAFF COMMENTS:

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 13, 2012

To: Architectural Advisory Committee

From: Edward O. Robertson, Principal Planner

Subject: Downtown Palm Springs Project

Introduction:

The proposal is made up of applications for a tentative parcel map and zoning entitlements filed by Wessman Development Company to subdivide and develop the approximately 13.67-acre Desert Fashion Plaza property. The map would divide the site into thirteen (13) parcels for future development and four (4) lettered lots for public access ways. The entitlements are for architectural approval of the proposed buildings, including a Planned Development District for a hotel exceeding 60 feet in height. The Desert Fashion Plaza property is located along the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way.

Environmental Assesmant:

A Final Environmental Impact Report was certified by the City Council for the Museum Market Plaza Specific Plan on December 2, 2009. The City Council on October 17, 2012 reviewed and certified an Addendum to the Specific Plan Final EIR and concluded that it is an adequate and complete environmental document for the proposed project. The City proposes to use the Final EIR and Addendum as the environmental document for this project.

Background:

The Museum Market Plaza is located in the heart of the City's Business District, specifically at the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way. The irregularly shaped property is bounded by Belardo Road to the north, Tahquitz Canyon Way to the south, Museum Drive to the west and North Palm Canyon Drive to the east. The original Desert Fashion Plaza was built in the late 1960s; since then there have been several renovations and additions especially around the 1980s. A

portion of the property that was once occupied by Bank of America was recently demolished as part of the preparations for the redevelopment of the site. The Tentative Parcel Map is required to reconfigure the site for development and financing purposes.

Table 2: Surrounding land uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Hyatt Hotel & Retail & Comm.	CBD & Open Space	C-B-D
South	Retail / Commercial Buildings	CBD & Small Hotels	R-3
East	Retail / Commercial Uses	CBD	C-B-D
West	Palm Springs Art Museum	Public/Quasi-Public	C-B-D

The proposed tentative parcel map (TTM 36446) is a request for the creation of thirteen (13) parcels for future development and four (4) lots for public street right-of-way. The proposed parcels will range from approximately 10,935 square feet to 66,940 square feet in size. Lots A, B, C and D represent the street rights-of-way, and they range from 4,752 square feet to 30,399 square feet in size.

There are four zoning entitlements associated with the project: Three Major Architectural Approvals and a Planned Development District.

Major Architectural Approval 3.3605 / Block A

This site is located adjacent to the existing Hyatt Suites Hotel, fronts N. Palm Canyon Drive and extends to Andreas and Belardo Roads (both new). The block is presently developed with the former Saks Fifth Avenue building and this structure is to be retained and repurposed for retail use. No new square footage is to be added to the existing one-story, 52,608 sf building. New exterior building facades are proposed and the interior will be demised to allow multiple retail and food service tenants. The building maintains a height of 28 feet and lot coverage of about 78% of the block. The remainder of the site is divided between landscaping (10%) and paving (12%).

Major Architectural Approval 3.3606 / Block B

Block B is immediately south of Block A, fronting N. Palm Canyon Drive to the east, Belardo Road (new) to the west, and between Andreas Road (new) and a new street between N. Palm Canyon and the Palm Springs Art Museum. Two buildings are proposed, with a maximum of two-stories and 45 feet in height. Total square footage is 75,636 and the uses will be retail and restaurant. The buildings are oriented in a north-south direction, each fronting either N. Palm Canyon Drive or Belardo Road (new). Between these buildings a private street is proposed to provide vehicular and pedestrian access, but which can also be closed to traffic as a festival / event space. The buildings will cover about 66% of the site, with landscaping covering 25% and streets and paving 9%.

Major Architectural Approval 3.3607 / Block C-1

At the corner of W. Tahquitz Canyon Way and N. Palm Canyon, Block C is proposed to be divided into two projects. Block C-1 will include buildings ranging from one to three stories, with a maximum height of 52 feet. The buildings are oriented to W. Tahquitz

Canyon Way and N Palm Canyon Drive, but also to the public open space in the middle of the Block. Uses will be retail, restaurant and office, totaling 57,050 square feet. Building coverage is 67% of this portion of Block C, with 26% landscaping and 7% paving.

Planned Development District PD 361 / Block C-2

A hotel is proposed on the westerly (back) half of Block C, with the entry fronting on W. Tahquitz Canyon Way. The main portion of the hotel runs along the east side of Belardo Road (new) and rises to a height of approximately 89 feet. Total square footage is 140,272, including the following uses:

Hotel – 117,978 sf
Restaurant – 8,512 sf
Retail – 5,595 sf
Assembly – 8,187 sf

The building footprint will cover about 51% of the site; landscaping will comprise about 26% of the site; and another 23% will be devoted to streets other paving.

Analysis:

The General Plan policies and zoning will be governed by the development standards and guidelines of the Museum Market Plaza Specific Plan. The Central Business District allows a minimum lot size of 9,600 square feet, with a minimum lot width of 75 feet, and minimum lot depth of 128 feet. The proposed mixed-use lot sizes will range from 10,935 to 66, 940 square feet; the public access lots (lettered lots A-D) sizes will range from 4,752 square feet to 30,399 square feet in size, additional analysis are provided below. All other development standards in the new subdivision will be consistent with the General Plan and the Specific Plan.

Site Layout / Access:

The most notable physical changes in the layout of the proposed parcel map are the lots designated for public roads.

- Lot A, will be developed as public access linking Palm Canyon Drive to Museum Drive
- Lots B and C will extend Belardo Road north of Tahquitz Canyon Way.
- Lot D will be an additional linkage from Palm Canyon Drive to the Belardo Road extension.
- Parcel 17 is a private alley way designed to connect the future street on Lot D to the future street on Lot A.

These new streets, with the exception of the alley way (Parcel 17), will be owned and maintained by the City; the developer will have air rights to these parcels. In addition, the City will also own Parcels 8, 9, 10, and 11; currently, these parcels contain the subterranean and above ground parking structures (see attached).

Vacations and Acquisitions:

To accommodate future development along the frontage of proposed Parcels 1, 2, 12, 13 and 15, under a Financing Agreement between the City and the developer, the City will vacate portions of the current sidewalk areas; along Tahquitz Canyon Way, the City

will also vacate portions of current sidewalk areas along Parcels 3, 4, and 12. These areas will be rededicated to the City as easements for sidewalks and pedestrian rights-of-way upon completion of construction activities on these parcels. In addition to the above-mentioned areas, the City will acquire Parcels 8, 9, 10 and 11. The existing Desert Fashion Plaza parking facilities are located on these parcels.

Property Development Standards:
The Museum Market Plaza Specific Plan standards and guidelines will be used to evaluate the proposed development. Staff will prepare an analysis of the project against these standards and guidelines for the Committee's review at upcoming meetings.

Recommendation:

Recommendations from the AAC will be forwarded to the Planning Commission for a final action.

Attachments:

- Vicinity Map
- Site plan & Renderings

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: November 13, 2012

To: Architectural Advisory Committee

From: Edward O. Robertson, Principal Planner

Subject: Downtown Palm Springs Project

Introduction:

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Environmental Assesmant:

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Background:

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portion of the property that was once occupied by Bank of America was recently demolished as part of the preparations for the redevelopment of the site. The Tentative Parcel Map is required to reconfigure the site for development and financing purposes.

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Property Development Standards:
The Museum Market Plaza Specific Plan standards and guidelines will be used to evaluate the proposed development. Staff will prepare an analysis of the project against these standards and guidelines for the Committee's review at upcoming meetings.

Recommendation:

Recommendations from the AAC will be forwarded to the Planning Commission for a final action.

Attachments:

- Vicinity Map
- Site plan & Renderings

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA

3200 East Tahquitz Canyon Way, Palm Springs, California
City Hall, Council Chamber
www.palmspringsca.gov

AGENDA

Wednesday, November 7, 2012	1:30 PM Study Session

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 5:00 p.m. on Thursday, November 1, 2012. A posting of this agenda can be found on the City's website at: www.palmspringsca.gov. Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Planning Commission is the Office of the City Clerk, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the Public Hearing described in this notice or in written correspondence at, or prior to, the Planning Commission meeting.

Please silence all cell phones, pagers and/or other electronic devices for the duration of the meeting.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing.

1. **DISCUSSION:** Applications by Wessman Development for development of the Downtown Palm Springs project at 123 N. Palm Canyon Drive / northwest corner of W. Tahquitz Canyon Way and N. Palm Canyon Drive:

a. A Tentative Parcel Map (TPM 36446) to subdivide the Museum Market Plaza property of approximately 13.57 acres into 13 parcels for development and 4 lots for public infrastructure,
b. A Planned Development District (5.1290 –PDD 361) for a hotel in excess of sixty (60) feet in height as allowed under the provisions of Museum Market Plaza Specific Plan, and
c. Major Architectural Applications (MAJ 3.3605, 3.3606, and 3.3607) for Blocks A, B and C-1 of the site.

2. **DISCUSSION:** Time Extension Requests – New formats and requirements for the extensions of previously approved projects.

PLANNING COMMISSION COMMENTS: This portion of the meeting is set aside for brief general comments and/or other issues of concern from members of the Planning Commission.

PLANNING DIRECTOR'S REPORT: This time is set aside for the Planning Director to update the Planning Commission on important items initiated by staff or members of the City Council.

ADJOURNMENT: The Planning Commission will adjourn to a regular meeting on Wednesday, November 14, 2012, at 1:30 p.m., City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

ADDED STARTERS: If there are added starters, action is required to determine eligibility for consideration.

Motion Leslie Munger, seconded by J.R. Roberts and carried 5-2 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson
NOES: Lyn Calerdine, Kathy Weremiuk

2D. Case TTM 36446 - An application by Wessman Development for Tentative Tract Map 36446 to subdivide the Museum Market Plaza of approximately 13.57 acres into 17 parcels for future development and 4 lots for public infrastructure. A Specific Plan was previously adopted for the site. (Project Planner: Edward Robertson)

Commissioner Klatchko noted his absention due to a business-related conflict of interest.

ACTION: To continue the hearing to an indefinite date.

Motion Chair Donenfeld, seconded by Leslie Munger and carried 6-0 on a roll call vote.

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine, Kathy Weremiuk
ABSTAIN: Philip Klatchko

PLANNING COMMISSION COMMENTS:

The Commission commented on the following items:

1. A request for full scale plans and color pictures for major projects to be provided to the Commission.
2. Thanked staff and enforcement for removal of the double-sign at the shopping center on Sunrise Way and Vista Chino.

PLANNING DIRECTOR'S REPORT:

The Commission discussed the City Council meeting scheduled for October 3, 2012 to discuss the Museum Market Plaza.

Commissioner Munger commented that she would be out of town on October 3rd.

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA

3200 East Tahquitz Canyon Way, Palm Springs, California
www.palmspringsca.gov

AGENDA

Wednesday, September 26, 2012	1:30 PM Regular Meeting

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Thursday, September 20, 2012. A posting of this Agenda can be found on the City's website at: www.palmspringsca.gov. Pursuant to G.C. Section 54957.5 the designated office for inspection of public records in connection with the public meeting of the Planning Commission is the Office of the City Clerk, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

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If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the Public Hearing described in this notice or in written correspondence at, or prior to, the Planning Commission meeting.

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ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing.

1. OTHER BUSINESS:

1A. Case 5.1029 PD 315 – A request by Arroyo Vista Partners, LLC, for minor amendments to the previously approved Palermo Mixed Use Development located at the northeast corner of Indian Canyon Drive and San Rafael Drive, Zone PD

315, Section 35. (Project Planner: Edward Robertson, Principal Planner) (*Cont'd from the meeting of September 12, 2012.)*

Recommendation: That the Planning Commission approve the proposed phasing plans and the conversion of the six model units subject to the conditions of approval.

1B. Case 5.0856 CUP – A request by Freeway Development, LLC, for a one-year time extension for a previously approved Conditional Use Permit for a 65-unit hotel with two drive-thru restaurants located at 610 West Garnet Avenue, Zone M-1-P, Section 15. (Project Planner, Glenn Mlaker, AICP, Assistant Planner)

Recommendation: That the Planning Commission approve a one-year time extension from August 13, 1012 to August 12, 2013.

2. PUBLIC HEARINGS:

2A. Case 5.1284 PDD 360 A preliminary and final Planned Development District (PDD) application seeking approval for a 32-room hotel with accessory restaurant and retail uses, parking and landscaping on a roughly 1.27 acre lot at1551 North Palm Canyon Drive; Zone C-1 / R-3, Resort Combining Zone. (Ken Lyon, Associate Planner).

Recommendation: To continue to a date certain of Wednesday, October 10, 2012.

2B. Case 5.1160 PDD 341 AMND B / TPM 35989 (Vivante Palm Springs) – An amendment by O & M Tahquitz, LLC (Nexus Development) to a previously approved Planned Development District to allow a 132-unit assisted living facility and three commercial buildings on a 10-acre site located at the northwest corner of Tahquitz Canyon Way and Hermosa Drive in Section 14. (Project Planner: David A. Newell, Associate Planner).

Recommendation: That the Planning Commission approve the amendment as prepared and recommend approval to the City Council.

2C. Case 5.1202-B - An application by the City of Palm Springs to amend the Palm Springs Zoning Code relating to portable open signs in commercial areas of the City. (Craig A. Ewing, AICP, Director of Planning Services)

Recommendation: That the Planning Commission conduct a public hearing and forward its recommendation to the City Council.

2D. Case TTM 36446 – An application by Wessman Development for Tentative Tract Map 36446 to subdivide the Museum Market Plaza of approximately 13.57 acres into 17 parcels for future development and 4 lots for public infrastructure. A Specific Plan was previously adopted for the site. (Project Planner: Edward Robertson)

Recommendation: That the Planning Commission recommend approval of tentative tract map 36446 (TTM 36446) to the City Council as proposed.

PLANNING COMMISSION COMMENTS: This portion of the meeting is set aside for brief general comments and/or other issues of concern from members of the Planning Commission.

PLANNING DIRECTOR'S REPORT: This time is set aside for the Planning Director to update the Planning Commission on important items initiated by staff or members of the City Council.

ADJOURNMENT: The Planning Commission will adjourn to 1:30 p.m., Wednesday, October 10, 2012, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

ADDED STARTERS: If there are added starters, action is required to determine eligibility for consideration.

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: September 26, 2012

To: Planning Commission

From: Edward O. Robertson, Principal Planner

Subject: A request to continue Wessman Development TPM 36446 hearing

---

The applicant, Wessman Development, has requested that the hearing of the proposed tentative parcel map for the Desert Fashion Plaza scheduled for September 26, 2012, be continued indefinitely. According to the applicant, more time is needed to make necessary changes to the tentative parcel map.

Recommendation: That the Commission not take testimony and continue the item to an indefinite date. Noticing and publication of a new hearing date will be made when the applicant submits a complete revised map.

CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION

PLANNING SERVICES DEPARTMENT
Craig Ewing, Director of Planning Services

Meeting Date: September 26, 2012

Subject: Case TPM 36446 – Wessman Development

AFFIDAVIT OF MAILING

I, Joanne Bruggemans, Senior Secretary of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on September 13, 2012 in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (66 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF PUBLICATION

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing will be published in the Desert Sun on September 15, 20121.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF POSTING

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 East Tahquitz Canyon Drive, on the exterior legal notice posting board and in the Office of the City Clerk on September 13, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 36446
WESSMAN DEVELOPMENT
101 & 123 NORTH PALM CANYON DRIVE

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of September 26, 2012. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an application by Wessman Development for Tentative Parcel Map 36446 to subdivide the Museum Market Plaza property of approximately 13.57 acres into 17 parcels for future development and 4 lots for public infrastructure. A Specific Plan with established development guidelines and standards was previously approved for the subject site.

ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report was previously adopted by the City Council in 2009 for the subject site. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA), the preparation of further documentation is not necessary since the circumstances surrounding the project are not likely to change as a result of the proposed parcel map. The subdivision of the property could not intensify the proposed use, and could not result in any new environmental impacts beyond those already identified and assessed in the certified Final Environmental Impact Report.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this are available for public review at City Hall between the hours of 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

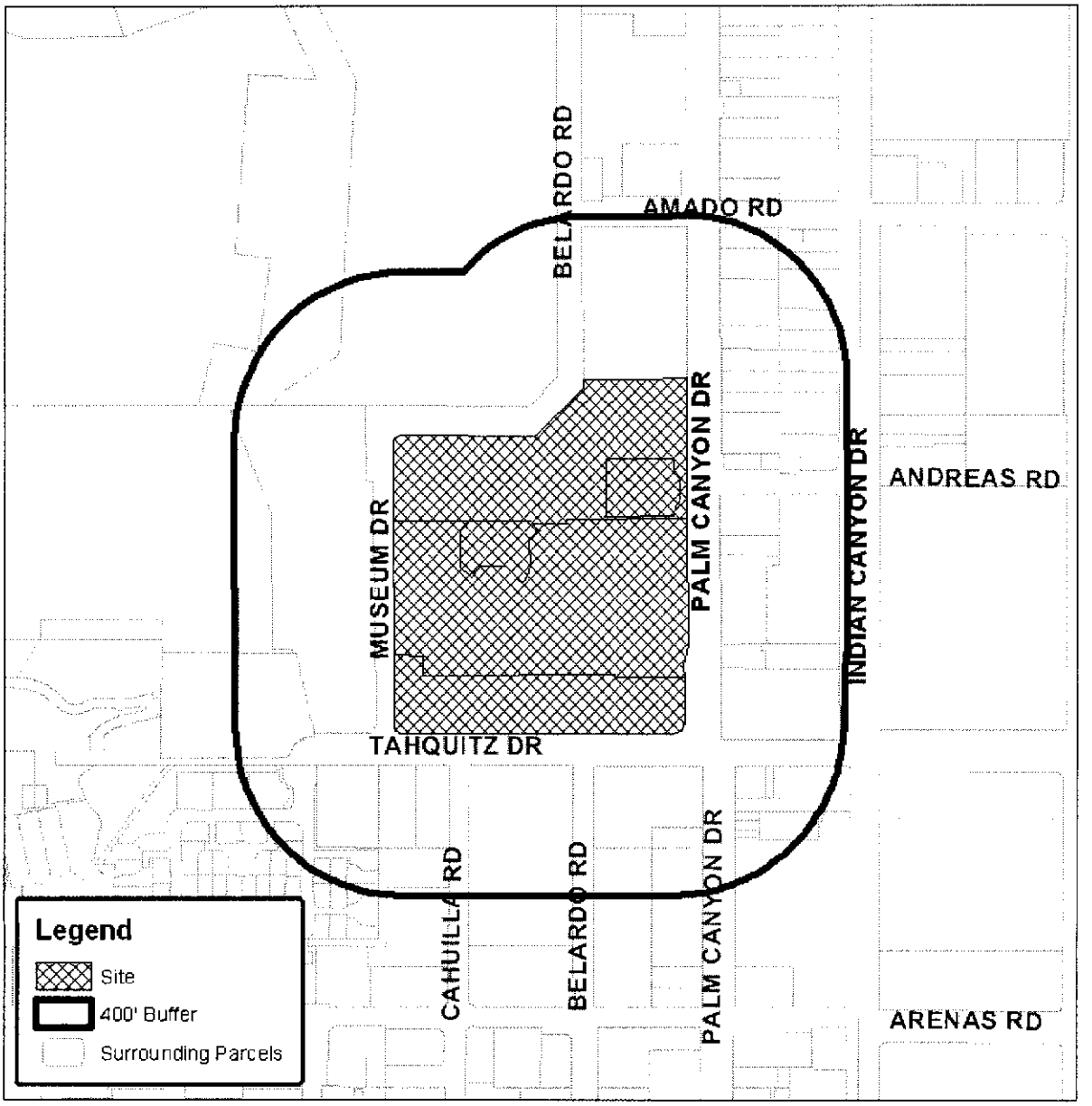
Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Edward Robertson, Principal Planner, Planning Services Department, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TPM 36446

APPLICANT: Wessman Development

DESCRIPTION: An application to subdivide the Museum Market Plaza into 17 parcels for future development and 4 lots for public infra-structure. The approximate 13.57-acre property is located at 101 & 123 South Palm Canyon Drive.

Public Notice | Public Notice

No 2446

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 36446
WESSMAN DEVELOPMENT
101 & 123 NORTH PALM CANYON DRIVE

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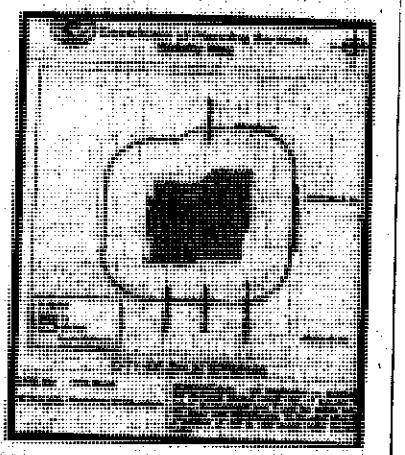

ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report was previously adopted by the City Council in 2009 for the subject site. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA), the preparation of further documentation is not necessary since the circumstances surrounding the project are not likely to change as a result of the proposed parcel map. The subdivision of the property could not intensify the proposed use, and could not result in any new environmental impacts beyond those already identified and assessed in the certified Final Environmental Impact Report.

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Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fleger telefond (760) 323-8245.

James Thompson, City Clerk

Published: 9/15/12

Case TTM 36446 Def Fashion Plaza PC 9.26.17 ①

513 070 006
Harris Separate Prop 2005 Trus
Elizabeth T Harris
3410 Hermosa Ave
Hermosa Beach, CA 90254

513 070 009
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 070 010
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 002
Project 92
303 N Indian Canyon Dr
Palm Springs, CA 92262

✓ 513 091 003
Community Redev Agcy of Cty & Palm
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 091 004
✓ Redevelopment Agency City of Palm Sp
PO Box 2743
Palm Springs, CA 92263

513 091 005
G & W Lee Investment Corp
303 W Palm Dr
Arcadia, CA 91007

513 091 008
Lori Simmons
939 N Camino Condor
Palm Springs, CA 92262

513 091 010
Jonathan Noah
1138 S La Cienega Blvd #10
Los Angeles, CA 90035

513 091 011
Judy Goldring & Palm Springs Burston
1454 E Gem Cir
Palm Springs, CA 92262

513 091 012
McB Prop
448 E 4th St
Hinsdale, IL 60521

513 091 016
Hazel Gaytan
850 Avenida Acapulco
San Clemente, CA 92672

513 091 017
Betty Vogel
1745 W Orangewood Ave #201
Orange, CA 92868

513 091 018
Palm Springs Broughton
9701 Wilshire Blvd #700
Beverly Hills, CA 90212

513 091 020
Henry Frank
550 N Cahuilla Rd
Palm Springs, CA 92262

513 091 021
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 022
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 023
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 024
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 025
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 091 026
Southern California Edison Co
C S Reenders Asst Co
PO Box 800
Rosemead, CA 91770

513 092 003
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 092 004
Palm Corner Assoc
121 S Palm Canyon Dr #216
Palm Springs, CA 92262

513 092 005
Frank Prop
550 N Cahuilla Rd
Palm Springs, CA 92262

513 092 006
Doyle
808 E Highland Ave
Redlands, CA 92374

513 092 007
Plaza Investment Inc & Pitts Zachary
115 S Indian Ave
Palm Springs, CA 92262

513 092 009
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 092 010
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 094 001
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 002
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

Cert TM 36446 ~~Mt~~ Fashion Plaza ⊗

513 094 003
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 004
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 005
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 006
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 007
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 008
Robert Brackey
80 Arlington Ave E
Saint Paul, MN 55117

513 094 009
John & Joan Oliveri
2033 Flower Ct
Upland, CA 91784

513 110 034
Palm Springs Art Museum Inc
101 N Museum Dr
Palm Springs, CA 92262

513 110 035
Conrad-Marut
PO Box 3340
Palm Springs, CA 92263

513 110 036
Rose Mihata
468 W Tahquitz Canyon Way
Palm Springs, CA 92262

513 110 054
Paul Marut & Tracy Conrad
PO Box 56958
Sherman Oaks, CA 91413

513 120 080
Karlsson
2231 Calle Margarita
San Dimas, CA 91773

513 120 081
Eric Wohlschlegel & Patricia Powers
611 Massachusetts Ave NE
Washington, DC 20002

513 120 094
Villas In Old Palm Springs Inc
PO Box 13710
Palm Desert, CA 92255

513 120 098
Villas In Old Palm Springs Inc
PO Box 13710
Palm Desert, CA 92255

513 141 004
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 141 005
Casa Cody Bed & Breakfast Inc
141 S Cahuilla Rd
Palm Springs, CA 92262

513 141 011
Cal Wahoo
4109 NE 19th Ave #B
Portland, OR 97211

513 141 013
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 141 016
Casa Cody Bed & Breakfast Inc
141 S Cahuilla Rd
Palm Springs, CA 92262

513 141 017
Frank Clement & Marilyn Clement
3701 E Marion St
Seattle, WA 98122

513 141 018
J Bruce Jacobs & Karen Dring
310 Villaggio E
Palm Springs, CA 92262

513 141 019
William Varecha & Debbie Varecha
444 Seasons Dr
Grand Junction, CO 81507

513 141 020
Jne Autry
6110 Archway
Irvine, CA 92618

513 141 022
Janette Eastwood & David Eastwood
Box 546 135 1st West Cochrane
AB T4C 1A7
CANADA

513 141 023
James Thomas Rust & Patricia Anne Ru
350 Villaggio E
Palm Springs, CA 92262

513 142 001
Mountain Resort Palm
11250 El Camino Real #N100
San Diego, CA 92130

513 143 008
Oasis Plaza Brandenburg
1122 Willow St #200
San Jose, CA 95125

513 143 009
Oasis Plaza Brandenburg
1122 Willow St #200
San Jose, CA 95125

513 143 017
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

Cir - TM 36446 Desert Fashion Plaza (2)

513 143 019
Mercado Plaza
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 001
John Wessman
PO Box 2743
Palm Springs, CA 92263

513 144 002
John Wessman
PO Box 2743
Palm Springs, CA 92263

513 144 006
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 144 007
City of Palm Springs
PO Box 2743
Palm Springs, CA 92263

513 144 009
Plaza Investment Co & Pitts Zachary
115 S Indian Canyon Dr
Palm Springs, CA 92262

✓513 144 010
Community Redev Agency City of Palm
PO Box 2743
Palm Springs, CA 92263

513 144 011
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 012
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 144 013
Holdings Wessman
300 S Palm Canyon Dr
Palm Springs, CA 92262

513 560 002
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 004
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 005
Hotel Palm Springs Rbd
3340 Players Club Pkwy #200
Memphis, TN 38125

513 560 007
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 008
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

513 560 009
City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

NEIGHBORHOOD COALITION REPS
Case TTM 36446
Desert Fashion Plaza
PHN for PC Meeting 09 26 12

MODCOM AND
HISTORIC SITE REP ⇨ ⇨ ⇨

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE ⇨ ⇨ ⇨

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / TTM 36446
PO BOX 2743
PALM SPRINGS, CA 92263-2743

CASE TTM 36446
MRS. JOANNE BRUGGEMANS
506 W. SANTA CATALINA ROAD
PALM SPRINGS, CA 92262

AGUA CALIENTE BAND OF CAHUILLA INDIANS ⇨ ⇨ ⇨ ⇨ ⇨ ⇨

MS MARGARET PARK
AGUA CALIENTE BAND OF CAHUILLA INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES ⇨ ⇨ ⇨

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

LUEBBEN JOHNSON & BARNHOUSE, LLP
ATTN: RICHARD C. WADE, PARALEGAL
7424 4TH STREET NW
LOS RANCHOS DE ALBUQUERQUE, NM 87107

SPONSORS ⇨ ⇨ ⇨ ⇨ ⇨

MR JOHN WESSMAN
WESSMAN DEVELOPMENT
555 S. SUNRISE WAY, SUITE 200
PALM SPRINGS, CA 92264

MR MICHAEL BRAUN
WESSMAN DEVELOPMENT
555 S SUNRISE WAY, SUITE 200
PALM SPRINGS, CA 92264

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 36446
WESSMAN DEVELOPMENT
101 & 123 NORTH PALM CANYON DRIVE

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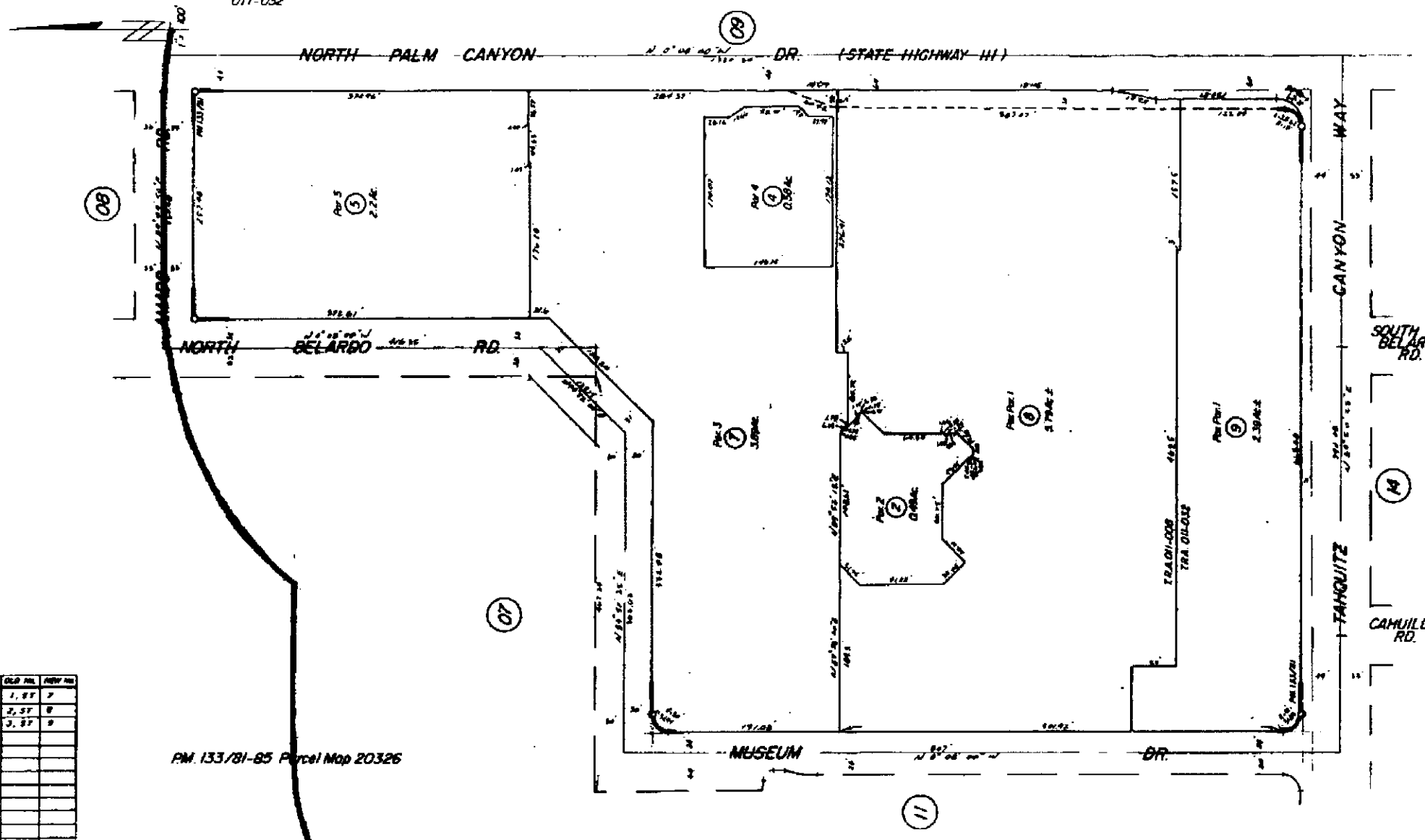
Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

_____
James Thompson, City Clerk

513-56

T.R.A. 011-008
011-032

POR. E.1/2 SEC. 15, T.4S., R.4E.



PT.	OLD NO.	NEW NO.
2	1.57	7
-	2.57	8
-	3.57	9

P.M. 133/81-85 Parcel Map 20326

FEB 1986

ASSESSOR'S MAP BK. 513 PG. 56
RIVERSIDE COUNTY, CALIF.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

505/31 POR. SEC 15 T.4S., R.4E
CITY OF PALM SPRINGS

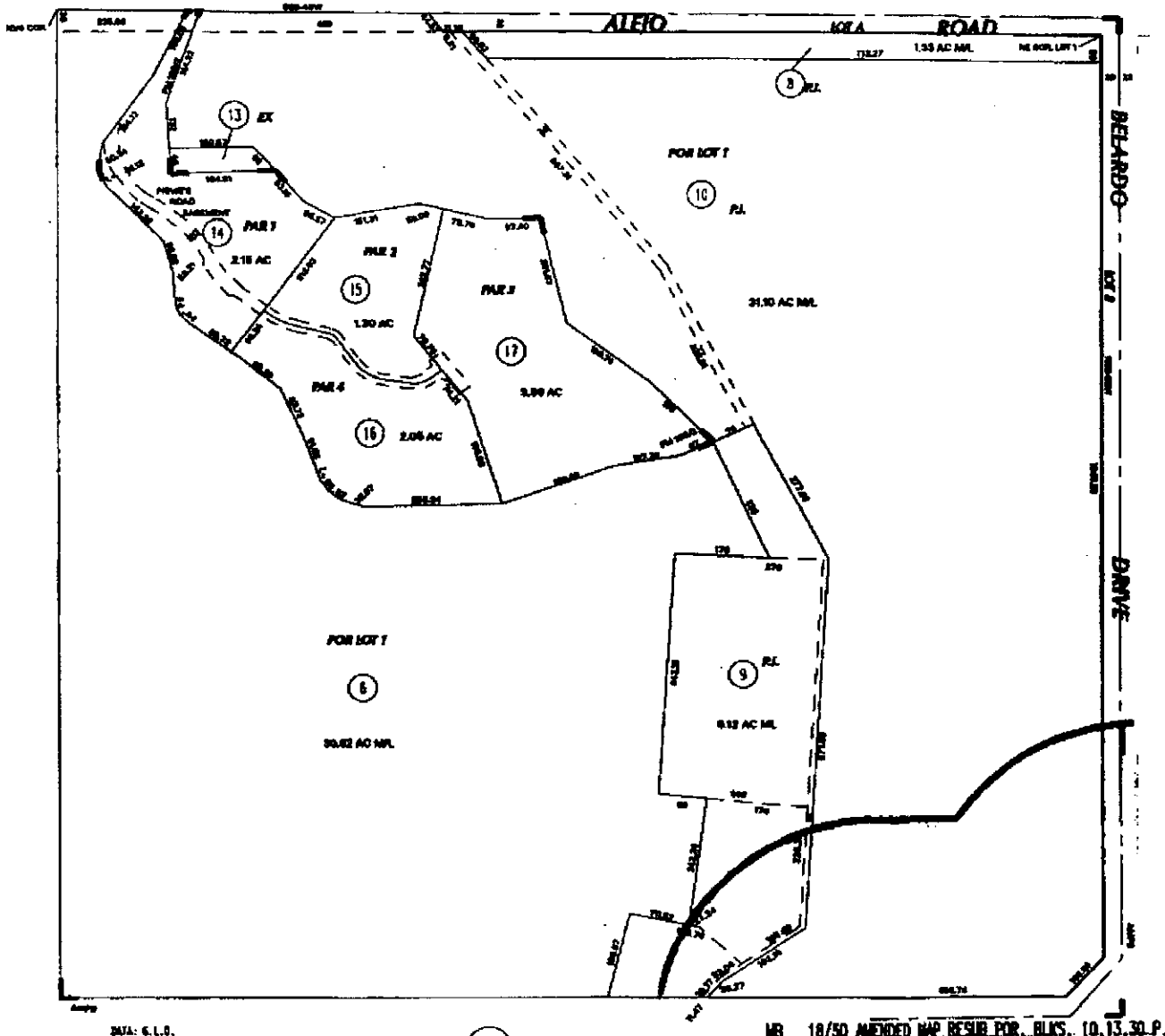
505/32

T.R.A. 011-003

513-07
29-31

1" = 200'
ANGLE = 0

505/13



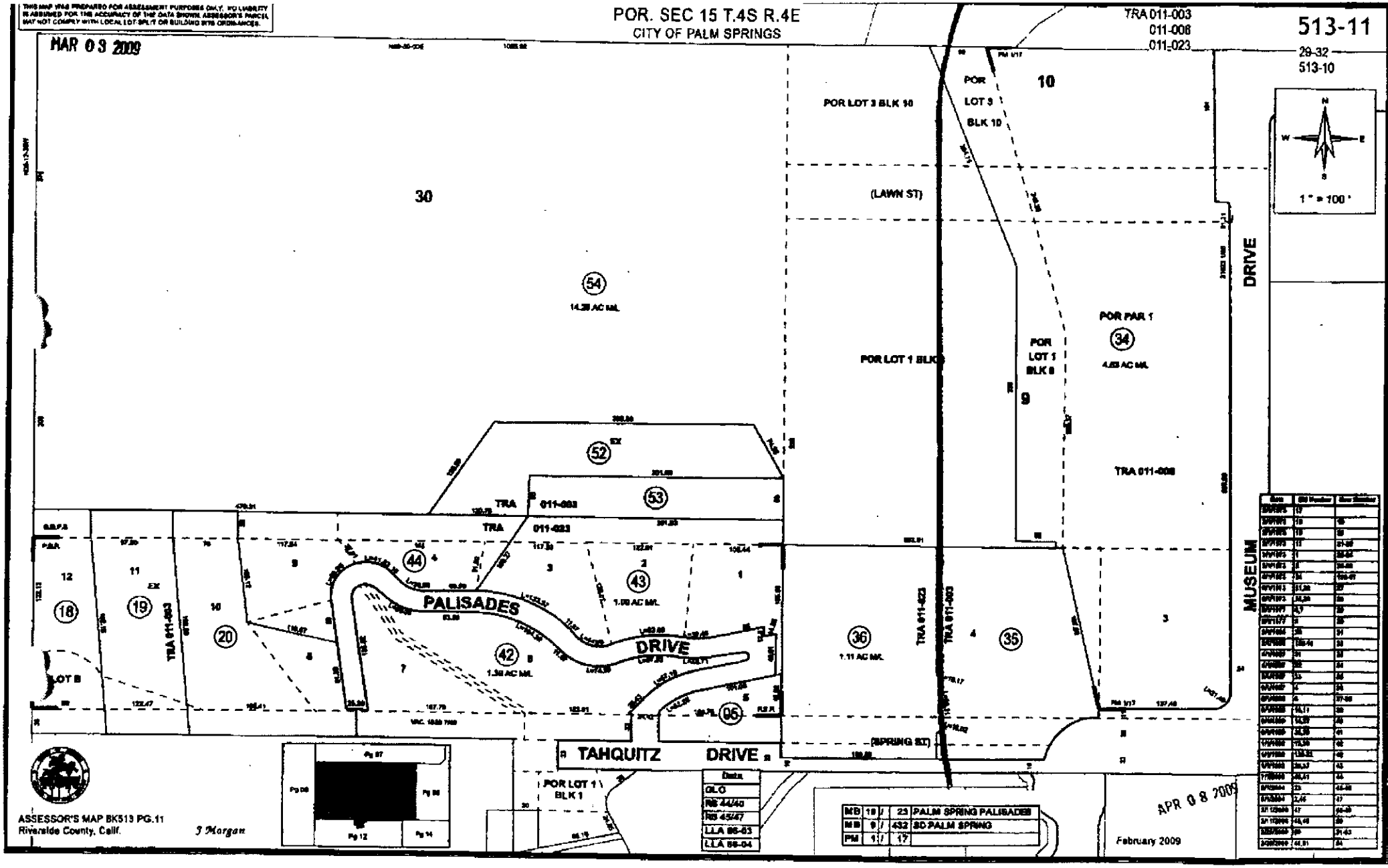
DATA: G.L.O.

ASSESSOR'S MAP BK513 PG.07
Riverside County, Calif.

MB 18/50 AMENDED MAP RESUB POR. BLKS. 10,13,30 P.S.
MB 18/50 AMENDED MAP RESUB ALL BLKS. 11,12 P.S.
PM 199/3-5 PARCEL MAP NO. 29109

Sep 2001

OCT 0 5 2001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MAR 03 2009
POR. SEC 15 T.4S R.4E
CITY OF PALM SPRINGS
TRA 011-003
011-006
011-023
513-11
28-32
513-10
POR LOT 3 BLK 10
POR LOT 3 BLK 10
10
(LAWN ST)
30
1" = 100'
DRIVE
POR LOT 1 BLK 9
POR LOT 1 BLK 9
POR PAR 1
9
TRA 011-008
MUSEUM
PALISADES
DRIVE
TRA 011-003
TRA 011-023
TRA 011-003
LOT B
TAHQUITZ
DRIVE
(SPRING ST)
POR LOT 1 BLK 1
ASSESSOR'S MAP BK513 PG.11
Riverside County, Calif.
J Morgan
APR 08 2009
February 2009
MB 10 / 23 PALM SPRING PALISADES
MB 9 / 432 SD PALM SPRING
PM 1 / 17

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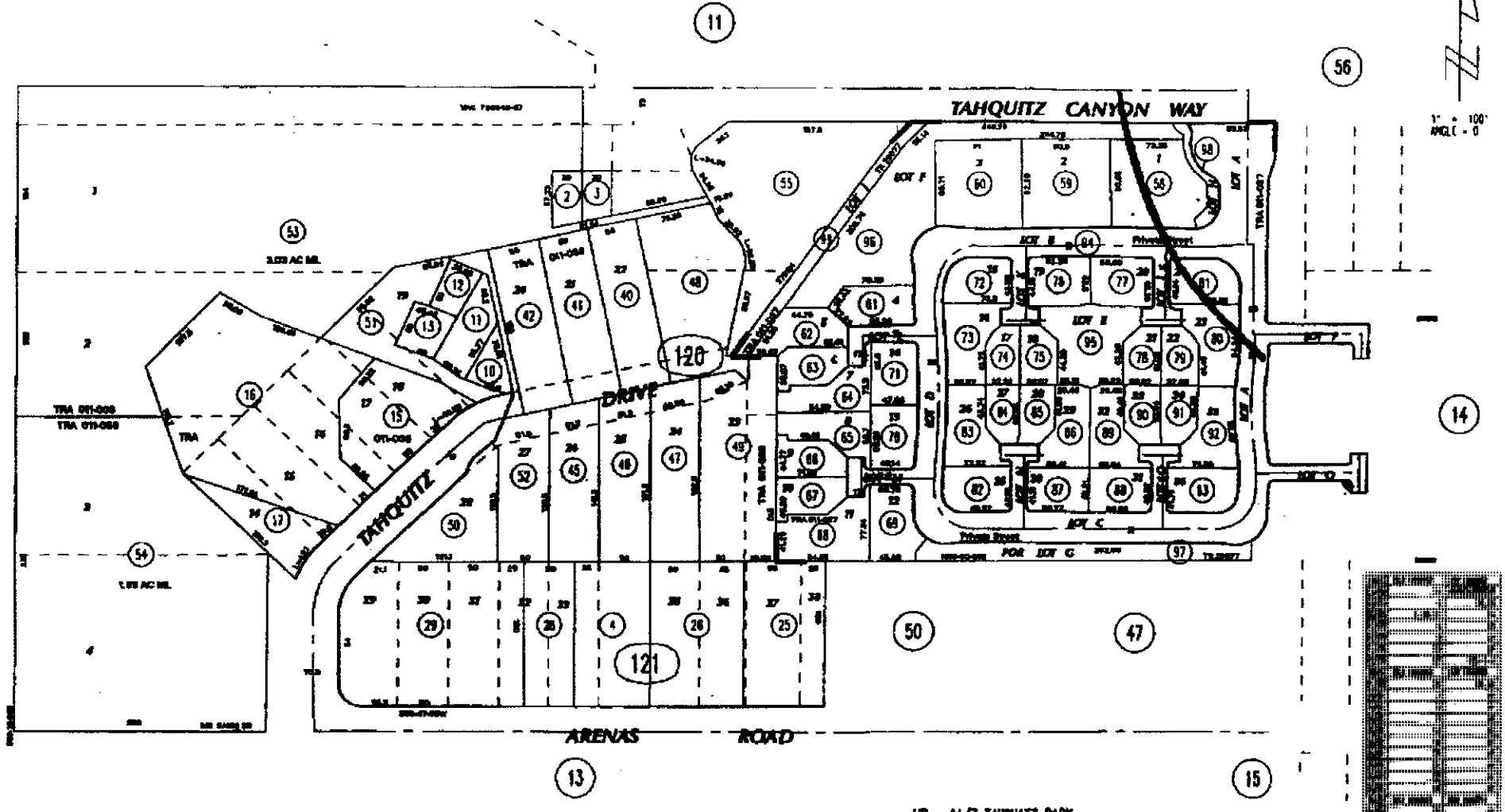
POR. SEC 15 T.4S.,R.4E
CITY OF PALM SPRINGS

T.R.A. 011-003
011-036
011-037
011-039

513-12
29-33



DATA: S.L.O.
E.S. 7/01, 12/1

MB 11/7 TAHQUITZ PARK
MB 60/75 TRACT NO. 3664
MB 9/432 S.D. PALM SPRINGS
PM 69/73 PARCEL MAP NO 14235(CM 28/24-25)
MB 342/65-72 TRACT MAP NO 29077

OCT 01 2004

Mar 2004

ASSESSOR'S MAP BK513 PG.12
Riverside County, Calif.

GCB

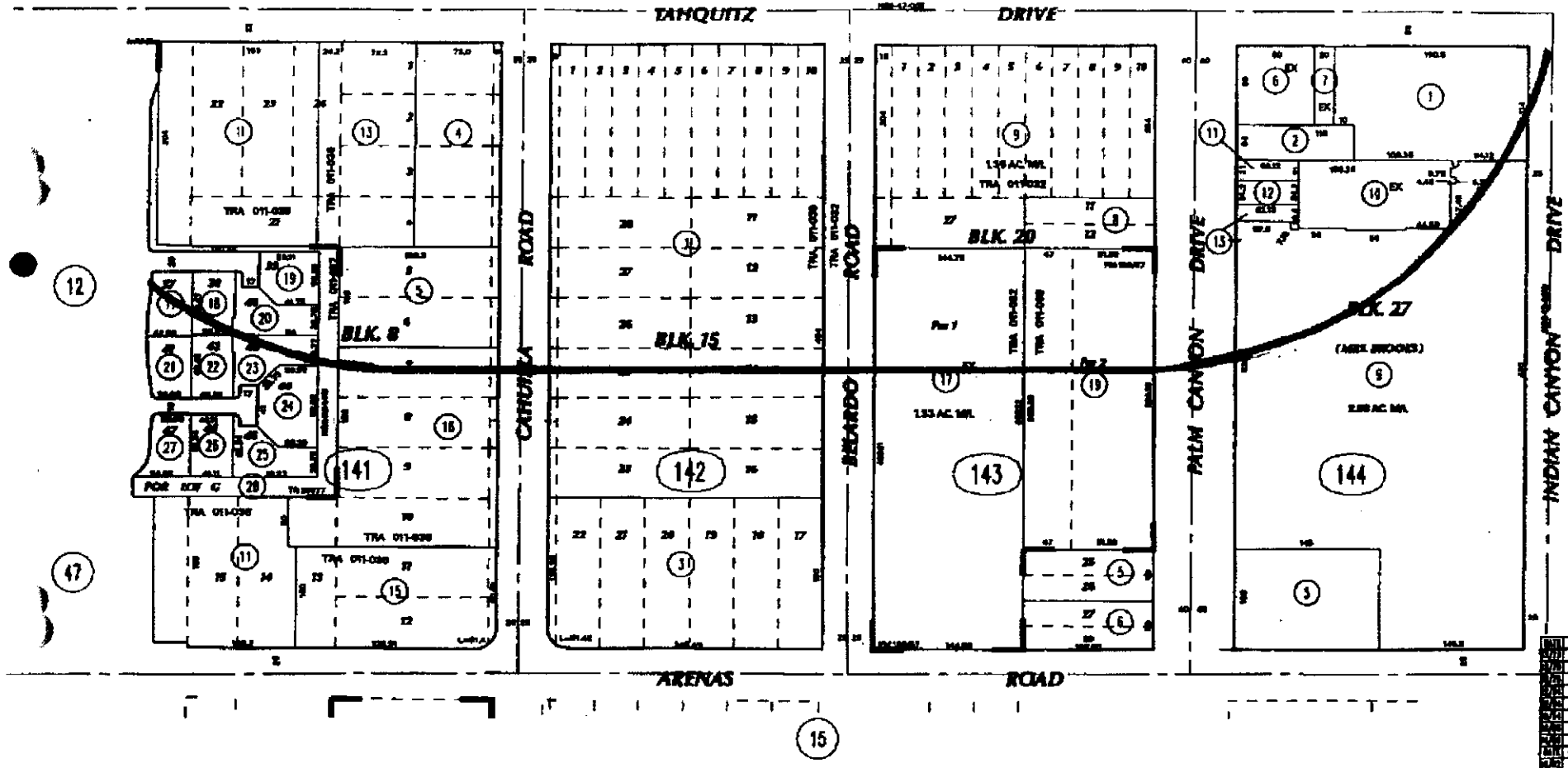
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

POR. SEC 15 T.4S.,R.4E
CITY OF PALM SPRINGS

T.R.A. 011-038, 011-039, 011-032, 011-008, 011-037, 011-036

513 - 14
29-33

1" = 100'



Data: G.I.S.

OCT 0 1 2004

MB 9/432 S.D. MAP OF PALM SPRINGS
PM 190/57-58 PM 27774
MB 342/65-72 TRACT MAP NO. 29077

Sep 2004

ASSESSOR'S MAP BK. 513 PG. 14
Riverside County, Calif.

513-09

T.R.A. 1108

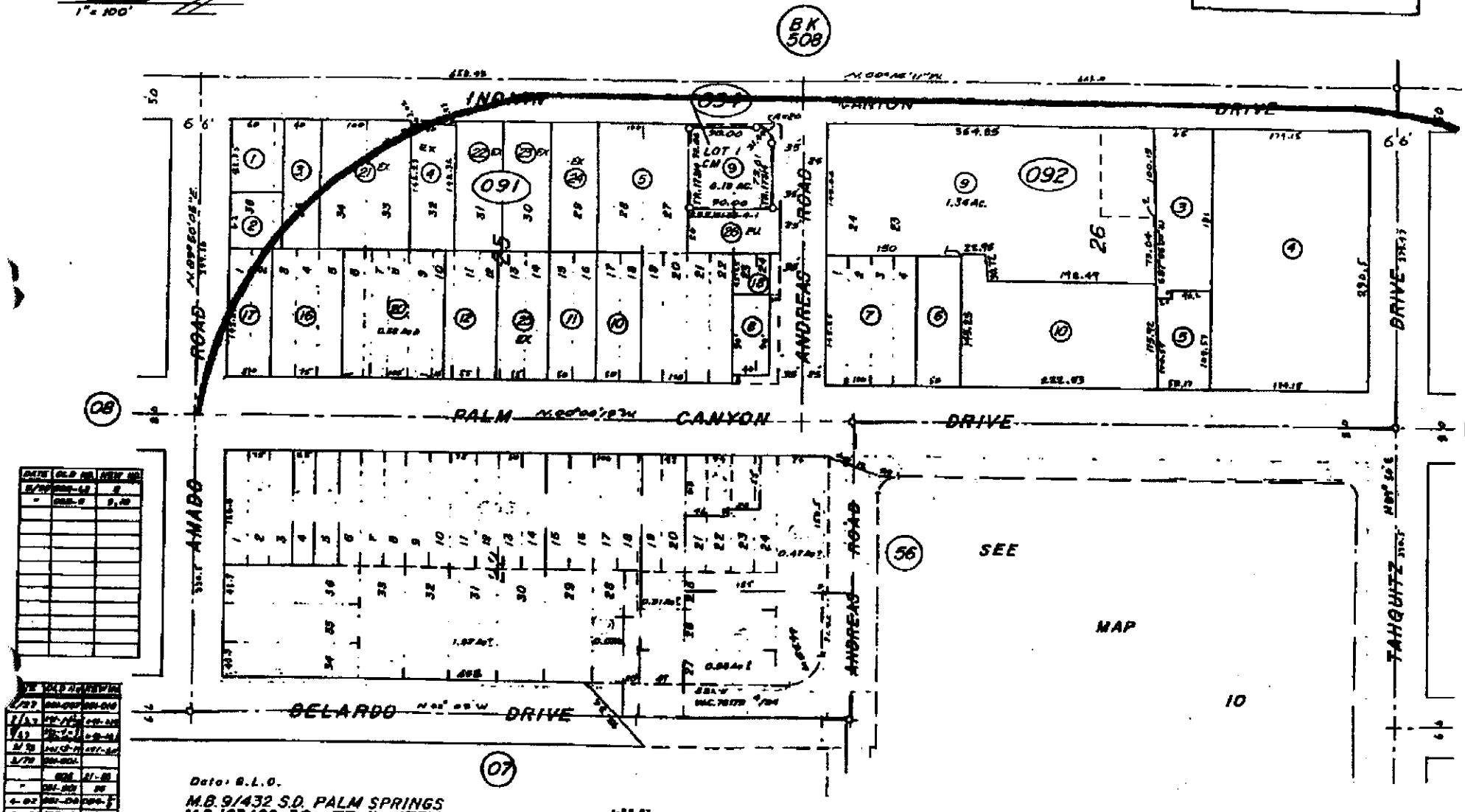
SHEET 1OF2

1" = 100'

POR. E. 1/2 SEC. 15, T.4S., R.4E.

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

BK 508



Data: G.L.O.

M.B. 9/432 S.D. PALM SPRINGS

M.B. 123/29-30 TR. No. 17314 ~~C.M. 38/143-156~~ 1-22-82

C.M. 41/54-68 68/11-2-83

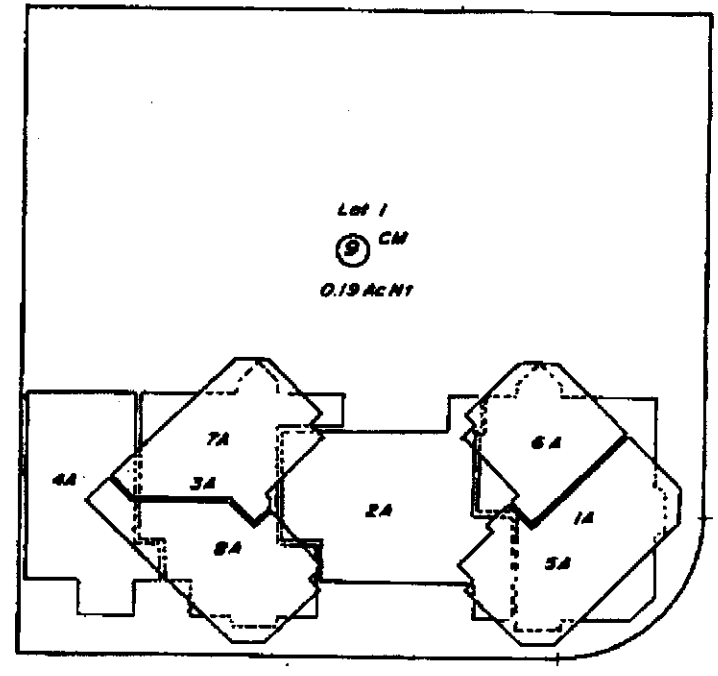
JANUARY 1969

JUN 1 1 1999

ASSESSOR'S MAP BK. 513 PG. 09

RIVERSIDE COUNTY, CALIF.

513-094



INDIAN AVENUE

ANDREAS ROAD

1" = 20'

CM 41/54-68 6811 1-2-83

MB 123/29,30 Tract No 17314 ~~CM 36/143-156 12620 1-22-82~~

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	NAME	APN1	ADDRESS
36446	TTM	DESERT FASHION PLAZA	513-560-002	0123 PALM CANYON DRIVE NORTH

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
ENVIRONMENTAL IMPACT REPORT	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$4,497.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$436.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$67.00
OTHER MISC	$0.00

NOTE:
THERE IS AN OUTSTANDING BALANCE OF $4,935 FOR THE REQUIRED APPLICATION FEE DUE TO THE PLANNING DEPARTMENT.

TOTAL FEE(S)	$5,000.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
		8/20/2012

☒ Customer ☒ Cashier ☐ Planning File ☐ Planning Copy

4538

REORDER FORM #839-LC1

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Discount	Net
010	WESSMAN DEVELOPMENT	1350-128-01	50% TRACT MA	8/16/2012	TENTATIVE TRACT MAP	5,000.00	0.00	5,000.00

Payor:	WESSMAN DEVELOPMENT COMPANY	Date	Check No.	Check Amount
Payee:	CITY OF PALM SPRINGS	8/17/2012	007256	$5,000.00

Retain this statement for your records

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN DEVELOPMENT COMPANY
JOB COST
555 S SUNRISE WAY, STE 200
PALM SPRINGS, CA 92264

RABOBANK
901 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
8/17/2012	007256	**$5,000.00**

Five Thousand AND 00/100 Dollars

Pay to the order of:

CITY OF PALM SPRINGS

POB 2743
PALM SPRINGS, CA 92263-2743

⑈007256⑈ ⑆122238420⑆ 013⑈501041⑈

PUBLIC COMMENTS:

Vice Chair Hudson opened public comments; and no with appearances coming forward public comment was closed.

1. CONSENT CALENDAR:

ACTION: To approve Items 1A and 1B, as part of the Consent Calendar.

Motion Lyn Calerdine, seconded by J.R. Roberts and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Philip Klatchko, J.R. Roberts, Vice Chair Hudson, Lyn Calerdine
ABSENT: Chair Donenfeld

1A. Minutes of April 11, 2012

Approved, as amended.

1B. Case 3.3405 MAJ & 6.519 VAR - A request by Ramon Office Building, LLC, for a one-year time extension for the construction of a two-story office building of approximately 21,874 square feet in size on an approximate site area of 65,918 square feet located at 4001 East Ramon Road, Zone P, Section 19. (Project Planner: David A. Newell, Associate Planner)

Approved, as part of the Consent Calendar.

2. OTHER BUSINESS:

2A. Museum Market Plaza Specific Plan - Implementation / Review Process

Commissioners' Klatchko and Conrad left the Council Chamber at 1:33 p.m.

Director Ewing reported this Specific Plan establishes a permit streamlining process which will assure a thorough review of Major Architectural Review, Conditional Use Permit, Conditional Use Permit and Subdivision applications. He noted that a subdivision map has been filed (to reorganize the lot lines within the property) and will come for review by the Planning Commission in a couple of months.

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
April 25, 2012
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Vice-Chair Hudson called the meeting to order at 1:30 p.m.

ROLL CALL:	**Present This Meeting:**	**Present to Date:**	**FY: 2011/2012 Absences:**
Lyn Calerdine	X	3	0
Tracy Conrad	X	16	2
Philip Klatchko	X	14	4
Leslie Munger	X	16	2
J.R. Roberts	X	18	0
Doug Hudson, Vice Chair	X	15	3
Doug Donenfeld, Chair		17	1

REPORT OF POSTING OF AGENDA:

The Agenda was posted for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Thursday, April 19, 2012.

ACCEPTANCE OF THE AGENDA:

Commissioner Conrad noted a correction on the minutes of April 11th relating to her attendance. Ms. Conrad stated that she would be abstaining on Item 2A. (the Museum Market Plaza Specific Plan) due to a property-related conflict of interest.

Commissioner Klatchko noted his abstention on Item 2A. (the Museum Market Plaza Specific Plan) due to a business-related conflict of interest. He would be leaving the meeting since this is the last item on the agenda.

Director Ewing provided an overview on the:

-A progressive calculation of building square footage and mass;
-Conformity Review Procedure to be consider by the City Council;
-Phasing
-Schedule of Performance

Commissioner Calerdine requested a copy of the Museum Market Plaza's original submittal. Director Ewing explained that the tentative map is the most accurate layout that has been submitted and noted that the Town and Country Center has not been designated as a historic structure by the City Council.

Director Ewing provided an overview on the procedure for the "Conformity Review". He stated that it is an opportunity for any property owner within the Specific Plan boundary area to request a review to determine that a proposed project is a rehabilitation, renovation and/or remodel of existing buildings and facilities. The City Council will consider whether the proposal furthers the goals or objectives of the Specific Plan.

Vice Chair Hudson requested clarification on the timelines for the construction of the engineering infrastructures. Director Ewing replied that tentative tract map will include a full review and conditions of approval by the Engineering department pertaining to all public improvements.

Director Ewing recommended that the Commission could hold special meetings to review multiple projects within the 45 days of submission. The only prerequisite is a 72-hour notice unless a public hearing is required. Commissioner Roberts requested that once the application submittals are received to schedule the special meetings so the Commission can review the projects.

PLANNING COMMISSION COMMENTS:

No comments were received.

PLANNING DIRECTOR'S REPORT:

Director Ewing reported that 7-Eleven has withdrawn their appeal to the City Council of the Planning Commission's action to deny their request for a conditional use permit. He informed the Commission that the City Council overturned the Commission's action to deny the sign program for the Ralph's / CVS Center and granted approval of the two tenant signs with certain conditions.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 2:13 p.m. to Wednesday, May 9, 2012, at 1:30 p.m., City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services

CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES
MEMORANDUM

Date: April 25, 2012 OTHER BUSINESS

To: The Planning Commission

From: Craig A. Ewing, AICP, Director of Planning Services

Subject: Museum Market Plaza Specific Plan – Implementation / Review Process

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Later this year, the Planning Commission will review development plans for renovation and reconstruction at the Desert Fashion Plaza site. This memo provides an opportunity for the Commission to consider and discuss the procedures that it will use to review the pending applications. Staff will present an overview of the attached materials to precede the Commission's discussion.

Attachments:

1. Museum Market Plaza Specific Plan, Section V
2. Museum Market Plaza Specific Plan Phasing Plan (Exhibit V-1)
3. Project Financing Agreement (Exhibit D / Performance Schedule)

V. ADMINISTRATION AND IMPLEMENTATION

A. Application Review Process

The implementation tools for the Specific Plan will be Major Architectural Reviews, Conditional Use Permits and subdivision maps. Under certain conditions, Planned Development Permits may be required, if the condition meets the standards of section V-B, below.

The successful implementation of the Museum Market Plaza Specific Plan is critical to the long-term health of downtown Palm Springs. In order to assure an efficient and streamlined entitlement process, applications for areas within the Specific Plan will require special handling. This Specific Plan establishes a permit streamlining process which will assure the thorough review of Major Architectural Review, Conditional Use Permit and subdivision applications.

1. Application Requirements and Process

Major Architectural Review applications will include the following in addition to the materials required as part of a standard Major Architectural Review application:

a. A progressive calculation of building square footage and mass, provided on the site plan. The analysis shall include square footage and mass permitted for the applicable Block under the Specific Plan (Table III-3); square footage and mass approved to date; and square footage and mass proposed with the application.
b. If the project is for hotel or residential use, a progressive calculation of the number of hotel rooms or residential units provided on the site. The analysis shall include rooms or units permitted for the Specific Plan area approved to date and roomr or units proposed with the application.
c. If the project is for retail or office use, a progressive calculation of the square footage provided on the site. The analysis shall include square footage permitted for the Specific Plan area approved to date and square footage proposed with the application.
d. A calculation of parking required, parking provided within the applicable Block, and parking provided elsewhere in the Specific Plan area.
e. If parking is proposed to be located outside the boundaries of the Block where the use is to occur, the application shall include a demonstration that sufficient parking occurs elsewhere in the Specific Plan area, and shall be constructed prior to occupancy of the use, to accommodate the use.
f. If parking is proposed to be reduced for shared uses, a parking study, completed by a qualified traffic engineer or parking professional, utilizing recognized sources of data.

When found complete by the Planning Department, a meeting for the Major Architectural Application shall be held within 30 days by the Architectural Advisory Committee, and a public meeting shall be scheduled, within 45 days, before the Planning Commission. Such review shall include any evaluation required under the California Environmental Quality Act (CEQA). The Commission, upon closing the public hearing, shall:

1. Request changes to the application and continue the matter; or
2. Approve the project, including the addition or modification of project conditions; or
3. Deny the project.

Actions of the Commission can be appealed to the City Council. The decision of the City Council shall be final.

Applications for Conditional Use Permits and subdivisions, not involving construction of new structures and only the use in question, shall be processed consistent with the provisions of Section 94.020.00 et. seq. of the Palm Springs Zoning Ordinance.

Planned Development Permits, if required, will be processed consistent with the requirements of Section 94.30.00 et. seq. of the Palm Springs Zoning Ordinance.

2. Conformity Review Procedure.

In accordance with the provisions of Subsection C (Phasing) of this Section V, Phase One of the Specific Plan's implementation includes the opportunity for any property owner within the specific plan boundary area to request a "Conformity Review". Conformity Review is a determination that a proposed project consisting of the rehabilitation, renovation, and/or remodel of existing buildings and facilities (a "Renovation Project") within the Specific Plan is generally consistent with the Specific Plan.

a. The property owner shall fully complete and file a request for Conformity Review describing the proposed project and identifying the rehabilitation, renovation, and remodel components and file such other information as the Planning Director may require. The filing may be schematic and conceptual; precise plans or drawings shall not be required unless the submission is processed concurrently with an entitlement provided under the City's Zoning Ordinance. The filing and processing fees, if any, shall be assessed according to the City's resolution of fees and charges.

b. The Planning Director shall consider the request for Conformity Review and shall prepare written findings and recommendations to the City Council. The request for Conformity Review shall be considered by the City Council at a noticed public hearing pursuant Government Code section 6061. The City Council shall approve, conditionally approve, or deny the request. The decision of the Council is final.

c. In the review and consideration of the Conformity Request, the City Council shall consider whether the proposal reasonably furthers the goals or objectives of the Specific Plan, including without limitation Subsection C of this Section V.

B. Specific Plan Amendments

Interpretations of this Specific Plan which may be needed to clarify standards, guidelines, or the definitions of permitted uses, or may be otherwise required, and which do not change development standards, guidelines or permitted uses in this Specific Plan may be made by the Director of Planning Services.

All other changes shall be considered amendments to this Specific Plan, and shall be subject to public hearing and review by the Planning Commission and City Council.

C. Phasing

In response to market conditions, implementation of the Museum Market Plaza is expected to begin with the renovation of the existing Desert Fashion Plaza Shopping Center (Phase One). The current placement of buildings, parking, and pathways at the Center may be the basis for renovation in this first phase. This phase is not required to implement certain elements of the Plan intended for subsequent phases, including the full street grid system, the removal of the existing underground parking garage, and the provision of open space within Block B. Renovation of all or a significant portion of the existing Desert Fashion Plaza Shopping Center which preserves opportunities for enhancing the connection between the Museum and the Casino/Convention Center area shall be deemed consistent with the Specific Plan. Nothing herein shall be construed as allowing or permitting any deviation from the maximum height or density requirements of the Specific Plan.

A renovation plan that is consistent with the Specific Plan's Phase One policy is the Wessman Company's proposal submitted to the City on January 13, 2009 ("Wessman Renovation Plan"), including any changes or revisions identified in the written comments of the Director of Planning Services, dated February 17, 2009.

The City specifically finds that the Wessman Renovation Plan is consistent with the Specific Plan and furthers the objectives of the Specific Plan in that the Wessman Renovation Plan will:

a. Renovate a significant portion of the existing Desert Fashion Plaza Shopping Center for retail, office and resort uses, as provided in the Specific Plan,

b. Facilitate the development of an east/west connection through the site to the Museum which does not currently exist, thereby contributing to the Specific Plan's goal of restoring the visual presence for the Museum that has been lacking since the construction of the Desert Fashion Plaza and creating the opportunity for direct access between the Museum and the Casino/Convention Center area,

c. Create, within the new east/west connection, areas for outdoor dining and other pedestrian oriented activities to draw customers to the Center and give energy to the downtown area,

d. Create, with the addition of the east/west connection, additional retail spaces with lively street frontages on the ground floor that do not exist within the current Desert Fashion Plaza,

e. Provide new opportunities for high quality retail development which will contribute to realizing the Specific Plan's goal of helping to create a stable and varied economy, increase the City's tax base and act as a catalyst for further redevelopment in downtown, and

f. Achieve the Specific Plan goal of expanding recreational uses in the downtown which extend the hours of active use in the area, by adding a theater and additional restaurants.

Subsequent phasing of the Museum Market Plaza will be determined by the market. Exhibit V-1 illustrates how phasing may occur at the site, subsequent to any renovation project as allowed above (Conformity Review). Phasing may be modified by market pressures, including changes in both the commercial and residential environments:

Phase Two: Construction of the Main Plaza, the installation of the new east-west roadway from the Museum to Palm Canyon Drive, the extension of Belardo through the site, and improvements to Palm Canyon Drive.

Phase Three: Blocks A and C, focusing on the Main Plaza and Palm Canyon frontage. This phase may also include the southern portion of Block E, G & H.

Phase Four: D & F, and the northern portion of Block E, G & H.

Phase Five: Block K, including the new east-west street between Palm Canyon and Indian Canyon Drives; however, this block and / or the new east-west street may be developed in an earlier phase, if the market allows.

Exhibit V-1 Phasing

(INSERT PHASING PLAN)

D. Financing

Although the Specific Plan occurs in an area in which infrastructure is generally complete, improvements and alterations will be required throughout the development of Museum Market Plaza, to allow for the intensity of use proposed and to adjust public improvements along the boundaries and edges of the Specific Plan area. Financing for these improvements is likely to come from a number of sources, both public and private. In addition, the costs for the preparation of the Specific Plan can also be recovered. Some of the potential funding mechanisms are described briefly below. This list is not intended to be exhaustive or exclusive. The allocation of costs and the apportionment of fees pursuant to the provisions of this Subsection, including without limitation a credit on fees, may be provided in an owner's participation agreement or disposition and development agreement (DDA) between a developer and the City of Palm Springs Redevelopment Agency or a development agreement (DA) between a developer and the City.

Specific Plan Fee

To defray the cost of preparation, adoption, and administration of the specific plan, including all related studies and environmental documentation, the City Council should consider the adoption of a fee to be imposed upon all persons seeking approvals of the City or the Redevelopment Agency of the City of Palm Springs which are required to be consistent with the specific plan in the manner provided under Government Code Section 65456. A portion of any amounts collected pursuant to such fee shall be used to reimburse any person who advanced or incurred costs for the preparation of the specific plan in excess of such person's fair share of such costs as determined under the provisions of Government Code Section 65456.

Special Improvement Districts

Special Improvement or Assessment Districts may be initiated subject to the approval of property owners or voters. They allow the municipality to issue tax-exempt bonds for public infrastructure improvements. Assessments are generally accompanied by a formal lien against each property which receives the improvements. Those properties benefiting from the improvement are assessed an annual cost on their tax bill. Assessments are proportional to the amount of benefit being received by the property owner. The assessments are generally paid over up to 30 years, but may be prepaid.

Redevelopment Agency Participation

The Museum Market Plaza is the catalyst to the long term economic health of Downtown Palm Springs. The area is also within the boundaries of the City's Redevelopment Plan. As such, developers and builders may negotiate with the Redevelopment Agency for direct contributions, tax rebates or other participation from the Agency's tax increment funds.

Developer Impact Fees

Developer impact fees can be used for a variety of improvements, and require the preparation of cost estimates and fair share distribution based on a "rational nexus" that the fee being paid is equivalent to the cost which would otherwise be incurred by the developer to provide his fair

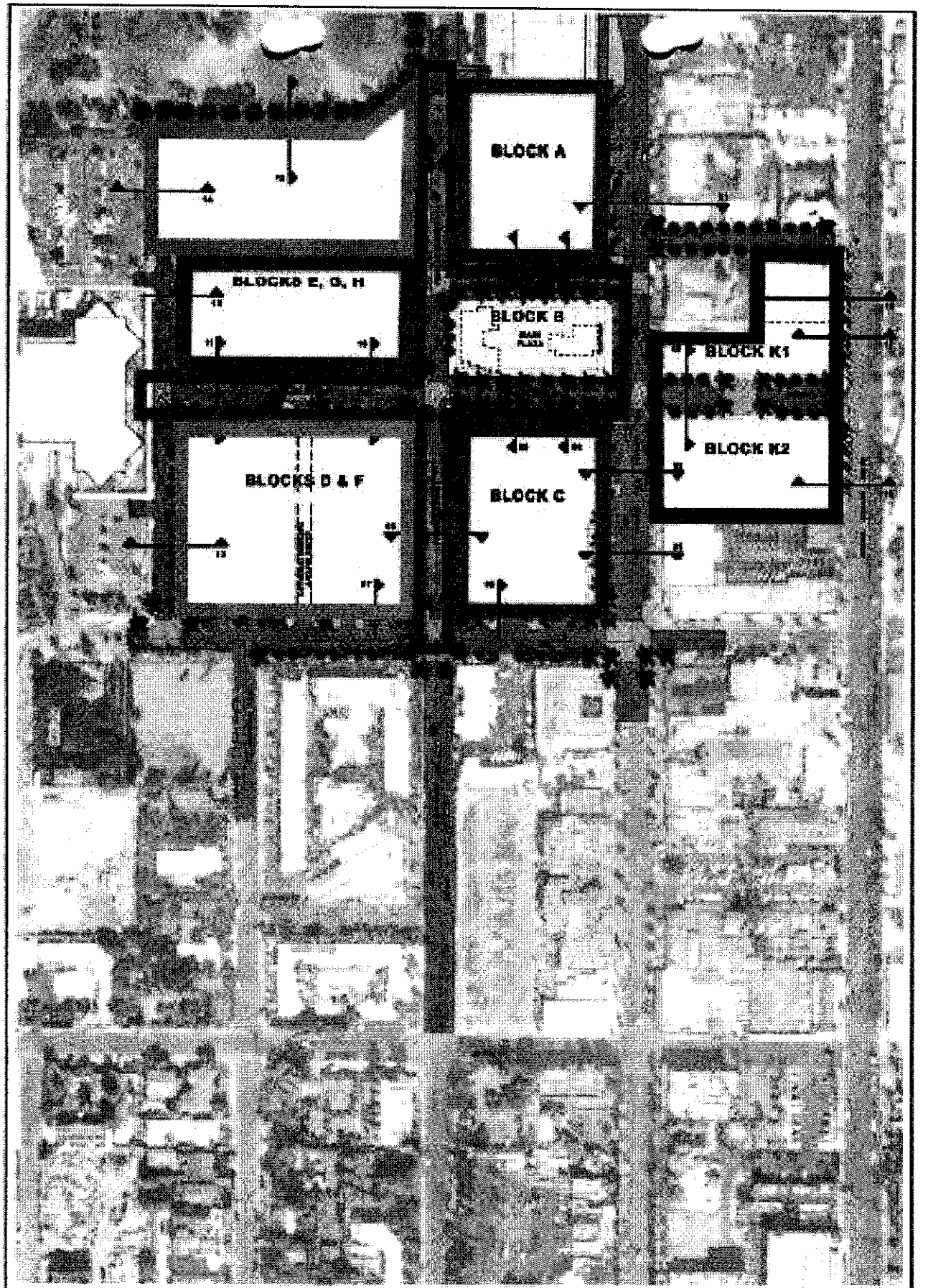
share of an improvement. Existing Impact Fees may be applicable to roadway improvements on Palm Canyon or Indian Canyon, or could be created to address the project's improvements. Conversely, most of the development within the Specific Plan area has in the past contributed to Development Impact Fee and TUMF fees, which may be credited to the Museum Market Plaza construction.

Landscaping and Lighting Districts

Landscaping and Lighting Districts may be created to provide a range of infrastructure improvements. Annual assessment would be raised from properties in the district. Funds may be used for construction and maintenance of curbs, gutters, sidewalks, paving, parkway landscaping and other facilities. The long-term maintenance of the Specific Plan area's street system could be financed through this vehicle.

Mello-Roos Districts

Mello-Roos districts can be used to finance a wide range of improvements, including land purchases and maintenance. The creation of the district results in a special tax levied on the affected property owners. Mello-Roos district taxes are not tied to property value, but rather to a special tax formula based on the level of benefit received by each property.



Museum Market Plaza Draft Specific Plan
Phasing Plan
Palm Springs, California

TERRA NOVA®
Planning & Research, Inc.

Exhibit
V-1

Schedule of Performance – Exhibit D

Project Financing Agreement

No.	Milestone	Comment	Days for Performance	Anticipated Date based on days to perform, any delay by the city for approvals adjusts each date automatically forward
1	Approval of PFA. City approves or disapproves PFA and, if approves, executes PFA	PFA approved September 7 subject to minor changes		September 26 2011
2	Detailed Physical Evaluation of the Property. The City shall retain structural engineer to obtain a detailed structural inspection of the parking structure.		1	September 26 2011
3	Title Report. Developer delivers to City Preliminary Title Report.			September 30 2011
4	Approval or Disapproval of Title Exceptions. City approves or disapproves title exceptions.	Within 15 days after delivery of Preliminary Title Report from Developer.	15	
5	Structural Engineer. City completes detailed structural inspection of the parking structure to determine if estimated cost of improvements is excessive.	Within 30 days after hiring structural engineer	30	
6	**Opening of Escrow**. The City and Developer open escrow for conveyance of the parking structure and other public assets to the City.			Dec 12th 2011
7	**Right to Terminate**. City waives its right to terminate Agreement based on inability to identify source of public financing	Per PFA.		**December 21 2011**
8	**Reimbursement Agreement**. City staff recommends to Council to provide additional funds for first phase design work; Any additional payments will be reimbursed to the city upon the close of the future private / public improvement escrow	If not approved all time lines from milestone 9a on adjust forward in sequence to the date when the private and public improvement escrow closes		December 28 2011

9a	**Private Improvement Development Plans**. Developer contracts with architectural firm and other necessary sub consultants to produce Major Architectural Application Plan sufficient to comply with Milestone No. 18a, submittal of plans.	Within 40 days City approved funding first phase of design work, otherwise 9a adjusts forward to milestone 17		January 30 2012
9b	**Public Improvement Development Plans.** Developer contracts with engineering firms and other necessary sub consultants.			March 30th 2012
10	**Bank of America Demolition.** Developer commences demolition of **Bank of America building** (after Film Festival 2012 ends) and the installation of basic site landscaping. Upon pulling demo permit (no later than Jan 21st 2012) complete demo of Bank of America within 60 days	**Developer to apply for demolition permit after December 21 but prior to Jan 21**	**60**	**Major Milestone March 21st 2012**
11	Funds Control Agent. City and Developer contract with a mutually acceptable and reputable independent fund control agent ("IFC Agent")			April 2, 2012
12	Sewer Connections. City and Developer undertake comprehensive site review to determine number and location of sewer connections to determine credit for sewer connection charges in building permit fees.	December 22nd – 2013 June 30th 2012		June 30 2013
13	Deposit of Grant Deed. The Developer shall deposit the grant deed for the Parking Structure and City Parcels into escrow.	One (1) week prior to Closing.		April 8, 2012
14	**Deposit of Purchase Price and Other Required Sums**. The City shall deposit the Purchase Price of the Parking Structure and other public assets, funds for the public improvements and other required sums into escrow.	One (1) week prior to Closing.		April 8, 2012
15	Escrow Fees and Charges. Escrow Agent gives notice of fees, charges, and costs to close Escrow.	Three (3) days prior to Closing.		April 11, 2012
	Intentionally left blank	Intentionally left		

16		blank		
17	**Close of Escrow**. The Developer shall convey fee title to the Parking Structure and other public assets to the City and the City shall accept such conveyance. The Escrow Agent shall cause the Grant Deed and Easement for Access (and other related documents) to be recorded with the Riverside County Recorder.			April 15, 2012
18a	**Application Submission.** Major Architectural Approval Application for the **first building** on one of the following: Blocks A-1, A-2, C and F or adjacent street grid.			**Major Milestone June 1st 2012**
19a	**Approval by City**. Major Architectural Approval. Architectural Advisory, Planning Commission, and City Council approval of submittal from milestone 18a.	Within 45 days from date of submission of architectural application of the first building.	45	
18 b	**Plan Submission Public Improvements;** Major architectural application including site plan and street improvements			**Major Milestone Dec 28th 2012**
19b	**Approval by City Council. Public Improvements -** The City process *includes* the Architectural Advisory Committee, Planning Commission, and City Council approval.	Within 45 days from date of submission of architectural application.	45	
18 c	**Application Submission.** /Major Architectural Approval Application for the **remaining building** of the following: Blocks A-1, A-2, C and F			**Major Milestone Oct 31st 2012**
19c	**Approval by City Council.** Major Architectural Approval **of remaining** buildings A1, A2, C or F. The City process submitted Architectural Advisory Committee, Planning Commission, and City Council approval.	Within 45 days from submission of architectural application of remaining buildings.	45	

18 d	**Application Submission Major Architectural Approval for hardscape and landscape plans;** *includes* the Architectural Advisory Committee, Planning Commission, and City Council approval			**Major Milestone Feb 28th 2013**
19d	Approval by City Council. **Landscape and hardscape**- The City process *includes* the Architectural Advisory Committee, Planning Commission, and City Council approval. application shall include final Site	Within 45 days from submission of architectural application.	45	
20a	**Submittal of Construction Documents**. Developer submits Construction (Building and Engineer) Plans for approval by Building and Engineering Departments (Milestone 19 a)			May 31, 2013
21 a	**City to finalize Plan Check of submitted Construction Documents** milestone 20 a documents	Plan Check completed within 60 days of submittal to the Building department	60	
22	**Developer to deposit $ 2 million and City to issue Building Permit for the first building** on one of the following: Blocks A-1, A-2, C and F or adjacent street grid.			**Major Milestone Aug 30th 2013**
23a	**Commence Demolition of Existing Improvements.** Developer commences demolition of remaining site improvements in preparation for construction of public and private improvements. Portions of Block C will be demolished last, because of CPK Lease)			As early as July 26th 2013
23b	**Commencement of Construction of Developer's Improvements**. Developer commences construction of public and private improvements.			**Major Milestone Sep 30th , 2013**
20 b	**Submittal of all of remaining Construction Documents**. Developer submits Construction (Building and Engineering) Plans and Grading Plan for approval by Building and Engineering Departments for the **remaining buildings** Blocks A-1, A-2, C and F or adjacent street grid, hardscape and landscaping plans	Contingent on meeting milestones 19, a,b		Sep 30th 2013

21 b	**City to finalize Plan Check** of Construction Documents and issue Building Permit for the remaining buildings (see 20 b) of the following: Blocks A-1, A-2, C and F or adjacent street grid, hardscape and landscape plans	Plan Check completed within 60 days of submittal to the Building and Engineering department	60	
23c	**Substantial Completion of Construction of Developer's Core & Shell and public Improvements**. Developer substantially completes Core & Shell Improvements parking improvement upgrades, public streets and sidewalks, open space plazas.			**Major Milestone December 28th, 2014**
24	City to certify substantial completion of all private and public improvements after Developer has notified it in writing and release and reconvey in full the Performance Deed of Trust (regardless of any outstanding balance) – within 15 days of notification by Developer		15	January 12th 2015

MAJOR MILESTONES as defined in the PFA 3.A Developer Default

It is understood that the foregoing Schedule of Performance is subject to all of the terms and conditions set forth in the text of the PFA Agreement..The time periods set forth in this schedule will adjust automatically forward if city approvals are not obtained at the scheduled dates listed above

The time periods set forth in this Schedule of Performance may be altered or amended only by written agreement signed by both Developer and City. A failure by either party to enforce a breach of any particular time provision shall not be construed as a waiver of any other time provision. The City Manager shall have the authority to approve extensions of time without City Council action not to exceed a cumulative total of 180 days.

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
TEL: (760) 323-8245 • FAX: (760) 322-8360 • TDD: (760) 864-9527

Project Application Routing

DATE: March 20, 2012

TO:
- ☒ Carol Templeton, Engineering Associate
- ☒ John Shoemaker, Plans Examiner
- ☒ John R. Allen II, Deputy Chief / Fire Marshall
- ☐ Tom Nolan, Executive Director, Palm Springs International Airport
- ☐ Other_____

FROM: Edward O. Robertson, Principal Planner EP

RE: **Case No. TTM 36446 – A Subdivision Map for the Desert Fashion Plaza Mall**

The Planning Department has received an application for the above-referenced project. Please review the attached proposal and submit your comments/conditions to the project planner. Should you have any questions regarding this item, please contact the project planner, Edward O. Robertson, Principal Planner at (760) 323-8765 ext. 8766

APPLICANT: Wessman Development

LOCATION: 101 & 123 North Palm Canyon Drive

APN(s): 513-560-002 & 513-560-004

PROPOSAL: A Subdivision of the Desert Fashion Plaza Property into lots for future development and public right-of-ways

Attachments:
- ☒ Tentative Map
- ☐ Site Plan
- ☐ Elevations/Sections
- ☐ Landscape Plan
- ☐ FloorPlans
- ☐ Grading/Drainage Plan
- ☐ Application
- ☐ Roof Plan
- ☐ Other: _____

City of Palm Springs

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Project Application Routing

DATE: March 20, 2012

TO:
- ☒ Carol Templeton, Engineering Associate
- ☒ John Shoemaker, Plans Examiner
- ☒ John R. Allen II, Deputy Chief / Fire Marshall
- ☐ Tom Nolan, Executive Director, Palm Springs International Airport
- ☐ Other_____

FROM: Edward O. Robertson, Principal Planner (EP)

RE: **Case No. TTM 36446 – A Subdivision Map for the Desert Fashion Plaza Mall**

The Planning Department has received an application for the above-referenced project. Please review the attached proposal and submit your comments/conditions to the project planner. Should you have any questions regarding this item, please contact the project planner, Edward O. Robertson, Principal Planner at (760) 323-8765 ext. 8766

APPLICANT: Wessman Development

LOCATION: 101 & 123 North Palm Canyon Drive

APN(s): 513-560-002 & 513-560-004

PROPOSAL: A Subdivision of the Desert Fashion Plaza Property into lots for future development and public right-of-ways

Attachments:
- ☒ Tentative Map
- ☐ Site Plan
- ☐ Elevations/Sections
- ☐ Landscape Plan
- ☐ FloorPlans
- ☐ Grading/Drainage Plan
- ☐ Application
- ☐ Roof Plan
- ☐ Other: _____

Office Use Only

Date Submitted:	3/7/12
Case No.	36446 TTm
Planner:	Cm

RECEIVED

PLANNING SERVICES

CITY OF PALM SPRINGS

Department of Planning Services

TENTATIVE TRACT OR PARCEL MAP AND ENVIRONMENTAL ASSESSMENT APPLICATION (TTM / TPM)

TO THE APPLICANT:

Your cooperation in completing this application and supplying the information requested will expedite City review of your application pursuant to local procedures, State Law, and the California Environmental Quality Act (CEQA). The City is required to make an environmental assessment on all projects over which it exercises discretionary approval. Applications submitted will not be considered complete until all information necessary to make the environmental assessment is complete. If necessary, attach additional sheets referencing your responses. Also, if your response to one question is applicable to others in this form, please feel free to reference the appropriate question.

Please submit this completed application and subsequent material to the Department of Planning Services at 3200 East Tahquitz Canyon Way, Palm Springs, CA 92262 ~ Phone: 760-323-8245 ~ Fax: 760-322-8380

Project Address: 101 & 123 N. PALM CANYON DR. Zip

Applicant's Name: JOHN WESSMAN - WESSMAN DEVELOPMENT

Check One: Owner ☑ Lessee ☐ Authorized Agent ☐

Owner's Name (Please print:) JOHN WESSMAN - Trustee Wessman Family Trust

Owner/Agent Signature:

Mailing Address: 555 SOUTH SUNRISE WAY, STE 200
(Number and Street Name or P.O. Box)

PALM SPRINGS (City) CALIFORNIA (State) 92264 (Zip)

Telephone: 760-325-3050 Cell: _____ Fax: 760-325-5848

E-mail address: _____

PROJECT MANAGER: MICHAEL BRAUN

Telephone: 760-325-3050 Cell: 760-[redacted]4046 Fax: 760-325-5848

E-mail address: MBRAUN@WESSMANDEVELOPMENT.COM

(This infomration MUST be kept current with the City at all times.)

TO THE PLANNING COMMISSION:

I, (We) the undersigned applicant(s) for the property described below, hereby request that you grant an approval of this Planned Development application to allow the use described as follows: (Include statement of purpose for the project and specify type of use.)

TO SUBDIVIDE THE PROPERTY INTO LOTS FOR FUTURE DEVELOPEMENT AND LOTS FOR PUBLIC STREETS

The proposed use will be constructed and/or operated on the property situated on:

N. PALM CANYON DR. (Street, Drive, Road, etc.) between AMADO RD.

to the north TAHQUITZ CANYON DR. to the south N. PALM CANYON DR.

to the east and MUSEUM DR. to the west.

Zone: PD 147 Section: 15, T4S,R4E.

Legal description (Lot, Block, Tract, Section, Township, Range) of the property is: (If the legal description is by metes and bounds, it must have a point of beginning that can be identified on the City Engineering department maps.)

PARCELS 1,2,3&4 OF PARCEL MAP 20326, PMB 133/81-85

Assessor's Parcel Number(s) 513 - 560 - 002 513 - 560 - 004

GENERAL INFORMATION:

1. Expanded statement of project: (This statement should reflect in detail the use being applied for and/or in the case of new development, the statement should reflect the architectural and environmental characteristics important to the project, type of environment being created, unique aspects, landscape, concepts, etc.)

MAP FOR SUBDIVISION PURPOSES

2. Project Common Name (if any):

DESERT FASHION PLAZA

3. What original deed restriction(s), if any, concerning the type of improvements and class of uses permitted were placed on the property involved? You may attach copy of original printed restrictions in answer to this question after properly underscoring those features governing the type of improvements and class of uses permitted thereby.

NONE

What date do restrictions expire?: _____
(Month - Day - Year)

4. When did present owner acquire the property? 3-25-1998
(Month - Day - Year)

5. Relationship to a larger project or series of projects. Describe how this project relates to other activities, phases, and developments planned or now underway:

MUSEUM MARKET PLAZA SPECIFIC PLAN - RENOVATION OF DESERT FASHION PLAZA

6. List and describe any other related permits and other public approvals required for this project to proceed, including those required by the City, Regional, State, and Federal agencies. Indicate subsequent approval agency name and type approval required:

7. Does your project abut a State Highway 111 or I-10? Yes ☐ No ☑ If yes, please attach two (2) additional site plans for Caltrans review.Describe proposed access to the State Highway and indicate reasoning behind your proposal:

8. Is your project located on Agua Caliente Band of Cahuilla Indian Reservation land?
Yes ☐ No ☑ If yes, please attach a copy of the lease.

9. Does your project fall within the noise impact combining zone as shown on the City's Official Zoning Map? Yes ☐ No ☑ If yes, a signed Airspace and Avigation Easement Deed must be submitted prior to issuance of building permits.

10. Is any part of your project historic, have historic value, or has been designated a historic site?
Yes ☐ No ☑ If yes, the project may have to be approved by the Historic Site Preservation Board.

EXISTING CONDITIONS:

1. Project Site Area: _____(square feet and acreage)

2. Existing use of the project site: DESERT FASHION PLAZA

3. Existing uses of adjacent properties (Example - North, shopping center; South, single family dwellings; East, vacant, etc.):

NORTH - HOTEL, EAST - COMMERCIAL/RETAIL, SOUTH - COMMERCIAL/RETAIL/HOTEL, WEST - MUSEUM

4. Site topography description. (If any portion of the site exceeds one percent (1%) slope, attach a topographic display of the proposal site or incorporate into plot plan; if less than one percent (1%) slope, please provide elevation at each corner of the site on the plot plan:

FLAT

5. Grading (estimate number of cubic yards of dirt being moved): Cut _____ Fill_____

6. Are there any natural or man-made drainage channel areas through or adjacent to the property: Yes ☐ No ☑ If yes, submit a display of such drainage channel areas. Describe the disposition of these channels/areas should the proposal be implemented.

7. Are there any known archaeological finds near or within the proposed site? Yes ☐ No ☑

(An archaeological survey may be requested should it be determined that the proposal site hosts archaeological finds.)

8. Describe any cultural or scenic aspects of the project site:

NONE

9. Describe existing site vegetation and its proposed disposition should the proposal be approved:

NONE

(If any significant plant materials, e.g. mature trees, exist on the site, please prepare a site plan that illustrates their number, type, size, and location.)

10. Describe accessibility of proposal site to the following utilities: gas, water, sewer, and electricity. If proposal site does not have immediate access, further describe necessary extension of sewers and provide a graphic display, 8-1/2"x11" that indicates their present location in relation to the proposal site.

ADJACENT TO SITE AS SHOWN ON TENTATIVE MAP

11. Does the proposal necessitate the installation of individual sewage disposal systems? (septic tanks and absorption fields) Yes ☐ No ☑ If yes, respond to the following under separate cover and attach four (4) copies to this application:

A. Provide name, address, phone and fax numbers, and place of residence of person who will sign report of waste discharge form

B. Origin of wastewater being discharged within proposal site. Include each type, such as sewage, swimming pool backwash, self-service laundry, etc

C. Present and design flow in gallons-per-operating day of each type of wastewater

D. Source of water supply

E. Location of nearest well within 200 lineal feet of proposed site

F. Proposed type of treatment and disposal of wastewater

G. For subsurface disposal systems, submit an 8-1/2" x 11" site plan (to scale) with borders (1-1/2" top and 1-1/2" bottom) showing existing and proposed restrooms, recreation vehicle spaces, swimming pools, septic tanks, seepage pits or leach fields. Also indicate areas reserved for 100% replacement of seepage pits or leach fields in case of failure.

H. Percolation test rate of soil

I. Depth of groundwater at disposal site

J. Describe whether the development will be fully occupied throughout the year. If not, what will be:

1. Peak occupancy and time of year? _____

2. Low occupancy and time of year? _____

ANTICIPATED CHANGES AS A RESULT OF THE PROPOSAL

Are the following items applicable to the project or its effects? Discuss all items checked "Yes" or "Maybe" on a separate sheet.

1.	Change in existing features of hillsides or substantial alteration of ground contours.	Yes ☐	No ☑	Maybe ☐
2.	Change in the dust, ash, smoke, fumes, or odors in the project vicinity.	Yes ☐	No ☑	Maybe ☐
3.	Subject to or resulting in soil erosion by wind or flooding.	Yes ☐	No ☑	Maybe ☐
4.	Change in ground water quality or quantity, or alteration of existing drainage patterns.	Yes ☐	No ☑	Maybe ☐
5.	Change in existing noise or vibration level in the vicinity. Subject to roadway or airport noise (has the required acoustical report been submitted?)	Yes ☐	No ☑	Maybe ☑
6.	Involves the use or disposal of potentially hazardous materials, such as toxic substances, flammable or explosives.	Yes ☐	No ☑	Maybe ☐
7.	Involves the use of substantial amounts of fuel or energy.	Yes ☐	No ☑	Maybe ☐
8.	Changes the demand for municipal services (police, fire, sewage, etc.)	Yes ☐	No ☑	Maybe ☐
9.	Changes the demand for utility services, beyond those presently available or planned in the near future.	Yes ☐	No ☑	Maybe ☐
10.	Significantly affects any unique or natural features, including mature trees.	Yes ☐	No ☑	Maybe ☐
11.	Change in scenic views or vistas from existing residential areas or public land/roads.	Yes ☐	No ☑	Maybe ☐
12.	Results in the dislocation or relocation of people.	Yes ☐	No ☑	Maybe ☐
13.	Generates controversy based on aesthetics or other features of the project.	Yes ☐	No ☑	Maybe ☐

☐ Additional explanation of "Yes" and "Maybe" answers are attached

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

JOHN L. SANBORN
Please Type or Print Name

JOHN WESSMAN
For

Signature

Date

RESIDENTIAL PROJECTS: **DO NOT** answer if the project is not residential.

1. Number and type of dwelling units (specify number of bedrooms):

_____

2. Schedule of unit sizes: _____
3. Number of stories: _____ Height: _____
4. Largest single building (sq. ft.): _____ Height: _____
5. Square footage of each building and of the uses in each building:

_____

_____

6. Type of household size expected and population projection for the entire project:

_____

7. Describe the number and types of recreational facilities:

_____

_____

8. Is there any night lighting of the project: Yes☐ No☐ If yes, what type? _____
9. Range of sales prices or rents: $ _____ to $ _____
10. Area and percent of total project devoted to:

Building	_____	ft.	_____	%
Paving, including streets or drives, etc.	_____	ft.	_____	%
Landscaping, Open, Recreation Area	_____	ft.	_____	%

11. Parking spaces required: _____ Number provided: _____
12. Number of parking spaces covered: _____ Number open: _____
13. Is the proposal site affected by a roadway noise contour or airport noise contour? Yes☐ No☐
    If yes, please fill in the following where applicable:

	Existing Roadway Contour		2010 Roadway Contour	
70db	_____	feet from centerline	_____	feet from centerline
65db	_____	feet from centerline	_____	feet from centerline
60db	_____	feet from centerline	_____	feet from centerline
55db	_____	feet from centerline	_____	feet from centerline

Airport

Existing 65 CNEL Contour _____ Projected 65 CNEL Contour _____

If your proposal facilitates a residential development which is impacted by any of the above noise situations, you may be required to submit an acoustical report indicating the noise impact as it affects the proposal site and development and mitigation measure to reduce the impact to an acceptable level prior to approval of the proposal. Please refer to the attached sheets for more information on acoustical reports. All evaluation work must be performed by a registered professional acoustical consultant. Please feel free to contact the Department of Planning Services should you have any questions regarding the above.

COMMERCIAL, INDUSTRIAL, INSTITUTIONAL OR OTHER: **DO NOT** answer if project is residential.

1. Type of use(s) and major functions (s). If offices, specify type and number:

_____

_____

2. Square footage of total building area: _____

3. Square footage of building area devoted to each proposed use(s):

_____

_____

4. Number of stories: _____ Height: _____ Feet: _____

5. Largest single building (sq.ft.): _____ Height : _____

6. Number of square feet in outdoor storage areas: _____

7. Parking Spaces: Required: _____ Provided: _____

8. Hours of operation: _____

9. Maximum number of clients, patrons, shoppers, etc. at one time: _____

10. Maximum number of employees at one time: _____

    Number of full-time employees: _____ Number of Part-time employees: _____

11. If patron seating is involved, state the number: _____

12. Is there any night light of the project? Yes ☐ No ☐ If yes, what type?: _____

13. Area and percent of total project devoted to:

Building	_____ ft.	_____ %
Paving, including streets or drives, etc.	_____ ft.	_____ %
Landscaping, Open, Recreation Area	_____ ft.	_____ %
TOTAL PROJECT AREA	_____ ft.	_____ %

(Please continue on next page)

The following information is required for the City to process your application properly:

Name, Full Address, Telephone/Fax numbers of Officers and titles should project sponsor be a corporation, company or partnership.

Company Name: WESSMAN DEVELOPMENT

Address: 555 S. SUNRISE WAY, STE. 200, PALM SPRINGS, CA. 92264

Telephone Number: 760-325-3050 Fax Number: 760-325-5848

OFFICERS

Name: JOHN WESSMAN Title: PRESIDENT

Address: 555 S. SUNRISE WAY, STE. 200, PALM SPRINGS, CA. 92264

Telephone Number: 760-325-3050 Fax Number: 760-325-5848

Name: Title:

Address:

Telephone Number: Fax Number:

Name: Title:

Address:

Telephone Number: Fax Number:

ARCHITECT

Name:

Address:

Telephone Number: Fax Number:

ENGINEER

Name: SANBORN A/E, INC.

Address: 71-780 SAN JACINTO, E-1, RANCHO MIRAGE, CA. 92270

Telephone Number: 760-423-0600 Fax Number: 760-423-0603

LANDSCAPE ARCHITECT

Name:

Address:

Telephone Number: Fax Number:

The following forms must be completed in the presence of a Notary Public.
Select the form best fitting the type of authorization required

OWNER AFFIDAVIT

State of California)
)ss.
County of Riverside)

On FEB 29 2012 before me, M. HOGAN, NOTARY PUBLIC
Date Name and Title of Officer

personally appeared JOHN WESSMAN
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

WITNESS my hand and official seal

Signature of Notary Public

==========

LESSEE OR AGENT AUTHORIZATION

State of California)
)ss.
County of Riverside)

On_____ before me, _____
Date Name and Title of Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal

_____
Signature of Notary Public

==========

LESSEE AFFIDAVIT - Not Less Than 25-Year Leasehold

State of California)
)ss.
County of Riverside)

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personally appeared _____
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_____
Signature of Notary Public

Revised 2.2008/ldm

==========

Office Use Only

Date Submitted:	3/7/12
Case No.	36446
Planner:	CM

RECEIVED
MAR 07 2012
PLANNING SERVICES

CITY OF PALM SPRINGS

Department of Planning Services

TENTATIVE TRACT OR PARCEL MAP AND ENVIRONMENTAL ASSESSMENT APPLICATION (TTM / TPM)

TO THE APPLICANT:

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Project Address: 101 & 123 N. PALM CANYON DR.
Zip

Applicant's Name: JOHN WESSMAN - WESSMAN DEVELOPMENT

Check One: Owner ☑ Lessee ☐ Authorized Agent ☐

Owner's Name (Please print:) JOHN WESSMAN - Trustee Wessman Family Trust

Owner/Agent Signature:

Mailing Address: 555 SOUTH SUNRISE WAY, STE 200
(Number and Street Name or P.O. Box)

PALM SPRINGS (City) CALIFORNIA (State) 92264 (Zip)

Telephone: 760-325-3050 Cell: Fax: 760-325-5848

E-mail address:

PROJECT MANAGER: MICHAEL BRAUN

Telephone: 760-325-3050 Cell: 760-[redacted]4046 Fax: 760-325-5848

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TO THE PLANNING COMMISSION:

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to the north TAHQUITZ CANYON DR. to the south N. PALM CANYON DR.

to the east and MUSEUM DR. to the west.

Zone: PD 147 Section: 15, T4S,R4E.

Legal description (Lot, Block, Tract, Section, Township, Range) of the property is: (If the legal description is by metes and bounds, it must have a point of beginning that can be identified on the City Engineering department maps.)

PARCELS 1,2,3&4 OF PARCEL MAP 20326, PMB 133/81-85

Assessor's Parcel Number(s) 513 - 560 - 002 513 - 560 - 004

GENERAL INFORMATION:

1. Expanded statement of project: (This statement should reflect in detail the use being applied for and/or in the case of new development, the statement should reflect the architectural and environmental characteristics important to the project, type of environment being created, unique aspects, landscape, concepts, etc.)

MAP FOR SUBDIVISION PURPOSES

2. Project Common Name (if any):

DESERT FASHION PLAZA

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(Month - Day - Year)

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EXISTING CONDITIONS:

1. Project Site Area: _____(square feet and acreage)

2. Existing use of the project site: DESERT FASHION PLAZA

3. Existing uses of adjacent properties (Example - North, shopping center; South, single family dwellings; East, vacant, etc.):

NORTH - HOTEL, EAST - COMMERCIAL/RETAIL, SOUTH - COMMERCIAL/RETAIL/HOTEL, WEST - MUSEUM

4. Site topography description. (If any portion of the site exceeds one percent (1%) slope, attach a topographic display of the proposal site or incorporate into plot plan; if less than one percent (1%) slope, please provide elevation at each corner of the site on the plot plan:

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(An archaeological survey may be requested should it be determined that the proposal site hosts archaeological finds.)

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(If any significant plant materials, e.g. mature trees, exist on the site, please prepare a site plan that illustrates their number, type, size, and location.)

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ADJACENT TO SITE AS SHOWN ON TENTATIVE MAP

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C. Present and design flow in gallons-per-operating day of each type of wastewater

D. Source of water supply

E. Location of nearest well within 200 lineal feet of proposed site

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I. Depth of groundwater at disposal site

J. Describe whether the development will be fully occupied throughout the year. If not, what will be:

1. Peak occupancy and time of year? _____

2. Low occupancy and time of year? _____

ANTICIPATED CHANGES AS A RESULT OF THE PROPOSAL

Are the following items applicable to the project or its effects? Discuss all items checked "Yes" or "Maybe" on a separate sheet.

1.	Change in existing features of hillsides or substantial alteration of ground contours.	Yes ☐	No ☑	Maybe ☐
2.	Change in the dust, ash, smoke, fumes, or odors in the project vicinity.	Yes ☐	No ☑	Maybe ☐
3.	Subject to or resulting in soil erosion by wind or flooding.	Yes ☐	No ☑	Maybe ☐
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5.	Change in existing noise or vibration level in the vicinity. Subject to roadway or airport noise (has the required acoustical report been submitted?)	Yes ☐	No ☑	Maybe ☑
6.	Involves the use or disposal of potentially hazardous materials, such as toxic substances, flammable or explosives.	Yes ☐	No ☑	Maybe ☐
7.	Involves the use of substantial amounts of fuel or energy.	Yes ☐	No ☑	Maybe ☐
8.	Changes the demand for municipal services (police, fire, sewage, etc.)	Yes ☐	No ☑	Maybe ☐
9.	Changes the demand for utility services, beyond those presently available or planned in the near future.	Yes ☐	No ☑	Maybe ☐
10.	Significantly affects any unique or natural features, including mature trees.	Yes ☐	No ☑	Maybe ☐
11.	Change in scenic views or vistas from existing residential areas or public land/roads.	Yes ☐	No ☑	Maybe ☐
12.	Results in the dislocation or relocation of people.	Yes ☐	No ☑	Maybe ☐
13.	Generates controversy based on aesthetics or other features of the project.	Yes ☐	No ☑	Maybe ☐

☐ Additional explanation of "Yes" and "Maybe" answers are attached

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JOHN L. SANBORN
Please Type or Print Name

JOHN WESSMAN
For

Signature

Date

RESIDENTIAL PROJECTS: **DO NOT** answer if the project is not residential.

1. Number and type of dwelling units (specify number of bedrooms):

_____

2. Schedule of unit sizes: _____

3. Number of stories: _____ Height: _____

4. Largest single building (sq. ft.): _____ Height: _____

5. Square footage of each building and of the uses in each building:

_____

_____

6. Type of household size expected and population projection for the entire project:

_____

7. Describe the number and types of recreational facilities:

_____

_____

8. Is there any night lighting of the project: Yes☐ No☐ If yes, what type? _____

9. Range of sales prices or rents: $_____ to $_____

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Building	_____ ft.	_____ %
Paving, including streets or drives, etc.	_____ ft.	_____ %
Landscaping, Open, Recreation Area	_____ ft.	_____ %

11. Parking spaces required: _____ Number provided: _____

12. Number of parking spaces covered: _____ Number open: _____

13. Is the proposal site affected by a roadway noise contour or airport noise contour? Yes☐ No☐
If yes, please fill in the following where applicable:

	Existing Roadway Contour		2010 Roadway Contour	
70db	_____	feet from centerline	_____	feet from centerline
65db	_____	feet from centerline	_____	feet from centerline
60db	_____	feet from centerline	_____	feet from centerline
55db	_____	feet from centerline	_____	feet from centerline

Airport

Existing 65 CNEL Contour _____ Projected 65 CNEL Contour _____

If your proposal facilitates a residential development which is impacted by any of the above noise situations, you may be required to submit an acoustical report indicating the noise impact as it affects the proposal site and development and mitigation measure to reduce the impact to an acceptable level prior to approval of the proposal. Please refer to the attached sheets for more information on acoustical reports. All evaluation work must be performed by a registered professional acoustical consultant. Please feel free to contact the Department of Planning Services should you have any questions regarding the above.

COMMERCIAL, INDUSTRIAL, INSTITUTIONAL OR OTHER: **DO NOT** answer if project is residential.

1. Type of use(s) and major functions (s). If offices, specify type and number:

_____

_____

2. Square footage of total building area: _____

3. Square footage of building area devoted to each proposed use(s):

_____

_____

4. Number of stories: _____ Height: _____ Feet: _____

5. Largest single building (sq.ft.): _____ Height : _____

6. Number of square feet in outdoor storage areas: _____

7. Parking Spaces: Required: _____ Provided: _____

8. Hours of operation: _____

9. Maximum number of clients, patrons, shoppers, etc. at one time: _____

10. Maximum number of employees at one time: _____

    Number of full-time employees: _____ Number of Part-time employees: _____

11. If patron seating is involved, state the number: _____

12. Is there any night light of the project? Yes ☐ No ☐ If yes, what type?: _____

13. Area and percent of total project devoted to:

Building	_____ ft.	_____ %
Paving, including streets or drives, etc.	_____ ft.	_____ %
Landscaping, Open, Recreation Area	_____ ft.	_____ %
TOTAL PROJECT AREA	_____ ft.	_____ %

(Please continue on next page)

The following information is required for the City to process your application properly:

Name, Full Address, Telephone/Fax numbers of Officers and titles should project sponsor be a corporation, company or partnership.

Company Name: WESSMAN DEVELOPMENT

Address: 555 S. SUNRISE WAY, STE. 200, PALM SPRINGS, CA. 92264

Telephone Number: 760-325-3050 Fax Number: 760-325-5848

OFFICERS

Name: JOHN WESSMAN Title: PRESIDENT

Address: 555 S. SUNRISE WAY, STE. 200, PALM SPRINGS, CA. 92264

Telephone Number: 760-325-3050 Fax Number: 760-325-5848

Name: Title:

Address:

Telephone Number: Fax Number:

Name: Title:

Address:

Telephone Number: Fax Number:

ARCHITECT

Name:

Address:

Telephone Number: Fax Number:

ENGINEER

Name: SANBORN A/E, INC.

Address: 71-780 SAN JACINTO, E-1, RANCHO MIRAGE, CA. 92270

Telephone Number: 760-423-0600 Fax Number: 760-423-0603

LANDSCAPE ARCHITECT

Name:

Address:

Telephone Number: Fax Number:

The following forms must be completed in the presence of a Notary Public.
Select the form best fitting the type of authorization required

OWNER AFFIDAVIT

State of California)
)ss.
County of Riverside)

On FEB 29 2012 before me, M. HOGAN, NOTARY PUBLIC
Date Name and Title of Officer

personally appeared JOHN WESSMAN
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

WITNESS my hand and official seal

Signature of Notary Public

==========

LESSEE OR AGENT AUTHORIZATION

State of California)
)ss.
County of Riverside)

On_____ before me, _____
Date Name and Title of Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

_____
Signature of Notary Public

==========

LESSEE AFFIDAVIT - Not Less Than 25-Year Leasehold

State of California)
)ss.
County of Riverside)

On_____ before me, _____
Date Name and Title of Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

_____
Signature of Notary Public

APPLICANT'S REQUIRED MATERIAL CHECKLIST
TENTATIVE / FINAL SUBDIVISION OR PARCEL MAP

Please read carefully to assure a complete application. Incomplete applications may be

The following items must be completed before a Tentative / Final Subdivision or Parcel Map application will be accepted. Please check off each item to assure completeness. Refer to the **REQUIRED MATERIALS** list of this application for more details of each item.

	Applicant Only	City Use Only
Application:		
• Application & Environmental Assessment (original & four (4) copies)	☐	☑
Tentative Map:		
• Full Size 24" x 36" twenty (20) copies (folded to letter size)	☐	☑
• Additional two (2) copies for CalTran's review	☐	☑
• Reduced copies 8-1/2" x 11" (2 copies)	☐	☑
Miscellaneous Exhibits:		
• Title Report	☐	☑
• Public Hearing Labels	☐	☐
• Project Sponsor Labels	☐	☐

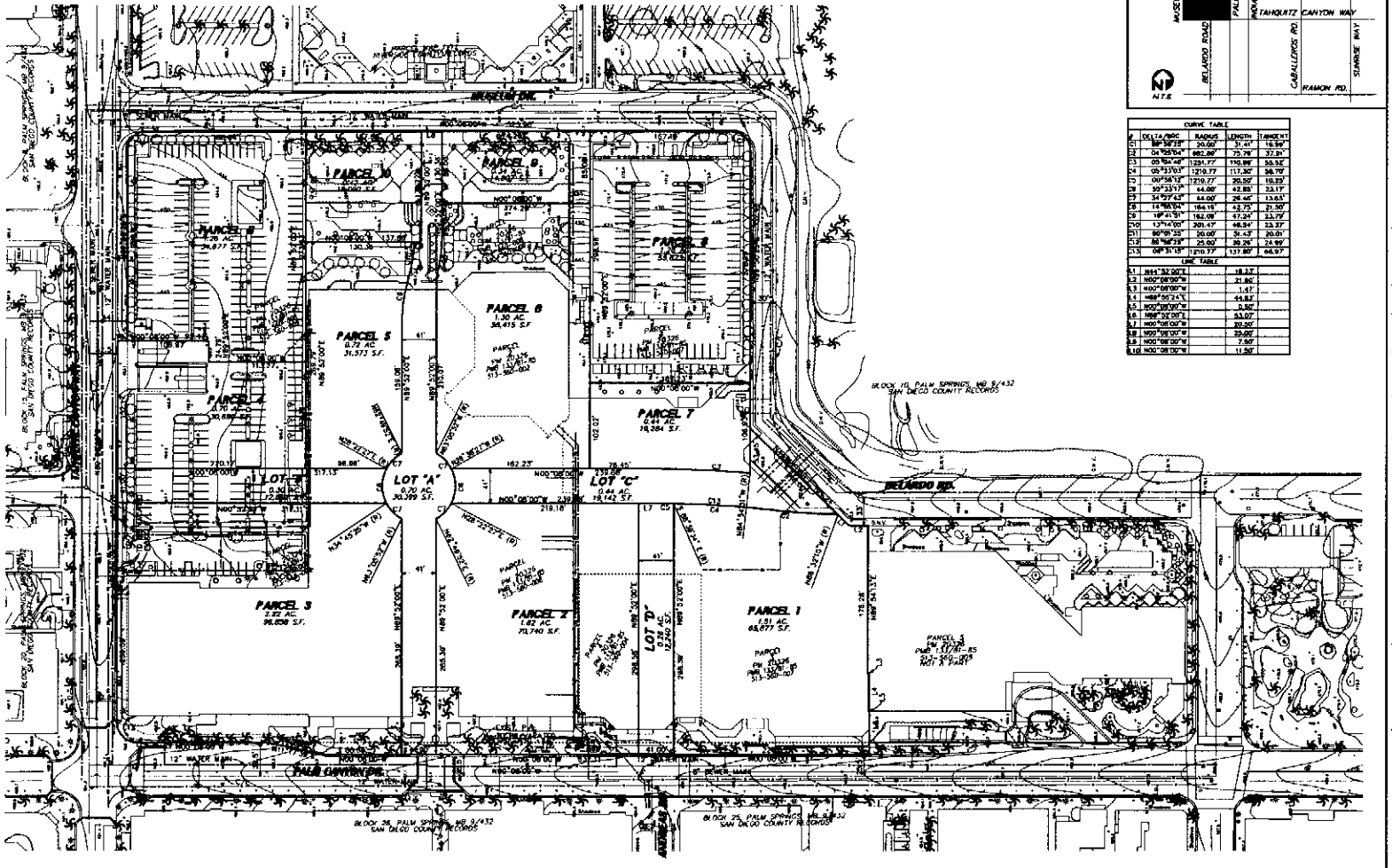
NOTICE: ALL OVERSIZE MAPS, PLANS, ETC. MUST BE FOLDED TO LETTER SIZE BEFORE PRESENTING WITH THE APPLICATION EXCEPT COLORED MATERIALS.

Planning Department, checked by: _____ Date: _____

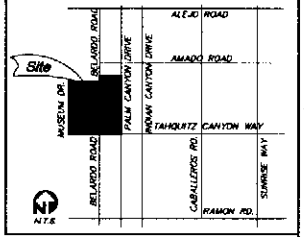
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE PARCEL MAP NO. 36446

BEING A SUBDIVISION OF PARCELS 1,2,3 & 4 OF PARCEL MAP NO. 20326, P.M.B. 133/81-85, RIVERSIDE COUNTY RECORDS
SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, 4 EAST, S.B.M.
SANBORN A/E Inc. MARCH 2012



VICINITY MAP/LOCATION MAP



CURVE TABLE				
#	DELTA/ARC	RADIUS	LENGTH	TANGENT
C1	90°00'00"	20.00'	31.42'	20.00'
C2	04°58'04"	862.86'	74.78'	37.41'
C3	05°54'46"	1291.77'	110.98'	55.55'
C4	05°31'09"	1210.77'	117.30'	58.70'
C5	09°58'12"	1210.77'	210.70'	105.59'
C6	90°33'17"	44.00'	42.85'	23.17'
C7	34°57'43"	44.00'	26.85'	13.83'
C8	11°56'04"	164.11'	42.73'	21.50'
C9	19°41'51"	162.08'	47.24'	23.79'
C10	13°14'00"	201.47'	46.54'	23.37'
C11	90°00'35"	20.00'	31.43'	20.00'
C12	90°56'23"	25.00'	39.24'	24.99'
C13	09°35'18"	1210.77'	137.80'	68.97'

LINE TABLE			
L1	N44°52'00"E	18.23'	
L2	N00°08'00"W	21.86'	
L3	N00°08'00"W	1.41'	
L4	N89°51'24"E	44.82'	
L5	N00°08'00"W	0.92'	
L6	N89°52'00"E	53.07'	
L7	N00°08'00"W	20.50'	
L8	N00°08'00"W	20.00'	
L9	N00°08'00"W	7.50'	
L10	N00°08'00"W	11.50'	

OWNER/DEVELOPER:

OWNER: WESSMAN HOLDINGS
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CALIFORNIA 92264

ENGINEER: SANBORN A/E, INC.
71-760 SAN JACINTO DR.
SUITE E-1
RANCHO MIRAGE, CA. 92270
(760) 423-0600

UTILITY NOTIFICATIONS :

ELECTRIC: SO. CALIFORNIA EDISON
(760-302-4291)

GAS: SO. CALIFORNIA GAS CO.
760-324-4691
ATTN: BERTRAM WILLIAMS

TELEPHONE: VERIZON
760-778-3601
ATTN: LARRY MOORE

TELEVISION: TIME WARNER
760-674-2452
ATTN: DAVE SCRIMNER

SEWER: MISSION SPRINGS WATER DISTRICT
760-323-2626
ATTN: CARLA RUIZ

WATER: DESERT WATER AGENCY
760-323-4971
ATTN: DEBBIE RANDALL

BASIS OF BEARINGS:

CENTERLINE OF NORTH PALM CANYON DRIVE
BEING N 00°08'00" W PER PARCEL MAP NO. 20382,
PMB 133/81/85

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT
980 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CALIFORNIA 92262
(760) 416-5000

ASSESSOR'S PARCEL NUMBERS

513-560-002, 004, 007, 008 & 009

2008 THOMAS GUIDE LOCATION

PAGE 766 / 2D

FEMA FLOOD ZONE

ZONE: X (500 & X
COMMUNITY PANEL NO.: 060258 0755 G
DATED: 08/28/2008

TOPOGRAPHIC SOURCE

INL AND AERIAL SURVEY
DATE OF SURVEY: 10/1969

AREA INFORMATION

TOTAL NO. OF NUMBERED PARCELS = 8
TOTAL NO. OF LETTERED LOTS = 4
THE PROPERTY SHOWN HEREIN CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP.
TOTAL GROSS AREA = 1.36 ACRES, = 60,167 SQ.FT.
MINIMUM PARCEL SIZE = 0.33 ACRES = 14,241 SQ.FT.

LEGAL DESCRIPTION

PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 20326,
PMB 133/81-85, RIVERSIDE COUNTY RECORDS

LAND USE INFORMATION

EXISTING ZONING = PD-147

ADJACENT EXISTING LAND USE - NORTH = HOTEL
SOUTH = COMMERCIAL/HOTEL
EAST = COMMERCIAL/RETAIL
WEST = MUSEUM AND GOLF COURSE

GENERAL NOTES

1. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE.
2. THIS MAP IS COMPILED FROM RECORD INFORMATION ONLY AND IS NOT TO BE USED AS A BOUNDARY SURVEY.

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Sanborn A/E, Inc.
All Rights Reserved

GRAPHIC SCALE
SCALE 1"=60'

SANBORN ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN
P.L.S.
L.S. 4148
EXP. 6/30/12
71-760 SAN JACINTO DR.
SUITE E-1
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0605

TENTATIVE PARCEL MAP NO. 36446
WESSMAN DEVELOPMENT
PARCELS 1, 2, 3 & 4 OF PARCEL MAP NO. 20326, PMB 133/81-85
SECTION 15, TOWNSHIP 4 SOUTH, 4 EAST, S.B.B.M.

BLD.	11-105	SCALE	1"=60'
SAVE DATE	3/1/2012		
DRAWN	AMS		

SHEET NO. **T1.0**

RECEIVED
MAR 07 2012
PLANNING SERVICES

36446

RECEIVED
MAR 07 2012
PLANNING SERVICES

Fidelity National Title Company

PRELIMINARY REPORT

36446

In response to the application for a policy of title insurance referenced herein, ***Fidelity National Title Company*** *hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Countersigned by:

Authorized Signature

SEAL

BY President

ATTEST Secretary

Authorized Signature

Fidelity National Title Company
1300 Dove Street, Suite 310, Newport Beach, CA 92660
Phone: (949) 622-5000• Fax: (949) 221-4720

PRELIMINARY REPORT

Title Officer: Ranny Harper (BS) Order No.: 996-**23005092**-RH1

TO:
Wessman Development
555 So. sunrise Way, Suite 200
Palm Springs, CA 92262

ATTN: **.Jeanette Sanborn**
YOUR REFERENCE:

PROPERTY ADDRESS: , Palm Springs, CA

EFFECTIVE DATE: February 24, 2012 at 7:30 a.m.

The form of policy or policies of title insurance contemplated by this report is:

CLTA Std. Owner's

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee as to Parcel(s) A & B
   Easement(s) more fully described below as to Parcel(s) C

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   JOHN WESSMAN, TRUSTEE OF THE WESSMAN FAMILY TRUST DATED NOVEMBER 16, 1998

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   See Exhibit A attached hereto and made a part hereof.

EH/ry 03/06/12

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

PARCELS 1 AND 2 OF PARCEL MAP 20326, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 133, PAGE(S) 81 THROUGH 85, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, COMMONLY KNOWN AS DESERT FASHION PLAZA-SOUTH.

TOGETHER WITH THAT PORTION OF NORTH PALM CANYON DRIVE, DESCRIBED IN THE RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968 WHICH WOULD PASS WITH CONVEYANCE OF PARCEL 1 OF PARCEL MAP 20326 BY OPERATION OF LAW.

PARCEL B:

PARCELS 3 AND 4 OF PARCEL MAP 20326, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 133, PAGE(S) 81 THROUGH 85, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, COMMONLY KNOWN AS DESERT FASHION PLAZA-NORTH.

TOGETHER WITH THAT PORTION OF NORTH PALM CANYON DRIVE DESCRIBED IN THE RESOLUTION OF ABANDONMENT RECORDED NOVEMBER 19, 1991 AS INSTRUMENT NO. 400968 WHICH WOULD PASS WITH A CONVEYANCE OF PARCEL 3 OF PARCEL MAP 20326 BY OPERATION OF LAW.

PARCEL C:

NON-EXCLUSIVE EASEMENTS AS SET FORTH IN THE RECIPROCAL EASEMENT AND OPERATING AGREEMENT RECORDED MARCH 10, 1987 AS INSTRUMENT NO. 65787, AMENDED BY DOCUMENTS RECORDED AUGUST 8, 1989 AS INSTRUMENT NO. 265868, NOVEMBER 13, 1989 AS INSTRUMENT NO. 396373 AND OCTOBER 27, 1997 AS INSTRUMENT NO. 388929, ALL OF OFFICIAL RECORDS OF SAID COUNTY.

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.

2. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	011-008
Tax Identification No.:	513-560-002-2
Fiscal Year:	2011-2012
1st Installment:	$17,023.77, PAID
2nd Installment:	$17,023.77, OPEN
Land:	$492,361.00
Improvements:	$929,384.00
Bill No.:	0579118

3. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	011-008
Tax Identification No.:	513-530-004-4
Fiscal Year:	2011-2012
1st Installment:	$10,547.52, PAID
2nd Installment:	$10,547.52, OPEN
Land:	$582,304.00
Improvements:	$1,161,152.00
Bill No.:	0579119

4. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	011-008
Tax Identification No.:	513-560-007-7
Fiscal Year:	2011-2012
1st Installment:	$27,132.99, PAID
2nd Installment:	$27,132.99, OPEN
Land:	$3,215,954.00
Improvements:	$1,236,103.00
Bill No.:	0579120

5. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	011-008
Tax Identification No.:	513-560-008-8
Fiscal Year:	2011-2012
1st Installment:	$53,2543.46, PAID
2nd Installment:	$53,254.46, OPEN
Land:	$5,816,165.00
Improvements:	$2,947,285.00
Bill No.:	0579121

6. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	011-032
Tax Identification No.:	513-560-009-9
Fiscal Year:	2011-2012
1st Installment:	$19,599.56, PAID
2nd Installment:	$19,599.56, OPEN
Land:	$2,400,720.00
Improvements:	$820,991.00
Bill No.:	0579122

7. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation Code of the State of California.

8. Water rights, claims or title to water, whether or not disclosed by the public records.

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	California Electric Power Company, a corporation
Purpose:	Public utilities
Recording Date:	October 09, 1956
Recording No:	1956-69860 of Official Records
Affects:	Parcel 3 of Parcel B

10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, its successors and assigns
Purpose:	Public utilities
Recording Date:	February 21, 1967
Recording No:	1967-14789 of Official Records
Affects:	Parcel 1 of Parcel A

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, a corporation and California Water and Telephone Company, a corporation
Purpose:	Public utilities
Recording Date:	April 28, 1967
Recording No:	1967-36578 of Official Records
Affects:	Parcel 1 of Parcel A

12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	General Telephone Company of California, a corporation, its successors and assigns
Purpose:	Public utilities
Recording Date:	November 16, 1967
Recording No:	1967-100977 of Official Records
Affects:	Parcel 1 of Parcel A

13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, a corporation, and California Water and Telephone Company, a corporation
Purpose:	Public utilities
Recording Date:	December 01, 1967
Recording No:	1967-105776 of Official Records
Affects:	Parcel 3 of Parcel B

14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of Palm Springs, a municipal corporation
Purpose:	underground sewers
Recording Date:	March 29, 1968
Recording No:	1968-29098 of Official Records
Affects:	Parcel 1 of Parcel A

15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Palm Springs Water Company, a corporation
Purpose:	right of way to construct, use, maintain, alter, add to ,replace, reconstruct, inspect and/or remove at any time and from time to time, pipe lines, valves, a water system and appurtenant fixtures.
Recording Date:	June 07, 1968
Recording No:	1968-53349 of Official Records
Affects:	Parcels 3 and 4 of Parcel B

16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, a corporation, and California Water and Telephone Company, Southern California Gas Company, a corporation and Palm Springs Water Company
Purpose:	Public utilities
Recording Date:	June 07, 1968
Recording No:	1968-53350 of Official Records
Affects:	Parcel 1 of Parcel A

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	General Telephone Company of California, a corporation
Purpose:	Public utilities
Recording Date:	October 16, 1968
Recording No:	1968-99594 of Official Records
Affects:	Parcel 1 of Parcel A and Parcel 3 of Parcel B

18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Southern California Edison Company, a corporation, its successors and assigns
Purpose:	utility lines
Recording Date:	May 06, 1971
Recording No:	1971-47896 of Official Records
Affects:	Parcel 3 of Parcel B

19. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: April 13, 1984
Recording No: 1984-76181 of Official Records

Said covenants, conditions and restrictions provide that a violation thereof shall not defeat the lien of any mortgage or deed of trust made in good faith and for value.

20. Certificate of Compliance and Release of Liens

Recorded: October 18, 1989 as Instrument No. 360240 of Official Records

Said document provides for the following:

(a) Grantee;s obligations under the covenants contained in paragraphs 3, 4 and 5 of such Grant Deed have been satisfied in full and are of no further force or effect whatsoever; and

(b) Grantee's obligations with respect to certain in lieu tax payments and other payments as more particularly deseribed in Exhibit B attached to such Grant Deed have been satisfied in full, are of no further force or effect whatsoever and the liens imposed under subparagraph (c) of paragraph 1 of such Grant Deed are hereby released and extinguished.

21. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Southern California Edison Company, a corporation, its successors and assigns
Purpose: Public utilities
Recording Date: August 13, 1985
Recording No: 1985-179927 of Official Records
Affects: Parcel 3 of Parcel B

22. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease
Lessor: South Plaza Associates, a California general partnership
Lessee: Federated Department Stores, Inc., a Delaware corporation
Recording Date: December 11, 1985
Recording No: 1985-278971 of PRLAP, Inc.

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

Affects: Parcel 2 of Parcel A

23. Matters contained in that certain document

Entitled:	Reciprocal Easement and Operating Agreement
Dated:	February 1987
Executed by:	North Plaza Associates, South Plaza Associates and Pratt-North Plaza Associates
Recording Date:	March 10, 1987
Recording No:	1987-65787 of Official Records

Reference is hereby made to said document for full particulars.

An Amendment to said Agreement was recorded August 8, 1989 as Instrument No. 265868 of Official Records.

An Amendment and Restated Agreement was recorded November 13, 1989 as Instrument No. 396373 of Official Records.

First Amendment to Amended and Restated Reciprocal Easement and Operating Agreement dated April 26, 1993, recorded October 27, 1997 as Instrument No. 388929 of Official Records.

Amendment and Restatement of Amended and Restated Reciprocal Easement and Operating Agreement, recorded December 13, 2007 as Instrument No. 2007-744406 of Official Records.

24. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

Redevelopment Agency:	City of Palm Springs
Recording Date:	November 12, 1987
Recording No:	1987-323683 of Official Records

25. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of Palm Springs
Purpose:	sidewalk and utilities
Reeording Date:	November 19, 1991
Reeording No:	1991-400968 of Official Records
Affects:	Area of Palm Canyon Drive adjoining Pareels 1 of Parcel A and 3 of Parcel B

26. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Memorandum of Lease
Lessor:	South Plaza Associates
Lessee:	California Pizza Kitchen Inc.
Recording Date:	May 16, 1994
Recording No:	1994-199901 of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

Affects: Parcels 1 and 2 of Parcel A

27. Matters contained in that certain document

Entitled:	Grant of Easement and Agreement
Dated:	December 29, 1995
Executed by:	South Plaza Associates, a California general partnership; Palm Springs Desert Museum, a California non-profit corporation; and City of Palm Springs, California, a municipal corporation
Recording Date:	June 21, 1996
Recording No:	1996-230374 of Official Records

Reference is hereby made to said document for full particulars.

28. Matters contained in that certain document

Entitled:	Assignment and Assumption of Leases and Security Deposits
Dated:	March 27, 1998
Executed by:	DCC II M&N, LLC, a Delaware limited liability company
Recording Date:	March 30, 1998
Recording No:	1998-117292 of Official Records

Reference is hereby made to said document for full particulars.

29. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Memorandum of Lease
Lessor:	Excel Legacy Corporation, a Delaware corporation
Lessee:	Metropolitan Theatres Corporation, a California corporation
Recording Date:	September 09, 1998
Recording No:	1998-383127 of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

30. A deed of trust to secure an indebtedness in the amount shown below,

Amount:	$50,000,00.00
Dated:	June 03, 1999
Trustor/Grantor	Desert Fashion Plaza, LLC, a Delaware limited liability company
Trustee:	Chicago Title Insurance Company
Beneficiary:	BankBoston, N.A., ,a national banking association
Recording Date:	June 04, 1999
Recording No:	1999-245942 of Official Records

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by:	Desert Fashion Plaza, LLC, a Delaware limited liability company; Excel Legacy Corporation, a Delaware corporation; and BankBoston, N.A., a national banking association
Recording Date:	September 19, 1999
Recording No:	1999-418584 of Official Records

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by:	Desert Fashion Plaza, LLC, a Delaware limited liability company; Excel Legacy Corporation, a Delaware corporation; and Fleet National Bank (f/k/a BankBoston, N.A.), a national banking association
Recording Date:	June 13, 2000
Recording No:	2000-224610 of Official Records

31. Matters contained in that certain document

Entitled:	Absolute Assignment of Leases and Rents
Recording Date:	August 04, 1999
Recording No:	1999-245943 of Official Records

Reference is hereby made to said document for full particulars.

32. A financing statement as follows:

Debtor:	Desert Fashion Plaza, LLC
Secured Party:	BankBoston, N.A., as agent
Recording Date:	June 04, 1999
Recording No:	1999-245944 of Official Records

END OF ITEMS

NOTES

WIRING INSTRUCTIONS

TO:	**FNT - Builder Services - Title Department** **1300 Dove Street, Suite 310** **Newport Beach, CA 92660**
BANK:	**Wells Fargo Bank** **420 Montgomery** **San Francisco, CA 94104**
ROUTING NO:	**121000248**
ACCOUNT NO:	**4123824971**

PLEASE REFER TO OUR ORDER NO.: 996-**23005092**-RH1

ESCROW OFFICER:	**Builder Services OAC**
TITLE ORDER NO.:	**23005092**

END OF NOTES

PRELIMINARY REPORT
Your Reference:

Fidelity National Title Company
Order No.: 996-**23005092**-RH1

OWNER'S DECLARATION

The undersigned hereby declares as follows:

1. (Fill in the applicable paragraph and strike the other)

   a. Declarant ("Owner") is the owner or lessee, as the case may he, of certain premises located at

   _____,

   further described as follows: See Preliminary Report/Commitment No. 996-**23005092**-RH1 for full legal description (the "Land").

   b. Declarant is the _____ of _____ ("Owner"), which is the owner or lessee, as the case may be, of certain premises located at

   _____,

   further described as follows: See Preliminary Report/Commitment No. 996-**23005092**-RH1 for full legal description (the "Land").

2. (Fill in the applicable paragraph and strike the other)

   a. During the period of six months immediately preceding the date of this declaration no work has been done, no surveys or architectural or engineering plans have been prepared, and no materials have been furnished in connection with the erection, equipment, repair, protection or removal of any building or other structure on the Land or in connection with the improvement of the Land in any manner whatsoever.

   b. During the period of six months immediately preceding the date of this declaration certain work has been done and materials furnished in connection with _____ upon the Land in the approximate total sum of $_____, but no work whatever remains to be done and no materials remain to be furnished to complete the construction in full compliance with the plans and specifications, nor are there any unpaid bills incurred for labor and materials used in making such improvements or repairs upon the Land, or for the services of architects, surveyors or engineers, except as follows: _____. Owner, by the undersigned Declarant, agrees to and does hereby indemnify and hold harmless Fidelity National Title Insurance Company against any and all claims arising therefrom.

3. Owner has not previously conveyed the Land; is not a debtor in bankruptcy (and if a partnership, the general partner thereof is not a debtor in bankruptcy); and has not received notice of any pending court action affecting the title to the Land.

4. Except as shown in the above-referenced Preliminary Report/Commitment, there are no unpaid or unsatisfied mortgages, deeds of trust, Uniform Commercial Code financing statements, claims of lien, special assessments, or taxes that constitute a lien against the Land or that affect the Land but have not been recorded in the public records.

5. The Land is currently in use as _____; _____occupy/occupies the Land; and the following are all of the leases or other occupancy rights affecting the Land:

   _____

6. There are no other persons or entities that assert an ownership interest in the Land, nor are there unrecorded easements, claims of easement, or boundary disputes that affect the Land.

7. There are no outstanding options to purchase or rights of first refusal affecting the Land.

This declaration is made with the intention that Fidelity National Title Insurance Company (the "Company") and its policy issuing agents will rely upon it in issuing their title insurance policies and endorsements. Owner, by the undersigned Declarant, agrees to indemnify the Company against loss or damage (including attorneys fees, expenses, and costs) incurred by the Company as a result of any untrue statement made herein.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on ____ at _____.

Signature: _____

Fidelity National Financial, Inc.
Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected
We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information
We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies – We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties – We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information
We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access to Personal Information/Requests for Correction, Amendment, or Deletion of Personal Information
As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement
This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

Privacy Policy Effective Date: 5/1/2008

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company
FNTC - Fidelity National Title Company
FNTCCA –Fidelity National Title Company of California

FNF Underwriter
FNTIC - Fidelity National Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)
Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 or 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (FNTC, FNTCCA and FNTIC)
Eligible customers shall receive $20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al., Sacramento Superior Court Case No. 99AS02793, and related cases.*

DISASTER LOANS (FNTIC)
The charge for a lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)
On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

Notice

You may be entitled to receive a $20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19,1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provided the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount.

Effective through November 1, 2014

ATTACHMENT ONE

AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
   - land use
   - improvements on the land
   - land division
   - environmental protection

   This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.

   This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
   - a notice of exercising the right appears in the public records on the Policy Date
   - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.
3. Title Risks:
   - that are created, allowed, or agreed to by you
   - that are known to you, but not to us, on the Policy Date—unless they appeared in the public records
   - that result in no loss to you
   - that first affect your title after the Policy Date—this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
   - to any land outside the area specifically described and referred to in Item 3 of Schedule A

   OR
   - in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.
3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

ATTACHMENT ONE
(Continued)

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

SCHEDULE B, PART I
EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

FORMERLY AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92) WITH A.L.T.A. ENDORSEMENT–FORM 1 COVERAGE EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
   (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
   (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine or equitable subordination; or
   (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
      (a) to timely record the instrument of transfer; or
      (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

FORMERLY AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy; or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
   (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
   (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
      (a) to timely record the instrument of transfer; or
      (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage Policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
   a. building
   b. zoning
   c. Land use
   d. improvements on Land
   e. land division
   f. environmental protection

   This Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
   This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
   a. notice of exercising the right appears in the Public Records at the Policy Date; or
   b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records.
   b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
   c. that result in no loss to You; or
   d. that first occur after the Policy Date—this does not limit the coverage described in Covered Risk 7, 8.d., 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

   This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 14, 15, 16, and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 14:	1% of Policy Amount or $2,500.00 (whichever is less)	$10,000.00
Covered Risk 15:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 16:	1% of Policy Amount or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 18:	1% of Policy Amount or $2,500.00 (whichever is less)	$5,000.00

ATTACHMENT ONE
(CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   a. building;
   b. zoning;
   c. land use;
   d. improvements on the Land;
   e. land division; and
   f. environmental protection.

   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
   c. that result in no loss to You; or
   d. that first occur after the Policy Date—this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$10,000.00
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$25,000.00
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$5,000.00

ATTACHMENT ONE
(CONTINUED)

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14 and 16 of this policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records a Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
   (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth-in-lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(e) and 26.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
   (a) The time of the advance; or
   (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

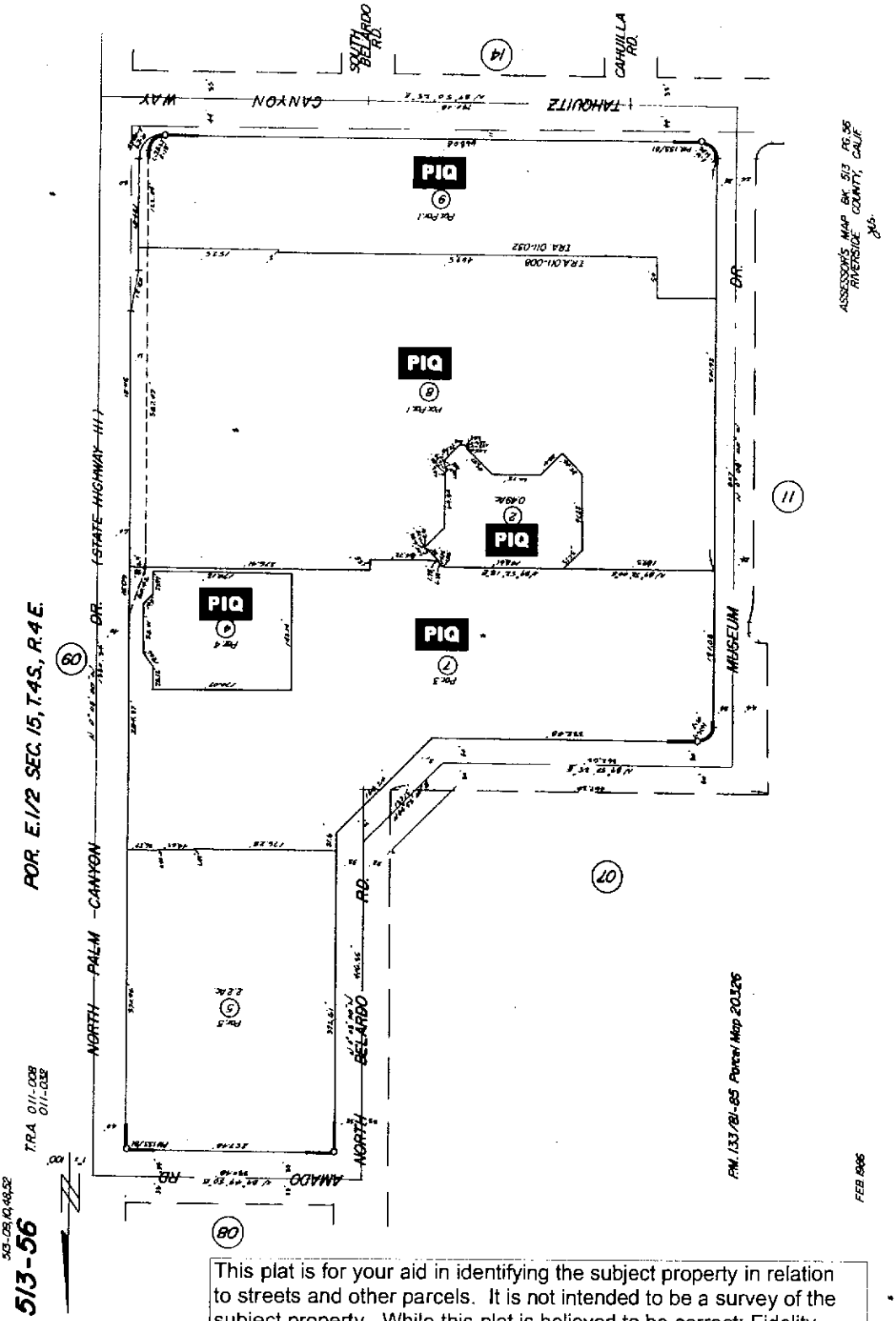
ATTACHMENT ONE
(CONTINUED)

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07/26/10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.



This plat is for your aid in identifying the subject property in relation to streets and other parcels. It is not intended to be a survey of the subject property. While this plat is believed to be correct; Fidelity National Title Insurance assumes no liability for any loss occurring by reason of reliance thereon.

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	NAME	APN1	ADDRESS
36446	TTM	Wessman Development	513-560-002	123 N. Palm Canyon Drive

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
ENVIRONMENTAL IMPACT REPORT	$0.00

COPY

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$9,432.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$436.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$67.00
OTHER MISC	$0.00

TOTAL FEE(S)	$9,935.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

4538

City of Palm Springs
Department of Planning Services
P. O. Box 2743
Palm Springs, California 92263-2743

FLASH DRIVE WITH EMAILS
RELATING TO THIS RECORDS REQUEST
BY: SHOUAK BARON EMPEY MURPHY &
PINKNEY LLP.

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

DATE: JUNE 03, 2015

TO: CINDY BERARDI, DEPUTY CITY CLERK

FROM: DEBBI ALLEN, DEVELOPMENT SERVICES CONCIERGE

SUBJECT: REVISED RECORD REQUEST FOR ABERDEEN / PRAIRIE SCHOONER
BY: Slovak Baron Empey Murphy & Pinkney LLP
Attn: Joseph A. Seiver, Litigation Paralegal
1800 Tahquitz Canyon Way East
Palm Springs, CA 92262
760-322-2275 Telephone 760-322-2107 FAX
seuver@sbemp.com

The City of Palm Springs Planning Services Department has enclosed the following:

- City Parking Lot – 508-055-007 / TTM 35600 / 701 Andreas Road East / Planner – Craig A. Ewing – Enclosed Planning Commission June 12, 2012 Staff Report, Minutes and Ordinance 1809. (Enclosed City Property Detail)

- Prairie Schooner Trailer Park – 508-055-008 / TTM 35600 / 601 Andreas Road East / Planner – Craig A. Ewing – Enclosed Planning Commission June 12, 2012 Staff Report, Minutes and Ordinance 1809. (Enclosed City Property Detail)
  1 – Preliminary Drainage Study for Prairie Schooner prepared by Walden & Associates.

Previously Proposed Projects for same parcels:

- Aberdeen - 508-055-003; 006; 007; 008; 009 / 5.1361 PD 375 / TTM 36876 / 3.3820 / 600 – 700 Tahquitz Canyon Way East / Planner – **David Newell** (Enclosed City Property Detail, as well as: 1 – Accordion File,; 1- Admin.; File 1- Manila folder 3.3820; 1- Manila folder TTM 36876; 2- 11X17 Color Exhibits; 1- roll 03/25/15 PC Exhibits; 1 bundle of 3 rolls of previous AAC & PC Exhibits);

- Hard Rock Hotel - 508-055-003; 006; 007; 008; 009 / 5.1156 PD 339 / 5.1156 PD AMND / TTM 35600 / 750 Tahquitz Canyon Way East / Planner – **Edward Robertson** (Enclosed City Property Detail) 1 – Binder "Hard Rock Hotel Special Studies" includes **Traffic Impact Study prepared by Endo Engineering, July 2007;** 2- Accordion Files; 1- Administrative file; 1- Accordion file TTM 35600;

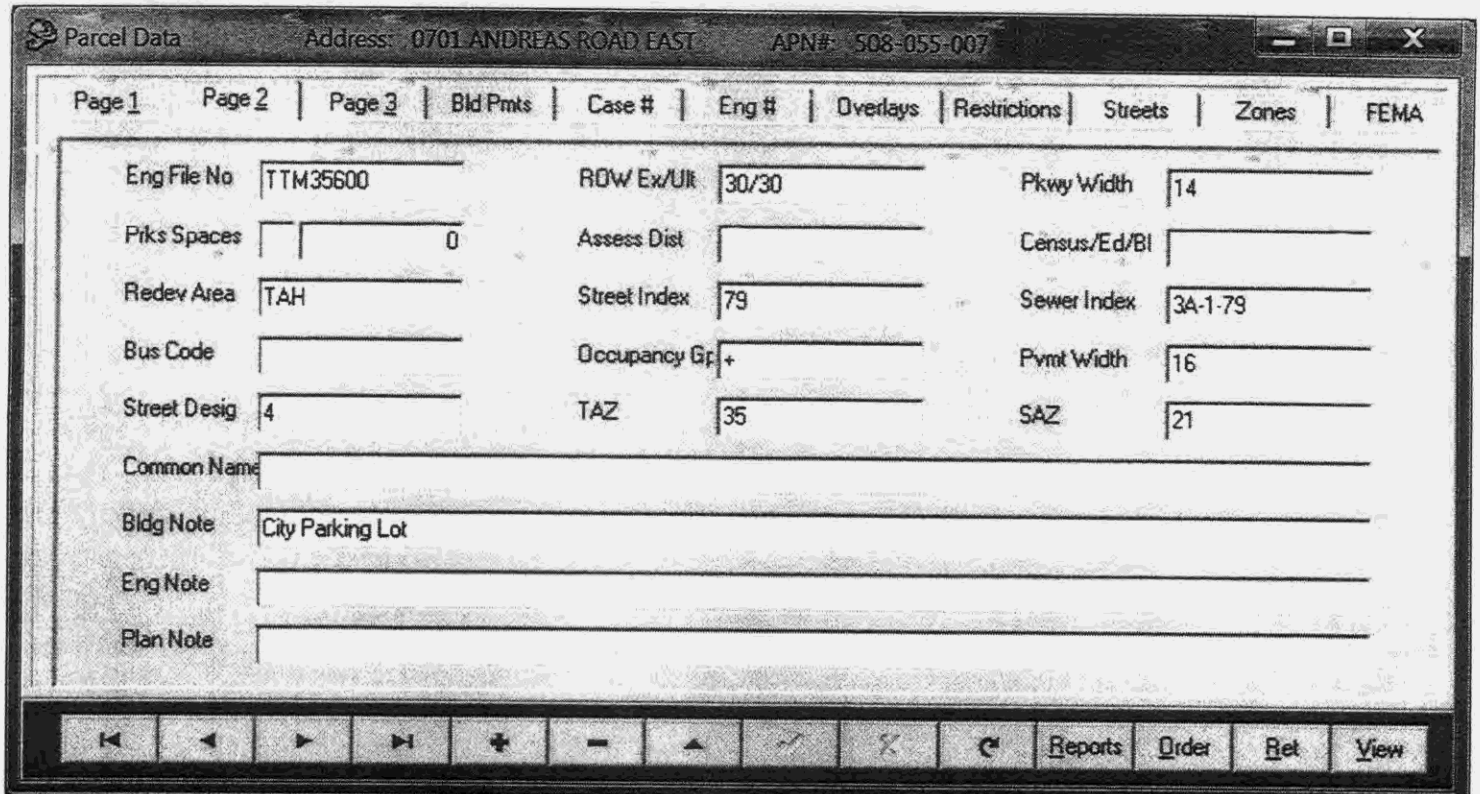
- ❖ Casa De Camino – 508-182-004 (Building Demolished) (Enclosed City Property Detail).

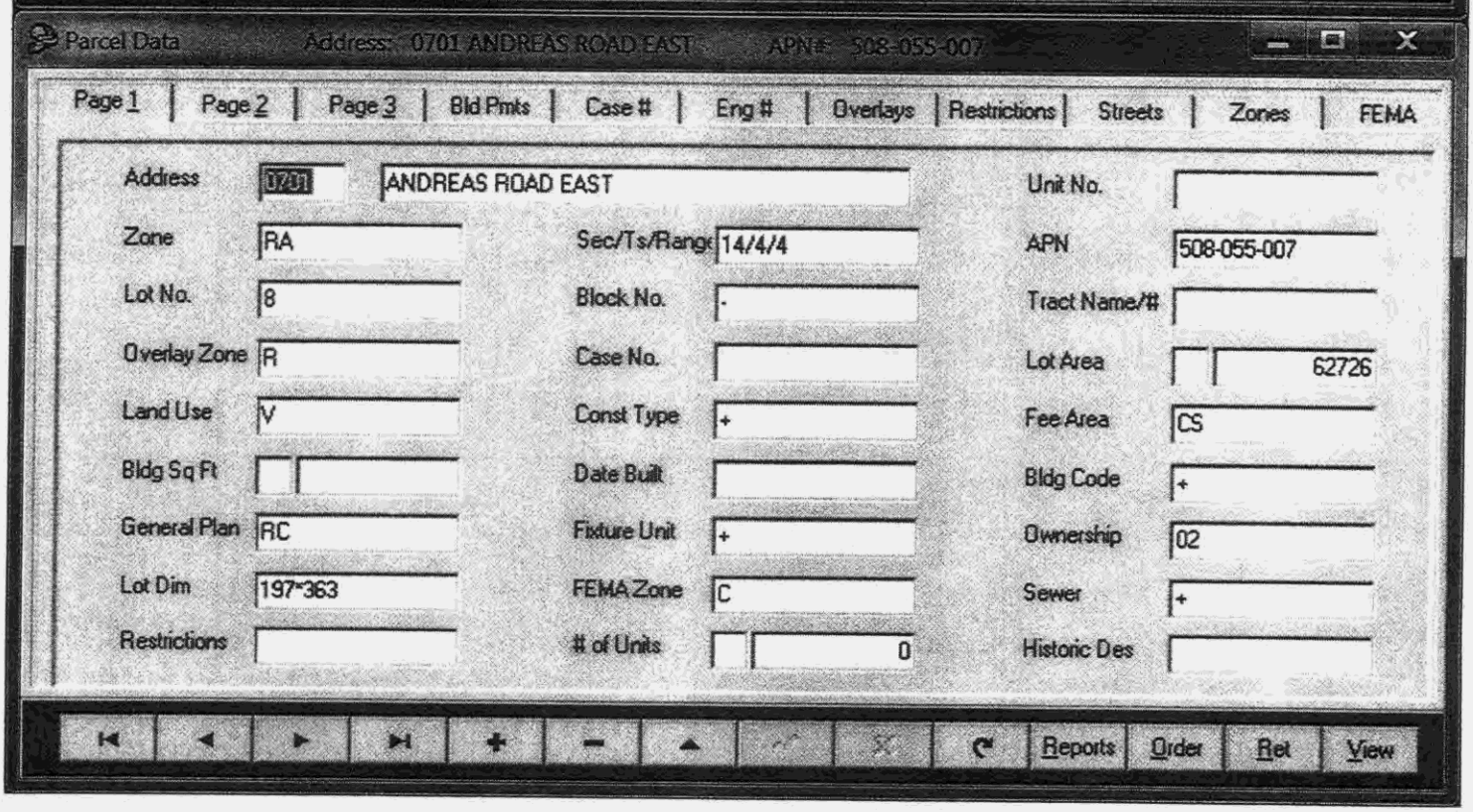
- ❖ Uptown Palm Springs – 505-182-004; 505-182-005; 505-182-007 / 5.1144 PD 336 / 1431 Palm Canyon Drive North / Planner – **Ken Lyon** (Enclosed City Property Detail) 1- Accordion file with Administrative file within.

If I may be of any further assistance please do not hesitate to contact me 760-323-8245 Ext 8767.

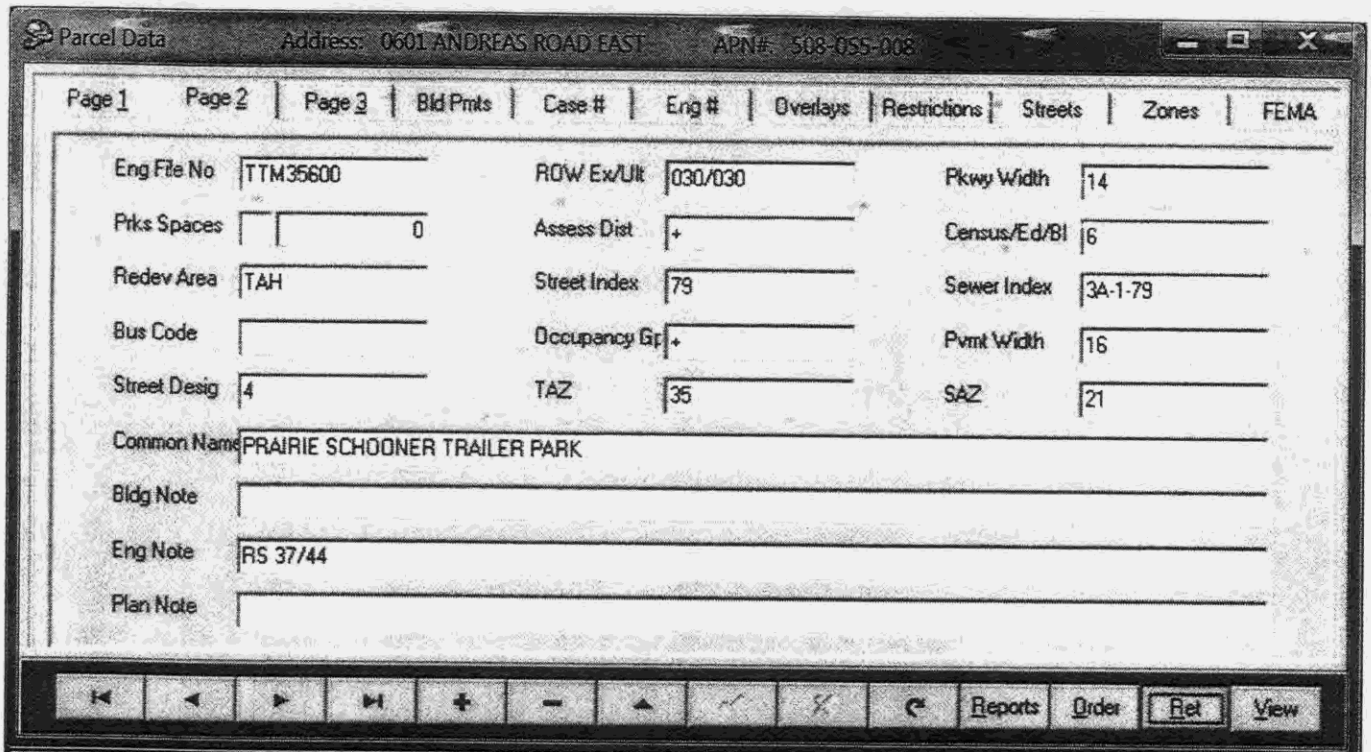
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel: (760) 323-8245 Ext 8767 Fax: (760) 322-8360 E-mail: debbi.allen@palmspringsca.gov

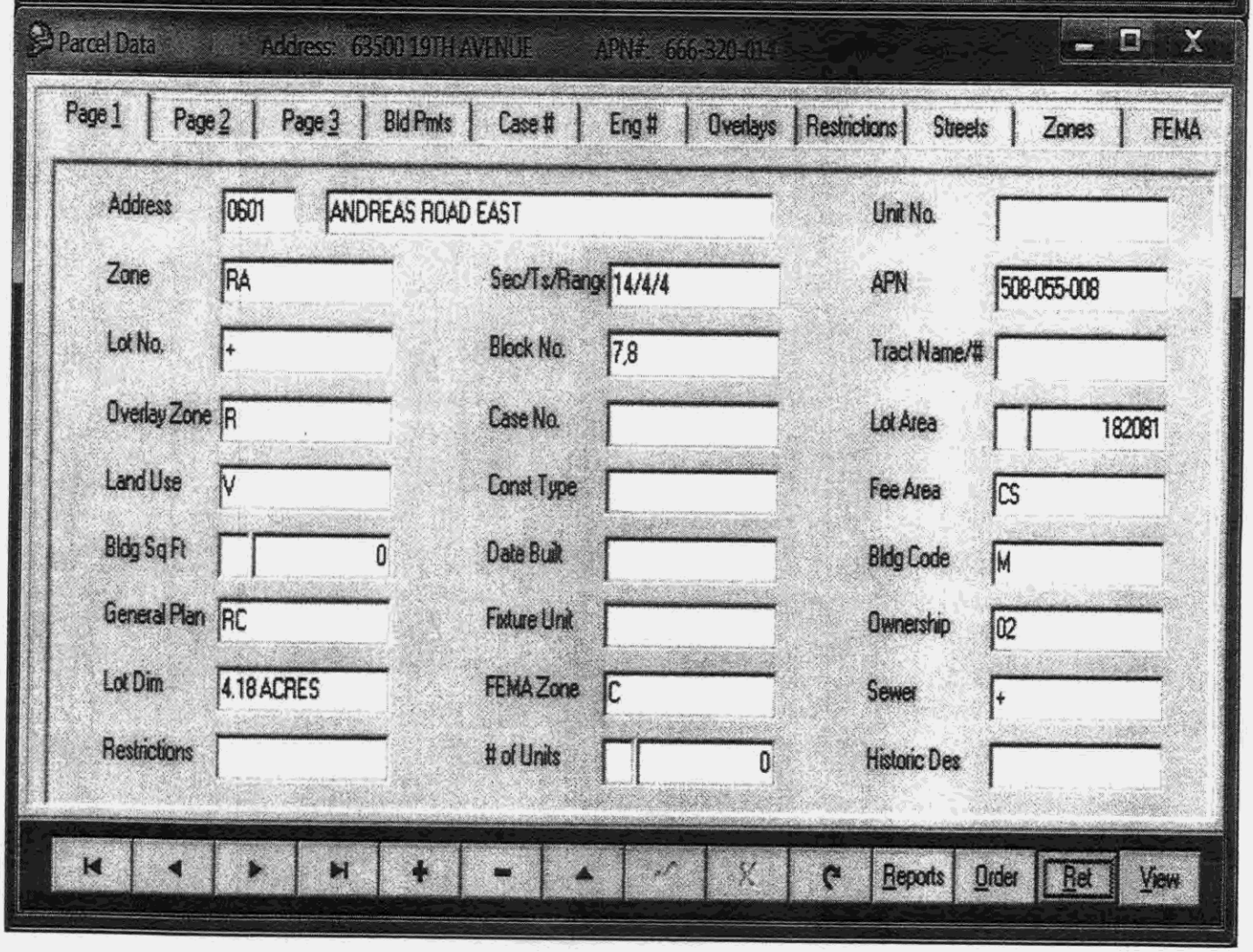
CITY PARKING LOT





PRAIRIE SCHOONER TRAILER PARK





ABERDEEN

CASE#	TYPE	RELATED CASES	RELATED CASES2	HSPB	APP DATE
5.1361	PD 375	TTM 36876	3.3820 MAJ		12/11/2014

PROJECT NAME:	DESCRIPTION
ABERDEEN	Proposed mixed use project consisting of 91 units (17 live/work lofts and 74 residential units) and an approximate 3,000 square foot retail building.

APN1:	OTHER APN	OTHER APN2:	ADDRESSNO	ADDRESS
508-055-003	508-055-006/007	508-055-008/009	600-700	TAHQUITZ CANYON WAY EAST

ZONE	SECTION	TOWNSHIP	RANGE	GEN PLAN	PLANNER	DATE ASSIGNED:	DEEMED COMPLETE:
REO	14	4	4	TRC	David Newell	12/17/2014	

OWNER, LESSEE, AGENT:	APPLAST	APPFIRST	COMPANY
Representative	Eres	Robert W.	Nexus Development Corporation

APPADDRESS	APPCITY	APPSTATE	APPZIP
1 MacArthur Place, Suite 300	Santa Ana	CA	92707

APPTEL:	APPFAX:	APPEMAIL	APPCELL:	
(714)546-5600	(714)546-5660	rwe@nexusd.com		Planning Services HOA Database

SPONSOR1	ADDRESS1	CITY ST ZIP1	PHONE1:	FAX1:	EMAIL1:
Matthew Kaufman, Nexus Development	1 MacArthur Place, Ste. 300	Santa Ana, CA 92707	(714)546-5600	(714)546-5660	mbk@nexusd.com

SPONSOR2	ADDRESS2	CITY ST ZIP2	PHONE2:	FAX2:	EMAIL2:
Chris Pardo, Chris Pardo Design	700 E. Tahquitz Canyon Way, Ste. A	Palm Springs, CA 92262	(206)329-1654		pardo@elementalarchi-tecture.com

SPONSOR3	ADDRESS3	CITY ST ZIP3	PHONE3:	FAX3:	EMAIL3:
Dave Bacon, Walden & Associates	2552 White Road, Ste. B	Irvine, CA 92614	(949)660-0110		dbacon@waldenassocia tes.net

SPONSOR4	ADDRESS4	CITY ST ZIP4	PHONE4:	FAX4:	EMAIL4:
Jim Ridge RLA	8841 Research Drive	Irvine, CA 92618	(949)387-1323		jim@ridgela.com

SPONSOR5	ADDRESS5	CITY ST ZIP5	PHONE5:	FAX5:	EMAIL5:

PROPERTY TYPE	DEV RPT:	ITEM LOG:	CEQA:	STAFF APPVL
Residential/Commercial	YES	YES		01/12/15 - Pending AAC

ACREAGE:	SQ FT:	UNITS:	AAC REC:	AAC MTG:	HSPB1:	HSPB MTG:
	108,483 + 3,000	91 + 1	Yes	Jan 12	NO	

PLAN COM:	PLAN COM MTG	CITY COUNCIL:	CC MTG:	ACTUAL DATE APPVL:	CERT OF COMPL:
YES		YES			

WEEK ENDING:	REMARKS:

HARd Rock HoTEL

CASE#	TYPE	RELATED CASES	RELATED CASES2	HSPB	APP DATE
5.1156	PD 339	5.1156 PD AMND	TTM 35600		5/4/2007

PROJECT NAME:	DESCRIPTION
HARD ROCK HOTEL	A proposed condominium map for the development of a 499-room "Hard Rock Hotel" with ancillary restaurant and retail space, 25,000 square feet of spa, approximately 35,000 square feet of banquet and meeting room and a 500 space parking structure on approximately 10 acres at 750 East Tahquitz

APN1:	OTHER APN	OTHER APN2:	ADDRESSNO	ADDRESS
508-055-003	508-055-006	508-055-007, -00	0750	TAHQUITZ CANYON WAY

ZONE	SECTION	TOWNSHIP	RANGE	GEN PLAN	PLANNER	DATE ASSIGNED:	DEEMED COMPLETE:
RA	14 (IL)				Edward Robertson	5/8/2007	

OWNER, LESSEE, AGENT:	APPLAST	APPFIRST	COMPANY
Co-Owner	Meaney	Richard H.	O & M Indian Canyon, LLC

APPADDRESS	APPCITY	APPSTATE	APPZIP
1 Mac Arthur Place, Ste. 300	Santa Ana	CA	92707

APPTEL:	APPFAX:	APPEMAIL	APPCELL:
(714)546-5600	(714)546-5660	cjn@nexusd.com	

Planning Services HOA Database

SPONSOR1	ADDRESS1	CITY ST ZIP1	PHONE1:	FAX1:	EMAIL1:
Paul Beamer, SB Architects	1 Beach Street, Ste. 301	San Francisco, CA 94133	(415)673-8990	(415)274-2003	pbeamer@sb-architects. Com
SPONSOR2	ADDRESS2	CITY ST ZIP2	PHONE2:	FAX2:	EMAIL2:
Don Gordon, VA Consulting	17801 Cartwright Road	Irvine, CA 92614	(949)474-1400	(949)261-8482	dgordon@vaconsulting inc.com
SPONSOR3	ADDRESS3	CITY ST ZIP3	PHONE3:	FAX3:	EMAIL3:
Diego Alessi, Lifescapes Int'l	4930 Campus Drive	Newport Beach, CA 92660	(949)476-8888	(949)476-8854	diego@lifescapesintl.com
SPONSOR4	ADDRESS4	CITY ST ZIP4	PHONE4:	FAX4:	EMAIL4:
SPONSOR5	ADDRESS5	CITY ST ZIP5	PHONE5:	FAX5:	EMAIL5:

PROPERTY TYPE	DEV RPT:	ITEM LOG:	CEQA:	STAFF APPVL
Mixed Use	NO	(See 5.1156 PD AM		Pending Final PD Appro

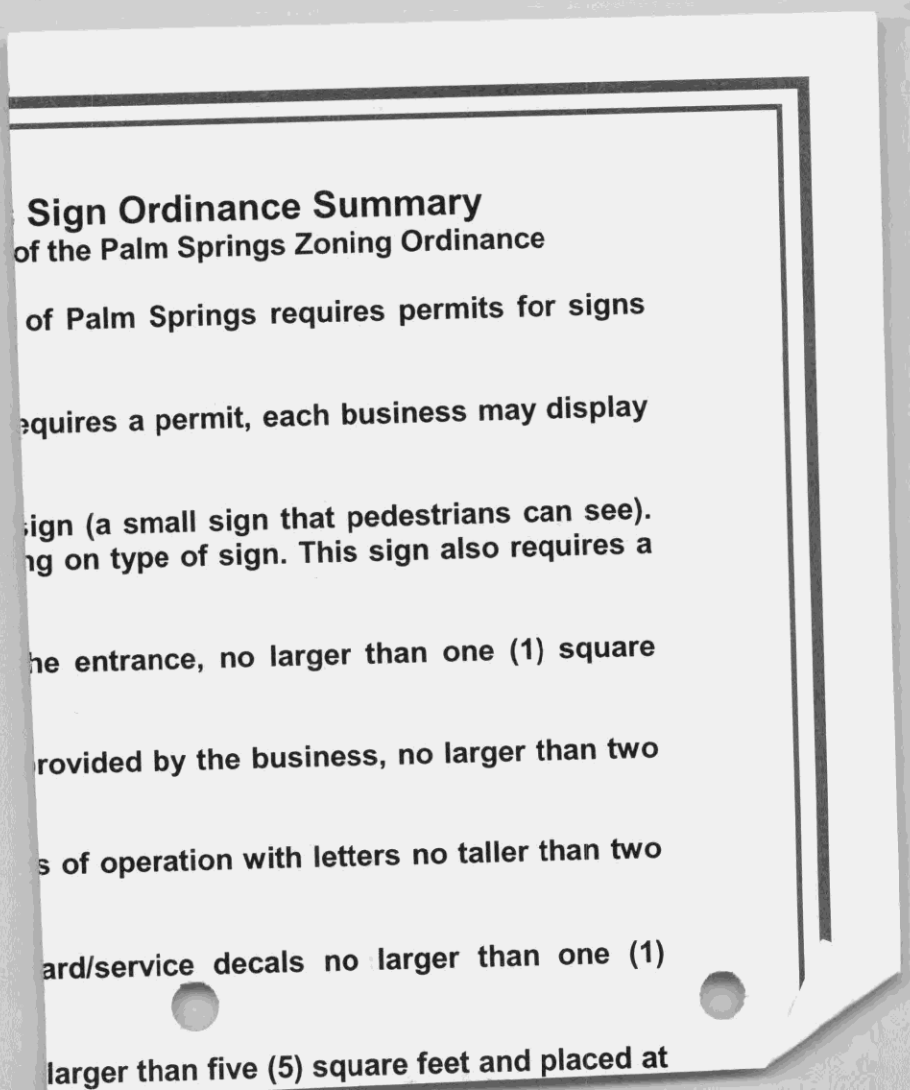
ACREAGE:	SQ FT:	UNITS:	AAC REC:	AAC MTG:	HSPB1:	HSPB MTG:
			08/20/07 Re		NO	

PLAN COM:	PLAN COM MTG	CITY COUNCIL:	CC MTG:	ACTUAL DATE APPVL:	CERT OF COMPL:
09/12/07		10/03/07			

WEEK ENDING:	REMARKS:
	Focused entitlement & EIR by Terra Nova; 08/23/07 - Published Notice of Intent

	App	Image
1 FD		
Pre	8,346	180
Final	3,473	180
2 TTM	9,432	67
1 Not.	872.36	
3 Arch.	4,236	88

Three Applications
Environmental Fee Still due.



Sign Ordinance Summary
of the Palm Springs Zoning Ordinance

of Palm Springs requires permits for signs

equires a permit, each business may display

ign (a small sign that pedestrians can see).
ng on type of sign. This sign also requires a

he entrance, no larger than one (1) square

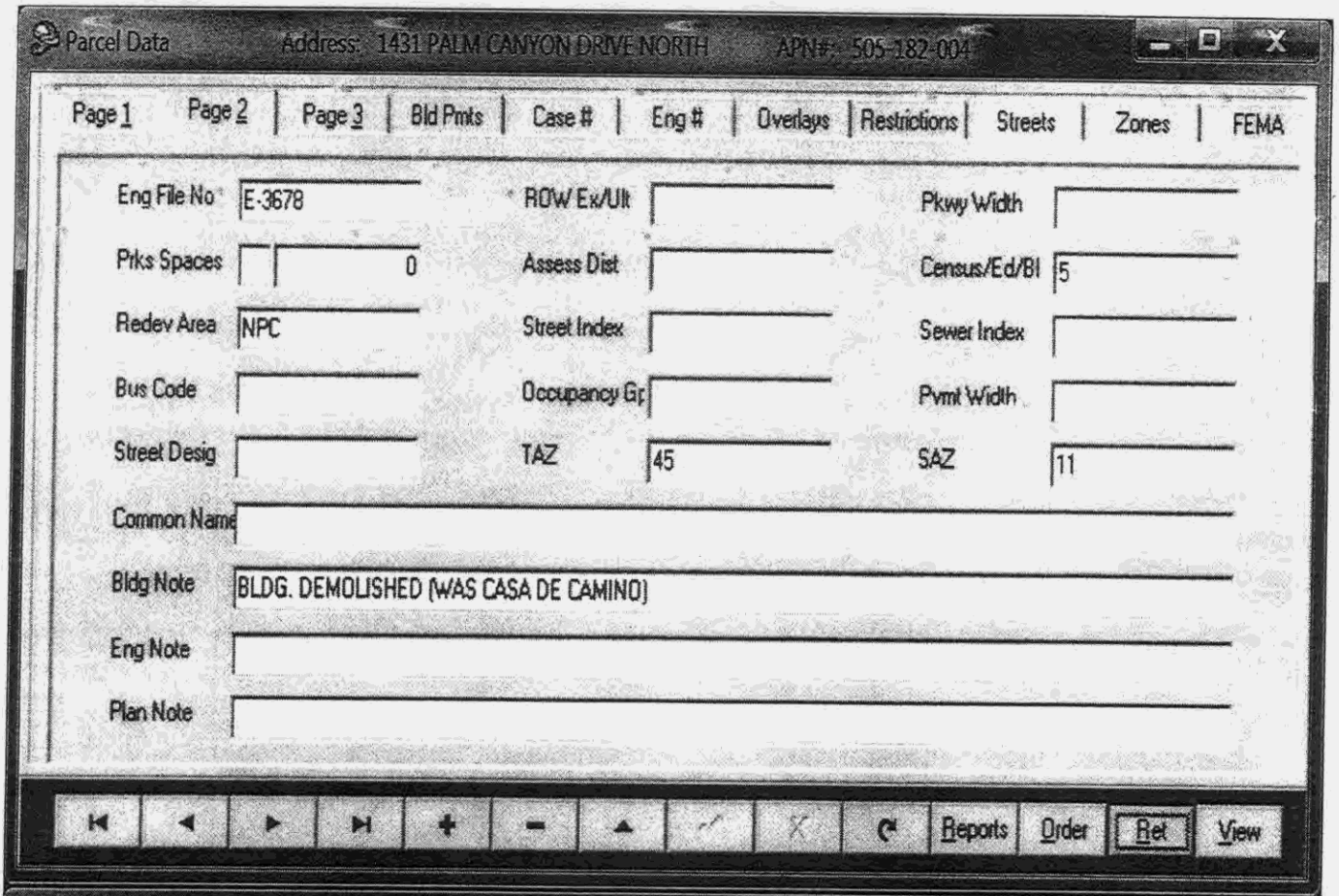
rovided by the business, no larger than two

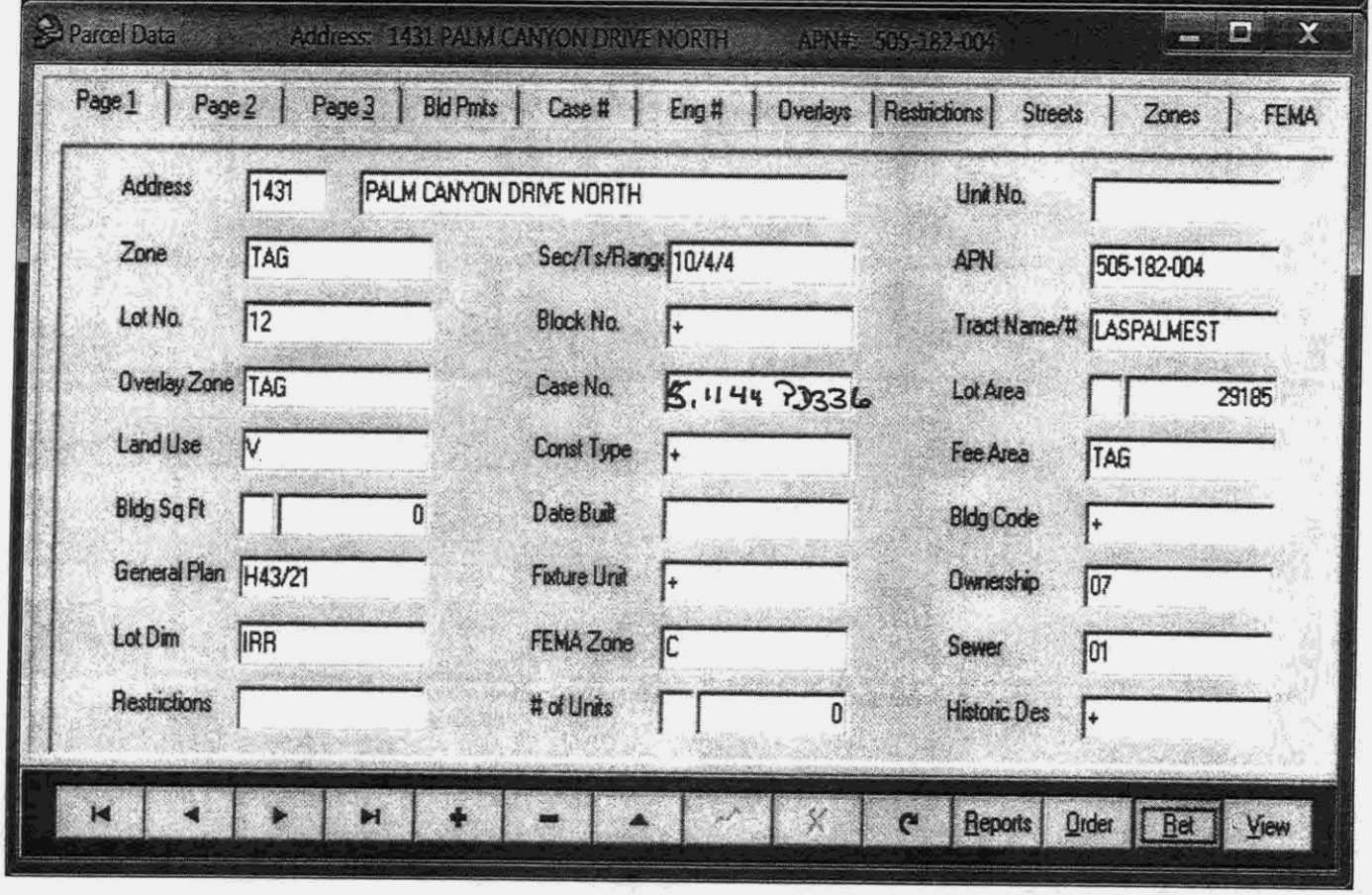
s of operation with letters no taller than two

ard/service decals no larger than one (1)

larger than five (5) square feet and placed at

CASA DE CAMINO





UPTOWN PALM SPRINGS

CASE#	TYPE	RELATED CASES	RELATED CASES2	HSPB	APP DATE
5.1144	PD 336				3/2/2007

PROJECT NAME:	DESCRIPTION
UPTOWN PALM SPRINGS	Development of a mixed-use project with 15,200 square feet of commercial stores on Palm Canyon and 25 condo townhomes (2,250 square feet each) above the commercial stores on 2.7 acres.

APN1:	OTHER APN	OTHER APN2:	ADDRESSNO	ADDRESS
505-182-004	505-182-005	505-182-007, -01	1431	PALM CANYON DRIVE NORTH

ZONE	SECTION	TOWNSHIP	RANGE	GEN PLAN	PLANNER	DATE ASSIGNED:	DEEMED COMPLETE:
C1, R2	10	4	4	H43/21	Ken Lyon	12/17/2007	

OWNER, LESSEE, AGENT:	APPLAST	APPFIRST	COMPANY
Owner	Groman	Richard	

APPADDRESS	APPCITY	APPSTATE	APPZIP
12165 Summit Place	Beverly Hills	CA	90210

APPTEL:	APPFAX:	APPEMAIL	APPCELL:
(310)275-4455	(310)278-1583		

Planning Services HOA Database

SPONSOR1	ADDRESS1	CITY ST ZIP1	PHONE1:	FAX1:	EMAIL1:
David Urmston, Urmston Steinbruck Archi.	2130 Sawtelle Boulevard, Ste. 303	Los Angeles, CA 90025	(310)479-8079	(310)479-2091	urmston2@hotmail.com
SPONSOR2	ADDRESS2	CITY ST ZIP2	PHONE2:	FAX2:	EMAIL2:
ITF Engineering	P.O. Box 50756	Irvine, CA 92619	(949)770-4831	(949)770-4831	
SPONSOR3	ADDRESS3	CITY ST ZIP3	PHONE3:	FAX3:	EMAIL3:
Gordon Kurtis & Assoc., Landscaping	1470 E. Baristo Road	Palm Springs, CA 92262	(760)322-2910	(760)322-2918	
SPONSOR4	ADDRESS4	CITY ST ZIP4	PHONE4:	FAX4:	EMAIL4:
SPONSOR5	ADDRESS5	CITY ST ZIP5	PHONE5:	FAX5:	EMAIL5:

PROPERTY TYPE	DEV RPT:	ITEM LOG:	CEQA:	STAFF APPVL
Mixed Use/Residential	NO	NO	TBD	Withdrawn - 09/16/08

ACREAGE:	SQ FT:	UNITS:	AAC REC:	AAC MTG:	HSPB1:	HSPB MTG:
			YES			

PLAN COM:	PLAN COM MTG	CITY COUNCIL:	CC MTG:	ACTUAL DATE APPVL:	CERT OF COMPL:
		YES			

WEEK ENDING:	REMARKS:
	09/16/08 - Refund in the amount of $8,376.00 was made to Richard Groman, Owner of "Uptown Palm Springs" due to withdrawn application.

Planning Commission Staff Report

June 13, 2012

Case:	5.1281 CZ
Application Type:	Change of Zone (CZ)
Location:	Various Locations throughout the City (18 parcels)
Applicant:	City of Palm Springs
Zone:	Various
General Plan:	Various
APN:	Various
From:	Craig A. Ewing, AICP, Director of Planning Services

PROJECT DESCRIPTION:

An application by City of Palm Springs to change the zone designation of eighteen separate parcels from their current designations to Civic Center District / Civic Uses Zone.

RECOMMENDATION:

1. Open the public hearing and receive any testimony.

2. Adopt the attached draft resolution recommending the City Council change the zoning designation of eighteen parcels from various current zoning designations to Civic Center District (Civic Uses) Zone.

PRIOR ACTIONS TAKEN ON THE PROJECT:

On May 5, 2012, the City Council initiated the Change of Zone for city-owned properties from their current designations to the Civic Center District / Civic Uses Zone.

BACKGROUND AND SETTING:

The subject parcels are located throughout the City and are presently vacant or developed with public uses, including public parking lots, fire stations, and cultural facilities. The eighteen parcels are listed below with their location / address / Assessors Parcel Number and their current zones:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD
Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

ANALYSIS:

The subject properties are located throughout the City, from the Visitor Center at Tram Way to Fire Station No. 4 on Laverne. Many of the lots are public parking facilities in the downtown area, from Alejo to Ramon. Vacant properties that support the Convention Center and other Section 14 development are included, as well. The proposed redesignation to CC / CU will more correctly describe on the zoning map the current use of these properties and assure that their future uses are consistent with the needs of the community.

General Plan

The proposed change of zone was evaluated and found to be consistent with policies and goals of the City's General Plan. The proposed change of zone is in conformity with the general plan map and report, because the proposed changes from C-B-D, C-1 (etc.) to Civic Center District / Civic Uses Zone allows uses on the subject sites, including parks, public parking and other civic-oriented uses, which may be accommodated in all General Plan Land Use Categories, and further support and serve the General Plan Land Uses Categories of the adjacent and surrounding properties. A

General Plan amendment is not necessary to allow the change of zone, as proposed.

Change of Zone.
The project proposes to change the zone designation from a number of different zones to Civic Center District / Civic Uses. The change of zone is necessary to correctly align the zoning map with existing and anticipted uses for the properties. Findings for the change of zone are found in PSZO Section 94.07.00 (A) as follows:

1. *The proposed change of zone is in conformity with the general plan map and report.*

The proposed changes from C-B-D, C-1 (etc.) to Civic Center District / Civic Uses Zone allow uses on the subject sites, including parks, public parking and other civic-oriented uses, which may be accommodated in all General Plan Land Use Categories, and further support and serve the General Plan Land Uses Categories of the adjacent and surrounding properties.

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The subject properties are city-owned and either vacant or presently developed and established with parks, parking lots and other civic-oriented uses, including appropriate accessory uses, access ways and buffers. The proposed Civic Center District / Civic Uses zone specifically allows public uses and uses accessory thereto, and therefore, the properties are suited for the uses permitted in the proposed Civic Center District / Civic Uses zone.

3. *The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The change of zone to the Civic Center District / Civic Uses zone is specifically designed to identify and regulate the public uses in which the subject properties are presently or anticipated to be developed, and further because the proposed Civic Center District / Civic Uses Zone will not introduce any new uses not presently allowed in the current zones, but assures that parks, public parking and other public facilities are available to serve adjacent and surrounding land uses.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the proposed Change of Zone has been deemed "a project". Staff has determined that the propose change of zone (Case 5.1281 CZ) may be deemed Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act. The proposed change of zone restricts the potential uses of the subject properties to those relating to public

purposes and also does not increase land use densities.

NOTIFICATION:

A public hearing notice was advertised and was mailed to all property owners within 400 feet of the subject property. As of the writing of this report, staff has not received any comment.

Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS
1. Draft Resolution and Ordinance

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR APPROVAL OF CASE 5.1281 CZ, A REQUEST FOR A CHANGE OF ZONE AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF EIGHTEEN PARCELS FROM VARIOUS CURRENT ZONING DESIGNATIONS TO CIVIC CENTER DISTRICT (CIVIC USES) ZONE.

WHEREAS, on May 16, 2012, the City Council initiated and introduced for first reading an ordinance for a Change of Zone for certain specific parcels from their current zoning designation to Civic Center District / Civic Uses Zone, including:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Cork n Bottle (342-344 N. Palm Canyon Drive)	CBD
Desert Hotel Property (284 N. Indian Canyon Drive)	CBD
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD
Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McKinney Parcel (190 West Sunny Dunes)	C-2
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

; and

WHEREAS, the proposed change of zone (Case 5.1281 CZ) is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and it has been recommended that the propose amendment be determined to be Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act, because the proposed change of zone restricts the potential uses of the subject properties to

those relating to public purposes and also does not increase land use densities; and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1281 CZ (Change of Zone) was given in accordance with applicable law; and

WHEREAS, on June 13, 2012, a public hearing of the Planning Commission was held to review said case and at said hearing the Planning Commission reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted to recommend a Categorical Exemption for the project under CEQA and to recommend approval of change of zone.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

SECTION 1. Pursuant to CEQA, the Planning Commission hereby recommends to the City Council that the propose change of zone (Case 5.1281 CZ) be determined to be Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed change of zone restricts the potential uses of the subject properties to those relating to public purposes and also does not increase land use densities.

SECTION 2: Pursuant to PSZC Section 94.07.00 (Change of Zone), the Planning Commission finds as follows:

1. *The proposed change of zone is in conformity with the general plan map and report.*

The proposed changes from C-B-D, C-1 (etc.) to Civic Center District / Civic Uses Zone allows uses on the subject sites, including parks, public parking and other civic-oriented uses, which are permitted in the applicable General Plan Land Use Categories, and further support and serve the General Plan Land Uses Categories of the adjacent and surrounding properties.

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The subject properties are city-owned and either vacant or presently developed and established with parks, parking lots and other civic-oriented uses, including appropriate accessory uses, access ways and buffers. The proposed Civic Center District / Civic Uses zone specifically allows public uses and uses accessory thereto, and therefore, the properties are suited for the uses permitted in the proposed Civic Center District / Civic Uses zone.

3. *The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The change of zone to the Civic Center District / Civic Uses zone is specifically designed to identify and regulate the public uses in which the subject properties are presently or anticipated to be developed, and further because the proposed Civic Center District / Civic Uses Zone will not introduce any new uses not presently allowed in the current zones, but assures that parks, public parking and other public facilities are available to serve adjacent and surrounding land uses.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends that the City Council determine that the proposed change of zone Case 5.1281 CZ is Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act and also recommends adoption of an ordinance to approve a change the zone (Case 5.1281 CZ) of eighteen city-owned properties to Civic Center District / Civic Uses Zone, as set forth in Exhibit A.

ADOPTED this 13th day of June, 2012.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

_____
Craig A. Ewing, AICP
Director of Planning Services

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF PALM SPRINGS, CALIFORNIA AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF EIGHTEEN PARCELS FROM VARIOUS CURRENT ZONING DESIGNATIONS TO CIVIC CENTER DISTRICT (CIVIC USES) ZONE, CASE NO. 5.1281 CZ (CHANGE OF ZONE)

City Attorney's Summary

This ordinance amends the Palm Springs Zoning Map to designate eighteen City-owned properties as Civic Center District / Civic Uses from their current zone designations.

The City council of the City of Palm Springs hereby finds:

A. On May 16, 2012, the City Council initiated and introduced for first reading an ordinance for a Change of Zone for certain specific parcels from their current zoning designation to Civic Center District / Civic Uses Zone, as follows:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Cork n Bottle (342-344 N. Palm Canyon Drive)	CBD
Desert Hotel Property (284 N. Indian Canyon Drive)	CBD
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD
Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McKinney Parcel (190 West Sunny Dunes)	C-2
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

B. The proposed change of zone (Case 5.1281 CZ) is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and it has been recommended that the propose amendment be determined to be Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act, because the proposed change of zone restricts the potential uses of the subject properties to those relating to public purposes and also does not increase land use densities.

C. A notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1281 CZ (Change of Zone) was given in accordance with applicable law.

D. On June 13, 2012, a public hearing of the Planning Commission was held to review said case and at said hearing the Planning Commission reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted to recommend a Categorical Exemption for the project under CEQA and to recommend approval of change of zone.

E. A notice of public hearing of the City Council of the City of Palm Springs, California for Case 5.1281 CZ was given in accordance with applicable law.

F. On _____, 2012, a public hearing on Case 5.1281 CZ was held by the City Council in accordance with applicable law and at said hearing the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

G. A Change of Zone is adopted by ordinance and includes two readings and a thirty-day period before it is effective.

H. An ordinance was prepared for two readings before this Council for the approval of Case 5.1281 CZ.

I. The proposed change of zone is in conformity with the general plan map and report, because the proposed changes from C-B-D, C-1 (etc.) to Civic Center District / Civic Uses Zone allows uses on the subject sites, including parks, public parking and other civic-oriented uses, which are permitted in the applicable General Plan Land Use Categories, and further support and serve the General Plan Land Uses Categories of the adjacent and surrounding properties.

J. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council,

because the subject properties are city-owned and either vacant or presently developed and established with parks, parking lots and other civic-oriented uses, including appropriate accessory uses, access ways and buffers; the proposed Civic Center District / Civic Uses zone specifically allows public uses and uses accessory thereto, and therefore, the properties are suited for the uses permitted in the proposed Civic Center District / Civic Uses zone.

K. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents, because the change of zone to the Civic Center District / Civic Uses zone is specifically designed to identify and regulate the public uses in which the subject properties are presently or anticipated to be developed, and further because the proposed Civic Center District / Civic Uses Zone will not introduce any new uses not presently allowed in the current zones, but assures that parks, public parking and other public facilities are available to serve adjacent and surrounding land uses.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ORDAINS:

Section 1. Pursuant to CEQA, the City Council hereby determines that the propose change of zone (Case 5.1281 CZ) is Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed change of zone restricts the potential uses of the subject properties to those relating to public purposes and also does not increase land use densities.

Section 2. The City Council amends the Palm Springs Zoning Map to change the zoning designation of the following properties from the current zone, as shown, to Civic Center District / Civic Uses Zone:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Cork n Bottle (342-344 N. Palm Canyon Drive)	CBD
Desert Hotel Property (284 N. Indian Canyon Drive)	CBD
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD

Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McKinney Parcel (190 West Sunny Dunes)	C-2
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

Section 3. Effective Date: This Ordinance shall be in full force and effect thirty (30) days after passage.

Section 4. Publication: The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

ADOPTED this _____th day of _____, 2012.

_____
MAYOR

ATTEST:

_____
City Clerk

CERTIFICATION:

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California \

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
June 13, 2012
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Donenfeld called the meeting to order at 1:30 p.m.

ROLL CALL:	**Present This Meeting:**	**Present to Date:**	**FY: 2011/2012 Absences:**
Lyn Calerdine	X	5	0
Tracy Conrad		17	3
Philip Klatchko	X	16	4
Leslie Munger	X	18	2
J.R. Roberts	X	20	0
Doug Hudson, Vice Chair	X	17	3
Doug Donenfeld, Chair	X	19	1

REPORT OF POSTING OF AGENDA:

The agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on Thursday, June 7, 2012.

ACCEPTANCE OF THE AGENDA:

Chair Donenfeld reported that the applicant has requested, Item 2A, Case 3.3038 MAA Appeal, be continued.

Chair Donenfeld reported that staff has requested Item 3B, Case 5.1218-B ZTA, be pulled from the agenda.

Commissioner Roberts spoke in favor of continuing Item 2A to a date certain.

Commissioner Munger noted her abstention on Item 3D.

The agenda was accepted, as amended.

THIS ITEM WAS PULLED OUT OF ORDER OF THE AGENDA.

2A. Case 3.3038 MAA Appeal - An appeal by Eisenhower Medical Center of the Planning Director's decision to approve landscape lighting for the medical office building located at 151 South Sunrise Way, Zone RA (Resort Attraction of Section 14 Specific Plan), Section 15. (Project Planner: David A. Newell, Associate Planner)

ACTION: To continue to a date certain of June 27, 2012.

Motion J.R. Roberts, seconded by Leslie Munger and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine
ABSENT: Tracy Conrad

ACTION: The agenda was accepted, as amended. **Motion J.R. Roberts, seconded by Lyn Calerdine**

PUBLIC COMMENTS:

Chair Donenfeld opened public comments:

-Robert Van Roo, commented on Item 3B, was pleased to hear that this item is going back to staff for further review and is looking forward to the opportunity to apply for a permit.
-Jennifer Lugo, commented on Item 3B, spoke in favor of changing the number of Medical Cannabis permits.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

Vice Chair Hudson noted his business-related abstention on Item 1B.

ACTION: To approve, Items 1A, 1B, 1C and 1D, as part of the Consent Calendar.

Motion J.R. Roberts, seconded by Leslie Munger and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine
ABSENT: Tracy Conrad

1A. May 9, 2012 draft minutes

Approved, as part of the Consent Calendar.

1B. Case 3.854 MAA - A request by Mike McAuliffe, architect, for the demolition and remodeling of an existing master bedroom suite to be replaced with a new 746-square foot addition to a hillside residence located at 1843 Leonard Road, Zone R-1-A, Section 3. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)

Approved, as part of the Consent Calendar, noting the abstention of Vice Chair Hudson.

1C. Case 3.2422 MAA - A request by Benjamin Hertz, architect, requesting approval for the addition of a 452-square foot pool cabana on a hillside lot located at 787 W. Stevens Road, Zone R-1-A, Section 10. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)

Approved, as part of the Consent Calendar.

1D. Case 3.3323 SFR Time Extension - A request by Cioffi Architects for a one-year time extension for a previously approved 2,976-square foot single-family hillside residence located at 581 Palisades Drive, Zone R-1-A, Section 15. (Project Planner: David A. Newell, Associate Planner)

Approved, as part of the Consent Calendar.

2. OTHER BUSINESS:

2B. Presentation of Green Building Program - Coachella Valley Association of Governments

-Katie Barrows, Director of Environmental Resources, Coachella Valley Association of Governments (CVAG), provided background information on the Voluntary Green Building Program. She reported that the program is consistent with the proposed mandatory update for Title 24 that will become effective January 1, 2014. Ms. Barrows stated that funding will be available to provide training programs and workshops for city staff, the Commission, homeowners, building owners, renters and contractors.

-Nicole Criste, Terra Nova Planning, reported that this program is designed to include a strong emphasis on educational workshops for homeowners, building owners and contractors on energy efficiency and sustainability in new and existing residential and commercial buildings. Ms. Criste provided an overview on the electronic checklist system that uses a "point value system", rebates, discounts and financial incentives and permit processing.

Commissioner Calerdine asked if there are ways of maintaining the building's view toward the west but limiting the exposure to the sun. Ms. Criste responded that one way is to separate the house foundation from the patio foundation by at least 6 inches and the heat will be reduced from traveling into the house.

Commissioner Roberts suggested that low cost alternative green building materials be offered. Ms. Criste responded that the cost of green building materials have been coming down in price as the market increases. She noted that they are currently working with retailers to provide extra incentives such as gift certificates and/or discounts for those participating in the program. Commissioner Roberts supported that idea and suggested providing a list of green building retailers who provide incentives for green building materials.

Commissioner Munger commented on the importance of offering tax credits as an incentive.

Chair Donenfeld commented about the overwhelming confusion that is out there with homeowners and contractors pertaining to sustainability elements. Ms. Criste responded that a section of this program includes educational literature that will be available at Building Department counters that will be easy-to read and include lots of graphics. Workshops will also be offered. Katie commented that this program is designed to bridge the gap and make information readily available and easy to understand.

ACTION: To approve and recommend approval to the City Council to forward with the Commission comments.

Motion J.R. Roberts, seconded by Vice Chair Hudson and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine
ABSENT: Tracy Conrad

3. PUBLIC HEARINGS:

3A. Case PA 12-002 - A pre-application by Path Ventures, LLC, proposing an 81-unit affordable senior apartment complex on roughly 4.99 acres at the southeast corner of North Palm Canyon Drive and Via Olivera, Zone C-1/R-2. (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background as outlined in the staff report dated June 13, 2012. Mr. Lyon reviewed the AAC comments from the June 11, 2012 meeting.

Chair Donenfeld opened the public hearing:

-William Spencer, project architect, was available for questions from the Commission.
-John Malloy, Executive Director, Path Ventures, stated that the development corporation's mission is to provide affordable housing that includes life skill services and noted their willingness to take the AAC recommendations into consideration.
-Mr. Waterman, commented on the lack of access for fire trucks to this property and spoke in opposition of the project.

There being no further appearances the public hearing was closed.

Vice Chair Hudson offered the following comments:

-The frontage along North Palm Canyon needs more attention and include a perimeter wall to control pedestrian access across Palm Canyon.
-Push back the buildings away from Palm Canyon due to the noise.
-Reassess the distribution and design of open space; consider relocating the open space and shade pavilion at the northwest corner of the site to some other area – due to the high winds in this area.
-Create outdoor amenities that are sheltered from the intense wind on the north side of town.
-The project needs a site plan strategy to better organize and locate various buildings, parking and recreational elements.
-Take a stronger look at the landscaping and open-space as an overall scheme instead of focusing only on the placement of the housing units.
-Consider placement of the communal elements in a special "precinct" on the site where they can be enjoyed more fully.
-Consider cutting down on the parking spaces to yield a better project.

Commissioner Klatcko offered the following suggestions:

-The proximity of the residential units to Palm Canyon and provide tenants with more protection from the noise level.
-Consider the visual impact of the site to visitors entering the City; and develop a stronger, more attractive presence along Palm Canyon Drive.

Commissioner Calerdine offered the following suggestions:

-Consider walls or berms or other means of mitigating the street noise from Palm Canyon.
-Look at a means of providing a secondary access to the site for vehicular movement (emergency access, etc.)
-Work with staff on any special features for the sharp corner at Palm Canyon and Via Olivera.

Commissioner Roberts offered the following comments/suggestions:

-The location of the parking is in a more quiet area than the housing units.

-Consideration of wind and noise coming from Palm Canyon.
-Appreciates the energy efficient elements and encouraged the use of green landscape materials.

Commissioner Munger offered the following comment:

-Give some consideration to making each building look unique to make it easier for tenants to identify their own units.

Chair Donenfeld thanked the development team for their time with the submittal of the Pre-Application process.

The item was pulled from the agenda.

3B. Case 5.1218-B ZTA - A zoning ordinance text revision; proposing revisions in Zoning Code Section 93.23.15(F) changing the number of medical cannabis permits from three to four and revising the solicitation and selection process for consideration of award of a fourth permit. (Project Planner: Ken Lyon, Associate Planner)

3C. Case 5.1280 ZTA - A zoning ordinance text amendment to re-title the "CC" Civic Center District Zone to the "CU" Civic Uses Zone and modify certain development standards of said zone. (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Director Ewing provided background information as outlined in the staff report date June 13, 2012.

Chair Donenfeld opened the public hearing; and with no appearances coming forward the public hearing was closed.

ACTION: To adopt the attached draft resolution recommending the City Council amend Section 92.23 of the Palm Springs Zoning Code to re-title the "CC" Civic Center District Zone to the "CU" Civic Uses Zone and modify certain development standards.

Motion Lyn Calerdine, seconded by J.R. Roberts and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine
ABSENT: Tracy Conrad

3D. Case 5.1281 CZ – A change of zone to amend the Zoning Map for the properties listed below from the current zones as shown to CU – Civic Uses Zone (formerly the "CC" Civic Center District Zone). (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD
Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

Commissioner Munger left the Council Chamber at 2:45 p.m.

Craig A. Ewing, Director of Planning Services, provided background information as outlined in the staff report date June 13, 2012.

Chair Donenfeld opened the public hearing; and with no appearances coming forward the public hearing was closed.

ACTION: To adopt the attached draft resolution recommending the City Council change the zoning designation of eighteen parcels from various current zoning designations to Civic Center District (Civic Uses) Zone.

Motion Philip Klatchko, seconded by Lyn Calerdine and carried 5-0 on a roll call vote.

AYES: Philip Klatchko, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine
ABSENT: Tracy Conrad

ABSTAIN: Leslie Munger

Commissioner Munger re-entered the Council Chamber at 2:50 p.m.

4. PLANNING COMMISSION COMMENTS:

4A. Discussion of going "dark" for the month of August.

The consensus of the Commission is to go dark for the month of August.

PLANNING DIRECTORS REPORT:

Director Ewing provided an update on the tentative tract map for the Desert Fashion Plaza site which will be coming to the Commission. Director Ewing spoke about the City Council's second action of approval for the CVS/Ralph's Shopping Center amendment to the Sign Program.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 2:53 p.m. to 1:30 p.m., Wednesday, June 27, 2012, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Robert Van Edward

FOR Craig A. Ewing, AICP
Director of Planning Services

ORDINANCE NO. 1809

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF EIGHTEEN PARCELS FROM VARIOUS CURRENT ZONING DESIGNATIONS TO CIVIC CENTER DISTRICT (CIVIC USES) ZONE, CASE NO. 5.1281 CZ (CHANGE OF ZONE).

City Attorney's Summary

This ordinance amends the Palm Springs Zoning Map to designate eighteen City-owned properties as Civic Center District / Civic Uses from their current zone designations.

The City council of the City of Palm Springs hereby finds:

A. On May 16, 2012, the City Council initiated and introduced for first reading an ordinance for a Change of Zone for certain specific parcels from their current zoning designation to Civic Center District / Civic Uses Zone, as follows:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
Cork n Bottle (342-344 N. Palm Canyon Drive)	CBD
Desert Hotel Property (284 N. Indian Canyon Drive)	CBD
Downtown Parking Garage (275 S. Indian Canyon Drive)	CBD
Fire Station No. 1 (277 N. Indian Canyon Dr.)	CBD
Fire Station No. 4 (1300 Laverne Way)	R-1-C
Food Court Parking Lot (APN 513-082-043)	CBD
Henry Frank Arcade Parking Lot (261-265 N. Indian Canyon Drive)	CBD
Jackie Lee Houston Plaza (APN 008-609-883)	HDR
McKinney Parcel (190 West Sunny Dunes)	C-2
McManus Village (211-233 S. Palm Canyon Drive)	CD
Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

B. The proposed change of zone (Case 5.1281 CZ) is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and it has been recommended that the propose amendment be determined to be Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act, because the proposed change of zone restricts the potential uses of the subject properties to those relating to public purposes and also does not increase land use densities.

C. A notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1281 CZ (Change of Zone) was given in accordance with applicable law.

D. On June 13, 2012, a public hearing of the Planning Commission was held to review said case and at said hearing the Planning Commission reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented and voted to recommend a Categorical Exemption for the project under CEQA and to recommend approval of change of zone.

E. A notice of public hearing of the City Council of the City of Palm Springs, California for Case 5.1281 CZ was given in accordance with applicable law.

F. On July 11, 2012, a public hearing on Case 5.1281 CZ was held by the City Council in accordance with applicable law and at said hearing the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

G. A Change of Zone is adopted by ordinance and includes two readings and a thirty-day period before it is effective.

H. An ordinance was prepared for two readings before this Council for the approval of Case 5.1281 CZ.

I. The proposed change of zone is in conformity with the general plan map and report, because the proposed changes from C-B-D, C-1 (etc.) to Civic Center District / Civic Uses Zone allows uses on the subject sites, including parks, public parking and other civic-oriented uses, which are permitted in the applicable General Plan Land Use Categories, and further support and serve the General Plan Land Uses Categories of the adjacent and surrounding properties.

J. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council, because the subject properties are city-owned and either vacant or presently developed and

established with parks, parking lots and other civic-oriented uses, including appropriate accessory uses, access ways and buffers; the proposed Civic Center District / Civic Uses zone specifically allows public uses and uses accessory thereto, and therefore, the properties are suited for the uses permitted in the proposed Civic Center District / Civic Uses zone.

K. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents, because the change of zone to the Civic Center District / Civic Uses zone is specifically designed to identify and regulate the public uses in which the subject properties are presently or anticipated to be developed, and further because the proposed Civic Center District / Civic Uses Zone will not introduce any new uses not presently allowed in the current zones, but assures that parks, public parking and other public facilities are available to serve adjacent and surrounding land uses.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ORDAINS:

Section 1. Pursuant to CEQA, the City Council hereby determines that the propose change of zone (Case 5.1281 CZ) is Categorically Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the proposed change of zone restricts the potential uses of the subject properties to those relating to public purposes and also does not increase land use densities.

Section 2. The City Council amends the Palm Springs Zoning Map to change the zoning designation of the following properties from the current zone, as shown, to Civic Center District / Civic Uses Zone:

Blue Coyote Parking Lot (APN 513-082-023, -040)	CBD
Casa del Camino Property (APN 505-182-004)	C-1
Catholic Church Parking Lot (N/W corner Alejo and Belardo Roads)	R-2
Convention Center (277 North Avenida Caballeros)	PD 164
Convention Center Parking Lot (APN 508-034-012, -013, -014)	HDR
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Plaza Theater (128 S. Palm Canyon Drive	CBD
Prairie Schooner Parcel (APN 508-055-008, -009, -007)	RA
PSL-15 Subleasehold (S/E corner Amado Rd & Avenida Caballeros)	RA
Vineyard Parking Lot (APN 513-153-015, -016, -25)	CBD
Visitor Center (2901 N. Palm Canyon Drive)	ESA-SP
Welwood Murray Memorial Library (100 S. Palm Canyon Drive)	CBD

Section 3. Effective Date: This Ordinance shall be in full force and effect thirty (30) days after passage.

Section 4. Publication: The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

PASSED, APPROVED, AND ADOPTED this 11th day of July 2012.

STEPHEN P. POUGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) *ss.*
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. 1809 is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on May 16, 2012, and adopted at a regular meeting of the City Council held on July 11, 2012, by the following vote:

AYES: Councilmember Hutcheson, Councilmember Lewin, Councilmember Mills, Mayor Pro Tem Foat, and Mayor Pougnet.
NOES: None.
ABSENT: None.
ABSTAIN: None.

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California 09/05/2012

Re: Aberdeen

From: Rob Eres

Project Specific
Preliminary Water Quality Management Plan

For: **Aberdeen Residential**

700 - 600 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

DEVELOPMENT NO. **T.T. NO. 36876**
DESIGN REVIEW NO.

Prepared for:

O & M HR, LLC
1 MacArthur Place, Suite 300 South
Santa Ana, CA 92707
Telephone: (714) 546-5600

Prepared by:
Marcos Padilla, Civil Engineer
Walden & Associates
2552 White Road, Suite B
Irvine, CA 92614
Telephone: (949) 660-0110

RECEIVED
JAN 26 2015
PLANNING SERVICES
DEPARTMENT

WQMP Preparation/Revision Date: 1/19/2015

OWNER'S CERTIFICATION

This project-specific Water Quality Management Plan (WQMP) has been prepared for:

O & M HR, LLC
by Walden & Associates
for the project known as **Aberdeen Residential** at **700 - 600 EAST TAHQUITZ CANYON WAY.**

This WQMP is intended to comply with the requirements of City of Palm Springs for P.M. 36786, which includes the requirement for the preparation and implementation of a project-specific WQMP.

The undersigned, while owning the property/project described in the preceding paragraph, shall be responsible for the implementation of this WQMP and will ensure that this WQMP is amended as appropriate to reflect up-to-date conditions on the site. This WQMP will be reviewed with the facility operator, facility supervisors, employees, tenants, maintenance and service contractors, or any other party (or parties) having responsibility for implementing portions of this WQMP. At least one copy of this WQMP will be maintained at the project site or project office in perpetuity.

The undersigned is authorized to certify and to approve implementation of this WQMP. The undersigned is aware that implementation of this WQMP is enforceable under City of Palm Springs Water Quality Ordinance (Municipal Code Section Title 8, Chapter 8.70).

If the undersigned transfers its interest in the subject property/project, the undersigned shall notify the successor in interest of its responsibility to implement this WQMP.

"I, the undersigned, certify under penalty of law that I am the owner of the property that is the subject of this WQMP, and that the provisions of this WQMP have been reviewed and accepted and that the WQMP will be transferred to future successors in interest."

_____
Owner's Signature

Douglas Burroughs
Owner's Printed Name

Vice-President of Construction
Owner's Title/Position

_____
Date

1 MacArthur Place, Suite 300 South
Santa Ana, CA 92707
(714) 546-5600

ATTEST

_____
Notary Signature

_____
Printed Name

_____
Title/Position

_____
Date

THIS FORM SHALL BE NOTARIZED BEFORE ACCEPTANCE OF THE FINAL PROJECT SPECIFIC WQMP

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APPENDICES

A. Conditions of Approval

B. Vicinity Map, WQMP Site Plan, and Receiving Waters Map

C. Supporting Detail Related to Hydraulic Conditions of Concern (If Applicable)

D. Educational Materials

E. Soils Report (if applicable)

F. Site Design and Treatment Control BMP Sizing Calculations and Design Details

G. Agreements – CC&Rs, Covenant and Agreements and/or Other Mechanisms for ensuring ongoing Operation, Maintenance, Funding and Transfer of Requirements for this project-specific WQMP

H. Phase I Environmental Site Assessment – Summary of Site Remediation Conducted and Use Restrictions

I. Project-Specific WQMP Summary Data Form

FIGURES

B. VICINITY MAP, WQMP SITE PLAN, AND RECEIVING WATERS MAP

F. RUNOFF COEFFICENT/IMPERVIOUS, VORTSENTRY HS DETAIL

I. Project Description

Project Owner: O & M HR, LLC
1 MacArthur Place, Suite 300 South
Santa Ana, CA 92707
Telephone: (714) 546-5600

WQMP Preparer: Marcos Padilla, Civil Engineer
2552 White Road, Suite B
Irvine, CA 92614
Telephone: (949) 660-0110

Project Site Address:	700-600 East Tahquitz Canyon Way, Palm Springs, CA 92262
Planning Area/ Community Name/ Development Name:	Section 14 Aberdeen Residential
APN Number(s):	508-055-003, 006, 007, 008 & 009
Thomas Bros. Map:	PG 786, Grid E2 (2008 Edition)
Project Watershed:	Whitewater River
Sub-watershed:	Tahquitz Creek
Project Site Size:	8.74 acres

Standard Industrial Classification (SIC) Code: 8322, 5311

Formation of Home Owners' Association (HOA) or Property Owners Association (POA): Y ☒ N ☐

Additional Permits/Approvals required for the Project:

AGENCY	Permit required
State Department of Fish and Game, 1601 Streambed Alteration Agreement	Y ☐ N ☒
State Water Resources Control Board, Clean Water Act (CWA) Section 401 Water Quality Certification	Y ☐ N ☒
US Army Corps of Engineers, CWA Section 404 permit	Y ☐ N ☒
US Fish and Wildlife, Endangered Species Act Section 7 biological opinion	Y ☐ N ☒
Other *(please list in the space below as required)*	

The project is located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo in the City of Palm Springs, California. The site is bounded on the north by Andreas Road, on the south by Tahquitz Canyon Way, on the east by the Renaissance Hotel, and on the west by Calle El Segundo.

The project proposes to construct ninety-seven (97) single family lots with 3-story family homes, Live/Work lofts and a retail pad on the approximate 8.74 acre site. Project features will consist of asphalt/concrete pavement, hardscape and landscaping. Four (4) driveway accesses will be provided within the development. Calle Alvarado will be extended along the easterly boundary and run parallel with Calle El Segundo in a north/south direction connecting to E. Andreas Road to the north and Tahquitz Canyon Way to the south. New planting will be provided throughout the site. The northerly portion of the site will be designated for single family townhomes, while the southerly portion designated for the retail buildings and Live/Work lofts. There will be no loading docks for any of the new buildings. Deliveries will take place via the front reception loading areas along Tahquitz Canyon Way. All storage facilities are going to be kept in an enclosure. Activities to be routinely conducted outdoors are vehicular and foot traffic into the lot driveways and retail buildings. There will be no activities within the area of the building associated with equipment or vehicle maintenance and repair, including washing or cleaning. There will be no service bays, fueling islands, or fuel pumps. Wastes generated from project activities include trash and debris from foot traffic and access roads.

Appendix A of this project-specific WQMP includes a complete copy of the final Conditions of Approval. Appendix B of this project-specific WQMP includes:

a. A Vicinity Map identifying the project site and surrounding planning areas in sufficient detail to allow the project site to be plotted on Permittee base mapping; and

b. A Site Plan for the project. The Site Plan included as part of Appendix B depicts the following project features:

- Location and identification of all structural BMPs, including Treatment Control BMPs.
- Landscaped areas.
- Paved areas and intended uses (i.e., parking, outdoor work area, outdoor material storage area, sidewalks, patios, tennis courts, etc.).
- Number and type of structures and intended uses (i.e., buildings, tenant spaces, dwelling units, community facilities such as pools, recreation facilities, tot lots, etc.).
- Infrastructure (i.e., streets, storm drains, etc.) that will revert to public agency ownership and operation.
- Location of existing and proposed public and private storm drainage facilities (i.e., storm drains, channels, basins, etc.), including catch basins and other inlets/outlet structures. Existing and proposed drainage facilities should be clearly differentiated.
- Location(s) of Receiving Waters to which the project directly or indirectly discharges.
- Location of points where onsite (or tributary offsite) flows exit the property/project site.
- Proposed drainage area boundaries, including tributary offsite areas, for each location where flows exit the property/project site. Each tributary area should be clearly denoted.
- Pre- and post-project topography.

Appendix I to the SWMP is a one page form that summarizes pertinent information relative to this project-specific WQMP.

II. Site Characterization

Land Use Designation or Zoning: Resort Overlay, Open Land Zone, Indian Land

Current Property Use: Vacant undeveloped

Proposed Property Use: Residential, Retail

Availability of Soils Report: Y ☐ N ☒ *Note: A soils report is required if infiltration BMPs are utilized. Attach report in Appendix E.*

Phase 1 Site Assessment: Y ☐ N ☒ *Note: If prepared, attached remediation summary and use restrictions in Appendix H.*

Receiving Waters for Urban Runoff from Site

Receiving Waters	303(d) List Impairments	Designated Beneficial Uses	Proximity to RARE Beneficial Use
Tahquitz Creek	None	MUN, GWR, REC I, REC II, COLD, WILD	Not Applicable
Whitewater River	None	MUN, AGR, GWR, REC I, REC II, COLD, WILD, POW	Not Applicable
Coachella Valley Channel	Pathogens, Toxaphene, DDT, Dieldrin & PCB's	FRSH, REC I, REC II, WARM, WILD, RARE	18 miles distance of project to RARE

III. Pollutants of Concern

Proximate Receiving Waters:

719.40 Coachella Hydrologic Subunit:

Impaired for: Pathogens, Toxaphene, DDT, Dieldrin & PCB's

Coachella Valley Storm Water Channel

Hub No. 719.40

Impaired for: Pathogens, Toxaphene, DDT, Dieldrin & PCB's

Table 1. Pollutant of Concern Summary

Pollutant Category	Potential for Project	Causing Receiving Water Impairment
Bacteria/Virus (Pathogens)	X	X
Heavy Metals	X	
Nutrients	X	
Pesticides (Toxaphen, DDT, Dieldrin)	X	X
Organic Compounds (PCB's)	X	X
Sediments	X	
Trash & Debris	X	
Oxygen Demanding Substances	X	
Oil & Grease	X	

IV. Hydrologic Conditions of Concern

Local Jurisdiction Requires On-Site Retention of Urban Runoff:

Yes ☒ The project will be required to retain urban runoff onsite in conformance with local ordinance (See Table 6, Permittees Requiring Onsite Retention of Stormwater, of the Whitewater River Region WQMP). This section does not need to be completed.

No ☐ This section must be completed.

This Project meets the following condition:

☐ **Condition A**: Runoff from the Project is discharged directly to a publicly-owned, operated and maintained MS4; the discharge is in full compliance with Permittee requirements for connections and discharges to the MS4 (including both quality and quantity requirements); the discharge would not significantly impact stream habitat in proximate Receiving Waters; and the discharge is authorized by the Permittee.

☐ **Condition B**: The project disturbs less than 1 acre and is not part of a larger common plan of development that exceeds 1 acre of disturbance. The disturbed area calculation must include all disturbances associated with larger plans of development.

☒ **Condition C**: The project's runoff flow rate, volume, velocity and duration for the post-development condition do not exceed the pre-development condition for the 2-year, 24-hour and 10-year 24-hour rainfall events. This condition can be achieved by minimizing impervious area on a site and incorporating other site-design concepts that mimic pre-development conditions. This condition must be substantiated by hydrologic modeling methods acceptable to the Permittee.

☐ **None**

Refer to Section 3.4 of the Whitewater River Region WQMP for additional requirements.

Supporting engineering studies, calculations, and reports are included in Appendix C.

	2 year – 24 hour		10 year – 24 hour	
	Precondition	**Post-condition**	**Precondition**	**Post-condition**
Discharge (cfs)	1.75	1.06	3.33	2.02
Velocity (fps)	-	-	-	-
Volume (cubic feet)	46,612	29,348	89,088	56,074
Duration (minutes)	12.6	17.3	12.4	16.9

V. Best Management Practices

This project implements Best Management Practices (BMPs) to address the Pollutants of Concern that may potentially be generated from the use of the project site. These BMPs have been selected and implemented to comply with the Section 3.5 of the WQMP and consist of Site Design, Source Control and, if/where necessary, Treatment Control BMPs as described herein.

V.1 Site Design and Treatment Control BMPs

Local Jurisdiction Requires On-Site Retention of Urban Runoff:

Yes ☒ The project will be required to retain urban runoff onsite in conformance with local ordinance (See Table 6, Permittees Requiring Onsite Retention of Stormwater, of the Whitewater River Region WQMP). Section V.1 does not need to be completed.

No ☐ Section V.1 must be completed.

This section of the Project-Specific WQMP documents the Site Design BMPs and, if/where necessary the Treatment Control BMPs that will be implemented on the Project to meet the requirements within Section 3.5.1 of the WQMP. Section 3.5.1, includes requirements to implement Site Design Concepts and BMPs, and includes requirements to address the project's Pollutants of Concern with BMPs. Further sub-section 3.5.1.1 specifically requires that the projects Pollutants of Concern be addressed with Site Design BMPs to the extent feasible.

This project incorporates Site Design BMPs to fully address the Pollutants of Concern where and to the extent feasible. If and where it has been acceptably demonstrated to the Permittee that it is infeasible to fully meet this requirement with Site Design BMPs, this section includes a description of the conventional Treatment Control BMPs that will be substituted to meet the same requirements.

In addressing pollutants of concern, BMPs are selected using Table 2 below.

Table 2. BMP Selection Matrix Based Upon Pollutant Removal Efficiency [1]

(Excerpted, with minor revision, from the Orange County Water Quality Management Plan dated September 26, 2003 and the San Bernardino Water Quality Management Plan dated April 14, 2004)

Pollutant of Concern	Biofilters [2]	Detention Basins [3]	Infiltration BMPs [4]	Wet Ponds or Wetlands [5]	Filtration Systems [6]	Water Quality Inlets	Hydrodynamic Separator Systems [7]	Manufactured or Proprietary Devices [8]
Sediment/Turbidity	H/M	M	H/M	H/M	H/M	L	H/M (L for Turbidity)	U
Nutrients	L	M	H/M	H/M	L/M	L	L	U
Organic Compounds	U	U	U	U	H/M	L	L	U
Trash & Debris	L	M	U	U	H/M	M	H/M	U
Oxygen Demanding Substances	L	M	H/M	H/M	H/M	L	L	U
Bacteria & Viruses	U	U	H/M	U	H/M	L	L	U
Oil & Grease	H/M	M	U	U	H/M	M	L/M	U
Pesticides (non-soil bound)	U	U	U	U	U	L	L	U
Metals	H/M	M	H	H	H	L	L	U

Abbreviations:

L: Low removal efficiency H/M: High or medium removal efficiency U: Unknown removal efficiency

Notes:

(1) Periodic performance assessment and updating of the guidance provided by this table may be necessary.

(2) Includes grass swales, grass strips, wetland vegetation swales, and bioretention.

(3) Includes extended/dry detention basins with grass lining and extended/dry detention basins with impervious lining. Effectiveness based upon minimum 36-48-hour drawdown time.

(4) Includes infiltration basins, infiltration trenches, and porous pavements.

(5) Includes permanent pool wet ponds and constructed wetlands.

(6) Includes sand filters and media filters.

(7) Also known as hydrodynamic devices, baffle boxes, swirl concentrators, or cyclone separators.

(8) Includes proprietary stormwater treatment devices as listed in the CASQA Stormwater Best Management Practices Handbooks, other stormwater treatment BMPs not specifically listed in the WQMP, or newly developed/emerging stormwater treatment technologies.

V.1.A Site Design BMPs

This section documents the Site Design BMPs that will be implemented on this project to comply with the requirements in Section 3.5.1 of the WQMP.

- Table 3 herein documents the implementation of the Site Design Concepts described in sub-sections 3.5.1.3 and 3.5.1.4.
- Table 4 herein documents the extent to which this project has implemented the goals described in sub-section 3.5.1.1.

Table 3. Implementation of Site Design Concepts

Design Concept	Technique	Specific BMP	Included			Brief Reason for BMPs Indicated as No or N/A
			Yes	No	N/A	
Site Design Concept 1	**Minimize Urban Runoff, Minimize Impervious Footprint, and Conserve Natural Areas** **(See WQMP Section 3.5.1.3)**	Conserve natural areas by concentrating or cluster development on the lease environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition.	☐	☐	☒	No natural areas to conserve.
		Conserve natural areas by incorporating the goals of the Multi-Species Habitat Conservation Plan or other natural resource plans.	☐	☐	☒	No natural areas provided.
		Preserve natural drainage features and natural depressional storage areas on the site.	☐	☐	☒	No existing drainage system.
		Maximize canopy interception and water conservation by preserving existing native trees and shrubs, and planting additional native or drought tolerant trees and large shrubs.	☒	☐	☐	
		Use natural drainage systems.	☐	☐	☒	No existing drainage system.
		Increase the building floor area ratio (i.e., number of stories above or below ground).	☒	☐	☐	
		Construct streets, sidewalks and parking lot aisles to minimum widths necessary, provided that public safety and a walkable environment for pedestrians is not compromised.	☒	☐	☐	
		Reduce widths of streets where off-street parking is available.	☐	☐	☒	No off-street parking provided.
		Design driveways with shared access, flared (single lane at street), or wheel strips (paving only under the tires).	☐	☒	☐	Driveways need to be double lane.
		Minimize the use of impervious surfaces, such as decorative concrete, in the landscape design.	☐	☒	☐	Decorative concrete used but not permeable.
		Other comparable and equally effective Site Design BMP (or BMPs) as approved by the Permittee (Note: Additional narrative required to describe BMP and how it addresses site design concept).	☐	☐	☒	No other Site Design BMP provided.

Table 3. Site Design BMPs (continued)

Design Concept	Technique	Specific BMP	Included: Yes	Included: No	Included: N/A	Brief Reason for Each BMP Indicated as No or N/A
Site Design Concept 2	Minimize Directly Connected Impervious Area (See WQMP Section 3.5.1.4)	Residential and commercial sites must be designed to contain and infiltrate roof runoff, or direct roof runoff to vegetative swales or buffer areas.	☒	☐	☐	
		Drain impervious sidewalks, walkways, trails, and patios into adjacent landscaping.	☐	☒	☐	Minor portion of patios and walkways in the center of the building drain into landscaped areas
		Incorporate landscaped buffer areas between sidewalks and streets.	☒	☐	☐	
		Uncovered temporary or guest parking on residential lots paved with a permeable surface, or designed to drain into landscaping.	☐	☐	☒	Not a residential lot.
		Rural swale system: street sheet flows to vegetated swale or gravel shoulder, curbs used at street corners, and culverts used under driveways and street crossings.	☐	☐	☒	No Street sheet flows.
		Urban curb/swale system: street slopes to curb; periodic swale inlets drain to vegetated swale or biofilter.	☐	☐	☒	Sub-surface infiltration pit provided.
		Dual drainage system: first flush captured in street catch basins and discharged to adjacent vegetated swale or gravel shoulder; high flows connect directly to MS4s.	☐	☐	☒	Higher flow to be infiltrated.
		Maximize the permeable area by constructing walkways, trails, patios, overflow parking, alleys, driveways, low-traffic streets, and other low-traffic areas with open-jointed paving materials or permeable surfaces such as pervious concrete, porous asphalt, unit pavers, and granular materials.	☐	☒	☐	No permeable area needed. Decorative pavement not permeable.
		Use vegetated drainage swales in lieu of underground piping or imperviously lined swales.	☐	☒	☐	No area for functional swales.
		Incorporate parking area landscaping into the drainage design.	☐	☒	☐	Parking areas drain to infiltration system.
		Where soil conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.	☒	☐	☐	
		Construct onsite infiltration BMPs such as dry wells, infiltration trenches, and infiltration basins consistent with vector control objectives.	☒	☐	☐	
		Construct onsite ponding areas or detention facilities to increase opportunities for infiltration consistent with vector control objectives.	☐	☒	☐	Sub-surface infiltration pit provided.

Table 3. Site Design BMPs (continued)

Design Concept	Technique	Specific BMP	Included			Brief Reason for Each BMP Indicated as No or N/A
			Yes	No	N/A	
Site Design Concept 2 (cont'd)	Minimize Directly Connected Impervious Area (See WQMP Section 3.5.1.4)	Direct roof runoff into cisterns or rain barrels for reuse.	☐	☒	☐	Runoff to infiltrate.
		Use vegetated drainage swales in lieu of underground piping or imperviously lined swales.	☐	☒	☐	No area for functional swales.
		Incorporate tree well filters, flow-through planters, and/or bioretention areas into landscaping and drainage plans.	☐	☒	☐	Sub-surface infiltration pit provided.
		Other comparable and equally effective Site Design BMP (or BMPs) as approved by the Permittee (Note: Additional narrative required describing BMP and how it addresses site design concept).	☐	☒	☐	No other Site Design BMP provided.

Project Site Design BMPs:

An Infiltration system with perforated pipes are proposed in the parking lot to capture 100% of the urban runoff for the 10-year-24 hr storm event. The following BMPs are also identified in the project specific WQMP.

BMP	Type of Maintenance	Startup Date	Inspection and Maintenance Frequency	Responsible Party
Conserve natural areas by concentrating or cluster development on the lease environmentally sensitive portions of a site while leaving the remaining land in a natural, undisturbed condition.	THIS BMP IS NOT APPLICABLE No natural areas to conserve.	N/A	N/A	N/A
Conserve natural areas by incorporating the goals of the Multi-Species Habitat Conservation Plan or other natural resource plans.	THIS BMP IS NOT APPLICABLE No natural areas provided.	N/A	N/A	N/A
Preserve natural drainage features and natural depressional storage areas on the site.	THIS BMP IS NOT APPLICABLE No existing drainage system.	N/A	N/A	N/A
Maximize canopy interception and water conservation by preserving existing native trees and shrubs, and planting additional native or drought tolerant trees and large shrubs.	THIS BMP IS USED Landscaping will include canopy trees to be implemented	After Grading Plan	Weekly	O &M HR, LLC
Use natural drainage systems.	THIS BMP IS NOT APPLICABLE No existing drainage system.	N/A	N/A	N/A
Increase the building floor area ratio (i.e., number of stories above or below ground).	THIS BMP IS USED Multi-story Senior Living Center	After Grading Plan	Daily	O & M HR, LLC
Construct streets, sidewalks and parking lot aisles to minimum widths necessary, provided that public safety and a walkable environment for pedestrians is not compromised.	THIS BMP IS USED Site is designed to planning standards with accessible pathway to each building.	After Building is constructed	Daily	O & M HR LLC
Reduce widths of streets where off-street parking is available.	THIS BMP IS NOT APPLICABLE No off-street parking provided.	N/A	N/A	N/A
Design driveways with shared access, flared (single lane at street), or wheel strips (paving only under the tires).	THIS BMP IS NOT APPLICABLE Driveways need to be double lane.	N/A	N/A	N/A

Minimize the use of impervious surfaces, such as decorative concrete, in the landscape design.	THIS BMP IS NOT APPLICABLE Decorative concrete used but not permeable.	N/A	N/A	N/A
Other comparable and equally effective Site Design BMP (or BMPs) as approved by the Permittee (Note: Additional narrative required to describe BMP and how it addresses site design concept).	THIS BMP IS NOT APPLICABLE No other Site Design BMP provided.	N/A	N/A	N/A
Residential and commercial sites must be designed to contain and infiltrate roof runoff, or direct roof runoff to vegetative swales or buffer areas.	THIS BMP IS USED Infiltration sub-surface to contain and infiltrate roof runoff	After Grading and storm drain is functional	Daily	O & M HR LLC
Drain impervious sidewalks, walkways, trails, and patios into adjacent landscaping.	THIS BMP IS NOT APPLICABLE Minor portion of patios and walkways in the center of the building drain into landscaped areas	N/A	N/A	N/A
Incorporate landscaped buffer areas between sidewalks and streets.	THIS BMP IS USED Landscape buffers are provided between the right-of-way and street sidewalk.	After landscape has been completed	Weekly	O & M HR LLC
Uncovered temporary or guest parking on residential lots paved with a permeable surface, or designed to drain into landscaping.	THIS BMP IS NOT APPLICABLE Not a residential lot or drainage into landscaping. Drainage to infiltration system	N/A	N/A	N/A
Rural swale system: street sheet flows to vegetated swale or gravel shoulder, curbs used at street corners, and culverts used under driveways and street crossings.	THIS BMP IS NOT APPLICABLE No Street sheet flows.	N/A	N/A	N/A
Urban curb/swale system: street slopes to curb; periodic swale inlets drain to vegetated swale or biofilter.	THIS BMP IS NOT APPLICABLE Sub-surface infiltration pit provided.	N/A	N/A	N/A
Dual drainage system: first flush captured in street catch basins and discharged to adjacent vegetated swale or gravel shoulder; high flows connect directly to MS4s.	THIS BMP IS NOT APPLICABLE Higher flow to be infiltrated.	N/A	N/A	N/A

Maximize the permeable area by constructing walkways, trails, patios, overflow parking, alleys, driveways, low-traffic streets, and other low-traffic areas with open-jointed paving materials or permeable surfaces such as pervious concrete, porous asphalt, unit pavers, and granular materials.	THIS BMP IS NOT APPLICABLE No permeable area needed. Decorative pavement not permeable.	N/A	N/A	N/A
Use vegetated drainage swales in lieu of underground piping or imperviously lined swales.	THIS BMP IS NOT APPLICABLE No area for functional swales. Drainage swales in frontage to capture nuisance runoff.	N/A	N/A	N/A
Incorporate parking area landscaping into the drainage design.	THIS BMP IS NOT APPLICABLE Parking areas drain to infiltration system.	N/A	N/A	N/A
Where soil conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.	THIS BMP IS USED Infiltration sub-surface pit provided	After Grading and storm drain is functional	Monthly, Prior and after major storm event	O & M HR LLC
Construct onsite infiltration BMPs such as dry wells, infiltration trenches, and infiltration basins consistent with vector control objectives.	THIS BMP IS USED Infiltration sub-surface pit provided	After Grading and storm drain is functional	Monthly, Prior and after major storm event	O & M HR LLC
Construct onsite ponding areas or detention facilities to increase opportunities for infiltration consistent with vector control objectives.	THIS BMP IS NOT APPLICABLE Sub-surface infiltration pit provided.	N/A	N/A	N/A
Direct roof runoff into cisterns or rain barrels for reuse.	THIS BMP IS NOT APPLICABLE Runoff to infiltrate.	N/A	N/A	N/A
Use vegetated drainage swales in lieu of underground piping or imperviously lined swales.	THIS BMP IS NOT APPLICABLE No area for functional swales.	N/A	N/A	N/A
Incorporate tree well filters, flow-through planters, and/or bioretention areas into landscaping and drainage plans.	THIS BMP IS NOT APPLICABLE Sub-surface infiltration pit provided.	N/A	N/A	N/A
Other comparable and equally effective Site Design BMP (or BMPs) as approved by the Permittee (Note: Additional narrative required describing BMP and how it addresses site design concept).	THIS BMP IS NOT APPLICABLE No other Site Design BMP provided.	N/A	N/A	N/A

Alternative Project Site Design BMPs:

Not Applicable

Table 4. Site Design BMPs Meeting the Measureable Goal in WQMP Section 3.5.1.1

(1) DRAINAGE SUBAREA ID OR NO.	(2) SITE DESIGN BMP TYPE * (See Table 2)	(3) POLLUTANTS WITHIN SUBAREA CAUSING RECEIVING WATER IMPAIRMENTS (refer to Table 1)	(4) RELATIVE EFFECTIVENESS OF BMP (COLUMN 2) AT ADDRESSING IDENTIFIED POLLUTANTS (COLUMN 3) (U, L, M, H/M, H; see Table 2)	(5) BMP MEETS WHICH DESIGN CRITERIA? (identify as V_{BMP} OR Q_{BMP})	(6) BMP TRIBUTARY AREA (nearest 0.1 acre)
A	INFILTRATION PIT	PATHOGENS, TOXAPHENE, DDT, DIELDRIN, PCB'S	H/M, U, U, U, U	V_{BMP}	7.92
			TOTAL AREA TREATED WITH SITE DESIGN BMPS (NEAREST 0.1 ACRE)**		7.92

* Site Design BMPs included in this table are those that completely address the Treatment Requirements for their tributary area.

Justification of infeasibility for sub-areas not addressed with effective Site Design BMPs in Table 4:

Not Applicable

V.1.B Treatment Control BMPs

Conventional Treatment Control BMPs shall be implemented to address the project's Pollutants of Concern as required in WQMP Section 3.5.1 where, and to the extent that, Section V.1.A has demonstrated that it is infeasible to meet these requirements through implementation of Site Design BMPs.

☐ The Site Design BMPs described in Section V.1.A of this project-specific WQMP completely address the Pollutants of Concern for the entire project site as required in Section 3.5.1.1 of the WQMP. Supporting documentation for the sizing of these Site Design BMPs is included in Appendix F. *Section V.1.B **need not** be completed.

☒ The Site Design BMPs described in Section V.1.A of this project-specific WQMP do **NOT** completely address the Pollutants of Concern for the entire project site as required in Section 3.5.1.1 of the WQMP. *Section V.1.B **must** be completed.

The Treatment Control BMPs identified in this section are selected, sized and implemented to address the Pollutants of Concern for all project sub-areas where these pollutants were not fully addressed with Site Design BMPs. Supporting documentation for the sizing of these Treatment Control BMPs is included in Appendix F.

The VortSentry HS is a compact, below grade stormwater treatment system that employs helical flow technology to enhance gravitational separation of floating and settling pollutants from stormwater flows.

Contech VORTSENTRY HS 96 O&M:

INSPECTION	INSPECTION FREQUENCY	MAINTENANCE INDICATOR	MAINTENANCE ACTIVITY
Visually inspect for sedimentation, trash, and debris	Monthly. **Important Note:** Notwithstanding the schedule above, the BMP shall be inspected prior to and after each major storm event	Presence of sufficient sediment, trash or debris that hinder filter performance or flow of filtration device	1. Remove and properly dispose of trash. 2. Use vacuum to remove sediment and debris from basket and/or all liners

Table 5: Treatment Control BMP Summary

(1) DRAINAGE SUBAREA ID OR NO.	(2) TREATMENT CONTROL BMP TYPE (SEE TABLE 2)	(3) POLLUTANTS POTENTIALLY GENERATED WITHIN SUBAREA CAUSING RECEIVING WATER IMPAIRMENTS* (REFER TO TABLE 1)	(4) RELATIVE EFFECTIVENESS OF BMP (COLUMN 2) AT ADDRESSING IDENTIFIED POLLUTANTS (COLUMN 3) (U, L, M, H/M, H; SEE TABLE 2)	(5) BMP MEETS WHICH DESIGN CRITERIA? (IDENTIFY AS V_{BMP} OR Q_{BMP})	(6) BMP TRIBUTARY AREA (NEAREST 0.1 ACRE)
A	HYDRODYNAMIC SEPARATOR SYSTEMS	PATHOGENS, TOXAPHENE, DDT, DIELDRIN, PCB'S	L, L, L, L, L	Q_{BMP}	8.74
TOTAL AREA TREATED WITH TREATMENT CONTROL BMPS (NEAREST 0.1 ACRE)**					

V.1.C MEASUREABLE GOAL SUMMARY

This section documents the extent to which this project meets the measureable goal described in WQMP Section 3.5.1.1 of addressing all of the projects Treatment Requirements with Site Design BMPs.

Table 6: Measureable Goal Summary

(1) Total Area Treated with Site Design BMPs	(2) Total Area Treated with Treatment Control BMPs	(3) % of Treatment Requirement addressed with Site Design BMPs
8.74	8.74	100

V.2 SOURCE CONTROL BMPS

This section identifies and describes the Source Control BMPs applicable and implemented on this project.

Table 7. Source Control BMPs

BMP Name	Check One		If not applicable, state brief reason
	Included	Not Applicable	
Non-Structural Source Control BMPs			
Education for Property Owners, Operators, Tenants, Occupants, or Employees	☒	☐	
Activity Restrictions	☒	☐	
Irrigation System and Landscape Maintenance	☒	☐	
Common Area Litter Control	☒	☐	
Street Sweeping Private Streets and Parking Lots	☒	☐	
Drainage Facility Inspection and Maintenance	☒	☐	
Structural Source Control BMPs			
MS4 Stenciling and Signage	☒	☐	
Landscape and Irrigation System Design	☒	☐	
Protect Slopes and Channels	☒	☐	
Provide Community Car Wash Racks	☐	☒	No Car wash racks
Properly Design*:			
Fueling Areas	☐	☒	No fueling areas
Air/Water Supply Area Drainage	☐	☒	No water supply area
Trash Storage Areas	☒	☐	
Loading Docks	☐	☒	No loading docks
Maintenance Bays	☐	☒	No Maintenance bays
Vehicle and Equipment Wash Areas	☐	☒	No wash areas
Outdoor Material Storage Areas	☐	☒	No outdoor material areas
Outdoor Work Areas or Processing Areas	☐	☒	No processing areas
Provide Wash Water Controls for Food Preparation Areas	☐	☒	No food preparation areas

*Details demonstrating proper design must be included in Appendix F.

Project Source Control BMPs:

Non-Structural Source Control BMPs

- **Activity Restrictions:** Activity restrictions, such as prohibiting vehicle maintenance, prohibiting discharge of fertilizer, pesticides, or animal wastes to streets or storm drains as well as any other activities that may potentially contribute to water pollution will be developed.
- **Education for property owners, tenants, employees**: Practical information materials will be provided on general housekeeping practices that contribute to the protection of storm water. The tenant will be provided the material included in Appendix D.
- **Irrigation systems and landscape maintenance** will be the Owners representative's responsibility to ensure the following:
  A. Broken sprinklers and lines fixed immediately
  B. Group plants to reduce excess water runoff
  C. Minimize the use of fertilizer or pesticides
  D. Minimize sediment runoff.
  - The Owners representative will monitor weekly to ensure the landscape areas are maintained.
- **Common area litter control** shall be maintained weekly by the Owner or the Owner's representative. In order to reduce pollution of drainage water the Owner will contract with a landscape maintenance contractor to provide this litter patrol.
- **Street sweeping in the parking areas** will be provided by the Owner or the Owner's representative prior to October 1st (storm season). The Owner's street sweeping program shall be responsible to implement this BMP yearly.
- **Drainage facility inspection and maintenance** will be provided by the Owner or the Owner's representative on an annual basis.

Structural Source Control BMPs

- **Landscape and irrigation system design** shall be monitored by the Owner or the Owner's representative on a monthly basis in order to minimize this runoff of excess irrigation water.
- **MS4 Stenciling and Signage** shall be repainted twice a year or when signage begins to fade, whichever comes first.
- **Trash storage areas** (dumpster enclosures) shall be inspected on a monthly basis by the owner or his representative for trash or debris that has not been disposed in a trash bin. The Owner or the Owner's representative shall clean out debris and trash that has been properly dumped.
- **Protection of slopes and channels** shall be addressed by the Owner or the Owner's representative prior to and after any rainfall event. In addition, irrigation systems shall be monitored on a monthly basis to ensure no erosion has occurred in channels and swales within the project.
- **Community Car Wash Racks will not be provided per this site.**
- **Fueling Areas will not be provided per this site.**
- **Air/Water supply will not be provided per this site.**
- **Loading Docks will not be provided per this site.**
- **Maintenance Bays will not be provided per this site.**

- **Vehicle and Equipment wash areas will not be provided per this site.**
- **Outdoor material storage areas will not be provided per this site.**
- **Outdoor work or processing areas will not be provided per this site.**

Appendix D includes copies of the educational materials that will be used in implementing this project-specific WQMP.

V.3 Equivalent Treatment Control Alternatives

Not applicable

V.4 Regionally-Based Treatment Control BMPs

Not applicable

VI. Operation and Maintenance Responsibility for BMPs

Appendix G of this project-specific WQMP includes copies of CC&Rs, Covenant and Agreements, and/or other mechanisms used to ensure the ongoing operation, maintenance, funding, transfer and implementation of the project-specific WQMP requirements.

Infiltration Systems O&M:

INSPECTION	INSPECTION FREQUENCY	MAINTENANCE INDICATOR	MAINTENANCE ACTIVITY
1. Monitor water levels in access risers provided; 2. Inspect perforated pipe for sedimentation and debris	Monthly. **Important Note**: Notwithstanding the schedule above, the BMP shall be inspected prior to and after each major storm event	Presence of sufficient sediment or debris that hinders performance; Draindown time lasts longer than 72 hours	Vacuum out perforated pipe to remove sediment; If clogging still occurs remains flush out to suspend sediments then vacuum

Contech VORTSENTRY HS 96 O&M:

INSPECTION	INSPECTION FREQUENCY	MAINTENANCE INDICATOR	MAINTENANCE ACTIVITY
Visually inspect for sedimentation, trash, and debris	Monthly. **Important Note**: Notwithstanding the schedule above, the BMP shall be inspected prior to and after each major storm event	Presence of sufficient sediment, trash or debris that hinder filter performance or flow of filtration device	1. Remove and properly dispose of trash. 2. Use vacuum to remove sediment and debris from basket and/or all liners

See BMP Maintenance Program hereafter for remaining BMP's

VII. Funding

Insert text identifying the funding source or sources for the operation and maintenance of each Treatment Control BMP included in the project.

By certifying the project-specific WQMP, the Project applicant is certifying that the funding responsibilities have been addressed and will be transferred to future owners. The specific structural Stormwater treatment devices are as follow: One (1) Vortsentry HS unit, one (1) Sub-surface infiltration pit. All per approved plans.

			Maintenance Responsibility				Funding Mechanism for Maintenance			Maintenance Costs	
BMP	Used	Not Used	Owner	City	County	Flood District	Owner	Developer	Public	1-year ($)	2-year ($)
Hydro seeding & Mulching		X									
Landscape Private	X		X				X			-	-
Landscape Public		X									
Lawns		X									
Impervious permanent cover (concrete/asphalt) Private		X									
Impervious permanent cover (concrete/asphalt) Public		X									
Pervious permanent cover (gravel)	X		X				X			$5,000	$5,000
Down drains		X									
Ribbon Gutter Public		X									
Ribbon Gutter Private		X									
Curb & Gutter Public		X									
Curb & Gutter Private	X		X				X			-	-
Storm Drain	X		X				X			$1,000	$1,000
Detention Basin	X		X				X			$5,000	$5,000
Education Materials	X		X				X			-	-
Vehicle Wash Area		X									

* Provide annual costs (1-year and 2-year) for all publicly maintained BMPs. Specifically include the costs for all public landscaping and treatment control that are responsibility of the City or the Landscape Maintenance District.
** Maintenance funding contact information for each privately maintained (by owner, POA or HOA) BMP must be included.

The funding sources for each treatment control shall be:

O & M HR, LLC as outlined in the Covenant and Agreements, dated ____.

Owner's Signature

Date

Owner's Title/Position

O & M HR, LLC
1 MacArthur Place, Suite 300 South
Santa Ana, CA 92707
Telephone: 714-546-5600

Appendix A

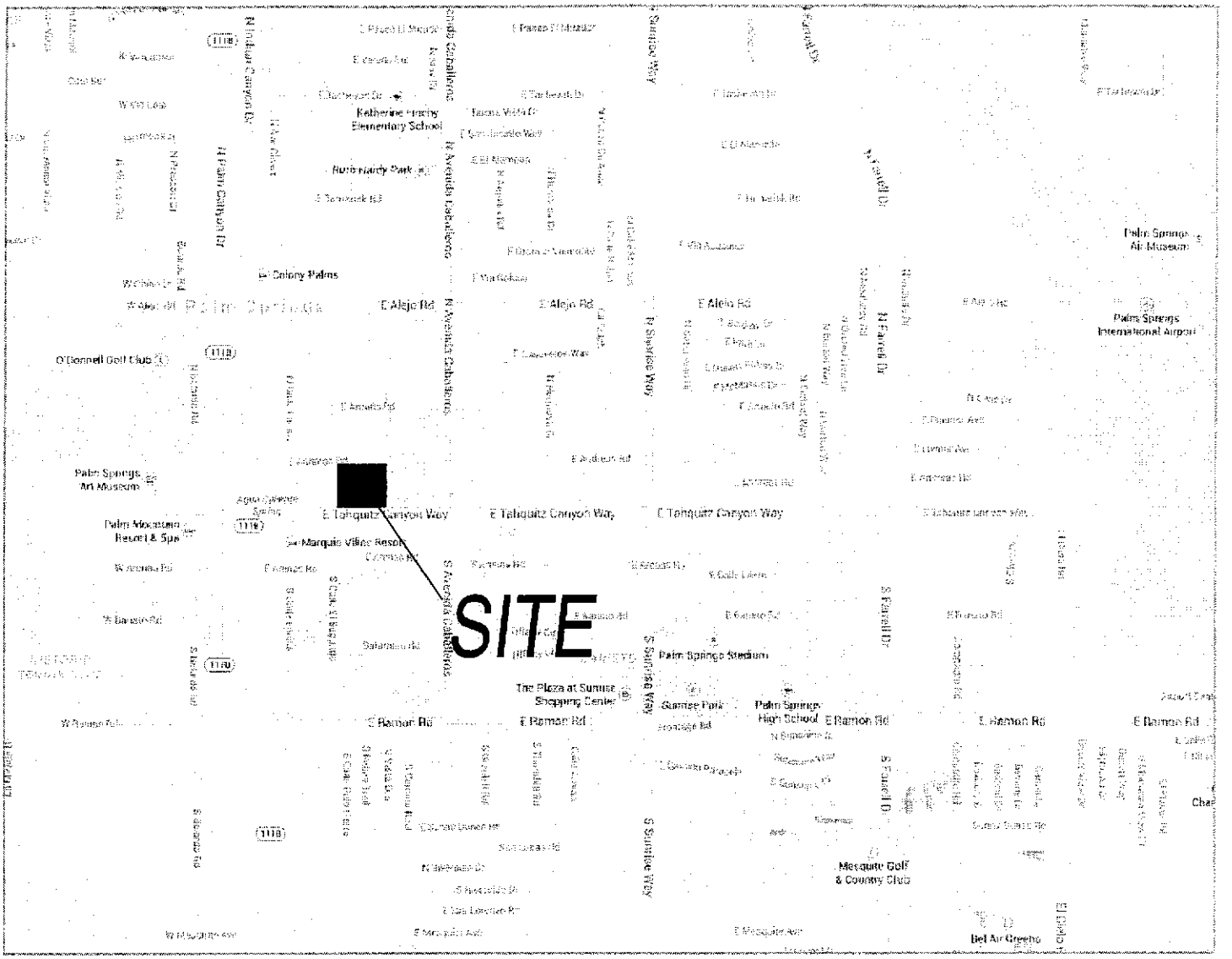
Conditions of Approval

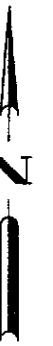
Planning Commission Resolution _____

Dated _____

Appendix B

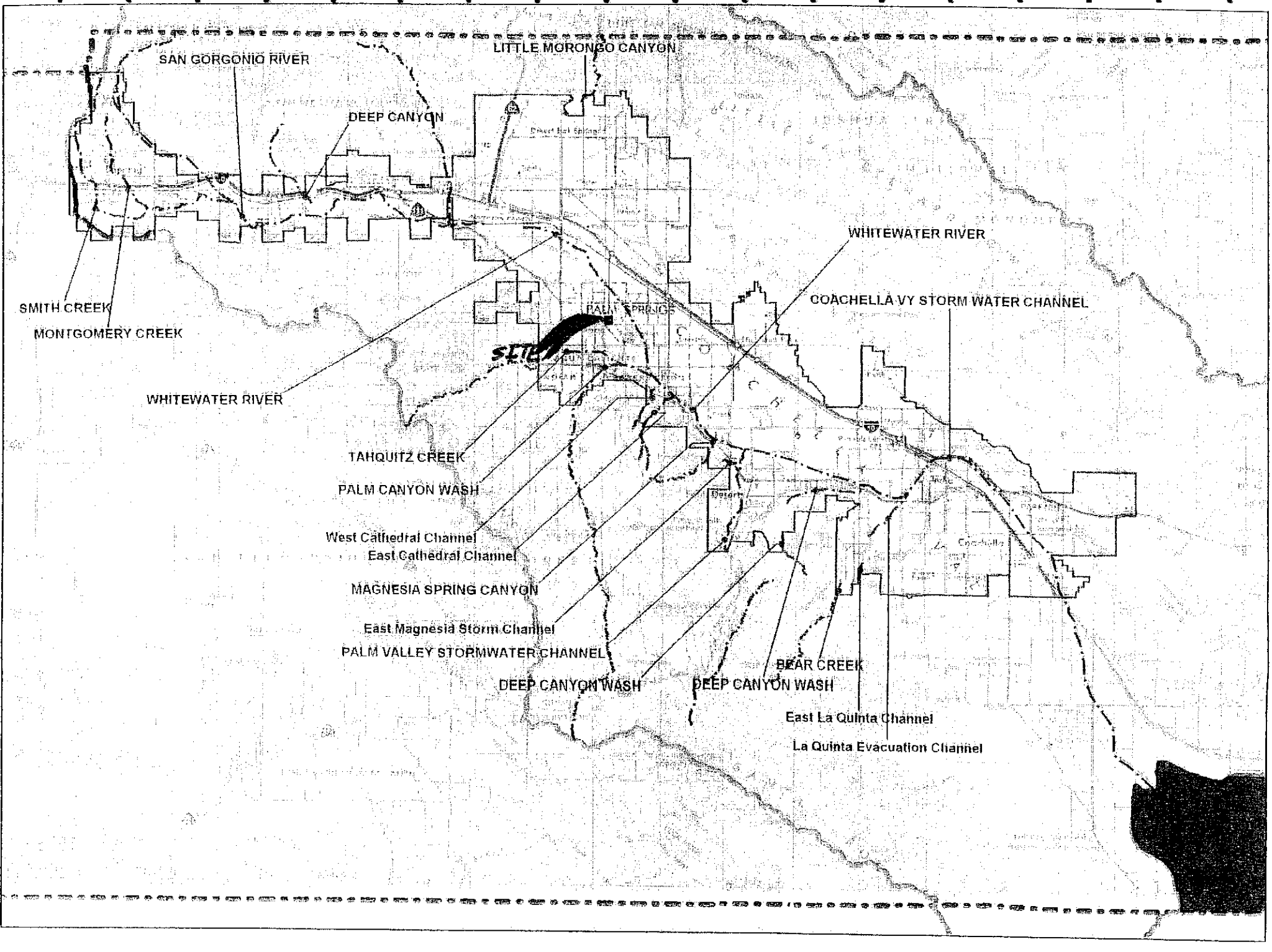
Vicinity Map, WQMP Site Plan, and Receiving Waters Map





VICINITY MAP

NO SCALE


SAN GORGONIO RIVER
LITTLE MORONGO CANYON
DEEP CANYON
WHITEWATER RIVER
SMITH CREEK
MONTGOMERY CREEK
COACHELLA VY STORM WATER CHANNEL
WHITEWATER RIVER
TAHQUITZ CREEK
PALM CANYON WASH
West Cathedral Channel
East Cathedral Channel
MAGNESIA SPRING CANYON
East Magnesia Storm Channel
PALM VALLEY STORMWATER CHANNEL
DEEP CANYON WASH
DEEP CANYON WASH
BEAR CREEK
East La Quinta Channel
La Quinta Evacuation Channel

Appendix C

Supporting Detail Related to Hydraulic Conditions of Concern

WALDEN & ASSOCIATES

2552 WHITE ROAD, SUITE B • IRVINE, CA 92614
949/660-0110 FAX: 660-0418
CIVIL ENGINEERS - PLANNERS - LAND SURVEYORS

PRELIMINARY DRAINAGE STUDY

FOR

PRAIRIE SCHOONER

IN THE

CITY OF PALM SPRINGS, CA

December 2014

PREPARED BY:

WALDEN & ASSOCIATES
2552 WHITE ROAD, SUITE B
IRVINE, CA 92614

JN: 1804-573-001

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EXISTING	
PROPOSED	

SECTION 1

DISCUSSION

PURPOSE:
This report is to be used for the design of a drainage system, which will provide the desired conveyance and the required storm protection according to the standards of the City of Palm Springs.

PROJECT DESCRIPTION:
The project is located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo in the City of Palm Springs, California. The site is bounded on the north by Andreas Road, on the south by Tahquitz Canyon Way, on the west by Calle El Segundo, and on the east by the Renaissance Hotel.

The project proposes to construct ninety-seven (97) single family lots with 3-story family homes, Live /Work lots and a retail pad on the approximate 8.7 acre site. Project features will consist of asphalt/concrete pavement, hardscape and landscaping. Four (4) driveway accesses will be provided within the development. Calle Alvarado will be extended along the easterly boundary and run parallel with Calle El Segundo in a north/south direction connecting to E. Andreas Road to the north and Tahquitz Canyon Way to the south. This report has been prepared showing the ultimate condition of the project.

DESCRIPTION OF WATERSHED:
The project site is currently developed and is surface draining in three directions. The existing parking lot to the north is surface draining southeasterly into two private catch basins. This runoff is conveyed and directed north to the existing catch basin along E. Andreas Road. In addition, a small portion of the parking lot to the north is also draining westerly onto Calle El Segundo right-of-way. The two existing buildings to the south surface drain in a southeasterly direction onto Tahquitz Canyon right-of-way. Lastly, a portion along the easterly property line surface drains into the adjacent property. The post-project condition runoff will be collected by a private storm drain system and be retained with a proposed underground retention system.

METHODOLOGY:
The Hydrology and Unit Hydrograph studies were performed using the rational Hydrology Method program by CivilCADD / Civil Design Engineering software based on the Riverside County Hydrology Manual. The soil has been identified from the Hydrologic Soils Group Map, accompanying the Riverside County Flood Control Hydrology Manual (Section 3) as being soil group A.

The rational method was used to calculate the design discharge for the local drainage areas. Hydrologic calculations to determine the 2-year, 10-year and 100-year discharges at critical locations throughout the project were performed using the rational Hydrology method. The pre-project and post-project condition hydrology analysis that considered the overall on-site flood volume tributary to the project was completed using the unit hydrograph method for the 1, 3, 6 and 24-hour durations for the 2-year, 10-year and 100-year storm events (See Table B).

TABLE A
MITIGATION REQUIREMENTS

Storm Frequency	Q Existing	Q Proposed	Difference (Prop. – Ex.)
2-year	11.01 cfs	5.65 cfs	-5.36 cfs
10-year	19.67 cfs	12.31 cfs	-7.36 cfs
100-year	32.55 cfs	23.87 cfs	-8.68 cfs

TABLE B
UNIT HYDROGRAPH - SUMMARY

STORM EVENT = 2 YEAR

	EXISTING				PROPOSED			
DURATION	24-HOUR	6-HOUR	3-HOUR	1-HOUR	24-HOUR	6-HOUR	3-HOUR	1-HOUR
VOLUME (Cu. Ft.)	46,612	29,852	22,227	14,549	29,348	18,790	13,976	10,108
VOLUME (Ac. Ft.)	1.07	0.68	0.510	0.33	0.67	0.43	0.32	0.23
Q (CFS)	1.75	4.59	5.37	10.87	1.06	2.51	2.85	5.65

STORM EVENT = 10 YEAR

	EXISTING				PROPOSED			
DURATION	24-HOUR	6-HOUR	3-HOUR	1-HOUR	24-HOUR	6-HOUR	3-HOUR	1-HOUR
VOLUME (Cu. Ft.)	89,088	56,902	43,465	30,389	56,074	36,429	28,646	22,704
VOLUME (Ac. Ft.)	2.04	1.30	0.99	0.69	1.28	0.83	0.65	0.52
Q (CFS)	3.33	9.01	10.31	19.71	2.02	5.44	6.54	12.31

STORM EVENT = 100 YEAR

	EXISTING				PROPOSED			
DURATION	24-HOUR	6-HOUR	3-HOUR	1-HOUR	24-HOUR	6-HOUR	3-HOUR	1-HOUR
VOLUME (Cu. Ft.)	155,046	98,679	76,437	54,101	96,967	68,883	56,088	45,854
VOLUME (Ac. Ft.)	3.56	2.26	1.75	1.24	2.22	1.58	1.28	1.05
Q (CFS)	5.98	15.29	17.47	32.59	3.98	11.25	13.33	23.89

SUMMARY:

Plans for which this report has been prepared will meet all standards of rainstorm protection as adopted by the City of Palm Springs. Positive overflow is available throughout the development for protection of habitable areas against a 100-year storm event with all inlets clogged and there will be no adverse impact to the existing system.

Appendix D

Educational Materials

Appendix E

Soils Report

Appendix F

Site Design and Treatment Control BMP Sizing Calculations
and Design Details

Volume Based BMPs

General

The largest concentrations of pollutants are found in runoff from small volume storms and from the first flush of larger storms. Therefore, volume based BMPs should be sized to capture and treat the initial and more frequent runoff surges that convey the greatest concentration of pollutants. To maximize treatment and avoid health hazards, volume-based BMPs must retain and release the runoff between a 24 and 72 hour period. This handbook typically recommends a draw down time of 48 hours, as recommended by the California BMP Handbook. The drawdown time refers to the minimum amount of time the design volume must be retained.

In order to meet RWQCB requirements, Volume-based Treatment Control BMPs in the Whitewater River Region of Riverside County shall be designed to infiltrate or treat the volume of runoff, V_{BMP} calculated using the following procedure, developed using the CASQA Methodology referenced in Section F.1.c.v.4.a.ii of the Permit.

BMP Design Volume Calculations

Following is a step-by-step procedure for determining design volume for BMPs using Worksheet 1.

1. **Determine the BMP Tributary Area (A_{trib})** that drains to the proposed BMP. This includes all areas that will contribute runoff to the proposed BMP, including both pervious and impervious areas, and runoff from off-site areas that commingle with site runoff, whether or not they are directly or indirectly connected to the BMP. Measure this area in acres.
2. **Determine the impervious area ratio (i)** within the tributary area defined above.

   $$i = A_{imp}/A_{trib}, \text{ where}$$

   A_{imp} = the impervious area within A_{trib}, measured in acres.
3. **Calculate the composite Runoff Coefficient (C)** for the BMP Tributary Area using Figure 1 below or the following equation based on the WEF/ASCE Method:

   $$C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04, \text{ where}$$

   i = the impervious area ratio defined above.
4. **Determine the Unit Storage Volume (V_u)** using the following equation derived from the Palm Springs Thermal Airport gauge data in Appendix D of the CASQA BMP Handbook:

   $$V_u = 0.40 \times C, \text{ where}$$

   V_u = the unit storage volume (acre-in/acre), and C is the composite runoff coefficient calculated in the previous step.

5. **Calculate the required capture volume of the BMP (V_{BMP})** using the following equation:

$$V_{BMP} = V_u \cdot A_{trib}, \text{ where}$$

V_{BMP} is the design volume for the BMP (Acre-in), and V_u and A_{trib} are as described above.

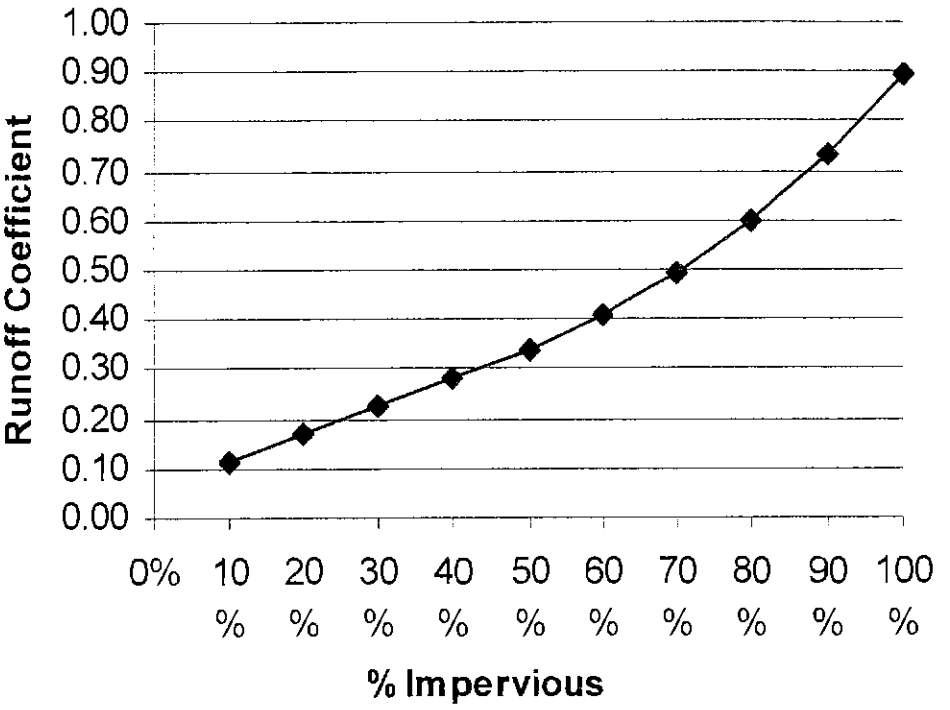


Figure 1. Impervious – Coefficient Curve (WEF/ASCE Method[1])

[1] Imperviousness is the decimal fraction of the total catchment covered by the sum of roads, parking lots, sidewalks, rooftops, and other impermeable surfaces of an urban landscape.

Worksheet 1

Design Procedure for BMP Design Volume

Designer: _____
Company: _____
Date: _____
Project: _____
Location: _____

1. Determine the Tributary Area to the BMP (A_{trib})	A_{trib} = 8.74 acres *(1)*
2. Determine the impervious area ratio (*i*)	
a. Determine impervious area within (A_{trib})	A_{imp} = 6.82 acres *(2)*
b. Calculate *i* = **(2)** / **(1)**	*i* = 0.78 acres / acre *(3)*
3. Determine Runoff Coefficient (C) $C = 0.858 \cdot i^3 - 0.78 \cdot i^2 + 0.774 \cdot i + 0.04$ $C = 0.858 \cdot (3)^3 - 0.78 \cdot (3)^2 + 0.774 \cdot (3) + 0.04$	C = 0.58 *(4)*
4. Determine Unit Storage Volume (V_u) $V_u = 0.40 \cdot C$ $V_u = 0.40 \cdot (4)$	V_u = 0.23 acre-in / acre *(5)*
5. Determine Design Storage Volume	
a. V_{BMP} = ***(5)*** x ***(1)*** [acre-in]	V_{BMP} = 2.03 acre-in *(6)*
b. V_{BMP} = ***(6)*** / 12 [acre-ft]	V_{BMP} = 0.17 acre-ft *(7)*
c. V_{BMP} = ***(7)*** x 43560 [ft^3]	V_{BMP} = 7405 ft^3 *(8)*

Notes: 78% Imperviousness

Flow Based BMPs

General

Flow based BMPs are sized to treat flows up to the design flow rate, which will remove pollutants to the MEP. This handbook bases the design flow rate on a uniform rainfall intensity of 0.2 inches per hour, as recommended by the California BMP Handbook. The flow rate is also dependent on the type of soil and percentage of impervious area in the development.

Uniform Intensity Approach

The Uniform Intensity Approach is where the Design Rainfall Intensity, I is specified as:

$$I = 0.2\ ^{in}/_{hr}$$

That Intensity is then plugged into the Rational Equation to find the BMP design flow rate (Q).

$$Q_{BMP} = CIA$$

Where A = Tributary Area to the BMP
C = Runoff Coefficient, based upon a Rainfall Intensity = 0.2 $^{in}/_{hr}$
I = Design Rainfall intensity, 0.2 $^{in}/_{hr}$

A step-by-step procedure for calculating the design flow rate is presented on Worksheet 2. Table 4 shows runoff coefficient values pertaining to the type of soils and percent imperviousness.

Table 4. Runoff Coefficients for an Intensity = 0.2 $^{in}/_{hr}$ for Urban Soil Types*

Impervious %	A Soil RI =32	B Soil RI =56	C Soil RI =69	D Soil RI =75
0 (Natural)	0.06	0.14	0.23	0.28
5	0.10	0.18	0.26	0.31
10	0.14	0.22	0.29	0.34
15	0.19	0.26	0.33	0.37
20 (1-Acre)	0.23	0.30	0.36	0.40
25	0.27	0.33	0.39	0.43
30	0.31	0.37	0.43	0.47
35	0.35	0.41	0.46	0.50
40 (1/2-Acre)	0.40	0.45	0.50	0.53
45	0.44	0.48	0.53	0.56
50 (1/4-Acre)	0.48	0.52	0.56	0.59
55	0.52	0.56	0.60	0.62
60	0.56	0.60	0.63	0.65
65 (Condominiums)	0.61	0.64	0.66	0.68
70	0.65	0.67	0.70	0.71
75 (Mobilehomes)	0.69	0.71	0.73	0.74
80 (Apartments)	0.73	0.75	0.77	0.78
85	0.77	0.79	0.80	0.81
90 (Commercial)	0.82	0.82	0.83	0.84
95	0.86	0.86	0.87	0.87
100	0.90	0.90	0.90	0.90

*Complete District's standards can be found in the Riverside County Flood Control Hydrology Manual

Worksheet 2

Design Procedure Form for Design Flow

Uniform Intensity Design Flow

Designer: _____

Company: _____

Date: _____

Project: _____

Location: _____

1. Determine Impervious Percentage		
a. Determine total tributary area	A_{total} = 8.74 acres	*(1)*
b. Determine Impervious %	i = 0.78 %	*(2)*
2. Determine Runoff Coefficient Values Use **Table 4** and impervious % found in step 1		
a. A Soil Runoff Coefficient	C_a = 0.71	*(3)*
b. B Soil Runoff Coefficient	C_b = 0	*(4)*
c. C Soil Runoff Coefficient	C_c = 0	*(5)*
d. D Soil Runoff Coefficient	C_d = 0	*(6)*
3. Determine the Area decimal fraction of each soil type in tributary area		
a. Area of A Soil / *(1)* =	A_a = 1	*(7)*
b. Area of B Soil / *(1)* =	A_b = 0	*(8)*
c. Area of C Soil / *(1)* =	A_c = 0	*(9)*
d. Area of D Soil / *(1)* =	A_d = 0	*(10)*
4. Determine Runoff Coefficient		
a. C = *(3)*x*(7)* + *(4)*x*(8)* + *(5)*x*(9)* + *(6)*x*(10)* =	C = 0.71	*(11)*
5. Determine BMP Design flow		
a. Q_{BMP} = C x I x A = *(11)* x 0.2 x *(1)*	Q_{BMP} = 1.24 $\frac{ft^3}{s}$	*(12)*

Infiltration Trenches

General

An infiltration trench is an excavated trench that has been refilled with a gravel and sand bed capable of holding the design volume of stormwater runoff. The runoff is stored in the trench over a period of time (48 hours) during which it slowly infiltrates back into the naturally pervious surrounding soil. This infiltration process effectively removes soluble and particulate pollutants; however it is not intended to trap course sediments. It is recommended that an upstream control measure such as a grass swale or filter strip be combined with an infiltration trench to remove sediments that might clog the trench. These trenches also include a bypass system for volumes greater than the design capture volume, and a perforated pipe as an observation well to monitor water depth. An infiltration trench can typically treat developments up to 10 acres.

Infiltration Trench Design Criteria

Design Parameter	Unit	Design Criteria
Design Volume	ft^3	V_{BMP}
Drawdown time	hrs	48 hrs [3]
Maximum Tributary Area	acre	10 acres [2 & 3]
Minimum Infiltration Rate of Soil	in/hr	0.27 in/hr [4]
Trench bottom elevation	ft	5 feet or more above seasonally high groundwater table [1]
Maximum Trench depth (Dm)	ft	8.0 ft [1]
Gravel bed material	ft	Clean, washed aggregate 1 to 3 inches in diameter [1]
Trench lining material	-	Geotextile fabric [1] or 6" layer of sand [4]
Setbacks	ft	100 feet from wells, tanks, fields, or springs [1] 20 feet down slope or 100 feet up slope from foundations [1] Do not locate under tree drip-lines [1]

1 Ventura County's Technical Guidance Manual for Stormwater Quality Control Measures
2 City of Modesto's Guidance Manual for New Development Stormwater Quality Control Measures
3 CA Stormwater BMP Handbook for New Development and Significant Redevelopment
4 Riverside County DAMP Supplement A Attachment

Infiltration Trench Design Procedure

1. Design Storage Volume
   Use Worksheet 1- Design Procedure Form for Design Storage Volume, V_{BMP}.

2. Trench Water Depth
   Calculate the maximum allowable depth of water in the trench, D_m, in feet. Maximum depth should not exceed 8 feet:

   $$D_m = [(t) \times (I)] / (12s)$$

   Where I = site infiltration rate (in/hr)
   s = safety factor
   t = minimum drawdown time (48 hours)

   In the formula for maximum allowable depth, the safety factor accounts for the possibility of inaccuracy in the infiltration rate measurement. The less certain the infiltration rate, the higher the safety factor should be. Minimum safety factors shall be as follows:
   - Without site-specific borings and percolation tests, use s = 10
   - With borings (but no percolation test), use s = 6
   - With percolation test (but no borings), use s = 5
   - With borings and percolation test, use s = 3

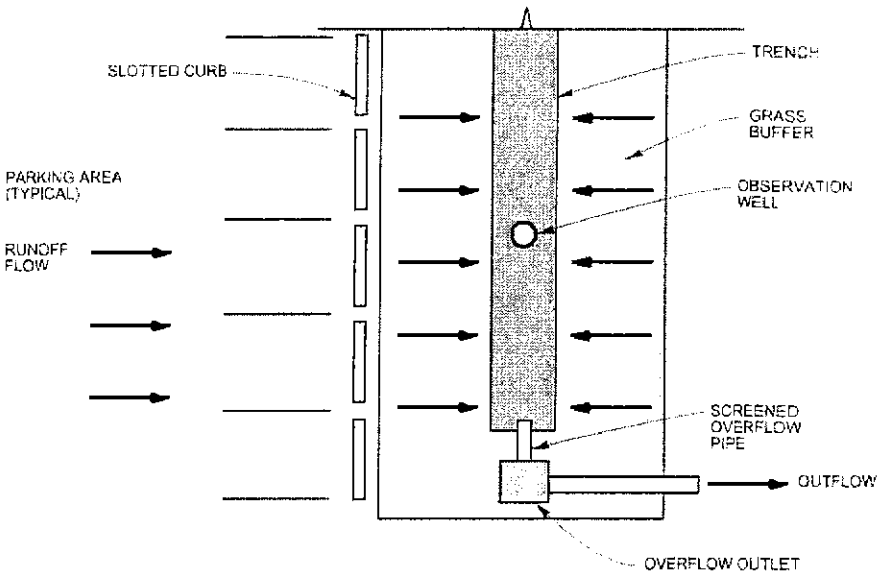
3. Trench Surface Area
   Calculate the minimum surface area of the trench bottom:

   $$A_m = V_{BMP} / D_m$$

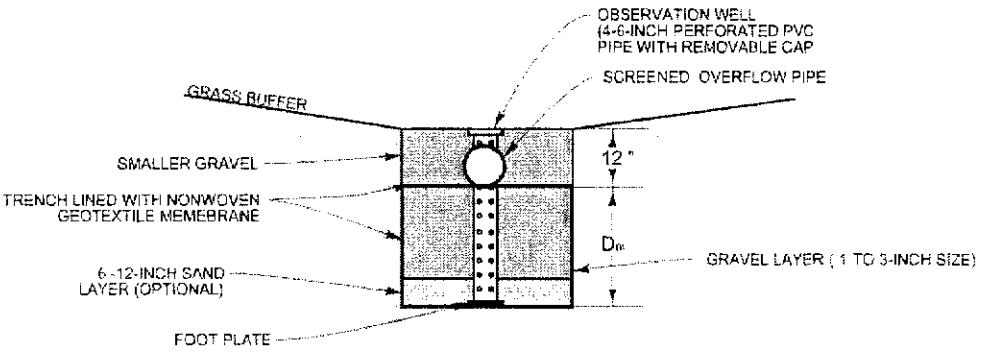
   Where A_m = minimum area required (ft^2)
   V_{BMP} = Detention Volume (ft^3)
   D_m = maximum allowable depth (ft)

4. Observation Well
   Provide a vertical section of perforated PVC pipe, 4 to 6 inches in diameter, installed flush with top of trench on a foot-plate and with a locking, removable cap.

5. Bypass
   Provide for bypass or overflow of runoff volumes in excess of the SQDV by means of a screened overflow pipe connected to downstream storm drainage or grated overflow outlet.



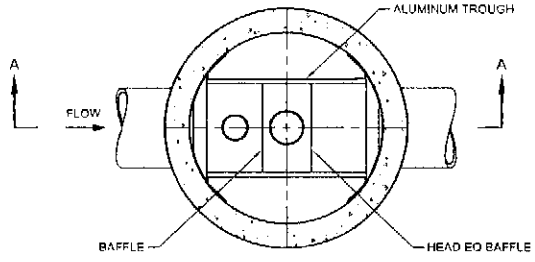
PLAN VIEW



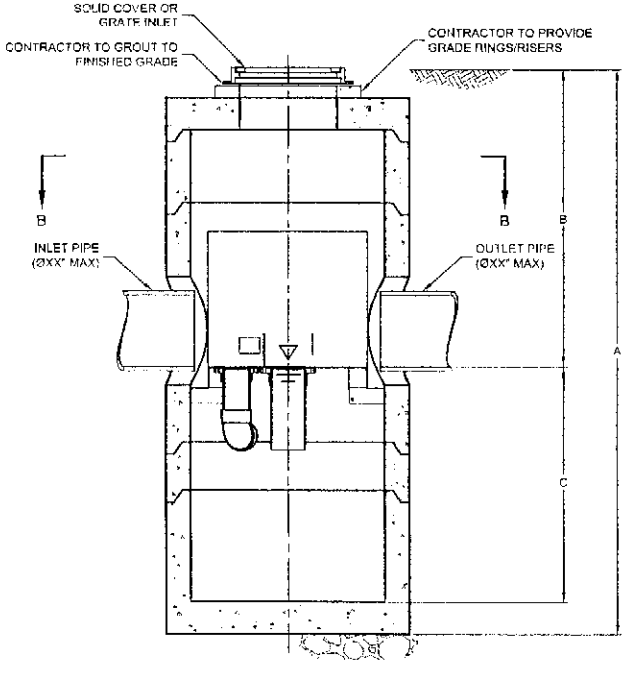
SECTION VIEW

Figure 7: INFILTRATION TRENCH

Source: Ventura County Guidance Manual



PLAN VIEW B-B



SECTION A-A

VortSentry

THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING PATENTS: 6,511,595; 6,649,048; 6,991,114; 7,186,333; 7,296,692; 7,297,266; 7,470,366; 7,563,363; 7,686,173; 7,708,880; 7,905,367; 8,025,794; 8,167,143; 8,287,728; 8,303,810; 8,318,014; 8,337,693; 8,349,173; 8,357,292; 8,361,321; 8,431,005; 8,444,844; 8,470,173; 8,475,648; 8,506,800; 8,512,561; 8,518,256; 8,524,078; 8,551,329; 8,557,110; 8,562,824; 8,580,114; 8,585,892; 8,591,729; 8,613,846; 8,623,199; 8,623,200; 8,628,663; 8,641,902; 8,647,507; 8,663,466; 8,673,151; 8,679,338; 8,679,339; 8,685,243; 8,696,908; 8,702,968; 8,715,496; 8,721,882; 8,734,648; 8,741,148; 8,741,149; 8,747,662; 8,758,615; 8,758,616; 8,764,977; 8,771,511; 8,771,512; 8,778,181; 8,790,513; 8,790,514; 8,790,515; 8,795,519; 8,801,923; 8,801,924; 8,808,536; 8,808,537; 8,814,477; 8,840,778; 8,840,779; 8,840,780; 8,840,781; 8,840,782; 8,840,783; 8,840,784; 8,840,785; 8,840,786; 8,840,787; 8,840,788; 8,840,789; 8,840,790; 8,840,791; 8,840,792; 8,840,793; 8,840,794; 8,840,795; 8,840,796; 8,840,797; 8,840,798; 8,840,799; 8,840,800; 8,840,801; 8,840,802; 8,840,803; 8,840,804; 8,840,805; 8,840,806; 8,840,807; 8,840,808; 8,840,809; 8,840,810; 8,840,811; 8,840,812; 8,840,813; 8,840,814; 8,840,815; 8,840,816; 8,840,817;

Appendix G

AGREEMENTS – CC&RS, COVENANT AND AGREEMENTS AND/OR OTHER MECHANISMS FOR ENSURING ONGOING OPERATION, MAINTENANCE, FUNDING AND TRANSFER OF REQUIREMENTS FOR THIS PROJECT-SPECIFIC WQMP

Appendix H

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT – SUMMARY OF SITE REMEDIATION CONDUCTED AND USE RESTRICTIONS

Appendix I

PROJECT-SPECIFIC WQMP SUMMARY DATA FORM

Project-Specific WQMP Summary Data Form

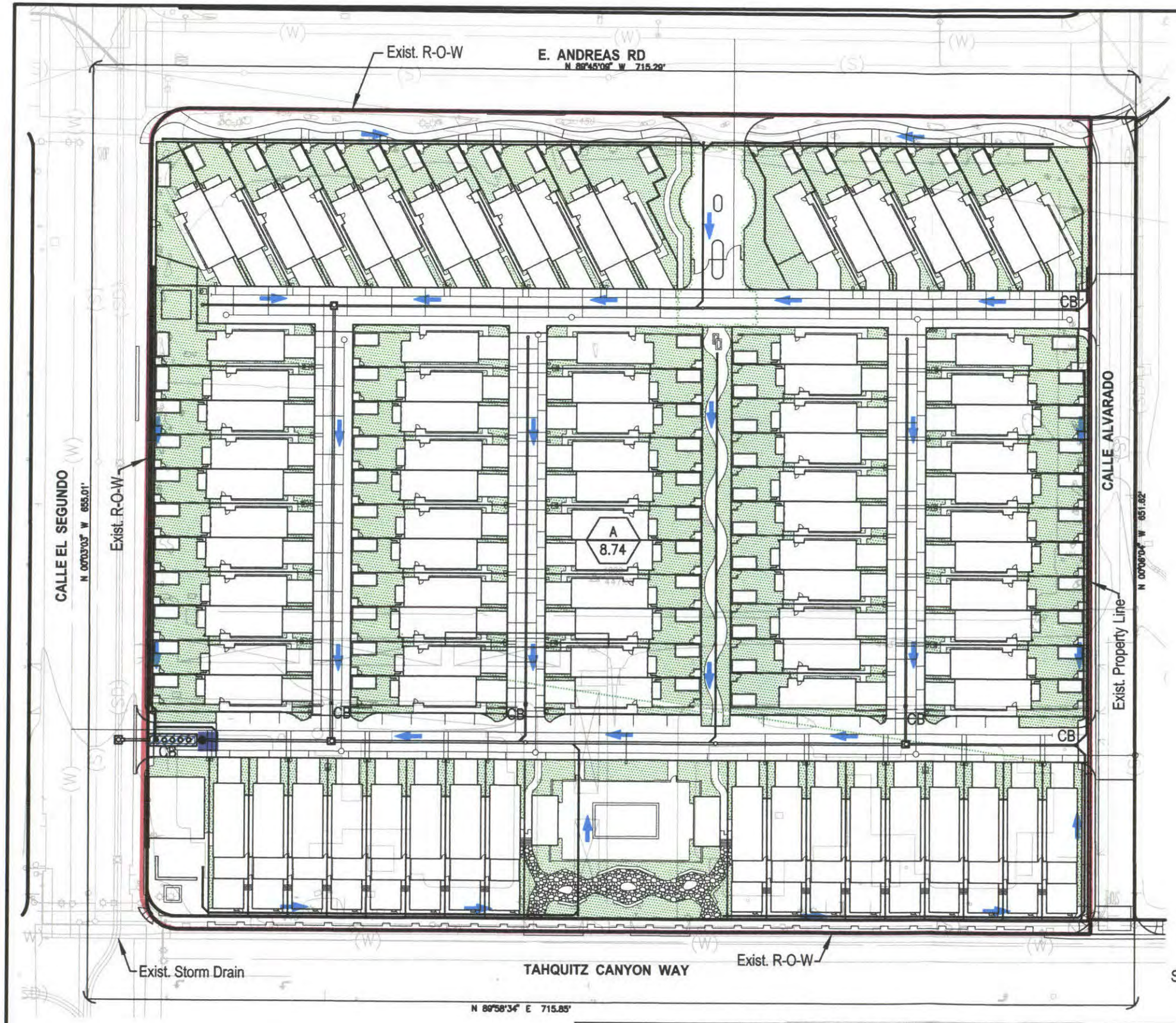
Applicant Information	
Name and Title	Douglas Burroughs, Vice President of Construction
Company	O & M HR, LLC
Phone	(714) 546-5600
Email	dab@nexusd.com

Project Information	
Project Name (as shown on project application/project-specific WQMP)	Aberdeen Residential
Street Address	700-600 East Tahquitz Canyon Way
Nearest Cross Streets	Tahquitz Canyon Way & Calle El Segundo
Municipality (City or Unincorporated County)	City of Palm Springs
Zip Code	92262
Tract Number(s) and/or Assessor Parcel Number(s)	P. M. 36786
Other (other information to help identify location of project)	A.P.N. 508-055-003, 006, 008 & 009
Watershed	Whitewater

Indicate type of project.	Priority Development Projects (Use an "X" in cell preceding project type):
	SF hillside residence; impervious area ≥ 10,000 sq. ft.; Slope ≥ 25%
	SF hillside residence; impervious area ≥ 10,000 sq. ft.; Slope ≥ 10% & erosive soils
	Commercial or Industrial ≥ 100,000 sq. ft.
	Automotive repair shop
	Retail Gasoline Outlet disturbing > 5,000 sq. ft.
	Restaurant disturbing > 5,000 sq. ft.
X	Home subdivision ≥ 10 housing units
	Parking lot ≥ 5,000 sq. ft. or ≥ 25 parking spaces

Date Project-Specific WQMP Submitted	
Size of Project Area (nearest 0.1 acre)	8.74
Project Area managed with Site Design or Low Impact Development (LID) BMPs (nearest 0.1 acre)	8.74
Is the project subject to onsite retention by ordinance or policy?	Yes
Are Treatment Control BMPs required?	Yes
Name of the entity will implement, operate, and maintain the post-construction BMPs	O & M HR, LLC
Contact Name	Douglas Burroughs
Street or Mailing Address	1 MacArthur Place, Suite 300 South
City	Santa Ana
Zip Code	92707
Phone	714-546-5600

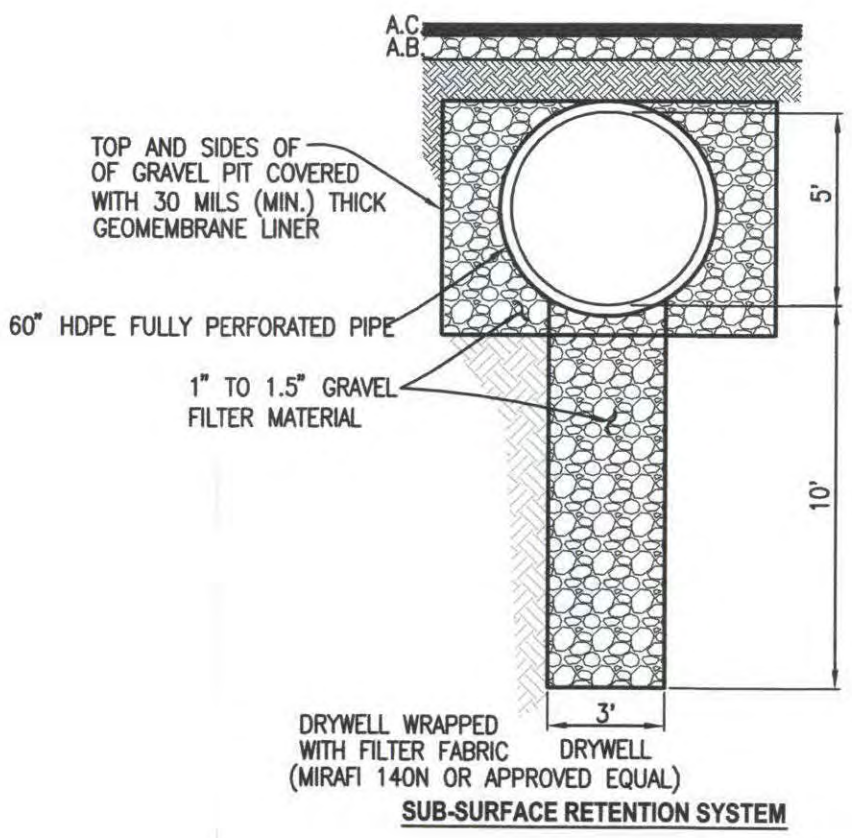
Space Below for Use by City/County Staff Only	
Preceding Information Verified by (consistent with information in project-specific WQMP)	**Name:** **Date:**
Date Project-Specific WQMP Approved:	
Data Entered by	**Name:** **Date:**
Other Comments	



SCALE: 1"=80'

LEGEND

- Drainage Pattern
- Efficient Irrigation and Landscape Design
- Sub-surface Retention System
- Vortsentry HS48
- Trash Container
- C&G — Denotes Curb & Gutter
- CB — Denotes Catch Basin
- R-O-W — Denotes Public Right-of-Way Line
- Denotes Drainage Area Boundary
- A / 8.74 — Denotes Drainage Area Designation / Denotes Drainage Area in Acres



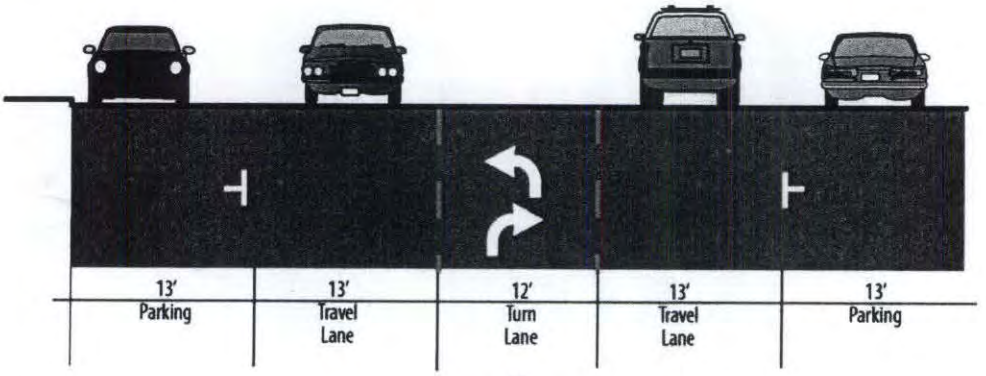
SUB-SURFACE RETENTION SYSTEM

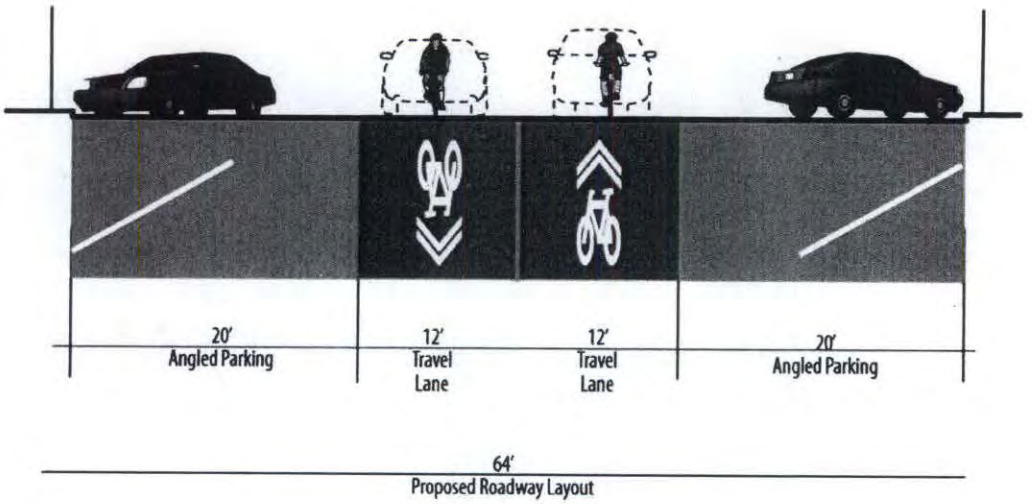
RETENTION SYSTEM							
PIPE FOOTPRINT LxW (FT)	STORAGE CAPACITY (CF)	# OF DRYWELLS IN PIT	DRYWELL CAPACITY (CF) PIxRx10'x#x.4	DRYWELL AREA (SF) 2xPIxRx10'x# (SF)	INFILTRATION RATE (FT/HR)	NEEDED STORAGE CAPACITY (CF)	PIT INFILTRATION TIME (HR) VOL/AREA/RATE
33.5'x8.5	859	5	141	471	0.4167	7,405	24 < 72

WQMP Site Plan
Aberdeen Residential
700-600 Tahquitz Canyon Way
Palm Springs, CA 92262

Calle El Segundo

Existing roadway widths are generally wider than is needed for vehicle travel. This roadway is designated as a collector roadway, but has the street width and right-of-way width of a Secondary Thoroughfare. This width is likely to remain, creating an opportunity to add diagonal on-street parking. The existing Class III bikeways can be enhanced with signage and sharrows, and a conversion to diagonal parking would simultaneously narrow the space assigned to vehicular through-travel, and increase the available on-street parking supply to accommodate future growth and additional development. Sidewalks should be a minimum of 5' wide and located adjacent to a 4' wide landscaped parkway. As an alternative to diagonal on-street parking, 5' Class II bike lanes could be installed with 12' travel lanes, 9' parallel on-street parking areas, and a 12' turn lane.





ARCHITECTURAL ADVISORY COMMITTEE
CITY OF PALM SPRINGS, CALIFORNIA

Large Conference Room, City Hall
3200 East Tahquitz Canyon Way, Palm Springs, California 92262
www.palmspringsca.gov

AGENDA

Monday, January 12, 2015		3:00 PM Regular Meeting

William Fauber, Chair
Gary Fredricks, Vice-Chair
Kenny Cassady
Michael Hirschbein
Randy Purnel
Susan Secoy-Jensen
Maria Song

Flinn Fagg, AICP
Director of Planning Services

Glenn Mlaker, AICP
Assistant Planner

David A. Newell
Associate Planner

Pursuant to the Government Code Section 54957.5(b)(2) the designated office for inspection of public records in connection with the meeting is the Planning Department, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall, Planning Department. Agenda and staff reports are available on the City's website: www.palmspringsca.gov. If you would like additional information on any item appearing on this agenda, please contact the Planning Department at (760) 323-8245.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting, to inform us of your particular needs and to determine if accommodation is feasible.

CALL TO ORDER:

ROLL CALL:

REPORT OF THE POSTING OF AGENDA: Agenda is available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 4:00 pm on Wednesday, January 7, 2015.

ACCEPTANCE OF THE AGENDA: The Architectural Advisory Committee will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENTS: This time has been set aside for members of the public to address the Architectural Advisory Committee on the Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Board. Although the Architectural Advisory Committee values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted Agenda. Three (3) minutes assigned for each speaker.

CONSENT CALENDAR:
The following routine matters may be acted upon by one motion. Individual items may be removed by the Board for separate discussion at this time or under Approval of the Agenda.

1. **APPROVAL OF MINUTES: DECEMBER 22, 2014**

UNFINISHED BUSINESS:

2. **JOHN HALDERMAN, OWNER OF CANYON CLUB RESORT FOR A BUILDING REPAINT AND FAÇADE REPAIRS AT 960 N. PALM CANYON DRIVE, ZONE C-1 (CASE 3.2753 MAA). (GM)**

NEW BUSINESS:

3. **O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 3,000-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)**

COMMITTEE MEMBER COMMENTS:

STAFF MEMBER COMMENTS:

ADJOURNMENT: The Architectural Advisory Committee of the City of Palm Springs will adjourn to the next regular meeting at 3:00 pm on January 26, 2015, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

DEPARTMENT OF PLANNING SERVICES
Application Review & Processing

Project/Location: _____ Case: _____

Applicant/ Address: _____ Phone: _____

Planner Assigned: _____ Fax: _____

NOTES:	Date Completed	Comments
1. Pre-Application Conference -		
* Staff Review	_____	_____
* Director's Review	_____	_____
* Letter(s) to Applicant - Completeness, Environment & Scheduling	_____	_____
2. Pre-Application Project Review -		
* Date submitted	_____	_____
* Planning Staff	_____	_____
Development Committee - Letter		
* Design Review - Letter	_____	_____
* Pl. Comm. Study Session - Letter	_____	_____
3. **Application Filed (Incl. Date)**	_____	_____
4. **Planning Case Review**	_____	_____
5. Dev. Committee - Report to Director w/Conditions-Planner shall schedule	_____	_____
6. Application - Date Completed If not, date incomplete letter to appl.	_____	_____
7. Environmental Assessment/Staff Report Prep. - Discuss issues w/Director, Planning Manager & Applicant	_____	_____
8. Public Notice - (10 or 20 days in advance) Plus time to publish - if applicable printing and mailing	_____	_____
9. Staff Report finalized and printed	_____	_____
10. Review Conditions of Appl. w/ applicant	_____	_____
11. **Staff/Planning Comm. Review & Approval**	_____	_____
12. Stamped Conditions of Appr/Reso/Plans and route to Engr'g & Fire Dept.	_____	_____
13. Appeal Period (10 - 15 days) Review appeal, if applicable	_____	_____
14. **Total Days to Process (#6 to #11)**	_____	_____

FOR COMPLETE RECORD, SEE CASE 5.1361 PD

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
TEL: (760) 323-8245 • FAX: (760) 322-8360 • TDD: (760) 864-9527

Project Application Routing

DATE: December 22, 2014

TO:
- ☒ Rick Minjares, Engineering Associate
- ☒ Jim Zicaro, Building Official
- ☒ Ron Beverly, Deputy Chief / Fire Marshall
- ☒ Margaret Park, Agua Caliente Band of Indians
- ☐ Other_____

FROM: David A. Newell, Associate Planner

RE: **Case No. 5.1361 PD-375 & / 3.3820 MAJ / TTM 36876**
"Aberdeen" at 700-800 East Tahquitz Canyon Way

The Planning Department has received applications for the above-referenced project; a Planned Development District, Major Architectural and Tentative Tract Map for the development of a mixed-use project consisting of 91 units (17 live/work and 74 single-family residential) and approximately 3,000-square feet of commercial on roughly 8.05-acres.

Please review the attached proposal and submit your comments/conditions to the project planner as soon as possible (preferably within 30 dates of the above date). Should you have any questions regarding this project, please contact the project planner, David Newell at (760) 323-8245 ext. 8763.

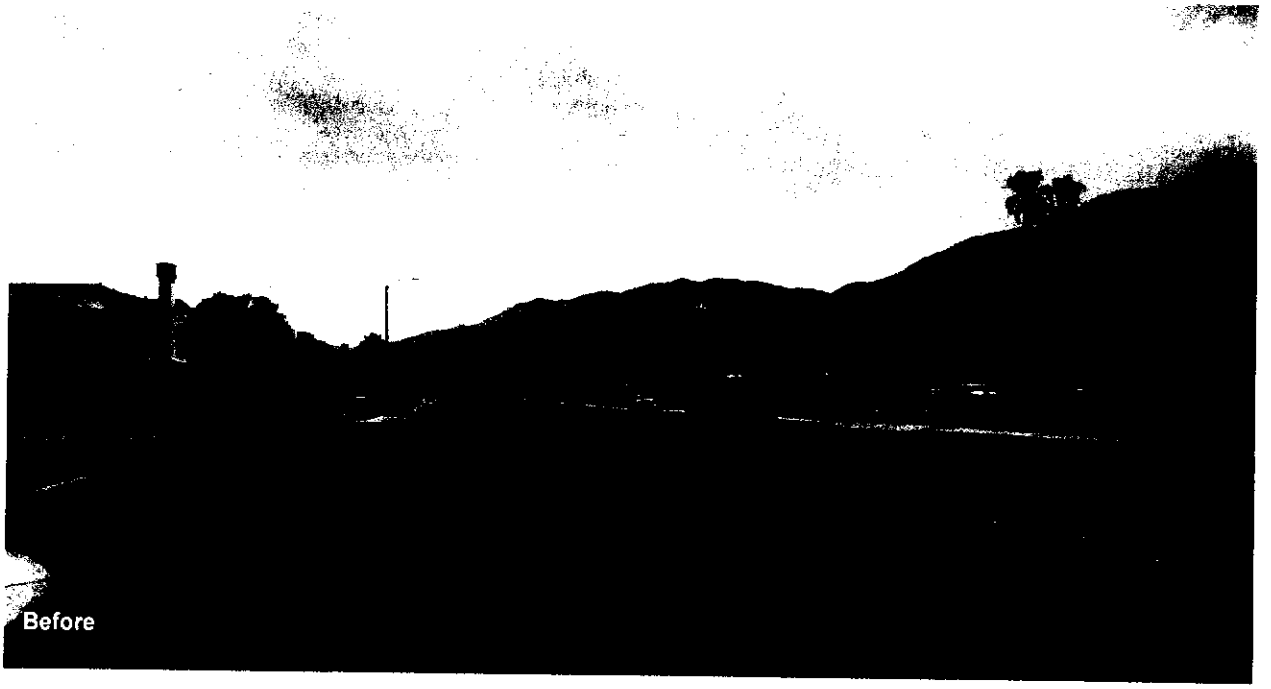
APPLICANT: Nexus Development Corporation

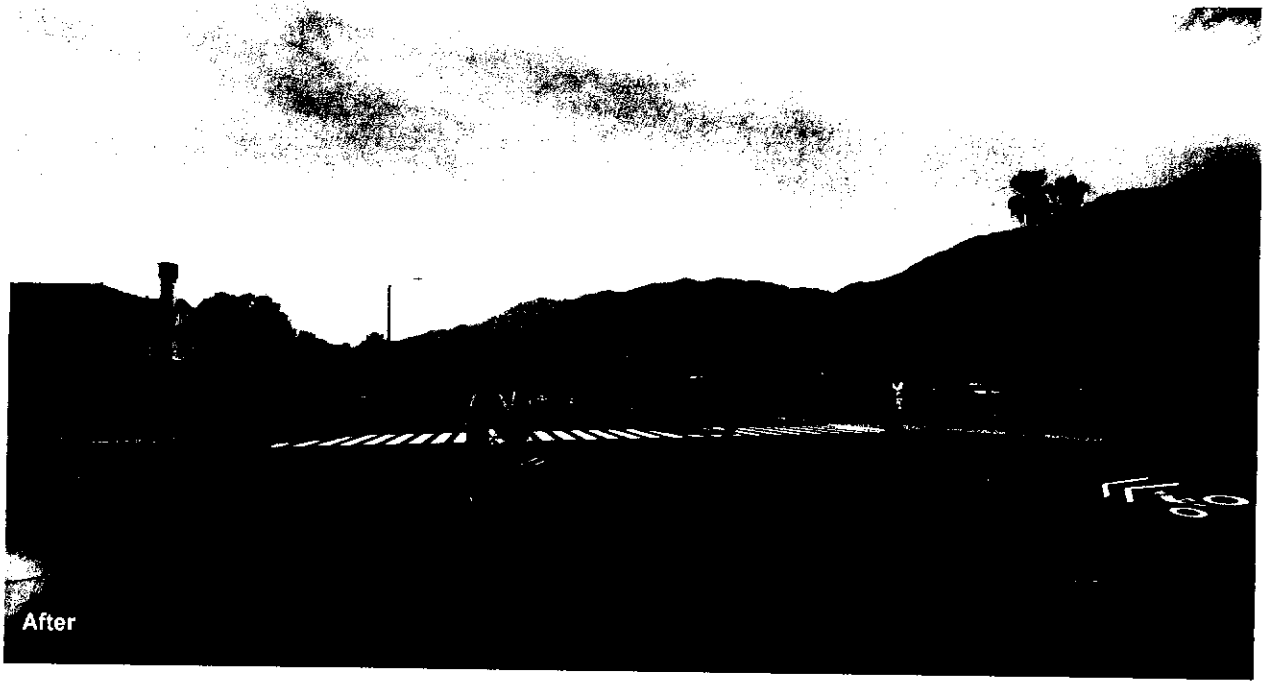
LOCATION: 700-800 E. Tahquitz Canyon Way
(NE corner of Tahquitz Canyon Way and Calle El Segundo)

APN(s): 508-055-003, 508-055-006, 508-055-007, 508-055-008, 508-055-009

Attachments:
- ☒ Tentative Map
- ☒ Site Plan
- ☒ Elevations/Sections
- ☒ Landscape Plan
- ☒ Floor Plan
- ☒ Grading/Drainage Plan
- ☒ Application
- ☒ Roof Plan
- ☒ Other: _____

Calle El Segundo





COMMERCIAL

Tourist Resort Commercial (0.35 FAR for stand-alone commercial uses; 43 hotel rooms per net acre; 86 rooms per net acre on Indian Land). This land use designation provides for large-scale resort hotels and timeshares including a broad range of convenience, fitness, spa, retail, and entertainment uses principally serving resort clientele. Commercial recreation and entertainment facilities, such as convention centers, museums, indoor and outdoor theatres, and water parks are included in this designation, but should be designed to be compatible with neighboring development. Tourist Resort Commercial facilities are most appropriate in the Palm Canyon Drive and Tahquitz Canyon Drive corridors. It is intended that the primary use in any Tourist Resott Commercial area shall be hotel/tourist-related uses; if residential uses are proposed within the Tourist Commercial Designation (timeshares, condominiums, etc.) they shall be a secondary use ancillary to the proposed hotel uses and shall not exceed a maximum of 30 dwelling units per acre. Permanent residential uses and commercial activities are allowed subject to approval of a planned development district.

Tourist Resort Commercial

Small Hotel Resort Commercial (15 hotel rooms per net acre; 10 dwelling units per acre). This designation applies to areas with smaller-scale, boutique type hotels that are typically found in the Warm Sands and Tennis Club neighborhoods. It is intended that the tourist resort character of these neighborhoods be preserved; as a result, new residential uses or conversion of small hotels to residential uses are permitted as long as they comply with the conversion requirements outlined within the City's Zoning Code. Stand-alone retail and commercial uses are not permitted in this land use designation. Ancillary commercial uses such as a gift shop associated with a small hotel use are allowed.

Neighborhood/Community Commercial (0.35 FAR). Areas designated as Neighborhood/Community Commercial provide an opportunity for convenience commercial uses that serve adjacent residential neighborhoods. The commercial opportunities created under this designation are intended to be an integrated element of the neighborhood, providing to nearby residents services such as dry cleaners, grocery stores, bakeries, bank and post office branches, bookstores, drugstores, and smaller-scale restaurants. Harmonious relationships between these commercial uses and adjacent residential uses shall be achieved through compatibility of site design, building scale, pathways and circulation design, and architectural treatment of structures.

Regional Commercial (0.50 FAR). Regional Commercial areas are intended to provide for large-scale commercial uses that serve an area larger than the City boundaries. Allowable uses include department stores, theatres, and restaurants. Uses such as automobile dealerships that have a regional draw are

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

For Staff Use Only
Case Number: 5.1361 PD 375 TTM 36876 & 3.3820 MAJ
In-Take Planner: DN
Date: 12/11/2014

PLANNED DEVELOPMENT DISTRICT

PLANNING / ZONING GENERAL INFORMATION FORM

PLANNING ENTITLEMENTS REQUESTED:

- ○ Administrative Minor Modification
- ○ Change of Zone
- ○ Conditional Use Permit
- ○ HSPB Action
- ○ Major Architectural
- ○ Minor Architectural
- ● Parcel Map / Tract Map
- ● Planned Development District
- ○ Single-Family Architectural
- ○ Variance

TO THE APPLICANT: Please fill out information requested below and attach the appropriate supplemental application.

Project Site Information:

Project Address: 600 - 700 E. Tahquitz Canyon Way Northeast Corner of Calle El Segundo & Tahquitz Canyon Way APN: 508-055-003, 006, 007, 008, 009

Project Name: (Name of Condo or HOA) Aberdeen

Zone: REO/RA GP: _____ Section/Township/Range: 14 / 4 / 4

Description of Project:

Aberdeen is a mixed-use project consisting of 91 units (17 live/work lofts & 74 residential units) and an approx. 3,000sf retail building.

Property Owner Information:

Property Owner's Name: Nexus Development Corporation/Central Division and O&M HR, LLC
Property Owner's Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Property Owner's Phone #: (714) 546-5600 x211 FAX: (714) 546-5660
Property Owner's Email: mbk@nexusd.com

Project Manager, Contractor, Owner's Representative:

Company / Agent's Name: Nexus Development Corporation/Central Division / Robert W. Eres
Agent's Signature: Robert W. Eres
Agent's Mailing Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Agent's Owner's Phone #: (714) 546-5600 x220 FAX: (714) 546-5660
Agent's Owner's Email: rwe@nexusd.com

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

TO THE APPLICANT: Fill out a General Information Cover Form first and attach this supplemental information sheet.

Is the proposed project:

- ○ Conservation Area (MSHCP)
- ○ Historic Designation / District
- ○ Water Course / Floodplain
- ○ Abut State Highway 111
- ○ Specific Plan
- ○ Hillside Lot
- ○ Downtown Parking Combining Zone
- ○ Resort Combining Zone
- ○ Noise Impact Zone
- ○ On the Agua Caliente Band of Cahuilla Indian Reservation Land
- ○ Fall within the Riverside County Airport Land Use Commission Review Area

General Information:

Common Name of Project: Aberdeen

When did present owner acquire the property: parcels 508-055-003 &006 in 2006 and 007, 008, 009 in 2014.

Relationship to larger project: _____

Existing use of project site: south parcels are existing office buildings and north parcels are existing parking lot.

Residential Projects:

Proposed building square footage: 108,483 Net Lot Area: _____

Number of dwelling units: 91 Number of stories: 2 and 3 stories Height: 30-41'2 ft.

Largest single building: (sq. ft.) 3,196 Number of stories: 3 stories Height: 41'2 ft.

Describe recreational facilities: The project will have a fitness center, common pool, jacuzzi. and BBQ areas

Parking spaces required: 228 Number provided: 364
(Per PSZC 93.06)

Commercial Projects:

Proposed building square footage: 1,998 Net Lot Area: _____

Type of uses and major functions: cafe and office space

Square footage of building area devoted to each proposed use: 1,557sf cafe and 431 office

Number of stories: 1 Height: 18 ft.

Largest single building: (sq. ft.) 1.998 Number of stories: 1 Height: 18 ft.

Parking spaces required: 19 Number provided: 15
(Per PSZC 93.06)

Hours of operation: TBD

Maximum number of clients, patrons, shoppers at one time: _____

Maximum number of employees at one time: _____

Area and percent of total project devoted to:

Building	108,483 sq. ft.	31 %
Paving including streets or drives:	77,143 sq. ft.	22 %
Landscaping, Open, Recreation:	165404 sq. ft.	47 %
TOTAL PROJECT AREA	351,030 sq. ft.	100 %

CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Major Architectural application will be accepted. Please check off each item to assure completeness.

	Applicant Only	City Use Only
Application Information:		
• General Information Form + Planned Development District Form	☑	☑
• Justification Letter	☑	☑
Site Information:		
• Site Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Site Plan: reduced copies to 11" x 17" (8 copies)	☑	☑
• Landscape Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Landscape legend with plant types, sizes, and quantities	☑	☑
• Parking lot shading exhibit (93.06.00(C)(3)(a))	☑	☐
• Grading Plan (4 copies folded)	☑	☑
• Site cross-section (4 copies folded)	☑	☑
• Site photographs: 8 ½" x 11"	☑	☑
• Topographic Map (4 copies folded) On Site Plan ☑		
• Drainage Plan (4 copies folded) On Site Plan ☑		
• Exterior Lighting Plan (4 copies folded) On Site Plan ☑ (Photometric Plan)		
Architectural Information:		
• Building Elevations: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Building Elevations: reduced copies to 11" x 17" (8 copies)	☑	☑
• Floor Plan: 24" x 36" (4 copies folded)	☑	☑
• Roof Plan: 24" x 36" (4 copies folded)	☑	☑
• Color and material sample board	☑	☑
• Perspective or 3-D images (1 color rolled)	☑	☑
• Electronic copy of plans and color exhibits in PDF image format (max 5 MB)	☑	☐
Studies and Reports (when applicable):		
• CEQA documentation	☐	☐
• Hydrology Study	☑	☑
• Proof of ownership (Title Report)	☐	☐
• Traffic Study	☐	☐

The following information is required for the City to process your application properly:

Company Name: _Nexus Development Corporation/Central Division

Address: 1 MacArthur Place, Suite 300 Santa Ana, CA 92707

Phone #: ___(714) 546-5600 Web Site: __www.nexusd.com

OFFICERS

Name: _Matthew B. Kaufman Title: Sr. VP of Operations/CFO

Address: __1 MacArthur Place, Suite 300 Santa Ana, CA 92707

Phone #: ____(714) 546-5600_x211 Email: _mbk@nexusd.com

Name: Title:

Address:

Phone #: Email:

Name: Title:

Address:

Phone #: Email:

ARCHITECT

Name: Chris Pardo Design - Chris Pardo Title: Principal

Address: 700 E. Tahquitz Canyon Way, Suite A Palm Springs, CA 92262

Phone #: (206) 329-1654 Email: pardo@elementalarchitecture.com

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ENGINEER

Name: Walden & Associates - Dave Bacon Title: Partner

Address: 2552 White Road, Suite B__Irvine, CA 92614

Phone #: (949) 660-0110 Email: dbacon@waldenassociates.net

LANDSCAPE ARCHITECT

Name: RLA - Jim Ridge Title: Principal

Address: 8841 Research Drive Irvine, CA 92618

Phone #: (949) 387-1323 x21 Email: jim@ridgela.com

The following forms must be completed in the presence of a Notary Public.
Select the form best fitting the type of authorization required.

OWNER AFFIDAVIT

State of California)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executedT he instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE OR AGENT AUTHORIZATION

State of California)
)ss.
County: Orange

On Dec. 11th, 2014 before me, Analia V. Cuevas, Notary Public
Name and Title of Officer

Personally appeared
Robert William Gres
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed in his/~~her/their~~ authorized capacity (~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed The instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

ANALIA V. CUEVAS
Commission # 2018416
Notary Public - California
Orange County
My Comm. Expires Apr 7, 2017

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE AFFIDAVIT

State of California)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

_____
Signature of Notary Public

The Vision to Develop and the Commitment to Deliver

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

December 11, 2014

Mr. Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

5.13611

Re: PDD Application Package – Aberdeen, a proposed mixed-use project located at the Northeast corner of Calle El Segundo and Tahquitz Canyon Way

Dear Flinn:

Please find enclosed an application and submittal package for a proposed Planned Development District (PDD) and Tentative Tract Map (TTM), which consists of a mixed-use project on approximately 8.05 acres of land located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. Per Section 14, we are proposing a consolidated project and requesting certain benefits identified within Section 14 as the Project is over 5 acres in size and currently consists of 5 land parcels. The Project, referred to as Aberdeen, proposes 17 live/work lofts, 74 residential units, and a small retail building.

Each residential unit will have a 2 car garage with long driveways for guest parking and will boast its own backyard with private dipping pool (spool). The live/work lofts will also have 2 car garages and will have access to the common area located at the south of the Project, which will include such amenities as a large common pool area, jacuzzi, fitness center, clubhouse, BBQ area, and other outdoor recreational facilities.

Per Section 14, the south 1/3 of the site is zoned REO and the north 2/3 of the site is zoned RA. We believe that the proposed Project fits within the current zoning on the site as the live/work lofts and retail portion of the Project is located on the south 1/3 and the residential is located on the north 2/3 of the site. Furthermore, we believe that a PDD is warranted given the numerous parcels that were assembled over the past 9 years in order to bring together such a large scale project. Additionally, certain public benefits are included in the proposed Project such as the creation of a new street called Calle Alvarado. Currently the front door to the convention center is hidden behind Andreas Road, however with the creation of Calle Alvarado, visitors (both pedestrian and vehicular) will be able to easily drive from Tahquitz Canyon Way directly north to the convention center by utilizing Calle Alvarado. We are decreasing the overall size of the Project from 9.8 acres to 8.05 acres in order to accommodate the new street. Another great public benefit will be the creation of an art walk plaza located in the center of the

NEXUS Development Corporation Central Division
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

south portion of the project accessed by Tahquitz Canyon Way. Numerous other public benefits will also occur by way of the Project itself being constructed.

In the interest of time, we are proposing a preliminary and final PDD review with this application. We look forward to working with staff and having the opportunity to present this exciting Project to the Architectural Advisory Committee, Planning Commission, and City Council at the earliest available dates. As always, if you should have any questions or concerns, please do not hesitate to contact myself or Rich Meaney.

Sincerely,

Robert W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

5.1361

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
36876	TTM	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$67.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$9,432.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

TOTAL FEE(S) $9,499.00

Check # 079193

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert V. [illegible]	D. [illegible]	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6748

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

079193

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA

16-65/1220

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
3.3820	MAJ	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$4,236.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$88.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

Check #079193

TOTAL FEE(S) $4,324.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert U. [illegible]	D. [illegible]	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6749

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA
16-66/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
5.1361	PD-375	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$8,346.00
FINAL DEVELOPMENT PLAN FEE	$3,473.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$872.36

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$360.00
OTHER MISC	$0.00

Check # 07193

TOTAL FEE(S) $13,051.36

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert V. [illegible]	D. Trujillo	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6747

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America.
500 Newport Center Drive
Newport Beach, CA
16-66/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

DEPARTMENT OF PLANNING SERVICES
Application Review & Processing

Project/Location: _____ Case: _____

Applicant/ Address: _____ Phone: _____

Planner Assigned: _____ Fax: _____

NOTES:	Date Completed	Comments
1. Pre-Application Conference -		
* Staff Review	_____	_____
* Director's Review	_____	_____
* Letter(s) to Applicant - Completeness, Environment & Scheduling	_____	_____
2. Pre-Application Project Review -		
* Date submitted	_____	_____
* Planning Staff	_____	_____
Development Committee - Letter		
* Design Review - Letter	_____	_____
* Pl. Comm. Study Session - Letter	_____	_____
3. **Application Filed (Incl. Date)**	_____	_____
4. **Planning Case Review**	_____	_____
5. Dev. Committee - Report to Director w/Conditions-Planner shall schedule	_____	_____
6. Application - Date Completed If not, date incomplete letter to appl.	_____	_____
7. Environmental Assessment/Staff Report Prep. - Discuss issues w/Director, Planning Manager & Applicant	_____	_____
8. Public Notice - (10 or 20 days in advance) Plus time to publish - if applicable printing and mailing	_____	_____
9. Staff Report finalized and printed	_____	_____
10. Review Conditions of Appl. w/ applicant	_____	_____
11. **Staff/Planning Comm. Review & Approval**	_____	_____
12. Stamped Conditions of Appr/Reso/Plans and route to Engr'g & Fire Dept.	_____	_____
13. Appeal Period (10 - 15 days) Review appeal, if applicable	_____	_____
14. **Total Days to Process (#6 to #11)**	_____	_____

1520 11TH AVENUE STE G
Seattle WA 98122

700 E. TAHQUITZ CANYON STE A
PALMS SPRINGS, CA 92262

CHRIS PARDO DESIGN

TRANSMITTAL

January 20, 2015

CITY OF PALM SPRINGS
Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
Attn: Mr. Edward O. Robertson

RE: Planning Department Submittal
"Aberdeen"
600-700 Tahquitz Palm Springs, CA
APN 508-055-003 / 508-055--006 / 508-055-007 / 508-055-008 / 508-055-009

Palm Springs, CA

Dear Mr. David Newell,

Per the city's request, the following drawings are being transmitted in addition to the original submittal of December 21, 2014 in pursuit of Major Architectural approvals from the City of Palm Springs Architectural Design Review Committee regarding the above referenced project.

1. Architectural Drawings, (1) one copies 24x36 each: Aberdeen 3-Dimensional Renderings R1.01 – R1.08 / A4.0 Site Cross Section

2. Architectural Drawings, (12) twelve copies 11x17 each: Aberdeen 3-Dimensional Renderings R1.01 – R1.08 / A4.0 Site Cross Section

Please don't hesitate to contact me should you require additional information.
Thank you for your attention to this matter.

Sincerely,

Jason Schmidt
Elemental Architecture
jason@elementalarchitecture.com

Copy: Mr Rich Meaney, Mr. Chris Pardo

1520 11TH AVENUE STE G
Seattle WA 98122

700 E. TAHQUITZ CANYON STE A
PALMS SPRINGS, CA 92262

CHRIS PARDO DESIGN

TRANSMITTAL

January 15, 2015

CITY OF PALM SPRINGS
Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
Attn: Mr. Edward O. Robertson

RE: Planning Department Submittal
"Aberdeen"
600-700 Tahquitz Palm Springs, CA
APN 508-055-003 / 508-055--006 / 508-055-007 / 508-055-008 / 508-055-009

Palm Springs, CA

Dear Mr. David Newell,

Per the city's request, the following drawings are being transmitted in addition to the original submittal of December 21, 2014 in pursuit of Major Architectural approvals from the City of Palm Springs Architectural Design Review Committee regarding the above referenced project.

1. Architectural Drawings, (3) one copies 24x36 each: Aberdeen Site Plan A1.00
2. Architectural Drawings, (12) twelve copies 11x17 each: Aberdeen Site Plan A1.00

Please don't hesitate to contact me should you require additional information.
Thank you for your attention to this matter.

Sincerely,

Jason Schmidt
Elemental Architecture
jason@elementalarchitecture.com

Copy: Mr Rich Meaney, Mr. Chris Pardo

RECEIVED
PLANNING SERVICES
DEPARTMENT
3.3820

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

For Staff Use Only
Case Number: 5.1361 PD 375 TTM 36876 & 3.3820 MAJ
In-Take Planner: DN
Date: 12/11/2014

PLANNED DEVELOPMENT DISTRICT

PLANNING / ZONING GENERAL INFORMATION FORM

PLANNING ENTITLEMENTS REQUESTED:

- ○ Administrative Minor Modification
- ○ HSPB Action
- ● Parcel Map / Tract Map
- ○ Variance
- ○ Change of Zone
- ○ Major Architectural
- ● Planned Development District
- ○ Conditional Use Permit
- ○ Minor Architectural
- ○ Single-Family Architectural

TO THE APPLICANT: Please fill out information requested below and attach the appropriate supplemental application.

Project Site Information:

Project Address: 600 - 700 E. Tahquitz Canyon Way Northeast Corner of Calle El Segundo & Tahquitz Canyon Way APN: 508-055-003, 006, 007, 008, 009

Project Name: (Name of Condo or HOA) Aberdeen

Zone: REO/RA GP: _____ Section/Township/Range: 14 / 4 / 4

Description of Project:

Aberdeen is a mixed-use project consisting of 91 units (17 live/work lofts & 74 residential units) and an approx. 3,000sf retail building.

Property Owner Information:

Property Owner's Name: Nexus Development Corporation/Central Division and O&M HR, LLC
Property Owner's Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Property Owner's Phone #: (714) 546-5600 x211 FAX: (714) 546-5660
Property Owner's Email: mbk@nexusd.com

Project Manager, Contractor, Owner's Representative:

Company / Agent's Name: Nexus Development Corporation/Central Division / Robert W. Eres
Agent's Signature: Robert W. Eres
Agent's Mailing Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Agent's Owner's Phone #: (714) 546-5600 x220 FAX: (714) 546-5660
Agent's Owner's Email: rwe@nexusd.com

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

TO THE APPLICANT: Fill out a General Information Cover Form first and attach this supplemental information sheet.

Is the proposed project:

- ○ Conservation Area (MSHCP)
- ○ Historic Designation / District
- ○ Water Course / Floodplain
- ○ Abut State Highway 111
- ○ Specific Plan
- ○ Hillside Lot
- ○ Downtown Parking Combining Zone
- ○ Resort Combining Zone
- ○ Noise Impact Zone
- ○ On the Agua Caliente Band of Cahuilla Indian Reservation Land
- ○ Fall within the Riverside County Airport Land Use Commission Review Area

General Information:

Common Name of Project: Aberdeen

When did present owner acquire the property: parcels 508-055-003 &006 in 2006 and 007, 008, 009 in 2014.

Relationship to larger project: _____

Existing use of project site: south parcels are existing office buildings and north parcels are existing parking lot.

Residential Projects:

Proposed building square footage: 108,483 Net Lot Area: _____

Number of dwelling units: 91 Number of stories: 2 and 3 stories Height: 30-41'2 ft.

Largest single building: (sq. ft.) 3,196 Number of stories: 3 stories Height: 41'2 ft.

Describe recreational facilities: The project will have a fitness center, common pool, jacuzzi. and BBQ areas

Parking spaces required: 228 Number provided: 364
(Per PSZC 93.06)

Commercial Projects:

Proposed building square footage: 1,998 Net Lot Area: _____

Type of uses and major functions: cafe and office space

Square footage of building area devoted to each proposed use: 1,557sf cafe and 431 office

Number of stories: 1 Height: 18 ft.

Largest single building: (sq. ft.) 1.998 Number of stories: 1 Height: 18 ft.

Parking spaces required: 19 Number provided: 15
(Per PSZC 93.06)

Hours of operation: TBD

Maximum number of clients, patrons, shoppers at one time: _____

Maximum number of employees at one time: _____

Area and percent of total project devoted to:

Building	108,483 sq. ft.	31 %
Paving including streets or drives:	77,143 sq. ft.	22 %
Landscaping, Open, Recreation:	165404 sq. ft.	47 %
TOTAL PROJECT AREA	351,030 sq. ft.	100 %

CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Major Architectural application will be accepted. Please check off each item to assure completeness.

	Applicant Only	City Use Only
Application Information:		
• General Information Form + Planned Development District Form	☑	☑
• Justification Letter	☑	☑
Site Information:		
• Site Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Site Plan: reduced copies to 11" x 17" (8 copies)	☑	☑
• Landscape Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Landscape legend with plant types, sizes, and quantities	☑	☑
• Parking lot shading exhibit (93.06.00(C)(3)(a))	☑	☐
• Grading Plan (4 copies folded)	☑	☑
• Site cross-section (4 copies folded)	☑	☑
• Site photographs: 8 ½" x 11"	☑	☑
• Topographic Map (4 copies folded) On Site Plan ☑		
• Drainage Plan (4 copies folded) On Site Plan ☑		
• Exterior Lighting Plan (4 copies folded) On Site Plan ☑ (Photometric Plan)		
Architectural Information:		
• Building Elevations: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Building Elevations: reduced copies to 11" x 17" (8 copies)	☑	☑
• Floor Plan: 24" x 36" (4 copies folded)	☑	☑
• Roof Plan: 24" x 36" (4 copies folded)	☑	☑
• Color and material sample board	☑	☑
• Perspective or 3-D images (1 color rolled)	☑	☑
• Electronic copy of plans and color exhibits in PDF image format (max 5 MB)	☑	☐
Studies and Reports (when applicable):		
• CEQA documentation	☐	☐
• Hydrology Study	☑	☑
• Proof of ownership (Title Report)	☐	☐
• Traffic Study	☐	☐

The following information is required for the City to process your application properly:

Company Name: _Nexus Development Corporation/Central Division

Address: 1 MacArthur Place, Suite 300 Santa Ana, CA 92707

Phone #: ___(714) 546-5600 Web Site: __www.nexusd.com

OFFICERS

Name: _Matthew B. Kaufman Title: Sr. VP of Operations/CFO

Address: __1 MacArthur Place, Suite 300 Santa Ana, CA 92707

Phone #: ____(714) 546-5600_x211 Email: _mbk@nexusd.com

Name: Title:

Address:

Phone #: Email:

Name: Title:

Address:

Phone #: Email:

ARCHITECT

Name: Chris Pardo Design - Chris Pardo Title: Principal

Address: 700 E. Tahquitz Canyon Way, Suite A Palm Springs, CA 92262

Phone #: (206) 329-1654 Email: pardo@elementalarchitecture.com

---

ENGINEER

Name: Walden & Associates - Dave Bacon Title: Partner

Address: 2552 White Road, Suite B__Irvine, CA 92614

Phone #: (949) 660-0110 Email: dbacon@waldenassociates.net

LANDSCAPE ARCHITECT

Name: RLA - Jim Ridge Title: Principal

Address: 8841 Research Drive Irvine, CA 92618

Phone #: (949) 387-1323 x21 Email: jim@ridgela.com

The following forms must be completed in the presence of a Notary Public.
Select the form best fitting the type of authorization required.

OWNER AFFIDAVIT

State of California)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executedT he instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE OR AGENT AUTHORIZATION

State of California)
)ss.
County: Orange

On Dec. 11th, 2014 before me, Analia V. Cuevas, Notary Public
Name and Title of Officer

Personally appeared
Robert William Gres
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed in his/~~her/their~~ authorized capacity (~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed The instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

ANALIA V. CUEVAS
Commission # 2018416
Notary Public - California
Orange County
My Comm. Expires Apr 7, 2017

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE AFFIDAVIT

State of California)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal

_____
Signature of Notary Public

The Vision to Develop and the Commitment to Deliver

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

December 11, 2014

Mr. Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

5.1361

Re: PDD Application Package – Aberdeen, a proposed mixed-use project located at the Northeast corner of Calle El Segundo and Tahquitz Canyon Way

Dear Flinn:

Please find enclosed an application and submittal package for a proposed Planned Development District (PDD) and Tentative Tract Map (TTM), which consists of a mixed-use project on approximately 8.05 acres of land located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. Per Section 14, we are proposing a consolidated project and requesting certain benefits identified within Section 14 as the Project is over 5 acres in size and currently consists of 5 land parcels. The Project, referred to as Aberdeen, proposes 17 live/work lofts, 74 residential units, and a small retail building.

Each residential unit will have a 2 car garage with long driveways for guest parking and will boast its own backyard with private dipping pool (spool). The live/work lofts will also have 2 car garages and will have access to the common area located at the south of the Project, which will include such amenities as a large common pool area, jacuzzi, fitness center, clubhouse, BBQ area, and other outdoor recreational facilities.

Per Section 14, the south 1/3 of the site is zoned REO and the north 2/3 of the site is zoned RA. We believe that the proposed Project fits within the current zoning on the site as the live/work lofts and retail portion of the Project is located on the south 1/3 and the residential is located on the north 2/3 of the site. Furthermore, we believe that a PDD is warranted given the numerous parcels that were assembled over the past 9 years in order to bring together such a large scale project. Additionally, certain public benefits are included in the proposed Project such as the creation of a new street called Calle Alvarado. Currently the front door to the convention center is hidden behind Andreas Road, however with the creation of Calle Alvarado, visitors (both pedestrian and vehicular) will be able to easily drive from Tahquitz Canyon Way directly north to the convention center by utilizing Calle Alvarado. We are decreasing the overall size of the Project from 9.8 acres to 8.05 acres in order to accommodate the new street. Another great public benefit will be the creation of an art walk plaza located in the center of the

NEXUS Development Corporation Central Division
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

south portion of the project accessed by Tahquitz Canyon Way. Numerous other public benefits will also occur by way of the Project itself being constructed.

In the interest of time, we are proposing a preliminary and final PDD review with this application. We look forward to working with staff and having the opportunity to present this exciting Project to the Architectural Advisory Committee, Planning Commission, and City Council at the earliest available dates. As always, if you should have any questions or concerns, please do not hesitate to contact myself or Rich Meaney.

Sincerely,

Robert W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

5.1361

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
3.3820	MAJ	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$4,236.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$88.00
OTHER MISC	$0.00

Check #079193

TOTAL FEE(S) $4,324.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert U. Ems	D. Gazzell	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6749

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA

16-86/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
5.1361	PD-375	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$8,346.00
FINAL DEVELOPMENT PLAN FEE	$3,473.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$872.36

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$360.00
OTHER MISC	$0.00

Check # 07193

TOTAL FEE(S) $13,051.36

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert V. [illegible]	D. Trujillo	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6747

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA
16-66/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

VP

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
36876	TTM	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$67.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$9,432.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

TOTAL FEE(S) $9,499.00

Check # 079193

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert W. E	D. Field	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6748

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

079193

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America.
500 Newport Center Drive
Newport Beach, CA

16-66/1220

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

NEXUS COMPANIES

Via Email and Overnight Mail

May 28, 2015

Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E Tahquitz Canyon
Palm Springs, CA 92262

RE: Aberdeen (Case Nos. 5.1361 PD-375, CUP 3.3820 MAJ, and TTM 36876)

Dear Mr. Fagg:

By this letter, O & M HR, LLC and Nexus Development Corporation/Central Division hereby unequivocally and unconditionally withdraw and abandon all pending land use applications associated with the Aberdeen Project (i.e., Case Nos. 5.1361 PD-375, CUP 3.3820 MAJ, and TTM 36876), as well as the associated Mitigated Negative Declaration, from further consideration by the City of Palm Springs. This withdrawal shall take effect immediately.

Very Truly Yours,

Matthew B. Kaufman, on behalf of
O & M HR, LLC and Nexus Development Corporation/Central Division

Cc: James Thompson, City Clerk (via overnight mail and email - cityclerk@palmsprings-ca.gov)
David Ready, City Manager (via email only - david.ready@palmsprings-ca.gov)
Douglas Holland (via email only - dholland@wss-law.com)

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

Terra Nova Planning & Research Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

PO No:	15-0260
Date:	03/01/15
Dept:	Planning
Partial #:	2
Vendor No:	99668

Account Number	Invoice Date	Invoice Number	Invoice Total	Sub-Total
160-4501-60221	03/01/15	TN011502 Aberdeen Initial Study 5.1361 PDD 375	$ 8,702.51	

PO Amount	$	15,165.00
Prior Payments	$	2,502.00
This Payment	$	8,702.51
Balance	$	3,960.49

Remarks:

TOTAL AMOUNT DUE: $ 8,702.51

David Newell, Associate Planner

For Purchasing Dept:

I Certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Flinn Fagg, Department Head:

Received by: Joanne Bruggemans

Date: 3/11/2015

TERRA NOVA PLANNING & RESEARCH INC.®

INVOICE

RECEIVED
MAR 0 9 2015
PLANNING SERVICES
DEPARTMENT

Client: City of Palm Springs/Aberdeen IS
Invoice No.: TN011502
Date: March 1, 2015
PO # 15-0260
Terms: Due upon receipt

Completed Initial Study. Provided to City for comment. Released document for public review period. For period from February 1 to February 28, 2015.

City and Internal Consultation and Meetings	$	206.25
Data Collection, Review of applicant's materials	$	826.25
Air Quality & GHG Analysis (CalEEMOD)	$	2,070.00
Document Drafting	$	4,480.00
Response to Comments (6 hours)	$	0.00
Project Management & City Staff Support	$	280.00
Exhibit Preparation	$	90.00
Transmittal of IS to responsible agencies (up to 30 copies, includes UPS costs and staff time)	$	750.01
Attendance at one Planning Commission & one City Council meeting	$	0.00
Admin. Support (Doc. Formatting & Transmittals)	$	0.00
Misc. Office: Printing of document for distribution, misc. copies, etc.	$	0.00
Total	$	**8,702.51**

Please make check payable to:

Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

All invoices are due and payable upon receipt. A charge of 1.5% per month will be added to all invoices over 30 days past due.

OK for Payment
DN 3/9/15

CITY OF PALM SPRINGS

PARTIAL RECEIVING REPORT

Terra Nova Planning & Research Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

PO No:	15-0260
Date:	02/23/15
Dept:	Planning
Partial #:	1
Vendor No:	99668

Account Number	Invoice Date	Invoice Number	Invoice Total	Sub-Total
160-4501-60221	02/01/15	TN011501	$ 2,502.00	
		Aberdeen Initial Study		
		5.1361 PDD 375		

PO Amount	$ 15,165.00
Prior Payments	$ -
This Payment	$ 2,502.00
Balance	$ 12,663.00

Remarks:

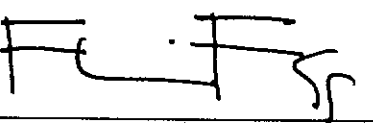
TOTAL AMOUNT DUE: $ 2,502.00

David Newell, Associate Planner

For Purchasing Dept:

I Certify that the articles or services shown above represent partial delivery of the order placed with the purchase order shown and that they were received in good condition.

Flinn Fagg, Department Head:



Received by: Joanne Bruggemans

Date: 3/11/2015

TERRA NOVA PLANNING & RESEARCH INC.®

INVOICE

RECEIVED
FEB 23 2015
PLANNING SERVICES
DEPARTMENT

Client: City of Palm Springs/Aberdeen IS
Invoice No.: TN011501
Date: February 1, 2015
PO # 15-0260
Terms: Due upon receipt

Initiated project activities. Began drafting of Initial Study. Coordinated with City regarding project materials and studies. For period from January 1 to January 31, 2015.

City and Internal Consultation and Meetings	$	288.75
Data Collection, Review of applicant's materials	$	833.75
Air Quality & GHG Analysis (CalEEMOD)	$	0.00
Document Drafting	$	1,120.00
Response to Comments (6 hours)	$	0.00
Project Management & City Staff Support	$	165.00
Exhibit Preparation	$	0.00
Transmittal of IS to responsible agencies (up to 30 copies, includes UPS costs and staff time)	$	0.00
Attendance at one Planning Commission & one City Council meeting	$	0.00
Admin. Support (Doc. Formatting & Transmittals)	$	90.00
Misc. Office: Printing of document for distribution, misc. copies, etc.	$	4.50
Total	**$**	**2,502.00**

OK
-DW
2/23/2015

Please make check payable to:

Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211

All invoices are due and payable upon receipt. A charge of 1.5% per month will be added to all invoices over 30 days past due.

PS CURRENT #20

INVOICE BILLING PERIOD
JANUARY 1 - JANUARY 31, 2015

REIMBURSABLE SUMMARY	
SUMMARY	**AMOUNT**
COPY LOG & PRINTING	$ 4.50
FAX LOG	$ -
SHIPPING - POSTAGE (SEE BACK-UP DOCUMENTS)	$ -
MCI	$ -
MISCELLANEOUS	$ -
CAD DRAFTING & MISC. EXHIBIT PREPARATION___ STAFF HRS. @ $55. PER HR	$ -
	$ 4.50

Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211
Ph: 760-341-4800 Fax: 760-341-4455

PS CURRENT #20

INVOICE BILLING PERIOD
JANUARY 1 - JANUARY 31, 2015

REIMBURSABLE COPY & PRINTING					
LOG RUN DATE	# OF B/W COPIES	B/W $0.15 PER PAGE	# OF COLOR COPIES	COLOR $0.30 PER PAGE	AMOUNT
		$ -		$ -	$ -
30-Jan	4	$ 0.60	13	$ 3.90	$ 4.50
		$ -		$ -	$ -
		$ -		$ -	$ -
	0	$ -		$ -	$ -
	0	$ -	0	$ -	$ -
TOTAL REIMBURSABLE COPIES					$ 4.50

DATE POSTED	DATE OF INVOICE	PAYABLE TO	DESCRIPTION	TOTAL
TOTAL REIMBURSABLE PRINTING				$ -

	$ 4.50

Terra Nova Planning & Research, Inc.
42635 Melanie Place, Suite 101
Palm Desert, CA 92211
Ph: 760-341-4800 Fax: 760-341-4455

Updated 1/30/15

6503512300

NO. : 20 USER NAME : 20

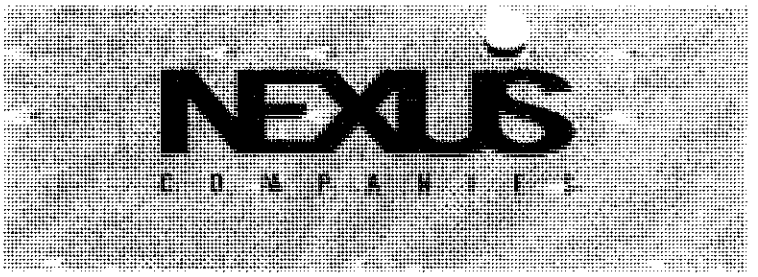
	BLACK & WHITE	FULL COLOR	2 COLOR	SINGLE COLOR
COPY / LIMIT	00,000,000/--,---,---	00,000,000/--,---,---	00,000,000/--,---,---	00,000,000/--,---,---
PRINTER / LIMIT	00,000,004/--,---,---	00,000,013/--,---,---		
DOC.FILING PRINT / LIMIT	00,000,000/--,---,---	00,000,000/--,---,---	00,000,000/--,---,---	
LIST PRINT / LIMIT	00,000,000/--,---,---	00,000,000/--,---,---		
SCAN SEND / LIMIT	00,000,000/--,---,---	00,000,000/--,---,---		

PS CURRENT

40 . 15 = 6.00

13 . 30 = 3.90

4.50



The Vision to Envision and the Commitment to Get It

RECEIVED
MAY 28 2015
PLANNING SERVICES
DEPARTMENT

Via Email and Overnight Mail

May 28, 2015

Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E Tahquitz Canyon
Palm Springs, CA 92262

RE: Aberdeen (Case Nos. 5.1361 PD-375, CUP 3.3820 MAJ, and TTM 36876)

Dear Mr. Fagg:

By this letter, O & M HR, LLC and Nexus Development Corporation/Central Division hereby unequivocally and unconditionally withdraw and abandon all pending land use applications associated with the Aberdeen Project (i.e., Case Nos. 5.1361 PD-375, CUP 3.3820 MAJ, and TTM 36876), as well as the associated Mitigated Negative Declaration, from further consideration by the City of Palm Springs. This withdrawal shall take effect immediately.

Very Truly Yours,

Matthew B. Kaufman, on behalf of
O & M HR, LLC and Nexus Development Corporation/Central Division

Cc: James Thompson, City Clerk (via overnight mail and email - cityclerk@palmsprings-ca.gov)
David Ready, City Manager (via email only - david.ready@palmsprings-ca.gov)
Douglas Holland (via email only - dholland@wss-law.com)

NEXUS Companies
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

December 11, 2014

Mr. Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: PDD Application Package – Aberdeen, a proposed mixed-use project located at the Northeast corner of Calle El Segundo and Tahquitz Canyon Way

Dear Flinn:

Please find enclosed an application and submittal package for a proposed Planned Development District (PDD) and Tentative Tract Map (TTM), which consists of a mixed-use project on approximately 8.05 acres of land located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. Per Section 14, we are proposing a consolidated project and requesting certain benefits identified within Section 14 as the Project is over 5 acres in size and currently consists of 5 land parcels. The Project, referred to as Aberdeen, proposes 17 live/work lofts, 74 residential units, and a small retail building.

Each residential unit will have a 2 car garage with long driveways for guest parking and will boast its own backyard with private dipping pool (spool). The live/work lofts will also have 2 car garages and will have access to the common area located at the south of the Project, which will include such amenities as a large common pool area, jacuzzi, fitness center, clubhouse, BBQ area, and other outdoor recreational facilities.

Per Section 14, the south 1/3 of the site is zoned REO and the north 2/3 of the site is zoned RA. We believe that the proposed Project fits within the current zoning on the site as the live/work lofts and retail portion of the Project is located on the south 1/3 and the residential is located on the north 2/3 of the site. Furthermore, we believe that a PDD is warranted given the numerous parcels that were assembled over the past 9 years in order to bring together such a large scale project. Additionally, certain public benefits are included in the proposed Project such as the creation of a new street called Calle Alvarado. Currently the front door to the convention center is hidden behind Andreas Road, however with the creation of Calle Alvarado, visitors (both pedestrian and vehicular) will be able to easily drive from Tahquitz Canyon Way directly north to the convention center by utilizing Calle Alvarado. We are decreasing the overall size of the Project from 9.8 acres to 8.05 acres in order to accommodate the new street. Another great public benefit will be the creation of an art walk plaza located in the center of the

NEXUS Development Corporation Central Division
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 **ph** 714.546.5600 **fx** 714.546.5660 www.nexusd.com

south portion of the project accessed by Tahquitz Canyon Way. Numerous other public benefits will also occur by way of the Project itself being constructed.

In the interest of time, we are proposing a preliminary and final PDD review with this application. We look forward to working with staff and having the opportunity to present this exciting Project to the Architectural Advisory Committee, Planning Commission, and City Council at the earliest available dates. As always, if you should have any questions or concerns, please do not hesitate to contact myself or Rich Meaney.

Sincerely,

Robert W. Eres

Nexus Development Corporation/Central Division
Vice President of Development

5.1361

RECEIVED
DEC 11 2014
PLANNING SERVICES
DEPARTMENT

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

For Staff Use Only
Case Number: 5.1361 PD 375 TTM 36876 & 3.3820 MAJ

In-Take Planner: DN

Date: 12/11/2014

PLANNED DEVELOPMENT DISTRICT

PLANNING / ZONING GENERAL INFORMATION FORM

PLANNING ENTITLEMENTS REQUESTED:

- ○ Administrative Minor Modification
- ○ HSPB Action
- ● Parcel Map / Tract Map
- ○ Variance
- ● Change of Zone
- ● Major Architectural
- ● Planned Development District
- ○ Conditional Use Permit
- ○ Minor Architectural
- ○ Single-Family Architectural

TO THE APPLICANT: Please fill out information requested below and attach the appropriate supplemental application.

Project Site Information:

Project Address: 600 - 700 E. Tahquitz Canyon Way Northeast Corner of Calle El Segundo & Tahquitz Canyon Way APN: 508-055-003, 006, 007, 008, 009

Project Name: (Name of Condo or HOA) Aberdeen

Zone: REO/RA GP: _____ Section/Township/Range: 14 / 4 / 4

Description of Project:

Aberdeen is a mixed-use project consisting of 91 units (17 live/work lofts & 74 residential units) and an approx. ~~8,000~~ 1,568 sf retail building.

Property Owner Information:

Property Owner's Name: Nexus Development Corporation/Central Division and O&M HR, LLC
Property Owner's Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Property Owner's Phone #: (714) 546-5600 x211 FAX: (714) 546-5660
Property Owner's Email: mbk@nexusd.com

Project Manager, Contractor, Owner's Representative:

Company / Agent's Name: Nexus Development Corporation/Central Division / Robert W. Eres
Agent's Signature: Robert W. Eres
Agent's Mailing Address: 1 MacArthur Place, Suite 300
Santa Ana, CA 92707
Agent's Owner's Phone #: (714) 546-5600 x220 FAX: (714) 546-5660
Agent's Owner's Email: rwe@nexusd.com

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

TO THE APPLICANT: Fill out a General Information Cover Form first and attach this supplemental information sheet.

Is the proposed project:

- ○ Conservation Area (MSHCP)
- ○ Historic Designation / District
- ○ Water Course / Floodplain
- ○ Abut State Highway 111
- ○ Specific Plan
- ○ Hillside Lot
- ○ Downtown Parking Combining Zone
- ○ Resort Combining Zone
- ○ Noise Impact Zone
- ○ On the Agua Caliente Band of Cahuilla Indian Reservation Land
- ○ Fall within the Riverside County Airport Land Use Commission Review Area

General Information:

Common Name of Project: Aberdeen

When did present owner acquire the property: parcels 508-055-003 &006 in 2006 and 007, 008, 009 in 2014.

Relationship to larger project: _____

Existing use of project site: south parcels are existing office buildings and north parcels are existing parking lot.

Residential Projects:

Proposed building square footage: 108,483 Net Lot Area: _____

Number of dwelling units: __91_____ Number of stories: __2 and 3 stories_ Height: 30-41'2_ft.

Largest single building: (sq. ft.) _3,196_ _____ Number of stories: _3 stories_____ Height: _41'2__ft.

Describe recreational facilities: _The project will have a fitness center, common pool, jacuzzi. and BBQ areas_____

Parking spaces required: _228 _____ Number provided: _364_____
(Per PSZC 93.06)

Commercial Projects:

Proposed building square footage: __1,998_____ Net Lot Area: _____

Type of uses and major functions: ___cafe and office space_____

Square footage of building area devoted to each proposed use: ____1,557sf cafe and 431 office_____

Number of stories: __1_____ Height: ____18_____ft.

Largest single building: (sq. ft.) __1.998_____ Number of stories: __1_____ Height: _18____ft.

Parking spaces required: _19_____ Number provided: _15_____
(Per PSZC 93.06)

Hours of operation: __TBD_____

Maximum number of clients, patrons, shoppers at one time: _____

Maximum number of employees at one time: _____

Area and percent of total project devoted to:

Building	_108,483____ sq. ft.	_31_____%
Paving including streets or drives:	_77,143_____ sq. ft.	_22_____%
Landscaping, Open, Recreation:	__165404____ sq. ft.	_47_____%
TOTAL PROJECT AREA	__351,030___ sq. ft.	_100_____%

CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
PLANNED DEVELOPMENT DISTRICT

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Major Architectural application will be accepted. Please check off each item to assure completeness.

	Applicant Only	City Use Only
Application Information:		
• General Information Form + Planned Development District Form	☑	☑
• Justification Letter	☑	☑
Site Information:		
• Site Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Site Plan: reduced copies to 11" x 17" (8 copies)	☑	☑
• Landscape Plan: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Landscape legend with plant types, sizes, and quantities	☑	☑
• Parking lot shading exhibit (93.06.00(C)(3)(a))	☑	☐
• Grading Plan (4 copies folded)	☑	☑
• Site cross-section (4 copies folded)	☑	☑
• Site photographs: 8 ½" x 11"	☑	☑
• Topographic Map (4 copies folded) On Site Plan ☑		
• Drainage Plan (4 copies folded) On Site Plan ☑		
• Exterior Lighting Plan (4 copies folded) On Site Plan ☑ (Photometric Plan)		
Architectural Information:		
• Building Elevations: 24" x 36" (4 copies folded, 1 color rolled)	☑	☑
• Building Elevations: reduced copies to 11" x 17" (8 copies)	☑	☑
• Floor Plan: 24" x 36" (4 copies folded)	☑	☑
• Roof Plan: 24" x 36" (4 copies folded)	☑	☑
• Color and material sample board	☑	☑
• Perspective or 3-D images (1 color rolled)	☑	☑
• Electronic copy of plans and color exhibits in PDF image format (max 5 MB)	☑	☐
Studies and Reports (when applicable):		
• CEQA documentation	☐	☐
• Hydrology Study	☑	☑
• Proof of ownership (Title Report)	☐	☐
• Traffic Study	☐	☐

The following information is required for the City to process your application properly:

Company Name: _Nexus Development Corporation/Central Division_____

Address: 1 MacArthur Place, Suite 300 Santa Ana, CA 92707_____

Phone #: ___(714) 546-5600_____ Web Site: __www.nexusd.com_____

OFFICERS

Name: _Matthew B. Kaufman_____ Title: Sr. VP of Operations/CFO_____

Address: __1 MacArthur Place, Suite 300 Santa Ana, CA 92707_____

Phone #: ____(714) 546-5600_x211_____ Email: _mbk@nexusd.com_____

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

ARCHITECT

Name: Chris Pardo Design - Chris Pardo_____ Title: Principal_____

Address: 700 E. Tahquitz Canyon Way, Suite A Palm Springs, CA 92262_____

Phone #: (206) 329-1654_____ Email: pardo@elementalarchitecture.com_____

ENGINEER

Name: Walden & Associates - Dave Bacon_____ Title: Partner_____

Address: 2552 White Road, Suite B__Irvine, CA 92614_____

Phone #: (949) 660-0110_____ Email: dbacon@waldenassociates.net _____

LANDSCAPE ARCHITECT

Name: RLA - Jim Ridge_____ Title: Principal_____

Address: 8841 Research Drive Irvine, CA 92618_____

Phone #: (949) 387-1323 x21_____ Email: jim@ridgela.com_____

The following forms must be completed in the presence of a Notary Public.
Select the form best fitting the type of authorization required.

OWNER AFFIDAVIT

State of Califomia)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executedT he instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE OR AGENT AUTHORIZATION

State of California)
)ss.
County: Orange

On Dec 11th, 2014 before me, Analia V. Cuevas, Notary Public
Name and Title of Officer

Personally appeared Robert William Eves
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed in his/~~her/their~~ authorized capacity (~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed The instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

ANALIA V. CUEVAS
Commission # 2018416
Notary Public - California
Orange County
My Comm. Expires Apr 7, 2017

WITNESS my hand and official seal

_____
Signature of Notary Public

LESSEE AFFIDAVIT

State of California)
)ss.
County: _____

On_____ before me, _____
Name and Title of Officer

Personally appeared

_____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

_____
Signature of Notary Public

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
5.1361	PD-375	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$8,346.00
FINAL DEVELOPMENT PLAN FEE	$3,473.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$872.36

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$360.00
OTHER MISC	$0.00

Check # 07193

TOTAL FEE(S) $13,051.36

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert H. [illegible]	D. [illegible]	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6747

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA
16-66/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
36876	TTM	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$0.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$67.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$9,432.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

TOTAL FEE(S) $9,499.00

Check # 079193

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert W. [illegible]	D. [illegible]	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6748

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

079193

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA

16-66/1220

DATE	AMOUNT
12-11-2014	$26,874.36

PAY: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597⑈22876⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	PROJECT NAME	APN1	ADDRESS
3.3820	MAJ	NEXUS DEVELOPMENT CORP	508-055-003	600-700 E. TAHQUITZ CANYON WAY

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
CATEGORICAL EXEMPTION / EIR	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$4,236.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES/MILLS FE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$88.00
OTHER MISC	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

Check #079193

TOTAL FEE(S) $4,324.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Robert U. Sy	D. [illegible]	12/11/2014

☐ Customer ☐ Cashier ☐ Planning File ☐ Planning Copy

6749

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK IN PAPER. SEE BACK SIDE FOR OTHER SECURITY FEATURES

NEXUS DEVELOPMENT CORPORATION
1 MACARTHUR PLACE, SUITE 300
SOUTH COAST METRO, CA 92707

Bank of America
500 Newport Center Drive
Newport Beach, CA
16-66/1220

079193

DATE	AMOUNT
12-11-2014	$26,874.36

Pay: *****Twenty-six thousand eight hundred seventy-four dollars and 36 cents

PAY TO THE ORDER OF City of Palm Springs

MP

⑈079193⑈ ⑆122000661⑆ 14597 22876⑈

DON MATSHALL
EXHIBIT "A" 760 808-6988

manatt
manatt | phelps | phillips

Sean Matsler
Manatt, Phelps & Phillips, LLP
Direct Dial: (714) 371-2534
E-mail: SMatsler@manatt.com

Full presentation of this letter is entered into the City Council record.

April 14, 2015

VIA E-MAIL [CITYCLERK@PALMSPRINGS-CA.GOV]

Honorable Mayor Steve Pougnet and Members of the City Council
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Agenda Item 1.C: Aberdeen Project

Dear Honorable Councilmembers:

This firm represents NDC Equities Downtown PS, LLC ("Nexus") in connection with its application to construct a mixed-use project at the northeast corner of Tahquitz Canyon Way and Calle El Segundo ("Aberdeen Project," Agenda Item 1.C on the April 15, 2015 City Council agenda). This letter responds to allegations and arguments raised by members of the public in connection with the Aberdeen Project, specifically the letters submitted by Chatten-Brown & Carstens, LLP (on behalf of the Palm Springs Modern Committee), the National Trust for Historic Preservation, the California Office of Historic Preservation, Docomomo US, and Alan Hess alleging that the environmental analysis and conclusions contained in the Initial Study/Mitigated Negative Declaration prepared for the Aberdeen Project ("Aberdeen MND") are flawed.

As demonstrated below, none of the commenters have raised a fair argument that the Aberdeen Project requires preparation of an Environmental Impact Report, nor have they presented any evidence that would undermine a finding by this City Council that the existing structures on the Aberdeen Project ("Tahquitz Plaza") site are *not* historic. We specifically highlight the following facts for your consideration:

- Building Age - Tahquitz Plaza was not built in 1971. Rather, the building permits on file with the City show that the structures at 600 and 650 Tahquitz Canyon Way were completed in *1974*, while the structures at 700 Tahquitz Canyon Way were completed in *1977*. (Exhibit A.)

- Ongoing City Historic Survey - The City's historic resource consultant, Historic Resources Group, confirmed in an April 9, 2015 letter that Tahquitz Plaza is ***not*** with the scope of the ongoing citywide historic resources survey. (Exhibit B.) That survey (which remains in draft form) only includes properties constructed

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

March 26, 2015

Mr. Rob Eres
Nexus Development Corporation for O & M HR, LLC
1 MacArthur Place, Suite 300
Santa Ana, CA 92707

RE: Case Nos. 5.1361 PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed Use Project

Mr. Eres,

On March 25, 2015, the Planning Commission considered the subject applications for a mixed-use project consisting of (73) attached and detached residential dwellings, (13) live-work units and approximately 7,811-square feet of existing commercial space on approx. 8.05-acres located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. At this meeting the Planning Commission voted 4-3 to deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks, and viability of the live/work spaces on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

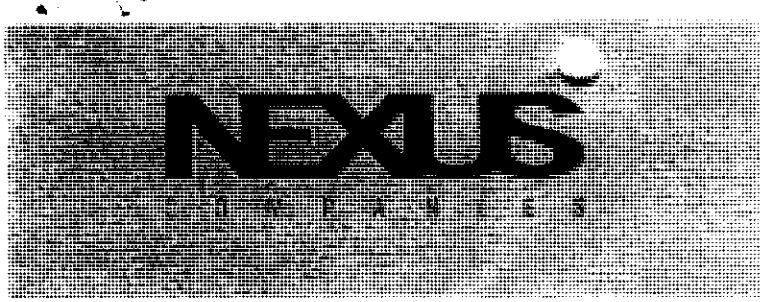
In accordance with section 2.05.040 of the Palm Springs Municipal Code, you may appeal the decision of the Planning Commission to the City Council within ten days of the date of this letter. The appeal request must be in writing and presented to the City Clerk with a fee of $546.00 (excludes notification fee, which was previously paid) by 6:00 p.m. on Monday, April 6, 2015.

If you have any questions about this letter, please contact me at (760) 323-8245.

Sincerely,

David Newell
Associate Planner

cc: Case File
City Clerk



The Vision to Develop and the Commitment to Deliver

March 31, 2015

Mr. Flynn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Formal Appeal of Planning Commission Decision on March 25th, 2015 for Case No. 5.1361 –PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed-Use Project (the "Project")

Dear Flynn:

We are aware of the Planning Commission's action taken on March 25, 2015 to deny approval of the Aberdeen Palm Springs Mixed-Use project (as identified above, the "Project") located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like this letter to act as our formal appeal of that decision and ask that the Project be considered by the City Council at their next regularly scheduled meeting on April 15, 2015.

The Planning Commission had many mixed comments regarding the architecture and uses within the Project. In some cases, comments provided by commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015. As the applicant, it was very difficult to clearly understand what would satisfy the Planning Commission given the amount of modifications that were made to the Project as a direct result of comments provided on February 25, 2015. Regardless of the inconsistent comments received between the two (2) planning commission meetings and two (2) architectural advisory committee meetings that we participated in, we believe that the Project has the potential to be a catalyst for employment, community outreach, and economic development within the City.

We feel that this location is ideally suited for a mixed-use project consisting of live/work lofts, restaurant/retail, office, and high-density residential as proposed in the plans presented to the Planning Commission on March 25, 2015. The proposed project ties together the surrounding uses of commercial/movie theater, hospitality (including high-rise), residential, and casino that already exist and are similarly identified as REO/RA areas of the Section 14 Specific Plan. We also believe that the Project provides substantial public benefit given how much developable land is being sacrificed in order to provide a new street, Calle Alvarado, which will allow for new pedestrian and vehicular access to the

NEXUS Companies
1 MacArthur Place, Suite 300, Santa Ana, CA 92707 ph 714.546.5600 fx 714.546.5660 www.nexusd.com

convention center from Tahquitz Canyon Way. Additional public benefit is provided by a large art plaza in the center of the southern portion of the project. Finally, the plans presented on March 25, 2015 Planning Commission meeting incorporated one (1) existing building and converted it into office and retail/restaurant space for the Project.

We are excited to present the Project in further detail to the City Council and greatly appreciate your assistance with this request to appeal the Planning Commission's decision. Please do not hesitate to contact myself or Rich Meaney if you should have any questions.

Sincerely,

Rob W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

Cc: James Thompson – City Clerk, City of Palm Springs
David Newell – Associate Planner, City of Palm Springs

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
TEL: (760) 323-8245 • FAX: (760) 322-8360 • TDD: (760) 864-9527

January 8, 2014

Robert W. Eres
O & M HR LLC. / Nexus Development Corporation/Central Division
1 MacArthur Place, Suite 300
Santa Ana, CA 92707

Re: Case 5.1361 PD-375, TTM 36876 and 3.3820 MAJ "Aberdeen" at Northeast Corner of Tahquitz Canyon Way and Calle El Segundo in Palm Springs Notice of Incomplete Applications

Dear Mr. Eres,

Thank you for submitting the above referenced application to the City of Palm Springs. Staff has conducted a preliminary review of the proposal, and it has been determined that additional information is required in order to proceed with the review process. The information needed to complete the application is listed below, and must be supplied before the application can be deemed complete, and processing can commence. Please address and submit the following:

Fees:

1. Application fee of $6,434.00 for change of zone. The current zoning on the site is "CU" (Civic Uses). The proposed uses are not permitted within the existing zoning; thus, a PD-in-lieu of zone change is required.
2. Environmental processing fees. These fees will be determined once a consultant has been procured to provide services for preparation of an Initial Study as required under the California Environmental Quality Act (CEQA).
3. Additional fees as determined by the Engineering and Public Works Department for review of studies and reports. Such reports may include Preliminary Hydrology Study, Preliminary Water Quality Management Plan (WQMP), Traffic Study, etc. Please contact the City Engineering and Public Works Department for specific requirements and fees.

Planning:

1. Provide verification of ownership of APNs: 508-055-007, 508-055-008 and 508-055-009.

2. Correct commercial building square footage in justification letter. Plans indicate 1,568-square feet and letter states 3,000-square feet.
3. Provide ADA handicap parking as required.
4. Specify location of HVAC and pool equipment.
5. Indicate location of trash enclosure(s) for commercial space and define how trash is handled for residential and live/work units.
6. Sheet A1.00 Site Plan – Correct scale and clearly delineate all4 property lines.
7. Third floor clearance from floor to ceiling is 7'-0" in Townhome Types 1, 3 (001) and 3 (002). If incorrect, adjust as appropriate.

Engineering:

1. Submit a scoping analysis letter by a traffic engineer to determine impacts and mitigation of proposed development. A traffic study may be required, depending on the results of the analysis.
2. Preliminary Hydrology Study
3. Preliminary WQMP

Please feel free to contact me should you have the need to discuss some of the required changes and issues identified above. If not, a timely submittal of the requested materials/revisions will be highly appreciated in order to process your application as soon as possible. I look forward to continuing to work with you on this project.

Sincerely,

David A. Newell
Associate Planner

cc: File

David Newell

From: Robert Eres <Rwe@nexusd.com>
Sent: Saturday, December 13, 2014 1:33 PM
To: David Newell
Subject: FW: On-site Posting
Attachments: IMG_26681_resized.jpg; IMG_47131_resized.jpg; IMG_28981_resized.jpg

Hi David,

I just wanted to forward you the attached photos of our signs that our sign vendor sent me yesterday.

Thanks and we look forward to working with you on this exciting project.

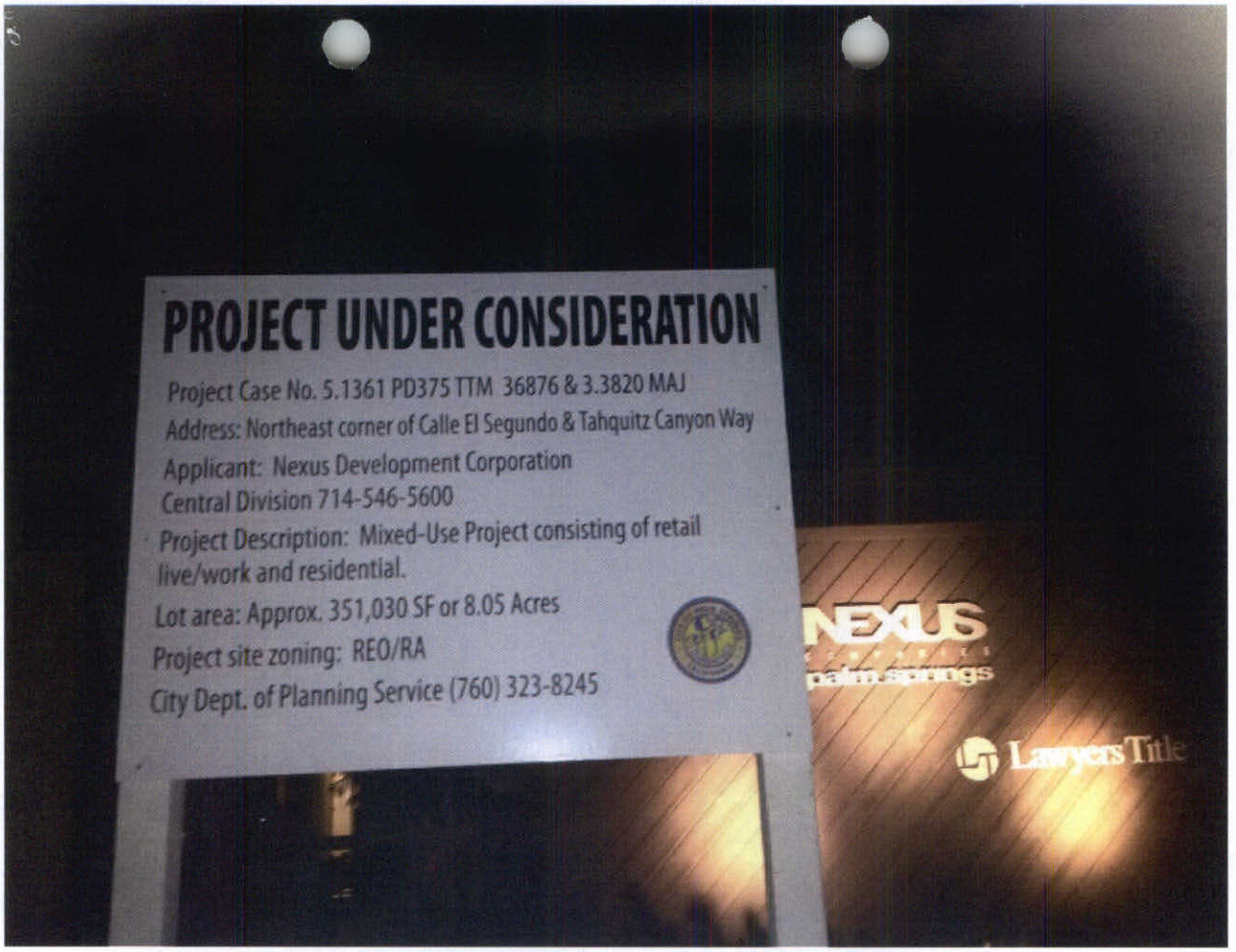
-Rob

From: John C [mailto:johnc@bestsignsinc.com]
Sent: Friday, December 12, 2014 7:45 PM
To: Robert Eres; John C; Rich meaney
Cc: Jennifer; Jonathan Lozano
Subject: RE: On-site Posting

Robert,

Please see the attached photos of the 3 signs we installed today. Let me know if there is anything else you need... Thanks, John

Sent on the new Sprint Network from my Samsung Galaxy S®4.


PROJECT UNDER CONSIDERATION
Project Case No. 5.1361 PD375 TTM 36876 & 3.3820 MAJ
Address: Northeast corner of Calle El Segundo & Tahquitz Canyon Way
Applicant: Nexus Development Corporation
Central Division 714-546-5600
Project Description: Mixed-Use Project consisting of retail live/work and residential.
Lot area: Approx. 351,030 SF or 8.05 Acres
Project site zoning: REO/RA
City Dept. of Planning Service (760) 323-8245
NEXUS
palm springs
Lawyers Title

PROJECT UNDER CONSIDERATION
Project Case No. 5.1361 PD375 TTM 36876 & 3.3820 MAJ
Address: Northeast corner of Calle El Segundo & Tahquitz Canyon Way
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Project site zoning: REO/RA
City Dept. of Planning Service (7

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
TEL: (760) 323-8245 • FAX: (760) 322-8360 • TDD: (760) 864-9527

Project Application Routing

DATE: December 22, 2014

TO:
- ☒ Rick Minjares, Engineering Associate
- ☒ Jim Zicaro, Building Official
- ☒ Ron Beverly, Deputy Chief / Fire Marshall
- ☒ Margaret Park, Agua Caliente Band of Indians
- ☐ Other_____

FROM: David A. Newell, Associate Planner

RE: **Case No. 5.1361 PD-375 & / 3.3820 MAJ / TTM 36876**
"Aberdeen" at 700-800 East Tahquitz Canyon Way

The Planning Department has received applications for the above-referenced project; a Planned Development District, Major Architectural and Tentative Tract Map for the development of a mixed-use project consisting of 91 units (17 live/work and 74 single-family residential) and approximately 3,000-square feet of commercial on roughly 8.05-acres.

Please review the attached proposal and submit your comments/conditions to the project planner as soon as possible (preferably within 30 dates of the above date). Should you have any questions regarding this project, please contact the project planner, David Newell at (760) 323-8245 ext. 8763.

APPLICANT: Nexus Development Corporation

LOCATION: 700-800 E. Tahquitz Canyon Way
(NE corner of Tahquitz Canyon Way and Calle El Segundo)

APN(s): 508-055-003, 508-055-006, 508-055-007, 508-055-008, 508-055-009

Attachments:
- ☒ Tentative Map
- ☒ Site Plan
- ☒ Elevations/Sections
- ☒ Landscape Plan
- ☒ Floor Plan
- ☒ Grading/Drainage Plan
- ☒ Application
- ☒ Roof Plan
- ☒ Other: _____

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

RECEIVED
CITY OF PALM SPRINGS
2015 FEB 19 PM 12:02
JAMES THOMPSON
CITY CLERK

Certificate of Publication

State Of California ss:
County of Riverside

Advertiser:

CITY OF PALM SPRINGS/LEGALS
PO BOX 2743
PALM SPRINGS CA 922632

2000552202

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: **.The Desert Sun**

2/14/2015

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th day of February, 2015 in Palm Springs, California.

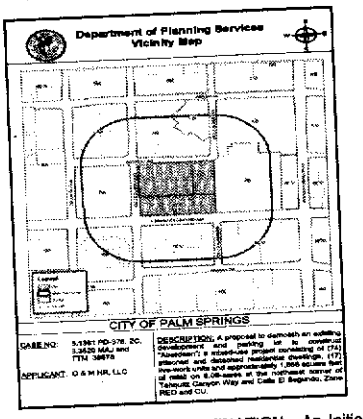
Declarant's Signature

No 0211
NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE: 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of February 25, 2015. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to demolish existing buildings and parking areas for the construction of a mixed-use project consisting of seventy-four (74) attached and detached residential dwellings, seventeen (17) live-work units and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zone REO and CU. The applications include a PDD in lieu of zone change (Case 5.1361 PDD 375) to establish the project site plan, permitted uses and development standards; Major Architectural Application (Case 3.3820 MAJ) to review proposed architectural designs; and Tentative Tract Map (Case TTM 36876) to subdivide approximately 8.05-acres into ninety-three (93) lots with common area streets and open space.



ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the Commission hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009(b)[2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Published: 2/14/15

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

RECEIVED
CITY OF PALM SPRINGS
2015 FEB 24 PM 6:24
JAMES THOMPSON
CITY CLERK

Certificate of Publication

State Of California ss:
County of Riverside

Advertiser:

CITY OF PALM SPRINGS/LEGALS
PO BOX 2743
PALM SPRINGS CA 922632

2000556765

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: **.The Desert Sun**

2/20/2015

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of February, 2015 in Palm Springs, California.

Declarant's Signature

No 0235

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
Case Nos. 5.1361 PDD 375, TTM 36876 and 3.3820 MAJ

LEAD AGENCY :
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
CONTACT PERSON: David Newell, Associate Planner (760) 323-8245
PROJECT TITLE : Aberdeen - Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876
PROJECT LOCATION : Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County, Assessor's Parcel No. 508-005-003, 006, 007, 008, and 009
PROJECT DESCRIPTION : The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project will require the demolition of 33,500 square feet of existing office buildings and associated parking lot. The proposed project requires the following applications:

A Planned Development District (#375) in lieu of a Change of Zone;
A Tentative Tract Map (36876)
A Major Architectural Review for the architectural and landscape design.

FINDINGS / DETERMINATION: The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a less than significant level. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.
PUBLIC REVIEW PERIOD : A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on February 20, 2015 and end on March 11, 2015 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address: David.Newell@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.
PUBLIC MEETING : This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office

Published: 2/20/15

TRANSMITTAL

RECEIVED
APR 15 2015
PLANNING SERVICES
DEPARTMENT

TERRA NOVA PLANNING & RESEARCH, INC.®
42635 Melanie Place, Suite 101
Palm Desert, CA. 92211
Phone: (760) 341-4800
FAX#: (760) 341-4455
E-mail: kcuza@terranovaplanning.com

DATE: April 13, 2015 Email and USPS

TO: Mr. David Newell
Associate Planner
City of Palm Springs

FROM: Kimberly Cuza,
Assistant to Nicole Sauviat Criste

RE: **Notice of Intent to Adopt A Mitigated Negative Declaration**
Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876
Project Title: Aberdeen - Palm Springs, Riverside County, California

Enclosed please find the following backup documentation for the Notice of Intent and Initial Study/MND distribution for your records:

- Date stamped NOI showing the posting period from Riverside County Clerk

Should you have any questions please contact Nicole Criste or me at 760-341-4800.

Kindest Regards,

klc
Cc: file

Enclosures: X Yes Δ No
Δ E-Mail

Documents to follow: Δ FEDEX/UPS
Δ Mail

Confidentiality Notice: This transmittal is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S Postal Service. Thank You.

FILED
RIVERSIDE COUNTY
FEB 23 2015
PETER ALDANA, CLERK
By M. Meyer Deputy

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
Case Nos. 5.1361 PDD 375, TTM 36876 and 3.3820 MAJ

LEAD AGENCY: **City of Palm Springs**
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CONTACT PERSON: David Newell, Associate Planner (760) 323-8245

PROJECT TITLE: Aberdeen - Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876

PROJECT LOCATION: Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.
Assessor's Parcel No. 508-055-003, 006, 007, 008, and 009

PROJECT DESCRIPTION: The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project will require the demolition of 33,500 square feet of existing office buildings and associated parking lot. The proposed project requires the following applications:

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

FINDINGS / DETERMINATION: The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a less than significant level. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

PUBLIC REVIEW PERIOD: A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on February 20, 2015 and end on March 11, 2015 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address:

David.Newell@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

PUBLIC MEETING: This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office.

Notice of Determination/Negative Declaration
Filed per P.R.C. 21152
POSTED
FEB 23 2015
Removed: APR 09 2015
By:
County of Riverside, State of California
Deputy

TRANSMITTAL

TERRA NOVA PLANNING & RESEARCH, INC.®
42635 Melanie Place, Suite 101
Palm Desert, CA. 92211
Phone: (760) 341-4800
FAX#: (760) 341-4455
E-mail: kcuza@terranovaplanning.com

RECEIVED
MAR 05 2015
PLANNING SERVICES
DEPARTMENT

DATE: February 27, 2015 Email and USPS

TO: Mr. David Newell
Associate Planner
City of Palm Springs

FROM: Kimberly Cuza,
Assistant to Nicole Sauviat Criste

RE: **Notice of Intent to Adopt A Mitigated Negative Declaration**
Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876
Project Title: Aberdeen - Palm Springs, Riverside County, California

Enclosed please find the following backup documentation for the Notice of Intent and Initial Study/MND distribution for your records:

- Final Distribution List
- UPS Delivery Confirmation list with tracking numbers
- Riverside County Clerk Transmittal
- Date stamped NOI showing the beginning of the posting period from Riverside County Clerk (end of posting period date stamped NOI will be forwarded to you upon receipt).

Should you have any questions please contact Nicole Criste or me at 760-341-4800.

Kindest Regards,

klc
Cc: file

Enclosures: X Yes Δ No
Δ E-Mail

Documents to follow: Δ FEDEX/UPS
Δ Mail

Confidentiality Notice: This transmittal is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S Postal Service. Thank You.

TRANSMITTAL

TERRA NOVA PLANNING & RESEARCH, INC.®
42635 Melanie Place, Suite 101
Palm Desert, CA. 92211
Phone: (760) 341-4800
FAX#: (760) 341-4455
E-mail: kcuza@terranovaplanning.com

DATE: February 19, 2015 UPS Overnight

TO: Ms. Maryann Meyer
Riverside County Clerk
2720 Gateway Drive
Riverside, CA 92507

FROM: Kimberly Cuza,
Assistant to Nicole Sauviat Criste

RE: **Notice of Intent to Adopt A Mitigated Negative Declaration**
Case 5.1361, PDD 375, TTM 36876 and 3.3820 MAJ
Project Title: Aberdeen - Palm Springs, Riverside County, California

Enclosed please find a Notice of Intent for the project referenced above.

I have also enclosed two extra copies and two SASEs for your use in returning date stamped copies to show the beginning and ending of the 20 day posting period.

It is our understanding that when you receive this on Friday, February 20th, the 20 day posting period will begin.

Should you have any questions please contact Nicole Criste or me at 760-341-4800.

Kindest Regards,

klc
Cc: Ken Lyon, City of Palm Springs

Enclosures: X Yes Δ No
Δ E-Mail

Documents to follow: Δ FEDEX/UPS
Δ Mail

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FILED
RIVERSIDE COUNTY
FEB 23 2015
PETER ALDANA, CLERK
By M. Meyer Deputy

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
Case Nos. 5.1361 PDD 375, TTM 36876 and 3.3820 MAJ

LEAD AGENCY: **City of Palm Springs**
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CONTACT PERSON: David Newell, Associate Planner (760) 323-8245

PROJECT TITLE: Aberdeen - Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876

PROJECT LOCATION: Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.
Assessor's Parcel No. 508-055-003, 006, 007, 008, and 009

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Neg Declaration/Notice of Determination
Filed per P.R.C. 21152

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

FEB 23 2015
Removed: _____
By: _____ Depu
County of Riverside, State of California

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David.Newell@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

PUBLIC MEETING: This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office.

CITY OF PALM SPRINGS ABERDEEN I.S. – DISTRIBUTION LIST 2/10/15

The Gas Company
Environmental Review
211 North Sunrise Way
Palm Springs, CA 92262

Mr. John Guerin, Environmental Doc. Review
Riverside County
Airport Land Use Commission
4080 Lemon, 14th Floor
Riverside, CA 92501

Palm Springs Disposal Services
Environmental Review
4690 E. Mesquite Avenue
Palm Springs, CA 92262

Desert Water Agency
Environmental Review
1200 South Gene Autry Trail
Palm Springs, CA 92264

Ms. Nena Mccullough, Region Manager
Southern California Edison
36100 Cathedral Canyon Drive
Cathedral City, CA 92234

Mr. Steve Smith
South Coast Air Quality Management Dist
21865 East Copley Drive
Diamond Bar, CA 91765-4182

Time Warner Cable
Administrative Office, Env. Review
41725 Cook Street
Palm Desert, CA 92260

Sunline Transit Agency
Environmental Review
32505 Harry Oliver Trail
1000 Palms, CA 92276

Riverside County Environmental
Health Services
554 Paseo Dorotea, Suite 1
Palm Springs, CA 92264

Ms. Katie Barrows, Dir. of Env.Serv.
Coachella Valley Association of
Governments - CVAG
73710 Fred Waring Drive
Palm Desert, CA 92260

Mr. Christopher R. Brown
Verizon
295 North Sunrise Way
Palm Springs, CA 92262

Palm Springs Chamber of Commerce
190 W. Amado Road
Palm Springs, CA 92262

Ms. Joan Taylor
The Sierra Club
1800 South Sunrise Way
Palm Springs, CA 92264

Pattie Garcia, Historic Preservation Officer
ACBCI
5401 Dinah Shore Drive
Palm Springs, Ca 92264

American Medical Response Inc.
Environmental Review
1111 Montalvo Way
Palm Springs, CA 92262

Riverside County Housing Authority
Environmental Review
44199 Monroe
Indio, CA 92201

Community Development Director
City of Desert Hot Springs
65950 Pierson Blvd.
Desert Hot Springs, CA 92240

Ms. Amy Minteer
Chatten-Brown & Carsten LLP
2200 Pacific Coast Hwy, Suite 318
Hermosa Beach, CA 90254

Distribution List	17
Intra-City List	18
TN	2
RCC NOI	

INTRA-CITY PROJECT REVIEW

ASSISTANT CITY MANAGER
Marcus Fuller

CITY CLERK

CITY COUNCIL - 5

PLANNING COMMISSION - 7

FIRE

ENGINEERING & PUBLIC WORKS

PALM SPRINGS LIBRARY

PLANNING COUNTER

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220147451561
Status:	**Delivered**
Signed By:	GONZALEZ
Delivered To:	2720 GATEWAY DR RECORDER RIVERSIDE, CA, US 92507
Delivered Date/Time:	02/20/2015, 9:58 AM
Delivery Location:	RECEIVER
Shipped or Billed On:	02/19/2015
Service:	UPS Next Day Air
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	RIVERSIDE COUNTY CLERK MS. MARYANN MEYER 2724 GATEWAY DRIVE RIVERSIDE, CA, US 92507 19514867012

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Riverside, CA, United States	02/20/2015	9:58 AM	Delivered
Riverside, CA, United States	02/20/2015	7:31 AM	Out For Delivery
Riverside, CA, United States	02/20/2015	6:32 AM	Arrival Scan
Ontario, CA, United States	02/20/2015	6:01 AM	Departure Scan
Ontario, CA, United States	02/19/2015	10:54 PM	Arrival Scan
Palm Springs, CA, United States	02/19/2015	9:45 PM	Departure Scan
Palm Springs, CA, United States	02/19/2015	6:56 PM	Origin Scan
Palm Springs, CA, United States	02/19/2015	3:24 PM	Pickup Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:00 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220348842295
Status:	**Delivered**
Signed By:	CYNTHIA
Delivered To:	2200 PACIFIC COAST HWY 3 318 HERMOSA BEACH, CA, US 90254
Delivered Date/Time:	02/20/2015, 12:10 PM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	CHATTEN-BROWN & CARSTENS
OFFICE MANAGER	MS. AMY MINTEER
42635 MELANIE PL	2200 PACIFIC COAST HWY, SUITE 318
PALM DESERT, CA, US	HERMOSA BEACH, CA, US
92211-9113	90254

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Gardena, CA, United States	02/20/2015	12:10 PM	Delivered
Gardena, CA, United States	02/20/2015	5:01 AM	Out For Delivery
Gardena, CA, United States	02/20/2015	1:57 AM	Arrival Scan
Cerritos, CA, United States	02/20/2015	1:35 AM	Departure Scan
Cerritos, CA, United States	02/20/2015	12:01 AM	Arrival Scan
Palm Springs, CA, United States	02/19/2015	9:27 PM	Departure Scan
Palm Springs, CA, United States	02/19/2015	8:14 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:06 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220348382685
Status:	**Delivered**
Delivered To:	1111 MONTALVO WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 12:41 PM
Delivery Location:	LEFT WITH MAN
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	AMERICAN MEDICAL RESPONSE INC.
OFFICE MANAGER	ENVIRONMENTAL REVIEW
42635 MELANIE PL	1111 MONTALVO WAY
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	12:41 PM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:06 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220348365908
Status:	**Delivered**
Delivered To:	65950 PIERSON BVLD WAY DESERT HOT SPRINGS, CA, US 92240
Delivered Date/Time:	02/20/2015, 12:37 PM
Delivery Location:	FRONT DOOR
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	CITY OF DESERT HOT SPRINGS
OFFICE MANAGER	COMMUNITY DEVELOPMENT DIRECTOR
42635 MELANIE PL	65950 PIERSON BOULEVARD
PALM DESERT, CA, US	DESERT HOT SPRINGS, CA, US
92211-9113	92240

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	12:37 PM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:06 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220348255465
Status:	**Delivered**
Signed By:	CA
Delivered To:	295 N SUNRISE WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 10:41 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	VERIZON MR. CHRISTOPHER R. BROWN ENVIRONMENTAL REVIEW 295 NORTH SUNRISE WAY PALM SPRINGS, CA, US 92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	10:41 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:33 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:05 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220348223178
Status:	**Delivered**
Signed By:	CA
Delivered To:	211 N SUNRISE WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 10:43 AM
Delivery Location:	RESIDENTIAL
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	THE GAS COMPANY ENVIRONMENTAL REVIEW 211 NORTH SUNRISE WAY PALM SPRINGS, CA, US 92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	10:43 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:05 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347949619
Status:	**Delivered**
Signed By:	BOISO
Delivered To:	3200 E TAHQUITZ CANYON WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 11:30 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	3.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	CITY OF PALM SPRINGS
OFFICE MANAGER	MR. DAVID NEWELL, ASSOCIATE PLANNER
42635 MELANIE PL	3200 E. TAHQUITZ CANYON WAY
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	2
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	2
Package Dimensional Weight:	3.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN NOI IS
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN NOI IS
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Packages in this Shipment

The table below displays all associated packages for this multi-piece shipment. Select a tracking number to view the details for a package.

Tracking Number	Reference	Status	Manifest Date	Scheduled Delivery	Service	Weight
1Z84E0220346122003	ABERDEEN NOI IS ABERDEEN NOI IS	Delivered	02/19/2015	02/20/2015	UPS Ground	6.00 LBS
1Z84E0220347949619	ABERDEEN NOI IS ABERDEEN NOI IS	Delivered	02/19/2015	02/20/2015	UPS Ground	3.00 LBS

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	11:30 AM	Delivered
Palm Springs, CA, United States	02/20/2015	6:20 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:04 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347553519
Status:	**Delivered**
Signed By:	STEUCKLE
Delivered To:	73710 FRED WARING DR 200 PALM DESERT, CA, US 92260
Delivered Date/Time:	02/20/2015, 10:31 AM
Delivery Location:	RECEPTION
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	COACHELLA VALLEY ASSOC. OF GOV'TS.
OFFICE MANAGER	MS. KATIE BARROWS, DIR. OF ENV. SVC
42635 MELANIE PL	73-710 FRED WARING DRIVE, STE 200
PALM DESERT, CA, US	PALM DESERT, CA, US
92211-9113	92260

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	10:31 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:36 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:04 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347387851
Status:	**Delivered**
Signed By:	KELLER
Delivered To:	41725 COOK ST PALM DESERT, CA, US 92211
Delivered Date/Time:	02/20/2015, 12:32 PM
Delivery Location:	RECEIVER
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	TIME WARNER CABLE
OFFICE MANAGER	ADMIN. OFFICE/ENVIRONMENTAL REVIEW
42635 MELANIE PL	41-725 COOK STREET
PALM DESERT, CA, US	PALM DESERT, CA, US
92211-9113	92260

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	12:32 PM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:04 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347320734
Status:	**Delivered**
Signed By:	CA
Delivered To:	190 W AMADO RD PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 11:45 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	PALM SPRINGS CHAMBER OF COMMERCE 190 W. AMADO ROAD PALM SPRINGS, CA, US 92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	11:45 AM	Delivered
Palm Springs, CA, United States	02/20/2015	7:52 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:04 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347126196
Status:	**Delivered**
Signed By:	MENDEZ
Delivered To:	44199 MONROE ST INDIO, CA, US 92201
Delivered Date/Time:	02/20/2015, 10:42 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	RIVERSIDE COUNTY HOUSING AUTHORITY
OFFICE MANAGER	ENVIRONMENTAL REVIEW
42635 MELANIE PL	44199 MONROE
PALM DESERT, CA, US	INDIO, CA, US
92211-9113	92201

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	10:42 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:35 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:03 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347009803
Status:	**Delivered**
Signed By:	ZARING
Delivered To:	21865 COPLEY DR DIAMOND BAR, CA, US 91765
Delivered Date/Time:	02/20/2015, 9:36 AM
Delivery Location:	OFFICE
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	SOUTH COAST AIR QUALITY MGMT DIST. STEVE SMITH 21865 COPLEY DRIVE DIAMOND BAR, CA, US 917654178 19093962000

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Ontario, CA, United States	02/20/2015	9:36 AM	Delivered
Ontario, CA, United States	02/20/2015	7:24 AM	Out For Delivery
Ontario, CA, United States	02/20/2015	5:57 AM	Arrival Scan
Sylmar, CA, United States	02/20/2015	4:49 AM	Departure Scan
Sylmar, CA, United States	02/20/2015	1:13 AM	Arrival Scan
Riverside, CA, United States	02/19/2015	11:42 PM	Departure Scan
Riverside, CA, United States	02/19/2015	10:47 PM	Arrival Scan
Palm Springs, CA, United States	02/19/2015	9:27 PM	Departure Scan
Palm Springs, CA, United States	02/19/2015	8:08 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:03 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220347005129
Status:	**Delivered**
Signed By:	DON
Delivered To:	1200 S GENE AUTRY TRL PALM SPRINGS, CA, US 92264
Delivered Date/Time:	02/20/2015, 11:04 AM
Delivery Location:	DOCK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	DESERT WATER AGENCY
OFFICE MANAGER	ENVIRONMENTAL REVIEW
42635 MELANIE PL	1200 SOUTH GENE AUTRY TRAIL
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92264

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	11:04 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:03 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346958398
Status:	**Delivered**
Signed By:	ANN
Delivered To:	300 S SUNRISE WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 10:24 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	PALM SPRINGS PUBLIC LIBRARY
OFFICE MANAGER	JULIE WARREN
42635 MELANIE PL	300 S. SUNRISE WAY
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN NOI IS
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN NOI IS
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	10:24 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:02 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346387077
Status:	**Delivered**
Signed By:	MARTENEZ
Delivered To:	5401 DINAH SHORE DR PALM SPRINGS, CA, US 92264
Delivered Date/Time:	02/20/2015, 11:01 AM
Delivery Location:	DOCK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	AGUA CALIENTE BAND OF CAHUILLA IND. MS. PATRICIA GARCIA-TUCK, 5401 DINAH SHORE DRIVE TRIBAL HISTORIC PRESERVATION OFFICE PALM SPRINGS, CA, US 92264 17606996800

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	11:01 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:34 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:02 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346369024
Status:	**Delivered**
Signed By:	FLORES
Delivered To:	32505 HARRY OLIVER TRL THOUSAND PALMS, CA, US 92276
Delivered Date/Time:	02/20/2015, 9:54 AM
Delivery Location:	OFFICE
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	SUNLINE TRANSIT AGENCY
OFFICE MANAGER	ENVIRONMENTAL REVIEW
42635 MELANIE PL	32505 HARRY OLIVER TRAIL
PALM DESERT, CA, US	THOUSAND PALMS, CA, US
92211-9113	92276

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	9:54 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:33 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:02 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346184241
Status:	**Delivered**
Signed By:	DERRICK
Delivered To:	1850 SMOKE TREE LN PALM SPRINGS, CA, US 92264
Delivered Date/Time:	02/20/2015, 11:12 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	THE SIERRA CLUB
OFFICE MANAGER	MS. JOAN TAYLOR
42635 MELANIE PL	1800 SOUTH SUNRISE WAY
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92264

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	YES
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/20/2015	11:12 AM	Delivered
Palm Springs, CA, United States	02/20/2015	4:33 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:01 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346122003
Status:	**Delivered**
Signed By:	BOISO
Delivered To:	3200 E TAHQUITZ CANYON WAY PALM SPRINGS, CA, US 92262
Delivered Date/Time:	02/20/2015, 11:30 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	6.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	CITY OF PALM SPRINGS
OFFICE MANAGER	MR. DAVID NEWELL, ASSOCIATE PLANNER
42635 MELANIE PL	3200 E. TAHQUITZ CANYON WAY
PALM DESERT, CA, US	PALM SPRINGS, CA, US
92211-9113	92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	2
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	2
Package Dimensional Weight:	6.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN NOI IS
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN NOI IS
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Packages in this Shipment

The table below displays all associated packages for this multi-piece shipment. Select a tracking number to view the details for a package.

Tracking Number	Reference	Status	Manifest Date	Scheduled Delivery	Service	Weight
1Z84E0220346122003	ABERDEEN NOI IS ABERDEEN NOI IS	Delivered	02/19/2015	02/20/2015	UPS Ground	6.00 LBS
1Z84E0220347949619	ABERDEEN NOI IS ABERDEEN NOI IS	Delivered	02/19/2015	02/20/2015	UPS Ground	3.00 LBS

Shipment Progress

Location	Date	Local Time	Description
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Palm Springs, CA, United States	02/20/2015	6:20 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	7:48 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	7:47 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 20, 2015 6:01 PM Eastern Standard Time

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346100349
Status:	**Delivered**
Signed By:	LARA
Delivered To:	4690 E MESQUITE AVE PALM SPRINGS, CA, US 92264
Delivered Date/Time:	02/20/2015, 12:36 PM
Delivery Location:	OFFICE
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH OFFICE MANAGER 42635 MELANIE PL PALM DESERT, CA, US 92211-9113	PALM SPRINGS DISPOSAL SERVICES ENVIRONMENTAL REVIEW 4690 E. MESQUITE AVENUE PALM SPRINGS, CA, US 92262

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
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Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
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Palm Springs, CA, United States	02/20/2015	4:33 AM	Out For Delivery
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS
Tracking results provided by UPS: Feb 20, 2015 6:01 PM Eastern Standard Time			

Quantum View Manage - Shipment Detail

Tracking Number:	1Z84E0220346306583
Status:	**Delivered**
Signed By:	SHAY
Delivered To:	554 S PASEO DOROTEA PALM SPRINGS, CA, US 92264
Delivered Date/Time:	02/23/2015, 9:48 AM
Delivery Location:	FRONT DESK
Shipped or Billed On:	02/19/2015
Service:	UPS Ground
Weight:	1.00 LBS
Saturday Delivery:	NO

Address Information

Shipped From:	**Shipped To:**
TERRA NOVA PLANNING & RESEARCH	RIVERSIDE COUNTY ENV. HEALTH DEPT.
OFFICE MANAGER	554 S. PASEO DOROTEA, SUITE 1
42635 MELANIE PL	PALM SPRINGS, CA, US
PALM DESERT, CA, US	92264
92211-9113	17603201048

Additional Shipment Information

Declared Value:	No Value
Direct Delivery Only:	NO
Document:	NO
Handling Units:	1
Infectious Substances Category A:	NO
Hazardous Materials:	NO
Large Package:	NO
Number of Pieces:	1
Package Dimensional Weight:	1.00 LBS
Package Reference No. Type, Value 1:	ABERDEEN IS/NOI
Residential Address:	NO
Return To Sender:	NO
Shipment Reference 1:	ABERDEEN IS/NOI
UPS Premium Care(TM):	NO
UPS Returns Flexible Access:	NO

Shipment Progress

Location	Date	Local Time	Description
Palm Springs, CA, United States	02/23/2015	9:48 AM	Delivered
Palm Springs, CA, United States	02/23/2015	7:06 AM	Out For Delivery
Palm Springs, CA, United States	02/20/2015	6:14 PM	Delivery will be delayed by one business day.
Palm Springs, CA, United States	02/20/2015	4:34 AM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:37 PM	Destination Scan
Palm Springs, CA, United States	02/19/2015	8:36 PM	Origin Scan
United States	02/19/2015	2:57 PM	Order Processed: Ready for UPS

Tracking results provided by UPS: Feb 23, 2015 2:08 PM Eastern Standard Time

PUBLIC VIEWING COPY
RETURN TO PLANNING
SERVICES COUNTER

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
Case Nos. 5.1361 PDD 375, TTM 36876 and 3.3820 MAJ

LEAD AGENCY: **City of Palm Springs**
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CONTACT PERSON: David Newell, Associate Planner (760) 323-8245

PROJECT TITLE: Aberdeen - Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876

PROJECT LOCATION: Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.
Assessor's Parcel No. 508-055-003, 006, 007, 008, and 009

PROJECT DESCRIPTION: The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project will require the demolition of 33,500 square feet of existing office buildings and associated parking lot. The proposed project requires the following applications:

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

FINDINGS / DETERMINATION: The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a less than significant level. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

PUBLIC REVIEW PERIOD: A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on February 20, 2015 and end on March 11, 2015 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address:

David.Newell@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

PUBLIC MEETING: This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office.

	INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Project Title:	Aberdeen	
Case No.	5.1361, PDD 375, TTM 36876 and 3.3820 MAJ	
Assessor's Parcel No.	508-055-003, 006, 007, 008, and 009	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	600-700 E. Tahquitz Canyon Way Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.	
Project Sponsor's Name and Address:	Robert Eres Nexus Development Corporation (714) 546-5600 rwe@nexusd.com	1 MacArthur Place, Suite 300 Santa Ana, CA 92707
General Plan Designation(s):	Tourist Resort Commercial	
Zoning:	CU- Civic Uses (Zoning Map) RA- Resort Attraction, REO- Residential/Entertainment/Office (Section 14 Land Use Map)	
Contact Person:	David Newell, Associate Planner City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Phone Number:	(760)323-8245	
Date Prepared	February 13, 2015	

Description of the Project

The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project is located on the northeast corner of Tahquitz Canyon Way and Calle El Segundo in Palm Springs, California. The project will require the demolition of 33,500 square feet of existing office buildings, currently fronting Tahquitz Canyan Way, and associated parking and a neighboring parking lot currently used as a public parking lot. The proposed project requires the following applications:

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

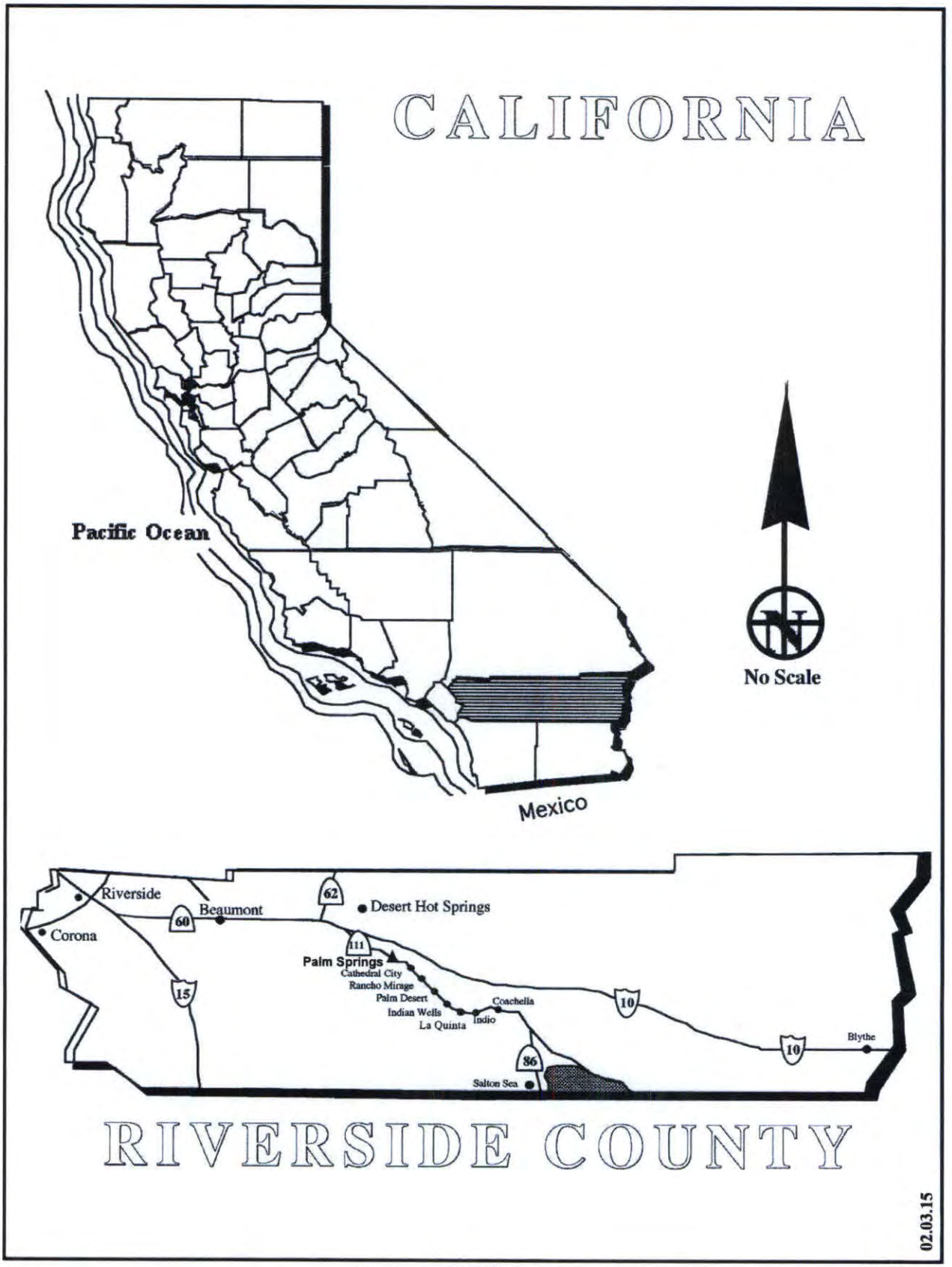
Access to the project will be provided at the following locations:

- Andreas Road (main entrance)
- Calle El Segundo (secondary access)
- Calle Alvarado (secondary access)

Environmental Setting and Surrounding Land Uses

North: Andreas Road, Plaza Villas (multi-family residential)
South: Tahquitz Canyon Way, commercial land use
East: Renaissance Palm Springs Hotel
West: Calle El Segundo, Elements Spa Hilton

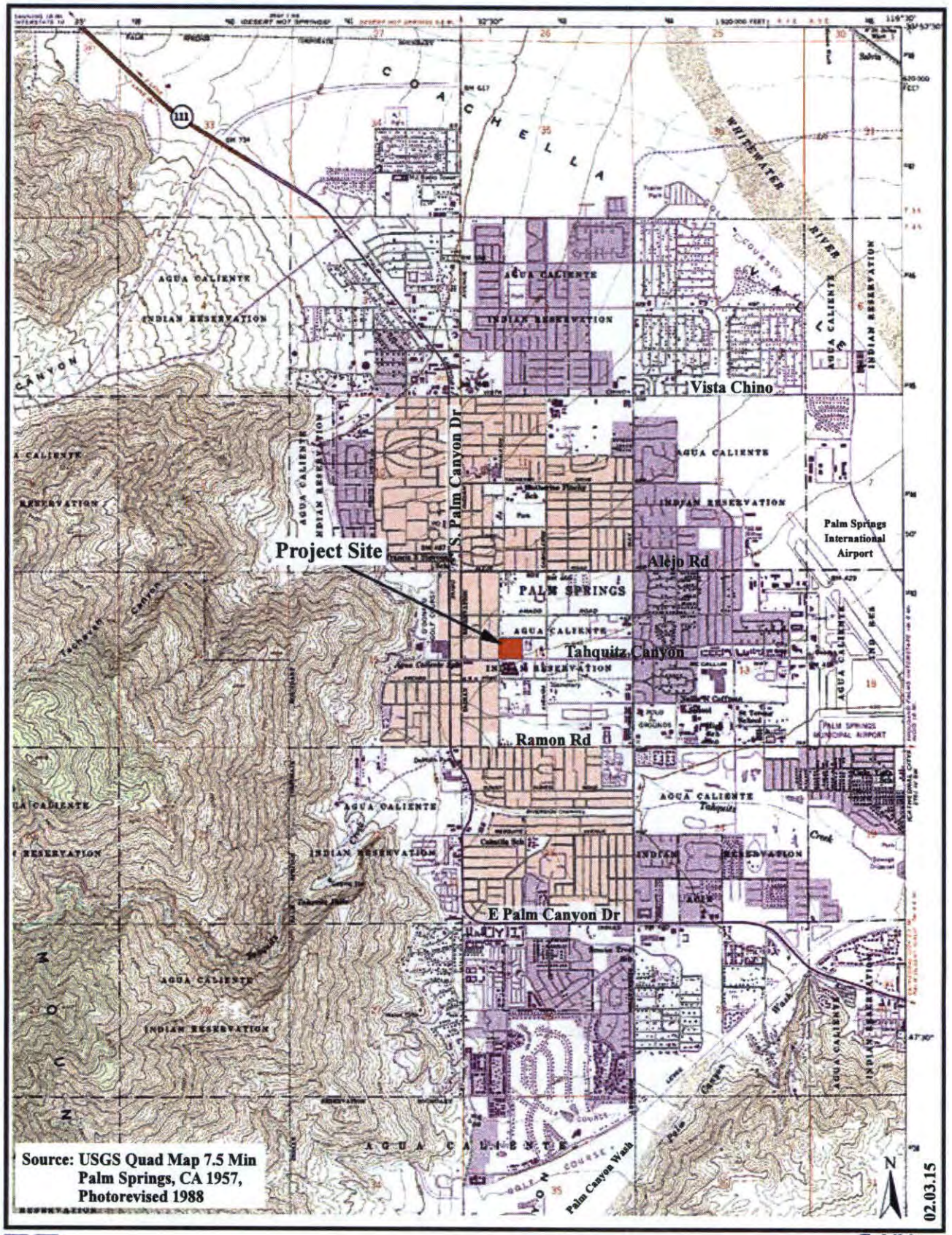
Other public agencies whose approval is required
None.



TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Regional Location Map
Palm Springs, California

Exhibit
1



TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Vicinity Map
Palm Springs, California

Exhibit

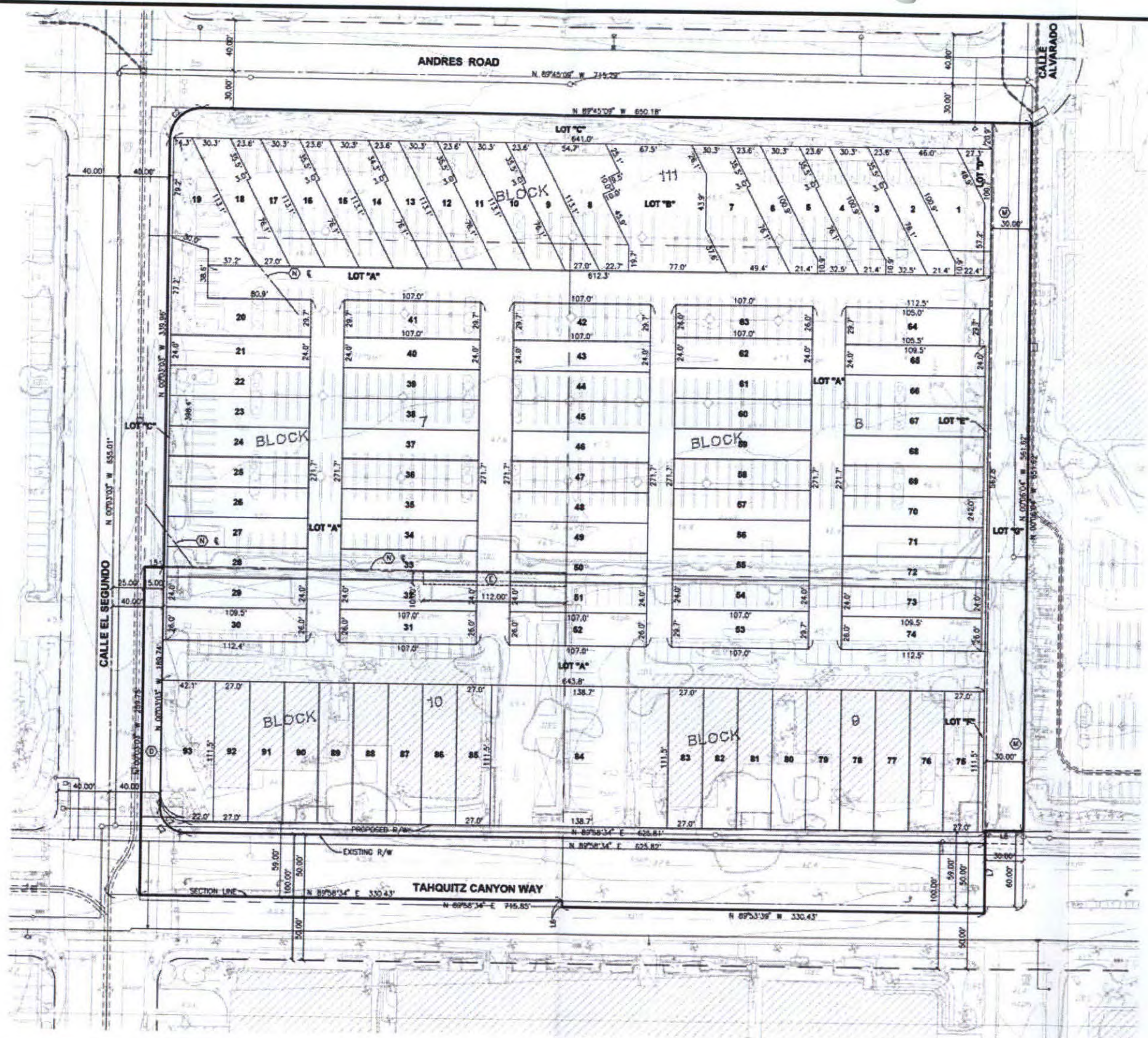
2

Source: Googel Earth Image 4.27.14

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Aerial Map
Palm Springs, California

Exhibit
3



Source: Walden & Associates 12.18.2014

N

02.02.15

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Tentative Tract Map 36876
Palm Springs, California

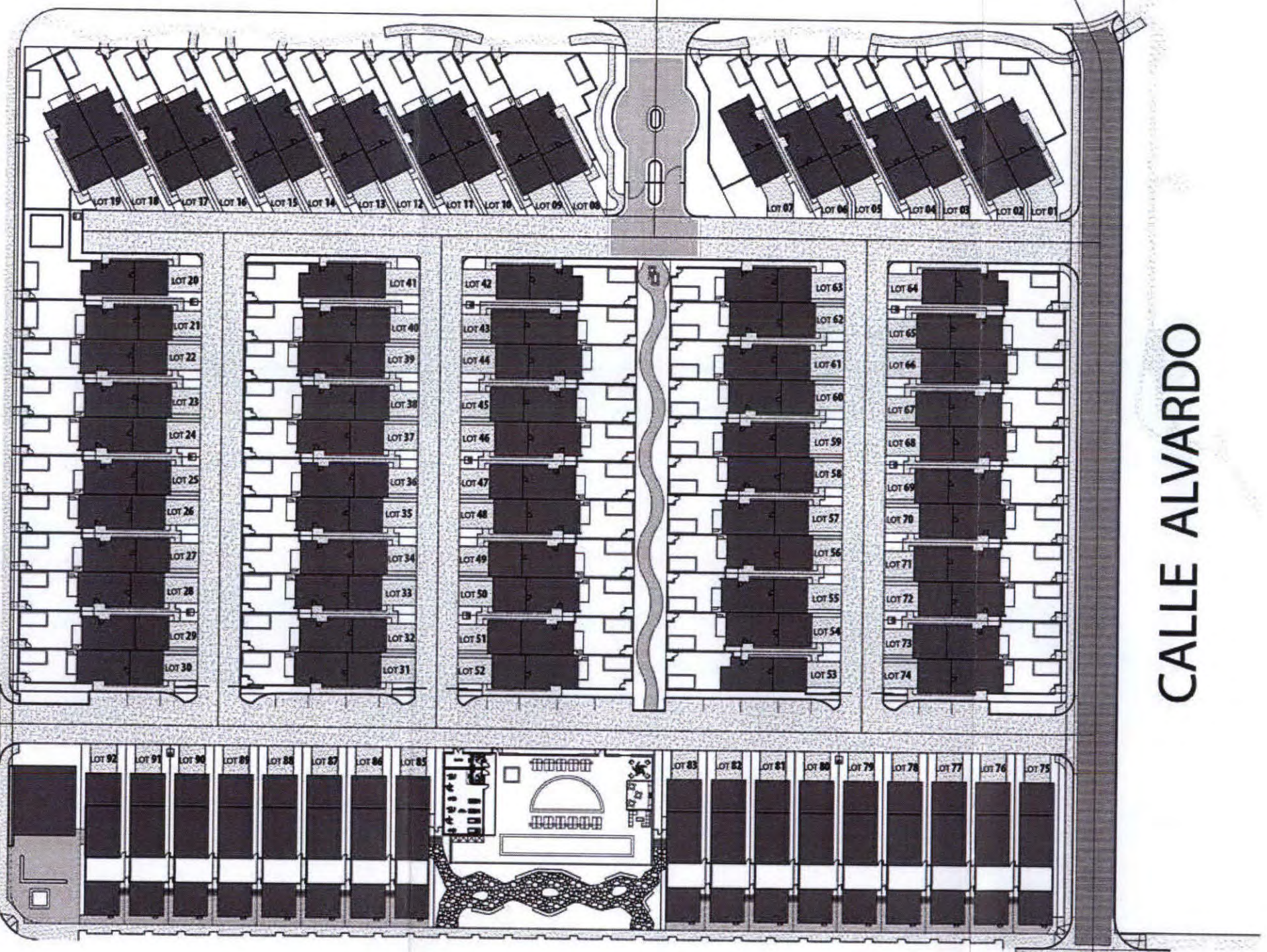
Exhibit

5

E. ANDREAS ROAD

CALLE EL SEGUNDO

CALLE ALVARDO



NORTH

TAHQUITZ CANYON WAY

Aberdeen Topographic Site Plan
SCALE: 1" = 400'-0"

Source: Chris Pardo Design, Elemental Architecture 12.21.2014

02.02.15

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Projet Site Plan
Palm Springs, California

Exhibit
4

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/ Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: The City of Palm Springs Planning Department

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

D. Newell

David Newell
Associate Planner

February 13, 2015

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

(Sources: Palm Springs Architectural Advisory Committee Staff Memorandum, January 12, 2015; Section 14 Specific Plan, City of Palm Springs, July 2014)

Discussion of Impacts

a) **Less Than Significant Impact with Mitigation Incorporated.** The foothills and peaks of the San Jacinto Mountains extend along the westerly and southerly portions of the City and constitute a scenic vista for much of the region. Given their significant rise over the low-lying valley, they are visible from most locations in the upper Coachella Valley, including the subject property.

From the project site, scenic views of the San Jacinto Mountains are to the west and southwest. The site is completely surrounded by urban development, including two-story condominiums to the north, the five-story Renaissance Hotel to the east, two-story commercial and office development to the south, and the three-story Hilton Hotel to the west.

The proposed project will result in demolition of existing parking lots and four office buildings. The project will result in development of residential, recreational, and commercial components. The total project area will consist of 31% building space, 22% paving (including streets or drives), and 47% landscaping/open space/recreation. It includes internal streets, desert landscaping, and a perimeter block wall. Primary vehicular access will be provided from Andreas Road. Additional access is provided from Calle El Segundo and Calle Alvarado.

The residential component of the project includes 74 three- and four-story, attached and detached townhome units with roof decks on the top story. Heights range from 33 feet to 46 feet 2 inches (to the top of roof deck parapet). Each residential unit includes a two-car garage, parking driveway, and private yard space with a small dipping pool, enclosed with a concrete block wall.

An additional 17 live/work units are proposed along Tahquitz Canyon Way. Units consist of a single-story (with roof deck) work space fronting on Tahquitz Canyon Way connected by a walkway to a three- to four-story (including roof deck) living space to the north. Maximum heights are approximately 44 feet 8 inches (to the top of roof deck parapet). Each unit includes a two-car garage and parking driveway.

The project's recreational and open space area is located on the southern portion of the property and consists of a single-story gym, two swimming pools, one spa, outdoor seating, and a pool utility space with covered patio. Building height is 14 feet. A commercial building, located in the southwest corner of the site, consists of a 1,998-square foot, single-story structure 18 feet high, with outdoor seating.

The architectural character of the project is modern, with cantilever roof extensions, modern metals, and large expanses of glass, which are consistent with the Design Guidelines of the Section 14 Specific Plan. Proposed building materials, including stucco walls, aluminum panels, and steel cables, and stepped/terraced building components, are also consistent with the Specific Plan.

The project will impact scenic views from surrounding properties, but views will remain urban in nature and consistent with existing development. Immediate views of the existing parking lot and more distant views of the San Jacinto Mountains from westerly facing hotel rooms at the Renaissance Hotel will be replaced with views of townhomes along Calle Alvarado. Southerly views of the parking lot and San Jacinto Mountains from existing condos north of Andreas Road will also be replaced by views of the townhomes. No scenic viewsheds occur to the east or north, and no significant mountain views will be lost.

Project site plans, architectural renderings, and landscape plans were reviewed by the Palm Springs Architectural Advisory Committee on January 12, 2015. It was determined that proposed building heights exceed the HR development standards of the Section 14 Specific Plan. The maximum permitted height is 35 feet, except when developed as high-rise, and the project proposes heights up to 46 feet 2 inches. The project will be required to abide by Section 14 high-rise development standards, including set backs and landscaping requirments.

The project's landscape design includes a formal pattern along Tahquitz Canyon Way, which is inconsistent with the Specific Plan's required streetscape of palm trees every 60 feet and shade trees between palms and landscape buffers, where feasible. Internal streets do not include sidewalks, and the sidewalk along Tahquitz Canyon should include pedestrian amenities, such as street furniture and banners. The Architectural Advisory Committee recommended that the project proponent revise the site plan to address these and other issues. Visual impacts will be less than significant with implementation of the following mitigation measure.

Mitigation Measure:

MM I – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

b) **No Impact.** The property is not located along a state scenic highway. There are no significant trees, rock outcroppings, historic buildings or other significant aesthetic resources on the subject property. The site is fully developed with paved parking lots, office buildings, and limited urban landscaping. No impacts to scenic resources will occur.

c) **Less Than Significant Impact.** The project site is located in the City's urban core and within the Section 14 Specific Plan boundary. It is currently developed with paved parking lots and office buildings, and surrounded by residential, hotel, commercial, and office development. The proposed project is consistent with the long-term development vision of the Specific Plan for urban uses in this area. It will not substantially degrade the existing visual character of the site and its surroundings.

d) **Less Than Significant Impact.** The project site is currently used as an office complex and parking lot. Light is emitted from the office buildings and parking lots, particularly the northerly parking lot which is used during the evening for convention center and casino activities. The proposed project will continue to emit light in a manner consistent with a residential neighborhood. Light sources will include indoor lights, outdoor security lighting, landscape lighting, and vehicle headlights. Lighting levels are not expected to exceed typical lighting within an urbanized environment.

All lighting proposed within the project will be required to comply with the outdoor lighting standards established in the City Zoning Ordinance Section 93.21.00 to assure lighting is directed away from adjacent properties. These standards will assure that project light and glare impacts will be less than significant.

II. AGRICULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

(Sources: "Riverside County Important Farmland 2010 Map," California Department of Conservation; 2007 Palm Springs General Plan)

Discussion of Impacts

a-c) ***No Impact.*** The subject property is located in an urban area and surrounded by roadways and resort, commercial, and residential development. The site is developed and contains a paved parking lot and single-story office buildings. It is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program, nor is it subject to a Williamson Act contract. No agricultural lands are located in the vicinity of the property. The project will have no impact on agricultural lands and will not result in the conversion of farmland to non-agricultural uses.

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

(Sources: "Final 2012 Air Quality Management Plan," prepared by South Coast Air Quality Management District, December 2012; "Final Localized Significance Threshold Methodology," prepared by the South Coast Air Quality Management District, Revised, July 2008; "2003 Coachella Valley PM10 State Implementation Plan," August 1, 2003; CalEEMod Version 2013.2.2)

Setting

The Coachella Valley, including the City of Palm Springs and project site, is located within the Salton Sea Air Basin (SSAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). All development within the SSAB is subject to SCAQMD's 2012 Air Quality Management Plan (2012 AQMP) and the 2003 Coachella Valley PM_{10} State Implementation Plan (2003 CV PM10 SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The proposed site is located within Source Receptor Area (SRA) 30, which includes monitoring stations in Palm Springs and Indio. The Indio site has been operational since 1985 and the Palm Springs site since 1987.

Criteria air pollutants are contaminants for which the state and federal air quality standards have been established. Currently, the Coachella Valley is classified as being in non-attainment for both ozone (O_3) and PM_{10}. State and federal ambient air quality standards are show in Table III-1 and described in detail below.

Table III- 1
State and Federal Ambient Air Quality Standards

	State Standards		Federal Standards	
Pollutant	**Averaging Time**	**Concentration**	**Averaging Time**	**Concentration**
Ozone	1 hour 8 hour	0.09 ppm 0.07 ppm	1 hour 8 hour	--- 0.075 ppm
Carbon Monoxide	1 hour 8 hours	20.0 ppm 9.0 ppm	1 hour 8 hours	35.0 ppm 9.0 ppm
Nitrogen Dioxide (NO_2)	1 hour AAM	0.18 ppm 0.030 ppm	1 hour AAM	0.10 ppm 0.053 ppm
Sulfur Dioxide (SO_2)	1 hour 24 hours	0.25 ppm 0.04 ppm	1 hour 24 hours	0.075ppm 0.14 ppm
Particulate Matter (PM_{10})	24 hours AAM	50 µg/m³ 20 µg/m³	24 hours AAM	150 µg/m³ ---
Particulate Matter ($PM_{2.5}$)	AAM 24 hours	12 µg/m³ ---	AAM 24 hours	12 µg/m³ 35 µg/m³
Lead	30 day Avg.	1.5 µg/m³	3 month Avg.	0.15 µg/m³
Visibility Reducing Particles	8 hour		No federal Standard	No federal Standard
Sulfates	24 hour	25µg/m³	No federal Standard	No federal Standard
Hydrogen Sulfide	1 hour	0.03 ppm	No federal Standard	No federal Standard
Vinyl Chloride	24 hour	0.01 ppm	No federal Standard	No federal Standard

Notes: ppm = parts per million; ppb= parts per billion; µg/ m³ = micrograms per cubic meter of air;
AAM = Annual Arithmetic Mean;
Source: California Air Resources Board, 6/04/2013.

Ozone (O_3) is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and reactive hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues.

Carbon Monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO concentrations are generally higher in the winter, when meteorological conditions favor the build-up of directly emitted contaminants. CO health warning and emergency episodes occur almost entirely during the winter. The most significant source of carbon monoxide is gasoline-powered automobiles, as a result of inefficient fuel usage in internal combustion engines. Various industrial processes also emit carbon monoxide.

Nitrogen Oxides (NO_x) the primary receptors of ultraviolet light initiating the photochemical reactions to produce smog. Nitric oxide combines with oxygen in the presence of reactive hydrocarbons and sunlight to form nitrogen dioxide and ozone. Oxides of nitrogen are contributors to other air pollution problems including: high levels of fine particulate matter, poor visibility and acid deposition.

Sulfur Dioxide (SO_2) results from the combustion of high sulfur content fuels. Fuel combustion is the major source of SO_2, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. Sulfates result from a relation of sulfur dioxide and oxygen in the presence of sunlight. SO_2 levels are generally higher in the winter than in the summer (when sunlight is plentiful and sulfate is more readily formed).

Particulate Matter (PM_{10} and $PM_{2.5}$) consists of particles in the atmosphere as a by-product of fuel combustion, through abrasion such as tire wear, and through soil erosion by wind. Particulates can also be formed through photochemical reactions in the atmosphere. PM_{10} refers to finely divided solids or liquids such as soot, dust, and aerosols which are 10 microns or less in diameter and can enter the lungs. Fine particles are those less than 2.5 micrometers in diameter and are also referred to as $PM_{2.5}$.

Lead is found in old paints and coatings, plumbing and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are most susceptible to the effects of lead. The South County Air Basin and riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

Discussion of Impacts

a) ***No Impact.*** The project will be developed in accordance with all applicable air quality management plans. The subject property is located within the Salton Sea Air Basin (SSAB), which is governed by the South Coast Air Quality Management District (SCAQMD). SCAQMD is responsible for monitoring criteria air pollutant concentrations and establishing management policies for the SSAB. All development within the Salton Sea Air Basin, including the proposed project, is subject to the current AQMP and SIP.

The AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants. It was based, in part, on the land use plans of the jurisdictions in the region. The proposed project is consistent with the City of Palm Springs land use designations assigned to the subject property. Therefore, the proposed project is consistent with the intent of the AQMP. No impacts associated with compliance with applicable management plans are expected.

b, c) ***Less Than Significant Impact.*** Development of the proposed project will result in the release of criteria air pollutants. The California Emissions Estimator Model (CalEEMod) Version 2013.2.2 was used to determine air quality emissions that will be generated by construction and operation of the proposed project. Table III-2 summarizes the short-term construction-related emissions, and Table III-3 summarizes the ongoing emissions that will be generated at operation.

Construction Emissions

The construction period includes demolition, site preparation, grading, building construction, paving, and architectural coating associated with the proposed project. For analysis purposes, it is assumed that construction will occur over a 1-year period extending from March 1, 2015 to March 1, 2016. The demolition period includes the removal of 33,500 square feet of existing buildings. The grading period includes hauling emissions associated with the projected 12,000 cubic yards of cut, and 2,000 cubic yards of fill.

As shown in Table III-2, emissions generated by construction activities will not exceed SCAQMD thresholds of significance for criteria air pollutants. The data reflect average daily emissions over the 1-year construction period, including both summer and winter weather conditions. It should be mentioned that the Table below shows the projected unmitigated emissions. Implementation of minimization measures during construction will further reduce emission levels. Applicable minimization measures include, but are not limited to, the implementation of dust control practices in conformance with SCQAMD Rule 403, and proper maintenance and limited idling of heavy equipment. Impacts to air quality from construction of the proposed project for criteria pollutants, therefore, are expected to be less than significant.

Table III-2
Construction-Related Emissions Summary
(pounds per day)

Construction Emissions[1]	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
2015	44.59	56.92	71.09	0.07	14.00	8.37
2016	2.99	2.48	71.04	0.00	0.35	0.24
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds Threshold?	NO	NO	NO	NO	NO	NO

Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2.
See Appendix A for detailed calculations.

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the project. Operational emissions include area source emissions, emissions from energy (electric and natural gas) demand, and mobile source (vehicle) emissions. As shown in the table below, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants. Impacts will be less than significant.

Table III-3
Operational Emissions Summary
(pounds per day)

	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
Operation Emissions[1]	47.25	10.28	13.54	0.06	4.09	1.33
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds Threshold?	NO	NO	NO	NO	NO	NO

Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2.
See Appendix A

Non-Attainment

Historically, the Coachella Valley, which includes the proposed project site, has been classified as a "non-attainment" area for PM10. The proposed project will contribute to an incremental increase in regional ozone and PM_{10} emissions. However, this impact is not expected to be cumulatively considerable. Project construction and operation emissions will not exceed SCAQMD thresholds for PM_{10} or ozone precursors, and appropriate minimization measures will be implemented that will further reduce emissions. The project will not conflict with any attainment plans and will result in less than significant impacts.

d) ***Less than Significant Impact.*** To determine if the proposed project has the potential to generate significant adverse localized air quality impacts, the 5-acre mass rate LST Look-Up Table for SRA 30 (Coachella Valley) was utilized. The nearest sensitive receptor is a multi-family residential development (Plaza Villas) located 30 meters north of the project site boundary. Therefore, LSTs are summarized in the table below for sensitive receptors located approximately 25 meters from the emission source. Emission estimates reflect all phases of construction. As shown in Table III-4 below, LST thresholds will not be exceeded during construction of the project. Impacts to sensitive receptors will be less than significant.

Table III-4
Localized Significance Thresholds
(pounds per day)

	CO	NO_x	PM_{10}	$PM_{2.5}$
Project Emissions	44.59	56.92	6.66	4.33
LST	2,292	304	14	8
Exceeds Threshold?	NO	NO	NO	NO

Source: CalEEMod Version 2013.2.2
Emissions shown are the maximum daily emission during all phases of construction, unmitigated, with the exception of PM_{10} and $PM_{2.5}$, which show emissions after enforcement of standard dust control measures. The highest daily emissions are expected to occur in 2015.
See Appendix A

e) ***Less than Significant.*** The proposed project is not expected to generate objectionable odors at project buildout. The proposed project has the potential to result in short term odors associated with asphalt paving and heavy equipment; however, any such odors would be quickly dispersed below detectable thresholds as distance from the construction site increases. Therefore, impacts from objectionable odors are expected to be less than significant.

Standard Air Quality Regulations

The project will adhere to all established air quality standards and regulations including the following:

1. SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A dust control Plan shall be prepared and implemented during all construction activities, include ground disturbance, grubbing, grading, and soil export. Said plan shall include but not be limited to the following best management practices:
    - Chemically treat soil where activity will cease for at least four consecutive days;
    - All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour;
    - Water site and equipment morning and evening and during all earth-moving operations;
    - Operate street-sweepers on paved roads adjacent to site;
    - Establish and strictly enforce limits of grading for each phase of development; and/or

- Stabilize and re-vegetate areas of temporary disturbance needed to accomplish each phase of development.
- Wash off trucks as they leave the project site as necessary to control fugitive dust emissions.
- Cover all transported loads of soils, wet materials prior to transport, provide adequate freeboard (space from the top of the material to the top of the truck) to reduce PM10 and deposition of particulate matter during transportation.
- Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.

2. SCAQMD Rule 402: The project shall adhere to nuisance odor requirement.

3. SCAQMD Rule 1113: The project shall use low VOC content architectural coatings and paints per the requirements of this Rule.

Recommended Control Measures

Although project related air emissions are expected to be less than significant, the following control measures are recommended to further limit air quality emissions:

1. To reduce particulate matter and NOx emissions construction equipment should utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst during all construction activities.

2. All construction equipment should be properly serviced and maintained in optimal operating condition.

3. Construction equipment should not be left idling for more than five minutes.

4. Diesel-powered construction equipment shall utilize aqueous diesel fuels, and be equipped with diesel oxidation catalysts.

5. Onsite landscaping, if any, should be equipped with efficient irrigation and a low water demanding plant pallet to minimize water use onsite, which also reduces onsite energy expenditures and any air quality emissions associated with the production of energy.

6. Onsite lighting should utilize energy efficient technology such as sensors, timers, and LED to minimize energy demand from lighting.

7. As feasible, construction waste should be recycling to reroute waste from landfills and minimize the project's contribution to the landfill.

8. The contractor shall notify the City of the start and end of grading and construction activities in conformance and within the time frames established in the 2003 PM_{10} State Implementation Plan.

9. Construction staging and management plans shall be reviewed and conditioned to require the application of all reasonably available methods and technologies to assure the minimal emissions of pollutants from the development. The City Engineer shall review grading plan

applications to ensure compliance with the mitigation measures set forth in this document and as otherwise conditioned by the City.

10. As part of the construction staging and management plans, the contractor shall concurrently submit a dust control plan consistent with the City's Air Quality Management Plan. Mitigation measures to be implemented through this plan include but are not limited to the use of water trucks and temporary irrigation systems, post-grading soil stabilization, phased roadway preparation and paving, as well as other measures which will effectively limit fugitive dust and other emissions.

11. Construction equipment and materials shall be sited as far away from residential and park uses as practicable.

IV. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

(Sources: "Agua Caliente Tribal Habitat Conservation Plan," August 2010; "Coachella Valley Multiple Species Habitat Conservation Plan," 2007)

Discussion of Impacts

a-f) No Impact. The subject site is located in an urban area and surrounded on all sides by paved roads and resort, commercial, and residential development. It is entirely developed with paved parking lots and office buildings. Biological resources are limited to ornamental vegetation along the site perimeter, within parking lots, and adjacent to the office buildings.

The site is not known to contain sensitive or special-status species. It does not contain any streams, riparian habitat, marshes, protected wetlands, or other waters or related habitat. It is completely surrounded by urban development and has no potential to serve as a migratory wildlife corridor or nursery site. It does not contain any trees or other biological features that are protected by local policies or ordinances, and the proposed project will not conflict with any such policies.

The project will not conflict with the policies or intent of a habitat conservation plan or natural community conservation plan. The site is located within the boundaries of the Tribal Habitat Conservation Plan (HCP) of the Agua Caliente Band of Cahuilla Indians. It is within the HCP's Valley Floor Planning Area (VFPA) and, therefore, will be required to pay the VFPA Fee.

The property is also located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP). However, because the project will be required to pay Tribal Habitat Conservation Plan VFPA Fee, it will not be subject to payment of any fees associated with the CV MSHCP. No additional mitigation is required.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

(Sources: City of Palm Springs General Plan, 2007; Section 14 Specific Plan, City of Palm Springs, July 2014.)

Setting

The City is located in the traditional territory of the Desert Cahuilla, with a history dating back to 1,000 BC. Evidence of Cahuilla occupation in the Coachella Valley dates to over 500 years ago, when the Tribe settled around ancient Lake Cahuilla, in the area of present day La Quinta and Indio. The canyons surrounding Palm Springs also have yielded evidence of use by the Tribe, which took advantage of water sources, food sources from plants and animals, and rock for tool-making.

The City's modern history began in the early 1870s, when John Guthrie McCallum purchased land in the area, and later subdivided it. Rapid expansion in the area began in the 1920s, with the City's spreading reputation as a health resort, and the increased interest from the Hollywood movie community. Until the end of World War II, architecture in the City consisted primarily of Mission Revival and Spanish Colonial Revival structures. Development was centered around Palm Canyon Drive, as hotels and shops were constructed.

The City occurs well outside the boundary of ancient Lake Cahuilla, an area where paleontological resources have occurred. Further, soils in the City are generally post-Pleistocene age alluvium from the surrounding mountains, too new in the context of paleontology to yield fossilized remains.

Discussion of Impacts

a) ***No Impact.*** The project site is fully developed with a parking lot and 1971 vintage office buildings. The existing buildings do not qualify or meet the criteria of a historical resource as defined in Section 15064.5. The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs. No impacts to historic resources are expected to occur as a result of build out of the proposed project.

b) ***Less than Significant Impact with Mitigation.*** The project site occurs within the boundaries of the Section 14 Master Plan. The EIR prepared for that project identified the potential for buried resources throughout the area, including the project site. However, the site has been previously developed, and the potential for buried remains to be unearthed is considered low. Nonetheless, the following mitigation measure shall be implemented.

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

c) ***No Impact.*** The City and project site are outside the shoreline of ancient Lake Cahuilla. The site is underlain by alluvium which is post-Pleistocene, and not suitable for paleontological resources. Development of the project site will have no impact on paleontological resources.

d) ***Less than Significant Impact.*** No known burial ground or cemetery occurs on the project site. Excavation for existing development on the site would likely have identified such remains. Excavation for the parking structure, however, is likely to occur to a greater depth than has been excavated in the past. Should human remains be discovered during construction of the proposed project, the project contractor would be subject to State law regarding the discovery and disturbance of human remains. In that circumstance, the project contractor is required to immediately notify law enforcement, and allow the coroner to determine the nature of the remains (historic or pre-historic, human or not). The coroner is also responsible for the proper removal and potential re-burial of the remains, and consultation with Tribal officials, if the remains are determined to be Native American. As a result of these State requirements, impacts to human remains are expected to be less than significant.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

(Sources: Figures 6-1, 6-2, 6-3, and 6-4, 2007 Palm Springs General Plan; "Soil Survey of Riverside County, California, Coachella Valley Area," U.S. Department of Agriculture Soil Conservation Service, 1980; "Preliminary Water Quality Management Plan: Aberdeen Residential," Walden and Associates, January 19, 2015; "Preliminary Drainage Study for Prairie Schooner," Walden and Associates, December 2014)

Discussion of Impacts

a.i) **No Impact.** The subject property is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone, and no impacts associated with fault rupture will occur onsite. The nearest fault zones are located along the Banning Pass Fault, approximately 5 miles northeast of the site, and the San Jacinto Fault System approximately 5 miles to the south.

a.ii) **Less Than Significant Impact.** Numerous active faults are located in the Coachella Valley. During a significant seismic event, the City will be subjected to significant ground acceleration, and onsite structures could sustain damage. To reduce impacts from seismic ground shaking and provide collapse-resistant design, the City requires that all structures be constructed to Uniform Building Code (UBC) requirements for Seismic Zone 4. The proposed project will be required to conform to these standards and, therefore, impacts are expected to be less than significant.

a.iii) **No Impact.** Liquefaction is the loss of soil cohesion due to exposure to shallow groundwater or a seismic event. Liquefied soils cannot support structures and can cause structural failures. For liquefaction to occur, groundwater levels must be within 50 feet of the ground surface.

The subject property is located on the valley floor in an area with low liquefaction susceptibility. Its near surface soils consist of fine to gravelly sand and older alluvial sediments. Onsite groundwater depths are estimated to be greater than 50 feet below the ground surface. No project-related impacts associated with liquefaction will occur.

a.iv) **No Impact.** The proposed project site is on the valley floor. It consists of, and is surrounded by, relatively flat terrain. The nearest hillsides and mountainous slopes are approximately ½ mile west of the property. No impacts associated with landslides will occur.

b) **Less Than Significant Impact.** The subject site is located on the valley floor and is susceptible to wind erosion. The proposed project will require demolition of existing structures and parking lots, grading, paving, and other ground disturbance by heavy machinery, which will contribute to temporary wind erosion impacts. Water erosion could occur as a result of site watering during the development process and post-construction operations.

However, the site has been graded and developed in the past, and the terrain is largely flat. The project will not require substantial grading. The mitigation measures provided in the Air Quality section of this Initial Study will reduce impacts associated with wind erosion to less than significant levels. The project will be required to comply with the requirements of the National Pollutant Discharge Elimination Systems (NPDES) and the Best Management Practices (BMP) set forth in the project-specific Water Quality Management Plan (WQMP) to assure that water erosion is reduced to less than significant levels. Post-construction water runoff will be collected by a private storm drain system and retained via an underground retention system.

c) **No Impact.** The subject site does not contain unstable soils or geologic units. As described in VI.a, above, the site is not susceptible to liquefaction due to its soil composition and depth to groundwater. It is not susceptible to landslide due to distance from mountainous slopes and foothills. The site was previously graded to accommodate

construction of the existing facilities, and grading was conducted in compliance with City standards.

The City will require additional project-specific geotechnical and structural engineering analysis, as necessary, to determine whether additional soil remediation or compaction is required.

d) **No Impact.** Onsite soils consist of Carsitas gravelly sand (0 to 9 percent slopes) and Myoma fine sand (0 to 5 percent slopes), which have a low shrink-swell potential. No impacts associated with expansive soils will occur.

e) **No Impact.** The project will connect to the City's existing sewer system. No septic tanks or alternative wastewater disposal systems are proposed. No adverse impacts will occur.

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

(Sources: CalEEMod Version 2013.2.2)

a, b) ***Less than Significant Impact.*** The proposed project will generate greenhouse gas (GHG) emissions during both construction and operation. As mentioned in Section III.A (Construction Emissions), CalEEMod was used to quantify air quality emission projections, including greenhouse gas emissions. Construction related greenhouse gas emissions will be temporary and will end once the project is completed. Operation of the proposed project will create on-going greenhouse gases through area source emissions such as landscaping and off-gassing from the pavement. Table VII-1 provides projected short-term and annual GHG generation associated with Aberdeen.

Table VII-1
Projected GHG Emissions Summary
(Metric Tons)

Phase	CO2e
Construction (1 year)	417.75
Operational 2016 (Annually)	1,116.47

Source: CalEEMod Version 2013.2.2.
See Appendix A

There are currently no adopted thresholds of significance for GHG emissions for construction or operation of projects of this nature. It is recognized that GHG impacts are intrinsically cumulative. As such, project construction will be conducted in a manner that is consistent with applicable rules and regulation pertaining to the release and generation of GHG's. The proposed project will have a less than significant impact on the environment from the emission of GHG's and will not conflict with any applicable GHG plans, policies or regulations.

VII. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

(Sources: "Preliminary Environmental Site Assessment – Phase I, City Parking Lot, APN 508-055-007 and -008," California Environmental, January 2006; "Preliminary Environmental Site Assessment – Phase I, Commercial Property APN 508-055-006," California Environmental, December 2006; "Environmental Site Assessment – Phase I, Commercial Property APN 508-055-003," California

Environmental, April 2007; Envirostor map database, California Department of Toxic Substances Control, accessed February 5, 2015; "Riverside County Airport Land Use Compatibility Plan Policy Document," March 2005).

Discussion of Impacts

Three project-specific Phase I Environmental Site Assessments were prepared for the project including "Preliminary Environmental Site Assessment – Phase I, City Parking Lot, APN 508-055-007 and -008," California Environmental, January 2006; "Preliminary Environmental Site Assessment – Phase I, Commercial Property APN 508-055-006," California Environmental, December 2006; and "Environmental Site Assessment – Phase I, Commercial Property APN 508-055-003," California Environmental, April 2007.

a-b) Less Than Significant Impact with Mitigation Incorporated.

The proposed project will result in the construction of townhomes, live/work units, a community gym, and a commercial building. Limited quantities of paints, solvents, architectural coatings, and similar agents will be transported to and used onsite during the construction process. A vehicle staging area will be used during the construction phase of the project to minimize potential fuel or oil spills and the risk of explosion or accidental chemical release. The project will be required to adhere to applicable local, State, and federal laws pertaining to occupational safety and disposal of hazardous waste.

Over the long-term, residents can be expected to store and use various chemicals for routine household and landscaping purposes. Similar cleansers and chemicals will be stored and used at the commercial site. Chlorine and related chemicals will be stored and used for swimming pool/spa operation and maintenance. None of these will be used in sufficient quantities as to pose a threat to humans or cause a foreseeable chemical release into the environment.

Phase I Site Assessments

Three (3) Phase I Environmental Site Assessments were conducted on the subject property to evaluate the potential for hazardous materials impacts to soil and groundwater beneath the site. One report addressed the existing parking lot, one addressed the two westernmost office buildings, and one addressed the two easternmost buildings.

No evidence of the use, storage, disposal or generation of hazardous substances was observed onsite, and there is no evidence of aboveground or underground storage tanks, grease interceptors, or sumps onsite. No further research or subsurface assessment activities were recommended.

Two of the existing office buildings were built in 1973 and two were built in 1976. Therefore, there is the potential for asbestos containing materials (ACM) and lead based paint to have been used in their construction. Suspect ACM was observed in the form of ceiling tiles and linoleum. During demolition, the proper handling, transport, and disposal of such materials must be assured. In order to assure that impacts associated with asbestos are mitigated to less than significant levels, the following mitigation measure shall be implemented.

Mitigation Measure

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

c) **No Impact.** No schools are located or planned within one quarter mile of the project site. There will be no impact to schools.

d) **No Impact.** The proposed project site is not included on a list compiled pursuant to Government Code Section 65962.5. The proposed project will not create a significant hazard to the public or environment.

e-f) **No Impact.** The Palm Springs International Airport is located approximately 1½ miles east of the subject property. The property is not located within the boundaries of the airport's land use compatibility plan. The property is not located in the vicinity of a private airstrip. The project will not result in safety hazards for people living or working in the area.

g) **No Impact.** The proposed project will be accessible from East Andreas Road, Calle Alvarado, and Calle El Segundo, all of which are built out streets. The project will not alter the existing circulation pattern in the project area or adversely impact evacuation plans for those streets. The internal circulation plan will be reviewed by the Fire Department to assure that roads and driveways are adequate for emergency vehicles. A construction traffic plan will be required to assure that the project does not interfere with emergency access during the construction phase.

h) **No Impact.** The subject property is located in an urban area and surrounded on all sides by development. The nearest wildlands are the foothills of the San Jacinto Mountains, approximately ½ mile to the west. The property is not susceptible to wildfire hazards, and the proposed project will not expose people or structures to significant risks associated with wildland fires.

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

(Sources: "Preliminary Drainage Study for Prairie Schooner in the City of Palm Springs, CA," Walden & Associates, December 2014; "Preliminary Water Quality Management Plan for Aberdeen Residential," Walden & Associates, January 19, 2015; "City of Palm Springs Local Hazard Mitigation Plan," August 2012; Figure 6-5, Palm Springs General Plan, 2007; Flood Insurance Rate Map #06065C1558G, Federal Emergency Management Agency, August 28, 2008.)

Discussion of Impacts

A project-specific Preliminary Drainage Study and Preliminary Water Quality Management Plan was prepared for the project ("Preliminary Drainage Study for Prairie Schooner in the City of Palm Springs, CA," Walden & Associates, December 2014 and Preliminary Water Quality Management Plan for Aberdeen Residential," Walden & Associates, January 19, 2015).

a) **Less Than Significant Impact.** The proposed project will comply with all applicable local, State, and federal water quality standards and wastewater discharge requirements. The project will be connected to existing water and sewer lines, and wastewater will be transported to and processed at the City's Wastewater Treatment Plant (WTP). The WTP complies with the requirements of the Regional Water Quality Control Board pertaining to water quality standards and waste discharge. Project-generated runoff will be collected by a private storm drain system and retained with a proposed underground retention system.

The City will require compliance with the National Pollutant Discharge Elimination System (NPDES). The project-specific Preliminary Water Quality Management Plan (WQMP) identifies a wide range of Best Management Practices (BMPs) that will be incorporated into the project to minimize the pollutant load associated with urban runoff and assure the project complies with the requirements of the City and Regional Water Quality Control Board. As a result of these measures, the impacts associated with water quality will be less than significant.

b) **Less Than Significant Impact.** The proposed project will increase the demand for water supplies and services, but will not substantially deplete water supplies or interfere with groundwater recharge. In the short-term, water will be required for site grading. At buildout, the project will include dwelling units, live/work units, a commercial site, two swimming pools, and a spa that will require water supplies and services. The project will connect to existing water lines, and no new wells or additional off-site water infrastructure are proposed.

The Desert Water Agency (DWA) provides domestic water to the project area. Its primary source of water is groundwater extracted by deep wells, which is replenished with Colorado River water. A lesser amount of water comes from regional mountain streams. DWA is a participant in the Coachella Valley Regional Water Management Group that prepared an Integrated Regional Water Management Plan (draft WMP, November 2013). The WMP indicates that long-term regional demand for potable water is expected to increase; however, with continued conservation measures and replenishment of groundwater, sufficient supplies will be available to meet demand. The proposed project will be required to comply with DWA's and the City's water-efficiency requirements, including the use of drought-tolerant planting landscape materials and limited irrigation for landscaping. Implementation of City and DWA conservation requirements will assure that project-related impacts to water supplies will be less than significant.

c-e) **Less Than Significant Impact.** The project is not expected to result in erosion, siltation, or flooding on or off-site, or generate runoff that exceeds the capacity of planned or existing drainage facilities. The subject property is relatively flat and fully developed with office buildings and paved parking lots. No streams or rivers are located onsite. Project features will include asphalt/concrete pavement, hardscape, and landscape. The project proposes a system of onsite storm drains and pipes which will be connected to existing public storm drain facilities located in Calle El Segundo. No vehicle maintenance, repair, washing or cleaning facilities are proposed.

The project drainage study evaluated existing and post-construction stormwater generation for various storm events and durations. It determined that stormwater flows from the proposed project will be less than existing flows generated onsite. Specifically, existing onsite development generates a volume of 3.56 acre-feet during a 24-hour duration 100-year flood, whereas the proposed project would generate a volume of 2.22 acre-feet. This represents a reduction of 1.34 acre-feet (37%) over existing conditions. The WQMP determined also that the project's post-development runoff flow rate, volume, velocity, and duration will be less than existing conditions for the 2-year 24-hour and 10-year 24-hour rainfall events. Best Management Practices will be incorporated into the site design, including minimizing impervious surfaces and footprints and minimizing areas directly connected to impervious surfaces.

f) **No Impact.** As described in VIII.a, above, the project will be required to comply with all applicable water quality standards. It will incorporate a subsurface storm drain system and a range of Best Management Practices (BMPs) to minimize potential water quality degradation. All project components will be required to comply with City standards for the preservation of groundwater quality. No other water quality issues are expected to result from implementation of the proposed project.

g-h) **No Impact.** The subject property is not located in the 100-year floodplain. The northerly portion of the site is designated "Zone X," which represents "areas determined to be outside the 0.2% annual chance floodplain." The southerly portion of the site is designated "Zone X: Other Flood Areas," which represents "areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood."

i) **Less Than Significant Impact.** The project site is within the Dam Failure Inundation Pathway of the Tachevah Creek Detention Reservoir. The reservoir is located

approximately 1,200 feet downstream from the mouth of Tachevah Canyon in the San Jacinto Mountains west of the project site. It controls storm runoff and debris from a 3.2 square mile drainage area and protects the central part of the City from flooding. It is required by the California State Water Code to be monitored for structural safety. Potential risks and planned responses are addressed in the Palm Springs Local Hazard Mitigation Plan. Impacts to the subject property will be less than significant.

j) **No Impact.** No other hazards associated with sieche, tsunami, or mudflow will occur onsite. The site is not located in the vicinity of any other bodies of water which could be subject to seiche. Given its distance from the Pacific Ocean, the property is not subject to tsunamis.

IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

(Source: Section 14 Specific Plan, City of Palm Springs, July 2014; Palm Springs General Plan 2007)

Setting

The project site is governed by the policies and land use designations of the Section 14 Master Plan. The project site is designated Retail/Entertainment/Office (REO) and Resort Attraction (RA) on the Section 14 Master Plan land use map.

The City of Palm Springs participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Agua Caliente Tribal Habitat Conservation Plan, as discussed above under Biological Resources.

Discussion of Impacts

a) ***No Impact.*** The project site is fully developed in office and parking lot land uses. A self-contained condominium community occurs immediately north of the project site. The development of the proposed project will not divide that community. No impacts are expected.

b) ***No Impact.*** The REO and RA designations in the Section 14 Master Plan allow multi-family residential and live-work developments. In the REO and RA designations, the multi-family land use will require approval of a conditional use permit. The live-work units will require approval of a land use permit for the REO designation, and a conditional use permit for the RA designation. The project will be required to adhere to Section 14 development standards and requirements. The proposed project is therefore consistent with the Master Plan. There will be no impact to land use plans as a result of the proposed project.

c) ***No Impact.*** As described in Section IV, Biological Resources, the City of Palm Springs participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Agua Caliente Tribal Habitat Conservation Plan. The property is within the boundaries of the both Plans, and therefore, the project proponent will be required to pay a mitigation fee as mitigation for any potential impacts to sensitive biological species. The proposed project will not conflict with the provisions of either Plan.

X. MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

(Sources: Palms Springs General Plan 2007)

Discussion of Impacts

a,b) **No Impact.** As shown in the Mineral Land Classification Map for the project area, the project site is located in Mineral Zone MRZ-3, which indicates an area containing mineral deposits; however the significance of these deposits cannot be evaluated from available data. The project site occurs in an urban setting and is not designated for mineral resource land uses. The proposed project would result in no impacts to mineral resources.

XI. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

(Sources: Palm Springs General Plan 2007)

Discussion of Impacts

a) **Less than Significant Impact.** The main source of off-site exterior noise impacting the project will be generated from traffic along surrounding roadways, including Tahquitz Canyon Way, Calle El Segundo, Calle Alvarado, and Andreas Road. According to the General Plan (Exhibit 8-5), future noise levels along project specific portions of these roadways are projected to range from 65-70 CNEL.

Development of the site will also result in short term impacts associated with construction noise. These impacts are temporary and will cease when in operation. Construction noise is regulated by the Municipal Code and required to occur during the noisier daytime hours, which helps to lower the potential impacts.

Permanent increases in ambient noise levels will be less than significant during long-term operation of the project. The City will require compliance with Building Code standards

for interior noise levels, including the preparation of noise analyses to demonstrate that interior noise levels will meet these requirements.

Noise levels generated by project activities will be consistent with a medium-density residential neighborhood and commercial/retail facility, and permanent noise sources will be limited to typical household appliances, landscape maintenance equipment, and vehicles accessing the property. Long-term noise impacts are expected to be less than significant.

b) **Less than Significant Impact.** Temporary and periodic ground borne vibration may occur during demolition and construction of the project, particularly as heavy equipment grades the site, but these will cease once in operation. In addition, the proposed project will be required to comply with construction hours provided in the Municipal Code. Construction hours are limited to the less sensitive daytime hours, further reducing potential impacts associated with groundborne noise and vibration. Impacts are therefore expected to be less than significant.

c) **Less than Significant Impact.** The proposed project's contribution to area noise levels will primarily be from vehicles on area roadways. As described above, noise levels in the area of the proposed project in the long term will range from 65 to 70 dBA CNEL with or without the project. Permanent increases in ambient noise levels will be less than significant during operation of the project. The City will require compliance with Building Code standards for interior noise levels, including the preparation of noise analyses to demonstrate that interior noise levels will meet City requirements. Noise levels generated by project activities will be consistent with the surrounding residential and commercial/retail uses, and permanent noise sources will be limited to typical household appliances, landscape maintenance equipment, and vehicles accessing the property. Long-term noise impacts are expected to be less than significant.

d) **Less than Significant Impact with Mitigation.** Demolition of existing structures and construction of the proposed project will result in elevated noise levels. The peak noise level for most of the equipment that would be used during construction on the project site ranges from 70 to 95 dBA at a distance of 50 feet. The construction activities on the project site will cause temporary increases in noise levels above the City's standards, but these increases will be temporary and periodic. Construction noise is regulated by the Municipal Code to occur during the noisier day time hours, which helps to lower the potential impacts.

Should heavy equipment be stored or maintained along the northern boundary of the proposed project site, however, the noise levels could potentially be sustained, which would result in a potentially significant impact, which requires mitigation.

Mitigation Measures

MM XI-1 Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

e,f) **No Impact.** The proposed project is not located within noise contour boundaries of the Palm Springs International Airport (Figure 8-6 General Plan) and therefore will not expose future residents to excessive airport related noise levels. There are no private airstrips in Palm Springs so the project will not expose people living or working in the area to excessive noise levels.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

(Source: Palm Springs General Plan 2007; CA Department of Finance Table E-5 Population and Housing Estimates, May 1, 2014)

Discussion of Impacts

a) ***Less Than Significant Impact.*** The project will not induce substantial population growth, either directly or indirectly. The project proposes the development of 74 multi-family dwelling units and 17 live-work units. Based on the City's average household size of 1.98 persons (2014 CA Department of Finance), the project will have a population of approximately 180 residents at buildout. This represents less than one percent of the City's total population (46,135 persons, 2014 CA Department of Finance). Further, the project will be required to comply with the City's adopted policies and procedures regarding Community Facility Districts for development projects, as required by City Council Resolution 20304. This increase in population can be expected to be consistent with natural growth in the City, and will not induce growth either directly or indirectly.

No major infrastructure extensions will be required. Access will be taken from existing roads (Andreas Road, Calle El Segundo, and Calle Alvarado), and the project will connect to existing utility infrastructure located immediately adjacent to the project site.

b-c) ***No Impact.*** The subject property is currently occupied by office space and a parking lot, and no demolition of existing housing will occur. No residents will be displaced, and no replacement housing will be required elsewhere.

XIII. PUBLIC SERVICES **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

(Sources: Palm Springs Fire Department; "Palm Springs Fire Department Service Report, 2013": Tables 5-1 and 5-3, Palm Springs General Plan, 2007; "Palm Springs Parks and Recreation Master Plan Draft," March 2014.)

Discussion of Impacts

a-e) Less Than Significant Impact. The proposed project will generate an estimated buildout population of approximately 180 residents, which represents an increase of 0.04% to the City population (46,134 persons in 2014). The project will increase the demand for public services. However, given the relatively limited population increase, impacts will not be substantial. No new or expanded public facilities will be required as a result of the project.

Fire Protection

The Palm Springs Fire Department will provide fire protection services to the proposed project. The nearest fire station to the subject property is Station 1 (441) at 277 N. Indian Canyon Drive, approximately 1/3 mile to the northwest. It is equipped with one engine staffed with 3 personnel per shift, and one reserve ladder truck and one quick attack truck which are staffed as needed. Fire personnel will be able to reach the site within the target five-minute response time. Project plans will be reviewed by the Fire Department to ensure they meet applicable fire standards and regulations.

Police Protection

The Palm Springs Police Department provides law enforcement services within the City limits. The Department is located at 200 S. Civic Drive, approximately ½ mile east of the project site. It is authorized to have 92 sworn officers and strives to meet a 5-minute

emergency response time. Police will be able to access the project, and the project will be required to comply with all Police Department regulations and procedures.

Schools

The Palm Springs Unified School District (PSUSD) provides public school services and facilities in the project area. The nearest schools to the project site are Palm Springs High School at 2401 E. Baristo Road, and Ramon Alternative Center at 2248 E. Ramon Road, both of which are approximately one mile to the southeast. Given the relatively limited population anticipated at buildout, the number of students generated by the project is not expected to result in the need for additional schools or facilities. The project will be required to pay State-mandated school fees to mitigate impacts to public schools.

Parks

The City currently has approximately 160 acres of developed park land, 305 acres of golf courses, and over 2,630 acres of city-owned open space lands. The project will increase the use of these facilities; however, given the relatively limited population anticipated at project buildout, the increase is not expected to be substantial or result in the need for new or expanded facilities. The project proposes 2 swimming pools, a spa, and an exercise gym, which will provide onsite recreational opportunities for community residents.

The City implements Quimby Act requirements for parklands. The proposed project will be subject to the Quimby Act, including payment of fees and/or providing parkland as required. Payment of such fees will reduce impacts to parks to less than significant levels.

Other Public Facilities

The project will be accessed from existing roads (E. Andreas Road, Calle Alvarado, and Calle Segundo) and will connect to existing utility infrastructure. No new public roads or public transportation facilities will be required.

XIV. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion of Impacts

a-b) Less Than Significant Impact. At buildout, the proposed project will include an estimated population of 180 residents. Increased usage of local and regional parks and recreational facilities is anticipated; however, it is not expected to cause substantial deterioration of existing facilities or the need for new or expanded facilities. Residents will have the opportunity to use proposed onsite recreational facilities, including two swimming pools, a spa, and a gym/fitness center.

To offset potential impacts to public parks and recreational facilities, the project will be required to pay City parkland impact fees.

XV. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

(Sources: "Hard Rock Hotel – Palm Springs Traffic Impact Study," prepared by Endo Engineering, July 2007; "Aberdeen Mixed-Use Development Trip Generation," Prepared by Endo Engineering, January 20, 2015.)

Setting

The proposed project is located in the City's urban core and is surrounded by existing streets, including Tahquitz Canyon Way, Calle El Segundo, and Andreas Road. The proposed project includes a primary access drive on Andreas Road, and a secondary access point from Calle El Segundo.

Project access from Calle Alvarado is yet to be determined. The final design for Calle Alvarado is yet to be approved by the City Engineer and may be improved to accommodate two-way traffic, one-way traffic or a pedestrian paseo with emergency vehicle access only. The Section 14 Specific Plan allows all three alternatives. According to the City Engineer, fair-share payment or installation of a traffic signal at the Tahquitz Canyon Way / Calle Alvarado intersection may be required.

A traffic impact study was prepared for the previously proposed project[1] in 2007, The Hard Rock Hotel. A Traffic Letter was prepared in January 2015 to provide further analysis and supplemental trip generation information for the proposed Aberdeen mixed-use development. The analysis and results of the study are the basis of the discussion below.

Discussion of Impacts

a-b) ***Less than Significant Impact.*** The original traffic analysis (2007) studied seven area intersections, 5 of which are currently unsignalized, and two of which are currently signalized, including:

Calle El Segundo/Amado Road (4 way stop)
Avenida Caballeros/Amado Road (4 way stop)
Calle El Segundo/Andreas Road (4 way stop)
Calle Alvarado/Amado Road (2 way stop)
Calle Alvarado/Tahquitz Canyon Way (2 way stop)
Calle El Segundo/Tahquitz Canyon Way (signalized)
Avenida Caballeros/Tahquitz Canyon Way (signalized)

The 2007 analysis found that all intersections, both signalized and unsignalized, operated at Level of Service C (LOS C) or better during both the mid-day and evening peak hours in 2007, and the previously proposed buildout year of 2009. Although the 2007 study found that opening year traffic operations with the addition of the proposed project will result in acceptable levels of service, the long term traffic impacts of the proposed project, cumulative projects and ambient traffic growth will result in a long term need for improvements, in order to assure that levels of service on local streets remain at acceptable levels.

The 2015 Traffic Letter provided updated trip generation information to compare traffic impacts associated with the previously approved the Hard Rock Hotel, the proposed Aberdeen mixed-use development, and four (4) other development scenarios. The trip generation summary is provided in Table XV-1.

Table XV-1
Trip Generation Summary

Development Scenario	Land Use Quantity	Midday Peak Hour (Total)	PM Peak Hour (Total)	Daily 2-Way
Existing Land Uses	Offices	161	190	1,550
Approved Hard Rock Hotel Traffic Study	Hotel 482 Rooms	322	402	5,070
Initial Study/Mitigated Negative Declaration	Hotel 499 Rooms	324	495	6,030
Section 14 Specific Plan Maximum Permitted	5.7 Ac. RA, 3.4 AC. REO	576	686	7,660
Max. Residential Alt.	273 DU	116	137	1,540
Aberdeen Mixed-Use Development	91 DU, 8,334 SF Commercial	121	108	1,070

Source: "Aberdeen Mixed-Use Development Trip Generation," Prepared by Endo Engineering, January 20, 2015.

[1] "Hard Rock Hotel – Palm Springs Traffic Impact Study," prepared by Endo Engineering, July 2007.

As shown in the summary table above, the proposed Aberdeen development would result in substantially fewer trips than the Hard Rock Hotel. The Aberdeen Mixed-Use Development would result in the lowest future trip generation of the scenarios evaluated and less than that of the existing land uses on days when the convention center parking fully utilizes the parking lot on the project site. Therefore, the proposed project is expected to have less than significant impacts on traffic flows and Level of Service ratings.

c) ***No Impact.*** The project will have no impact on the facilities or operations of regional airports, and will not result in a change in air traffic patterns, including an increase in traffic levels. The project is located more than 1½ miles west of the Palm Springs International Airport. The proposed development will not affect the operations of these airports nor create a substantial safety risks.

d) **No *Impact.*** The project will be developed in accordance with City design guidelines and will not create a substantial increase in hazards due to a design feature. The project's access point will be located with adequate sight distances, and sharp curves have been avoided. Project-generated traffic will be consistent with existing traffic in the area.

e) **No *Impact.*** Access to the planning area is via major arterials, secondary arterials, Interstate-10 and a variety of local roads. Emergency access will be provided and preserved onsite. Both the Fire Department and Police Department will review project plans to ensure safety measures are addressed, including emergency access. The proposed project will not result in inadequate emergency access.

f) ***No Impact.*** SunLine Transit operates bus routes on Tahquitz Canyon Drive and will provide public transit access to the proposed project. SunLine has adequate capacity in its system to accommodate the proposed project. The project design will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion of Impacts

a-e) Less Than Significant Impact.

Wastewater Treatment

The project will require construction of onsite sewer infrastructure that will be connected to existing sewer lines, and wastewater will be transported to the City's Wastewater Treatment Plant (WTP). The WTP has a capacity of 10.9 million gallons per day (mgd) and treats approximately 6 mgd; therefore, it has available capacity to serve new development.

The WTP implements all applicable requirements of the Colorado River Basin Regional Water Quality Control Board, and no exceedances of wastewater treatment requirements are anticipated. Project-related impacts to wastewater facilities will be less than significant.

Domestic Water

Desert Water Agency (DWA) provides domestic water services to the subject property and vicinity. In 2013, the Coachella Valley Regional Water Management Group, of which DWA is a part, prepared a draft Integrated Regional Water Management Plan (IRWMP), an analysis and long-range plan addressing the region's domestic water needs and supplies. The IRWMP indicates that long-term demand for potable water is expected to increase throughout the region; however, conservation measures and groundwater replenishment programs will make it possible to meet increasing demand.

The proposed project will include construction of onsite domestic water lines that serve dwelling units, the commercial site, community pools and spa, and irrigation systems. These improvements will connect to existing DWA water lines. No new wells or additional water infrastructure or entitlements will be required. Construction will occur in accordance with DWA and City requirements. Impacts are expected to be less than significant.

Stormwater Management

Project-related impacts to stormwater management facilities will be less than significant. The project proposes construction of an onsite subsurface storm drain system to capture and convey onsite stormwater flows, which will connect to existing storm drains beneath Calle el Segundo. The project-specific drainage study evaluated existing and post-construction stormwater generation for various storm events and durations. It determined that stormwater flows from the proposed project will be less than existing flows generated onsite.

f-g) **Less Than Significant Impact.** Palm Springs Disposal Services (PSDS) provides solid waste collection and disposal services to the City and will serve the proposed project. Solid waste is transported to Edom Hill Transfer Station in northern Cathedral City and disposed at several regional landfills, including Lamb Canyon in Beaumont, El Sobrante in Corona, and Badlands in Moreno Valley. Each of these landfills has sufficient available capacity to serve the project. Facility operators, including PSDS, Burrtec, and Riverside County, are required to meet all local, regional, state, and federal standards for solid waste disposal. Onsite source reduction and recycling programs will contribute to additional solid waste reductions. Impacts will be less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Impacts associated with biological resources are considered negligible and mitigation measures are not required. Impacts associated with Cultural resources have been identified in this Initial Study and mitigated to less than significant levels (See Section V).

b) Development of the Aberdeen project is consistent with the General Plan and Section 14 Specific Plan and will not have any additional cumulatively considerable impacts beyond build out of the General Plan.

c) The project's potential environmental effects have been mitigated to a less than significant level by the measures outlined in the Initial Study and development requirements of the City of Palm Springs. Further, the proposed the project will not cause substantial adverse effects on human beings, as all potential impacts have been mitigated.

REFERENCES

2007 Palm Springs General Plan.

"Riverside County Important Farmland 2010 Map," California Department of Conservation.

Palm Springs Architectural Advisory Committee Staff Memorandum, January 12, 2015.

Section 14 Specific Plan, City of Palm Springs, July 2014.

California Air Resources Board, 6/04/2013.

"Final 2012 Air Quality Management Plan," prepared by South Coast Air Quality Management District, December 2012.

"CEQA Air Quality Handbook," prepared by South Coast Air Quality Management District, April 1993.

"Final Localized Significance Threshold Methodology, prepared by the South Coast Air Quality Management District, Revised, July 2008.

"South Coast Air Quality Management District Rules and Regulations," adopted February 4, 1977.

"Annual Air Quality Site Monitoring Reports," prepared by the South Coast Air Quality Management District.

"The California Almanac of Emissions and Air Quality, 2006 Edition," California Air Resources Board, Planning and Technical Support Division, March 2006.

"Climate Change 2007: The Physical Science Basis," Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, edited by S. Solomon, D. Qin, and M. Manning, April 2007.

"Working Group III Contribution to the Intergovernmental Panel on Climate Change Fourth Assessment Report, Climate Change 2007: Mitigation of Climate Change," prepared by the Intergovernmental Panel on Climate Change, May 2007.

"2003 Coachella Valley PM10 State Implementation Plan," August 1, 2003.

"Agua Caliente Tribal Habitat Conservation Plan," August 2010.

"Coachella Valley Multiple Species Habitat Conservation Plan," 2007.

"Soil Survey of Riverside County, California, Coachella Valley Area," U.S. Department of Agriculture Soil Conservation Service, 1980.

"Preliminary Water Quality Management Plan: Aberdeen Residential," Walden and Associates, January 19, 2015.

"Preliminary Drainage Study for Prairie Schooner," Walden and Associates, December 2014.

CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION

PLANNING SERVICES DEPARTMENT
Flinn Fagg, Director of Planning Services

Meeting Date: March 25, 2015
Subject: Case 5.1361 PDD 375 / 3.3820 MAJ & TTM 36876

AFFIDAVIT OF MAILING

I, Joanne Bruggemans, Senior Secretary of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on March 11, 2015 in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (171 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF PUBLICATION

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing will be published in the Desert Sun on March 14, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF POSTING

I, Joanne Bruggemans, Senior Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 East Tahquitz Canyon Drive, on the exterior legal notice posting board and in the Office of the City Clerk on March 11, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of March 25, 2015. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to demolish existing buildings and parking areas for the construction of a mixed-use project consisting of 74 attached and detached residential dwellings, 17 live-work units, and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zones REO and CU. The applications include a PDD in lieu of zone change (Case 5.1361 PDD 375) to establish the project site plan, permitted uses and development standards; Major Architectural Application (Case 3.3820 MAJ) to review proposed architectural designs; and Tentative Tract Map (TTM 36876) to subdivide approximately 8.05-acres into 93 lots with common area streets and open space.

ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

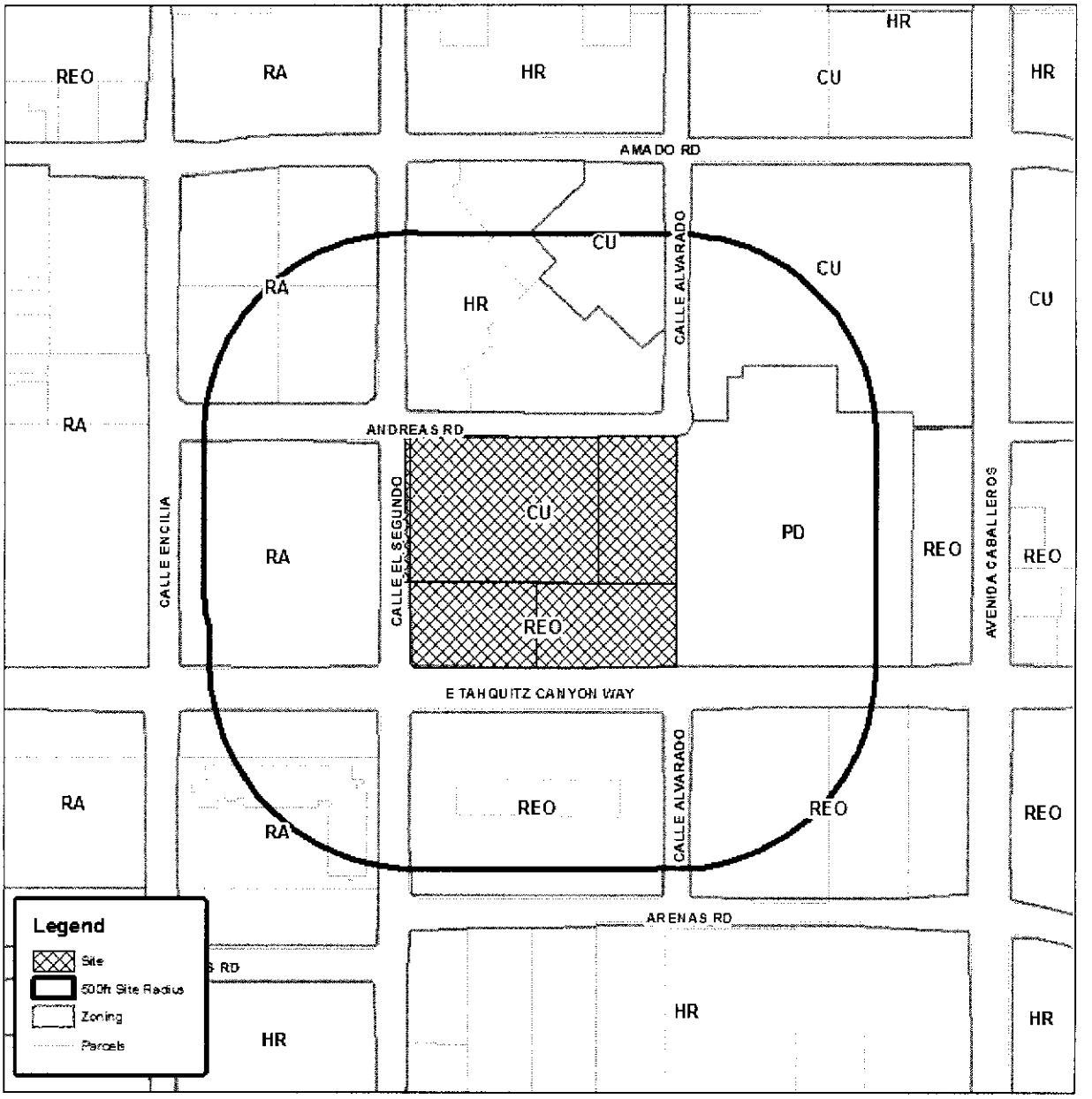
Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

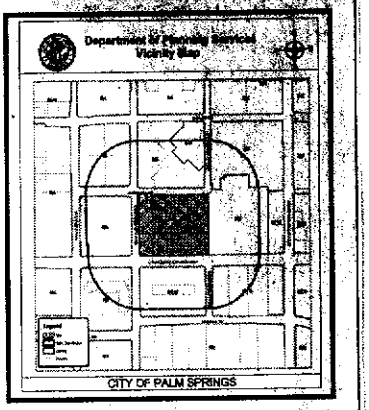
No 0353

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE 5.1361 PDD 375 / 3.0820 MAJ
& TTM 36870
O & M HR, LLC, NEXUS DEVELOPMENT
CORP. FOR "KEEPERS"
8.05-ACRES AT NORTHEAST CORNER
OF TAHQUITZ CANYON WAY AND
CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of **March 25, 2015.** The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to demolish existing buildings and parking areas for the construction of a mixed-use project consisting of 74 attached and detached residential dwellings, 12 live-work units, and approximately 1,568 square feet of commercial retail space on approximately 8.05 acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zones MSC and CO. The applications include a PDD to rezone change Case 5.1361 PDD 375) to establish the project site plan, permitted uses and development standards; Major Architectural Application Case 3.0820 MAJ) to review proposed architectural designs; and a Tentative Tract Map (TTM 36870) to subdivide approximately 8.05-acres into 86 lots with common area streets and open space.



ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

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Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Published: 3/14/15

Case 5.1375 PD-15 Aberdeen PC 3.25.15

508-051-061
USA BIA
3200 PARK AVE
BRIDGEPORT, CT 06604-1124

508-572-041
TPM COURTYARD INC
15770 DALLAS PKWY 300
DALLAS, TX 75248-6600

508-570-001
PACIFIC WESTERN BANK
9701 WILSHIRE BLVD 700
BEVERLY HILLS, CA 90212-2007

508-570-002
TAHQUITZ CANYON INV
1919 GRAND AVE 2A
SAN DIEGO, CA 92109-4579

508-571-081
VISTA SAN JACINTO
1919 GRAND AVE A
SAN DIEGO, CA 92109-4500

508-571-089
TAHQUITZ CANYON INV
1919 GRAND AVE 2A
SAN DIEGO, CA 92109-4579

508-572-029
TAHQUITZ CANYON INV
1919 GRAND AVE A
SAN DIEGO, CA 92109-4500

508-057-089
CHRISTOPHER R REES
30705 BRENDA WAY
CATHEDRAL CIT, CA 92234-5841

508-054-003
USA 508
400 E TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262-6605

508-055-007
NDC EQUITIES DOWNTOWN PS LLC
3200 E TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262-6959

508-051-024
USA BIA
222 N CALLE EL SEGUNDO520
PALM SPRINGS, CA 92262-6487

508-051-025
USA BIA
222 N CALLE EL SEGUNDO521
PALM SPRINGS, CA 92262-6487

508-051-034
USA BIA
222 N CALLE EL SEGUNDO
PALM SPRINGS, CA 92262-0011

508-051-066
USA BIA
222 N CALLE EL SEGUNDO557
PALM SPRINGS, CA 92262-0010

508-057-023
USA BIA
605 E AMADO RD 623
PALM SPRINGS, CA 92262-6456

508-042-008
USA-AGUA CALIENTE BAND OF CAI
5401 DINAH SHORE DR
PALM SPRINGS, CA 92264-5970

508-042-010
USA AGUA CALIENTE BAND OF CAI
5401 DINAH SHORE DR
PALM SPRINGS, CA 92264-5970

508-055-003
O
1 MACARTHUR PL 300
SANTA ANA, CA 92707-5942

*** 18 Printed ***

BIA PALM SPRINGS AGENCY
SUPERINTENDENT
PO BOX 2245
PALM SPRINGS, CA 92263

City of Palm Springs

Department of Planning Services
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
Telephone: 760-323-8245 ~ Fax: 760-322-8360
Email: Joanne.Bruggemans@palmspringsca.gov

MEMORANDUM

Date: March 11, 2015

To: Brenda Diaz
Bureau of Indian Affairs

Fax: (760) 416-2687

From: Joanne Bruggemans
Senior Secretary

Subject: Allotment Numbers for Public Hearing Notice – REVISED w/Allotment Numbers
Case 5.1361 PDD 375 - Aberdeen

Here are neighborhood courtesy notices that need to be sent to the appropriate Indian landowners within the 500' radius of the project location showing the allotment numbers as requested:

The allotment numbers corresponding with the APN numbers are as follows :

APN	Allotment Number	APN	Allotment Number
508-042-006	T55A	508-057-001 through 508-057-025	28A
508-042-009	T33A	508-082-003	22A
508-051-005 through 508-051-051	30A, 41A	508-082-007	118E
508-561-055 through 508-051-088	99B, 76A	508-082-074	118E
508-054-003	15A, 16A, 17A, 18A	508-084-004	97A
508-056-017 through 508-056-018	10A, 11A, 23A, 78A, 86A, 102A, 105A	508-084-007 through 508-084-008	94A, 99A
508-051-061	FEE	508-054-003	15A, 16A, 17A, 18A
508-051-024 – 508-051-025	FEE	508-051-034	FEE
508-051-066	FEE	508-057-023	FEE
508-042-008	T5340	508-042-010	T1031

I have enclosed these notices for distribution and your file but should you require more notices, please let me know.

Thank you for your continuous help and cooperation.

Enclosures: 140 notices + envelopes

[redacted]

MODCOM AND HISTORIC SITE REP ⇒ ⇒ ⇒

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE ⇒ ⇒ ⇒

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / 5.1361 PD 375
PO BOX 2743
PALM SPRINGS, CA 92263-2743

CASE 5.1361 PD 375
MRS. JOANNE BRUGGEMANS
506 W. SANTA CATALINA ROAD
PALM SPRINGS, CA 92262

AGUA CALIENTE BAND OF CAHUILLA INDIANS ⇒ ⇒ ⇒ ⇒ ⇒ ⇒

MS MARGARET PARK, DIRECTOR
AGUA CALIENTE BAND OF CAHUILLA INDIANS
PLANNING & DEVELOPMENT DEPT.
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

MS PATRICIA GARCIA
TRIBAL HISTORIC PRESERVATION OFFICER
AGUA CALIENTE BAND OF CAHUILLA INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES ⇒ ⇒ ⇒

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

MS. AMY MINTEER
ATTORNEY AT LAW
CHATTEN-BROWN & CARSTENS LLP

EMAIL: acm@cbcearthlaw.com

INTERESTED PARTIES ⇒ ⇒ ⇒

MR FRANK TYSEN
CASA CODY INN
175 S. CAHUILLA ROAD
PALM SPRINGS, CA 92262

SPONSORS ⇒ ⇒ ⇒ ⇒ ⇒

MR ROBERT ERES
NEXUS DEVELOPMENT CORPORATION
1 MAC ARTHUR PLACE, STE. 300
SANTA ANA, CA 92707

MR MATTHEW KAUFMAN
NEXUS DEVELOPMENT CORPORATION
1 MAC ARTHUR PLACE, STE. 300
SANTA ANA, CA 92707

MR CHRIS PARDO
CHRIS PARDO DESIGN
700 E. TAHQUITZ CANYON WAY, STE. A
PALM SPRINGS, CA 92262

MR DAVE BACON
WALDEN & ASSOCIATES
2552 WHITE ROAD, STE. B
IRVINE, CA 92614

MR JIM RIDGE, RLA
8841 RESEARCH DRIVE
IRVINE, CA 92618

Joanne Bruggemans

From: Joanne Bruggemans
Sent: Wednesday, March 11, 2015 3:45 PM
To: acm@cbcearthlaw.com
Subject: Case 5.1361 PDD 375 / 3.3820 MAJ / TTM 36876 - Aberdeen
Attachments: 4980_001.pdf

As requested, please find the attached PHN for the Planning Commission meeting on March 25, 2015 for your review.

Thank you.

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

Joanne Bruggemans

From:	Joanne Bruggemans
Sent:	Wednesday, March 11, 2015 3:42 PM
To:	Old Las Palmas; The Movie Colony; Movie Colony East; Midtown; Midtown; Historic Tennis Club; Baristo; Warm Sands
Cc:	David Newell; Cindy Berardi
Subject:	Case 5.1361 PD 375 /3.3820 MAJ / TTM 36876 - Aberdeen
Attachments:	4980_001.pdf

To All –

Please find the attached Public Hearing Notice of the Planning Commission for March 25, 2015 of the proposed project within a ½ mile of your neighborhood organization.

Thank you,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

Joanne Bruggemans

From: Joanne Bruggemans
Sent: Wednesday, March 11, 2015 3:42 PM
To: Lee A. Bonno
Subject: Case 5.1361 PD 375 - Aberdeen
Attachments: 4980_001.pdf; 5.1361 PD 375 PHN PC 03 25 15.doc

OK Lee – here the 2nd PHN for your review. Thanks,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION

PLANNING SERVICES DEPARTMENT
Flinn Fagg, Director of Planning Services

Meeting Date: February 25, 2015
Subject: Case 5.1361 PD 375 – Aberdeen

AFFIDAVIT OF MAILING

I, Joanne Bruggemans, Senior Secretary of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on February 12, 2015 in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (155 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Joanne Bruggemans
Senior Secretary

AFFIDAVIT OF PUBLICATION

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Senior Secretary

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Senior Secretary

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE: 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of February 25, 2015. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to demolish existing buildings and parking areas for the construction of a mixed-use project consisting of seventy-four (74) attached and detached residential dwellings, seventeen (17) live-work units and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zone REO and CU. The applications include a PDD in lieu of zone change (Case 5.1361 PDD 375) to establish the project site plan, permitted uses and development standards; Major Architectural Application (Case 3.3820 MAJ) to review proposed architectural designs; and Tentative Tract Map (Case TTM 36876) to subdivide approximately 8.05-acres into ninety-three (93) lots with common area streets and open space.

ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the Commission hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

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3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

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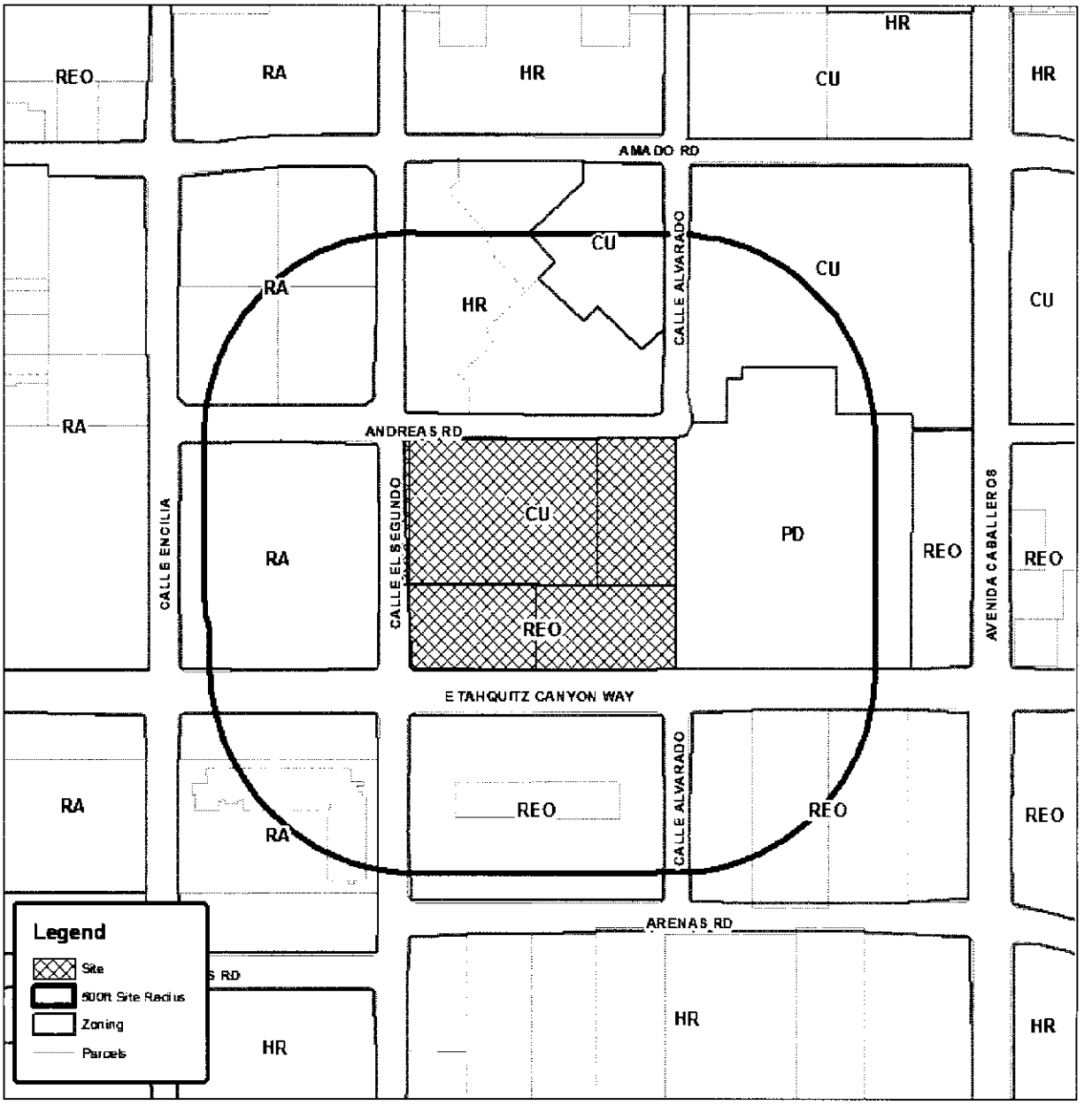
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1361 PD-375, ZC, 3.3820 MAJ and TTM 36876

APPLICANT: O & M HR, LLC

DESCRIPTION: A proposal to demolish an existing development and parking lot to construct "Aberdeen"; a mixed-use project consisting of (74) attached and detached residential dwellings, (17) live-work units and approximately 1,568 square feet of retail on 8.05-acres at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, Zone REO and CU.

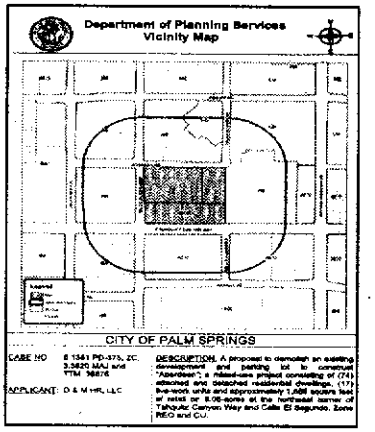
No 0211

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF PALM SPRINGS

CASE: 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Palm Springs, California, will hold a public hearing at its meeting of February 25, 2015. The Planning Commission meeting begins at 1:30 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider a proposal to demolish existing buildings and parking areas for the construction of a mixed-use project consisting of seventy-four (74) attached and detached residential dwellings, seventeen (17) live-work units and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zone REO and CU. The applications include a PDD in lieu of zone change (Case 5.1361 PDD 375) to establish the project site plan, permitted uses and development standards; Major Architectural Application (Case 3.3820 MAJ) to review proposed architectural designs; and Tentative Tract Map (Case TTM 36876) to subdivide approximately 8.05-acres into ninety-three (93) lots with common area streets and open space.



ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the Commission hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at City Hall between the hours of 8:00 a.m. and 8:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Case 5.1375 Pub 75 Aberdeen PO 2.245 N

508-051-061
USA BIA
3200 PARK AVE
BRIDGEPORT, CT 06604-1124

508-572-041
TPM COURTYARD INC
15770 DALLAS PKWY 300
DALLAS, TX 75248-6600

508-570-001
PACIFIC WESTERN BANK
9701 WILSHIRE BLVD 700
BEVERLY HILLS, CA 90212-2007

508-570-002
TAHQUITZ CANYON INV
1919 GRAND AVE 2A
SAN DIEGO, CA 92109-4579

508-571-081
VISTA SAN JACINTO
1919 GRAND AVE A
SAN DIEGO, CA 92109-4500

508-571-089
TAHQUITZ CANYON INV
1919 GRAND AVE 2A
SAN DIEGO, CA 92109-4579

508-572-029
TAHQUITZ CANYON INV
1919 GRAND AVE A
SAN DIEGO, CA 92109-4500

508-057-089
CHRISTOPHER R REES
30705 BRENDA WAY
CATHEDRAL CIT, CA 92234-5841

508-054-003
USA 508
400 E TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262-6605

508-055-007
NDC EQUITIES DOWNTOWN PS LLC
3200 E TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262-6959

508-051-024
USA BIA
222 N CALLE EL SEGUNDO520
PALM SPRINGS, CA 92262-6487

508-051-025
USA BIA
222 N CALLE EL SEGUNDO521
PALM SPRINGS, CA 92262-6487

508-051-034
USA BIA
222 N CALLE EL SEGUNDO
PALM SPRINGS, CA 92262-0011

508-051-066
USA BIA
222 N CALLE EL SEGUNDO557
PALM SPRINGS, CA 92262-0010

508-057-023
USA BIA
605 E AMADO RD 623
PALM SPRINGS, CA 92262-6456

508-042-008
USA-AGUA CALIENTE BAND OF CAI
5401 DINAH SHORE DR
PALM SPRINGS, CA 92264-5970

508-042-010
USA AGUA CALIENTE BAND OF CAI
5401 DINAH SHORE DR
PALM SPRINGS, CA 92264-5970

508-055-003
O
1 MACARTHUR PL 300
SANTA ANA, CA 92707-5942

*** 18 Printed ***

BIA PALM SPRINGS AGENCY
SUPERINTENDENT
PO BOX 2245
PALM SPRINGS, CA 92263

City of Palm Springs

Department of Planning Services
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
Telephone: 760-323-8245 ~ Fax: 760-322-8360
Email: Joanne.Bruggemans@palmspringsca.gov

MEMORANDUM

Date: February 12, 2015

To: Brenda Diaz
Bureau of Indian Affairs

Fax: (760) 416-2687

From: Joanne Bruggemans
Senior Secretary

Subject: Allotment Numbers for Public Hearing Notice
Case 5.1361 PDD 375 - Aberdeen

Here are neighborhood courtesy notices that need to be sent to the appropriate Indian landowners within the 500' radius of the project location showing the allotment numbers as requested:

The allotment numbers corresponding with the APN numbers are as follows :

APN	Allotment Number	APN	Allotment Number
508-042-006		508-082-074	
508-042-009		508-084-004	
508-051-005 through 508-051-051		508-084-007 through 508-084-008	
508-561-055 through 508-051-088			
508-054-003			
508-056-017 through 508-056-018			
508-057-001 through 508-057-025			
508-082-003			
508-082-007			

I have enclosed these notices for distribution and your file but should you require more notices, please let me know.

Thank you for your continuous help and cooperation.

Enclosures: 126 notices + envelopes

TITLE PRO IS
TITLE PRO INFORMATION SYSTEMS

13520 Scarsdale Way
San Diego, CA 92128
www.titleprois.com

NOTICE OF BUREAU OF INDIAN AFFAIR OWNED PARCELS

While conducting a radius search around the subject property(s) we found multiple records of parcels registered to the Bureau of Indian Affairs (BIA). These parcels may not have owner or site information publicly available.

As recommended by the Bureau of Indian Affairs' office we have added the following mailing label for noticing information to be sent to:

BIA PALM SPRINGS AGENCY
SUPERINTENDENT
PO BOX 2245
PALM SPRINGS, CA 92263

In addition to the above noticing label we have added a list of all the BIA properties for easy reference. If needed the provided list can be sent directly to the BIA PALM SPRINGS AGENCY for noticing purposes.

RECEIVED
FEB 11 2015
PLANNING SERVICES
DEPARTMENT

BUREAU OF INDIAN AFFAIRS

PARCEL LIST

Parcel Number	Owner Name	Site Address				Mailing Address			
508-042-006	USA S08	402 E ANDREAS RD	PALM SPRINGS	CA	92262	ADDRESS UNKNOWN	PALM SPRINGS	CA	
508-042-009	USA BIA					ADDRESS UNKNOWN			
508-051-005	USA BIA				92262				
508-051-006	USA BIA				92262				
S08-051-007	USA BIA				92262				
508-051-008	USA BIA				92262				
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508-051-013	USA BIA				92262				
508-051-014	USA BIA				92262				
508-051-015	USA BIA				92262				
508-051-016	USA BIA				92262				
508-051-017	USA S08				92262				
508-051-018	USA 508				92262				
508-051-019	USA BIA				92262				
508-051-020	USA BIA				92262				
508-051-021	USA BIA				92262				
508-051-022	USA BIA				92262				
S08-051-023	USA BIA				92262				
508-051-024	USA BIA	222 N CALLE EL SEGUNDO S20	PALM SPRINGS	CA	92262	222 N CALLE EL SEGUNDO520	PALM SPRINGS	CA	92262
508-051-025	USA BIA	222 N CALLE EL SEGUNDO 521	PALM SPRINGS	CA	92262	222 N CALLE EL SEGUNDO521	PALM SPRINGS	CA	92262
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508-051-027	USA BIA				92262				
508-051-028	USA BIA				92262				
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508-051-031	USA BIA				92262				

508-051-032	USA 508				92262				
508-051-033	USA BIA				92262				
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508-051-035	USA BIA				92262				
508-051-036	USA BIA				92262				
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508-051-061	USA BIA				92262	3200 PARK AVE	BRIDGEPORT	CT	6604
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508-051-067	USA BIA				92262				
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508-051-088	USA 508								
508-054-003	USA 508				92262	400 E TAHQUITZ CANYON WAY	PALM SPRINGS	CA	92262
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508-056-018	USA 508				92262				
508-057-001	USA 508				92262				
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508-057-022	USA 508				92262				
508-057-023	USA BIA	605 E AMADO RD 623	PALM SPRINGS	CA	92262	605 E AMADO RD 623	PALM SPRINGS	CA	92262
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508-057-025	USA 508								
508-082-003	USA BIA				92262				
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508-082-074	USA BIA				92262				
508-084-004	USA 508								
508-084-007	USA 508				92262				
508-084-008	USA 508				92262				

NEIGHBORHOOD SPONSOR REPS
Case 5.1361 PD 375
Aberdeen
Prints for PC Meeting 02.25.15

MODCOM AND
HISTORIC SITE REP ⇨ ⇨ ⇨

MR PETE MORUZZI
PALM SPRINGS MODERN COMMITTEE
P.O. BOX 4738
PALM SPRINGS, CA 92263-4738

VERIFICATION NOTICE ⇨ ⇨ ⇨

CITY OF PALM SPRINGS
PLANNING SERVICES DEPARTMENT
ATTN SECRETARY / 5.1361 PD 375
PO BOX 2743
PALM SPRINGS, CA 92263-2743

CASE 5.1361 PD 375
MRS. JOANNE BRUGGEMANS
506 W. SANTA CATALINA ROAD
PALM SPRINGS, CA 92262

AGUA CALIENTE BAND OF CAHUILLA INDIANS ⇨ ⇨ ⇨ ⇨ ⇨ ⇨

MS MARGARET PARK, DIRECTOR
AGUA CALIENTE BAND OF CAHUILLA INDIANS
PLANNING & DEVELOPMENT DEPT.
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

MS PATRICIA GARCIA
TRIBAL HISTORIC PRESERVATION OFFICER
AGUA CALIENTE BAND OF CAHUILLA INDIANS
5401 DINAH SHORE DRIVE
PALM SPRINGS, CA 92264

INTERESTED PARTIES ⇨ ⇨ ⇨

SOBOBA BAND OF LUISEÑO INDIANS
ATTN: JOSEPH ONTIVEROS
CULTURAL RESOURCES MANAGER
P.O. BOX 487
SAN JACINTO, CA 92581

MS. AMY MINTEER
ATTORNEY AT LAW
CHATTEN-BROWN & CARSTENS LLP

EMAIL: acm@cbcearthlaw.com

SPONSORS ⇨ ⇨ ⇨ ⇨ ⇨

MR ROBERT ERES
NEXUS DEVELOPMENT CORPORATION
1 MAC ARTHUR PLACE, STE. 300
SANTA ANA, CA 92707

MR MATTHEW KAUFMAN
NEXUS DEVELOPMENT CORPORATION
1 MAC ARTHUR PLACE, STE. 300
SANTA ANA, CA 92707

MR CHRIS PARDO
CHRIS PARDO DESIGN
700 E. TAHQUITZ CANYON WAY, STE. A
PALM SPRINGS, CA 92262

MR DAVE BACON
WALDEN & ASSOCIATES
2552 WHITE ROAD, STE. B
IRVINE, CA 92614

MR JIM RIDGE, RLA
8841 RESEARCH DRIVE
IRVINE, CA 92618

Joanne Bruggemans

From: Joanne Bruggemans
Sent: Thursday, February 12, 2015 1:48 PM
To: Cindy Berardi; David Newell
Subject: FW: Case 5.1361 PD 375 / 3.3820 MAJ / TTM 36876 - Aberdeen
Attachments: 4823_001.pdf

My apologies – forgot to copy you.

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

From: Joanne Bruggemans
Sent: Thursday, February 12, 2015 1:47 PM
To: Old Las Palmas; The Movie Colony; Movie Colony East; Midtown; Midtown; Historic Tennis Club; Baristo; Warm Sands
Subject: Case 5.1361 PD 375 / 3.3820 MAJ / TTM 36876 - Aberdeen

To All -

Please find the attached Public Hearing Notice of the Planning Commission for February 25, 2015 of the proposed project within a ½ mile of your neighborhood organization.

Thank you,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

Joanne Bruggemans

From: Joanne Bruggemans
Sent: Thursday, February 12, 2015 1:52 PM
To: 'acm@cbcearthlaw.com'
Subject: Case 5.1361 PD 375 / 3.3820 MAJ / TTM 36876 - Aberdeen
Attachments: 4823_001.pdf

Good afternoon,

As requested, please find the attached Public Hearing Notice for the Planning Commission meeting that will be heard on February 25, 2015.

Thank you,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

Joanne Bruggemans

From: Joanne Bruggemans
Sent: Thursday, February 12, 2015 1:47 PM
To: Lee A. Bonno
Subject: Case 5.1361 PD 375 - Aberdeen
Attachments: 4823_001.pdf; 5.1361 PD 375 PHN PC 02 25 15.doc

Hi Lee –

Please find the last PHN for the PC meeting on February 25 for your review.

Thanks,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov

January 20, 2015

Mr. Robert W. Eres
NEXUS Development Corporation/Central Division and O&M HR, LLC
1 MacArthur Place, Suite 300
Santa Ana, California 92707

Subject: Aberdeen Mixed-Use Development Trip Generation (Case Nos. 5.1361 PD-375, 3.3820 MAJ and TTM 36876)

Dear Mr. Eres;

Endo Engineering has reviewed your application for a Planned Development District (PDD) and Tentative Tract Map (TTM) for the Aberdeen Mixed-Use Development proposed on 9.1 gross acres (8.05 net acre) within the Section 14 Specific Plan, in the City of Palm Springs. The project site is located north of Tahquitz Canyon Way and south of Andreas Road, between Calle El Segundo and Calle Alvarado. The proposed project would include 74 townhomes and 17 live/work units as well as a small specialty retail building with approximately 1,568 square feet (S.F.) of gross floor area that is expected to accommodate a café or similar use.

The project site could be developed in a variety of different ways. Pursuant to your request, Endo Engineering has developed supplemental trip generation information for use by the City of Palm Springs in determining the significance of potential traffic impacts associated with the currently proposed Aberdeen Mixed-Use Development. The information provided below includes trip generation forecasts for the following scenarios.

1) the existing land uses;
2) the approved *Hard Rock Hotel – Palm Springs Traffic Impact Study* (July 2007);
3) the existing entitlements for the site based on the Initial Study/Mitigated Negative Declaration (August 2007) for Case Nos. 5.1156, PD 339; TTM 35600; and an Amendment to the Section 14 Master Plan/Specific Plan and Development Agreement;
4) the maximum development potential of the site per the Section 14 Specific Plan; and
5) the maximum residential development potential of the site (30 multi-family dwelling units per acre); and
6) the proposed Aberdeen Mixed-Use Development.

Summary of Trip Generation Findings

Table 1 provides a summary of the trip generation associated with each of the six development scenarios outlined above to facilitate comparison. A detailed description of the trip generation forecast made to reflect the existing on-site land uses is provided as Attachment A. Details regarding the trip generation forecast previously made in the approved *Hard Rock Hotel – Palm Springs Traffic Impact Study* (Endo Engineering; July 2007) are provided as Attachment B. That forecast was based upon older trip generation data published by the ITE in *Trip Generation* (7th Edition; December, 2003). A new trip generation forecast was developed for scenarios 3 through 6 (identified above) using the regression equations in the 9th Edition of the ITE *Trip Generation Manual (2012)*, as shown in Attachments C through F, respectively, and summarized in Table 1.

Table 1
Trip Generation Summary[a]

Development Scenario	Land Use Quantity[b]	Midday Peak Hour In	Out	Total	PM Peak Hour In	Out	Total	Daily 2-Way
Existing Land Uses	Offices	97	64	161	27	163	190	1,550
Approved Hard Rock Hotel Traffic Study	Hotel 482 Rooms	174	148	322	224	178	402	5,070
Initial Study/Mitigated Negative Declaration	Hotel 499 Rooms	197	127	324	279	216	495	6,030
Section 14 Specific Plan Maximum Permitted	5.7 Ac. RA 3.4 Ac. REO	330	240	576	331	355	686	7,660
Max. Residential Alt.	273 DU	22	94	116	92	45	137	1,540
Aberdeen Mixed-Use Development								
Townhomes	74 DU	8	32	40	31	15	46	490
Single-Family Dwellings	17 DU	6	18	24	13	8	21	210
Commercial/Work Space	8,334 SF	27	30	57	23	18	41	370
Total		41	80	121	67	41	108	1,070

a. Refer to Attachment A through Attachment E for a detailed trip generation forecast and related assumptions by development scenario. Each of the proposed live/work units was assumed to generate trips similar to a detached single-family dwelling unit in addition to the associated work space, which was treated as specialty retail/commercial floor area. In addition, 1,568 square feet of specialty retail commercial space was assumed for the northeast corner of Calle El Segundo at Tahquitz Canyon Way.

b. Existing uses include general office buildings and a parking lot. RA=Resort Attraction designation. REO=Specialty Retail/Entertainment/Office designation. The maximum residential intensity assumed was 30 multi-family dwelling units per acre. DU=Dwelling Units. SF=Square feet of building floor area.

The trip generation of a development is one of many factors to be considered in determining the magnitude of future project-related traffic impacts. It can be seen from Table 1 that the proposed Aberdeen Mixed-Use Development would result in substantially fewer trips than development per the Mitigated Negative Declaration approved in the year 2007. The Aberdeen Mixed-Use Development would result in the lowest future trip generation of the scenarios evaluated and less than that of the existing land uses on days when the convention center parking fully utilizes the parking lot on the project site.

We trust that the information provided herein will be of value to you and the City of Palm Springs in their review of the proposed Aberdeen Mixed-Use Development. Should questions or comments arise regarding the supplemental information provided herein, please do not hesitate to contact me.

Cordially,

ENDO ENGINEERING

Gregory Endo
Principal

REGISTERED PROFESSIONAL ENGINEER
VICKI LEE ENDO
TR 1161
12/31/2016
TRAFFIC
STATE OF CALIFORNIA

Vicki Lee Endo, P.E., T.E.
Registered Professional
Traffic Engineer TR 1161

Attachments

A: Existing Land Use Trip Generation
B: Approved *Hard Rock Hotel – Palm Springs Traffic Impact Study* (July 2007) Trip Generation
C: Trip Generation Per Approved Initial Study/Mitigated Negative Declaration (August 2007)
D: Section 14 Specific Plan Maximum Development Potential Trip Generation
E: Maximum Potential Residential Development Trip Generation
F: Potential Trip Generation With Proposed Aberdeen Mixed-Use Development

Attachment A

Existing Land Use Trip Generation

The project site is fully developed and commonly known as the former Prairie Schooner site. Four single-story general office buildings are located along the frontage on Tahquitz Canyon Way, on the parcels within the southern one-third of the project site. These buildings provide a combined total of approximately 32,000 S.F. of gross floor area. The parcels within the northern two-thirds of the project site (5.7 gross acres) are developed as a paved parking lot with approximately 500 off-street parking spaces. This parking lot primarily serves as an overflow parking area for the Convention Center (located to the northeast) and the Spa Resort Casino (located to the northwest).

The trip generation associated with the existing office uses on the project site was estimated by utilizing the regression equations for general office buildings published by the ITE in *Trip Generation Manual* (9th Edition, 2012). The midday trip generation for the existing office uses was based on the AM peak hour rate provided by the ITE. Data for general office buildings is provided by the ITE in terms of a single trip-generation regression equation representing both the AM peak hour of the adjacent street traffic (between 7 am and 9 am) and the AM peak hour of the generator. Similarly, the PM peak hour trip generation regression equation provided by the ITE reflects both the PM peak hour of the adjacent street and the PM peak hour of the generator.

As shown in Table A, the offices on-site generate approximately 550 daily trip-ends, with 77 trips during the **midday peak hour** (68 inbound and 9 outbound). During the evening peak hour, the office buildings generate approximately 114 trip-ends (19 inbound and 95 outbound trips). For office uses, the trip generation for the AM and PM peak hours of the generator typically coincides with the peak hours of the adjacent street traffic.

Table A
Existing Land Use Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour In	Out	Total	PM Peak Hour In	Out	Total	Daily 2-Way
General Office Bldg.	32,000 SF	68	9	77	19	95	114	550
Parking Lot[c]	500 Spaces	29	55	84	8	68	76	1,000
Total		97	64	161	27	163	190	1,550

a. Based upon trip generation data published by the ITE in *Trip Generation Manual* (9th Edition; 2012) for Land Use Code 710 (General Office Building). The office trip generation was estimated using the ITE trip generation regression equations. A single regression equation is provided by the ITE for general office buildings reflecting both the a.m. peak hour of the generator and the a.m. peak hour of the adjacent street. This regression equation was utilized to estimate the midday peak hour trip generation of the office uses.

b. SF= Square feet of building floor area. Spaces=Off-street parking spaces.

c. To estimate the 1,000 daily trips, it was assumed that each parking space was utilized once per day therefore, the number of daily trips would be twice the number of parking spaces. The inbound and outbound percentages of the peak hour trips was determined from the traffic counts made on June 7, 2006 at the parking lot access points.

The existing parking lot, which occupies the northern two-thirds of the site, does not generate traffic per se, but does attract motorists who are looking for a convenient place to park their vehicles while visiting surrounding land uses. This parking lot is centrally located for motorists who enter the area to visit the Palm Springs Convention Center, the Spa Resort Casino, the Plaza Villas (the condominium complex on the north side of Andreas Road) or other nearby development.

Traffic counts were made at the two driveways associated with the parking lot occupying the northern two-thirds of the site on June 7, 2006. At that time, the parking lot had a parking accumulation totaling less than ten percent of the available spaces. Based on a visual inspection of the drivers of the vehicles entering and leaving the parking lot, it appeared that primarily employees destined to/from the Spa Resort Casino were parking on-site on the count day. No significant convention center activities appeared to be scheduled on the weekday when the entering and exiting vehicle counts were made and the number of occupied parking spaces within the lot were counted.

To address the trip generation of the parking lot when filled by convention center traffic, each parking space is assumed to be occupied only once during a typical weekday. As shown in Table A, the existing parking lot on the northern two-thirds of the project site would generate approximately 1,000 trip-ends per weekday. The in/out distribution during the peak hours shown in Table A was developed from the driveway entering/exiting volume counts made at the parking lot on June 7, 2006.

Attachment B

Trip Generation Evaluated In The Approved *Hard Rock Hotel – Palm Springs Traffic Impact Study*

Endo Engineering prepared the *Hard Rock Hotel-Palm Springs Traffic Impact Study* (dated July 6, 2007) for NEXUS Development evaluating the development of a resort hotel on this site. That development included a 482-room resort hotel, with a 6,000 square-foot night club, and two 7,500 square foot signature restaurants. The resort hotel would have provided a mix of studios and one-bedroom units with lock-off rooms with a total of 449 keys. There would have been 14 penthouse suites for sale (1,500 S.F. each) and 19 pool-side suites (840 S.F. each) available for corporate and special events. Ancillary facilities proposed on-site as part of the resort hotel complex included: a ballroom and banquet/multi-function meeting space (with a total of 35,000 square feet) to accommodate special events and convention center business, an in-house 24-hour restaurant (3,600 S.F./180-seats) for hotel guests, a lobby bar, a spa/fitness center (25,000 square feet), and a small private recording studio.

The two signature restaurants and night club were expected to operate only during the evening hours and accommodate both hotel guests and non-hotel patrons. The outdoor patio areas near the two signature restaurants were not dining areas per se, but rather waiting areas for customers where barside service would be permitted during the day time. The project applicant expected 75 percent of the patrons of the night club and signature restaurant facilities to be hotel guests. To assure a conservative analysis, it was assumed that only 50 percent of the night club and signature restaurant patrons would be hotel guests.

The trip generation associated with the Hard Rock Hotel development on-site was previously determined from the regression equations included in the Institute of Transportation Engineers publication entitled *Trip Generation* (Seventh Edition; December, 2003). Table B provides the peak hour and daily trip generation forecast associated with the Hard Rock Hotel development. As shown in Table B, the Hard Rock Hotel development was estimated to generate 5,070 daily trip-ends. During the mid-day peak hour, approximately 322 trip-ends would be generated (174 inbound and 148 outbound) by the development. During the evening peak hour, it was estimated that 402 trip-ends would be generated (224 inbound and 178 outbound) by the project.

Table B
Approved 2007 Hard Rock Hotel Traffic Impact Study
Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour In	Out	Total	PM Peak Hour In	Out	Total	Daily 2-Way
Hotel	482 Rms	121	99	220	151	134	285	3,940
Restaurant	15,000 SF	106	97	203	100	64	164	1,910
Bar/Lounge	6,000 SF	0	0	0	46	24	70	340
Ancillary Subtotal		106	97	203	146	88	234	2,250
External Trip Gen.	50 Percent	53	49	102	73	44	117	1,130
Total		174	148	322	224	178	402	5,070

a. Based upon trip generation data published by the ITE in *Trip Generation* (7th Edition; December, 2003). The spa/fitness center (25,000 square feet), and small private recording studio were assumed to served only hotel guests.
b. Rms=Hotel Rooms. SF=Square feet of building floor area.

Attachment C

Trip Generation of Development Per the Approved Initial Study/Mitigated Negative Declaration

An Initial Study/Mitigated Negative Declaration for Case Nos. 5.1156, PD 339; TTM 35600; and an Amendment to the Section 14 Master Plan/Specific Plan and Development Agreement was submitted to the City of Palm Springs in August, 2007 and approved. The project consisted of a Hard Rock Hotel with up to 499 rooms and associated support facilities including: 36,500 S.F. of restaurant, bar and nightclub space; a 25,000 S.F. spa facility; 31,600 S.F. of ballroom and meeting space; and a 517-space parking structure.

The trip generation associated with the land uses in the approved Initial Study/Mitigated Negative Declaration is shown in Table C. With one exception, the assumptions previously used in the *Hard Rock Hotel-Palm Springs Traffic Impact Study* (dated July 6, 2007) prepared by Endo Engineering regarding internal trip capture were also used for this development scenario. The clientele served by the spa/fitness center was assumed to be only 50 percent hotel guests in Table C. This represented a worst-case assumption, as no information was provided indicating that only hotel guests would be allowed to use this facility. The trip generation in Table C exceeds that previously shown in Table B as a result of the increase in the number of hotel rooms, the increase in the floor area associated with restaurant, bar, and nightclub space, and the addition of external spa/fitness center trips.

Table C
Mitigated Negative Declaration
Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	2-Way
Hotel (310)	499 Rms	120	102	222	153	147	300	4,090
Restaurant	30,000 SF	137	30	167	151	74	225	2,700
Bar/Lounge	6,500 SF	0	0	0	49	25	74	360
Spa	25,000 SF	17	19	36	51	38	89	820
Ancillary Subtotal		154	49	203	251	137	388	3,880
External Trip Gen.	50 Percent	77	25	102	126	69	195	1,940
Total		197	127	324	279	216	495	6,030

a. Based upon trip generation data published by the ITE in *Trip Generation Manual* (9th Edition; 2012).
b. Rms=Hotel Rooms. SF=Square feet of building floor area.

Attachment D

Section 14 Specific Plan
Maximum Development Potential Trip Generation

The proposed project is located within Section 14, where the Section 14 Specific Plan establishes the land use designations and development standards. The project site is identified as a catalyst development within Section 14. The northern two-thirds of the project site is designated Resort/Attraction (RA). The southern one-third of the site (the area occupied by the office buildings) is designated in the Section 14 Specific Plan as Specialty Retail/Entertainment/Office (REO). Hotels are a permitted use under the RA land use designation. Hotels and resort hotels are permitted uses under the REO designation with a Conditional Use Permit, consistent with the standards of Resort-Attraction.

Endo Engineering prepared the Traffic Impact Study addressing Section 14 Master Development Plan/Specific Plan dated January 8, 1998. The Section 14 Master Development Plan/Specific Plan EIR/EIS (January 2002) used the following land use assumptions for the RA and REO land use designations in developing the Section 14 Specific Plan maximum development potential. For land designated RA 50 percent of the gross acreage was assumed to be Commercial at 0.38 FAR and 50 percent was assumed to be Hotel use at an intensity of 43 rooms per acre. For land designated REO the gross acreage was assumed to be Commercial land uses with a 0.38 FAR. Table D provides a trip generation forecast for the 9.1 gross acre project site as shown in Table D.

Table D
Section 14 Specific Plan Maximum Development Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour In	Midday Peak Hour Out	Midday Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily 2-Way
RA Designation	5.7 Acres							
- Hotel (43 Rms/Acre)	122 Rms	36	31	67	37	36	73	720
- Commercial (.38 FAR)	47,175 SF	134	98	232	134	145	279	3,160
Subtotal		170	129	299	171	181	352	3,880
REO Designation	3.4 Acres							
- Commercial (.38 FAR)	56,280 SF	160	117	277	160	174	334	3,780
Total for Project Site	9.1 Acres	330	240	576	331	355	686	7,660

a. Based upon trip generation data published by the ITE in *Trip Generation Manual* (9th Edition; 2012). RA=Resort Attraction Designation. REO=Retail/Entertainment/Office. FAR=Floor Area Ratio.
b. Rms=Hotel Rooms. SF=Square feet of building floor area.

Attachment E

Maximum Potential Residential Development
Trip Generation

The maximum potential residential development of the 9.1 gross acre project site, based upon a maximum permitted density of 30 multiple-family attached dwelling units per acre per the Section 14 Specific Plan (2004) would be 273 dwelling units. Table shows the trip generation that would be expected if the site were developed with 273 multiple-family attached dwelling units.

Table E
Maximum Potential Residential Development Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour In	Midday Peak Hour Out	Midday Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily 2-Way
273 MFA Alternative								
Residential-MFA (310)	273 DU	22	94	116	92	45	137	1,540

a. Based upon trip generation data published by the ITE in *Trip Generation Manual* (9th Edition; 2012). The regression equations for Land Use Category 230 (Residential Condominium/Townhouse) were used which reflect the AM peak hour of the generator and the PM peak hour of the adjacent streets.
b. DU=Multiple-family attached dwelling units.

Attachment F

Potential Trip Generation
With the Proposed Aberdeen Mixed-Use Development

The proposed project would include 74 townhomes and 17 live/work units as well as a small specialty retail building with approximately 1,568 square feet (S.F.) of gross floor area that is expected to accommodate a café or similar use. Table F shows the trip generation forecast associated with the proposed Aberdeen Mixed-Use Development. Each of the proposed live/work units was assumed to generate trips similar to a detached single-family dwelling unit in addition to the 398 SF of associated work space per unit, which was treated as specialty retail/commercial floor area. A total of 1,568 square feet of specialty retail commercial space was assumed for the northeast corner of Calle El Segundo at Tahquitz Canyon Way.

Table F
Proposed Aberdeen Mixed-Use Development
Trip Generation Forecast[a]

Land Use Category	Land Use Quantity[b]	Midday Peak Hour In	Midday Peak Hour Out	Midday Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily 2-Way
Aberdeen Project								
Townhomes	74 DU	8	32	40	31	15	46	490
Single-Family Dwellings	17 DU	6	18	24	13	8	21	210
Commercial/Work Space	8,334 SF	27	30	57	23	18	41	370
Total		41	80	121	67	41	108	1,070

a. Based upon trip generation data published by the ITE in *Trip Generation Manual* (9th Edition; 2012).
b. DU=Dwelling Units. SF=Square feet of building floor area. The work space assumed in the 17 live/work units was 398 SF per unit.

January 20, 2015

Mr. Robert W. Eres
NEXUS Development Corporation/Central Division and O&M HR, LLC
1 MacArthur Place, Suite 300
Santa Ana, California 92707

Subject: Aberdeen Mixed-Use Development Trip Generation (Case Nos. 5.1361 PD-375, 3.3820 MAJ and TTM 36876)

Dear Mr. Eres;

Endo Engineering has reviewed your application for a Planned Development District (PDD) and Tentative Tract Map (TTM) for the Aberdeen Mixed-Use Development proposed on 9.1 gross acres (8.05 net acre) within the Section 14 Specific Plan, in the City of Palm Springs. The project site is located north of Tahquitz Canyon Way and south of Andreas Road, between Calle El Segundo and Calle Alvarado. The proposed project would include 74 townhomes and 17 live/work units as well as a small specialty retail building with approximately 1,568 square feet (S.F.) of gross floor area that is expected to accommodate a café or similar use.

The project site could be developed in a variety of different ways. Pursuant to your request, Endo Engineering has developed supplemental trip generation information for use by the City of Palm Springs in determining the significance of potential traffic impacts associated with the currently proposed Aberdeen Mixed-Use Development. The information provided below includes trip generation forecasts for the following scenarios.

1) the existing land uses;
2) the approved *Hard Rock Hotel – Palm Springs Traffic Impact Study* (July 2007);
3) the existing entitlements for the site based on the Initial Study/Mitigated Negative Declaration (August 2007) for Case Nos. 5.1156, PD 339; TTM 35600; and an Amendment to the Section 14 Master Plan/Specific Plan and Development Agreement;
4) the maximum development potential of the site per the Section 14 Specific Plan; and
5) the maximum residential development potential of the site (30 multi-family dwelling units per acre); and
6) the proposed Aberdeen Mixed-Use Development.

Summary of Trip Generation Findings

Table 1 provides a summary of the trip generation associated with each of the six development scenarios outlined above to facilitate comparison. A detailed description of the trip generation forecast made to reflect the existing on-site land uses is provided as Attachment A. Details regarding the trip generation forecast previously made in the approved *Hard Rock Hotel – Palm Springs Traffic Impact Study* (Endo Engineering; July 2007) are provided as Attachment B. That forecast was based upon older trip generation data published by the ITE in *Trip Generation* (7th Edition; December, 2003). A new trip generation forecast was developed for scenarios 3 through 6 (identified above) using the regression equations in the 9th Edition of the ITE *Trip Generation Manual (2012)*, as shown in Attachments C through F, respectively, and summarized in Table 1.

Table 1
Trip Generation Summary[a]

Development Scenario	Land Use Quantity[b]	Midday Peak Hour In	Midday Peak Hour Out	Midday Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily 2-Way
Existing Land Uses	Offices	97	64	161	27	163	190	1,550
Approved Hard Rock Hotel Traffic Study	Hotel 482 Rooms	174	148	322	224	178	402	5,070
Initial Study/Mitigated Negative Declaration	Hotel 499 Rooms	197	127	324	279	216	495	6,030
Section 14 Specific Plan Maximum Permitted	5.7 Ac. RA 3.4 Ac. REO	330	240	576	331	355	686	7,660
Max. Residential Alt.	273 DU	22	94	116	92	45	137	1,540
Aberdeen Mixed-Use Development								
Townhomes	74 DU	8	32	40	31	15	46	490
Single-Family Dwellings	17 DU	6	18	24	13	8	21	210
Commercial/Work Space	8,334 SF	27	30	57	23	18	41	370
Total		41	80	121	67	41	108	1,070

a. Refer to Attachment A through Attachment E for a detailed trip generation forecast and related assumptions by development scenario. Each of the proposed live/work units was assumed to generate trips similar to a detached single-family dwelling unit in addition to the associated work space, which was treated as specialty retail/commercial floor area. In addition, 1,568 square feet of specialty retail commercial space was assumed for the northeast corner of Calle El Segundo at Tahquitz Canyon Way.

b. Existing uses include general office buildings and a parking lot. RA=Resort Attraction designation. REO=Specialty Retail/Entertainment/Office designation. The maximum residential intensity assumed was 30 multi-family dwelling units per acre. DU=Dwelling Units. SF=Square feet of building floor area.

The trip generation of a development is one of many factors to be considered in determining the magnitude of future project-related traffic impacts. It can be seen from Table 1 that the proposed Aberdeen Mixed-Use Development would result in substantially fewer trips than development per the Mitigated Negative Declaration approved in the year 2007. The Aberdeen Mixed-Use Development would result in the lowest future trip generation of the scenarios evaluated and less than that of the existing land uses on days when the convention center parking fully utilizes the parking lot on the project site.

2/23/15
engineering
no Comments

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
Case Nos. 5.1361 PDD 375, TTM 36876 and 3.3820 MAJ

LEAD AGENCY: **City of Palm Springs**
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CONTACT PERSON: David Newell, Associate Planner (760) 323-8245

PROJECT TITLE: Aberdeen - Case Nos. 5.1361 PDD-375 / 3.3820 MAJ / TTM 36876

PROJECT LOCATION: Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.
Assessor's Parcel No. 508-055-003, 006, 007, 008, and 009

PROJECT DESCRIPTION: The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project will require the demolition of 33,500 square feet of existing office buildings and associated parking lot. The proposed project requires the following applications:

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

FINDINGS / DETERMINATION: The City has reviewed and considered the proposed project and has determined that any potentially significant impacts can be mitigated to a less than significant level. The City hereby prepares and proposes to adopt a Mitigated Negative Declaration for this project.

PUBLIC REVIEW PERIOD: A 20-day public review period for the Draft Mitigated Negative Declaration will commence at 8:00 a.m. on February 20, 2015 and end on March 11, 2015 at 5:00 p.m. for interested individuals and public agencies to submit written comments on the document. Any written comments on the Mitigated Negative Declaration must be received at the above address within the public review period. In addition, you may email comments to the following address:

David.Newell@palmsprings-ca.gov. Copies of the Mitigated Negative Declaration and Initial Study are available for review at the above address and at the City library.

PUBLIC MEETING: This matter has been set for public hearing before the Planning Commission on February 25, 2015. City Council consideration is expected at a public hearing on March 18, 2015, but please confirm the date with the City Clerk's office.

	INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Project Title:	Aberdeen	
Case No.	5.1361, PDD 375, TTM 36876 and 3.3820 MAJ	
Assessor's Parcel No.	508-055-003, 006, 007, 008, and 009	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	600-700 E. Tahquitz Canyon Way Northeast corner of Tahquitz Canyon Way and Calle El Segundo, Palm Springs, California, Riverside County.	
Project Sponsor's Name and Address:	Robert Eres Nexus Development Corporation (714) 546-5600 rwe@nexusd.com	1 MacArthur Place, Suite 300 Santa Ana, CA 92707
General Plan Designation(s):	Tourist Resort Commercial	
Zoning:	CU- Civic Uses (Zoning Map) RA- Resort Attraction, REO- Residential/Entertainment/Office (Section 14 Land Use Map)	
Contact Person:	David Newell, Associate Planner City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Phone Number:	(760)323-8245	
Date Prepared	February 13, 2015	

Description of the Project

The project proposes the construction of an 8.05-acre mixed-use development comprised of seventy-four (74) attached and detached residential dwellings, and seventeen (17) live-work units with approximately 1,568-sqaure feet of retail space. The project is located on the northeast corner of Tahquitz Canyon Way and Calle El Segundo in Palm Springs, California. The project will require the demolition of 33,500 square feet of existing office buildings, currently fronting Tahquitz Canyan Way, and associated parking and a neighboring parking lot currently used as a public parking lot. The proposed project requires the following applications:

- A Planned Development District (#375) in lieu of a Change of Zone;
- A Tentative Tract Map (36876)
- A Major Architectural Review for the architectural and landscape design.

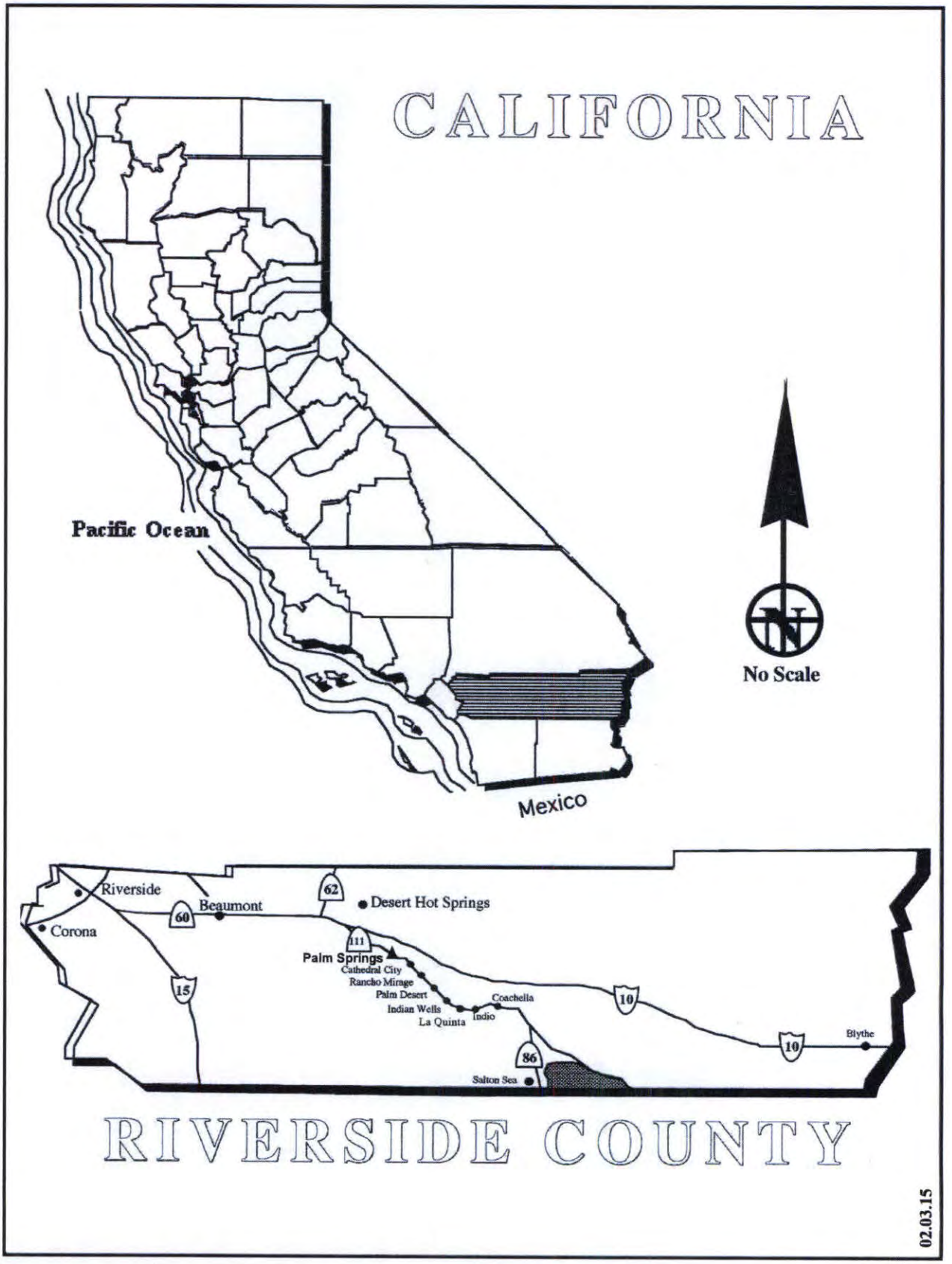
Access to the project will be provided at the following locations:

- Andreas Road (main entrance)
- Calle El Segundo (secondary access)
- Calle Alvarado (secondary access)

Environmental Setting and Surrounding Land Uses

North: Andreas Road, Plaza Villas (multi-family residential)
South: Tahquitz Canyon Way, commercial land use
East: Renaissance Palm Springs Hotel
West: Calle El Segundo, Elements Spa Hilton

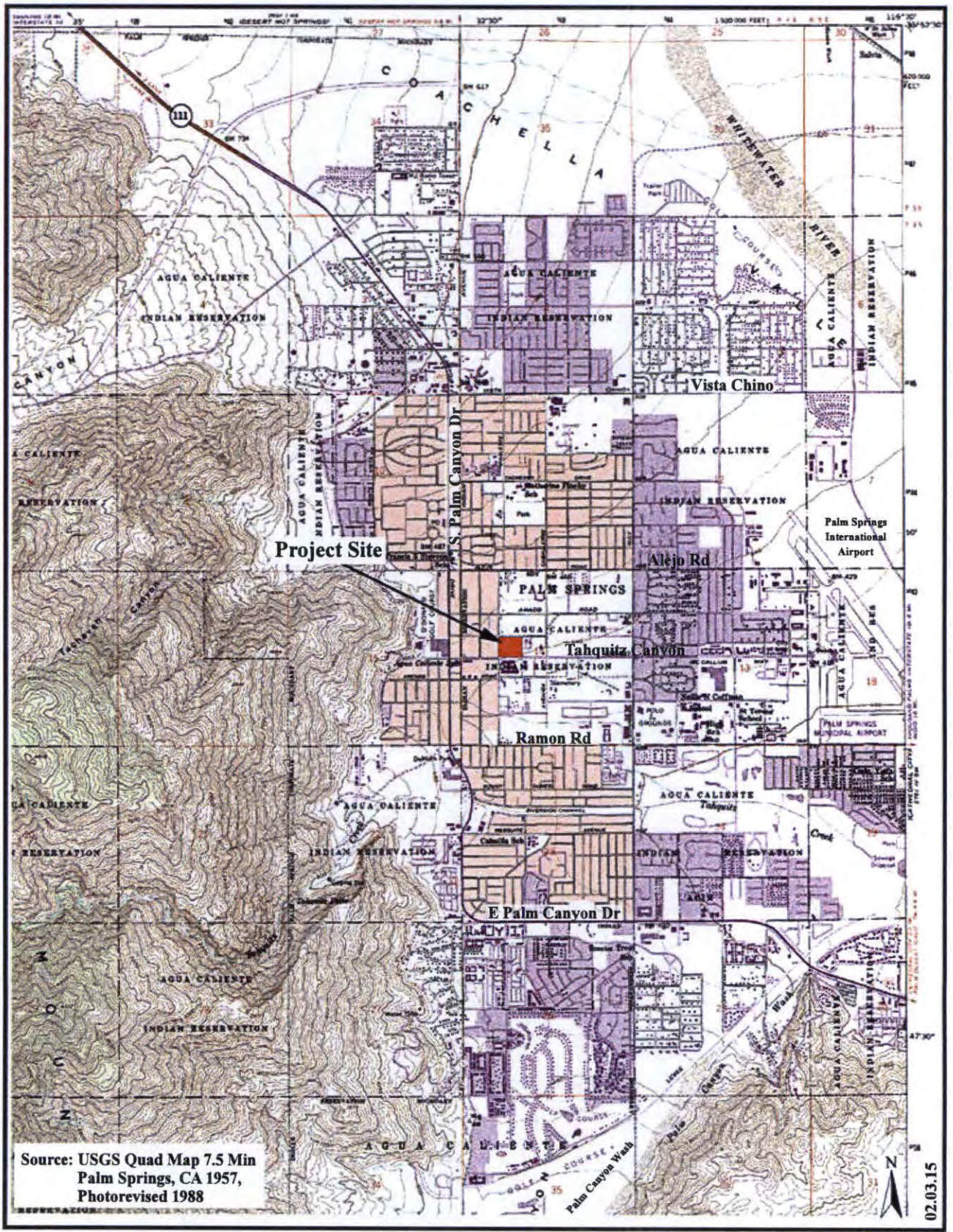
Other public agencies whose approval is required
None.



TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Regional Location Map
Palm Springs, California

Exhibit
1



TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Vicinity Map
Palm Springs, California

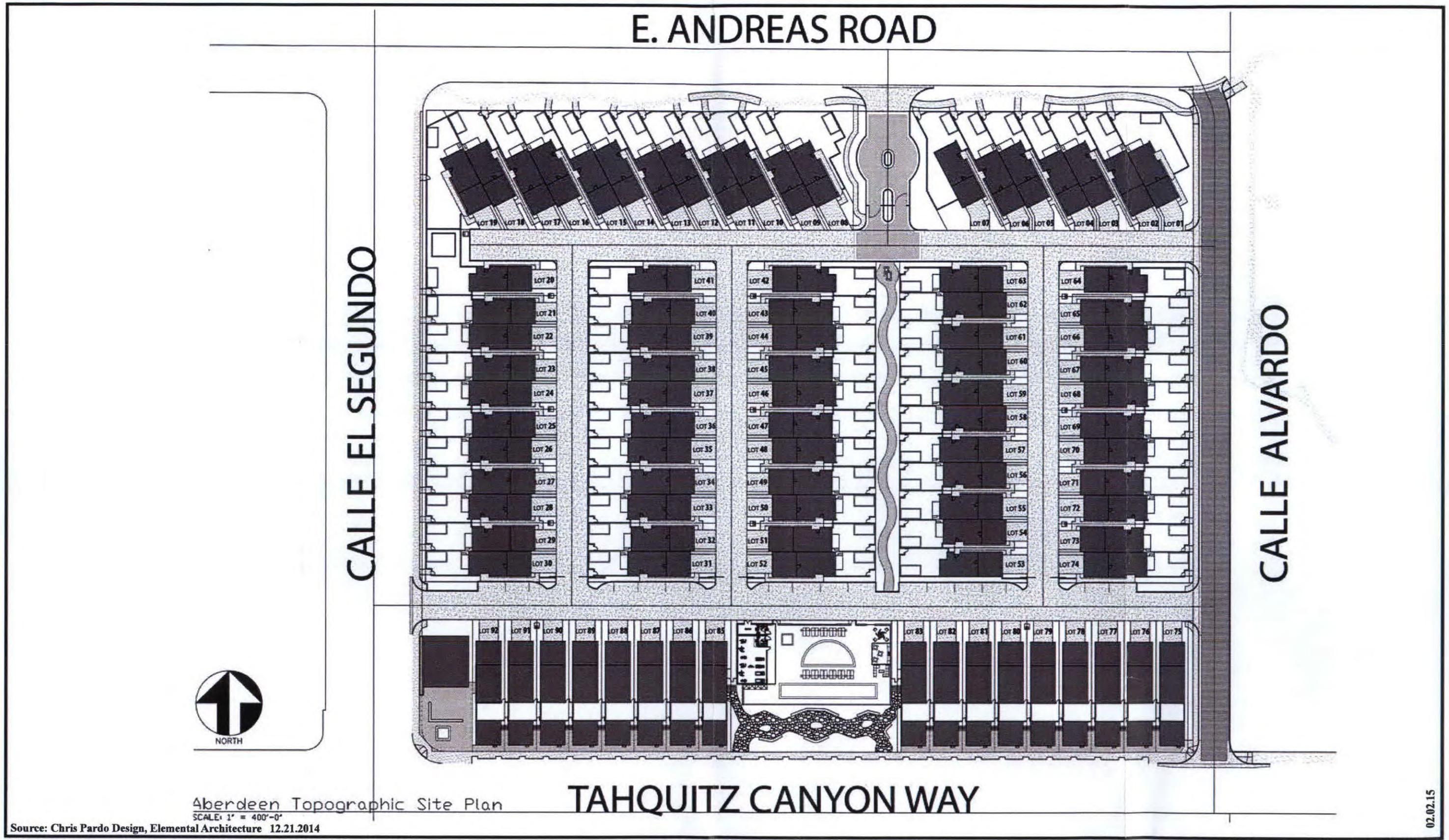
Exhibit
2

Source: Googel Earth Image 4.27.14

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Aerial Map
Palm Springs, California

Exhibit
3



Aberdeen Topographic Site Plan
SCALE: 1" = 400'-0"

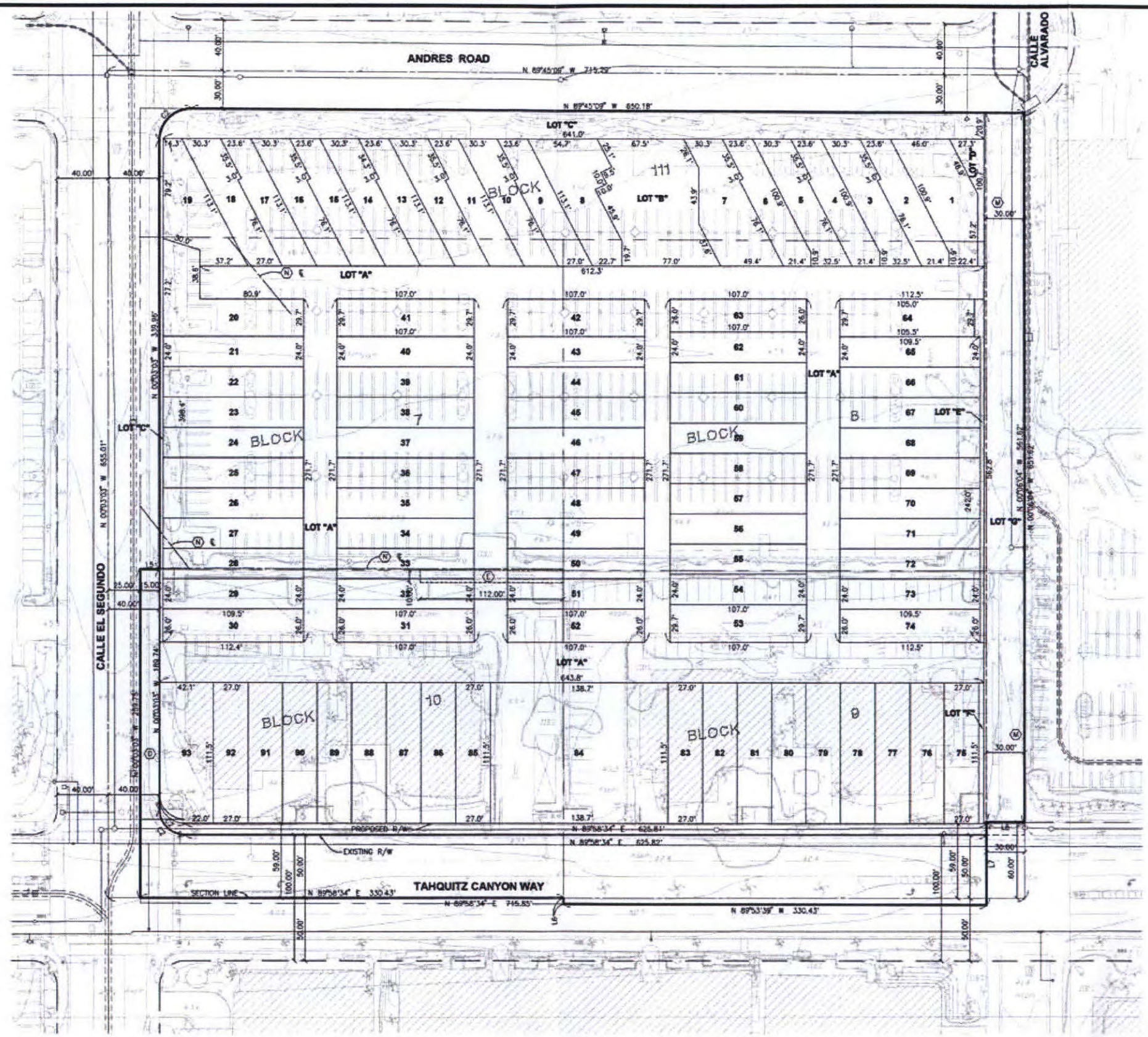
Source: Chris Pardo Design, Elemental Architecture 12.21.2014

02.02.15

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Projet Site Plan
Palm Springs, California

Exhibit
4



Source: Walden & Associates 12.18.2014

02.02.15

TERRA NOVA®
Planning & Research, Inc.

Aberdeen
Tentative Tract Map 36876
Palm Springs, California

Exhibit
5

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/ Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: The City of Palm Springs Planning Department

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Newell
Associate Planner

February 13, 2015
Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

(Sources: Palm Springs Architectural Advisory Committee Staff Memorandum, January 12, 2015; Section 14 Specific Plan, City of Palm Springs, July 2014)

Discussion of Impacts

a) **Less Than Significant Impact with Mitigation Incorporated.** The foothills and peaks of the San Jacinto Mountains extend along the westerly and southerly portions of the City and constitute a scenic vista for much of the region. Given their significant rise over the low-lying valley, they are visible from most locations in the upper Coachella Valley, including the subject property.

From the project site, scenic views of the San Jacinto Mountains are to the west and southwest. The site is completely surrounded by urban development, including two-story condominiums to the north, the five-story Renaissance Hotel to the east, two-story commercial and office development to the south, and the three-story Hilton Hotel to the west.

The proposed project will result in demolition of existing parking lots and four office buildings. The project will result in development of residential, recreational, and commercial components. The total project area will consist of 31% building space, 22% paving (including streets or drives), and 47% landscaping/open space/recreation. It includes internal streets, desert landscaping, and a perimeter block wall. Primary vehicular access will be provided from Andreas Road. Additional access is provided from Calle El Segundo and Calle Alvarado.

The residential component of the project includes 74 three- and four-story, attached and detached townhome units with roof decks on the top story. Heights range from 33 feet to 46 feet 2 inches (to the top of roof deck parapet). Each residential unit includes a two-car garage, parking driveway, and private yard space with a small dipping pool, enclosed with a concrete block wall.

An additional 17 live/work units are proposed along Tahquitz Canyon Way. Units consist of a single-story (with roof deck) work space fronting on Tahquitz Canyon Way connected by a walkway to a three- to four-story (including roof deck) living space to the north. Maximum heights are approximately 44 feet 8 inches (to the top of roof deck parapet). Each unit includes a two-car garage and parking driveway.

The project's recreational and open space area is located on the southern portion of the property and consists of a single-story gym, two swimming pools, one spa, outdoor seating, and a pool utility space with covered patio. Building height is 14 feet. A commercial building, located in the southwest corner of the site, consists of a 1,998-square foot, single-story structure 18 feet high, with outdoor seating.

The architectural character of the project is modern, with cantilever roof extensions, modern metals, and large expanses of glass, which are consistent with the Design Guidelines of the Section 14 Specific Plan. Proposed building materials, including stucco walls, aluminum panels, and steel cables, and stepped/terraced building components, are also consistent with the Specific Plan.

The project will impact scenic views from surrounding properties, but views will remain urban in nature and consistent with existing development. Immediate views of the existing parking lot and more distant views of the San Jacinto Mountains from westerly facing hotel rooms at the Renaissance Hotel will be replaced with views of townhomes along Calle Alvarado. Southerly views of the parking lot and San Jacinto Mountains from existing condos north of Andreas Road will also be replaced by views of the townhomes. No scenic viewsheds occur to the east or north, and no significant mountain views will be lost.

Project site plans, architectural renderings, and landscape plans were reviewed by the Palm Springs Architectural Advisory Committee on January 12, 2015. It was determined that proposed building heights exceed the HR development standards of the Section 14 Specific Plan. The maximum permitted height is 35 feet, except when developed as high-rise, and the project proposes heights up to 46 feet 2 inches. The project will be required to abide by Section 14 high-rise development standards, including set backs and landscaping requirments.

The project's landscape design includes a formal pattern along Tahquitz Canyon Way, which is inconsistent with the Specific Plan's required streetscape of palm trees every 60 feet and shade trees between palms and landscape buffers, where feasible. Internal streets do not include sidewalks, and the sidewalk along Tahquitz Canyon should include pedestrian amenities, such as street furniture and banners. The Architectural Advisory Committee recommended that the project proponent revise the site plan to address these and other issues. Visual impacts will be less than significant with implementation of the following mitigation measure.

Mitigation Measure:

MM I – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

b) **No Impact.** The property is not located along a state scenic highway. There are no significant trees, rock outcroppings, historic buildings or other significant aesthetic resources on the subject property. The site is fully developed with paved parking lots, office buildings, and limited urban landscaping. No impacts to scenic resources will occur.

c) **Less Than Significant Impact.** The project site is located in the City's urban core and within the Section 14 Specific Plan boundary. It is currently developed with paved parking lots and office buildings, and surrounded by residential, hotel, commercial, and office development. The proposed project is consistent with the long-term development vision of the Specific Plan for urban uses in this area. It will not substantially degrade the existing visual character of the site and its surroundings.

d) **Less Than Significant Impact.** The project site is currently used as an office complex and parking lot. Light is emitted from the office buildings and parking lots, particularly the northerly parking lot which is used during the evening for convention center and casino activities. The proposed project will continue to emit light in a manner consistent with a residential neighborhood. Light sources will include indoor lights, outdoor security lighting, landscape lighting, and vehicle headlights. Lighting levels are not expected to exceed typical lighting within an urbanized environment.

All lighting proposed within the project will be required to comply with the outdoor lighting standards established in the City Zoning Ordinance Section 93.21.00 to assure lighting is directed away from adjacent properties. These standards will assure that project light and glare impacts will be less than significant.

II. AGRICULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

(Sources: "Riverside County Important Farmland 2010 Map," California Department of Conservation; 2007 Palm Springs General Plan)

Discussion of Impacts

a-c) ***No Impact.*** The subject property is located in an urban area and surrounded by roadways and resort, commercial, and residential development. The site is developed and contains a paved parking lot and single-story office buildings. It is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program, nor is it subject to a Williamson Act contract. No agricultural lands are located in the vicinity of the property. The project will have no impact on agricultural lands and will not result in the conversion of farmland to non-agricultural uses.

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

(Sources: "Final 2012 Air Quality Management Plan," prepared by South Coast Air Quality Management District, December 2012; "Final Localized Significance Threshold Methodology," prepared by the South Coast Air Quality Management District, Revised, July 2008; "2003 Coachella Valley PM10 State Implementation Plan," August 1, 2003; CalEEMod Version 2013.2.2)

Setting

The Coachella Valley, including the City of Palm Springs and project site, is located within the Salton Sea Air Basin (SSAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). All development within the SSAB is subject to SCAQMD's 2012 Air Quality Management Plan (2012 AQMP) and the 2003 Coachella Valley PM_{10} State Implementation Plan (2003 CV PM10 SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The proposed site is located within Source Receptor Area (SRA) 30, which includes monitoring stations in Palm Springs and Indio. The Indio site has been operational since 1985 and the Palm Springs site since 1987.

Criteria air pollutants are contaminants for which the state and federal air quality standards have been established. Currently, the Coachella Valley is classified as being in non-attainment for both ozone (O_3) and PM_{10}. State and federal ambient air quality standards are show in Table III-1 and described in detail below.

Table III- 1
State and Federal Ambient Air Quality Standards

	State Standards		Federal Standards	
Pollutant	**Averaging Time**	**Concentration**	**Averaging Time**	**Concentration**
Ozone	1 hour 8 hour	0.09 ppm 0.07 ppm	1 hour 8 hour	--- 0.075 ppm
Carbon Monoxide	1 hour 8 hours	20.0 ppm 9.0 ppm	1 hour 8 hours	35.0 ppm 9.0 ppm
Nitrogen Dioxide (NO_2)	1 hour AAM	0.18 ppm 0.030 ppm	1 hour AAM	0.10 ppm 0.053 ppm
Sulfur Dioxide (SO_2)	1 hour 24 hours	0.25 ppm 0.04 ppm	1 hour 24 hours	0.075ppm 0.14 ppm
Particulate Matter (PM_{10})	24 hours AAM	50 $\mu g/m^3$ 20 $\mu g/m^3$	24 hours AAM	150 $\mu g/m^3$ ---
Particulate Matter ($PM_{2.5}$)	AAM 24 hours	12 $\mu g/m^3$ ---	AAM 24 hours	12 $\mu g/m^3$ 35 $\mu g/m^3$
Lead	30 day Avg.	1.5 $\mu g/m^3$	3 month Avg.	0.15 $\mu g/m^3$
Visibility Reducing Particles	8 hour		No federal Standard	No federal Standard
Sulfates	24 hour	25$\mu g/m^3$	No federal Standard	No federal Standard
Hydrogen Sulfide	1 hour	0.03 ppm	No federal Standard	No federal Standard
Vinyl Chloride	24 hour	0.01 ppm	No federal Standard	No federal Standard

Notes: ppm = parts per million; ppb= parts per billion; $\mu g/ m^3$ = micrograms per cubic meter of air;
AAM = Annual Arithmetic Mean;
Source: California Air Resources Board, 6/04/2013.

Ozone (O_3) is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and reactive hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues.

Carbon Monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO concentrations are generally higher in the winter, when meteorological conditions favor the build-up of directly emitted contaminants. CO health warning and emergency episodes occur almost entirely during the winter. The most significant source of carbon monoxide is gasoline-powered automobiles, as a result of inefficient fuel usage in internal combustion engines. Various industrial processes also emit carbon monoxide.

Nitrogen Oxides (NO_x) the primary receptors of ultraviolet light initiating the photochemical reactions to produce smog. Nitric oxide combines with oxygen in the presence of reactive hydrocarbons and sunlight to form nitrogen dioxide and ozone. Oxides of nitrogen are contributors to other air pollution problems including: high levels of fine particulate matter, poor visibility and acid deposition.

Sulfur Dioxide (SO_2) results from the combustion of high sulfur content fuels. Fuel combustion is the major source of SO_2, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. Sulfates result from a relation of sulfur dioxide and oxygen in the presence of sunlight. SO_2 levels are generally higher in the winter than in the summer (when sunlight is plentiful and sulfate is more readily formed).

Particulate Matter (PM_{10} and $PM_{2.5}$) consists of particles in the atmosphere as a by-product of fuel combustion, through abrasion such as tire wear, and through soil erosion by wind. Particulates can also be formed through photochemical reactions in the atmosphere. PM_{10} refers to finely divided solids or liquids such as soot, dust, and aerosols which are 10 microns or less in diameter and can enter the lungs. Fine particles are those less than 2.5 micrometers in diameter and are also referred to as $PM_{2.5}$.

Lead is found in old paints and coatings, plumbing and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are most susceptible to the effects of lead. The South County Air Basin and riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

Discussion of Impacts

a) ***No Impact.*** The project will be developed in accordance with all applicable air quality management plans. The subject property is located within the Salton Sea Air Basin (SSAB), which is governed by the South Coast Air Quality Management District (SCAQMD). SCAQMD is responsible for monitoring criteria air pollutant concentrations and establishing management policies for the SSAB. All development within the Salton Sea Air Basin, including the proposed project, is subject to the current AQMP and SIP.

The AQMP is a comprehensive plan that establishes control strategies and guidance on regional emission reductions for air pollutants. It was based, in part, on the land use plans of the jurisdictions in the region. The proposed project is consistent with the City of Palm Springs land use designations assigned to the subject property. Therefore, the proposed project is consistent with the intent of the AQMP. No impacts associated with compliance with applicable management plans are expected.

b, c) ***Less Than Significant Impact.*** Development of the proposed project will result in the release of criteria air pollutants. The California Emissions Estimator Model (CalEEMod) Version 2013.2.2 was used to determine air quality emissions that will be generated by construction and operation of the proposed project. Table III-2 summarizes the short-term construction-related emissions, and Table III-3 summarizes the ongoing emissions that will be generated at operation.

Construction Emissions

The construction period includes demolition, site preparation, grading, building construction, paving, and architectural coating associated with the proposed project. For analysis purposes, it is assumed that construction will occur over a 1-year period extending from March 1, 2015 to March 1, 2016. The demolition period includes the removal of 33,500 square feet of existing buildings. The grading period includes hauling emissions associated with the projected 12,000 cubic yards of cut, and 2,000 cubic yards of fill.

As shown in Table III-2, emissions generated by construction activities will not exceed SCAQMD thresholds of significance for criteria air pollutants. The data reflect average daily emissions over the 1-year construction period, including both summer and winter weather conditions. It should be mentioned that the Table below shows the projected unmitigated emissions. Implementation of minimization measures during construction will further reduce emission levels. Applicable minimization measures include, but are not limited to, the implementation of dust control practices in conformance with SCQAMD Rule 403, and proper maintenance and limited idling of heavy equipment. Impacts to air quality from construction of the proposed project for criteria pollutants, therefore, are expected to be less than significant.

Table III-2
Construction-Related Emissions Summary
(pounds per day)

Construction Emissions[1]	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
2015	44.59	56.92	71.09	0.07	14.00	8.37
2016	2.99	2.48	71.04	0.00	0.35	0.24
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds Threshold?	NO	NO	NO	NO	NO	NO

Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2.
See Appendix A for detailed calculations.

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the project. Operational emissions include area source emissions, emissions from energy (electric and natural gas) demand, and mobile source (vehicle) emissions. As shown in the table below, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants. Impacts will be less than significant.

Table III-3
Operational Emissions Summary
(pounds per day)

	CO	NO_x	ROG	SO_2	PM_{10}	$PM_{2.5}$
Operation Emissions[1]	47.25	10.28	13.54	0.06	4.09	1.33
SCAQMD Thresholds	550.00	100.00	75.00	150.00	150.00	55.00
Exceeds Threshold?	NO	NO	NO	NO	NO	NO

Average of winter and summer emissions, unmitigated.
Source: CalEEMod model, version 2013.2.2.
See Appendix A

Non-Attainment

Historically, the Coachella Valley, which includes the proposed project site, has been classified as a "non-attainment" area for PM10. The proposed project will contribute to an incremental increase in regional ozone and PM_{10} emissions. However, this impact is not expected to be cumulatively considerable. Project construction and operation emissions will not exceed SCAQMD thresholds for PM_{10} or ozone precursors, and appropriate minimization measures will be implemented that will further reduce emissions. The project will not conflict with any attainment plans and will result in less than significant impacts.

d) ***Less than Significant Impact.*** To determine if the proposed project has the potential to generate significant adverse localized air quality impacts, the 5-acre mass rate LST Look-Up Table for SRA 30 (Coachella Valley) was utilized. The nearest sensitive receptor is a multi-family residential development (Plaza Villas) located 30 meters north of the project site boundary. Therefore, LSTs are summarized in the table below for sensitive receptors located approximately 25 meters from the emission source. Emission estimates reflect all phases of construction. As shown in Table III-4 below, LST thresholds will not be exceeded during construction of the project. Impacts to sensitive receptors will be less than significant.

Table III-4
Localized Significance Thresholds
(pounds per day)

	CO	NO_x	PM_{10}	$PM_{2.5}$
Project Emissions	44.59	56.92	6.66	4.33
LST	2,292	304	14	8
Exceeds Threshold?	NO	NO	NO	NO

Source: CalEEMod Version 2013.2.2
Emissions shown are the maximum daily emission during all phases of construction, unmitigated, with the exception of PM_{10} and $PM_{2.5}$, which show emissions after enforcement of standard dust control measures. The highest daily emissions are expected to occur in 2015.
See Appendix A

e) ***Less than Significant.*** The proposed project is not expected to generate objectionable odors at project buildout. The proposed project has the potential to result in short term odors associated with asphalt paving and heavy equipment; however, any such odors would be quickly dispersed below detectable thresholds as distance from the construction site increases. Therefore, impacts from objectionable odors are expected to be less than significant.

Standard Air Quality Regulations

The project will adhere to all established air quality standards and regulations including the following:

1. SCAQMD Rule 403 (403.1 specific to the Coachella Valley): A dust control Plan shall be prepared and implemented during all construction activities, include ground disturbance, grubbing, grading, and soil export. Said plan shall include but not be limited to the following best management practices:
    - Chemically treat soil where activity will cease for at least four consecutive days;
    - All construction grading operations and earth moving operations shall cease when winds exceed 25 miles per hour;
    - Water site and equipment morning and evening and during all earth-moving operations;
    - Operate street-sweepers on paved roads adjacent to site;
    - Establish and strictly enforce limits of grading for each phase of development; and/or

- Stabilize and re-vegetate areas of temporary disturbance needed to accomplish each phase of development.
- Wash off trucks as they leave the project site as necessary to control fugitive dust emissions.
- Cover all transported loads of soils, wet materials prior to transport, provide adequate freeboard (space from the top of the material to the top of the truck) to reduce PM10 and deposition of particulate matter during transportation.
- Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.

2. SCAQMD Rule 402: The project shall adhere to nuisance odor requirement.

3. SCAQMD Rule 1113: The project shall use low VOC content architectural coatings and paints per the requirements of this Rule.

Recommended Control Measures

Although project related air emissions are expected to be less than significant, the following control measures are recommended to further limit air quality emissions:

1. To reduce particulate matter and NOx emissions construction equipment should utilize aqueous diesel fuels, diesel particulate filters and diesel oxidation catalyst during all construction activities.

2. All construction equipment should be properly serviced and maintained in optimal operating condition.

3. Construction equipment should not be left idling for more than five minutes.

4. Diesel-powered construction equipment shall utilize aqueous diesel fuels, and be equipped with diesel oxidation catalysts.

5. Onsite landscaping, if any, should be equipped with efficient irrigation and a low water demanding plant pallet to minimize water use onsite, which also reduces onsite energy expenditures and any air quality emissions associated with the production of energy.

6. Onsite lighting should utilize energy efficient technology such as sensors, timers, and LED to minimize energy demand from lighting.

7. As feasible, construction waste should be recycling to reroute waste from landfills and minimize the project's contribution to the landfill.

8. The contractor shall notify the City of the start and end of grading and construction activities in conformance and within the time frames established in the 2003 PM_{10} State Implementation Plan.

9. Construction staging and management plans shall be reviewed and conditioned to require the application of all reasonably available methods and technologies to assure the minimal emissions of pollutants from the development. The City Engineer shall review grading plan

applications to ensure compliance with the mitigation measures set forth in this document and as otherwise conditioned by the City.

10. As part of the construction staging and management plans, the contractor shall concurrently submit a dust control plan consistent with the City's Air Quality Management Plan. Mitigation measures to be implemented through this plan include but are not limited to the use of water trucks and temporary irrigation systems, post-grading soil stabilization, phased roadway preparation and paving, as well as other measures which will effectively limit fugitive dust and other emissions.

11. Construction equipment and materials shall be sited as far away from residential and park uses as practicable.

IV. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

(Sources: "Agua Caliente Tribal Habitat Conservation Plan," August 2010; "Coachella Valley Multiple Species Habitat Conservation Plan," 2007)

Discussion of Impacts

a-f) **No Impact.** The subject site is located in an urban area and surrounded on all sides by paved roads and resort, commercial, and residential development. It is entirely developed with paved parking lots and office buildings. Biological resources are limited to ornamental vegetation along the site perimeter, within parking lots, and adjacent to the office buildings.

The site is not known to contain sensitive or special-status species. It does not contain any streams, riparian habitat, marshes, protected wetlands, or other waters or related habitat. It is completely surrounded by urban development and has no potential to serve as a migratory wildlife corridor or nursery site. It does not contain any trees or other biological features that are protected by local policies or ordinances, and the proposed project will not conflict with any such policies.

The project will not conflict with the policies or intent of a habitat conservation plan or natural community conservation plan. The site is located within the boundaries of the Tribal Habitat Conservation Plan (HCP) of the Agua Caliente Band of Cahuilla Indians. It is within the HCP's Valley Floor Planning Area (VFPA) and, therefore, will be required to pay the VFPA Fee.

The property is also located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP). However, because the project will be required to pay Tribal Habitat Conservation Plan VFPA Fee, it will not be subject to payment of any fees associated with the CV MSHCP. No additional mitigation is required.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

(Sources: City of Palm Springs General Plan, 2007; Section 14 Specific Plan, City of Palm Springs, July 2014.)

Setting

The City is located in the traditional territory of the Desert Cahuilla, with a history dating back to 1,000 BC. Evidence of Cahuilla occupation in the Coachella Valley dates to over 500 years ago, when the Tribe settled around ancient Lake Cahuilla, in the area of present day La Quinta and Indio. The canyons surrounding Palm Springs also have yielded evidence of use by the Tribe, which took advantage of water sources, food sources from plants and animals, and rock for tool-making.

The City's modern history began in the early 1870s, when John Guthrie McCallum purchased land in the area, and later subdivided it. Rapid expansion in the area began in the 1920s, with the City's spreading reputation as a health resort, and the increased interest from the Hollywood movie community. Until the end of World War II, architecture in the City consisted primarily of Mission Revival and Spanish Colonial Revival structures. Development was centered around Palm Canyon Drive, as hotels and shops were constructed.

The City occurs well outside the boundary of ancient Lake Cahuilla, an area where paleontological resources have occurred. Further, soils in the City are generally post-Pleistocene age alluvium from the surrounding mountains, too new in the context of paleontology to yield fossilized remains.

Discussion of Impacts

a) ***No Impact.*** The project site is fully developed with a parking lot and 1971 vintage office buildings. The existing buildings do not qualify or meet the criteria of a historical resource as defined in Section 15064.5. The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs. No impacts to historic resources are expected to occur as a result of build out of the proposed project.

b) ***Less than Significant Impact with Mitigation.*** The project site occurs within the boundaries of the Section 14 Master Plan. The EIR prepared for that project identified the potential for buried resources throughout the area, including the project site. However, the site has been previously developed, and the potential for buried remains to be unearthed is considered low. Nonetheless, the following mitigation measure shall be implemented.

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

c) ***No Impact.*** The City and project site are outside the shoreline of ancient Lake Cahuilla. The site is underlain by alluvium which is post-Pleistocene, and not suitable for paleontological resources. Development of the project site will have no impact on paleontological resources.

d) ***Less than Significant Impact.*** No known burial ground or cemetery occurs on the project site. Excavation for existing development on the site would likely have identified such remains. Excavation for the parking structure, however, is likely to occur to a greater depth than has been excavated in the past. Should human remains be discovered during construction of the proposed project, the project contractor would be subject to State law regarding the discovery and disturbance of human remains. In that circumstance, the project contractor is required to immediately notify law enforcement, and allow the coroner to determine the nature of the remains (historic or pre-historic, human or not). The coroner is also responsible for the proper removal and potential re-burial of the remains, and consultation with Tribal officials, if the remains are determined to be Native American. As a result of these State requirements, impacts to human remains are expected to be less than significant.

VI. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

(Sources: Figures 6-1, 6-2, 6-3, and 6-4, 2007 Palm Springs General Plan; "Soil Survey of Riverside County, California, Coachella Valley Area," U.S. Department of Agriculture Soil Conservation Service, 1980; "Preliminary Water Quality Management Plan: Aberdeen Residential," Walden and Associates, January 19, 2015; "Preliminary Drainage Study for Prairie Schooner," Walden and Associates, December 2014)

Discussion of Impacts

a.i) **No Impact.** The subject property is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone, and no impacts associated with fault rupture will occur onsite. The nearest fault zones are located along the Banning Pass Fault, approximately 5 miles northeast of the site, and the San Jacinto Fault System approximately 5 miles to the south.

a.ii) **Less Than Significant Impact.** Numerous active faults are located in the Coachella Valley. During a significant seismic event, the City will be subjected to significant ground acceleration, and onsite structures could sustain damage. To reduce impacts from seismic ground shaking and provide collapse-resistant design, the City requires that all structures be constructed to Uniform Building Code (UBC) requirements for Seismic Zone 4. The proposed project will be required to conform to these standards and, therefore, impacts are expected to be less than significant.

a.iii) **No Impact.** Liquefaction is the loss of soil cohesion due to exposure to shallow groundwater or a seismic event. Liquefied soils cannot support structures and can cause structural failures. For liquefaction to occur, groundwater levels must be within 50 feet of the ground surface.

The subject property is located on the valley floor in an area with low liquefaction susceptibility. Its near surface soils consist of fine to gravelly sand and older alluvial sediments. Onsite groundwater depths are estimated to be greater than 50 feet below the ground surface. No project-related impacts associated with liquefaction will occur.

a.iv) **No Impact.** The proposed project site is on the valley floor. It consists of, and is surrounded by, relatively flat terrain. The nearest hillsides and mountainous slopes are approximately ½ mile west of the property. No impacts associated with landslides will occur.

b) **Less Than Significant Impact.** The subject site is located on the valley floor and is susceptible to wind erosion. The proposed project will require demolition of existing structures and parking lots, grading, paving, and other ground disturbance by heavy machinery, which will contribute to temporary wind erosion impacts. Water erosion could occur as a result of site watering during the development process and post-construction operations.

However, the site has been graded and developed in the past, and the terrain is largely flat. The project will not require substantial grading. The mitigation measures provided in the Air Quality section of this Initial Study will reduce impacts associated with wind erosion to less than significant levels. The project will be required to comply with the requirements of the National Pollutant Discharge Elimination Systems (NPDES) and the Best Management Practices (BMP) set forth in the project-specific Water Quality Management Plan (WQMP) to assure that water erosion is reduced to less than significant levels. Post-construction water runoff will be collected by a private storm drain system and retained via an underground retention system.

c) **No Impact.** The subject site does not contain unstable soils or geologic units. As described in VI.a, above, the site is not susceptible to liquefaction due to its soil composition and depth to groundwater. It is not susceptible to landslide due to distance from mountainous slopes and foothills. The site was previously graded to accommodate

construction of the existing facilities, and grading was conducted in compliance with City standards.

The City will require additional project-specific geotechnical and structural engineering analysis, as necessary, to determine whether additional soil remediation or compaction is required.

d) **No Impact.** Onsite soils consist of Carsitas gravelly sand (0 to 9 percent slopes) and Myoma fine sand (0 to 5 percent slopes), which have a low shrink-swell potential. No impacts associated with expansive soils will occur.

e) **No Impact.** The project will connect to the City's existing sewer system. No septic tanks or alternative wastewater disposal systems are proposed. No adverse impacts will occur.

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

(Sources: CalEEMod Version 2013.2.2)

a, b) ***Less than Significant Impact.*** The proposed project will generate greenhouse gas (GHG) emissions during both construction and operation. As mentioned in Section III.A (Construction Emissions), CalEEMod was used to quantify air quality emission projections, including greenhouse gas emissions. Construction related greenhouse gas emissions will be temporary and will end once the project is completed. Operation of the proposed project will create on-going greenhouse gases through area source emissions such as landscaping and off-gassing from the pavement. Table VII-1 provides projected short-term and annual GHG generation associated with Aberdeen.

Table VII-1
Projected GHG Emissions Summary
(Metric Tons)

Phase	CO2e
Construction (1 year)	417.75
Operational 2016 (Annually)	1,116.47

Source: CalEEMod Version 2013.2.2.
See Appendix A

There are currently no adopted thresholds of significance for GHG emissions for construction or operation of projects of this nature. It is recognized that GHG impacts are intrinsically cumulative. As such, project construction will be conducted in a manner that is consistent with applicable rules and regulation pertaining to the release and generation of GHG's. The proposed project will have a less than significant impact on the environment from the emission of GHG's and will not conflict with any applicable GHG plans, policies or regulations.

VII. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

(Sources: "Preliminary Environmental Site Assessment – Phase I, City Parking Lot, APN 508-055-007 and -008," California Environmental, January 2006; "Preliminary Environmental Site Assessment – Phase I, Commercial Property APN 508-055-006," California Environmental, December 2006; "Environmental Site Assessment – Phase I, Commercial Property APN 508-055-003," California

Environmental, April 2007; Envirostor map database, California Department of Toxic Substances Control, accessed February 5, 2015; "Riverside County Airport Land Use Compatibility Plan Policy Document," March 2005).

Discussion of Impacts

Three project-specific Phase I Environmental Site Assessments were prepared for the project including "Preliminary Environmental Site Assessment – Phase I, City Parking Lot, APN 508-055-007 and -008," California Environmental, January 2006; "Preliminary Environmental Site Assessment – Phase I, Commercial Property APN 508-055-006," California Environmental, December 2006; and "Environmental Site Assessment – Phase I, Commercial Property APN 508-055-003," California Environmental, April 2007.

a-b) Less Than Significant Impact with Mitigation Incorporated.

The proposed project will result in the construction of townhomes, live/work units, a community gym, and a commercial building. Limited quantities of paints, solvents, architectural coatings, and similar agents will be transported to and used onsite during the construction process. A vehicle staging area will be used during the construction phase of the project to minimize potential fuel or oil spills and the risk of explosion or accidental chemical release. The project will be required to adhere to applicable local, State, and federal laws pertaining to occupational safety and disposal of hazardous waste.

Over the long-term, residents can be expected to store and use various chemicals for routine household and landscaping purposes. Similar cleansers and chemicals will be stored and used at the commercial site. Chlorine and related chemicals will be stored and used for swimming pool/spa operation and maintenance. None of these will be used in sufficient quantities as to pose a threat to humans or cause a foreseeable chemical release into the environment.

Phase I Site Assessments

Three (3) Phase I Environmental Site Assessments were conducted on the subject property to evaluate the potential for hazardous materials impacts to soil and groundwater beneath the site. One report addressed the existing parking lot, one addressed the two westernmost office buildings, and one addressed the two easternmost buildings.

No evidence of the use, storage, disposal or generation of hazardous substances was observed onsite, and there is no evidence of aboveground or underground storage tanks, grease interceptors, or sumps onsite. No further research or subsurface assessment activities were recommended.

Two of the existing office buildings were built in 1973 and two were built in 1976. Therefore, there is the potential for asbestos containing materials (ACM) and lead based paint to have been used in their construction. Suspect ACM was observed in the form of ceiling tiles and linoleum. During demolition, the proper handling, transport, and disposal of such materials must be assured. In order to assure that impacts associated with asbestos are mitigated to less than significant levels, the following mitigation measure shall be implemented.

Mitigation Measure

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

c) **No Impact.** No schools are located or planned within one quarter mile of the project site. There will be no impact to schools.

d) **No Impact.** The proposed project site is not included on a list compiled pursuant to Government Code Section 65962.5. The proposed project will not create a significant hazard to the public or environment.

e-f) **No Impact.** The Palm Springs International Airport is located approximately 1½ miles east of the subject property. The property is not located within the boundaries of the airport's land use compatibility plan. The property is not located in the vicinity of a private airstrip. The project will not result in safety hazards for people living or working in the area.

g) **No Impact.** The proposed project will be accessible from East Andreas Road, Calle Alvarado, and Calle El Segundo, all of which are built out streets. The project will not alter the existing circulation pattern in the project area or adversely impact evacuation plans for those streets. The internal circulation plan will be reviewed by the Fire Department to assure that roads and driveways are adequate for emergency vehicles. A construction traffic plan will be required to assure that the project does not interfere with emergency access during the construction phase.

h) **No Impact.** The subject property is located in an urban area and surrounded on all sides by development. The nearest wildlands are the foothills of the San Jacinto Mountains, approximately ½ mile to the west. The property is not susceptible to wildfire hazards, and the proposed project will not expose people or structures to significant risks associated with wildland fires.

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

VIII. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

(Sources: "Preliminary Drainage Study for Prairie Schooner in the City of Palm Springs, CA," Walden & Associates, December 2014; "Preliminary Water Quality Management Plan for Aberdeen Residential," Walden & Associates, January 19, 2015; "City of Palm Springs Local Hazard Mitigation Plan," August 2012; Figure 6-5, Palm Springs General Plan, 2007; Flood Insurance Rate Map #06065C1558G, Federal Emergency Management Agency, August 28, 2008.)

Discussion of Impacts

A project-specific Preliminary Drainage Study and Preliminary Water Quality Management Plan was prepared for the project ("Preliminary Drainage Study for Prairie Schooner in the City of Palm Springs, CA," Walden & Associates, December 2014 and Preliminary Water Quality Management Plan for Aberdeen Residential," Walden & Associates, January 19, 2015).

a) **Less Than Significant Impact.** The proposed project will comply with all applicable local, State, and federal water quality standards and wastewater discharge requirements. The project will be connected to existing water and sewer lines, and wastewater will be transported to and processed at the City's Wastewater Treatment Plant (WTP). The WTP complies with the requirements of the Regional Water Quality Control Board pertaining to water quality standards and waste discharge. Project-generated runoff will be collected by a private storm drain system and retained with a proposed underground retention system.

The City will require compliance with the National Pollutant Discharge Elimination System (NPDES). The project-specific Preliminary Water Quality Management Plan (WQMP) identifies a wide range of Best Management Practices (BMPs) that will be incorporated into the project to minimize the pollutant load associated with urban runoff and assure the project complies with the requirements of the City and Regional Water Quality Control Board. As a result of these measures, the impacts associated with water quality will be less than significant.

b) **Less Than Significant Impact.** The proposed project will increase the demand for water supplies and services, but will not substantially deplete water supplies or interfere with groundwater recharge. In the short-term, water will be required for site grading. At buildout, the project will include dwelling units, live/work units, a commercial site, two swimming pools, and a spa that will require water supplies and services. The project will connect to existing water lines, and no new wells or additional off-site water infrastructure are proposed.

The Desert Water Agency (DWA) provides domestic water to the project area. Its primary source of water is groundwater extracted by deep wells, which is replenished with Colorado River water. A lesser amount of water comes from regional mountain streams. DWA is a participant in the Coachella Valley Regional Water Management Group that prepared an Integrated Regional Water Management Plan (draft WMP, November 2013). The WMP indicates that long-term regional demand for potable water is expected to increase; however, with continued conservation measures and replenishment of groundwater, sufficient supplies will be available to meet demand. The proposed project will be required to comply with DWA's and the City's water-efficiency requirements, including the use of drought-tolerant planting landscape materials and limited irrigation for landscaping. Implementation of City and DWA conservation requirements will assure that project-related impacts to water supplies will be less than significant.

c-e) **Less Than Significant Impact.** The project is not expected to result in erosion, siltation, or flooding on or off-site, or generate runoff that exceeds the capacity of planned or existing drainage facilities. The subject property is relatively flat and fully developed with office buildings and paved parking lots. No streams or rivers are located onsite. Project features will include asphalt/concrete pavement, hardscape, and landscape. The project proposes a system of onsite storm drains and pipes which will be connected to existing public storm drain facilities located in Calle El Segundo. No vehicle maintenance, repair, washing or cleaning facilities are proposed.

The project drainage study evaluated existing and post-construction stormwater generation for various storm events and durations. It determined that stormwater flows from the proposed project will be less than existing flows generated onsite. Specifically, existing onsite development generates a volume of 3.56 acre-feet during a 24-hour duration 100-year flood, whereas the proposed project would generate a volume of 2.22 acre-feet. This represents a reduction of 1.34 acre-feet (37%) over existing conditions. The WQMP determined also that the project's post-development runoff flow rate, volume, velocity, and duration will be less than existing conditions for the 2-year 24-hour and 10-year 24-hour rainfall events. Best Management Practices will be incorporated into the site design, including minimizing impervious surfaces and footprints and minimizing areas directly connected to impervious surfaces.

f) **No Impact.** As described in VIII.a, above, the project will be required to comply with all applicable water quality standards. It will incorporate a subsurface storm drain system and a range of Best Management Practices (BMPs) to minimize potential water quality degradation. All project components will be required to comply with City standards for the preservation of groundwater quality. No other water quality issues are expected to result from implementation of the proposed project.

g-h) **No Impact.** The subject property is not located in the 100-year floodplain. The northerly portion of the site is designated "Zone X," which represents "areas determined to be outside the 0.2% annual chance floodplain." The southerly portion of the site is designated "Zone X: Other Flood Areas," which represents "areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood."

i) **Less Than Significant Impact.** The project site is within the Dam Failure Inundation Pathway of the Tachevah Creek Detention Reservoir. The reservoir is located

approximately 1,200 feet downstream from the mouth of Tachevah Canyon in the San Jacinto Mountains west of the project site. It controls storm runoff and debris from a 3.2 square mile drainage area and protects the central part of the City from flooding. It is required by the California State Water Code to be monitored for structural safety. Potential risks and planned responses are addressed in the Palm Springs Local Hazard Mitigation Plan. Impacts to the subject property will be less than significant.

j) **No Impact.** No other hazards associated with sieche, tsunami, or mudflow will occur onsite. The site is not located in the vicinity of any other bodies of water which could be subject to seiche. Given its distance from the Pacific Ocean, the property is not subject to tsunamis.

IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

(Source: Section 14 Specific Plan, City of Palm Springs, July 2014; Palm Springs General Plan 2007)

Setting

The project site is governed by the policies and land use designations of the Section 14 Master Plan. The project site is designated Retail/Entertainment/Office (REO) and Resort Attraction (RA) on the Section 14 Master Plan land use map.

The City of Palm Springs participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Agua Caliente Tribal Habitat Conservation Plan, as discussed above under Biological Resources.

Discussion of Impacts

a) ***No Impact.*** The project site is fully developed in office and parking lot land uses. A self-contained condominium community occurs immediately north of the project site. The development of the proposed project will not divide that community. No impacts are expected.

b) ***No Impact.*** The REO and RA designations in the Section 14 Master Plan allow multi-family residential and live-work developments. In the REO and RA designations, the multi-family land use will require approval of a conditional use permit. The live-work units will require approval of a land use permit for the REO designation, and a conditional use permit for the RA designation. The project will be required to adhere to Section 14 development standards and requirements. The proposed project is therefore consistent with the Master Plan. There will be no impact to land use plans as a result of the proposed project.

c) ***No Impact.*** As described in Section IV, Biological Resources, the City of Palm Springs participates in the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Agua Caliente Tribal Habitat Conservation Plan. The property is within the boundaries of the both Plans, and therefore, the project proponent will be required to pay a mitigation fee as mitigation for any potential impacts to sensitive biological species. The proposed project will not conflict with the provisions of either Plan.

X. MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

(Sources: Palms Springs General Plan 2007)

Discussion of Impacts

a,b) **No Impact.** As shown in the Mineral Land Classification Map for the project area, the project site is located in Mineral Zone MRZ-3, which indicates an area containing mineral deposits; however the significance of these deposits cannot be evaluated from available data. The project site occurs in an urban setting and is not designated for mineral resource land uses. The proposed project would result in no impacts to mineral resources.

XI. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

(Sources: Palm Springs General Plan 2007)

Discussion of Impacts

a) **Less than Significant Impact**. The main source of off-site exterior noise impacting the project will be generated from traffic along surrounding roadways, including Tahquitz Canyon Way, Calle El Segundo, Calle Alvarado, and Andreas Road. According to the General Plan (Exhibit 8-5), future noise levels along project specific portions of these roadways are projected to range from 65-70 CNEL.

Development of the site will also result in short term impacts associated with construction noise. These impacts are temporary and will cease when in operation. Construction noise is regulated by the Municipal Code and required to occur during the noisier daytime hours, which helps to lower the potential impacts.

Permanent increases in ambient noise levels will be less than significant during long-term operation of the project. The City will require compliance with Building Code standards

for interior noise levels, including the preparation of noise analyses to demonstrate that interior noise levels will meet these requirements.

Noise levels generated by project activities will be consistent with a medium-density residential neighborhood and commercial/retail facility, and permanent noise sources will be limited to typical household appliances, landscape maintenance equipment, and vehicles accessing the property. Long-term noise impacts are expected to be less than significant.

b) **Less than Significant Impact.** Temporary and periodic ground borne vibration may occur during demolition and construction of the project, particularly as heavy equipment grades the site, but these will cease once in operation. In addition, the proposed project will be required to comply with construction hours provided in the Municipal Code. Construction hours are limited to the less sensitive daytime hours, further reducing potential impacts associated with groundborne noise and vibration. Impacts are therefore expected to be less than significant.

c) **Less than Significant Impact.** The proposed project's contribution to area noise levels will primarily be from vehicles on area roadways. As described above, noise levels in the area of the proposed project in the long term will range from 65 to 70 dBA CNEL with or without the project. Permanent increases in ambient noise levels will be less than significant during operation of the project. The City will require compliance with Building Code standards for interior noise levels, including the preparation of noise analyses to demonstrate that interior noise levels will meet City requirements. Noise levels generated by project activities will be consistent with the surrounding residential and commercial/retail uses, and permanent noise sources will be limited to typical household appliances, landscape maintenance equipment, and vehicles accessing the property. Long-term noise impacts are expected to be less than significant.

d) **Less than Significant Impact with Mitigation.** Demolition of existing structures and construction of the proposed project will result in elevated noise levels. The peak noise level for most of the equipment that would be used during construction on the project site ranges from 70 to 95 dBA at a distance of 50 feet. The construction activities on the project site will cause temporary increases in noise levels above the City's standards, but these increases will be temporary and periodic. Construction noise is regulated by the Municipal Code to occur during the noisier day time hours, which helps to lower the potential impacts.

Should heavy equipment be stored or maintained along the northern boundary of the proposed project site, however, the noise levels could potentially be sustained, which would result in a potentially significant impact, which requires mitigation.

Mitigation Measures

MM XI-1 Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

e,f) **No Impact.** The proposed project is not located within noise contour boundaries of the Palm Springs International Airport (Figure 8-6 General Plan) and therefore will not expose future residents to excessive airport related noise levels. There are no private airstrips in Palm Springs so the project will not expose people living or working in the area to excessive noise levels.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

(Source: Palm Springs General Plan 2007; CA Department of Finance Table E-5 Population and Housing Estimates, May 1, 2014)

Discussion of Impacts

a) ***Less Than Significant Impact.*** The project will not induce substantial population growth, either directly or indirectly. The project proposes the development of 74 multi-family dwelling units and 17 live-work units. Based on the City's average household size of 1.98 persons (2014 CA Department of Finance), the project will have a population of approximately 180 residents at buildout. This represents less than one percent of the City's total population (46,135 persons, 2014 CA Department of Finance). Further, the project will be required to comply with the City's adopted policies and procedures regarding Community Facility Districts for development projects, as required by City Council Resolution 20304. This increase in population can be expected to be consistent with natural growth in the City, and will not induce growth either directly or indirectly.

No major infrastructure extensions will be required. Access will be taken from existing roads (Andreas Road, Calle El Segundo, and Calle Alvarado), and the project will connect to existing utility infrastructure located immediately adjacent to the project site.

b-c) ***No Impact.*** The subject property is currently occupied by office space and a parking lot, and no demolition of existing housing will occur. No residents will be displaced, and no replacement housing will be required elsewhere.

XIII. PUBLIC SERVICES **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

(Sources: Palm Springs Fire Department; "Palm Springs Fire Department Service Report, 2013": Tables 5-1 and 5-3, Palm Springs General Plan, 2007; "Palm Springs Parks and Recreation Master Plan Draft," March 2014.)

Discussion of Impacts

a-e) Less Than Significant Impact. The proposed project will generate an estimated buildout population of approximately 180 residents, which represents an increase of 0.04% to the City population (46,134 persons in 2014). The project will increase the demand for public services. However, given the relatively limited population increase, impacts will not be substantial. No new or expanded public facilities will be required as a result of the project.

Fire Protection

The Palm Springs Fire Department will provide fire protection services to the proposed project. The nearest fire station to the subject property is Station 1 (441) at 277 N. Indian Canyon Drive, approximately 1/3 mile to the northwest. It is equipped with one engine staffed with 3 personnel per shift, and one reserve ladder truck and one quick attack truck which are staffed as needed. Fire personnel will be able to reach the site within the target five-minute response time. Project plans will be reviewed by the Fire Department to ensure they meet applicable fire standards and regulations.

Police Protection

The Palm Springs Police Department provides law enforcement services within the City limits. The Department is located at 200 S. Civic Drive, approximately ½ mile east of the project site. It is authorized to have 92 sworn officers and strives to meet a 5-minute

emergency response time. Police will be able to access the project, and the project will be required to comply with all Police Department regulations and procedures.

Schools

The Palm Springs Unified School District (PSUSD) provides public school services and facilities in the project area. The nearest schools to the project site are Palm Springs High School at 2401 E. Baristo Road, and Ramon Alternative Center at 2248 E. Ramon Road, both of which are approximately one mile to the southeast. Given the relatively limited population anticipated at buildout, the number of students generated by the project is not expected to result in the need for additional schools or facilities. The project will be required to pay State-mandated school fees to mitigate impacts to public schools.

Parks

The City currently has approximately 160 acres of developed park land, 305 acres of golf courses, and over 2,630 acres of city-owned open space lands. The project will increase the use of these facilities; however, given the relatively limited population anticipated at project buildout, the increase is not expected to be substantial or result in the need for new or expanded facilities. The project proposes 2 swimming pools, a spa, and an exercise gym, which will provide onsite recreational opportunities for community residents.

The City implements Quimby Act requirements for parklands. The proposed project will be subject to the Quimby Act, including payment of fees and/or providing parkland as required. Payment of such fees will reduce impacts to parks to less than significant levels.

Other Public Facilities

The project will be accessed from existing roads (E. Andreas Road, Calle Alvarado, and Calle Segundo) and will connect to existing utility infrastructure. No new public roads or public transportation facilities will be required.

XIV. RECREATION **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion of Impacts

a-b) Less Than Significant Impact. At buildout, the proposed project will include an estimated population of 180 residents. Increased usage of local and regional parks and recreational facilities is anticipated; however, it is not expected to cause substantial deterioration of existing facilities or the need for new or expanded facilities. Residents will have the opportunity to use proposed onsite recreational facilities, including two swimming pools, a spa, and a gym/fitness center.

To offset potential impacts to public parks and recreational facilities, the project will be required to pay City parkland impact fees.

XV. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

(Sources: "Hard Rock Hotel – Palm Springs Traffic Impact Study," prepared by Endo Engineering, July 2007; "Aberdeen Mixed-Use Development Trip Generation," Prepared by Endo Engineering, January 20, 2015.)

Setting

The proposed project is located in the City's urban core and is surrounded by existing streets, including Tahquitz Canyon Way, Calle El Segundo, and Andreas Road. The proposed project includes a primary access drive on Andreas Road, and a secondary access point from Calle El Segundo.

Project access from Calle Alvarado is yet to be determined. The final design for Calle Alvarado is yet to be approved by the City Engineer and may be improved to accommodate two-way traffic, one-way traffic or a pedestrian paseo with emergency vehicle access only. The Section 14 Specific Plan allows all three alternatives. According to the City Engineer, fair-share payment or installation of a traffic signal at the Tahquitz Canyon Way / Calle Alvarado intersection may be required.

A traffic impact study was prepared for the previously proposed project[1] in 2007, The Hard Rock Hotel. A Traffic Letter was prepared in January 2015 to provide further analysis and supplemental trip generation information for the proposed Aberdeen mixed-use development. The analysis and results of the study are the basis of the discussion below.

Discussion of Impacts

a-b) ***Less than Significant Impact.*** The original traffic analysis (2007) studied seven area intersections, 5 of which are currently unsignalized, and two of which are currently signalized, including:

Calle El Segundo/Amado Road (4 way stop)
Avenida Caballeros/Amado Road (4 way stop)
Calle El Segundo/Andreas Road (4 way stop)
Calle Alvarado/Amado Road (2 way stop)
Calle Alvarado/Tahquitz Canyon Way (2 way stop)
Calle El Segundo/Tahquitz Canyon Way (signalized)
Avenida Caballeros/Tahquitz Canyon Way (signalized)

The 2007 analysis found that all intersections, both signalized and unsignalized, operated at Level of Service C (LOS C) or better during both the mid-day and evening peak hours in 2007, and the previously proposed buildout year of 2009. Although the 2007 study found that opening year traffic operations with the addition of the proposed project will result in acceptable levels of service, the long term traffic impacts of the proposed project, cumulative projects and ambient traffic growth will result in a long term need for improvements, in order to assure that levels of service on local streets remain at acceptable levels.

The 2015 Traffic Letter provided updated trip generation information to compare traffic impacts associated with the previously approved the Hard Rock Hotel, the proposed Aberdeen mixed-use development, and four (4) other development scenarios. The trip generation summary is provided in Table XV-1.

Table XV-1
Trip Generation Summary

Development Scenario	Land Use Quantity	Midday Peak Hour (Total)	PM Peak Hour (Total)	Daily 2-Way
Existing Land Uses	Offices	161	190	1,550
Approved Hard Rock Hotel Traffic Study	Hotel 482 Rooms	322	402	5,070
Initial Study/Mitigated Negative Declaration	Hotel 499 Rooms	324	495	6,030
Section 14 Specific Plan Maximum Permitted	5.7 Ac. RA, 3.4 AC. REO	576	686	7,660
Max. Residential Alt.	273 DU	116	137	1,540
Aberdeen Mixed-Use Development	91 DU, 8,334 SF Commercial	121	108	1,070

Source: "Aberdeen Mixed-Use Development Trip Generation," Prepared by Endo Engineering, January 20, 2015.

[1] "Hard Rock Hotel – Palm Springs Traffic Impact Study," prepared by Endo Engineering, July 2007.

As shown in the summary table above, the proposed Aberdeen development would result in substantially fewer trips than the Hard Rock Hotel. The Aberdeen Mixed-Use Development would result in the lowest future trip generation of the scenarios evaluated and less than that of the existing land uses on days when the convention center parking fully utilizes the parking lot on the project site. Therefore, the proposed project is expected to have less than significant impacts on traffic flows and Level of Service ratings.

c) ***No Impact.*** The project will have no impact on the facilities or operations of regional airports, and will not result in a change in air traffic patterns, including an increase in traffic levels. The project is located more than 1½ miles west of the Palm Springs International Airport. The proposed development will not affect the operations of these airports nor create a substantial safety risks.

d) **No *Impact.*** The project will be developed in accordance with City design guidelines and will not create a substantial increase in hazards due to a design feature. The project's access point will be located with adequate sight distances, and sharp curves have been avoided. Project-generated traffic will be consistent with existing traffic in the area.

e) **No *Impact.*** Access to the planning area is via major arterials, secondary arterials, Interstate-10 and a variety of local roads. Emergency access will be provided and preserved onsite. Both the Fire Department and Police Department will review project plans to ensure safety measures are addressed, including emergency access. The proposed project will not result in inadequate emergency access.

f) ***No Impact.*** SunLine Transit operates bus routes on Tahquitz Canyon Drive and will provide public transit access to the proposed project. SunLine has adequate capacity in its system to accommodate the proposed project. The project design will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVI. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion of Impacts

a-e) Less Than Significant Impact.

Wastewater Treatment

The project will require construction of onsite sewer infrastructure that will be connected to existing sewer lines, and wastewater will be transported to the City's Wastewater Treatment Plant (WTP). The WTP has a capacity of 10.9 million gallons per day (mgd) and treats approximately 6 mgd; therefore, it has available capacity to serve new development.

The WTP implements all applicable requirements of the Colorado River Basin Regional Water Quality Control Board, and no exceedances of wastewater treatment requirements are anticipated. Project-related impacts to wastewater facilities will be less than significant.

Domestic Water

Desert Water Agency (DWA) provides domestic water services to the subject property and vicinity. In 2013, the Coachella Valley Regional Water Management Group, of which DWA is a part, prepared a draft Integrated Regional Water Management Plan (IRWMP), an analysis and long-range plan addressing the region's domestic water needs and supplies. The IRWMP indicates that long-term demand for potable water is expected to increase throughout the region; however, conservation measures and groundwater replenishment programs will make it possible to meet increasing demand.

The proposed project will include construction of onsite domestic water lines that serve dwelling units, the commercial site, community pools and spa, and irrigation systems. These improvements will connect to existing DWA water lines. No new wells or additional water infrastructure or entitlements will be required. Construction will occur in accordance with DWA and City requirements. Impacts are expected to be less than significant.

Stormwater Management

Project-related impacts to stormwater management facilities will be less than significant. The project proposes construction of an onsite subsurface storm drain system to capture and convey onsite stormwater flows, which will connect to existing storm drains beneath Calle el Segundo. The project-specific drainage study evaluated existing and post-construction stormwater generation for various storm events and durations. It determined that stormwater flows from the proposed project will be less than existing flows generated onsite.

f-g) **Less Than Significant Impact.** Palm Springs Disposal Services (PSDS) provides solid waste collection and disposal services to the City and will serve the proposed project. Solid waste is transported to Edom Hill Transfer Station in northern Cathedral City and disposed at several regional landfills, including Lamb Canyon in Beaumont, El Sobrante in Corona, and Badlands in Moreno Valley. Each of these landfills has sufficient available capacity to serve the project. Facility operators, including PSDS, Burrtec, and Riverside County, are required to meet all local, regional, state, and federal standards for solid waste disposal. Onsite source reduction and recycling programs will contribute to additional solid waste reductions. Impacts will be less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Impacts associated with biological resources are considered negligible and mitigation measures are not required. Impacts associated with Cultural resources have been identified in this Initial Study and mitigated to less than significant levels (See Section V).

b) Development of the Aberdeen project is consistent with the General Plan and Section 14 Specific Plan and will not have any additional cumulatively considerable impacts beyond build out of the General Plan.

c) The project's potential environmental effects have been mitigated to a less than significant level by the measures outlined in the Initial Study and development requirements of the City of Palm Springs. Further, the proposed the project will not cause substantial adverse effects on human beings, as all potential impacts have been mitigated.

REFERENCES

2007 Palm Springs General Plan.

"Riverside County Important Farmland 2010 Map," California Department of Conservation.

Palm Springs Architectural Advisory Committee Staff Memorandum, January 12, 2015.

Section 14 Specific Plan, City of Palm Springs, July 2014.

California Air Resources Board, 6/04/2013.

"Final 2012 Air Quality Management Plan," prepared by South Coast Air Quality Management District, December 2012.

"CEQA Air Quality Handbook," prepared by South Coast Air Quality Management District, April 1993.

"Final Localized Significance Threshold Methodology, prepared by the South Coast Air Quality Management District, Revised, July 2008.

"South Coast Air Quality Management District Rules and Regulations," adopted February 4, 1977.

"Annual Air Quality Site Monitoring Reports," prepared by the South Coast Air Quality Management District.

"The California Almanac of Emissions and Air Quality, 2006 Edition," California Air Resources Board, Planning and Technical Support Division, March 2006.

"Climate Change 2007: The Physical Science Basis," Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, edited by S. Solomon, D. Qin, and M. Manning, April 2007.

"Working Group III Contribution to the Intergovernmental Panel on Climate Change Fourth Assessment Report, Climate Change 2007: Mitigation of Climate Change," prepared by the Intergovernmental Panel on Climate Change, May 2007.

"2003 Coachella Valley PM10 State Implementation Plan," August 1, 2003.

"Agua Caliente Tribal Habitat Conservation Plan," August 2010.

"Coachella Valley Multiple Species Habitat Conservation Plan," 2007.

"Soil Survey of Riverside County, California, Coachella Valley Area," U.S. Department of Agriculture Soil Conservation Service, 1980.

"Preliminary Water Quality Management Plan: Aberdeen Residential," Walden and Associates, January 19, 2015.

"Preliminary Drainage Study for Prairie Schooner," Walden and Associates, December 2014.

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 25, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Hudson called the meeting to order at 1:30 pm.

ROLL CALL:

Present: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

Staff Present: City Attorney Daudt, Director Fagg, Planning Administrative Coordinator Hintz, Assistant Director of Public Works Khamphou, Associate Planner Lyon, Assistant Planner Mlaker and Associate Planner Newell

*Commissioner Weremiuk arrived at 1:34 pm.

REPORT OF POSTING OF AGENDA:

The agenda was posted for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 pm on Thursday, March 19, 2015.

ACCEPTANCE OF THE AGENDA:

Vice-Chair Hudson reported that Item 3A would be continued to April 8, 2015.

Vice-Chair Klatchko noted his abstention on both sets of minutes due to his absence.

ACTION: Accept the agenda, as amended.

Motion: Commissioner Roberts, seconded by Commissioner Middleton and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

PUBLIC COMMENTS:

Chair Hudson opened public comments:

The following persons spoke in opposition of Item 2A:

ERIK ROSENOW, Palm Springs Preservation Foundation, president, requested denial of the proposed plan or a continuance for the plan to incorporate the entire Kaptur buildings.

BARBARA MARSHALL, suggested as a public benefit - real space should be dedicated to the art community.

JUDY DEERTRACK, commented that this project should have gone for review to the Historic Preservation Board with an environmental study.

JOANNE HARRIS, requested a plan to include all of the Kaptur buildings.

GARY JOHNS, urged the Commission to demand something unique.

CHRIS MENRAD, Palm Springs Modern Committee, president, said that the Board requested to keep the entire 650 building and integrate it into a much larger project.

ROBERT IMBER, PS Modern Tours, urged the Commission to reconsider something that is appropriate for this city.

RON MARSHALL, suggested that a true compromise is to retain the entire buildings and build the new project behind it.

FRANK TYSEN, expressed concern with the water consumption that will be used to prepare the land.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

ACTION: Approve Items 1A and 1B as part of the Consent Calendar.

Motion: Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried 7-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

1A. APPROVAL OF MINUTES: MARCH 11, 2015 STUDY SESSION AND REGULAR MEETING MINUTES

Approved, as submitted. (Vice-Chair Klatchko abstained on the study session and regular minutes.)

1B. PALM SPRINGS PROMENADE, LLC FOR A PARCEL MAP WAIVER TO SUBDIVIDE ONE LOT INTO TWO PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD, ZONE CBD (CASE NO. TPM 36909). (DN)

Approved, as submitted.

1C. BARBARA FOSTER HENDERSON, OWNER REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 4,879-SQUARE FOOT HOUSE ON A HILLSIDE LOT AND AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT LOCATED AT 888 LA MIRADA CIRCLE. (CASE 3.3834 MAJ; 7.1455 AMM). (GM)

Assistant Mlaker described the screen wall structure and noted that no objections were received.

JAMES CIOFFI, Cioffi Architect, said his client has a concern with the Cypress trees and requested a condition to return at staff level to replace them.

ACTION: Approve with conditions as amended:

- Allow the applicant to come back with the change in trees at staff level.

Motion: Commissioner Lowe, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

2. PUBLIC HEARINGS:

2A. O & M HR, LLC. (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL

SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

Associate Planner Newell noted that the description of the project in the agenda has changed and provided an overview of the modifications made to the proposed development.

Technical Questions:

The Commission questioned and/or commented on the following items:

1. Public testimony regarding consideration of the buildings as a historic resource.
2. Parking in the front of the live/work units.
3. Does ordinance allow for Historic designation of buildings? What is the process?
4. Points of access on the east/west street to the live/work units on Palm Canyon?
5. Distance between the buildings.
6. Internal street width requirements.
7. Modification of Calle Alvarado extension.
8. Installation of a traffic signal for two-way access.
9. Setbacks and building height for the townhouses and live/work units

Commissioner Calerdine commented that it would not be fair to the developer to put in all the traffic signals. He suggested the possibility of restricting the access to right turn in / right turn out.

ROB ERES, Nexus Development, applicant, stated that they tried to accomodated as many of the Commission comments as possible. Mr. Eres described the modifications made to the development including incorporating the entire western building into the project. He provided details relating to the setbacks, parking count, pre-wired for solar, Calle Alvarado street width and the public benefit for the community. Mr. Eres requested Condition PSP. 1 be removed in reference to the internal streets and requested an action be taken today.

Commissioner Calerdine noted that the first issue that needs to be addressed is the historic preservation of the building and his first inclination is to deny the project to get a decision from the City Council. He has questions regarding the parking for the live/work units; however, he likes the project and thinks the density is a good idea.

Commissioner Roberts disclosed that he met with the applicant on several occasions. He applauds the applicant's willingness to keep one of the Kaptur buildings given their financial viability.

Commissioner Weremiuk a motion for denial.

Commission comments were made:

Vice-Chair Hudson stated that this project is very problematic and not just because of the Kaptur buildings (retention versus demotion). He continues to have problems with gated communities for high-end townhomes that are private courts. This is a very central location in the city and these projects need to be more porous and welcoming. The parking has been handled better because of the driveways and is a more realistic scenario. The streetscape has one unit type around three sides of the project because of the change that has been made to retain one of the Kaptur buildings and the meandering sidewalk along Andreas was lost. Chair Hudson said the live/work spaces are so close to the sidewalk and noted the specific standards for Section 14. He said they may work on North Palm Canyon but does not think this will be a vibrant artist colony. There are a lot of missed opportunities to treat the Tahquitz frontage in a much more realistic manner. He said these the two buildings are a pair with a breezeway in the middle and recommended to Council to retain at least 50% - one of the buildings. He encouraged Council to demand more diversity in terms of housing types and affordability.

Commissioner Lowe said he agreed with many of the comments and appreciates that 1/4 of the Kaptur building will be preserved. He said preserving 50% of the historic buildings is essential in retaining the original architecture of the project. He commented that Tahquitz is a not a walking street but rather a driving street for the live/work units.

Vice-Chair Klatchko said he has many other concerns such as losing the landscaping on Andreas and perspective drawings were just received today. He noted on the west elevation next to the residential there is only a wall and virtually no landscaping. He said Alvarado Street as a two-way access and inclusion of the Kaptur buildings are significant public benefits. He indicated that the applicant has tried to address the issues.

Commissioner Middleton was very complimentary to Palm Springs Modern for their responsiveness and timeliness in trying to work with the developer on this project. Ms. Middleton said this has been a difficult project and thanked the applicant for being very responsive to what was asked of them. She still has concerns with the viability of the live/work units on Tahquitz Canyon. She said she appreciates more sidewalk space on Tahquitz Canyon and thinks the integration of the remaining Kaptur building is very esthetically pleasing. She spoke in support of the project.

Commissioner Roberts expressed concern about sending mixed messages to the applicant. He said the Commission did not specify which building was to be retained. And in regards to Calle Alvarado, a big area of parking space behind the live/work was created. He can't say if the live/work will be a success - and many conditions could be placed so that it will not be used as storage space. He feels strongly that the applicant has come a long way and made significant changes and sacrifices for this project.

Commissioner Calerdine said there is no real analysis on the historic significance of the buildings. He does not have a concern with the density and the separation of the buildings. He likes the urban style. However, he does not think the parking layout will function for the live/work units.

ACTION: Deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks and viability of the live/work space on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and carried 4-3-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Weremiuk, Chair Hudson
NOES: Commissioner Middleton, Commissioner Roberts, Vice-Chair Klatchko

2B. CITY OF PALM SPRINGS TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTIONS 93.20.07 AND 93.20.08 REGARDING REAL ESTATE AND OTHER TEMPORARY SIGNS (CASE 5.1338 ZTA). (FF)

Director Fagg provided an overview on the proposed zone text amendment relative to real estate signs.

The Commission discussed and/or commented on the following items:

1. The original approval was for real estate signs only.
2. Prior discussion on signs is allowed in the public right-a-way.
3. Realtor's concerns for sign coverage.
4. Staff to review Planning Commission video on previous action.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

Vice-Chair Klatchko said that if signs will be allowed in the public right-a-way (not only if it doesn't block the traffic) much more consideration should be given. This has been a problematic issue in the CBD district and suggested further review of the language by the City Attorney.

Commissioner Roberts expressed concern with allowing signs in the public right-a-way (medians) which would create safety issues and enforcement problems.

Commissioner Calerdine said signs should be excluded from any median or within 50 - 100 feet of an intersection or over any part of the sidewalk. However, allowing them in large setback areas that cause no safety issues would be allowed.

ACTION: Continue to a date uncertain and refer to the City Attorney for review.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

3. UNFINISHED BUSINESS:

3A. CONT'D - A MAJOR ARCHITECTURAL APPLICATION BY DENLAR LLC FOR A SINGLE-FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 2110 NORTH LEONARD, ZONE R-1-B (CASE 3.3817 MAJ). (KL)

Table to the next meeting.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS: None.

PLANNING DIRECTOR'S REPORT:

Director Fagg provided an update on the PPD subcommittee.

ADJOURNMENT:

The Planning Commission adjourned at 3:32 pm to Wednesday, April 8, 2015, at 1:30 pm, at the City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

ACCEPTANCE OF THE AGENDA:

City Clerk Thompson requested Item 2.J. be withdrawn from the Agenda at the request of Staff.

ACTION: Accept the Agenda as amended. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

AYES: Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: None.
ABSENT: Councilmember Hutcheson and Councilmember Mills.

1. PUBLIC HEARINGS:

1.A. AMENDMENT TO THE PALM SPRINGS ZONING CODE RELATING TO ACCESSORY SECOND DWELLING UNITS (CASE 5.1341 ZTA):
ACTION: 1) Table the public hearing with no public testimony at this time; 2) Continue the Public Hearing to May 6, 2015; and 3) Direct the City Clerk to post a Notice of Continued Public Hearing pursuant to law. **Motion Mayor Pro Tem Lewin, seconded by Councilmember Foat and unanimously carried 3-0 on a roll call vote.**

AYES: Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: None.
ABSENT: Councilmember Hutcheson and Councilmember Mills.

1.B. 750 LOFTS, LLC MIXED-USE HOTEL DEVELOPMENT ON A 1.13 ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE /LAS PALMAS BUSINESS HISTORIC DISTRICT, CEQA MITIGATED NEGATIVE DECLARATION AND REPEALING RESOLUTION NO. 23757 REGARDING THE PREVIOUS APPROVAL OF THE HISTORIC SITE CERTIFICATE OF APPROVAL (HD-1) (CASE 5.1350 PDD 374 / GPA):

Councilmember Foat stated she has a property related conflict of interest. No action taken due to a lack of quorum. City Clerk to re-notice the public hearing as required by law.

1.C. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) APPEALING THE MARCH 25, 2015, DECISION OF THE PLANNING COMMISSION TO DENY DEMOLITION OF EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN," A MIXED-USE PROJECT CONSISTING OF 74 ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, 17 LIVE-WORK UNITS AND APPROXIMATELY 1,568-

SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO AND MAKE A CEQA DETERMINATION (ZONE REO AND CU) (CASE NOS. 5.1361 PD-375, CUP, 3.3820 MAJ AND TTM 36876):

City Clerk Thompson stated Mayor Pougnet has a business related conflict of interest with respect to Public Hearing Item 1.C., as such there is not a quorum of the City Council to hear the Item, and the City Clerk's Office will re-notice the public hearing.

No action taken due to a lack of quorum. City Clerk to re-notice the public hearing as required by law.

PUBLIC COMMENT:

KATHY WEREMIUK, Palm Springs, commented on the current water emergency in the State of California.

JERI BARRY, Palm Springs, commented on the impacts of CVLink to the Four Seasons community and the City of Palm Springs.

NIKOHL VANDEL, Palm Springs, commented on Item 2.N. regarding discrimination and the water shortage.

DOTTIE WILDER, commented on the lack of parking on Civic Drive, and requested the City Council allow parking in the City Yard.

DONNA CHABAN-DELMAS, Palm Springs, commented on developers in the City and the need for developers to work with surrounding neighborhoods.

MARK DAVIS, commented on Item 2.L. and requested the City Council not consider low income and homeless services at that location.

CATHERINE MEYLER, commented on Item 2.L. and requested the City Council not consider low income and homeless services at that location.

JOY BROWN MEREDITH, provided an update on the activities of MainStreet, and stated her support for Item 2.I. approving VillageFest restrooms.

COUNCILMEMBER COMMENTS:

Councilmember Foat commented on the current status and process on the CVLink project and commented on the purchase of property on Indian Canyon.

CITY MANAGER'S REPORT: None.

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February 10, 2015

Via Email and U.S. Mail

Flinn Fagg, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Jim Zicaro
Director of Building and Safety
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Proposed Demolition of Kaptur Designed Buildings as Part of Aberdeen Project; Case Nos. 5.1361 PD-375, 3.3820 MAJ and TTM 36876.

Dear Mr. Fagg and Mr. Zicaro:

On behalf of the Palm Springs Modern Committee, we write regarding the proposed demolition of two mid-century modern office buildings designed by noted Palm Springs' architect Hugh Kaptur ("Kaptur buildings") as part of the proposed Aberdeen mixed use project ("Project"), which is planned for the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like to confirm that the City will not issue demolition permits for the Kaptur buildings prior to the completion of environmental review for the entire Aberdeen Project and final approval of this Project by the City Council.

The applicant's plans and the Architectural Advisory Committee's January 12 and 26, 2015 staff memorandums regarding the Project make clear that demolition of the Kaptur buildings is a necessary first step to developing the Project as proposed by the applicant. Because the demolition would be part of the Aberdeen Project, it is subject to the same environmental review under the California Environmental Quality Act ("CEQA") as the rest of the Project. (CEQA Guidelines § 15378(a).) This is true even though demolition permits on their own may be considered ministerial. "Where a project

nature of the existing buildings;
- Prefers the site not be gated;
- Would like to see Calle Alvarado developed in a pedestrian-friendly manner;
- Questions the viability of live/work units.

Member Secoy-Jensen made the following comments:

- Likes the connection of Calle Alvardo;
- Struggling with regularity/monotony of Tahquitz elevation;
- Thinks office buildings could be re-used;
- This project is not characteristic of Palm Springs.

Member Cassady said the project lacks connectivity. He likes the design; however, questioned if this is the right place for it. He would prefer to see the Hugh Kaptur buildings saved.

Chair Fauber made the following comments:

- Concerned with the density and height of the 3 story building;
- Concerned with live/work units;
- Parking is not functional;
- The building is beautiful but not the right location for it;
- Should be non-gated (using St. Baristo as an example).

Member Song said she has three issues with this project: the gates, parking and re-use of existing office buildings.

Chair Fauber said Calle Alvarado street section needs to be increased.

M/S/C (Secoy-Jensen/Fauber, 6-0-1) Table with direction to the applicant to modify the following:

1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context;
2. Parking needs further evaluation for commercial and live-work;
3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado;
4. Connectivity – Eliminate gates and improve connectivity of project within existing community;
5. Adaptive re-use of existing commercial buildings should be considered in redesign.

COMMITTEE MEMBER COMMENTS:

ROB ERES AND CHRIS PARDO, applicants, responded that that existing building is about 32,000 square feet; and objects to conditions #1 and #2 in the staff report.

Public Comment:

JOHN WESSMAN, Wessman Development, commented that he knows the Hugh Kaptur buildings, and they were not developed to full potential.

BARBARA MARSHALL, commented that the demolition of the buildings injures the city. This project is not what Palm Springs wants or needs; let's find a way to adequately re-use this property.

GARY JOHNS, commented that Hugh Kaptur will have a voice in this matter at a later time.

RON MARSHALL, commented that the buildings qualify for preservation because they are the work of a master architect.

Questions:

Member Hirschbein asked how would uses be regulated (live/work space - per underlying zoning) and where is parking for coffee shop?

Member Cassady asked if there will be gates at the south end of interior streets.

Member Song made the following comments:

- Why gated? Why not open it up and allow it to flow?
- Expressed concern about the setbacks of the live/work units.
- Why not put art garden and café together (enliven the space)
- Do townhouse units share a sidewalk?
- How will the live/work signage be addressed?
- Open up pool area to pedestrian path.

Member Hirschbein asked if the workspace can be rented separately. How many parking spaces are required by code? And was the adaptive re-use of the existing buildings looked at?

Member Secoy-Jensen questioned why not re-use the buildings?

Member Hirschbein made the following comments:

- Appreciates that the community is bringing information forward on the historic

Chair Fauber proposed a subcommittee review the project. Staff level review was preferred.

M/S/C (Secoy-Jensen/Song, 6-0-1) To approve with conditions:

- Awnings be replaced on both Palm Canyon and Indian Canyon in the existing locations and evaluate condition of the awning frames; paint to match color sample #2.
- Building painted color sample #1.
- Windows will be in-filled with stucco to match adjacent wall surface leaving a 1" - 2" recessed back panel with the reveal between the in-filled openings.

~~NEW BUSINESS:~~

3. **O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 3,000-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)**

Associate Planner Newell provided an overview of the proposed project.

Discussion:

Member Song asked questions about the following:

- Lettered lots;
- Demolition of existing buildings;
- CUP submittal;
- Setbacks from Tahquitz for residential units;
- Building height.

Member Hirschbein questioned what square footage is being demolished versus how much is proposed.

Member Cassady requested clarification on ownership of property.

Member Secoy-Jensen asked what the timeline is for Planning Commission review (environmental needs to be computed).

recommended the following modifications:

1. Study alternatives along Tahquitz Canyon Way;
2. Provide streetscape along El Segundo;
3. Address Calle Alvarado traffic, parking and circulation issues;
4. Resubmit planting diagrams.

A recess was taken at 4:33 pm. The meeting resumed at 4:39 pm.

NEW BUSINESS:

6. SERGE DOROSHIN FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT APPLICATION TO DEVELOP A 32-UNIT CONDOMINIUM AND TWO LIVE-WORK UNITS LOCATED AT 262 SOUTH INDIAN CANYON DRIVE, ZONE LSC/C-1AA & C-2, SECTION 14 (CASE 5.1358-PDD 376). (ER)

Principal Planner Robertson presented the proposed project.

Chair Fauber questioned if tribal land is subject to city review.

Member Hirschbein asked for clarification of property use to the north.

Member Song questioned the landscape/streetscape requirement along Indian Canyon.

CHRIS PARDO, project architect, provided additional details.

Member Purnel asked about the landscape at Indian Canyon, vehicular circulation and parking for live/work. He asked about the function of gate at Calle Encilia.

Member Secoy-Jensen questioned the functionality of the parking area at Indian Canyon.

Chair Fauber asked if there are any guest spaces on the interior.

Member Song commented on the architecture: relationship of retail to street is too bare; not well defined. She said the interior street needs trees/plantings.

Member Purnell commented that the street is "harsh" feeling; it needs increased plantings.

Member Secoy-Jensen commented that the vehicular entry is inadequate. Architecture is good, but exterior spaces need to be studied more; footprint may need to be reduced.

Member Hirschbein stated that the density is appropriate for downtown; it needs more

ROB ERES and CHRIS PARDO, applicants, identified the changes made to the plan.

Public Comment:

BETH EDWARDS HARRIS, said she would like to see the list of responsibilities of the Committee.

RON MARSHALL, applauds the AAC for its comments two weeks ago; sustainability should be discussed here.

BARBARA MARSHALL, spoke about the important of the Hugh Kaptur buidlings.

Member Cassady requested clarification of Calle Alvarado design.

Member Hirschbein asked for clarification of pedestrian access through the site.

Member Song asked about the width of the landscape area at Alvarado. She commented that no landscape buffer is shown on Calle El Segundo and asked about the signage - which is not included as part of this approval.

Member Purnel expressed concern about the street trees in tight spaces - it needs to be addressed on landscape plan; need street trees on El Segundo. He said landscape is under-developed. It needs to show landscape of the interior streets.

Member Secoy-Jensen commented that architecture and urban design are inseparable. She noted that Calle Alvarado could be wider and questioned what the design concept is for the live/work buildings on Tahquitz.

Chair Fauber asked if there are no swimming pools on Tahquitz for the live/work units. He commented that parking is short per submitted drawings; and also questioned the Calle Alvarado width.

Member Cassady commented that no parking along Tahquitz will hurt the retail spaces.

Member Secoy-Jensen said she is struggling with the live/work design and monotony of garage doors; however, the residential behind may be appropriate.

Chair Fauber said the issue is with the fourth floor.

Member Hirschbein commented that what is before them now is better than what was originally proposed; however, it is monotonous.

M/S/C (Cassady/Secoy-Jensen, 7-0) Deny.

The Board made a finding that the project does not conform to adopted standards, and

Member Hirschbein asked if a subcommittee is the best way to move this forward.

Member Song commented that the applicant has increased the quantity of plants. She commented that the subcommittee needs to give clear direction up front.

Member Purnel made the following suggestions:

- Increase some plant sizes (slower growing plants);
- A little more massing and rhythm of plants; rather than individual ones scattered out.
- Clarification on plants that are not labeled on the plans - ;
- Identify plants to be replaced - Aurelia is a poor plant recommends alternative plant.
- Greener groundcover - to make it lusher.

M/S/C (Purnell/Fredricks, 7-0) Approve, subject to review with subcommittee and applicant to incorporate the comments made by the AAC. (Purnel and Fredricks)

5. **O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)**

Douglas Holland, City Attorney, reviewed the AAC's responsibilities for Architectural Review.

Associate Planner Newell provided an overview of the proposed project.

Vice-Chair Fredricks noted issues with the landscape plan - does not see the landscape plan that shows the plant sizes and materials - (can be submitted with final plan).

Member Song commented that landscape is not per Section 14 Plan on Tahquitz Canyon Way; and questioned the prohibition of residential use of live/work space on Tahquitz Canyon Way.

Member Secoy-Jensen verified appropriateness of reviewing context.

Chair Fauber asked staff to identify where in the staff report where it does not conform and what the standards are.

Commissioner Roberts said that he does not a have problem and made the following motion.

ACTION: To continue to a date uncertain to allow the applicant to work with staff in making the following modifications to the project:

- Density / height - justification.
- Distance between buildings - 10 feet.
- Calle Alvarado - a two-way street.
- Viability of live/work (configuration)
- Public benefit - (preserve and consider study)
- Solar panels.
- Consider live/work units on side streets.

Motion Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

Commissioner Calerdine noted that the Tribe's conservation plan fees were dropped and requested staff look into applying the CVMSHCP fees.

~~A recess was taken at 3:00 pm.~~

The meeting resumed at 3:47 pm.

2B. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE NOS. 5.1350 PDD 374 / GPA / CUP AND 3.3795 MAJ). (KL)

Associate Planner Lyon provided an overview of the proposed mixed-use hotel as outlined in the staff report.

The Commission asked further clarification on issues relating to:

- Capture rates for valet parking at the Colony Palms.
- Parking survey to determine the whether the rest of the Uptown area is adequately parked.
- Reciprocal parking agreement with Colony Palms for the existing 750 lot.

Chris Pardo said they looked at many options and none were economically viable. Commission Roberts commented that this is a good project - it's attractive and fits well in the area. However, he is struggling with the project because the zoning mix is very complex. The R-1 zoning is not allowed in this area and does not fit anywhere. It feels overly dense for single-family houses. He does not see the public benefit given for the relief that will be granted for this project. He expressed concern with the live/work units because of the lack of parking in the busy corridor. He would like to send this project back to look at the density and suggested one public benefit could be reconditioning an existing building and contribute to the character of the city.

Commissioner Middleton said she likes what this project does away from Tahquitz but does not see the public benefit for the relief given. She is most impressed with the connection created by the Calle Alvarado extension from Tahquitz to the Convention Center and would like to see a 2-way street. She would like to see the Kaptur buildings preserved. She said the 6' setback on Tahquitz is very crammed with tight spaces. She appreciates the setbacks on Andreas and would like to see the project pushed back from Tahquitz to create more space.

Commissioner Calerdine congratulated the design team and asked questions in reference to the roof deck space. He questioned if some of the live/work units could be brought around the corner on El Segundo and Tahquitz to allow some preservation of existing buildings. He preferred to see Calle Alvarado as a full use street, vehicular gates (parking will be used when conventions are in town) and agreed that a degree of building preservation should be maintained.

Commissioner Lowe expressed concerns about parking on the live/work space on Tahquitz Canyon. He agreed that Called Alvarado would work better as a two-way street.

Rob Eres said they are open to having Calle Alvarado as a two-way street and respectfully requested for an action on this project.

Chair Hudson commented that the most important thing about this project is the preservation of at least a portion of the buildings. He expressed concern with the setbacks on Tahquitz Canyon and thinks this is one location in the city that can handle high density if it were done in a more creative way.

Commissioner Weremiuk spoke about the Section 14 design guidelines and the importance of the Tahquitz Canyon presence. She expressed concern with the setbacks and viability of the live/work units, and would like to see more community public benefit. She noted that one public benefit could be the preservation of one of the Kaptur buildings.

RON MARSHALL, PS Preservation Foundation, said this property needs to be evaluated as a historic resource and requested an environmental analysis be conducted.

ROBERT IMBER, said that thousands of people come to see the city's heritage of architecture.

JUDY DEERTRACK, said the demolition needs to be compared with adaptive historical re-use.

ROXANN PLOSS, encouraged the idea of adaptive re-use in regards to the existing buildings.

BARBARA MARSHALL, said the plan to demolish this property will injure the city; and encouraged the developer to adaptively re-use the historic resource.

DICK BURKETT, suggested the developer come back with a plan as an option to show the study of the adaptive re-use of the Kaptur building.

PETER MORUZZI, PS Modern Committee, chair, spoke about letters received from architectural experts and encouraged the Commission to read the letters.

DR. MICHAEL MCQUARTER, architect, does not understand why the buildings from good architects are torn down.

FRANK TYSON, said people come here because they like the historic architecture; thinks this project needs substantial work and a full impact study.

HUGH KAPTUR, architect, commented that developers come from big cities with projects that change the environment and village of Palm Springs and requested these buildings be preserved.

ROB ERES, applicant rebuttal, thanked all the public that spoke; and clarified that the Aberdeen project will have 2 car garages as well as driveway parking for 2 vehicles, unlike the Morrison project.

There being no further appearances the public hearing was closed.

Chair Hudson commented that providing space for artists in the city is admirable; however, he questioned the appropriateness of the site; there is very little flexibility to have larger retail businesses along this frontage.

Vice-Chair Klatchko noted the community concern about adaptive re-use and asked the developer if they re-thought keeping the buildings.

Chair Hudson opened the public hearing;

ROB ERES, applicant, Nexus Dev. Corp., said they are not pushing density and height to the maximum. He commented that condition PSP 1. would increase the overall street 12 feet more than what is currently proposed instead they are trying to create an urban development. He requested an action be taken today.

CHRIS PARDO, project architect, spoke about Calle Alvarado, setbacks, height, gates and the pedestrian walkway between townhomes.

The following persons spoke in favor of the proposed project:

TOM ADAMO, property owner, said this project is well below the density requirements and will create jobs; this property can be a trend-setter.

AFTAB DADA, read a letter into the record by Harold Matzner, stating that this project is located in the right location where more foot traffic is needed on Tahquitz. Mr. Dada said, as an owner and partner of the Hilton Hotel, they are in full support of the project.

JAMES CIOFFI, said this is an exciting new development and implored the design team to try to find a way to integrate the existing buildings into the project.

REGGIE CAMERON, said this project speaks to the creativity of artists and is excited to have the mixed-use project at this location.

JUAN-MANUEL ALONSO, said it's important to move forward to the future; this project will have a place for artists.

ANDY CARPIAC, represents Hard Rock Hotel, said there is a demand for this type of development and encouraged the Commission to see past the skepticism of other speakers.

MIGUEL CRIEGO, artist, said this project will open up to the community giving it culture and life.

TERRY HASTINGS, artist council board member, praised the development for creating a solid artistic project. He said this would be a great anchor for the artists and community.

The following persons spoke in opposition to the project:

GARY JOHNS, said the city has a resort lifestyle and does not believe there is the clientele for an urban center.

PUBLIC COMMENTS:

Chair Hudson opened public comments and with no appearances coming forward public comments was closed.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: FEBRUARY 11, 2015

ACTION: Approve, as presented.

Motion Vice-Chair Klatchko, seconded by Commissioner Middleton and carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko
ABSTAIN: Chair Hudson.

2. PUBLIC HEARINGS:

2A. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

Associate Planner Newell presented the proposed mixed-use project as outlined in the staff report.

The Commission asked technical questions pertaining to the project in reference to:

- Potential to preserve buildings under historical ordinance;
- Calle Alvarado street improvements;
- Location of the access points and gates;
- Setbacks on Tahquitz Canyon in front of work/live units;
- Pre-wire for solar;
- Setback requirements for Section 14;
- Parking for the cafe and live/work units.

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks and viability of the live/work space on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and carried 4-3-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Weremiuk, Chair Hudson
NOES: Commissioner Middleton, Commissioner Roberts, Vice-Chair Klatchko

2B. CITY OF PALM SPRINGS TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTIONS 93.20.07 AND 93.20.08 REGARDING REAL ESTATE AND OTHER TEMPORARY SIGNS (CASE 5.1338 TA). (FF)

Director Fagg provided an overview on the proposed zone text amendment relative to real estate signs.

The Commission discussed and/or commented on the following items:

1. The original approval was for real estate signs only.
2. Prior discussion on signs not allowed in the public right-a-way.
3. Realtor's concerns regarding coverage.
4. Staff to review Planning Commission video on previous action.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

Vice-Chair Klatchko said that if signs will be allowed in the public right-a-way (not only if it doesn't block the traffic) much more consideration should be given. This has been a problematic issue in the CBD district and suggested further review of the language by the City Attorney.

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gated communities for high-end townhomes that are private courts. This is a very central location in the city and these projects need to be more porous and welcoming. The parking has been handled better because of the driveways and is a more realistic scenario. The streetscape has one unit type around three sides of the project because of the change that has been made to retain one of the Kaptur buildings and the meandering sidewalk along Andreas was lost. Chair Hudson said the live/work spaces are so close to the sidewalk and noted the specific standards for Section 14. He said they may work on North Palm Canyon but does not think this will be a vibrant artist colony. There are a lot of missed opportunities to treat the Tahquitz frontage in a much more realistic manner. He said these the two buildings are a pair with a breezeway in the middle and recommended to Council to retain at least 50% - one of the buildings. He encouraged Council to demand more diversity in terms of housing types and affordability.

Commissioner Lowe said he agreed with many comments and appreciates that 1/4 of the Kaptur building is being preserved. He said preserving 50% of the historic buildings is essential in retaining the original architecture of the project. He commented that Tahquitz is a not a walking street but rather a driving street for the live/work units.

Vice-Chair Klatchko said he has many other concerns such as losing the landscaping on Andreas and perspective drawings were just received today. He noted on the west elevation next to the residential there is only a wall and virtually no landscaping. He said Alvarado Street as a two-way access and inclusion of the Kaptur buildings are significant public benefits. He indicated that the applicant has tried to address the issues.

Commissioner Middleton said this has been a difficult project and thanked the applicant for being very responsive to what was asked of them. She still has concerns with the viability of the live/work units on Tahquitz Canyon. She said she appreciates more sidewalk space on Tahquitz Canyon and thinks the integration of the remaining Kaptur building is very esthetically pleasing. She spoke in support of the project.

Commissioner Roberts expressed concern about sending mixed messages to the applicant. He said the Commission did not specify which building was to be retained. And in regards to Alvarado, a big area of parking space behind the live/work was created. He can't say that live/work will be a success - and many conditions could be placed so that it will not be used as storage space. He feels strongly that the applicant has come a long way and made significant changes and sacrifices for this project.

Commissioner Calerdine said there is no real analysis on the historic significance of the buildings. He does not have a concern with the density and the separation of the buildings. He likes the urban style. However, he does not think the parking layout will function for the live/work units.

ACTION: Deny the project based on the following:

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Associate Planner Newell noted that the description of the project in the agenda has changed and provided an overview of the modifications made to the proposed development.

Technical Questions:

The Commission questioned and/or commented on the following items:

1. Public testimony regarding consideration of the buildings as a historic resource.
2. Parking in the front of the live/work units.
3. Does ordinance allow for Historic designation of buildings? What is the process?
4. Points of access on the east/west street to the live/work units on Palm Canyon?
5. Distance between the buildings.
6. Internal street width requirements.
7. Modification of Calle Alvarado extension.
8. Installation of a traffic signal for two-way access.
9. Setbacks and building height for the townhouses and live/work units.

Commissioner Calerdine commented that it would not be fair to the developer to put in all the traffic signals. He suggested the possibly of restricting the access to right turn in / right turn out.

ROB ERES, Nexus Development, applicant, stated that they tried to accomodated as many of the Commission comments as possible. Mr. Eres described the modifications made to the development including incorporating the entire western building into the project. He provided details relating to the setbacks, parking count, pre-wired for solar, Calle Alvarado street width and the public benefit for the community. Mr. Eres requested Condition PSP. 1 be removed in reference to the internal streets and requested an action be taken today.

Commissioner Calerdine noted that the first issue that needs to be addressed is the historic preservation of the building and his first inclination is to deny the project to get a decision from the City Council. He has questions regarding the parking for the live/work units; however, he likes the project and thinks the density is a good idea.

Commissioner Roberts disclosed that he met with the applicant on several occasions. He applauds the applicant's willingness to keep one of the Kaptur buildings given their financial viability.

Commissioner Weremiuk a motion for denial.

Commission comments were made:

Vice-Chair Hudson stated that this project is very problematic and not just because of the Kaptur buildings (retention versus demotion). He continues to have problems with

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Approved, as submitted. (Vice-Chair Klatchko abstained on the study session and regular minutes.)

1B. PALM SPRINGS PROMENADE, LLC FOR A PARCEL MAP WAIVER TO SUBDIVIDE ONE LOT INTO TWO PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD, ZONE CBD (CASE NO. TPM 36909). (DN)

Approved, as submitted.

1C. BARBARA FOSTER HENDERSON, OWNER REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 4,879-SQUARE FOOT HOUSE ON A HILLSIDE LOT AND AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT LOCATED AT 888 LA MIRADA CIRCLE. (CASE 3.3834 MAJ; 7.1455 AMM). (DM)

Assistant Mlaker described the screen wall structure and noted that no objections were received.

JAMES CIOFFI, Cioffi Architect, said the client has a concern with the Cypress trees and requested a condition to return at staff level to replace them.

ACTION: Approve with conditions as amended:

- Allow the applicant to come back with the change in trees at staff level.

Motion: Commissioner Lowe, seconded by Commissioner Weremiuk and unanimously carried, 7-0 roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

2. PUBLIC HEARINGS:

2A. O & M HR, LLC. (MARKUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

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March 26, 2015

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1 MacArthur Place, Suite 300
Santa Ana, CA 92707

RE: Case Nos. 5.1361 PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed Use Project

Mr. Eres,

On March 25, 2015, the Planning Commission considered the subject applications for a mixed-use project consisting of (73) attached and detached residential dwellings, (13) live-work units and approximately 7,811-square feet of existing commercial space on approx. 8.05-acres located at the northeast corner of Calle El Segundo and Tahquitz Canyon Way. At this meeting the Planning Commission voted 4-3 to deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks, and viability of the live/work spaces on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

In accordance with section 2.05.040 of the Palm Springs Municipal Code, you may appeal the decision of the Planning Commission to the City Council within ten days of the date of this letter. The appeal request must be in writing and presented to the City Clerk with a fee of $546.00 (excludes notification fee, which was previously paid) by 6:00 p.m. on Monday, April 6, 2015.

If you have any questions about this letter, please contact me at (760) 323-8245.

Sincerely,

David Newell
Associate Planner

cc: Case File
City Clerk

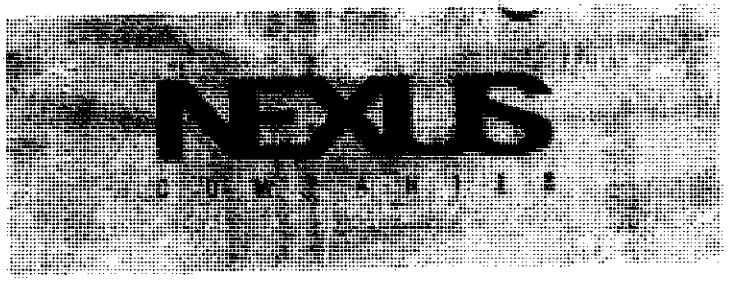
convention center from Tahquitz Canyon Way. Additional public benefit is provided by a large art plaza in the center of the southern portion of the project. Finally, the plans presented on March 25, 2015 Planning Commission meeting incorporated one (1) existing building and converted it into office and retail/restaurant space for the Project.

We are excited to present the Project in further detail to the City Council and greatly appreciate your assistance with this request to appeal the Planning Commission's decision. Please do not hesitate to contact myself or Rich Meaney if you should have any questions.

Sincerely,

Rob W. Eres
Nexus Development Corporation/Central Division
Vice President of Development

Cc: James Thompson – City Clerk, City of Palm Springs
David Newell – Associate Planner, City of Palm Springs



March 31, 2015

Mr. Flynn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Formal Appeal of Planning Commission Decision on March 25th, 2015 for Case No. 5.1361 –PD-375, 3.3820 MAJ & TTM 36876 – "Aberdeen" Mixed-Use Project (the "Project")

Dear Flynn:

We are aware of the Planning Commission's action taken on March 25, 2015 to deny approval of the Aberdeen Palm Springs Mixed-Use project (as identified above, the "Project") located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like this letter to act as our formal appeal of that decision and ask that the Project be considered by the City Council at their next regularly scheduled meeting on April 15, 2015.

The Planning Commission had many mixed comments regarding the architecture and uses within the Project. In some cases, comments provided by commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015. As the applicant, it was very difficult to clearly understand what would satisfy the Planning Commission given the amount of modifications that were made to the Project as a direct result of comments provided on February 25, 2015. Regardless of the inconsistent comments received between the two (2) planning commission meetings and two (2) architectural advisory committee meetings that we participated in, we believe that the Project has the potential to be a catalyst for employment, community outreach, and economic development within the City.

We feel that this location is ideally suited for a mixed-use project consisting of live/work lofts, restaurant/retail, office, and high-density residential as proposed in the plans presented to the Planning Commission on March 25, 2015. The proposed project ties together the surrounding uses of commercial/movie theater, hospitality (including high-rise), residential, and casino that already exist and are similarly identified as REO/RA areas of the Section 14 Specific Plan. We also believe that the Project provides substantial public benefit given how much developable land is being sacrificed in order to provide a new street, Calle Alvarado, which will allow for new pedestrian and vehicular access to the

CERTIFICATION:

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
James Thompson, City Clerk
City of Palm Springs, California \

to air quality, cultural resources, land use, hydrology and traffic. Mitigation Measures have been proposed to reduce the project's significant impacts to a less than significant level.

The City Council independently reviewed and considered the information contained in the draft MND and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

SECTION 2: Preliminary PD in lieu of a Zone Change.

The City Council approves PD 375 in lieu of a Change of Zone (Case 5.1361) as conditioned by City Council Resolution No. _____ for Case 5.1361 PD 375 / CUP / 3.3820 MAJ / TTM 36876.

SECTION 3. Zoning Map change.

The City Council approves the zone map change from CU / REO to PD 375 for a roughly 8.05-acre parcel located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, in conjunction with Case Nos. 5.1361 PD 375 / CUP / TTM 36876 / 3.3820 MAJ.

SECTION 4. Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after passage.

SECTION 5. Publication.

The City Clerk is hereby ordered to and directed to certify to the passage of this Ordinance, and to cause the same or summary thereof or a display advertisement, duly prepared according to law, to be published in accordance with law.

ADOPTED this 18th day of March, 2015.

_____
MAYOR

ATTEST:

_____
City Clerk

Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.

Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1: CEQA.

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited

D. A notice of public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law and on March 25, 2015, the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report, and all written and oral testimony presented and voted 4-3 to deny the revised project.

E. On March 31, 2015, the applicant filed an appeal of the March 25, 2015, denial decision by the Planning Commission in accordance with Chapter 2.05 of the Palm Springs Municipal Code.

F. A notice of public hearing of the City Council of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law and on April 15, 2015, the City Council held a public hearing in accordance with applicable law.

G. A Planned Development District in lieu of a Change of Zone is required to be adopted by ordinance as provided in the City's Municipal Code and the proposed project is proposed to be adopted by Ordinance.

H. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the project, including but not limited to the staff report, the Mitigated Negative Declaration, and all written and oral testimony presented and finds that the Project complies with the requirements of Section 94.07.00 of the City's Zoning Code. The City Council makes the following specific findings based on specific evidence as described after each finding:

> *1. The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.2 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

> *2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT DISTRICT (PD-375) IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 8.05-ACRE SITE LOCATED AT THE NORTHEAST CORNER OF EAST TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO.

City Attorney's Summary

This Ordinance approves a planned development district in lieu of a zone change to accommodate the development of 73 attached and detached residential units, 13 live/work units and roughly 7,811-square feet of commercial space on a 8.05+/- acres of land generally located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS:

A. Nexus Development Corp. ("Applicant") filed an application on behalf of O & M, LLC, ("Owner") pursuant to Palm Springs Zoning Code Section 94.07.00 (*Zone Map Change / Change of Zone)* and Section 94.03.00 (*Planned Development District)* seeking approval of a Planned Development District in lieu of a Change of Zone (Case 5.1361 PD-375) to demolish existing development and construct 73 attached and detached residential dwellings, 13 live/work units and retain approximately 7,811-square feet of commercial space on approximately 8.05-acres at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, identified as APNs 508-055-003, 508-055-006, 508-055-007, 508-055-008 & 508-055-009.

B. The applicant submitted related applications, including a Tentative Tract Map application (Case TTM 36876) to subdivide the project land into 93 lots with private streets and common area pursuant to Title 9 of the Palm Springs Municipal Code; a Conditional Use Permit (Case 5.1361 CUP) to allow multi-family residential within the REO and RA Zones of the Section 14 Specific Plan; and a Major Architectural application (Case 3.3820 MAJ) to review proposed architecture pursuant to Section 94.04.00 of the Zoning Code.

C. A notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider the above-mentioned applications was given in accordance with applicable law and on February 25, 2015, the Planning Commission held a public hearing in accordance with applicable law and continued the project to a date uncertain for further study.

area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

FID 17 **Hazardous Materials (CFC 5004.1)**: Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

- Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required
- Liquid Petroleum Gas (LPG) – dedicated, compliant storage cabinets, rooms, or areas required

END OF CONDITIONS

operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

FID 13 **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings

FID 14 **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2013 Edition, as modified by local ordinance.

FID 15 **Single- and Multiple-Station Smoke Alarms (CFC 907.2.11):** Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72.

- Exception: For Group R occupancies. A fire alarm system with smoke detectors located in accordance with this section may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room where the detector is actuated shall activate.

FID 16 **Key Box Required (CFC 506.1):** Where access to or within a structure or an

FID 6 **Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

FID 7 **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.

FID 8 **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

FID 9 **Fire Lanes (CFC 202 Definitions):** A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus. *A "fire lane" is a component of a "fire apparatus access road".*

- **Designation of Fire Lanes (CVC 22500.1):** Only the fire department with jurisdiction over the area in which the place is located can designate a fire lane.

- **Fire Lane Marking (CFC 503.3):** Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

FID 10 **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

FID 11 **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.

FID 12 **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4 **Street Widths (CFC Appendix L; PSMC § 8.04.500; Palm Springs 2007 General Plan):** Private streets in any residential or mixed use land use designation may be reduced to a minimum of 28 feet (curb face to curb face) provided that (1) additional off street parking is provided as determined by the City Engineer, the Fire Chief and Director of Planning, (2) rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, and (3) pedestrian pathways or sidewalks, if located along the street, separated from the curb by a minimum five-foot parkway are provided.

- Any street not designated by the fire department as a "fire lane" shall comply with the above requirements
- Road width shown is not compliant with General Plan

FID 5 **Fire Apparatus Access Roads (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- **Fire Apparatus Access Road (CFC 202 Definitions) –** A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

- **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 26 feet *(for designated fire lanes)* except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (MUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.

ENG 68. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

FID 1 These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated December 11, 2014. Additional requirements may be required at that time based on revisions to site plans.

FID 2 Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3 **PLANS AND PERMITS**

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 62. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 63. Upon approval of a Final Map, the Final Map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

ENG 64. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

ENG 65. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.

ENG 66. Pay the fair share of the estimated cost to install angled parking and bikeway (with enhanced signage and sharrows) on Calle El Segundo as required by the Section 14 Specific Plan.

ENG 67. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the

ENG 53. All proposed utility lines shall be installed underground.

ENG 54. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 55. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.

ENG 56. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 57. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 58. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

ENG 59. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

ENG 60. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee of $2,500 shall be made at the time of the application.

ENG 61. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all

Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

ENG 50. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is $ 9212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 51. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

GENERAL

ENG 52. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 47. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

a. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

b. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

ENG 48. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to adjacent streets. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

ENG 49. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best

Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.

ENG 42. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars ($2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.

ENG 43. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.

ENG 44. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing shall be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.

ENG 45. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building (or structure) foundation.

ENG 46. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.

ENG 36. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 37. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 38. (Temporary dust control) perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 39. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

ENG 40. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.

ENG 41. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality

ENG 32. All sanitary facilities shall be connected to the public (or private) sewer system (via the proposed on-site private sewer system). New laterals shall not be connected at manholes.

ENG 33. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

ENG 34. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

GRADING

ENG 35. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at http://www.AQMD.gov. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of

ENG 24. Construct a Pedestrian Plaza from Andreas Road south to southerly property line of lot 74, the Plaza shall be intended to be a pedestrian connection from the Convention Center to Tahquitz Canyon Way with the landscaping, decorative pavers and enhancements to be consistent with the Section 14 Specific Plan. Together with a one way access from Tahquitz Canyon Way to access the proposed live work units identified as lots 75 through 93, as required by the City Engineer.

ENG 25. Dedicate a sidewalk and emergency ingress and egress easement from Andreas Road south to Tahquitz Canyon Way. Decorative pavers and pedestrian enhancements shall be designed to accommodate emergency vehicles.

ENG 26. Final design and layout of proposed pedestrian plaza and one way access shall be subject to review by City Engineer and Fire Marshall.

ENG 27. Vacation of existing public right-of-way for Calle Alvarado shall be identified on the final map.

ON-SITE

ENG 28. Construct a minimum pavement section of 2-1/2 inches asphalt over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, within all on-site private streets in accordance with City of Palm Springs Standard Drawing No. 110 and 302. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 29. All on-site private streets (or drive aisles) shall be two-way with a minimum 26 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 30. All on-site private streets (or drive aisles) shall be two-way with a minimum 32 feet wide travelway (as measured from face of curb) where on-street parallel parking is proposed on one-side of the street.

ENG 31. On-site drive aisles (or parking lot) shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

SANITARY SEWER

TAHQUITZ CANYON WAY

ENG 19. Dedicate abutters rights of access to Tahquitz Canyon Way along the entire frontage of the project, vehicular access to Tahquitz Canyon Way shall be prohibited.

ENG 20. The existing sidewalk along the entire frontage shall be modified consistent with the "Grand Boulevard of Indian Culture" described in the Section 14 Specific Plan (dated July 16, 2014). The applicant shall furnish and install artwork relating to Indian culture along the frontage, unless otherwise deferred by the Director of Planning Services. The "Grand Boulevard of Indian Culture" shall be constructed along the entire Tahquitz Canyon Way frontage. The specific street improvements are described in chapter 5 of said Section 14 Specific Plan.

ENG 21. Install Tahquitz Canyon Way decorative light fixtures (12 feet to 15 feet tall) consistent with the existing portion of existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries. The electrical system was installed by others and shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The new portions of the lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 22. At the time that a comprehensive shuttle/bus route system for the Section 14 Master Development Plan area is planned, it is recommended that the applicant coordinate with the City on the design and layout of, and accommodate an on-site shuttle/bus stop at the Main Entrance of Tahquitz Canyon Way in accordance with the Final Section 14 Master Development Plan/Specific Plan, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 23. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

CALLE ALVARADO (PRIVATE STREET)

ENG 12. Dedicate abutters rights of access to Calle El Segundo along the entire frontage of the project, excluding the 28 feet wide access point; vehicular access to Calle El Segundo shall be prohibited.

ENG 13. Remove the existing driveway approaches and replace with a 6 inch curb and gutter to match existing, construct sidewalk to match existing in accordance with City of Palm Springs Standard Drawings No. 200, 210.

ENG 14. Construct a 28 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 180 feet from the centerline of Tahquitz Canyon Way.

ENG 15. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 16. In accordance with the Final Section 14 Specific Plan (dated July 16, 2014), the applicant shall plant shade trees in a formal pattern along the Calle El Segundo frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Calle El Segundo frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 17. Install decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and electrical system. The system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 18. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ENG 6. Construct a 36 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 430 feet from the centerline of Calle El Segundo, as shown on the approved site plan.

ENG 7. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 8. In accordance with the Final Section 14 Specific Plan (dated July 16, 2014), the applicant shall plant shade trees in a formal pattern along the Andreas Road frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Andreas Road frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 9. Install decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and electrical system. The system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 10. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

CALLE EL SEGUNDO

ENG 11. Dedicate an additional 15 feet to provide a right of wayg width of 40 feet where required by the City Engineer.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

ANDREAS ROAD

ENG 2. Dedicate an additional 3 feet to provide a right-of-way width of 33 feet along the entire frontage, together with a property line - corner cut-back at the southeast corner of the intersection of Andreas Road and Calle El Segundo, in accordance with City of Palm Springs Standard Drawing No. 105.

ENG 3. Dedicate abutters rights of access to Andreas Road along the entire frontage of the project, excluding the 36 feet wide access point; vehicular access to Andreas Road shall be prohibited.

ENG 4. Dedicate an easement for sidewalk purposes as needed for those portions of meandering sidewalk located outside of the public right-of-way.

ENG 5. Remove the existing driveway approach and replace with a 6 inch curb and gutter to match existing, construct meandering sidewalk to match existing in accordance with City of Palm Springs Standard Drawings No. 200, 210.

PLN 9. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.

PLN 10. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

PLN 11. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

PLN 12. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

PLN 13. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and visitors. Location and design shall be approved by the Director of Planning.

PLN 14. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:

a. The document to convey title.

b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.

c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

PLN 15. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.

PLN 16. Shade Structure Option for Buyers. Develop a design for shade structures in the back yards that integrates with the architecture of the complex those buyers could include as a purchase option; review design with Director of Planning for design approval.

PLN 17. Provide 'smart controllers' for all irrigation systems.

issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00 and Chapter 11.06) of the Palm Springs Municipal Code and all other relevant water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the City's Water Efficient Landscape Ordinances.

PLN 3. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant Washingtonia Fillifera (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median. The existing Robusta / Mexican Fan Palms at the Tahquitz Canyon Way frontage shall be replaced with California Fan Palms.

PLN 4. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign permit/program to the Department of Planning Services prior to the issuance of building permits.

PLN 5. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

PLN 6. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.

PLN 7. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.

PLN 8. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

discovered shall be handled consistent with state law provisions.

HAZARDS AND HAZARDOUS MATERIALS:

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

NOISE:

MM XI-1. Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

PLANNING DEPARTMENT CONDITIONS

PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to

reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (after City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the CEQA Evaluation and summarized here as follows:

AESTHETICS:

MMI – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

CULTURAL RESOURCES:

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains

City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

ADM 15. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of $3,500, for the review of the CC&R's by the City Attorney. A $675 filing fee shall also be paid to the City Planning Department for administrative review purposes.

ADM 16. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other planned activities which may occur in the public right-of-way.

ADM 17. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

ADM 18. Community Facilities District. The project will bring additional residents, visitors and activities to the community that will potentially impact the needs for public safety services beyond the City's ability to provide such services; and because such services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic and other safety services, and recreation, library, cultural services are near capacity, the City has established a Community Facilities District to which this project shall be annexed, subject to conditions of approval; and

Prior to recordation of the final map or, at the City's option, prior to issuance of certificate of occupancy, the developer shall agree to support formation of or annexation into a Community Facilities District (CFD) to include the project site. Developer further agrees to waive any right of protest or contest such formation or annexation, provided that the amount of any assessment for any single family dwelling unit (or the equivalency thereof when applied to multiple family, commercial or industrial) as established through appropriate study shall not exceed $500 annually per dwelling unit or dwelling unit equivalency unit, subject to an annual consumer price index escalator. Prior to sale of any lots, or prior to the issuance of any certificate of occupancy, or prior to any approval of the Building Official that will allow the premises to be occupied, the CFD shall be formed, the annexation thereto shall occur, or at the option of the City Manager and Building Official, a covenant agreement may be recorded against any affected parcel(s) with the project, evidencing the Owner's binding consent, approval, and waiver of rights as provided in this condition of approval.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians

ADM 11. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).

ADM 12. Maintenance of Outdoor Seating and structures at the "Art Walk". Periodic cleaning of the "Art Walk" located south of the common pool area in the center of the live/work units shall be the responsibility of the project's homeowners' association (HOA).

ADM 13. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances

ADM 14. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:

a. The document to convey title

b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.

c. Provisions for joint access to the proposed parcels, and any open space restrictions.

d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without

matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 7. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the approval (Tentative Tract Map).

ADM 9. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 10. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first $100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case (5.1361 PDD 375 ZC / CUP / 3.3820 MAJ / TTM 36876); except as modified with the approved Mitigation Monitoring Program and the conditions below.

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped February 17, 2015, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.

ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 5. Tentative Map. This approval is for Tentative Tract Map 36876 located at the Northeast corner of Tahquitz Canyon Way and Calle El Segundo, date stamped February 17, 2015. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.

ADM 6. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1365 PDD 375 ZC / CUP / 3.3820 MAJ / TTM 36876, including without limitation the environmental assessments prepared in conjunction with such applications. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will undertake full defense of the matter and pay all City's costs incurred in the defense of such matters, including any attorneys' fees and or costs that may be assessed against the City as a result of such defense. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a

EXHIBIT A
CONDITIONS OF APPROVAL

Case 5.1361 PDD 375 ZC / CUP / 3.3820 MAJ / TTM 36876 - "Aberdeen"
(Northeast corner of Tahquitz Canyon Way and Calle El Segundo)

April 15, 2015

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PROJECT SPECIFIC

PSP 1. Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].

PSP 2. Modify the extension of Calle Alvarado to satisfactorily meet width requirements of City Engineer and Fire Department.

PSP 3. Provide unlocked pedestrian access through center of site and at all vehicular access gates.

PSP 4. Prohibit residential uses in structures fronting Tahquitz Canyon Way.

PSP 5. Include bicycle parking as required by the Section 14 Specific Plan.

PSP 6. Provide trash enclosure for commercial building.

PSP 7. Consider providing Plug-in Electric Vehicle (PEV) parking spaces as required by the Section 14 Specific Plan.

PSP 8. Redesign streetscape along Tahquitz Canyon to be consistent with the Section 14 Specific Plan with the inclusion of street furniture and identification of Indian public art locations.

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. ____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
James Thompson, City Clerk
City of Palm Springs, California

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

SECTION 6. Appeal: The project was reviewed by the Planning Commission on February 25 and March 25, 2015. After providing direction and comments on the project in February, the Planning Commission voted 4-3 to deny the revised project in March. The applicant submitted an appeal requesting the City Council overturn the Planning Commission's decision to deny the project and contends the following points in response to the Commission's review of the project:

1. *Mixed comments regarding architecture and uses within the Project.*
2. *Comments provided by Commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015.*
3. *Commission comments lead to project changes that were not satisfactory and it is difficult to determine what would further satisfy Commissioners.*

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council hereby adopts the Mitigated Negative Declaration under CEQA and approves Case Nos. 5.1361 PDD 375 ZC, CUP, 3.3820 MAJ and TTM 36876; a Planned Development District in lieu of a Change of Zone, a Conditional Use Permit, a Major Architectural Application and a Tentative Tract Map for the development of a partially gated community of 73 attached and detached residential dwellings, 13 live/work units and the re-use of an approximately 7,811-square foot commercial space on 8.05-acres with private streets, guest parking, common areas, landscaping and open space located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, subject to the conditions set forth in Exhibit A.

ADOPTED this 15th day of April, 2015.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.

The proposed project design and improvements are generally consistent with the RA / REO land designations in which the property is located. The PDD in lieu of a zone change proposes mixed uses with residential, live/work units and commercial space with a set of development standards unique to this development with smaller lot area, lot dimensions and setbacks. With the approval of the PDD in lieu of a change of zone, the project will be consistent with this finding.

c. The site is physically suited for this type of development.

The relatively flat project site will be mostly razed and graded to accommodate the proposed development. Site modifications include new private driveways to privately-owned lots. Each lot is proposed to accommodate a residential, live/work unit or commercial building as defined by the PDD. A total of 73 residences, 13 live/work units and one commercial building are proposed on the 8.05-acre site. The site has adequate vehicular access with primary access taken from Andreas Road and Calle El Segundo and additional access way through an extension of Calle Alvarado. Thus, the site is physically suited for this type of development.

d. The site is physically suited for the proposed density of development.

The proposed density and FAR is less than that permitted by both the General Plan Tourist Resort Commercial (TRC) and Section 14 REO and RA land use designations. Therefore, the site is physically suited for the proposed density of development.

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. No serious public health problems are anticipated.

commercial / live/work units, which is compatible with surrounding development and not detrimental to existing or future uses in the zone. The project therefore conforms to this finding.

c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;

The project consists of a grouping of parcels to form the overall 8.05-acre site with internal private streets, privately owned units and both private and common open spaces. With the approval of the PDD, buildings will be setback from perimeter property lines to accommodate the proposed uses for adjusting to those existing and future uses of land in the neighborhood. Therefore, the project would be deemed in conformance with this finding.

d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;

The project proposes to take vehicular access from surrounding streets, excluding Tahquitz Canyon Way, which is consistent with the Section 14 Specific Plan. As determined by the environmental assessment, Tahquitz Canyon Way, Calle El Segundo and Andreas Road are improved with adequate road width to accommodate the type and quantity of traffic expected by the proposed uses. Thus, the project conforms with this finding.

e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

SECTION 5. *Findings for the Tentative Tract Map.* The findings required for the proposed Tentative Map are pursuant to Section 66474 of the California Subdivision Map Act. The project is evaluated against these findings as follows:

a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.

The TTM proposes individual privately owned lots with open space, common area and private streets. The proposed density is within the range specified by the Tourist Resort Commercial General Plan land use designation. Therefore, the project is consistent with this finding.

The Resort Combining Zone Finding: Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.

The mixed-use development proposes commercial and live/work units along a highly-traveled commercial corridor (Tahquitz Canyon Way). Development along this corridor primarily includes commercial-retail and hotel uses. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development. The mix of uses provides an appropriate balance for the site. Staff believes the proposed project is consistent with this finding.

SECTION 4. *Conditional Use Permit Findings:* In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for residential uses in the Resort Combining Zone as follows:

The Council shall not approve a conditional use permit unless it finds as follows:

a. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;

The mixed use project incorporates residential, live/work units and commercial space with the proposed zoning, PD-375. The current Section 14 land designations, RA and REO, allow for multi-family residential, live/work units and commercial developments. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from certain setback development standards. With approval of the PDD, the project is consistent with this finding.

b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;

Development of the subject site with densely located single-family uses is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Tourist Resort Commercial land use designation providing a mix of uses, including tourist-related commercial space, live/work units and residential uses on an 8.05-acre site. The proposed use continues the commercial theme with residential located behind the

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

SECTION 3. Resort Combining Zone Finding. In addition to the above, required findings outlined in Section 92.25.00 requires that the Planning Commission evaluate the project against the findings of the Resort Combining Zone. The zoning code notes that:

Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).

The proposed development will have a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development. As such the project is evaluated against the resort combining finding and the findings for a Conditional Use Permit as follows:

The City has considered the information contained in the Initial Study/Mitigated Negative Declaration prepared for the Aberdeen project (Case No. 5.1361) and all additional evidence submitted to the City in connection with that project. Having carefully reviewed all evidence in the record, the City hereby finds there exists no fair argument, or any evidence supporting a fair argument, that the Aberdeen project, with the incorporation of mitigation measures identified in the Initial Study/Mitigated Negative Declaration, will have any significant effects on the environment. The preparation of an Environmental Impact Report is therefore not warranted under CEQA.

The City Council independently reviewed and considered the information contained in the draft MND and the draft MND reflects the City's independent judgment and analysis. The City Council finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the City Council adopts the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

SECTION 2. Findings for a Planned Development District in lieu of a Change of Zone: *The council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:*

1. The proposed change of zone is in conformity with the general plan map and report.

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.2 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.

Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

WHEREAS, notice of a public hearing of the City Council of the City of Palm Springs, California to consider Case Nos. 5.1361 PD 375 ZC / CUP / 3.3820 MAJ / TTM 36876 was given in accordance with applicable law; and

WHEREAS, on April 15, 2015, a public hearing of the City Council of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing the City Council carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented, and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed development has been determined to be a project subject to environmental analysis under guidelines of CEQA.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CEQA: The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Mitigation Measures have been proposed to reduce the project's significant impacts to a less than significant level.

Under Public Resources Code Section 21084.1 and CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) Section 15064.5, a resource is considered to be a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historical Resources. A resource is presumed to be significant if it is included in a local register of historical resources, as defined Public Resources Code Section 5020.1, or deemed significant pursuant to criteria set forth in Public Resources Code Section 5024.1. Additionally, as the lead agency, the City has the discretion to determine that a resource is a historic resource even if it is not otherwise listed in, or deemed to be eligible for listing in, the State or local register.

The existing structures on the Aberdeen project site are not listed in, and have not been determined to be eligible for listing in, the California Register of Historical Resources. Moreover, those existing structures are not included in any local register of historical resources, and have never been deemed significant pursuant to criteria set forth in Public Resources Code Section 5024.1. The City, as lead agency for the Aberdeen project, hereby exercises its discretionary authority to find and determine, based on all of the evidence in the record, that the existing structures on the project site do not meet any of the criteria identified in the Public Resources Code or the CEQA Guidelines and, therefore, are not historic resources for purposes of CEQA.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA UPHOLDING AN APPEAL BY NEXUS DEVELOPMENT CORP. AND OVERTURNING THE DENIAL DECISION OF THE PLANNING COMMISSION REGARDING THREE APPLICATIONS (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876) AND A MITIGATED NEGATIVE DECLARATION FOR ABERDEEN; A MIXED-USE PROJECT CONSISTING OF THE DEVLEOPMENT OF (73) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (13) LIVE/WORK UNITS, AND RE-USE OF AN EXISTING 7,811-SQUARE FOOT COMMERCIAL BUILDING WITH PRIVATE STREETS AND OPEN SPACE ON ROUGHLY 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO.

WHEREAS, Nexus Development Corp. ("Applicant") on behalf of O & M HR, LLC ("Owner") submitted applications pursuant to Palm Springs Zoning Code Section 94.03 & 93.07 (Planned Development, Zone Change) Section 94.04 (Architectural Review), Section 94.02 & 92.25.00 (Conditional Use Permit / Resort Combining Zone) and Municipal Code Section 9.62 (Maps) seeking approval of a Planned Development District in lieu of a Change of Zone, a Tentative Tract Map, and a Major Architectural Application for the development of a partially gated community comprised of (73) three- and four-story residential attached and detached units, 13 live/work units and adaptive re-use of an existing approximately 7,811-square foot building with private streets, common open space and landscaping on a roughly 8.05-acre site located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo (Case 5.1361 PD 375 ZC / CUP / 3.3820 MAJ, TTM 36876); and

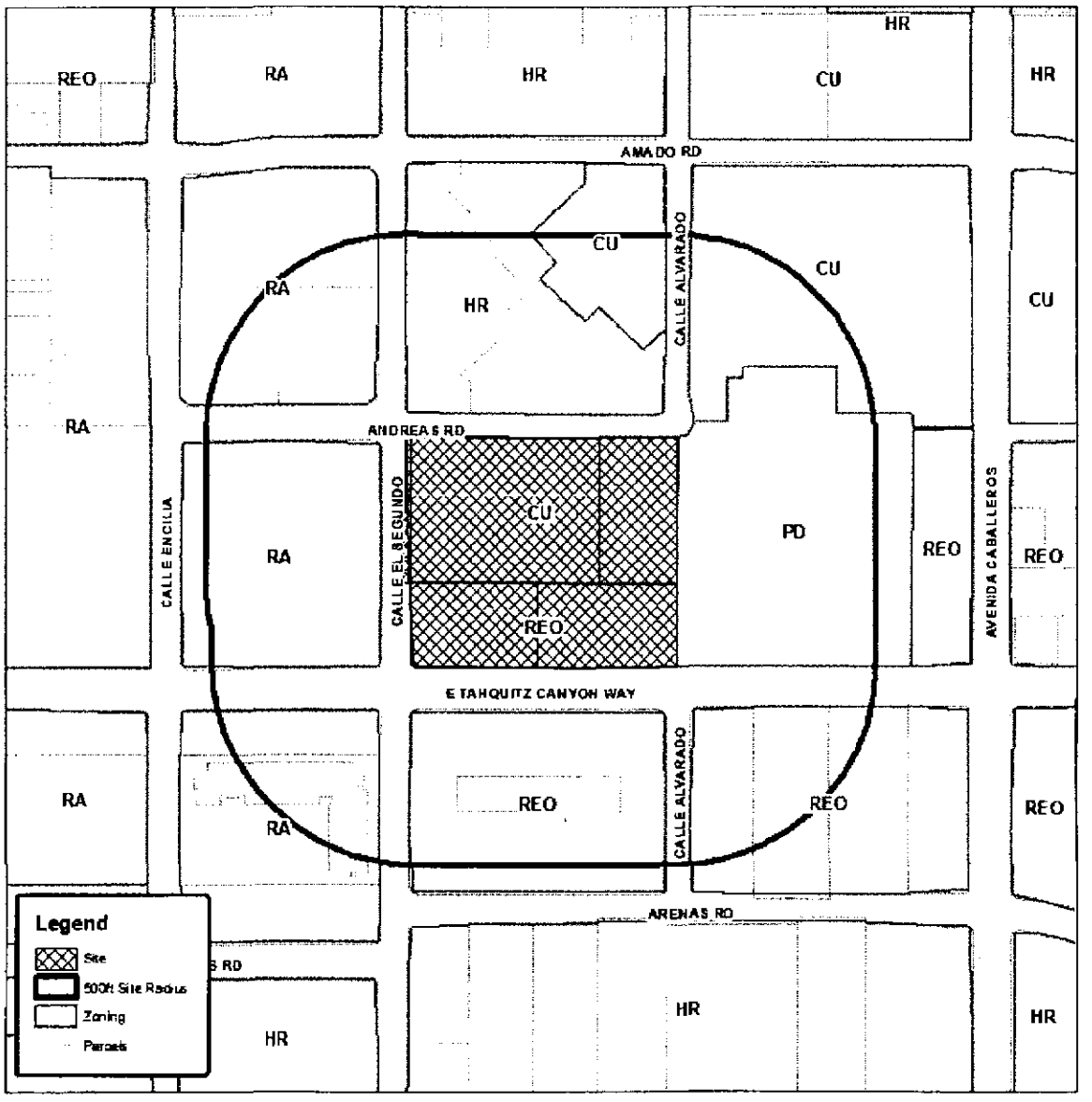
WHEREAS, on January 26, 2015, the subject project was reviewed by the City's Architectural Advisory Committee (AAC), which voted to recommend denial of the project by the Planning Commission; and

WHEREAS, on February 25, 2015, the Planning Commission held a public hearing on the item and tabled the project for further study with direction to the applicant to work with staff on revisions to the project; and

WHEREAS, on March 25, 2015, the Planning Commission reviewed the project in accordance with applicable law and voted 4-3 to deny the revised project; and

WHEREAS, on March 31, 2015, the applicant filed an appeal of the Planning Commission decision to deny the project, in accordance with Section 2.05 of the Palm Springs Municipal Code; and

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

7. AAC Meeting Minutes of January 26, 2015
8. AAC Meeting Minutes of January 12, 2015
9. Public Correspondence
10. Initial Study / Mitigated Negative Declaration
11. Plan Exhibits

more dwelling units or containing a combination of two (2) or more dwelling units in one (1) lot or parcel."

Finally, a comment was made that development of the proposed project would negatively impact the provision of affordable housing in the City. However, the project site is not designated in the City's Housing Element for affordable housing, and development of the project site will not have any impact on the City's ability to provide affordable housing consistent with State law.

CONCLUSION:

The project proposes a unique mix of land uses and the revised project preserves a portion of existing development as sought by the Planning Commission. The project is a Consolidated Project, as defined by the Section 14 Specific Plan, and allows for flexible development standards which the developer is exercising. After receiving public testimony, the City Council may adopt the attached resolution and ordinance, which would uphold the appeal and overturn the Planning Commission's decision.

Should the Council determine that sufficient evidence exists to uphold the Planning Commission's decision, a new resolution would be presented at the next regular City Council meeting.

FISCAL IMPACT: No Fiscal Impact.

Flinn Fagg, AICP
Director of Planning Services

Marcus Fuller, P.E., M.P.A., P.L.S.
Assistant City Manager/City Engineer

Douglas C. Holland
City Attorney

David H. Ready, Esq., Ph.D.
City Manager

Attachments:

1. Vicinity map
2. Draft Resolution
3. Draft Ordinance
4. Letter of appeal to City Council
5. Planning Commission Meeting Minutes of March 25, 2015
6. Planning Commission Meeting Minutes of February 25, 2015
7. AAC Meeting Minutes of January 26, 2015
8. AAC Meeting Minutes of January 12, 2015
9. Public Correspondence
10. Initial Study / Mitigated Negative Declaration
11. Plan Exhibits

Tahquitz Plaza (erroneously referred to in the Draft Survey as Heritage Plaza) is mentioned in the Context Statement component of the Draft Survey, in a description of office building development by a number of different architects in the post-World War II era[2]. The Draft Survey, when final, will ultimately consist of a context statement, maps, and evaluation and criteria assessments on sites found to be of potential historic significance. Site specific findings and evaluation for possible historic significance against the criteria have not been provided to the City in the Draft Survey. The Draft Survey provides criteria for assessing the eligibility of sites as historic resources for each building type (residential, retail, office, bank, hotel, etc.), but the consultant has not provided site-specific evaluations or conclusions of historic eligibility in the current document for any building in the City. The draft historic resource survey may, as it is completed, identify such pre-1969 buildings, but that information is not currently available. The 50% Draft Survey mentions Tahquitz Plaza; however it does not contain conclusive data that would support a determination of significance under CEQA and as a post 1969 building, it will not be addressed in the final draft of the survey.

The Initial Study considered the provisions of CEQA contained in Section 15064.5, as well as the provisions of Palm Springs Municipal Code Chapter 8.05 (Historic Preservation). On the basis of both CEQA and the Municipal Code, the Initial Study determined that Tahquitz Plaza had not been identified as eligible for listing or historically significant by the City, nor is it recognized as a Class I historic site; was not a pre-1969 structure, nor qualify as a Class III historic site; had not been identified as a resource in a local register of historical resources, or identified as significant in an historical resource survey.

Land Use and Planning Comments

Comments were received indicating that the project was inconsistent with the General Plan and Section 14 Specific Plan, insofar as the project proposed single family residential development in an area where such development is not allowed. First, the Section 14 Specific Plan, as identified in that document, provides a 'focused General Plan and Zoning Ordinance' for land within the Plan's boundary.

The Specific Plan designates the proposed project REO and RA. Table 6-1 (Allowable Land Uses) identifies Live/Work units as permitted with the approval of a Land Use Permit in the REO designation; and permitted with approval of a Conditional Use Permit in the RA designation. The project is processing a Conditional Use Permit, and a Land Use Permit (in the form of a Planned Development District and Major Architectural Permit), as required for Live/Work Units. The Specific Plan further identifies multi-family residences as permitted with approval of a Conditional Use Permit in both the REO and RA designations, if the units are part of a mixed use project, and subject to the development standards in the HR designation. The project is a mix of residential, live/work and commercial development, and therefore is considered a mixed use project. The units are multi-family units because they comply with the definition of multi-family units in the City's Zoning Ordinance: "means a building containing two (2) or

[2] "50% Draft – Working Draft for Review & Comment, City of Palm Springs Citywide Historic Context Statement," prepared by Historic Resources Group, January 30, 2015. Page 250.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. No serious public health problems are anticipated.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

CEQA ANALYSIS:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels.

The City received a letter from architect and historian Alan Hess on February 19, 2015, which was included with a letter dated March 30, 2015, directly commenting on the Initial Study from the Office of Historic Preservation (OHP), Department of Parks and Recreation. The Planning Commission also received a number of emails and letters providing opinions and comments on the issue of whether the Tahquitz Plaza buildings are historic resources. Comments relating to other sections of the Initial Study were also received. The following summarizes the comments, and provides responses to these comments for the City Council's information.

Historic Resource Comments

The OHP commented that the Tahquitz Plaza was "evaluated and identified as a historical resource" in the City's currently ongoing City-wide historic resource survey. The OHP further commented that on the basis of the survey's recommendation, the Initial Study should consider the provisions of CEQA Guidelines 15064.5 as it relates to the Tahquitz Plaza buildings. The content of the emails and letters received by the Planning Commission also stated that the buildings are historic resources and should be preserved.

The OHP comment that the Tahquitz Plaza was "evaluated and identified as a historical resource, however, is incorrect. The historic resource survey (Draft Survey) is still in draft form and is less that 50% complete at this time. The Draft Survey does not identify Tahquitz Plaza as a historic resource or as being eligible for historic designation.

these findings follow:

a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.

The TTM proposes individual privately owned lots with open space, common area and private streets. The proposed density is within the range specified by the Tourist Resort Commercial General Plan land use designation. Therefore, the project is consistent with this finding.

b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.

The proposed project design and improvements are generally consistent with the RA / REO land designations in which the property is located. The PDD in lieu of a zone change proposes mixed uses with residential, live/work units and commercial space with a set of development standards unique to this development with smaller lot area, lot dimensions and setbacks. With the approval of the PDD in lieu of a change of zone, the project will be consistent with this finding.

c. The site is physically suited for this type of development.

The relatively flat project site will be mostly razed and graded to accommodate the proposed development. Site modifications include new private driveways to privately-owned lots. Each lot is proposed to accommodate a residential, live/work unit or commercial building as defined by the PDD. A total of 73 residences, 13 live/work units and one commercial building are proposed on the 8.05-acre site. The site has adequate vehicular access with primary access taken from Andreas Road and Calle El Segundo and additional access way through an extension of Calle Alvarado. Thus, the site is physically suited for this type of development.

d. The site is physically suited for the proposed density of development.

The proposed density and FAR is less than that permitted by both the General Plan Tourist Resort Commercial (TRC) and Section 14 REO and RA land use designations. Therefore, the site is physically suited for the proposed density of development.

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

specifically permitted in the zone in which the proposed use is to be located;

Development of the subject site with single family uses is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Tourist Resort Commercial land use designation providing a mix of uses, including tourist-related commercial space, live/work units and residential uses on an 8.05-acre site. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development and not detrimental to existing or future uses in the zone. The project therefore conforms to this finding.

c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;

The project consists of a grouping of parcels to form the overall 8.05-acre site with internal private streets, privately owned units and both private and common open spaces. With the approval of the PDD, buildings will be setback from perimeter property lines to accommodate the proposed uses for adjusting to those existing and future uses of land in the neighborhood. Therefore, the project would be deemed in conformance with this finding.

d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;

The project proposes to take vehicular access from surrounding streets, excluding Tahquitz Canyon Way, which is consistent with the Section 14 Specific Plan. As determined by the environmental assessment, Tahquitz Canyon Way, Calle El Segundo and Andreas Road are improved with adequate road width to accommodate the type and quantity of traffic expected by the proposed uses. Thus, the project conforms with this finding.

e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Tentative Tract Map Findings:
Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to

attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

> *3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

Conditional Use Permit / Planned Development District Findings:
In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for residential uses in the Resort Combining Zone as follows:

> *The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*
>
> *a. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The mixed use project incorporates residential, live/work units and commercial space with the proposed zoning, PD-375. The current Section 14 land designations, RA and REO, allow for multi-family residential, live/work units and commercial developments. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from certain setback development standards. With approval of the PDD, the project is consistent with this finding.

> *b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses*

Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.

The mixed-use development proposes commercial and live/work units along a highly-traveled commercial corridor (Tahquitz Canyon Way). Development along this corridor primarily includes commercial-retail and hotel uses. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development. The mix of uses provides an appropriate balance for the site. Staff believes the proposed project is consistent with this finding.

Planned Development in lieu of Change of Zone:
The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

1. The proposed change of zone is in conformity with the general plan map and report.

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.8 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.

Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include

7. Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

Applicant / Appellant. The applicant submitted an appeal requesting the City Council overturn the Planning Commission's decision to deny the project (see attached letter). The appellant contends the following points in response to the Commission's review of the project:

1. *Mixed comments regarding architecture and uses within the Project.*
2. *Comments provided by Commissioners on the February 25, 2015 meeting were contradicted by themselves on March 25, 2015.*
3. *Commission comments lead to project changes that were not satisfactory and it is difficult to determine what would further satisfy Commissioners.*

REQUIRED FINDINGS:

The project was evaluated against the findings for the Resort Combining Zone pursuant to PSZC 92.25.00, the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03, 94.07 (Zone Change) and 94.02 (Conditional Use Permit) and the Tentative Tract Map pursuant to Municipal Code Section 9.62 (Maps) as follows:

Resort Combining Zone Findings:

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Combining Zone runs along Palm Canyon Drive for nearly its entire length through the City, as well as through the heart Section 14 along Tahquitz Canyon Way from Amado Road to Arenas Road. The subject site lies within this overlay zone.

The zoning code notes that:

> *Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).*

The proposed development will have a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development. As such the project is evaluated against the findings for a CUP herein[1] and the resort combining finding as follows:

[1] Pursuant to PSZC 94.02.00.A.4 (CUP); the CUP may be incorporated into the PDD without the need for a separate application. Thus the CUP findings of PSZC 94.02 and the Zone Change findings of PSZC 93.07 are both evaluated as integral parts of the PDD application.

Commission voted 4-3 to deny the revised project in March. A summary of actions at both meetings is provided below, as well as the applicant's response from the first meeting. For further details on Commission discussion, see attached meeting minutes.

February 25, 2015 Meeting

1. Justify the proposed density and height.
2. Increase distance between buildings by at least 10 feet.
3. Create a two-way street with the new segment of Alvarado.
4. Concern with viability of live/work units in current configuration.
5. Public benefit not proportional – consider preserving existing structures
6. Pre-wire or install solar panels as a part of project.
7. Consider live/work units on side streets

March 25, 2015 Meeting

The applicant presented a revised site plan in response with the following:

1. Retained an existing building located at the southwesterly corner of the site.
2. Reduced the number of units from 74 to 73 residential units and from 17 to 13 live/work units.
3. Changed the parking configuration from parallel to perpendicular stalls along the north side of the internal street behind the live/work units, thereby increasing off-street parking from 17 to 35 spaces along this private street.
4. Increased building setback along Tahquitz Canyon Way. Buildings previously alternated from 5 to 8 feet in setback and now alternate from 6.75 to 9.83 feet in setback.
5. Eliminated meandering sidewalk and landscape areas along northerly boundary of project site and proposed straight sidewalk with less landscaping. This was done to accommodate additional internal space needed for parking area.
6. Created a two-way vehicular access on Calle Alvarado.

The Planning Commission made the following findings based on the project revisions:

1. The project does not conform to the development standards of the Section 14 Specific Plan, including setbacks, building separation and height;
2. The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
3. Scale of residential buildings with respect to separation and height;
4. Concerns regarding the design, parking, setbacks, and viability of the live/work spaces on Tahquitz Canyon Way;
5. Inadequacy of the perimeter landscaping;
6. Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and

structures are two- and three-stories in habitable space with covered roof deck as amenities, reaching heights of up to 45 feet and triggering the "high-rise buildings" ordinance, Section 94.03.00 of the Zoning Code. The project proponent is seeking approval to allow the flexibility of the proposed height for the entire project site, which is consistent with the REO / RA "Building Height" requirements.

Building Height / High-Rise Ordinance

	93.04.00 High Rise Ordinance	Proposed Project: PD 375	Comply
A. Coverage	Per Section 14 Specific Plan: 40% of site shall be developed as usable landscape open space / outdoor living.	48% open space	Yes
B. Height	100 feet. Additional 15 feet may be allowed for stairways, elevators and mechanical equipment if not adding to building bulk	45 feet	Yes
C. Height Setback	Per Section 14 Specific Plan: 1 foot of horizontal setback distance from any residential district for each 1 foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.	Only residential property is located north of the site across Andreas Road: - Required: 45 feet - Proposed: 84 feet	Yes
D. Proximity to Low Density Residential	6 feet of horizontal setback for each 1 foot of vertical rise as measured above.	No R-1 within vicinity.	Yes
F. Structure Design	High-rise buildings shall be designed to insure that each structure fits into the resort character of the community and blends in with the natural surroundings.	Structures are designed with four-sided architecture.	Yes
G. City Council	Council may alter these provisions upon finding that the intent of this section is met.	-	-

These structures are located along a corridor that contains hotels ranging from three- to five-stories in height. The existing residential project to the north of the site contains two-story condominiums. Therefore, the transition from two-story residential to the north to the proposed three- and four-story development along Tahquitz Canyon Way is consistent with nearby and surrounding developments.

PLANNING COMMISSION ACTION:

The project was reviewed by the Planning Commission on February 25 and March 25, 2015. After providing direction and comments on the project in February, the Planning

Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each work unit	Yes
Front Setback	20 feet	6.75 feet	No, per PDD
Side Yard Setback	20 feet	12 feet on Calle Alvarado Existing on Calle El Segundo	No, per PDD
Rear Yard Setback	20 feet	18 feet from property line to garage	No, per PDD
Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.	Buildings are setback over 100 feet from residential property to the north	Yes
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	Commercial: 1 space per 250 gross floor area or 31 spaces for existing 7,811-sq. ft. of commercial building and 23 spaces for 5,733-sq.ft. of workspace for all live/work units. Total Commercial = 54 spaces Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 29 spaces for the units, plus guest parking of 1 space for every 4 units, or 3 spaces. Total required: 86 spaces	35 parallel parking spaces on private driveway, including two handicap spaces 2 covered spaces are provided with each of the 13 units (26 spaces) + 2 spaces in front of garage on driveways (26 spaces) Total provided: 87 spaces	Yes
Off-street Loading	1 loading space required for size of commercial building.	None provided. (Planning Commission may approve otherwise)	No

Flexible Zoning Standards: Since the project meets the definition of a Consolidated Project, the Section 14 Specific Plan allows flexible zoning standards as a development incentive. Consolidated project sites designated RA or REO may be developed under either RA or REO land use designations. As noted in the table above, the proposed

Height	rise allowing up to 100ft in the RA and REO zones, upon approval of CUP or PD, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO).	- Habitable spaces are 2-3 stories and roughly 25-34 feet in height. - Roof deck appurtenances are above the habitable space and about 45 feet in height.	PD
Density	1,500 sq. ft. of lot area per unit	11 du/ac or 3,985 sq. ft. per unit	Yes
Yard Setbacks			
Overall Site - Front	30 ft. front yard	- 24ft from north (front) property line	No, per PD
- Side	20 ft. side yard	- 15ft from west (side) property line	
- Side	20 ft. side yard	- 43ft from east (side) property line	Yes
- Rear	20 ft. rear yard	- 3ft from south (rear) property line	No, per PD
Individual Lots	Setback requirements may be reduced for residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing and permitted)	Front / Driveways: 18 feet from private street to face of garage Side: 6ft between residences (Avg. 3ft to common side P/L) 0ft at one side of homes. Rear: 27 to 40ft	Yes
Lot Coverage	45% usable landscaped open space	Usable open space: 48%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage on driveways (148 spaces); total 296 spaces	Yes
Trash Enclosure	Required per PSZC 93.07.02	Individual trash receptacles provided for each dwelling	Yes

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except high-rise up to 100ft upon approval of PD	46ft and 2in	Yes
Open Space	40% minimum landscape area for high-rise buildings	~48%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall.	Buildings include four-sided architecture	Yes
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes

Gated Communities	CD14.6: Prohibited	Gated requested	No
Pedestrian-oriented Design	CD19.7 Sidewalks, shade trees, sitting areas	No sidewalks along residential street	Partially
Minimum 28 foot street width in private developments	Page 4-5 Circulation Element	26 feet	No

TABLE 4: Zoning

Permitted Uses:

Single-family residential units are not permitted in REO (Retail / Entertainment / Office) and RA (Resort Attraction) Section 14 Land Use designations. MFR is permitted by Conditional Use Permit (CUP) in both designations. The proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of units being attached and density.

Retail including coffee shops, deli, etc. is permitted within the RA Land Use of the Section 14 Specific Plan.

Live/work units are permitted by Land Use Permit and CUP in the REO and RA zones, respectively.

The PDD has been submitted in lieu of a change of zone to seek City approval of all uses as a consolidated project per the Section 14 Specific Plan.

Development Standards:

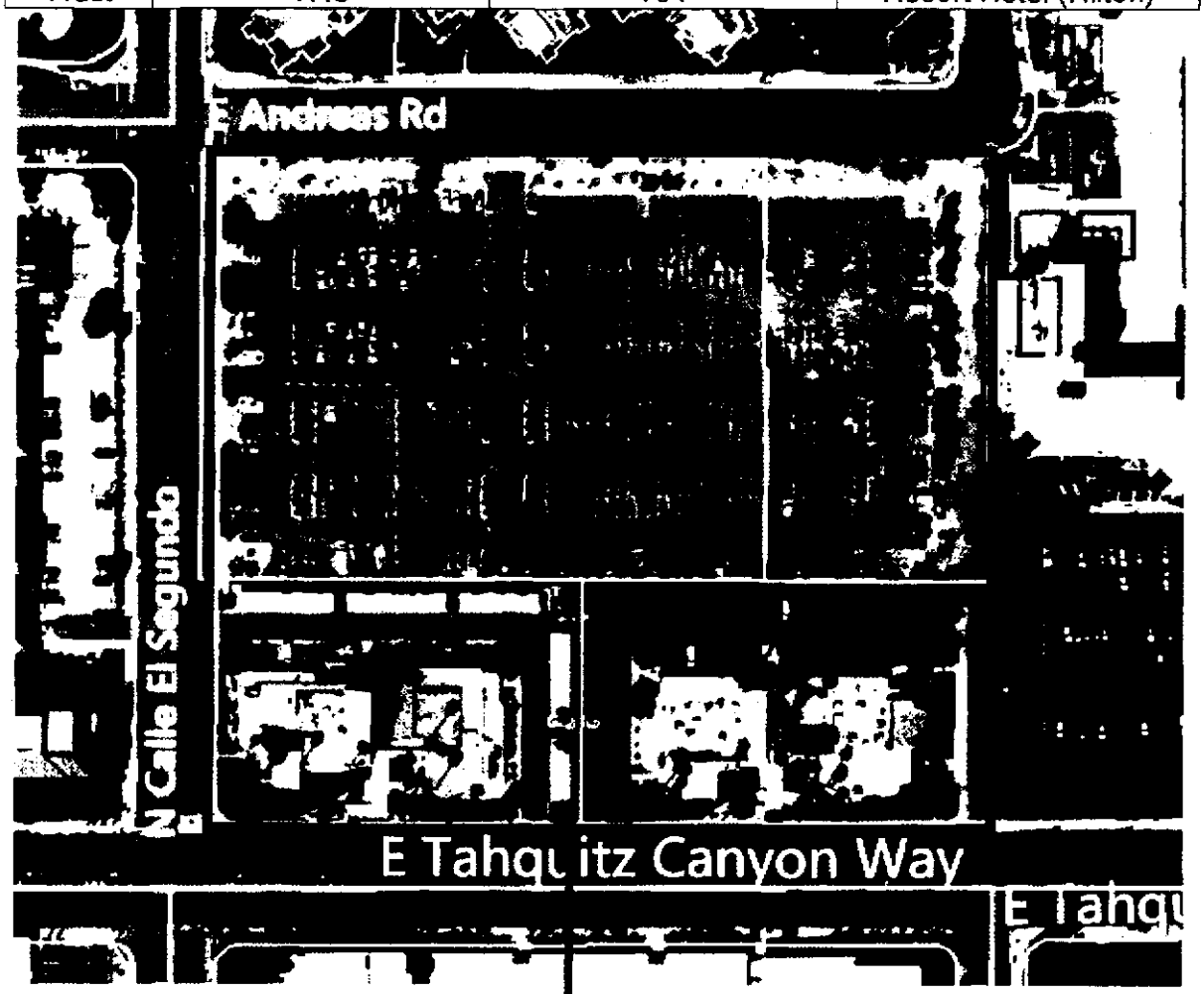
The project includes three land uses within the PD. When multi-family residential is proposed within the REO or RA zones, the Specific Plan requires development consistent with the HR land designation. The live-work and commercial space are located within the REO land designation. Thus, staff analyzed the HR designation development standards for the multi-family residential portion, and the REO designation development standards for the live-work and commercial components.

Since this proposal exceeds five acres in size, the development is a Consolidated Project and can utilize incentives including zoning flexibilities. Where applicable, staff has included in the analysis below.

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	Overall of MFR project: 2 gross acres / 130' wide / 155' deep	Overall project: 8.05 gross acres / 675' wide / 561' deep	Yes
Min. Width		Individual Lots:	
Min. Depth		Area ranges from 2,563 - 4,813sf Width ranges from 21ft to 30ft Depth ranges from 107ft to 111ft	No, per PD
Building	35ft, except when developed as high-	Range from 33 feet to 45 feet	No, per

	Residential		Condominiums (Plaza Villas)
South	TRC	REO	Commercial Complex (Courtyard at PS)
East	TRC	RA	Resort Hotel (Renaissance)
West	TRC	RA	Resort Hotel (Hilton)



SUBJECT SITE

PROJECT ANALYSIS:

TABLE 3: General Plan

General Plan Topic	F.A.R. and Density	Request	Compliance
Land Use: Tourist Resort Commercial	0.35 FAR / 43 hotel rooms per acre / 86 hotel rooms per acre on Indian Land / 30 d.u. per acre	11.3 du/ac 0.35 FAR for commercial building	Yes

TABLE 1: Related Relevant City Actions by Planning, Fire, Building, etc...	
Jan 12, 2015	The Architectural Advisory Committee (AAC) tabled the project with direction to the applicant to modify the following: 1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context; 2. Parking needs further evaluation for commercial and live-work; 3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado; 4. Connectivity – Eliminate gates and improve connectivity of project within existing community; 5. Adaptive re-use of existing commercial buildings should be considered in redesign.
Jan 26, 2015	The AAC recommended denial as proposed. The Committee found that the project does not conform to adopted standards, and recommended the following modifications: 1. Study alternatives along Tahquitz Canyon Way; 2. Provide streetscape along El Segundo; 3. Address Calle Alvarado traffic, parking and circulation issues; 4. Resubmit planting diagrams.
Feb 25, 2015	The Planning Commission reviewed the project and directed the applicant to work with staff on addressing the following: 1. Justify the proposed density and height. 2. Increase distance between buildings by at least 10 feet. 3. Create a two-way street with the new segment of Alvarado. 4. Concern with viability of live/work units in current configuration. 5. Public benefit not proportional – consider preserving existing structures 6. Pre-wire or install solar panels as a part of project. 7. Consider live/work units on side streets
Mar 25, 2015	The Planning Commission reviewed the revised project and voted 4-3 to deny the proposal. (Further information on this action is provided later in this report.)
Mar 31, 2015	The applicant filed an appeal of the March 25, 2015 Planning Commission decision.

TABLE 2: General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Site	TRC (Tourist Resort Commercial)	RA (Resort Attraction) and REO (Retail / Entertainment / Office)	Office Buildings and "Prairie Schooner" Parking Lot
North	HDR (High Density	HR (Residential High)	Multi-family Residential

CITY COUNCIL STAFF REPORT

DATE: April 15, 2015 PUBLIC HEARING

SUBJECT: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) APPEALING THE MARCH 25, 2015, DECISION OF THE PLANNING COMMISSION TO DENY DEMOLITION OF EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, CUP, 3.3820 MAJ AND TTM 36876) AND CONSIDER A CEQA DETERMINATION.

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The appellant, Nexus Development Corp., is requesting the City Council overturn the Planning Commission's decision of March 25, 2015, denying a mixed–use project identified as Aberdeen.

RECOMMENDATION:

1. Open the hearing and receive public testimony;

2. Option A: Uphold the Appeal and

   Adopt Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA UPHOLDING AN APPEAL BY NEXUS DEVELOPMENT CORP. AND OVERTURNING THE DENIAL DECISION OF THE PLANNING COMMISSION REGARDING THREE APPLICATIONS (CASE NOS. 5.1361 PD-375, CUP 3.3820 MAJ AND TTM 36876) AND A MITIGATED NEGATIVE DECLARATION FOR ABERDEEN; A MIXED-USE PROJECT CONSISTING OF THE DEVLEOPMENT OF (73) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (13) LIVE/WORK UNITS, AND RE-USE OF AN EXISTING 7,811-SQUARE FOOT

COMMERCIAL BUILDING WITH PRIVATE STREETS AND OPEN SPACE ON ROUGHLY 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO."

Waive reading and introduce by title only for first reading Ordinance No. ____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PLANNED DEVELOPMENT 375 IN LIEU OF A CHANGE OF ZONE FOR A ROUGHLY 8.05-ACRE PARCEL AT THE NORTHEAST CORNER OF EAST TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO.

3. Option B: Deny the Appeal and Instruct the City Attorney to prepare a resolution of denial for submission to the City Council for consideration and adoption on May 6, 2015.

BACKGROUND AND SETTING:

The project is an application by Nexus Development Corp on behalf of O & M HR, LLC, for the development of a mixed-use project consisting of attached and detached residential, live/work units and commercial space on an 8.05-acre site located at the northwest corner of Tahquitz Canyon Way and Calle El Segundo. The project initially included razing all existing buildings along Tahquitz Canyon Way; however, based on direction from the Planning Commission at the February 25, 2015 meeting, the applicant revised the project to retain one of the four existing buildings, thereby reducing the scope of the proposed development. The revised applications include the following:

- A Planned Development District to establish the project site plan, permitted uses and development standards. The PD proposes razing the existing parking lot and three existing office buildings and construct:
  - 7,811-square feet of existing commercial space at the southwest corner of the site (initial submittal included 1,568-square feet of new commercial space);
  - 13 detached dwellings with associated commercial space (live/work lofts) fronting Tahquitz Canyon Way (initial submittal included 17 live/work lofts);
  - 73 attached and detached residential units within a controlled access / gated area with private open space (initial application included 74 dwellings);
  - A common open space / recreation area with pool, fitness center and barbecue area.
- A Conditional Use permit to construct high-rise development within Section 14 and allow multi-family residential within the RA and REO land designations of the Section 14 Specific Plan.
- Major Architectural Application to review the proposed architectural designs. Plans including Preliminary and Final Development Plans.
- A Tentative Tract Map (TTM) seeking to subdivide the roughly 8.05-acres into 93 numbered lots and 8 lettered lot streets, and common open space.

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: March 25, 2015

To: Planning Commission

From: Department of Planning Services

Subject: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, CUP, 3.3820 MAJ AND TTM 36876). (DN)

ATTENTION:

The subject project was noticed as described above; however, the scale and density of the project has been reduced since noticing occurred. The project is now described as follows:

O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (73) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (13) LIVE-WORK UNITS AND APPROXIMATELY 7,811-SQUARE FEET OF COMMERCIAL SPACE ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

SUMMARY:

At its meeting of February 25, 2015, the Planning Commission tabled the subject item and directed the applicant to work with staff on addressing the following:

1. Density / height - justification.

2. Distance between buildings - 10 feet
3. Calle Alvarado - a two-way street
4. Viability of live/work (configuration)
5. Public benefit - (preserve and consider study)
6. Solar panels
7. Consider live/work units on side streets

In response the applicant revised the project as follows:

1. Retained an existing building located at the southwesterly corner of the site.
2. Reduced the number of units from 74 to 73 residential units and from 17 to 13 live/work units.
3. Changed the parking configuration from parallel to perpendicular stalls along the north side of the internal street behind the live/work units, thereby increasing off-street parking from 17 to 35 spaces along this private street.
4. Increased building setback along Tahquitz Canyon Way. Buildings previously alternated from 5 to 8 feet in setback and now alternate from 6.75 to 9.83 feet in setback.
5. Eliminated meandering sidewalk and landscape areas along northerly boundary of project site and proposed straight sidewalk with less landscaping. This was done to accommodate additional internal space needed for parking area.
6. Created a two-way vehicular access on Calle Alvarado.

Staff reviewed the changes and notes the following differences from the previous analysis provided on February 25, 2015:

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	2 gross acres / 130' wide / 155' deep, except lot size requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Range from 2,563sf and 4,813sf	No, per PDD
Min. Width		Range from 21ft to 30ft	
Min. Depth		Range from 107ft to 111ft	
Building Height	35ft, except when developed as high-rise, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see analysis below in Live/Work and Commercial section.	Range from 33 feet to 46 feet	See live/work analysis
Density	**1,500 sq. ft. of lot area per unit**	**11 du/ac or 3,985 sq. ft. per unit**	**Yes**

Yard Setbacks			
Overall Site - Front - Side - Side - Rear	30 ft. front yard	- 24ft from north (front) property line	No per PDD
	20 ft. side yard	- 15ft from west (side) property line	
	20 ft. side yard	- 43ft from east (side) property line	Yes
	20 ft. rear yard	**- 135ft from south (rear) property line**	**Yes**
Individual Lots	Setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable and are not detrimental to neighboring uses (existing and permitted)	Front: 2 driveways, 18 feet from private street to face of garage Side: 6ft between residences (Avg. 8ft to common side PL) 0ft at ends of homes Rear: 27 to 46ft	Yes when certain findings are made
Lot Coverage	45% usable landscaped open space	Usable open space: 48%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage or driveways (148 spaces); total 296 spaces	Yes
Trash Enclosure	Per PSZC 93.07.02	TBD	-

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except 100ft for high-rise	45ft and 2in	Yes
Open Space	40% minimum landscape area for high-rise buildings	~48%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall.	Perimeter wall treatment to be designed	TBD
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes
Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each work unit	Yes
Front Setback	**20 feet**	**6.75 feet**	**No, per PDD**
Side Yard Setback	**20 feet**	**12 feet on Calle El Segundo Existing on Calle Alvarado**	**No, per PDD**

Rear Yard Setback	20 feet	18 feet from property line to garage	No, per PDD
Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.	Buildings are setback over 100 feet from residential property to the north	Yes
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	**Commercial: 1 space per 250 gross floor area or 31 spaces.** **Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 29 spaces for the units, plus guest parking of 1 space for every 4 units, or 3 spaces.** **Total required: 63 spaces**	**35 parking spaces on private driveway, including two handicap spaces** **2 covered spaces are provided with each of the 13 units (26 spaces) + 2 spaces in front of garage on driveways (26 spaces)** **Total provided: 87 spaces**	**Yes**
Off-street Loading	**1 loading space required for size of commercial building.**	**None provided. (Planning Commission may approve otherwise)**	**No**

RECOMMENDATION:

Recommend the City Council adopt the mitigated negative declaration and approve the project, subject to conditions. Specific conditions related to the alteration of the current proposal include:

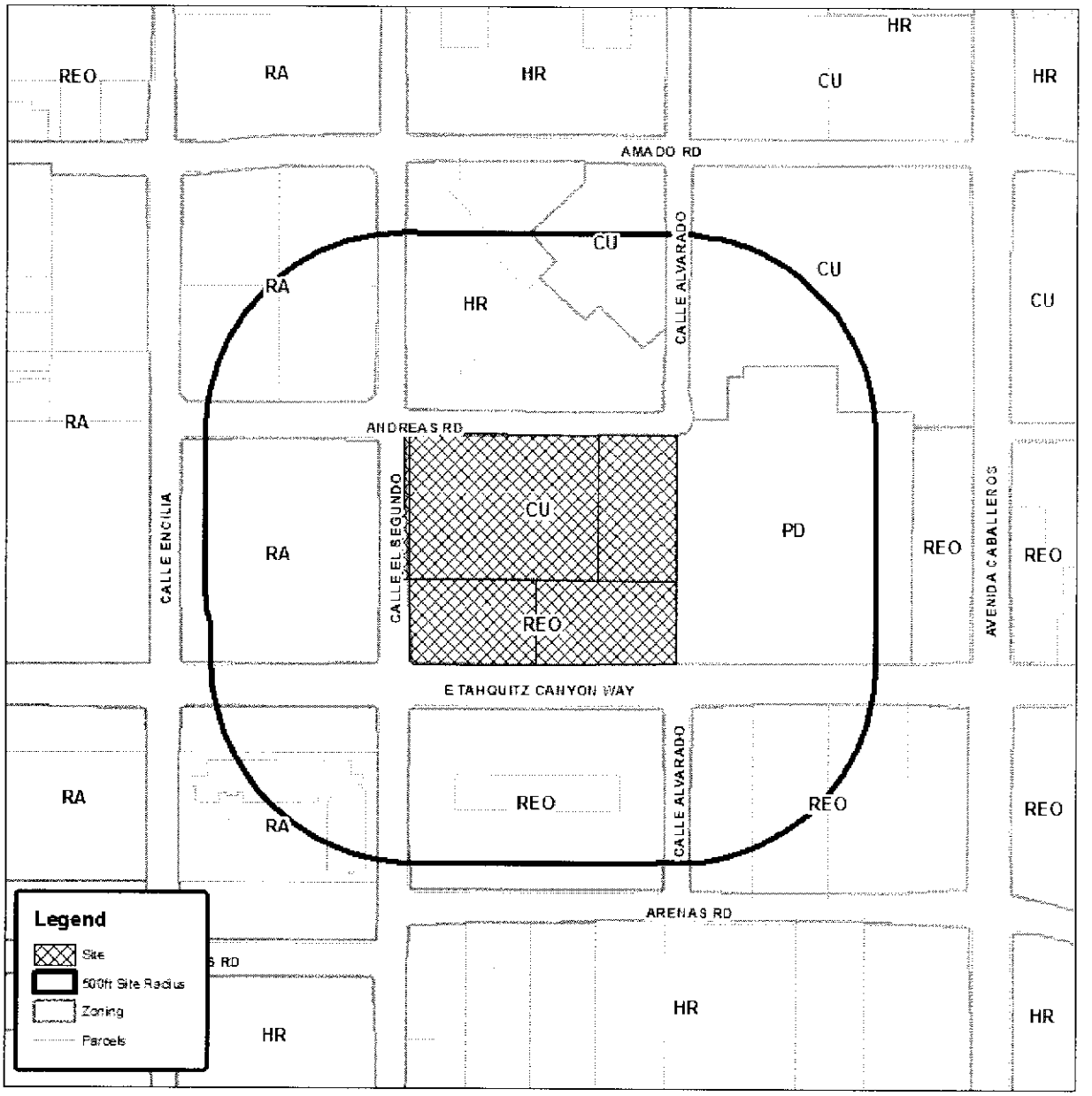
1. Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].
2. Modify the extension of Calle Alvarado to satisfactorily meet width requirements of City Engineer and Fire Department.
3. Provide unlocked pedestrian access through center of site and at all vehicular access gates.

4. Prohibit residential uses in structures fronting Tahquitz Canyon Way.
5. Include bicycle parking as required by the Section 14 Specific Plan.
6. Provide trash enclosure for commercial building.
7. Consider providing Plug-in Electric Vehicle (PEV) parking spaces as required by the Section 14 Specific Plan.
8. Redesign streetscape along Tahquitz Canyon to be consistent with the Section 14 Specific Plan with the inclusion of street furniture and identification of Indian public art locations.

Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Planning Commission Minutes, 3/25/2015
4. Plans

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION UNDER CEQA AND APPROVAL OF THREE APPLICATIONS (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876) RELATED TO ABERDEEN; A MIXED-USE PROJECT CONSISTING OF THE DEVLEOPMENT OF (73) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (13) LIVE/WORK UNITS, AND RE-USE OF AN EXISTING 7,811-SQUARE FOOT COMMERCIAL BUILDING WITH PRIVATE STREETS AND OPEN SPACE ON ROUGHLY 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO.

WHEREAS, O & M HR, LLC submitted applications pursuant to Palm Springs Zoning Code Section 94.03 & 93.07 (Planned Development, Zone Change) Section 94.04 (Architectural Review), Section 94.02 & 92.25.00 (Conditional Use Permit / Resort Combining Zone) and Municipal Code Section 9.62 (Maps) seeking approval of a Planned Development District in lieu of a Change of Zone, a Tentative Tract Map, and a Major Architectural Application for the development of a partially gated community comprised of (73) three- and four-story residential attached and detached units, 13 live/work units and adaptive re-use of an existing approximately 7,811-square foot building with private streets, common open space and landscaping on a roughly 8.05-acre site located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo (Case 5.1361 PDD 375 / 3.3820 MAJ, TTM 36876); and

WHEREAS, on January 26, 2015, the subject project was reviewed by the City's Architectural Advisory Committee (AAC), which voted to recommend denial of the project by the Planning Commission; and

WHEREAS, on February 25, 2015, the Planning Commission held a public hearing on the item and tabled the project for further study with direction to the applicant to work with staff on revisions to the project; and

WHEREAS, notice of a public hearing of the Planning Commission of the City of Palm Springs, California to consider Case 5.1361 PDD 375 / 3.3820 MAJ / TTM 36876 was given in accordance with applicable law; and

WHEREAS, on March 25, 2015, a public hearing of the Planning Commission of the City of Palm Springs, California was held in accordance with applicable law, and

WHEREAS, at said hearing the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project,

including, but not limited to, the staff report, and all written and oral testimony presented, and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the proposed development has been determined to be a project subject to environmental analysis under guidelines of CEQA.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: CEQA.
The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA). An initial study was conducted and the City concluded that the project as proposed had the potential to cause significant negative impacts on the environment. The analysis included all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Mitigation Measures have been proposed to reduce the project's significant impacts to a less than significant level.

The Planning Commission independently reviewed and considered the information contained in the draft MND and the draft MND reflects the City's independent judgment and analysis. The Planning Commission finds, on the basis of the whole record before it, including the initial study and comments received, that the project as proposed, including all required permits, has the potential to cause significant impacts on the environment but the proposed Mitigation Measures would reduce those impacts to a less than significant level. Therefore the Planning Commission recommends the City Council adopt the Mitigated Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2: Findings for a Planned Development District in lieu of a Change of Zone.
The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

> *1. The proposed change of zone is in conformity with the general plan map and report.*

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.2 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

> *2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

> Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.
>
> Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

> *3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

Section 3: Resort Combining Zone Finding.
In addition to the above, required findings outlined in Section 92.25.00 requires that the Planning Commission evaluate the project against the findings of the Resort Combining Zone. The zoning code notes that:

> *Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging*

houses, and condominiums) shall be permitted only by conditional use permit (CUP).

The proposed development will have a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development. As such the project is evaluated against the resort combining finding and the findings for a Conditional Use Permit as follows:

The Resort Combining Zone Finding: Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.

The mixed-use development proposes commercial and live/work units along a highly-traveled commercial corridor (Tahquitz Canyon Way). Development along this corridor primarily includes commercial-retail and hotel uses. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development. The mix of uses provides an appropriate balance for the site. Staff believes the proposed project is consistent with this finding.

Section 4: Conditional Use Permit Findings:
In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for residential uses in the Resort Combining Zone as follows:

The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:

a. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;

The mixed use project incorporates residential, live/work units and commercial space with the proposed zoning, PD-375. The current Section 14 land designations, RA and REO, allow for multi-family residential, live/work units and commercial developments. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from certain setback development standards. With approval of the PDD, the project is consistent with this finding.

b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;

Development of the subject site with densely located single-family uses is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Tourist Resort Commercial land use designation providing a mix of uses, including tourist-related commercial space, live/work units and residential uses on an 8.05-acre site. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development and not detrimental to existing or future uses in the zone. The project therefore conforms to this finding.

> *c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project consists of a grouping of parcels to form the overall 8.05-acre site with internal private streets, privately owned units and both private and common open spaces. With the approval of the PDD, buildings will be setback from perimeter property lines to accommodate the proposed uses for adjusting to those existing and future uses of land in the neighborhood. Therefore, the project would be deemed in conformance with this finding.

> *d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project proposes to take vehicular access from surrounding streets, excluding Tahquitz Canyon Way, which is consistent with the Section 14 Specific Plan. As determined by the environmental assessment, Tahquitz Canyon Way, Calle El Segundo and Andreas Road are improved with adequate road width to accommodate the type and quantity of traffic expected by the proposed uses. Thus, the project conforms with this finding.

> *e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Section 5: Findings for the Tentative Tract Map.

The findings required for the proposed Tentative Map are pursuant to Section 66474 of the California Subdivision Map Act. The project is evaluated against these findings as follows:

> *a. The proposed Tentative Tract Map is consistent with all applicable*

general and specific plans.

The TTM proposes individual privately owned lots with open space, common area and private streets. The proposed density is within the range specified by the Tourist Resort Commercial General Plan land use designation. Therefore, the project is consistent with this finding.

b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.

The proposed project design and improvements are generally consistent with the RA / REO land designations in which the property is located. The PDD in lieu of a zone change proposes mixed uses with residential, live/work units and commercial space with a set of development standards unique to this development with smaller lot area, lot dimensions and setbacks. With the approval of the PDD in lieu of a change of zone, the project will be consistent with this finding.

c. The site is physically suited for this type of development.

The relatively flat project site will be mostly razed and graded to accommodate the proposed development. Site modifications include new private driveways to privately-owned lots. Each lot is proposed to accommodate a residential, live/work unit or commercial building as defined by the PDD. A total of 73 residences, 13 live/work units and one commercial building are proposed on the 8.05-acre site. The site has adequate vehicular access with primary access taken from Andreas Road and Calle El Segundo and additional access way through an extension of Calle Alvarado. Thus, the site is physically suited for this type of development.

d. The site is physically suited for the proposed density of development.

The proposed density and FAR is less than that permitted by both the General Plan Tourist Resort Commercial (TRC) and Section 14 REO and RA land use designations. Therefore, the site is physically suited for the proposed density of development.

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. No serious public health problems are anticipated.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration under CEQA and approve Case Nos. 5.1361 PDD 375, 3.3820 MAJ and TTM 36876; a Planned Development District in lieu of a Change of Zone, a Major Architectural Application and a Tentative Tract Map for the development of a gated community of 73 attached and detached residential dwellings, 13 live/work units and re-use of an approximately 7,811-square foot commercial space on 8.05-acres with private streets, guest parking, common areas, landscaping and open space located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, subject to the conditions set forth in Exhibit A.

ADOPTED this 25th day of March, 2015.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

_____
Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO. ____

EXHIBIT A
CONDITIONS OF APPROVAL

Case 5.1361 PDD 375 CUP / 3.3820 MAJ / TTM 36876 - "Aberdeen"
(Northeast corner of Tahquitz Canyon Way and Calle El Segundo)

March 25, 2015

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PROJECT SPECIFIC

PSP 1. Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].

PSP 2. Modify the extension of Calle Alvarado to satisfactorily meet width requirements of City Engineer and Fire Department.

PSP 3. Provide unlocked pedestrian access through center of site and at all vehicular access gates.

PSP 4. Prohibit residential uses in structures fronting Tahquitz Canyon Way.

PSP 5. Include bicycle parking as required by the Section 14 Specific Plan.

PSP 6. Provide trash enclosure for commercial building.

PSP 7. Consider providing Plug-in Electric Vehicle (PEV) parking spaces as required by the Section 14 Specific Plan.

PSP 8. Redesign streetscape along Tahquitz Canyon to be consistent with the Section 14 Specific Plan with the inclusion of street furniture and identification of Indian public art locations.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case (5.1361 PDD 375 CUP / 3.3820 MAJ / TTM 36876); except as modified with the approved Mitigation Monitoring Program and the conditions below.

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped February 17, 2015, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.

ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 5. Tentative Map. This approval is for Tentative Tract Map 36876 located at the Northeast corner of Tahquitz Canyon Way and Calle El Segundo, date stamped February 17, 2015. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.

ADM 6. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1365 PDD 375 CUP / 3.3820 MAJ / TTM 36876. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse

judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 7. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 8. Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the approval (Tentative Tract Map).

ADM 9. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 10. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first $100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADM 11. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).

ADM 12. Maintenance of Outdoor Seating and structures at the Corner "Oasis". Periodic cleaning of the "Art Walk" located south of the common pool area in the center of the live/work units shall be the responsibility of the project's homeowners' association (HOA).

ADM 13. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances

ADM 14. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:

a. The document to convey title

b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.

c. Provisions for joint access to the proposed parcels, and any open space restrictions.

d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without

City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

ADM 15. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of $3,500, for the review of the CC&R's by the City Attorney. A $675 filing fee shall also be paid to the City Planning Department for administrative review purposes.

ADM 16. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other planned activities which may occur in the public right-of-way.

ADM 17. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

ADM 18. Community Facilities District. The project will bring additional residents, visitors and activities to the community that will potentially impact the needs for public safety services beyond the City's ability to provide such services; and because such services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic and other safety services, and recreation, library, cultural services are near capacity, the City has established a Community Facilities District to which this project shall be annexed, subject to conditions of approval; and

Prior to recordation of the final map or, at the City's option, prior to issuance of certificate of occupancy, the developer shall agree to support formation of or annexation into a Community Facilities District (CFD) to include the project site. Developer further agrees to waive any right of protest or contest such formation or annexation, provided that the amount of any assessment for any single family dwelling unit (or the equivalency thereof when applied to multiple family, commercial or industrial) as established through appropriate study shall not exceed $500 annually per dwelling unit or dwelling unit equivalency unit, subject to an annual consumer price index escalator. Prior to sale of any lots, or prior to the issuance of any certificate of occupancy, or prior to any approval of the Building Official that will allow the premises to be occupied, the CFD shall be formed, the annexation thereto shall occur, or at the option of the City Manager and Building Official, a covenant agreement may be recorded against any affected parcel(s) with the project, evidencing the Owner's binding consent, approval, and waiver of rights as provided in this condition of approval.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the

City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (after City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the CEQA Evaluation and summarized here as follows:

AESTHETICS:

MMI – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

CULTURAL RESOURCES:

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified

archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

HAZARDS AND HAZARDOUS MATERIALS:

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

NOISE:

MM XI-1. Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

PLANNING DEPARTMENT CONDITIONS

PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section

93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00 and Chapter 11.06) of the Palm Springs Municipal Code and all other relevant water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the City's Water Efficient Landscape Ordinances.

PLN 3. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant Washingtonia Fillifera (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median. The existing Robusta / Mexican Fan Palms at the Tahquitz Canyon Way frontage shall be replaced with California Fan Palms.

PLN 4. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign permit/program to the Department of Planning Services prior to the issuance of building permits.

PLN 5. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.

PLN 6. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.

PLN 7. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.

PLN 8. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

PLN 9. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.

PLN 10. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

PLN 11. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

PLN 12. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

PLN 13. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and visitors. Location and design shall be approved by the Director of Planning.

PLN 14. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:

a. The document to convey title.

b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.

c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

PLN 15. Update of City's Zoning Map. Upon approval of the proposed Change of Zone, Tract Map and/or Planned Development District, the applicant shall be responsible for costs associated with update of the City's GIS based zoning maps.

PLN 16. Shade Structure Option for Buyers. Develop a design for shade structures in the back yards that integrates with the architecture of the complex those buyers could include as a purchase option; review design with Director of Planning for design approval.

PLN 17. Provide 'smart controllers' for all irrigation systems.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

ANDREAS ROAD

ENG 2. Dedicate an additional 3 feet to provide a right-of-way width of 33 feet along the entire frontage, together with a property line - corner cut-back at the southeast corner of the intersection of Andreas Road and Calle El Segundo, in accordance with City of Palm Springs Standard Drawing No. 105.

ENG 3. Dedicate abutters rights of access to Andreas Road along the entire frontage of the project, excluding the 36 feet wide access point; vehicular access to Andreas Road shall be prohibited.

ENG 4. Dedicate an easement for sidewalk purposes as needed for those portions of meandering sidewalk located outside of the public right-of-way.

ENG 5. Remove the existing driveway approach and replace with a 6 inch curb and gutter to match existing, construct meandering sidewalk to match existing in accordance with City of Palm Springs Standard Drawings No. 200, 210.

ENG 6. Construct a 36 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 430 feet from the centerline of Calle El Segundo, as shown on the approved site plan.

ENG 7. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 8. In accordance with the Final Section 14 Specific Plan (dated July 16, 2014), the applicant shall plant shade trees in a formal pattern along the Andreas Road frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Andreas Road frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 9. Install decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and electrical system. The system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 10. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

CALLE EL SEGUNDO

ENG 11. Dedicate an additional 15 feet to provide a right of wayg width of 40 feet where required by the City Engineer.

ENG 12. Dedicate abutters rights of access to Calle El Segundo along the entire frontage of the project, excluding the 28 feet wide access point; vehicular access to Calle El Segundo shall be prohibited.

ENG 13. Remove the existing driveway approaches and replace with a 6 inch curb and gutter to match existing, construct sidewalk to match existing in accordance with City of Palm Springs Standard Drawings No. 200, 210.

ENG 14. Construct a 28 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 180 feet from the centerline of Tahquitz Canyon Way.

ENG 15. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 16. In accordance with the Final Section 14 Specific Plan (dated July 16, 2014), the applicant shall plant shade trees in a formal pattern along the Calle El Segundo frontage, as approved by the City Engineer. The applicant shall be responsible for the perpetual maintenance of the new trees and other parkway landscaping along the Calle El Segundo frontage. The specific landscaping improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 17. Install decorative light fixtures (12 feet to 15 feet tall) consistent with the existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries and electrical system. The system shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to

issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 18. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

TAHQUITZ CANYON WAY

ENG 19. Dedicate abutters rights of access to Tahquitz Canyon Way along the entire frontage of the project, vehicular access to Tahquitz Canyon Way shall be prohibited.

ENG 20. The existing sidewalk along the entire frontage shall be modified consistent with the "Grand Boulevard of Indian Culture" described in the Section 14 Specific Plan (dated July 16, 2014). The applicant shall furnish and install artwork relating to Indian culture along the frontage, unless otherwise deferred by the Director of Planning Services. The "Grand Boulevard of Indian Culture" shall be constructed along the entire Tahquitz Canyon Way frontage. The specific street improvements are described in chapter 5 of said Section 14 Specific Plan.

ENG 21. Install Tahquitz Canyon Way decorative light fixtures (12 feet to 15 feet tall) consistent with the existing portion of existing decorative lighting system along Tahquitz Canyon Way, including banner supports and overhead pedestrian-level lighting on the sidewalk. The applicant shall furnish and install the decorative light fixtures, luminaries. The electrical system was installed by others and shall be operated by a separate electric meter, unless an existing meter is available for use by the new lighting system, as approved by the City Engineer. The new portions of the lighting system shall be installed and operational, and accepted for operation and maintenance by the City, prior to issuance of a Certificate of Occupancy, unless otherwise allowed by the City Engineer.

ENG 22. At the time that a comprehensive shuttle/bus route system for the Section 14 Master Development Plan area is planned, it is recommended that the applicant coordinate with the City on the design and layout of, and accommodate an on-site shuttle/bus stop at the Main Entrance of Tahquitz Canyon Way in accordance with the Final Section 14 Master Development Plan/Specific Plan, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.

ENG 23. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

CALLE ALVARADO (PRIVATE STREET)

ENG 24. Construct a Pedestrian Plaza from Andreas Road south to southerly property line of lot 74, the Plaza shall be intended to be a pedestrian connection from the Convention Center to Tahquitz Canyon Way with the landscaping, decorative pavers and enhancements to be consistent with the Section 14 Specific Plan. Together with a one way access from Tahquitz Canyon Way to access the proposed live work units identified as lots 75 through 93, as required by the City Engineer.

ENG 25. Dedicate a sidewalk and emergency ingress and egress easement from Andreas Road south to Tahquitz Canyon Way. Decorative pavers and pedestrian enhancements shall be designed to accommodate emergency vehicles.

ENG 26. Final design and layout of proposed pedestrian plaza and one way access shall be subject to review by City Engineer and Fire Marshall.

ENG 27. Vacation of existing public right-of-way for Calle Alvarado shall be identified on the final map.

ON-SITE

ENG 28. Construct a minimum pavement section of 2-1/2 inches asphalt over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, within all on-site private streets in accordance with City of Palm Springs Standard Drawing No. 110 and 302. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 29. All on-site private streets (or drive aisles) shall be two-way with a minimum 26 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 30. All on-site private streets (or drive aisles) shall be two-way with a minimum 32 feet wide travelway (as measured from face of curb) where on-street parallel parking is proposed on one-side of the street.

ENG 31. On-site drive aisles (or parking lot) shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

SANITARY SEWER

ENG 32. All sanitary facilities shall be connected to the public (or private) sewer system (via the proposed on-site private sewer system). New laterals shall not be connected at manholes.

ENG 33. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.

ENG 34. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

GRADING

ENG 35. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at http://www.AQMD.gov. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report.

ENG 36. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 37. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 38. (Temporary dust control) perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 39. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

ENG 40. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.

ENG 41. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs

shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.

ENG 42. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars ($2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.

ENG 43. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.

ENG 44. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing shall be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.

ENG 45. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building (or structure) foundation.

ENG 46. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

ENG 47. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

a. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

b. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

DRAINAGE

ENG 48. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to adjacent streets. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater

runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

ENG 49. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

ENG 50. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is $ 9212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 51. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

GENERAL

ENG 52. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected

off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 53. All proposed utility lines shall be installed underground.

ENG 54. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 55. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.

ENG 56. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 57. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 58. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

ENG 59. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

ENG 60. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee of $2,500 shall be made at the time of the application.

ENG 61. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 62. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 63. Upon approval of a Final Map, the Final Map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

ENG 64. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

ENG 65. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.

ENG 66. Pay the fair share of the estimated cost to install angled parking and bikeway (with enhanced signage and sharrows) on Calle El Segundo as required by the Section 14 Specific Plan.

ENG 67. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (MUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.

ENG 68. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

FID 1 These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated December 11, 2014. Additional requirements may be required at that time based on revisions to site plans.

FID 2 Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3 **PLANS AND PERMITS**

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs

Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4 **Street Widths (CFC Appendix L; PSMC § 8.04.500; Palm Springs 2007 General Plan):** Private streets in any residential or mixed use land use designation may be reduced to a minimum of 28 feet (curb face to curb face) provided that (1) additional off street parking is provided as determined by the City Engineer, the Fire Chief and Director of Planning, (2) rolled or wedge curb is provided such that vehicles may park partially out of the traveled way, and (3) pedestrian pathways or sidewalks, if located along the street, separated from the curb by a minimum five-foot parkway are provided.

- Any street not designated by the fire department as a "fire lane" shall comply with the above requirements
- Road width shown is not compliant with General Plan

FID 5 **Fire Apparatus Access Roads (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- **Fire Apparatus Access Road (CFC 202 Definitions)** – A road that

provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

- **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 26 feet *(for designated fire lanes)* except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID 6 **Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

FID 7 **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.

FID 8 **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

FID 9 **Fire Lanes (CFC 202 Definitions):** A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus. *A "fire lane" is a component of a "fire apparatus access road".*

- **Designation of Fire Lanes (CVC 22500.1):** Only the fire department with jurisdiction over the area in which the place is located can designate a fire lane.

- **Fire Lane Marking (CFC 503.3):** Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be

replaced or repaired when necessary to provide adequate visibility.

FID 10 **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

FID 11 **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.

FID 12 **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 and an approved Knox key electric switch. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

FID 13 **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings

FID 14 **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance

with NFPA standard 13D, 2013 Edition, as modified by local ordinance.

FID 15 **Single- and Multiple-Station Smoke Alarms (CFC 907.2.11):** Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72.

- Exception: For Group R occupancies. A fire alarm system with smoke detectors located in accordance with this section may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room where the detector is actuated shall activate.

FID 16 **Key Box Required (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

FID 17 **Hazardous Materials (CFC 5004.1):** Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

- Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required
- Liquid Petroleum Gas (LPG) – dedicated, compliant storage cabinets, rooms, or areas required

END OF CONDITIONS

PLANNING COMMISSION STAFF REPORT

DATE: February 25, 2015

SUBJECT: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will review the following applications related to the 8.05-acre site:

- A Planned Development District to establish the project site plan, permitted uses and development standards. The PD proposes razing the existing parking lot and office buildings to construct:
  - 1,568-square feet of commercial space at the southwest corner of the site;
  - 17 detached dwellings with associated commercial space (live-work lofts) fronting Tahquitz Canyon Way;
  - 74 attached and detached residential units within a controlled access / gated area with private open space;
  - A common open space / recreation area with pool, fitness center and barbecue area.
- Major Architectural Application to review the proposed architectural designs. Plans include Preliminary and Final Development Plans.
- A Tentative Tract Map (TTM) seeking to subdivide the roughly 8.05-acres into 93 numbered lots and 8 lettered lot streets, and common open space.

RECOMMENDATION:

Recommend the City Council adopt the mitigated negative declaration and approve the project, subject to conditions. Specific conditions related to the alteration of the current proposal include:

1. Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].
2. Modify the extension of Calle Alvarado to satisfactorily meet width requirements of City Engineer and Fire Department.
3. Provide unlocked pedestrian access through center of site and at all vehicular access gates.
4. Prohibit residential uses in structures fronting Tahquitz Canyon Way.
5. Include bicycle parking as required by the Section 14 Specific Plan.
6. Provide trash enclosure for commercial building.
7. Consider providing Plug-in Electric Vehicle (PEV) parking spaces as required by the Section 14 Specific Plan.
8. Redesign streetscape along Tahquitz Canyon to be consistent with the Section 14 Specific Plan with the inclusion of street furniture and identification of Indian public art locations.

ISSUES:

1. The project is inconsistent with the General Plan which prohibits gated communities.
2. The internal roadways are inconsistent with the General Plan minimum profile for private streets in Planned Developments and lack sidewalks.
3. Single family residential is prohibited within the REO and RA zones, but multi-family is permitted with the approval of a Conditional Use Permit in both zones.
4. Pools within individual lots do not meet five foot setback requirements of zoning code.
5. Bicycle parking is required for all new developments in Section 14.
6. Landscape along Tahquitz Canyon Way inconsistent with design guidelines of Specific Plan.

BACKGROUND:

TABLE 1: Most Recent Change of Ownership	
Aug 2007 Feb 2008 Dec 2014	Parcels purchased by present owner.

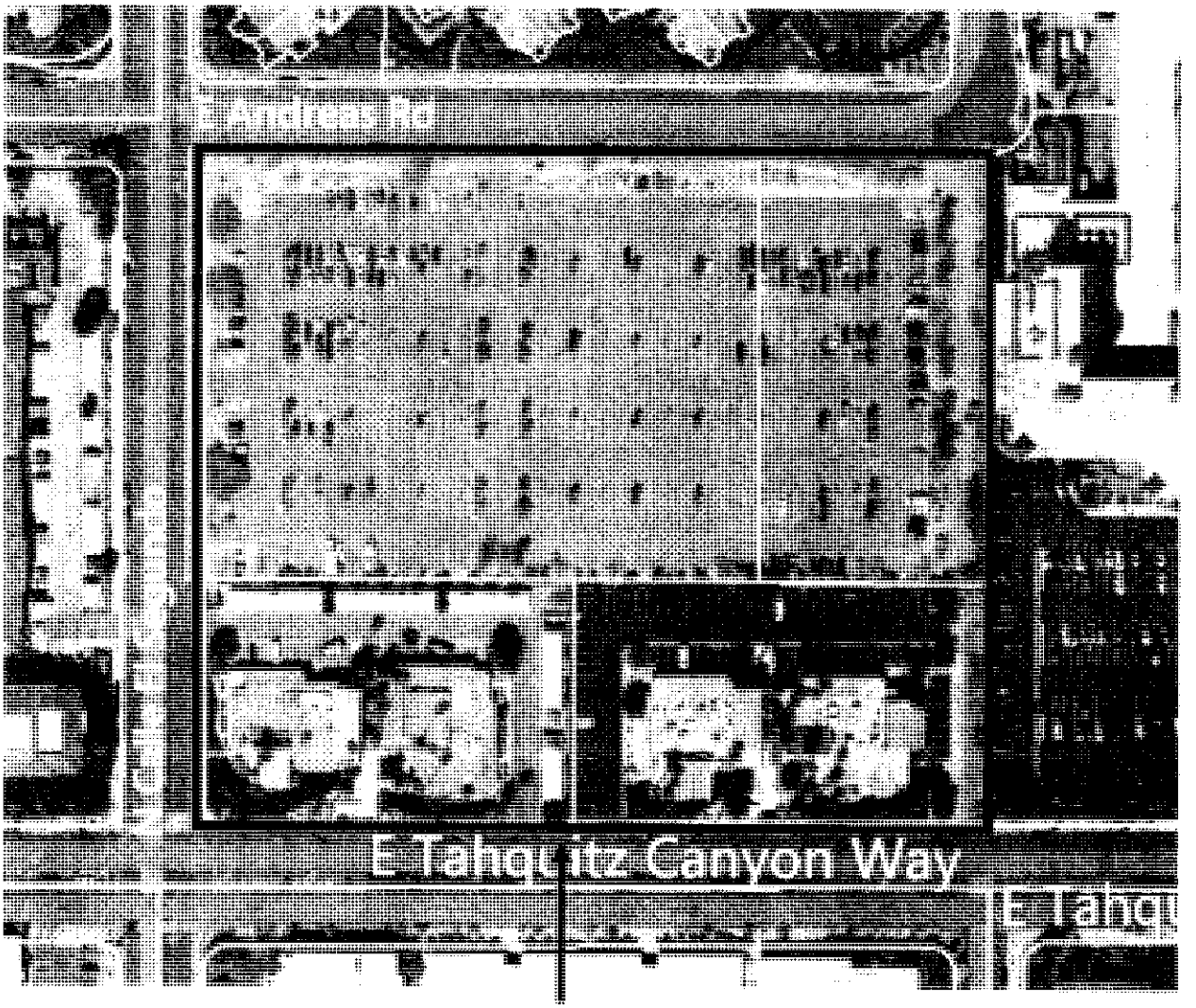
TABLE 2: Related Relevant City Actions by Planning, Fire, Building, etc...	
Jan 12, 2015	The Architectural Advisory Committee (AAC) tabled the project with direction to the applicant to modify the following: 1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context; 2. Parking needs further evaluation for commercial and live-work; 3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado; 4. Connectivity – Eliminate gates and improve connectivity of project within existing community; 5. Adaptive re-use of existing commercial buildings should be considered in redesign.
Jan 26, 2015	The AAC recommended denial as proposed. The Committee found that the project does not conform to adopted standards, and recommended the following modifications: 1. Study alternatives along Tahquitz Canyon Way; 2. Provide streetscape along El Segundo; 3. Address Calle Alvarado traffic, parking and circulation issues; 4. Resubmit planting diagrams.

TABLE 3: Neighborhood Meeting	
None	

TABLE 4: Sign Posting of Pending Project	
Dec 12, 2014	Affidavit of on-site sign posting

TABLE 5: Field Check	
Dec 2014	Site inspection by Planning Staff.

TABLE 6: Site Area	
Net Area	8.05 acres



SUBJECT SITE

TABLE 7: General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Site	TRC (Tourist Resort Commercial)	RA (Resort Attraction) and REO (Retail / Entertainment / Office)	Office Buildings and Prairie Schooner Parking Lot
North	HDR (High Density Residential	HR (Residential High)	Multi-family Residential Condominiums (Plaza Villas)
South	TRC	REO	Commercial Complex (Courtyard at PS)
East	TRC	RA	Resort Hotel (Renaissance)
West	TRC	RA	Resort Hotel (Hilton)

PROJECT DESCRIPTION:

The site is comprised of five developed parcels totaling roughly 9.1 gross acres in size and bounded by Tahquitz Canyon Way to the south, Calle El Segundo to the west, Andreas Road to the north and the Renaissance Hotel to the east. After street dedication and the extension of Calle Alvarado, the net acreage of the project area is 8.05-acres in size. The site encompasses the "Prairie Schooner" parking lot, which is being sold by the City to the developer, and the existing office buildings along Tahquitz Canyon Way. All will be razed for the proposed development.

The applicant is proposing a partially gated development for 74 three- and four-story, attached and detached single family residential units on small lots each with its own private spa / pool and two-car garage. These units will have primary vehicular access from Andreas Road. The non-gated portion of the development includes a one-story, 1,568-square foot commercial building and 17 three- and four-story, detached single-family live-work units with vehicular access from a private street extending from Calle El Segundo to the proposed extension of Calle Alvarado.

ANALYSIS:

TABLE 8: General Plan

General Plan Topic	F.A.R. and Density	Request	Compliance
Land Use: Tourist Resort Commercial	0.35 FAR / 43 hotel rooms per acre / 86 hotel rooms per acre on Indian Land / 30 d.u. per acre	11.3 du/ac 0.35 FAR for commercial building	Yes
Gated Communities	CD14.6: Prohibited	Gated requested	No
Pedestrian-oriented Design	CD19.7 Sidewalks, shade trees, sitting areas	No sidewalks along residential street	Partially
Minimum 28 foot street width in private developments	Page 4-5 Circulation Element	26 feet	No

TABLE 9: Zoning

Permitted Uses:

Single-family residential units are prohibited in REO (Retail / Entertainment / Office) and RA (Resort Attraction) Section 14 Land Use designations. The proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of units being attached. MFR is permitted by Conditional Use Permit (CUP) in both designations.

Retail including coffee shops, deli, etc. is permitted within the RA Land Use of the Section 14 Specific Plan.

Live/work units are permitted by Land Use Permit and CUP in the REO and RA zones, respectively.

The PDD has been submitted in lieu of a change of zone to seek City approval of all uses as a consolidated project per the Section 14 Specific Plan.

Development Standards:

The project includes three land uses within the PD. When multi-family residential is proposed within the REO or RA zones, the Specific Plan requires development consistent with the HR land designation. The live-work and commercial space are located within the REO land designation. Thus, staff analyzed the HR designation development standards for the multi-family residential portion, and the REO designation development standards for the live-work and commercial components.

Since this proposal exceeds five acres in size, the development is a Consolidated Project and can utilize incentives including zoning flexibilities. Where applicable, staff has included in the analysis below.

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	2 gross acres / 130' wide / 155' deep, except lot size requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Range from 2,563sf and 4,813sf	No, per PDD
Min. Width		Range from 21ft to 30ft	
Min. Depth		Range from 107ft to 111ft	
Building Height	35ft, except when developed as high-rise, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see analysis below in Live/Work and Commercial section.	Range from 33 feet to 46 feet	See live/work analysis
Density	1,500 sq. ft. of lot area per unit	11 du/ac or 3,853 sq. ft. per unit	Yes
Yard Setbacks			
Overall Site			
- Front	30 ft. front yard	- 24ft from north (front) property line	No per PDD
- Side	20 ft. side yard	- 15ft from west (side) property line	
- Side	20 ft. side yard	- 43ft from east (side) property line	Yes
- Rear	20 ft. rear yard	- 145ft from south (rear) property line	Yes

Individual Lots	Setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing and permitted)	Front / Driveways: 18 feet from private street to face of garage Side: 6ft between residences (Avg. 3ft to common side P/L) 0ft at one side of homes. Rear: 27 to 40ft	Yes when certain findings are made
Lot Coverage	45% usable landscaped open space	Usable open space: 48%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage on driveways (148 spaces); total 296 spaces	Yes
Trash Enclosure	Per PSZC 93.07.02	TBD	-

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except 100ft for high-rise	46ft and 2in	Yes
Open Space	40% minimum landscape area for high-rise buildings	~48%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall.	Perimeter wall treatment to be designed.	TBD
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes
Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each work unit	Yes
Front Setback	20 feet	6 feet	No, per PDD
Side Yard Setback	20 feet	0 feet on Calle El Segundo 7 feet on Calle Alvarado	No, per PDD
Rear Yard Setback	20 feet	18 feet from property line to garage	No, per PDD
Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings	Buildings are setback over 100 feet from residential property to the north	Yes

	shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.		
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	Commercial: 1 space per 250 gross floor area or 6 spaces. Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 38 spaces for the units, plus guest parking of 1 space for every 4 units, or 4 spaces. Total required: 48 spaces	15 parallel parking spaces on private driveway. At least one handicap space will be required 2 covered spaces are provided with each of the 17 units (34 spaces) + 2 spaces in front of garage on driveways (34 spaces) Total provided: 83 spaces	Yes
Off-street Loading	Not required for commercial spaces less than 3,000-sq. ft. in size	None provided	Yes

Flexible Zoning Standards: Since the project meets the definition of a Consolidated Project, the Section 14 Specific Plan allows flexible zoning standards as a development incentive. Consolidated project sites designated RA or REO may be developed under either RA or REO land use designations. As noted in the table above, the proposed structures are three- and four-stories in size and reach heights of up to 46 feet and 2 inches, triggering the "high-rise buildings" ordinance, Section 94.03.00 of the Zoning Code. The project proponent is seeking approval to allow the flexibility of the proposed height for the entire project site, which conforms to the REO / RA "Building Height" requirements.

These structures are located along a corridor that contains hotels ranging from three- to five-stories in height. The existing residential project to the north of the site contains two-story condominiums. Therefore, the transition from two-story residential to the north to the proposed three- and four-story development along Tahquitz Canyon Way is consistent with nearby and surrounding developments.

Specific Plan Design Guidelines:

Chapter 7 of the Specific Plan includes Design Guidelines for development proposals within Section 14.

Architectural Character: Modern architecture is a theme that is welcomed by the Specific Plan and the following features are suggested for 50s/60s Modern:

- *Skewed, angular roof forms;*
- *Angled, cantilever roof extensions;*
- *Extension of flooring to walls to outdoors;*
- *Bold, eye-catching accent colors;*
- *Large expanses of glass;*
- *Smooth, uninterrupted walls, often free-standing;*
- *Modern metals, such as aluminum, as decoration.*

The Plan also suggests incorporating Cahuilla imagery and symbols. Images would include baskets, pottery and hunting. Symbols are regional fauna and flora, parallel lines, anthropomorphic figures, trident forms, concentric circles, maze-like patterns and lightning bolts.

The proposal includes some of the above-mentioned features, such as cantilever roof extensions, extension of flooring to walls and outdoors and modern metals.

Materials and Colors: A number of materials are encouraged:

- *Stucco walls in off-white and/or muted tones;*
- *Wood highlights;*
- *Terra cotta or ceramic tile roofs;*
- *Built-up roof with parapets and metal or canvas awnings;*
- *Decorative ceramic tiles;*
- *Stone, such as flagstone, marble, travertine, granite;*
- *Decorative metal highlights, such as aluminum, copper, wrought iron.*
- *Smooth finish stucco; for example, exterior stucco, applied with a smooth trowel finish and painted with elastomeric paint is preferred.*
- *Screed expansion joints are favored, which are integrated with the design of windows and doors.*
- *Pre-cast concrete panels for structures taller than two stories.*

- *Cut stone, tile or other smooth, durable material on the ground level (the base) for visual interest at the street level and for ease of graffiti removal.*
- *Wood, steel or aluminum and clear glass on storefronts, windows, doors, or atrium spaces.*
- *Use of light or medium neutral colors on buildings is preferred over dark colors which tend to absorb heat and make a building appear more bulky. Strong colors may be used for accents on awnings, door trim, window mullions, window trim, towers or pedestrian amenities, provided such colors are clearly secondary to a more neutral base color.*

Materials include stucco walls, vertical aluminum panels, faux wood siding anodized aluminum windows and steel cable and beams. Colors include a mix of light and dark throughout the project. The proposed colors are both light and dark grays with some wood-like appearance. Since the initial review by the AAC, the project colors have been modified to reduce bulky appearance of the upper floors.

Massing / Building Bulk: "Structures should be articulated in form and should not be designed as single massive blocks. To reduce bulk and create visual interest, buildings, particularly those over two stories, should employ architectural devices such as stepped terraces, changes in vertical and horizontal planes, varied roof heights, and multi-planed roof forms." The Specific Plan provides additional design discussion related to pedestrian interest, building entrances, street corner articulation, design treatment on every façade and blank planar walls. The proposal meets many of these criteria with stepped / terraced buildings and varied roof plans and shapes.

Tahquitz Canyon Way: The Plan identifies Tahquitz Canyon Way as the "Grand Boulevard of Indian Culture" and provides recommendations on landscaping, lighting and streetscape. The proposed preliminary landscape design includes a formal pattern of two palms and two street trees along Tahquitz Canyon Way, which is consistent with the landscape envisioned along this boulevard. However, existing palms should be replaced with Washingtonia Filifera as identified in Design Guidelines. The sidewalk should include pedestrian amenities, such as new pedestrian scale lighting, street furniture and banners. Staff has included a condition in the draft resolution requiring compliance with additional pedestrian amenities.

AAC Review:

The Architectural Advisory Committee reviewed the project on two occasions and ultimately recommended denial of the project. The Board made a finding that the project does not conform to adopted standards, and recommended the following modifications:

1. Study alternatives along Tahquitz Canyon Way;

2. Provide streetscape along El Segundo;
3. Address Calle Alvarado traffic, parking and circulation issues;
4. Resubmit planting diagrams.

The applicant has modified both ends of the newly proposed Calle Alvarado extension with turf block reduce the appearance as a two-way street. No further changes to project have been proposed to address the above.

Discussion of Public Benefit:

Pursuant the City Council 2008 policy on Public Benefit on Planned Developments, the applicant is to propose some form of public benefit "*proportional to the nature, type and extent of the flexibility granted from the standards and provisions of the Palm Springs Zoning Code*" and may only be considered a public benefit "*when it exceeds the level of improvement needed to mitigate a project's environmental impacts or comply with dedication or exactions which are imposed on all projects such as Quimby Act, public art fees utility undergrounding, etc.*"

The applicant is seeking the following relief via the Planned Development District:

- Reduced setbacks
- Reduced lot area, depth and width

The applicant has proposed the following Public Benefits:

- Creating connectivity between convention center and Tahquitz Canyon Way through the extension of Calle Alvarado (private street);
- Reduction of site from 9.8-acres to 8.05-ares to accommodate new private street, Calle Alvarado;
- Construction of an art walk plaza located in the center of the southerly portion of project with pedestrian access from Tahquitz Canyon Way;
- The project itself as it enhances an "underutilized site" within Section 14.

REQUIRED FINDINGS:

The project was evaluated against the findings for the Resort Combining Zone pursuant to PSZC 92.25.00, the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03, 94.07 (Zone Change) and 94.02 (Conditional Use Permit) and the Tentative Tract Map pursuant to Municipal Code Section 9.62 (Maps) as follows:

Resort Combining Zone Findings:

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Combining Zone runs along Palm Canyon Drive for nearly its entire length through the City, as well as through the heart Section 14 along Tahquitz Canyon Way from Amado Road to Arenas Road. The subject site lies within this overlay zone.

The zoning code notes that:

> *Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).*

The proposed development will have a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development. As such the project is evaluated against the findings for a CUP herein[1] and the resort combining finding as follows:

> *Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.*

The mixed-use development proposes commercial and live/work units along a highly-traveled commercial corridor (Tahquitz Canyon Way). Development along this corridor primarily includes commercial-retail and hotel uses. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development. The mix of uses provides an appropriate balance for the site. Staff believes the proposed project is consistent with this finding.

Planned Development in lieu of Change of Zone:
The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

[1] Pursuant to PSZC 94.02.00.A.4 (CUP); the CUP may be incorporated into the PDD without the need for a separate application. Thus the CUP findings of PSZC 94.02 and the Zone Change findings of PSZC 93.07 are both evaluated as integral parts of the PDD application.

1. The proposed change of zone is in conformity with the general plan map and report.

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.8 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.

Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and

architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

Conditional Use Permit / Planned Development District Findings:
In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for residential uses in the Resort Combining Zone as follows:

> *The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*
>
> *a. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The mixed use project incorporates residential, live/work units and commercial space with the proposed zoning, PD-375. The current Section 14 land designations, RA and REO, allow for multi-family residential, live/work units and commercial developments. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from certain setback development standards. With approval of the PDD, the project is consistent with this finding.

> *b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

Development of the subject site with single family uses is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Tourist Resort Commercial land use designation providing a mix of uses, including tourist-related commercial space, live/work units and residential uses on an 8.05-acre site. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development and not detrimental to existing or future uses in the zone. The project therefore conforms to this finding.

> *c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project consists of a grouping of parcels to form the overall 8.05-acre site with internal private streets, privately owned units and both private and common open spaces. With the approval of the PDD, buildings will be setback from perimeter property lines to accommodate the proposed uses for adjusting to those existing and future uses of land in the neighborhood. Therefore, the project would be deemed in conformance with this finding.

> *d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project proposes to take vehicular access from surrounding streets, excluding Tahquitz Canyon Way, which is consistent with the Section 14 Specific Plan. As determined by the environmental assessment, Tahquitz Canyon Way, Calle El Segundo and Andreas Road are improved with adequate road width to accommodate the type and quantity of traffic expected by the proposed uses. Thus, the project conforms with this finding.

> *e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Tentative Tract Map Findings:
Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

> *a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The TTM proposes individual privately owned lots with open space, common area and private streets. The proposed density is within the range specified by the Tourist Resort Commercial General Plan land use designation. Therefore, the project is consistent with this finding.

> *b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed project design and improvements are generally consistent with the RA / REO land designations in which the property is located. The PDD in lieu of a zone

change proposes mixed uses with residential, live/work units and commercial space with a set of development standards unique to this development with smaller lot area, lot dimensions and setbacks. With the approval of the PDD in lieu of a change of zone, the project will be consistent with this finding.

c. The site is physically suited for this type of development.

The relatively flat project site will be razed and graded to accommodate the proposed development. Site modifications include new private driveways to privately-owned lots. Each lot is proposed to accommodate a residential, live/work units or commercial building as defined by the PDD. A total of 74 residences, 17 live/work units and one commercial building are proposed on the 8.05-acre site. The site has adequate vehicular access with primary access taken from Andreas Road and Calle El Segundo. Thus, the site is physically suited for this type of development.

d. The site is physically suited for the proposed density of development.

The proposed density and FAR is less than that permitted by both the General Plan Tourist Resort Commercial (TRC) and Section 14 REO and RA land use designations. Therefore, the site is physically suited for the proposed density of development.

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. No serious public health problems are anticipated.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

ENVIRONMENTAL ANALYSIS:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are noted as follows:

AESTHETICS:

MMI – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

CULTURAL RESOURCES:

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

HAZARDS AND HAZARDOUS MATERIALS:

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The

plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

NOISE:

MM XI-1. Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

The analysis is available for public comment for a 20-day period from February 20, 2015 through March 18, 2015. As of the writing of this report, comments on study have not been received.

David A. Newell
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Applicant Justification Letter
4. Public Comment Letter (2)
5. AAC Minutes, 1/12/2015 and 1/26/2015
6. Plan Exhibits

Forwarded to Planning Commission Separately:

1. Chapter 7 *Design Guidelines* of Section 14 Specific Plan (forwarded to Planning Commission electronically and available in the Planning Department)
2. Initial Study (forwarded to Planning Commission electronically and available in the Planning Department)

PUBLIC COMMENTS:

Chair Hudson opened public comments and with no appearances coming forward public comments was closed.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: FEBRUARY 11, 2015

ACTION: Approve, as presented.

Motion Vice-Chair Klatchko, seconded by Commissioner Middleton and carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko
ABSTAIN: Chair Hudson.

2. PUBLIC HEARINGS:

2A. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

Associate Planner Newell presented the proposed mixed-use project as outlined in the staff report.

The Commission asked technical questions pertaining to the project in reference to:

- Potential to preserve buildings under historical ordinance;
- Calle Alvarado street improvements;
- Location of the access points and gates;
- Setbacks on Tahquitz Canyon in front of work/live units;
- Pre-wire for solar;
- Setback requirements for Section 14;
- Parking for the cafe and live/work units.

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
February 25, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Hudson called the meeting to order at 1:31 pm.

ROLL CALL:

Present:	Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson
Absent:	None
Staff Present:	Planning Director Fagg, Planning Admin. Coordinator Hintz, Assistant Director of Public Works Khamphou, Associate Planner Lyon, Associate Planner Newell and Principal Planner Robertson

REPORT OF POSTING OF AGENDA:

The agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 pm on Thursday, February 19, 2015.

ACCEPTANCE OF THE AGENDA:

Chair Hudson noted his abstention on the minutes of February 11, 2015.

ACTION: The agenda was accepted, as presented.

Motion Commissioner Middleton, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

Chair Hudson opened the public hearing:

ROB ERES, applicant, Nexus Dev. Corp., said they are not pushing density and height to the maximum. He commented that condition PSP 1. would increase the overall street 12 feet more than what is currently proposed instead they are trying to create an urban development. He requested an action be taken today.

CHRIS PARDO, project architect, spoke about Calle Alvarado, setbacks, height, gates and the pedestrian walkway between townhomes.

The following persons spoke in favor of the proposed project:

TOM ADAMO, property owner, said this project is well below the density requirements and will create jobs; this property can be a trend-setter.

AFTAB DADA, read a letter into the record by Harold Matzner, stating that this project is located in the right location where more foot traffic is needed on Tahquitz. Mr. Dada said, as an owner and partner of the Hilton Hotel, they are in full support of the project.

JAMES CIOFFI, said this is an exciting new development and implored the design team to try to find a way to integrate the existing buildings into the project.

REGGIE CAMERON, said this project speaks to the creativity of artists and is excited to have the mixed-use project at this location.

JUAN-MANUEL ALONSO, said it's important to move forward to the future; this project will have a place for artists.

ANDY CARPIAC, represents Hard Rock Hotel, said there is a demand for this type of development and encouraged the Commission to see past the skepticism of other speakers.

MIGUEL CRIEGO, artist, said this project will open up to the community giving it culture and life.

TERRY HASTINGS, artist council board member, praised the development for creating a solid artistic project. He said this would be a great anchor for the artists and community.

The following persons spoke in opposition to the project:

GARY JOHNS, said the city has a resort lifestyle and does not believe there is the clientele for an urban center.

RON MARSHALL, PS Preservation Foundation, said this property needs to be evaluated as a historic resource and requested an environmental analysis be conducted.

ROBERT IMBER, said that thousands of people come to see the city's heritage of architecture.

JUDY DEERTRACK, said the demolition needs to be compared with adaptive historical re-use.

ROXANN PLOSS, encouraged the idea of adaptive re-use in regards to the existing buildings.

BARBARA MARSHALL, said the plan to demolish this property will injure the city; and encouraged the developer to adaptively re-use the historic resource.

DICK BURKETT, suggested the developer come back with a plan as an option to show the study of the adaptive re-use of the Kaptur building.

PETER MORUZZI, PS Modern Committee, chair, spoke about letters received from architectural experts and encouraged the Commission to read the letters.

DR. MICHAEL MCQUARTER, architect, does not understand why the buildings from good architects are torn down.

FRANK TYSON, said people come here because they like the historic architecture; thinks this project needs substantial work and a full impact study.

HUGH KAPTUR, architect, commented that developers come from big cities with projects that change the environment and village of Palm Springs and requested these buildings be preserved.

ROB ERES, applicant rebuttal, thanked all the public that spoke; and clarified that the Aberdeen project will have 2 car garages as well as driveway parking for 2 vehicles, unlike the Morrison project.

There being no further appearances the public hearing was closed.

Chair Hudson commented that providing space for artists in the city is admirable; however, he questioned the appropriateness of the site; there is very little flexibility to have larger retail businesses along this frontage.

Vice-Chair Klatchko noted the community concern about adaptive re-use and asked the developer if they re-thought keeping the buildings.

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Chris Pardo said they looked at many options and none were economically viable. Commission Roberts commented that this is a good project - it's attractive and fits well in the area. However, he is struggling with the project because the zoning mix is very complex. The R-1 zoning is not allowed in this area and does not fit anywhere. It feels overly dense for single-family houses. He does not see the public benefit given for the relief that will be granted for this project. He expressed concern with the live/work units because of the lack of parking in the busy corridor. He would like to send this project back to look at the density and suggested one public benefit could be reconditioning an existing building and contribute to the character of the city.

Commissioner Middleton said she likes what this project does away from Tahquitz but does not see the public benefit for the relief given. She is most impressed with the connection created by the Calle Alvarado extension from Tahquitz to the Convention Center and would like to see a 2-way street. She would like to see the Kaptur buildings preserved. She said the 6' setback on Tahquitz is very crammed with tight spaces. She appreciates the setbacks on Andreas and would like to see the project pushed back from Tahquitz to create more space.

Commissioner Calerdine congratulated the design team and asked questions in reference to the roof deck space. He questioned if some of the live/work units could be brought around the corner on El Segundo and Tahquitz to allow some preservation of existing buildings. He preferred to see Calle Alvarado as a full use street, vehicular gates (parking will be used when conventions are in town) and agreed that a degree of building preservation should be maintained.

Commissioner Lowe expressed concerns about parking on the live/work space on Tahquitz Canyon. He agreed that Called Alvarado would work better as a two-way street.

Rob Eres said they are open to having Calle Alvarado as a two-way street and respectfully requested for an action on this project.

Chair Hudson commented that the most important thing about this project is the preservation of at least a portion of the buildings. He expressed concern with the setbacks on Tahquitz Canyon and thinks this is one location in the city that can handle high density if it were done in a more creative way.

Commissioner Weremiuk spoke about the Section 14 design guidelines and the importance of the Tahquitz Canyon presence. She expressed concern with the setbacks and viability of the live/work units, and would like to see more community public benefit. She noted that one public benefit could be the preservation of one of the Kaptur buildings.

Commissioner Roberts said that he does not a have problem and made the following motion.

ACTION: To continue to a date uncertain to allow the applicant to work with staff in making the following modifications to the project:

- Density / height - justification.
- Distance between buildings - 10 feet.
- Calle Alvarado - a two-way street.
- Viability of live/work (configuration)
- Public benefit - (preserve and consider study)
- Solar panels.
- Consider live/work units on side streets.

Motion Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

Commissioner Calerdine noted that the Tribe's conservation plan fees were dropped and requested staff look into applying the CVMSHCP fees.

A recess was taken at 3:38 pm.

The meeting resumed at 3:47 pm.

2B. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE NOS. 5.1350 PDD 374 / GPA / CUP AND 3.3795 MAJ). (KL)

Associate Planner Lyon provided an overview of the proposed mixed-use hotel as outlined in the staff report.

The Commission asked further clarification on issues relating to:

- Capture rates for valet parking at the Colony Palms.
- Parking survey to determine the whether the rest of the Uptown area is adequately parked.
- Reciprocal parking agreement with Colony Palms for the existing 750 lot.

Commissioner Roberts said that he does not a have problem and made the following motion.

ACTION: To continue to a date uncertain to allow the applicant to work with staff in making the following modifications to the project:

- Density / height - justification.
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AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

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PLANNING COMMISSION MINUTES
February 25, 2015
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PUBLIC COMMENTS:

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1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: FEBRUARY 11, 2015

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ABSTAIN: Chair Hudson.

2. PUBLIC HEARINGS:

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Commissioner Roberts said that he does not a have problem and made the following motion.

ACTION: To continue to a date uncertain to allow the applicant to work with staff in making the following modifications to the project:

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- Calle Alvarado - a two-way street.
- Viability of live/work (configuration)
- Public benefit - (preserve and consider study)
- Solar panels.
- Consider live/work units on side streets.

Motion Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

Commissioner Calerdine noted that the Tribe's conservation plan fees were dropped and requested staff look into applying the CVMSHCP fees.

A recess was taken at 3:38 pm.

The meeting resumed at 3:47 pm.

2B. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE ZONE C-1 / R-3 / PD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT (HD-1) (CASE NOS. 5.1350 PDD 374 / GPA / CUP AND 3.3795 MAJ). (KL)

Associate Planner Lyon provided an overview of the proposed mixed-use hotel as outlined in the staff report.

The Commission asked further clarification on issues relating to:

- Capture rates for valet parking at the Colony Palms.
- Parking survey to determine the whether the rest of the Uptown area is adequately parked.
- Reciprocal parking agreement with Colony Palms for the existing 750 lot.

Chair Hudson opened the public hearing:

JAMES CIOFFI, project architect, provided additional information regarding the parking, crosswalk, architectural drawings, grade change across the site, and building elevations.

MARVIN ROOS, MSA Consulting, requested removal of engineering conditions #2 and #8 asking for additional dedication and #29 a requirement to pay flood control fees - this would be worked out with Engineering staff.

WALTER HAAK, Movie Colony Hotel, owner, spoke in favor of this project; does not have a problem with the height or setbacks. He likes the passage ways and the interesting architecture fits the modernism concept of Uptown.

DOUG JONES, spoke in favor of the proposed project.

TEE JONES, spoke in favor of the project.

DAVID DOYLE, resides in Movie Colony, read a letter by William Wicom, expressing opposition to the project citing concerns with the lack of parking, amplified roof-top music and obstruction of mountain views.

GARY JOHNS, spoke in support of the project.

DAVID JONKLEINTL, read a letter on behalf of MICHAEL BECKMAN, in support of the project and spoke on his own behalf in support of the project.

SARA FRITH, resides in Movie Colony, spoke in opposition of the proposed project.

ROXANN PLOSS, spoke in opposition of the proposed project.

STEVEN SIMMS, Go Bike USA, requested bike paths, better sidewalks and slowing down the traffic on Palm Canyon and Indian Canyon because these streets are a hazard for cyclist and pedestrians.

DR. MICHAEL MCQUARTER, spoke in favor of the project.

JUDY DEERTRACK, spoke in opposition of the proposed project.

SCOTT SEIBERLING, spoke in opposition of the proposed project.

FELIPE CASTANADA, Los Arboles Hotel, owner, spoke in opposition of the project citing concerns with blocking views, height and density. He requested story poles be placed on the site for more than several hours and the lack of public noticing for the project.

FRANK TYSEN, spoke in opposition of the project.

JAMES CIOFFI, said that this project will add vibrancy to the neighborhood and at least 30 added cars could be parked in the lot using valet parking.

There being no further speakers the public hearing was closed.

Commissioner Weremiuk expressed concern with the retail portion; it does not appear to be the right fit for the frontage on Palm Canyon.

Commissioner Middleton spoke in support of the project - it is well designed for this difficult site. She expressed concern with the parking and lack of public benefit - she requested a condition be added to have the photovoltaic system installed.

Commissioner Weremiuk has concerns with the potential for noise from the rooftop bar, lack of shade structures on Palm Canyon and height. She requested the landscape plan return for review citing concerns with the proposed use of thorny plants near sidewalks.

Commissioner Roberts said he likes how this project opens up on Indian Canyon; however, he is struggling with the under-parking and density. He suggested removing one floor or moving it back from the sidewalk.

Chair Hudson commented that this site cannot solve all the parking problems of Uptown; this is a district-wide issue that needs separate study by the City. He thinks the building steps back adequately from Indian Canyon and likes the pathways with landscaping through the parking lot. He said the biggest issue is the rooftop use which can be mitigated by limiting decibel levels or designing architectural sound screens. He said buildings in the Historic District have many variations in height and this is what makes the district successful. He agrees with the bicycling hazards on Indian Canyon and would like to see further study of Indian Canyon Drive including median and pedestrian amenities along the entire street.

Commissioner Lowe concurred with Chair Hudson and said it would be a tremendous improvement to the neighborhood. He expressed concern with rooftop noise and recommended adding mitigation measures.

Commissioner Weremiuk expressed support for the project because it adds hotel rooms and more people to the district who will support the businesses in the area.

ACTION: To approve subject to conditions as amended:

- The rooftop bar shall comply with City Noise Ordinance for residential uses and those limits should be included in the conditions.

- Land Use Permit required for outdoor dining.
- Land Use Permit required for rooftop bar including noise mitigation measures.
- Validated valet parking system with site plan showing proof of added parking capacity on site in parking lot drive aisles.
- Install the photo voltaic system as an aspect of public benefit, not simply pre-wire.

Motion: Commissioner Calerdine, seconded by Commissioner Middleton and unanimously carried on a roll call vote

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

3. NEW BUSINESS:

3A. WOODRIDGE PACIFIC GROUP, LLC REQUESTS FOR A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF 40 SINGLE-FAMILY RESIDENTIAL HOMES ON APPROXIMATELY 20-ACRE VACANT PARCEL LOCATED AT 665 WEST RAMON ROAD; ZONE R-1-C (CASE NO. 3.3802-MAJ). (ER)

Principal Planner Robertson presented the proposed project as outlined in the staff report.

TODD CUNNINGHAM, Woodbridge Pacific Group, president, provided details on the project.

The Commission questioned and/or commented on:

- The paseo connection.
- The glass garage doors.
- The structure of the shed roof.
- Add a condition that gates are prohibited.

ACTION: Approve subject to conditions, as amended:

- Gates are prohibited for this project including the paseo.

Motion Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

No comments.

PLANNING DIRECTOR'S REPORT:

Director Fagg reported that a study session is anticipated on March 11, 2015.

ADJOURNMENT:

The Planning Commission adjourned at 5:47 pm to 1:30 pm on Wednesday, March 11, 2015, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

PLANNING COMMISSION STAFF REPORT

DATE: February 25, 2015

SUBJECT: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will review the following applications related to the 8.05-acre site:

- A Planned Development District to establish the project site plan, permitted uses and development standards. The PD proposes razing the existing parking lot and office buildings to construct:
  - 1,568-square feet of commercial space at the southwest corner of the site;
  - 17 detached dwellings with associated commercial space (live-work lofts) fronting Tahquitz Canyon Way;
  - 74 attached and detached residential units within a controlled access / gated area with private open space;
  - A common open space / recreation area with pool, fitness center and barbecue area.
- Major Architectural Application to review the proposed architectural designs. Plans include Preliminary and Final Development Plans.
- A Tentative Tract Map (TTM) seeking to subdivide the roughly 8.05-acres into 93 numbered lots and 8 lettered lot streets, and common open space.

RECOMMENDATION:

Recommend the City Council adopt the mitigated negative declaration and approve the project, subject to conditions. Specific conditions related to the alteration of the current proposal include:

1. Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].
2. Modify the extension of Calle Alvarado to satisfactorily meet width requirements of City Engineer and Fire Department.
3. Provide unlocked pedestrian access through center of site and at all vehicular access gates.
4. Prohibit residential uses in structures fronting Tahquitz Canyon Way.
5. Include bicycle parking as required by the Section 14 Specific Plan.
6. Provide trash enclosure for commercial building.
7. Consider providing Plug-in Electric Vehicle (PEV) parking spaces as required by the Section 14 Specific Plan.
8. Redesign streetscape along Tahquitz Canyon to be consistent with the Section 14 Specific Plan with the inclusion of street furniture and identification of Indian public art locations.

ISSUES:

1. The project is inconsistent with the General Plan which prohibits gated communities.
2. The internal roadways are inconsistent with the General Plan minimum profile for private streets in Planned Developments and lack sidewalks.
3. Single family residential is prohibited within the REO and RA zones, but multi-family is permitted with the approval of a Conditional Use Permit in both zones.
4. Pools within individual lots do not meet five foot setback requirements of zoning code.
5. Bicycle parking is required for all new developments in Section 14.
6. Landscape along Tahquitz Canyon Way inconsistent with design guidelines of Specific Plan.

BACKGROUND:

TABLE 1: Most Recent Change of Ownership	
Aug 2007 Feb 2008 Dec 2014	Parcels purchased by present owner.

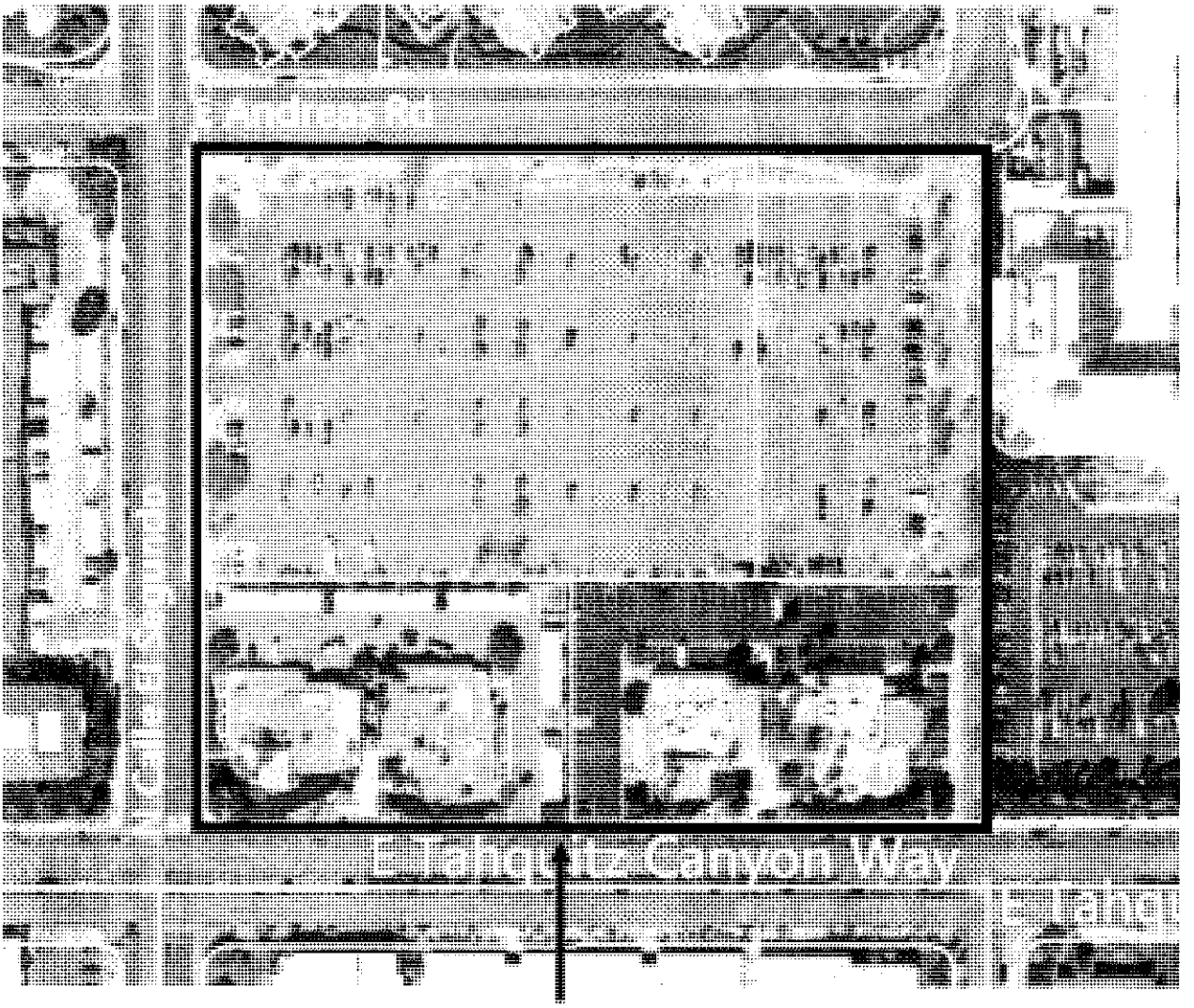
TABLE 2: Related Relevant City Actions by Planning, Fire, Building, etc...	
Jan 12, 2015	The Architectural Advisory Committee (AAC) tabled the project with direction to the applicant to modify the following: 1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context; 2. Parking needs further evaluation for commercial and live-work; 3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado; 4. Connectivity – Eliminate gates and improve connectivity of project within existing community; 5. Adaptive re-use of existing commercial buildings should be considered in redesign.
Jan 26, 2015	The AAC recommended denial as proposed. The Committee found that the project does not conform to adopted standards, and recommended the following modifications: 1. Study alternatives along Tahquitz Canyon Way; 2. Provide streetscape along El Segundo; 3. Address Calle Alvarado traffic, parking and circulation issues; 4. Resubmit planting diagrams.

TABLE 3: Neighborhood Meeting	
None	

TABLE 4: Sign Posting of Pending Project	
Dec 12, 2014	Affidavit of on-site sign posting

TABLE 5: Field Check	
Dec 2014	Site inspection by Planning Staff.

TABLE 6: Site Area	
Net Area	8.05 acres



SUBJECT SITE

TABLE 7: General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Site	TRC (Tourist Resort Commercial)	RA (Resort Attraction) and REO (Retail / Entertainment / Office)	Office Buildings and Prairie Schooner Parking Lot
North	HDR (High Density Residential	HR (Residential High)	Multi-family Residential Condominiums (Plaza Villas)
South	TRC	REO	Commercial Complex (Courtyard at PS)
East	TRC	RA	Resort Hotel (Renaissance)
West	TRC	RA	Resort Hotel (Hilton)

PROJECT DESCRIPTION:

The site is comprised of five developed parcels totaling roughly 9.1 gross acres in size and bounded by Tahquitz Canyon Way to the south, Calle El Segundo to the west, Andreas Road to the north and the Renaissance Hotel to the east. After street dedication and the extension of Calle Alvarado, the net acreage of the project area is 8.05-acres in size. The site encompasses the "Prairie Schooner" parking lot, which is being sold by the City to the developer, and the existing office buildings along Tahquitz Canyon Way. All will be razed for the proposed development.

The applicant is proposing a partially gated development for 74 three- and four-story, attached and detached single family residential units on small lots each with its own private spa / pool and two-car garage. These units will have primary vehicular access from Andreas Road. The non-gated portion of the development includes a one-story, 1,568-square foot commercial building and 17 three- and four-story, detached single-family live-work units with vehicular access from a private street extending from Calle El Segundo to the proposed extension of Calle Alvarado.

ANALYSIS:

TABLE 8: General Plan

General Plan Topic	F.A.R. and Density	Request	Compliance
Land Use: Tourist Resort Commercial	0.35 FAR / 43 hotel rooms per acre / 86 hotel rooms per acre on Indian Land / 30 d.u. per acre	11.3 du/ac 0.35 FAR for commercial building	Yes
Gated Communities	CD14.6: Prohibited	Gated requested	No
Pedestrian-oriented Design	CD19.7 Sidewalks, shade trees, sitting areas	No sidewalks along residential street	Partially
Minimum 28 foot street width in private developments	Page 4-5 Circulation Element	26 feet	No

TABLE 9: Zoning

Permitted Uses:

Single-family residential units are prohibited in REO (Retail / Entertainment / Office) and RA (Resort Attraction) Section 14 Land Use designations. The proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of units being attached. MFR is permitted by Conditional Use Permit (CUP) in both designations.

Retail including coffee shops, deli, etc. is permitted within the RA Land Use of the Section 14 Specific Plan.

Live/work units are permitted by Land Use Permit and CUP in the REO and RA zones, respectively.

The PDD has been submitted in lieu of a change of zone to seek City approval of all uses as a consolidated project per the Section 14 Specific Plan.

Development Standards:

The project includes three land uses within the PD. When multi-family residential is proposed within the REO or RA zones, the Specific Plan requires development consistent with the HR land designation. The live-work and commercial space are located within the REO land designation. Thus, staff analyzed the HR designation development standards for the multi-family residential portion, and the REO designation development standards for the live-work and commercial components.

Since this proposal exceeds five acres in size, the development is a Consolidated Project and can utilize incentives including zoning flexibilities. Where applicable, staff has included in the analysis below.

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	2 gross acres / 130' wide / 155' deep, except lot size requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Range from 2,563sf and 4,813sf	No, per PDD
Min. Width		Range from 21ft to 30ft	
Min. Depth		Range from 107ft to 111ft	
Building Height	35ft, except when developed as high-rise, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see analysis below in Live/Work and Commercial section.	Range from 33 feet to 46 feet	See live/work analysis
Density	1,500 sq. ft. of lot area per unit	11 du/ac or 3,853 sq. ft. per unit	Yes
Yard Setbacks			
Overall Site			
- Front	30 ft. front yard	- 24ft from north (front) property line	No per PDD
- Side	20 ft. side yard	- 15ft from west (side) property line	
- Side	20 ft. side yard	- 43ft from east (side) property line	Yes
- Rear	20 ft. rear yard	- 145ft from south (rear) property line	Yes

Individual Lots	Setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing and permitted)	Front / Driveways: 18 feet from private street to face of garage Side: 6ft between residences (Avg. 3ft to common side P/L) 0ft at one side of homes. Rear: 27 to 40ft	Yes when certain findings are made
Lot Coverage	45% usable landscaped open space	Usable open space: 48%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage on driveways (148 spaces); total 296 spaces	Yes
Trash Enclosure	Per PSZC 93.07.02	TBD	-

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except 100ft for high-rise	46ft and 2in	Yes
Open Space	40% minimum landscape area for high-rise buildings	~48%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall.	Perimeter wall treatment to be designed.	TBD
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes
Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each work unit	Yes
Front Setback	20 feet	6 feet	No, per PDD
Side Yard Setback	20 feet	0 feet on Calle El Segundo 7 feet on Calle Alvarado	No, per PDD
Rear Yard Setback	20 feet	18 feet from property line to garage	No, per PDD
Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings	Buildings are setback over 100 feet from residential property to the north	Yes

	shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.		
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	Commercial: 1 space per 250 gross floor area or 6 spaces. Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 38 spaces for the units, plus guest parking of 1 space for every 4 units, or 4 spaces. Total required: 48 spaces	15 parallel parking spaces on private driveway. At least one handicap space will be required 2 covered spaces are provided with each of the 17 units (34 spaces) + 2 spaces in front of garage on driveways (34 spaces) Total provided: 83 spaces	Yes
Off-street Loading	Not required for commercial spaces less than 3,000-sq. ft. in size	None provided	Yes

Flexible Zoning Standards: Since the project meets the definition of a Consolidated Project, the Section 14 Specific Plan allows flexible zoning standards as a development incentive. Consolidated project sites designated RA or REO may be developed under either RA or REO land use designations. As noted in the table above, the proposed structures are three- and four-stories in size and reach heights of up to 46 feet and 2 inches, triggering the "high-rise buildings" ordinance, Section 94.03.00 of the Zoning Code. The project proponent is seeking approval to allow the flexibility of the proposed height for the entire project site, which conforms to the REO / RA "Building Height" requirements.

These structures are located along a corridor that contains hotels ranging from three- to five-stories in height. The existing residential project to the north of the site contains two-story condominiums. Therefore, the transition from two-story residential to the north to the proposed three- and four-story development along Tahquitz Canyon Way is consistent with nearby and surrounding developments.

Specific Plan Design Guidelines:

Chapter 7 of the Specific Plan includes Design Guidelines for development proposals within Section 14.

Architectural Character: Modern architecture is a theme that is welcomed by the Specific Plan and the following features are suggested for 50s/60s Modern:

- *Skewed, angular roof forms;*
- *Angled, cantilever roof extensions;*
- *Extension of flooring to walls to outdoors;*
- *Bold, eye-catching accent colors;*
- *Large expanses of glass;*
- *Smooth, uninterrupted walls, often free-standing;*
- *Modern metals, such as aluminum, as decoration.*

The Plan also suggests incorporating Cahuilla imagery and symbols. Images would include baskets, pottery and hunting. Symbols are regional fauna and flora, parallel lines, anthropomorphic figures, trident forms, concentric circles, maze-like patterns and lightning bolts.

The proposal includes some of the above-mentioned features, such as cantilever roof extensions, extension of flooring to walls and outdoors and modern metals.

Materials and Colors: A number of materials are encouraged:

- *Stucco walls in off-white and/or muted tones;*
- *Wood highlights;*
- *Terra cotta or ceramic tile roofs;*
- *Built-up roof with parapets and metal or canvas awnings;*
- *Decorative ceramic tiles;*
- *Stone, such as flagstone, marble, travertine, granite;*
- *Decorative metal highlights, such as aluminum, copper, wrought iron.*
- *Smooth finish stucco; for example, exterior stucco, applied with a smooth trowel finish and painted with elastomeric paint is preferred.*
- *Screed expansion joints are favored, which are integrated with the design of windows and doors.*
- *Pre-cast concrete panels for structures taller than two stories.*

- *Cut stone, tile or other smooth, durable material on the ground level (the base) for visual interest at the street level and for ease of graffiti removal.*
- *Wood, steel or aluminum and clear glass on storefronts, windows, doors, or atrium spaces.*
- *Use of light or medium neutral colors on buildings is preferred over dark colors which tend to absorb heat and make a building appear more bulky. Strong colors may be used for accents on awnings, door trim, window mullions, window trim, towers or pedestrian amenities, provided such colors are clearly secondary to a more neutral base color.*

Materials include stucco walls, vertical aluminum panels, faux wood siding anodized aluminum windows and steel cable and beams. Colors include a mix of light and dark throughout the project. The proposed colors are both light and dark grays with some wood-like appearance. Since the initial review by the AAC, the project colors have been modified to reduce bulky appearance of the upper floors.

Massing / Building Bulk: "Structures should be articulated in form and should not be designed as single massive blocks. To reduce bulk and create visual interest, buildings, particularly those over two stories, should employ architectural devices such as stepped terraces, changes in vertical and horizontal planes, varied roof heights, and multi-planed roof forms." The Specific Plan provides additional design discussion related to pedestrian interest, building entrances, street corner articulation, design treatment on every façade and blank planar walls. The proposal meets many of these criteria with stepped / terraced buildings and varied roof plans and shapes.

Tahquitz Canyon Way: The Plan identifies Tahquitz Canyon Way as the "Grand Boulevard of Indian Culture" and provides recommendations on landscaping, lighting and streetscape. The proposed preliminary landscape design includes a formal pattern of two palms and two street trees along Tahquitz Canyon Way, which is consistent with the landscape envisioned along this boulevard. However, existing palms should be replaced with Washingtonia Filifera as identified in Design Guidelines. The sidewalk should include pedestrian amenities, such as new pedestrian scale lighting, street furniture and banners. Staff has included a condition in the draft resolution requiring compliance with additional pedestrian amenities.

AAC Review:

The Architectural Advisory Committee reviewed the project on two occasions and ultimately recommended denial of the project. The Board made a finding that the project does not conform to adopted standards, and recommended the following modifications:

1. Study alternatives along Tahquitz Canyon Way;

2. Provide streetscape along El Segundo;
3. Address Calle Alvarado traffic, parking and circulation issues;
4. Resubmit planting diagrams.

The applicant has modified both ends of the newly proposed Calle Alvarado extension with turf block reduce the appearance as a two-way street. No further changes to project have been proposed to address the above.

Discussion of Public Benefit:

Pursuant the City Council 2008 policy on Public Benefit on Planned Developments, the applicant is to propose some form of public benefit "*proportional to the nature, type and extent of the flexibility granted from the standards and provisions of the Palm Springs Zoning Code*" and may only be considered a public benefit "*when it exceeds the level of improvement needed to mitigate a project's environmental impacts or comply with dedication or exactions which are imposed on all projects such as Quimby Act, public art fees utility undergrounding, etc.*"

The applicant is seeking the following relief via the Planned Development District:

- Reduced setbacks
- Reduced lot area, depth and width

The applicant has proposed the following Public Benefits:

- Creating connectivity between convention center and Tahquitz Canyon Way through the extension of Calle Alvarado (private street);
- Reduction of site from 9.8-acres to 8.05-ares to accommodate new private street, Calle Alvarado;
- Construction of an art walk plaza located in the center of the southerly portion of project with pedestrian access from Tahquitz Canyon Way;
- The project itself as it enhances an "underutilized site" within Section 14.

REQUIRED FINDINGS:

The project was evaluated against the findings for the Resort Combining Zone pursuant to PSZC 92.25.00, the Planned Development District in lieu of Change of Zone pursuant to PSZC 94.03, 94.07 (Zone Change) and 94.02 (Conditional Use Permit) and the Tentative Tract Map pursuant to Municipal Code Section 9.62 (Maps) as follows:

Resort Combining Zone Findings:

The "R" resort overlay zone is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses.

The Resort Combining Zone runs along Palm Canyon Drive for nearly its entire length through the City, as well as through the heart Section 14 along Tahquitz Canyon Way from Amado Road to Arenas Road. The subject site lies within this overlay zone.

The zoning code notes that:

> *Uses shall be as provided in the underlying zone with which the "R" zone is combined, except that:...All multiple-family dwellings (including, but not limited to, apartments, group housing projects, boarding and lodging houses, and condominiums) shall be permitted only by conditional use permit (CUP).*

The proposed development will have a Homeowners Association (HOA) that will function much like a condominium association to maintain the common areas of the development. As such the project is evaluated against the findings for a CUP herein[1] and the resort combining finding as follows:

> *Such permit is subject to the planning commission making findings that the proposed use is compatible with its surroundings and that the site in question is not appropriate for other uses allowed by right within the underlying zone.*

The mixed-use development proposes commercial and live/work units along a highly-traveled commercial corridor (Tahquitz Canyon Way). Development along this corridor primarily includes commercial-retail and hotel uses. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development. The mix of uses provides an appropriate balance for the site. Staff believes the proposed project is consistent with this finding.

Planned Development in lieu of Change of Zone:
The commission in recommending and the council in reviewing a proposed change of zone, shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

[1] Pursuant to PSZC 94.02.00.A.4 (CUP); the CUP may be incorporated into the PDD without the need for a separate application. Thus the CUP findings of PSZC 94.02 and the Zone Change findings of PSZC 93.07 are both evaluated as integral parts of the PDD application.

1. The proposed change of zone is in conformity with the general plan map and report.

The proposed project is located in the Tourist Resort Commercial (TRC) (FAR of 0.35 and density of up to 30 units per acre) land use designation of the General Plan. The mixed-use project proposes 11.8 residential dwelling units per acre and a FAR of 0.35, which is consistent with the land use designation.

2. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.

The proposed project is located in the REO and RA land designations of Section 14, which describes these designations as follows:

Specialty Retail-Entertainment-Office (REO) - This designation allows for the integration and concentration of large-scale specialty retail, restaurant, entertainment and office development along portions of Tahquitz Canyon Way and Indian Canyon Drive and emphasizes a pedestrian-transit focus.

Resort-Attraction (RA) - This designation allows for large-scale resort hotel complexes, hotels, and major commercial recreation attractions integrated with retail and entertainment facilities.

The PDD is proposed to change the split zoning to a single PD zone designation with its own development standards. Specific Uses requested for approval for the PDD include attached and detached residential townhomes, live/work units and freestanding retail-commercial with outdoor dining. Additional uses consistent with the REO land designation may be considered within the commercial space and workspace of the live/work units, except residential dwelling is prohibited in structures along the street front. The project conforms to this finding.

Vehicular access to the residential portion of project is provided from Andreas Road. The live/work and commercial space is accessed from Calle El Segundo and the extension of Calle Alvarado. The project proposes a mix residential, commercial and live/work that is harmonious with adjacent uses in the vicinity. Thus, the project conforms to this finding.

3. The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.

The proposed PDD in lieu of zone change has been evaluated against the development standards for the Section 14 land designations, the Resort Combining Zone and

architectural review. While the applicant is seeking setback deviations, the project is harmonious with the existing surrounding development. It continues the pedestrian experience along Tahquitz Canyon Way and introduces commercial uses along the street frontage which is desirable. The project height is consistent with development along the Tahquitz Canyon Way boulevard and is therefore not detrimental to adjacent properties. The project conforms to this finding.

Conditional Use Permit / Planned Development District Findings:
In addition to the findings for the PDD in lieu of a change of zone (from PSZC Section 93.07), the PDD incorporates the findings of the CUP (PSZC 94.02.00) for residential uses in the Resort Combining Zone as follows:

> *The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:*
>
> *a. That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The mixed use project incorporates residential, live/work units and commercial space with the proposed zoning, PD-375. The current Section 14 land designations, RA and REO, allow for multi-family residential, live/work units and commercial developments. The project proposes a PDD in lieu of a change or zone for the proposed uses and seeking relief from certain setback development standards. With approval of the PDD, the project is consistent with this finding.

> *b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

Development of the subject site with single family uses is desirable as a means of bringing a variety of housing choices to the community. The project is consistent with the General Plan Tourist Resort Commercial land use designation providing a mix of uses, including tourist-related commercial space, live/work units and residential uses on an 8.05-acre site. The proposed use continues the commercial theme with residential located behind the commercial / live/work units, which is compatible with surrounding development and not detrimental to existing or future uses in the zone. The project therefore conforms to this finding.

> *c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project consists of a grouping of parcels to form the overall 8.05-acre site with internal private streets, privately owned units and both private and common open spaces. With the approval of the PDD, buildings will be setback from perimeter property lines to accommodate the proposed uses for adjusting to those existing and future uses of land in the neighborhood. Therefore, the project would be deemed in conformance with this finding.

> *d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project proposes to take vehicular access from surrounding streets, excluding Tahquitz Canyon Way, which is consistent with the Section 14 Specific Plan. As determined by the environmental assessment, Tahquitz Canyon Way, Calle El Segundo and Andreas Road are improved with adequate road width to accommodate the type and quantity of traffic expected by the proposed uses. Thus, the project conforms with this finding.

> *e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A".

Tentative Tract Map Findings:
Findings are required for the proposed subdivision pursuant to Section 66474 of the Subdivision Map Act. These findings and a discussion of the project as it relates to these findings follow:

> *a. The proposed Tentative Tract Map is consistent with all applicable general and specific plans.*

The TTM proposes individual privately owned lots with open space, common area and private streets. The proposed density is within the range specified by the Tourist Resort Commercial General Plan land use designation. Therefore, the project is consistent with this finding.

> *b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed project design and improvements are generally consistent with the RA / REO land designations in which the property is located. The PDD in lieu of a zone

change proposes mixed uses with residential, live/work units and commercial space with a set of development standards unique to this development with smaller lot area, lot dimensions and setbacks. With the approval of the PDD in lieu of a change of zone, the project will be consistent with this finding.

c. The site is physically suited for this type of development.

The relatively flat project site will be razed and graded to accommodate the proposed development. Site modifications include new private driveways to privately-owned lots. Each lot is proposed to accommodate a residential, live/work units or commercial building as defined by the PDD. A total of 74 residences, 17 live/work units and one commercial building are proposed on the 8.05-acre site. The site has adequate vehicular access with primary access taken from Andreas Road and Calle El Segundo. Thus, the site is physically suited for this type of development.

d. The site is physically suited for the proposed density of development.

The proposed density and FAR is less than that permitted by both the General Plan Tourist Resort Commercial (TRC) and Section 14 REO and RA land use designations. Therefore, the site is physically suited for the proposed density of development.

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Tract Map and associated Planned Development District have been reviewed under the California Environmental Quality Act, and a Mitigated Negative Declaration is proposed. Mitigation measures have been included which will reduce potential impacts to less than significant levels. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The layout of internal private streets provides access to each lot. No serious public health problems are anticipated.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

ENVIRONMENTAL ANALYSIS:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are noted as follows:

AESTHETICS:

MMI – 1 Project site plans, architectural renderings, and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by the City Council.

CULTURAL RESOURCES:

MM V-1 As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc., The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

HAZARDS AND HAZARDOUS MATERIALS:

MM VII-1: Prior to the issuance of demolition permits, an asbestos and lead survey shall be conducted by a certified asbestos and lead consultant, and a report shall be provided to the City Building Official. Should asbestos- and/or lead-containing materials be found, the project proponent shall submit to the Building Official a remediation and disposal plan to be conducted by a qualified, licensed specialist in the disposal of hazardous materials. The

plan shall include specifics regarding the method of removal, transport, and disposal for all such materials.

NOISE:

MM XI-1. Demolition and construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays, as specified by the Palm Springs Municipal Code.

MM XI-2. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

MM XI-3. Stationary equipment shall be placed such that emitted noise is directed away from Andreas Road and Calle El Segundo.

MM XI-4. Stockpiling and vehicle staging areas shall be located as far as practical from Andreas Road and Calle El Segundo.

MM XI-5. Delivery hours should be limited to 7 a.m. to 7 p.m. daily to minimize the potential for adverse impacts on the adjacent Plaza Villas.

The analysis is available for public comment for a 20-day period from February 20, 2015 through March 18, 2015. As of the writing of this report, comments on study have not been received.

David A. Newell
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Applicant Justification Letter
4. Public Comment Letter (2)
5. AAC Minutes, 1/12/2015 and 1/26/2015
6. Plan Exhibits

Forwarded to Planning Commission Separately:

1. Chapter 7 *Design Guidelines* of Section 14 Specific Plan (forwarded to Planning Commission electronically and available in the Planning Department)
2. Initial Study (forwarded to Planning Commission electronically and available in the Planning Department)

City of Palm Springs
ARCHITECTURAL ADVISORY COMMITTEE
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of January 26, 2015

CALL TO ORDER: Chair Fauber called the meeting to order at 2:59 pm.

ROLL CALL:

Committee Members Present: Cassady, Hirschbein, Purnel, Secoy-Jensen, Song, Vice-Chair Fredricks and Chair Fauber

Committee Members Absent: None

Planning Commissioner Present: Commissioner Lowe

Also Present: Flinn Fagg, Marcus Fuller, Douglas Holland, Ken Lyon, Glenn Mlaker, David Newell and Edward Robertson

REPORT OF THE POSTING OF AGENDA: The Agenda is available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 2:00 pm on Wednesday, January 21, 2015.

ACCEPTANCE OF THE AGENDA:

M/S/C (Cassady/Hirschbein, 7-0) The agenda was accepted, as presented.

PUBLIC COMMENTS:

Douglas Holland, City Attorney, introduced himself and thanked the Members for their expertise and contribution to the community.

CONSENT CALENDAR:

M/S/C (Cassady/Hirschbein, 7-0) To approve Items 1, 2 and 3 as part of the Consent Calendar.

1. **APPROVAL OF MINUTES: JANUARY 12, 2015 SPECIAL MEETING MINUTES.**

Approved, as presented.

2. DENLAR, LLC, FOR APPROVAL OF A MAJOR ARCHITECTURAL APPLICATION FOR CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 2110 LEONARD ROAD, ZONE R-1-B, (CASE 3.3817 MAJ). (KL)

Approved, as presented.

3. BARBARA FOSTER HENDERSON, OWNER, REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 3,521-SQUARE FOOT HOUSE ON A HILLSIDE LOT LOCATED AT 884 LA MIRADA CIRCLE (CASE 3.3819 MAJ). (GM)

Approved, as presented.

UNFINISHED BUSINESS:

4. CABALLEROS ESTATES HOA REQUESTING APPROVAL FOR CONVERSION OF PERIMETER TURF AREA TO DESERTSCAPE ALONG SOUTH AVENIDA CABALLEROS FROM BARISTO ROAD TO ARENAS ROAD LOCATED AT 280 SOUTH AVENIDA CABALLEROS, ZONE HR (CASE 3.1878 MAA). (GM)

Assistant Planner Mlaker provided an overview of the proposed project.

Applicants:

ELVIS and ABEL ARANDA, Grand Mark Landscape, spoke about the minor changes to the plan (more riverbed, contour and sizes of plant.) to make it more appealing.

Member Purnel noted that the board had requested an increase in plant sizes; but does not show on the legend. He requested clarification on plant types not identified in the legend and questioned what the HOA's guidelines are in the design.

Vice-Chair Fredricks questioned the size and type of the rubble and groundcover.

Member Purnel said he finds the plan a little busy/chaotic, but overall material selection and viability is good; however, he finds a lack of rhythm in the plan.

Vice-Chair Fredricks does not see massing of plant materials or differences in sizes.

Member Hirschbein asked if a subcommittee is the best way to move this forward.

Member Song commented that the applicant has increased the quantity of plants. She commented that the subcommittee needs to give clear direction up front.

Member Purnel made the following suggestions:

- Increase some plant sizes (slower growing plants);
- A little more massing and rhythm of plants; rather than individual ones scattered out.
- Clarification on plants that are not labeled on the plans - ;
- Identify plants to be replaced - Aurelia is a poor plant recommends alternative plant.
- Greener groundcover - to make it lusher.

M/S/C (Purnell/Fredricks, 7-0) Approve, subject to review with subcommittee and applicant to incorporate the comments made by the AAC. (Purnel and Fredricks)

5. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

Douglas Holland, City Attorney, reviewed the AAC's responsibilities for Architectural Review.

Associate Planner Newell provided an overview of the proposed project.

Vice-Chair Fredricks noted issues with the landscape plan - does not see the landscape plan that shows the plant sizes and materials - (can be submitted with final plan).

Member Song commented that landscape is not per Section 14 Plan on Tahquitz Canyon Way; and questioned the prohibition of residential use of live/work space on Tahquitz Canyon Way.

Member Secoy-Jensen verified appropriateness of reviewing context.

Chair Fauber asked staff to identify where in the staff report where it does not conform and what the standards are.

ROB ERES and CHRIS PARDO, applicants, identified the changes made to the plan.

Public Comment:

BETH EDWARDS HARRIS, said she would like to see the list of responsibilities of the Committee.

RON MARSHALL, applauds the AAC for its comments two weeks ago; sustainability should be discussed here.

BARBARA MARSHALL, spoke about the important of the Hugh Kaptur buidlings.

Member Cassady requested clarification of Calle Alvarado design.

Member Hirschbein asked for clarification of pedestrian access through the site.

Member Song asked about the width of the landscape area at Alvarado. She commented that no landscape buffer is shown on Calle El Segundo and asked about the signage - which is not included as part of this approval.

Member Purnel expressed concern about the street trees in tight spaces - it needs to be addressed on landscape plan; need street trees on El Segundo. He said landscape is under-developed. It needs to show landscape of the interior streets.

Member Secoy-Jensen commented that architecture and urban design are inseparable. She noted that Calle Alvarado could be wider and questioned what the design concept is for the live/work buildings on Tahquitz.

Chair Fauber asked if there are no swimming pools on Tahquitz for the live/work units. He commented that parking is short per submitted drawings; and also questioned the Calle Alvarado width.

Member Cassady commented that no parking along Tahquitz will hurt the retail spaces.

Member Secoy-Jensen said she is struggling with the live/work design and monotony of garage doors; however, the residential behind may be appropriate.

Chair Fauber said the issue is with the fourth floor.

Member Hirschbein commented that what is before them now is better than what was originally proposed; however, it is monotonous.

M/S/C (Cassady/Secoy-Jensen, 7-0) Deny.

The Board made a finding that the project does not conform to adopted standards, and

recommended the following modifications:

1. Study alternatives along Tahquitz Canyon Way;
2. Provide streetscape along El Segundo;
3. Address Calle Alvarado traffic, parking and circulation issues;
4. Resubmit planting diagrams.

A recess was taken at 4:33 pm. The meeting resumed at 4:39 pm.

NEW BUSINESS:

6. SERGE DOROSHIN FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT APPLICATION TO DEVELOP A 32-UNIT CONDOMINIUM AND TWO LIVE-WORK UNITS LOCATED AT 262 SOUTH INDIAN CANYON DRIVE, ZONE LSC/C-1AA & C-2, SECTION 14 (CASE 5.1358-PDD 376). (ER)

Principal Planner Robertson presented the proposed project.

Chair Fauber questioned if tribal land is subject to city review.

Member Hirschbein asked for clarification of property use to the north.

Member Song questioned the landscape/streetscape requirement along Indian Canyon.

CHRIS PARDO, project architect, provided additional details.

Member Purnel asked about the landscape at Indian Canyon, vehicular circulation and parking for live/work. He asked about the function of gate at Calle Encilia.

Member Secoy-Jensen questioned the functionality of the parking area at Indian Canyon.

Chair Fauber asked if there are any guest spaces on the interior.

Member Song commented on the architecture: relationship of retail to street is too bare; not well defined. She said the interior street needs trees/plantings.

Member Purnell commented that the street is "harsh" feeling; it needs increased plantings.

Member Secoy-Jensen commented that the vehicular entry is inadequate. Architecture is good, but exterior spaces need to be studied more; footprint may need to be reduced.

Member Hirschbein stated that the density is appropriate for downtown; it needs more

shading on Indian Canyon.

Member Song commented that parking lot at Indian Canyon needs to be redesigned.

Member Purnell commented that pool setbacks provide for additional plantings.

Vice-Chair Fredricks said that landscape is austere; it needs more landscaping at walls. M/S/C (Fauber/Fredricks, 7-0) Approve, subject to conditions:

- Rework parking / maneuvering areas.
- Enhance landscaping.
- Revisit the connection of retail to street.

Vice-Chair Fredricks and Member Secoy-Jensen left for the remainder of the meeting at 5:08 pm.

7. SIERRA OAKS, LLC, FOR A MAJOR ARCHITECTURAL APPROVAL TO CONSTRUCT FORTY (40) SINGLE-FAMILY RESIDENTIAL UNITS ON AN APPROXIMATELY 20-ACRE PALM RIDGE SUBDIVISION LOCATED AT 665 WEST RAMON ROAD, ZONE R-1-C (CASE 3.3802 MAJ). (ER)

Principal Planner Robertson presented the proposed project.

Member Hirschbein asked for clarification of landscape theme.

Member Song asked for verification of stucco treatment on exterior; height of roof and construction details of roof.

Member Purnell said plant spacing might be too tight and size of trees in front yard should be 24" box. He had questions about decomposed granite, cobble stone and chosen colors.

Chair Fauber asked if there will be an HOA.

Member Song asked what the motivation for removing the gates was.

M/S/C (Cassady/Fauber, 5-0-2 absent Fredricks/Secoy-Jensen) Approve, subject to conditions:

- The 1 gal. plants at 24" O.C. - can be spread out for greater coverage.
- Minimum 24" box instead of 15 gallon trees in front yards.
- Replace Palm Springs Gold - with native Decomposed Granite for the groundcover.
- 24" fascia is too deep - reconsider a thinner profile.

COMMITTEE MEMBER COMMENTS:

The Committee Members discussed the possibility of a study session to review a case study of a complex project. (It was decided not to go forward with the study session.)

STAFF MEMBER COMMENTS: None.

ADJOURNMENT: The Architectural Advisory Committee adjourned at 5:46 pm to the next regular meeting at 3:00 pm on February 9, 2015, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

Flinn Fagg, AICP
Director of Planning Services

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: January 26, 2015

To: Architectural Advisory Committee (AAC)

From: Department of Planning Services

Subject: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

On January 12, 2015, the AAC tabled the subject project with comments and recommendations as summarized below. In response to the AAC's action, the applicant has made revisions, which staff has noted following the respective comment / recommendation:

1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context;

In response, the applicant revised the street front buildings to consist of three elevations with different color and materials. Additionally, the work pods along Tahquitz have been adjusted to vary in setback, alternating from approximately 15 feet to 18 feet from street curb.

2. Parking needs further evaluation for commercial and live-work;

Off-street parking has increased by two spaces at the rear of the commercial space. These spaces will satisfy ADA parking requirements.

3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado;

The applicant enhanced the pedestrian experience with additional parkway / landscaping along the extension of Calle Alvarado. Shade trees will be planted along the walkway. This is shown rendering R1.04 (attached).

4. Connectivity – Eliminate gates and improve connectivity of project within existing community;

Pedestrian connectivity is provided in the middle of the live-work units on either side of the common area pool. The project allows pedestrian passage through the central parkway located in the middle of the project.

5. Adaptive re-use of existing commercial buildings should be considered in redesign.

Not part of proposed project.

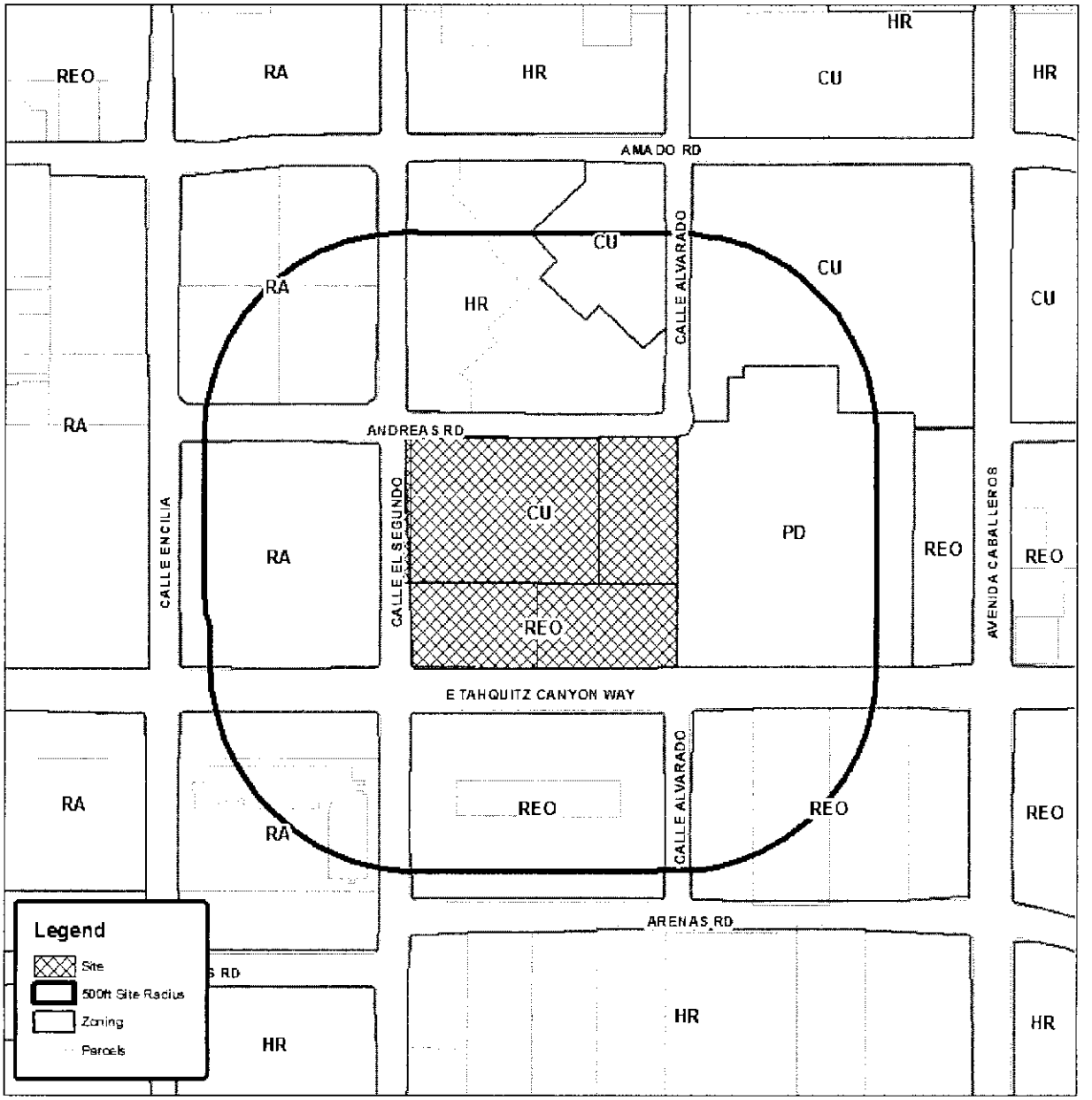
The revised plans include the site plan, site sections plan and (8) project renderings (attached). For plans that did not change, contact the Planning Services Department for a copy of the January 12, 2015 AAC Exhibits. Alternatively, the plans may be accessed electronically:

Part 1 of 2: http://www.palmsprings-ca.gov/Modules/ShowDocument.aspx?documentid=33615
Part 2 of 2: http://www.palmsprings-ca.gov/Modules/ShowDocument.aspx?documentid=33616

Attachments:

1. Vicinity Map
2. January 12, 2015 AAC Staff Report (without attachments)
3. Revised Submittal

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1361 PD-375, ZC, 3.3820 MAJ and TTM 36876 APPLICANT: O & M HR, LLC	DESCRIPTION: A proposal to demolish an existing development and parking lot to construct "Aberdeen"; a mixed-use project consisting of (74) attached and detached residential dwellings, (17) live-work units and approximately 1,568-quare feet of retail on 8.05-acres at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, Zone REO and CU.

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: January 12, 2015 NEW BUSINESS

SUBJECT: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review the following applications related to the 8.05-acre site:

- A Planned Development District to establish the project site plan, permitted uses and development standards. The PD proposes razing the existing parking lot and buildings to construct:
  - 1,568-square feet of commercial space at the street corner;
  - 17 detached dwellings with associated commercial space (live-work lofts) fronting Tahquitz Canyon Way;
  - 74 attached and detached residential units within a controlled access / gated area with private open space;
  - A common open space / recreation area with pool, spa, fitness center and barbecue area.
- Major Architectural Application to review the proposed architectural designs. Final Development Plans will be submitted at a later time.
- A Tentative Tract Map (TTM) seeking to subdivide the roughly 8.05-acres into 93 numbered lots and 8 lettered lot streets, and common open space.

RECOMMENDATION:

Provide consultation to the Planning Commission with direction to:

- Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].
- Revise the extension of Calle Alvarado to meet General Plan Local Street width requirement of 36 feet; alternatively, revise the street width to conform to above private street width.
- Revise site plan to include handicap parking adjacent to commercial building.
- Prohibit residential uses in structures fronting Tahquitz Canyon Way.
- Include bicycle parking as required by the Section 14 Specific Plan.
- Consider providing Plug-in Electric Vehicle (PEV) parking spaces.
- Redesign landscape / streetscape along Tahquitz Canyon to be consistent with Specific Plan.

ISSUES:

1. The project is inconsistent with the General Plan which prohibits gated communities.
2. The internal roadways are inconsistent with the General Plan minimum profile for private streets in Planned Developments and lack sidewalks.
3. Single family residential is prohibited within the REO and RA zones, but multi-family is permitted with the approval of a Conditional Use Permit in both zones.
4. Handicap parking not part of plan, but is required for commercial projects.
5. Pools within individual lots do not meet five foot setback requirements of zoning code.
6. Bicycle parking is required for all new developments in Section 14.
7. Landscape along Tahquitz Canyon Way inconsistent with Specific Plan.

BACKGROUND:

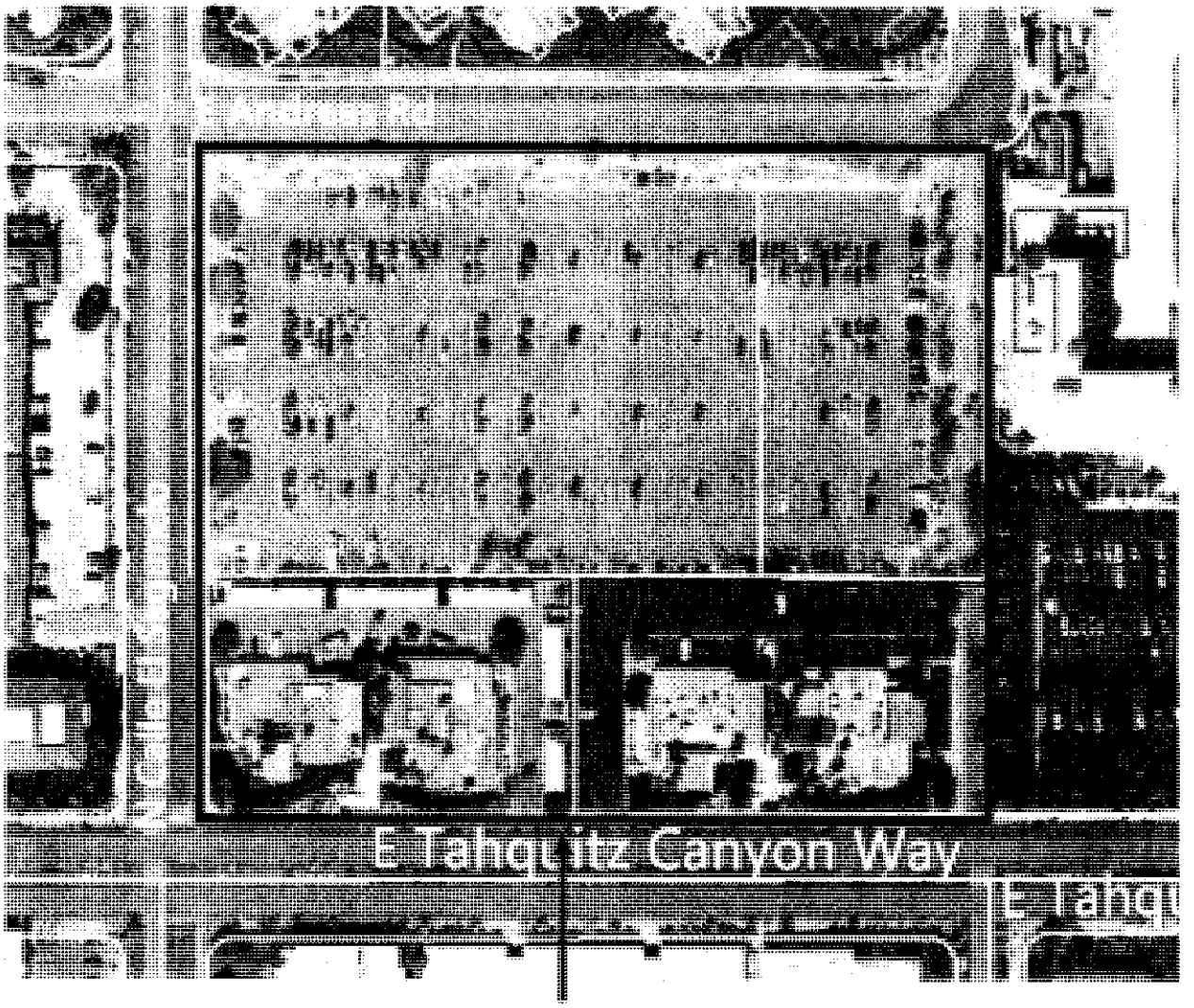
The site is comprised of five developed parcels totaling roughly 9.1 gross acres in size and bounded by Tahquitz Canyon Way to the south, Calle El Segundo to the west, Andreas Road to the north and the Renaissance Hotel to the east. After street dedication and the extension of Calle Alvarado, the net acreage of the project area is 8.05-acres in size. The site encompasses the "Prairie Schooner" parking lot, which is being sold by the City to the developer, and the existing office buildings along Tahquitz Canyon Way. All will be razed for the proposed development.

The applicant is proposing a partially gated development for 74 three- and four-story, attached and detached single family residential units on small lots each with its own

private spa / pool and two-car garage. These units will have primary vehicular access from Andreas Road. The non-gated portion of the development includes a one-story, 1,568-square foot commercial building and 17 three- and four-story, detached single-family live-work units with vehicular access from a private street extending from Calle El Segundo to the proposed extension of Calle Alvarado.

Most Recent Change of Ownership	
Aug 2007 Feb 2008 Dec 2014	Parcels purchased by present owner.

Neighborhood Meeting	
None	



SUBJECT SITE

Field Check	
Dec 2014	Site inspection by Planning Staff.

Site Area	
Net Area	8.05 acres

Sign Posting of Pending Project	
Dec 12, 2014	Affidavit of on-site sign posting

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Site	TRC (Tourist Resort Commercial)	RA (Resort Attraction) and REO (Retail / Entertainment / Office)	Office Buildings and Prairie Schooner Parking Lot
North	HDR (High Density Residential	HR (Residential High)	Multi-family Residential Condominiums (Plaza Villas)
South	TRC	REO	Commercial Complex (Courtyard at PS)
East	TRC	RA	Resort Hotel (Renaissance)
West	TRC	RA	Resort Hotel (Hilton)

ANALYSIS:

General Plan

Land Use Designation	F.A.R. and Density	Request	Compliance
Tourist Resort Commercial	0.35 FAR / 43 hotel rooms per acre / 86 hotel rooms per acre on Indian Land / 30 d.u. per acre	11.3 du/ac 0.35 FAR for commercial building	Yes

Zoning

Permitted Uses:

Single-family residential units are prohibited in REO (Retail / Entertainment / Office) and RA (Resort Attraction) Section 14 Land Use designations. The proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of units being attached. MFR is permitted by Conditional Use Permit (CUP) in both designations.

Retail including coffee shops, deli, etc. is permitted within the RA Land Use of the Section 14 Specific Plan.

Live/work units are permitted by Land Use Permit and CUP in the REO and RA zones, respectively.

The PDD has been submitted in lieu of a change of zone to seek City approval of all uses as a consolidated project per the Section 14 Specific Plan.

Development Standards:

The project includes three land uses within the PD. When multi-family residential is proposed within the REO or RA zones, the Specific Plan requires development consistent with the HR land designation. The live-work and commercial space are located within the REO land designation. Thus, below staff analyzed the HR designation development standards for the multi-family residential portion, and the REO designation development standards for the live-work and commercial components.

Since this proposal exceeds five acres in size, the development is Consolidated Project and can utilize incentives including zoning flexibilities. Where applicable, staff has included in the analysis below.

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	2 gross acres / 130' wide / 155' deep, except: Lot size requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Range from 2,563sf and 4,813sf	No, per PDD
Min. Width		Range from 21ft to 30ft	No, per PDD
Min. Depth		Range from 107ft to 111ft	No, per PDD
Building Height	35ft, except when developed as high-rise, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see below.	Range from 30 feet to 41 feet and 2 inches	See below
Density	1,500 sq. ft. of lot area per unit	11 du/ac or 3,853 sq. ft. per unit	Yes
Yard Setbacks			
Overall Site - Front - Side - Rear	30 ft. front yard 20 ft. side yards 20 ft. rear yard	- 45ft from north (front) property line - 15ft from west (side) property line - 45ft from east (side) property line - 145ft from south (rear) property line	No per PDD

Individual Lots	Setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Front / Driveways: 18 feet from private street to face of garage Side: 6ft between residences. (Avg. 3ft to common side P/L) 0ft at one side of homes. Rear: 40ft in most instances	No, per PDD
Lot Coverage	45% usable landscaped open space	Usable open space: 52%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage on driveways; total 296 spaces	Yes
Trash Enclosure	Per PSZC 93.07.02	TBD	-

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except 100ft for high-rise	41ft and 2in	See below
Open Space	30% minimum landscape area	~45%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall...	Perimeter wall treatment to be designed.	TBD
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes
Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each unit	Yes
Front Setback	20 feet	6 feet	No, per PDD
Side Yard Setback	20 feet	0 feet on Calle El Segundo 7 feet on Calle Alvarado	No, per PDD
Rear Yard Setback	20 feet	18 feet from property line to garage	No, per PDD
Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings	Buildings are setback over 100 feet from residential property to the north	Yes

	shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.		
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	Commercial: 1 space per 250 gross floor area or 6 spaces. Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 38 spaces for the units, plus guest parking of 1 space for every 4 units, or 4 spaces. Total required: 48 spaces	15 parallel parking spaces on private driveway. At least one handicap space will be required 2 covered spaces are provided with each of the 17 units (34 spaces) + 2 spaces in front of garage on driveways (34 spaces) Total provided: 83 spaces	Yes

Building height: The proposed structures are three- and four-stories in size and reaching heights of up to 41 feet and 2 inches. These structures are located along a corridor that contains hotels ranging from three- to five-stories in height. The existing residential project to the north of the site contains two-story residential.

Design Guidelines:

Chapter 7 of the Specific Plan includes Design Guidelines for development proposals within Section 14.

Architectural Character: Modern architecture is a theme that is welcomed by the Specific Plan and the following features are suggested for 50s/60s Modern:

- *Skewed, angular roof forms;*
- *Angled, cantilever roof extensions;*
- *Extension of flooring to walls to outdoors;*
- *Bold, eye-catching accent colors;*
- *Large expanses of glass;*

- *Smooth, uninterrupted walls, often free-standing;*
- *Modern metals, such as aluminum, as decoration.*

The Plan also recommends incorporation of Cahuilla imagery and symbols. Images would include baskets, pottery and hunting. Symbols are regional fauna and flora, parallel lines, anthropomorphic figures, trident forms, concentric circles, maze-like patterns and lightning bolts.

The proposal includes some of the above-mentioned features, such as cantilever roof extensions, extension of flooring to walls and outdoors and modern metals. However, Cahuilla imagery and symbols are not proposed as a part of the design.

Materials and Colors: A number of materials are encouraged:

- *Stucco walls in off-white and/or muted tones;*
- *Wood highlights;*
- *Terra cotta or ceramic tile roofs;*
- *Built-up roof with parapets and metal or canvas awnings;*
- *Decorative ceramic tiles;*
- *Stone, such as flagstone, marble, travertine, granite;*
- *Decorative metal highlights, such as aluminum, copper, wrought iron.*
- *Smooth finish stucco; for example, exterior stucco, applied with a smooth trowel finish and painted with elastomeric paint is preferred.*
- *Screed expansion joints are favored, which are integrated with the design of windows and doors.*
- *Pre-cast concrete panels for structures taller than two stories.*
- *Cut stone, tile or other smooth, durable material on the ground level (the base) for visual interest at the street level and for ease of graffiti removal.*
- *Wood, steel or aluminum and clear glass on storefronts, windows, doors, or atrium spaces.*
- *Use of light or medium neutral colors on buildings is preferred over dark colors which tend to absorb heat and make a building appear more bulky. Strong colors may be used for accents on awnings, door trim, window mullions, window trim, towers or pedestrian amenities, provided such colors are clearly secondary to a more neutral base color.*

Materials include stucco walls, vertical aluminum panels, faux wood siding anodized aluminum windows and steel cable and beams. Colors include a mix of light and dark throughout the project. The proposed colors are both light and dark grays with some

wood-like appearance. The dark gray stucco may be too dark and create a bulky appearance on the upper floors.

Massing / Building Bulk: "Structures should be articulated in form and should not be designed as single massive blocks. To reduce bulk and create visual interest, buildings, particularly those over two stories, should employ architectural devices such as stepped terraces, changes in vertical and horizontal planes, varied roof heights, and multi-planed roof forms." The Specific Plan provides additional design discussion related to pedestrian interest, building entrances, street corner articulation, design treatment on every façade and blank walls. The proposal meets many of these criteria with stepped / terraced buildings and varied roof plans and shapes. Additional articulation or design modification (i.e. variation of color or material, etc.) along Tahquitz Canyon Way may enhance the visual interest and reduce monotonous appearance along this important street front.

Tahquitz Canyon Way. The proposed preliminary landscape design includes a formal pattern of two palms and two street trees along Tahquitz Canyon Way, which is inconsistent with the Streetscape envisioned along this boulevard. The Specific Plan requires palm trees every 60ft on center as well as shade trees between palms and landscape buffers where feasible. Palms should be Washingtonia Filifera. The sidewalk should include pedestrian amenities, such as new pedestrian scale lighting, street furniture and banners.

David A. Newell
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Applicant Justification Letter
3. Chapter 7 *Design Guidelines* of Section 14 Specific Plan
4. Plan Exhibits

City of Palm Springs
ARCHITECTURAL ADVISORY COMMITTEE
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of January 12, 2015

CALL TO ORDER: Chair Fauber called the meeting to order at 3:02 pm.

ROLL CALL:

Committee Members Present: Cassady, Hirschbein, Purnel, Secoy-Jensen, Song, and Chair Fauber.

Committee Member Excused: Vice-Chair Fredricks

Planning Commissioner Present: Commissioner Klatchko

Staff Present: Assistant Planner Mlaker, Associate Planner Newell and Planning Director Fagg

REPORT OF THE POSTING OF AGENDA: The agenda was available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 4:00 pm on Wednesday, January 7, 2015.

ACCEPTANCE OF THE AGENDA: The agenda was accepted, as presented.

PUBLIC COMMENTS: No comments.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES: DECEMBER 22, 2014

M/S/C (Secoy-Jensen/Fauber, 6-0-1 absent Fredricks) Approve, as amended.

UNFINISHED BUSINESS:

2. JOHN HALDERMAN, OWNER OF CANYON CLUB RESORT FOR A BUILDING REPAINT AND FAÇADE REPAIRS AT 960 N. PALM CANYON DRIVE, ZONE C-1 (CASE 3.2753 MAA). (GM)

Assistant Planner Mlaker presented the proposed building repaint and renovations.

Chair Fauber questioned if there are details on the eaves and what the edge of panels will look like.

Applicants: STEVE CHEROSKE and VICTOR PINON, responded that the edge has square corners, mesh base with stucco edge.

Member Cassady asked if details will be painted on the front and side. The applicant responded yes.

Member Hirschbein asked the applicant to verify the paint colors.

Member Secoy-Jensen asked the color of the storefront. The applicant replied dark bronze.

Member Song requested clarification on the details of the windows:

- How will you match the flush surface?
- What was the intent to fill in the windows?
- Why is the same size pop-out used regardless of the length of the wall?

Member Hirschbein asked the applicant how confident they are in getting a flush finish without doing a skim-coat over the entire façade.

The applicant responded that it will be feathered out.

Member Hirschbein was concerned that the filled-in windows will still be visible.

Member Song questioned why pop-outs are not done where the existing windows are.

Member Hirschbein preferred to replicate the shape of awnings in a different material; the proportion of existing awnings is more pleasing than proposed pop-outs.

Member Purnel suggested keeping the awnings but filling-in the windows; but keep setback recessed 1" so that they would not have to skim coat.

Member Secoy-Jensen said she is encouraged this building is being improved and cleaned up. She encouraged continued improvement and evaluation of the signage and landscape.

Chair Fauber asked how the conduits will be enclosed. (The applicant responded that it would be a surface mounted conduit constructed out of 2 x 4's boxes and stuccoed over to match adjacent wall finish.)

Chair Fauber proposed a subcommittee review the project. Staff level review was preferred.

M/S/C (Secoy-Jensen/Song, 6-0-1) To approve with conditions:

- Awnings be replaced on both Palm Canyon and Indian Canyon in the existing locations and evaluate condition of the awning frames; paint to match color sample #2.
- Building painted color sample #1.
- Windows will be in-filled with stucco to match adjacent wall surface leaving a 1" - 2" recessed back panel with the reveal between the in-filled openings.

NEW BUSINESS:

3. **O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 3,000-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND RA (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)**

Associate Planner Newell provided an overview of the proposed project.

Discussion:

Member Song asked questions about the following:

- Lettered lots;
- Demolition of existing buildings;
- CUP submittal;
- Setbacks from Tahquitz for residential units;
- Building height.

Member Hirschbein questioned what square footage is being demolished versus how much is proposed.

Member Cassady requested clarification on ownership of property.

Member Secoy-Jensen asked what the timeline is for Planning Commission review (environmental needs to be computed).

ROB ERES AND CHRIS PARDO, applicants, responded that that existing building is about 32,000 square feet; and objects to conditions #1 and #2 in the staff report.

Public Comment:

JOHN WESSMAN, Wessman Development, commented that he knows the Hugh Kaptur buildings, and they were not developed to full potential.

BARBARA MARSHALL, commented that the demolition of the buildings injures the city. This project is not what Palm Springs wants or needs; let's find a way to adequately re-use this property.

GARY JOHNS, commented that Hugh Kaptur will have a voice in this matter at a later time.

RON MARSHALL, commented that the buildings qualify for preservation because they are the work of a master architect.

Questions:

Member Hirschbein asked how would uses be regulated (live/work space - per underlying zoning) and where is parking for coffee shop?

Member Cassady asked if there will be gates at the south end of interior streets.

Member Song made the following comments:

- Why gated? Why not open it up and allow it to flow?
- Expressed concern about the setbacks of the live/work units.
- Why not put art garden and café together (enliven the space)
- Do townhouse units share a sidewalk?
- How will the live/work signage be addressed?
- Open up pool area to pedestrian path.

Member Hirschbein asked if the workspace can be rented separately. How many parking spaces are required by code? And was the adaptive re-use of the existing buildings looked at?

Member Secoy-Jensen questioned why not re-use the buildings?

Member Hirschbein made the following comments:

- Appreciates that the community is bringing information forward on the historic

nature of the existing buildings;
- Prefers the site not be gated;
- Would like to see Calle Alvarado developed in a pedestrian-friendly manner;
- Questions the viability of live/work units.

Member Secoy-Jensen made the following comments:

- Likes the connection of Calle Alvardo;
- Struggling with regularity/monotony of Tahquitz elevation;
- Thinks office buildings could be re-used;
- This project is not characteristic of Palm Springs.

Member Cassady said the project lacks connectivity. He likes the design; however, questioned if this is the right place for it. He would prefer to see the Hugh Kaptur buildings saved.

Chair Fauber made the following comments:

- Concerned with the density and height of the 3 story building;
- Concerned with live/work units;
- Parking is not functional;
- The building is beautiful but not the right location for it;
- Should be non-gated (using St. Baristo as an example).

Member Song said she has three issues with this project: the gates, parking and re-use of existing office buildings.

Chair Fauber said Calle Alvarado street section needs to be increased.

M/S/C (Secoy-Jensen/Fauber, 6-0-1) Table with direction to the applicant to modify the following:

1. Architecture along Tahquitz is too monotonous, lacks interest and out of scale and context;
2. Parking needs further evaluation for commercial and live-work;
3. Circulation – Increase pedestrian amenities (i.e. landscaping, wider sidewalk, etc.) along extension of Calle Alvarado;
4. Connectivity – Eliminate gates and improve connectivity of project within existing community;
5. Adaptive re-use of existing commercial buildings should be considered in redesign.

COMMITTEE MEMBER COMMENTS:

Member Hirschbein asked if the minutes typically only show their questions and not the answers. Director Fagg explained that the minutes show the AAC's questions and concerns and not necessarily the answers because they are usually included in the staff report.

STAFF MEMBER COMMENTS: None.

ADJOURNMENT: The Architectural Advisory Committee of the City of Palm Springs adjourned at 4:56 pm to the next regular meeting on January 26, 2015, at 3:00 pm in the Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

Flinn Fagg, AICP
Director of Planning Services

ARCHITECTURAL ADVISORY COMMITTEE
STAFF MEMORANDUM

DATE: January 12, 2015 NEW BUSINESS

SUBJECT: O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876).

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review the following applications related to the 8.05-acre site:

- A Planned Development District to establish the project site plan, permitted uses and development standards. The PD proposes razing the existing parking lot and buildings to construct:
  - 1,568-square feet of commercial space at the street corner;
  - 17 detached dwellings with associated commercial space (live-work lofts) fronting Tahquitz Canyon Way;
  - 74 attached and detached residential units within a controlled access / gated area with private open space;
  - A common open space / recreation area with pool, spa, fitness center and barbecue area.
- Major Architectural Application to review the proposed architectural designs. Final Development Plans will be submitted at a later time.
- A Tentative Tract Map (TTM) seeking to subdivide the roughly 8.05-acres into 93 numbered lots and 8 lettered lot streets, and common open space.

RECOMMENDATION:

Provide consultation to the Planning Commission with direction to:

- Revise the internal street widths to conform to the Section 14 Specific Plan and General Plan minimum required widths for private streets [28 feet (rolled curb to curb) with 5 foot landscape buffer and 5 foot sidewalks].
- Revise the extension of Calle Alvarado to meet General Plan Local Street width requirement of 36 feet; alternatively, revise the street width to conform to above private street width.
- Revise site plan to include handicap parking adjacent to commercial building.
- Prohibit residential uses in structures fronting Tahquitz Canyon Way.
- Include bicycle parking as required by the Section 14 Specific Plan.
- Consider providing Plug-in Electric Vehicle (PEV) parking spaces.
- Redesign landscape / streetscape along Tahquitz Canyon to be consistent with Specific Plan.

ISSUES:

1. The project is inconsistent with the General Plan which prohibits gated communities.
2. The internal roadways are inconsistent with the General Plan minimum profile for private streets in Planned Developments and lack sidewalks.
3. Single family residential is prohibited within the REO and RA zones, but multi-family is permitted with the approval of a Conditional Use Permit in both zones.
4. Handicap parking not part of plan, but is required for commercial projects.
5. Pools within individual lots do not meet five foot setback requirements of zoning code.
6. Bicycle parking is required for all new developments in Section 14.
7. Landscape along Tahquitz Canyon Way inconsistent with Specific Plan.

BACKGROUND:

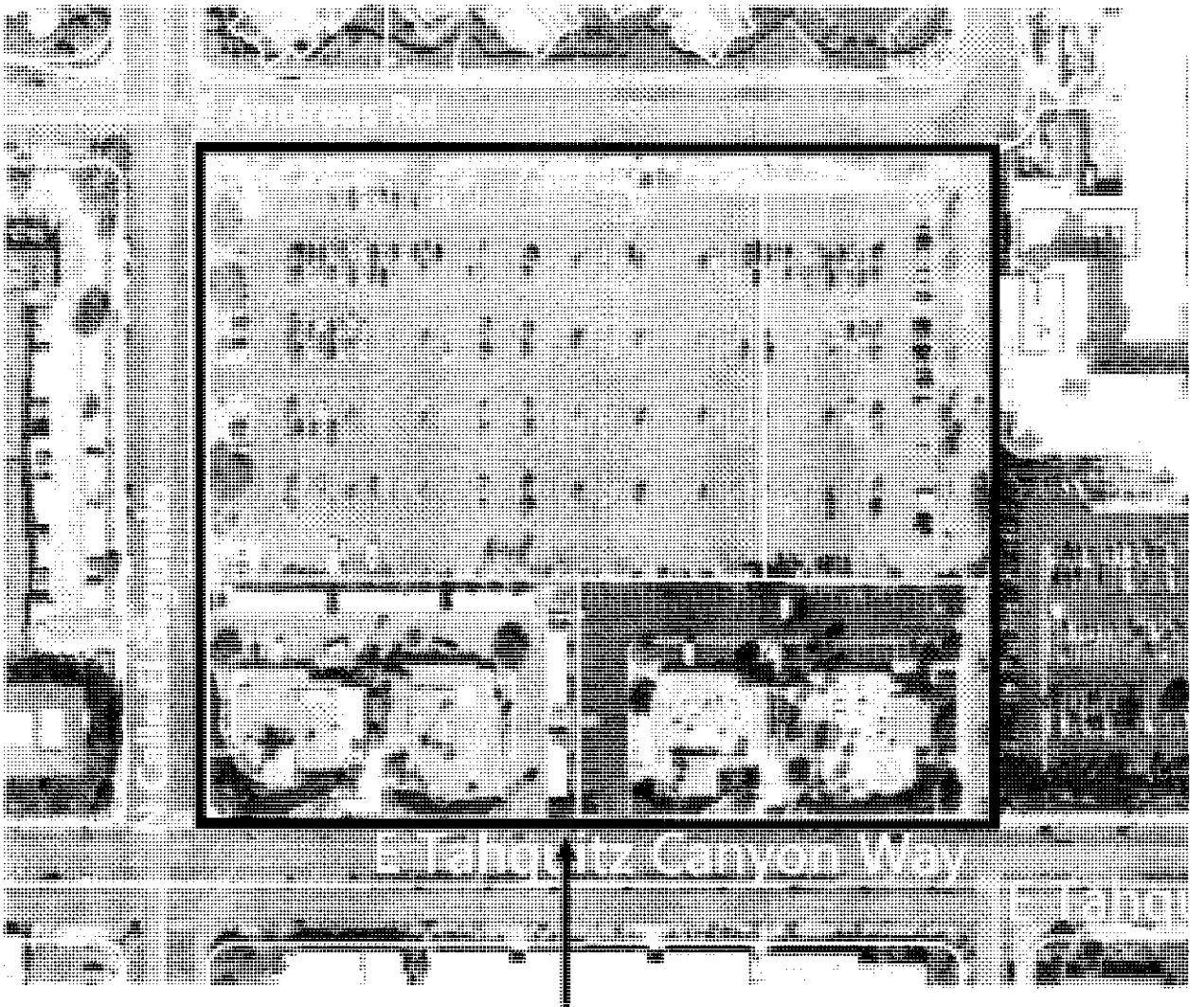
The site is comprised of five developed parcels totaling roughly 9.1 gross acres in size and bounded by Tahquitz Canyon Way to the south, Calle El Segundo to the west, Andreas Road to the north and the Renaissance Hotel to the east. After street dedication and the extension of Calle Alvarado, the net acreage of the project area is 8.05-acres in size. The site encompasses the "Prairie Schooner" parking lot, which is being sold by the City to the developer, and the existing office buildings along Tahquitz Canyon Way. All will be razed for the proposed development.

The applicant is proposing a partially gated development for 74 three- and four-story, attached and detached single family residential units on small lots each with its own

private spa / pool and two-car garage. These units will have primary vehicular access from Andreas Road. The non-gated portion of the development includes a one-story, 1,568-square foot commercial building and 17 three- and four-story, detached single-family live-work units with vehicular access from a private street extending from Calle El Segundo to the proposed extension of Calle Alvarado.

Most Recent Change of Ownership	
Aug 2007 Feb 2008 Dec 2014	Parcels purchased by present owner.

Neighborhood Meeting	
None	



SUBJECT SITE

Field Check	
Dec 2014	Site inspection by Planning Staff.

Site Area	
Net Area	8.05 acres

Sign Posting of Pending Project	
Dec 12, 2014	Affidavit of on-site sign posting

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Site	TRC (Tourist Resort Commercial)	RA (Resort Attraction) and REO (Retail / Entertainment / Office)	Office Buildings and Prairie Schooner Parking Lot
North	HDR (High Density Residential	HR (Residential High)	Multi-family Residential Condominiums (Plaza Villas)
South	TRC	REO	Commercial Complex (Courtyard at PS)
East	TRC	RA	Resort Hotel (Renaissance)
West	TRC	RA	Resort Hotel (Hilton)

ANALYSIS:

General Plan

Land Use Designation	F.A.R. and Density	Request	Compliance
Tourist Resort Commercial	0.35 FAR / 43 hotel rooms per acre / 86 hotel rooms per acre on Indian Land / 30 d.u. per acre	11.3 du/ac 0.35 FAR for commercial building	Yes

Zoning

Permitted Uses:

Single-family residential units are prohibited in REO (Retail / Entertainment / Office) and RA (Resort Attraction) Section 14 Land Use designations. The proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of units being attached. MFR is permitted by Conditional Use Permit (CUP) in both designations.

Retail including coffee shops, deli, etc. is permitted within the RA Land Use of the Section 14 Specific Plan.

Live/work units are permitted by Land Use Permit and CUP in the REO and RA zones, respectively.

The PDD has been submitted in lieu of a change of zone to seek City approval of all uses as a consolidated project per the Section 14 Specific Plan.

Development Standards:

The project includes three land uses within the PD. When multi-family residential is proposed within the REO or RA zones, the Specific Plan requires development consistent with the HR land designation. The live-work and commercial space are located within the REO land designation. Thus, below staff analyzed the HR designation development standards for the multi-family residential portion, and the REO designation development standards for the live-work and commercial components.

Since this proposal exceeds five acres in size, the development is Consolidated Project and can utilize incentives including zoning flexibilities. Where applicable, staff has included in the analysis below.

Multi-family Residential

	HR Requirements / R-4	Proposed Project	Conform
Lot Standards			
Min. Area	2 gross acres / 130' wide / 155' deep, except: Lot size requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Range from 2,563sf and 4,813sf	No, per PDD
Min. Width		Range from 21ft to 30ft	No, per PDD
Min. Depth		Range from 107ft to 111ft	No, per PDD
Building Height	35ft, except when developed as high-rise, pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see below.	Range from 30 feet to 41 feet and 2 inches	See below
Density	1,500 sq. ft. of lot area per unit	11 du/ac or 3,853 sq. ft. per unit	Yes
Yard Setbacks			
Overall Site - Front - Side - Rear	30 ft. front yard 20 ft. side yards 20 ft. rear yard	- 45ft from north (front) property line - 15ft from west (side) property line - 45ft from east (side) property line - 145ft from south (rear) property line	No per PDD

Individual Lots	Setback requirements may be reduced for single-family residential development if it can be demonstrated through the CUP process that the reductions are necessary and desirable, and are not detrimental to neighboring uses (existing and permitted)	Front / Driveways: 18 feet from private street to face of garage Side: 6ft between residences. (Avg. 3ft to common side P/L) 0ft at one side of homes. Rear: 40ft in most instances	No, per PDD
Lot Coverage	45% usable landscaped open space	Usable open space: 52%	Yes
Off-street Parking	Per PSZC 93.06: In PDDs: 3 bdrm units require 2.25 spaces or 167 spaces for the units, plus guest parking 1 space for every 4 units, or 19 spaces; total 186 spaces required	2 covered spaces are provided with each of the 74 units (148 spaces) + 2 spaces in front of garage on driveways; total 296 spaces	Yes
Trash Enclosure	Per PSZC 93.07.02	TBD	-

Live / Work and Commercial

	REO Requirements	**Proposed Project**	**Conform**
FAR	3.0 Maximum Floor Area Ratio	1.26 FAR	Yes
Building Height	35ft, except 100ft for high-rise	41ft and 2in	See below
Open Space	30% minimum landscape area	~45%	Yes
Compatibility w/Surrounding Development	The rear and side walls of buildings which are visible from adjacent lots or streets shall be treated with an equivalent design quality as the front wall...	Perimeter wall treatment to be designed.	TBD
Building Location	Buildings should be as close as possible to the required front setback	Live/work units have workspace / retail adjacent to front setback	Yes
Pedestrian Access	Direct pedestrian access shall be provided from buildings to the sidewalks on Tahquitz Canyon Way	Pedestrian access to workspace / retail is provided to each unit	Yes
Front Setback	20 feet	6 feet	No, per PDD
Side Yard Setback	20 feet	0 feet on Calle El Segundo 7 feet on Calle Alvarado	No, per PDD
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Setbacks for High-Rise Buildings	High-rise buildings within Section 14 are exempt from the setback requirements identified in 93.04.00 of the PSZO; however, high-rise buildings	Buildings are setback over 100 feet from residential property to the north	Yes

	shall have a minimum setback of one (1) foot of horizontal setback distance from any residential district for each one (1) foot of vertical rise of the building. Additional site-specific setbacks may be imposed through the CUP process based on the relationship of the high-rise building to its surroundings.		
Minimum Lot Area	2 gross acres	8 gross acres for overall project	Yes
Off-street Parking	Commercial: 1 space per 250 gross floor area or 6 spaces. Live-work: No standard specified; however, in PDDs 3 bdrm units require 2.25 spaces or 38 spaces for the units, plus guest parking of 1 space for every 4 units, or 4 spaces. Total required: 48 spaces	15 parallel parking spaces on private driveway. At least one handicap space will be required 2 covered spaces are provided with each of the 17 units (34 spaces) + 2 spaces in front of garage on driveways (34 spaces) Total provided: 83 spaces	Yes

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- *Wood highlights;*
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wood-like appearance. The dark gray stucco may be too dark and create a bulky appearance on the upper floors.

Massing / Building Bulk: "Structures should be articulated in form and should not be designed as single massive blocks. To reduce bulk and create visual interest, buildings, particularly those over two stories, should employ architectural devices such as stepped terraces, changes in vertical and horizontal planes, varied roof heights, and multi-planed roof forms." The Specific Plan provides additional design discussion related to pedestrian interest, building entrances, street corner articulation, design treatment on every façade and blank walls. The proposal meets many of these criteria with stepped / terraced buildings and varied roof plans and shapes. Additional articulation or design modification (i.e. variation of color or material, etc.) along Tahquitz Canyon Way may enhance the visual interest and reduce monotonous appearance along this important street front.

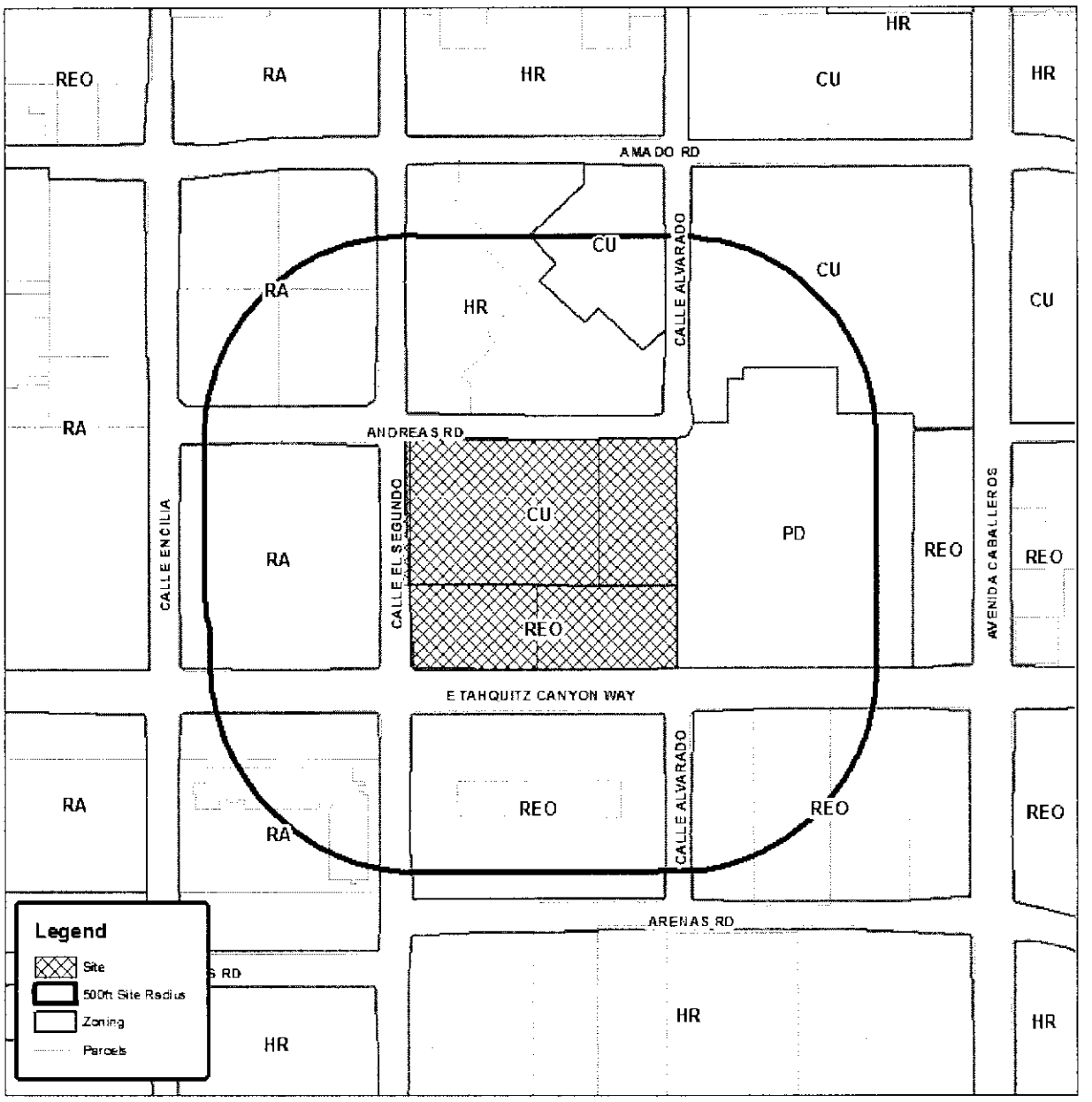
Tahquitz Canyon Way. The proposed preliminary landscape design includes a formal pattern of two palms and two street trees along Tahquitz Canyon Way, which is inconsistent with the Streetscape envisioned along this boulevard. The Specific Plan requires palm trees every 60ft on center as well as shade trees between palms and landscape buffers where feasible. Palms should be Washingtonia Filifera. The sidewalk should include pedestrian amenities, such as new pedestrian scale lighting, street furniture and banners.

David A. Newell
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Applicant Justification Letter
3. Chapter 7 *Design Guidelines* of Section 14 Specific Plan
4. Plan Exhibits

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1361 PD-375, ZC, 3.3820 MAJ and TTM 36876

APPLICANT: O & M HR, LLC

DESCRIPTION: A proposal to demolish an existing development and parking lot to construct "Aberdeen"; a mixed-use project consisting of (74) attached and detached residential dwellings, (17) live-work units and approximately 1,568-quare feet of retail on 8.05-acres at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, Zone REO and CU.

CHATTEN-BROWN & CARSTENS LLP
2200 PACIFIC COAST HIGHWAY
SUITE 318
HERMOSA BEACH, CALIFORNIA 90254
www.cbcearthlaw.com

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E-MAIL:
ACM@CBCEARTHLAW.COM

February 10, 2015

Via Email and U.S. Mail

Flinn Fagg, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Jim Zicaro
Director of Building and Safety
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Proposed Demolition of Kaptur Designed Buildings as Part of Aberdeen Project; Case Nos. 5.1361 PD-375, 3.3820 MAJ and TTM 36876.

Dear Mr. Fagg and Mr. Zicaro:

On behalf of the Palm Springs Modern Committee, we write regarding the proposed demolition of two mid-century modern office buildings designed by noted Palm Springs' architect Hugh Kaptur ("Kaptur buildings") as part of the proposed Aberdeen mixed use project ("Project"), which is planned for the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like to confirm that the City will not issue demolition permits for the Kaptur buildings prior to the completion of environmental review for the entire Aberdeen Project and final approval of this Project by the City Council.

The applicant's plans and the Architectural Advisory Committee's January 12 and 26, 2015 staff memorandums regarding the Project make clear that demolition of the Kaptur buildings is a necessary first step to developing the Project as proposed by the applicant. Because the demolition would be part of the Aberdeen Project, it is subject to the same environmental review under the California Environmental Quality Act ("CEQA") as the rest of the Project. (CEQA Guidelines § 15378(a).) This is true even though demolition permits on their own may be considered ministerial. "Where a project

involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA." (CEQA Guidelines § 15268(d); see also *Orinda Assn. v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1171 ["demolition was a phase of the overall Project; as such, it was subject to the same CEQA review as the rest of the Project, and the demolition permit could not be issued until the entire CEQA process was completed and the overall Project lawfully approved."].) Please let us know if the City agrees it will not issue demolition permits for the Kaptur building until after environmental review for the Aberdeen Project is complete and the City Council has approved the Project.

Additionally, pursuant to the CEQA section 21092.2, we request to receive a copy of all CEQA notices for the Aberdeen Project as they are completed. We also request immediate notice of applications for or approval of demolition permits for the Kaptur buildings and notice of any public hearings or meetings regarding this Project. If possible, we request these notices be sent via email to acm@cbcearthlaw.com.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Minteer
Attorney at Law

cc: James Thompson, City Clerk

ALAN HESS
ARCHITECT
4991 CORKWOOD LANE
IRVINE, CA 92612
949 551 5343
alan@alanhess.net
www.alanhess.net

February 19, 2015

Terri Hintz
Planning Department Administrative Coordinator
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

To the Planning Commission:

I am writing as an architect, historian, and author of nineteen books on Modern architecture to express my support for the preservation of the Tahquitz Plaza office complex because of its historical significance to Palm Springs and California architecture. Please share this letter with the Planning Commissioners prior to their February 25, 2015 meeting.

I have written two books on Palm Springs architecture (*Julius Shulman: Palm Springs*, Rizzoli International, 2008, and *Palm Springs Weekend*, Chronicle Books, 2001) and can say that these buildings, and the work of architect Hugh Kaptur, play an important role in what is now identified as Palm Springs Modernism.

I am also a consultant on architectural history for the current City of Palm Springs architectural survey. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey.

My resume is attached. I have written on architecture for the *Los Angeles Review of Books, The Architect's Newspaper, The Los Angeles Times, Architectural Digest, the Journal of the Society of Architectural Historians*, and other journals. I have been the architecture critic of the *San Jose Mercury News* since 1986, received a grant from the Graham Foundation for Advanced Studies in the Fine Arts, and was a National Arts Journalism Fellow at Columbia University.

The research of the importance of Palm Springs Modern architecture in general is very recent. Only a decade ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not well known

generally; few Modern buildings now considered iconic were identified as historic then. Since then, our understanding of these and other architects has made us aware of the full dimension of Palm Springs architectural history.

As we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of scholarly opinion on Kaptur's importance.

Briefly stated, Kaptur's significance is this: 1) Palm Springs midcentury Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place.

In addition, its site on Tahquitz Canyon places it in the context of the city civic center, an extraordinary collection of Modern buildings serving civic purposes, and rare in the state.

I am writing this letter *pro bono* because historic architecture of this quality adds to the civic character and quality of city life. In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design would be a loss to history and the city's urban quality.

Sincerely,

Alan Hess

RESUME OF ALAN HESS, ARCHITECT

4991 Corkwood Lane, Irvine, CA 92612 949/551 5343 www.alanhess.net
alan@alanhess.net

WORK

1981- Alan Hess, Architect
1986- Architecture critic, **San Jose Mercury-News**

EDUCATION

1975-78 M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles
1970-74 B.A., Principia College, Elsah, IL

DESIGN

Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits
Gordon Onslow-Ford guesthouse, Marin County, CA

TEACHING

1989-91 Instructor, University of California, Los Angeles
1986-90 Lecturer, Southern California Institute of Architecture

PRESERVATION

Design Guidelines, Heatherstone Community, Mountain View, CA
Honor Award 1997, National Trust for Historic Preservation
President's Award, California Preservation Foundation
Qualified for National Register of Historic Places:
- Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA
- McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA
- Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ
- Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA

Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone 1959), National Theater, Westwood (1969) and other mid-century modern structures

FELLOWSHIPS

Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98

GRANTS

Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990

LICENSE

Licensed architect, California # C 15747

SELECTED PUBLICATIONS

BOOKS:

Frank Lloyd Wright:Natural Design, Organic Architecture RIzzoli International, New York 2012

Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

Oscar Niemeyer Buildings Rizzoli International, New York 2009

Frank Lloyd Wright: The Buildings Rizzoli International, New York 2008

Julius Shulman: Palm Springs Rizzoli International, New York 2008

Forgotten Modern: California Houses 1940-1970 Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Mid-Century Modern, Rizzoli International, New York 2007

Organic Architecture: The Other Modernism Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Prairie Houses, Rizzoli International, New York 2006

Oscar Niemeyer Houses, Rizzoli International, New York 2006

Frank Lloyd Wright: The Houses, Rizzoli International, New York 2005

The Ranch House, Harry Abrams, Inc., New York 2005

Googie Redux: Ultramodern Roadside Architecture, Chronicle Books, San Francisco 2004

Palm Springs Weekend: the Architecture and Design of a Midcentury Oasis, Chronicle Books, San Francisco 2000

Rancho Deluxe: Rustic Dreams and Real Western Living, Chronicle Books, San Francisco 2000

The Architecture of John Lautner, Rizzoli International, New York 1999

Hyperwest: American Residential Architecture on the Edge, Thames & Hudson, London 1996

Viva Las Vegas, Chronicle Books, San Francisco, CA 1993

Googie: Fifties Coffee Shop Architecture, Chronicle Books, San Francisco, CA 1986

MAGAZINES, JOURNALS, NEWSPAPERS AND WEBSITES:

"Big Man on Campus: Alan Hess on Modernist Maverick, a new exhibition at the Nevada Museum of Art exploring the architecture of William Pereira," *Architect's Newspaper*, Sept. 26, 2013

"Connecting the Dots: Alan Hess on Pacific Standard Time Presents: Modern Architecture in L.A.," *Architect's Newspaper*, Sept. 6, 2013

"The Beauty of Authenticity: Dana Point Harbor," *Orange Coast Magazine*, Aug., 2013

"Wide Angle Lens: Alan Hess on the Getty's new exhibition, Overdrive: LA Constructs the Future 1940-1990, " *Architect's Newspaper*, June 21, 2013

"Everyday Modernisms: Diversity, Creativity, and Ideas in L.A. Architecture, 1940-1990"

Los Angeles Conservancy, "Curating the City" website, June 2013

"Schindler Goes Hollywood," **Los Angeles Review of Books,** May 26, 2012
"New Apple Campus," **San Jose Mercury News**, Sept. 2011
"John Lautner and Los Angeles," **Los Angeles Times**, July 23, 2011
"Coming to Terms with the Sixties," **National Trust Forum Journal**, Summer 2010 vol 24 no 4
"Colorful Landmarks: how color shaped public space in 1950s suburbia," **New Geographies**, Harvard Graduate School of Design, Oct 2010
"The Suburbs and the Ranch House," **California College of the Arts Architecture Studio Series**, 2005
"The Place of Histories," **Architecture California**, 04:1, 2003
"Steven Ehrlich house, Pacific Palisades," **Metropolitan Home**, Dec. 2005
"Montalvo Artists' Village," **Architectural Digest,** June 2005
"Cliff May's Romantic Mandalay," **Architectural Digest**, May 2005
"Meeting the Horizon in California, Roscoe House by Helena Arahuete," **Architectural Digest**, Jan. 2005
"Historic Architecture: Oscar Niemeyer," **Architectural Digest,** May 2003
"The Place of Histories," **Architecture California**, 04:1, 2003
"San Jose: A Downtown in the Making," **Places**, vol. 15, no. 2
"High Art Parking Lot," **Rearview Mirror: Automobile Images and American Identities,** University of California, Riverside 2000
"Eine kurze Geschichte von Las Vegas," **Stadt Bauwelt** 143, Sept. 1999
"City Center to Regional Mall," **Journal of Preservation Technology**, vol XXVII, no 4, 1997
"New York, New York," **Architectural Record,** March 1997
"John Lautner" **Progressive Architecture**, December 1994
"The Origins of McDonald's Golden Arches," **Journal of the Society of Architectural Historians**, XLV: 60-67, March 1986
"Technology Exposed," **Landscape Architecture**, May 1992, pp 38-48
"Burle Marx: A Shaky Legacy," **Landscape Architecture**, April 1992 p 38
"Back to Brasilia," **Progressive Architecture,** October 1991 pp 96-97
"Greenwald house," **Los Angeles Times Magazine,** October 27, 1991, p 31
"Of Cities and Their Halls," **San Francisco Examiner,** Aug. 7, 1991
"*American Style* and *Fifties Style*: reviews," **Design Book Review**, Winter 1989
"Schindler and Goff: Architectures," **L.A. Style**, March 1989
"Monsanto House of the Future," **Fine Homebuilding**, August/September 1986, No. 34
"The Eichler Homes," **Arts + Architecture**, Vol. 3, No. 3, 1984

SELECTED TALKS

LECTURES:

Getty Research Institute; Kansas City Modern; Dallas Modern; Arizona Preservation Conference Keynote; Nevada Museum of Art Symposium; Society of Architectural Historians Tour; Commonwealth Club of San Francisco; Society for Commercial Archeology Conference Keynote; Los Angeles Conservancy Welton Becket Centennial Keynote; Columbia University School of Architecture; Houston Modern; Phoenix Modern; Walker Art Museum; Chicago Humanities

Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

BROADCAST MEDIA AND FILMS:

"William Krisel, Architect," DesignOnScreen Foundation, 2010
"A Kick in the Head—The Lure of Las Vegas," BBC-TV January 2010
"Journeyman Architect: The Architecture of Donald Wexler," DesignOnScreen 2009
"Desert Utopia," DesignOnScreen, 2008
Which Way LA, KCRW-FM, July 7, 2008
Which Way LA, KCRW-FM July 27, 2007
The Late Show, BBC-TV January 16, 1995
CBS Sunday Morning News with Charles Kuralt, January 23, 1994
Good Morning America, August 3, 1993
CBS Morning News, Jan. 17, 1990
Videolog, KCET, Los Angeles, June 1985
Patrick Monroe Show, CBC Radio, February 1987
Morning Edition, NPR, May 2, 1986
Smithsonian World, "Speaking Without Words," PBS, March 1984

SELECTED REFERENCES TO WORK

Thomas Hines, **Architecture of the Sun**, 2010
"Las Vegas meets la-la land," **Smithsonian**, October 1995
"In Los Angeles, a '50s Flameout," **New York Times,** September 7, 1995
"Oldest McDonald's Closes," **New York Times,** March 6, 1994
"Would Las Vegas Landmark Be an Oxymoron?" **New York Times**, Oct. 7, 1993
"Restaurant Architecture," **Journal of the Society of Architectural Historians,** XLVIII:2, June 1989
"Legacy of the Golden Arches," **TIME**, June 2, 1986
"Books: Pop Style to Free Style," **Progressive Architecture**, December 1986
"*Googie: Fifties Coffee Shop Architecture*, a review," **Architectural Record**, May 1986
"Who Says It's Not a Landmark?" **Historic Preservation**, November/December 1987
"Googie -- History Closing the Menu on a 1950s style," **Los Angeles Times**, June 9, 1986
"Now let's hear it for Googie style," **Vancouver Sun**, February 5, 1987
"Architecture and Design reviews," **Philadelphia Inquirer**, November 30, 1986

"Architecture To Go," David Dillon, **Dallas News**, June 22, 1986
"Googie: Fifties Coffee Shop Architecture," **Art and Design**, London, June 1986

April 9, 2015

Flinn Fagg
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Fagg:

Historic Resources Group, LLC (HRG) is currently under contract to the City of Palm Springs to develop a historic context statement and conduct a citywide historic resources survey of properties constructed prior to 1968.

We wish to note that comments submitted by Alan Hess on February 19, 2015, regarding Tahquitz Plaza are his own opinions. Mr. Hess is a sub-consultant to the survey effort assisting with the development of the historic context. He and other experts have recommended specific sites for study during the survey project. However, survey findings will only address buildings constructed prior to 1968, as specified in our contract with the City of Palm Springs.

We would be happy to respond to any questions or comments.

Sincerely,

HISTORIC RESOURCES GROUP, LLC

Peyton Hall

Peyton Hall, FAIA
Managing Principal

HISTORIC RESOURCES GROUP
12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915
Telephone 626 793 2400, Facsimile 626 793 2401
www.historicresourcesgroup.com

Terri Hintz

From: Brad Dunning <brad@braddunning.com>
Sent: Monday, February 23, 2015 12:41 AM
To: Terri Hintz
Subject: Tahquitz Plaza

Feb. 20, 2015

Item 2A

Planning Commission Meeting
Date: 2-25-15
Additional Material

Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

I was quite shocked recently upon hearing the City of Palm Springs is considering a developer's plan to demolish the Hugh Kaptur-designed Tahquitz Plaza. It seems almost inconceivable to me that these buildings, some of the best work of Hugh Kaptur's career, could be lost. Although recognition of Hugh Kaptur's work is coming later than those of his local peers--Albert Frey, E. Stewart Williams, Donald Wexler, William Cody and other prominent locals that have made Palm Springs world renowned as a destination for fans of architecture and design and the appreciation of mid century architecture in Palm Springs seems to be the major factor in the revival of the town--Kaptur's work is certainly as important and worthy. His achievements mark the latter end of the mid century era. His work is distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs. Perhaps his work has not become fully appreciated yet as it is relatively recent when compared to Albert Frey's modern work of the '50s or 60s for instance. That is why Kaptur's complex is threatened to some extent---the work is just now at the cusp of rediscovery---just as Frey's and Williams' and Cody's work was a few years ago.

Hugh Kaptur was a local and made an indelible mark on the landscape of Palm Springs and the City should be very proud and respectful of his work, celebrate and preserve it. It does the City well when it signals to the world the pride it has its achievements and the artistry of its local architects and most of all the appearance and history of the town. It is terrible for the town to be known for allowing demolition of another important building. This estimable canvas that is modern architecture in Palm Springs is economically instrumental and vital now for tourist appeal and more importantly many residents now have chosen to invest in the town and to live here simply because of the great modern architecture we have in our midst..

I urge the City to reconsider any decision which would allow the destruction of this important Kaptur complex, it would be a terrible loss and when it is gone it is gone forever.

I served as a member of the Historic Site Preservation Board in 1995-96. I suspect some of you will recall the firestorm that greeted my nomination of five Frey buildings which included the Tramway Gas Station. A developer wanted to demolish that building soon after designation and quite a controversy erupted. I hope you will agree in hindsight the decision to preserve the building was the correct one. I believe you will feel the same way as time passes and the Tahquitz Plaza is preserved. The complex is inventive, playful, and sophisticated with forms and open areas that best represent not only Kaptur at the top of his game but a true reflection of the state of the best modern architecture in Palm Springs at that period.

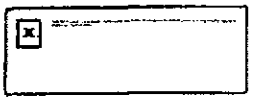
My written work about Palm Springs and modernism has appeared in the Los Angeles Times, the New York Times, Vogue, and GQ magazine among others.

088

I hope you will present my plea before or during the Feb. 25th meeting.

Sincerely,

Brad Dunning



Terri Hintz

From: Morris Newman <morris_newman@sbcglobal.net>
Sent: Tuesday, February 24, 2015 3:33 PM
To: Terri Hintz
Subject: Expert letter regarding the proposed demolition of Tahquitz Plaza (Morris Newman) for Feb. 25 hearing

Item 2A
Planning Commission Meeting
Date: 2-25-15
Additional Material

Honorable Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Dear Members of Planning Commission:

I'm writing to provide some comment about the proposed demolition of the Tahquitz Plaza designed by Hugh Kaptur.

- I am a qualified architectural historian (M.A., Architectural History and Theory, UCLA, 1984) and the author of two books on architecture and the editor of a third.
- I'm also a professional journalist, specializing in real estate, urban design and architecture. My work has appeared widely, including several dozen articles about commercial real estate in The New York Times and Los Angeles Times. I have written extensively on Modern Architecture, historic preservation, public-private projects, zoning and entitlement issues and other topics relating to the design, financing and government approval of buildings.
- I have published three articles about the architecture of Hugh Kaptur, including a chapter in a recently published book of Palm Springs architecture.

Tahquitz Plaza is a landmark building both in the City of Palm Springs and in the career of Hugh Kaptur. Mr. Kaptur, as you probably know, is one of the luminaries of the "Golden Age" of architecture in the city, having worked in Palm Springs continuously since the 1950s.

Mr. Kaptur has told me this is one of his favorite projects, which seems fitting for a building where he maintained his architectural practice for many years. Although Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity. One of the themes of Mr. Kaptur's work, and Southern California architecture in general, is the ability of local architects to "make lemonade" when faced with limits both in budget and choice of materials (i.e. the least expensive). I quote one of my own articles on Mr. Kaptur:

"Practical projects, like an office complex on Tahquitz, did not always allow such freedom, yet the comparatively restrained project remains one of the architect's favorites. Originally designed in concrete, cost consideration dictated a less expensive wood frame structure. Despite this constraint the Tahquitz buildings manage to look like masonry, due to walls that are sculptured to look massive as concrete. To further the illusion of thick walls, Kaptur provided the Tahquitz buildings with window that appear to be deeply recessed. In other places, windows push outward from the wall surface, as if trying to break free of the building. Similar out-pushing windows can be found at Kaptur's Musicland Hotel, another building that flirts with the illusion of heavy masonry...."

090

In my view, the human experience of cities is largely made up by memorable images, structures and spaces that lend a sense of identity to the community. These buildings mig ht be described as the "sina qua non" of any particular city, meaning that without these structures or images, the city would be diminished and lose part of its "sense of place." Every person who is aware of architecture in Palm Springs is still feeling the loss of the Palm Springs Spa Hotel. In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs. It is a tasteful, viable building that has been tenanted since its completion. The Tahquitz is also part of a trio of Kaptur-designed buildings on either side of the street, which increases both its interest and importance.

At the very least, the Commission should give serious consideration to preserving at least the original building of the complex, which included Mr. Kaptur's former office. Perhaps the City Planning Department can incentivize the developer by granting a density bonus on the remaining portion of the parcel, to compensate for any loss of buildable square footage that preservation of the Tahquitz offices may entail. Additionally, the Planning Department mig ht consider the waiver and/or forgiveness of certain development fees, as a further incentive to preserve the Tahquitz offices. Development is vital for the economic wellbeing of all cities. Equally so is the preservation of buildings that define its character in a positive way. It is my deeply held hope that the Planning Commission will find a way to accommodate both the best interests of both the City and the developer.

Respectfully yours,
Morris Newman
4850 Cameron Ranch Drive, Sacramento, CA, 95608
(323) 365-5655

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PALM SPRINGS PRESERVATION FOUNDATION

February 22, 2015

Item 2A

Planning Commission Meeting
Date: 2-25-15
Additional Material

Mr. Doug Hudson
Chair, Planning Commission
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Aberdeen Project and the Proposed Demolition of Tahquitz Plaza (1971, Kaptur & Lapham) (Case Nos. 5.1361 PD-375, 3.3820 and TTM 36876)

Dear Chairman Hudson,

We understand that the Planning Commission will meet on February 25, 2015 to evaluate the merits of "Aberdeen," a mixed-use project consisting of 74 attached and detached residential dwellings, 17 live-work units and approximately 1,568-square feet of retail on 8.05 acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo.

Our primary issue with the project is the unnecessary demolition of the architecturally-significant Tahquitz Plaza complex. Further, it is our view that you should not approve this project because it is flawed on many levels and fails to comport with the values and priorities of the city's general plan, historic resources program and sustainability program. The proposed demolition of Tahquitz Plaza directly contradicts many of the city's general plan values and priorities including: "unique architecture" (page 1-12); "Promot[ing] the…use of…existing construction to minimize resource depletion and conserve resources for future generations" (page 1-12); "Creat[ing] unique places that strengthen community identity, offer visual interest, and support lively activity" (page 1-13); "Preserv[ing] and uphold[ing] the high quality of architecture and the unique visual and aesthetic form in buildings…that distinguish Palm Springs from other cities." (page 1-13); and perhaps most to the point, to "Recogniz[ing] the importance of adaptive reuse for architecturally and historically significant resources." (page 1-13).

The importance of the work of architect Hugh Kaptur has only recently become appreciated. He received a star on the Palm Springs Walk of Stars during Modernism Week 2014 and he was the subject of a recent documentary film (*Quiet Elegance: The Architecture of Hugh M. Kaptur*). Additionally, his Tahquitz Plaza complex has been recommended to the contractor currently conducting the city's historic resources survey.

Possible future activities like the historic preservation of the Tahquitz Plaza are cost-effective tools that can be used to leverage private capital, create jobs, revitalize business districts, and stimulate a wide range of other economic activities. Palm Springs property owners, like Nexus Development, can take advantage of federal and state tax credit programs to help rehabilitate historic buildings. Preserving historic character helps support tourism by providing interesting and unique opportunities for visitors.

RECEIVED
FEB 23 2015
PLANNING SERVICES
DEPARTMENT

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
(760) 837-7117 • info@pspreservationfoundation.org • www.pspreservationfoundation.org

092

While the staff report recommends the approval of this project, that approval is highly "conditioned" and raises a host of issues with the project. Many of these concerns are driven by the unseemly density of the project and the developer's attempt to wring the maximum value out of the site. In perhaps one of the most audacious and surreal examples of developer logic, on page 11 of the staff report Nexus Development claims as a public benefit "The project itself as it enhances an 'underutilized site' in Section 14." Apparently, the elegant and brilliant siting of the architecturally-significant Tahquitz Plaza complex on a main city thoroughfare is viewed by this developer as a waste of land and therefore a detriment to the community.

Finally, we applaud the city's Architectural Advisory Committee's recent decision to unanimously deny this project. In that decision, only the merits of the project were considered by the AAC, not the architectural significance of Tahquitz Plaza. That issue falls more properly under your purview (as stated repeatedly by the city attorney during the AAC's January 26, 2015 meeting). In that regard, we suggest you recommend to the city council consideration of Tahquitz Plaza as a Class 1 historic site. The Tahquitz Plaza complex should easily qualify as an historic site under criterion 8.05.020(a)(3) (as the Tahquitz Plaza exemplifies a particular period in local history, to wit, the rise of modernist architecture in Palm Springs) and criterion 8.05.020(a)(5) (the work of a "master... architect").

If you have any questions please don't hesitate to contact the foundation at 760-837-7117 or info@pspreservationfoundation.org.

Sincerely,

Erik Rosenow
President

Attachments:
1. Advocacy postcard for Tahquitz Plaza produced by the Palm Springs Preservation Foundation

Copy to:
Palm Springs Modern Committee (Chris Menrad)
Desert Sun (Skip Descant)

Frank Tysen
Advocates for Better Community Development
Palm Springs, California

February 25, 2015

To the Honorable Planning Commission
City of Palm Springs, California

Re: 2A. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

To Whom It May Concern:

On behalf of Advocates for Better Community Planning (ABCD), we are requesting that the Planning Commission recommend denial of the demolition project, Planned Development District 375, Architectural Permit, and Tentative Tract Map based upon a failure of the project to conform to the City's General Plan, the Section 14 Specific Plan, and to conform to the surrounding heights, mass, design, architecture, and function of the surrounding business area. The pending Mitigated Negative Declaration also fails to adequately assess environmental impacts of the proposed demolition project and destruction of an architectural heritage, or HR affordable housing impacts, through failure to consider adaptive re-use, through failure to use multi-family housing in the design, or introduce a viable alternative to the project as proposed – such as adaptive reuse of the current structures.

This project, as proposed, takes a functioning, viable business environment, immediately across from the Regal Theater, and proposes to demolish the design, architecture, and function of the District, and to severely disrupt business functions for most likely a two-year period of time, during a time when the protections of State Redevelopment are defunct, and there is absolutely no evidence of blight in this District -- to the contrary.

Very little has been introduced as a justification for the demolition of existing buildings within a thriving District, and it is a bit frightening to conclude that the City is basically free to do this anywhere within the City, so that a developer can further maximize profit and increase the density and height of a commercial area, and slowly erode the architectural heritage and scale of downtown Palm Springs. This action sets a bad precedent, and needs strong justification – but at the least, it requires a full Environmental Impact Report!

The primary building proposed for demolition is an architectural treasure built by the prominent architect, Hugh Captor. Although Mr. Captor's building was constructed subsequent to 1969, and does not qualify for a Class III historic designation, this is a moot point in terms of its historic value, which can be assessed independently of age. An example of this is the Palm Springs Art Museum (PSAM), a Class I historic resource constructed subsequent to 1969. What has complicated the issue of historic preservation is the rather awesome backlog of buildings awaiting assessment by the City, as the Historic Site Preservation Board is underfunded. Accordingly, it is not surprising the building has not yet been catalogued. But at the least, this building is a treasure and is highly valued by a large and very active segment of the historic preservation population of Palm Springs.

Submitted to
Planning Commission
FEB 25 2015
094
Case #

The applicant is further proceeding in violation of the General Plan and Section 14 Specific Plan standards as follows, and has failed to consider viable environmental alternatives:

1. Table 6-1 of the Section 14 Specific Plan *prohibits* single-family residential buildings within the REO and RA land use classifications. Palm Springs is a charter city, but without doubt, it must comply with the General Plan and Specific Plan *legislative* standards that guide development and build-out.
2. The applicant is using a permit that is not authorized within Chapter 6 Implementation Section of the Section 14 Specific Plan, which limits land use entitlement to permitted uses, land use permits, and conditional use permits. A Planned Development Permit (PD 375) is a rezone action, incompatible with a Specific Plan that has already rezoned the area. *Reference page 6-1 and Table 6-1 of the Section 14 Specific Plan*
3. The applicant then uses the PDD flexibility procedures to justify the imposition of single-family residential within an area where it is expressly prohibited, and alters the development standards of the Specific Plan into a new configuration with greater economic benefit to the developer.
4. The proposed development creates cumulative impacts by destroying further high density residential low-income housing stock, because Section 14 Specific Plan anticipated multi-family residential for renters or low income persons, and the reservation of this housing stock was counted in the City's housing element to meet its allocation of acreage for the Regional Housing Needs Assessment. Instead, through a series of previous permits and this project, the City has slowly replaced the HDR classification with non-permitted single-family residential. They have used their new revised ordinance that eliminates the minimum threshold for residential. This should be evaluated in an Environmental Impact Report, and be considered non-compliance with its Housing Element and General Plan.
5. The Specific Plan was amended to reflect the recent amendment of the City's housing ordinances to eliminate minimum thresholds of density. This leaves the Specific Plan out of compliance with the General Plan and its State housing obligations.
6. The Specific Plan requires a density of 30 du/ac. By proposing 11 du/ac, the applicant violates the General Plan, Specific Plan, and State housing law.
7. The Specific Plan requires a minimum lot size of two acres, and the project lot size is considerably smaller, and it is accordingly, not consistent with the Specific Plan or General Plan.
8. By failure to require a Environmental Impact Report, the City has failed to consider the growth-inducing impacts of demolishing a viable business district and replacing it with a structure that does not conform to the historical character of the area, that does not match its density or form or height, nor does it address adequate housing in the mixed-use residential area. This change in the District may induce further incompatible changes.
9. The Mitigated Negative Declaration was not attached to the staff report, and has not been considered in conjunction with the staff report assessment. Accordingly, the decision makers do not have adequate information about impacts to make a proper recommendation to the City Council. The general public should have been given access in like-kind to the staff report, rather than be forced to make a trip to City Hall and get a non-electronic copy of the Initial Study.
10. The PDD replaces the development standards of the Specific Plan with new housing, new lot size, as a gated community where prohibited, inadequate street fronts, inadequate side, rear and front-yard setbacks, and not the least – an unrealistic examination of the impact of added height to the buildings.

With regard,

Frank Tysen

ITEM 2A

Judy Deertrack
1333 South Belardo Road, Apt 510
Palm Springs, CA 92264

Submitted to
Planning Commission

MAR 25 2015

Case # 2A

Wednesday, March 23 2015

To the Honorable Members of the
Palm Springs Planning Commission
City of Palm Springs, California

2A. O & M HR, LLC. (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

To Whom It May Concern:

I am a resident of the City of Palm Springs, with an active interest in historic preservation, and commitment to the small-town village atmosphere planned for in the City's General Plan. I ask the following of the Planning Commission, but also with a conclusion that these acts of proper environmental consideration are mandated by law:

1. I am asking the City to set aside its finding in the Mitigated Negative Declaration that the project has "no impact" on cultural resources, nor does it "a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5."
2. I am asking that the City properly refer this project proposal to the Historic Site Preservation Board (HSPB) for a full report and consideration of whether the two Hugh Captor buildings on the site proposed for demolition is a resource that shall be considered by the lead agency to be 'historically significant' as buildings that meet the criteria for listing on the California Register of Historic Resources. I refer the Planning Commission to the comment letters on file from distinguished members of the preservation community.
3. I am asking that the City make a finding on the historical significance of the Hugh Captor buildings at issue as to whether they qualify as discretionary historic resources. That finding should be informed by the evaluation of the HSPB.
4. I am asking the City to review and revise its findings at page 24 of the Mitigated Negative Declaration "Discussion of Impacts a) No Impact" to reflect that the criteria for a finding of impact reflect CEQA Guidelines 15064.5 subd. (a) (3)&(4).
5. I am asking the City to review and revise its findings in the staff report that concludes there is no historic impact of significance in the decision to demolish the Hugh Captor buildings, because they have never been locally registered or state registered as an historic resource. This language is misleading to the decision makers on this project.
6. I am asking the City to review and revise its findings on impacts to Land Use and Planning in the Mitigated Negative Declaration at page 37, wherein it concludes that the project does not "conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, (including but not limited to the general plan, specific plan, ... Or zoning ordinance). Adopted for the purpose of avoiding or mitigating an environmental effect." The Discussion of impacts does not even mention the fact that the development standards are not in compliance with the Specific Plan; nor does it reference the fact the project proposes single-family residential in a Specific Plan area where single-family residential is specifically prohibited! (RA and REO). In fact, the discussion at b) is factually

inaccurate, because it discusses multi-family residential buildout. The factual inaccuracy and lack of consistency has impacted mitigation measures and findings, and these need to be corrected.

7. I am asking the City to properly evaluate and mitigate the impact of eliminating multi-family housing within a Specific Plan area that provides for MFR to the exclusion of SFR, along with the attendant affordable housing impact that might arise from exclusion of MFR housing where it is intended to be built.
8. I am asking the City to conform its findings of consistency with the general plan and specific plan for Section 14, to reflect the actual non-compliance with building standards and housing type. (see previous letters on file by Frank Tysen)
9. Most importantly, I am asking for the City to provide a full EIR evaluation so that the environmental alternative of conserving the Hugh Captor buildings can be properly considered. The MND is fatally defective without this assessment.

Please consider the following language from Valley Advocates v. City of Fresno (2008):

VALLEY ADVOCATES et al, v. CITY OF FRESNO et al.
72 Cal.Rptr.3d 690 (2008) 160 Cal.App.4th 1039

OPINION

. . . . . "We reach the following conclusions. First, at the meeting where City determined the project was exempt from CEQA, it was misinformed about its discretionary authority to determine the buildings were historic resources. *As a result, City cut short its inquiry into the historic significance of the buildings and relied too heavily on its earlier decision not to list the buildings in the local register of historic resources.*" [emphasis added] *Valley Advocates* at page 694.

DISCUSSION . . . . .

I. Background on CEQA's Treatment of Historical Resources

"Section 21084.1 and its implementing Guidelines establish three analytical categories for use in determining whether an object is an historical resource for purposes of CEQA. (See *League for Protection of Oakland, supra*, 52 Cal.App.4th at pp. 906-907, 60 Cal.Rptr.2d 821 [three categories of historical resources identified as mandatory, presumptive and discretionary].)" *Valley Advocates* at page 698

II. Mandatory Historical Resources
A. Applicable Text of CEQA and Guidelines

"The category of mandatory historical resources is based on the second sentence of section 21084.1, which states: 'For purposes of this section, an historical resource is a resource *listed in, or determined to be eligible for listing in, the California Register of Historical Resources.*' [emphasis added]

The Guidelines define the scope of the category of mandatory historical resources by adding one limitation to the text of the second sentence of section 21084.1. Specifically, Guidelines section 15064.5, subdivision (a) (1) provides that "the term 'historical resources' shall include ... [¶] ... [a] resource listed in, or determined to be *699 eligible *by the State Historical Resources Commission* [] for listing in[,] the California Register of Historical Resources (Pub. Res.Code § 5024.1, Title 14 CCR, Section 4850 et seq.)." (Italics added.)" *Valley Advocates* at page 698-699

III. Presumptive Historical Resources
A. Applicable Text of CEQA and Guidelines

"The category of presumptive historical resources is created by the third sentence of section 21084.1, which states:

"Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant."

The Guidelines reiterate this definition by stating that "the term 'historical resources' shall include ... [¶] ... [a] resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies *701 must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant." (Guidelines, § 15064.5, subd. (a)(2).)

Under these provisions, there are two types of presumptive historical resources. The first type is a resource included in a local register of historic resources. A "local register of historic resources" is defined as a "list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution." (§ 5020.1, subd. (k).) The second type of presumptive historical resource is a resource identified as significant in certain surveys of historical resources. (§ 5024.1, subd. (g).) The historical resource survey must meet all four of the criteria set forth in section 5024.1, subdivision (g).[8]" *Valley Advocates* at 700-701

IV. Discretionary Historical Resources

A. Text of CEQA

"The category of discretionary historical resources is derived from a combination of *702 the second sentence and the last sentence of section 21084.1.

The text of the second sentence of section 21084.1 states: "For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources." [10]

The last sentence of section 21084.1 states:

"The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section." *Valley Advocates* at pp. 701-702.

B. Provisions in the Guidelines . . . . .

2. Guidelines section 15064.5, subdivision (a)(3)

"Guidelines section 15064.5, subdivision (a)(3)[13] addresses aspects of a lead agency's *703 *discretionary authority* in two ways. First, it limits what the lead agency is allowed to do. Second, it appears to impose an affirmative obligation on the lead agency. [emphasis added]

The limitation is stated at the beginning of Guidelines section 15064.5, subdivision (a)(3): "Any object [or] building ... which a lead agency determines to be historically significant ... may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record." The Guidelines use the word "may" to identify discretionary authority. (Guidelines, § 15005, subd. (c); see § 15 ["may" defined].) Thus, Guidelines section 15064.5, subdivision (a)(3) confirms the lead agency's discretion to treat an object or building as an historical resource for purposes of CEQA and limits that discretion to situations where substantial evidence supports the lead agency's determination of historical significance.[14]

The second sentence of Guidelines section 15064.5, subdivision (a)(3) contains the following mandatory language: "Generally, a resource *shall* be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources...."[15] (Italics added.) The word "shall" is used in the Guidelines to identify "a mandatory element which all public agencies are required to follow." (Guidelines, § 15005, subd. (a).)" *Valley Advocates* at page 702-703

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3. Discretionary authority. . . . .

C. Application of Interpretation to Facts of this Case

"The May 3, 2005, staff report that recommended the City Council affirm the issuance of the categorical exemption for the project addressed whether the administrative record contained substantial evidence that the Flats were an historic resource:

'The Subject Building is not a 'historic resource' under CEQA because it does not fall into any of the categories within the definition of 'historic resource' in CEQA. That is, the Subject Building is not on a State register, it has not been found to be eligible for a State register by the State Historic Preservation Commission, it is not on a local register, and Council has not treated nor chosen to treat the building as historical." (Italics added.)" *Valley Advocates* at p 704

The staff report, Unruh's advice, and a statement made by an attorney from the city attorney's office misinformed the City Council about its discretion. The City Council was not told that it had a choice to make at the May 3, 2005, hearing. It was told that it already had determined the Flats were not historical resources and that the previous determination answered whether the Flats were historic resources or not.

Instead, the City Council should have been informed of the following. First, its prior determination to deny the listing application meant that the Flats did not qualify for CEQA's presumptive historical resource category.[16] Second, a listing determination and a CEQA determination are not the same thing. Third, at a minimum, the City Council had a discretionary election to make at the May 3, 2005, hearing. Specifically, it could elect to separately consider whether the Flats were an historical resource for purposes of CEQA's discretionary historical resources category.

"Because the City Council was misinformed about its discretion to make such an election, it follows that the City Council did not, in fact, exercise its discretion and make such an election." *Valley Advocates* at page 704.

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2. Informational errors

"In some contexts presented under CEQA, a prejudicial abuse of discretion occurs when the absence of relevant information precludes informed decision making by the public agency. (E.g., *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 653, 57 Cal. Rptr.3d 663.)

This case involves something more than the simple absence of relevant information. *Here, the relevant information was absent and incorrect information was provided in its place."* [emphasis added] *Valley Advocates* at page 705.

B. Discretionary Historical Resources

"Prior determinations regarding the listing of a building on a local register are relevant to the presumptive historical resource category, but prior determinations not to list a building or include it in a survey do not control whether the object or building may be treated as an historical resource under CEQA's discretionary historical resource category. (See Guidelines, § 15064.5, subd. (a)(3)&(4).)".....

"Accordingly, the decision not to list a building on a local register does not necessarily resolve all factual questions and

discretionary aspects of the City Council's inquiry into whether the building is an historical resource for purposes of CEQA's discretionary historical resource category." *Valley Advocates* at page 708.

VII.-IX.[**]
DISPOSITION

"The judgment is reversed. The matter is remanded to the superior court with directions to vacate its order denying the petition for writ of mandate and to enter a new order that grants the petition for writ of mandate and directs City to (1) set aside its approval of the site plan review Application S-04-399, (2) set aside its findings that the proposed project is categorically exempt, and (3) conduct a preliminary review *712 that properly considers the discretionary historical resources category." *Valley Advocates* at page 711-712.

Thank you for your kind consideration.

Judy Deertrack

Terri Hintz

From: Paul Kaplan <paulkaplanre@gmail.com>
Sent: Wednesday, March 25, 2015 9:37 AM
To: Terri Hintz; David Newell; Jay Thompson
Subject: Aberdeen

I am opposed to the Aberdeen project and encourage the planning commission to DENY approval.
(Planning Commission meeting March 25 ITEM 1.B)
This project is too dense, lacks open spaces, and offers a poorly designed facade along Tahquitz Canyon.

Please deliver a hard copy to each commissioner before today's meeting.

--

Paul Kaplan
Director

Website: www.PaulKaplanGroup.com
Email: Paul@PaulKaplanGroup.com
Cell/TEXT: 760-285-8559
Office: 760-459-1396
Fax: 760-406-4221
The Paul Kaplan Group, Inc.
BRE 01325586
1701 N Palm Canyon #5
Palm Springs, CA 92262

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Planning Commission Meeting
Date: 3-25-15
Additional Material
Item 2A

101

David Newell

From: Judy Deertrack <judydeertrack@gmail.com>
Sent: Friday, March 27, 2015 9:52 PM
To: Flinn Fagg; David Newell
Subject: Aberdeen Project / Historic Ordinance (1969)
Attachments: Chapter 8.05 HISTORIC PRESERVATION.pdf; 2015.02.25 PCSR Preservationist Resumes.pdf

Dear Mr. Fagg:

With kind consideration for the hard work put into this project, I wanted to ask questions about the City's comments given to the Planning Commission at Wednesday's hearing, and make some recommendations. Would you also submit this email (letter) on the record of Aberdeen for inclusion in the staff report for City Council review?

Could you please clarify for me at the hearing with the Planning Commission: (1) what you actually told them regarding continuance and review jurisdiction; and (2) if (on hindsight) you would alter any of those statements.

I did not understand some of the limitations imposed upon review of the historic nature of the building, as you can tell from my comment letter submitted; nor did I understand the limitations on a continuance (in general), or denial of jurisdiction to refer the matter to the HSPB.

Please forgive if any of my understandings are incorrect, my Adobe Flash will not function or allow me to update, so I can't view the video of the proceedings until this is repaired.

Although you may want to respond in writing, I would also welcome a meeting with you or staff to clarify some of this before the City Council hearing on Aberdeen, and I really believe some of the historic preservation folks might be willing to meet as well. It is my impression that the City has always been very generous in resolving issues with the general public through constructive meetings, particularly when an issue reaches this level of controversy:

(1) Continuance: The Planning Commission was told they did not have the option of continuing the matter because of ordinance limitations. May I please know what ordinance or rule or limitation the City was referring to? It was not cited at the hearing. Is there a time limitation running under the Permit Streamlining Act? If so, may I have a sense of that timeline? What the time limitation is, what event triggered its time frame, what date terminates the legal time to review?

I was uncomfortable that "a yes or no vote and nothing else" was the City's adamant position, because the applicant / developer was in the audience demanding this! Nexus (O&M HR, LLC) appeared to be exercising the jurisdiction, rather than the City or the Planning Commission, and this is problematic.

This pressure to move up to City Council has happened in a context where the AAC and the Planning Commission clearly have major problems with this project, as proposed, and have refused to recommend approval.

The fact the City also recently passed an urgency ordinance shortcutting committee and commission review, and an unusual appearance of the City Attorney warning the Commissions / Committees against bias, together

with what appears to be a failure to properly assess historic impacts under CEQA - combines to create pressure that may not be in the best interest of anyone.

I so strongly recommend that this process slow down for public intervention. It is so clear to me the developer has chosen to expedite timewise, rather than spend requisite time on the issue of the historical significance of the Hugh Kaptur buildings.

The obligation of the City is to keep the scope of jurisdiction open during these administrative hearings, so that the record is not truncated.

(2) HSPB Referral: The Planning Commission was told by the City that the ordinance language of the City did not allow the Planning Commission to make a referral back to the Historic Site Preservation Board (HSPB) to determine the buildings' historical significance for purposes of CEQA (Commissioner Weremiuk asked staff about my comment letter on Valley Advocates - and the claim that the HSPB should have reviewed this building as a "discretionary historical resource" under CEQA, with an advisory opinion to the Planning Commission and City Council.)

I believe the City also (somewhat separately) concluded the HSPB did not have jurisdiction to review this building for listing or designation as a local historical resource.

At the hearing you stated that the HSPB is limited to review of buildings constructed on or before 1969, therefore, the matter could not be referred to the HSPB on any basis. Later (I am not sure) -- there may have been a comment that "perhaps there could be a referral," but ultimately the City told the PC this matter could not be delayed or continued, and must go "up" to City Council. Is this, in fact, correct?

On the issue of Aberdeen historic resources (and the Hugh Kaptur buildings), I recommend the City clarify HSPB jurisdiction in four important ways:

(a) whether the ordinances and/or practices of the City grant authority to the HSPB to review CEQA historicity on a demolition permit to advise the AAC, Planning Commission, and City Council on whether the buildings are historical in nature under the CEQA Guidelines for Cultural Resources, and if so, whether the buildings fall within the classification of (a) mandatory; (b) presumptive, or (c) discretionary, for purposes of setting a proper record of decision for CEQA.

(b) associated with Section (a), whether the HSPB has jurisdiction to review and advise whether there is "substantial evidence on the record," given Mr. Hess' testimony and that of others, to conclude that the Hugh Kaptur buildings "meet the criteria for listing on the California Register of Historic Resources"; and

(c) whether, as part of its review, the HSPB has jurisdiction to advise and recommend consideration in the commercial district of adaptive reuse of historic resources (Kaptur buildings) as an environmental alternative to the proposed project, or including any specialized conditions of approval or suggested mitigation and monitoring conditions that might be appropriate for the actual proposed project, if applicable; and

(d) whether an applicant, the City, and/or the HSPB can initiate an application for local listing eligibility during the pending of an application for demolition permit for the historic buildings at issue (with a clear understanding that local listing or local eligibility are NOT germane to the CEQA responsibilities!).

(3) Substantial Evidence of Historicity: Alan Hess is a credentialed historian and nomination expert that stated the following in his letter on file in the Aberdeen project:

"Briefly stated, Kaptur's significance is this: 1) Palm Springs mid century Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place." *Comment Letter of Alan Hess on file, dated February 19, 2015.*

This description, without a doubt, should qualify the Hugh Kaptur buildings for review under CEQA and independently qualify it for consideration as a Class I structure if the application is still timely (and I do not see anything barring that application).

I see nothing in the ordinances that bars qualified public members, HSPB, or City Council from initiating a review or nomination simply because a demolition and PDD permit is in process. I would want to be sure that the City, in its hearing process, has done nothing to discourage the public or HSPB from concluding this application is permissible -- at least not without carefully documenting the legal bar to filing an application.

(4) Distinguish CEQA: Please note through all of this discussion -- my position in my comment letter cites *Valley Advocates* -- there is a vast difference between a request for designation and listing as a local resource, and the requirements of review for CEQA with its informational and mitigation responsibilities!

Without a doubt, the City should have provided a clear record of review to establish whether the Kaptur buildings qualify as a discretionary resource under CEQA Guideline 15064.5 sub (a) (3) & (4). That clearly has not occurred:

"The second sentence of Guidelines section 15064.5, subdivision (a)(3) contains the following mandatory language: "Generally, a resource shall be considered by the lead agency to be 'historically significant' *if the resource meets the criteria for listing on the California Register of Historical Resources....*" [15] (Italics added.)" [emphasis added] Valley Advocates at 702-703

Mr. Hess' letter certainly would have raised this issue for environmental consideration. Mr. Hess' analysis and findings, together with the impressive resume and credentials, appear to create substantial evidence on the record for administrative consideration on the building historicity.

Reviewing the Mitigated Negative Declaration proposed for adoption by the City Council, the reasoning appears fatally defective and falls right into the trap of *Valley Advocates*. By CEQA discussion, the City disqualifies the buildings for CEQA historicity as a potentially significant resource ONLY because (quoting the MND).

Discussion of Impacts: a) No Impact. "The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs. No

impacts to historic resources are expected to occur as a result of build out of the proposed project."

I, again, return to the finding of Valley Advocates, invalidated the project permit for insufficient CEQA review and lack of jurisdiction to act:

B. Discretionary Historical Resources

"Prior determinations regarding the listing of a building on a local register are relevant to the presumptive historical resource category, *but prior determinations not to list a building or include it in a survey do not control whether the object or building may be treated as an historical resource under CEQA's discretionary historical resource category.* (See Guidelines, § 15064.5, subd. (a)(3)&(4).)"..... [emphasis added]

"Accordingly, the decision not to list a building on a local register does not necessarily resolve all factual questions and discretionary aspects of the City Council's inquiry into whether the building is an historical resource for purposes of CEQA's discretionary historical resource category." *Valley Advocates* at page 708.

(5) Stay of Demolition: Throughout the entire review period of Aberdeen, the City appears to have always taken (or implied) a public position that it would be null and void for a third party or for any member of HSPB to initiate an application for review and designation of the site for historic significance or listing for these buildings (aside from CEQA). Certainly that is true if they have advised the public that the building must be constructed on or before 1969 to qualify. Can the City now profit (laches) from misleading the public (if, in fact, they have), and preclude the timeliness of an application for listing?

Looking at Ordinance 8.05, it appears to anticipate action by the HSPB during a period when a demolition permit and project review is in progress, for Ordinance 8.05 clearly states:

8.05.170 Stay of demolition.

"At any time after the initiation of proceedings for designation of an historic site or district, the historic site preservation board may, upon its own motion or upon the application of any interested person, *issue an order staying any proposed or threatened demolition* or alteration of the exterior of any structure within or upon such proposed site." [emphasis added]

8.05.166 Initiation of proceedings—National Register.

(a) *The historic site preservation board may initiate proceedings* for designation of an historic site or district or the recommendation of a property for nomination to the National Register by motion, and shall then hold at least one public hearing prior to making a recommendation to the city council.

(b) *The city council may initiate proceedings* for designation of an historic site or district or the recommendation of a property for nomination to the National Register by motion, and shall then refer to the matter to the historic site preservation board for public hearing and recommendation.

(c) Upon final action by the city council recommending a property for nomination to the National Register, the recommendation will be forwarded by appropriate application to the state of California Department of Parks and Recreation. (Ord. 1320 § 7, 1988)

8.05.200 Procedure upon application.

(a) *Upon the filing of an application,* the secretary of the board shall set the matter for review and shall give notice in accordance with the rules of the board. The board shall make its decision within forty-five days from the date the application is filed. If the board fails to act within forty-five days, the application is considered approved unless the applicant and the board agree to an extension of time. [emphasis added]

I am assuming any party may file for an application, as long as they submit the required data, since the ordinance does not specify otherwise.

(6) Brown Act: I did want to alert the City that the posted agenda (notification) for this PC hearing looks problematic to me. It states in the public notice, "O&E HR, LLC, *for the demolition* of an existing *project* and parking area *to construct*.....[project description]" The staff report states, "Recommend the City Council adopt the mitigated negative declaration and *approve the project,* subject to conditions." [emphasis added]

For purposes of adequate public notice on the agenda, I would recommend referring to the underlying permit typology. Approving "a project" doesn't tell us what is being approved. Decision makers approve land use entitlements and the supplemental permits, and often in stages. Where in the description does this say whether this is a PDD, a CUP, a combination, a demolition permit that will be issued before or after project approval? A carefully crafted description answers those questions. The public needs to know whether Planning Commission has final approval or is making a recommendation to the City Council.

(7) Demolition Permit Premature: Frank Tysen raised the issue that it is premature to issue a Demolition Permit when the underlying project has not been approved, and I agree. What will happen if the historical structure is demolished and the subsequent project is denied? It sets up a perfect bias. Once demolished, with an empty lot, impartiality of review cannot be maintained, because the City will be desperate to correct the blight. If demolished ahead of a CEQA determination on the MND (or need for an EIR), the consideration of environmental alternatives is destroyed as an option, and mitigation considerations are truncated or destroyed. This cannot possibly be legal.

This, again, is why public notice must show the action item. Is the demolition permit under review? Who has final authority? What happens to the unresolved PDD and MND?

(8) Valley Advocates Finding: The Fourth District Court of Appeal spoke overtly about the failure to properly instruct the decision making body of their options in classifying the structure as an historic resource. The result of not doing so prejudiced the final election of the body on whether to approve, deny, or refer. I maintain the City has created the same bias through failure to properly instruct the Planning Commission on the option to elect or consider the Kaptur buildings as historic resources, or precluding them from seeking legal advice on this issue, and/or referring the matter for determination to the HSPB. Valley Advocates discusses the issue as such:

> "Instead, the City Council *should have been informed of the following.* First, its prior determination to deny the listing application meant that the Flats did not qualify for CEQA's presumptive historical resource category. [16] Second, *a listing determination and a CEQA determination are not the same thing.* Third, at a minimum, *the City Council had a discretionary election to make at the May 3, 2005, hearing. Specifically, it could elect to separately consider whether the Flats were an historical resource for purposes of CEQA's discretionary historical resources category.* "Because the City Council was misinformed about its discretion to make such an election, it follows that the City Council did not, in fact, exercise its discretion and make such an election." [emphasis added] *Valley Advocates* at page 704.

Because of advice of staff at the Planning Commission hearing, the Planning Commission was denied the full range of opportunities to consider the implications of the Hugh Kaptur buildings as discretionary historical resources.

Thank you so much for your review of this material.

Judy Deertrack
760 325 4290

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY
EDMUND G. BROWN, JR., *Governor*

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March 27, 2015

David Newell
Associate Planner
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

Dear Mr. Newell,

RE: **ABERDEEN PROJECT INITIAL STUDY MITIGATED NEGATIVE DECLARATION**

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Aberdeen Project. Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. We have a history working with the City of Palm Springs (Lead Agency) through our Certified Local Government Program. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the City of Palm Springs to meet its program needs. The following comments are based on the information included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the Aberdeen Project.

The proposed project will construct an 8 acre mixed-use development with 74 residential units, and 17 live-work units, with approximately 1,568-square feet of retail space. The project site is partially occupied by the Tahquitz Plaza office complex, which would be demolished as part of the proposed project. In order to adopt the IS/MND as an adequate environmental document the in compliance with CEQA, the decision making body must find that it has adequately addressed environmental impacts. If the document has failed to identify significant environmental impacts, the decision making body should not adopt the findings as adequate.

Pursuant to the city's Municipal Code § 8.05.135, the City's Preservation Board is responsible to "conduct or cause to be conducted such preliminary surveys, studies or investigations as it deems necessary to adequately inform the historic site preservation board and city council prior to public hearing, and shall make available to any interested person the results of any such survey, study or investigation." In keeping with this provision of the municipal code, the City of Palm Springs commissioned a city-wide historic architecture survey. This survey effort is currently ongoing. As part of this survey effort, we understand the Tahquitz Plaza office complex was evaluated and identified as a historical resource. These findings were provided to the Lead Agency as

part of the CEQA comment process in a letter dated February 19, 2015, authored by Alan Hess, a specialist in the field of architectural history.

The discussion of environmental impacts within the IS/MND states that the Tahquitz Plaza office complex is not a historic resources as defined in the CEQA Guidelines § 15064.5 because "[t]he existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs." Yet, CEQA Guidelines § 15064.5 (4) states that "[t]he fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources, or identified in a historical resources survey does not preclude a lead agency from determining the resource may be a historical resource [for the purposes of CEQA]..." There is no mention in the IS/MND of the ongoing city-wide survey, nor any evaluation of eligibility for the Tahquitz Plaza office complex. In light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency to act within its discretion, provided in § 15064.5(4) of the CEQA Guidelines, to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA. If the Lead Agency is to consider the Tahquitz Plaza office complex a historic resource, it could not reasonably adopt the findings in the IS/MND as being in compliance with CEQA and adequately addressing significant environmental impacts.

If the Lead Agency chooses to exercise its discretion under § 15064.5(4) of the CEQA Guidelines and treat the Tahquitz Plaza office complex as a historic resource, it may be possible to modify the proposed project to avoid impacts to the historical resources. If the project is modified to avoid demolition, impacts to historic resources could be avoided. In this way, the Lead Agency could modify the IS/MND, and avoid the time and cost involved in preparing an Environmental Impact Report (EIR).

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at Sean.deCourcy@parks.ca.gov.

Sincerely,

Carol Roland-Nawi, Ph.D.

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

CC:
Palm Springs City Council
Palm Springs Preservation Foundation

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2015 APR -7 PM 4:3.

Palm Springs City Council

My name is Hugh Kaptur, I have spent fulltime, the last 60 years of my life living in Palm Springs, earning a living in the field of architecture. In the eighties and nineties I've contributed my time, as a member to the city Architectural Review Board and the Planning Commission. I have a deep respect for you, contributing your time to our great city as well.

Reviewing the Aberdeen project, I have some serious concerns as to the concept that is being presented. They are from a historic standpoint, good planning practices, and personal.

Our forefathers from the fifties envisioned Tahquitz Mccallum to be a grand boulevard connecting the City Airport and the Downtown. Their dream was cemented into the Palm Springs General Plan and Zoning Ordinances along this boulevard. Their plan was high end development along its frontage, to create an impressive avenue for visitors, visiting Palm Springs. To achieve this goal, strict conditions were written into the Zoning Ordinance as to what would be allowed. The Aberdeen project as presented violates all of the conditions set forth in the zoning, including setbacks, heights, density, parking and use. This dream our forefathers had for Palm Springs and Tahquitz Mccallum has been handed down through the years, council to council and respected. In my opinion it is your duty, to continue that legacy, and enforce our General Plan and Zoning Ordinances.

This concept being presented of small cubicles with live workings spaces, is not new, it's been going on for hundreds of years, and under certain conditions works well. The Pacific Coast and other similar areas, where wide boardwalks and several 100 yards of Sandy Beach overlooking the Ocean, it has become particularly popular. These areas draw hundreds if not thousands of vacationers and beachgoers to enjoyed nature's gifts. These areas also have wide barriers separating people from vehicular traffic. Looking at the Aberdeen project at this location none of these demographics are represented.

Let's assume the developers hope comes true, that this use will draw pedestrians, that creates a major planning problem. With its narrow sidewalks and the 40 mph speed limit on Tahquitz with no barrier, separating pedestrians and vehicular traffic, is an accident waiting to happen. Even downtown you have curb parking which separates people from vehicles.

Tahquitz Plaza has become a significant piece of architecture, not that I have designed it, but that the buildings themselves have become part of a heart and soul for iconic architecture in Palm Springs. These buildings are being suggested for CEQA. review. Tahquitz Plaza is included in many of the architectural tours that have made Palm Springs so popular in recent years. According to Palm Springs Life Magazine, modernism week, and yearly architectural tours brings hundreds and hundreds of thousands of dollars of revenues to local hotels, restaurants

and retailers and some of the things which in turn adds to the city tax base.

I'm in hopes this counsel will keep in mind its historic commitment to your predecessors, and not allow the Plan Development process to overrule good planning practices!

Respectfully yours

Hugh M. Kaptur

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April 8, 2015

Via Email
Original to follow

Honorable City Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Comments on Aberdeen Project, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876; Objection to Demolition of Historic Tahquitz Plaza

Honorable Councilmembers:

On behalf of the Palm Springs Modern Committee, we urge the City to require the preservation of the Tahquitz Plaza as part of the proposed Aberdeen Project. The Aberdeen Project, as described in the mitigated negative declaration (MND) prepared for the project, includes: demolition of all four Hugh Kaptur designed buildings that comprise the historic and architecturally significant Tahquitz Plaza; construction of 74 residential units; and construction of 17 live-work units along Tahquitz Canyon Way (the "Project" or "Aberdeen Project"). The Project was slightly revised as presented to the Planning Commission to reduce the number of residential units to 73 and the number of live-work units to 13 to allow for the preservation of one of the four Tahquitz Plaza buildings, but it is unknown to the Palm Springs Modern Committee whether the MND version of the Project or the Planning Commission version of the Project will be presented to the City Council.

Under either iteration, the Project would result in significant adverse impacts that have not been disclosed or analyzed in the MND. The California Environmental Quality Act ("CEQA") requires preparation of an environmental impact report ("EIR") whenever a project may have a significant adverse impact on the environment. (Public Resources Code section 21151.) As proposed, the Aberdeen Project would result in the demolition of all or most of the Tahquitz Plaza, resulting in significant adverse historic resource and aesthetic impacts. Despite pleas to analyze the significance of and impacts to this resource from numerous members of the public, including experts in historic architecture, the Planning Commission and even the California Office of Historic Preservation, the

City has provided no analysis of the Tahquitz Plaza. The Project would also result in land use and aesthetic impacts due to the Project's inconsistencies with height, setback, inclusion of prohibited uses and landscaping requirements. Approval of the Project as proposed, and based upon only a MND, would result in a clear violation of CEQA. However, revising the Project to include the preservation of the Tahquitz Plaza would mitigate the majority of these potentially significant impacts, likely obviating the need for an EIR. A revised Project would provide the City with a project that preserves Palm Springs' important architectural history while still accommodating a substantial amount of new development.

I. CEQA's Requirements

An EIR must be prepared instead of a MND when there is substantial evidence to support a fair argument that the project may have significant adverse environmental impacts. "The fair argument standard is a "low threshold" test for requiring the preparation of an EIR." (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928.) "If there is substantial evidence of a significant environmental impact, evidence to the contrary does not dispense with the need for an EIR when it can still be 'fairly argued' that the project may have a significant impact." (*Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1001; *see also* CEQA Guidelines § 15064.) It is a question of law, not fact, whether a fair argument exists, and courts owe no deference to a lead agency's determination. There is a clear preference for resolving doubts in favor of preparing an EIR. (*Architectural Heritage Association. v. County of Monterey* (2004) 122 Cal.App.4th 1095, 1110; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 617-618; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 151; *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602-03.)

There is substantial evidence to support a fair argument that, as proposed, the Aberdeen Project may have significant adverse impacts. The Project would demolish the historically significant Tahquitz Plaza, resulting in significant historic resource impacts. The Project also fails to comply with numerous land use regulations and requirements. This noncompliance results in both land use and aesthetic impacts that were not analyzed or even acknowledged by the MND.

A. Historic Resource Impacts.

CEQA section 21084.1 mandates that "[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." A substantial adverse change in the significance

of an historical resource includes "physical demolition, destruction, relocation, or alteration of the resource..." (CEQA Guidelines § 15064.5(b)(1).) The Aberdeen Project would demolish the historically significant Tahquitz Plaza, resulting in a significant adverse impact.

1. Tahquitz Plaza is an Historic Resource.

Hugh Kaptur is among Palm Spring's most important and visionary local architects. He is an innovative designer with his own distinctive to Desert Modern architecture. Mr. Kaptur was the subject of a recent documentary, *Quiet Elegance: The Architecture of Hugh M. Kaptur*. (See http://www.thisnthatfilms.net/hugh-kaptur.html, incorporated by reference.) The importance of his work within the City was also recognized when he received a star on the Palm Springs Walk of Stars in 2014 alongside those including William F. Cody, Albert Frey, Donald Wexler and E. Steward Williams.

The Tahquitz Plaza is a shining example of Mr. Kaptur's originality and ingenuity. The beautiful pueblo-influenced design of these buildings embodies his distinctive style. The Tahquitz Plaza was also designed to be energy efficient with thick walls and wide overhangs that protect the buildings from absorbing heat and an orientation intended to capture breezes. The visually prominent location of the Tahquitz Plaza along Tahquitz Canyon Way heightens the significance of this resource.

Under CEQA, "[g]enerally, a resource shall be considered by the lead agency to be 'historically significant' if the resource...: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values*; or (D) Has yielded, or may be likely to yield, information important in prehistory or history." (CEQA Guidelines § 15064.5(a)(3).)

The record for the Aberdeen Project is replete with evidence regarding the importance of Hugh Kaptur and the significance of the Tahquitz Plaza. The following evidence submitted by experts clearly demonstrates the Tahquitz Plaza embodies distinctive characteristics of Desert Modern design, represents the work of an important creative individual and possesses high artistic values. Thus, the City must consider the Tahquitz Plaza an historic resource and analyze any impacts to this resource in an EIR.

Alan Hess, architect, historian, and the author of numerous books on Modern architecture, submitted comments regarding the importance of Hugh Kaptur in history of

Palm Springs Modernism. (**Attachment 1**, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP.) His letter describes Hugh Kaptur's unique style and the high artistic value of his work at Tahquitz Plaza. Mr. Hess is a consultant on the City's Citywide Historic Resource Survey Update that is currently being prepared. He has strongly recommended the listing of Tahquitz Plaza as a significant resource on that survey.

Architectural historian Morris Newman interviewed Hugh Kaptur as part of his work on an essay regarding Mr. Kaptur published in *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs*. (**Attachment 2**, Newman Essay re Hugh Kaptur.) Mr. Kaptur informed Mr. Newman that the Tahquitz Plaza, where Mr. Kaptur maintained his practice for many years, is one of his favorite projects. In comments submitted to the City, Mr. Newman found that "[a]lthough Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity...In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs." (**Attachment 3**, Newman Email to City.) Mr. Newman also noted the importance of Tahquitz Plaza is enhanced by the fact that it is part of a trio of Kaptur-designed buildings along this stretch of Tahquitz Canyon Way.

Brad Dunning, a former Historic Site Preservation Board member and designer known for working on architecturally significant properties and restorations, also submitted comments urging preservation of the Tahquitz Plaza. He stated that Hugh Kaptur's work is as important to Palm Springs as that of Albert Frey, E. Stewart Williams, Donald Wexler, and William Cody. He found Kaptur's work to be "distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs." (**Attachment 4**, February 20, 2015 Dunning Email to City.)

The architect for the Tahquitz Plaza, Hugh Kaptur, who is also a former Planning Commissioner and member of the City's Architectural Advisory Committee, has articulated before the Planning Commission and in a recent editorial why the Tahquitz Plaza is one of his favorite projects. (**Attachment 5**, April 7, 2015 Kaptur Editorial in *Desert Sun*.) Mr. Kaptur feels the Tahquitz Plaza represents some of his best work, noting that the buildings were the recipients of architectural awards in 1979 and 1980.

The California Office of Historic Preservation has also urged the City consider the Tahquitz Plaza an historic resource and either modify the Aberdeen Project to preserve the Tahquitz Plaza or to prepare an EIR to analyze the impacts. . The OHP's letter officially states "in light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency [the City] to act within its

discretion...to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA." The OHP letter further states that the City has the discretion under CEQA to "treat the Tahquitz Plaza office complex as a historic resource, [and that] it may be possible to modify the proposed project to avoid impacts to the historic resources.... In this way, [the City] could avoid the time and cost involved in preparing an Environmental Impact Report (EIR)."

The City's own design and land use experts, the Architectural Advisory Committee and the Planning Commission, recognized the significance of Tahquitz Plaza and recommended denial of the Project based in large part upon the proposed demolition of these buildings.[1] At the Planning Commission hearing, a Commissioner asked City staff whether the City could find a building to be a local historic resource if it had not yet reached 50 years of age. No specific answer was provided, but a review of the City's Historic Preservation Ordinance demonstrates there is no prohibition or limitation regarding buildings that are less than 50 years and the City has previously listed resources that were less than 50 years of age. The Historic Preservation Ordinance was adopted "for the purpose of preserving areas and specific buildings of the city which reflect elements of its cultural, social, economic, political, architectural and archaeological history." (Palm Springs Municipal Code 8.05.010.) This Ordinance defines an historic site as "any real property ... that is unique or significant because of its location, design, setting, materials, workmanship or aesthetic effect and: ... (4) That embodies the distinctive characteristics of a type, period or method of construction; or (5) That presents the work of a master builder, designer, artist, or architect whose individual genius influenced his age; or that possesses high artistic value." (Palm Springs Municipal Code 8.05.020(a).) The expert testimony demonstrates that the Tahquitz Plaza meets criteria (4) and (5) of the City's definition of an historic site.

The wealth of evidence regarding the historic significance of the Tahquitz Plaza is similar to the evidence presented to the county in *Architectural Heritage Association v. County of Monterey* (2004) 122 Cal.App.4th 1095. In that case, the court found that the opinion of a consultant commissioned by the county, findings of an advisory committee and testimony of members of the public with relevant expertise represented "substantial evidence supporting a fair argument that the Old Jail is an historic resource." (*Id.* at 1118.) **Here, a City commissioned consultant (Alan Hess), other experts in the community, the Architectural Advisory Committee, the Planning Commission and**

1 The Planning Commissioners that voted against denial of the Project did not dispute the significance of the Tahquitz Plaza. Instead, they stated that they did not believe it was economically feasible to preserve these buildings. There is no economic analysis in the record to support this conclusion. Moreover, this is a determination that can only be made after analysis in an EIR.

even the California Office of Historic Preservation have urged the City to consider the Tahquitz Plaza to be an historic resource. Failure to do so is a violation of CEQA as it was in *Architectural Heritage Association.*

2. The MND Provide No Evidentiary Support for Finding of Insignificant Impacts to Historic Resources.

Despite all of the evidence presented to the City, and the importance of Hugh Kaptur and the Tahquitz Plaza, the MND/Initial Study completely ignores the buildings' potential historic significance. Instead of evaluating the historic significance of these resources, the MND/Initial Study merely references the Tahquitz Plaza as "1971 vintage office buildings." (MND p. 24.) The MND/Initial Study does not disclose that Hugh Kaptur was the architect of these buildings nor does it describe their unique design. It states that the buildings are not listed on the state or local register, but does not acknowledge that the buildings may soon be listed on the City's historic resources survey. Further, as pointed out by the Office of Historic Preservation, the fact that a resource is not listed on a register does not preclude a resource from meeting the criteria for historic resource under CEQA. CEQA "does not demand formal listing of a resource in a national, state or local register as a prerequisite to 'historical' status. The statutory language is more expansive and flexible." (*Architectural Heritage Ass'n, supra* 122 Cal.App.4th at 1114, citation to *League for Protection of Oakland's Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 907.)

The City's failure to evaluate the historic significance of the Tahquitz Plaza, despite substantial evidence of the buildings historicity and requests from the Planning Commission to study these impacts, is a violation of CEQA. The purpose of the initial study is to provide the lead agency with adequate information regarding a project to determine the appropriate environmental review document and "documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment." (*Ctr. for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal. App. 4th 1156, 1170, citations omitted.) "Where an agency. . . fails to gather information and undertake an adequate environmental analysis in its initial study, a negative declaration is inappropriate." (*El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal. App. 4th 1591, 1597, citations omitted.) Failure to adequately analyze all of a project's potentially significant impacts or provide evidence to support conclusions reached in the initial study is a failure to comply with the law.

This failure to provide an analysis is also a violation of the City's General Plan Policy RC 10.3, which states: "Require site assessment conducted by a qualified

specialist whenever information indicates that a site proposed for development may contain paleontological, historic, or archaeological resources." The evidence cited above clearly indicates the Tahquitz Plaza not only may be but is an historic resource.

3. The City's Failure to Follow OHP Recommendations Could Jeopardize Its Status as a Certified Local Government.

Palm Springs was recently approved as a Certified Local Government (CLG) by the California Office of Historic Preservation (OHP). The CLG Program is designed to encourage the participation of local governments in the identification, evaluation, registration, and preservation of historic properties in their communities. CLG communities are also eligible to receive a wide range of technical assistance and substantial grants from the OHP. The OHP monitors CLG communities' compliance with CEQA and other laws and regulations intended to protect historic resources. A determination by OHP that the City has failed to comply with CEQA could result in a loss of CLG status and/or the City's inability to receive OHP grant funding. OHP has recommended the City evaluate the historic significance of the Tahquitz Plaza. To comply with CEQA and protect its status as a CLG, the City should follow this recommendation.

B. Land Use Impacts.

The Architectural Advisory Committee and the Planning Commission have identified numerous areas in which the Aberdeen Project would be inconsistent with the Section 14 Specific Plan and City zoning regulations. The majority of these inconsistencies would be resolved if the Project were modified to include the preservation of Tahquitz Plaza.

A project's conflict with any applicable land use plan, policy or regulation is a significant environmental impact under CEQA. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 929.) "If substantial evidence supports a fair argument that the proposed project conflicts with [land use] policies, this constitutes grounds for requiring an EIR. Whether a fair argument can be made on this point is a legal question" that provides no deference to a city council determination.

The Aberdeen Project would exceed Section 14 height limits. The MND dismisses this land use policy conflict by claiming the Project would meet the requirements of the City's high-rise development standards. (MND p. 12.) As found by the Planning Commission, the Project would not comply with the high-rise development standards because it lacks the required setbacks by providing only 6.75 feet of setback from Tahquitz Canyon Way. Planning Commissioner's fact-based conclusions regarding a

project's failure to comply with land use policy is substantial evidence to support a fair argument that the project would have significant land use impacts. (*Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155.) Additionally, the Project would not include 60 percent open space, which is required to meet the high-rise development standards. (Palm Springs Municipal Code 93.04.00(A).) If the Tahquitz Plaza were preserved, adequate setbacks would be provided along Tahquitz Canyon Way and additional open space would be included in the Project, which would likely allow the Project to meet the high-rise standards for the remainder of the Project.

The Project would also result in a land use impact by including single family homes in area where single family homes are prohibited. (Section 14 Specific Plan p. 6-4.) The MND ignores this inconsistency by mischaracterizing the Project as multi-family housing. The City's Municipal Code defines multi-family housing as "a building designed for or occupied by two (2) or more families living independently of each other." (Palm Springs Municipal Code 91.00.10.) In the Aberdeen Project, the majority of the buildings, particularly those along Tahquitz Canyon Way, are completely detached units that are designed for occupancy by only one family, thus they do not meet the City's definition of multi-family housing and are prohibited by the Section 14 Specific Plan. The MND is inaccurate and misleading to the public and decision makers by failing to disclose the inclusion of a prohibited use in this Project.

The setback, height and use conflicts are similar to those found by the court to be significant impacts requiring preparation of an EIR in *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903. In the *Pocket Protectors* case, the planning commission found a densely packed single family housing project to be inconsistent with housing type and setback policies for the area. The MND prepared in that case glossed over or ignored the inconsistencies, much the way it does here, and the project approval was found to be in violation of CEQA.

The Aberdeen Project further violates land use policies due to its inconsistencies with required landscaping along Tahquitz Canyon Way. The minimal setbacks provided by the Project do not allow adequate space for the large palm trees, desert landscaping, public art and pedestrian amenities along Tahquitz Canyon Way required by the Section 14 Specific Plan. The MND acknowledges the inconsistency and provides mitigation measure MMI-1, which states: "Project site plans, architectural renderings and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by City Council." The ability of mitigation measures to actually mitigate impacts must be evaluated in the environmental review document. By waiting until after the City Council hearing to develop a mitigation measure for this impact, the MND fails to assess the efficacy of the

measure and improperly defers mitigation. The developer has opted not to make the revisions necessary to bring this Project into compliance with the Section 14 Specific Plan and thus the inconsistency, and land use impact, remains.

The Project would also violate several City General Plan policies, resulting in further land use impacts. The General Plan requires the City to:

- RC10.1 Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features.
- RC10.2 Encourage and support the retention and adaptive reuse of buildings of architectural, historic, or cultural significance where financially feasible.
- RC10.5 Actively encourage and promote the understanding, appreciation, and preservation of the archaeological, historic, and cultural resources.

By allowing the demolition of the historically significant Tahquitz Plaza, the City's approval of the Project would violate these General Plan policies.

C. Aesthetic Impacts

The Aberdeen Project would also result in significant aesthetic impacts that require analysis in an EIR. The proposed demolition of the historically significant Tahquitz Plaza at a prominent location in the City's downtown would degrade the visual character of the area. These architecturally distinctive buildings with wide landscaped setbacks would be replaced with densely packed units that exceed height limits and violate setback requirements. The Planning Commission has questioned the viability of providing live-work units along Tahquitz Canyon Way and expressed concern that these visually prominent units would end up being used as storage space, further degrading the visual character. This degradation is particularly significant because Tahquitz Canyon Way is designated as a scenic corridor by the City's General Plan.

Conclusion

The Palm Springs Modern Committee urges you to reconsider the proposed Aberdeen Project. As proposed, the Project's impacts require analysis in an EIR and the City's proposal to approve the Project based upon a MND violates CEQA. If the Project were revised to include preservation of the Tahquitz Plaza, the majority of the housing units could still be constructed, but the impacts of the Project would be substantially reduced.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Minteer
Attorney at Law

Attachments:
Attachment 1, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP
Attachment 2, Morris Newman Essay re Hugh Kaptur.
Attachment 3, Morris Newman Email to City re Aberdeen Project
Attachment 4, February 20, 2015 Dunning Email to City
Attachment 5, April 7, 2015 Kaptur Editorial in Desert Sun

cc: Flinn Fagg, AICP, Director of Planning Services
David Newell, Associate Planner
David H. Ready, Esq., Ph.D., City Manager
James Thompson, City Clerk
Palm Springs Modern Committee
National Trust for Historic Preservation
California Preservation Foundation

ATTACHMENT 1

ALAN HESS
ARCHITECT
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February 19, 2015

Terri Hintz
Planning Department Administrative Coordinator
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

To the Planning Commission:

I am writing as an architect, historian, and author of nineteen books on Modern architecture to express my support for the preservation of the Tahquitz Plaza office complex because of its historical significance to Palm Springs and California architecture. Please share this letter with the Planning Commissioners prior to their February 25, 2015 meeting.

I have written two books on Palm Springs architecture (*Julius Shulman: Palm Springs*, Rizzoli International, 2008, and *Palm Springs Weekend*, Chronicle Books, 2001) and can say that these buildings, and the work of architect Hugh Kaptur, play an important role in what is now identified as Palm Springs Modernism.

I am also a consultant on architectural history for the current City of Palm Springs architectural survey. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey.

My resume is attached. I have written on architecture for the *Los Angeles Review of Books, The Architect's Newspaper, The Los Angeles Times, Architectural Digest, the Journal of the Society of Architectural Historians*, and other journals. I have been the architecture critic of the *San Jose Mercury News* since 1986, received a grant from the Graham Foundation for Advanced Studies in the Fine Arts, and was a National Arts Journalism Fellow at Columbia University.

The research of the importance of Palm Springs Modern architecture in general is very recent. Only a decade ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not well known

generally; few Modern buildings now considered iconic were identified as historic then. Since then, our understanding of these and other architects has made us aware of the full dimension of Palm Springs architectural history.

As we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of scholarly opinion on Kaptur's importance.

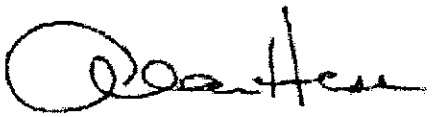
Briefly stated, Kaptur's significance is this: 1) Palm Springs midcentury Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place.

In addition, its site on Tahquitz Canyon places it in the context of the city civic center, an extraordinary collection of Modern buildings serving civic purposes, and rare in the state.

I am writing this letter *pro bono* because historic architecture of this quality adds to the civic character and quality of city life. In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design would be a loss to history and the city's urban quality.

Sincerely,



Alan Hess

RESUME OF ALAN HESS, ARCHITECT

4991 Corkwood Lane, Irvine, CA 92612 949/551 5343 www.alanhess.net
alan@alanhess.net

WORK	1981-	Alan Hess, Architect
	1986-	Architecture critic, **San Jose Mercury-News**
EDUCATION	1975-78	M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles
	1970-74	B.A., Principia College, Elsah, IL

DESIGN

Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits
Gordon Onslow-Ford guesthouse, Marin County, CA

TEACHING	1989-91	Instructor, University of California, Los Angeles
	1986-90	Lecturer, Southern California Institute of Architecture

PRESERVATION

Design Guidelines, Heatherstone Community, Mountain View, CA
Honor Award 1997, National Trust for Historic Preservation
President's Award, California Preservation Foundation
Qualified for National Register of Historic Places:
- Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA
- McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA
- Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ
- Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA

Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone 1959), National Theater, Westwood (1969) and other mid-century modern structures

FELLOWSHIPS

Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98

GRANTS

Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990

LICENSE

Licensed architect, California # C 15747

SELECTED PUBLICATIONS

BOOKS:

Frank Lloyd Wright:Natural Design, Organic Architecture RIzzoli International, New York 2012

Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

Oscar Niemeyer Buildings Rizzoli International, New York 2009

Frank Lloyd Wright: The Buildings Rizzoli International, New York 2008

Julius Shulman: Palm Springs Rizzoli International, New York 2008

Forgotten Modern: California Houses 1940-1970 Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Mid-Century Modern, Rizzoli International, New York 2007

Organic Architecture: The Other Modernism Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Prairie Houses, Rizzoli International, New York 2006

Oscar Niemeyer Houses, Rizzoli International, New York 2006

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The Ranch House, Harry Abrams, Inc., New York 2005

Googie Redux: Ultramodern Roadside Architecture, Chronicle Books, San Francisco 2004

Palm Springs Weekend: the Architecture and Design of a Midcentury Oasis, Chronicle Books, San Francisco 2000

Rancho Deluxe: Rustic Dreams and Real Western Living, Chronicle Books, San Francisco 2000

The Architecture of John Lautner, Rizzoli International, New York 1999

Hyperwest: American Residential Architecture on the Edge, Thames & Hudson, London 1996

Viva Las Vegas, Chronicle Books, San Francisco, CA 1993

Googie: Fifties Coffee Shop Architecture, Chronicle Books, San Francisco, CA 1986

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"Big Man on Campus: Alan Hess on Modernist Maverick, a new exhibition at the Nevada Museum of Art exploring the architecture of William Pereira," *Architect's Newspaper*, Sept. 26, 2013

"Connecting the Dots: Alan Hess on Pacific Standard Time Presents: Modern Architecture in L.A.," *Architect's Newspaper*, Sept. 6, 2013

"The Beauty of Authenticity: Dana Point Harbor," *Orange Coast Magazine*, Aug., 2013

"Wide Angle Lens: Alan Hess on the Getty's new exhibition, Overdrive: LA Constructs the Future 1940-1990, " *Architect's Newspaper*, June 21, 2013

"Everyday Modernisms: Diversity, Creativity, and Ideas in L.A. Architecture, 1940-1990"

Los Angeles Conservancy, "Curating the City" website, June 2013

"Schindler Goes Hollywood," **Los Angeles Review of Books,** May 26, 2012
"New Apple Campus," **San Jose Mercury News**, Sept. 2011
"John Lautner and Los Angeles," **Los Angeles Times,** July 23, 2011
"Coming to Terms with the Sixties," **National Trust Forum Journal**, Summer 2010 vol 24 no 4
"Colorful Landmarks: how color shaped public space in 1950s suburbia," **New Geographies**, Harvard Graduate School of Design, Oct 2010
"The Suburbs and the Ranch House," **California College of the Arts Architecture Studio Series**, 2005
"The Place of Histories," **Architecture California**, 04:1, 2003
"Steven Ehrlich house, Pacific Palisades," **Metropolitan Home**, Dec. 2005
"Montalvo Artists' Village," **Architectural Digest,** June 2005
"Cliff May's Romantic Mandalay," **Architectural Digest**, May 2005
"Meeting the Horizon in California, Roscoe House by Helena Arahuete," **Architectural Digest**, Jan. 2005
"Historic Architecture: Oscar Niemeyer," **Architectural Digest**, May 2003
"The Place of Histories," **Architecture California**, 04:1, 2003
"San Jose: A Downtown in the Making," **Places**, vol. 15, no. 2
"High Art Parking Lot," **Rearview Mirror: Automobile Images and American Identities,** University of California, Riverside 2000
"Eine kurze Geschichte von Las Vegas," **Stadt Bauwelt** 143, Sept. 1999
"City Center to Regional Mall," **Journal of Preservation Technology**, vol XXVII, no 4, 1997
"New York, New York," **Architectural Record,** March 1997
"John Lautner" **Progressive Architecture**, December 1994
"The Origins of McDonald's Golden Arches," **Journal of the Society of Architectural Historians**, XLV: 60-67, March 1986
"Technology Exposed," **Landscape Architecture**, May 1992, pp 38-48
"Burle Marx: A Shaky Legacy," **Landscape Architecture**, April 1992 p 38
"Back to Brasilia," **Progressive Architecture,** October 1991 pp 96-97
"Greenwald house," **Los Angeles Times Magazine,** October 27, 1991, p 31
"Of Cities and Their Halls," **San Francisco Examiner,** Aug. 7, 1991
"*American Style* and *Fifties Style*: reviews," **Design Book Review**, Winter 1989
"Schindler and Goff: Architectures," **L.A. Style**, March 1989
"Monsanto House of the Future," **Fine Homebuilding**, August/September 1986, No. 34
"The Eichler Homes," **Arts + Architecture**, Vol. 3, No. 3, 1984

SELECTED TALKS

LECTURES:

Getty Research Institute; Kansas City Modern; Dallas Modern; Arizona Preservation Conference Keynote; Nevada Museum of Art Symposium; Society of Architectural Historians Tour; Commonwealth Club of San Francisco; Society for Commercial Archeology Conference Keynote; Los Angeles Conservancy Welton Becket Centennial Keynote; Columbia University School of Architecture; Houston Modern; Phoenix Modern; Walker Art Museum; Chicago Humanities

Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

BROADCAST MEDIA AND FILMS:

"William Krisel, Architect," DesignOnScreen Foundation, 2010
"A Kick in the Head—The Lure of Las Vegas," BBC-TV January 2010
"Journeyman Architect: The Architecture of Donald Wexler," DesignOnScreen 2009
"Desert Utopia," DesignOnScreen, 2008
Which Way LA, KCRW-FM, July 7, 2008
Which Way LA, KCRW-FM July 27, 2007
The Late Show, BBC-TV January 16, 1995
CBS Sunday Morning News with Charles Kuralt, January 23, 1994
Good Morning America, August 3, 1993
CBS Morning News, Jan. 17, 1990
Videolog, KCET, Los Angeles, June 1985
Patrick Monroe Show, CBC Radio, February 1987
Morning Edition, NPR, May 2, 1986
Smithsonian World, "Speaking Without Words," PBS, March 1984

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Thomas Hines, **Architecture of the Sun,** 2010
"Las Vegas meets la-la land," **Smithsonian,** October 1995
"In Los Angeles, a '50s Flameout," **New York Times,** September 7, 1995
"Oldest McDonald's Closes," **New York Times,** March 6, 1994
"Would Las Vegas Landmark Be an Oxymoron?" **New York Times,** Oct. 7, 1993
"Restaurant Architecture," **Journal of the Society of Architectural Historians,** XLVIII:2, June 1989
"Legacy of the Golden Arches," **TIME,** June 2, 1986
"Books: Pop Style to Free Style," **Progressive Architecture,** December 1986
"*Googie: Fifties Coffee Shop Architecture,* a review," **Architectural Record,** May 1986
"Who Says It's Not a Landmark?" **Historic Preservation,** November/December 1987
"Googie -- History Closing the Menu on a 1950s style," **Los Angeles Times,** June 9, 1986
"Now let's hear it for Googie style," **Vancouver Sun,** February 5, 1987
"Architecture and Design reviews," **Philadelphia Inquirer,** November 30, 1986

"Architecture To Go," David Dillon, **Dallas News**, June 22, 1986
"Googie: Fifties Coffee Shop Architecture," **Art and Design**, London, June 1986

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March 20, 2015

Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

Dear Ms. Roland-Nawi:

I am writing at the request of the Palm Springs Preservation Foundation to ask you to consider writing a letter to the City of Palm Springs encouraging them to conduct an EIR for the Tahquitz Plaza office buildings (1971) by Kaptur & Lapham. The four buildings in this complex are excellent and well preserved examples of key aspects of architect Hugh Kaptur's work, and of Palm Springs Modernism.

The buildings are currently under threat of demolition for a proposed residential project. So far the city has not requested an EIR, but I believe the complex's significance and quality require it.

Kaptur is an important architect in Palm Springs Modernism. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, Kaptur often draws on organic concepts from Frank Lloyd Wright and forms from the American Southwest. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted frames around windows, the bermed walls, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. The strong composition of these many elements shows Kaptur's skill and the high artistic value of his work.

In addition, Tahquitz Plaza's location on Tahquitz Canyon places it in the context of the city's Modern civic center. Tahquitz Canyon is the city's main civic thoroughfare, linking the airport to downtown; along this boulevard is an extraordinary collection of Modern buildings serving civic purposes, including city hall, police and county facilities, and the airport, complemented by commercial buildings of similar style and siting. Such a collection of Modern civic center buildings is rare in the state.

Palm Springs' midcentury Modern architecture is known for its use of Modern concepts in addressing the challenges of climate, functions, and new material technologies. These are not typified by a single aesthetic; it ranges from the lightweight, steel framed houses resting lightly on the earth seen in the work of Richard Neutra and Albert Frey, to the autochthonous monolithic concrete structures, literally buried in the earth, seen in John Lautner's work, with many more interpretations in between.

Within this wide range, Kaptur's work is singular. His training in design was closely associated with midcentury automotive design in Detroit, where he attended Lawrence Tech and worked for General Motors' consumer design division. Kaptur has worked in Palm Springs from 1956 to the present day. He worked for and with other noted local architects, including Donald Wexler, Richard Harrison, and William Cody. Like those architects, his work is distinctive and individual, and yet his design also reflects common themes that distinguish Palm Springs Modernism.

The Tahquitz Plaza offices are an excellent representation of his use of sculptural, expressionist forms influenced by Native American adobe structures, but modernized and abstracted aesthetically in the spirit of Modernism. The complex's thick stuccoed walls do not imitate those vernacular structures; the silhouette of the walls and the curving windows frames that grow directly from those walls are carefully abstracted into forms that represent a distinct, modernized aesthetic vocabulary. This approach is also seen in other Kaptur designs, including the William Holden house (1977), and the Casa Blanca motel (1979.)

In addition, the Tahquitz Plaza offices incorporate unpainted wood walls and wood trellises. These also update the wood ramadas and trellises of traditional Southwestern architecture. The siting of the office structures creates small courtyards between the buildings (another design aspect seen in historic Spanish architecture of the Southwest) allowing for shaded outdoor areas.

Likewise, the landscaping and siting of the Tahquitz Plaza buildings represent an updating of traditional concepts and a Modern response to the hot climate. Berms rise partway up the walls, providing thermal insulation and connecting the structure to the earth, similar to Lautner's desert designs.

The thick walls, hooded windows, and shaded courts all have historic precedents, but they are also practical, integral elements that help moderate the strong sunlight and heat of the local climate. The design of all these elements is artful and well composed.

The use of historic regional architecture by twentieth century architects is an important facet of Modern architecture in California and the West. It can be seen, for example, in the work of Irving Gill in the 1910s, the Ranch Houses of Cliff May in the 1950s and 1960s, and the civic buildings and residences of Bennie Gonzales in Arizona, where historic forms were blended with Modernism's abstraction. Hugh Kaptur is the primary interpreter of this approach in midcentury Palm Springs, and Tahquitz Plaza is a primary example in the city.

Kaptur's work has been rediscovered fairly recently. This is not surprising; our understanding of the significance of Palm Springs Modern architecture in general is also relatively recent. Only a dozen years ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not generally well known outside Palm Springs, and its significance was not even widely recognized within Palm Springs.

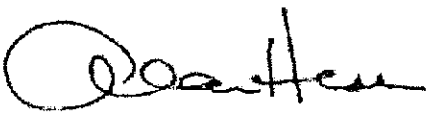
In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design such as this would be a loss to history and the city's urban quality.

But as we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of opinion on Kaptur's importance.

I have written to the Palm Springs Planning Commission about my support, as a historian and architect, for the preservation of Tahquitz Plaza. I am also a consultant on architectural history for the Palm Springs architectural survey, currently underway. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey. I believe that a letter from your state office would encourage them to conduct an EIR that would document the significance of this complex.

Thank you for your consideration of this matter.

Sincerely,



ATTACHMENT 2

The Desert Modernists
THE ARCHITECTS WHO ENVISIONED
MID-CENTURY MODERN PALM SPRINGS

Contents

Above: A 1965 aerial view looking west toward Palm Springs at the base of Mount San Jacinto. Opposite, top row from left: Robson C. Chambers, Albert Frey, Donald Wexler, Richard Neutra. Middle row from left: John Porter Clark, A. Quincy Jones, John Lautner, William "Bill" Krisel. Bottom row from left: William F. Cody (leaning over desk), Paul R. Williams, Hugh Kaptur, E. Stewart Williams. Previous pages 2-3: Coachella Valley in bloom. Page 4: Edris House. Page 5: Palm Springs City Hall.

The Desert Modernists was created in partnership between Modernism Week and Desert Publications, Inc. Modernism Week Board of Directors: Chris Mobley, Chairman; Larry Alto, Vice Chairman; Mark Davis, Treasurer; Gary Johns, Secretary; Regina Bartholomew, Maureen Erbe, William Kopelk; Laurie Wentz. Staff and Consultants: Lisa Vassler Smith, Executive Director; David Dixon, Creative Project Manager. Desert Publications, Inc.: Franklin W. Jones, Publisher; Jake Sinclair, Editorial Director; Richard Vaughn, Art Director; Steven Vineberg, Editor; Olga Reyes, Managing Editor; Marco Morreto, Digital Imaging; Laura Reyes, Production Manager.

8 THE RIGHT CLIMATE *Chris Mobley*

12 ROBSON C. CHAMBERS *Robert Imber*

20 JOHN PORTER CLARK *Jean Piper*

28 WILLIAM F. CODY *Anne Ogborn*

38 ALBERT FREY *Brad Dunning*

48 A. QUINCY JONES *Cory Buckner*

58 HUGH KAPTUR *Marie Newman*

68 WILLIAM "BILL" KRISEL *Chris Mercer*

78 JOHN LAUTNER *Sam Hall Kaplan*

88 RICHARD NEUTRA *Therese Bissell*

98 DONALD WEXLER *Michael Stern*

108 E. STEWART WILLIAMS *Sidney Williams*

118 PAUL R. WILLIAMS *Alan Hess*

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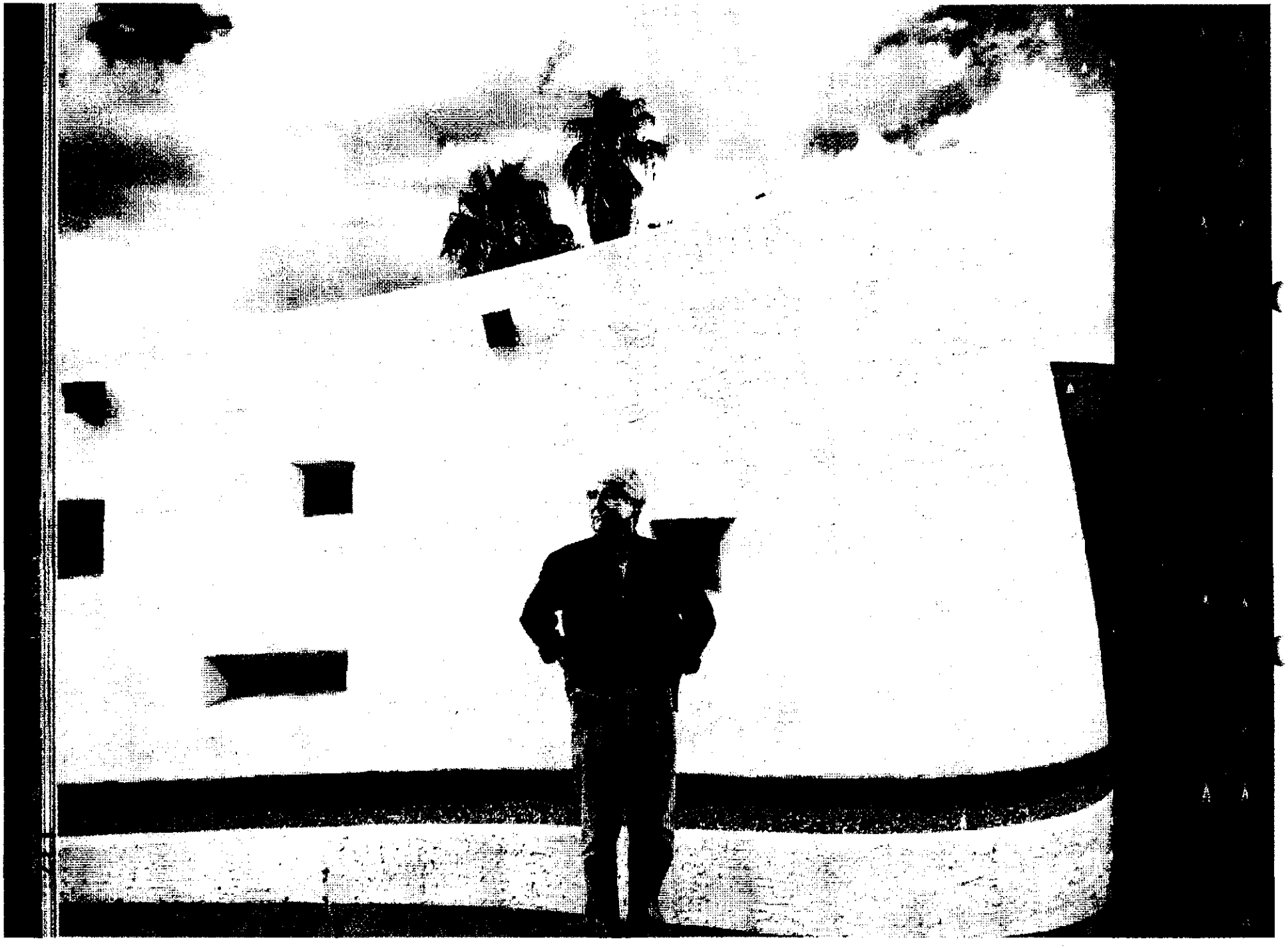
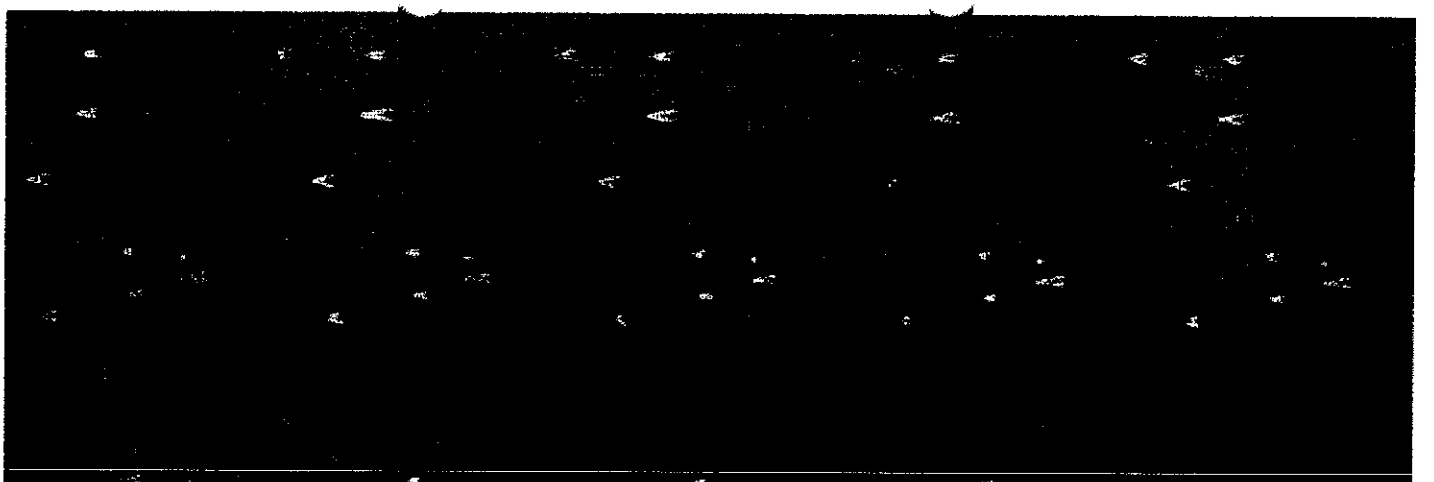
136 THE AUTHORS

138 THE IMAGES

140 AFTERWORD *Elizabeth Edwards Harris*



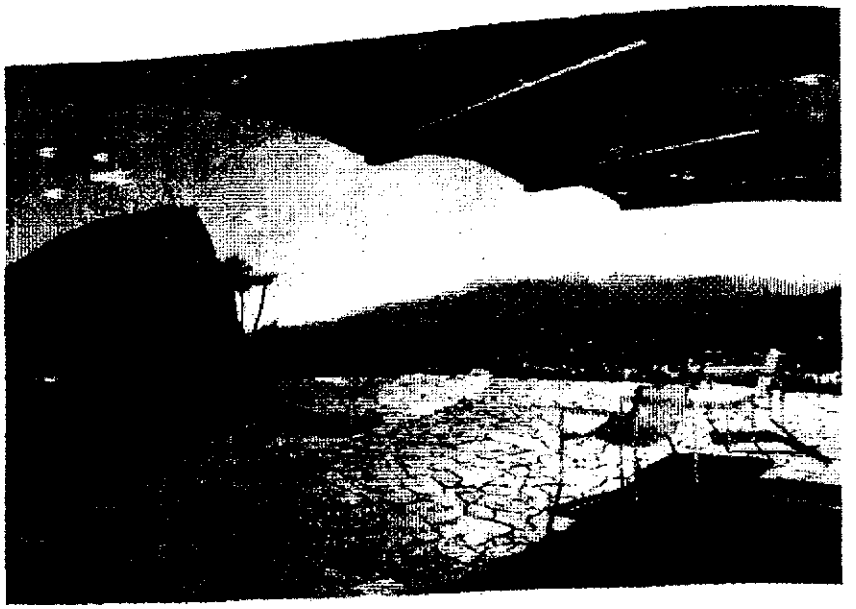


(MAY 22, 1931 –)

HUGH KAPTUR STANDS APART FROM MOST OF THE PALM SPRINGS ARCHITECTS OF HIS GENERATION. RATHER THAN THE MAINLINE, INTERNATIONAL STYLE MODERNISM FAVORED BY MOST OF HIS PREDECESSORS AND COLLEAGUES IN THE DESERT, KAPTUR PREFERS WHAT HE CALLS "AN ARTISTIC ARCHITECTURE THAT IS ORGANIC AND FLOWING." HIS FIRST INSPIRATION WAS FRANK LLOYD WRIGHT, NOT MIES VAN DER ROHE.

Kaptur is not a doctrinaire follower of Wright, however. He denies having a signature style. His primary debt to the master of Taliesin, he adds, was the acknowledgment of climate and landscape in his projects, as well as a taste for sculptural masses and a delight in contrasting materials. In some cases, Kaptur was able to translate some of the sculptural feeling of Wright's designs into a colorful "populuxe" style. Kaptur's first Palm Springs project was the Impala Lodge (1957–58; now the Triangle Inn), a wildly inventive building with steel beams supporting a canopy reminiscent of a lean-to. Walls of glass stand on a stone base, while external "buttresses" support shade structures to keep the sun off the windows. Other "pop" buildings are the Siva House of 1959, with scallop-shaped awnings draped in orange plastic, and the clubhouse Kaptur designed with Robert Ricciardi for the Palm Springs Golf Course (1959), with a curved roofline resembling a cresting wave.

Practical commissions, such as the Tahquitz Plaza office complex (1971, by Kaptur, Lapham, and Associates) on Tahquitz Canyon Way, did not always allow total freedom, yet this comparatively restrained project remains one of Kaptur's favorites. After an original design called for concrete, cost considerations dictated that a less expensive wood frame structure be employed. Despite this



This page and opposite: Kaptur created this home in 1958 at 660 Palisades Drive in Palm Springs. The house is known as the Russell House and/or the Silva House.

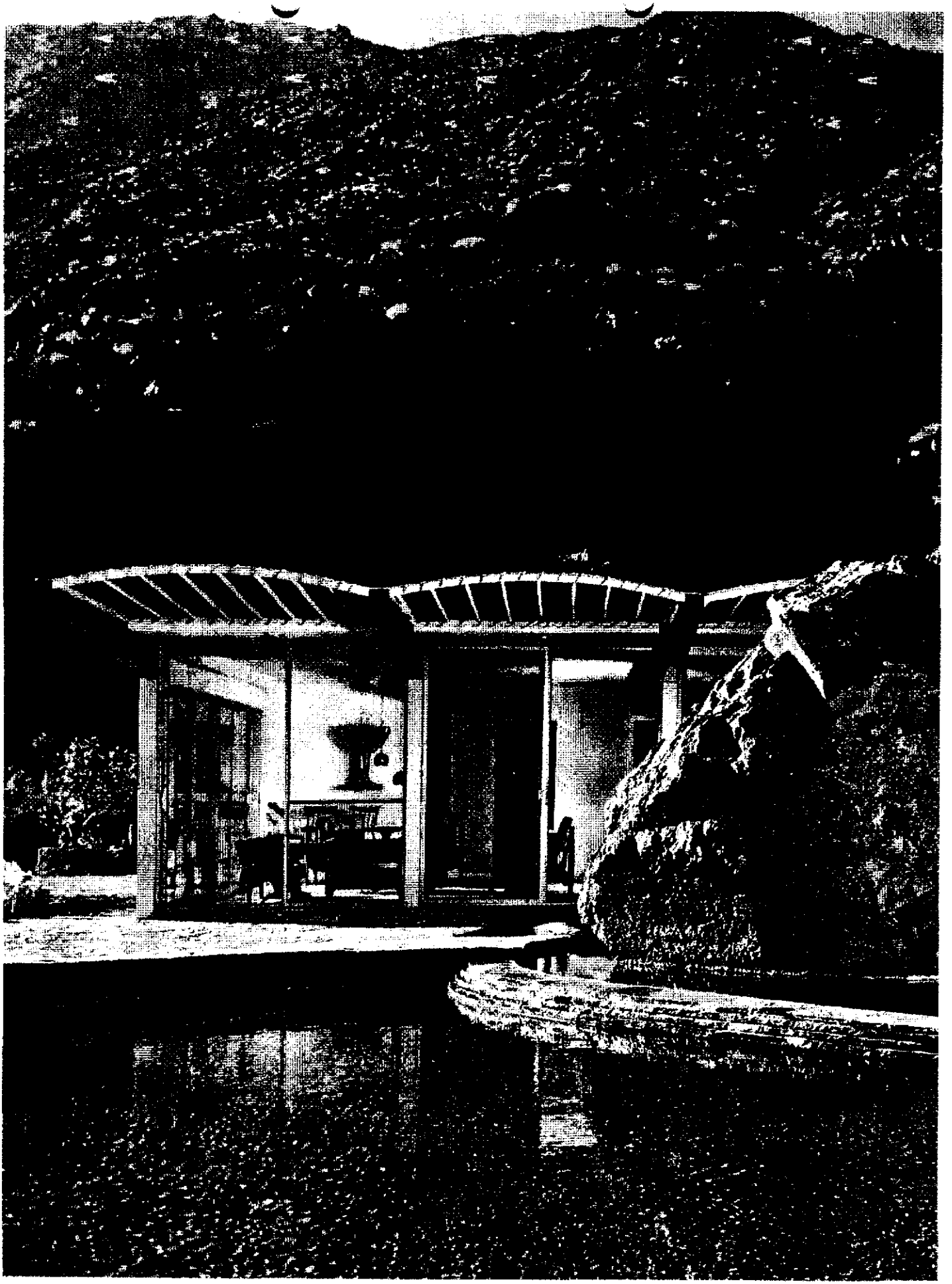
Previous page: Hugh Kaptur.

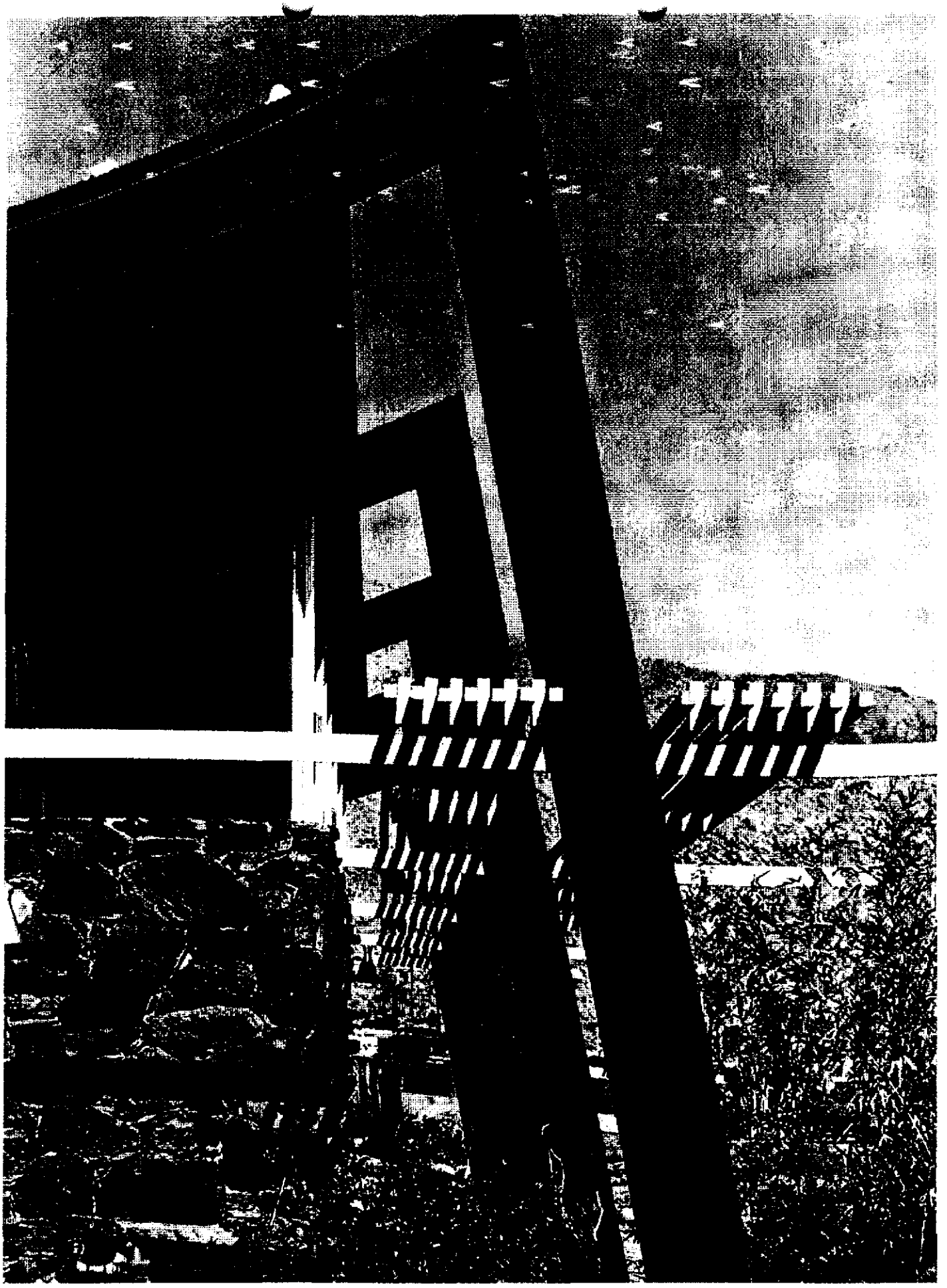
constraint, the Tahquitz buildings manage to look like masonry, due to walls that are sculpted to look as massive as concrete. To further the illusion of thick walls, Kaptur provided the buildings with windows that appear deeply recessed. In other places, windows push outward from the wall surface as if trying to break free of the building. Similar jutting windows can be found at Kaptur's Musicland Hotel (1967), another building that flirts with the illusion of heavy masonry in the form of a pueblo adobe.

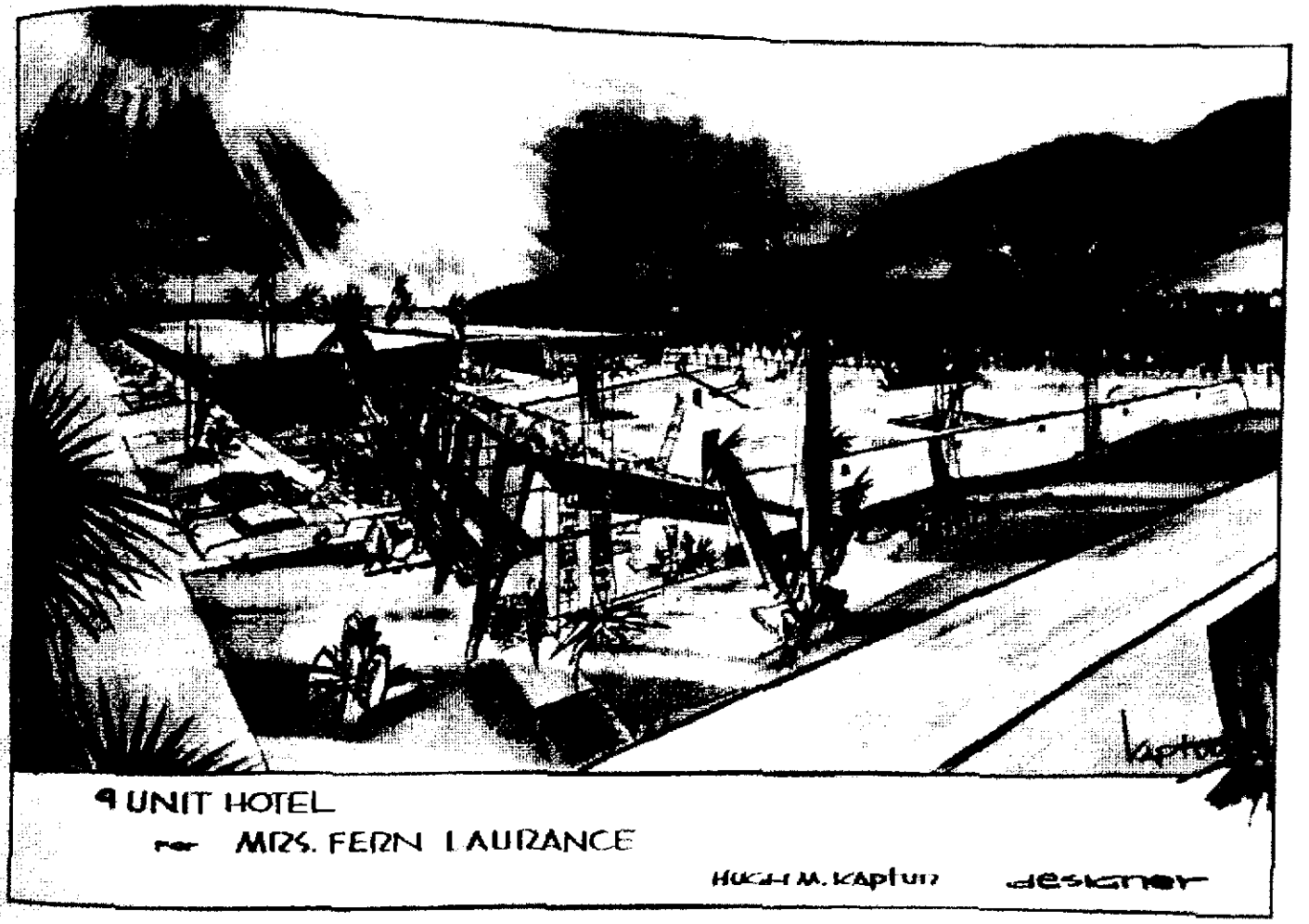
A Detroit native, Hugh Kaptur was born in 1931 to an artistic mother and an automobile design engineer father. After high school, he briefly attended Lawrence Institute of Technology (now known as Lawrence Technological University) in Michigan to study engineering. But at 20, he enrolled in the Marines during the Korean War; he and his young family briefly lived in California before he returned to Michigan so that he could work with his father at GM's design studio while finishing his education. At that point, Kaptur and his family returned to California, this time to the largely undeveloped Palm Springs of the early 1950s. After working briefly for Wexler and Harrison, Kaptur supported himself by making presentation drawings for Donald Wexler, Albert Frey, and others.

Although Kaptur says he is willing and able to design in any style, sometimes his inner exuberance bubbles to the surface. Commissioned in 1988 to design a conventional home for Jay and Kay Selzer, Kaptur came up with something very different: a lively, hard-to-describe residence comprising a cone-shaped dome set amid other simple geometric shapes that seem to vibrate together. Twenty-five years later, the Selzers report that they are still happy with the unconventional house and they remain friendly with the architect.

The exuberance has survived into the architect's ninth decade. Kaptur is currently designing an addition to an existing home in the form of a circular casita, or guesthouse, separated from the main house by a courtyard. In a nod to the ongoing influence of Frank Lloyd Wright, the addition is to be nestled into the natural contours of the landscape.



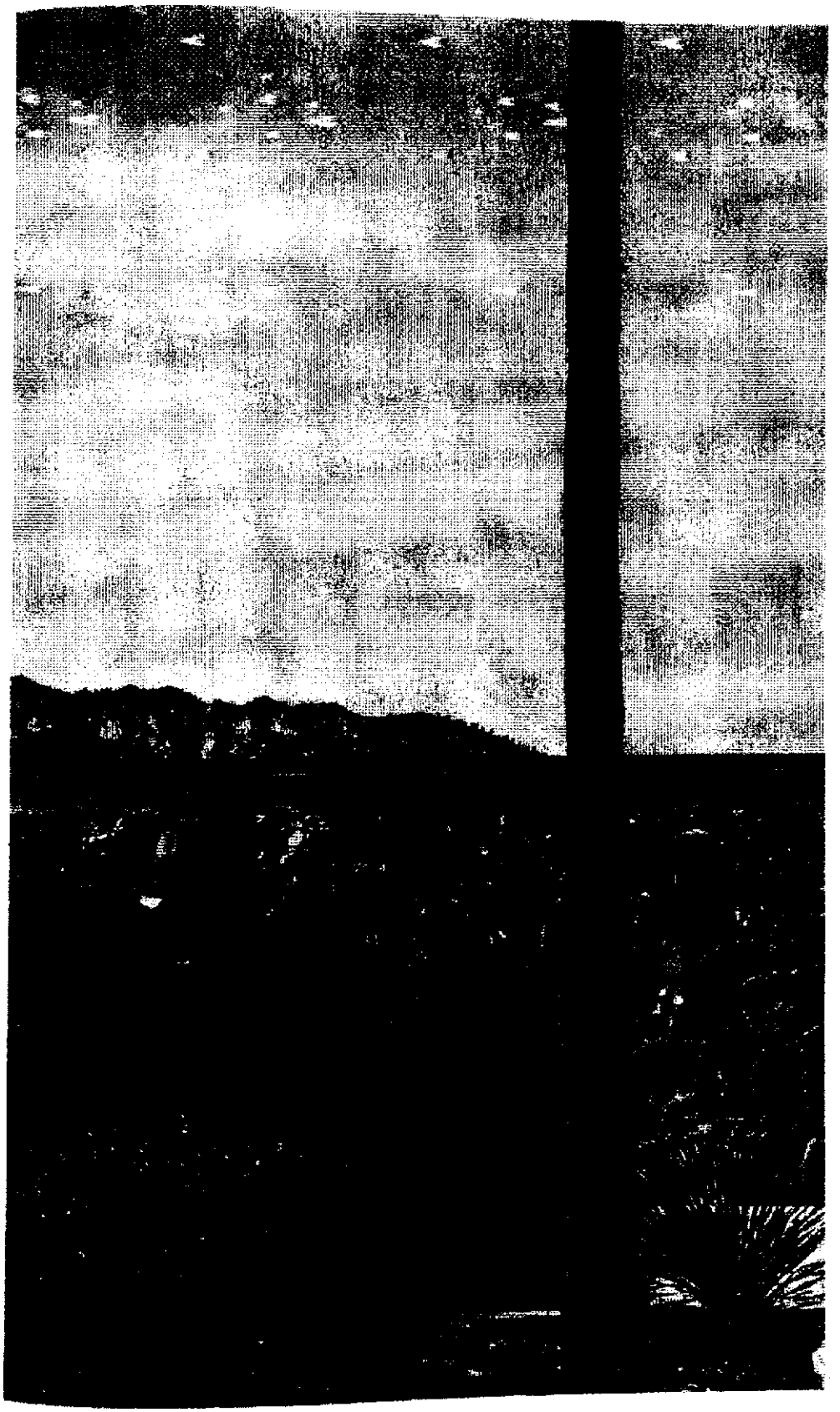




Opposite: This was Kaptur's first Palm Springs building (1957-58), the Impala Lodge, 555 East San Lorenzo Road, now the Triangle Inn.

This page, above: Kaptur's imaginative graphic hand

Left: Kaptur's creative arrangement placed the dramatic steel beams next to the swimming pool. The buttresses remind more than a few guests of spider legs.



Left: Originally named the Palm Springs Golf Course (1950), the Tamarisk Creek Golf Resort, 1885 Golf Club Drive, Palm Springs sports one of Kaufler's most awe-inspiring facades via its clubhouse, a giant slab of masonry whose sweep captures the arc of a golf swing. The course's proximity to the airport also figured into Kaufler's roof design, visible from the air. "I wanted (desert dwellers) to see something clean and different from the air," he said.

ATTACHMENT 3

Honorable Planning Commission

City of Palm Springs

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92263

Dear Members of Planning Commission:

I'm writing to provide some comment about the proposed demolition of the Tahquitz Plaza designed by Hugh Kaptur.

- I am a qualified architectural historian (M.A., Architectural History and Theory, UCLA, 1984) and the author of two books on architecture and the editor of a third.

- I'm also a professional journalist, specializing in real estate, urban design and architecture. My work has appeared widely, including several dozen articles about commercial real estate in The New York Times and Los Angeles Times. I have written extensively on Modern Architecture, historic preservation, public-private projects, zoning and entitlement issues and other topics relating to the design, financing and government approval of buildings.

- I have published three articles about the architecture of Hugh Kaptur, including a chapter in a recently published book of Palm Springs architecture.

Tahquitz Plaza is a landmark building both in the City of Palm Springs and in the career of

Hugh Kaptur. Mr. Kaptur, as you probably know, is one of the luminaries of the "Golden Age" of architecture in the city, having worked in Palm Springs continuously since the 1950s.

Mr. Kaptur has told me this is one of his favorite projects, which seems fitting for a building where he maintained his architectural practice for many years. Although Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity. One of the themes of Mr. Kaptur's work, and Southern California architecture in general, is the ability of local architects to "make lemonade" when faced with limits both in budget and choice of materials (i.e. the least expensive). I quote one of my own articles on Mr. Kaptur:

"Practical projects, like an office complex on Tahquitz, did not always allow such freedom, yet the comparatively restrained project remains one of the architect's favorites. Originally designed in concrete, cost consideration dictated a less expensive wood frame structure. Despite this constraint the Tahquitz buildings manage to look like masonry, due to walls that are sculptured to look massive as concrete. To further the illusion of thick walls, Kaptur provided the Tahquitz buildings with window that appear to be deeply recessed. In other places, windows push outward from the wall surface, as if trying to break free of the building. Similar out-pushing windows can be found at Kaptur's Musicland Hotel, another building that flirts with the illusion of heavy masonry...."

In my view, the human experience of cities is largely made up by memorable images, structures and spaces that lend a sense of identity to the community. These buildings might be described as the "sina qua non" of any particular city, meaning that without these structures or images, the city would be diminished and lose part of its "sense of place." Every person who is aware of architecture in Palm Springs is still feeling the loss of the Palm Springs Spa Hotel. In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs. It is a tasteful, viable building that has been tenanted since its completion. The Tahquitz offices are also part of a trio of Kaptur-designed buildings on either side of the street, which increases both its interest and importance.

At the very least, the Commission should give serious consideration to preserving at least the original building of the complex. Perhaps the City Planning Department can incentivize the developer by granting a density bonus on the remaining portion of the parcel to compensate the developer for any loss of buildable square footage entailed by the preservation of the Tahquitz offices. Additionally, the Planning Department might consider the waiver and/or forgiveness of certain development fees, as a further incentive to preserve the Tahquitz offices. Development is vital for the economic well being of all cities. Equally so is the preservation of buildings that define its character in a positive way. It is my deeply held hope that the Planning Commission will find a way to accommodate both the best interests of both the City and the developer.

Respectfully yours,

Morris Newman

ATTACHMENT 4

On Mon, Feb 23, 2015 at 12:41 AM, Brad Dunning <brad@braddunning.com> wrote:

Feb. 20, 2015

Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

I was quite shocked recently upon hearing the City of Palm Springs is considering a developer's plan to demolish the Hugh Kaptur-designed Tahquitz Plaza. It seems almost inconceivable to me that these buildings, some of the best work of Hugh Kaptur's career, could be lost. Although recognition of Hugh Kaptur's work is coming later than those of his local peers--Albert Frey, E. Stewart WIlliams, Donald Wexler, William Cody and other prominent locals that have made Palm Springs world renowned as a destination for fans of architecture and design and the appreciation of mid century architecture in Palm Springs seems to be the major factor in the revival of the town--Kaptur's work is certainly as important and worthy. His achievements mark the latter end of the mid century era. His work is distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs. Perhaps his work has not become fully appreciated yet as it is relatively recent when compared to Albert Frey's modern work of the '50s or 60s for instance. That is why Kaptur's complex is threatened to some extent---the work is just now at the cusp of rediscovery---just as Frey's and Williams' and Cody's work was a few years ago.

Hugh Kaptur was a local and made an indelible mark on the landscape of Palm Springs and the City should be very proud and respectful of his work, celebrate and preserve it. It does the City well when it signals to the world the pride it has its achievements and the artistry of its local architects and most of all the appearance and history of the town. It is terrible for the town to be known for allowing demolition of another important building. This estimable canvas that is modern architecture in Palm Springs is economically instrumental and vital now for tourist appeal and more importantly many residents now have chosen to invest in the town and to live here simply because of the great modern architecture we have in our midst..

I urge the City to reconsider any decision which would allow the destruction of this important Kaptur complex, it would be a terrible loss and when it is gone it is gone forever.

I served as a member of the Historic Site Preservation Board in 1995-96. I suspect some of you will recall the firestorm that greeted my nomination of five Frey buildings which included the Tramway Gas Station. A developer wanted to demolish that building soon after designation and quite a controversy erupted. I hope you will agree in hindsight the decision to preserve the building was the correct one. I believe you will feel the same way as time passes and the Tahquitz Plaza is preserved. The complex is inventive, playful, and sophisticated with forms and open areas that best represent not only Kaptur at the top of his game but a true reflection of the state of the best modern architecture in Palm Springs at that period.

My written work about Palm Springs and modernism has appeared in the Los Angeles Times, the New York Times, Vogue, and GQ magazine among others.

I hope you will present my plea before or during the Feb. 25th meeting.

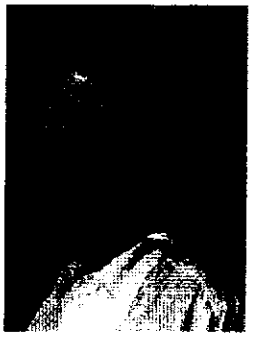
Sincerely,

Brad Dunning

ATTACHMENT 5

Architect Hugh Kaptur speaks out on Aberdeen Project

Hugh M Kaptur, Special to The Desert Sun 8:51 p.m. PDT April 7, 2015



(Photo: Special to the Desert Sun)

As a former city of Palm Springs planning commissioner, past member of the city's Architectural Advisory Committee and the architect that designed and built Tahquitz Plaza, I feel I am both qualified and obligated to comment on the proposed Aberdeen Project that calls for the demolition of these buildings.

Over the years I have watched many of my professional contemporaries see buildings they were proud of demolished: architect Bill Cody's Huddle Springs comes to mind, as does Stewart Williams' Potter Clinic. Most recently I've seen Don Wexler's high school Administration Building and Spa Hotel colonnade tragically lost.

Now two of my buildings are slated for demolition and a similar unhappy fate. I am particularly proud of the design of Tahquitz Plaza; I had great artistic latitude, as it was to become my offices and I had the opportunity to make an architectural statement. With this creative freedom I designed the architecture to "grow" from the desert floor. I feel these buildings are some of my best work from that period. In fact, the "plaza" won architectural awards in 1979 and 1980.

Aberdeen is a high-density project that overcrowds 74 residential units, 17 live-work units and a cafe space into an eight-acre site. The project is before the city as a Planned Development (PDs), which allows the developer to skirt zoning, parking, setbacks, height and use requirements. PDs were originally intended to create a safety valve that would allow creative projects to be considered by the city and not be overly constrained by the zoning requirements of the area. Unfortunately, developers and the city are using PDs, which should be encouraging architectural excellence, as a way to over develop sites that are out of scale with their surroundings. The Aberdeen Project doesn't fit zoning or the village character of the city and it demolishes four more mid-century buildings.

But demolishing more of our city's architecture is just one of the major shortcomings of the Aberdeen project. Fundamentally, it is the wrong project in the wrong place and creates a dangerous mix of vehicular and pedestrian traffic on Tahquitz Canyon Way. And a row of garage doors along our city's most important thoroughfare just isn't good architecture or good planning and goes against our forefather's vision for the street. This is not just my opinion but also a concern stated by both the city's Architectural Advisory Committee and the Planning Commission, both groups denying the project for these and other failings of the project.

The developer recently presented a revised design that is proposing to retain a quarter of the buildings. I designed the complex as four integrated buildings relating to each other as a single project. Demolishing 75% of the buildings will end that unity and mute the architecture. The developer should be more respectful of Palm Springs's mid-century architecture and build a project where the two can coexist.

The Aberdeen project will soon be reviewed by the city council and I plan to attend. I am humbled that many people have told me they will be at that council meeting too, raising their voice to preserve Tahquitz Plaza. The city council will hear these voices and I hope they will also hear the voices of previous city councils and previous planning commissions and visionaries like Pearl McManus and other forefathers who together had an idea for a city like few others in the world. Their vision for Tahquitz (McCallum) Way is widely known and their intention was to not allow any residential along Tahquitz. The Aberdeen Project now endangers that vision, which is more suitable for a dense urban environment not in a resort town like ours.

The developer has an obligation to provide public benefit to the citizens of Palm Springs. It is impossible to see the public benefit from demolishing more of our iconic architecture. Instead, Nexxus Development should restore and re-purpose Tahquitz Plaza, incorporating it into The Aberdeen, that would be public benefit no one could argue.

Hugh Kaptur is an architect of many midcentury buildings in Palm Springs. He can be reached at hughmkaptur@yahoo.com.

Read or Share this story: http://desert.sn/1yc4x79

National Trust *for*
Historic Preservation
Save the past. Enrich the future.

April 9, 2015

City Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

VIA Email

RE: Aberdeen Project IS/MND, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876

Honorable Councilmembers:

On behalf of the National Trust for Historic Preservation, I would like to express our concern with the proposed demolition of the Tahquitz Plaza on Tahquitz Canyon Way in the heart of the City of Palm Springs. We are particularly alarmed with the City's preliminary determination that the demolition project and subsequent development of a mixed-use project on the site would cause no harm to historic resources. The City has received the opinion of multiple experts, including City staff, that Tahquitz Plaza is a historical resource. We are aware of no evidence in the record that contradicts these well-supported arguments. **Under these circumstances, the California Environmental Quality Act requires the City to prepare an EIR and consider feasible alternatives to demolition.**

The Tahquitz Plaza office buildings were designed by Kaptur & Lapham in 1971 and are excellent and well-preserved examples of Palm Springs Modernism. Hugh Kaptur's contributions to the City of Palm Springs were significant and Tahquitz Plaza is considered to be one of his most outstanding works.

The City's February 2015 Mitigated Negative Declaration indicates that the demolition of Tahquitz Plaza would "cause no substantial adverse change in the significance of a historical resource as defined in [CEQA Guideline] 15064.5" (MND, p.24-25). This determination was made in error. According to a March 26, 2015 letter from the California Office of Historic Preservation, the City has commissioned a city-wide survey of its historic resources and, during this process, identified Tahquitz Plaza as a historical resource. It has also received the opinion of Alan Hess, a qualified expert in the field of architectural history, that the Plaza is historically significant. Further, the City's own Architectural Advisory Committee and Planning Commission have both recommended denial of the project as a result of the proposed impact to historic resources.

Under CEQA, an EIR is required if there is substantial evidence in the "whole record" of proceedings that supports a "fair argument" that a project "may" have a significant effect on the environment. Guideline § 15064(f)(1). *In League for Protection of Oakland's Architectural etc. v. City of Oakland* (1997) 52 Cal.App.4th 896, the court affirmed that the fair argument standard as to whether an impact "may" occur is a low threshold test. (See also *Architectural Heritage Association v. County of Monterey* (2005) 122

San Francisco Field Office
The Hearst Building, 5 Third Street, Suite 707 San Francisco, CA 94103
E info@savingplaces.org P 415.947.0692 F 415.947.0699 **www.PreservationNation.org**

Cal.App.4th 1095; holding that the opinion of a consultant commissioned by the county, findings of an advisory committee and testimony of members of the public with relevant expertise represented "substantial evidence supporting a fair argument" that the Old Jail was a historic resource).

In addition to case law, the CEQA Guidelines are clear that a conflict in expert opinion over the significance of an environmental impact normally requires preparation of an EIR. Guideline § 15064(g). *Sierra Club v. CDF* (2007) 150 Cal.App.4th 370. In this case, all evidence before the City suggests that Tahquitz Plaza is historically significant. The cannot in good faith deny that its finding that the Tahquitz Plaza is non-historic against the litany of public information prepared by experts in the field of historic preservation, including the Office of Historic Preservation and the City's own staff.

We urge the City to develop an Environmental Impact Report in light of the very serious consequences to historic resource that would result from the project as proposed.

Thank you for your consideration of these comments. Please contact me at bturner@savingplaces.org or 415-947-0692 should you have any questions.

Sincerely,

Senior Field Officer/Attorney

Cc:

Flinn Fagg, AICP, Director of Planning Services
David Newell, Associate Planner
David H. Ready, Esq., Ph.D., City Manager
James Thompson, City Clerk
California Office of Historic Preservation
California Preservation Foundation
Palm Springs Modern Committee

CITY OF PALM SPRINGS
NOTIFICATION OF APPEAL

Date:	April 15, 2015
Subject:	CASE 5.1361 PDD 375 TTM 36876 "ABERDEEN" 8.05 ACRES NE CORNER TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

AFFIDAVIT OF PUBLICATION

I, Cynthia A. Berardi , Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on April 4, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF POSTING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on April 2, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF MAILING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on April 2, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (160 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC
Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

APPEAL OF CASE NOS.: 5.1361 PDD 375 / 3.3820-MAJ & TTM 36876
O & M HR, LLC / NEXUS DEVELOPMENT CORP. FOR "ABERDEEN"
8.05-ACRES AT NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of April 15, 2015. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an appeal by Nexus Development Corp. representing O & M HR, LLC, regarding the March 25, 2015, Planning Commission denial decision of a proposed mixed-use project called Aberdeen; a proposal to demolish existing buildings and parking areas for the construction of seventy-four (74) attached and detached residential dwellings, seventeen (17) live-work units and approximately 1,568 square feet of commercial-retail space on approximately 8.05-acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo, zone REO and CU.

ENVIRONMENTAL DETERMINATION: An Initial Study was prepared for the project and it determined that the project would have less than significant impact with the incorporation of mitigation measures. Members of the public may view this document at the Planning Services Department, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs, and submit written comments at, or prior to, the Council hearing.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are also available for public review at the City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

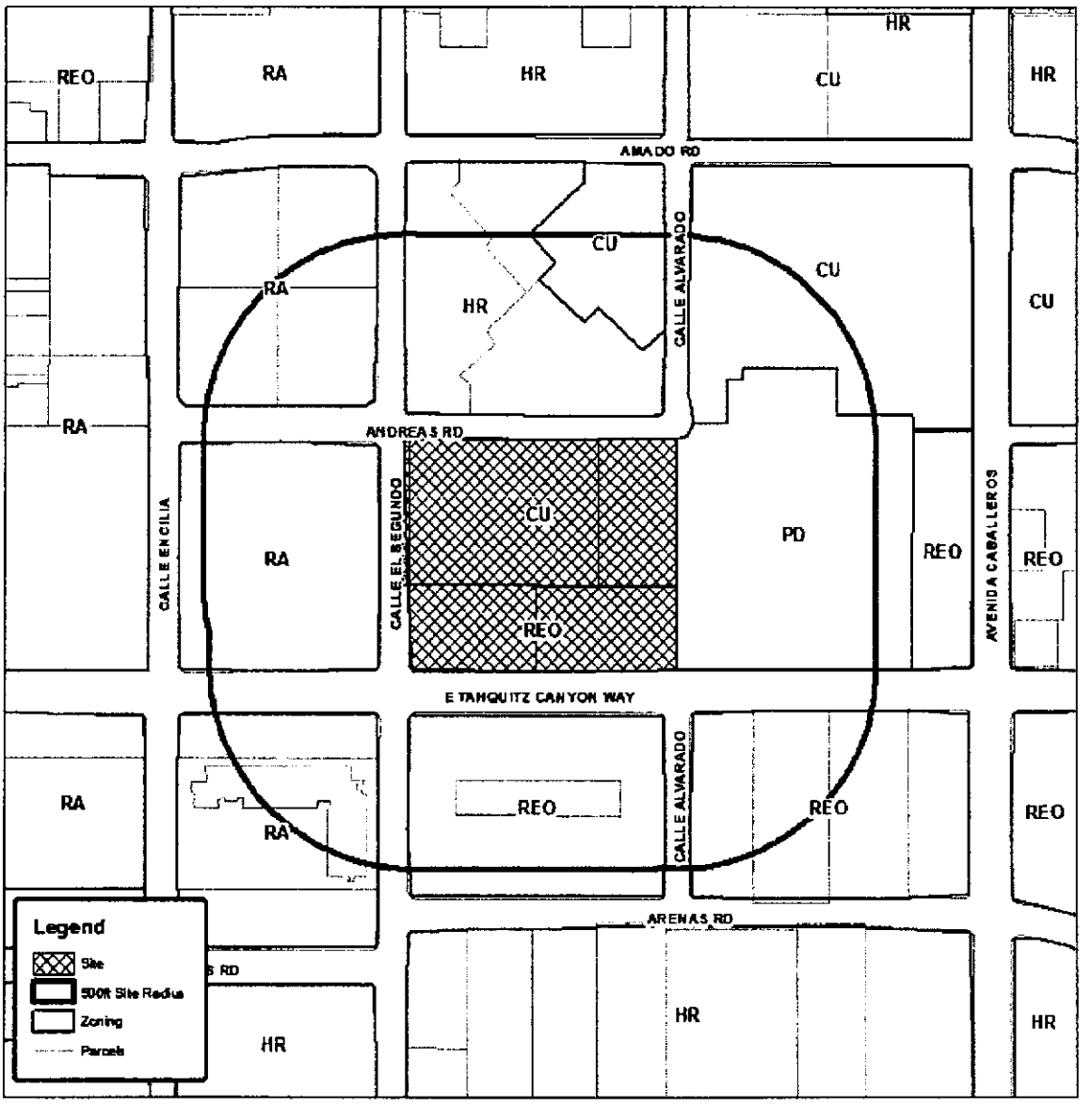
Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.

James Thompson, City Clerk

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

City of Palm Springs

Office of the City Clerk
3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

April 2, 2015

Ms. Claudia Salgado
Bureau of Indian Affairs
P. O. Box 2245
Palm Springs, CA 92263

Fax To: Brenda Diaz
(760) 416-2687

RE: City Council Meeting – April 15, 2015
Case 5.1361 PDD 375 TTM 36876 Appeal – Aberdeen

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on April 15, 2015, to consider an Appeal for a mixed-use project called Aberdeen at the northeast corner of Tahquitz Canyon Way and Calle El Segundo.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required.

APN	Allotment Number	APN	Allotment Number
508-042-006	T55A	508-057-001 through 508-057-025	28A
508-042-009	T33A	508-082-003	22A
508-051-005 through 508-051-051	30A, 41A	508-082-007	118E
508-561-055 through 508-051-088	99B, 76A	508-082-074	118E
508-054-003	15A, 16A, 17A, 18A	508-084-004	97A
508-056-017 through 508-056-018	10A, 11A, 23A, 78A, 86A, 102A, 105A	508-084-007 through 508-084-008	94A, 99A
508-051-061	FEE	508-054-003	15A, 16A, 17A, 18A
508-051-024 – 508-051-025	FEE	508-051-034	FEE
508-051-066	FEE	508-057-023	FEE
508-042-008	T5340	508-042-010	T1031

Thank you for your continuous assistance and support. Please feel free to contact me at (760) 323-8204 if there are any questions or concerns.

Sincerely,

Cynthia A. Berardi, CMC
Deputy City Clerk

Encl: Public Hearing Notices (140 copies)
Envelopes

Cindy Berardi

From: Hugh Kaptur <hughmkaptur@yahoo.com>
Sent: Tuesday, April 07, 2015 3:43 PM
To: CityClerk
Cc: Steve Pougnet; Rick Hutcheson; Ginny Foat; Chris Mills; Paul Lewin
Subject: Aberdeen project
Attachments: Palm Springs City Council and.docx

Dear Jay,

Please distribute this attached letter to each council member prior to the April 15 meeting.

Please confirm receipt of this e-mail.
Thank You

Hugh M. Kaptur

254 Canyon Circle North
92264

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Palm Springs City Council

My name is Hugh Kaptur, I have spent fulltime, the last 60 years of my life living in Palm Springs, earning a living in the field of architecture. In the eighties and nineties I've contributed my time, as a member to the city Architectural Review Board and the Planning Commission. I have a deep respect for you, contributing your time to our great city as well.

Reviewing the Aberdeen project, I have some serious concerns as to the concept that is being presented. They are from a historic standpoint, good planning practices, and personal.

Our forefathers from the fifties envisioned Tahquitz Mccallum to be a grand boulevard connecting the City Airport and the Downtown. Their dream was cemented into the Palm Springs General Plan and Zoning Ordinances along this boulevard. Their plan was high end development along its frontage, to create an impressive avenue for visitors, visiting Palm Springs. To achieve this goal, strict conditions were written into the Zoning Ordinance as to what would be allowed. The Aberdeen project as presented violates all of the conditions set forth in the zoning, including setbacks, heights, density, parking and use. This dream our forefathers had for Palm Springs and Tahquitz Mccallum has been handed down through the years, council to council and respected. In my opinion it is your duty, to continue that legacy, and enforce our General Plan and Zoning Ordinances.

This concept being presented of small cubicles with live workings spaces, is not new, it's been going on for hundreds of years, and under certain conditions works well. The Pacific Coast and other similar areas, where wide boardwalks and several 100 yards of Sandy Beach overlooking the Ocean, it has become particularly popular. These areas draw hundreds if not thousands of vacationers and beachgoers to enjoyed nature's gifts. These areas also have wide barriers separating people from vehicular traffic. Looking at the Aberdeen project at this location none of these demographics are represented.

Let's assume the developers hope comes true, that this use will draw pedestrians, that creates a major planning problem. With its narrow sidewalks and the 40 mph speed limit on Tahquitz with no barrier, separating pedestrians and vehicular traffic, is an accident waiting to happen. Even downtown you have curb parking which separates people from vehicles.

Tahquitz Plaza has become a significant piece of architecture, not that I have designed it, but that the buildings themselves have become part of a heart and soul for iconic architecture in Palm Springs. These buildings are being suggested for CEQA. review. Tahquitz Plaza is included in many of the architectural tours that have made Palm Springs so popular in recent years. According to Palm Springs Life Magazine, modernism week, and yearly architectural tours brings hundreds and hundreds of thousands of dollars of revenues to local hotels, restaurants

and retailers and some of the things which in turn adds to the city tax base.

I'm in hopes this counsel will keep in mind its historic commitment to your predecessors, and not allow the Plan Development process to overrule good planning practices!

Respectfully yours

Hugh M. Kaptur

Cindy Berardi

From: Bonnieruttan <bonnieruttan@aol.com>
Sent: Wednesday, April 08, 2015 12:03 AM
To: CityClerk
Subject: Hugh Kaptur buildings

Councilmembers: I am writing to encourage you to act for the preservation of the Hugh Kaptur buildings on Taquitz. Please consider the historic and architectural value of this development by one of Palm Springs renowned local architects rather Thank you for your consideration Bonnie Ruttan
1111 Abrigo Rd

Sent from my iPad

Cindy Berardi

From: Annalisa Capurro <annalisa.capurro@me.com>
Sent: Wednesday, April 08, 2015 1:06 AM
To: CityClerk
Subject: Aberdeen

To the Palm Springs City Council,

I am writing to voice my strong opposition to the demolition scheduled for Wednesday, April 15 2015 of the highly significant Tahquitz Plaza designed by celebrated Palm Springs architect Hugh Kaptur.

As a design and preservation professional in Sydney, Australia, I am appalled that such an important piece of Palm Springs cultural and architectural history would be considered disposable.

I fly halfway across the world every year to attend Modernism Week, along with tens of thousands of others, to celebrate Palms Springs' unique and very rare collection of modernist architecture.

The city benefits enormously in economic terms from it's priceless modern architectural assets so it makes no sense, anyway you look at it, either financially or culturally, to keep demolishing what makes Palm Springs so incredibly special.

If the city continues to side with developers whose only interest is in the short term buck, then Palm Springs will eventually end up looking like any other desert city in the US and that would be not only a tragic loss but also a sad legacy to leave to future generations. Once these buildings are gone they are gone forever.

Please do the right thing and vote against this demolition.

Regards,

Annalisa Capurro
62 Boundary Rd
Wahroonga, 2076
Sydney
Australia

buildings and demand the city council act on your behalf (citizen) and not in favor of the developer.

164

Cindy Berardi

From: Bruce Pensyl <pensylb@cox.net>
Sent: Wednesday, April 08, 2015 3:46 AM
To: CityClerk
Subject: Aberdeen

When will all this demolition of priceless wonderful buildings stop? I moved to the lovely City FOR these precious buildings. All of you should understand the importance of the one-of-a-kind buildings. You endorse the Modernism Week Extravaganza, but then destroy the very items that the group is about.

Please vote no to the demolition.

Thank you,

Bruce Pensyl
238 Avenida Granada
Palm Springs, Ca 92264

165

Cindy Berardi

From: Debra Hovel <debrahovel@gmail.com>
Sent: Wednesday, April 08, 2015 7:06 AM
To: CityClerk
Subject: Aberdeen

Dear Sirs:

I am writing about the fate of the Hugh Kaptur buildings on Tahquitz Canyon. Yet another debacle about to happen.

Since moving here 5 years ago, a move undertaken specifically because of the historic wealth of preserved architecture, we have watched with dismay as one after another gems have been destroyed. Palm Springs is casually destroying some of its most valuable assets- a treasure trove of architecture unlike any other city. A tourism draw par excellence. Witness the recent Modernism week stats if you have any doubts about that.

Hugh Kaptur – one of PS's most honored and respected architects – on par with William Cody, E. Stewart Williams, Donald Wexler and Albert Frey. Recently awarded a "Walk-of-Fame" star on Palm Canyon to much fanfare, immediately outside the proud new Architecture & Design Council's Edwards Harris Pavilion. Compelling subject of a well-received DVD documentary, "Hugh Kaptur: A Quiet Elegance". His career only recently beginning the first stages of great re-appreciation and re-appraisal.

Tahquitz Plaza, one of his finest and most evocative complexes, was built in 1971, designed by Kaptur together will equally respected architect Howard Lapham. The structures represent a visceral, viable bridge between the Palm Springs of the 1960s, and the Palm Springs of today – and it bridges both beautifully in a way that is just coming to be valued now. There are only a handful of other structures in the entire City as effective as these cultural touchstones.

The City can not do anything about what the Indians do. I get that. But this project? Dear City Council, do something before it is too late.

Debra Hovel

debrahovel@gmail.com
612-483-0993
Debra Hovel

debrahovel@gmail.com
612-483-0993

Cindy Berardi

From: Brandon <brandon@towneps.com>
Sent: Wednesday, April 08, 2015 8:28 AM
To: CityClerk
Subject: Aberdeen

Mr. Mayor and the City Councilmembers,

When will the City of Palm Springs wake up and stop allowing the destruction of our unique architecture that draws visitors from all over the world.

The future and viability of Tahquitz Plaza is totally within the Council's jurisdiction to protect, preserve and be proud of. It is within the Council's power to reverse the tide of recent and unfortunate destruction it is the perfect place and opportunity to take a stand.

Tahquitz Plaza, one of Hugh Kaptur's finest and most evocative complexes, was built in 1971, designed by Kaptur together will equally respected architect Howard Lapham. These structures represent a visceral, viable bridge between the Palm Springs of the 1960s, and the Palm Springs of today. There are only a handful of other structures in the entire City as effective as these cultural touchstones.

Preservation Makes DOLLARS and sense. It is imperative that the City MUST act to save these buildings, KNOWING that people come to Palm Springs and surrounding areas expressly to see and explore and enjoy this built environment and PAY GOOD MONEY to do so -- you can't argue with the FINANCIAL SUCCESS of Modernism Week.

So, Councilmembers, we are asking you to stand with your citizens, residents, visitors, and stakeholders. To send a message: if you want to destroy this city's built heritage, we will oppose you.

Please preserve our rich and important architectural heritage.

Brandon Hoskins

Palm Springs resident and business owner.

Cindy Berardi

From:	Steven Price <trousdalebookproject@yahoo.com>
Sent:	Wednesday, April 08, 2015 9:22 AM
To:	CityClerk
Cc:	Gary Johns
Subject:	ABERDEEN -- Save Tahquitz Plaza!

In regards the subject of the proposed demolition of Tahquitz Plaza for the Aberdeen Development, we already have the perspective of experience about what will NOT best serve the community of Palm Springs. Most importantly, in this case, we have the means to prevent another tragedy.

In the case of the Palms Springs Spa – petitioners were told it was out of the Council's control. Soverign Nation. Tribal land. And one of the desert's finest and most iconic landmarks was spitefully destroyed. Gone. TAKEN AWAY.

In the case of the Wexler-designed buildings as Palm Springs High School – petitioners were told it was beyond the Council's ability to determine. School Board autonomy. Resulting in the loss of another perfectly fine and serviceable structure. TAKEN AWAY.
This time, It Is Different: The future and viability of Tahquitz Plaza is totally within the Council's jurisdiction to protect, preserve and be proud of. It is within the Council's power to reverse the tide of recent and unfortunate destruction it is the perfect place and opportunity to take a stand.

And for good reason: "Preservation Makes DOLLARS and SENSE".

That tens of thousands of people travel to Palm Springs twice a year and spend MILLIONS of dollars to visit (and sometimes eventually dwell) in these surroundings has been PROVEN.

Continuing to allow the elimination of these evocative structures REMOVES THEIR REASON FOR DOING SO and makes BAD financial sense.

Greater historians than myself can attest to the career and architectural eminence of Hugh Kaptur – one of PS's most honored and respected architects – on par with William Cody, E. Stewart Williams, Donald Wexler and Albert Frey. His career only recently begun the first stages of great re-appreciation and re-appraisal.

Tahquitz Plaza, one of his finest and most evocative complexes, represents a exceptionally visceral, viable bridge between the Palm Springs of the 1960s, and the Palm Springs of today – and it bridges both beautifully in a way that is just coming to be valued now. There are only a handful of other structures in the entire City as effective as these cultural touchstones.

The late Patrick McGrew wrote about the pending, precarious fate of the building as far back as 2010. The City has had PLENTY of time to work out a solution, and had had ample opportunity to examine the best use of this property and options for development.

Given the outcry on this and other similar examples before it, it seems clear and imperative that the City MUST act to save these buildings And most importantly, even by keeping the Kaptur buildings, THE DEVELOPER WILL GET SUBSTANTIALLY WHAT THEY WANT, ANYWAY.

So, Councilmembers, we are asking you to stand with your citizens, residents, visitors, and stakeholders. To send a message: if you want to destroy this city's built heritage, we will oppose you. There are plenty of blocks and properties with buildings no one will miss. You are welcome – encouraged ! -- to make those into something new and contributing. But where ever our history, a structure of quality, is concerned, we will ask you to think twice. And if necessary, fight to save it.

Of course the developer class will say only THEY have the right to do what they want, that's their line -- but we don't have to buy it without question, or just accept blindly and quietly!

THANK YOU and PLEASE, do the right thing, this time.

Steven M. Price
Author, Speaker & Historian
Hollywood, CA (soon to be full time Desert resident)

Cindy Berardi

From: Robert Kalin <robert@robertkalin.com>
Sent: Wednesday, April 08, 2015 9:50 AM
To: CityClerk
Subject: Aberdeen

The Hugh Kaptur buildings on Tahquitz should be fully preserved. Mid-Century architecture is what MAKES Palm Springs unique—it is just wrong to tear down these building in favor of characterless boxes.

Robert Kalin
2190 E Amado Road
Palm Springs CA 92262
760-813-1000

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Cindy Berardi

From: Mark Rose <thisismarkrose@gmail.com>
Sent: Wednesday, April 08, 2015 9:59 AM
To: CityClerk
Subject: Aberdeen

I am in opposition to the Aberdeen project. It is not up to snuff. Certainly not worthy of tearing down ANY portion of an award winning building.

The project is without passion or relevance.

Let's stop this.

Thank you,

Mark Rose

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Cindy Berardi

From: Dick Burkett <dickburkett@gmail.com>
Sent: Wednesday, April 08, 2015 10:53 AM
To: CityClerk
Subject: Hugh Kaptur's Tahquitz Plaza

We Oppose the demolition of the Hugh Kaptur buildings on Tahquitz and respectfully request the city council act on behalf of the citizens and not in favor of the developer. Please intervene for us to protect our precious history and heritage that the city of Palm Springs has become known for internationally. Without these important buildings we have nothing to showcase. As this impacts the economy of Palm Springs on so many different levels, it behooves those of us who are residents to appeal to the city council for their intervention. Our city has lost several major historic architectural buildings in the past couple of years. Speaking on behalf of myself, I moved to Palm Springs due to the focus and preservation of its unique architectural heritage from Florida. However, there are countless others who come here for our historic architectural events who become infatuated and purchase a home here. Dick Burkett

--

Dick Burkett
760 774 5795 cell
dickburkett@gmail.com

If you don't build your dream, someone will hire you to build theirs." **- Tony Gaskins**

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Cindy Berardi

From: Gary Gand <ggand@gand.com>
Sent: Wednesday, April 08, 2015 10:54 AM
To: CityClerk
Subject: Aberdeen

City Council- My wife and I came to Palm Springs 12 years ago to SEE the Mid-Century Modern architecture the town was known for. We decided to make it our winter home and have purchased 2 houses here at a combined cost of close to $3,000,000 (THREE MILLION DOLLARS). We have spent many hundreds of thousands more in renovations, auto purchases, restaurants, museum donations, serve on several boards AND opened a new entertainment venue the city sorely needed. We are performing every weekend and giving our time and performances for local charity events to support the museum, animal shelter, food bank, etc.

You can see the economic impact of our presence in many places, not just the taxes collected.

IN OTHER WORDS - OUR OPINION COUNTS.

The Hugh Kaptur complex known as Tahquitz Plaza should NOT BE DEMOLISHED.

Have you know pride, imagination, or sense of history?

In the recent years several of Palm Springs iconic Mid-Center Modern structures have been brought down due to a hypnotic blinding of local opinion to the heritage of this magical paradise.

IT IS TIME TO PUT THE BRAKES ON, TAKE A DEEP BREATH AND OPEN YOUR EYES.

Palm Springs must be stopped from turning into another FACELESS SHOPPING MALL.

What reason would anyone come here for that?

We are from Chicago where surveys have shown that the NUMBER ONE tourist attraction is the ARCHITECTURE.
Not the shopping, the parks, the Lake front, the restaurants: IT'S THE BUILDINGS.

Got it ?????

You've got one of the greatest collections of the #1 attraction and you want to replace it with ME TO crap that tourists can see in Anytown USA.

STOP THIS NOW.

Gary & Joan Gand
Vista Las Palmas
Chicago

Cindy Berardi

From: Amy Minteer <acm@cbcearthlaw.com>
Sent: Friday, April 03, 2015 11:01 AM
To: CityClerk
Cc: Cindy Berardi
Subject: Submission of Comments Regarding Aberdeen Project

Dear Mr. Thompson,

The Palm Springs Modern Committee plans to submit comments to the City Council regarding the proposed Aberdeen project. It is our understanding that the hearing on this project will likely be held at the April 15 City Council meeting. By when do we need to have submitted comments for those comments to be included in the Council packet?

Thank you.

Amy Minteer

Chatten-Brown & Carstens LLP CBC
Enforcing Laws to Protect California's Environment
2200 Pacific Coast Highway, Ste 318
Hermosa Beach, CA 90254
ph: 310-798-2400, ext 3
fax: 310-798-2402

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Cindy Berardi

From: lizppv <lizppv@telus.net>
Sent: Wednesday, April 08, 2015 11:08 AM
To: CityClerk
Subject: Aberdeen

Hello,

I am writing to you as a part time resident of Palm Springs, please do everything you can to stop the current demolition of yet another great building in this town. Saving just 25% of this building is not adequate at all! We purchased a vacation home in Palm Springs because of all the interesting architecture and now it is disappearing before our very eyes at an alarming rate. I wonder how long it will be just like any other touristy town with ordinary boring builds? Stop now and think about what made Palm Springs a mid century mecca full of amazing buildings and why so many come here.

Regards from a very concerned citizen who loves this town with a passion.

Liz Malinka

Cindy Berardi

From: Duff Kliewer <duffk@coxkliewer.com>
Sent: Wednesday, April 08, 2015 11:22 AM
To: CityClerk
Cc: Gary Johns
Subject: Re: Aberdeen

As a Palm Springs homeowner (238 E. Avenida Granada) and Architect, I wholeheartedly support Hugh Captor's position in this issue.

Our local heritage of Mid-Century Modern Architecture is a veritable Golden Egg for our economy. Why continue to try and kill the Goose that laid the Egg?

Duff Kliewer
2533 Virginia Beach Boulevard
Virginia Beach, Virginia 23452
P: 757 • 431 • 0033 ext 310
F: 757 • 201 • 6090
email: duffk@coxkliewer.com
website: www.coxkliewer.com

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On Apr 8, 2015, at 1:58 AM, Gary Johns <garyjohns1@aol.com> wrote:

The Palm Springs City Council will decide the fate of Hugh Kaptur's Tahquitz Plaza (scheduled for demolition) on Wednesday, April 15.
Hugh has written a Letter to the Editor (Valley Voice) and a separate letter to the city council stating quite clearly why these buildings should be preserved.

We need to support Hugh with letters to the editor and to the city council. If we are to win this preservation battle it will be in the court of public opinion.

Time is of the essence. Please write to the Desert Sun and / or to the city council **now.** Short and sweet is always best. Oppose the demolition of the buildings and demand the city council act on your behalf (citizen) and not in favor of the developer.

There are talking points attached here (thank you Steven Price) for inspiration.

LETTERS TO THE EDITOR: Al.Franco@desertsun.com (*letter to the editor* in the subject line)

LETTERS TO THE CITY COUNCIL: SEND TO: CityClerk@palmsprings-ca.gov (*Aberdeen* in the subject line)

Please do this now. We have watched The Tribe and the School Board demolish very important buildings in the past several years and the City Council was powerless to intervene. This demolition is exclusively within their purview and they can stop it. Show your support for preserving these buildings today.

Gary

Gary Johns
Paul Kaplan Group
1701 N. Palm Canyon Drive suite 5
Palm Springs, California 92262
760 327 7290

DRE 00594206

<SAVE+TAHQUITZ+PLAZA+arguments-3.doc>

Cindy Berardi

From: Matthew Reader <mrmodps@gmail.com>
Sent: Wednesday, April 08, 2015 11:30 AM
To: CityClerk
Subject: Aberdeen

Dear City Council:

I have been a resident of Palm Springs for almost twelve years. I care about the city, and understand that growth is important, but so is out local history, especially when it also concerns architecture.

Tearing down Hugh Kaptur's Tahquitz Plaza is not the kind of growth that I want for my city, especially when a characterless high-density housing development is what is the proposed replacement.

I urge you to not destroy more of our city's rich architectural history.

Sincerely,

Matthew Reader

The Paul Kaplan Group
1701 North Palm Canyon Drive, Suite 5
Palm Springs, California 92262

760-969-2278

Sent from my iPad

Cindy Berardi

From: Bert Simonis <bert@thisnthatfilms.net>
Sent: Wednesday, April 08, 2015 11:39 AM
To: CityClerk
Subject: Please stop the Aberdeen development from tearing down Tahquitz Plaza

As a film maker and biographer of Hugh Kaptur's work and life, I urge you to retain Tahquitz Plaza as an example of the architecture that has become the Palm Springs brand. We have sold our film, Quiet Elegance, all over the world and it will feature prominently in next week's Architecture Film Festival in Winnipeg, Canada.

People come from all over the world to enjoy our Palm Springs architecture. We know that you don't have the power to save everything - but you have the power to save this. I ask you to save our heritage and brand.

Bert Simonis
Producer
bert@ThisNThatFilms.net
760-459-5055

Cindy Berardi

From: Mike Johnson <mikejohnsonps@gmail.com>
Sent: Wednesday, April 08, 2015 11:47 AM
To: CityClerk
Subject: Aberdeen

This is such an exciting time for Palm Springs. I have lived here now for 15 years and the new developments are so fresh and inspiring, from the rejuvenated downtown core, south end 111 coming in to its own, Tahquitz median....I'm just thrilled with the job the city council, the Mayor and the residents are doing to make this a vibrant community (again). However, with success and new development there is a fine line that needs to be paid attention to, the line between a "new powerful Palm Springs" and the "old charming little town" that we all love. I love progress and feel that our recent history squelching such progress has turned Palm Desert into the "go to" community and left ours as a bit of a museum piece. I am concerned about the demolition of some of our more "unique" buildings, those quirky structures that have always made our city stand out from the rest, but I do understand that with progress comes some collateral damage. Not every structure with a predominant architects pedigree should be considered a "classic" but I would hope to see that those elements of our special architecture could be incorporated into new developments that would still give the "feel" of what distinguishes Palm Springs from other communities. Just as the City provided a terrific venue with the Village Green, could the Kaptur buildings be better incorporated into this project? As a centerpiece to this project, I feel that it would be something the entire community could enjoy and be a highlight of our architectural tours as well as a great example of progress with respect to what made this city what it is today.

Mike Johnson

Mike Johnson 760.902.8207 LIC# 01313228

Paul Kaplan
modern real estate | GROUP

RSPS
Resort & Second-Home Property Specialist
ABR

mikejohnsonps@me.com
mikejohnsonps.net

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Cindy Berardi

From: Doug MacBeth <dougmacbeth@yahoo.com>
Sent: Wednesday, April 08, 2015 11:54 AM
To: CityClerk
Subject: Aberdeen

Dear Palm Springs City Council Members:

I am writing to express my concern over the proposed demolition of yet another Palm Springs architecturally significant midcentury-modern gem: the Hugh Kaptur Tahquitz Plaza. As a concerned Palm Springs homeowner and as a midcentury modern enthusiast, I oppose the demolition these Kaptur buildings.

In February, almost 60,000 people traveled to Palm Springs for Modernism Week and added hundreds of thousands of dollars to the local economy. Yet over the past few years, Palm Springs has lost several important midcentury buildings, including the iconic Spa Hotel with its much-photographed colonnade and the classic Donald Wexler school administration building. Palm Springs cannot afford to let these losses continue.

Sadly, there are several empty lots in Palm Springs where important midcentury modern buildings have been demolished to make way for new development, which never happened. Why not build on these now empty lots rather than add more architecturally historic buildings to the rubble pile?

Thank you for giving thoughtful consideration to this important issue.

Sincerely,
Doug MacBeth

Cindy Berardi

From: Jacques Caussin <jcaussin@aol.com>
Sent: Wednesday, April 08, 2015 12:05 PM
To: CityClerk
Subject: Aberdeen

To Palm Springs City Council

Re: Aberdeen Project

I truly hope you vote to save the Hugh Kaptur complex and kill the Aberdeen project.
Ask yourselves: "What part of NO doesn't the developer understand?"
NO from the commissions who make sure the city maintains the proper aesthetic standards NO from the public who don't see why good architecture along one of our more major thoroughfare would be replaced by a bunch of garage doors.

As former chair of Modernism Week, which is blossoming into The Premier event for Palm Springs, bringing millions of dollars to your city and an incredible branding for the City.
Please don't poison the Goose that laid the golden egg.

Jacques Caussin
2237 Casitas Way
Palm Springs
760 219 4599
JCaussin@aol.com

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Cindy Berardi

From: P. David Ebersole <pdavid@ebersolehughes.com>
Sent: Wednesday, April 08, 2015 12:52 PM
To: CityClerk
Cc: Gary Johns
Subject: attn ABERDEEN re: Hugh Kaptur Tahquitz Plaza

We are new residents to Palm Springs, and we are writing in hopes that our voices will be heard regarding the impending demolition the Hugh Kaptur-designed Tahquitz Plaza before it is too late. We understand that this demolition is exclusively within the City Council's purview and it is frighteningly scheduled for only one week from today!!

We chose to move to this community from Los Angeles because, at the top of our list of many other great reasons, it has such a rich history in iconic architecture that we love and admire.

Since last September when we purchased our house (not insignificantly a Kings Point home that we consider an architectural masterpiece by William Krisel), we are seeing a trend towards thoughtless demolition of that legacy that is very disturbing. The aggressive demolition of the William Cody, Donald Wexler and Richard Harrison-designed colonnade at the Spa Hotel happened days after we purchased our home, adding to the sadness we and others suffered over the 2012 destruction of Wexler-designed buildings at Palm Springs High School. The noise made over these losses are not just about the politics of preservationist nostalgists versus progress — they are representative of our collective dismay as residents that developers are literally diminishing one of the main attractions that brings new buyers like us into the area.

We know we are not alone in saying these local architects are artists who deserve the respect that reaches beyond having stars on the Palm Springs Walk of Fame, and so it is with great urgency that we implore the City Council — who stated they were powerless in the cases of the other buildings we cite above, that are forever gone — to stand up now that they do have the power, on behalf on their citizens, to preserve the architecturally-significant Tahquitz Plaza scheduled for demolition on Wednesday, April 15.

Sign us,
new Palm Springs residents
P. David Ebersole & Todd Hughes

The Ebersole Hughes Company
www.EbersoleHughes.com

Cindy Berardi

From: standeen@aol.com
Sent: Wednesday, April 08, 2015 2:36 PM
To: CityClerk
Cc: garyjohns1@aol.com; dougmacbeth@yahoo.com
Subject: Aberdeen

Dear City Council Members,

I implore you to reconsider the potential destruction of Tahquitz Plaza by noted local architect Hugh Kaptur. Palm Springs has risen from the dust like the mythical Phoenix due to the wonderful, unique Mid Century architecture in it. Now a greedy developer wants to turn a master piece of modern architecture into dust in order to line his pockets. Palm Suffered a major loss at the hands of the Agua Caliente tribe this past year when the highly important Spa Hotel was destroyed. Consider the people who have flocked here spending money and purchasing and restoring Mid Century properties!! We are your constituents!! We be here long after a flush developer has left town. As a owner of 2 Mid Century properties in Palm Springs, I implore you to stop the destruction of what makes this city unique and great!!

SAVE TAHQUITZ PLAZA FROM DESTRUCTION!!

Repectfully,
Stan Deen MD
San Francisco, California

Cindy Berardi

From: Mark Picascio <mgpicascio@gmail.com>
Sent: Wednesday, April 08, 2015 2:49 PM
To: CityClerk
Cc: Steven Price
Subject: "Aberdeen" Palm Springs proposed project

To the Palm Springs City Council, on the issue of tearing down the Tahquitz Plaza office complex, Palm Springs, CA. designed by famed Palm Springs architect Hugh Kaptur, slated to make way for a new High Density project named "Aberdeen"...NOT a very good idea for the future of Palm Springs!
As my friend and Author, Speaker and Historian Steven Price has mentioned, "Short and Sweet" is best in a message. So here is my message to the City of Palm Springs, CA. "If you let this Mid-Century modern architecture go, then you let Palm Springs go!"
If this happens, gone will be the days of simplicity in desert design forever!

P.S. This original Mid - Century modern architecture by architect Hugh Kaptur will bring in and make more revenue then any new built project could ever achieve!

Sincerely,

Photographer, Modern - Abstract Artist, Architectural Designer and Palm Springs resident,
Owner and operator of UltraModernStyle.com.
Mark G. Picascio
Los Angeles, CA.

www.MGPicascio.com
www.Ultramodernstyle.com

Cindy Berardi

From: Dick Burkett <dickburkett@gmail.com>
Sent: Wednesday, April 08, 2015 2:55 PM
To: CityClerk
Subject: Hugh Kaptur Plaza

We Oppose the demolition of the Hugh Kaptur buildings on Tahquitz and respectfully request the city council act on behalf of the citizens and not in favor of the developer. Please intervene for us to protect our precious history and heritage that the city of Palm Springs has become known for internationally. Without these important buildings we have nothing to showcase. As this impacts the economy of Palm Springs on so many different levels, it behooves those of us who are residents to appeal to the city council for their intervention. Our city has lost several major historic architectural buildings in the past couple of years. Speaking on behalf of myself, I moved to Palm Springs due to the focus and preservation of its unique architectural heritage from Florida. However, there are countless others who come here for our historic architectural events who become infatuated and purchase a home here. Dick Burkett

--

Dick Burkett
760 774 5795 cell
dickburkett@gmail.com

If you don't build your dream, someone will hire you to build theirs." - Tony Gaskins

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Cindy Berardi

From: Jojo Sweiven <jojo@postandbeamrealty.com>
Sent: Wednesday, April 08, 2015 3:39 PM
To: CityClerk
Subject: Aberdeen

To the City Council-
As a Palm Springs resident, I am writing to express my support for Hugh Kaptur and his architecture. I am also adamantly against the city's use of PDs to overdevelop sites that are out of scale with their surroundings. Our historical architecture is what defines our city and makes it so special. Please represent your constituents by preserving it.
Joann Sweiven
590 Sycamore Cir.
Palm Springs

Cindy Berardi

From: BuddyCarrDesign <buddycarrdesign@gmail.com>
Sent: Wednesday, April 08, 2015 3:46 PM
To: CityClerk
Subject: Aberdeen

Please stop the destruction of the very structures that make Palm Springs like no other place in the United States. The structures that keep 1000 of people including myself making frequent trips to Palm Springs. The tourist's like myself that spend 1000's of dollars on hotels rooms and in local business's, that eat at your restaurants and shop in at your stores. The uniqueness of Palm Springs is what keeps us coming back with excitment year after year, destroying these architecturally significant buildings will destroy the uniqueness of your fabulous city and no doubt have an effect on your local economy.

Please stop the destruction.

Concerned citizen
-BUDDY CARR

--

Thank you for your business,we do appreciate it
BUDDYCARRdesign

Cindy Berardi

From:	Cynthia Kellman <cpk@cbcearthlaw.com>
Sent:	Wednesday, April 08, 2015 3:48 PM
To:	Terri Milton; CityClerk
Cc:	Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; Paul Lewin; Jennifer Nelson; Citymanager - Mail Login; Flinn Fagg; David Newell; Jay Thompson; Amy Minteer
Subject:	Comments on Aberdeen Project, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876; Objection to Demolition of Historic Tahquitz Plaza
Attachments:	PSMC Comments on Aberdeen Project with Attachments.pdf

Good Afternoon,

Attached please find a comment letter from Amy Minteer regarding the above-listed project.

Please feel free to contact me with any questions or concerns.

Sincerely,
Cynthia Kellman

Chatten-Brown & Carstens LLP
2200 Pacific Coast Highway, Ste. 318
Hermosa Beach, CA 90254
Tel: 310-798-2400 x6
Fax: 310-798-2402

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FACSIMILE: (310) 798-2402

E-MAIL:
ACM@CBCEARTHLAW.COM

April 8, 2015

Via Email
Original to follow

Honorable City Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Comments on Aberdeen Project, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876; Objection to Demolition of Historic Tahquitz Plaza

Honorable Councilmembers:

On behalf of the Palm Springs Modern Committee, we urge the City to require the preservation of the Tahquitz Plaza as part of the proposed Aberdeen Project. The Aberdeen Project, as described in the mitigated negative declaration (MND) prepared for the project, includes: demolition of all four Hugh Kaptur designed buildings that comprise the historic and architecturally significant Tahquitz Plaza; construction of 74 residential units; and construction of 17 live-work units along Tahquitz Canyon Way (the "Project" or "Aberdeen Project"). The Project was slightly revised as presented to the Planning Commission to reduce the number of residential units to 73 and the number of live-work units to 13 to allow for the preservation of one of the four Tahquitz Plaza buildings, but it is unknown to the Palm Springs Modern Committee whether the MND version of the Project or the Planning Commission version of the Project will be presented to the City Council.

Under either iteration, the Project would result in significant adverse impacts that have not been disclosed or analyzed in the MND. The California Environmental Quality Act ("CEQA") requires preparation of an environmental impact report ("EIR") whenever a project may have a significant adverse impact on the environment. (Public Resources Code section 21151.) As proposed, the Aberdeen Project would result in the demolition of all or most of the Tahquitz Plaza, resulting in significant adverse historic resource and aesthetic impacts. Despite pleas to analyze the significance of and impacts to this resource from numerous members of the public, including experts in historic architecture, the Planning Commission and even the California Office of Historic Preservation, the

City has provided no analysis of the Tahquitz Plaza. The Project would also result in land use and aesthetic impacts due to the Project's inconsistencies with height, setback, inclusion of prohibited uses and landscaping requirements. Approval of the Project as proposed, and based upon only a MND, would result in a clear violation of CEQA. However, revising the Project to include the preservation of the Tahquitz Plaza would mitigate the majority of these potentially significant impacts, likely obviating the need for an EIR. A revised Project would provide the City with a project that preserves Palm Springs' important architectural history while still accommodating a substantial amount of new development.

I. CEQA's Requirements

An EIR must be prepared instead of a MND when there is substantial evidence to support a fair argument that the project may have significant adverse environmental impacts. "The fair argument standard is a "low threshold" test for requiring the preparation of an EIR." (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928.) "If there is substantial evidence of a significant environmental impact, evidence to the contrary does not dispense with the need for an EIR when it can still be 'fairly argued' that the project may have a significant impact." (*Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1001; *see also* CEQA Guidelines § 15064.) It is a question of law, not fact, whether a fair argument exists, and courts owe no deference to a lead agency's determination. There is a clear preference for resolving doubts in favor of preparing an EIR. (*Architectural Heritage Association. v. County of Monterey* (2004) 122 Cal.App.4th 1095, 1110; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 617-618; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 151; *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602-03.)

There is substantial evidence to support a fair argument that, as proposed, the Aberdeen Project may have significant adverse impacts. The Project would demolish the historically significant Tahquitz Plaza, resulting in significant historic resource impacts. The Project also fails to comply with numerous land use regulations and requirements. This noncompliance results in both land use and aesthetic impacts that were not analyzed or even acknowledged by the MND.

A. Historic Resource Impacts.

CEQA section 21084.1 mandates that "[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." A substantial adverse change in the significance

of an historical resource includes "physical demolition, destruction, relocation, or alteration of the resource..." (CEQA Guidelines § 15064.5(b)(1).) The Aberdeen Project would demolish the historically significant Tahquitz Plaza, resulting in a significant adverse impact.

I. Tahquitz Plaza is an Historic Resource.

Hugh Kaptur is among Palm Spring's most important and visionary local architects. He is an innovative designer with his own distinctive to Desert Modern architecture. Mr. Kaptur was the subject of a recent documentary, *Quiet Elegance: The Architecture of Hugh M. Kaptur*. (See http://www.thisnthatfilms.net/hugh-kaptur.html, incorporated by reference.) The importance of his work within the City was also recognized when he received a star on the Palm Springs Walk of Stars in 2014 alongside those including William F. Cody, Albert Frey, Donald Wexler and E. Steward Williams.

The Tahquitz Plaza is a shining example of Mr. Kaptur's originality and ingenuity. The beautiful pueblo-influenced design of these buildings embodies his distinctive style. The Tahquitz Plaza was also designed to be energy efficient with thick walls and wide overhangs that protect the buildings from absorbing heat and an orientation intended to capture breezes. The visually prominent location of the Tahquitz Plaza along Tahquitz Canyon Way heightens the significance of this resource.

Under CEQA, "[g]enerally, a resource shall be considered by the lead agency to be 'historically significant' if the resource...: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values*; or (D) Has yielded, or may be likely to yield, information important in prehistory or history." (CEQA Guidelines § 15064.5(a)(3).)

The record for the Aberdeen Project is replete with evidence regarding the importance of Hugh Kaptur and the significance of the Tahquitz Plaza. The following evidence submitted by experts clearly demonstrates the Tahquitz Plaza embodies distinctive characteristics of Desert Modern design, represents the work of an important creative individual and possesses high artistic values. Thus, the City must consider the Tahquitz Plaza an historic resource and analyze any impacts to this resource in an EIR.

Alan Hess, architect, historian, and the author of numerous books on Modern architecture, submitted comments regarding the importance of Hugh Kaptur in history of

Palm Springs Modernism. (**Attachment 1**, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP.) His letter describes Hugh Kaptur's unique style and the high artistic value of his work at Tahquitz Plaza. Mr. Hess is a consultant on the City's Citywide Historic Resource Survey Update that is currently being prepared. He has strongly recommended the listing of Tahquitz Plaza as a significant resource on that survey.

Architectural historian Morris Newman interviewed Hugh Kaptur as part of his work on an essay regarding Mr. Kaptur published in *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs*. (**Attachment 2**, Newman Essay re Hugh Kaptur.) Mr. Kaptur informed Mr. Newman that the Tahquitz Plaza, where Mr. Kaptur maintained his practice for many years, is one of his favorite projects. In comments submitted to the City, Mr. Newman found that "[a]lthough Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity...In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs." (**Attachment 3**, Newman Email to City.) Mr. Newman also noted the importance of Tahquitz Plaza is enhanced by the fact that it is part of a trio of Kaptur-designed buildings along this stretch of Tahquitz Canyon Way.

Brad Dunning, a former Historic Site Preservation Board member and designer known for working on architecturally significant properties and restorations, also submitted comments urging preservation of the Tahquitz Plaza. He stated that Hugh Kaptur's work is as important to Palm Springs as that of Albert Frey, E. Stewart Williams, Donald Wexler, and William Cody. He found Kaptur's work to be "distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs." (**Attachment 4**, February 20, 2015 Dunning Email to City.)

The architect for the Tahquitz Plaza, Hugh Kaptur, who is also a former Planning Commissioner and member of the City's Architectural Advisory Committee, has articulated before the Planning Commission and in a recent editorial why the Tahquitz Plaza is one of his favorite projects. (**Attachment 5**, April 7, 2015 Kaptur Editorial in *Desert Sun*.) Mr. Kaptur feels the Tahquitz Plaza represents some of his best work, noting that the buildings were the recipients of architectural awards in 1979 and 1980.

The California Office of Historic Preservation has also urged the City consider the Tahquitz Plaza an historic resource and either modify the Aberdeen Project to preserve the Tahquitz Plaza or to prepare an EIR to analyze the impacts. . The OHP's letter officially states "in light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency [the City] to act within its

discretion...to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA." The OHP letter further states that the City has the discretion under CEQA to "treat the Tahquitz Plaza office complex as a historic resource, [and that] it may be possible to modify the proposed project to avoid impacts to the historic resources.... In this way, [the City] could avoid the time and cost involved in preparing an Environmental Impact Report (EIR)."

The City's own design and land use experts, the Architectural Advisory Committee and the Planning Commission, recognized the significance of Tahquitz Plaza and recommended denial of the Project based in large part upon the proposed demolition of these buildings.[1] At the Planning Commission hearing, a Commissioner asked City staff whether the City could find a building to be a local historic resource if it had not yet reached 50 years of age. No specific answer was provided, but a review of the City's Historic Preservation Ordinance demonstrates there is no prohibition or limitation regarding buildings that are less than 50 years and the City has previously listed resources that were less than 50 years of age. The Historic Preservation Ordinance was adopted "for the purpose of preserving areas and specific buildings of the city which reflect elements of its cultural, social, economic, political, architectural and archaeological history." (Palm Springs Municipal Code 8.05.010.) This Ordinance defines an historic site as "any real property ... that is unique or significant because of its location, design, setting, materials, workmanship or aesthetic effect and: ... (4) That embodies the distinctive characteristics of a type, period or method of construction; or (5) That presents the work of a master builder, designer, artist, or architect whose individual genius influenced his age; or that possesses high artistic value." (Palm Springs Municipal Code 8.05.020(a).) The expert testimony demonstrates that the Tahquitz Plaza meets criteria (4) and (5) of the City's definition of an historic site.

The wealth of evidence regarding the historic significance of the Tahquitz Plaza is similar to the evidence presented to the county in *Architectural Heritage Association v. County of Monterey* (2004) 122 Cal.App.4th 1095. In that case, the court found that the opinion of a consultant commissioned by the county, findings of an advisory committee and testimony of members of the public with relevant expertise represented "substantial evidence supporting a fair argument that the Old Jail is an historic resource." (*Id.* at 1118.) **Here, a City commissioned consultant (Alan Hess), other experts in the community, the Architectural Advisory Committee, the Planning Commission and**

1 The Planning Commissioners that voted against denial of the Project did not dispute the significance of the Tahquitz Plaza. Instead, they stated that they did not believe it was economically feasible to preserve these buildings. There is no economic analysis in the record to support this conclusion. Moreover, this is a determination that can only be made after analysis in an EIR.

even the California Office of Historic Preservation have urged the City to consider the Tahquitz Plaza to be an historic resource. Failure to do so is a violation of CEQA as it was in *Architectural Heritage Association.*

2. The MND Provide No Evidentiary Support for Finding of Insignificant Impacts to Historic Resources.

Despite all of the evidence presented to the City, and the importance of Hugh Kaptur and the Tahquitz Plaza, the MND/Initial Study completely ignores the buildings' potential historic significance. Instead of evaluating the historic significance of these resources, the MND/Initial Study merely references the Tahquitz Plaza as "1971 vintage office buildings." (MND p. 24.) The MND/Initial Study does not disclose that Hugh Kaptur was the architect of these buildings nor does it describe their unique design. It states that the buildings are not listed on the state or local register, but does not acknowledge that the buildings may soon be listed on the City's historic resources survey. Further, as pointed out by the Office of Historic Preservation, the fact that a resource is not listed on a register does not preclude a resource from meeting the criteria for historic resource under CEQA. CEQA "does not demand formal listing of a resource in a national, state or local register as a prerequisite to 'historical' status. The statutory language is more expansive and flexible." (*Architectural Heritage Ass'n, supra* 122 Cal.App.4th at 1114, citation to *League for Protection of Oakland's Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 907.)

The City's failure to evaluate the historic significance of the Tahquitz Plaza, despite substantial evidence of the buildings historicity and requests from the Planning Commission to study these impacts, is a violation of CEQA. The purpose of the initial study is to provide the lead agency with adequate information regarding a project to determine the appropriate environmental review document and "documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment." (*Ctr. for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal. App. 4th 1156, 1170, citations omitted.) "Where an agency. . . fails to gather information and undertake an adequate environmental analysis in its initial study, a negative declaration is inappropriate." (*El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal. App. 4th 1591, 1597, citations omitted.) Failure to adequately analyze all of a project's potentially significant impacts or provide evidence to support conclusions reached in the initial study is a failure to comply with the law.

This failure to provide an analysis is also a violation of the City's General Plan Policy RC 10.3, which states: "Require site assessment conducted by a qualified

specialist whenever information indicates that a site proposed for development may contain paleontological, historic, or archaeological resources." The evidence cited above clearly indicates the Tahquitz Plaza not only may be but is an historic resource.

3. The City's Failure to Follow OHP Recommendations Could Jeopardize Its Status as a Certified Local Government.

Palm Springs was recently approved as a Certified Local Government (CLG) by the California Office of Historic Preservation (OHP). The CLG Program is designed to encourage the participation of local governments in the identification, evaluation, registration, and preservation of historic properties in their communities. CLG communities are also eligible to receive a wide range of technical assistance and substantial grants from the OHP. The OHP monitors CLG communities' compliance with CEQA and other laws and regulations intended to protect historic resources. A determination by OHP that the City has failed to comply with CEQA could result in a loss of CLG status and/or the City's inability to receive OHP grant funding. OHP has recommended the City evaluate the historic significance of the Tahquitz Plaza. To comply with CEQA and protect its status as a CLG, the City should follow this recommendation.

B. Land Use Impacts.

The Architectural Advisory Committee and the Planning Commission have identified numerous areas in which the Aberdeen Project would be inconsistent with the Section 14 Specific Plan and City zoning regulations. The majority of these inconsistencies would be resolved if the Project were modified to include the preservation of Tahquitz Plaza.

A project's conflict with any applicable land use plan, policy or regulation is a significant environmental impact under CEQA. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 929.) "If substantial evidence supports a fair argument that the proposed project conflicts with [land use] policies, this constitutes grounds for requiring an EIR. Whether a fair argument can be made on this point is a legal question" that provides no deference to a city council determination.

The Aberdeen Project would exceed Section 14 height limits. The MND dismisses this land use policy conflict by claiming the Project would meet the requirements of the City's high-rise development standards. (MND p. 12.) As found by the Planning Commission, the Project would not comply with the high-rise development standards because it lacks the required setbacks by providing only 6.75 feet of setback from Tahquitz Canyon Way. Planning Commissioner's fact-based conclusions regarding a

project's failure to comply with land use policy is substantial evidence to support a fair argument that the project would have significant land use impacts. (*Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155.) Additionally, the Project would not include 60 percent open space, which is required to meet the high-rise development standards. (Palm Springs Municipal Code 93.04.00(A).) If the Tahquitz Plaza were preserved, adequate setbacks would be provided along Tahquitz Canyon Way and additional open space would be included in the Project, which would likely allow the Project to meet the high-rise standards for the remainder of the Project.

The Project would also result in a land use impact by including single family homes in area where single family homes are prohibited. (Section 14 Specific Plan p. 6-4.) The MND ignores this inconsistency by mischaracterizing the Project as multi-family housing. The City's Municipal Code defines multi-family housing as "a building designed for or occupied by two (2) or more families living independently of each other." (Palm Springs Municipal Code 91.00.10.) In the Aberdeen Project, the majority of the buildings, particularly those along Tahquitz Canyon Way, are completely detached units that are designed for occupancy by only one family, thus they do not meet the City's definition of multi-family housing and are prohibited by the Section 14 Specific Plan. The MND is inaccurate and misleading to the public and decision makers by failing to disclose the inclusion of a prohibited use in this Project.

The setback, height and use conflicts are similar to those found by the court to be significant impacts requiring preparation of an EIR in *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903. In the *Pocket Protectors* case, the planning commission found a densely packed single family housing project to be inconsistent with housing type and setback policies for the area. The MND prepared in that case glossed over or ignored the inconsistencies, much the way it does here, and the project approval was found to be in violation of CEQA.

The Aberdeen Project further violates land use policies due to its inconsistencies with required landscaping along Tahquitz Canyon Way. The minimal setbacks provided by the Project do not allow adequate space for the large palm trees, desert landscaping, public art and pedestrian amenities along Tahquitz Canyon Way required by the Section 14 Specific Plan. The MND acknowledges the inconsistency and provides mitigation measure MMI-1, which states: "Project site plans, architectural renderings and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by City Council." The ability of mitigation measures to actually mitigate impacts must be evaluated in the environmental review document. By waiting until after the City Council hearing to develop a mitigation measure for this impact, the MND fails to assess the efficacy of the

measure and improperly defers mitigation. The developer has opted not to make the revisions necessary to bring this Project into compliance with the Section 14 Specific Plan and thus the inconsistency, and land use impact, remains.

The Project would also violate several City General Plan policies, resulting in further land use impacts. The General Plan requires the City to:

- RC10.1 Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features.
- RC10.2 Encourage and support the retention and adaptive reuse of buildings of architectural, historic, or cultural significance where financially feasible.
- RC10.5 Actively encourage and promote the understanding, appreciation, and preservation of the archaeological, historic, and cultural resources.

By allowing the demolition of the historically significant Tahquitz Plaza, the City's approval of the Project would violate these General Plan policies.

C. Aesthetic Impacts

The Aberdeen Project would also result in significant aesthetic impacts that require analysis in an EIR. The proposed demolition of the historically significant Tahquitz Plaza at a prominent location in the City's downtown would degrade the visual character of the area. These architecturally distinctive buildings with wide landscaped setbacks would be replaced with densely packed units that exceed height limits and violate setback requirements. The Planning Commission has questioned the viability of providing live-work units along Tahquitz Canyon Way and expressed concern that these visually prominent units would end up being used as storage space, further degrading the visual character. This degradation is particularly significant because Tahquitz Canyon Way is designated as a scenic corridor by the City's General Plan.

Conclusion

The Palm Springs Modern Committee urges you to reconsider the proposed Aberdeen Project. As proposed, the Project's impacts require analysis in an EIR and the City's proposal to approve the Project based upon a MND violates CEQA. If the Project were revised to include preservation of the Tahquitz Plaza, the majority of the housing units could still be constructed, but the impacts of the Project would be substantially reduced.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Minteer
Attorney at Law

Attachments:
Attachment 1, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP
Attachment 2, Morris Newman Essay re Hugh Kaptur.
Attachment 3, Morris Newman Email to City re Aberdeen Project
Attachment 4, February 20, 2015 Dunning Email to City
Attachment 5, April 7, 2015 Kaptur Editorial in Desert Sun

cc: Flinn Fagg, AICP, Director of Planning Services
David Newell, Associate Planner
David H. Ready, Esq., Ph.D., City Manager
James Thompson, City Clerk
Palm Springs Modern Committee
National Trust for Historic Preservation
California Preservation Foundation

ATTACHMENT 1

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February 19, 2015

Terri Hintz
Planning Department Administrative Coordinator
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

To the Planning Commission:

I am writing as an architect, historian, and author of nineteen books on Modern architecture to express my support for the preservation of the Tahquitz Plaza office complex because of its historical significance to Palm Springs and California architecture. Please share this letter with the Planning Commissioners prior to their February 25, 2015 meeting.

I have written two books on Palm Springs architecture (*Julius Shulman: Palm Springs*, Rizzoli International, 2008, and *Palm Springs Weekend*, Chronicle Books, 2001) and can say that these buildings, and the work of architect Hugh Kaptur, play an important role in what is now identified as Palm Springs Modernism.

I am also a consultant on architectural history for the current City of Palm Springs architectural survey. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey.

My resume is attached. I have written on architecture for the *Los Angeles Review of Books, The Architect's Newspaper, The Los Angeles Times, Architectural Digest, the Journal of the Society of Architectural Historians*, and other journals. I have been the architecture critic of the *San Jose Mercury News* since 1986, received a grant from the Graham Foundation for Advanced Studies in the Fine Arts, and was a National Arts Journalism Fellow at Columbia University.

The research of the importance of Palm Springs Modern architecture in general is very recent. Only a decade ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not well known

generally; few Modern buildings now considered iconic were identified as historic then. Since then, our understanding of these and other architects has made us aware of the full dimension of Palm Springs architectural history.

As we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of scholarly opinion on Kaptur's importance.

Briefly stated, Kaptur's significance is this: 1) Palm Springs midcentury Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place.

In addition, its site on Tahquitz Canyon places it in the context of the city civic center, an extraordinary collection of Modern buildings serving civic purposes, and rare in the state.

I am writing this letter *pro bono* because historic architecture of this quality adds to the civic character and quality of city life. In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design would be a loss to history and the city's urban quality.

Sincerely,

Alan Hess

RESUME OF ALAN HESS, ARCHITECT

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alan@alanhess.net

WORK	1981-	Alan Hess, Architect
	1986-	Architecture critic, **San Jose Mercury-News**
EDUCATION	1975-78	M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles
	1970-74	B.A., Principia College, Elsah, IL
DESIGN		Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits
		Gordon Onslow-Ford guesthouse, Marin County, CA
TEACHING	1989-91	Instructor, University of California, Los Angeles
	1986-90	Lecturer, Southern California Institute of Architecture
PRESERVATION		Design Guidelines, Heatherstone Community, Mountain View, CA
		Honor Award 1997, National Trust for Historic Preservation
		President's Award, California Preservation Foundation
		Qualified for National Register of Historic Places:
		Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA
		McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA
		Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ
		Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA
		Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone 1959), National Theater, Westwood (1969) and other mid-century modern structures
FELLOWSHIPS		Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98
GRANTS		Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990
LICENSE		Licensed architect, California # C 15747

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***BOOKS*:**

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Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

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"The Beauty of Authenticity: Dana Point Harbor," *Orange Coast Magazine*, Aug., 2013

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Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

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March 20, 2015

Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

Dear Ms. Roland-Nawi:

I am writing at the request of the Palm Springs Preservation Foundation to ask you to consider writing a letter to the City of Palm Springs encouraging them to conduct an EIR for the Tahquitz Plaza office buildings (1971) by Kaptur & Lapham. The four buildings in this complex are excellent and well preserved examples of key aspects of architect Hugh Kaptur's work, and of Palm Springs Modernism.

The buildings are currently under threat of demolition for a proposed residential project. So far the city has not requested an EIR, but I believe the complex's significance and quality require it.

Kaptur is an important architect in Palm Springs Modernism. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, Kaptur often draws on organic concepts from Frank Lloyd Wright and forms from the American Southwest. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted frames around windows, the bermed walls, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. The strong composition of these many elements shows Kaptur's skill and the high artistic value of his work.

In addition, Tahquitz Plaza's location on Tahquitz Canyon places it in the context of the city's Modern civic center. Tahquitz Canyon is the city's main civic thoroughfare, linking the airport to downtown; along this boulevard is an extraordinary collection of Modern buildings serving civic purposes, including city hall, police and county facilities, and the airport, complemented by commercial buildings of similar style and siting. Such a collection of Modern civic center buildings is rare in the state.

Palm Springs' midcentury Modern architecture is known for its use of Modern concepts in addressing the challenges of climate, functions, and new material technologies. These are not typified by a single aesthetic; it ranges from the lightweight, steel framed houses resting lightly on the earth seen in the work of Richard Neutra and Albert Frey, to the autochthonous monolithic concrete structures, literally buried in the earth, seen in John Lautner's work, with many more interpretations in between.

Within this wide range, Kaptur's work is singular. His training in design was closely associated with midcentury automotive design in Detroit, where he attended Lawrence Tech and worked for General Motors' consumer design division. Kaptur has worked in Palm Springs from 1956 to the present day. He worked for and with other noted local architects, including Donald Wexler, Richard Harrison, and William Cody. Like those architects, his work is distinctive and individual, and yet his design also reflects common themes that distinguish Palm Springs Modernism.

The Tahquitz Plaza offices are an excellent representation of his use of sculptural, expressionist forms influenced by Native American adobe structures, but modernized and abstracted aesthetically in the spirit of Modernism. The complex's thick stuccoed walls do not imitate those vernacular structures; the silhouette of the walls and the curving windows frames that grow directly from those walls are carefully abstracted into forms that represent a distinct, modernized aesthetic vocabulary. This approach is also seen in other Kaptur designs, including the William Holden house (1977), and the Casa Blanca motel (1979.)

In addition, the Tahquitz Plaza offices incorporate unpainted wood walls and wood trellises. These also update the wood ramadas and trellises of traditional Southwestern architecture. The siting of the office structures creates small courtyards between the buildings (another design aspect seen in historic Spanish architecture of the Southwest) allowing for shaded outdoor areas.

Likewise, the landscaping and siting of the Tahquitz Plaza buildings represent an updating of traditional concepts and a Modern response to the hot climate. Berms rise partway up the walls, providing thermal insulation and connecting the structure to the earth, similar to Lautner's desert designs.

The thick walls, hooded windows, and shaded courts all have historic precedents, but they are also practical, integral elements that help moderate the strong sunlight and heat of the local climate. The design of all these elements is artful and well composed.

The use of historic regional architecture by twentieth century architects is an important facet of Modern architecture in California and the West. It can be seen, for example, in the work of Irving Gill in the 1910s, the Ranch Houses of Cliff May in the 1950s and 1960s, and the civic buildings and residences of Bennie Gonzales in Arizona, where historic forms were blended with Modernism's abstraction. Hugh Kaptur is the primary interpreter of this approach in midcentury Palm Springs, and Tahquitz Plaza is a primary example in the city.

Kaptur's work has been rediscovered fairly recently. This is not surprising; our understanding of the significance of Palm Springs Modern architecture in general is also relatively recent. Only a dozen years ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not generally well known outside Palm Springs, and its significance was not even widely recognized within Palm Springs.

In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design such as this would be a loss to history and the city's urban quality.

But as we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of opinion on Kaptur's importance.

I have written to the Palm Springs Planning Commission about my support, as a historian and architect, for the preservation of Tahquitz Plaza. I am also a consultant on architectural history for the Palm Springs architectural survey, currently underway. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey. I believe that a letter from your state office would encourage them to conduct an EIR that would document the significance of this complex.

Thank you for your consideration of this matter.

Sincerely,

ATTACHMENT 2

The Desert Modernists
THE ARCHITECTS WHO PIONEERED MIDCENTURY MODERN IN THE SOUTHWEST

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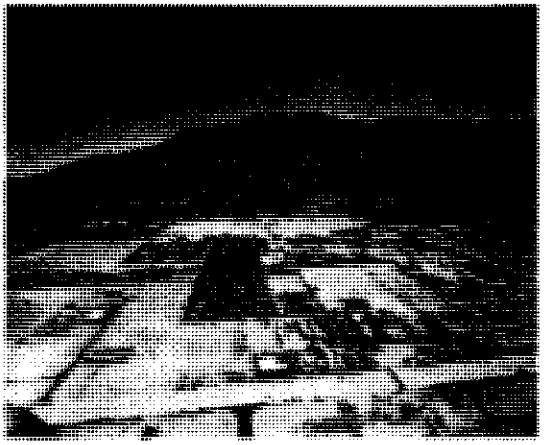

Above: A 1955 aerial view looking west toward Palm Springs at the base of Mount San Jacinto. Opposite, top row from left: Robson C. Chambers, Albert Frey, Donald Wexler, Richard Neutra. Middle row from left: John Porter Clark, A. Quincy Jones, John Lautner, William "Bill" Krisel. Bottom row from left: William F. Cody (leaning over desk), Paul R. Williams, Hugh Kaptur, E. Stewart Williams. Previous pages 2-3: Coachella Valley in bloom. Page 4: Edris House. Page 5: Palm Springs City Hall.

The Desert Modernists was created in partnership between Modernism Week and Desert Publications Inc. Modernism Week Board of Directors: J. Craig Madole, Chairman; Larry Abel, Vice Chairman; Mark Davis, Treasurer; Gary Johns, Secretary; Regina Bartholomew, Maureen Eble, William Kapcia, Laurie Wilkie; Staff and Consultants: Lisa Wesler Smith, Executive Director; Jenni Dixon, Creative Project Manager. Desert Publications Inc.: Patricia Warnken, President; Julie Sevcik, Editorial Director; Richard Vaughn, Art Director; Steven Werner, Editor; Olga Reyes, Managing Editor; Marco Mendez, Digital Imaging; Laura Boyle, Production Manager.

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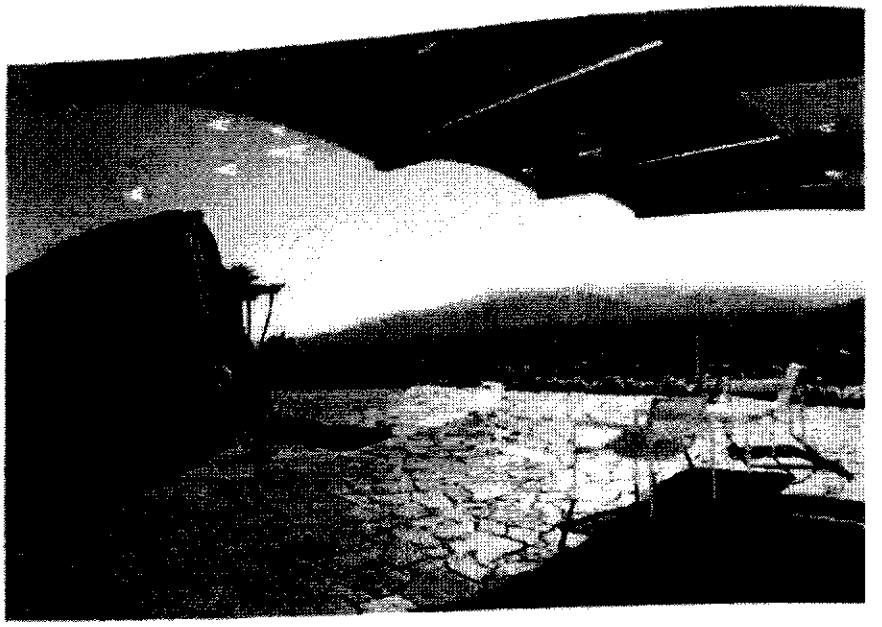
(MAY 22, 1931 –)

HUGH KAPTUR STANDS APART FROM MOST OF THE PALM SPRINGS ARCHITECTS OF HIS GENERATION. RATHER THAN THE MAINLINE, INTERNATIONAL STYLE MODERNISM FAVORED BY MOST OF HIS PREDECESSORS AND COLLEAGUES IN THE DESERT, KAPTUR PREFERS WHAT HE CALLS "AN ARTISTIC ARCHITECTURE THAT IS ORGANIC AND FLOWING." HIS FIRST INSPIRATION WAS FRANK LLOYD WRIGHT, NOT MIES VAN DER ROHE.

Kaptur is not a doctrinaire follower of Wright, however. He denies having a signature style. His primary debt to the master of Taliesin, he adds, was the acknowledgment of climate and landscape in his projects, as well as a taste for sculptural masses and a delight in contrasting materials. In some cases, Kaptur was able to translate some of the sculptural feeling of Wright's designs into a colorful, "populuxe" style. Kaptur's first Palm Springs project was the Impala Lodge (1957–58; now the Triangle Inn), a wildly inventive building with steel beams supporting a canopy reminiscent of a lean-to. Walls of glass stand on a stone base, while external "buttresses" support shade structures to keep the sun off the windows. Other "pop" buildings are the Siva House of 1959, with scallop-shaped awnings draped in orange plastic, and the clubhouse Kaptur designed with Robert Riccardi for the Palm Springs Golf Course (1959), with a curved roofline resembling a cresting wave.

Practical commissions, such as the Tahquitz Plaza office complex (1971, by Kaptur, Lapham, and Associates) on Tahquitz Canyon Way, did not always allow total freedom, yet this comparatively restrained project remains one of Kaptur's favorites. After an original design called for concrete, cost considerations dictated that a less expensive wood frame structure be employed. Despite this



This page and opposite: Kaptur created this home in 1963 at 660 Paloarden Drive in Palm Springs. The house is known as the Russell House and/or the Sea House.

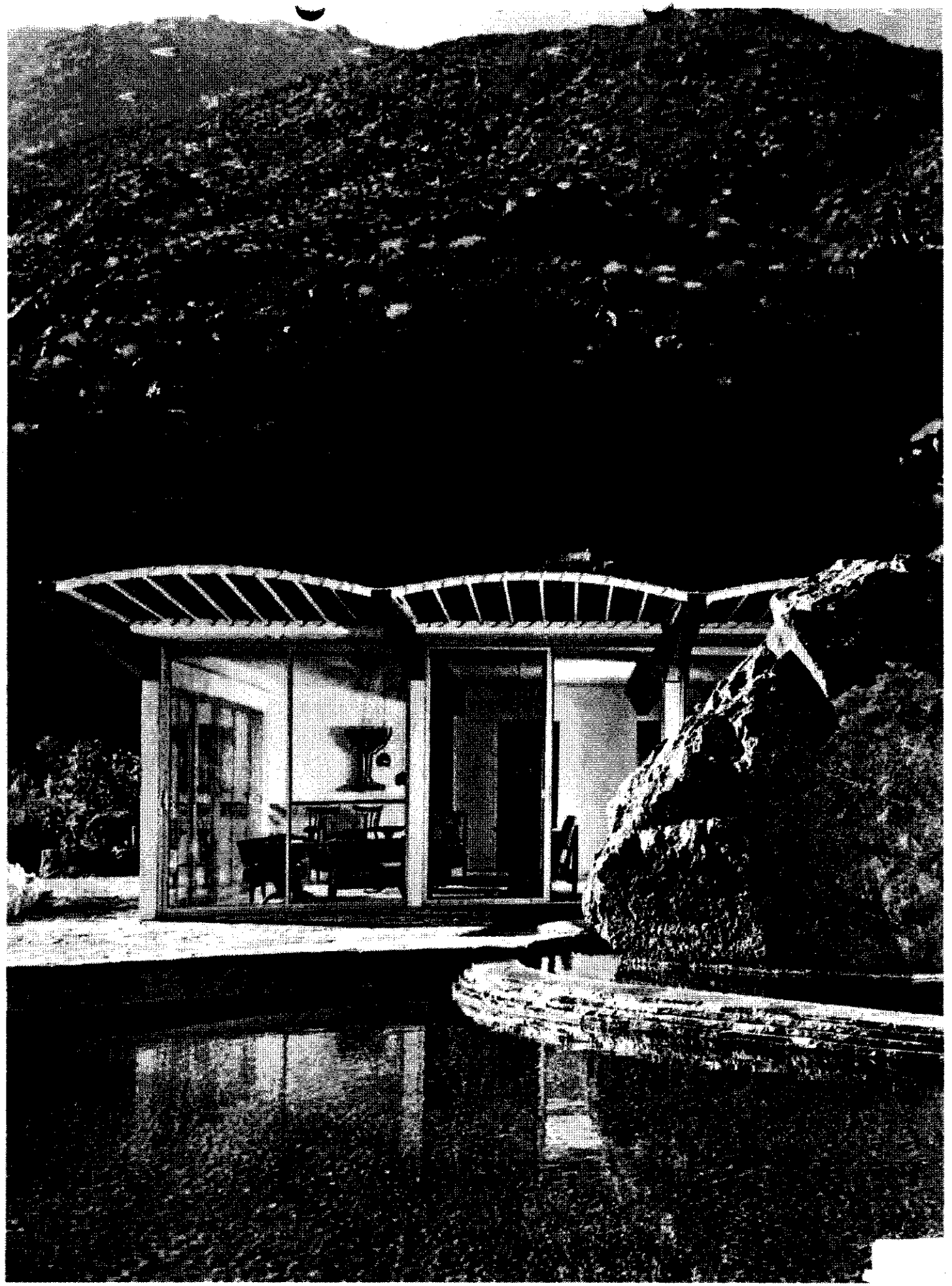
Previous page: Hugh Kaptur

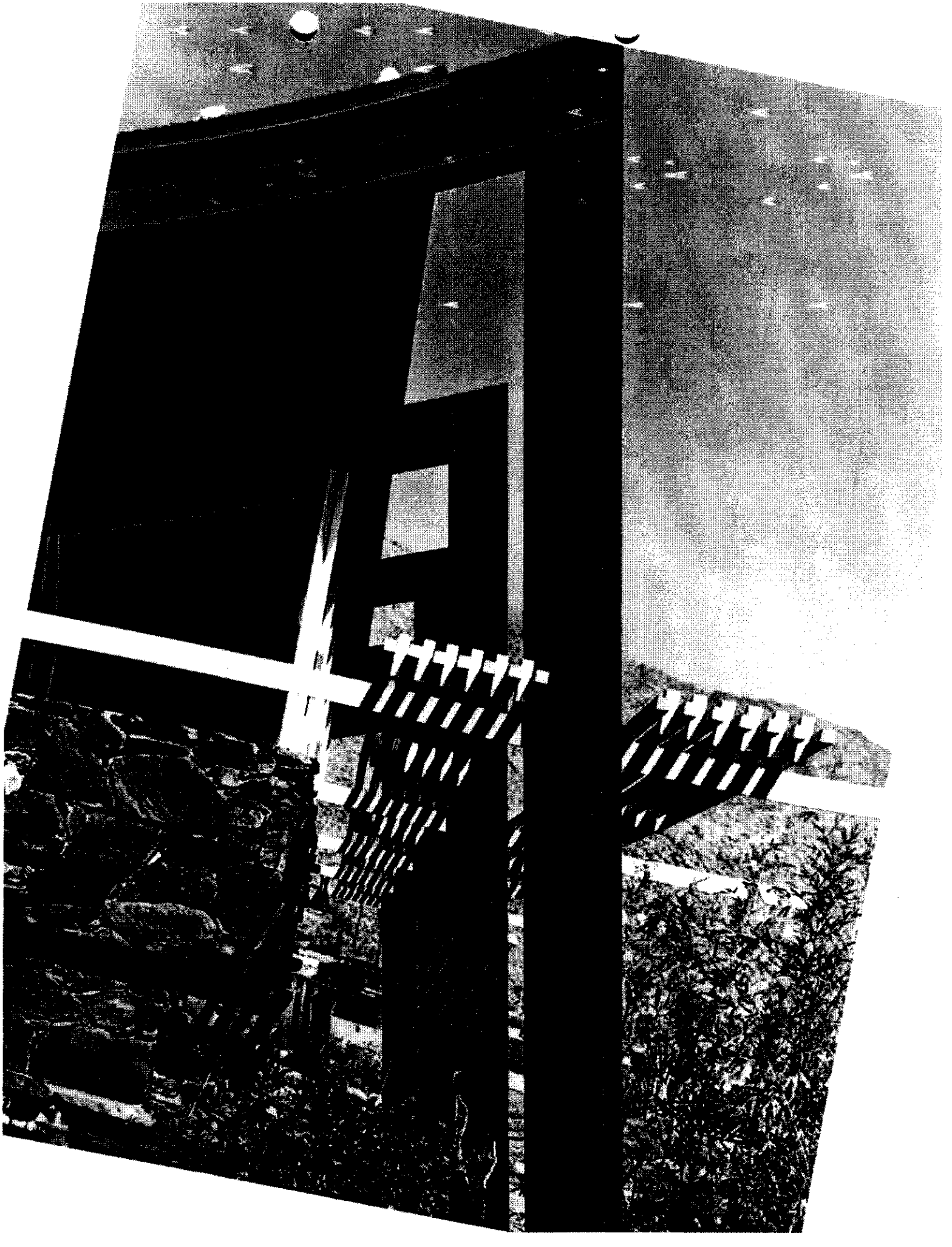
constraint, the Tahquitz buildings manage to look like masonry, due to walls that are sculpted to look as massive as concrete. To further the illusion of thick walls, Kaptur provided the buildings with windows that appear deeply recessed. In other places, windows push outward from the wall surface as if trying to break free of the building. Similar jutting windows can be found at Kaptur's Musicland Hotel (1967), another building that flirts with the illusion of heavy masonry in the form of a pueblo adobe.

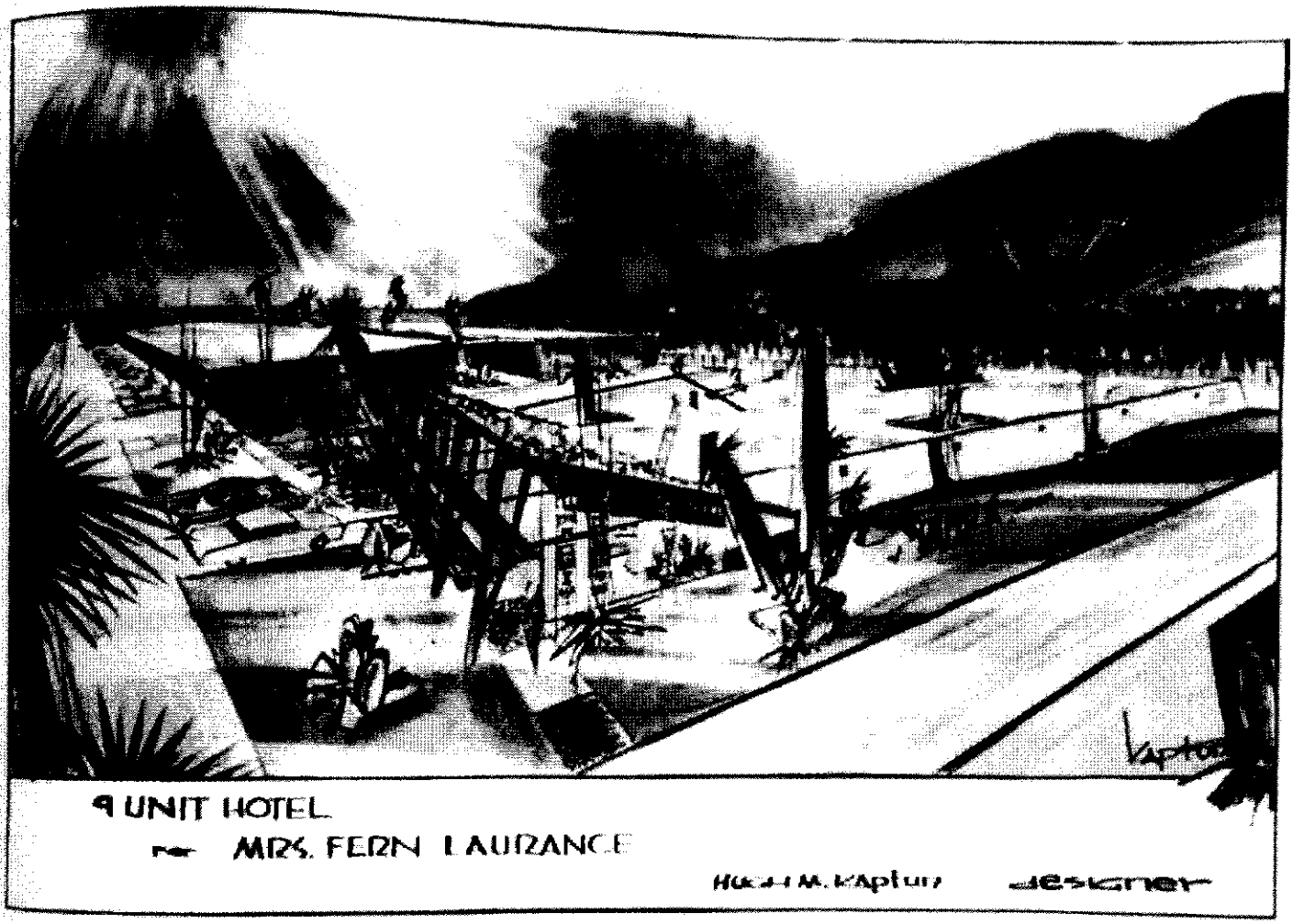
A Detroit native, Hugh Kaptur was born in 1931 to an artistic mother and an automobile design engineer father. After high school, he briefly attended Lawrence Institute of Technology (now known as Lawrence Technological University) in Michigan to study engineering. But at 20, he enrolled in the Marines during the Korean War; he and his young family briefly lived in California before he returned to Michigan so that he could work with his father at GM's design studio while finishing his education. At that point, Kaptur and his family returned to California, this time to the largely undeveloped Palm Springs of the early 1950s. After working briefly for Wexler and Harrison, Kaptur supported himself by making presentation drawings for Donald Wexler, Albert Frey, and others.

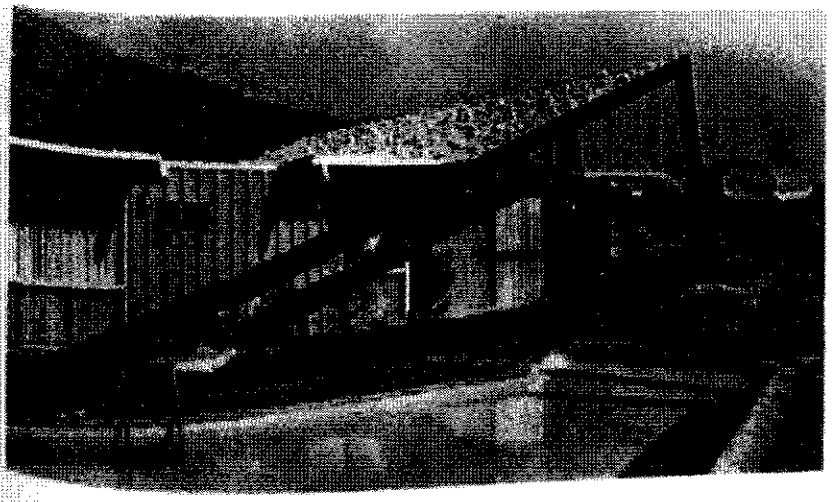
Although Kaptur says he is willing and able to design in any style, sometimes his inner exuberance bubbles to the surface. Commissioned in 1988 to design a conventional home for Jim and Kay Selzer, Kaptur came up with something very different: a lively, hard-to-describe residence comprising a cone-shaped dome set amid other simple geometric shapes that seem to vibrate together. Twenty-five years later, the Selzers report that they are still happy with the unconventional house and they remain friendly with the architect.

The exuberance has survived into the architect's ninth decade. Kaptur is currently designing an addition to an existing home in the form of a circular casita, or guesthouse, separated from the main house by a courtyard. In a nod to the ongoing influence of Frank Lloyd Wright, the addition is to be nestled into the natural contours of the landscape.





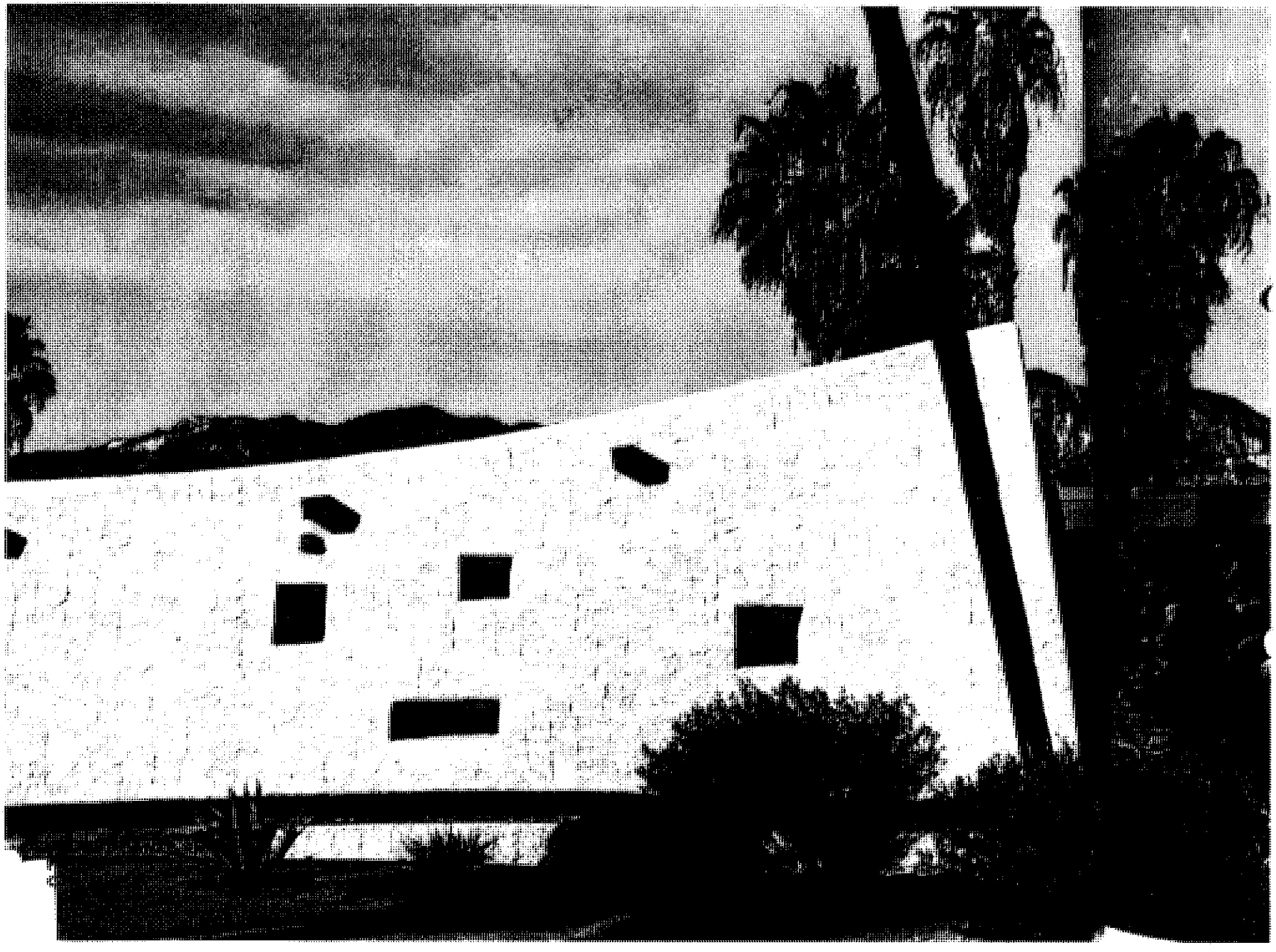


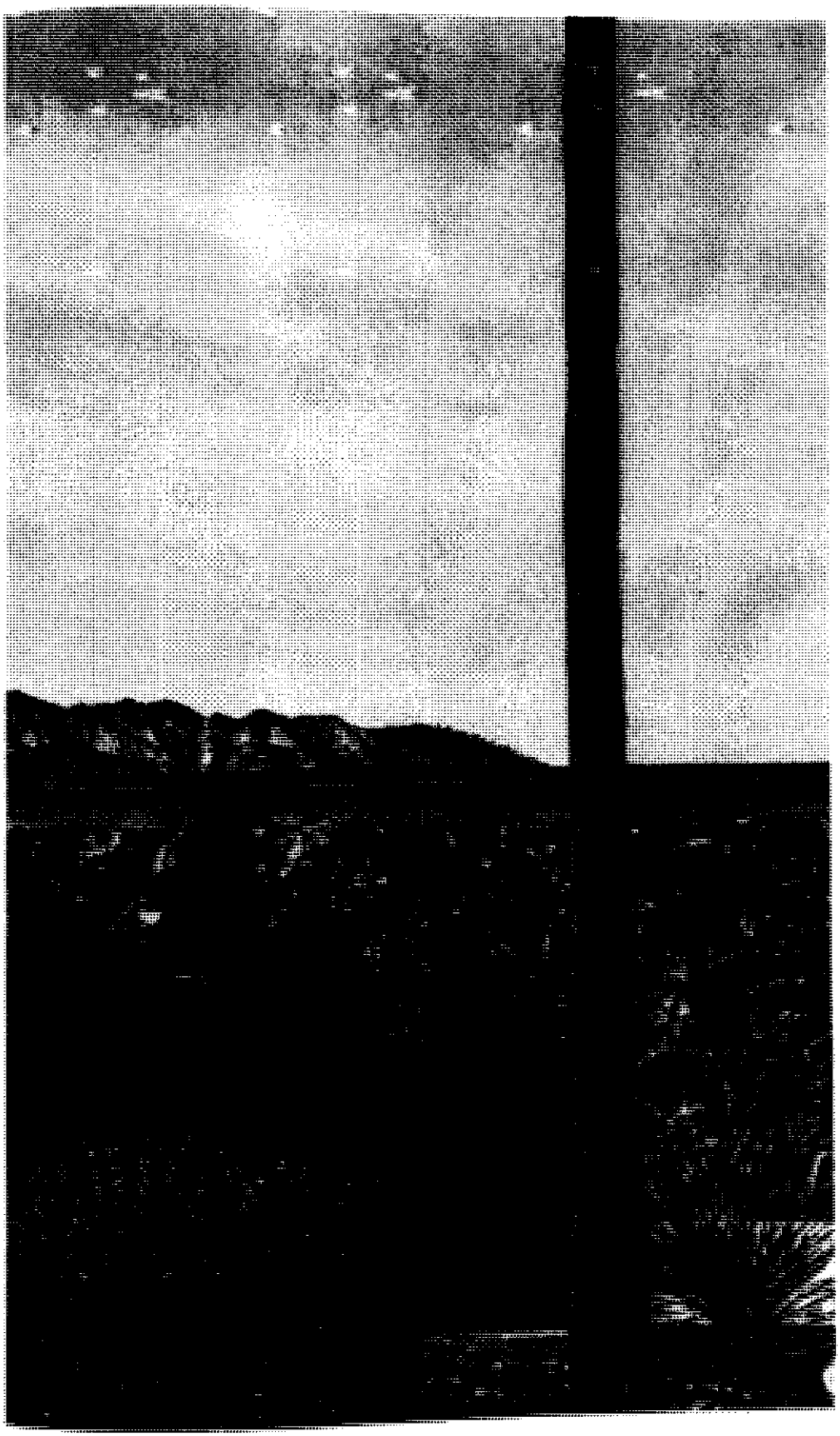


Opposite: This was Kaptur's first Palm Springs building (1953-54), the Ingalls Lodge, 566 East San Lorenzo Road, now the Triangle Inn.

This page, above: Kaptur's imaginative graphic hand.

Left: Kaptur's creative arrangement placed the dramatic steel beams next to the swimming pool. The buttresses remind more than a few guests of spider legs.





Left: Originally named the Palm Springs Golf Course (1958), the Tahquitz Creek Golf Resort (1884 Golf Club Drive, Palm Springs) sports one of Kaptur's most interesting facades on its clubhouse, a giant slab of masonry whose waves captures the arc of a golf swing. The course's proximity to the airport also figured into Kaptur's final design, visible from the air [illegible] (desert sunflower) to look something green and different from the air. He said.

ATTACHMENT 3

Honorable Planning Commission

City of Palm Springs

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92263

Dear Members of Planning Commission:

I'm writing to provide some comment about the proposed demolition of the Tahquitz Plaza designed by Hugh Kaptur.

- I am a qualified architectural historian (M.A., Architectural History and Theory, UCLA, 1984) and the author of two books on architecture and the editor of a third.

- I'm also a professional journalist, specializing in real estate, urban design and architecture. My work has appeared widely, including several dozen articles about commercial real estate in The New York Times and Los Angeles Times. I have written extensively on Modern Architecture, historic preservation, public-private projects, zoning and entitlement issues and other topics relating to the design, financing and government approval of buildings.

- I have published three articles about the architecture of Hugh Kaptur, including a chapter in a recently published book of Palm Springs architecture.

Tahquitz Plaza is a landmark building both in the City of Palm Springs and in the career of

Hugh Kaptur. Mr. Kaptur, as you probably know, is one of the luminaries of the "Golden Age" of architecture in the city, having worked in Palm Springs continuously since the 1950s.

Mr. Kaptur has told me this is one of his favorite projects, which seems fitting for a building where he maintained his architectural practice for many years. Although Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity. One of the themes of Mr. Kaptur's work, and Southern California architecture in general, is the ability of local architects to "make lemonade" when faced with limits both in budget and choice of materials (i.e. the least expensive). I quote one of my own articles on Mr. Kaptur:

"Practical projects, like an office complex on Tahquitz, did not always allow such freedom, yet the comparatively restrained project remains one of the architect's favorites. Originally designed in concrete, cost consideration dictated a less expensive wood frame structure. Despite this constraint the Tahquitz buildings manage to look like masonry, due to walls that are sculptured to look massive as concrete. To further the illusion of thick walls, Kaptur provided the Tahquitz buildings with window that appear to be deeply recessed. In other places, windows push outward from the wall surface, as if trying to break free of the building. Similar out-pushing windows can be found at Kaptur's Musicland Hotel, another building that flirts with the illusion of heavy masonry...."

In my view, the human experience of cities is largely made up by memorable images, structures and spaces that lend a sense of identity to the community. These buildings might be described as the "sina qua non" of any particular city, meaning that without these structures or images, the city would be diminished and lose part of its "sense of place." Every person who is aware of architecture in Palm Springs is still feeling the loss of the Palm Springs Spa Hotel. In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs. It is a tasteful, viable building that has been tenanted since its completion. The Tahquitz offices are also part of a trio of Kaptur-designed buildings on either side of the street, which increases both its interest and importance.

At the very least, the Commission should give serious consideration to preserving at least the original building of the complex. Perhaps the City Planning Department can incentivize the developer by granting a density bonus on the remaining portion of the parcel to compensate the developer for any loss of buildable square footage entailed by the preservation of the Tahquitz offices. Additionally, the Planning Department might consider the waiver and/or forgiveness of certain development fees, as a further incentive to preserve the Tahquitz offices. Development is vital for the economic well being of all cities. Equally so is the preservation of buildings that define its character in a positive way. It is my deeply held hope that the Planning Commission will find a way to accommodate both the best interests of both the City and the developer.

Respectfully yours,

Morris Newman

ATTACHMENT 4

On Mon, Feb 23, 2015 at 12:41 AM, Brad Dunning <brad@braddunning.com> wrote:

Feb. 20, 2015

Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

I was quite shocked recently upon hearing the City of Palm Springs is considering a developer's plan to demolish the Hugh Kaptur-designed Tahquitz Plaza. It seems almost inconceivable to me that these buildings, some of the best work of Hugh Kaptur's career, could be lost. Although recognition of Hugh Kaptur's work is coming later than those of his local peers--Albert Frey, E. Stewart WIlliams, Donald Wexler, William Cody and other prominent locals that have made Palm Springs world renowned as a destination for fans of architecture and design and the appreciation of mid century architecture in Palm Springs seems to be the major factor in the revival of the town--Kaptur's work is certainly as important and worthy. His achievements mark the latter end of the mid century era. His work is distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs. Perhaps his work has not become fully appreciated yet as it is relatively recent when compared to Albert Frey's modern work of the '50s or 60s for instance. That is why Kaptur's complex is threatened to some extent---the work is just now at the cusp of rediscovery---just as Frey's and Williams' and Cody's work was a few years ago.

Hugh Kaptur was a local and made an indelible mark on the landscape of Palm Springs and the City should be very proud and respectful of his work, celebrate and preserve it. It does the City well when it signals to the world the pride it has its achievements and the artistry of its local architects and most of all the appearance and history of the town. It is terrible for the town to be known for allowing demolition of another important building. This estimable canvas that is modern architecture in Palm Springs is economically instrumental and vital now for tourist appeal and more importantly many residents now have chosen to invest in the town and to live here simply because of the great modern architecture we have in our midst..

I urge the City to reconsider any decision which would allow the destruction of this important Kaptur complex, it would be a terrible loss and when it is gone it is gone forever.

I served as a member of the Historic Site Preservation Board in 1995-96. I suspect some of you will recall the firestorm that greeted my nomination of five Frey buildings which included the Tramway Gas Station. A developer wanted to demolish that building soon after designation and quite a controversy erupted. I hope you will agree in hindsight the decision to preserve the building was the correct one. I believe you will feel the same way as time passes and the Tahquitz Plaza is preserved. The complex is inventive, playful, and sophisticated with forms and open areas that best represent not only Kaptur at the top of his game but a true reflection of the state of the best modern architecture in Palm Springs at that period.

My written work about Palm Springs and modernism has appeared in the Los Angeles Times, the New York Times, Vogue, and GQ magazine among others.

I hope you will present my plea before or during the Feb. 25th meeting.

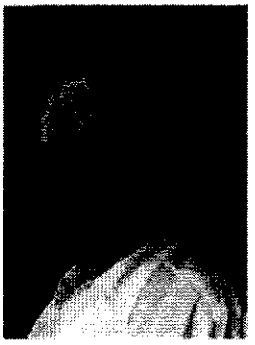
Sincerely,

Brad Dunning

ATTACHMENT 5

Architect Hugh Kaptur speaks out on Aberdeen Project

Hugh M Kaptur, Special to The Desert Sun 8:51 p.m. PDT April 7, 2015



(Photo: Special to the Desert Sun)

As a former city of Palm Springs planning commissioner, past member of the city's Architectural Advisory Committee and the architect that designed and built Tahquitz Plaza, I feel I am both qualified and obligated to comment on the proposed Aberdeen Project that calls for the demolition of these buildings.

Over the years I have watched many of my professional contemporaries see buildings they were proud of demolished: architect Bill Cody's Huddle Springs comes to mind, as does Stewart Williams' Potter Clinic. Most recently I've seen Don Wexler's high school Administration Building and Spa Hotel colonnade tragically lost.

Now two of my buildings are slated for demolition and a similar unhappy fate. I am particularly proud of the design of Tahquitz Plaza; I had great artistic latitude, as it was to become my offices and I had the opportunity to make an architectural statement. With this creative freedom I designed the architecture to "grow" from the desert floor. I feel these buildings are some of my best work from that period. In fact, the "plaza" won architectural awards in 1979 and 1980.

Aberdeen is a high-density project that overcrowds 74 residential units, 17 live-work units and a cafe space into an eight-acre site. The project is before the city as a Planned Development (PDs), which allows the developer to skirt zoning, parking, setbacks, height and use requirements. PDs were originally intended to create a safety valve that would allow creative projects to be considered by the city and not be overly constrained by the zoning requirements of the area. Unfortunately, developers and the city are using PDs, which should be encouraging architectural excellence, as a way to over develop sites that are out of scale with their surroundings. The Aberdeen Project doesn't fit zoning or the village character of the city and it demolishes four more mid-century buildings.

But demolishing more of our city's architecture is just one of the major shortcomings of the Aberdeen project. Fundamentally, it is the wrong project in the wrong place and creates a dangerous mix of vehicular and pedestrian traffic on Tahquitz Canyon Way. And a row of garage doors along our city's most important thoroughfare just isn't good architecture or good planning and goes against our forefather's vision for the street. This is not just my opinion but also a concern stated by both the city's Architectural Advisory Committee and the Planning Commission, both groups denying the project for these and other failings of the project.

The developer recently presented a revised design that is proposing to retain a quarter of the buildings. I designed the complex as four integrated buildings relating to each other as a single project. Demolishing 75% of the buildings will end that unity and mute the architecture. The developer should be more respectful of Palm Springs's mid-century architecture and build a project where the two can coexist.

The Aberdeen project will soon be reviewed by the city council and I plan to attend. I am humbled that many people have told me they will be at that council meeting too, raising their voice to preserve Tahquitz Plaza. The city council will hear these voices and I hope they will also hear the voices of previous city councils and previous planning commissions and visionaries like Pearl McManus and other forefathers who together had an idea for a city like few others in the world. Their vision for Tahquitz (McCallum) Way is widely known and their intention was to not allow any residential along Tahquitz. The Aberdeen Project now endangers that vision, which is more suitable for a dense urban environment not in a resort town like ours.

The developer has an obligation to provide public benefit to the citizens of Palm Springs. It is impossible to see the public benefit from demolishing more of our iconic architecture. Instead, Nexxus Development should restore and re-purpose Tahquitz Plaza, incorporating it into The Aberdeen, that would be public benefit no one could argue.

Hugh Kaptur is an architect of many midcentury buildings in Palm Springs. He can be reached at hughmkaptur@yahoo.com.

Read or Share this story: http://desert.sn/1yc4x79

Cindy Berardi

From: celeste <celestialnyc@roadrunner.com>
Sent: Tuesday, April 07, 2015 4:11 PM
To: CityClerk
Subject: aberdeen

Re: Regarding the changes in palm springs as of late

To whom it may concern:

Without trying to make anyone understand the importance of the architecture being annihilated forever, or the emotions and memories attached to them...I appeal for your voice to be heard on our behalf.

I'm sure they are so used to hearing the sentimental and emotional voices **but cutting to the chase might spark a little thought...point well made and proven by the latest modernism revenue, if they continue to disregard important structures that make palm springs, well, "palm springs", they would eventually be eliminating the very reasons people choose to visit, vacation, or dwell in palm springs! and then what will be left....?**

celeste pisani aka mcmdesigngirl
daughter of francis pisani architect

Cindy Berardi

From: Laurisa Defehr <ldefehr1@telus.net>
Sent: Wednesday, April 08, 2015 5:57 PM
To: CityClerk
Subject: Aberdeen

We come to Palm Springs almost every winter to visit my parents. They spend 2-3 months in the beautiful Palm Springs from January – April. We are all from Canada and admire and love the beautiful, retro architecture in Palm Springs. This is part of why we come and love it so much. This last winter I was happy to attend many Modernism week events with friends there... what a treat to have all this rich culture and preserved architecture in your lovely town.

I write this letter because I strongly support that the city deny Aberdeen's plans and retain Kaptur's complex. Keep Palm Springs' retro buildings as they are and preserve them instead!!

Sincerely, Laurisa DeFehr
Armstrong, BC, Canada

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Cindy Berardi

From: Frank Alvarez <frank@franksellsps.com>
Sent: Wednesday, April 08, 2015 6:15 PM
To: CityClerk
Subject: Aberdeen

Dear City Council,

I'm sure you have received quite a few emails from a vocal group of preservationists who are opposed to the demolition and reuse of this property.

I am not one of them.

This project is close to a revitalized downtown and across from the soon to be renovated office/movie complex. I think the developers have a great plan for high density urban living which is increasing in demand for Palm Springs and appropriate for the site.

The existing office complex's architectural importance is a puzzle to me as it looks unremarkable from the street and resembles several ordinary office complexes I have seen and even worked in one in Orange County. The fact that Hugh Kaptur was the architect of these buildings should not take away the owner's right to re-use this property for a different purpose.

Good luck with your decision.

Regards

Frank Alvarez
Leaskou Partners, Inc
Broker /BRE #00991580
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Cindy Berardi

From: Brad Hudson Thomas <brad@hudsonthomas.net>
Sent: Wednesday, April 08, 2015 6:16 PM
To: CityClerk
Subject: Stop Aberdeen

To Whom It May Concern,

Architecture is important to the history of our city, and the City Council should act to help preserve buildings such as the Hugh Kaptur-designed building being threatened by Aberdeen.

Thank you for your consideration,
Brad Hudson
PO Box 5434
Palm Springs, CA 92263

Cindy Berardi

From: gael buzyn <gaelbuzyn@hotmail.com>
Sent: Wednesday, April 08, 2015 6:20 PM
To: CityClerk
Subject: Preserve H. Kaptur building

Please integrate the Kaptur building in the Aberdeen project. This is OUR architectural heritage. It has to be preserved. If demolished we loose an architecturally significant building and will NEVER be able to go back.

Consider that this is a duty toward future generations and the only way to preserve our heritage which is the foundation of our city.

Thank you,
Gael Buzyn

Palm Springs home owner.

Cindy Berardi

From:	Lynda Keeler <lkeeler@yahoo.com>
Sent:	Wednesday, April 08, 2015 6:29 PM
To:	CityClerk
Subject:	Aberdeen and our need to save this building in order to make Palm Springs special

Dear City Council,
I am a 13 year part time resident of Palm Springs and have so enjoyed the city and what it offers. My husband and I decided to acquire our weekend residence because of the unique architecture and design components the city offers not due to the weather and amenities of the city. Palm Springs is unique in the Coachella Valley due to the architecture and if we start losing significant buildings we will be just like the other cities and you will lose the influx of young and old residents who treasure them.

Please consider the Aberdeen as a city treasure and veto the current project. I believe that the developer could easily come up with another design that incorporates the current buildings and make it a fantastic mix of old and new.

Sincerely,
Lynda Keeler
1244 Via Paraiso
Palm Springs CA 92262

Lynda Keeler
lkeeler@yahoo.com
323.459.4086
www.lyndakeeler.com
instagram: lyndalax

Cindy Berardi

From: Shary Bowman <healthmatters101@yahoo.com>
Sent: Wednesday, April 08, 2015 7:05 PM
To: CityClerk
Subject: Save the Hugh Kaptur Building

Please save these really cool Mid - Century modern designed buildings, Tahquitz Plaza, at 700 E. Tahquitz Canyon Way, Palm Springs, CA. Built in 1971, by architect Hugh Kaptur, Palm Springs CaliforniaThese beautiful modern buildings designed by famed architect Hugh Kaptur should NOT be demolished and gone forever!

Shary Bowman

Cindy Berardi

From: Kurt Cyr <kurt@kurtcyr.com>
Sent: Wednesday, April 08, 2015 8:44 PM
To: CityClerk
Subject: Save Tahquitz Plaza

Dear City Council,

You have the power to save meaningful architecture of Palm Springs and share it with the rest of the world.
If 60,000 architectural pilgrims visting for Moderism Week 2015 are any indication, Palm Springs is a mecca for architecture.

It is incumbent upon you to preserve the architectural heritage and lifeblood of the City of Palm Springs. We may have made our name with mid century design, but we shouldn't limit our focus to just that.
We need to embrace innovative design, but certainly not destroy thoughtful archtitecture of the near past for the mere sake of building and expanding.

Architects have been coming to our fair city for nearly a century to create a built environment that has become a benchmark that is to be admired.
Please do not lose sight of that, but embrace it.

Please do not let Hugh Kaptur's Tahquitz Plaza go the way of Donald Wexler's colonade and Palm Springs High School music building.

Sincerely,
Kurt Cyr

KURT**CYR**
DESIGN SERVICES

e: kurt@kurtcyr.com
c: 818 903 0058
w: kurtcyr.com

Cindy Berardi

From: Bert Simonis <tuolumne_guy@yahoo.com>
Sent: Wednesday, April 08, 2015 8:48 PM
To: CityClerk
Subject: Please stop the Abderdeen Development project - don't just table it!

Dear Mr. Mayor and City Council,
I wanted to write to let you know my opposition to tearing down the Kaptur designed Tahquitz Plaza buildings. This section of your city needs commercial space in order to be vibrant during the daytime. Not empty condos or so-called live-work spaces. (In San Jose, they have turned into "live-only" spaces with shutters and curtains in the storefronts.

Vote the project down, save the buildings and stand up for the brand that Palm Springs has become!

Theo DeVries

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Cindy Berardi

From: Brooks Hudson Thomas <brookshudsonthomas@gmail.com>
Sent: Wednesday, April 08, 2015 9:04 PM
To: CityClerk
Subject: Aberdeen

To Whom It May Concern,

Architecture is important to the integrity and history of Palm Springs, and the Palm Springs City Council should do all that it can to help protect buildings such as the Hugh Kaptur building that could be demolished for the Aberdeen Project.
My husband and I first visited Palm Springs in 2003 to see our friend's Wexler Steel House in the Racquet Club neighborhood. At the time an important Neutra home, the Maslon house, had just been torn down and the Neutra Miller house was in peril.
We have recently made Palm Springs our full time home after many years of enjoying the climate, the architecture, and the totally unique mix of contemporary and mid-century style resort escape that only Palm Springs can offer.
Hugh Kaptur's Tahquitz Plaza building should be preserved and protected. If developers need to alter the use of these important buildings they will be praised in the future for leaving Kaptur's unique and original architectural composition intact rather than imitating the re-use of early 20th C or late 19th C urban architecture that never existed in the desert. The failure to preserve this building would continue a tragic loss of iconic structures that I have seen demolished or slated for destruction in the short time we have lived here.
We are new to Palm Springs and I have been told that I need to pick my battles. Palm Springs is a very small town that has an amazing architectural legacy. There are a handful of still living architects that made this town into something unlike any other place in the country. It would be a shame to continue and contribute to a trend of undervaluing and destroying the structures that have made Palm Springs what it is today.
There is room for innovative and contemporary architecture in Palm Springs. Perhaps more than anywhere else. Palm Springs should embrace new architecture and support the visionary design, but not at the expense of the radical experiments that architects like Kaptur were given the chance to make only a generation ago.
Hugh Kaptur's Tahquitz Plaza building must be allowed to grow into the future and to be considered in the context of Kaptur's contribution to the city and to the practice of Architecture.

Thank you,
Brooks and Brad Hudson Thomas

Brooks Hudson Thomas
310-867-0520
brookshudsonthomas@gmail.com

Cindy Berardi

From: Penny Shaw <pennyshaw17@gmail.com>
Sent: Wednesday, April 08, 2015 9:39 PM
To: CityClerk
Subject: Aberdeen

People from all around the world come to Palm Springs to see its architecture so why would we intentionally tear down buildings that represent our past and present -- and bring in $$$, lots of it? Please save Aberdeen.

Cindy Berardi

From: Amanda Erlinger <akerlinger@mac.com>
Sent: Thursday, April 09, 2015 6:55 AM
To: CityClerk
Subject: ABERDEEN

Importance: High

Dear City Council Members,

My name is Amanda Erlinger. I am a resident of the Coachella Valley, and my family has been living in the Valley for over 60 years. I am the daughter of Nancy Sinatra, the granddaughter of Frank. My husband and I have a home here, my sister and her family as well as my mother (who now lives here full time), and my grandmother who came to the valley with my grandpa in 1939 all have homes here. My grandmother is now 98 years old, and still loves to visit her home in the desert when she can.

On behalf of the entire Sinatra Family, my family, I urge you to please consider prohibiting the demolition of Hugh Kaptur's Tahquitz Plaza. It is a landmark structure for which there will be no replacement if it is demolished. Mr. Kaptur is not as recognized as some of our most treasured mid-century iconic architects, and this is too bad. In the last couple of years, thanks to the PSPF and the PS ModCom, and to Mr. Kaptur himself, he has received the recognition that he deserves. His designs are innovative and ahead of their time. They illustrate how creative design can be both interesting, beautiful, and functional. He also happens to be one of the most prolific architects in the Valley's history, creating a number of iconic buildings that have stood the test of time.

I have been a member of the PSPF and ModCom for years. My family has a long history in the desert, and my grandfather was a champion of mid-century architects throughout California but especially in the Valley. If he were alive today, he would be on the phone to every single one of you pleading with you to intervene in what is sure become another in a series of preventable detractions from the landscape of the place he loved so much...the place that my family still calls home.

I implore you to stop this demolition, and to keep what iconic structures we have left intact.

Thank you for your time.
Amanda Erlinger

On behalf of my grandfather, Frank Sinatra and the rest of my family:

Nancy Sinatra
Nancy Sinatra Senior
Tina Sinatra
Frank Sinatra Jr.
Angela Lambert

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Cindy Berardi

From: Ellen Donaldson <ellend09143@gmail.com>
Sent: Thursday, April 09, 2015 7:00 AM
To: CityClerk
Subject: Aberdeen

I strongly oppose the approval of the Aberdeen project. To destroy award winning architecture and replace it with sn overcrowded planned development is a travesty. A large part of Palm Spring's charm, appeal and status is its inventory of wonderful architecture and the Hugh Kaptur buildings are part of that inventory. Aberdeen is a bad plan.
Ellen Donaldson
218 N. Orchid Tree Lane
Palm Springs California.

Cindy Berardi

From: Jorge Valladares <marvall@gmail.com>
Sent: Thursday, April 09, 2015 10:19 AM
To: CityClerk
Subject: Aberdeen Project

Dear Palm Springs City Council,

We are new residents of the City of Palm Springs and we are deeply saddened by the news if impending demolishion of at least 75% of the buildings designed by Architect Hugh Kaptur. I believe a City Council in Palm Springs or any other city in the US must be devoted to protect the culture and History of the City. By allowing this new development, you are turning the blid eye on the destruction of the city heritage, not just for the current residents but the generations to come. If behaviour like this continues, the city will no longer the the place that attracts so many for its buildings and architecture but a city full of Casinos and dense urban development.

Sincerely,

Jorge Valladares Oyola
3010 E Via Escuela
Palm Springs, CA 92262

Cindy Berardi

From: Ron Marshall <modpod_one@yahoo.com>
Sent: Thursday, April 09, 2015 10:41 AM
To: CityClerk
Subject: Aberdeen Project

Dear Mayor Pougnet,

As former full-time, now seasonal, residents we have devoted thousands of volunteer hours to help make Palm Springs a better place to live. We have had to endure the destruction of many of the city's architectural gems by "suspicious" fires, tribal contrarianism and a lackadaisical attitude on the part of the city with regard to the implementation of the vacant building ordinance. During our time in Palm Springs you, councilmembers Foat, Hutcheson and Lewin have all personally given us assurances that you understand the importance of the city's midcentury architecture and its criticality to the economic health of the city.

The lot that Aberdeen is being built on is over eight acres. Please retain the entire Tahquitz Plaza complex and do not give in to an anemic compromise that destroys any of this extraordinary Kaptur architecture. Re-purpose the Tahquitz Plaza into something that is creative and unique. Good examples of such creative re-purposing abound (e.g., architect Edward Durell Stone's Stuart Pharmaceutical Building in Pasadena has a similarly dense project behind it). We all know that Nexus Development will still make an extraordinary amount of money on this overly-dense project even if they must build behind Tahquitz Plaza.

Ron & Barbara Marshall
Baltimore, Maryland

Cindy Berardi

From: henry connell <hconnellny@aol.com>
Sent: Thursday, April 09, 2015 11:03 AM
To: CityClerk
Subject: Aberdeen hearing

I am a 15-year resident of Palm Springs. I believe that a huge part of the quality-of-life-value of living in Palm Springs. (as well as the economic value as reflected in the tourist trade)
is its unique, IRREPLACEABLE architectural heritage.

Please save the Kaptur buildings and encourage sustainable, quality development.

"The greenest building is the building that already exists."

thank you

Henry Connell
635 W. Leisure Way
Palm SPrings 92262

Cindy Berardi

From: David Keens <dkeens@sbcglobal.net>
Sent: Thursday, April 09, 2015 11:07 AM
To: CityClerk
Subject: Aberdeen Project

I am writing in opposition to the proposed demolition of the Hugh Kaptur designed Tahquitz Plaza buildings to make way for the proposed Aberdeen Project. Palm Springs has enjoyed a remarkable resurgence of tourism and related commercial activity due in large part to the national and international media coverage of the town's extraordinary collection of Mid Century Modern architecture. Articles in the Los Angeles Times and New York Times focus not on the weather or golfing, but rather its remarkable treasure of Mid Century Modern homes and buildings. The annual Modernism Week activities and year round private architectural tours of the city draw visitors from all over the world. There are many individual Mid Century Modern designed buildings in town that are published, acclaimed and studied internationally. These structures bring honor and prestige to our city. However the acclaim this city enjoys comes not from only individual structures, but from the extraordinary collection and concentration of preserved Mid Century Modern homes and buildings. It is this collective architectural treasure that distinguishes Palm Springs from not only the other cities in Southern California, but from those around the world. The Hugh Kaptur designed Tahquitz Plaza buildings are a significant, award winning, part of this collection of architectural treasures residing in Palm Springs.

The Palm Springs City Council has been given articulate and logical recommendations to deny approval of the Aberdeen Project from not only Hugh Kaptur himself, but the city's advisory boards, comprised of experts in both architecture and city planning. The City has established these panels to use their expertise in evaluating proposed projects to ascertain their appropriateness to our city's character, aesthetics, and mission. These recommendations should be endorsed and followed by the City Council; to do otherwise suggests the council has special interests as their priority over preserving the integrity and treasures of Palm Springs.

The Palm Springs City Council has been elected to serve this city, not developers whose only interest is a quick financial gain. Palm Springs will no longer be a unique and desirable destination if the city continues to approve the destruction of the very things that make the city unique. I urge the City Council to stop the needless destruction of Palm Springs honored buildings, in this case the Tahquitz Plaza, and refocus on the preservation of our unique and treasured architectural heritage.

David Keens
Full time Palm Springs Resident
Professor of Art and Art History, University of Texas / Arlington (retired 2013)
Texas State Artist

Cindy Berardi

From: Jim Small <smalljs@sbcglobal.net>
Sent: Thursday, April 09, 2015 1:08 PM
To: CityClerk
Subject: Aberdeen

For your consideration:

My husband and I are frequent visitors to Palm Springs and anticipate retirement here. We stay in a mid-century hotel and intend on purchasing a mid-century styled home. We love the architecture in the Desert and enjoy going on "photo safaris" seeking out Palm Springs' finest examples. That is why it is very distressing to me to now hear that another mid-century gem is in danger of disappearing.

Hugh Kaptur's Tahquitz Plaza needs to be preserved and maintained for what it is.....a representation of a time when architecture was free-flowing and innovative. Destroying one property after another and replacing them with cookie-cutter developments will only continue to minimize the ambiance that IS Palm Springs. These buildings are the heart and soul of the City!!

If the City Council does, indeed, represent the voters, the voters are now speaking. Please, do not destroy our mid-century legacy by allowing the senseless elimination of these beautiful buildings. It's part of the charm and lifestyle that IS Palm Springs.

Respectfully yours,

Sheri Small
Architectural Photographer
Frequent Visitor and Future Resident

Cindy Berardi

From: Jade Thomas Nelson <jadenelson@me.com>
Sent: Thursday, April 09, 2015 1:09 PM
To: CityClerk
Subject: Re: Tahquitz Plaza (proposed 'Aberdeen')

To:
Palm Springs Mayor Steve Pougnet;
Palm Springs City Council Members; Ginny Foat; Rick Hutcheson; Paul Lewin; and Chris Mills

April 9, 2015

During my forty years living in Palm Springs, I have witnessed the loss or irreparable damage of countless significant buildings either by demolition or fire (caused by neglect). Many of these unfortunate losses could have been prevented with better community education, understanding and civic support. Well, that day has come. The years-ongoing saga of Hugh Kaptur's Tahquitz Plaza has come to an unprecedented fore in recent months that has resulted in thousands of informed and concerned voices locally and around the world in favor of saving, restoring and reusing the whole of Tahquitz Plaza. And, to a greater degree, preserving that which contributes to the unique architectural make-up of Palm Springs. The greatest of these voices is the architect Hugh Kaptur himself. Please respect his wishes, and for the greater good of our City, reject "Aberdeen" and any past, current or future plans to destroy any part of Tahquitz Plaza.
Thank you.

Jade Thomas Nelson
Palm Springs

PALM SPRINGS PRESERVATION FOUNDATION

RECEIVED
2015 APR -9 PM 1:55
CITY CLERK

April 8, 2015

Mayor Steve Pougnet
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Subject: Aberdeen Project and the Proposed Demolition of Tahquitz Plaza (1971, Kaptur & Lapham)

Dear Mayor Pougnet,

On February 22, 2015 the foundation wrote to the city's Planning Commission expressing our many concerns about the Aberdeen project proposed by Nexus Development. Foremost among our concerns was the proposed demolition of the architecturally-significant Tahquitz Plaza. We also stated our concerns that the project fails to comport with the values and priorities of the city's general plan, historic resources program and sustainability program.

The latest iteration of the Nexus Development project before you now claims to present a compromise wherein a small portion (25%) of the architecturally-significant Tahquitz Plaza complex is retained. We want to be clear that the foundation does not view this as any sort of a "compromise." A compromise implies two parties negotiating towards an agreement acceptable to both. Our steadfast position has been that the solution which yields the most public benefit, while allowing significant profitability to the developer, is to place the Aberdeen project behind a re-purposed Tahquitz Plaza complex. We believe the Palm Springs Preservation Foundation's position already embodies a significant compromise: it concedes a high-profit and incongruously high-density project in an area of the city where it is allowed to skirt a host of city zoning requirements.

In view of a burgeoning appreciation of the work of architect Hugh Kaptur, the foundation believes it would be unconscionable of the city council to allow the demolition of any portion of the award-winning* Tahquitz Plaza complex. The irony should not be lost on the council that it was a city council member that presented Mr. Kaptur with a star on the Palm Springs Walk of Stars during Modernism Week 2014. Additionally, Kaptur is the subject of a new documentary film (*Quiet Elegance: The Architecture of Hugh M. Kaptur*). Finally, the Tahquitz Plaza complex will be included in the city's ongoing historic resources survey.

We applaud the Architectural Advisory Committee's January 26, 2015 decision to unanimously deny this project. In that decision, only the merits of the project were considered by the AAC, not the architectural significance of Tahquitz Plaza. We also applaud the Planning Commission's recent deliberations which also found the Aberdeen project profoundly flawed and the proposed demolition of the Tahquitz Plaza complex

* Tahquitz Plaza won the Palm Springs Golden Palm Award for architectural excellence in both 1979 and 1980.

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highly problematic. It was noteworthy that most of the commissioners considered that at a minimum at least half of the Tahquitz Plaza should be considered for retention. These concerns resulted in the Planning Commission's denial of the Aberdeen project on February 25, 2015.

City structures built in the 1970s are now being evaluated for their historical and architectural importance (the 1975 Palm Springs Art Museum designed by E. Stewart Williams was designated a Class 1 historic site many years ago but only due to an active lobbying effort). We submit that the city council should consider the designation of the Tahquitz Plaza complex as a Class 1 historic site. To that end we have included a summary sheet (attachment (1)) showing the rationale for such a designation under Palm Springs Municipal Code (PSMC) Chapter 8.05.

We are also compelled to remind the city of its obligations under the California Environmental Quality Act (CEQA) with regard to historic resources. Three years ago, on April 11, 2012, PSPF sent the city manager a legal opinion from Chatten-Brown & Carstens (a law firm which specializes in CEQA matters) regarding the city's consistent failure to implement the requirements of CEQA (attachment (2)). Since our letter, case law has shown that historical resources do not have to appear on local registers to be considered historic resources. This is an opinion recently communicated to you by California's Office of Historic Preservation. At this juncture the weight of the administrative record on the Aberdeen project should convince the city to conduct an Environment Impact Report (EIR) under CEQA.

We are also forwarding attachment (3) for the administrative record. If you have any questions please don't hesitate to contact the foundation at 760-837-7117 or info@pspreservationfoundation.org.

Sincerely,

Erik Rosenow
President

Attachments:
1. Evaluation of Tahquitz Plaza under PSMC Chapter 8.05
2. Chatten-Brown & Carstens legal opinion of March 1, 2012 entitled "Use of Categorical Exemptions for Projects Impacting Historical Resources" (forwarded by PSPF letter of April 11, 2012)
3. Alan Hess letter of March 20, 2015 entitled "Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo" (endorsed by PSPF letter of March 22, 2015)

Copy to:
Palm Springs Modern Committee (Chris Menrad)
Desert Sun (Skip Descant)

EVALUATION OF TAHQUITZ PLAZA UNDER PSMC CHAPTER 8.05

Criterion 1: Significant Event. To qualify for listing under this criterion, a property must be associated with one or more events important in the defined historic context. *Criterion 1 recognizes properties* associated with *single events* or *patterns of events or historic trends*, such as the gradual rise of the city's prominence in architectural excellence in midcentury modern architecture that is an important pattern of events within this associated context. The Tahquitz Plaza complex is an outstanding example of commercial design and construction of buildings within the context of midcentury desert Modernism. *Tahquitz Plaza is associated with this pattern of events for its ability to exemplify the modern period of the national, state and local history. Tahquitz Plaza qualifies for listing as a Class 1 Historic Site on the local registry under Criterion 1.*

ARCHITECTURE (Criteria 3 – 6)

Criterion 3: *(That reflects or exemplifies a particular period of the national, state or local history).* Tahquitz Plaza was designed by the architectural firm of Kaptur & Lapham and constructed in 1971. The complex was intended to house the architectural offices of Kaptur & Lapham and the commercial offices of a supportive and sympathetic client hence both Kaptur and Lapham were given significant creative latitude. The stylistic markers of the complex place it directly in the historic context of Palm Springs' Modern Period. The commercial complex represents a prime and largely intact example of the significant modernist architecture for which Palm Springs is widely known. As such the commercial complex may be viewed as an important component of the historic trends that have come to define Palm Springs' image as a center of important midcentury architecture, i.e., an historic trend that exemplifies a particular period of the national, state or local history. *The Tahquitz Plaza complex qualifies for listing as a Class 1 Historic Site on the local registry under Criterion 3.*

Criterion 4: *(That embodies the distinctive characteristics of a type, period or method of construction; or)* Type, Period, and Method of Construction: "Type, period, or method of construction" refers to the way certain properties are related to one another by cultural tradition or function, by dates of construction or style, or by choice or availability of materials and technology. To be eligible under this Criterion, a property must clearly illustrate, through "distinctive characteristics" a pattern of features common to a particular class of resources. "Distinctive characteristics" are the physical features or traits that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular type, period, or method of construction. Characteristics can be expressed in terms such as form, proportion, structure, plan, style, or materials.

Tahquitz Plaza is eligible under the theme of Modern architecture because it possesses distinctive characteristics that make up the many qualities of the style, such as overall horizontality, an irregular roofline, inexpensive mass-produced materials like concrete and stucco, man-made and natural materials suitable to the harsh desert environment (steel, aluminum, glass, etc.) and an architectural design that strives to moderate the harsh desert environment with deep and sculpted eyebrows over windows, bermed walls, eaves and sun-

shading features and the integration of outdoor areas. As such, Tahquitz Plaza is eligible under this criterion because it represents an important example of building practices in Palm Springs at midcentury. *Tahquitz Plaza qualifies for listing as a Class 1 Historic Site on the local registry under Criterion 4.*

Criterion 5: *(That (a): represents the work of a master builder, designer, artist, or architect whose individual genius influenced his age; or (b): that possesses high artistic value).*

5a: Work of a Master: A master is a figure of generally recognized greatness in a field, a known craftsman of consummate skill. The property must express a particular phase in the development of the master's career, an aspect of his work, or a particular idea or theme in his craft. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect. For example, not every building designed by Frank Lloyd Wright is eligible under this portion of Criterion 5, although it might meet other Criteria.

The architectural firm of Kaptur & Lapham (in partnership from 1965-1975) qualifies as a firm of "master architects." Both Hugh Kaptur and the late Howard Lapham produced architecturally significant works that have stood the test of time. Kaptur's Steve McQueen Residence (1968), William Holden Residence (1977) and Palm Springs Fire Stations #3 and #4 and Lapham's Desert Star Hotel (1956) and Ichpa Mayapan (translated as "Exclusive Estate" and the recent temporary residence of President Obama in Thunderbird Heights) are just a few noteworthy examples of their combined and individual work.

5b: Properties possessing high artistic values: High artistic values may be expressed in many ways, including areas as diverse as community design or planning, engineering, and sculpture. As an example of the maturing modernist movement, the Tahquitz Plaza complex certainly articulates the best of modernist "adobe-influenced" architecture to a level of excellence and confidence that, in total, they could easily be considered an aesthetic ideal. Architectural historian Alan Hess expounds as follows: "The Tahquitz Plaza offices are an excellent representation of [Kaptur's] use of sculptural, expressionist forms influenced by Native American adobe structures, but modernized and abstracted aesthetically in the spirit of Modernism." *As the work of Master architects, and for its high artistic values, Tahquitz Plaza qualifies for listing as a Class 1 Historic Site on the local registry under Criterion 5.*

The foregoing evaluation was reviewed by licensed California architect Susan Secoy-Jensen who meets the minimum professional qualifications under 36 CFR Part 61 both in "Architecture" and "Historic Architecture"

PALM SPRINGS PRESERVATION FOUNDATION

April 11, 2012

Dr. David Ready, City Manager
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Dr. Ready,

For many years individuals with experience in city planning (including current and former members of the city's Planning Commission and Architectural Advisory Committee) have expressed their concern to us that the city is not adhering to the requirements of the California Environmental Quality Act (CEQA). Typically these individuals have served on boards and commissions in other California cities where the requirements of CEQA seem to be more seriously considered.

While we have expressed this concern informally over the years, we have now taken the additional step of soliciting a legal opinion from Chatten-Brown & Carstens (attached), a firm with experience and specialized expertise in this particular area of the law. In short, it observes that "it is a violation of CEQA to categorically exempt a project from environmental review if that project may have an impact on an historic resource."

We are sending this legal opinion to you as the city manager (rather than the mayor) because we consider this first and foremost a "good government" matter.

If you have any questions, please contact the foundation at (760) 837-7117 or via email at info@pspreservationfoundation.org.

Respectfully,

Ron Marshall

Ron Marshall
President

Attachment: Legal Opinion of March 1, 2012 entitled "Use of Categorical Exemptions for Projects Impacting Historic Resources"

Copy to: Director of Planning Services; Chair, Planning Commission; Chair, Historic Site Preservation Board; and City Attorney

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
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E-MAIL
ACM@CBCEARTHLAW.COM

March 1, 2012

Ronald W. Marshall
Palm Springs Preservation Foundation
1775 East Palm Canyon Drive
Suite 110-195
Palm Springs, CA 92264
Email: modpool_one@yahoo.com

Re: Use of Categorical Exemptions for Projects Impacting Historic Resources

Dear Mr. Marshall,

The Palm Springs Preservation Foundation has requested Chatten-Brown & Carstens prepare this legal opinion regarding the City of Palm Spring's use of categorical exemptions to the California Environmental Quality Act (CEQA) for development projects that could impact historic resources. Based on our review of CEQA, the CEQA Guidelines, and relevant case law, we conclude that it is a violation of CEQA to categorically exempt a project from environmental review if that project may have an impact on an historic resource.

CEQA establishes California's policy to "take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise." (Public Resources Code § 21001.) To ensure all aspects of the environment are protected, CEQA requires agencies that will be approving discretionary projects to analyze a project's potentially significant environmental impacts in a negative declaration or environmental impact report. CEQA specifically finds that adverse impacts to historic resources are significant environmental impacts: "A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." (Public Resources Code § 21084.1.)

Buildings, structures, and other resources listed on a local register of historic resources are presumed to be historically significant. (Public Resources Code § 21084.1.) "Public agencies must treat any such resource as significant unless the preponderance of

evidence demonstrates that it is not historically or culturally significant." (CEQA Guidelines § 15064.5(a)(2).) The City of Palm Springs has a local register of historic resources, providing for designation of three classes of historic sites and historic districts. All resources designated by the City as an historic site or district are presumed to be historically significant under CEQA.

While CEQA seeks to ensure the protection of the environment through the preparation of environmental review documents and inclusion of mitigation measures, the Act does not require environmental review of classes of projects the Secretary of the California Natural Resources Agency has determined would not have a significant effect on the environment. (Public Resources Code § 21084(a).) The CEQA Guidelines set out 33 classes of these categorically exempt projects. Public agencies are generally not required to prepare an environmental review document for activities that fall under one of the categorically exempt classes of projects because the Resources Agency has already found these types of projects do not typically have any adverse environmental impacts. (CEQA Guidelines § 15354.)

However, CEQA contains several exceptions to the categorical exemptions. If a project that would otherwise fit within a class of categorical exemption falls within one of the exceptions, preparation of an environmental review document is required. (CEQA Guidelines § 15300.2.) One of the exceptions to the use of a categorical exemption provided by CEQA is for any project that may impact an historic resource: "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource." (CEQA Guidelines § 15300.2(f); *see also* Public Resources Code § 21084(f).) "Substantial adverse change" includes physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. (CEQA Guideline § 15064.5(b)(1).) Material impairment occurs when a project demolishes or materially alters the resource's physical characteristics that convey its historical significance and that justify its inclusion in a state or local register of historic resources or its identification in an historic resources survey. (CEQA Guideline § 15064.5(b)(2).)

The California Court of Appeal has applied this exception to prohibit the use of a categorical exemption when a project could impact an historic resource. In *Comm. to Save Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, the City of Los Angeles had approved the construction of a wooden fence on top of one of the historic Hollywoodland granite walls pursuant to a Class 5 categorical exemption for projects consisting of minor alternations in land use limitations. These granite walls

had been designated as an historic monument by the City of Los Angeles, making them an historic resource pursuant to Public Resources Code section 21084.1. The Court found the City's use of a categorical exemption was improper because the construction of a wooden fence on top of the historic wall could "significantly impact the environment by altering the historic resource, both as to its physical integrity and its aesthetic appeal from the neighboring streets." (*Id.* at 1187.) The City was required to vacate its issuance of an exemption under CEQA. (*Id.* at 1188.)

Courts have set a low threshold for showing that an exception to use of a categorical exemption applies. Whenever there is substantial evidence in the record to support a fair argument that the proposed construction will have a significant effect on the environment, the application of a categorical exemption is inappropriate. (*Berkeley Hillside Preservation v. City of Berkeley* A131254, 2012 WL 489195 (Cal. Ct. App. Feb. 15, 2012.) This means that if there is substantial evidence an exception is applicable to a project, the project is not categorically exempt from preparing environmental review even if there is contrary evidence in the record or a disagreement among experts regarding the applicability of the exception. (*Ibid.*) For example, if an historic resource expert submits his or her opinion that a project would adverse impact the historicity of a structure the City has designated as an historic site, the City could not rely on a categorical exemption to CEQA to approve the project, even if another historic resource expert determined the project would not adverse impact the historic resource. In this instance, the City is required to prepare an environmental review document that analyzes whether the project would or would not impact the historic resource. If the project would impact the historic resource, the City must find measures to mitigate the significance of that impact.

"Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource." (CEQA Guidelines § 15064.5(b)(3).) However, mitigation measures such as compliance with the Secretary of Interior's Standards cannot be a basis for refraining from applying one of the exceptions to categorical exemptions. (*Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1200.) If a project may have a significant effect requiring mitigation, use of a categorical exemption is improper and an environmental review document should be prepared to assess the effectiveness of the mitigation measure. (*Salmon Protection & Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, 1102.)

Thus, it is our conclusion that it would be a violation of CEQA to apply a categorical exemption to any project that may significantly and adversely impact an historic resource, even if mitigation is included in the project.

We have enjoyed working with the Palm Springs Preservation Foundation on this matter. Please feel free to contact us if you have any questions regarding this legal opinion.

Sincerely,

Amy Minteer
Chatten-Brown & Carstens

PALM SPRINGS PRESERVATION FOUNDATION

March 22, 2015

Ms. Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Re: Endorsement of Hess Letter Regarding the Aberdeen Project and the Proposed Demolition of Tahquitz Plaza (1971, Kaptur & Lapham)

Dear Ms. Roland-Nawi,

The Palm Springs Preservation Foundation board of directors has read and discussed Mr. Alan Hess' scholarly letter of March 20, 2015 concerning Tahquitz Plaza (1971, Kaptur & Lapham).

We strongly concur with his assessment of the architectural importance of the Tahquitz Plaza complex and his opinion that an Environmental Impact Report (EIR) is warranted.

The Palm Springs Preservation Foundation is a non-profit organization whose mission is "to educate and promote public awareness of the importance of preserving the historical resources and architecture of the city of Palm Springs and the Coachella Valley area." We have over 2,100 members throughout the Coachella Valley and the United States.

If you have any questions please don't hesitate to contact the foundation at (760) 837-7117 or info@pspreservationfoundation.org.

Sincerely,

Erik Rosenow
President

Copy to:
Palm Springs Modern Committee (Chris Menrad)
Desert Sun (Skip Descant)

ALAN HESS
ARCHITECT
4991 CORKWOOD LANE
IRVINE, CA 92612
949 551 5343
alan@alanhess.net
www.alanhess.net

March 20, 2015

Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

Dear Ms. Roland-Nawi:

I am writing at the request of the Palm Springs Preservation Foundation to ask you to consider writing a letter to the City of Palm Springs encouraging them to conduct an EIR for the Tahquitz Plaza office buildings (1971) by Kaptur & Lapham. The four buildings in this complex are excellent and well preserved examples of key aspects of architect Hugh Kaptur's work, and of Palm Springs Modernism.

The buildings are currently under threat of demolition for a proposed residential project. So far the city has not requested an EIR, but I believe the complex's significance and quality require it.

Kaptur is an important architect in Palm Springs Modernism. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, Kaptur often draws on organic concepts from Frank Lloyd Wright and forms from the American Southwest. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted frames around windows, the bermed walls, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. The strong composition of these many elements shows Kaptur's skill and the high artistic value of his work.

In addition, Tahquitz Plaza's location on Tahquitz Canyon places it in the context of the city's Modern civic center. Tahquitz Canyon is the city's main civic thoroughfare, linking the airport to downtown; along this boulevard is an extraordinary collection of Modern buildings serving civic purposes, including city hall, police and county facilities, and the airport, complemented by commercial buildings of similar style and siting. Such a collection of Modern civic center buildings is rare in the state.

Palm Springs' midcentury Modern architecture is known for its use of Modern concepts in addressing the challenges of climate, functions, and new material technologies. These are not typified by a single aesthetic; it ranges from the lightweight, steel framed houses resting lightly on the earth seen in the work of Richard Neutra and Albert Frey, to the autochthonous monolithic concrete structures, literally buried in the earth, seen in John Lautner's work, with many more interpretations in between.

Within this wide range, Kaptur's work is singular. His training in design was closely associated with midcentury automotive design in Detroit, where he attended Lawrence Tech and worked for General Motors' consumer design division. Kaptur has worked in Palm Springs from 1956 to the present day. He worked for and with other noted local architects, including Donald Wexler, Richard Harrison, and William Cody. Like those architects, his work is distinctive and individual, and yet his design also reflects common themes that distinguish Palm Springs Modernism.

The Tahquitz Plaza offices are an excellent representation of his use of sculptural, expressionist forms influenced by Native American adobe structures, but modernized and abstracted aesthetically in the spirit of Modernism. The complex's thick stuccoed walls do not imitate those vernacular structures; the silhouette of the walls and the curving windows frames that grow directly from those walls are carefully abstracted into forms that represent a distinct, modernized aesthetic vocabulary. This approach is also seen in other Kaptur designs, including the William Holden house (1977), and the Casa Blanca motel (1979.)

In addition, the Tahquitz Plaza offices incorporate unpainted wood walls and wood trellises. These also update the wood ramadas and trellises of traditional Southwestern architecture. The siting of the office structures creates small courtyards between the buildings (another design aspect seen in historic Spanish architecture of the Southwest) allowing for shaded outdoor areas.

Likewise, the landscaping and siting of the Tahquitz Plaza buildings represent an updating of traditional concepts and a Modern response to the hot climate. Berms rise partway up the walls, providing thermal insulation and connecting the structure to the earth, similar to Lautner's desert designs.

The thick walls, hooded windows, and shaded courts all have historic precedents, but they are also practical, integral elements that help moderate the strong sunlight and heat of the local climate. The design of all these elements is artful and well composed.

The use of historic regional architecture by twentieth century architects is an important facet of Modern architecture in California and the West. It can be seen, for example, in the work of Irving Gill in the 1910s, the Ranch Houses of Cliff May in the 1950s and 1960s, and the civic buildings and residences of Bennie Gonzales in Arizona, where historic forms were blended with Modernism's abstraction. Hugh Kaptur is the primary interpreter of this approach in midcentury Palm Springs, and Tahquitz Plaza is a primary example in the city.

Kaptur's work has been rediscovered fairly recently. This is not surprising; our understanding of the significance of Palm Springs Modern architecture in general is also relatively recent. Only a dozen years ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not generally well known outside Palm Springs, and its significance was not even widely recognized within Palm Springs.

In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design such as this would be a loss to history and the city's urban quality.

But as we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of opinion on Kaptur's importance.

I have written to the Palm Springs Planning Commission about my support, as a historian and architect, for the preservation of Tahquitz Plaza. I am also a consultant on architectural history for the Palm Springs architectural survey, currently underway. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey. I believe that a letter from your state office would encourage them to conduct an EIR that would document the significance of this complex.

Thank you for your consideration of this matter.

Sincerely,

RECEIVED
2015 APR -9 PM 1:55
CITY CLERK

Date: April 9, 2015
Re: Aberdeen
To: Palm Springs City Council

As a licensed California realtor, not only do I have professional standards to uphold, but it's in my interest to both educate and listen to my clients. I'm in the business of helping people buy and sell properties, and I hear over and that they come to Palm Springs for a lifestyle they can't get just anywhere else. Some are fleeing overdeveloped areas with a kind of creeping sameness. It's in our interest to have a diverse commercial, retail and housing stock. Just because something is a few years old, by no means makes it outdated. There are land use and legal issues upon which I have to advise them. I urge them to look at the suitability of what they want and where they want it. And I would ask the same of any commercial developer with whom I was working.

As a full-time resident of this City, I have sadly watched important buildings demolished, where City Council had no power to intervene. This demolition is within your purview and I urge you to intervene. Please show support preserving and reusing these buildings.

Kind Regards,

Vincent Williams
The Paul Kaplan Group, Inc
Tel/Text: 760-409-6364
www.ModernPShomes.com

Cindy Berardi

From: Philip DeCancio <pdecancio@yahoo.com>
Sent: Thursday, April 09, 2015 3:21 PM
To: CityClerk
Subject: Please reject the Aberdeen Project and save Tahquitz Plaza
Attachments: Historic Preservation Ordinance.pdf

Hello,

When I go to the building department I see this brochure and think how lucky we are to have an ordinance in place to protect the diverse architecture in place.

The success of Modernism Week is still fresh in my mind - it was wonderful to see all the excitement and people that really appreciate architecture. To see the architect's names and the year the building was built projected on the along Palm Canyon was a great history lesson.

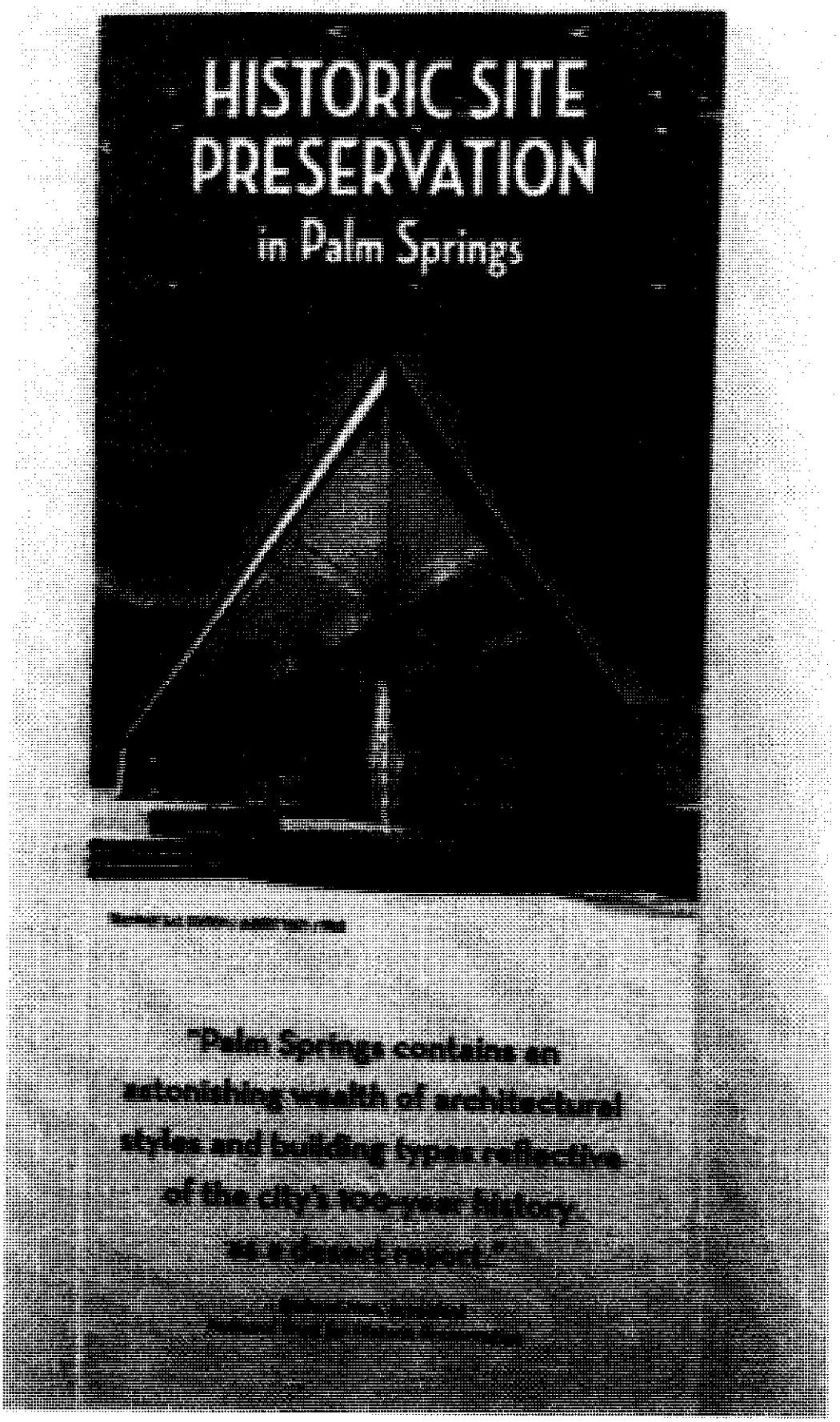
Let's protect and save the architecture that people come here to see and that makes Palm Springs unique.

Bottomline - the architectures of Palms Springs brings in tourist dollars - why destroy what brings people here?

Hugh Kaptur's office park is architecturally important building and should be saved for future generations to enjoy.

Thank you,

Philip de Cancio
2288 Caliente Dr.
Palm Springs CA
(323) 630-6238


HISTORIC SITE
PRESERVATION
in Palm Springs

Cindy Berardi

From: David Dixon <slimdixie@gmail.com>
Sent: Thursday, April 09, 2015 3:35 PM
To: CityClerk
Subject: Proposed Aberdeen

To:
Palm Springs Mayor Steve Pougnet
Palm Springs City Council Members Giny Foat, Paul Lewin, Chris Mills and Rick Hutcheson

April 9, 2015

I am writing to you to protest the Aberdeen project. I believe that Hugh Kaptur's Tahquitz Plaza comprises architecturally interesting buildings that contribute to our eclectic mix of architecture in Palm Springs. We've lost numerous good buildings in recent years, and you have the capacity to stop the Aberdeen project and preserve Hugh Kaptur's Tahquitz Plaza.

Thank you.

David Dixon
Palm Springs

David Dixon
slimdixie@gmail.com
daviddixondesign.tumblr.com
760-567-0992

Cindy Berardi

From: jcclaca@aol.com
Sent: Thursday, April 09, 2015 4:47 PM
To: CityClerk
Subject: Aberdeen

Dear Palm Springs City Council,

Please preserve Hugh Kaptur's Tahquitz Plaza and do not approve the over dense Aberdeen project. As a part time (future full time) resident of Palm Springs I realize how important it is to preserve the architecture that makes Palm Springs unique. I am not anti-development. I am pro thoughtful, respectful development.

Thank you,

John Carlisle
2087 S Toledo Ave
Palm Springs, CA 92264
310.403.1403

Cindy Berardi

From: Peter M. Taub <peter_taub@hotmail.com>
Sent: Thursday, April 09, 2015 5:00 PM
To: CityClerk
Subject: Aberdeen

Dear Sir,

I am writing to express deep concern about the proposed redevelopment of Tahquitz Plaza in tot he adjacent Aberdeen project.
As a Palm Springs homeowner, I invested in Palm Springs because of its Architectural legacy. To see a project by notable architect Hugh Kaptur demolished to create a nonsensical vision is a gross injustice and serves neither the preservation of the past nor the development for the further. The project is just wrong on many levels. Most importantly, because Palm Springs will loose so much more than it will gain.

It will loose Architectural integrity.
It will loose a uniform vision.
It will jose a cultural legacy.

And what will we gain, another mediocre project doomed to fail.

Warmest regards,
Peter

Peter M. Taub
1138 East Cactus Road
Palm Springs CA 92264

RECEIVED
MAY 07 2015
PLANNING SERVICES
DEPARTMENT

PALM SPRINGS MODERN COMMITTEE

May 4, 2015

Honorable Councilmembers,

We understand the City has received many lengthy and detailed letters from the community – including the Architectural Advisory Committee and the Planning Commission – regarding the proposed Aberdeen Project and its many problems. To assist in your review of the Project, the Palm Springs Modern Committee would like to provide you with a brief overview of our concerns and major legal issues regarding this Project.

Approval of the Project Would Violate the California Environmental Quality Act (CEQA).

- Many experts have submitted comments regarding the historic significance of Tahquitz Plaza. Despite these comments, despite the numerous objections to demolition submitted by City residents, and despite a request by the Planning Commission for a historic analysis of Tahquitz Plaza, the mitigated negative declaration (MND) for the Aberdeen Project includes no evaluation of the historic significance of the property. CEQA does not limit its definition of historic resources to only those that are listed on the National Register, California Register or as a Class One Historic Site. **The failure of the City to gather information and conduct an adequate analysis of the historic significance of Tahquitz Plaza is a violation of CEQA.**

- **CEQA requires preparation of an environmental impact report (EIR)** instead of a MND whenever there is substantial evidence to support a fair argument that a project may have a significant adverse impact. Here, there is substantial evidence that the Aberdeen Project would have significant adverse impacts to historic resources, land use, and aesthetics.

- As set forth below, the Project is inconsistent with the Section 14 Specific Plan, General Plan policies, and Zoning Code requirements. Thus, it would result in a significant adverse land use impact.

- **Demolition of Tahquitz Plaza and the failure to comply with required setbacks, height restrictions and landscaping requirements would result in significant adverse aesthetic impacts.**

- The MND does not properly address the Project's inconsistencies with the Section 14 Specific Plan's landscaping requirements.

The Project is Inconsistent with the Section 14 Specific Plan.

- The Project includes single-family units (i.e. separate residential units built on a single lot). **Single-family units are prohibited at this site by the Section 14 Specific Plan.**

- The Project would **exceed Section 14 height limits**.

- The Project does not meet the Section 14 Specific Plan's definition of a consolidated project because it is mainly a residential project and does not consolidate existing lots. Instead it splits the site into 93 separate lots.

- The Project fails to include landscaping along Tahquitz Canyon Way in the manner required by the Section 14 Specific Plan.

The Project Cannot Rely on the City's High Rise Ordinance.

- The Section 14 Specific Plan contains the controlling development standards for the Project site and thus the City's high rise ordinance cannot apply.

- Even if the high rise ordinance were applicable, the Project cannot rely on the height limits set forth in the high rise ordinance because it does not comply with the required setbacks.

- The Project also does not comply with the open space requirements set forth in the high-rise ordinance.

The City Cannot Make the Required Findings to Approve the Project.

- The City cannot make the required findings to approve a Planned Development District (PDD) for the Project.
    - The proposed PDD would allow the development of single-family homes, which is inconsistent with the Section 14 Specific Plan.
    - Reduced setbacks are not necessary or desirable and would be detrimental to neighboring uses.
    - **The feasibility of live/work units is not supported and these units may result in visual blight along Tahquitz Canyon Road if the live/work concept fails**.
- The City cannot make the required findings to approve a Tentative Tract Map or a Conditional Use Permit (CUP) for the Project.
    - The Project would violate General Plan policies requiring the preservation and adaptive reuse of historic or culturally significant buildings.
    - The Project is inconsistent with the applicable Section 14 Specific Plan.
    - The Project would result in detrimental impacts to historic resources and the aesthetics of downtown.
    - Single-family units are prohibited at this location and thus approval by CUP is improper.
    - The design of the Project is detrimental to existing uses because it demolishes an important historic resource and would adversely change the visual character of Tahquitz Canyon Road.
    - The Project does not include adequate setbacks or necessary landscaping.

We would appreciate the opportunity to meet with you and discuss these concerns in more detail.

Sincerely,

Chris Menrad
President
Palm Springs Modern Committee

AGUA CALIENTE BAND OF CAHUILLA INDIANS

PLANNING & DEVELOPMENT DEPARTMENT
CONSTRUCTION DIVISION • ECONOMIC DEVELOPMENT DIVISION
PLANNING & NATURAL RESOURCES DIVISION • TRIBAL HISTORIC PRESERVATION OFFICE

April 14, 2015

HAND DELIVERED

Mayor Steve Pougnet and City Council
CITY OF PALM SPRINGS
3200 Tahquitz Canyon Way
Palm Springs, California 92262

RE: Palm Springs Case 5.1361, PDD-375, 3.3820 MAJ and TTM 36876
Aberdeen Mixed-Use Project

Dear Mayor and City Council,

The Tribal Council of the Agua Caliente Band of Cahuilla Indians reviewed the above referenced project at its meeting of April 14, 2015, and recommends approval of the project to the City Council subject to the Conditions of Approval provided as Attachment A. Additionally, the Tribal Council wishes the record to show that the existing buildings are not historic and there is no authority to preserve said buildings. Preservation of the existing buildings is uncalled for.

Please contact me should you have any questions at 760-699-6960.

Very truly yours,

Thomas J. Davis, AICP
Chief Planning and Development Officer
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

TJD/MP/dm

C: Tribal Council
Margaret E. Park, AICP, Director of Planning & Natural Resources
Flinn Fagg, Director of Planning Services, City of Palm Springs

ATTACHMENT A

Palm Springs Case 5.1361, PDD-375, 3.3820 MAJ and TTM 36876
Aberdeen Mixed-Use Project

CONDITIONS OF APPROVAL
April 14, 2015

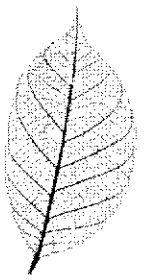
1. All plants listed as being invasive by the California Invasive Plant Council (e.g. Olea europea 'Swan Hill'/Fruitless Olive and Washintonia robusta/Mexican Fan Palm) shall be removed from the Landscape Plan and replaced with suitable plant material per Section 7.3, *On-Site Landscaping*, of the Section 14 Specific Plan. The integration of native plant material is also strongly encouraged to promote water conservation and complement the natural desert environment.

2. The use of ornamental turf in non-recreational areas shall be removed from the Landscape Plan.

3. A cultural resources inventory shall be conducted of the Project Site by a qualified archaeologist prior to any ground disturbing activities.

4. The presence of an approved Native American Cultural Resource Monitor(s) shall be present during any ground disturbing activities (including archaeological testing and surveys). Please contact the Tribal Historic Preservation Office at 760-699-6800 for details. Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

Law Office of B a b a k N a f i c y



1504 Marsh Street
San Luis Obispo
California 93401
ph: 805-593-0926
fax: 805-593-0946

babaknaficy@sbcglobal.net

April 14, 2015

Via Email and U.S. Mail

Palm Springs City Council
City of Palm Springs, c/o City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262
cityclerk@palmsprings-ca.gov
Steve.Pougnet@palmsprings-ca.gov
Chris.Mills@palmsprings-ca.gov
Ginny.Foat@palmsprings-ca.gov
Rick.Hutcheson@palmsprings-ca.gov
Paul.Lewin@palmspringsca.gov

RE: 4/15/15 Agenda Item 1C
Aberdeen

Honorable Councilmembers,

Advocates for Better Community Development, ("ABCD") and Palm Springs Preservation Foundation ("PSPF") collectively submit this letter in opposition to the Aberdeen project ("Project"), which will be before you on the project applicant's appeal of the Planning Commission's denial of a demolition permit. We strongly believe you may not lawfully approve this Project at this time because as proposed, the project is inadequately reviewed under CEQA and violates a great many development standards set forth in the Section 14 Specific Plan. This application could be the poster child for the flaws in the City of Palm Springs' approach to land use planning. The City Staff's analysis and recommendations exemplify the City's disregard, bordering on contempt, for planning laws as well as the City's own development standards and land use regulations.

We are puzzled by the fact that the Staff Report barely mentions the public's strong opposition to this Project in large part due to the proposed demolition of the historically significant and much beloved Tahquitz Plaza. In fact, this issue is not even mentioned in the introduction and is not touched upon until the very end of the Staff Report.

Given the substantial number of public comments the City has received on this issue, including comments by experts and the State Commission on Historic Preservation and the noted architect, Hugh Kaptor, himself, it is simply unfathomable that the Staff Report to the City Council does not mention the controversy up front.

As set forth below, we agree with the Architectural Advisory Committee and the Planning Commission's conclusion that the Project should be denied because it violates many of the applicable development standards. While staff has attempted to cobble together a number of procedural devices --such as a conditional use permit and planned development district-- to shoe-horn this ill-fitting project into this location, the project breaks too many rules and is inconsistent with too many development standards to be approved.

Equally puzzling is the City's failure to objectively assess the historic significance of the Tahquitz Plaza as required by CEQA. The City cannot approve this project before undertaking a detailed review of the Project's impact on this significant historic resource by preparing a detailed Environmental Impact Report. The well-documented and reasoned opinion of the many experts who have weighed in on this project amounts to substantial evidence supporting the conclusion that as proposed, the Project will result in a substantial adverse impact on a significant historic resource.

Finally, it should be noted that the applicant's appeal of the Planning Commission's denial of the Project fails to articulate a coherent basis for this appeal. The Planning Commission forcefully articulated a number of significant concerns about the project's inconsistency with various development standards, including those governing building heights, setbacks and building separation. The Commission, moreover, expressed serious concern about the project's height and impact on a historically significant resource. The applicant's response to these concerns was merely to accuse the Planning Commission of sending mixed messages and to complain about finding it difficult to determine how to address the Commission's concerns. These complaints do not articulate a basis for appeal. Ordinarily, it would be the staff's job to evaluate the appellant's arguments in support of an appeal, but in this case, it seems abundantly clear that it is the Staff who has supplied all the arguments in support of the appeal.

A. The Project is inconsistent with Section 14 development standards.

The Staff Report admits the project is inconsistent with the underlying R (Resort) overlay, which the staff explains:

> is intended primarily to provide for accommodations and services for tourists and visitors while guarding against the intrusion of competing land uses. The Resort Combining Zoneruns along Palm Canyon Drive for nearly its entire length through the City, as well as through the heart Section 14 along Tahquitz Canyon Way from Amado Road to Arenas Road.

To address this inconsistency, the Project includes an application for a Conditional Use Permit (CUP). As explained below, the evidence in the record does not support the findings the City is required to make in support of the CUP

The Staff Report also admits that single-family units are not permitted in the REO and RA Section 14 land use designation. Staff Report ("SR") at p. 5. The Staff Report attempts to excuse this inconsistency by claiming "the proposed small-lot residential use is similar to multi-family residential (MFR) due to a majority of unites being attached and density." Ibid., (emphasis added). No matter how the Staff attempts to spin the facts, the Specific Plan specifically prohibits single-family residential developments in RA and REO land use designations. See, Table 6-1, p. 6-4. Accordingly, even if the proposed project is "similar" to multi-family because of its relatively high density (which is still below the density levels for HDR zone), and because some units are attached, it does not fundamentally change the character of the development from single-family to multi-family. The City has not adduced any evidence or cited any convincing authority to show a residential development that is proposed on individual lots can be considered multi-family.

At the very end of the Staff Report (page 16), staff again attempts to rebut the argument that "the project proposed single family residential development in an area where such development is not allowed." Here, for the first time Staff claims "the units are multi-family units because they comply with the definition of multi-family units in the City's Zoning Ordinance, which according to the Staff Report, ..." "means a building containing two (2) or more dwelling units or containing a combination of two or more dwelling units in one(1) lot or parcel." SR p.16-17.

Even according to this unidentified definition, the Project cannot be described as multi-family because there is no evidence to suggest the Project includes more than one residential dwelling per single lot. According to the Staff Report's "Background and Setting" description, the Tentative Tract Map for the Project seeks to subdivide the roughly 8 acre site into 93 numbered lots and 8 letter lot streets, and common open space. The Project as proposed includes 73 residential units and 13 detached live/work lofts, in addition to the 7811 square feet of commercial space. It is therefore evident that the single-family and live/work units will be built on individual lots. There is no evidence to suggest any building containing two or more dwelling units would be built on any one lot or parcel. Accordingly, the Project does not meet the definition of multi-family housing. Accordingly, the claim that this project involves multi-family dwellings must be rejected.

The Staff Report is internally inconsistent because elsewhere in the Report, staff admits that the project consists of single-family dwellings which are merely "similar" to multi-family. The City moreover, has consistently treated similar projects as small lot, single-family dwellings.

Moreover, the proposed residential units have all the hallmarks of single-family dwellings to the extent that each dwelling would be built on a separate numbered lot and will enjoy private amenities.

B. The project is not a "consolidated project"

Staff invokes the "consolidated project" concept under Section 14 Specific Plan to argue the Project may be approved despite the many inconsistencies with the Specific Plan's development standards. This contention is utterly without merit as the Project does not qualify as a consolidated project under the Section 14 Specific Plan.

The Specific Plan contains certain incentives for the development of "consolidated projects" in order to aid in the development of projects on vacant and underutilized parcels:

> With a significant amount of vacant and underutilized land available for development in Section 14, an exciting opportunity exists for consolidating individual parcels/allotments into larger development sites. Larger, consolidated sites provide the chance to develop integrated projects that offer greater amenities, creative building designs, greater options for site access, and ultimately a stronger impact. To encourage consolidation of parcels and ultimately fulfillment of its vision, the Specific Plan provides both development incentives and flexible zoning standards for development. Sp. Pl. at 6-11.

As the current project is proposed on land already occupied by four historically significant buildings, it is clear that this is not the type of parcel on which the Specific Plan intended to promote the development of consolidated projects.

The Specific Plan delineates two types of consolidated projects: (1) commercial or mixed use development on sites designated as REO, RA, LSC or NC or (2) residential or hotel development on sites designated as HR. Both types of consolidated projects must be proposed on at least two or more parcels/allotments totaling 5 or more acres combined "are consolidated for one planned project." Sp. Pl. 6-12 (emphasis added.)

The staff report does not specifically explain what type of consolidated project applies here, but the project does not quality as either. The Project is primarily a residential project, as the

residential portion

of the project takes up 5.6 acres of the 8 acre site. But as the underlying parcel is designated REO/RA, the Project does not meet the definition of a residential project. Likewise, the Project does not meet the definition of a commercial/mixed use development because only a small fraction of the over-all project is designated as mixed use. The Project is overwhelmingly residential.

The Project cannot be considered a "consolidated project" also because the applicant does not propose to "consolidate" any lots to form a larger development plan. To the contrary, the applicant intends to split the parcel into many small pieces each with individual ownership.

C. The Project cannot exceed the 35 Foot Height Limit

Even if the project qualified as a "consolidated project", it would still be inconsistent with Section 14 Specific Plan development standards, including height restriction. The Staff Report vaguely claims "since the project meets the definition of a Consolidated Project, the Section 14 Specific Plan allows flexible zoning standards as a development incentive." The Staff goes on to claim that the structures are two and three-stories in habitable space with covered roof deck as amenities, reaching heights of up to 45 feet and triggering the "high-rise buildings" ordinance, Section 34.03.00 of the Zoning Code. The Project proponent is seeking approval to allow the flexibility of the proposed height for the entire project site, which is consistent with the REO/RA "Building Height" requirements. SR p. 8. Staff does not point to any specific provision of the Specific Plan that would permit single-family residential buildings to exceed 35 feet.

While it is not entirely clear what kind of flexibility the Project would be afforded if it meets the definition of a "Consolidated Project," the Staff appears to believe by labeling it a "Consolidated Project", the 73 or 74 single-family residential buildings can exceed the underlying 35 feet height limit for residential buildings. This conclusion is untenable.

The only "flexibility" the Specific Plan accords "Consolidated Projects" is increased density. See Sp. Pl at p. 6-12. Commercial/mixed use projects proposed on consolidated RA or REO parcels "may be developed under either the RA or REO land use designations." Ibid. There is otherwise nothing in the Specific Plan to suggest that single-family residential buildings can exceed the 35 feet subject maximum height subject to the High Rise Ordinance.

According to the Section 14 Specific Plan, only Specialty Retail-Entertainment-Office (REO) and Resort Attraction (RA) developments can exceed the 35 feet height limit with the adoption of a CUP. See, Sp. Pl., Table 6-2, p.6-2. Even Local Serving Commercial (LCS) and Neighborhood Commercial (NC) type developments are limited to 35 feet and cannot exceed that height even with a CUP. Ibid. Table 6-3 provides that High Density Residential

(HR) developments are also subject to the 35 foot height limit. Sp. Pl. p. 6-9. There is no provision in the Specific Plan indicating that multi-family or single-family dwellings may exceed the 35 foot height limit, even with the adoption of a CUP.

Even if even the Section 14 Specific Plan allowed residential dwellings in excess of 35 feet, this Project could not be approved as proposed because the Project does not meet the minimum setbacks required under the City's High Rise Ordinance. The Planning Commission recognized that the proposed project does not meet the minimum setback requirements required by the High Rise Ordinance. The Staff Report seems to believe that the setback provisions of the High Rise Ordinance do not apply within Section 14. The problem with the Staff's contention is that the exemption from the minimum setback requirements applies only to buildings within the REO and RA land use designations. There is nothing in the Section 14 Specific Plan to suggest the exemption from the requirements of the High Rise Ordinance, including the minimum setback requirements, apply in any other context.

D. The City cannot make the findings necessary to permit the proposed single-family residential development in the "R" resort overlay zone.

As the Staff Report readily admits, the "R" overlay is intended to accommodate and provide services to meet the needs of tourists. Single-family dwellings are not allowed and multi-family dwellings are allowed only if the City can find that (1) the proposed use is compatible with the surroundings and (2) "that the site in question is not appropriate for other uses allowed by right within the underlying zone." There is no evidence or analysis supporting the second finding.

The Staff Report claims both findings can be made because, according to Staff, the proposed "commercial and live/work units" would be consistent with surrounding uses. SR p. 11. Staff further claims "the mix of uses provides an appropriate balance for the site." On this basis, "staff believes the proposed project is consistent with this finding." Ibid.

Initially, we note that the City cannot make the necessary findings because the project does not consist of "multi-family housing." The Specific Plan does not permit single-family residential housing in the R overlay, even if the project will include well maintained common areas or a Home Owners Association (HOA). Staff does not offer any coherent arguments how single-family residences can morph into multi-family housing merely because the project will include common areas that would be maintained by an HOA. There are plenty of gated single-family residential developments that include such an arrangement. If Staff is correct, then all such projects would be considered multi-family projects, which they clearly are not.

The Staff Report, moreover, fails to explain how the City can make a finding that the "the site in question is not appropriate for other uses allowed by right within the underlying zone." Table 6-1 includes a long list of allowable uses, including office buildings, financial institutions, food facilities, etc. There is simply no evidence in the record to suggest the site could not be developed with any other type of development, particularly one that would be compatible with the historically-significant Tahquitz Plaza complex.

E. The City cannot make the necessary findings in support of the Tentative Tract Map

The City cannot make all the findings necessary to approve a tentative tract map for this project. Specifically, the City cannot make a finding that "the proposed Tentative Tract Map is consistent with all applicable general and specific plans" because, as set forth above, the Project is inconsistent with the Section 14 Specific Plan land use designations, which does not permit single-family residential developments in the "R" overlay. Moreover, as set forth above, the City cannot make the necessary findings to permit the Project even as a multi-family project.

Likewise, the City cannot make a finding that the proposed map is consistent with the underlying RA/REO land use designation because the project is inconsistent with the applicable development standards.

F. The Proposed Planned Development District (PDD) is not permitted pursuant to the Section 14 Specific Plan.

The Staff Report explains that the proposed PDD is intended to "change the split zoning to a single PD zone designation with its own development standards." SR at p 11. A PDD would be needed presumably to excuse the Project's inconsistency with the minimum yard setbacks for residential units (see SR at p. 6) and front and yard setbacks for the Live/Work units. SR at. P. 7.

The Section 14 Specific Plan, however, does not permit relief from the established development standards through the adoption of a PDD. According to Table 6-3 of the Specific Plan, which establishes the "Residential Development Standards," the only permissible exception to the applicable development standards is for lot size and lot setback requirements, which may be reduced "for single-family residential development if it can be demonstrated that through the CUP process that the reductions are necessary or desirable, and are not detrimental to neighboring uses (existing or future permitted)." Sp. Pl. at p. 6-9. Accordingly, yard and front setbacks may not be modified through the adoption of a PDD.

Moreover, even the lot size and setback exception does not apply to this project because the City is apparently processing the project as a multi-family project. Per Table 6-3, the lot size and setback exception only applies to single-family residential developments.

G. The proposed Negative Declaration violates CEQA because the City has failed to adequately consider whether the Tahquitz Plaza qualifies as a historically significant resource

The Initial Study/Negative Declaration's ("ND") discussion in support of the conclusion that the project would have no impact on a historically significant resource is grossly inadequate and violates CEQA. The ND's discussion is limited to the following short paragraph:

> No Impact. The project site is fully developed with a parking lot and 197 6 vintage office buildings. The existing buildings do not qualify or meet the criteria of a historical resource as defined in Section 15064.5. The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs. No impacts to historic resources are expected to occur as a result of build out of the proposed project. The site has not been included in any previous studies of historical resources and is not included in the current study of historical resources.

There are a number of significant problems with this "analysis".

1. The ND's discussion of the historical significance of the Tahquitz Plaza fails to adequately discuss the nature and significance of this resource. As by now should be clear to the City, Tahquitz Plaza is a magnificent example of the work of the noted architect, Hugh Kaptur, whose exemplary architecture has been recognized by among others, the City of Palm Springs. The ND fails to adequately describe the Tahquitz Plaza or mention the fact that it was designed by this decorated architect. Likewise, the ND fails even to mention that the noted architect and historian, Alan Hess, who serves as a consultant on the City's Historic Resource Survey Update, has made a strong case that the Tahquitz Plaza should be considered a significant historic resource.

2. The ND fails to set forth the CEQA criteria for historic significance, including CEQA Guideline §15064.5(a)(3)(C), according to which, a resource must be considered "historically significant" if it "embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high historic values." The ND never considers whether the Tahquitz Plaza

should be considered significant under this criteria. The City Council will not be able to comply with its responsibility under CEQA to determine whether the Plaza is a historically significant resource unless it is made aware of the applicable criteria.

3. The ND misleadingly reports that "The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs," implying that these facts inexorably lead to the conclusion that the resource is not historically significant. This implication is false, because "the fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource." CEQA Guideline §15064.5 The ND is also misleading because the Tahquitz Plaza may be listed on the City's Historic Resource Survey Update based on the strong recommendation of Alan Hess.

4. The ND fails to evaluate the historic significance of the Tahquitz Plaza under the City's Municipal Code, Chapter 8.05. In its April 8, 2015 comments to the City, analyzed the Tahquitz Plaza's historic significance based on the criteria set forth in Chapter 8.05 and concluded that it should be considered historically significant. The ND is grossly inadequate in that it fails even to consider whether the Tahquitz Plaza should be considered significant based on Chapter 8.05.

5. Perhaps most significantly, the ND fails to consider whether the evidence supports a finding that the Tahquitz Plaza meets the definition of a historically significant resource under Guideline §15064.5(a)(3)(C). The ND thus fails as an informational document because it does not identify or document the evidence that supports its factual finding that the Tahquitz Plaza is not a historically significant resource. Center for Sierra Nevada Cons. V. County of El Dorado (2012) 202 Cal.App.4th 1156, 1170.

The Staff Report does not make any serious effort to remedy the ND's failure to evaluate the historic significance of the Tahquitz Plaza. The Staff Report spends a lot of breath taking issue with the comments of the Office of Historic Preservation's ("OHP") particularly their statement that in the course of the City's survey of historical sites, the Tahquitz Plaza was evaluated and identified as a historic resource. Staff insists that the draft survey has not evaluated the Tahquitz Canyon, a fact that in itself has no legal significance.

This is especially true because, as explained by Payton Hall in his April 9, 2015 letter, the City's contract with Historic Resources Group, LLC for the historic resources survey does not authorize consideration of any building constructed after 1968. Accordingly, it is appears that the City has already decided that post-1968 buildings have no historic value.

The Staff Report otherwise fails to address the OHP or other expert commentator's argument that the Tahquitz Plaza meets the criteria for a historic resource. More importantly, the Staff Report itself fails to actually consider whether, based on the evidence in the record and expert opinion submitted by the public, the Tahquitz Plaza should be considered a historically significant resource.

CEQA does not permit the lead agency to hide behind its own failure to investigate the significance of a project's potential impacts:

> "The agency [will] not be allowed to hide behind its own failure to gather relevant data. . . . CEQA places the burden of environmental investigation on government rather than the public. If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences." (Sundstrom v. County of Mendocino (1988) 202 Cal. App. 3d 296, 311 [248 Cal.Rptr. 352]; see also Christward Ministry v. Superior Court (1986) 184 Cal. App. 3d 180, 197 [228 Cal.Rptr. 868] [fact that initial study checklist was incomplete and marked every impact "no" supported fair argument that project would have significant environmental effects].)

Gentry v. City of Murrieta, (1995) 36 Cal. App. 4th 1359, 1378. See, also, Sundstrom v. County of Mendocino (1988) 202 Cal. App. 3d 296, 311 ("Sundstrom") (CEQA places the burden of environmental investigation on government rather than the public.)

H. Because Tahquitz Plaza is a historically significant resource, the City must prepare an Environmental Impact Report

Testimony of experts and other evidence in the record support the conclusion that the Tahquitz Plaza is a historically significant resource because it "embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high historic values." CEQA Guideline §15064.5(a)(3)(C).

The Tahquitz Plaza embodies Hugh Kaptur's distinctive "Desert Modern" style, which according to the noted historian and architect, Alan Hess, uses "Modern concepts to solve the challenges of climate, function, and new materials."

The Tahquitz Plaza also exemplifies a period when "an extraordinary group of talented architects lived or worked in Palm Springs." Finally, the Plaza "is an important and well preserved example of Kaptur's unique approach which "draws on draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright."

Because the Tahquitz Plaza meets the criteria set forth in §15064.5(a)(3)(C), the City Council "shall" determine that it is a historically significant resource.

According to Public Resources Code §21084.1, a substantial adverse change in the significance of an historical resource results in a "significant effect on the environment." The proposed demolition of the Tahquitz Plaza therefore amounts to a substantial adverse change in the significance of historical resource. CEQA Guideline §15064(b)(1). The Project, therefore will result in a significant adverse environmental impact, triggering the need for the preparation of an EIR.

Conclusion

For all the foregoing procedural and substantive reasons, I urge you to deny the project as proposed.

Sincerely,

/s/ Babak Naficy

Babak Naficy
Counsel for ABCD and PSPF

RESORT COMBINING ZONE — MFR BY CUP

CONSOLIDATED PROJECT

HEIGHT — 100' ONLY IN RED/RA
MULTIFAMILY → CONSTRUCT W/ HR LAND USE IN RA/RED
PD?

PD — SECTION 14 PLAN, ALLOWANCE OF PD

docomomo_US/socal

April 13, 2015

Honorable City Council
City of Palm Springs
3200 E. Tahquitz Canyon Wat
Palm Springs, CA 92263
Email:

RE: Aberdeen Project, 5.1361 PD-375, CUP, 3.3820 MAJ and TTM; Objection to Demolition of Tahquitz Plaza

Dear Honorable Councilmembers:

On behalf of the Southern California Chapter of Docomomo US, I am writing in regard to the proposed demolition of the historic 1971 Tahquitz Plaza on Tahquitz Canyon Way. Docomomo strongly believes that the building qualifies as an historical resource for its association with architects Kaptur & Lapham and as an excellent example of late Modernism within the City of Palm Springs. Tahquitz Plaza is considered by numerous experts in the field as one of Hugh Kaptur's most outstanding commissions. Now threatened with either complete or partial demolition, it is important to recognize it as a historic resource and fully evaluate a range of viable preservation alternatives. Given that significant adverse impacts will occur through demolition, the City is required to prepare an Environmental Impact Report (EIR) as part of the California Environmental Quality Act (CEQA).

Substantial evidence supports a fair argument that the project will cause a substantial adverse change to a historical resource, requiring preparation of an Environmental Impact Report (EIR).

A key policy under the California Environmental Quality Act (CEQA) is the lead agency's duty to "take all action necessary to provide the people of this state with... historic environmental qualities...and preserve for future generations...examples of major periods of California history."[1] Courts often refer to the EIR as "the heart" of CEQA, providing decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzing alternatives that would reduce or avoid those impacts.[2] To this end, CEQA "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects."[3]

"Since the preparation of an EIR is the key to environmental protection under CEQA," an EIR is required "whenever it can be fairly argued on the basis of substantial evidence that

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[1] Public Resources Code §21001 (b), (c).
[2] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123.
[3] *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App.3d 30, 41; *also see* PRC §§ 21002, 21002.1.

the project may have significant environmental impact"[4] The "fair argument" test establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review."[5] Evidence supporting a fair argument of a significant environmental impact will trigger an EIR even if the record contains contrary evidence."[6] As applied to the proposed project, even if the MND's unsupported finding of "no impact" on historical resources were accepted on faith alone, an EIR is nonetheless required given substantial new evidence in the record establishing the significance of the Tahquitz Plaza.

Despite Tahquitz Plaza being less than fifty years old, a clear case has been made already in the record for its exceptional significance and eligibility as an historic resource. The City cannot arbitrarily decide which resources it chooses to identify as being historic, based on age alone or cutoff dates established by the City. The City of Palm Springs' Historic Preservation Ordinance does not limit age and the City has previously designated buildings less than fifty years old as local landmarks.

Conclusion

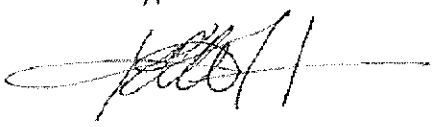
CEQA review has proven to be one of the most effective tools that we have to stanch the erosion of our cultural heritage. It can prevent irreversible losses through careful consideration of alternatives that can achieve most of the project objectives while avoiding significant impacts on the environment. Docomomo strongly urges the City of Palm Springs to reject the proposed Mitigated Negative Declaration (MND) and require preparation of an EIR for this project, as clearly mandated under CEQA.

Docomomo welcomes the opportunity to meet and work with the City of Palm Springs to explore potential "win-win" alternatives to the proposed project. Please contact me at (626) 616-3976 or docomomosocal@gmail.com if you have any questions or concerns.

About Docomomo US / Southern California Chapter

Docomomo US/SoCal's mission is to increase awareness of, and celebrate the unique legacy of, Southern California's Modern Movement and its influences, through education, documentation, and advocacy. We partner with other local, regional, and statewide organizations and agencies to enhance understanding and appreciation of the area's diverse Modern resources.

Sincerely,



Katie E. Horak
President, Docomomo US / Southern California Chapter

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[4] *No Oil, Inc v. City of Los Angeles* (1974) 13 Cal.3d 68, 75 (emphasis added)
[5] *Santa Teresa Citizen Action Group v. City of San Jose* (2003) 114 Cal.App 4th at 703.
[6] *League for Protection of Oakland's Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904-5; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 310.

National Trust *for* Historic Preservation

Save the past. Enrich the future.

April 9, 2015

City Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

VIA Email

RE: Aberdeen Project IS/MND, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876

Honorable Councilmembers:

On behalf of the National Trust for Historic Preservation, I would like to express our concern with the proposed demolition of the Tahquitz Plaza on Tahquitz Canyon Way in the heart of the City of Palm Springs. We are particularly alarmed with the City's preliminary determination that the demolition project and subsequent development of a mixed-use project on the site would cause no harm to historic resources. The City has received the opinion of multiple experts, including City staff, that Tahquitz Plaza is a historical resource. We are aware of no evidence in the record that contradicts these well-supported arguments. **Under these circumstances, the California Environmental Quality Act requires the City to prepare an EIR and consider feasible alternatives to demolition.**

The Tahquitz Plaza office buildings were designed by Kaptur & Lapham in 1971 and are excellent and well-preserved examples of Palm Springs Modernism. Hugh Kaptur's contributions to the City of Palm Springs were significant and Tahquitz Plaza is considered to be one of his most outstanding works.

The City's February 2015 Mitigated Negative Declaration indicates that the demolition of Tahquitz Plaza would "cause no substantial adverse change in the significance of a historical resource as defined in [CEQA Guideline] 15064.5" (MND, p.24-25). This determination was made in error. According to a March 26, 2015 letter from the California Office of Historic Preservation, the City has commissioned a city-wide survey of its historic resources and, during this process, identified Tahquitz Plaza as a historical resource. It has also received the opinion of Alan Hess, a qualified expert in the field of architectural history, that the Plaza is historically significant. Further, the City's own Architectural Advisory Committee and Planning Commission have both recommended denial of the project as a result of the proposed impact to historic resources.

Under CEQA, an EIR is required if there is substantial evidence in the "whole record" of proceedings that supports a "fair argument" that a project "may" have a significant effect on the environment. Guideline § 15064(f)(1). *In League for Protection of Oakland's Architectural etc. v. City of Oakland* (1997) 52 Cal.App.4th 896, the court affirmed that the fair argument standard as to whether an impact "may" occur is a low threshold test. (See also *Architectural Heritage Association v. County of Monterey* (2005) 122

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Cal.App.4th 1095; holding that the opinion of a consultant commissioned by the county, findings of an advisory committee and testimony of members of the public with relevant expertise represented "substantial evidence supporting a fair argument" that the Old Jail was a historic resource).

In addition to case law, the CEQA Guidelines are clear that a conflict in expert opinion over the significance of an environmental impact normally requires preparation of an EIR. Guideline § 15064(g). *Sierra Club v. CDF* (2007) 150 Cal.App.4th 370. In this case, all evidence before the City suggests that Tahquitz Plaza is historically significant. The cannot in good faith deny that its finding that the Tahquitz Plaza is non-historic against the litany of public information prepared by experts in the field of historic preservation, including the Office of Historic Preservation and the City's own staff.

We urge the City to develop an Environmental Impact Report in light of the very serious consequences to historic resource that would result from the project as proposed.

Thank you for your consideration of these comments. Please contact me at bturner@savingplaces.org or 415-947-0692 should you have any questions.

Sincerely,

Senior Field Officer/Attorney

Cc:

Flinn Fagg, AICP, Director of Planning Services
David Newell, Associate Planner
David H. Ready, Esq., Ph.D., City Manager
James Thompson, City Clerk
California Office of Historic Preservation
California Preservation Foundation
Palm Springs Modern Committee

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April 8, 2015

Via Email
Original to follow

Honorable City Council
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Comments on Aberdeen Project, Case Nos 5.1361 PD-375, CUP, 3.3820 MAJ and TTM 36876; Objection to Demolition of Historic Tahquitz Plaza

Honorable Councilmembers:

On behalf of the Palm Springs Modern Committee, we urge the City to require the preservation of the Tahquitz Plaza as part of the proposed Aberdeen Project. The Aberdeen Project, as described in the mitigated negative declaration (MND) prepared for the project, includes: demolition of all four Hugh Kaptur designed buildings that comprise the historic and architecturally significant Tahquitz Plaza; construction of 74 residential units; and construction of 17 live-work units along Tahquitz Canyon Way (the "Project" or "Aberdeen Project"). The Project was slightly revised as presented to the Planning Commission to reduce the number of residential units to 73 and the number of live-work units to 13 to allow for the preservation of one of the four Tahquitz Plaza buildings, but it is unknown to the Palm Springs Modern Committee whether the MND version of the Project or the Planning Commission version of the Project will be presented to the City Council.

Under either iteration, the Project would result in significant adverse impacts that have not been disclosed or analyzed in the MND. The California Environmental Quality Act ("CEQA") requires preparation of an environmental impact report ("EIR") whenever a project may have a significant adverse impact on the environment. (Public Resources Code section 21151.) As proposed, the Aberdeen Project would result in the demolition of all or most of the Tahquitz Plaza, resulting in significant adverse historic resource and aesthetic impacts. Despite pleas to analyze the significance of and impacts to this resource from numerous members of the public, including experts in historic architecture, the Planning Commission and even the California Office of Historic Preservation, the

City has provided no analysis of the Tahquitz Plaza. The Project would also result in land use and aesthetic impacts due to the Project's inconsistencies with height, setback, inclusion of prohibited uses and landscaping requirements. Approval of the Project as proposed, and based upon only a MND, would result in a clear violation of CEQA. However, revising the Project to include the preservation of the Tahquitz Plaza would mitigate the majority of these potentially significant impacts, likely obviating the need for an EIR. A revised Project would provide the City with a project that preserves Palm Springs' important architectural history while still accommodating a substantial amount of new development.

I. CEQA's Requirements

An EIR must be prepared instead of a MND when there is substantial evidence to support a fair argument that the project may have significant adverse environmental impacts. "The fair argument standard is a "low threshold" test for requiring the preparation of an EIR." (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928.) "If there is substantial evidence of a significant environmental impact, evidence to the contrary does not dispense with the need for an EIR when it can still be 'fairly argued' that the project may have a significant impact." (*Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1001; *see also* CEQA Guidelines § 15064.) It is a question of law, not fact, whether a fair argument exists, and courts owe no deference to a lead agency's determination. There is a clear preference for resolving doubts in favor of preparing an EIR. (*Architectural Heritage Association. v. County of Monterey* (2004) 122 Cal.App.4th 1095, 1110; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 617-618; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 151; *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602-03.)

There is substantial evidence to support a fair argument that, as proposed, the Aberdeen Project may have significant adverse impacts. The Project would demolish the historically significant Tahquitz Plaza, resulting in significant historic resource impacts. The Project also fails to comply with numerous land use regulations and requirements. This noncompliance results in both land use and aesthetic impacts that were not analyzed or even acknowledged by the MND.

A. Historic Resource Impacts.

CEQA section 21084.1 mandates that "[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." A substantial adverse change in the significance

of an historical resource includes "physical demolition, destruction, relocation, or alteration of the resource..." (CEQA Guidelines § 15064.5(b)(1).) The Aberdeen Project would demolish the historically significant Tahquitz Plaza, resulting in a significant adverse impact.

1. Tahquitz Plaza is an Historic Resource.

Hugh Kaptur is among Palm Spring's most important and visionary local architects. He is an innovative designer with his own distinctive to Desert Modern architecture. Mr. Kaptur was the subject of a recent documentary, *Quiet Elegance: The Architecture of Hugh M. Kaptur*. (See http://www.thisnthatfilms.net/hugh-kaptur.html, incorporated by reference.) The importance of his work within the City was also recognized when he received a star on the Palm Springs Walk of Stars in 2014 alongside those including William F. Cody, Albert Frey, Donald Wexler and E. Steward Williams.

The Tahquitz Plaza is a shining example of Mr. Kaptur's originality and ingenuity. The beautiful pueblo-influenced design of these buildings embodies his distinctive style. The Tahquitz Plaza was also designed to be energy efficient with thick walls and wide overhangs that protect the buildings from absorbing heat and an orientation intended to capture breezes. The visually prominent location of the Tahquitz Plaza along Tahquitz Canyon Way heightens the significance of this resource.

Under CEQA, "[g]enerally, a resource shall be considered by the lead agency to be 'historically significant' if the resource...: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in our past; (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values*; or (D) Has yielded, or may be likely to yield, information important in prehistory or history." (CEQA Guidelines § 15064.5(a)(3).)

The record for the Aberdeen Project is replete with evidence regarding the importance of Hugh Kaptur and the significance of the Tahquitz Plaza. The following evidence submitted by experts clearly demonstrates the Tahquitz Plaza embodies distinctive characteristics of Desert Modern design, represents the work of an important creative individual and possesses high artistic values. Thus, the City must consider the Tahquitz Plaza an historic resource and analyze any impacts to this resource in an EIR.

Alan Hess, architect, historian, and the author of numerous books on Modern architecture, submitted comments regarding the importance of Hugh Kaptur in history of

Palm Springs Modernism. (**Attachment 1**, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP.) His letter describes Hugh Kaptur's unique style and the high artistic value of his work at Tahquitz Plaza. Mr. Hess is a consultant on the City's Citywide Historic Resource Survey Update that is currently being prepared. He has strongly recommended the listing of Tahquitz Plaza as a significant resource on that survey.

Architectural historian Morris Newman interviewed Hugh Kaptur as part of his work on an essay regarding Mr. Kaptur published in *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs.* (**Attachment 2**, Newman Essay re Hugh Kaptur.) Mr. Kaptur informed Mr. Newman that the Tahquitz Plaza, where Mr. Kaptur maintained his practice for many years, is one of his favorite projects. In comments submitted to the City, Mr. Newman found that "[a]lthough Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity...In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs." (**Attachment 3**, Newman Email to City.) Mr. Newman also noted the importance of Tahquitz Plaza is enhanced by the fact that it is part of a trio of Kaptur-designed buildings along this stretch of Tahquitz Canyon Way.

Brad Dunning, a former Historic Site Preservation Board member and designer known for working on architecturally significant properties and restorations, also submitted comments urging preservation of the Tahquitz Plaza. He stated that Hugh Kaptur's work is as important to Palm Springs as that of Albert Frey, E. Stewart Williams, Donald Wexler, and William Cody. He found Kaptur's work to be "distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs." (**Attachment 4**, February 20, 2015 Dunning Email to City.)

The architect for the Tahquitz Plaza, Hugh Kaptur, who is also a former Planning Commissioner and member of the City's Architectural Advisory Committee, has articulated before the Planning Commission and in a recent editorial why the Tahquitz Plaza is one of his favorite projects. (**Attachment 5**, April 7, 2015 Kaptur Editorial in *Desert Sun*.) Mr. Kaptur feels the Tahquitz Plaza represents some of his best work, noting that the buildings were the recipients of architectural awards in 1979 and 1980.

The California Office of Historic Preservation has also urged the City consider the Tahquitz Plaza an historic resource and either modify the Aberdeen Project to preserve the Tahquitz Plaza or to prepare an EIR to analyze the impacts. . The OHP's letter officially states "in light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency [the City] to act within its

discretion...to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA." The OHP letter further states that the City has the discretion under CEQA to "treat the Tahquitz Plaza office complex as a historic resource, [and that] it may be possible to modify the proposed project to avoid impacts to the historic resources.... In this way, [the City] could avoid the time and cost involved in preparing an Environmental Impact Report (EIR)."

The City's own design and land use experts, the Architectural Advisory Committee and the Planning Commission, recognized the significance of Tahquitz Plaza and recommended denial of the Project based in large part upon the proposed demolition of these buildings.[1] At the Planning Commission hearing, a Commissioner asked City staff whether the City could find a building to be a local historic resource if it had not yet reached 50 years of age. No specific answer was provided, but a review of the City's Historic Preservation Ordinance demonstrates there is no prohibition or limitation regarding buildings that are less than 50 years and the City has previously listed resources that were less than 50 years of age. The Historic Preservation Ordinance was adopted "for the purpose of preserving areas and specific buildings of the city which reflect elements of its cultural, social, economic, political, architectural and archaeological history." (Palm Springs Municipal Code 8.05.010.) This Ordinance defines an historic site as "any real property ... that is unique or significant because of its location, design, setting, materials, workmanship or aesthetic effect and: ... (4) That embodies the distinctive characteristics of a type, period or method of construction; or (5) That presents the work of a master builder, designer, artist, or architect whose individual genius influenced his age; or that possesses high artistic value." (Palm Springs Municipal Code 8.05.020(a).) The expert testimony demonstrates that the Tahquitz Plaza meets criteria (4) and (5) of the City's definition of an historic site.

The wealth of evidence regarding the historic significance of the Tahquitz Plaza is similar to the evidence presented to the county in *Architectural Heritage Association v. County of Monterey* (2004) 122 Cal.App.4th 1095. In that case, the court found that the opinion of a consultant commissioned by the county, findings of an advisory committee and testimony of members of the public with relevant expertise represented "substantial evidence supporting a fair argument that the Old Jail is an historic resource." (*Id.* at 1118.) **Here, a City commissioned consultant (Alan Hess), other experts in the community, the Architectural Advisory Committee, the Planning Commission and**

1 The Planning Commissioners that voted against denial of the Project did not dispute the significance of the Tahquitz Plaza. Instead, they stated that they did not believe it was economically feasible to preserve these buildings. There is no economic analysis in the record to support this conclusion. Moreover, this is a determination that can only be made after analysis in an EIR.

even the California Office of Historic Preservation have urged the City to consider the Tahquitz Plaza to be an historic resource. Failure to do so is a violation of CEQA as it was in *Architectural Heritage Association.*

2. The MND Provide No Evidentiary Support for Finding of Insignificant Impacts to Historic Resources.

Despite all of the evidence presented to the City, and the importance of Hugh Kaptur and the Tahquitz Plaza, the MND/Initial Study completely ignores the buildings' potential historic significance. Instead of evaluating the historic significance of these resources, the MND/Initial Study merely references the Tahquitz Plaza as "1971 vintage office buildings." (MND p. 24.) The MND/Initial Study does not disclose that Hugh Kaptur was the architect of these buildings nor does it describe their unique design. It states that the buildings are not listed on the state or local register, but does not acknowledge that the buildings may soon be listed on the City's historic resources survey. Further, as pointed out by the Office of Historic Preservation, the fact that a resource is not listed on a register does not preclude a resource from meeting the criteria for historic resource under CEQA. CEQA "does not demand formal listing of a resource in a national, state or local register as a prerequisite to 'historical' status. The statutory language is more expansive and flexible." (*Architectural Heritage Ass'n, supra* 122 Cal.App.4th at 1114, citation to *League for Protection of Oakland's Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 907.)

The City's failure to evaluate the historic significance of the Tahquitz Plaza, despite substantial evidence of the buildings historicity and requests from the Planning Commission to study these impacts, is a violation of CEQA. The purpose of the initial study is to provide the lead agency with adequate information regarding a project to determine the appropriate environmental review document and "documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment." (*Ctr. for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal. App. 4th 1156, 1170, citations omitted.) "Where an agency. . . fails to gather information and undertake an adequate environmental analysis in its initial study, a negative declaration is inappropriate." (*El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal. App. 4th 1591, 1597, citations omitted.) Failure to adequately analyze all of a project's potentially significant impacts or provide evidence to support conclusions reached in the initial study is a failure to comply with the law.

This failure to provide an analysis is also a violation of the City's General Plan Policy RC 10.3, which states: "Require site assessment conducted by a qualified

specialist whenever information indicates that a site proposed for development may contain paleontological, historic, or archaeological resources." The evidence cited above clearly indicates the Tahquitz Plaza not only may be but is an historic resource.

3. The City's Failure to Follow OHP Recommendations Could Jeopardize Its Status as a Certified Local Government.

Palm Springs was recently approved as a Certified Local Government (CLG) by the California Office of Historic Preservation (OHP). The CLG Program is designed to encourage the participation of local governments in the identification, evaluation, registration, and preservation of historic properties in their communities. CLG communities are also eligible to receive a wide range of technical assistance and substantial grants from the OHP. The OHP monitors CLG communities' compliance with CEQA and other laws and regulations intended to protect historic resources. A determination by OHP that the City has failed to comply with CEQA could result in a loss of CLG status and/or the City's inability to receive OHP grant funding. OHP has recommended the City evaluate the historic significance of the Tahquitz Plaza. To comply with CEQA and protect its status as a CLG, the City should follow this recommendation.

B. Land Use Impacts.

The Architectural Advisory Committee and the Planning Commission have identified numerous areas in which the Aberdeen Project would be inconsistent with the Section 14 Specific Plan and City zoning regulations. The majority of these inconsistencies would be resolved if the Project were modified to include the preservation of Tahquitz Plaza.

A project's conflict with any applicable land use plan, policy or regulation is a significant environmental impact under CEQA. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 929.) "If substantial evidence supports a fair argument that the proposed project conflicts with [land use] policies, this constitutes grounds for requiring an EIR. Whether a fair argument can be made on this point is a legal question" that provides no deference to a city council determination.

The Aberdeen Project would exceed Section 14 height limits. The MND dismisses this land use policy conflict by claiming the Project would meet the requirements of the City's high-rise development standards. (MND p. 12.) As found by the Planning Commission, the Project would not comply with the high-rise development standards because it lacks the required setbacks by providing only 6.75 feet of setback from Tahquitz Canyon Way. Planning Commissioner's fact-based conclusions regarding a

project's failure to comply with land use policy is substantial evidence to support a fair argument that the project would have significant land use impacts. (*Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155.) Additionally, the Project would not include 60 percent open space, which is required to meet the high-rise development standards. (Palm Springs Municipal Code 93.04.00(A).) If the Tahquitz Plaza were preserved, adequate setbacks would be provided along Tahquitz Canyon Way and additional open space would be included in the Project, which would likely allow the Project to meet the high-rise standards for the remainder of the Project.

The Project would also result in a land use impact by including single family homes in area where single family homes are prohibited. (Section 14 Specific Plan p. 6-4.) The MND ignores this inconsistency by mischaracterizing the Project as multi-family housing. The City's Municipal Code defines multi-family housing as "a building designed for or occupied by two (2) or more families living independently of each other." (Palm Springs Municipal Code 91.00.10.) In the Aberdeen Project, the majority of the buildings, particularly those along Tahquitz Canyon Way, are completely detached units that are designed for occupancy by only one family, thus they do not meet the City's definition of multi-family housing and are prohibited by the Section 14 Specific Plan. The MND is inaccurate and misleading to the public and decision makers by failing to disclose the inclusion of a prohibited use in this Project.

The setback, height and use conflicts are similar to those found by the court to be significant impacts requiring preparation of an EIR in *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903. In the *Pocket Protectors* case, the planning commission found a densely packed single family housing project to be inconsistent with housing type and setback policies for the area. The MND prepared in that case glossed over or ignored the inconsistencies, much the way it does here, and the project approval was found to be in violation of CEQA.

The Aberdeen Project further violates land use policies due to its inconsistencies with required landscaping along Tahquitz Canyon Way. The minimal setbacks provided by the Project do not allow adequate space for the large palm trees, desert landscaping, public art and pedestrian amenities along Tahquitz Canyon Way required by the Section 14 Specific Plan. The MND acknowledges the inconsistency and provides mitigation measure MMI-1, which states: "Project site plans, architectural renderings and landscape plans shall be revised to address inconsistencies with the development standards and other design requirements of the Section 14 Specific Plan, as determined by City Council." The ability of mitigation measures to actually mitigate impacts must be evaluated in the environmental review document. By waiting until after the City Council hearing to develop a mitigation measure for this impact, the MND fails to assess the efficacy of the

measure and improperly defers mitigation. The developer has opted not to make the revisions necessary to bring this Project into compliance with the Section 14 Specific Plan and thus the inconsistency, and land use impact, remains.

The Project would also violate several City General Plan policies, resulting in further land use impacts. The General Plan requires the City to:

- RC10.1 Support the preservation and protection of historically, architecturally, or archaeologically significant sites, places, districts, structures, landforms, objects, native burial sites and other features.
- RC10.2 Encourage and support the retention and adaptive reuse of buildings of architectural, historic, or cultural significance where financially feasible.
- RC10.5 Actively encourage and promote the understanding, appreciation, and preservation of the archaeological, historic, and cultural resources.

By allowing the demolition of the historically significant Tahquitz Plaza, the City's approval of the Project would violate these General Plan policies.

C. Aesthetic Impacts

The Aberdeen Project would also result in significant aesthetic impacts that require analysis in an EIR. The proposed demolition of the historically significant Tahquitz Plaza at a prominent location in the City's downtown would degrade the visual character of the area. These architecturally distinctive buildings with wide landscaped setbacks would be replaced with densely packed units that exceed height limits and violate setback requirements. The Planning Commission has questioned the viability of providing live-work units along Tahquitz Canyon Way and expressed concern that these visually prominent units would end up being used as storage space, further degrading the visual character. This degradation is particularly significant because Tahquitz Canyon Way is designated as a scenic corridor by the City's General Plan.

Conclusion

The Palm Springs Modern Committee urges you to reconsider the proposed Aberdeen Project. As proposed, the Project's impacts require analysis in an EIR and the City's proposal to approve the Project based upon a MND violates CEQA. If the Project were revised to include preservation of the Tahquitz Plaza, the majority of the housing units could still be constructed, but the impacts of the Project would be substantially reduced.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Minteer
Attorney at Law

Attachments:
Attachment 1, February 19, 2015 Hess Letter to City and March 20, 2015 Hess Letter to OHP
Attachment 2, Morris Newman Essay re Hugh Kaptur.
Attachment 3, Morris Newman Email to City re Aberdeen Project
Attachment 4, February 20, 2015 Dunning Email to City
Attachment 5, April 7, 2015 Kaptur Editorial in Desert Sun

cc: Flinn Fagg, AICP, Director of Planning Services
David Newell, Associate Planner
David H. Ready, Esq., Ph.D., City Manager
James Thompson, City Clerk
Palm Springs Modern Committee
National Trust for Historic Preservation
California Preservation Foundation

ATTACHMENT 1

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February 19, 2015

Terri Hintz
Planning Department Administrative Coordinator
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

To the Planning Commission:

I am writing as an architect, historian, and author of nineteen books on Modern architecture to express my support for the preservation of the Tahquitz Plaza office complex because of its historical significance to Palm Springs and California architecture. Please share this letter with the Planning Commissioners prior to their February 25, 2015 meeting.

I have written two books on Palm Springs architecture (*Julius Shulman: Palm Springs*, Rizzoli International, 2008, and *Palm Springs Weekend*, Chronicle Books, 2001) and can say that these buildings, and the work of architect Hugh Kaptur, play an important role in what is now identified as Palm Springs Modernism.

I am also a consultant on architectural history for the current City of Palm Springs architectural survey. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey.

My resume is attached. I have written on architecture for the *Los Angeles Review of Books, The Architect's Newspaper, The Los Angeles Times, Architectural Digest, the Journal of the Society of Architectural Historians*, and other journals. I have been the architecture critic of the *San Jose Mercury News* since 1986, received a grant from the Graham Foundation for Advanced Studies in the Fine Arts, and was a National Arts Journalism Fellow at Columbia University.

The research of the importance of Palm Springs Modern architecture in general is very recent. Only a decade ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not well known

generally; few Modern buildings now considered iconic were identified as historic then. Since then, our understanding of these and other architects has made us aware of the full dimension of Palm Springs architectural history.

As we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of scholarly opinion on Kaptur's importance.

Briefly stated, Kaptur's significance is this: 1) Palm Springs midcentury Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place.

In addition, its site on Tahquitz Canyon places it in the context of the city civic center, an extraordinary collection of Modern buildings serving civic purposes, and rare in the state.

I am writing this letter *pro bono* because historic architecture of this quality adds to the civic character and quality of city life. In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design would be a loss to history and the city's urban quality.

Sincerely,

Alan Hess

RESUME OF ALAN HESS, ARCHITECT

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alan@alanhess.net

WORK	1981-	Alan Hess, Architect
	1986-	Architecture critic, **San Jose Mercury-News**
EDUCATION	1975-78	M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles
	1970-74	B.A., Principia College, Elsah, IL

DESIGN

Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits
Gordon Onslow-Ford guesthouse, Marin County, CA

TEACHING	1989-91	Instructor, University of California, Los Angeles
	1986-90	Lecturer, Southern California Institute of Architecture

PRESERVATION

Design Guidelines, Heatherstone Community, Mountain View, CA
Honor Award 1997, National Trust for Historic Preservation
President's Award, California Preservation Foundation
Qualified for National Register of Historic Places:
- Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA
- McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA
- Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ
- Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA

Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone 1959), National Theater, Westwood (1969) and other mid-century modern structures

FELLOWSHIPS

Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98

GRANTS

Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990

LICENSE

Licensed architect, California # C 15747

SELECTED PUBLICATIONS

BOOKS:

Frank Lloyd Wright:Natural Design, Organic Architecture RIzzoli International, New York 2012

Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

Oscar Niemeyer Buildings Rizzoli International, New York 2009

Frank Lloyd Wright: The Buildings Rizzoli International, New York 2008

Julius Shulman: Palm Springs Rizzoli International, New York 2008

Forgotten Modern: California Houses 1940-1970 Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Mid-Century Modern, Rizzoli International, New York 2007

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"Connecting the Dots: Alan Hess on Pacific Standard Time Presents: Modern Architecture in L.A.," *Architect's Newspaper*, Sept. 6, 2013

"The Beauty of Authenticity: Dana Point Harbor," *Orange Coast Magazine*, Aug., 2013

"Wide Angle Lens: Alan Hess on the Getty's new exhibition, Overdrive: LA Constructs the Future 1940-1990, " *Architect's Newspaper*, June 21, 2013

"Everyday Modernisms: Diversity, Creativity, and Ideas in L.A. Architecture, 1940-1990"

Los Angeles Conservancy, "Curating the City" website, June 2013

"Schindler Goes Hollywood," **Los Angeles Review of Books,** May 26, 2012
"New Apple Campus," **San Jose Mercury News**, Sept. 2011
"John Lautner and Los Angeles," **Los Angeles Times,** July 23, 2011
"Coming to Terms with the Sixties," **National Trust Forum Journal**, Summer 2010 vol 24 no 4
"Colorful Landmarks: how color shaped public space in 1950s suburbia," **New Geographies**, Harvard Graduate School of Design, Oct 2010
"The Suburbs and the Ranch House," **California College of the Arts Architecture Studio Series**, 2005
"The Place of Histories," **Architecture California**, 04:1, 2003
"Steven Ehrlich house, Pacific Palisades," **Metropolitan Home**, Dec. 2005
"Montalvo Artists' Village," **Architectural Digest,** June 2005
"Cliff May's Romantic Mandalay," **Architectural Digest**, May 2005
"Meeting the Horizon in California, Roscoe House by Helena Arahuete," **Architectural Digest**, Jan. 2005
"Historic Architecture: Oscar Niemeyer," **Architectural Digest**, May 2003
"The Place of Histories," **Architecture California**, 04:1, 2003
"San Jose: A Downtown in the Making," **Places**, vol. 15, no. 2
"High Art Parking Lot," **Rearview Mirror: Automobile Images and American Identities,** University of California, Riverside 2000
"Eine kurze Geschichte von Las Vegas," **Stadt Bauwelt** 143, Sept. 1999
"City Center to Regional Mall," **Journal of Preservation Technology**, vol XXVII, no 4, 1997
"New York, New York," **Architectural Record,** March 1997
"John Lautner" **Progressive Architecture**, December 1994
"The Origins of McDonald's Golden Arches," **Journal of the Society of Architectural Historians**, XLV: 60-67, March 1986
"Technology Exposed," **Landscape Architecture**, May 1992, pp 38-48
"Burle Marx: A Shaky Legacy," **Landscape Architecture**, April 1992 p 38
"Back to Brasilia," **Progressive Architecture,** October 1991 pp 96-97
"Greenwald house," **Los Angeles Times Magazine,** October 27, 1991, p 31
"Of Cities and Their Halls," **San Francisco Examiner,** Aug. 7, 1991
"*American Style* and *Fifties Style*: reviews," **Design Book Review**, Winter 1989
"Schindler and Goff: Architectures," **L.A. Style**, March 1989
"Monsanto House of the Future," **Fine Homebuilding**, August/September 1986, No. 34
"The Eichler Homes," **Arts + Architecture**, Vol. 3, No. 3, 1984

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LECTURES:

Getty Research Institute; Kansas City Modern; Dallas Modern; Arizona Preservation Conference Keynote; Nevada Museum of Art Symposium; Society of Architectural Historians Tour; Commonwealth Club of San Francisco; Society for Commercial Archeology Conference Keynote; Los Angeles Conservancy Welton Becket Centennial Keynote; Columbia University School of Architecture; Houston Modern; Phoenix Modern; Walker Art Museum; Chicago Humanities

Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

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"A Kick in the Head—The Lure of Las Vegas," BBC-TV January 2010
"Journeyman Architect: The Architecture of Donald Wexler," DesignOnScreen 2009
"Desert Utopia," DesignOnScreen, 2008
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Which Way LA, KCRW-FM July 27, 2007
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CBS Sunday Morning News with Charles Kuralt, January 23, 1994
Good Morning America, August 3, 1993
CBS Morning News, Jan. 17, 1990
Videolog, KCET, Los Angeles, June 1985
Patrick Monroe Show, CBC Radio, February 1987
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Thomas Hines, **Architecture of the Sun**, 2010
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"In Los Angeles, a '50s Flameout," **New York Times,** September 7, 1995
"Oldest McDonald's Closes," **New York Times,** March 6, 1994
"Would Las Vegas Landmark Be an Oxymoron?" **New York Times**, Oct. 7, 1993
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"*Googie: Fifties Coffee Shop Architecture*, a review," **Architectural Record**, May 1986
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"Googie -- History Closing the Menu on a 1950s style," **Los Angeles Times**, June 9, 1986
"Now let's hear it for Googie style," **Vancouver Sun**, February 5, 1987
"Architecture and Design reviews," **Philadelphia Inquirer**, November 30, 1986

"Architecture To Go," David Dillon, **Dallas News**, June 22, 1986
"Googie: Fifties Coffee Shop Architecture," **Art and Design**, London, June 1986

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March 20, 2015

Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
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Sacramento, CA 95816

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

Dear Ms. Roland-Nawi:

I am writing at the request of the Palm Springs Preservation Foundation to ask you to consider writing a letter to the City of Palm Springs encouraging them to conduct an EIR for the Tahquitz Plaza office buildings (1971) by Kaptur & Lapham. The four buildings in this complex are excellent and well preserved examples of key aspects of architect Hugh Kaptur's work, and of Palm Springs Modernism.

The buildings are currently under threat of demolition for a proposed residential project. So far the city has not requested an EIR, but I believe the complex's significance and quality require it.

Kaptur is an important architect in Palm Springs Modernism. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, Kaptur often draws on organic concepts from Frank Lloyd Wright and forms from the American Southwest. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted frames around windows, the bermed walls, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. The strong composition of these many elements shows Kaptur's skill and the high artistic value of his work.

In addition, Tahquitz Plaza's location on Tahquitz Canyon places it in the context of the city's Modern civic center. Tahquitz Canyon is the city's main civic thoroughfare, linking the airport to downtown; along this boulevard is an extraordinary collection of Modern buildings serving civic purposes, including city hall, police and county facilities, and the airport, complemented by commercial buildings of similar style and siting. Such a collection of Modern civic center buildings is rare in the state.

Palm Springs' midcentury Modern architecture is known for its use of Modern concepts in addressing the challenges of climate, functions, and new material technologies. These are not typified by a single aesthetic; it ranges from the lightweight, steel framed houses resting lightly on the earth seen in the work of Richard Neutra and Albert Frey, to the autochthonous monolithic concrete structures, literally buried in the earth, seen in John Lautner's work, with many more interpretations in between.

Within this wide range, Kaptur's work is singular. His training in design was closely associated with midcentury automotive design in Detroit, where he attended Lawrence Tech and worked for General Motors' consumer design division. Kaptur has worked in Palm Springs from 1956 to the present day. He worked for and with other noted local architects, including Donald Wexler, Richard Harrison, and William Cody. Like those architects, his work is distinctive and individual, and yet his design also reflects common themes that distinguish Palm Springs Modernism.

The Tahquitz Plaza offices are an excellent representation of his use of sculptural, expressionist forms influenced by Native American adobe structures, but modernized and abstracted aesthetically in the spirit of Modernism. The complex's thick stuccoed walls do not imitate those vernacular structures; the silhouette of the walls and the curving windows frames that grow directly from those walls are carefully abstracted into forms that represent a distinct, modernized aesthetic vocabulary. This approach is also seen in other Kaptur designs, including the William Holden house (1977), and the Casa Blanca motel (1979.)

In addition, the Tahquitz Plaza offices incorporate unpainted wood walls and wood trellises. These also update the wood ramadas and trellises of traditional Southwestern architecture. The siting of the office structures creates small courtyards between the buildings (another design aspect seen in historic Spanish architecture of the Southwest) allowing for shaded outdoor areas.

Likewise, the landscaping and siting of the Tahquitz Plaza buildings represent an updating of traditional concepts and a Modern response to the hot climate. Berms rise partway up the walls, providing thermal insulation and connecting the structure to the earth, similar to Lautner's desert designs.

The thick walls, hooded windows, and shaded courts all have historic precedents, but they are also practical, integral elements that help moderate the strong sunlight and heat of the local climate. The design of all these elements is artful and well composed.

The use of historic regional architecture by twentieth century architects is an important facet of Modern architecture in California and the West. It can be seen, for example, in the work of Irving Gill in the 1910s, the Ranch Houses of Cliff May in the 1950s and 1960s, and the civic buildings and residences of Bennie Gonzales in Arizona, where historic forms were blended with Modernism's abstraction. Hugh Kaptur is the primary interpreter of this approach in midcentury Palm Springs, and Tahquitz Plaza is a primary example in the city.

Kaptur's work has been rediscovered fairly recently. This is not surprising; our understanding of the significance of Palm Springs Modern architecture in general is also relatively recent. Only a dozen years ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not generally well known outside Palm Springs, and its significance was not even widely recognized within Palm Springs.

In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design such as this would be a loss to history and the city's urban quality.

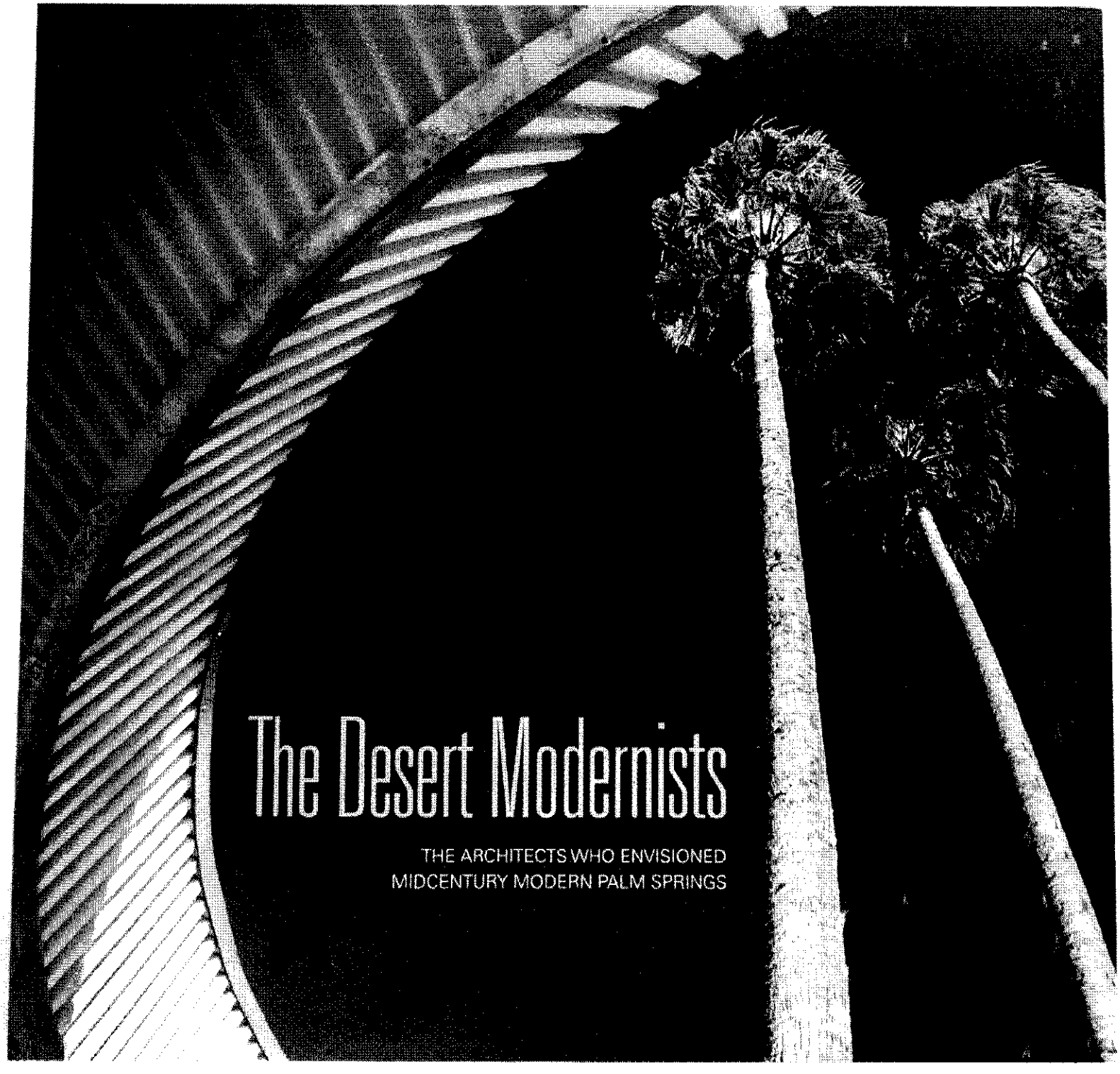
But as we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of opinion on Kaptur's importance.

I have written to the Palm Springs Planning Commission about my support, as a historian and architect, for the preservation of Tahquitz Plaza. I am also a consultant on architectural history for the Palm Springs architectural survey, currently underway. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey. I believe that a letter from your state office would encourage them to conduct an EIR that would document the significance of this complex.

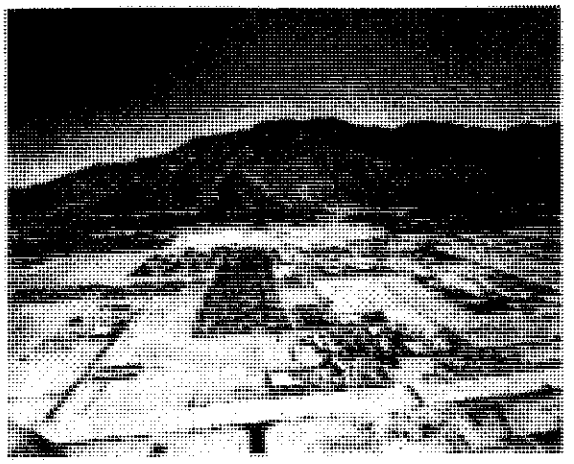
Thank you for your consideration of this matter.

Sincerely,

ATTACHMENT 2


The Desert Modernists
THE ARCHITECTS WHO ENVISIONED
MIDCENTURY MODERN PALM SPRINGS

Contents



Above: A 1965 aerial view looking west toward Palm Springs at the base of Mount San Jacinto. Opposite, top row from left: Robson C. Chambers, Albert Frey, Donald Wexler, Richard Neutra. Middle row from left: John Porter Clark, A. Quincy Jones, John Lautner, William "Bill" Krisel. Bottom row from left: William F. Cody (leaning over desk), Paul R. Williams, Hugh Kaptur, E. Stewart Williams. Previous, pages 2-3, Coachella Valley in bloom. Page 4: Edris House. Page 5: Palm Springs City Hall.

The Desert Modernists was created in partnership between Modernism Week and Desert Publications Inc. Modernism Week Board of Directors: A. Chris Visser, Chairman; Larry Abel, Vice Chairman; Mark David, Treasurer; Gene Johns, Secretary; Regina Bestenheider, Maureen Erbe, William Kopaliki Laurie Ventz. Staff and Consultants: Lisa Vossler Smith, Executive Director; David Dixon, Creative Project Manager. Desert Publications Inc.: Franklin W. Jones, Publisher; Judd Sinclair, Editorial Director; Richard Vaughn, Art Director; Sebastian Werner, Editor; Olga Reyes, Managing Editor; Marco Maldonado, Digital Imaging; Laura Reyes, Production Manager.

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HUGH KAPTUR

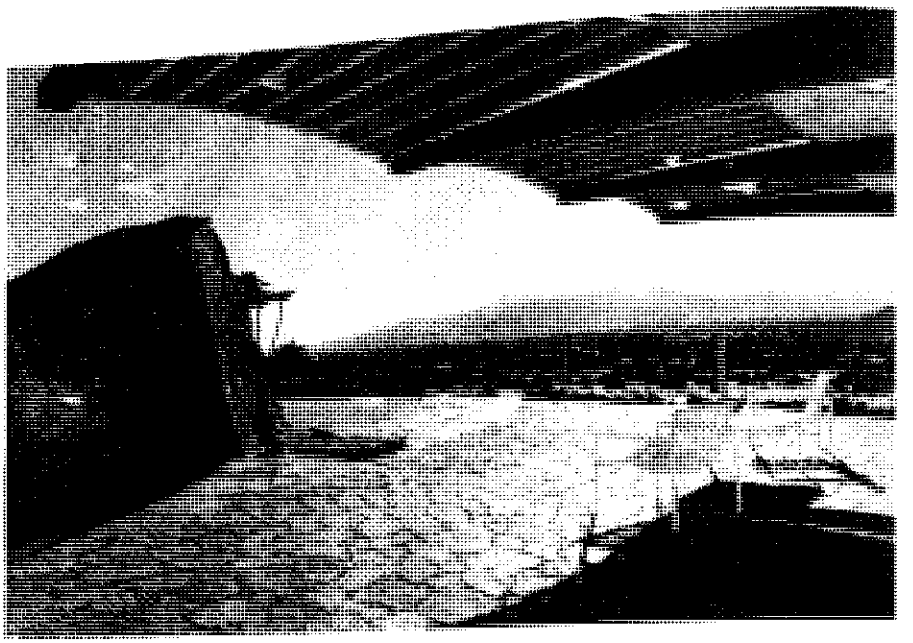
(MAY 22, 1931 –)

BY THOMAS HINE

HUGH KAPTUR STANDS APART FROM MOST OF THE PALM SPRINGS ARCHITECTS OF HIS GENERATION. ✦ RATHER THAN THE MAINLINE, INTERNATIONAL STYLE MODERNISM FAVORED BY MOST OF HIS PREDECESSORS AND COLLEAGUES IN THE DESERT, KAPTUR PREFERS WHAT HE CALLS "AN ARTISTIC ARCHITECTURE THAT IS ORGANIC AND FLOWING." ✦ HIS FIRST INSPIRATION WAS FRANK LLOYD WRIGHT, NOT MIES VAN DER ROHE.

Kaptur is not a doctrinaire follower of Wright, however. He denies having a signature style. His primary debt to the master of Taliesin, he adds, was the acknowledgment of climate and landscape in his projects, as well as a taste for sculptural masses and a delight in contrasting materials. In some cases, Kaptur was able to translate some of the sculptural feeling of Wright's designs into a colorful, "expressive" style. Kaptur's first Palm Springs project was the Angela Lodge (1957–58, now the Triangle Inn), a wildly inverted building with steel beams supporting a canopy reminiscent of a lean-to. Walls of glass stand on a stone base, while external "buttresses" support shade structures to keep the sun off the windows. Other "pop" buildings are the Sea House of 1960, with scallop-shaped awnings draped in orange plastic, and the Clubhouse Kaptur designed with Robert Pinzuti for the Palm Springs Golf Course (1959), with a curved roofline resembling a cresting wave.

Practical commissions, such as the Tahquitz Plaza office complex (1971, by Kaptur, Lapham, and Associates) on Tahquitz Canyon Way, did not always allow total freedom, yet this comparatively restrained project remains one of Kaptur's favorites. After an original design called for concrete, cost considerations dictated that a less expensive wood frame structure be employed. Despite the



This page and opposite: Kaptur created this home in 1958 at 580 Palisades Drive in Palm Springs. The house is known as the Russell House and/or the Sled House.

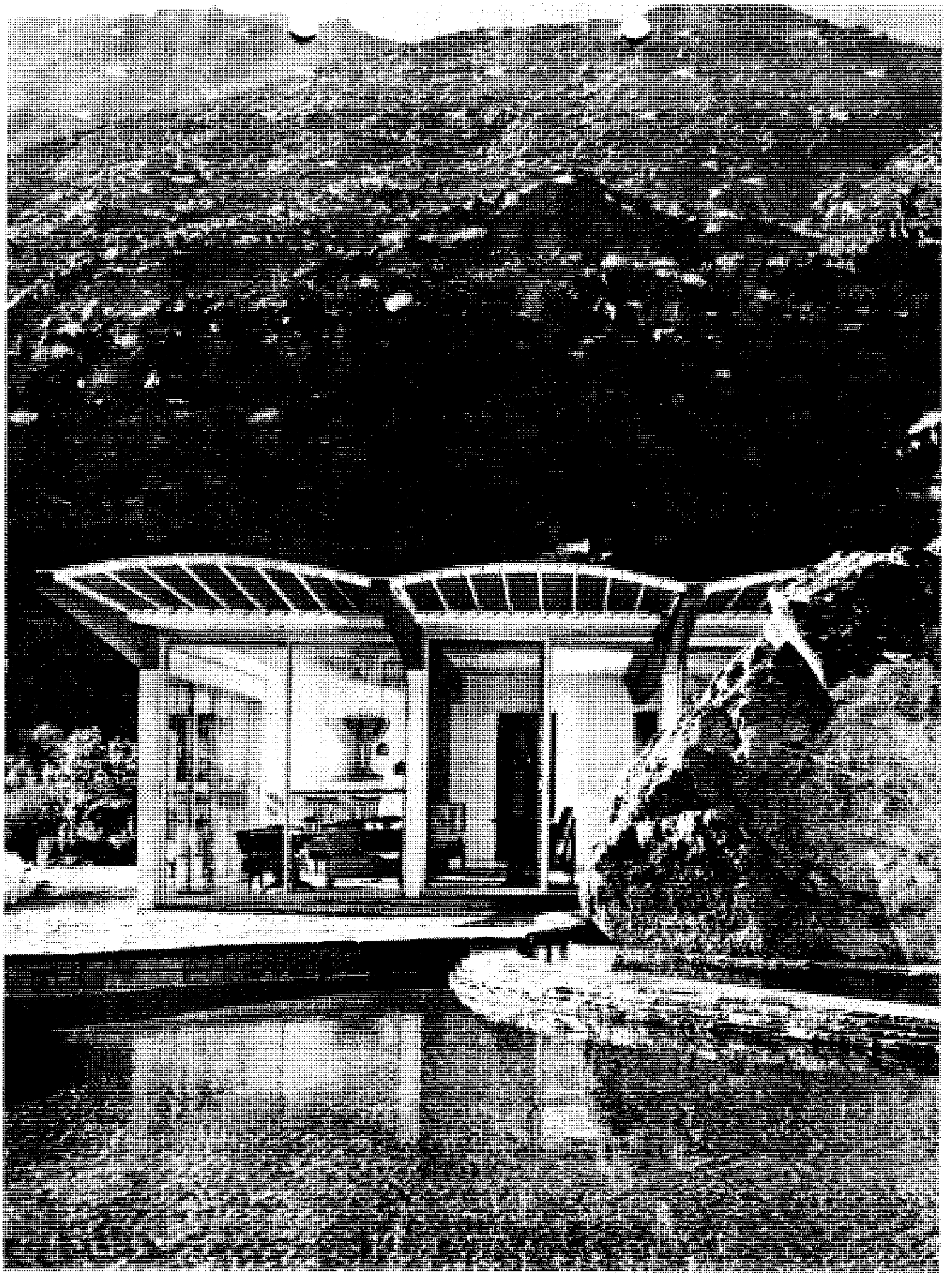
Portrait, page 58: Hugh Kaptur

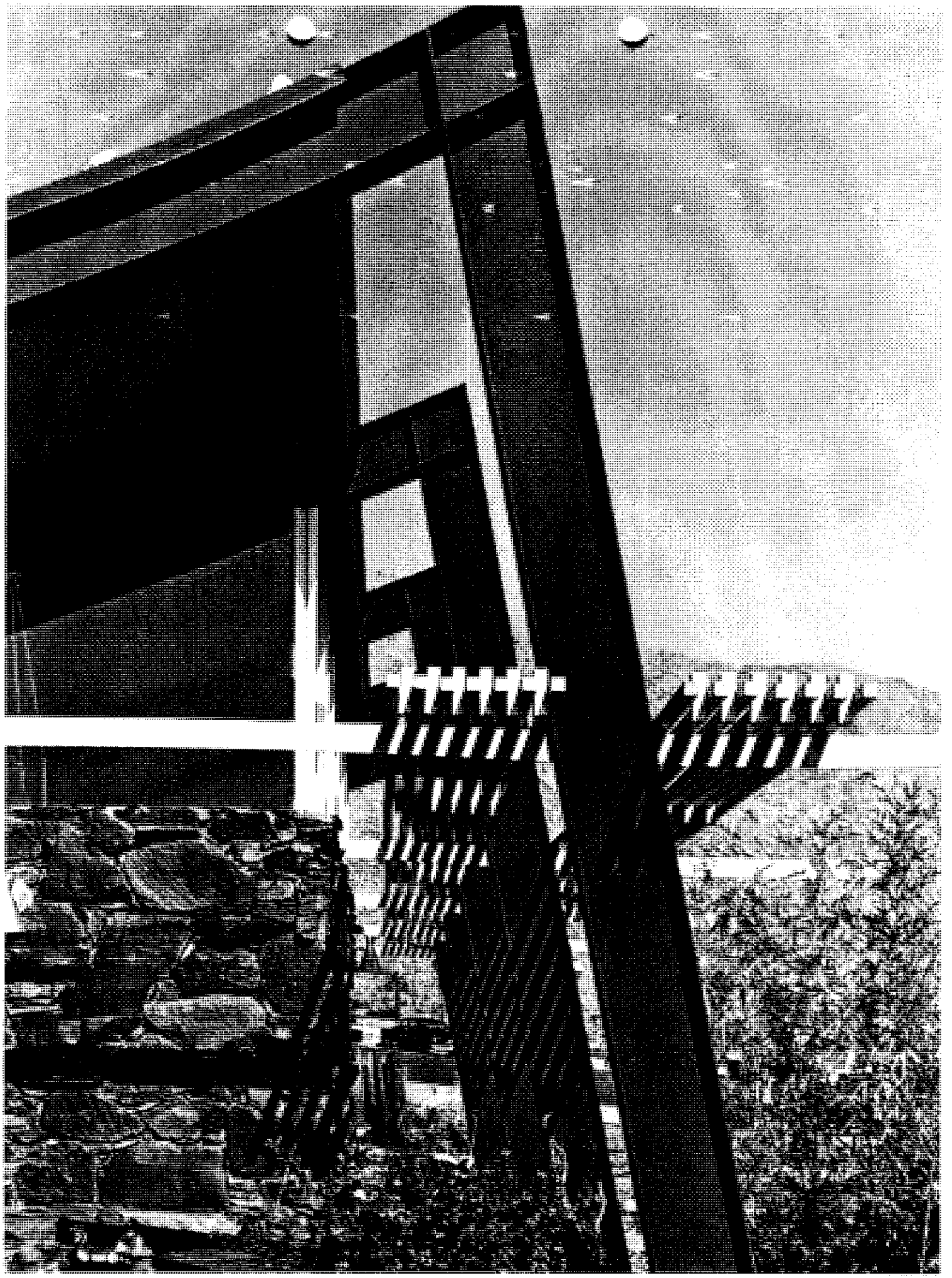
constraint, the Tahquitz buildings manage to look like masonry, due to walls that are sculpted to look as massive as concrete. To further the illusion of thick walls, Kaptur provided the buildings with windows that appear deeply recessed. In other places, windows push outward from the wall surface as if trying to break free of the building. Similar jutting windows can be found at Kaptur's Musicrand Hotel (1967), another building that flirts with the illusion of heavy masonry in the form of a pueblo adobe.

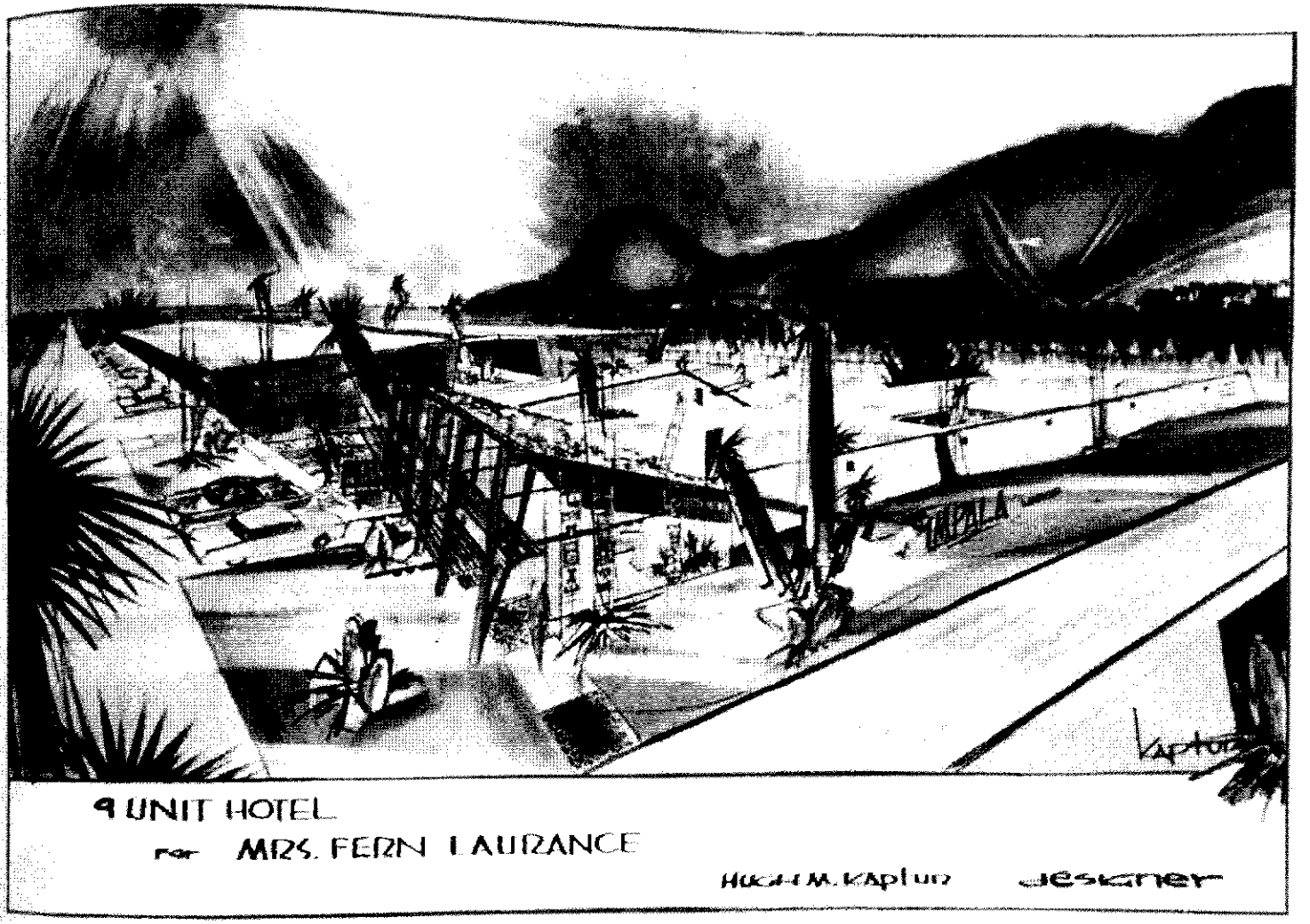
A Detroit native, Hugh Kaptur was born in 1931 to an artistic mother and an automobile design engineer father. After high school, he briefly attended Lawrence Institute of Technology (now known as Lawrence Technological University) in Michigan to study engineering. But at 20, he enrolled in the Marines during the Korean War; he and his young family briefly lived in California before he returned to Michigan so that he could work with his father at GM's design studio while finishing his education. At that point, Kaptur and his family returned to California, this time to the largely undeveloped Palm Springs of the early 1950s. After working briefly for Wexler and Harrison, Kaptur supported himself by making presentation drawings for Donald Wexler, Albert Frey, and others.

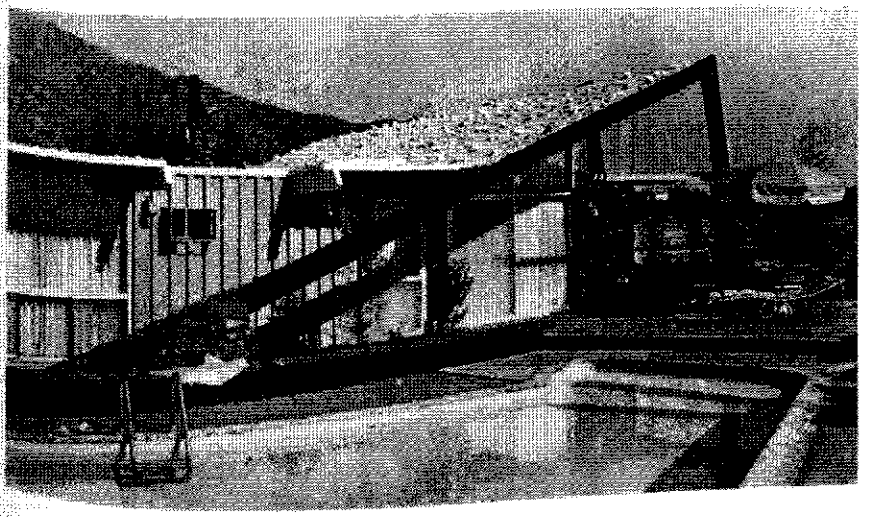
Although Kaptur says he is willing and able to design in any style, sometimes his inner exuberance bubbles to the surface. Commissioned in 1988 to design a conventional home for Joe and Kay Selzer, Kaptur came up with something very different: a lively, hard-to-describe residence comprising a cone-shaped dome set amid other simple geometric shapes that seem to vibrate together. Twenty-five years later, the Selzers report that they are still happy with the unconventional house and they remain friendly with the architect.

The exuberance has survived into the architect's ninth decade. Kaptur is currently designing an addition to an existing home in the form of a circular casita, or guesthouse, separated from the main house by a courtyard. In a nod to the ongoing influence of Frank Lloyd Wright, the addition is to be nestled into the natural contours of the landscape.





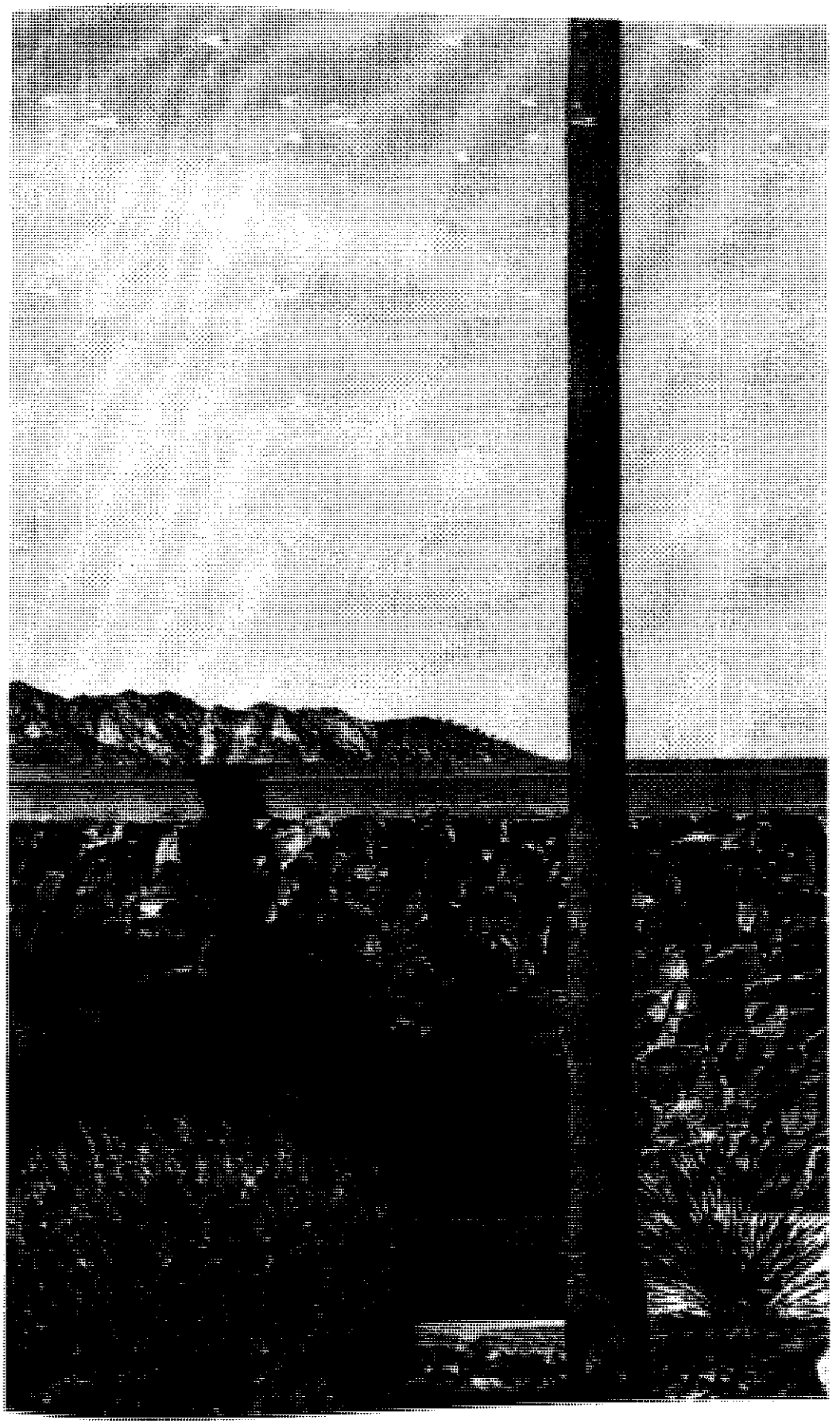




Opposite: This was Kaptur's first Palm Springs building (1957-58), the Imperial Lodge, 555 East Sir Lawrence Road, now the Triangle Inn.

This page, above: Kaptur's imaginative graphic hand.

Left: Kaptur's creative arrangement placed the dramatic steel beams next to the swimming pool. The buttresses remind more than a few guests of spider legs.



Left: Originally named the Palm Springs Golf Course (1959), the Tahquitz Creek Golf Resort, 1965 Golf Club Drive, Palm Springs, sports one of Kaufmann's most arresting facades on its clubhouse, a giant slab of masonry whose swoop captures the arc of a golf swing. The course's proximity to the airport was figured into Kaufmann's roof design, visible from the air. "I wanted [desert visitors] to see something big as they approached from the air," he said.

ATTACHMENT 3

Honorable Planning Commission

City of Palm Springs

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92263

Dear Members of Planning Commission:

I'm writing to provide some comment about the proposed demolition of the Tahquitz Plaza designed by Hugh Kaptur.

- I am a qualified architectural historian (M.A., Architectural History and Theory, UCLA, 1984) and the author of two books on architecture and the editor of a third.

- I'm also a professional journalist, specializing in real estate, urban design and architecture. My work has appeared widely, including several dozen articles about commercial real estate in The New York Times and Los Angeles Times. I have written extensively on Modern Architecture, historic preservation, public-private projects, zoning and entitlement issues and other topics relating to the design, financing and government approval of buildings.

- I have published three articles about the architecture of Hugh Kaptur, including a chapter in a recently published book of Palm Springs architecture.

Tahquitz Plaza is a landmark building both in the City of Palm Springs and in the career of

Hugh Kaptur. Mr. Kaptur, as you probably know, is one of the luminaries of the "Golden Age" of architecture in the city, having worked in Palm Springs continuously since the 1950s.

Mr. Kaptur has told me this is one of his favorite projects, which seems fitting for a building where he maintained his architectural practice for many years. Although Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity. One of the themes of Mr. Kaptur's work, and Southern California architecture in general, is the ability of local architects to "make lemonade" when faced with limits both in budget and choice of materials (i.e. the least expensive). I quote one of my own articles on Mr. Kaptur:

"Practical projects, like an office complex on Tahquitz, did not always allow such freedom, yet the comparatively restrained project remains one of the architect's favorites. Originally designed in concrete, cost consideration dictated a less expensive wood frame structure. Despite this constraint the Tahquitz buildings manage to look like masonry, due to walls that are sculptured to look massive as concrete. To further the illusion of thick walls, Kaptur provided the Tahquitz buildings with window that appear to be deeply recessed. In other places, windows push outward from the wall surface, as if trying to break free of the building. Similar out-pushing windows can be found at Kaptur's Musicland Hotel, another building that flirts with the illusion of heavy masonry...."

In my view, the human experience of cities is largely made up by memorable images, structures and spaces that lend a sense of identity to the community. These buildings might be described as the "sina qua non" of any particular city, meaning that without these structures or images, the city would be diminished and lose part of its "sense of place." Every person who is aware of architecture in Palm Springs is still feeling the loss of the Palm Springs Spa Hotel. In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs. It is a tasteful, viable building that has been tenanted since its completion. The Tahquitz offices are also part of a trio of Kaptur-designed buildings on either side of the street, which increases both its interest and importance.

At the very least, the Commission should give serious consideration to preserving at least the original building of the complex. Perhaps the City Planning Department can incentivize the developer by granting a density bonus on the remaining portion of the parcel to compensate the developer for any loss of buildable square footage entailed by the preservation of the Tahquitz offices. Additionally, the Planning Department might consider the waiver and/or forgiveness of certain development fees, as a further incentive to preserve the Tahquitz offices. Development is vital for the economic well being of all cities. Equally so is the preservation of buildings that define its character in a positive way. It is my deeply held hope that the Planning Commission will find a way to accommodate both the best interests of both the City and the developer.

Respectfully yours,

Morris Newman

ATTACHMENT 4

On Mon, Feb 23, 2015 at 12:41 AM, Brad Dunning <brad@braddunning.com> wrote:

Feb. 20, 2015

Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

I was quite shocked recently upon hearing the City of Palm Springs is considering a developer's plan to demolish the Hugh Kaptur-designed Tahquitz Plaza. It seems almost inconceivable to me that these buildings, some of the best work of Hugh Kaptur's career, could be lost. Although recognition of Hugh Kaptur's work is coming later than those of his local peers--Albert Frey, E. Stewart WIlliams, Donald Wexler, William Cody and other prominent locals that have made Palm Springs world renowned as a destination for fans of architecture and design and the appreciation of mid century architecture in Palm Springs seems to be the major factor in the revival of the town--Kaptur's work is certainly as important and worthy. His achievements mark the latter end of the mid century era. His work is distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs. Perhaps his work has not become fully appreciated yet as it is relatively recent when compared to Albert Frey's modern work of the '50s or 60s for instance. That is why Kaptur's complex is threatened to some extent---the work is just now at the cusp of rediscovery---just as Frey's and Williams' and Cody's work was a few years ago.

Hugh Kaptur was a local and made an indelible mark on the landscape of Palm Springs and the City should be very proud and respectful of his work, celebrate and preserve it. It does the City well when it signals to the world the pride it has its achievements and the artistry of its local architects and most of all the appearance and history of the town. It is terrible for the town to be known for allowing demolition of another important building. This estimable canvas that is modern architecture in Palm Springs is economically instrumental and vital now for tourist appeal and more importantly many residents now have chosen to invest in the town and to live here simply because of the great modern architecture we have in our midst..

I urge the City to reconsider any decision which would allow the destruction of this important Kaptur complex, it would be a terrible loss and when it is gone it is gone forever.

I served as a member of the Historic Site Preservation Board in 1995-96. I suspect some of you will recall the firestorm that greeted my nomination of five Frey buildings which included the Tramway Gas Station. A developer wanted to demolish that building soon after designation and quite a controversy erupted. I hope you will agree in hindsight the decision to preserve the building was the correct one. I believe you will feel the same way as time passes and the Tahquitz Plaza is preserved. The complex is inventive, playful, and sophisticated with forms and open areas that best represent not only Kaptur at the top of his game but a true reflection of the state of the best modern architecture in Palm Springs at that period.

My written work about Palm Springs and modernism has appeared in the Los Angeles Times, the New York Times, Vogue, and GQ magazine among others.

I hope you will present my plea before or during the Feb. 25th meeting.

Sincerely,

Brad Dunning

ATTACHMENT 5

Architect Hugh Kaptur speaks out on Aberdeen Project

Hugh M Kaptur, Special to The Desert Sun 8:51 p.m. PDT April 7, 2015

(Photo: Special to the Desert Sun)

As a former city of Palm Springs planning commissioner, past member of the city's Architectural Advisory Committee and the architect that designed and built Tahquitz Plaza, I feel I am both qualified and obligated to comment on the proposed Aberdeen Project that calls for the demolition of these buildings.

Over the years I have watched many of my professional contemporaries see buildings they were proud of demolished: architect Bill Cody's Huddle Springs comes to mind, as does Stewart Williams' Potter Clinic. Most recently I've seen Don Wexler's high school Administration Building and Spa Hotel colonnade tragically lost.

Now two of my buildings are slated for demolition and a similar unhappy fate. I am particularly proud of the design of Tahquitz Plaza; I had great artistic latitude, as it was to become my offices and I had the opportunity to make an architectural statement. With this creative freedom I designed the architecture to "grow" from the desert floor. I feel these buildings are some of my best work from that period. In fact, the "plaza" won architectural awards in 1979 and 1980.

Aberdeen is a high-density project that overcrowds 74 residential units, 17 live-work units and a cafe space into an eight-acre site. The project is before the city as a Planned Development (PDs), which allows the developer to skirt zoning, parking, setbacks, height and use requirements. PDs were originally intended to create a safety valve that would allow creative projects to be considered by the city and not be overly constrained by the zoning requirements of the area. Unfortunately, developers and the city are using PDs, which should be encouraging architectural excellence, as a way to over develop sites that are out of scale with their surroundings. The Aberdeen Project doesn't fit zoning or the village character of the city and it demolishes four more mid-century buildings.

But demolishing more of our city's architecture is just one of the major shortcomings of the Aberdeen project. Fundamentally, it is the wrong project in the wrong place and creates a dangerous mix of vehicular and pedestrian traffic on Tahquitz Canyon Way. And a row of garage doors along our city's most important thoroughfare just isn't good architecture or good planning and goes against our forefather's vision for the street. This is not just my opinion but also a concern stated by both the city's Architectural Advisory Committee and the Planning Commission, both groups denying the project for these and other failings of the project.

The developer recently presented a revised design that is proposing to retain a quarter of the buildings. I designed the complex as four integrated buildings relating to each other as a single project. Demolishing 75% of the buildings will end that unity and mute the architecture. The developer should be more respectful of Palm Springs's mid-century architecture and build a project where the two can coexist.

The Aberdeen project will soon be reviewed by the city council and I plan to attend. I am humbled that many people have told me they will be at that council meeting too, raising their voice to preserve Tahquitz Plaza. The city council will hear these voices and I hope they will also hear the voices of previous city councils and previous planning commissions and visionaries like Pearl McManus and other forefathers who together had an idea for a city like few others in the world. Their vision for Tahquitz (McCallum) Way is widely known and their intention was to not allow any residential along Tahquitz. The Aberdeen Project now endangers that vision, which is more suitable for a dense urban environment not in a resort town like ours.

The developer has an obligation to provide public benefit to the citizens of Palm Springs. It is impossible to see the public benefit from demolishing more of our iconic architecture. Instead, Nexxus Development should restore and re-purpose Tahquitz Plaza, incorporating it into The Aberdeen, that would be public benefit no one could argue.

Hugh Kaptur is an architect of many midcentury buildings in Palm Springs. He can be reached at hughmkaptur@yahoo.com.

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RECEIVED
CITY OF PALM SPRINGS
2015 APR -7 PM 4:34
CITY CLERK

Palm Springs City Council

My name is Hugh Kaptur, I have spent fulltime, the last 60 years of my life living in Palm Springs, earning a living in the field of architecture. In the eighties and nineties I've contributed my time, as a member to the city Architectural Review Board and the Planning Commission. I have a deep respect for you, contributing your time to our great city as well.

Reviewing the Aberdeen project, I have some serious concerns as to the concept that is being presented. They are from a historic standpoint, good planning practices, and personal.

Our forefathers from the fifties envisioned Tahquitz Mccallum to be a grand boulevard connecting the City Airport and the Downtown. Their dream was cemented into the Palm Springs General Plan and Zoning Ordinances along this boulevard. Their plan was high end development along its frontage, to create an impressive avenue for visitors, visiting Palm Springs. To achieve this goal, strict conditions were written into the Zoning Ordinance as to what would be allowed. The Aberdeen project as presented violates all of the conditions set forth in the zoning, including setbacks, heights, density, parking and use. This dream our forefathers had for Palm Springs and Tahquitz Mccallum has been handed down through the years, council to council and respected. In my opinion it is your duty, to continue that legacy, and enforce our General Plan and Zoning Ordinances.

This concept being presented of small cubicles with live workings spaces, is not new, it's been going on for hundreds of years, and under certain conditions works well. The Pacific Coast and other similar areas, where wide boardwalks and several 100 yards of Sandy Beach overlooking the Ocean, it has become particularly popular. These areas draw hundreds if not thousands of vacationers and beachgoers to enjoyed nature's gifts. These areas also have wide barriers separating people from vehicular traffic. Looking at the Aberdeen project at this location none of these demographics are represented.

Let's assume the developers hope comes true, that this use will draw pedestrians, that creates a major planning problem. With its narrow sidewalks and the 40 mph speed limit on Tahquitz with no barrier, separating pedestrians and vehicular traffic, is an accident waiting to happen. Even downtown you have curb parking which separates people from vehicles.

Tahquitz Plaza has become a significant piece of architecture, not that I have designed it, but that the buildings themselves have become part of a heart and soul for iconic architecture in Palm Springs. These buildings are being suggested for CEQA. review. Tahquitz Plaza is included in many of the architectural tours that have made Palm Springs so popular in recent years. According to Palm Springs Life Magazine, modernism week, and yearly architectural tours brings hundreds and hundreds of thousands of dollars of revenues to local hotels, restaurants

and retailers and some of the things which in turn adds to the city tax base.

I'm in hopes this counsel will keep in mind its historic commitment to your predecessors, and not allow the Plan Development process to overrule good planning practices!

Respectfully yours

Hugh M. Kaptur

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY
EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
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RECEIVED
MAR 30 2015
PLANNING SERVICES
DEPARTMENT

March 27, 2015

David Newell
Associate Planner
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

Dear Mr. Newell,

RE: **ABERDEEN PROJECT INITIAL STUDY MITIGATED NEGATIVE DECLARATION**

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Aberdeen Project. Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. We have a history working with the City of Palm Springs (Lead Agency) through our Certified Local Government Program. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the City of Palm Springs to meet its program needs. The following comments are based on the information included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the Aberdeen Project.

The proposed project will construct an 8 acre mixed-use development with 74 residential units, and 17 live-work units, with approximately 1,568-square feet of retail space. The project site is partially occupied by the Tahquitz Plaza office complex, which would be demolished as part of the proposed project. In order to adopt the IS/MND as an adequate environmental document the in compliance with CEQA, the decision making body must find that it has adequately addressed environmental impacts. If the document has failed to identify significant environmental impacts, the decision making body should not adopt the findings as adequate.

Pursuant to the city's Municipal Code § 8.05.135, the City's Preservation Board is responsible to "conduct or cause to be conducted such preliminary surveys, studies or investigations as it deems necessary to adequately inform the historic site preservation board and city council prior to public hearing, and shall make available to any interested person the results of any such survey, study or investigation." In keeping with this provision of the municipal code, the City of Palm Springs commissioned a city-wide historic architecture survey. This survey effort is currently ongoing. As part of this survey effort, we understand the Tahquitz Plaza office complex was evaluated and identified as a historical resource. These findings were provided to the Lead Agency as

part of the CEQA comment process in a letter dated February 19, 2015, authored by Alan Hess, a specialist in the field of architectural history.

The discussion of environmental impacts within the IS/MND states that the Tahquitz Plaza office complex is not a historic resources as defined in the CEQA Guidelines § 15064.5 because "[t]he existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs." Yet, CEQA Guidelines § 15064.5 (4) states that "[t]he fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources, or identified in a historical resources survey does not preclude a lead agency from determining the resource may be a historical resource [for the purposes of CEQA]..." There is no mention in the IS/MND of the ongoing city-wide survey, nor any evaluation of eligibility for the Tahquitz Plaza office complex. In light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency to act within its discretion, provided in § 15064.5(4) of the CEQA Guidelines, to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA. If the Lead Agency is to consider the Tahquitz Plaza office complex a historic resource, it could not reasonably adopt the findings in the IS/MND as being in compliance with CEQA and adequately addressing significant environmental impacts.

If the Lead Agency chooses to exercise its discretion under § 15064.5(4) of the CEQA Guidelines and treat the Tahquitz Plaza office complex as a historic resource, it may be possible to modify the proposed project to avoid impacts to the historical resources. If the project is modified to avoid demolition, impacts to historic resources could be avoided. In this way, the Lead Agency could modify the IS/MND, and avoid the time and cost involved in preparing an Environmental Impact Report (EIR).

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at Sean.deCourcy@parks.ca.gov.

Sincerely,

Carol Roland-Nawi, Ph.D.

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

CC:
Palm Springs City Council
Palm Springs Preservation Foundation

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
1725 23rd Street, Suite 100
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calshpo@parks.ca.gov
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March 27, 2015

David Newell
Associate Planner
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, California 92262

Dear Mr. Newell,

RE: **ABERDEEN PROJECT INITIAL STUDY MITIGATED NEGATIVE DECLARATION**

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Aberdeen Project. Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. We have a history working with the City of Palm Springs (Lead Agency) through our Certified Local Government Program. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the City of Palm Springs to meet its program needs. The following comments are based on the information included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the Aberdeen Project.

The proposed project will construct an 8 acre mixed-use development with 74 residential units, and 17 live-work units, with approximately 1,568-square feet of retail space. The project site is partially occupied by the Tahquitz Plaza office complex, which would be demolished as part of the proposed project. In order to adopt the IS/MND as an adequate environmental document the in compliance with CEQA, the decision making body must find that it has adequately addressed environmental impacts. If the document has failed to identify significant environmental impacts, the decision making body should not adopt the findings as adequate.

Pursuant to the city's Municipal Code § 8.05.135, the City's Preservation Board is responsible to "conduct or cause to be conducted such preliminary surveys, studies or investigations as it deems necessary to adequately inform the historic site preservation board and city council prior to public hearing, and shall make available to any interested person the results of any such survey, study or investigation." In keeping with this provision of the municipal code, the City of Palm Springs commissioned a city-wide historic architecture survey. This survey effort is currently ongoing. As part of this survey effort, we understand the Tahquitz Plaza office complex was evaluated and identified as a historical resource. These findings were provided to the Lead Agency as

part of the CEQA comment process in a letter dated February 19, 2015, authored by Alan Hess, a specialist in the field of architectural history.

The discussion of environmental impacts within the IS/MND states that the Tahquitz Plaza office complex is not a historic resources as defined in the CEQA Guidelines § 15064.5 because "[t]he existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs." Yet, CEQA Guidelines § 15064.5 (4) states that "[t]he fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources, or identified in a historical resources survey does not preclude a lead agency from determining the resource may be a historical resource [for the purposes of CEQA]..." There is no mention in the IS/MND of the ongoing city-wide survey, nor any evaluation of eligibility for the Tahquitz Plaza office complex. In light of the preliminary findings of historical significance described in the Alan Hess letter, we encourage the Lead Agency to act within its discretion, provided in § 15064.5(4) of the CEQA Guidelines, to consider the Tahquitz Plaza office complex as a historic resource for the purposes of CEQA. If the Lead Agency is to consider the Tahquitz Plaza office complex a historic resource, it could not reasonably adopt the findings in the IS/MND as being in compliance with CEQA and adequately addressing significant environmental impacts.

If the Lead Agency chooses to exercise its discretion under § 15064.5(4) of the CEQA Guidelines and treat the Tahquitz Plaza office complex as a historic resource, it may be possible to modify the proposed project to avoid impacts to the historical resources. If the project is modified to avoid demolition, impacts to historic resources could be avoided. In this way, the Lead Agency could modify the IS/MND, and avoid the time and cost involved in preparing an Environmental Impact Report (EIR).

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at Sean.deCourcy@parks.ca.gov.

Sincerely,

Carol Roland-Nawi, Ph.D.

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

CC:
Palm Springs City Council
Palm Springs Preservation Foundation

David Newell

From: Judy Deertrack <judydeertrack@gmail.com>
Sent: Friday, March 27, 2015 9:52 PM
To: Flinn Fagg; David Newell
Subject: Aberdeen Project / Historic Ordinance (1969)
Attachments: Chapter 8.05 HISTORIC PRESERVATION.pdf; 2015.02.25 PCSR Preservationist Resumes.pdf

Dear Mr. Fagg:

With kind consideration for the hard work put into this project, I wanted to ask questions about the City's comments given to the Planning Commission at Wednesday's hearing, and make some recommendations. Would you also submit this email (letter) on the record of Aberdeen for inclusion in the staff report for City Council review?

Could you please clarify for me at the hearing with the Planning Commission: (1) what you actually told them regarding continuance and review jurisdiction; and (2) if (on hindsight) you would alter any of those statements.

I did not understand some of the limitations imposed upon review of the historic nature of the building, as you can tell from my comment letter submitted; nor did I understand the limitations on a continuance (in general), or denial of jurisdiction to refer the matter to the HSPB.

Please forgive if any of my understandings are incorrect, my Adobe Flash will not function or allow me to update, so I can't view the video of the proceedings until this is repaired.

Although you may want to respond in writing, I would also welcome a meeting with you or staff to clarify some of this before the City Council hearing on Aberdeen, and I really believe some of the historic preservation folks might be willing to meet as well. It is my impression that the City has always been very generous in resolving issues with the general public through constructive meetings, particularly when an issue reaches this level of controversy:

(1) Continuance: The Planning Commission was told they did not have the option of continuing the matter because of ordinance limitations. May I please know what ordinance or rule or limitation the City was referring to? It was not cited at the hearing. Is there a time limitation running under the Permit Streamlining Act? If so, may I have a sense of that timeline? What the time limitation is, what event triggered its time frame, what date terminates the legal time to review?

I was uncomfortable that "a yes or no vote and nothing else" was the City's adamant position, because the applicant / developer was in the audience demanding this! Nexus (O&M HR, LLC) appeared to be exercising the jurisdiction, rather than the City or the Planning Commission, and this is problematic.

This pressure to move up to City Council has happened in a context where the AAC and the Planning Commission clearly have major problems with this project, as proposed, and have refused to recommend approval.

The fact the City also recently passed an urgency ordinance shortcutting committee and commission review, and an unusual appearance of the City Attorney warning the Commissions / Committees against bias, together

with what appears to be a failure to properly assess historic impacts under CEQA - combines to create pressure that may not be in the best interest of anyone.

I so strongly recommend that this process slow down for public intervention. It is so clear to me the developer has chosen to expedite timewise, rather than spend requisite time on the issue of the historical significance of the Hugh Kaptur buildings.

The obligation of the City is to keep the scope of jurisdiction open during these administrative hearings, so that the record is not truncated.

(2) HSPB Referral: The Planning Commission was told by the City that the ordinance language of the City did not allow the Planning Commission to make a referral back to the Historic Site Preservation Board (HSPB) to determine the buildings' historical significance for purposes of CEQA (Commissioner Weremiuk asked staff about my comment letter on Valley Advocates - and the claim that the HSPB should have reviewed this building as a "discretionary historical resource" under CEQA, with an advisory opinion to the Planning Commission and City Council.)

I believe the City also (somewhat separately) concluded the HSPB did not have jurisdiction to review this building for listing or designation as a local historical resource.

At the hearing you stated that the HSPB is limited to review of buildings constructed on or before 1969, therefore, the matter could not be referred to the HSPB on any basis. Later (I am not sure) -- there may have been a comment that "perhaps there could be a referral," but ultimately the City told the PC this matter could not be delayed or continued, and must go "up" to City Council. Is this, in fact, correct?

On the issue of Aberdeen historic resources (and the Hugh Kaptur buildings), I recommend the City clarify HSPB jurisdiction in four important ways:

(a) whether the ordinances and/or practices of the City grant authority to the HSPB to review CEQA historicity on a demolition permit to advise the AAC, Planning Commission, and City Council on whether the buildings are historical in nature under the CEQA Guidelines for Cultural Resources, and if so, whether the buildings fall within the classification of (a) mandatory; (b) presumptive, or (c) discretionary, for purposes of setting a proper record of decision for CEQA.

(b) associated with Section (a), whether the HSPB has jurisdiction to review and advise whether there is "substantial evidence on the record," given Mr. Hess' testimony and that of others, to conclude that the Hugh Kaptur buildings "meet the criteria for listing on the California Register of Historic Resources"; and

(c) whether, as part of its review, the HSPB has jurisdiction to advise and recommend consideration in the commercial district of adaptive reuse of historic resources (Kaptur buildings) as an environmental alternative to the proposed project, or including any specialized conditions of approval or suggested mitigation and monitoring conditions that might be appropriate for the actual proposed project, if applicable; and

(d) whether an applicant, the City, and/or the HSPB can initiate an application for local listing eligibility during the pending of an application for demolition permit for the historic buildings at issue (with a clear understanding that local listing or local eligibility are NOT germane to the CEQA responsibilities!).

(3) Substantial Evidence of Historicity: Alan Hess is a credentialed historian and nomination expert that stated the following in his letter on file in the Aberdeen project:

"Briefly stated, Kaptur's significance is this: 1) Palm Springs mid century Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place." *Comment Letter of Alan Hess on file, dated February 19, 2015.*

This description, without a doubt, should qualify the Hugh Kaptur buildings for review under CEQA and independently qualify it for consideration as a Class I structure if the application is still timely (and I do not see anything barring that application).

I see nothing in the ordinances that bars qualified public members, HSPB, or City Council from initiating a review or nomination simply because a demolition and PDD permit is in process. I would want to be sure that the City, in its hearing process, has done nothing to discourage the public or HSPB from concluding this application is permissible -- at least not without carefully documenting the legal bar to filing an application.

(4) Distinguish CEQA: Please note through all of this discussion -- my position in my comment letter cites *Valley Advocates* -- there is a vast difference between a request for designation and listing as a local resource, and the requirements of review for CEQA with its informational and mitigation responsibilities!

Without a doubt, the City should have provided a clear record of review to establish whether the Kaptur buildings qualify as a discretionary resource under CEQA Guideline 15064.5 sub (a) (3) & (4). That clearly has not occurred:

"The second sentence of Guidelines section 15064.5, subdivision (a)(3) contains the following mandatory language: "Generally, a resource shall be considered by the lead agency to be `historically significant' *if the resource meets the criteria for listing on the California Register of Historical Resources...."* [15] (Italics added.)" [emphasis added] Valley Advocates at 702-703

Mr. Hess' letter certainly would have raised this issue for environmental consideration. Mr. Hess' analysis and findings, together with the impressive resume and credentials, appear to create substantial evidence on the record for administrative consideration on the building historicity.

Reviewing the Mitigated Negative Declaration proposed for adoption by the City Council, the reasoning appears fatally defective and falls right into the trap of *Valley Advocates.* By CEQA discussion, the City disqualifies the buildings for CEQA historicity as a potentially significant resource ONLY because (quoting the MND).

Discussion of Impacts: a) No Impact. "The existing buildings are not listed as a state historical resource of significance, nor are the buildings locally listed with the City of Palm Springs. No

impacts to historic resources are expected to occur as a result of build out of the proposed project."

I, again, return to the finding of Valley Advocates, invalidated the project permit for insufficient CEQA review and lack of jurisdiction to act:

B. Discretionary Historical Resources

"Prior determinations regarding the listing of a building on a local register are relevant to the presumptive historical resource category, *but prior determinations not to list a building or include it in a survey do not control whether the object or building may be treated as an historical resource under CEQA's discretionary historical resource category.* (See Guidelines, § 15064.5, subd. (a)(3)&(4).)"..... [emphasis added]

"Accordingly, the decision not to list a building on a local register does not necessarily resolve all factual questions and discretionary aspects of the City Council's inquiry into whether the building is an historical resource for purposes of CEQA's discretionary historical resource category." *Valley Advocates* at page 708.

(5) Stay of Demolition: Throughout the entire review period of Aberdeen, the City appears to have always taken (or implied) a public position that it would be null and void for a third party or for any member of HSPB to initiate an application for review and designation of the site for historic significance or listing for these buildings (aside from CEQA). Certainly that is true if they have advised the public that the building must be constructed on or before 1969 to qualify. Can the City now profit (laches) from misleading the public (if, in fact, they have), and preclude the timeliness of an application for listing?

Looking at Ordinance 8.05, it appears to anticipate action by the HSPB during a period when a demolition permit and project review is in progress, for Ordinance 8.05 clearly states:

8.05.170 Stay of demolition.

"At any time after the initiation of proceedings for designation of an historic site or district, the historic site preservation board may, upon its own motion or upon the application of any interested person, *issue an order staying any proposed or threatened demolition* or alteration of the exterior of any structure within or upon such proposed site." [emphasis added]

8.05.166 Initiation of proceedings—National Register.

(a) *The historic site preservation board may initiate proceedings* for designation of an historic site or district or the recommendation of a property for nomination to the National Register by motion, and shall then hold at least one public hearing prior to making a recommendation to the city council.

(b) *The city council may initiate proceedings* for designation of an historic site or district or the recommendation of a property for nomination to the National Register by motion, and shall then refer to the matter to the historic site preservation board for public hearing and recommendation.

(c) Upon final action by the city council recommending a property for nomination to the National Register, the recommendation will be forwarded by appropriate application to the state of California Department of Parks and Recreation. (Ord. 1320 § 7, 1988)

8.05.200 Procedure upon application.

(a) *Upon the filing of an application,* the secretary of the board shall set the matter for review and shall give notice in accordance with the rules of the board. The board shall make its decision within forty-five days from the date the application is filed. If the board fails to act within forty-five days, the application is considered approved unless the applicant and the board agree to an extension of time. [emphasis added]

I am assuming any party may file for an application, as long as they submit the required data, since the ordinance does not specify otherwise.

(6) Brown Act: I did want to alert the City that the posted agenda (notification) for this PC hearing looks problematic to me. It states in the public notice, "O&E HR, LLC, *for the demolition* of an existing *project* and parking area *to construct*.....[project description]" The staff report states, "Recommend the City Council adopt the mitigated negative declaration and *approve the project,* subject to conditions." [emphasis added]

For purposes of adequate public notice on the agenda, I would recommend referring to the underlying permit typology. Approving "a project" doesn't tell us what is being approved. Decision makers approve land use entitlements and the supplemental permits, and often in stages. Where in the description does this say whether this is a PDD, a CUP, a combination, a demolition permit that will be issued before or after project approval? A carefully crafted description answers those questions. The public needs to know whether Planning Commission has final approval or is making a recommendation to the City Council.

(7) Demolition Permit Premature: Frank Tysen raised the issue that it is premature to issue a Demolition Permit when the underlying project has not been approved, and I agree. What will happen if the historical structure is demolished and the subsequent project is denied? It sets up a perfect bias. Once demolished, with an empty lot, impartiality of review cannot be maintained, because the City will be desperate to correct the blight. If demolished ahead of a CEQA determination on the MND (or need for an EIR), the consideration of environmental alternatives is destroyed as an option, and mitigation considerations are truncated or destroyed. This cannot possibly be legal.

This, again, is why public notice must show the action item. Is the demolition permit under review? Who has final authority? What happens to the unresolved PDD and MND?

(8) Valley Advocates Finding: The Fourth District Court of Appeal spoke overtly about the failure to properly instruct the decision making body of their options in classifying the structure as an historic resource. The result of not doing so prejudiced the final election of the body on whether to approve, deny, or refer. I maintain the City has created the same bias through failure to properly instruct the Planning Commission on the option to elect or consider the Kaptur buildings as historic resources, or precluding them from seeking legal advice on this issue, and/or referring the matter for determination to the HSPB. Valley Advocates discusses the issue as such:

> "Instead, the City Council *should have been informed of the following.* First, its prior determination to deny the listing application meant that the Flats did not qualify for CEQA's presumptive historical resource category. [16] Second, *a listing determination and a CEQA determination are not the same thing.* Third, at a minimum, *the City Council had a discretionary election to make at the May 3, 2005, hearing. Specifically, it could elect to separately consider whether the Flats were an historical resource for purposes of CEQA's discretionary historical resources category.* "Because the City Council was misinformed about its discretion to make such an election, it follows that the City Council did not, in fact, exercise its discretion and make such an election." [emphasis added] *Valley Advocates* at page 704.

Because of advice of staff at the Planning Commission hearing, the Planning Commission was denied the full range of opportunities to consider the implications of the Hugh Kaptur buildings as discretionary historical resources.

Thank you so much for your review of this material.

Judy Deertrack
760 325 4290

Terri Hintz

From: Paul Kaplan <paulkaplanre@gmail.com>
Sent: Wednesday, March 25, 2015 9:37 AM
To: Terri Hintz; David Newell; Jay Thompson
Subject: Aberdeen

I am opposed to the Aberdeen project and encourage the planning commission to DENY approval.
(Planning Commission meeting March 25 ITEM 1.B)
This project is too dense, lacks open spaces, and offers a poorly designed facade along Tahquitz Canyon.

Please deliver a hard copy to each commissioner before today's meeting.

--

Paul Kaplan
Director

Website: www.PaulKaplanGroup.com
Email: Paul@PaulKaplanGroup.com
Cell/TEXT: 760-285-8559
Office: 760-459-1396
Fax: 760-406-4221

The Paul Kaplan Group, Inc.
BRE 01325586
1701 N Palm Canyon #5
Palm Springs, CA 92262

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Planning Commission Meeting
Date: 3-25-15
Additional Material
Item 2A

ITEM 2A

Judy Deertrack
1333 South Belardo Road, Apt 510
Palm Springs, CA 92264

Submitted to
Planning Commission

MAR 25 2015

Case # 2A

Wednesday, March 23 2015

To the Honorable Members of the
Palm Springs Planning Commission
City of Palm Springs, California

2A. O & M HR, LLC. (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN": A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO. ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

To Whom It May Concern:

I am a resident of the City of Palm Springs, with an active interest in historic preservation, and commitment to the small-town village atmosphere planned for in the City's General Plan. I ask the following of the Planning Commission, but also with a conclusion that these acts of proper environmental consideration are mandated by law:

1. I am asking the City to set aside its finding in the Mitigated Negative Declaration that the project has "no impact" on cultural resources, nor does it "a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5."
2. I am asking that the City properly refer this project proposal to the Historic Site Preservation Board (HSPB) for a full report and consideration of whether the two Hugh Captor buildings on the site proposed for demolition is a resource that shall be considered by the lead agency to be 'historically significant' as buildings that meet the criteria for listing on the California Register of Historic Resources. I refer the Planning Commission to the comment letters on file from distinguished members of the preservation community.
3. I am asking that the City make a finding on the historical significance of the Hugh Captor buildings at issue as to whether they qualify as discretionary historic resources. That finding should be informed by the evaluation of the HSPB.
4. I am asking the City to review and revise its findings at page 24 of the Mitigated Negative Declaration "Discussion of Impacts a) No Impact" to reflect that the criteria for a finding of impact reflect CEQA Guidelines 15064.5 subd. (a) (3)&(4).
5. I am asking the City to review and revise its findings in the staff report that concludes there is no historic impact of significance in the decision to demolish the Hugh Captor buildings, because they have never been locally registered or state registered as an historic resource. This language is misleading to the decision makers on this project.
6. I am asking the City to review and revise its findings on impacts to Land Use and Planning in the Mitigated Negative Declaration at page 37, wherein it concludes that the project does not "conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, (including but not limited to the general plan, specific plan, ... Or zoning ordinance). Adopted for the purpose of avoiding or mitigating an environmental effect." The Discussion of impacts does not even mention the fact that the development standards are not in compliance with the Specific Plan; nor does it reference the fact the project proposes single-family residential in a Specific Plan area where single-family residential is specifically prohibited! (RA and REO). In fact, the discussion at b) is factually

inaccurate, because it discusses multi-family residential buildout. The factual inaccuracy and lack of consistency has impacted mitigation measures and findings, and these need to be corrected.

7. I am asking the City to properly evaluate and mitigate the impact of eliminating multi-family housing within a Specific Plan area that provides for MFR to the exclusion of SFR, along with the attendant affordable housing impact that might arise from exclusion of MFR housing where it is intended to be built.
8. I am asking the City to conform its findings of consistency with the general plan and specific plan for Section 14, to reflect the actual non-compliance with building standards and housing type. (see previous letters on file by Frank Tysen)
9. Most importantly, I am asking for the City to provide a full EIR evaluation so that the environmental alternative of conserving the Hugh Captor buildings can be properly considered. The MND is fatally defective without this assessment.

Please consider the following language from Valley Advocates v. City of Fresno (2008):

VALLEY ADVOCATES et al, v. CITY OF FRESNO et al.
72 Cal.Rptr.3d 690 (2008) 160 Cal.App.4th 1039

OPINION

. . . . . "We reach the following conclusions. First, at the meeting where City determined the project was exempt from CEQA, it was misinformed about its discretionary authority to determine the buildings were historic resources. *As a result, City cut short its inquiry into the historic significance of the buildings and relied too heavily on its earlier decision not to list the buildings in the local register of historic resources.*" [emphasis added] *Valley Advocates* at page 694.

DISCUSSION . . . . .

I. Background on CEQA's Treatment of Historical Resources

"Section 21084.1 and its implementing Guidelines establish three analytical categories for use in determining whether an object is an historical resource for purposes of CEQA. (See *League for Protection of Oakland, supra*, 52 Cal.App.4th at pp. 906-907, 60 Cal.Rptr.2d 821 [three categories of historical resources identified as mandatory, presumptive and discretionary].)" *Valley Advocates* at page 698

II. Mandatory Historical Resources
A. Applicable Text of CEQA and Guidelines

"The category of mandatory historical resources is based on the second sentence of section 21084.1, which states: 'For purposes of this section, an historical resource is a resource *listed in, or determined to be eligible for listing in, the California Register of Historical Resources.*' [emphasis added]

The Guidelines define the scope of the category of mandatory historical resources by adding one limitation to the text of the second sentence of section 21084.1. Specifically, Guidelines section 15064.5, subdivision (a) (1) provides that "the term `historical resources' shall include ... [¶] ... [a] resource listed in, or determined to be *699 eligible *by the State Historical Resources Commission* [] for listing in[,] the California Register of Historical Resources (Pub. Res.Code § 5024.1, Title 14 CCR, Section 4850 et seq.)." (Italics added.)" *Valley Advocates* at page 698-699

III. Presumptive Historical Resources
A. Applicable Text of CEQA and Guidelines

"The category of presumptive historical resources is created by the third sentence of section 21084.1, which states:

"Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant."

The Guidelines reiterate this definition by stating that "the term `historical resources' shall include ... [¶] ... [a] resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies *701 must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant." (Guidelines, § 15064.5, subd. (a)(2).)

Under these provisions, there are two types of presumptive historical resources. The first type is a resource included in a local register of historic resources. A "local register of historic resources" is defined as a "list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution." (§ 5020.1, subd. (k).) The second type of presumptive historical resource is a resource identified as significant in certain surveys of historical resources. (§ 5024.1, subd. (g).) The historical resource survey must meet all four of the criteria set forth in section 5024.1, subdivision (g).[8]" *Valley Advocates* at 700-701

IV. Discretionary Historical Resources

A. Text of CEQA

"The category of discretionary historical resources is derived from a combination of *702 the second sentence and the last sentence of section 21084.1.

The text of the second sentence of section 21084.1 states: "For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources." [10]

The last sentence of section 21084.1 states:

"The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section." *Valley Advocates* at pp. 701-702.

B. Provisions in the Guidelines . . . . .

2. Guidelines section 15064.5, subdivision (a)(3)

"Guidelines section 15064.5, subdivision (a)(3)[13] addresses aspects of a lead agency's *703 *discretionary authority* in two ways. First, it limits what the lead agency is allowed to do. Second, it appears to impose an affirmative obligation on the lead agency. [emphasis added]

The limitation is stated at the beginning of Guidelines section 15064.5, subdivision (a)(3): "Any object [or] building ... which a lead agency determines to be historically significant ... may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record." The Guidelines use the word "may" to identify discretionary authority. (Guidelines, § 15005, subd. (c); see § 15 ["may" defined].) Thus, Guidelines section 15064.5, subdivision (a)(3) confirms the lead agency's discretion to treat an object or building as an historical resource for purposes of CEQA and limits that discretion to situations where substantial evidence supports the lead agency's determination of historical significance.[14]

The second sentence of Guidelines section 15064.5, subdivision (a)(3) contains the following mandatory language: "Generally, a resource *shall* be considered by the lead agency to be `historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources...."[15] (Italics added.) The word "shall" is used in the Guidelines to identify "a mandatory element which all public agencies are required to follow." (Guidelines, § 15005, subd. (a).)" *Valley Advocates* at page 702-703

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3. Discretionary authority. . . . .

C. Application of Interpretation to Facts of this Case

"The May 3, 2005, staff report that recommended the City Council affirm the issuance of the categorical exemption for the project addressed whether the administrative record contained substantial evidence that the Flats were an historic resource:

'The Subject Building is not a `historic resource' under CEQA because it does not fall into any of the categories within the definition of `historic resource' in CEQA. That is, the Subject Building is not on a State register, it has not been found to be eligible for a State register by the State Historic Preservation Commission, it is not on a local register, and Council has not treated nor chosen to treat the building as historical." (Italics added.)" *Valley Advocates* at p 704

"The staff report, Unruh's advice, and a statement made by an attorney from the city attorney's office misinformed the City Council about its discretion. The City Council was not told that it had a choice to make at the May 3, 2005, hearing. It was told that it already had determined the Flats were not historical resources and that the previous determination answered whether the Flats were historic resources or not.

Instead, the City Council should have been informed of the following. First, its prior determination to deny the listing application meant that the Flats did not qualify for CEQA's presumptive historical resource category.[16] Second, a listing determination and a CEQA determination are not the same thing. Third, at a minimum, the City Council had a discretionary election to make at the May 3, 2005, hearing. Specifically, it could elect to separately consider whether the Flats were an historical resource for purposes of CEQA's discretionary historical resources category.

"Because the City Council was misinformed about its discretion to make such an election, it follows that the City Council did not, in fact, exercise its discretion and make such an election." *Valley Advocates* at page 704.

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2. Informational errors

"In some contexts presented under CEQA, a prejudicial abuse of discretion occurs when the absence of relevant information precludes informed decision making by the public agency. (E.g., *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 653, 57 Cal. Rptr.3d 663.)

This case involves something more than the simple absence of relevant information. *Here, the relevant information was absent and incorrect information was provided in its place."* [emphasis added] *Valley Advocates* at page 705.

B. Discretionary Historical Resources

"Prior determinations regarding the listing of a building on a local register are relevant to the presumptive historical resource category, but prior determinations not to list a building or include it in a survey do not control whether the object or building may be treated as an historical resource under CEQA's discretionary historical resource category. (See Guidelines, § 15064.5, subd. (a)(3)&(4).)".....

"Accordingly, the decision not to list a building on a local register does not necessarily resolve all factual questions and

discretionary aspects of the City Council's inquiry into whether the building is an historical resource for purposes of CEQA's discretionary historical resource category." *Valley Advocates* at page 708.

VII.-IX.[**]
DISPOSITION

"The judgment is reversed. The matter is remanded to the superior court with directions to vacate its order denying the petition for writ of mandate and to enter a new order that grants the petition for writ of mandate and directs City to (1) set aside its approval of the site plan review Application S-04-399, (2) set aside its findings that the proposed project is categorically exempt, and (3) conduct a preliminary review *712 that properly considers the discretionary historical resources category." *Valley Advocates* at page 711-712.

Thank you for your kind consideration.

Judy Deertrack

Frank Tysen
Advocates for Better Community Development
Palm Springs, California

February 25, 2015

To the Honorable Planning Commission
City of Palm Springs, California

Re: 2A. O & M HR, LLC (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)

To Whom It May Concern:

On behalf of Advocates for Better Community Planning (ABCD), we are requesting that the Planning Commission recommend denial of the demolition project, Planned Development District 375, Architectural Permit, and Tentative Tract Map based upon a failure of the project to conform to the City's General Plan, the Section 14 Specific Plan, and to conform to the surrounding heights, mass, design, architecture, and function of the surrounding business area. The pending Mitigated Negative Declaration also fails to adequately assess environmental impacts of the proposed demolition project and destruction of an architectural heritage, or HR affordable housing impacts, through failure to consider adaptive re-use, through failure to use multi-family housing in the design, or introduce a viable alternative to the project as proposed – such as adaptive reuse of the current structures.

This project, as proposed, takes a functioning, viable business environment, immediately across from the Regal Theater, and proposes to demolish the design, architecture, and function of the District, and to severely disrupt business functions for most likely a two-year period of time, during a time when the protections of State Redevelopment are defunct, and there is absolutely no evidence of blight in this District -- to the contrary.

Very little has been introduced as a justification for the demolition of existing buildings within a thriving District, and it is a bit frightening to conclude that the City is basically free to do this anywhere within the City, so that a developer can further maximize profit and increase the density and height of a commercial area, and slowly erode the architectural heritage and scale of downtown Palm Springs. This action sets a bad precedent, and needs strong justification – but at the least, it requires a full Environmental Impact Report!

The primary building proposed for demolition is an architectural treasure built by the prominent architect, Hugh Captor. Although Mr. Captor's building was constructed subsequent to 1969, and does not qualify for a Class III historic designation, this is a moot point in terms of its historic value, which can be assessed independently of age. An example of this is the Palm Springs Art Museum (PSAM), a Class I historic resource constructed subsequent to 1969. What has complicated the issue of historic preservation is the rather awesome backlog of buildings awaiting assessment by the City, as the Historic Site Preservation Board is underfunded. Accordingly, it is not surprising the building has not yet been catalogued. But at the least, this building is a treasure and is highly valued by a large and very active segment of the historic preservation population of Palm Springs.

Submitted to
Planning Commission

FEB 25 2015

Case # _____

The applicant is further proceeding in violation of the General Plan and Section 14 Specific Plan standards as follows, and has failed to consider viable environmental alternatives:

1. Table 6-1 of the Section 14 Specific Plan *prohibits* single-family residential buildings within the REO and RA land use classifications. Palm Springs is a charter city, but without doubt, it must comply with the General Plan and Specific Plan *legislative* standards that guide development and build-out.
2. The applicant is using a permit that is not authorized within Chapter 6 Implementation Section of the Section 14 Specific Plan, which limits land use entitlement to permitted uses, land use permits, and conditional use permits. A Planned Development Permit (PD 375) is a rezone action, incompatible with a Specific Plan that has already rezoned the area. *Reference page 6-1 and Table 6-1 of the Section 14 Specific Plan*
3. The applicant then uses the PDD flexibility procedures to justify the imposition of single-family residential within an area where it is expressly prohibited, and alters the development standards of the Specific Plan into a new configuration with greater economic benefit to the developer.
4. The proposed development creates cumulative impacts by destroying further high density residential low-income housing stock, because Section 14 Specific Plan anticipated multi-family residential for renters or low income persons, and the reservation of this housing stock was counted in the City's housing element to meet its allocation of acreage for the Regional Housing Needs Assessment. Instead, through a series of previous permits and this project, the City has slowly replaced the HDR classification with non-permitted single-family residential. They have used their new revised ordinance that eliminates the minimum threshold for residential. This should be evaluated in an Environmental Impact Report, and be considered non-compliance with its Housing Element and General Plan.
5. The Specific Plan was amended to reflect the recent amendment of the City's housing ordinances to eliminate minimum thresholds of density. This leaves the Specific Plan out of compliance with the General Plan and its State housing obligations.
6. The Specific Plan requires a density of 30 du/ac. By proposing 11 du/ac, the applicant violates the General Plan, Specific Plan, and State housing law.
7. The Specific Plan requires a minimum lot size of two acres, and the project lot size is considerably smaller, and it is accordingly, not consistent with the Specific Plan or General Plan.
8. By failure to require a Environmental Impact Report, the City has failed to consider the growth-inducing impacts of demolishing a viable business district and replacing it with a structure that does not conform to the historical character of the area, that does not match its density or form or height, nor does it address adequate housing in the mixed-use residential area. This change in the District may induce further incompatible changes.
9. The Mitigated Negative Declaration was not attached to the staff report, and has not been considered in conjunction with the staff report assessment. Accordingly, the decision makers do not have adequate information about impacts to make a proper recommendation to the City Council. The general public should have been given access in like-kind to the staff report, rather than be forced to make a trip to City Hall and get a non-electronic copy of the Initial Study.
10. The PDD replaces the development standards of the Specific Plan with new housing, new lot size, as a gated community where prohibited, inadequate street fronts, inadequate side, rear and front-yard setbacks, and not the least – an unrealistic examination of the impact of added height to the buildings.

With regard,

Frank Tysen

PALM SPRINGS PRESERVATION FOUNDATION

February 22, 2015

Additional Material
Item 2A
Planning Commission Meeting
Date: 2-25-15
Additional Material

Mr. Doug Hudson
Chair, Planning Commission
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Aberdeen Project and the Proposed Demolition of Tahquitz Plaza (1971, Kaptur & Lapham) (Case Nos. 5.1361 PD-375, 3.3820 and TTM 36876)

Dear Chairman Hudson,

We understand that the Planning Commission will meet on February 25, 2015 to evaluate the merits of "Aberdeen," a mixed-use project consisting of 74 attached and detached residential dwellings, 17 live-work units and approximately 1,568-square feet of retail on 8.05 acres located at the northeast corner of Tahquitz Canyon Way and Calle El Segundo.

Our primary issue with the project is the unnecessary demolition of the architecturally-significant Tahquitz Plaza complex. Further, it is our view that you should not approve this project because it is flawed on many levels and fails to comport with the values and priorities of the city's general plan, historic resources program and sustainability program. The proposed demolition of Tahquitz Plaza directly contradicts many of the city's general plan values and priorities including: "unique architecture" (page 1-12); "Promot[ing] the…use of…existing construction to minimize resource depletion and conserve resources for future generations" (page 1-12); "Creat[ing] unique places that strengthen community identity, offer visual interest, and support lively activity" (page 1-13); "Preserv[ing] and uphold[ing] the high quality of architecture and the unique visual and aesthetic form in buildings…that distinguish Palm Springs from other cities." (page 1-13); and perhaps most to the point, to "Recogniz[ing] the importance of adaptive reuse for architecturally and historically significant resources." (page 1-13).

The importance of the work of architect Hugh Kaptur has only recently become appreciated. He received a star on the Palm Springs Walk of Stars during Modernism Week 2014 and he was the subject of a recent documentary film (*Quiet Elegance: The Architecture of Hugh M. Kaptur*). Additionally, his Tahquitz Plaza complex has been recommended to the contractor currently conducting the city's historic resources survey.

Possible future activities like the historic preservation of the Tahquitz Plaza are cost-effective tools that can be used to leverage private capital, create jobs, revitalize business districts, and stimulate a wide range of other economic activities. Palm Springs property owners, like Nexus Development, can take advantage of federal and state tax credit programs to help rehabilitate historic buildings. Preserving historic character helps promote tourism by providing interesting and unique opportunities for visitors.

RECEIVED
FEB 23 2015
PLANNING SERVICES DEPARTMENT

1775 East Palm Canyon Drive, Suite 110-195, Palm Springs, CA 92264
(760) 837-7117 • info@pspreservationfoundation.org • www.pspreservationfoundation.org

While the staff report recommends the approval of this project, that approval is highly "conditioned" and raises a host of issues with the project. Many of these concerns are driven by the unseemly density of the project and the developer's attempt to wring the maximum value out of the site. In perhaps one of the most audacious and surreal examples of developer logic, on page 11 of the staff report Nexus Development claims as a public benefit "The project itself as it enhances an 'underutilized site' in Section 14." Apparently, the elegant and brilliant siting of the architecturally-significant Tahquitz Plaza complex on a main city thoroughfare is viewed by this developer as a waste of land and therefore a detriment to the community.

Finally, we applaud the city's Architectural Advisory Committee's recent decision to unanimously deny this project. In that decision, only the merits of the project were considered by the AAC, not the architectural significance of Tahquitz Plaza. That issue falls more properly under your purview (as stated repeatedly by the city attorney during the AAC's January 26, 2015 meeting). In that regard, we suggest you recommend to the city council consideration of Tahquitz Plaza as a Class 1 historic site. The Tahquitz Plaza complex should easily qualify as an historic site under criterion 8.05.020(a)(3) (as the Tahquitz Plaza exemplifies a particular period in local history, to wit, the rise of modernist architecture in Palm Springs) and criterion 8.05.020(a)(5) (the work of a "master… architect").

If you have any questions please don't hesitate to contact the foundation at 760-837-7117 or info@pspreservationfoundation.org.

Sincerely,

Erik Rosenow
President

Attachments:
1. Advocacy postcard for Tahquitz Plaza produced by the Palm Springs Preservation Foundation

Copy to:
Palm Springs Modern Committee (Chris Menrad)
Desert Sun (Skip Descant)

Terri Hintz

From: Morris Newman <morris_newman@sbcglobal.net>
Sent: Tuesday, February 24, 2015 3:33 PM
To: Terri Hintz
Subject: Expert letter regarding the proposed demolition of Tahquitz Plaza (Morris Newman) for Feb. 25 hearing

Item 2A
Planning Commission Meeting
Date: 2-25-15
Additional Material

Honorable Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Dear Members of Planning Commission:

I'm writing to provide some comment about the proposed demolition of the Tahquitz Plaza designed by Hugh Kaptur.

- I am a qualified architectural historian (M.A., Architectural History and Theory, UCLA, 1984) and the author of two books on architecture and the editor of a third.
- I'm also a professional journalist, specializing in real estate, urban design and architecture. My work has appeared widely, including several dozen articles about commercial real estate in The New York Times and Los Angeles Times. I have written extensively on Modern Architecture, historic preservation, public-private projects, zoning and entitlement issues and other topics relating to the design, financing and government approval of buildings.
- I have published three articles about the architecture of Hugh Kaptur, including a chapter in a recently published book of Palm Springs architecture.

Tahquitz Plaza is a landmark building both in the City of Palm Springs and in the career of Hugh Kaptur. Mr. Kaptur, as you probably know, is one of the luminaries of the "Golden Age" of architecture in the city, having worked in Palm Springs continuously since the 1950s.

Mr. Kaptur has told me this is one of his favorite projects, which seems fitting for a building where he maintained his architectural practice for many years. Although Tahquitz Plaza is not a loud or flashy building, it shows many signs of architectural originality and creativity. One of the themes of Mr. Kaptur's work, and Southern California architecture in general, is the ability of local architects to "make lemonade" when faced with limits both in budget and choice of materials (i.e. the least expensive). I quote one of my own articles on Mr. Kaptur:

"Practical projects, like an office complex on Tahquitz, did not always allow such freedom, yet the comparatively restrained project remains one of the architect's favorites. Originally designed in concrete, cost consideration dictated a less expensive wood frame structure. Despite this constraint the Tahquitz buildings manage to look like masonry, due to walls that are sculptured to look massive as concrete. To further the illusion of thick walls, Kaptur provided the Tahquitz buildings with window that appear to be deeply recessed. In other places, windows push outward from the wall surface, as if trying to break free of the building. Similar out-pushing windows can be found at Kaptur's Musicland Hotel, another building that flirts with the illusion of heavy masonry...."

In my view, the human experience of cities is largely made up by memorable images, structures and spaces that lend a sense of identity to the community. These buildings might be described as the "sina qua non" of any particular city, meaning that without these structures or images, the city would be diminished and lose part of its "sense of place." Every person who is aware of architecture in Palm Springs is still feeling the loss of the Palm Springs Spa Hotel. In my view, the Tahquitz office complex is one of the "sina qua non" buildings of Palm Springs. It is a tasteful, viable building that has been tenanted since its completion. The Tahquitz is also part of a trio of Kaptur-designed buildings on either side of the street, which increases both its interest and importance.

At the very least, the Commission should give serious consideration to preserving at least the original building of the complex, which included Mr. Kaptur's former office. Perhaps the City Planning Department can incentivize the developer by granting a density bonus on the remaining portion of the parcel, to compensate for any loss of buildable square footage that preservation of the Tahquitz offices may entail. Additionally, the Planning Department might consider the waiver and/or forgiveness of certain development fees, as a further incentive to preserve the Tahquitz offices. Development is vital for the economic wellbeing of all cities. Equally so is the preservation of buildings that define its character in a positive way. It is my deeply held hope that the Planning Commission will find a way to accommodate both the best interests of both the City and the developer.

Respectfully yours,
Morris Newman
4850 Cameron Ranch Drive, Sacramento, CA, 95608
(323) 365-5655

Terri Hintz

From: Brad Dunning <brad@braddunning.com>
Sent: Monday, February 23, 2015 12:41 AM
To: Terri Hintz
Subject: Tahquitz Plaza

Feb. 20, 2015

Item 2A
Planning Commission Meeting
Date: 2-25-15
Additional Material

Planning Commission
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

I was quite shocked recently upon hearing the City of Palm Springs is considering a developer's plan to demolish the Hugh Kaptur-designed Tahquitz Plaza. It seems almost inconceivable to me that these buildings, some of the best work of Hugh Kaptur's career, could be lost. Although recognition of Hugh Kaptur's work is coming later than those of his local peers--Albert Frey, E. Stewart WIlliams, Donald Wexler, William Cody and other prominent locals that have made Palm Springs world renowned as a destination for fans of architecture and design and the appreciation of mid century architecture in Palm Springs seems to be the major factor in the revival of the town--Kaptur's work is certainly as important and worthy. His achievements mark the latter end of the mid century era. His work is distinctive, unique and in the case of his pueblo modern design at Tahquitz Plaza highly contextual and specific to stylish Palm Springs. Perhaps his work has not become fully appreciated yet as it is relatively recent when compared to Albert Frey's modern work of the '50s or 60s for instance. That is why Kaptur's complex is threatened to some extent---the work is just now at the cusp of rediscovery---just as Frey's and Williams' and Cody's work was a few years ago.

Hugh Kaptur was a local and made an indelible mark on the landscape of Palm Springs and the City should be very proud and respectful of his work, celebrate and preserve it. It does the City well when it signals to the world the pride it has its achievements and the artistry of its local architects and most of all the appearance and history of the town. It is terrible for the town to be known for allowing demolition of another important building. This estimable canvas that is modern architecture in Palm Springs is economically instrumental and vital now for tourist appeal and more importantly many residents now have chosen to invest in the town and to live here simply because of the great modern architecture we have in our midst..

I urge the City to reconsider any decision which would allow the destruction of this important Kaptur complex, it would be a terrible loss and when it is gone it is gone forever.

I served as a member of the Historic Site Preservation Board in 1995-96. I suspect some of you will recall the firestorm that greeted my nomination of five Frey buildings which included the Tramway Gas Station. A developer wanted to demolish that building soon after designation and quite a controversy erupted. I hope you will agree in hindsight the decision to preserve the building was the correct one. I believe you will feel the same way as time passes and the Tahquitz Plaza is preserved. The complex is inventive, playful, and sophisticated with forms and open areas that best represent not only Kaptur at the top of his game but a true reflection of the state of the best modern architecture in Palm Springs at that period.

My written work about Palm Springs and modernism has appeared in the Los Angeles Times, the New York Times, Vogue, and GQ magazine among others.

I hope you will present my plea before or during the Feb. 25th meeting.

Sincerely,

Brad Dunning

ALAN HESS
ARCHITECT
4991 CORKWOOD LANE
IRVINE, CA 92612
949 551 5343
alan@alanhess.net
www.alanhess.net

February 19, 2015

Terri Hintz
Planning Department Administrative Coordinator
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Re: Tahquitz Plaza by architect Hugh Kaptur, Tahquitz Canyon and Calle El Segundo

To the Planning Commission:

I am writing as an architect, historian, and author of nineteen books on Modern architecture to express my support for the preservation of the Tahquitz Plaza office complex because of its historical significance to Palm Springs and California architecture. Please share this letter with the Planning Commissioners prior to their February 25, 2015 meeting.

I have written two books on Palm Springs architecture (*Julius Shulman: Palm Springs*, Rizzoli International, 2008, and *Palm Springs Weekend*, Chronicle Books, 2001) and can say that these buildings, and the work of architect Hugh Kaptur, play an important role in what is now identified as Palm Springs Modernism.

I am also a consultant on architectural history for the current City of Palm Springs architectural survey. I have already unequivocally recommended Tahquitz Plaza as a significant building in that survey.

My resume is attached. I have written on architecture for the *Los Angeles Review of Books, The Architect's Newspaper, The Los Angeles Times, Architectural Digest, the Journal of the Society of Architectural Historians*, and other journals. I have been the architecture critic of the *San Jose Mercury News* since 1986, received a grant from the Graham Foundation for Advanced Studies in the Fine Arts, and was a National Arts Journalism Fellow at Columbia University.

The research of the importance of Palm Springs Modern architecture in general is very recent. Only a decade ago, the work of now-recognized architects such as William Cody, Donald Wexler, Palmer & Krisel, and E. Stewart Williams was not well known

generally; few Modern buildings now considered iconic were identified as historic then. Since then, our understanding of these and other architects has made us aware of the full dimension of Palm Springs architectural history.

As we continue researching this history, it is clear that the work of Hugh Kaptur makes a significant contribution to the unique character of Palm Springs architecture. This opinion is not mine alone; the newly published book *The Desert Modernists: The Architects Who Envisioned Midcentury Modern Palm Springs* (Desert Publications, 2015) and the documentary film *Quiet Elegance: The Architecture of Hugh M. Kaptur* (Bert Simonis, director, 2014) indicate the clear direction of scholarly opinion on Kaptur's importance.

Briefly stated, Kaptur's significance is this: 1) Palm Springs midcentury Modern architecture is known for its use of Modern concepts to solve the challenges of climate, function, and new materials; 2) an extraordinary group of talented architects lived or worked in Palm Springs, and while they addressed the same problems they expressed a wide range of aesthetic solutions; 3) Hugh Kaptur's aesthetic is unique in Palm Springs, demonstrating the wide range of fertile innovation in the city.

Tahquitz Plaza is an important and well preserved example of Kaptur's unique approach. Rather than drawing on the rectilinear steel and glass geometries of, for example, Richard Neutra, he draws on organic forms and ideas from the American Southwest, and Frank Lloyd Wright. This is seen in Tahquitz Plaza's irregular roofline, the deep, sculpted, curving frames around windows, the eaves and sun shading features, and the integration of outdoor areas interspersed among the offices. This is a strong piece of design that deserves to remain in place.

In addition, its site on Tahquitz Canyon places it in the context of the city civic center, an extraordinary collection of Modern buildings serving civic purposes, and rare in the state.

I am writing this letter *pro bono* because historic architecture of this quality adds to the civic character and quality of city life. In the years before Palm Springs' heritage was fully understood, the city lost many significant structures. Unfortunately, this degradation has continued; the demolition of a major Kaptur design would be a loss to history and the city's urban quality.

Sincerely,

Alan Hess

RESUME OF ALAN HESS, ARCHITECT

4991 Corkwood Lane, Irvine, CA 92612 949/551 5343 www.alanhess.net
alan@alanhess.net

WORK	1981-	Alan Hess, Architect
	1986-	Architecture critic, **San Jose Mercury-News**
EDUCATION	1975-78	M.Arch. I, School of Architecture and Urban Planning, University of California, Los Angeles
	1970-74	B.A., Principia College, Elsah, IL

DESIGN

Jamm's Coffee Shop, Petersen Automotive Museum, Los Angeles County Museum of Natural History; principal contributor to interpretive exhibits
Gordon Onslow-Ford guesthouse, Marin County, CA

TEACHING	1989-91	Instructor, University of California, Los Angeles
	1986-90	Lecturer, Southern California Institute of Architecture

PRESERVATION

Design Guidelines, Heatherstone Community, Mountain View, CA
Honor Award 1997, National Trust for Historic Preservation
President's Award, California Preservation Foundation
Qualified for National Register of Historic Places:
- Bullock's Pasadena (Wurdeman and Becket 1947), Pasadena CA
- McDonald's Drive-In (Stanley C. Meston 1953), Downey, CA
- Valley Ho Hotel (Edward Varney, 1957), Scottsdale, AZ
- Stuart Pharmaceutical Factory (Edward Durell Stone 1958), Pasadena, CA

Expert testimony on behalf of landmark designations for Century Plaza Hotel, Los Angeles (Minoru Yamasaki, 1966); Bob's Big Boy, Burbank (Wayne McAllister, 1949); Wichstand, Los Angeles (Armet and Davis, 1957), Columbia Savings, Los Angeles (1964), Stanford Hospital (Edward Durell Stone 1959), National Theater, Westwood (1969) and other mid-century modern structures

FELLOWSHIPS

Fellow, National Arts Journalism Program, School of Journalism, Columbia University, 1997-98

GRANTS

Graham Foundation for Advanced Studies in the Fine Arts, research on Brazilian landscape architect Roberto Burle Marx, 1990

LICENSE

Licensed architect, California # C 15747

SELECTED PUBLICATIONS

BOOKS:

Frank Lloyd Wright:Natural Design, Organic Architecture RIzzoli International, New York 2012

Casa Modernista: A History of the Brazil Modern House Rizzoli International, New York 2010

Oscar Niemeyer Buildings Rizzoli International, New York 2009

Frank Lloyd Wright: The Buildings Rizzoli International, New York 2008

Julius Shulman: Palm Springs Rizzoli International, New York 2008

Forgotten Modern: California Houses 1940-1970 Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Mid-Century Modern, Rizzoli International, New York 2007

Organic Architecture: The Other Modernism Gibbs Smith Publisher, Layton, UT 2007

Frank Lloyd Wright: Prairie Houses, Rizzoli International, New York 2006

Oscar Niemeyer Houses, Rizzoli International, New York 2006

Frank Lloyd Wright: The Houses, Rizzoli International, New York 2005

The Ranch House, Harry Abrams, Inc., New York 2005

Googie Redux: Ultramodern Roadside Architecture, Chronicle Books, San Francisco 2004

Palm Springs Weekend: the Architecture and Design of a Midcentury Oasis, Chronicle Books, San Francisco 2000

Rancho Deluxe: Rustic Dreams and Real Western Living, Chronicle Books, San Francisco 2000

The Architecture of John Lautner, Rizzoli International, New York 1999

Hyperwest: American Residential Architecture on the Edge, Thames & Hudson, London 1996

Viva Las Vegas, Chronicle Books, San Francisco, CA 1993

Googie: Fifties Coffee Shop Architecture, Chronicle Books, San Francisco, CA 1986

MAGAZINES, JOURNALS, NEWSPAPERS AND WEBSITES:

"Big Man on Campus: Alan Hess on Modernist Maverick, a new exhibition at the Nevada Museum of Art exploring the architecture of William Pereira," *Architect's Newspaper,* Sept. 26, 2013

"Connecting the Dots: Alan Hess on Pacific Standard Time Presents: Modern Architecture in L.A.," *Architect's Newspaper*, Sept. 6, 2013

"The Beauty of Authenticity: Dana Point Harbor," *Orange Coast Magazine*, Aug., 2013

"Wide Angle Lens: Alan Hess on the Getty's new exhibition, Overdrive: LA Constructs the Future 1940-1990, " *Architect's Newspaper*, June 21, 2013

"Everyday Modernisms: Diversity, Creativity, and Ideas in L.A. Architecture, 1940-1990"
Los Angeles Conservancy, "Curating the City" website, June 2013

"Schindler Goes Hollywood," **Los Angeles Review of Books,** May 26, 2012
"New Apple Campus," **San Jose Mercury News**, Sept. 2011
"John Lautner and Los Angeles," **Los Angeles Times**, July 23, 2011
"Coming to Terms with the Sixties," **National Trust Forum Journal**, Summer 2010 vol 24 no 4
"Colorful Landmarks: how color shaped public space in 1950s suburbia," **New Geographies**, Harvard Graduate School of Design, Oct 2010
"The Suburbs and the Ranch House," **California College of the Arts Architecture Studio Series**, 2005
"The Place of Histories," **Architecture California**, 04:1, 2003
"Steven Ehrlich house, Pacific Palisades," **Metropolitan Home**, Dec. 2005
"Montalvo Artists' Village," **Architectural Digest**, June 2005
"Cliff May's Romantic Mandalay," **Architectural Digest**, May 2005
"Meeting the Horizon in California, Roscoe House by Helena Arahuete," **Architectural Digest**, Jan. 2005
"Historic Architecture: Oscar Niemeyer," **Architectural Digest**, May 2003
"The Place of Histories," **Architecture California**, 04:1, 2003
"San Jose: A Downtown in the Making," **Places**, vol. 15, no. 2
"High Art Parking Lot," **Rearview Mirror: Automobile Images and American Identities,** University of California, Riverside 2000
"Eine kurze Geschichte von Las Vegas," **Stadt Bauwelt** 143, Sept. 1999
"City Center to Regional Mall," **Journal of Preservation Technology**, vol XXVII, no 4, 1997
"New York, New York," **Architectural Record,** March 1997
"John Lautner" **Progressive Architecture**, December 1994
"The Origins of McDonald's Golden Arches," **Journal of the Society of Architectural Historians**, XLV: 60-67, March 1986
"Technology Exposed," **Landscape Architecture**, May 1992, pp 38-48
"Burle Marx: A Shaky Legacy," **Landscape Architecture**, April 1992 p 38
"Back to Brasilia," **Progressive Architecture,** October 1991 pp 96-97
"Greenwald house," **Los Angeles Times Magazine,** October 27, 1991, p 31
"Of Cities and Their Halls," **San Francisco Examiner,** Aug. 7, 1991
"*American Style* and *Fifties Style*: reviews," **Design Book Review**, Winter 1989
"Schindler and Goff: Architectures," **L.A. Style**, March 1989
"Monsanto House of the Future," **Fine Homebuilding**, August/September 1986, No. 34
"The Eichler Homes," **Arts + Architecture**, Vol. 3, No. 3, 1984

SELECTED TALKS

LECTURES:

Getty Research Institute; Kansas City Modern; Dallas Modern; Arizona Preservation Conference Keynote; Nevada Museum of Art Symposium; Society of Architectural Historians Tour; Commonwealth Club of San Francisco; Society for Commercial Archeology Conference Keynote; Los Angeles Conservancy Welton Becket Centennial Keynote; Columbia University School of Architecture; Houston Modern; Phoenix Modern; Walker Art Museum; Chicago Humanities

Festival; Cooper-Hewitt Museum of Design; Yale University School of Architecture; Graham Foundation for Advanced Studies in the Fine Arts; Greenwich (England) National Maritime Museum; Cliff May Lecture, Los Angeles Conservancy; Vancouver (B.C.) Alcan Lecture Series; Architecture League; International Association of Shopping Center Owners; National Real Estate Editors Association; Colby College Southworth Lecture; Monterey Design Conference; University of British Columbia; National Trust for Historic Preservation Conference; AIA 2005 National Convention, Las Vegas; Hammer Museum Symposium; San Francisco AIA; California Preservation Foundation; Schusev State Museum of Architecture, Moscow.

BROADCAST MEDIA AND FILMS:

"William Krisel, Architect," DesignOnScreen Foundation, 2010
"A Kick in the Head—The Lure of Las Vegas," BBC-TV January 2010
"Journeyman Architect: The Architecture of Donald Wexler," DesignOnScreen 2009
"Desert Utopia," DesignOnScreen, 2008
Which Way LA, KCRW-FM, July 7, 2008
Which Way LA, KCRW-FM July 27, 2007
The Late Show, BBC-TV January 16, 1995
CBS Sunday Morning News with Charles Kuralt, January 23, 1994
Good Morning America, August 3, 1993
CBS Morning News, Jan. 17, 1990
Videolog, KCET, Los Angeles, June 1985
Patrick Monroe Show, CBC Radio, February 1987
Morning Edition, NPR, May 2, 1986
Smithsonian World, "Speaking Without Words," PBS, March 1984

SELECTED REFERENCES TO WORK

Thomas Hines, **Architecture of the Sun**, 2010
"Las Vegas meets la-la land," **Smithsonian**, October 1995
"In Los Angeles, a '50s Flameout," **New York Times,** September 7, 1995
"Oldest McDonald's Closes," **New York Times,** March 6, 1994
"Would Las Vegas Landmark Be an Oxymoron?" **New York Times**, Oct. 7, 1993
"Restaurant Architecture," **Journal of the Society of Architectural Historians**, XLVIII:2, June 1989
"Legacy of the Golden Arches," **TIME**, June 2, 1986
"Books: Pop Style to Free Style," **Progressive Architecture**, December 1986
"*Googie: Fifties Coffee Shop Architecture*, a review," **Architectural Record**, May 1986
"Who Says It's Not a Landmark?" **Historic Preservation**, November/December 1987
"Googie -- History Closing the Menu on a 1950s style," **Los Angeles Times**, June 9, 1986
"Now let's hear it for Googie style," **Vancouver Sun**, February 5, 1987
"Architecture and Design reviews," **Philadelphia Inquirer**, November 30, 1986

"Architecture To Go," David Dillon, **Dallas News**, June 22, 1986
"Googie: Fifties Coffee Shop Architecture," **Art and Design**, London, June 1986

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E-MAIL:
ACM@CBCEARTHLAW.COM

February 10, 2015

Via Email and U.S. Mail

Flinn Fagg, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Jim Zicaro
Director of Building and Safety
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Proposed Demolition of Kaptur Designed Buildings as Part of Aberdeen Project; Case Nos. 5.1361 PD-375, 3.3820 MAJ and TTM 36876.

Dear Mr. Fagg and Mr. Zicaro:

On behalf of the Palm Springs Modern Committee, we write regarding the proposed demolition of two mid-century modern office buildings designed by noted Palm Springs' architect Hugh Kaptur ("Kaptur buildings") as part of the proposed Aberdeen mixed use project ("Project"), which is planned for the northeast corner of Tahquitz Canyon Way and Calle El Segundo. We would like to confirm that the City will not issue demolition permits for the Kaptur buildings prior to the completion of environmental review for the entire Aberdeen Project and final approval of this Project by the City Council.

The applicant's plans and the Architectural Advisory Committee's January 12 and 26, 2015 staff memorandums regarding the Project make clear that demolition of the Kaptur buildings is a necessary first step to developing the Project as proposed by the applicant. Because the demolition would be part of the Aberdeen Project, it is subject to the same environmental review under the California Environmental Quality Act ("CEQA") as the rest of the Project. (CEQA Guidelines § 15378(a).) This is true even though demolition permits on their own may be considered ministerial. "Where a project

involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA." (CEQA Guidelines § 15268(d); see also *Orinda Assn. v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1171 ["demolition was a phase of the overall Project; as such, it was subject to the same CEQA review as the rest of the Project, and the demolition permit could not be issued until the entire CEQA process was completed and the overall Project lawfully approved."].) Please let us know if the City agrees it will not issue demolition permits for the Kaptur building until after environmental review for the Aberdeen Project is complete and the City Council has approved the Project.

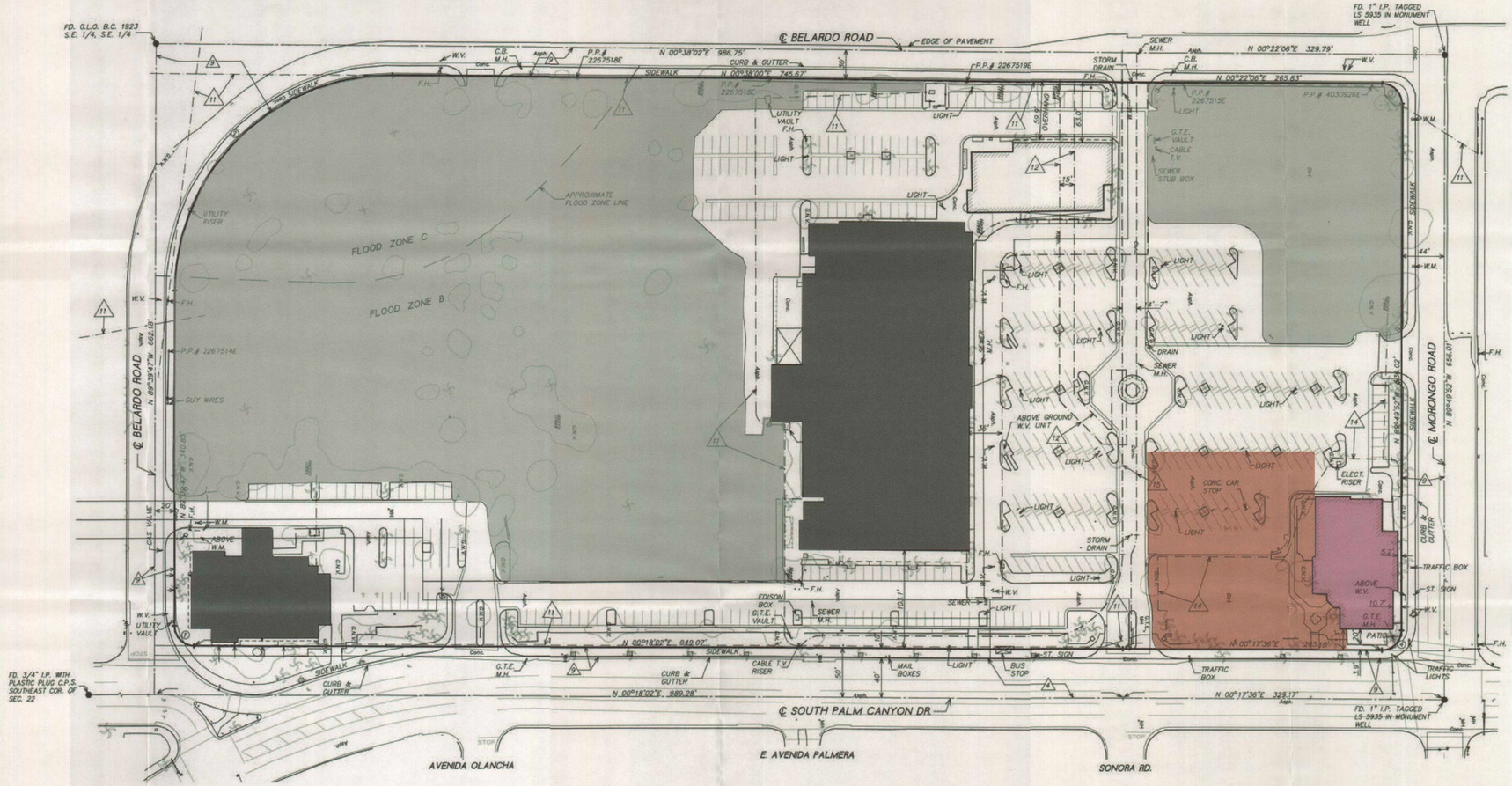
Additionally, pursuant to the CEQA section 21092.2, we request to receive a copy of all CEQA notices for the Aberdeen Project as they are completed. We also request immediate notice of applications for or approval of demolition permits for the Kaptur buildings and notice of any public hearings or meetings regarding this Project. If possible, we request these notices be sent via email to acm@cbcearthlaw.com.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Minteer
Attorney at Law

cc: James Thompson, City Clerk



PROPOSED DEVELOPMENT SITE PLAN - SCALE = 1:30

NORTH

NOTE:
PLEASE SEE ATTACHED 8.5 X 11 FOR LOT AREA CALCULATIONS, PARKING CALCULATIONS AND EXISTING ADJACENT PROPERTY INFORMATION

EXISTING BUILDING ON ADJACENT LOT
2 STORY - 27'-0"

EXISTING BUILDING ON PROJECT LOT
2 STORY UNITS - 27'-0"

PROPOSED AREA OF DEVELOPMENT

UNDEVELOPED PORTION
OF ADJACENT LOT

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CHRIS PARDO DESIGN
ELEMENTAL ARCHITECTURE
1520 11th Ave.
Suite G
Seattle, WA 98122
p 206.351.6535
elementalarchitecture.com

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These drawings were prepared for "Hacienda Cantina & Beach Club" project in Palms Springs, CA. They are not intended for use on any other project.
Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

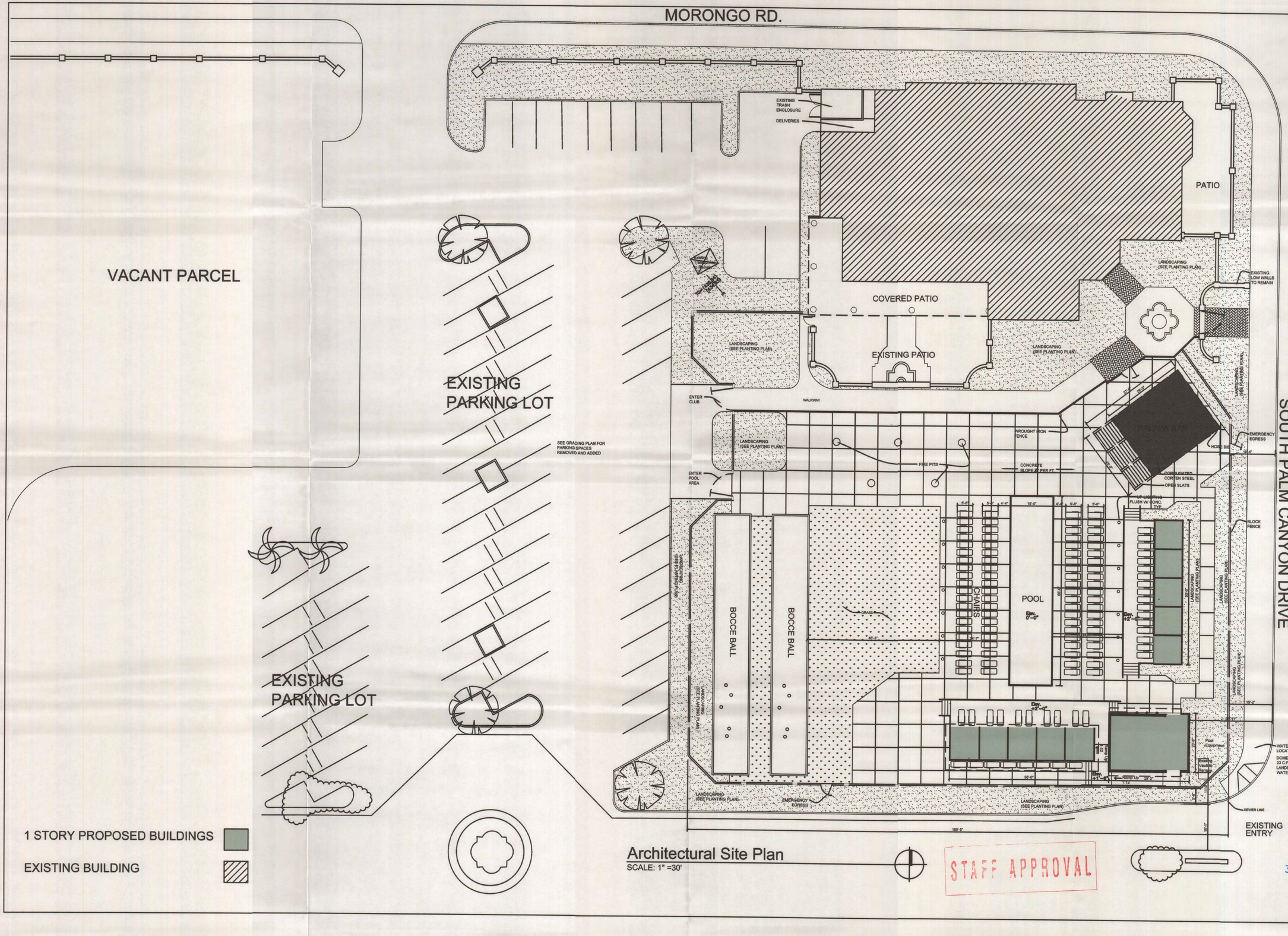
1555 South
Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

SITE PLAN

Job #: 047

1.2
Sheet



Architectural Site Plan

SCALE: 1" =30'

STAFF APPROVAL

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Hacienda Cantina & Beach Club

1555 South Palm Canyon Dr. Palm Springs, CA 92264

No.	Date	Issue
1	07.19.13	AsBuilt
2	08.12.13	AsBuilt

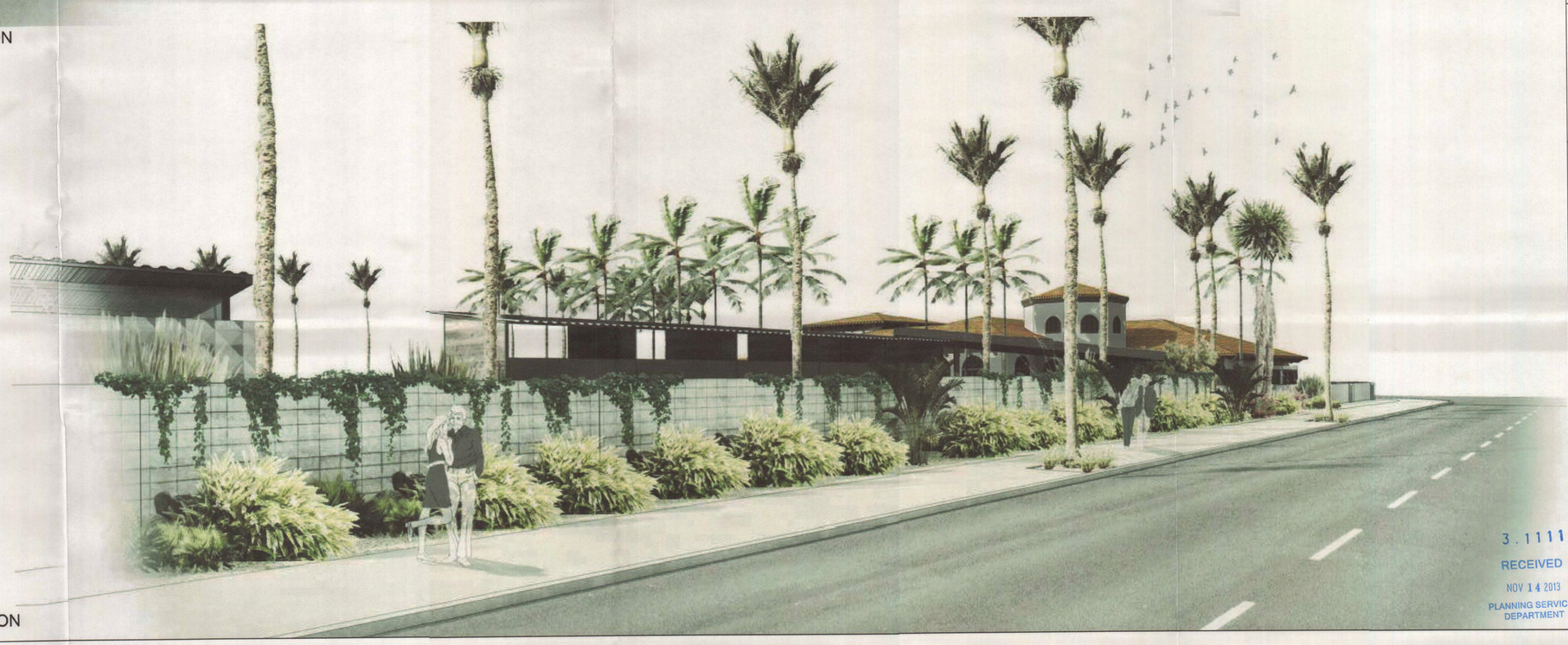
Enlarged Site Plan

Job #: 021

1.4

Sheet

LOOKING SOUTHWEST FROM S. PALM CANYON



LOOKING NORTHWEST FROM S. PALM CANYON

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Hacienda Cantina & Beach Club

1555 South Palm Canyon Dr. Palm Springs, CA 92264

No.	Date	Issue
1	07.19.13	AsBuilt
2	08.12.13	AsBuilt

Building Perspectives

Job #: 021

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3.4
Sheet

PLANT LEGEND

Trees and Palms

Quantity	Symbol	Scientific Name	Common Name	Planting Size
6		Olea europaea	Olive	Existing
3		Olea europaea	Olive	36"-Box
1		Schinus molle	California pepper tree	36"-Box Multi 3"
15		Washingtonia Filifera	California fan palm	8' Ht. Skinned
18		Chamaerops humilis	Mediterranean fan palm	24"-Box
5		Phoenix dactylifera	Date palm	8' Ht. Diamond cut
4		Washingtonia robusta	Mexican fan palm	12' Ht. Skinned
6		Chamaerops humilis	Mediterranean fan palm	Existing to remain
4		Arecastrum romanzoffianum	Queen palm	Existing to remain
3		Washingtonia robusta	Mexican fan palm	Existing to remain

Vines and Shrubs

Quantity	Symbol	Scientific Name	Common Name	Planting Size
16		Bougainvillea 'Barbara Karst'	Bougainvillea	15-Gal 6'OC. on wall
11		Gallandra inaequilatera	Pink Powder Puff	15-Gal 6'OC. on wall
9		Ficus repens	Creeping Fig	5-Gal 6'OC. on wall
70		Callistemon viminalis	Little John	5-Gal
35		Carissa g. 'Boxwood Beauty'	Boxwood Beauty	5-Gal
14		Carissa g. 'Tuttle'	Natal plum 'Tuttle'	5-Gal
87		Carissa g. 'Green Carpet'	Green Carpet natal plum	5-Gal
29		Ficus microcarpa	Indian laurel Fig	15-Gal
73		Lantana montevidensis	Trailing lantana	5-Gal
67		Lantana 'New Gold'	New Gold lantana	5-Gal
		Sod- Hybrid Bermuda		
		Mulch- 3/4" 'Desert Gold' Decomposed granite in all planters		
		By contractor for desert landscape		

Notes: Contractor to verify plant quantities before ordering plant material.

Washingtonia robusta

Washingtonia filifera

Phoenix dactylifera

Schinus molle

Olea europaea

Chamaerops humilis

Callandra inaequilatera

Bougainvillea 'Barbara Karst'

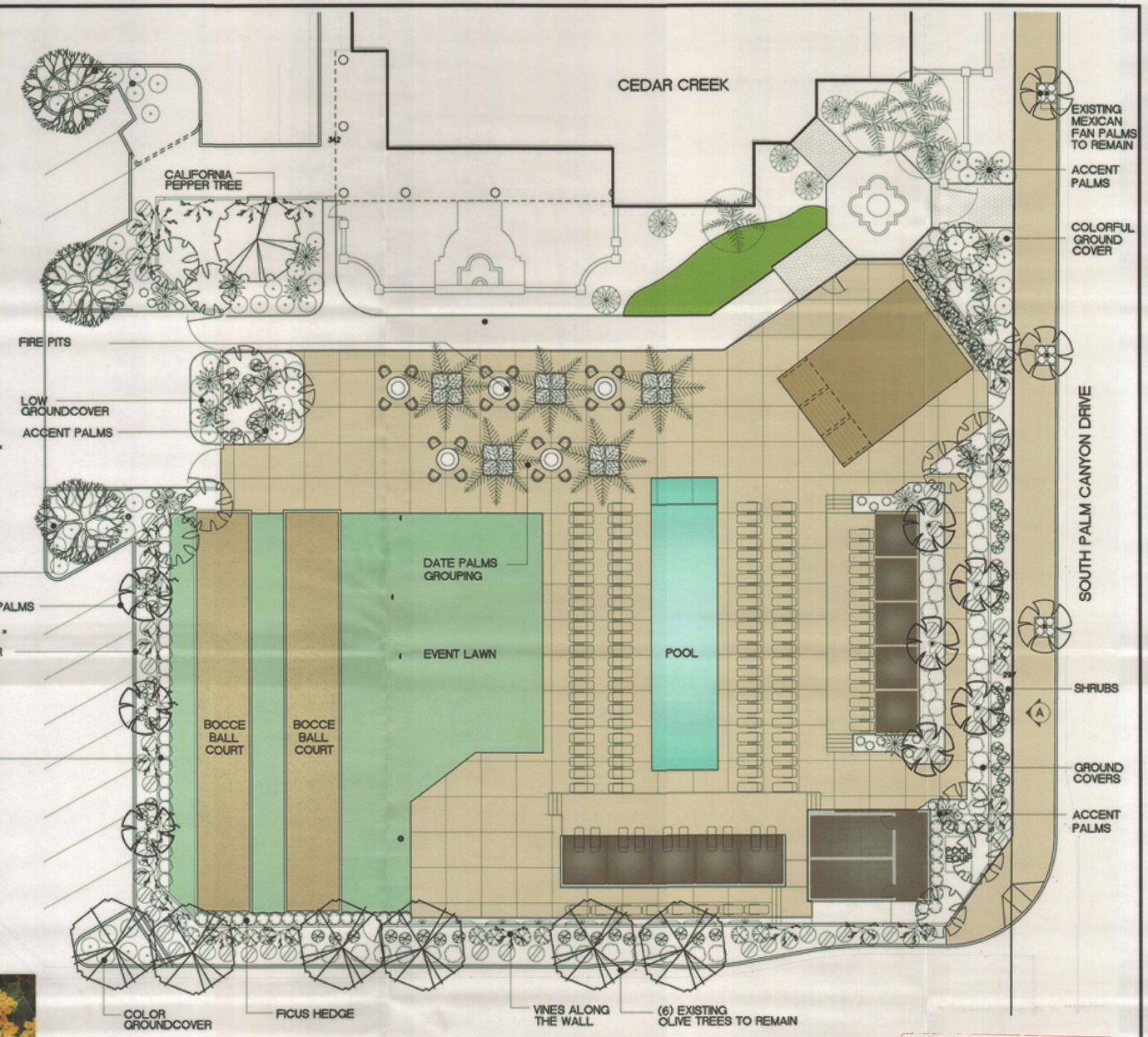
Ficus hedge

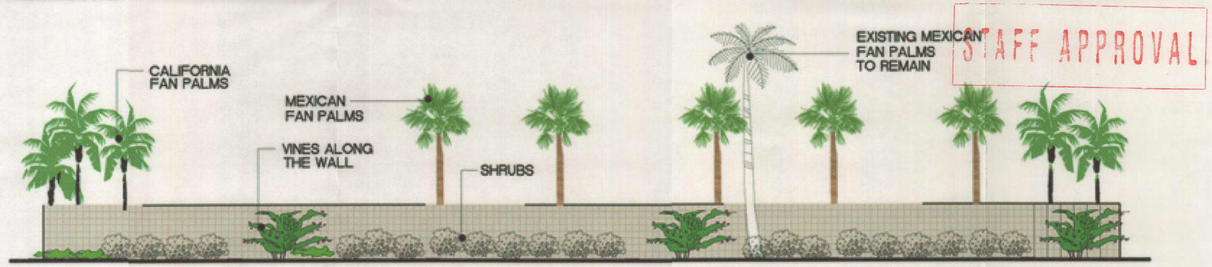
Lantana 'New Gold'

Carissa g. 'Green Carpet'

Callistemon v. Little John'

Lantana montevidensis





A WALL ELEVATION

SCALE: 3/16"=1'-0"

STAFF APPROVAL

T K D ASSOCIATES, INC.
LAND PLANNING - LANDSCAPE ARCHITECTURE
76710 San Jacinto Drive, Suite C
RANCHO MIRAGE, CALIFORNIA 92270
PH (760) 776-9721 FAX (760) 776-9723

HACIENDA CANTINA AND BEACH CLUB
PALM SPRINGS, CALIFORNIA

REGISTERED LANDSCAPE ARCHITECT THOMAS K. DOZIER 4870 Signature Date STATE OF CALIFORNIA

PLANTING PLAN

1"= 10'-0"

1829

REVISIONS

NO	DATE	TYPE	BY

JOB NAME:
SHEET TITLE:
DATE: 11-12-13
ISSUED FOR:
EFFECTIVE DATE:
DESIGN BY: TKD
DRAWN BY: EAP
JOB NUMBER
FILENAME: 1829 PLANTING.DWG

SHEET NO:
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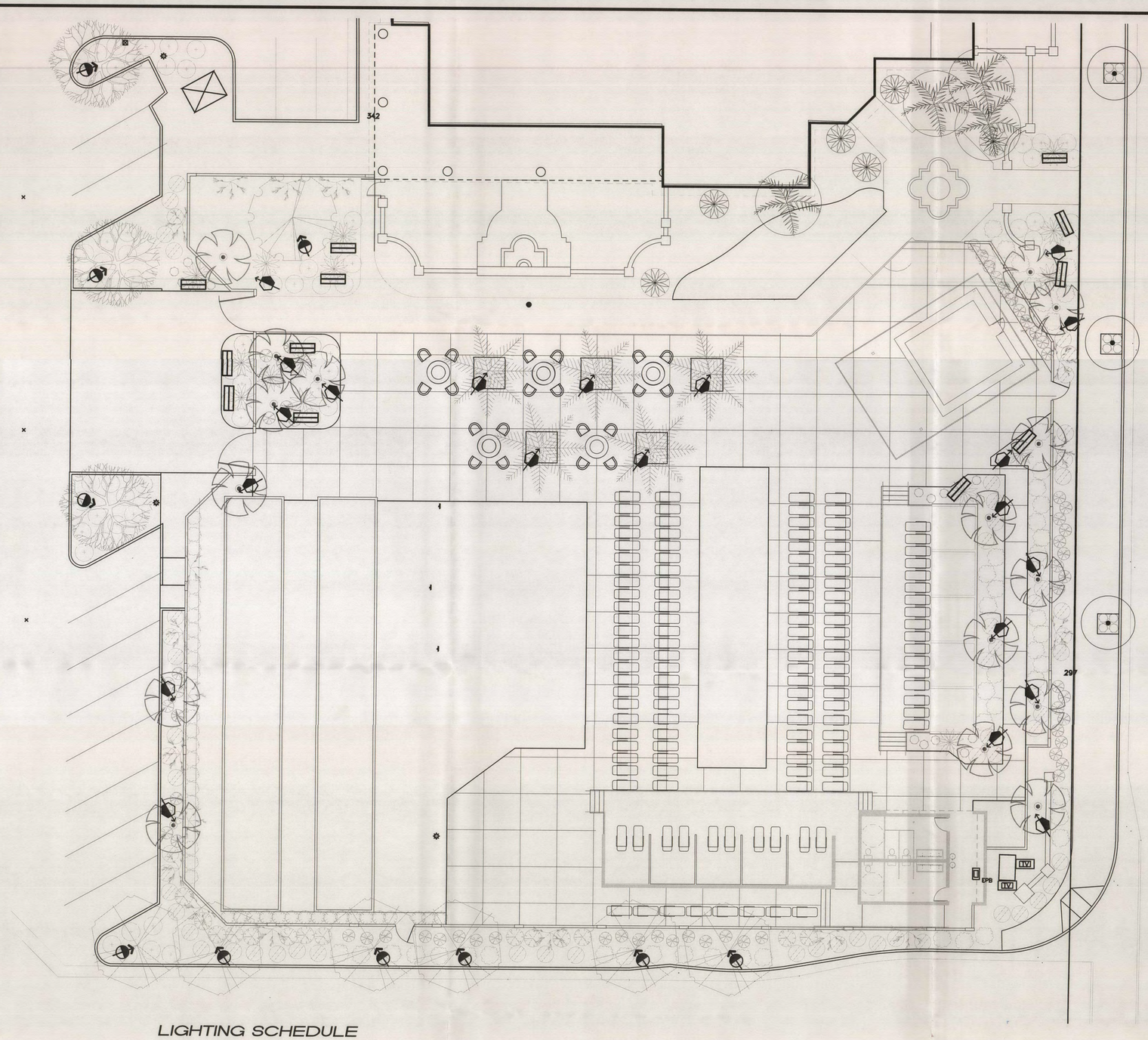

ELECTRICAL NOTES

1. Electrician is to provide all necessary plans, specifications, and documents, etc. and obtain all required approvals and permits.
2. Unless otherwise provided by Contractor, electrician is to size and circuit all electrical requirements shown on plans. (i.e. lights, pumps, pool equipment, time clocks, irrigation controllers, etc..) Contractor is to provide as builts.
3. All materials and workmanship shall conform to all Governing Codes and Ordinances and acceptable standards of practice.
4. Coordinate all work, especially sleeving, trenching and backfilling with irrigation, concrete and masonry subcontractors as required.
5. Lighting controllers will be located adjacent to irrigation controllers whenever possible.
6. Electrician is to confirm exact tree location so as to insure proper installation of light fixtures.

SETBACK NOTES

1. Locate light fixtures a min. of 4'-0" from edge of tree.
2. These measurements area superseded only when field conditions warrant change by Landscape Architect.

LIGHTING SCHEDULE

SYMBOL	QTY.	FIXTURE	COMMENTS
▭	12	DL-15-8M LED P Electrical: 12V Bronze Finish	BY FOCUS INDUSTRIES, INC (888) 882-1350 www.focusindustries.com ACCENT LIGHT
◈	21	SL-20-MDG LED P Electrical: 12V Bronze Finish	BY FOCUS INDUSTRIES, INC (888) 882-1350 www.focusindustries.com PALM LIGHT
◉	10	RXD-01-LED-LAS-40 Electrical: 12V Bronze Finish	BY FOCUS INDUSTRIES, INC (888) 882-1350 www.focusindustries.com TREE UPLIGHT
T	1	RXT-12-MVAT 277V / 12V	BY FOCUS INDUSTRIES, INC (888) 882-1350 www.focusindustries.com TRANSFORMER

DW 4/21/2014
STAFF APPROVAL

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JAN 21 2014
CITY OF PALM SPRINGS, CA

T K D ASSOCIATES, INC.
LAND PLANNING · LANDSCAPE ARCHITECTURE
75-711 San Jacinto Drive SUITE C
RANCHO MIRAGE, CALIFORNIA 92270
PH: (760) 776-1751 FAX: (760) 776-1753

PROJECT NAME
HACIENDA CANTINA AND BEACH CLUB
PALM SPRINGS, CALIFORNIA

LICENSE STAMP:
REGISTERED LANDSCAPE ARCHITECT
THOMAS K. DOCZI #3570
Signature
Date
STATE OF CALIFORNIA

CONSULTANTS

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SHEET TITLE
LIGHTING PLAN

NORTH

SCALE
1"= 10'-0"

PROJECT NUMBER
1829

REVISIONS

NO	DATE	TYPE	BY

JOB NAME:	
SHEET TITLE:	
DATE:	11-18-2013
ISSUED FOR:	
EFFECTIVE DATE:	
DESIGN BY:	TKD
DRAWN BY:	EAP
JOB NUMBER	
FILENAME:	1829 LIGHTING.DWG

SHEET NO:
TOTAL SHEETS
L-2

PLANT LEGEND

Trees and Palms

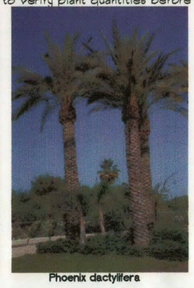
Quantity	Symbol	Scientific Name	Common Name	Planting Size
6		Olea europaea	Olive	Existing
3		Olea europaea	Olive	36"-Box Multi tr.
1		Schinus molle	California pepper tree	36"-Box Multi tr.
16		Chamaerops humilis	Mediterranean fan palm	24"-Box Multi tr.
5		Phoenix dactylifera	Date palm	18' HT. Diamond cut
18		Washingtonia Hybrid	Hybrid fan palm	8'-12' Ht. Skinned
6		Chamaerops humilis	Mediterranean fan palm	Existing to remain
4		Arecastrum romanzoffianum	Queen palm	Existing to remain
3		Washingtonia robusta	Mexican fan palm	Existing to remain

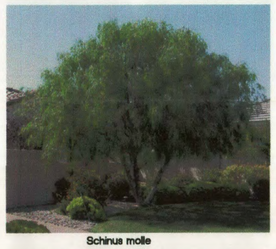
Vines and Shrubs

Quantity	Symbol	Scientific Name	Common Name	Planting Size
13	BK	Bougainvillea 'Barbara Karst'	Bougainvillea	15-Gal esp. on wall
9	CI	Calliandra inaequilatera	Pink Powder Puff	15-Gal esp. on wall
9		Ficus repens	Creeping Fig	5-Gal esp. on wall
68		Callistemon viminalis	Little John	5-Gal
32		Carissa g. 'Boxwood Beauty	Boxwood Beauty	5-Gal
14		Carissa g. 'Tuttlei'	Natal plum 'Tuttlei'	5-Gal
88		Carissa g. 'Green Carpet'	Green Carpet natal plum	5-Gal
17		Ficus microcarpa	Indian laurel fig	15-Gal
66		Lantana montevidensis	Trailing lantana	5-Gal
65		Lantana 'New Gold'	New Gold lantana	5-Gal
		Sod- Hybrid Bermuda		
		2" depth 3/4" Desert Gold Decomposed granite in all planters By Southwest Boulder&sand Stone		

Notes: Contractor to verify plant quantities before ordering plant material.

Washingtonia hybrid


Phoenix dactylifera


Schinus molle

Olea europaea

Chamaerops humilis

Calliandra inaequilatera

Bougainvillea 'Barbara Karst'

Ficus hedge

Lantana 'New Gold'

Carissa g. 'Green Carpet'

Callistemon v. Little John'

Lantana montevidensis

A WALL ELEVATION

SCALE: 3/16"=1'-0"

DJ 1/21/2014
STAFF APPROVAL
Final landscape / wall plan
- ARC Subcommittee (Farber, Purnell & Selvig-Jensen) approved on 1/21/2014

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LAND PLANNING · LANDSCAPE ARCHITECTURE
75711 San Jacinto Drive SUITE C
RANCHO MIRAGE, CALIFORNIA 92270
PH: (760) 776-1751 FAX: (760) 776-1753

PROJECT NAME
HACIENDA CANTINA AND BEACH CLUB
PALM SPRINGS, CALIFORNIA

LICENSE STAMP:
REGISTERED LANDSCAPE ARCHITECT THOMAS K. DOCZI #2370 Signature Date STATE OF CALIFORNIA

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SHEET TITLE
PLANTING PLAN

NORTH

SCALE
1"= 10'-0"

PROJECT NUMBER
1829

REVISIONS

NO	DATE	TYPE	BY

JOB NAME:	
SHEET TITLE:	
DATE:	1-15-14
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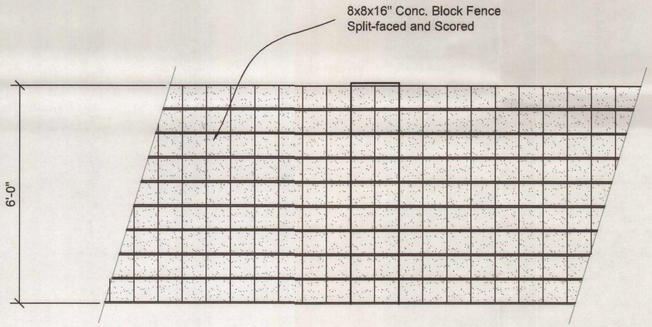
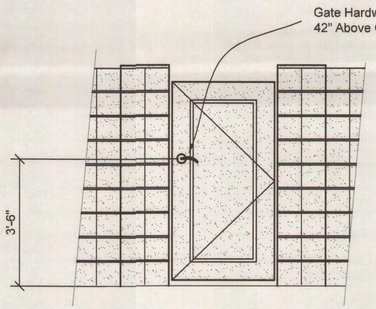
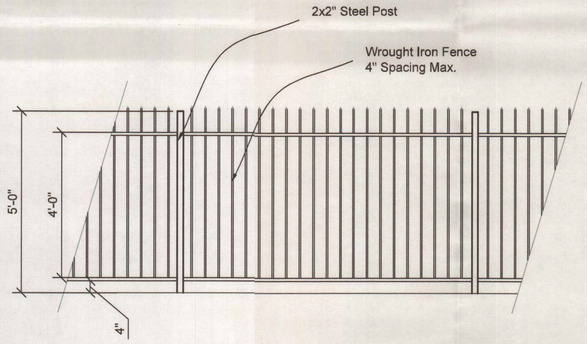
L-1

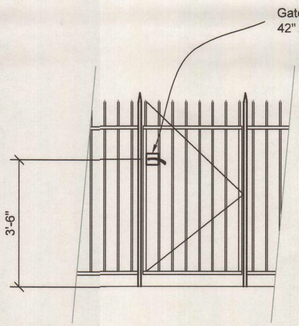




Fence and Gate - Type I

SCALE: 1/2" = 1'-0"





Fence and Gate - Type II

SCALE: 1/2" = 1'-0"

Note:
All fencing must be a minimum of 5' high. All openings in fence shall be less than 4", horizontal members must be at least 48" apart. Gate hardware to be located 42 - 44" above the ground.

STAFF APPROVAL

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Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

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Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

SITE FENCE ELEVATIONS

Job #: 047

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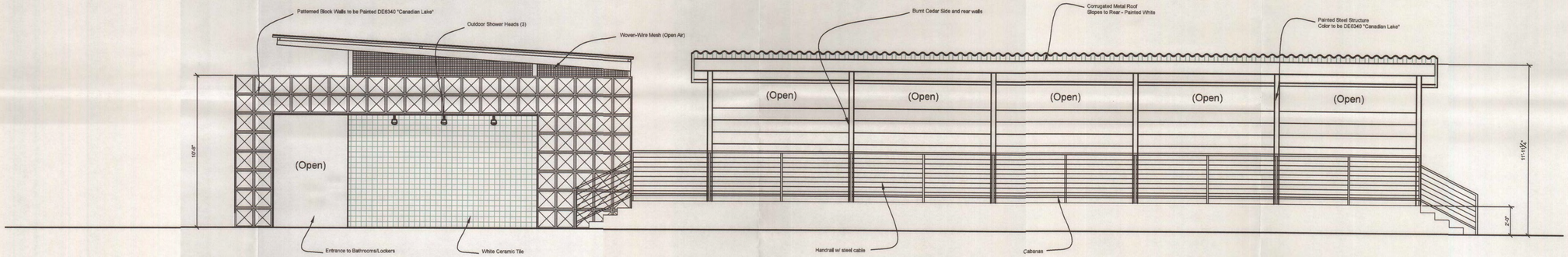
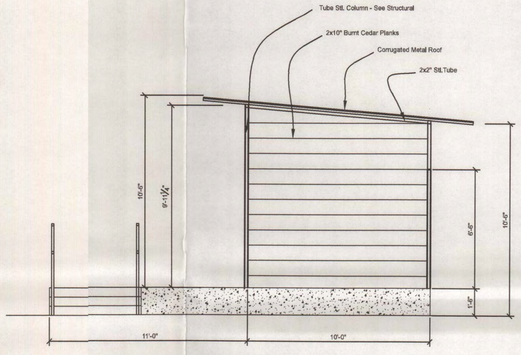
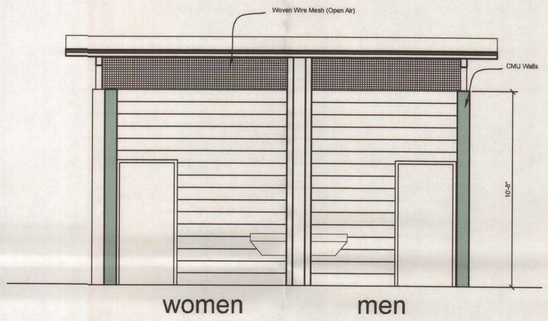


Elevation - Looking South

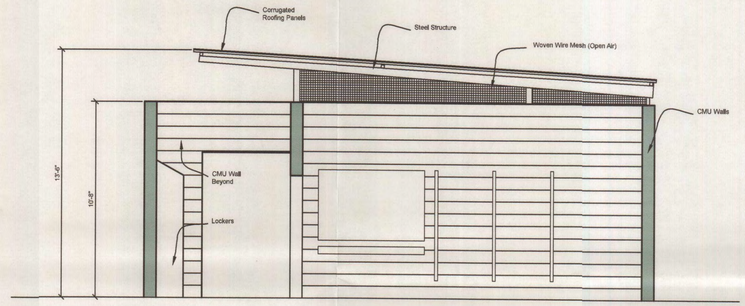
SCALE: 1/4" = 1'-0"



Bathhouse Section 1



Bathhouse Section 2



Bathhouse Section 3

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Hacienda Cantina & Beach Club

1555 South
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Palm Springs, CA
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No.	Date	Issue

BATHHOUSE EXTERIOR ELEVATIONS / SECTION

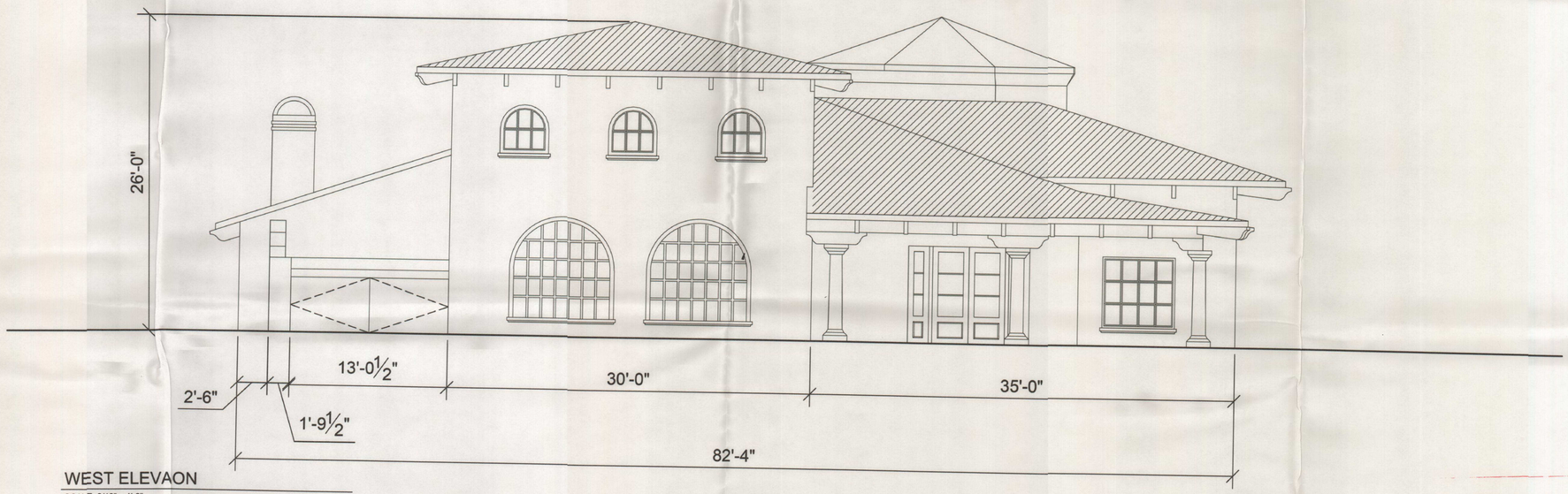
Job #: 047

3.2

Sheet

NORTH ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVAON

SCALE: 3/16" = 1'-0"

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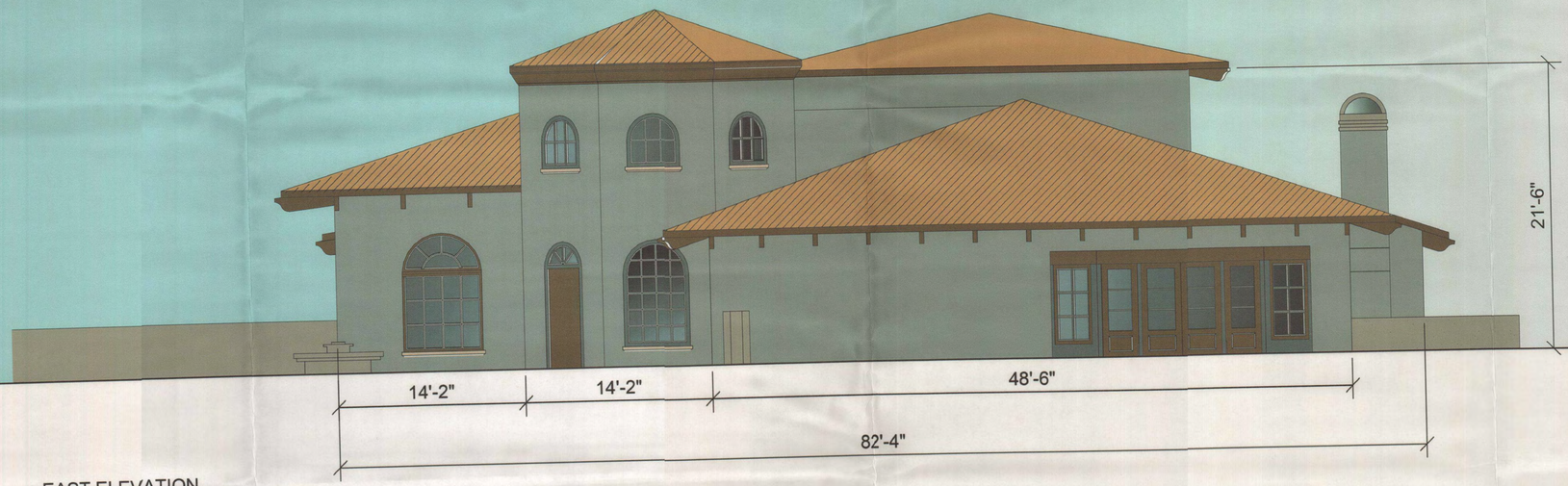
No.	Date	Issue
1	07.19.13	AsBuilt
2	08.12.13	AsBuilt

Existing Buildng Elevations

Job #: 021

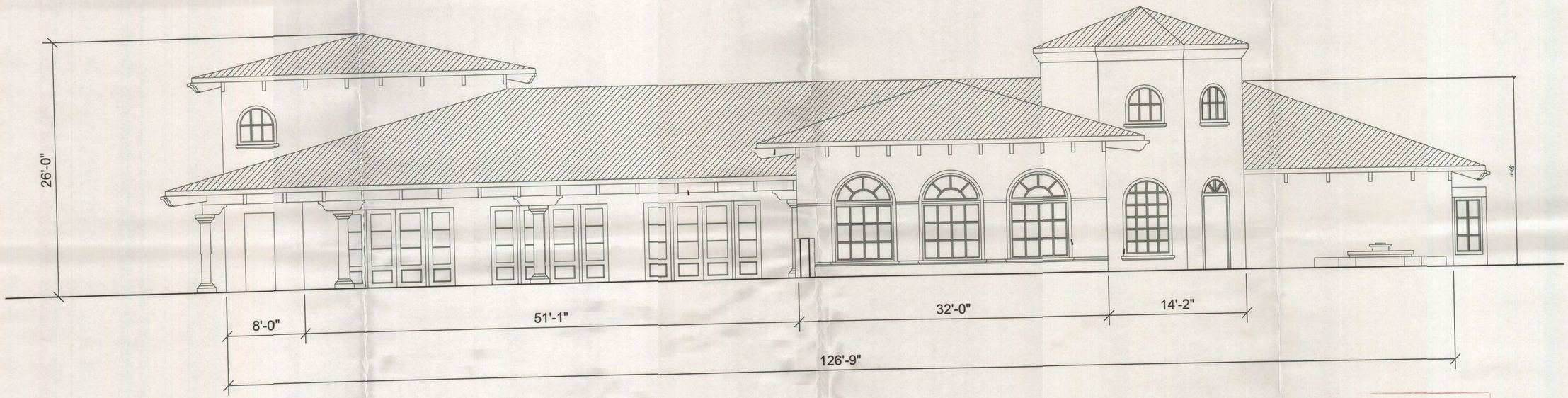
3.0

Sheet



EAST ELEVATION

SCALE: 3/16" = 1'-0"



SOUTH ELEVATION

SCALE: 3/16" = 1'-0"

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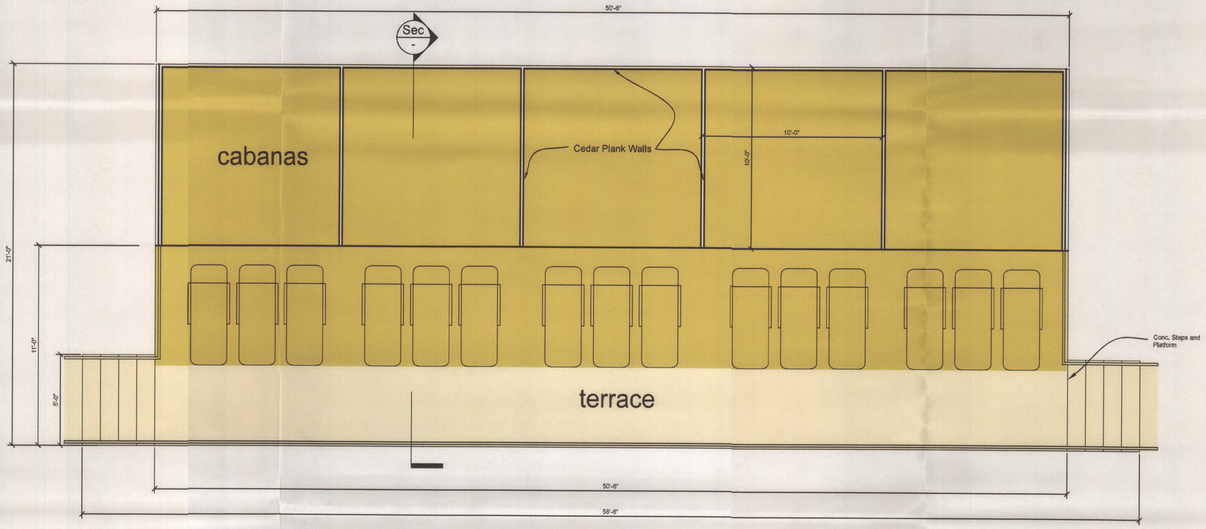
No.	Date	Issue
1	07.19.13	AsBuilt
2	08.12.13	AsBuilt

Existing Buildng Elevations

Job #: 021

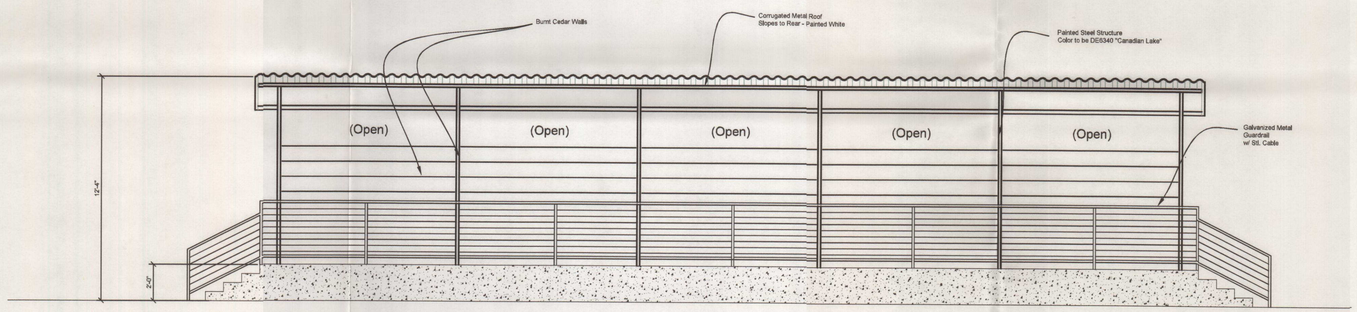
3.1

Sheet



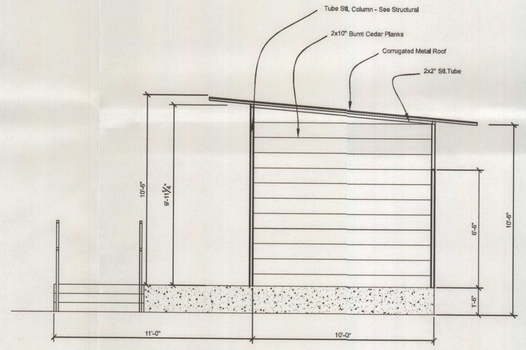
Raised Cabana Plan

SCALE: 1/4" = 1'-0"



Elevation - Looking East

SCALE: 1/4" = 1'-0"



Cabana Section 1

SCALE: 1/4" = 1'-0"

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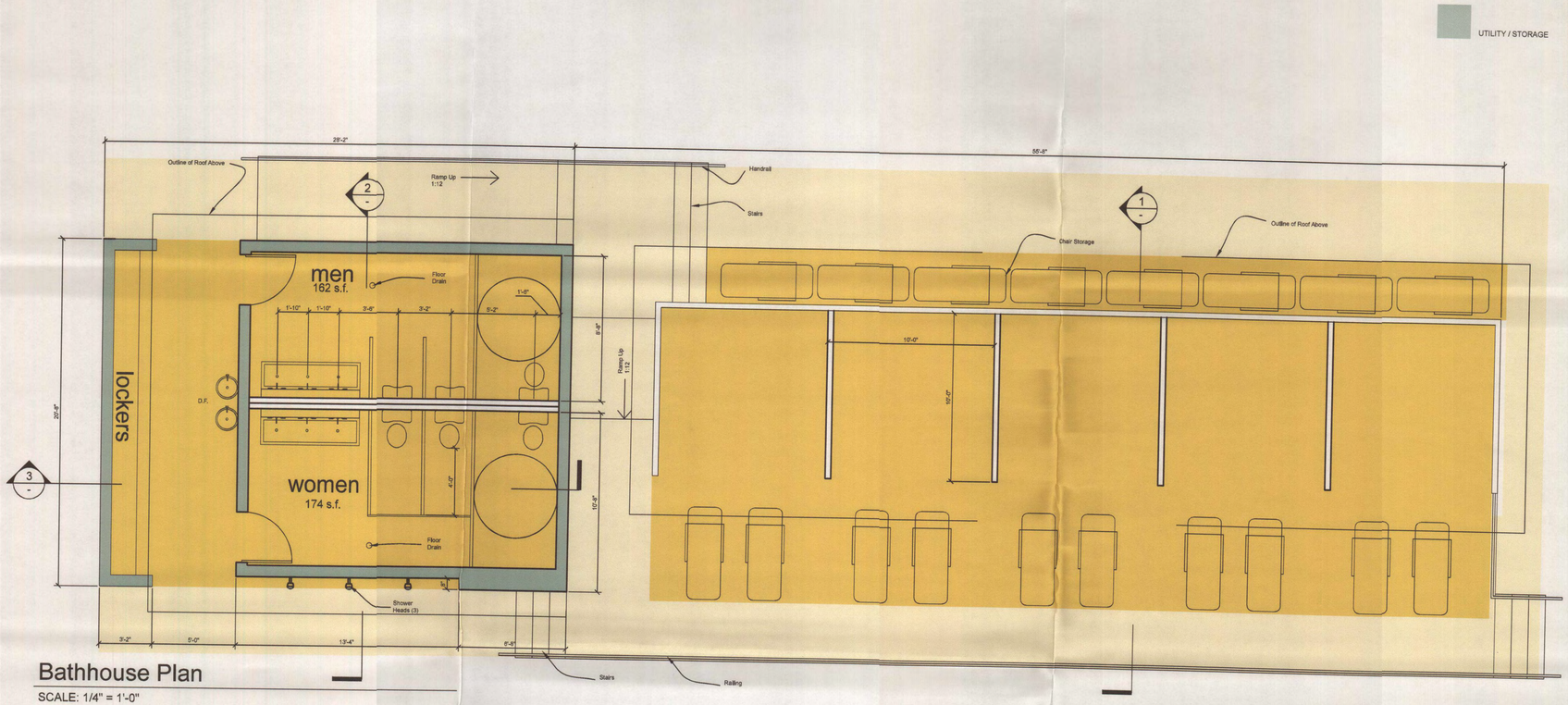
No. Date Issue

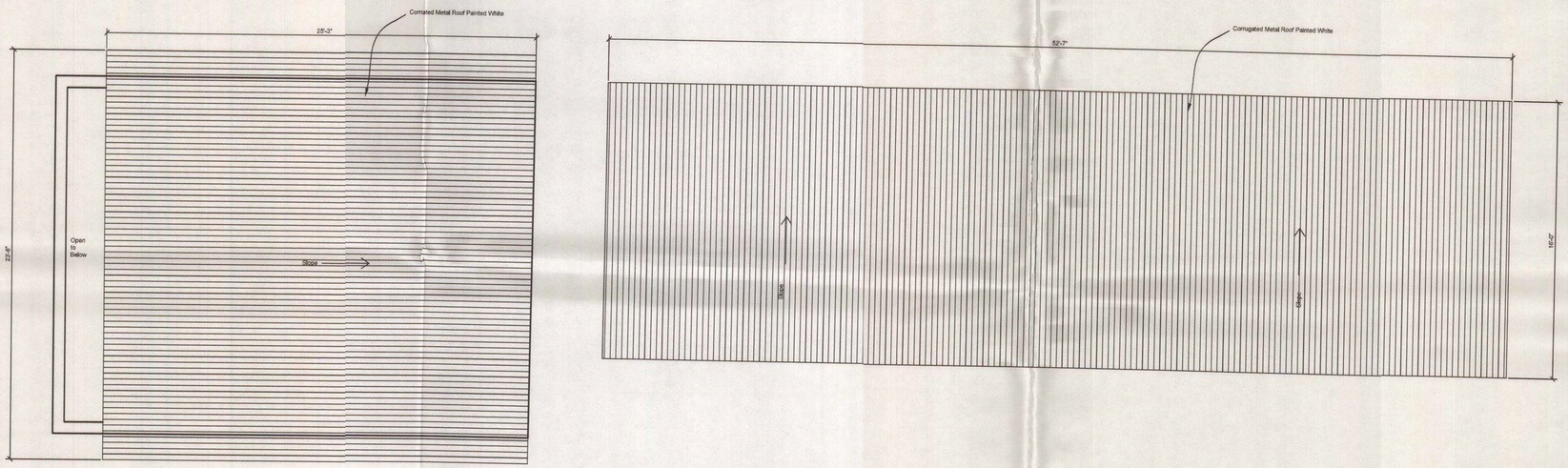
RAISED CABANA FLOOR PLAN & EXTERIOR ELEVATIONS
Job #: 047

2.3
Sheet



Bathhouse Plan

SCALE: 1/4" = 1'-0"



Bathhouse Roof Plan

SCALE: 1/4" = 1'-0"

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BATHHOUSE FLOOR PLAN

Job #: 047

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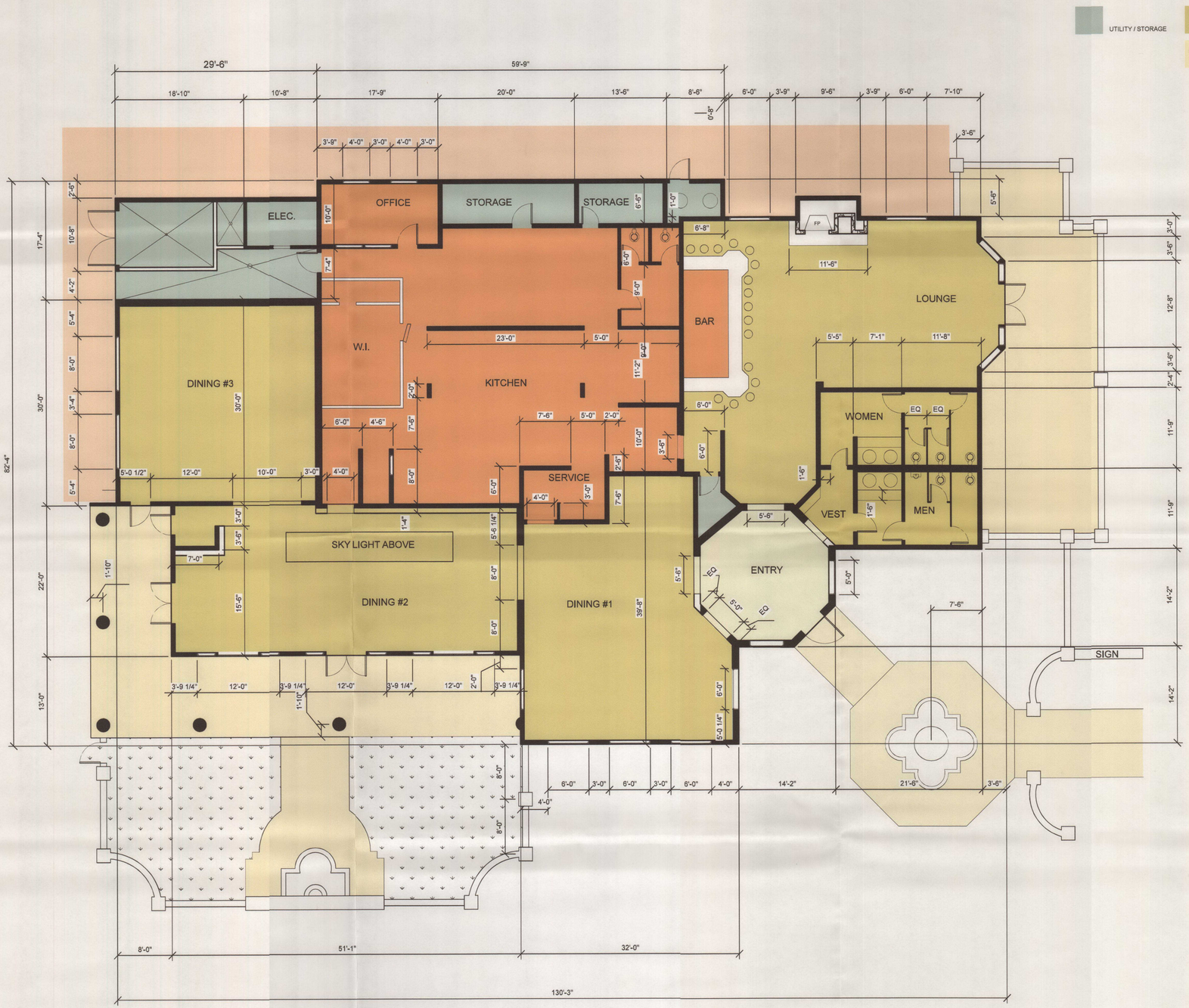
2.1 Sheet



HACIENDA CANTINA & BEACH CLUB - first floor plan

SCALE: 1/8" = 1'-0"

NOTE:
BUILDING IS EXISTING. CHANGES WILL ONLY INCLUDE UPDATES TO FINISHES, FIXTURES, FURNISHINGS AND EQUIPMENT.

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No.	Date	Issue

EXISTING BUILDING FLOOR PLAN

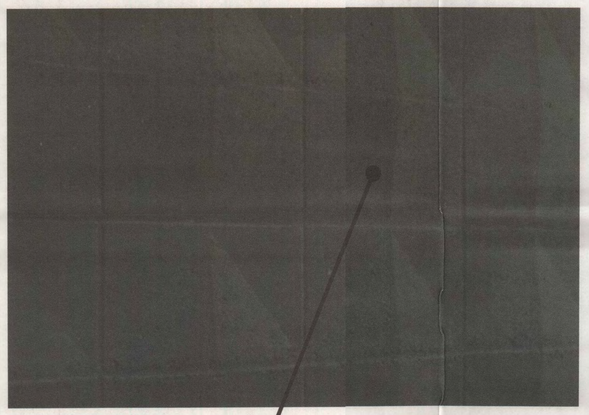
Job #: 047

2.0
Sheet

CORRUGATED METAL

MATERIAL	COLOR	FINISH
COR-TEN CORRUGATED METAL ROOF (WHITE)	BRIGHT WHITE	MATTE
CONCRETE BLOCK DIAMOND FACE	DUNN EDWARDS DE6340 'CANADIAN LAKE'	MATTE
CONCRETE BLOCK SCORED FACE	NATURAL CONCRETE	SMOOTH / STANDARD
EXISTING STUCCO	DUNN EDWARDS DE6340 'CANADIAN LAKE'	MATTE
EXISTING TRIM	DUNN EDWARDS DE6341 'VULCAN'	MATTE
CABLE RAIL	CLEAR COATING	STEEL
BURNT CEDAR SIDING	NATURAL BLACK	SMOOTH / BRUSHED
DECOMPOSED GRANITE	NATURAL GREY / TAN	COMPACTED

BURNT CEDAR SIDING



CONCRETE BLOCK
(DIAMOND FACE)

STUCCO - 'CANADIAN LAKE'

TRIM - 'VULCAN'

DECOMPOSED GRANITE

CONCRETE BLOCK
(SCORED FACE)

CABLE RAILING W/
GALVANIZED METAL PIPE

OUTDOOR CABANAS

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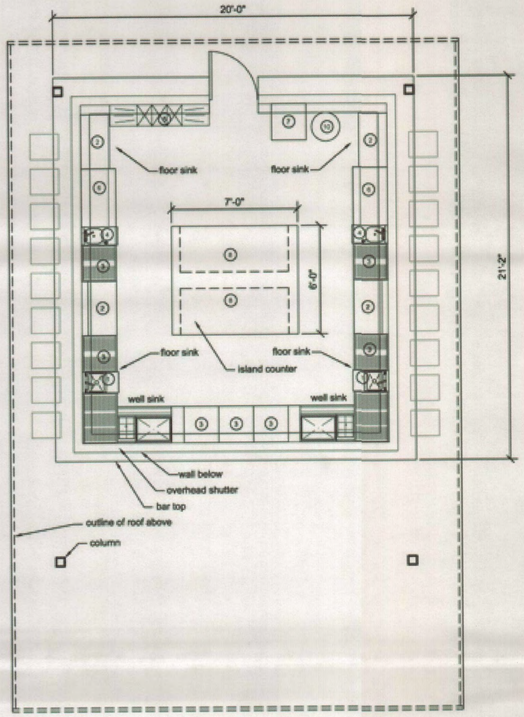
No.	Date	Issue

EXTERIOR MATERIALS

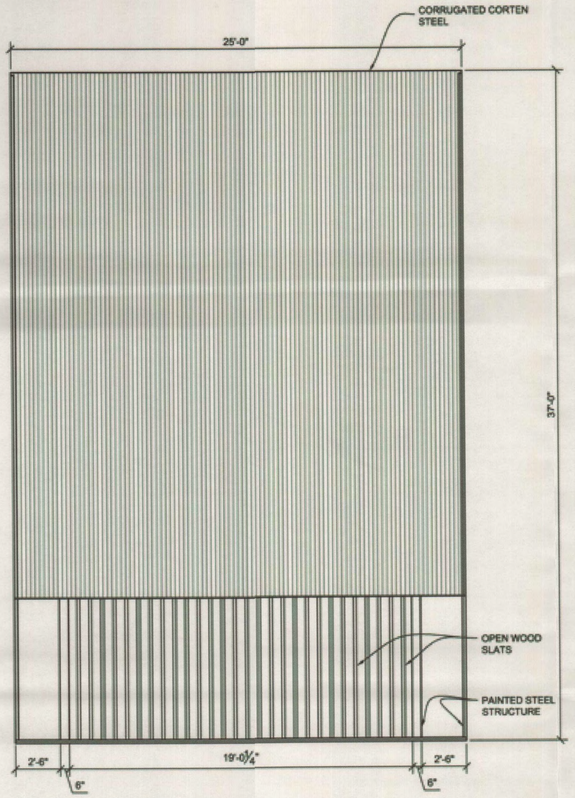
Job #: 047

1.1
Sheet



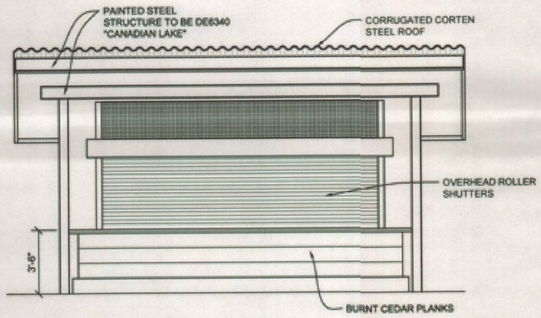
Palapa Bar Floor Plan

SCALE: 1/4" = 1'-0"



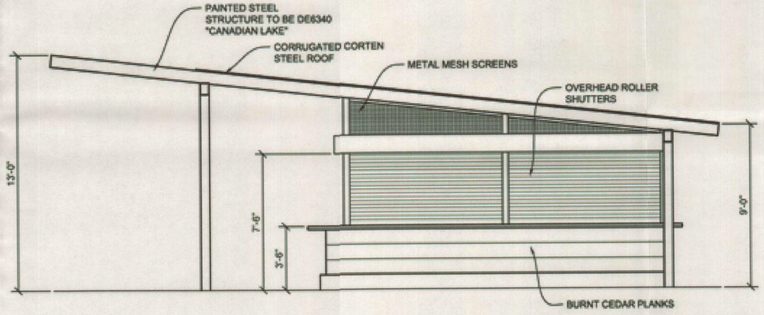
Palapa Bar Roof Plan

SCALE: 1/4" = 1'-0"



Palapa Bar Elevation

SCALE: 1/4" = 1'-0"



Palapa Bar Elevation

SCALE: 1/4" = 1'-0"

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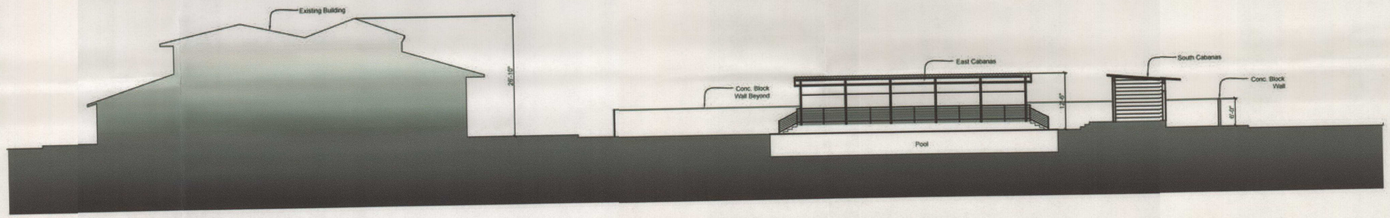
No.	Date	Issue
1	07.19.13	AsBuilt
2	08.12.13	AsBuilt

Palapa Bar Floor Plans & Exterior Elevations

Job #: 021

2.2

Sheet



HACIENDA CANTINA & BEACH CLUB - Site section

SCALE: 1/16" = 1'-0"

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No.	Date	Issue

SITE SECTION

Job #: 047

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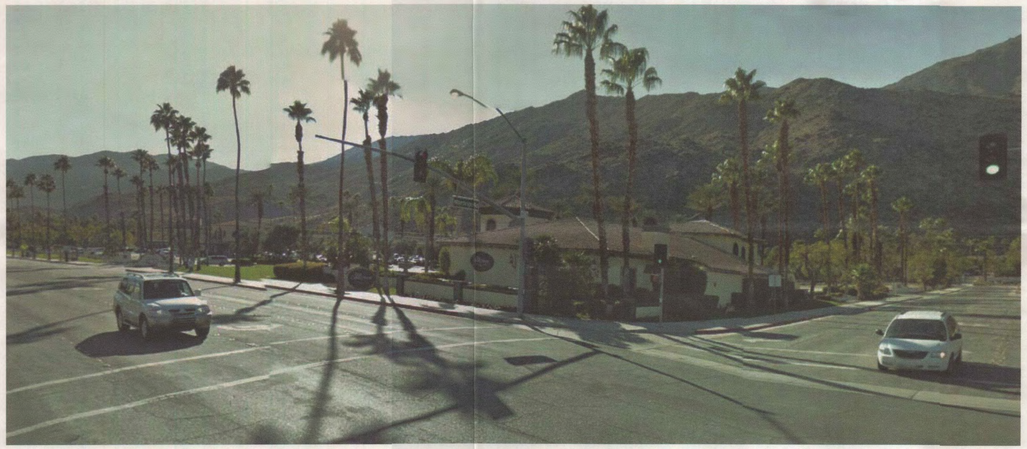
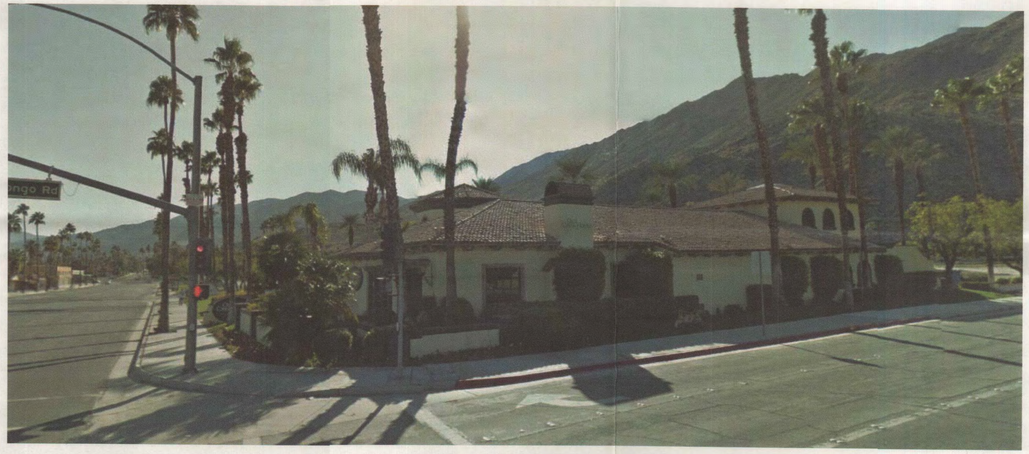
EXISTING VIEW NW ALONG S. PALM CANYON DRIVE

EXISTING VIEW NW CORNER OF S PALM CANYON DRIVE & MORONGO ROAD



EXISTING VIEW SW CORNER OF S PALM CANYON DRIVE& MORONGO ROAD



EXISTING VIEW S CORNER OF S PALM CANYON DRIVE ALONG MORONGO ROAD

EXISTING VIEW SE FROM MORONGO ROAD

EXISTING VIEW SE AT REAR ENTRY ON MORONGO ROAD

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SITE PHOTOS

Job #: 047

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HACIENDA CANTINA & BEACH CLUB

PROPERTY INFORMATION:

APN:	513-300-038
ADDRESS:	1555 S PALM CANYON DRIVE
LOT/PARCEL:	38
BLOCK:	300
TRACT NUMBER:	TRA 011-051
LOT SIZE:	RECORDED LOT SIZE IS 16.4 ACRES
LEGAL DESCRIPTION:	

THAT PORTION OF THE EAST 7/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 4 EAST. SAN BERNARDINO BASE AND MERIDIAN; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE ALONG THE EAST LINE OF SAID SECTION 22, NORTH 0°1B'02" EAST. 329.54 FEET TO THE SOUTHEAST CORNER OF THE NORTH 7/2 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22, SAID POINT BEING THE TRUE OF BEGINNING: THENCE CONTINUING ALONG SAID EAST LINE. NORTH 0°18'02" EAST. 989.27 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4 OF SAID SECTION 22; THENCE CONTINUING ALONG SAID EAST LINE. NORTH 0°17'37" EAST 329.17 FEET. TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22;
THENCE ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 7/4, NORTH 89°49'52" WEST. 656.01 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 7/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE ALONG THE WEST LINE OF SAID SOUTH 7/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 7/4 OF THE SOUTHEAST 7/4, SOUTH 0°22'06" WEST. 329.79 FEET. TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE EAST 7/2 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4; THENCE ALONG THE WEST LINE OF SAID EAST 7/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 7/4, SOUTH D038'02" WEST. 986.75 FEET TO THE SOUTHWEST CORNER OF THE NORTH 7/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SOUTH 89°J9'47" EAST. 662.18 FEET. TO THE TRUE POINT OF BEGINNING.

PROPERTIES ARE NOT IN A TRIBAL LAND

TITLE	SHEET
TITLE PAGE	CV
SITE PHOTOS	1.0
EXTERIOR MATERIALS	1.1
SITE PLAN	1.2
SITE SECTIONS / ELEVATIONS	1.3
ENLARGED SITE PLAN	1.4
CIVIL LOT INFORMATION	1 OF 2
CIVIL PLAN / SURVEY	2 OF 2
PLANTING PLAN	L-1
EXISTING BUILDING FLOOR PLAN	2.0
BATHHOUSE FLOOR PLAN	2.1
PALAPA BAR FLOOR PLAN & EXTERIOR ELEVATIONS	2.2
RAISED CABANA FLOOR PLAN & EXTERIOR ELEVATIONS	2.3
EXISTING BUILDING EXTERIOR ELEVATIONS	3.0
EXISTING BUILDING EXTERIOR ELEVATIONS	3.1
BATHHOUSE EXTERIOR ELEVATIONS / SECTIONS	3.2
SITE FENCE EXTERIOR ELEVATIONS / SECTIONS	-3.3

HACIENDA CANTINA & BEACH CLUB

OWNER:	NEXUS COMPANIES 700 E TAHQUITZ CANYON WAY PALMS SPRINGS, CA 92262 CONTACT PERSON: RICH MEANEY 714.546.5600
ARCHITECT:	CHRIS PARDO DESIGN / ELEMENTAL ARCHITECTURE 700 E TAHQUITZ CANYON WAY, SUITE A PALMS SPRINGS, CA 92262 CONTACT PERSON: CHRIS PARDO PARDO@ELEMENTALARCHITECTURE.COM 206.329.1654
CIVIL ENGINEER:	SANBOEN A&E 71-780 SAN JACINTO DR, #E RANCHO MIRAGE, CA 92270 CONTACT PERSON: ALLEN SANBORN 760.423.8600
LANDSCAPE DESIGNER:	TKD ASSOCITES, INC 71-711 SAN JACINTO DR, SUITE C RANCHO MIRAGE, CA 92270 CONTACT PERSON: THOMAS DOCZI 760.776.1751

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Hacienda Cantina & Beach Club

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No.	Date	Issue

TITLE PAGE

Job #: 047

CV
Sheet

MORONGO ROAD

BELARDO ROAD

S. PALM CANYON DRIVE

N 89°36'22" W 655.96'

N 89°52'54" W 656.46'

N 00°17'12" E 328.59'

EXIST. RESIDENCE (FF=35.50)

NEW A.C. PAVEMENT

EXIST. GUTTER TO REMAIN

REMOVE EXIST. CURB

REMOVE EXIST. CURB

REMOVE EXIST. CURB

(E) PARKING LOT

(E) CURB TO REMAIN

WALL SEE ARCH. PLANS

FENCE (SEE ARCH. PLAN)

BOCCE BALL COURT FS=34.16

BOCCE BALL COURT FS=34.16

POOL WS=33.66

FF=36.00

FF=34.32

FF=34.20 (SPA)

FF=35.00

EXIST. DRIVEWAY

INLET 29.00

TOG (32.18) BOT. (28.68)

UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

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NO.	REVISION	APPROVED / DATE	

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REGISTERED PROFESSIONAL ENGINEER PETER G. RINGER NO. 13515 EXP. 3/31/15 CIVIL STATE OF CALIFORNIA

BENCH MARK 23-16 ELEV. 432.272

LOCATION 3" CPS BRONZE DISK STAMPED "23-16 1977" IN MONUMENT WELL AT CENTERLINE OF SONORA ROAD AND E. PALM CANYON DRIVE

SANBORN A/E, Inc.
71780 SAN JACINTO DR., BLDG. C-1
RANCHO MIRAGE, CA. 92270
TEL. (760) 423-0800
FAX (760) 423-0803

PREPARED UNDER THE DIRECT SUPERVISION OF:

PETER G. RINGER — R.C.E. 13515 — DATE

DESIGN BY:	REVIEWED BY:	APPROVED BY:
A.M.S.		DAVID J. BARAKIAN
DRAWN BY: F.J.		
CHECKED BY: A.M.S.	R.C.E. NO. / DATE	R.C.E. NO. 23931 / DATE

CITY OF PALM SPRINGS, CALIFORNIA

PRELIMINARY GRADING & DRAINAGE PLAN for THE HACIENDA at PLAZA DEL SOL

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 4 EAST, S.B.M.

FILE NO. E-

DWG. NO.

SHEET 2 OF 2 SHEETS

RECEIVED
NOV 14 2013
PLANNING SERVICES DEPARTMENT
3.1111

GRAPHIC SCALE
20 10 0 20 40 60
SCALE 1"=20'

W.O.: 13-141

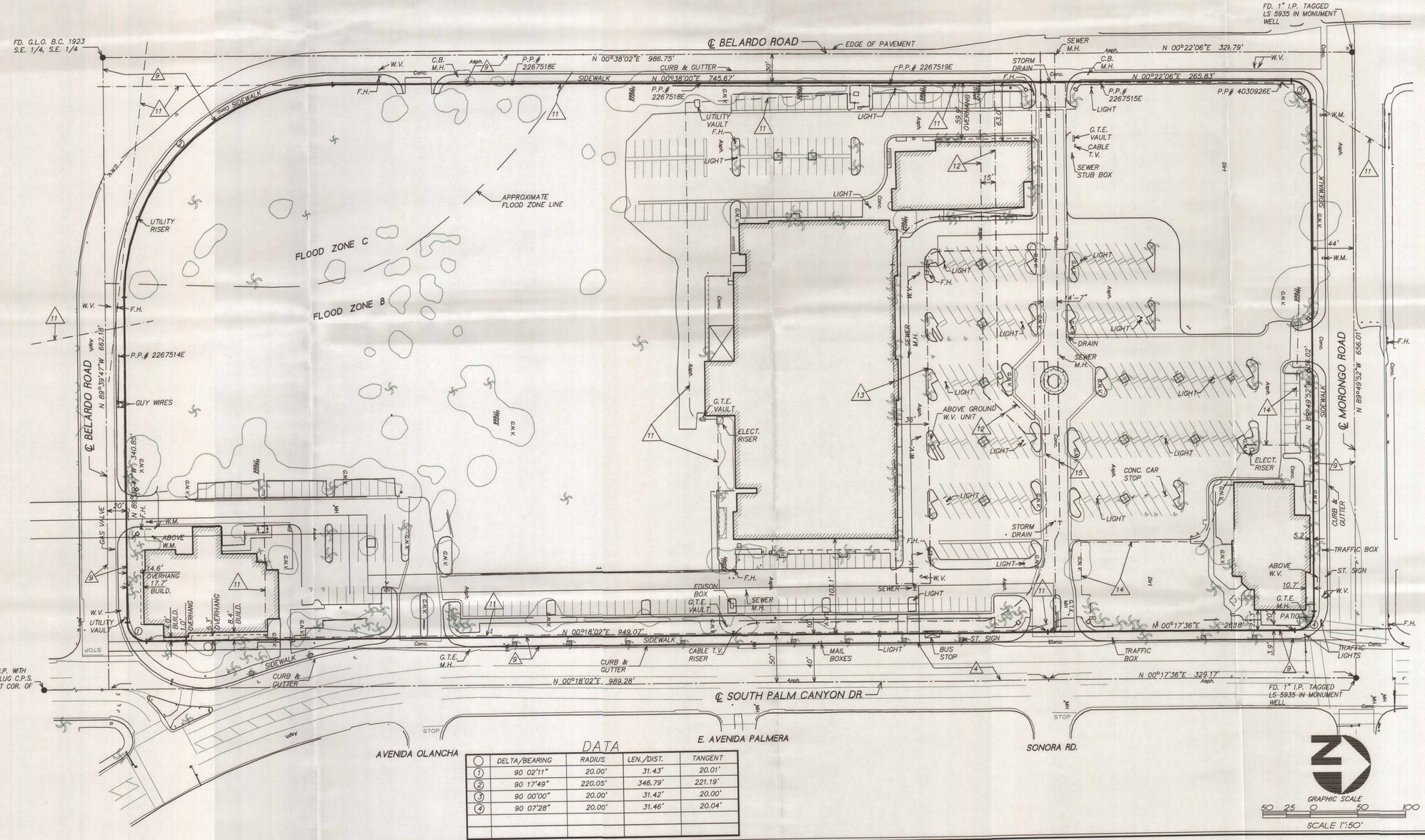
9/5/2013 2:49 PM G:\Autocad Files\13 Related Files\13-141 Hacienda\Plan\13-141 GRADING

IN THE CITY OF PALM SPRINGS, CALIFORNIA

ALTA
PLAZA DEL SOL

BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15 T.4S., R.4E., S.B.B. & M

SANBORN A/E, Inc. OCTOBER 2001



DATA

	DELTA/BEARING	RADIUS	LEN./DIST.	TANGENT
1	90 02'11"	20.00'	31.43'	20.01'
2	90 17'49"	220.05'	346.79'	221.19'
3	90 00'00"	20.00'	31.42'	20.00'
4	90 07'28"	20.00'	31.46'	20.04'

SANBORN
ARCHITECTURE
CIVIL ENGINEERING
LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN P.L.S.
SURVEYOR
1227 S. GENE AUTRY TRAIL
SUITE "C"
PALM SPRINGS, CA. 92264
TEL (760) 325-9426
FAX (760) 325-5130

REVISIONS

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PROJECT TITLE:
ALTA for PLAZA DEL SOL

PALM SPRINGS, CA.

SHEET TITLE:
ALTA

3.1111
RECEIVED
NOV 14 2013
PLANNING SERVICES DEPARTMENT

PLOT DATE	W.O.	01-207
11/15/01	SCALE	1"=50'
	DATE	10/18/01
	CHECKED	JLS
	DRAWN	AMS
	PATH	01-207
	DWG FILE	ALTA
	SHEET NO.	2 OF 2

DEPARTMENT OF PLANNING SERVICES
Application Review & Processing

Project/Location: _____ | Case: _____
Applicant/ Address: _____ | Phone: _____
Planner Assigned: _____ | Fax: _____

NOTES:	Date Completed	Comments
1. Pre-Application Conference -		
* Staff Review	_____	_____
* Director's Review	_____	_____
* Letter(s) to Applicant - Completeness, Environment & Scheduling	_____	_____
2. Pre-Application Project Review -		
* Date submitted	_____	_____
* Planning Staff	_____	_____
Development Committee - Letter		
* Design Review - Letter	_____	_____
* Pl. Comm. Study Session - Letter	_____	_____
3. **Application Filed (incl. Date)**	_____	_____
4. **Planning Case Review**	_____	_____
5. Dev. Committee - Report to Director w/Conditions-Planner shall schedule	_____	_____
6. Application - Date Completed If not, date incomplete letter to appl.	_____	_____
7. Environmental Assessment/Staff Report Prep. - Discuss issues w/Director, Planning Manager & Applicant	_____	_____
8. Public Notice - (10 or 20 days in advance) Plus time to publish - if applicable printing and mailing	_____	_____
9. Staff Report finalized and printed	_____	_____
10. Review Conditions of Appl. w/ applicant	_____	_____
11. **Staff/Planning Comm. Review & Approval**	_____	_____
12. Stamped Conditions of Appr/Reso/Plans and route to Engr'g & Fire Dept.	_____	_____
13. Appeal Period (10 - 15 days) Review appeal, if applicable	_____	_____
14. **Total Days to Process (#6 to #11)**	_____	_____

Parking Study - Hacienda Cantina

The current requirements for a shopping complex that exceeds 20,000 square feet in size are as follows:

Mixed use Developments (with a gross floor area exceeding twenty thousand (20,000) square feet including retail but excepting the C-B-D zone)

One (1) space for each two hundred fifty (250) square feet of gross floor area

Additional parking need not be provided for restaurants provided that, no more than twenty-five (25) percent of the total floor area of the whole complex is devoted to restaurant use

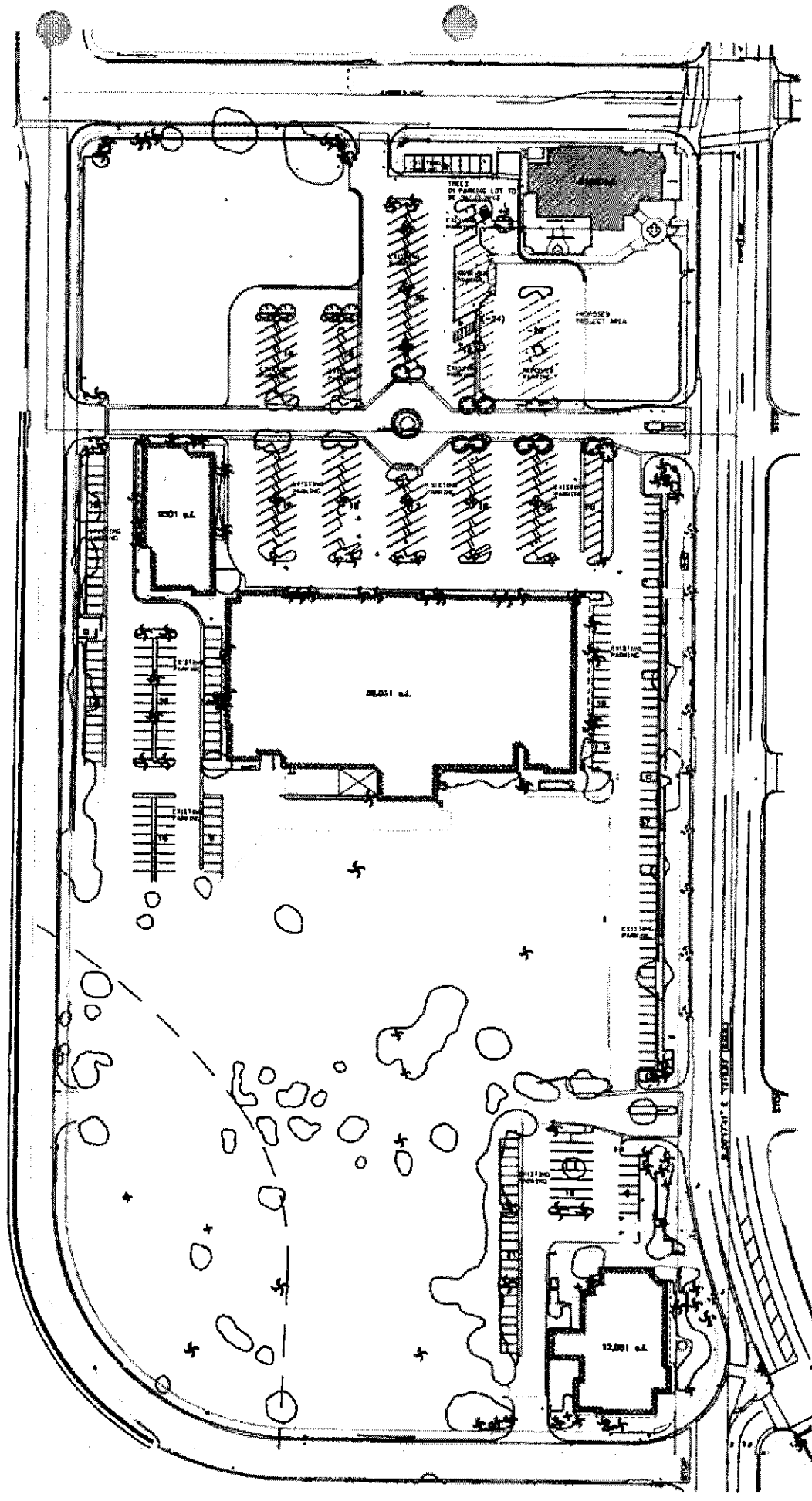
a The percentage of floor area devoted to restaurant uses without additional parking may be increased by the planning commission where it finds that the nature of the use will not require increased parking that other adequate arrangements exist to satisfy the parking demand or that other similar factors exist

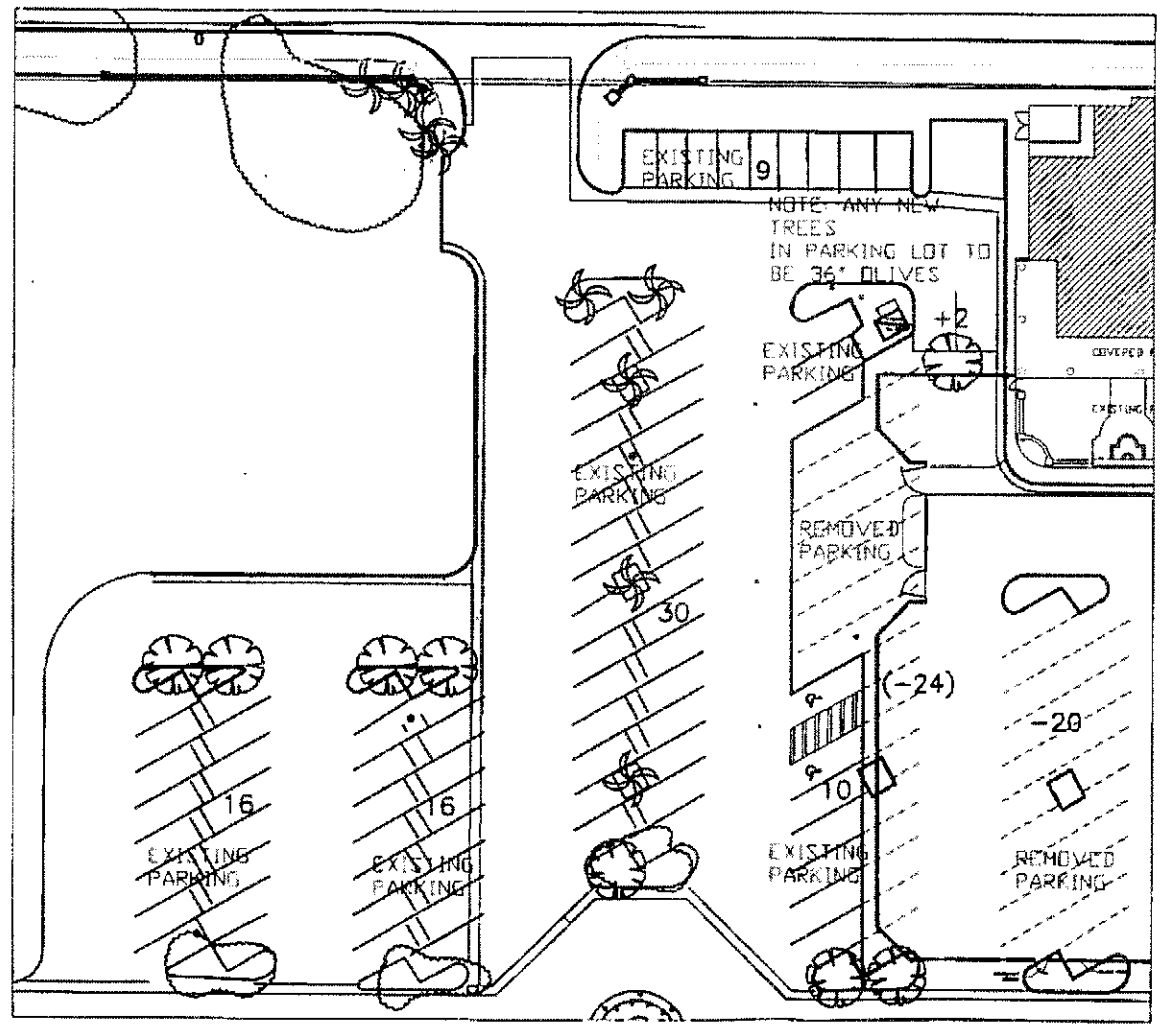
87,803 total building s.f. of entire complex

Based on 1 space per 250 s.f. of floor area = 351 spaces required
Currently there are 443 spaces

We propose to remove 44 spaces
We propose to add 2 spaces

There will be a total of 401 spaces when complete
(50 spaces more than required)





Enlarged Plan
N.T.S.

CITY OF PALM SPRINGS

Department of Planning Services

LAND USE PERMIT # 13-067

Applicant: **Miggy's Cantina, LLC**	*Mailing Address:* **700 E. Tahquitz Canyon Way Palm Springs, CA 92262**	*Phone:* **(949) 922-8210** *Fax:* *E-Mail:* ***rhm@nexusd.com***
Business Name: **Hacienda Cantina**		*Site Address:* **1555 South Palm Canyon Drive**
Zone/GP: **C-1 / NCC 92.12.01(C)(2)(j)**	*APN:* **513-300-038**	*Section, Township, Range:* **22/4/4**

PROCEDURE: An application for a Land Use Permit shall be submitted to the Department of Planning Services, and shall be accompanied by the following:

1. A Processing fee of $696.00
2. A floor plan and/or site plan displaying the layout of the proposal.
3. Such other information as the Director of Planning Services may require, including, but not limited to adjacent uses, photographs, building elevations, landscape plans, design studies, furniture information, etc.

STATEMENT OF ACTIVITY: Applicant shall submit a statement of the use, expected size, volume, hours, and length of operations; information relating to sanitation, noise, air pollution, vehicle parking, traffic circulation, and any other information of the proposed project:

Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

CONDITIONS: See Land Use Permit for conditions including the requirement of an encroachment agreement to be obtained from the City Engineering Department.

TRANSFER: Transfer of Land Use Permit to another applicant is subject to review and approval by the Director of Planning Services.

REVOCATION: The Director of Planning Services may revoke any Land Use Permit that does not meet or comply with conditions and requirements of this permit.

Applicant's Signature	Permit Center Signature	Date	Account #
		11-27-13	001-32204

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8245 – direct
(760) 322-8360 – facsimile

LAND USE PERMIT #13-067
CONDITIONS OF APPROVAL

DATE: November 27, 2013

REQUEST: Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

APPLICANT: Miggy's Cantina LLC

LOCATION: 1555 South Palm Canyon Drive

ZONING/ GENERAL PLAN: C-1 / NCC - Section 92.12.01(C)(2)(j) – outdoor musicians and entertainment (subject to provisions of noise ordinance) located on the same property as permitted use allowed with a Land Use Permit.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning and Building, the Chief of Police, the Fire Chief, or their designee, depending on which department recommended the condition(s).

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.

2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning this Land Use Permit application. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter

following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

3. No architectural approval is granted herein. Any exterior changes of the establishment shall require separate applications and permits.

4. Any exterior signing, including menu boards and temporary signs shall be approved by the Planning Department. Menu boards and portable open signs shall not be permitted within the City right-of-way without a permit and violations will result in issuance of citations and revocation of all permits and agreements.

5. This Land Use Permit authorizes the use of live DJ's and bands providing entertainment outdoor on pool deck.

   Live Entertainment is approved as follows:

   a) Live entertainment shall be limited to the pool deck within the hours of 8:00 AM to 6:00 PM.

   b) Any and all instruments shall have limited amplification.

   c) All amplification equipment shall be placed so that sound is projected toward other commercial properties and roadways away from nearby residential communities.

   d) Noise levels shall be maintained to a level where customers can conduct normal conversation.

   e) All activities shall comply with the provisions of the City's Noise Ordinance.

6. Hours of operation for outdoor pool area to be from 8:00 AM to 6:00 PM seven days a week.

7. This permit does not waive the City's noise ordinance. The business is required to adhere to the following noise levels at all times according to Muni. Code Chap. 11.74.

Ordinance Time of Day	Ordinance dBA Limits
7:00 AM to 6:00 PM	60
6:00 PM to 10:00 PM	55
10:00 PM to 7:00 AM	50

8. All conditions of approval associated with Minor Architectural Application (MAA) Case # 3.111 shall apply including site layout, hardscape, and landscaping.

9. This Land Use Permit recognizes the presence of 401 off-street parking spaces at Plaza del Sol Shopping Center meeting the requirements of Section 93.06.00(D)(19) of the Palm Springs Zoning Code (PSZC) for mixed-use developments over 20,000-square feet.

10. The food service use shall conform to all County of Riverside Department of Health requirements.

11. A business license and any other permits are required.

12. Applicant shall comply with all California Alcohol Beverage Control regulations.

13. This Land Use Permit shall be displayed on-site at all times and made available to City officials upon request.

14. Failure to comply with Municipal Codes, Ordinances, and the conditions of this land use permit may result in revocation of this permit.

Director of Planning Services Signature: _____ Date: 11-27-13

Applicants Signature: _____ Date: 11-27-13

ARCHITECTURAL ADVISORY COMMITTEE
STAFF MEMORANDUM

DATE: November 25, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

On October 21, 2013, the Architectural Advisory Committee reviewed a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. The project was tabled with comments and requests, including:

1. Use of Washington Filifera Palms instead of Queen Palms;
2. Use 36-inch box Olive trees in parking lot for shading;
3. Setback wall along Palm Canyon with enhanced landscape;
4. Height of service (bar) structure too tall at ten feet height and should be reduced;
5. Provide additional information on Palm Canyon building / structure elevations, and details of wall finish and articulation;

The plans have been revised as follows:

1. Sheet L-1:
    a. Queen Palms replaced with Washingtonia Robusta (California Fan Palms);
    b. 36-inch box Olive trees proposed in adjacent parking area planters (3 shown – additional will be necessary in remainder of parking lot);
    c. No change to wall location along Palm Canyon Drive;
2. Sheet 2.2: Service bar reduced by one foot in height;
3. Sheets 3.0 and 3.1: Proposed gray colors superimposed on elevations of existing restaurant building;
4. Added Sheet 3.4: Building perspectives from S. Palm Canyon Drive.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

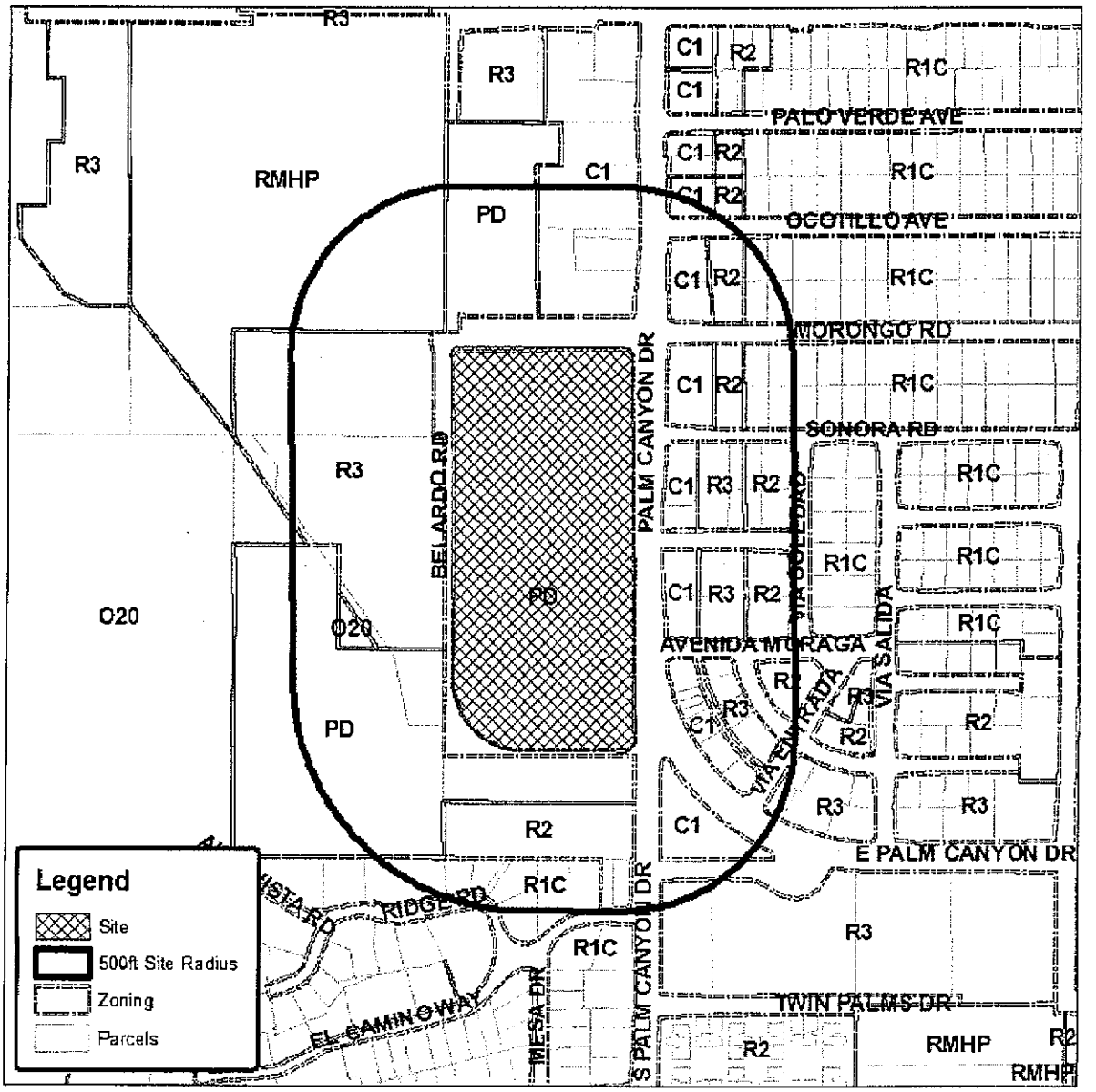
1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be Olive species consistent with existing on-site.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. 10/21/2013 AAC Minutes (excerpt)
3. 10/21/2013 AAC Staff Memorandum
4. Reduced Plans

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.1111 MAA

APPLICANT: Plaza Del Sol, LLC

DESCRIPTION:
A proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center, 1555 South Palm Canyon Drive, Zone PD-131 / C-1, Section 22.

COMMITTEE MEMBERS HIRSCHBEIN, SONG AND CHAIR SECOY-JENSEN all said that the current misting system is not acceptable.

M/S/C (Vice Chair Fauber/Purnel, 6-0-1 absent Cassady) To deny

8. **PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)**

RUBEN WALTERS, applicant, presented the project.

COMMITTEE MEMBER FREDRICKS said the buildings could blend in better with existing structure. They should not duplicate Queen palms but use Washingtonian filifera instead. The trees in parking lot to be 36" olives.

COMMITTEE MEMBER HIRSCHBEIN said he felt the modern aesthetic was fine; however, they need a significant setback with landscaping outside the street wall; need Palm Canyon elevations.

COMMITTEE MEMBER SONG said the 10' roof is too massive at the sidewalk; need elevations of existing roof; details on wall finish and articulation.

M/S/C (Chair Secoy-Jensen/Fauber, 6-0-1 absent Cassady) To table, applicant to return with amendments upon comments.

COMMITTEE MEMBER COMMENTS:

None.

STAFF MEMBER COMMENTS:

Director Wheeler provided an update on the on-site sign posting requirements.

Director Wheeler announced that there would be no meeting on December 23, 2013.

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: October 21, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. Modifications to the existing parking areas are also proposed.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be recommended by AAC.

ISSUES:

- Shopping center non-conforming in parking lot shading.

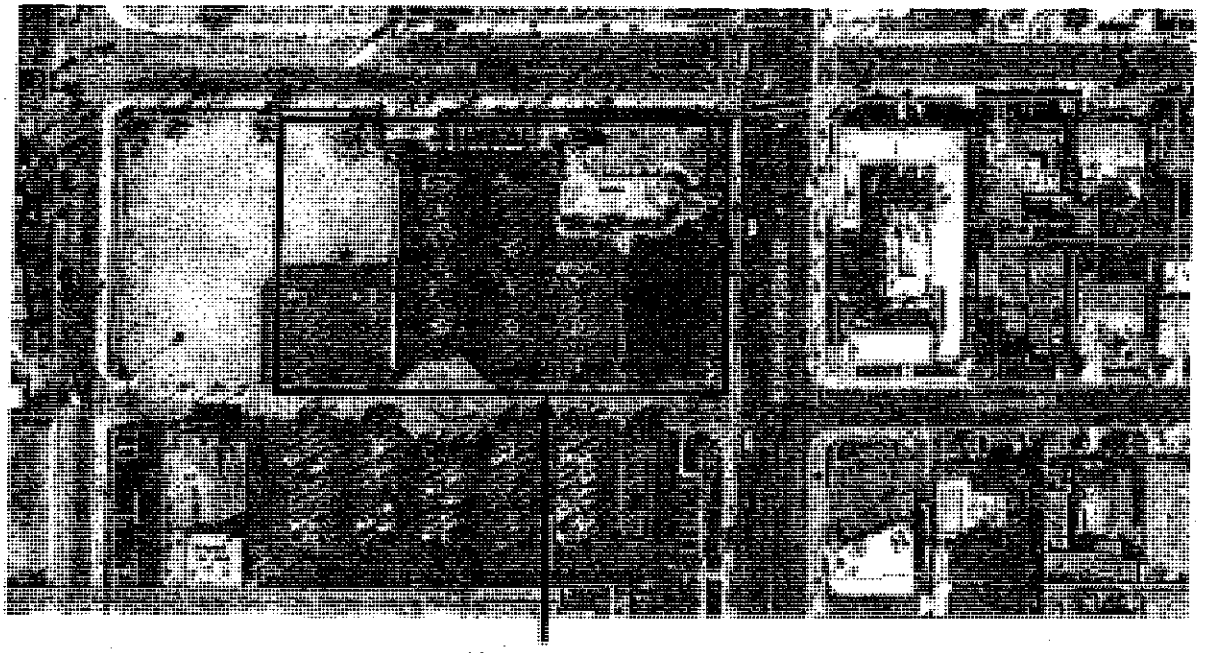
BACKGROUND:

Planning Areas		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	
Resort Combining	Yes	Subject to Section 92.25.00 of Zoning Code

Related Relevant City Actions by Planning, Fire, Building, etc...	
None	

Neighborhood Meeting	
None	

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	*Existing Zoning Designation*	*Existing Land Use*
Subject Property	NCC (Neighborhood / Community Commercial)	PD-131 (Planned Development 131)	Restaurant in Commercial Shopping Center
North	NCC	C-1 (Retail Business), R-3 (Multiple-family Residential and Hotel) & PD-17	66-unit Hotel
South	TRC (Tourist Resort Commercial)	PD-52	Stein-Mart and other commercial tenants
East	TRC	C-1	38-unit Hotel
West	HDR (High Density Residential)	R-3	Vacant



PROPOSED DEVELOPMENT

PROJECT DESCRIPTION:

The applicant proposes to develop the grass area and a portion of the parking area adjacent to the existing restaurant building as follows:

- Construct outdoor recreation area including, pool, lounge chairs, private cabanas, palapa bar, bathrooms and (2) bocce ball courts;
- Surround the proposed recreation area with six-foot high block wall;
- Install wrought-iron fence between pool area and restaurant building walkway;
- Expand the parking area to the vacant, undeveloped dirt area west of the building;
- Re-paint existing restaurant building with gray hues;
- Enhance landscaping around and within proposed recreation area.

ANALYSIS:

General Plan			
Land Use Designation	Floor Area Ratio	Request	Compliance
NCC	0.35 F.A.R.	No change (No usable floor space proposed)	Yes

Zoning – Uses & Lot Standards			
	Zoning Requirements: PD-131 with underlying C-1	Proposed	Compliance
Uses permitted	Restaurant, including accessory uses	Restaurant with outdoor accessory uses (entertainment, recreation, etc.)	Yes, with approval of Land Use Permit
Lot Standards			
Min. Area	20,000 sq. ft.	Existing (17.4 acres)	Yes
Min. Width	100 ft.	Existing (580 ft.)	Yes
Min. Depth	150 ft.	Existing (1,275 ft.)	Yes

Zoning – Building Development Standards			
	Requirements for PD-131 with underlying C-1 Zone	Proposed	Compliance
Building Height	30 ft. maximum	13 ft. maximum	Yes
Yard Setbacks			
Street Frontages	5 ft. from any street frontage	5 ft. to 6 ft. high block wall	Yes
Pool / spas	5 ft. from any property line	65 ft. +	Yes
Distance Between Buildings	No requirement	N/a	N/a
Lot Coverage	No requirement	N/a	N/a
Off-street Parking	Mixed Use Development require 1 parking space per 250 sq. ft. of gross floor area	Parking removed will be replaced on-site	Yes
Trash Enclosure	Required	Existing	Yes

D. *Planning Commission Architectural Advisory Committee Review Guidelines.*

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	Outdoor recreation area will be accessory to restaurant use;
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Restaurant building is existing; accessory recreation area located within commercial shopping complex with adequate parking. No impacts to surrounding developments are anticipated;
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Materials include corrugated metal, concrete block (scored and diamond face), burnt cedar and stucco; colors include white and grays;
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pool area will be separated from restaurant with pedestrian walkway and wrought-iron fence;
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partial	The proposed structures are a modern design with simple lines and shapes, while the existing restaurant building and remainder of the shopping center were built with in a Spanish Revival theme.

6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Structures conform to zoning code requirements. No mechanical equipment is proposed;
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Shade devices built with corrugated metal;
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Materials and colors used in consistent manor throughout project site;
9	Consistency of composition and treatment	Yes	Composition and treatment consistent throughout;
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	Trees and plants will be consistent with existing landscape in shopping centers.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Reduced Plans

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

DATE: JUNE 24, 2015

TO: CINDY BERARDI, DEPUTY CITY CLERK

FROM: DEBBI ALLEN, DEVELOPMENT SERVICES CONCIERGE

SUBJECT: RECORD REQUEST FOR 1555 PALM CANYON DRIVE SOUTH – HACIENDA CANTINA & BEACH CLUB – Case: 3.1111

BY: Davidl819@yahoo.com

The City of Palm Springs Planning Services Department has attached copies of documents answering the questions asked by Davidl819@yahoo.com in his records request of June 22, 2015.

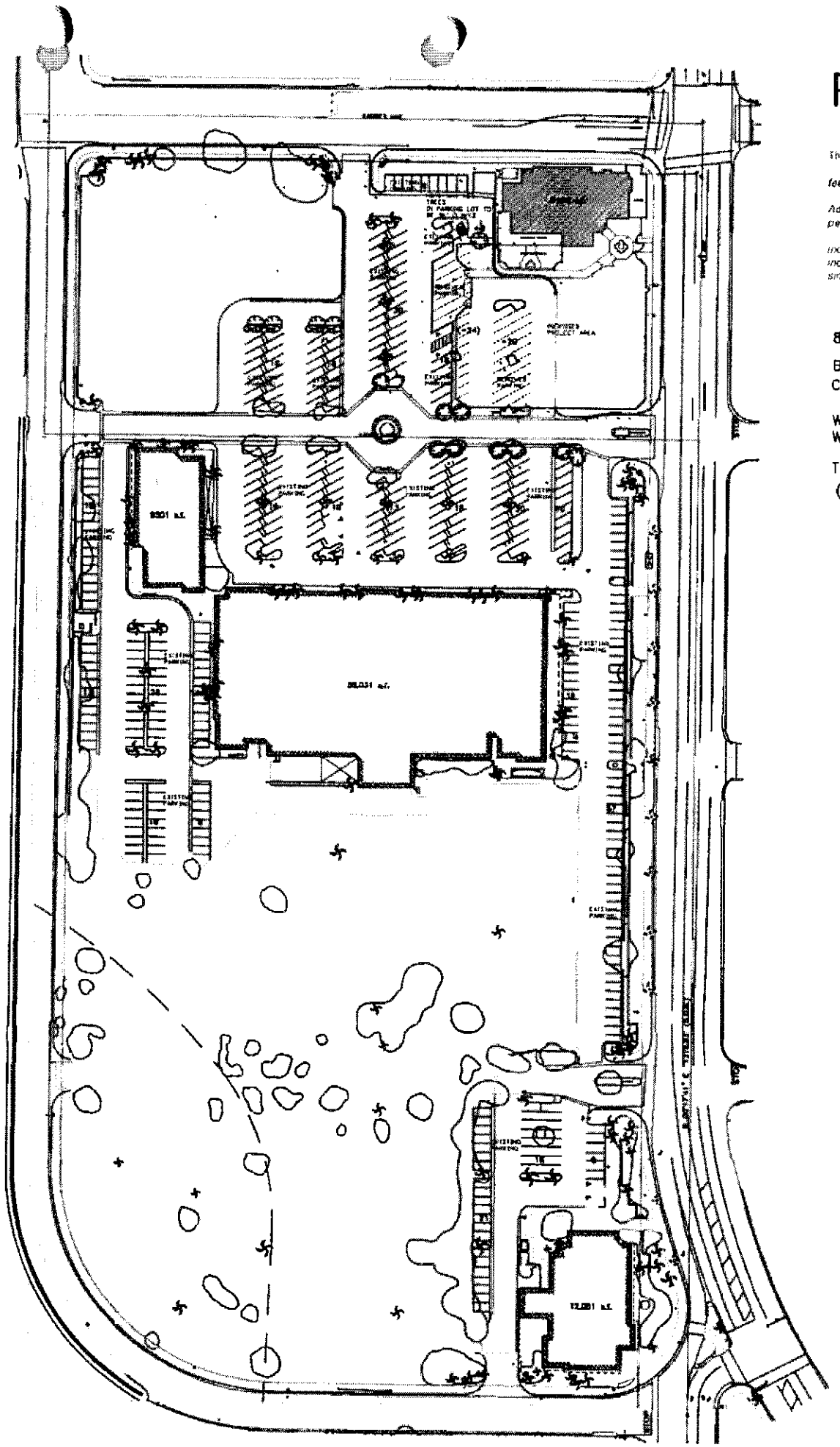
The Hacienda Cantina – Parking Study for 1555 Palm Canyon Drive South, Palm Springs, CA 92264 lists the entire square footage of the complex (all of the buildings) as 87,803 sf. We have also attached the City of Palm Springs Architectural Advisory Committee Staff Memorandum of November 25, 2013, as well as, the Land Use Permit #13-067 which lists the Conditions of Approval for Miggy's Cantina, LLC – Hacienda Cantina.

Also attached is the Case File 3.1111 for Mr. David's review.

If I may be of any further assistance please do not hesitate to contact me 760-323-8245 Ext 8767.

Debbi Allen,
Development Services Concierge
City of Palm Springs
Palm Springs CALIFORNIA
like no place else.™
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

760-323-8245 X 8767
760-322-8360 FAX



Parking Study - Hacienda Cantina

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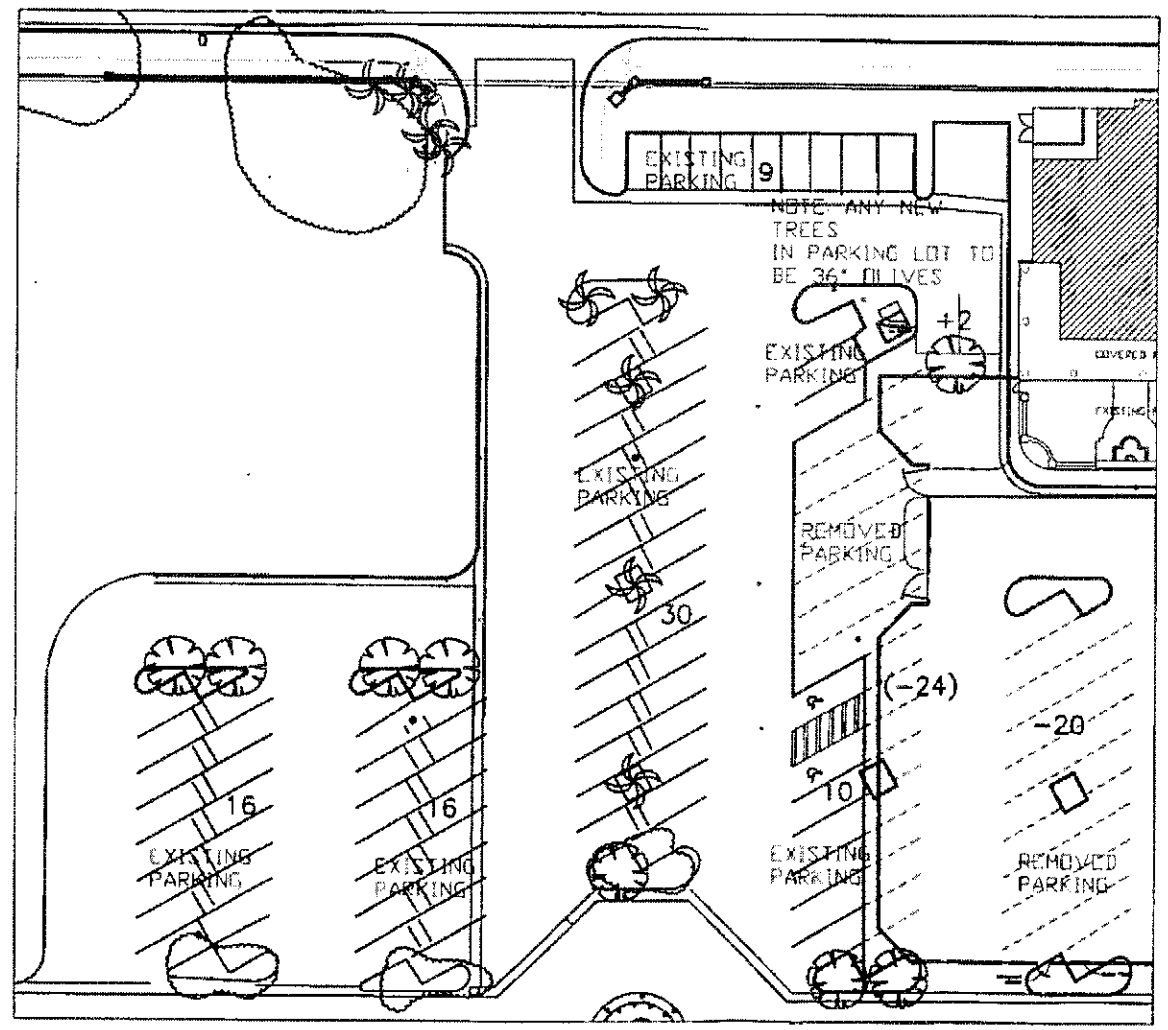


Enlarged Plan
N.T.S.

CITY OF PALM SPRINGS

Department of Planning Services

LAND USE PERMIT # 13-067

Applicant: **Miggy's Cantina, LLC**	*Mailing Address:* **700 E. Tahquitz Canyon Way Palm Springs, CA 92262**	*Phone:* **(949) 922-8210** *Fax:* *E-Mail:* ***rhm@nexusd.com***
Business Name: **Hacienda Cantina**		*Site Address:* **1555 South Palm Canyon Drive**
Zone/GP: **C-1 / NCC 92.12.01(C)(2)(j)**	*APN:* **513-300-038**	*Section, Township, Range:* **22/4/4**

PROCEDURE: An application for a Land Use Permit shall be submitted to the Department of Planning Services, and shall be accompanied by the following:

1. A Processing fee of $696.00
2. A floor plan and/or site plan displaying the layout of the proposal.
3. Such other information as the Director of Planning Services may require, including, but not limited to adjacent uses, photographs, building elevations, landscape plans, design studies, furniture information, etc.

STATEMENT OF ACTIVITY: Applicant shall submit a statement of the use, expected size, volume, hours, and length of operations; information relating to sanitation, noise, air pollution, vehicle parking, traffic circulation, and any other information of the proposed project:

Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

CONDITIONS: See Land Use Permit for conditions including the requirement of an encroachment agreement to be obtained from the City Engineering Department.

TRANSFER: Transfer of Land Use Permit to another applicant is subject to review and approval by the Director of Planning Services.

REVOCATION: The Director of Planning Services may revoke any Land Use Permit that does not meet or comply with conditions and requirements of this permit.

Applicant's Signature	Permit Center Signature	Date	Account #
		11-27-13	001-32204

City of Palm Springs
Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8245 – direct
(760) 322-8360 – facsimile

LAND USE PERMIT #13-067
CONDITIONS OF APPROVAL

DATE: November 27, 2013

REQUEST: Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

APPLICANT: Miggy's Cantina LLC

LOCATION: 1555 South Palm Canyon Drive

ZONING/ GENERAL PLAN: C-1 / NCC - Section 92.12.01(C)(2)(j) – outdoor musicians and entertainment (subject to provisions of noise ordinance) located on the same property as permitted use allowed with a Land Use Permit.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning and Building, the Chief of Police, the Fire Chief, or their designee, depending on which department recommended the condition(s).

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.

2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning this Land Use Permit application. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter

following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

3. No architectural approval is granted herein. Any exterior changes of the establishment shall require separate applications and permits.

4. Any exterior signing, including menu boards and temporary signs shall be approved by the Planning Department. Menu boards and portable open signs shall not be permitted within the City right-of-way without a permit and violations will result in issuance of citations and revocation of all permits and agreements.

5. This Land Use Permit authorizes the use of live DJ's and bands providing entertainment outdoor on pool deck.

   Live Entertainment is approved as follows:

   a) Live entertainment shall be limited to the pool deck within the hours of 8:00 AM to 6:00 PM.

   b) Any and all instruments shall have limited amplification.

   c) All amplification equipment shall be placed so that sound is projected toward other commercial properties and roadways away from nearby residential communities.

   d) Noise levels shall be maintained to a level where customers can conduct normal conversation.

   e) All activities shall comply with the provisions of the City's Noise Ordinance.

6. Hours of operation for outdoor pool area to be from 8:00 AM to 6:00 PM seven days a week.

7. This permit does not waive the City's noise ordinance. The business is required to adhere to the following noise levels at all times according to Muni. Code Chap. 11.74.

Ordinance Time of Day	Ordinance dBA Limits
7:00 AM to 6:00 PM	60
6:00 PM to 10:00 PM	55
10:00 PM to 7:00 AM	50

8. All conditions of approval associated with Minor Architectural Application (MAA) Case # 3.111 shall apply including site layout, hardscape, and landscaping.

9. This Land Use Permit recognizes the presence of 401 off-street parking spaces at Plaza del Sol Shopping Center meeting the requirements of Section 93.06.00(D)(19) of the Palm Springs Zoning Code (PSZC) for mixed-use developments over 20,000-square feet.

10. The food service use shall conform to all County of Riverside Department of Health requirements.

11. A business license and any other permits are required.

12. Applicant shall comply with all California Alcohol Beverage Control regulations.

13. This Land Use Permit shall be displayed on-site at all times and made available to City officials upon request.

14. Failure to comply with Municipal Codes, Ordinances, and the conditions of this land use permit may result in revocation of this permit.

Director of Planning Services Signature: _____ Date: 11-27-13

Applicants Signature: _____ Date: 11-27-13

ARCHITECTURAL ADVISORY COMMITTEE
STAFF MEMORANDUM

DATE: November 25, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

On October 21, 2013, the Architectural Advisory Committee reviewed a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. The project was tabled with comments and requests, including:

1. Use of Washington Filifera Palms instead of Queen Palms;
2. Use 36-inch box Olive trees in parking lot for shading;
3. Setback wall along Palm Canyon with enhanced landscape;
4. Height of service (bar) structure too tall at ten feet height and should be reduced;
5. Provide additional information on Palm Canyon building / structure elevations, and details of wall finish and articulation;

The plans have been revised as follows:

1. Sheet L-1:
    a. Queen Palms replaced with Washingtonia Robusta (California Fan Palms);
    b. 36-inch box Olive trees proposed in adjacent parking area planters (3 shown – additional will be necessary in remainder of parking lot);
    c. No change to wall location along Palm Canyon Drive;
2. Sheet 2.2: Service bar reduced by one foot in height;
3. Sheets 3.0 and 3.1: Proposed gray colors superimposed on elevations of existing restaurant building;
4. Added Sheet 3.4: Building perspectives from S. Palm Canyon Drive.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be Olive species consistent with existing on-site.

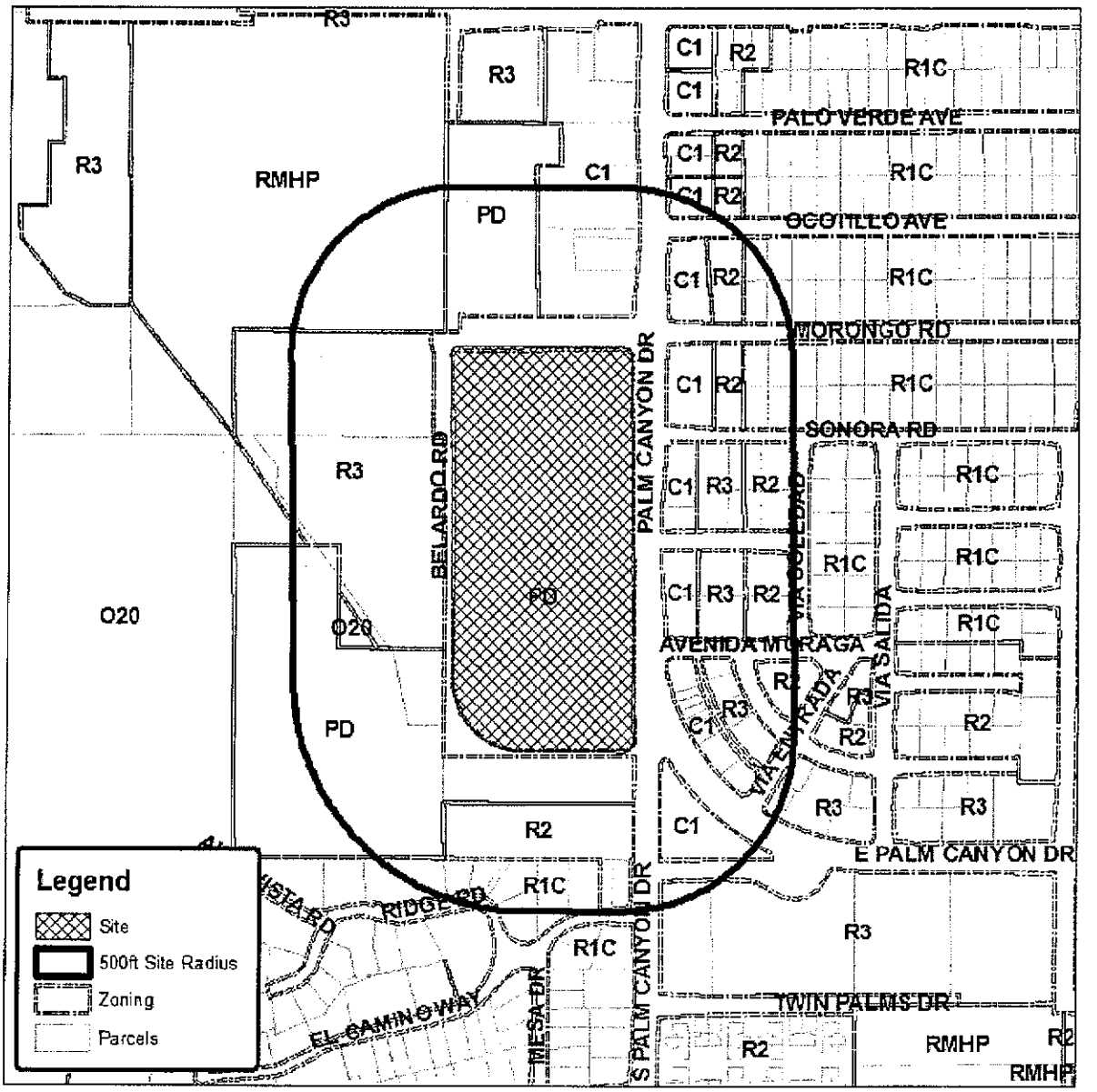
David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. 10/21/2013 AAC Minutes (excerpt)
3. 10/21/2013 AAC Staff Memorandum
4. Reduced Plans

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.1111 MAA

APPLICANT: Plaza Del Sol, LLC

DESCRIPTION:
A proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center, 1555 South Palm Canyon Drive, Zone PD-131 / C-1, Section 22.

COMMITTEE MEMBERS HIRSCHBEIN, SONG AND CHAIR SECOY-JENSEN all said that the current misting system is not acceptable.

M/S/C (Vice Chair Fauber/Burnet, 6-0-1 absent Cassady) To deny.

8. PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

RUBEN WALTERS, applicant, presented the project.

COMMITTEE MEMBER FREDRICKS said the buildings could blend in better with existing structure. They should not duplicate Queen palms but use Washingtonian filifera instead. The trees in parking lot to be 36" olives.

COMMITTEE MEMBER HIRSCHBEIN said he felt the modern aesthetic was fine; however, they need a significant setback with landscaping outside the street wall; need Palm Canyon elevations.

COMMITTEE MEMBER SONG said the 10' roof is too massive at the sidewalk; need elevations of existing roof; details on wall finish and articulation.

M/S/C (Chair Secoy-Jensen/Fauber, 6-0-1 absent Cassady) To table, applicant to return with amendments upon comments.

COMMITTEE MEMBER COMMENTS:

None.

STAFF MEMBER COMMENTS:

Director Wheeler provided an update on the on-site sign posting requirements.

Director Wheeler announced that there would be no meeting on December 23, 2013.

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: October 21, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. Modifications to the existing parking areas are also proposed.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be recommended by AAC.

ISSUES:

- Shopping center non-conforming in parking lot shading.

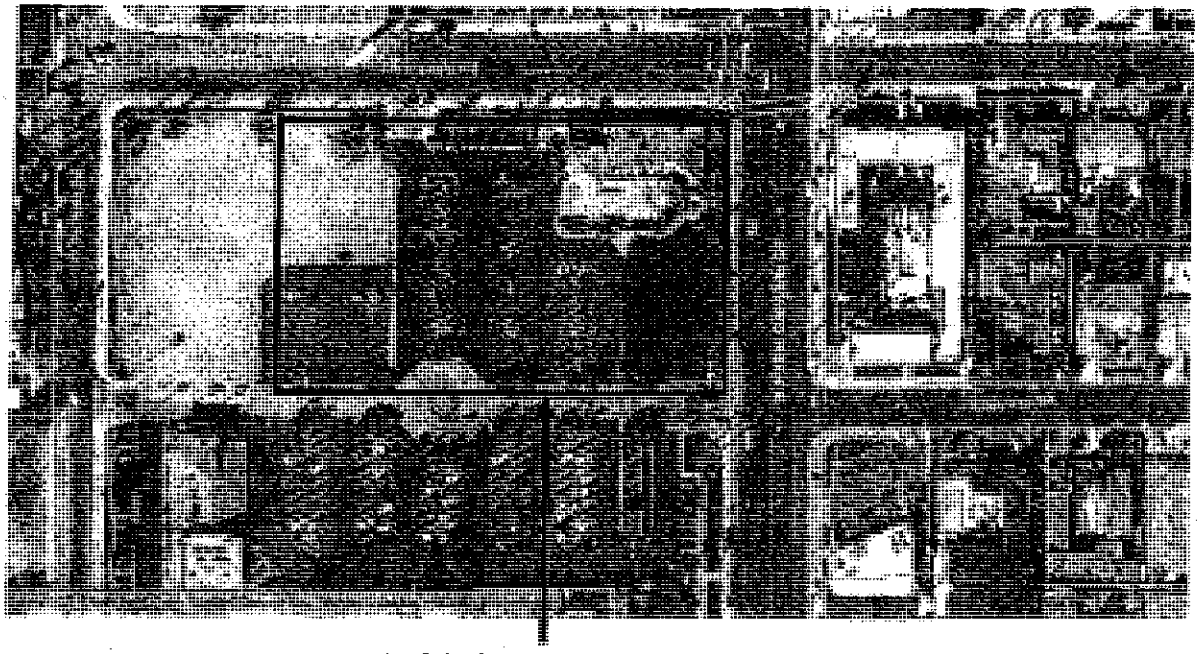
BACKGROUND:

Planning Areas		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	
Resort Combining	Yes	Subject to Section 92.25.00 of Zoning Code

Related Relevant City Actions by Planning, Fire, Building, etc…	
None	

Neighborhood Meeting	
None	

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	*Existing Zoning Designation*	*Existing Land Use*
Subject Property	NCC (Neighborhood / Community Commercial)	PD-131 (Planned Development 131)	Restaurant in Commercial Shopping Center
North	NCC	C-1 (Retail Business), R-3 (Multiple-family Residential and Hotel) & PD-17	66-unit Hotel
South	TRC (Tourist Resort Commercial)	PD-52	Stein-Mart and other commercial tenants
East	TRC	C-1	38-unit Hotel
West	HDR (High Density Residential)	R-3	Vacant



PROPOSED DEVELOPMENT

PROJECT DESCRIPTION:

The applicant proposes to develop the grass area and a portion of the parking area adjacent to the existing restaurant building as follows:

- Construct outdoor recreation area including, pool, lounge chairs, private cabanas, palapa bar, bathrooms and (2) bocce ball courts;
- Surround the proposed recreation area with six-foot high block wall;
- Install wrought-iron fence between pool area and restaurant building walkway;
- Expand the parking area to the vacant, undeveloped dirt area west of the building;
- Re-paint existing restaurant building with gray hues;
- Enhance landscaping around and within proposed recreation area.

ANALYSIS:

General Plan			
Land Use Designation	**Floor Area Ratio**	**Request**	**Compliance**
NCC	0.35 F.A.R.	No change (No usable floor space proposed)	Yes

Zoning – Uses & Lot Standards			
	Zoning Requirements: PD-131 with underlying C-1	**Proposed**	**Compliance**
Uses permitted	Restaurant, including accessory uses	Restaurant with outdoor accessory uses (entertainment, recreation, etc.)	Yes, with approval of Land Use Permit
Lot Standards			
Min. Area	20,000 sq. ft.	Existing (17.4 acres)	Yes
Min. Width	100 ft.	Existing (580 ft.)	Yes
Mo. Depth	150 ft.	Existing (1,275 ft.)	Yes

Zoning – Building Development Standards			
	Requirements for PD-131 with underlying C-1 Zone	**Proposed**	**Compliance**
Building Height	30 ft. maximum	13 ft. maximum	Yes
Yard Setbacks			
Street Frontages	5 ft. from any street frontage	5 ft. to 6 ft. high block wall	Yes
Pool / spas	5 ft. from any property line	65 ft. +	Yes
Distance Between Buildings	No requirement	N/a	N/a
Lot Coverage	No requirement	N/a	N/a
Off-street Parking	Mixed Use Development require 1 parking space per 250 sq. ft. of gross floor area	Parking removed will be replaced on-site	Yes
Trash Enclosure	Required	Existing	Yes

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	Outdoor recreation area will be accessory to restaurant use;
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Restaurant building is existing; accessory recreation area located within commercial shopping complex with adequate parking. No impacts to surrounding developments are anticipated;
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Materials include corrugated metal, concrete block (scored and diamond face), burnt cedar and stucco; colors include white and grays;
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pool area will be separated from restaurant with pedestrian walkway and wrought-iron fence;
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partial	The proposed structures are a modern design with simple lines and shapes, while the existing restaurant building and remainder of the shopping center were built with in a Spanish Revival theme.

6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Structures conform to zoning code requirements. No mechanical equipment is proposed;
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Shade devices built with corrugated metal;
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Materials and colors used in consistent manor throughout project site;
9	Consistency of composition and treatment	Yes	Composition and treatment consistent throughout;
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	Trees and plants will be consistent with existing landscape in shopping centers.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Reduced Plans

CITY OF PALM SPRINGS

Department of Planning Services

LAND USE PERMIT # 13-067

Applicant: **Miggy's Cantina, LLC**	*Mailing Address:* **700 E. Tahquitz Canyon Way Palm Springs, CA 92262**	*Phone:* **(949) 922-8210** *Fax:* *E-Mail:* ***rhm@nexusd.com***
Business Name: **Hacienda Cantina**	*Site Address:* **1555 South Palm Canyon Drive**	
Zone/GP: **C-1 / NCC 92.12.01(C)(2)(j)**	*APN:* **513-300-038**	*Section, Township, Range:* **22/4/4**

PROCEDURE: An application for a Land Use Permit shall be submitted to the Department of Planning Services, and shall be accompanied by the following:

1. A Processing fee of $696.00
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CONDITIONS: See Land Use Permit for conditions including the requirement of an encroachment agreement to be obtained from the City Engineering Department.

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City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8245 – direct
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LAND USE PERMIT #13-067
CONDITIONS OF APPROVAL

DATE: November 27, 2013

REQUEST: Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

APPLICANT: Miggy's Cantina LLC

LOCATION: 1555 South Palm Canyon Drive

ZONING/ GENERAL PLAN: C-1 / NCC - Section 92.12.01(C)(2)(j) – outdoor musicians and entertainment (subject to provisions of noise ordinance) located on the same property as permitted use allowed with a Land Use Permit.

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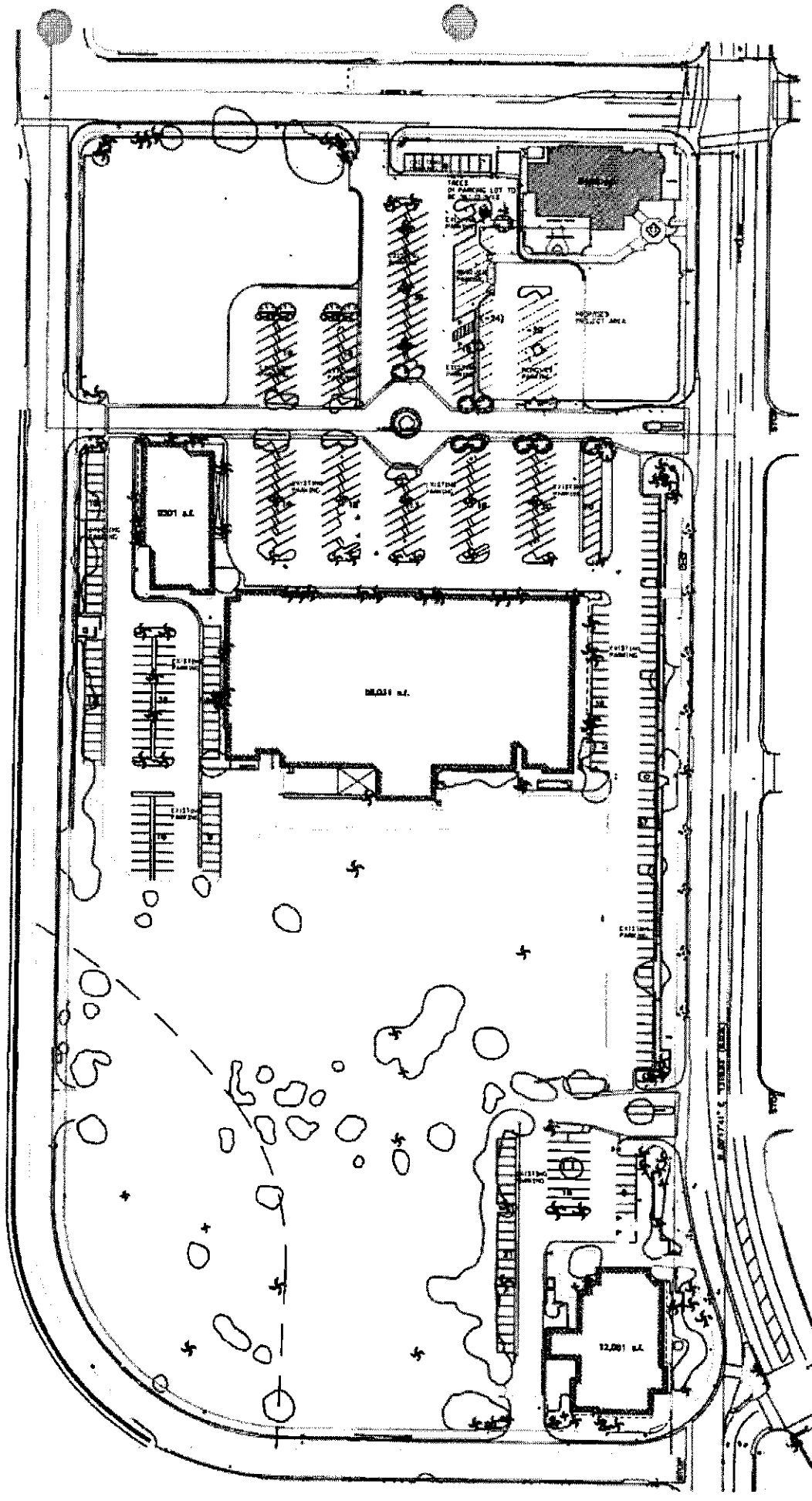
Director of Planning Services Signature: _____ Date: 11-27-13

Applicants Signature: _____ Date: 11-27-13



Parking Study - Hacienda Cantina

The current requirements for a shopping complex that exceeds 20,000 square feet in size are as follows:

Mixed use Developments (with a gross floor area exceeding twenty thousand (20,000) square feet including retail but excepting the C-B-D zone)

One (1) Space for each two hundred fifty (250) square feet of gross floor area

Additional parking need not be provided for restaurants provided that, no more than twenty-five (25) percent of the total floor area of the whole complex is devoted to restaurant use

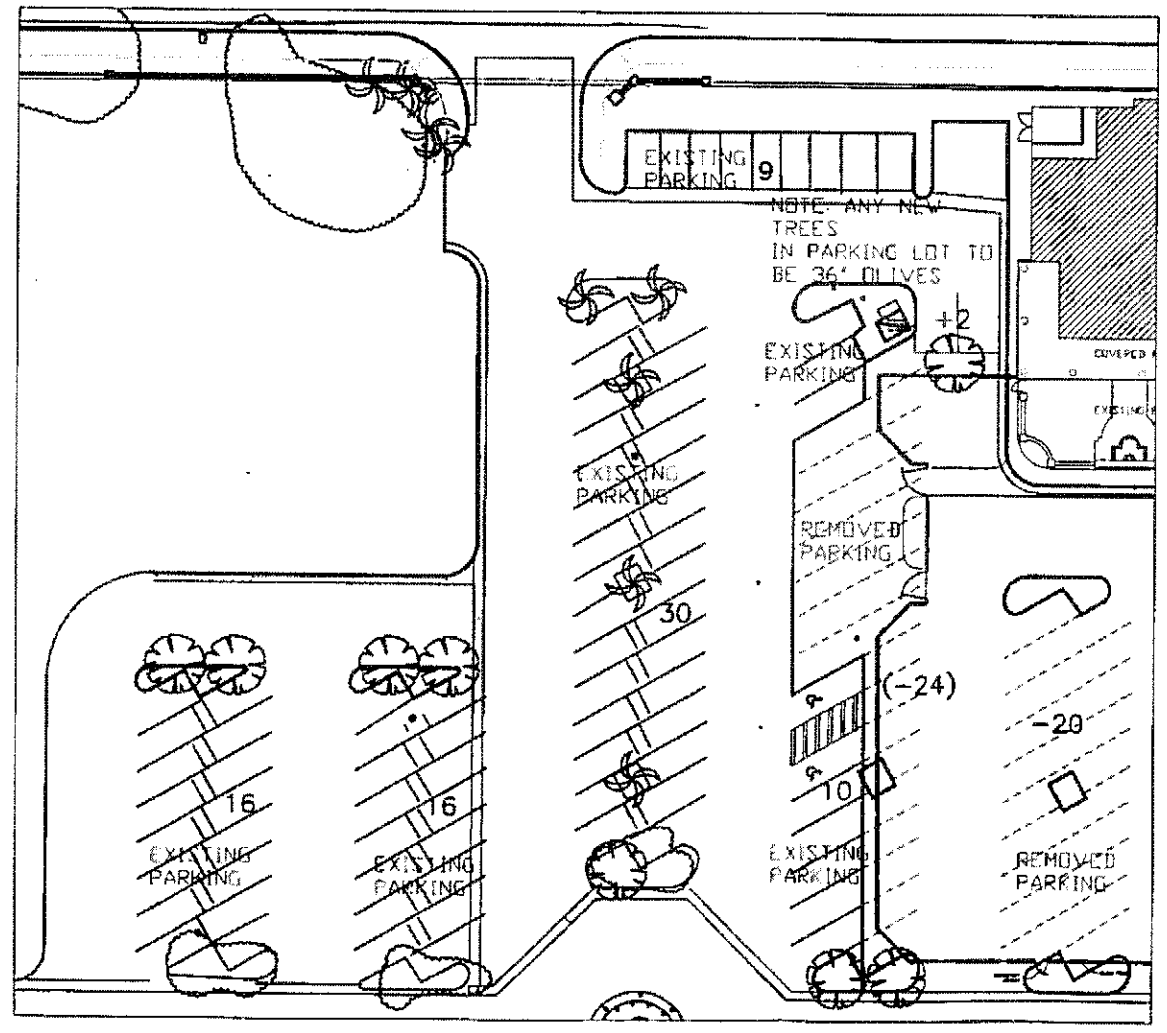
a The percentage of floor area devoted to restaurant uses without additional parking may be increased by the planning commission where it finds that the nature of the use will not require increased parking that other adequate arrangements exist to satisfy the parking demand or that other similar factors exist

87,803 total building s.f. of entire complex

Based on 1 space per 250 s.f. of floor area = 351 spaces required
Currently there are 443 spaces

We propose to remove 44 spaces
We propose to add 2 spaces

There will be a total of 401 spaces when complete
(50 spaces more than required)



Enlarged Plan
N.T.S.

ARCHITECTURAL ADVISORY COMMITTEE
STAFF MEMORANDUM

DATE: November 25, 2013

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Department of Planning Services
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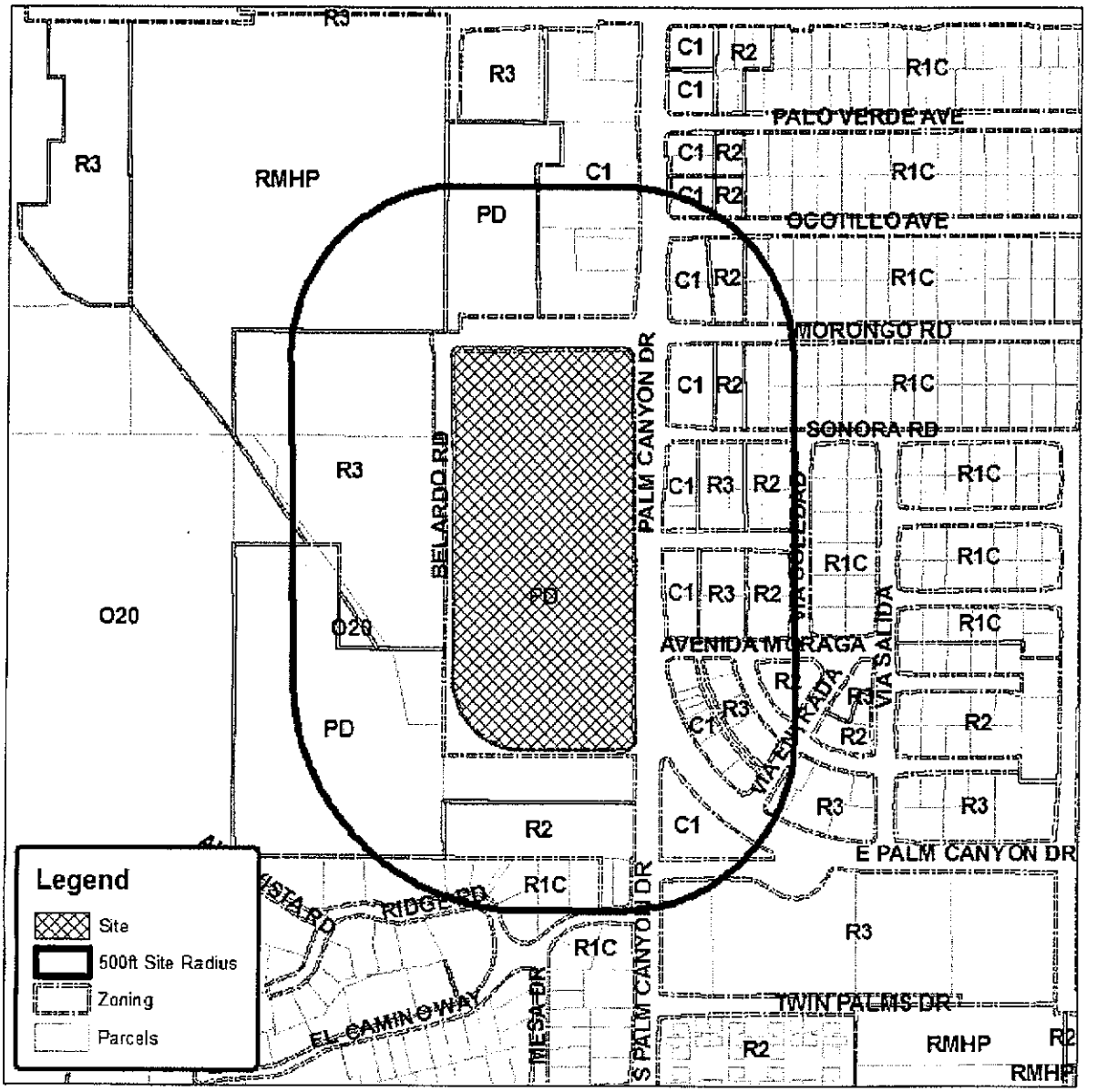

CITY OF PALM SPRINGS

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COMMITTEE MEMBERS HIRSCHBEIN, SONG AND CHAIR SECOY-JENSEN all said that the current misting system is not acceptable.

M/S/C (Vice Chair Fauber/Purnel, 6-0-1 absent Cassady) To deny.

8. **PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)**

RUBEN WALTERS, applicant, presented the project.

COMMITTEE MEMBER FREDRICKS said the buildings could blend in better with existing structure. They should not duplicate Queen palms but use Washingtonian filifera instead. The trees in parking lot to be 36" olives.

COMMITTEE MEMBER HIRSCHBEIN said he felt the modern aesthetic was fine; however, they need a significant setback with landscaping outside the street wall; need Palm Canyon elevations.

COMMITTEE MEMBER SONG said the 10' roof is too massive at the sidewalk; need elevations of existing roof; details on wall finish and articulation.

M/S/C (Chair Secoy-Jensen/Fauber, 6-0-1 absent Cassady) To table, applicant to return with amendments upon comments.

COMMITTEE MEMBER COMMENTS:

None.

STAFF MEMBER COMMENTS:

Director Wheeler provided an update on the on-site sign posting requirements.

Director Wheeler announced that there would be no meeting on December 23, 2013.

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: October 21, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. Modifications to the existing parking areas are also proposed.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be recommended by AAC.

ISSUES:

- Shopping center non-conforming in parking lot shading.

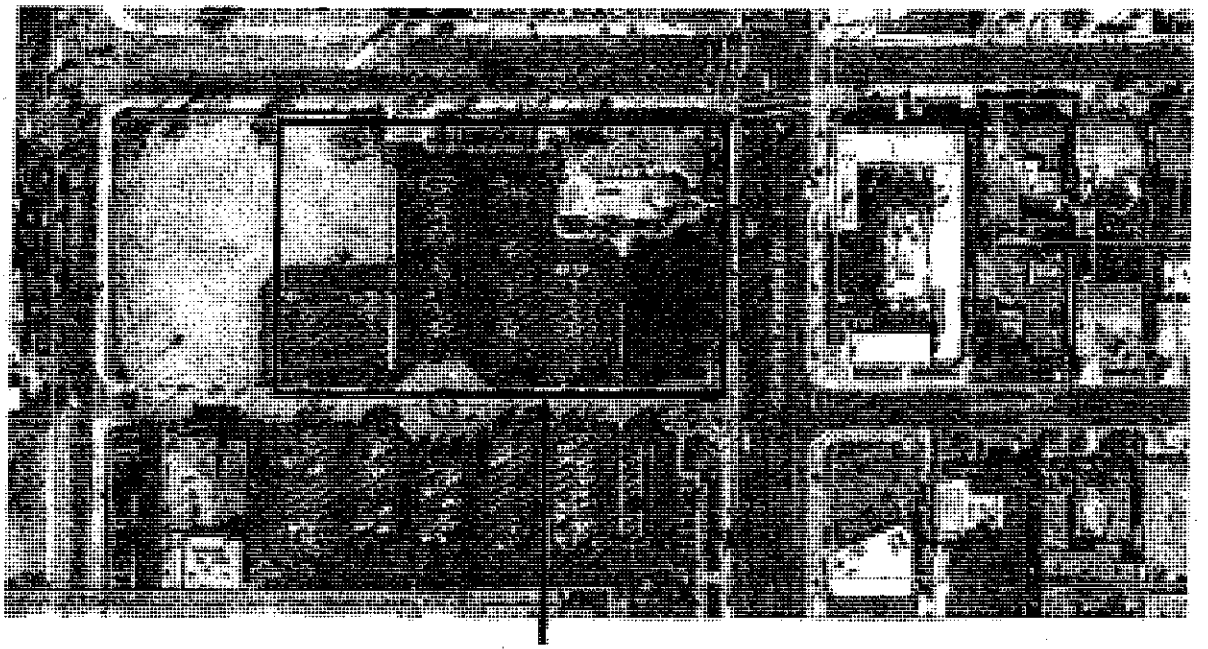
BACKGROUND:

Planning Areas		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	
Resort Combining	Yes	Subject to Section 92.25.00 of Zoning Code

Related Relevant City Actions by Planning, Fire, Building, etc…	
None	

Neighborhood Meeting	
None	

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	*Existing Zoning Designation*	*Existing Land Use*
Subject Property	NCC (Neighborhood / Community Commercial)	PD-131 (Planned Development 131)	Restaurant in Commercial Shopping Center
North	NCC	C-1 (Retail Business), R-3 (Multiple-family Residential and Hotel) & PD-17	66-unit Hotel
South	TRC (Tourist Resort Commercial)	PD-52	Stein-Mart and other commercial tenants
East	TRC	C-1	38-unit Hotel
West	HDR (High Density Residential)	R-3	Vacant



PROPOSED DEVELOPMENT

PROJECT DESCRIPTION:

The applicant proposes to develop the grass area and a portion of the parking area adjacent to the existing restaurant building as follows:

- Construct outdoor recreation area including, pool, lounge chairs, private cabanas, palapa bar, bathrooms and (2) bocce ball courts;
- Surround the proposed recreation area with six-foot high block wall;
- Install wrought-iron fence between pool area and restaurant building walkway;
- Expand the parking area to the vacant, undeveloped dirt area west of the building;
- Re-paint existing restaurant building with gray hues;
- Enhance landscaping around and within proposed recreation area.

ANALYSIS:

General Plan			
Land Use Designation	**Floor Area Ratio**	**Request**	**Compliance**
NCC	0.35 F.A.R.	No change (No usable floor space proposed)	Yes

Zoning – Uses & Lot Standards			
	Zoning Requirements: PD-131 with underlying C-1	**Proposed**	**Compliance**
Uses permitted	Restaurant, including accessory uses	Restaurant with outdoor accessory uses (entertainment, recreation, etc.)	Yes, with approval of Land Use Permit
Lot Standards			
Min. Area	20,000 sq. ft.	Existing (17.4 acres)	Yes
Min. Width	100 ft.	Existing (580 ft.)	Yes
Min. Depth	150 ft.	Existing (1,275 ft.)	Yes

Zoning – Building Development Standards			
	Requirements for PD-131 with underlying C-1 Zone	**Proposed**	**Compliance**
Building Height	30 ft. maximum	13 ft. maximum	Yes
Yard Setbacks			
Street Frontages	5 ft. from any street frontage	5 ft. to 6 ft. high block wall	Yes
Pool / spas	5 ft. from any property line	65 ft. +	Yes
Distance Between Buildings	No requirement	N/a	N/a
Lot Coverage	No requirement	N/a	N/a
Off-street Parking	Mixed Use Development require 1 parking space per 250 sq. ft. of gross floor area	Parking removed will be replaced on-site	Yes
Trash Enclosure	Required	Existing	Yes

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	Outdoor recreation area will be accessory to restaurant use;
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Restaurant building is existing; accessory recreation area located within commercial shopping complex with adequate parking. No impacts to surrounding developments are anticipated;
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Materials include corrugated metal, concrete block (scored and diamond face), burnt cedar and stucco; colors include white and grays;
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pool area will be separated from restaurant with pedestrian walkway and wrought-iron fence;
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partial	The proposed structures are a modern design with simple lines and shapes, while the existing restaurant building and remainder of the shopping center were built with in a Spanish Revival theme.

6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Structures conform to zoning code requirements. No mechanical equipment is proposed;
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Shade devices built with corrugated metal;
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Materials and colors used in consistent manor throughout project site;
9	Consistency of composition and treatment	Yes	Composition and treatment consistent throughout;
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	Trees and plants will be consistent with existing landscape in shopping centers.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Reduced Plans

CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel: 760 323 8245 - Fax: 760 322 8360

DN 4/8/2014
STAFF APPROVAL
Construct trash enclosure to match existing

(For Staff Use Only))
Planning Case Number: 3.1111 MAA
Taken in by (Planner): DN
Date Submitted: 4/8/2014

MINOR ARCHITECTURAL APPLICATION (MAA)

TO THE APPLICANT: Please fill out the information requested below. Attach any signed authorization letters, drawings, color & material boards, photographs, cut sheets and/or any other materials necessary to describe the proposed project.

PROJECT SITE INFORMATION.

Project Address: 1555 S. Palm Canyon DR. (Number and Street name) APN: 513-300-038 (9-digit assessor parcel number ex: 000-000-000)

Project Name (example: Name of Condo Association or HOA): Hacienda Cantina

Zone: C-1 General Plan: NCC Section/Township/Range: 22/4/4 Lot Area: _____

Detailed Description of Project: trash enclosure

Sq. Footage - Existing Bldgs _____ Sq. Footage – Proposed New (if any): trash enclosure

PROPERTY OWNER INFORMATION:

Property Owner's Name: John Wessman

Property Owner's Mailing Address: 555 S. Sunrise Way (Number and Street Name or P.O. Box)

Palm Springs (City) CA (State) 92264 (Zip)

Property Owner's Phone: 760-325-3321 Fax _____

Property Owner's Email: _____

CONTRACTOR, PROJECT MANAGER, OR OWNER'S AGENT AUTHORIZED TO INITIATE THE WORK:

Company Name: Miggy's Cantina LLC

(Please print) I AM THE: ☒ OWNER'S AUTHORIZED AGENT (example CONTRACTOR) ☐ LESSEE (TENANT) ☐ OTHER

Agent's Name & Signature: Anthony Monaco

Agent's Mailing Address: 700 E Tahquitz Canyon Way Suite A (Number and Street Name or P.O. Box)

Palm Springs (City) CA. (State) 92262 (Zip)

Agent's Phone: 909-533-0929 Agent's Fax: _____

Agent's Email: anthony@decidedgroup.com

(Please continue to next page)

127 of

REQUIRED MATERIALS TO BE SUBMITTED FOR A MINOR ARCHITECTURAL APPLICATION:

The following materials are necessary for your application to be evaluated. Unless otherwise indicated, do not mount these exhibits on a board. All required diagrams must be neatly drawn and dimensioned including a north arrow and the project address. Use this list to assemble your application materials.

INCOMPLETE SUBMITTALS MAY DELAY PROCESSING OF YOUR APPLICATION.

Applicant Use | Staff Use:

- ☐ ☑ **Complete the Minor Architectural Application Form:** (attached to this instruction packet)
- ☐ ☑ **Authorization Letter or Contract signed by Homeowners Association or Owner** (if project is within a condo or HOA, or if application is being completed by owners' agent)
- ☑ ☑ **A Detailed Site Plan and Floor Plans:** These exhibits must be submitted for additions, rehabilitation of properties, landscaping changes, parking lot re-striping, walls, pools, mechanical equipment, or projects involving any type of exterior modification to the site. Include a north arrow and the project's street address. Site plans are usually submitted at 24" x 36" , to a scale not smaller than 1" = 40'. (Some plans may need to be drawn using a larger scale, such as 1" - 10'.) (An 11"x 17" site plan may be sufficient for minor building improvements, minor landscaping, walls, pools, and mechanical equipment. Please consult with a planner) The site plan should include the following information:
  - All property boundaries and distance to centerline of abutting street (obtain from Public Works Department)
  - All walls, sidewalks, driveways, gates, parking areas, landscaping, etc.
  - (Differentiate existing from new work by differing line weights or by notation).
- ☐ ☑ **Elevations**: Elevation drawing (showing front, back and sides) should be included for any project involving changes to the exterior of a structure, and to show proposed walls, fences, gates and/or mechanical screening. Include notes to describe colors, materials, dimensions (including height) and any other relevant information.

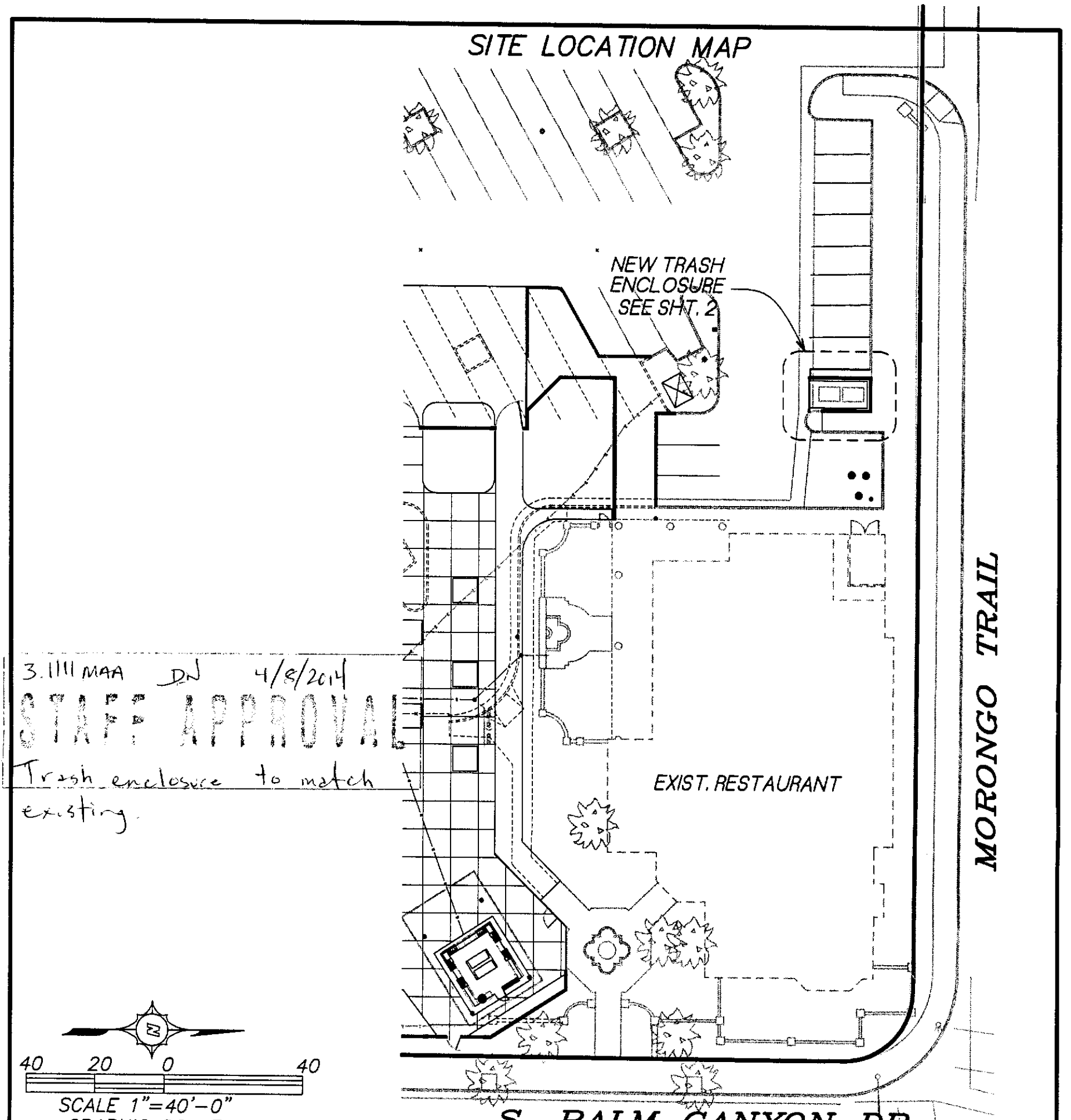
  Per City Standard
- ☐ ☑ **Color and Material Exhibits:** Provide swatches of actual paint colors proposed and cut sheets or small samples of materials where appropriate. Photographs of existing materials that will be matched is encouraged. Where a full color/material board is required, the board should be no larger than 8-1/2" x 11".

  To Match Existing
- ☐ ☐ **Existing Site Photographs:** One (1) set of photographs showing existing conditions at the proposed project and adjacent surroundings, structures, landscaping, walls, etc. .
- ☑ ☑ **Payment of Application Fees.**

TIME LIMIT FOR DEVELOPMENT: Planning approvals given on Minor Architectural Applications (MAA's) are valid for two (2) years from the Effective Date that the approval is made (see definition of Effective Date below). After Planning approvals are granted, applicants must apply for building permits through the City Department of Building and Safety. If building permits are not pulled or the construction initiated within two (2) years of the Effective approval date, the planning approval expires.

EFFECTIVE DATE: A Minor Architectural Application approval becomes "effective" after an elapsed period of fifteen (15) days from the date of the decision by the Planning Staff, Planning Commission or City Council. Any project for which a building permit application is made or a building permit is issued prior to the Effective Date of the Planning approval, are deemed to be made "at the risk" of the applicant such that an appeal could modify or overrule the subject approval.

SITE LOCATION MAP



3.1111 MAA DN 4/8/2014

STAFF APPROVAL

Trash enclosure to match existing.

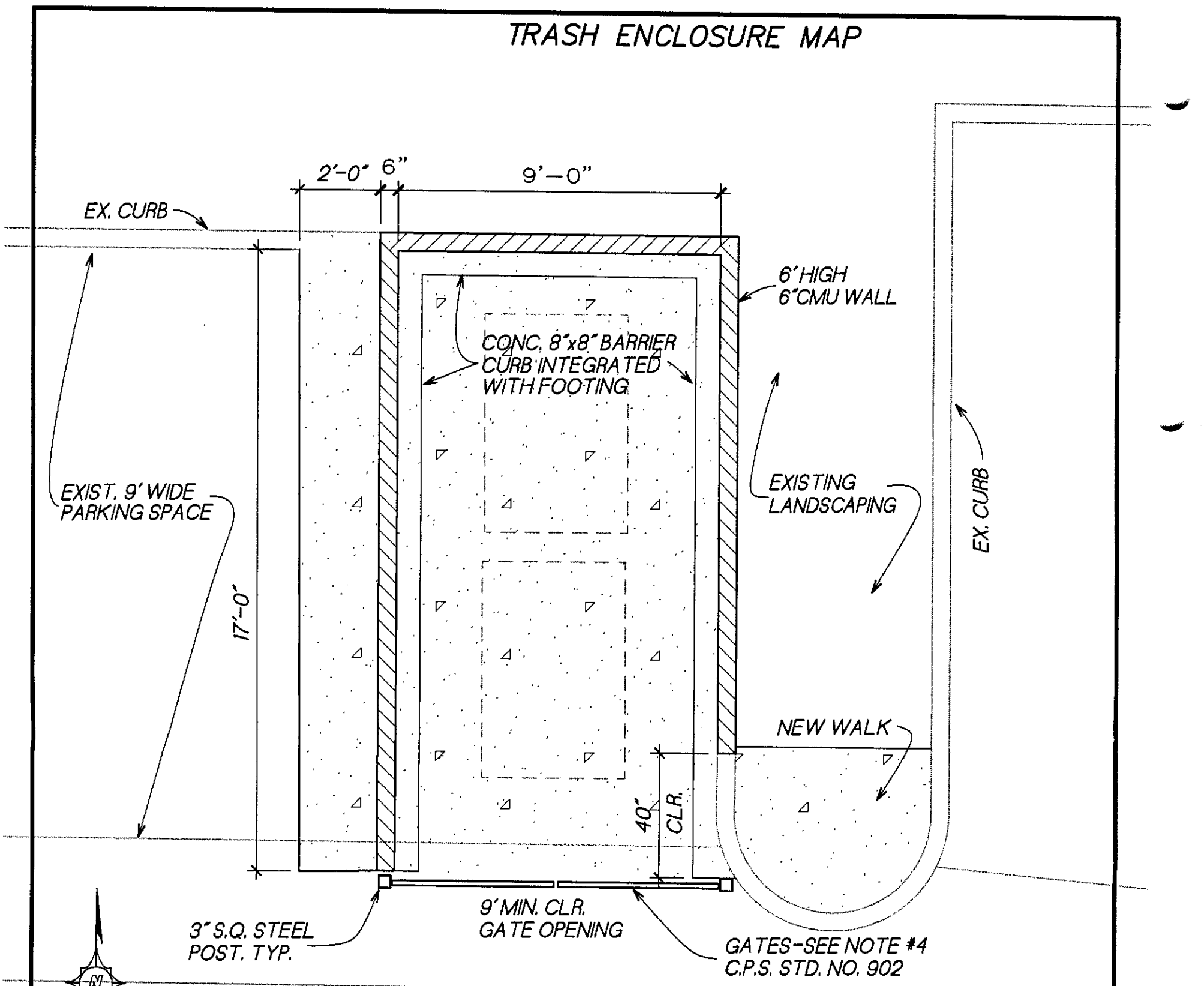
CITY OF PALM SPRINGS
BUILDING
DEPARTMENT

APPROVED:

HACIENDA – TRASH ENCLOSURE

DESIGN BY:	SCALE:	FILE NO.:
AS	1"=40'	
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	13–141	1 OF 2

TRASH ENCLOSURE MAP



NOTE: FOR DETAIL CALLOUTS AND SPECS. NOT SHOWN HERE, REFER TO C.P.S. STD. NO. 902

CITY OF PALM SPRINGS
BUILDING
DEPARTMENT

APPROVED:

HACIENDA – TRASH ENCLOSURE

DESIGN BY:	SCALE:	FILE NO.:
AS	1/4"=1'-0"	
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	13-141	2 OF 2

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	NAME	APN1	ADDRESS
3.1111	MAA	MIGGY'S CANTINA, LLC	513-300-038	1555 PALM CANYON DRIVE SOUTH

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
ENVIRONMENTAL IMPACT REPORT	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$117.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$10.00
OTHER MISC	$0.00

TOTAL FEE(S) $127.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
		4/8/2014

Customer Cashier Planning File Planning Copy

6072

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	NAME	APN1	ADDRESS
3.1111	MAA	MIGGY'S CANTINA, LLC	513-300-038	1555 S. PALM CANYON DRIVE

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
ENVIRONMENTAL IMPACT REPORT	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$117.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

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RECEIVED FROM	RECEIVED BY	DATE
	D.	4/8/2014

☒ Customer ☒ Cashier ☐ Planning File ☒ Planning Copy

6072

MIGGY'S CANTINA LLC
700 E TAHQUITZ CANYON WAY STE A
PALM SPRINGS CA 92262-6765

229
11-35/1210 CA
70950

4/8/14
Date

Pay to the Order of City of Palm Springs $ 127.00

One hundred twenty seven dollars. 00/100 Dollars

Security Features Details on Back

Bank of America

ACH R/T 121000358

For

MP

⑆121000358⑆ 325018532339⑈0229

ADD-ON **04-08-14** App by **MIGGY'S CANTINA LLC, AGENT FOR HACIENDA CANTINA, OWNER,** approved to construct a trash enclosure, at 1555 South Palm Canyon Drive, Zone: C1, Section 22/T4/R4, GP: NCC.

3.1111 MAA

Debbi Allen

From:	Debbi Allen
Sent:	Wednesday, September 24, 2014 10:54 AM
To:	Cindy Berardi; Denise Bystrzycki
Cc:	Jim Zicaro; Flinn Fagg
Subject:	RE: PRA Request - Dateland Constr

CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

DATE: SEPTEMBER 24, 2014

TO: CINDY BERARDI, DEPUTY CITY CLERK

FROM: DEBBI ALLEN, DEVELOPMENT SERVICES CONCIERGE

SUBJECT: RECORDS REQUEST FOR – 1555 PALM CANYON DRIVE SOUTH – HACIENDA CANTINA – CATALYST VACANCY PROGRAM – DATELAND CONSTRUCTION COMPANY

BY: Dateland Construction Company, Inc.
83-801 Avenue 45
Indio, CA 92201

TEL: 760-342-2999

Regarding the above request for documents used by Miggy's Cantina LLC / Hacienda Cantina to gain City approval and disbursement of a $250,000.00 Grant through the Major Need-Based Catalyst Vacancy Program, the Planning Services Department has no documents relating to this request.

If I may be of any further assistance please do not hesitate to contact me 760-323-8245 Ext. 8767.

Debbi Allen,
Development Services Concierge

City of Palm Springs

Palm Springs
CALIFORNIA
like no place else.™
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

760-323-8245 X 8767
760-322-8360 FAX

From: Cindy Berardi
Sent: Thursday, September 18, 2014 8:37 AM
To: Denise Bystrzycki; Debbi Allen
Cc: Jim Zicaro; Flinn Fagg
Subject: PRA Request - Dateland Constr

The attached Public Records Request was received yesterday and the deadline to respond is Monday, September 29, 2014. Although it is not identified in the request, the project is the Hacienda Cantina at 1555 S. Palm Canyon Drive. Of course, I will be pulling the City Council records on this from the approval of their Special Economic Development Focus Incentive Areas Program Grant. Thank you.

Cynthia A. Berardi, CMC
Deputy City Clerk
City of Palm Springs
P. O. Box 2743
Palm Springs, CA 92263
(760) 323-8204
(760) 322-8332 fax

Please note: City Hall is open Monday-Thursday 8:00am-6:00pm, and we are closed on Fridays.

RECEIVED
CITY OF PALM SPRINGS
2014 SEP 17 PM 5:14
JAMES THOMPSON
CITY CLERK

Reserved Date Stamp

City of Palm Springs
Request for Public Records

Office of the City Clerk
3200 E. Tahquitz Canyon
Palm Springs, CA 92262
TEL (760) 323-8204
FAX (760) 322-8332

Name, affiliation and other similar or identifying information is optional, and not a requisite to obtain public records.

Name of Requestor: Dateland Construction Company Inc.
Address: 83-801 Avenue 45
City, State, Zip: Indio, CA 92201
Contact Telephone: (760) 342-2999 Fax: (760) 342-5444

Type of Request: 1555 Palm Canyon Drive South 3.111 MAA

____ Inspect Public Records during City business hours. (No fees for inspection.)

X Copies of Public Records. Hacienda Cantina
Miggy Cantina LLC 513-306-0388

____ Pick-up at City Hall ____ Pick-up at Police Dept.

X Mailed.

Copies will be provided at the copying fee of .10 cents per page, plus mailing fee (if you would like the records mailed).

Records Requested (Please be specific):

- Building Plans, invoices, bills, and any other documents submitted to the City of Palm Springs by Miggy's Cantina LLC and used to gain city approval and dispursement of a $250,000.00 grant through the Major Need-Based Catalyst Vacancy Program.

Thank you for your request. Your request will be processed in compliance with the California Public Records Act. Except with respect to public records exempt from disclosure, the City shall make records promptly available for inspection during regular business hours. If a request to inspect records includes numerous files and/or documents, or requires the coordination by more than one City department, the City reserves the right to set a date and time when the records will be made available for inspection.

While it is the City's policy to respond to requests for public records as quickly as possible, the Public Records Act allows the City up to 10 days to determine whether the request will be provided. In unusual circumstances, the time limit may be extended for an additional 14 days.

FOR OFFICE USE ONLY:

Statutory Response Date: ____ Copy/Mailing Fee: ____

Date Records Provided: ____ Responding Staff: ____

CASE#	TYPE	ELATED CASES	RELATED CASES2	SPB	APP DATE
14-027	SI				4/7/2014

PROJECT NAME:	DESCRIPTION
MIGGY'S CANTINA LLC	

APN1:	OTHER APN	OTHER APN2:	ADDRESSNO	ADDRESS
513-300-038			1555	PALM CANYON DRIVE SOUTH

ZONE	SECTION	TOWNSHIP	RANGE	GEN PLAN	PLANNER	DATE ASSIGNED:	DEEMED COMPLETE:

OWNER, LESSEE, AGENT:	APPLAST	APPFIRST	COMPANY

APPADDRESS	APPCITY	APPSTATE	APPZIP

APPTEL:	APPFAX:	APPEMAIL	APPCELL:

Planning Services HOA Database

SPONSOR1	ADDRESS1	CITY ST ZIP1	PHONE1:	FAX1:	EMAIL1:

SPONSOR2	ADDRESS2	CITY ST ZIP2	PHONE2:	FAX2:	EMAIL2:

SPONSOR3	ADDRESS3	CITY ST ZIP3	PHONE3:	FAX3:	EMAIL3:

SPONSOR4	ADDRESS4	CITY ST ZIP4	PHONE4:	FAX4:	EMAIL4:

SPONSOR5	ADDRESS5	CITY ST ZIP5	PHONE5:	FAX5:	EMAIL5:

PROPERTY TYPE	DEV RPT:	ITEM LOG:	CEQA:	STAFF APPVL

ACREAGE:	SQ FT:	UNITS:	AAC REC:		HSPB1:	HSPB MEETING:
				AAC Meeting:		

PLAN COM:	PLAN COM M	CITY COUNCIL:	CITY COUNCIL MTG	ACTUAL DATE APPVL:	CERT OF COMPL:

WEEK ENDING:	REMARKS:

CASE#	TYPE	ELATED CASES	RELATED CASES2	SPB	APP DATE
13-067	LUP APPEAL	13-067 LUP	3.1111 MAA		12/5/2013

PROJECT NAME:	DESCRIPTION
HACIENDA CANTINA BEACH CLUB	An appeal of a Land Use Permit and Minor Architectural Application approved by the Planning Director on November 27, 2013 for the construction of accessory and outdoor space for an existing restaurant.

APN1:	OTHER APN	OTHER APN2:	ADDRESSNO	ADDRESS
513-300-038			1555	PALM CANYON DRIVE SOUTH

ZONE	SECTION	TOWNSHIP	RANGE	GEN PLAN	PLANNER	DATE ASSIGNED:	DEEMED COMPLETE:
C1 / PD 131	22	4	4	RC	David Newell	12/9/2013	

OWNER, LESSEE, AGENT:	APPLAST	APPFIRST	COMPANY
	Deertrack	Judy	

APPADDRESS	APPCITY	APPSTATE	APPZIP
1333 South Belard Road, Apt. 510	Palm Springs	CA	92264

APPTEL:	APPFAX:	APPEMAIL	APPCELL:
(760)325-4290			

Planning Services HOA Database

SPONSOR1	ADDRESS1	CITY ST ZIP1	PHONE1:	FAX1:	EMAIL1:

SPONSOR2	ADDRESS2	CITY ST ZIP2	PHONE2:	FAX2:	EMAIL2:

SPONSOR3	ADDRESS3	CITY ST ZIP3	PHONE3:	FAX3:	EMAIL3:

SPONSOR4	ADDRESS4	CITY ST ZIP4	PHONE4:	FAX4:	EMAIL4:

SPONSOR5	ADDRESS5	CITY ST ZIP5	PHONE5:	FAX5:	EMAIL5:

PROPERTY TYPE	DEV RPT:	ITEM LOG:	CEQA:	STAFF APPVL
Commercial/Services	NO	NO		d by Planning Commissic

ACREAGE:	SQ FT:	UNITS:	AAC REC:		HSPB1:	HSPB MEETING:
			NO	AAC Meeting:	NO	

PLAN COM:	PLAN COM M	CITY COUNCIL:	CITY COUNCIL MTG	ACTUAL DATE APPVL:	CERT OF COMPL:
01/08/14		NO			

WEEK ENDING:	REMARKS:

MEMORANDUM

COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

To: Edward Robertson

From: Rachelle Lee

Date: May 1, 2014

Re: Refund for Union Abbey/#2013-00735

Enclosed is the refund payment that I spoke to you about this afternoon. This refund resulted from the Fish & Game filing #2013-00735 that was processed on December 03, 2013. Please forward this refund to Union Abbey, Inc. Our original payment was returned by the post office as Undeliverable.

Thank you so much for your assistance with this issue.

Rachelle Lee

Rachelle Lee
Senior Accounting Assistant
County Clerk-Recorder Accounts Payable
PO Box 751
Riverside, CA 92502
951-486-7124 (7-7124)
951-486-7125 FAX
Email: rlee@asrclkrec.com

Check Date: 04/09/2014				Check No.	0502956989
Invoice Number	**Invoice Date**	**Voucher ID**	**Gross Amount**	**Discount Taken**	**Paid Amount**
REFUND/DEC 2013	12/03/2013	00033219	$14.00	0.00	14.00

REFUND / CK #11468, FISH & GAME BILLING #2013-00735 / RCPT #4179768
FOR HACIENDA CANTINA

5.20.14

Mailed to
Mr. Rich Meeray
Nexus Palm Springs
700 E. Tahquitz Canyon
Way
Palm Springs, CA 92262

Vendor Number:	Name		Total Discounts	Business Unit
0000120067	Union Abbey Inc		$0.00	ASARC
DBF Customer #	**Payment Handling Code**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	RE	$14.00		$14.00

THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

County Vendor Warrant Clearing Fund

Riverside County Treasurer
of Riverside, California

0502956989

Void 6 Months from Date Issued

UNION BANK
Government Services Division 11-49/1210

Date: 04/09/2014

Pay Amount: $14.00***

Pay ****FOURTEEN AND XX / 100 DOLLAR****
To The Order Of

UNION ABBEY INC
1570 Palm Colony
Palm Springs, CA 92264

Paul Angulo
County Auditor-Controller

⑈0502956989⑈ ⑆122000497⑆ 27400183 13⑈

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

November 27, 2013

Mrs. Rosemarie M. Anderson
County of Riverside
2720 Gateway Drive
Riverside, CA 92502

RE: Filing of an Environmental Notice for
Case 3.1111 MAA & 13-067 LUP – Hacienda Cantina
1555 South Belardo Road, Palm Springs, CA 92262

Dear Mrs. Anderson:

Enclosed please find the environmental notice for the recently approved project by the City of Palm Springs and a check for $64.00 representing filing fees.

___ Notice of Determination
_X_ Notice of Exemption
___ *De Minimis* Impact Findings

Thank you for your assistance. If you have any questions, please do not hesitate to call David Newell , Associate Planner, or myself.

Sincerely,

Joanne Bruggemans
Senior Secretary

Enclosure

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Riverside

From: (Public Agency): City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
(Address)

Project Title: Hacienda Cantina

Project Applicant: Nexus Palm Springs

Project Location - Specific:
1555 South Belardo Road

Project Location - City: Palm Springs Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
To develop vacant land adjacent to an existing restaurant building with accessory structures and uses, including an outdoor pool, recreation, lounge, bar area, walls, fencing, etc. The developed area will be used as accessory space to the existing restaurant. Modifications to the existing parking area are also proposed.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project:

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class III Exemption - Section 15303(e)
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:
Pursuant to Section 15303 of the CEQA Guidelines, Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures. Specifically, subsection (e) of 15303 allows for "accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences." This project consists of new walls, pool, landscape and accessory structures which comply w/ zone development standards.

Lead Agency Contact Person: Margo Wheeler, AICP Area Code/Telephone/Extension: 760/323-8245

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☒ No

Signature: Date: 11/27/2013 Title: Planning Services Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

UNION ABBEY, INC.
1570 PALM COLONY
PALM SPRINGS, CA 92264

11468

11-8166/3210
98

DATE 11/22/13

PAY TO THE ORDER OF Riverside County Clerk $ 64.00

Sixty four & 00/100 DOLLARS

Security Features Details on Back.

FIRST REPUBLIC BANK
Private Banking-San Diego
12626 High Bluff Drive Suite 400
San Diego, CA 92130
Ph (8[illegible] 8-9968 (800) 392-1407 (24hr Cust Serv)

FOR Marriage

MP

⑈011468⑈ ⑆321081669⑆ 93100034 50⑈

City of Palm Springs

Department of Planning Services

MEMORANDUM

DATE: February 24, 2014

TO: John Shoemaker, Building & Safety Department

FROM: David A. Newell, Associate Planner DN

CASE NO. / ADDRESS: 3.1111 MAA / 1555 S. Palm Canyon Drive

REVIEWED THE FOLLOWING: Plan Check 2014-30 – Outdoor patio expansion of existing restaurant with new pool / bocce ball area (referenced as Hacienda Cantina & Beach Club)

☒ The plans are APPROVED, excluding height measurement error in detail "B", sheet A2.1. Correct measurement is shown on Detail C of same sheet: 13'-0" on upper portion of structure and 9'-0" on lower portion.

☐ The plans are NOT APPROVED. Please address the following corrections and resubmit the plans for recheck:

City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: www.palmspringsca.gov

November 27, 2013

Rich Meaney
Nexus Palm Springs
700 East Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

RE: Case No. LUP 13-067 & 3.1111 MAA; 1555 S. Palm Canyon Drive
Request to construct and operate accessory outdoor uses accessory to existing restaurant

Mr. Meaney,

Thank you for submitting the Minor Architectural (MAA) and Land Use Permit (LUP) applications for the property located at the above address. Specifically, you have requested approval to develop the vacant land adjacent to the existing restaurant building with accessory uses, including an outdoor pool, recreation, lounge and bar area. The developed area will be used as accessory space to the existing restaurant. Modifications to the existing parking area are also proposed.

Staff has reviewed the applications in accordance with Planned Development 131 and the underlying C-1 zone, Section 92.12.01 of the Palm Springs Zoning Code (PSZC). Staff has determined that the outdoor pool, bar and recreation space is accessory to the restaurant and outdoor entertainment / musicians may be permitted with the approval of a Land Use Permit, pursuant to Sections 92.12.01(A)(1) and 92.12.01(C)(2)(h) of the PSZC, respectively.

In accordance with Section 94.02.01(D) of the PSZC, staff has reviewed and approved the LUP application (LUP 13-067), subject to conditions of approval (see attached). This decision may be appealed to the Planning Commission within (5) days, pursuant to 94.02.01(D)(4) of the PSZC. The appeal must be filed in writing no later than December 5, 2013, and include the applicable filing fee.

In accordance with Section 94.04.00 of the PSZC, staff has reviewed and conditionally approved the Minor Architectural Application (Case 3.1111 MAA) after consulting with the Architectural Advisory Committee (AAC) on October 21, 2013 and November 25, 2013. Conditions of approval include:

1. Final wall plans shall be submitted for review and approval by the Planning Department prior to the issuance of building permit and must include size,

location, material, color and texture. Details on existing walls and proposed walls shall be included in the final wall plans.
2. Four (existing) Queen Palms shall be replaced with Mexican Fan Palms.
3. Planters with shade trees shall be incorporated into new and existing parking areas west of the proposed development to the satisfaction of the Planning Director.

This decision may be appealed to the Planning Commission within (10) working days, pursuant to 94.04.00(E)(2)(b) of the PSZC. The appeal must be filed in writing no later than December 16, 2013, and include the applicable filing fee.

Staff has determined that the above actions are categorically exempt from the preparation of further environmental documents, pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines. A Notice of Exemption (NOE) will be filed with the County Clerk.

If you have any questions about this letter, please contact me or Associate Planner David Newell at (760) 323-8245.

Sincerely,

Margo Wheeler, AICP
Director of Planning Services

cc: Plaza Del Sol, LLC

enclosure:
- Notice of Exemption
- Land Use Permit

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Riverside

From: (Public Agency): City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
(Address)

Project Title: Hacienda Cantina

Project Applicant: Nexus Palm Springs

Project Location - Specific:
1555 South Belardo Road

Project Location - City: Palm Springs Project Location - County: Riverside

Description of Nature, Purpose and Beneficiaries of Project:
To develop vacant land adjacent to an existing restaurant building with accessory structures and uses, including an outdoor pool, recreation, lounge, bar area, walls, fencing, etc. The developed area will be used as accessory space to the existing restaurant. Modifications to the existing parking area are also proposed.

Name of Public Agency Approving Project: City of Palm Springs

Name of Person or Agency Carrying Out Project:

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class III Exemption - Section 15303(e)
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:
Pursuant to Section 15303 of the CEQA Guidelines, Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures. Specifically, subsection (e) of 15303 allows for "accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences." This project consists of new walls, pool, landscape and accessory structures which comply w/ zone development standards.

Lead Agency Contact Person: Margo Wheeler, AICP Area Code/Telephone/Extension: 760/323-8245

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☒ No

Signature: Date: 11/27/2013 Title: Planning Services Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

CITY OF PALM SPRINGS

Department of Planning Services

LAND USE PERMIT # 13-067

Applicant: **Miggy's Cantina, LLC**	*Mailing Address:* **700 E. Tahquitz Canyon Way Palm Springs, CA 92262**	*Phone:* **(949) 922-8210** *Fax:* *E-Mail:* ***rhm@nexusd.com***
Business Name: **Hacienda Cantina**		*Site Address:* **1555 South Palm Canyon Drive**
Zone/GP: **C-1 / NCC 92.12.01(C)(2)(j)**	*APN:* **513-300-038**	*Section, Township, Range:* **22/4/4**

PROCEDURE: An application for a Land Use Permit shall be submitted to the Department of Planning Services, and shall be accompanied by the following:

1. A Processing fee of $696.00
2. A floor plan and/or site plan displaying the layout of the proposal.
3. Such other information as the Director of Planning Services may require, including, but not limited to adjacent uses, photographs, building elevations, landscape plans, design studies, furniture information, etc.

STATEMENT OF ACTIVITY: Applicant shall submit a statement of the use, expected size, volume, hours, and length of operations; information relating to sanitation, noise, air pollution, vehicle parking, traffic circulation, and any other information of the proposed project:

Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

CONDITIONS: See Land Use Permit for conditions including the requirement of an encroachment agreement to be obtained from the City Engineering Department.

TRANSFER: Transfer of Land Use Permit to another applicant is subject to review and approval by the Director of Planning Services.

REVOCATION: The Director of Planning Services may revoke any Land Use Permit that does not meet or comply with conditions and requirements of this permit.

Applicant's Signature	Permit Center Signature	Date	Account #
		11-27-13	001-32204

City of Palm Springs

Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
(760) 323-8245 – direct
(760) 322-8360 – facsimile

LAND USE PERMIT #13-067
CONDITIONS OF APPROVAL

DATE: November 27, 2013

REQUEST: Land Use Permit for musicians and entertainment (subject to provisions of noise ordinance) outside on pool deck; entertainment to include live DJ's and bands with hours of operation for outside pool area to be from 8:00 AM to 6:00 PM seven days a week.

APPLICANT: Miggy's Cantina LLC

LOCATION: 1555 South Palm Canyon Drive

ZONING/ GENERAL PLAN: C-1 / NCC - Section 92.12.01(C)(2)(j) – outdoor musicians and entertainment (subject to provisions of noise ordinance) located on the same property as permitted use allowed with a Land Use Permit.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning and Building, the Chief of Police, the Fire Chief, or their designee, depending on which department recommended the condition(s).

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.

2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning this Land Use Permit application. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter or pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter

following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

3. No architectural approval is granted herein. Any exterior changes of the establishment shall require separate applications and permits.

4. Any exterior signing, including menu boards and temporary signs shall be approved by the Planning Department. Menu boards and portable open signs shall not be permitted within the City right-of-way without a permit and violations will result in issuance of citations and revocation of all permits and agreements.

5. This Land Use Permit authorizes the use of live DJ's and bands providing entertainment outdoor on pool deck.

   Live Entertainment is approved as follows:

   a) Live entertainment shall be limited to the pool deck within the hours of 8:00 AM to 6:00 PM.

   b) Any and all instruments shall have limited amplification.

   c) All amplification equipment shall be placed so that sound is projected toward other commercial properties and roadways away from nearby residential communities.

   d) Noise levels shall be maintained to a level where customers can conduct normal conversation.

   e) All activities shall comply with the provisions of the City's Noise Ordinance.

6. Hours of operation for outdoor pool area to be from 8:00 AM to 6:00 PM seven days a week.

7. This permit does not waive the City's noise ordinance. The business is required to adhere to the following noise levels at all times according to Muni. Code Chap. 11.74.

Ordinance Time of Day	Ordinance dBA Limits
7:00 AM to 6:00 PM	60
6:00 PM to 10:00 PM	55
10:00 PM to 7:00 AM	50

8. All conditions of approval associated with Minor Architectural Application (MAA) Case # 3.111 shall apply including site layout, hardscape, and landscaping.

9. This Land Use Permit recognizes the presence of 401 off-street parking spaces at Plaza del Sol Shopping Center meeting the requirements of Section 93.06.00(D)(19) of the Palm Springs Zoning Code (PSZC) for mixed-use developments over 20,000-square feet.

10. The food service use shall conform to all County of Riverside Department of Health requirements.

11. A business license and any other permits are required.

12. Applicant shall comply with all California Alcohol Beverage Control regulations.

13. This Land Use Permit shall be displayed on-site at all times and made available to City officials upon request.

14. Failure to comply with Municipal Codes, Ordinances, and the conditions of this land use permit may result in revocation of this permit.

Director of Planning Services Signature: _____ Date: 11-27-13

Applicants Signature: _____ Date: 11-27-13

ARCHITECTURAL ADVISORY COMMITTEE
CITY OF PALM SPRINGS, CALIFORNIA
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of November 25, 2013

CALL TO ORDER: Chair Susan Secoy-Jensen called the meeting to order at 3:02 PM.

ROLL CALL:

Committee Members Present:	Chair Secoy-Jensen, Cassady, Fredricks, Hirschbein, Purnel
Committee Members Excused:	Vice-Chair Fauber, Song
Also Present:	Director of Planning Wheeler, Associate Planner Newell
Planning Commissioner Present:	Commissioner Weremiuk

REPORT OF THE POSTING OF AGENDA: Agenda is available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 4:00 pm on Tuesday, November 19, 2013.

ACCEPTANCE OF THE AGENDA:
ACTION: The Agenda was unanimously accepted as presented.

PUBLIC COMMENTS - None

1. CONSENT CALENDAR:

1.A. APPROVAL OF MINUTES: November 12, 2013
ACTION: Approve the minutes as amended. (Three changes on page 2 per Committee Member Fredricks and Chair Secoy-Jensen)
Motion Committee Member Cassady seconded by Committee Member Hirschbein. Carried by a 5-0 roll call vote.

2. UNFINISHED BUSINESS:

2.A. PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DW)

Associate Planner Newell provided details of the proposed project.

Committee Member Fredricks asked if the four Queen Palms on the northeast

corner that currently exist on the lot are to remain or to be replaced.

CHRIS PARDO, architect, stated in response to conditions raised at the October 21, 2013 AAC Meeting, that the roof of the bar has been lowered to 9 feet, the cabanas will be 10 feet high and are 20 feet off the fence line which is 15 feet off the curb. They have also updated the landscaping along the fence. No new parking spaces are to be added.

Committee members paused to read a letter from JUDY DEERTRACK.

JUDY DEERTRACK, resident of Tahquitz Mesa Villas adjacent to the site, asked the Committee to delay the project until some of her questions are answered. She believes the matter should go to the Planning Commission and have a public hearing with CEQA findings.

FRANK TYSON, 175 Cahuilla, Palm Springs, also feels this is a major architectural application. He is bothered that these types of projects come to the AAC before they go before the Planning Commission. He also questioned the potential noise problems as the noise bounces off the mountains and affects the area around the project.

Chair Secoy-Jensen had questions regarding the process of determining whether a project is a minor or major architectural application.

Director Wheeler stated that staff determines if the application is major or minor according to the zoning code as adopted by the City Council. Decisions of the AAC in regard to minor architectural applications are appealable to the Planning Commission within 10 days of the decision.

Committee Member Hirschbein asked if the current zoning ordinance prohibits the type of use requested.

Director Wheeler stated that the project is within the current zoning ordinances.

Committee Member Hirschbein questioned if there is a noise ordinance in Palm Springs.

Director Wheeler stated yes, there is a noise ordinance and that this project falls within the ordinance.

CHRIS PARDO, architect for applicant stated that the applicant is not the owner of the property, but a tenant. He also stated there is an existing 80 person patio on the south side of the property which will be expanded. Parking is within the applicable laws.

Committee Member Fredricks asked why the applicant is leaving the 4 Queen Palms on the property.

CHRIS PARDO stated they are staying due to a cost issue.

Committee Member Hirschbein asked about the wall height on Palm Canyon and the height of the cabana. He also questioned the type of material facing the wall.

CHRIS PARDO stated the height of the wall is 6 feet and the roof of the cabana is 10 feet. The material is reclaimed wood.

Committee Member Hirschbein also asked if the current decorative wall will remain.

CHRIS PARDO stated that all but a small part of the wall will remain. New equipment to maintain the pool will be coming in and space is required for the equipment.

Chair Secoy-Jensen stated there is an inconsistency on the landscape plan and the grading plan regarding 3 Date Palms.

CHRIS PARDO stated to defer to the landscape plan.

Committee Member Hirschbein asked that the applicant come back with a description on how the existing walls are to be replicated and how the new and old walls will work together.

Committee Member Fredricks recommended that the 4 Queen Palms be replaced since they are not in good health.

Committee Member Hirschbein would like to see the application come back to a subcommittee specifying how the new walls will interface with the original walls with regard to size, location, material, color and texture.

Chair Secoy-Jensen asked for volunteers for the subcommittee.
Committee members Hirschbein, Purnel and Chair Secoy-Jensen volunteered to be on the subcommittee.

ACTION: To approve the project to the Planning Director, subject to proposed conditions and have a subcommittee review how the new walls will interface with the original walls with regard to size, location, material, color and texture, and an additional condition for the four Queen Palms to be replaced with Washingtonia Palms. Chair Secoy-Jensen added an amendment stating that the landscape plans supersede the drainage plans due to inconsistencies.

Motion Committee Member Cassady seconded by Committee Member Fredricks and carried by a 5-0 roll call vote.

3. NEW BUSINESS:

3.A. GEOFF MCINTOSH, OWER OF BERNIE'S SUPPER CLUB TO REPLACE EXISTING ENCLOSED ENTRY CANOPY WITH NEW METAL AWNING WITH PIN-STRIPED BLACK / GOLD FABRIC LOCATED AT 292 EAST PALM CANYON DRIVE, ZONE C-1. (CASE 3.1324 MAA)

Committee Member Hirschbein asked if there are any right of way issues.

Associate Planner Newell replied no right of way issues.

Committee Member Fredricks stated that a more accurate visual representation is needed.

Chair Secoy-Jensen requested that heights of the awning structure and how it relates to the building be presented. Also, a more accurate and substantial drawing be provided.

ACTION: Table project until more accurate plans can be received.
Motion Chair Secoy-Jensen seconded by Committee Member Cassady and carried by a 5-0 roll call vote.

COMMITTEE MEMBER REPORTS: None

DIRECTOR REPORTS:

Director Wheeler announced that there will only be one meeting in December.

ADJOURNMENT: At 3:53 PM the Architectural Advisory Committee adjourned to the next regular meeting at 3:00 pm on Monday, December 9, 2013, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

M. Margo Wheeler, AICP
Director of Planning Services

Judy Deertrack
1333 South Belardo Road, Apt 510
Palm Springs, CA 92264

RECEIVED

NOV 25 2013

PLANNING SERVICES
DEPARTMENT

Monday, November 25, 2013

To the Architectural Advisory Committee
Palm Springs, California

Re: Item 2A
Plaza Del Sol
November 25 2013

To the Honorable Committee:

I wish to add commentary to the above matter before the Committee, and recommend a delay in approval of the project until the following has occurred:

1. A staff report finding of whether the project dimensions, impact, size, and character make this a Major Architectural Permit or Minor Architectural Permit.
2. If this is a Major Architectural Permit, the project should be delayed until the applicant has met with and properly notified the residential neighbors at Tahquitz Mesa Villas, who are also applicant's tenants;
3. Even if it is deemed a minor architectural permit, there is a lack of specificity about the outdoor activities that will occur in this area, including music, entertainment, and special events, which will have traffic and noise impacts to the multi-family units immediately adjacent. Public Notice should have been given to all affected nearby residents.
4. A staff report finding on whether this project is a major or ;minor modification to the pre-existing restaurant.
5. A more detailed staff report finding on neighborhood compatibility of this project with the multi-family residential neighborhood, considering the potential noise and traffic impacts.
6. A more specific staff report finding of whether this project is compatible with the remaining commercial project that is on the same lot and within the same commercial complex.
7. A determination of whether the potential impacts of this project require California Environmental Quality Act review.

With regard,

Judy Deertrack

ARCHITECTURAL ADVISORY COMMITTEE
STAFF MEMORANDUM

DATE: November 25, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

On October 21, 2013, the Architectural Advisory Committee reviewed a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. The project was tabled with comments and requests, including:

1. Use of Washington Filifera Palms instead of Queen Palms;
2. Use 36-inch box Olive trees in parking lot for shading;
3. Setback wall along Palm Canyon with enhanced landscape;
4. Height of service (bar) structure too tall at ten feet height and should be reduced;
5. Provide additional information on Palm Canyon building / structure elevations, and details of wall finish and articulation;

The plans have been revised as follows:

1. Sheet L-1:
    a. Queen Palms replaced with Washingtonia Robusta (California Fan Palms);
    b. 36-inch box Olive trees proposed in adjacent parking area planters (3 shown – additional will be necessary in remainder of parking lot);
    c. No change to wall location along Palm Canyon Drive;
2. Sheet 2.2: Service bar reduced by one foot in height;
3. Sheets 3.0 and 3.1: Proposed gray colors superimposed on elevations of existing restaurant building;
4. Added Sheet 3.4: Building perspectives from S. Palm Canyon Drive.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be Olive species consistent with existing on-site.

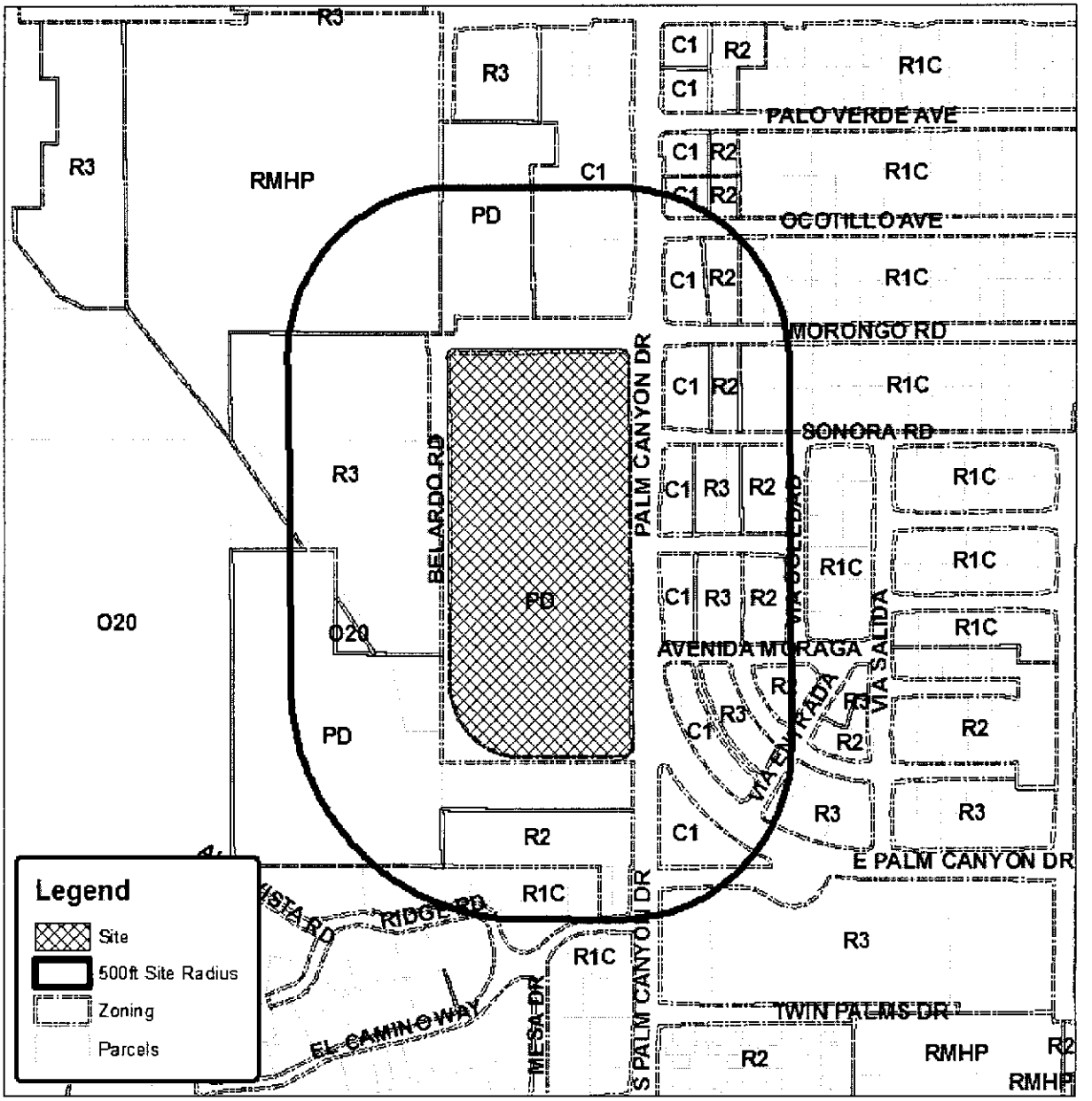
David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. 10/21/2013 AAC Minutes (excerpt)
3. 10/21/2013 AAC Staff Memorandum
4. Reduced Plans

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.1111 MAA

APPLICANT: Plaza Del Sol, LLC

DESCRIPTION:
A proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center, 1555 South Palm Canyon Drive, Zone PD-131 / C-1, Section 22.

COMMITTEE MEMBERS HIRSCHBEIN, SONG AND CHAIR SECOY-JENSEN all said that the current misting system is not acceptable.

M/S/C (Vice Chair Fauber/Burnel, 6-0-1 absent Cassady) To deny.

8. PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

RUBEN WALTERS, applicant, presented the project.

COMMITTEE MEMBER FREDRICKS said the buildings could blend in better with existing structure. They should not duplicate Queen palms but use Washingtonian filifera instead. The trees in parking lot to be 36" olives.

COMMITTEE MEMBER HIRSCHBEIN said he felt the modern aesthetic was fine; however, they need a significant setback with landscaping outside the street wall; need Palm Canyon elevations.

COMMITTEE MEMBER SONG said the 10' roof is too massive at the sidewalk; need elevations of existing roof; details on wall finish and articulation.

M/S/C (Chair Secoy-Jensen/Fauber, 6-0-1 absent Cassady) To table, applicant to return with amendments upon comments.

COMMITTEE MEMBER COMMENTS:

None.

STAFF MEMBER COMMENTS:

Director Wheeler provided an update on the on-site sign posting requirements.

Director Wheeler announced that there would be no meeting on December 23, 2013.

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: October 21, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

SUMMARY

The Architectural Advisory Committee will review a proposal to develop a vacant pad area adjacent to the existing restaurant building with an outdoor pool, recreation, lounge and bar area at the existing Plaza Del Sol shopping center. Modifications to the existing parking areas are also proposed.

RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

1. Planters with shade trees shall be incorporated into new parking and existing parking areas west of the proposed development. Specifically, landscape fingers shall be installed every ten spaces and six-foot wide planter diamonds shall be installed ever two to three spaces where possible. Tree species to be recommended by AAC.

ISSUES:

- Shopping center non-conforming in parking lot shading.

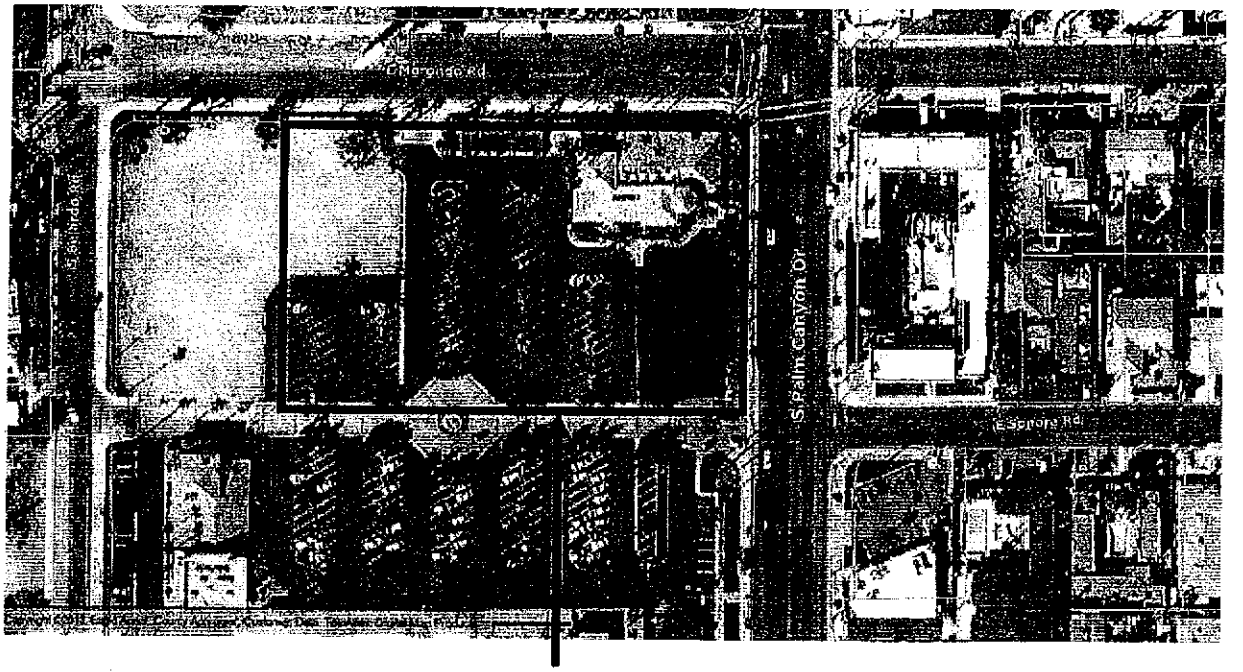
BACKGROUND:

Planning Areas		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	
Resort Combining	Yes	Subject to Section 92.25.00 of Zoning Code

Related Relevant City Actions by Planning, Fire, Building, etc…	
None	

Neighborhood Meeting	
None	

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Subject Property	NCC (Neighborhood / Community Commercial)	PD-131 (Planned Development 131)	Restaurant in Commercial Shopping Center
North	NCC	C-1 (Retail Business), R-3 (Multiple-family Residential and Hotel) & PD-17	66-unit Hotel
South	TRC (Tourist Resort Commercial)	PD-52	Stein-Mart and other commercial tenants
East	TRC	C-1	38-unit Hotel
West	HDR (High Density Residential)	R-3	Vacant



PROPOSED DEVELOPMENT

PROJECT DESCRIPTION:

The applicant proposes to develop the grass area and a portion of the parking area adjacent to the existing restaurant building as follows:

- Construct outdoor recreation area including, pool, lounge chairs, private cabanas, palapa bar, bathrooms and (2) bocce ball courts;
- Surround the proposed recreation area with six-foot high block wall;
- Install wrought-iron fence between pool area and restaurant building walkway;
- Expand the parking area to the vacant, undeveloped dirt area west of the building;
- Re-paint existing restaurant building with gray hues;
- Enhance landscaping around and within proposed recreation area.

ANALYSIS:

General Plan			
Land Use Designation	**Floor Area Ratio**	**Request**	**Compliance**
NCC	0.35 F.A.R.	No change (No usable floor space proposed)	Yes

Zoning – Uses & Lot Standards			
	Zoning Requirements: PD-131 with underlying C-1	**Proposed**	**Compliance**
Uses permitted	Restaurant, including accessory uses	Restaurant with outdoor accessory uses (entertainment, recreation, etc.)	Yes, with approval of Land Use Permit
Lot Standards			
Min. Area	20,000 sq. ft.	Existing (17.4 acres)	Yes
Min. Width	100 ft.	Existing (580 ft.)	Yes
Min. Depth	150 ft.	Existing (1,275 ft.)	Yes

Zoning – Building Development Standards			
	Requirements for PD-131 with underlying C-1 Zone	**Proposed**	**Compliance**
Building Height	30 ft. maximum	13 ft. maximum	Yes
Yard Setbacks			
Street Frontages	5 ft. from any street frontage	5 ft. to 6 ft. high block wall	Yes
Pool / spas	5 ft. from any property line	65 ft. +	Yes
Distance Between Buildings	No requirement	N/a	N/a
Lot Coverage	No requirement	N/a	N/a
Off-street Parking	Mixed Use Development require 1 parking space per 250 sq. ft. of gross floor area	Parking removed will be replaced on-site	Yes
Trash Enclosure	Required	Existing	Yes

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	Outdoor recreation area will be accessory to restaurant use;
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Restaurant building is existing; accessory recreation area located within commercial shopping complex with adequate parking. No impacts to surrounding developments are anticipated;
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Materials include corrugated metal, concrete block (scored and diamond face), burnt cedar and stucco; colors include white and grays;
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pool area will be separated from restaurant with pedestrian walkway and wrought-iron fence;
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partial	The proposed structures are a modern design with simple lines and shapes, while the existing restaurant building and remainder of the shopping center were built with in a Spanish Revival theme.

6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Structures conform to zoning code requirements. No mechanical equipment is proposed;
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Shade devices built with corrugated metal;
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Materials and colors used in consistent manor throughout project site;
9	Consistency of composition and treatment	Yes	Composition and treatment consistent throughout;
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	Trees and plants will be consistent with existing landscape in shopping centers.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Reduced Plans

City of Palm Springs

ARCHITECTURAL ADVISORY COMMITTEE

Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Revised Minutes of October 21, 2013

CALL TO ORDER: Chair Secoy-Jensen called the meeting to order at 3:03 pm.

ROLL CALL:

Committee Members Present:	Fredricks, Hirschbein, Purnel, Song, Vice-Chair Fauber and Chair Secoy-Jensen
Committee Members Absent:	Cassady
Planning Commissioner Present:	Chair Donenfeld
Also Present:	Director Wheeler and Associate Planner Newell

REPORT OF THE POSTING OF AGENDA: The Agenda is available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 6:00 pm on Wednesday, October 16, 2013.

ACCEPTANCE OF THE AGENDA: Item #6, Case 13-071, was moved to the Consent Calendar. (See Item 2 below)

PUBLIC COMMENTS:

MATTHEW BOUSQUETTE, owner of 1090 N. Palm Canyon commented about the problems of break-ins and copper theft and also the concern of new development immediately adjacent to his property. (See Item 2 below)

FRANK TYSEN, owner of Casa Cody, spoke about fires of historic structures and the need for security also concerns about lack of notification. He also commented that there should be conceptual meetings so that the AAC can make drastic changes.

1. CONSENT CALENDAR:

M/S/C (Fauber/Purnel, 6-0) Approve items 1A and 6, as part of the Consent Calendar.

1.A. APPROVAL OF MINUTES: OCTOBER 7, 2013

Approved, as amended.

6. AMY BOYLAN, OWNER OF TONGA HUT RESTAURANT FOR A 25-SQUARE

FOOT SECOND STORY SIGN WITH AUTOMATED TIKI TORCH FEATURE LOCATED AT 254 NORTH PALM CANYON DRIVE, ZONE CBD (CASE 13-071). (GM)

Approve, as submitted.

UNFINISHED BUSINESS:

2. PALM SPRINGS, LLC, FOR AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 324 FOR A MIXED-USE DEVELOPMENT LOCATED AT 400 NORTH PALM CANYON DRIVE, ZONE PD 324 (CASE 5.1091 PD324-AMND). (ER)

Project architect, Hagy Belzburg described the changes from the last presentation on October 7th.

MATTHEW BOUSQUETTE, adjacent property owner, said that he wants something built that doesn't leave trash and utility dock adjacent to his property. He said that police would not be able to patrol the roadway in between. He wants to do a restaurant and sculpture garden on his property but will not be able to do if this moves forward.

FRANK TYSEN, historic inn owner, disagreed with the architect saying the project did not look at all like Palm Springs. He said it is the absence of large projects why people come here. He said that the developer should do community meetings, there should be a new EIR and the project should be sent back to the drawing board.

FERNANDO SILVA, architect, said the project was not out of scale and that Palm Springs is no longer a small 19th century village.

JAMES CIOFFI, architect, said that the developer had previously done community meetings. This site is identified as a high intensity gateway site in the Downtown Design Plan. The architect has done an outstanding job; the trash locations can be handled.

MR. BELZBURG followed up saying the trash location on the south can be removed; he designed the building breaking up the massing and so as not to cast shadows on adjacent properties.

COMMITTEE MEMBER FAUBER asked for the architect to describe the changes on Indian Canyon.

MR. BELZBURG said there was greater activation on the ground floor with meeting space enhanced lighting and landscaping.

COMMITTEE MEMBER SONG had concerns about headlights shining directly into the meeting space, blunt edges and driveways. The architect agreed to look into the headlight issue and enhanced overhangs.

COMMITTEE MEMBER FREDRICKS asked about the height on the corner at Palm Canyon and Alejo Road.

MR. BELZBURG responded 45 feet.

COMMITTEE MEMBER FAUBER commented he was originally concerned with the project changes to hotel from residential but the design has assuaged his misgivings. He asked about the south property line.

MR. BELZBURG indicated it is a landscaped setback. Their preference is that the retail be continuous along Palm Canyon.

COMMITTEE MEMBER HIRSCHBEIN had questions regarding the landscape planter in front of stores. He supports extending the storefronts to the south.

COMMITTEE MEMBER FREDRICKS stated that he is pleased with the setbacks but is still concerned with the massing.

CHAIR SECOY-JENSEN wants to see stronger effort on the south. The retail needs to continue. Although she may be in the minority, she preferred the previous elevations, specifically the northwest corner.

VICE-CHAIR FAUBER indicated that he felt that the North Palm Canyon needs high quality railings. The applicant should work with the neighbor to the south.

M/S/C (Secoy-Jensen/Fauber, 6-0-1 absent Cassady) Approve request with the following to be re-submitted:

- Exhibits showing: south side compatible with neighbor with additional retail and remove trash area
- Overhang on the east details
- Bulkhead on east blocking car lights
- Northwest corner options

DISCUSSION:

COMMITTEE MEMBER HIRSCHBEIN asked to ensure it doesn't impede with schedule.

DIRECTOR Wheeler said enough of a recommendation to go forward to the Planning Commission. These items of study are to return to the AAC.

COMMITTEE MEMBER HIRSCHBEIN requested an amendment to add planters on Palm Canyon. Chair Secoy-Jensen and Vice-Chair Fauber accepted the amendment and added:

- North-South and East-West section plans at property lines to be submitted, showing relation to adjacent properties.
- Planters on Palm Canyon

Chair Secoy-Jensen noted that landscape plans may be submitted later.

3. AEK CAPITAL MANAGEMENT LLC, FOR A MINOR ARCHITECTURAL APPLICATION TO RENOVATE AN EXISTING HOTEL LOCATED AT 2135 NORTH PALM CANYON DRIVE, ZONED C-1 (CASE 3.0676 MAA). (DN)

Associate Planner Newell presented the project.

COMMITTEE MEMBER SONG asked applicant about re-plastering the wall and the location of parking spaces.

COMMITTEE MEMBER FREDRICKS questioned the ficus and other planting materials.

COMMITTEE MEMBER PURNEL called for larger planter areas in the parking lot and indicated the light fixtures at the walkways may be too fragile.

COMMITTEE MEMBER SONG said the foam molding needs to be simplified so that it is not so Mediterranean and plaster to be consistent window to door.

M/S/C (Vice-Chair Fauber/Fredricks, 6-0-1 absent Cassady) Approve with conditions.

- Parking lot trees shall be 36" box
- Crown molding more deco not Mediterranean
- 4 eastern parking spaces to be set back per director's approval
- Return with revised landscape plan to subcommittee: (Purnel, Fredricks, Fauber)
- Tree wells with tree choice
- Replace ficus, all 15 gallon
- All shrubs 5 gallon

NEW BUSINESS:

4. HARD ROCK HOTEL FOR THE REPAINT OF THE FRONT PORTE COHERE TO THE COLOR PURPLE LOCATED AT 150 SOUTH INDIAN CANYON

DRIVE, ZONE RA (CASE NO. 3.1707 MAA). (GM)

JIM CIOFFI, applicant, presented the project.

M/S/C (Vice-Chair Fauber/Chair Secoy-Jensen, 4-2-1 Hirschbein/Song 1 absent/ Cassady absent) Approve with purple paint to stop at inside corner.

5. MICHAEL KING, OWNER FOR A NEW 4,537-SQUARE FOOT CUSTOM HOUSE ON A HILLSIDE LOT TO INLCUDE AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT AT 2355 MILO DRIVE, ZONE R-1-B (CASE 3.2938 MAJ AND 7.1402 AMM). (GM)

MICHAEL KING, applicant, presented his project indicating that he sent out many more notices than required.

COMMITTEE MEMBER FREDRICKS asked about the height of the carport and landscape material. He wants more landscaping in front and more variety and more height.

MICHAEL KING replied 12' carport and 3 palo verdes proposed.

CHAIR SECOY-JENSEN asked about the distinctive color panels.

COMMITTEE MEMBER PURNEL felt that additional landscaping was necessary to soften walls both at street front and in front of the pool wall.

M/S/C (Secoy-Jensen/Fredricks, 6-0-1 absent/Cassady) Approve with conditions.

- Additional landscaping at the street
- Pool equipment shall be fully screened
- Additional landscaping between structure and wall
- Revise the landscape plan per comments

7. GYORO RESTAURANT FOR A MINOR ARCHITECTURAL APPLICATION TO ADD A ROOF TO THE OUTDOOR BAR AND A TAKE-OUT WINDOW ON THE NORTH FAÇADE AT THE OASIS COMMERCIAL BUILDING, A CLASS 1 HISTORIC SITE, AT 101-121 SOUTH PALM CANYON DRIVE, ZONE CBD, (CASE 3.1289 MAA). (KL)

GREG WILLIAMS, architect, presented the project.

CHAIR SECOY-JENSEN asked why changes had not been made per Committee and staff direction.

COMMITTEE MEMBER PURNEL about the interaction between the bar roof and tree as it is still not clear on the plans.

COMMITTEE MEMBERS FAUBER AND HIRSCHBEIN offered alternative methods for handling the roof.

CHAIR SECOY-JENSEN offered that the exterior takeout may not be necessary.

COMMITTEE MEMBERS HIRSCHBEIN, SONG AND CHAIR SECOY-JENSEN all said that the current misting system is not acceptable.

M/S/C (Vice-Chair Fauber/Purnel, 6-0-1 absent Cassady) To deny.

8. PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

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COMMITTEE MEMBER SONG said the 10' roof is too massive at the sidewalk; need elevations of existing roof; details on wall finish and articulation.

M/S/C (Chair Secoy-Jensen/Fauber, 6-0-1 absent Cassady) To table, applicant to return with amendments upon comments.

COMMITTEE MEMBER COMMENTS:

None.

STAFF MEMBER COMMENTS:

Director Wheeler provided an update on the on-site sign posting requirements.

Director Wheeler announced that there would be no meeting on December 23, 2013.

ADJOURNMENT: The Architectural Advisory Committee adjourned at 6:30 pm to Tuesday, *November 12, 2013*, at 3:00 pm, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way.

M. Margo Wheeler, AICP
Director of Planning Services

ARCHITECTURAL ADVISORY COMMITTEE STAFF MEMORANDUM

DATE: October 21, 2013

SUBJECT: PLAZA DEL SOL, LLC FOR A MINOR ARCHITECTURAL APPLICATION TO DEVELOP A VACANT AREA ADJACENT TO THE EXISTING RESTAURANT WITH A POOL, LOUNGE AREAS, BAR, RESTROOM AND LANDSCAPING AT THE EXISTING SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE, ZONE PD-131 (CASE 3.1111 MAA). (DN)

FROM: Department of Planning Services

SUMMARY

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RECOMMENDATION:

Recommend approval to the Planning Director, subject to the following:

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ISSUES:

- Shopping center non-conforming in parking lot shading.

BACKGROUND:

Planning Areas		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	
Resort Combining	Yes	Subject to Section 92.25.00 of Zoning Code

Related Relevant City Actions by Planning, Fire, Building, etc...	
None	

Neighborhood Meeting	
None	

General Plan, Zoning and Land Uses of Site & Surrounding Areas			
	Existing General Plan Designations	***Existing Zoning Designation***	***Existing Land Use***
Subject Property	NCC (Neighborhood / Community Commercial)	PD-131 (Planned Development 131)	Restaurant in Commercial Shopping Center
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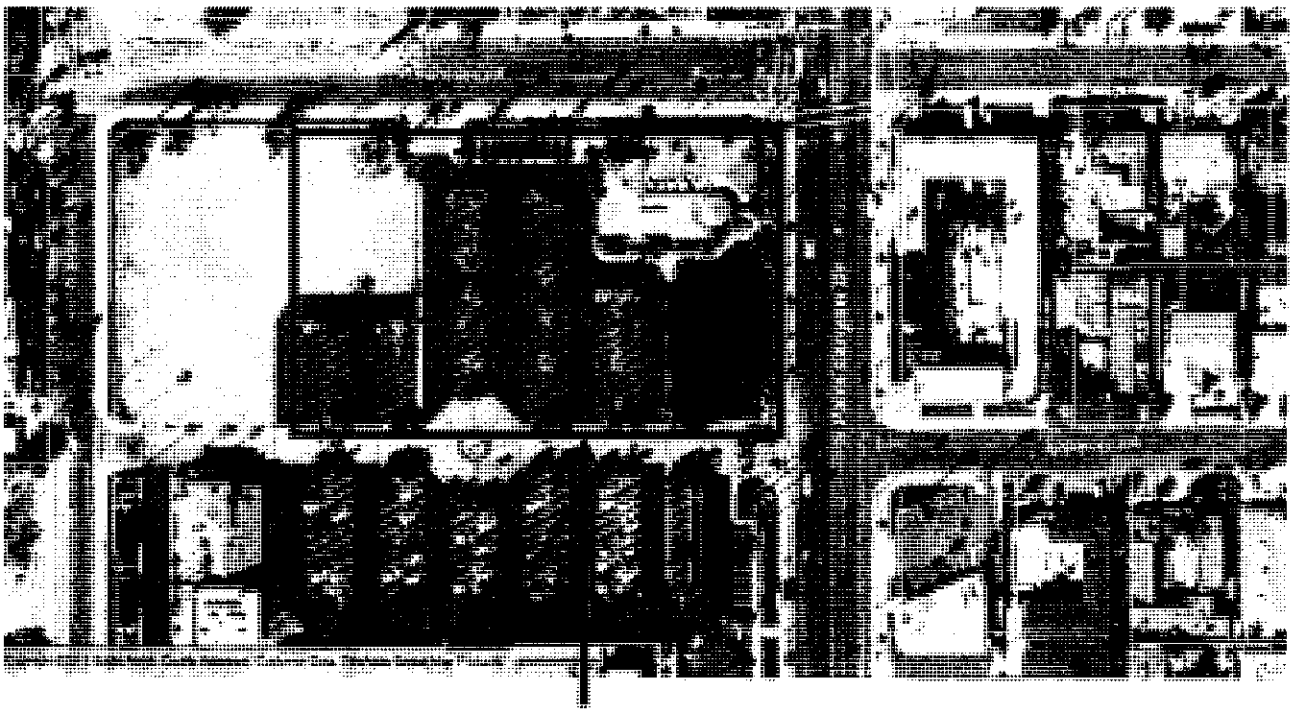

PROPOSED DEVELOPMENT

PROJECT DESCRIPTION:

The applicant proposes to develop the grass area and a portion of the parking area adjacent to the existing restaurant building as follows:

- Construct outdoor recreation area including, pool, lounge chairs, private cabanas, palapa bar, bathrooms and (2) bocce ball courts;
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- Expand the parking area to the vacant, undeveloped dirt area west of the building;
- Re-paint existing restaurant building with gray hues;
- Enhance landscaping around and within proposed recreation area.

ANALYSIS:

General Plan			
Land Use Designation	**Floor Area Ratio**	**Request**	**Compliance**
NCC	0.35 F.A.R.	No change (No usable floor space proposed)	Yes

Zoning – Uses & Lot Standards			
	Zoning Requirements: PD-131 with underlying C-1	**Proposed**	**Compliance**
Uses permitted	Restaurant, including accessory uses	Restaurant with outdoor accessory uses (entertainment, recreation, etc.)	Yes, with approval of Land Use Permit
Lot Standards			
Min. Area	20,000 sq. ft.	Existing (17.4 acres)	Yes
Min. Width	100 ft.	Existing (580 ft.)	Yes
Min. Depth	150 ft.	Existing (1,275 ft.)	Yes

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Distance Between Buildings	No requirement	N/a	N/a
Lot Coverage	No requirement	N/a	N/a
Off-street Parking	Mixed Use Development require 1 parking space per 250 sq. ft. of gross floor area	Parking removed will be replaced on-site	Yes
Trash Enclosure	Required	Existing	Yes

D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline:	Conforms?	Staff Evaluation:
1	Does the proposed development provide a desirable environment for its occupants?	Yes	Outdoor recreation area will be accessory to restaurant use;
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Restaurant building is existing; accessory recreation area located within commercial shopping complex with adequate parking. No impacts to surrounding developments are anticipated;
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	Materials include corrugated metal, concrete block (scored and diamond face), burnt cedar and stucco; colors include white and grays;
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pool area will be separated from restaurant with pedestrian walkway and wrought-iron fence;
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Partial	The proposed structures are a modern design with simple lines and shapes, while the existing restaurant building and remainder of the shopping center were built with in a Spanish Revival theme.

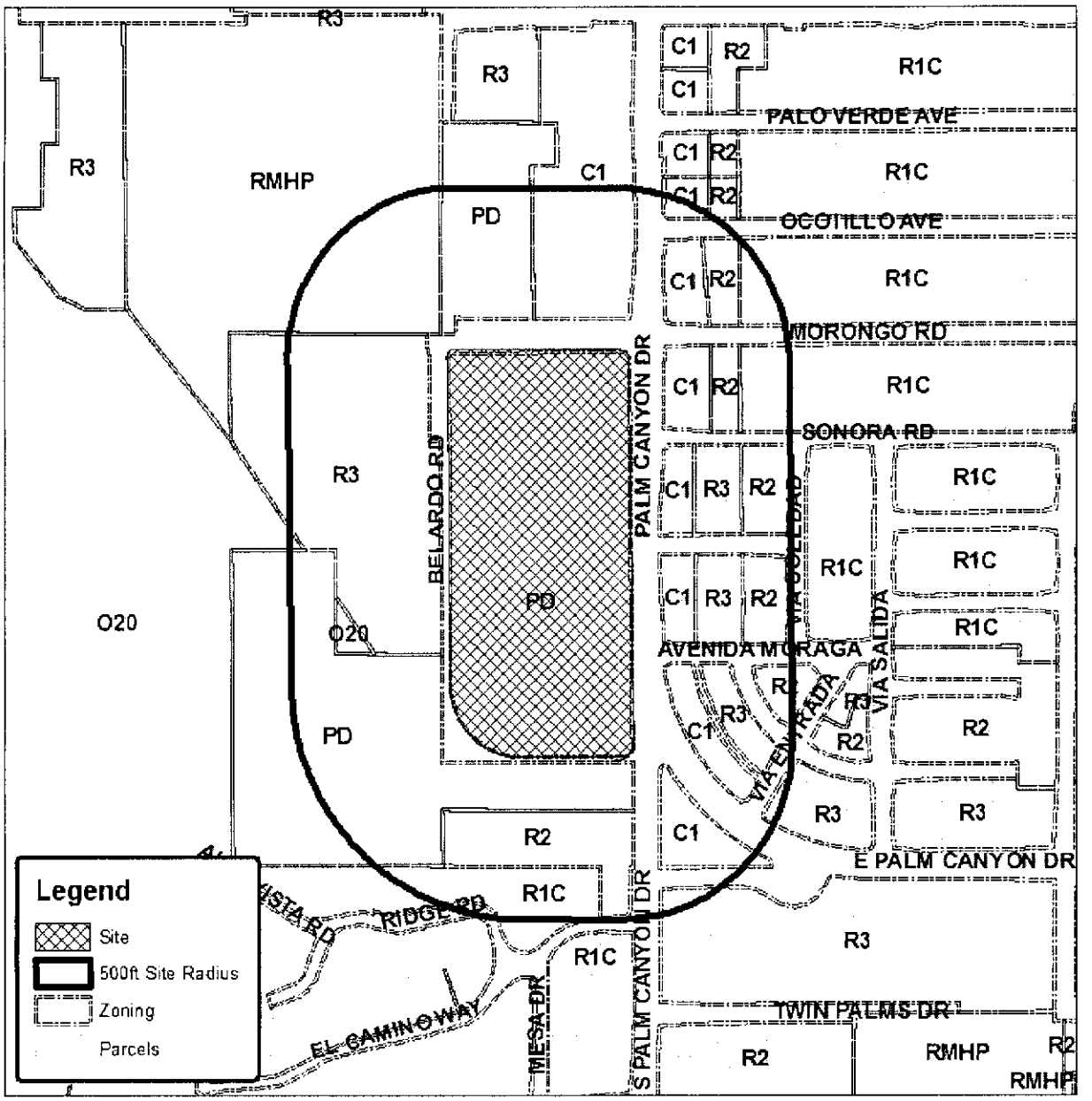
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Structures conform to zoning code requirements. No mechanical equipment is proposed;
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Shade devices built with corrugated metal;
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Materials and colors used in consistent manor throughout project site;
9	Consistency of composition and treatment	Yes	Composition and treatment consistent throughout;
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	Trees and plants will be consistent with existing landscape in shopping centers.

David A. Newell
Associate Planner

M. Margo Wheeler, AICP
Director of Planning Services

Attachments:
1. Vicinity Map
2. Reduced Plans

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

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CITY OF PALM SPRINGS

Department of Planning Services
3200 Tahquitz Canyon Way, Palm Springs, CA
Tel: 760 323 8245 - Fax: 760 322 8360

(For Staff Use Only))
Planning Case Number:: 3 1111
Taken in by (Planner): GM
Date Submitted: 9/17/13

MINOR ARCHITECTURAL APPLICATION (MAA)

RECEIVED
SEP 17 2013
PLANNING SERVICES DEPARTMENT

TO THE APPLICANT: Please fill out the information requested below. Attach any signed authorization letters, drawings, color & material boards, photographs, cut sheets and/or any other materials necessary to describe the proposed project.

PROJECT SITE INFORMATION.

Project Address: 1550 S Palm Canyon Dr (street number and street name) APN: 513-300-038 (9-digit assessor parcel number ex: 000-000-000)

Project Name (example: Name of Condo Association or HOA): Hacienda Cantina

Zone: _____ General Plan: _____ Section/Township/Range: __/__/__ Lot Area: _____

Detailed Description of Project: 8030 Sf existing Restaurant on a 52,000 Sf pad encompassing a pool, Bathroom and Bar.

Sq. Footage - Existing Bldgs 8030 Sq. Footage – Proposed New (if any): 0

PROPERTY OWNER INFORMATION:

Property Owner's Name: Plaza del Sol LLC

Property Owner's Mailing Address: 555 Sunrise Ste 200 (Number and Street Name or P.O. Box)
PS (City) CA (State) 92262 (Zip)

Property Owner's Phone: 760-641-4046 Fax _____

Property Owner's Email: mbraun@wessmandevelopment.com

CONTRACTOR, PROJECT MANAGER, OR OWNER'S AGENT AUTHORIZED TO INITIATE THE WORK:

Company Name: Nexus Palm Springs (Please print) I AM THE: ☒ OWNER'S AUTHORIZED AGENT (example CONTRACTOR) ☐ LESSEE (TENANT) ☐ OTHER

Agent's Name & Signature: Rich Meaney

Agent's Mailing Address: 700 E Tahquitz Cyn Way Ste A (Number and Street Name or P.O. Box)
PS (City) CA (State) 92262 (Zip)

Agent's Phone: 949-922-8210 Agent's Fax: _____

Agent's Email: rhm@nexusd.com

(Please continue to next page)

turley@elementalarchitecture.com
Steve Turley (416) 706 2810

REQUIRED MATERIALS TO BE SUBMITTED FOR A MINOR ARCHITECTURAL APPLICATION:

The following materials are necessary for your application to be evaluated. Unless otherwise indicated, do not mount these exhibits on a board. All required diagrams must be neatly drawn and dimensioned including a north arrow and the project address. Use this list to assemble your application materials.

INCOMPLETE SUBMITTALS MAY DELAY PROCESSING OF YOUR APPLICATION.

Applicant Use ↓	Staff Use: ↓	
☑	☐	**Complete the Minor Architectural Application Form**: (attached to this instruction packet)
☑	☐	**Authorization Letter or Contract signed by Homeowners Association or Owner** (if project is within a condo or HOA, or if application is being completed by owners' agent)
☑	☐	**A Detailed Site Plan and Floor Plans**: These exhibits must be submitted for additions, rehabilitation of properties, landscaping changes, parking lot re-striping, walls, pools, mechanical equipment, or projects involving any type of exterior modification to the site. Include a north arrow and the project's street address. Site plans are usually submitted at 24" x 36" , to a scale not smaller than 1" = 40'. (Some plans may need to be drawn using a larger scale, such as 1" - 10'.) (An 11"x 17" site plan may be sufficient for minor building improvements, minor landscaping, walls, pools, and mechanical equipment. Please consult with a planner) The site plan should include the following information: ▪ All property boundaries and distance to centerline of abutting street (obtain from Public Works Department) ▪ All walls, sidewalks, driveways, gates, parking areas, landscaping, etc. ▪ (Differentiate existing from new work by differing line weights or by notation).
☑	☐	**Elevations**: Elevation drawing (showing front, back and sides) should be included for any project involving changes to the exterior of a structure, and to show proposed walls, fences, gates and/or mechanical screening. Include notes to describe colors, materials, dimensions (including height) and any other relevant information.
☑	☐	**Color and Material Exhibits:** Provide swatches of actual paint colors proposed and cut sheets or small samples of materials where appropriate. Photographs of existing materials that will be matched is encouraged. Where a full color/material board is required, the board should be no larger than 8-1/2" x 11".
☑	☐	**Existing Site Photographs**: One (1) set of photographs showing existing conditions at the proposed project and adjacent surroundings, structures, landscaping, walls, etc. .
☑	☐	**Payment of Application Fees.**

TIME LIMIT FOR DEVELOPMENT: Planning approvals given on Minor Architectural Applications (MAA's) are valid for two (2) hears from the Effective Date that the approval is made (see definition of Effective Date below). After Planning approvals are granted, applicants must apply for building permits through the City Department of Building and Safety. If building permits are not pulled or the construction initiated within two (2) years of the Effective approval date, the planning approval expires.

EFFECTIVE DATE: A Minor Architectural Application approval becomes "effective" after an elapsed period of fifteen (15) days from the date of the decision by the Planning Staff, Planning Commission or City Council. Any project for which a building permit application is made or a building permit is issued prior to the Effective Date of the Planning approval, are deemed to be made "at the risk" of the applicant such that an appeal could modify or overrule the subject approval.

Hacienda Cantina and Beach Club- JustificationLetter

Project consists of an existing 8,030 square foot restaurant building and 44,000 square feet of adjacent land that will house a swimming pool, bathroom facility and an outdoor bar with 5 fire pits.

The project will employ approximately 70 new employees. The restaurant has been closed for 27 months.

Hours of operation are 4 pm to 12am, Sunday – Friday and 9am to 12 am Saturday to Sunday.

The only State license required is a liquor license from the ABC.

The property houses an existing restaurant that was built in 1982. The underlying zoning supports all of the entertainment uses on the site.

The Health Dept has already approved the pool and bathroom additions.

Michael Braun – Property Owner

Richard Meaney – Authorized agent

CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
MAJOR ARCHITECTURAL

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Major Architectural application will be accepted. Please check off each item to assure completeness.

		Applicant Only	City Use Only
Application Information:			
• General Information Form + Major Architectural Form		☐	☒
• Justification Letter		☐	☒
Site Information:			
• Site Plan: 24" x 36" (4 copies folded, 1 color rolled)		☐	☒
• Site Plan: reduced copies to 11" x 17" (8 copies)		☐	☒
• Landscape Plan: 24" x 36" (4 copies folded, 1 color rolled)		☐	☐
• Landscape legend with plant types, sizes, and quantities		☐	☐
• Parking lot shading exhibit (93.06.00(C)(3)(a))		☐	☐
• Grading Plan (4 copies folded)		☐	☐
• Site cross-section (4 copies folded)		☐	☐
• Site photographs: 8 ½" x 11"		☐	☐
• Topographic Map (4 copies folded)	On Site Plan ☐	☐	☐
• Drainage Plan (4 copies folded)	On Site Plan ☐	☐	☐
• Exterior Lighting Plan (4 copies folded) (Photometric Plan)	On Site Plan ☐	☐	☐
Architectural Information:			
• Building Elevations: 24" x 36" (4 copies folded, 1 color rolled)		☐	☐
• Building Elevations: reduced copies to 11" x 17" (8 copies)		☐	☐
• Floor Plan: 24" x 36" (4 copies folded)		☐	☐
• Roof Plan: 24" x 36" (4 copies folded)		☐	☐
• Color and material sample board		☐	☐
• Perspective or 3-D images (1 color rolled)		☐	☐
• Electronic copy of plans and color exhibits in PDF image format (max 5 MB)		☐	☐
Studies and Reports (when applicable):			
• CEQA documentation		☐	☐
• Hydrology Study		☐	☐
• Proof of ownership (Title Report)		☐	☐
• Traffic Study		☐	☐

HACIENDA CANTINA & BEACH CLUB

PROPERTY INFORMATION:

APN:	513-300-038
ADDRESS:	1555 S PALM CANYON DRIVE
LOT/PARCEL:	38
BLOCK:	300
TRACT NUMBER:	TRA 011-051
LOT SIZE:	RECORDED LOT SIZE IS 16.4 ACRES
LEGAL DESCRIPTION:	

THAT PORTION OF THE EAST 7/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 4 EAST. SAN BERNARDINO BASE AND MERIDIAN; COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE ALONG THE EAST LINE OF SAID SECTION 22, NORTH 0°1B'02" EAST. 329.54 FEET TO THE SOUTHEAST CORNER OF THE NORTH 7/2 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22, SAID POINT BEING THE TRUE OF BEGINNING: THENCE CONTINUING ALONG SAID EAST LINE. NORTH 0°18'02" EAST. 989.27 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4 OF SAID SECTION 22; THENCE CONTINUING ALONG SAID EAST LINE. NORTH 0°17'37" EAST 329.17 FEET. TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 7/4, NORTH 89°49'52" WEST. 656.01 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 7/2 OF THE SOUTHEAST 7/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE ALONG THE WEST LINE OF SAID SOUTH 7/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 7/4 OF THE SOUTHEAST 7/4, SOUTH 0°22'06" WEST. 329.79 FEET. TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE EAST 7/2 OF THE SOUTHEAST 7/4 OF THE SOUTHEAST 7/4; THENCE ALONG THE WEST LINE OF SAID EAST 7/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 7/4, SOUTH D038'02" WEST. 986.75 FEET TO THE SOUTHWEST CORNER OF THE NORTH 7/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 22; THENCE ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SOUTH 89°J9'47" EAST. 662.18 FEET. TO THE TRUE POINT OF BEGINNING.

PROPERTIES ARE NOT IN A TRIBAL LAND

TITLE	SHEET
TITLE PAGE	CV
SITE PHOTOS	1.0
EXTERIOR MATERIALS	1.1
SITE PLAN	1.2
SITE SECTIONS / ELEVATIONS	1.3
ENLARGED SITE PLAN	1.4
CIVIL LOT INFORMATION	1 OF 2
CIVIL PLAN / SURVEY	2 OF 2
PLANTING PLAN	L-1
EXISTING BUILDING FLOOR PLAN	2.0
BATHHOUSE FLOOR PLAN	2.1
PALAPA BAR FLOOR PLAN & EXTERIOR ELEVATIONS	2.2
RAISED CABANA FLOOR PLAN & EXTERIOR ELEVATIONS	2.3
EXISTING BUILDING EXTERIOR ELEVATIONS	3.0
EXISTING BUILDING EXTERIOR ELEVATIONS	3.1
BATHHOUSE EXTERIOR ELEVATIONS / SECTIONS	3.2
SITE FENCE EXTERIOR ELEVATIONS / SECTIONS	3.3

3.1111

RECEIVED

SEP 17 2013

PLANNING SERVICES DEPARTMENT

HACIENDA CANTINA & BEACH CLUB

OWNER:	NEXUS COMPANIES 700 E TAHQUITZ CANYON WAY PALMS SPRINGS, CA 92262 CONTACT PERSON: RICH MEANEY 714.546.5600
ARCHITECT:	CHRIS PARDO DESIGN / ELEMENTAL ARCHITECTURE 700 E TAHQUITZ CANYON WAY, SUITE A PALMS SPRINGS, CA 92262 CONTACT PERSON: CHRIS PARDO PARDO@ELEMENTALARCHITECTURE.COM 206.329.1654
CIVIL ENGINEER:	SANBORN A&E 71-780 SAN JACINTO DR, #E RANCHO MIRAGE, CA 92270 CONTACT PERSON: ALLEN SANBORN 760.423.0600
LANDSCAPE DESIGNER:	TKD ASSOCITES, INC 71-711 SAN JACINTO DR, SUITE C RANCHO MIRAGE, CA 92270 CONTACT PERSON: THOMAS DOCZI 760.776.1751

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Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

1555 South
Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

TITLE PAGE

Job #: 047

CV

Sheet

EXISTING VIEW NW ALONG S. PALM CANYON DRIVE

EXISTING VIEW NW CORNER OF S PALM CANYON DRIVE & MORONGO ROAD

EXISTING VIEW SW CORNER OF S PALM CANYON DRIVE & MORONGO ROAD

EXISTING VIEW S CORNER OF S PALM CANYON DRIVE ALONG MORONGO ROAD

EXISTING VIEW SE FROM MORONGO ROAD

EXISTING VIEW SE AT REAR ENTRY ON MORONGO ROAD

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Palm Springs, CA
92264

No.	Date	Issue

SITE PHOTOS

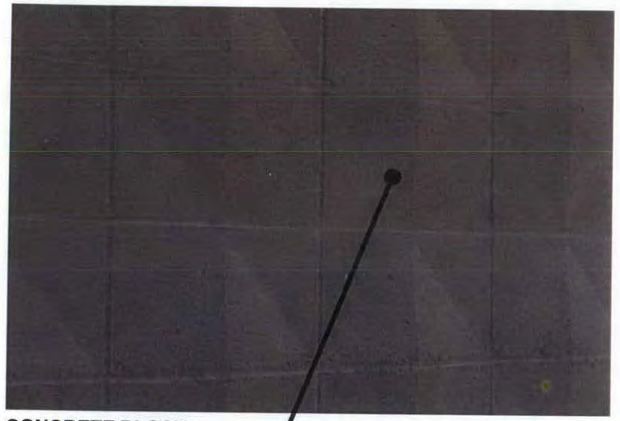
Job #: 047

1.0
Sheet

CORRUGATED METAL

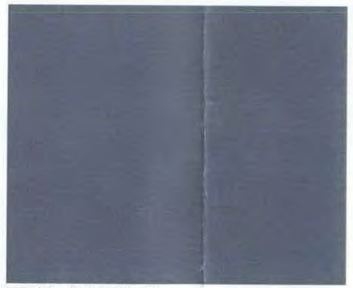
MATERIAL	COLOR	FINISH
COR-TEN CORRUGATED METAL ROOF (WHITE)	BRIGHT WHITE	MATTE
CONCRETE BLOCK DIAMOND FACE	DUNN EDWARDS DE6340 'CANADIAN LAKE'	MATTE
CONCRETE BLOCK SCORED FACE	NATURAL CONCRETE	SMOOTH / STANDARD
EXISTING STUCCO	DUNN EDWARDS DE6340 'CANADIAN LAKE'	MATTE
EXISTING TRIM	DUNN EDWARDS DE6341 'VULCAN'	MATTE
CABLE RAIL	CLEAR COATING	STEEL
BURNT CEDAR SIDING	NATURAL BLACK	SMOOTH / BRUSHED
DECOMPOSED GRANITE	NATURAL GREY / TAN	COMPACTED

BURNT CEDAR SIDING



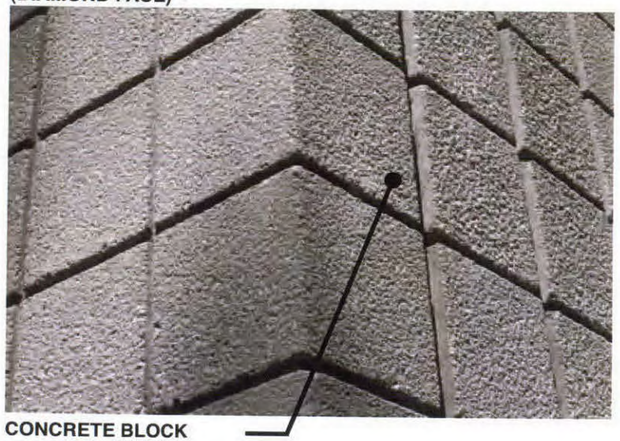
CONCRETE BLOCK (DIAMOND FACE)

STUCCO - 'CANADIAN LAKE'



TRIM - 'VULCAN'

DECOMPOSED GRANITE



CONCRETE BLOCK (SCORED FACE)

CABLE RAILING W/ GALVANIZED METAL PIPE

OUTDOOR CABANAS

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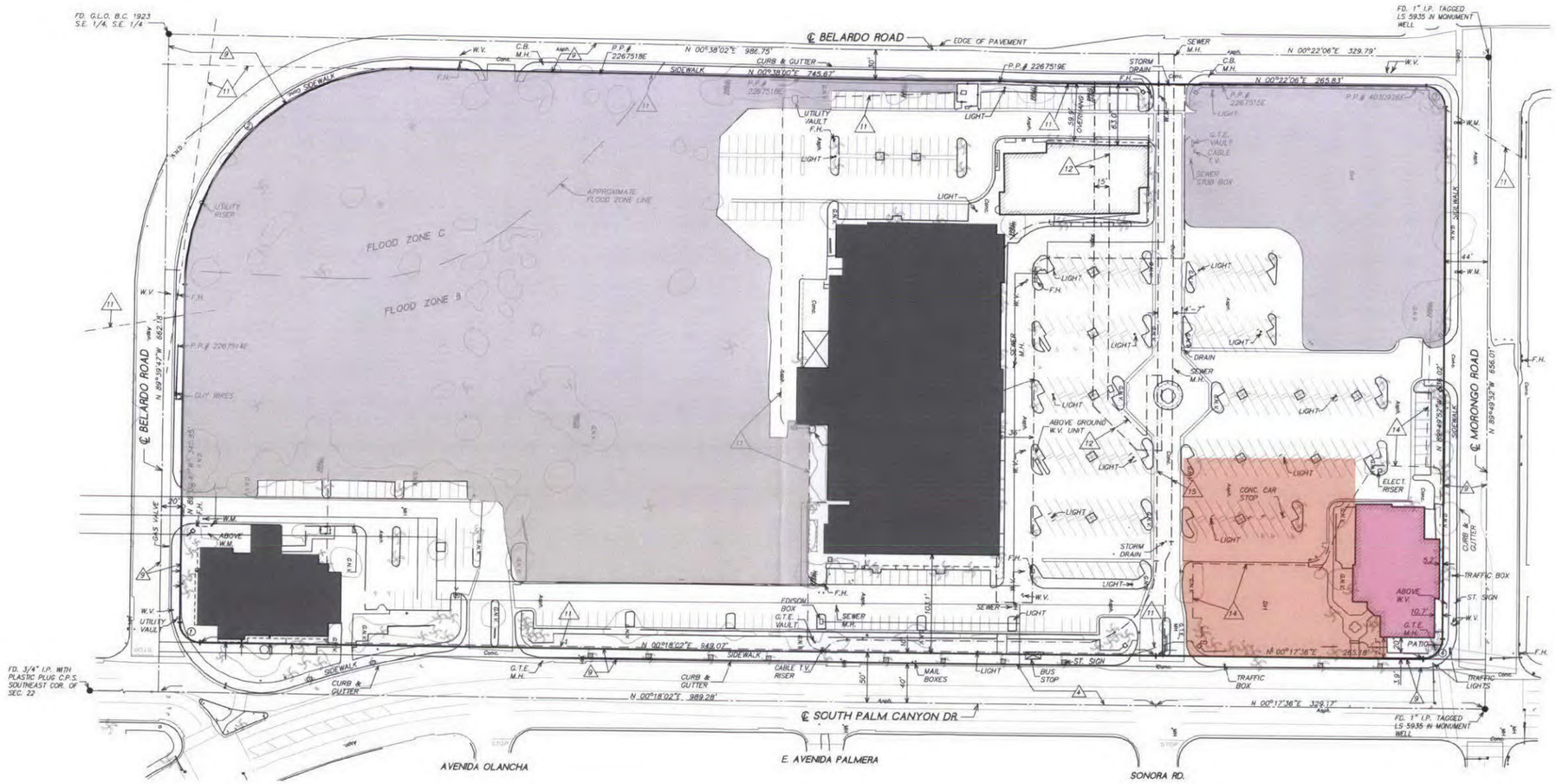
No.	Date	Issue

EXTERIOR MATERIALS

Job #: 047

1.1
Sheet



PROPOSED DEVELOPMENT SITE PLAN - SCALE = 1:30

NORTH

EXISTING BUILDING ON ADJACENT LOT
2 STORY - 27'-0"

EXISTING BUILDING ON PROJECT LOT
2 STORY UNITS - 27'-0"

PROPOSED AREA OF DEVELOPMENT

UNDEVELOPED PORTION
OF ADJACENT LOT

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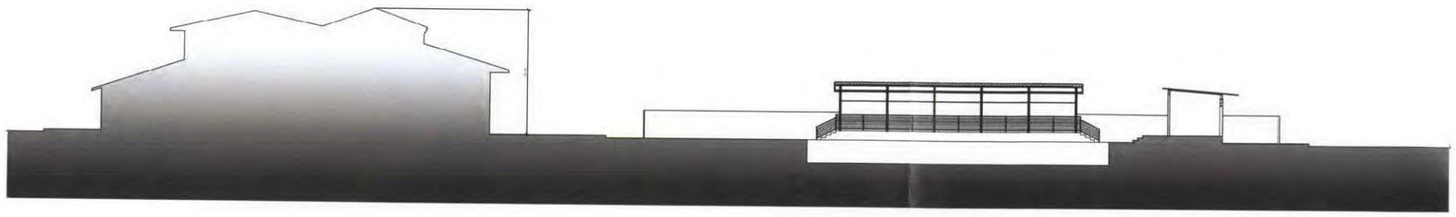
92264

No.	Date	Issue

SITE PLAN

Job #: 047

1.2
Sheet



HACIENDA CANTINA & BEACH CLUB - Site section

SCALE: 1/16" = 1'-0"

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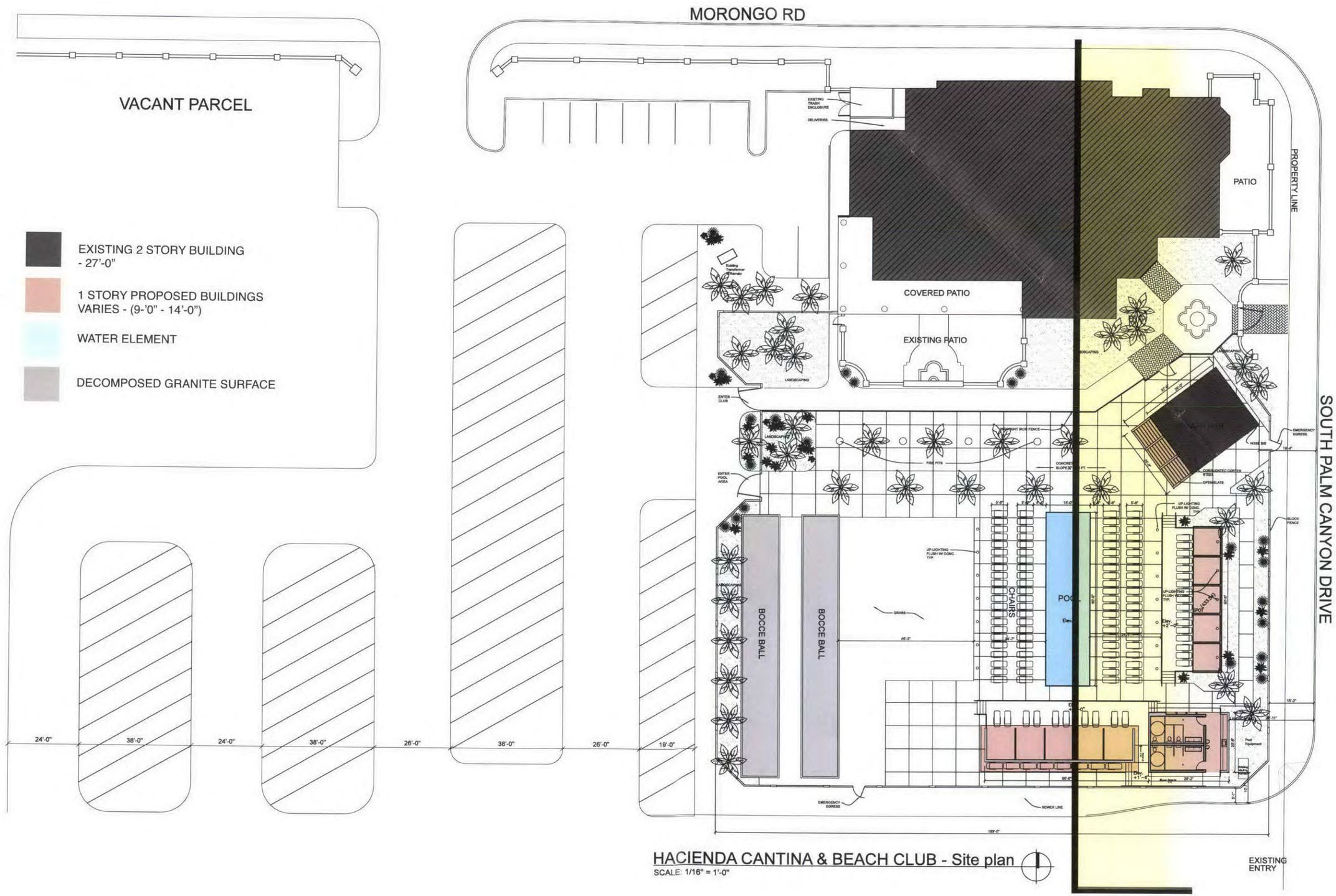
No.	Date	Issue

SITE SECTION

Job #: 047

1.3

Sheet



HACIENDA CANTINA & BEACH CLUB - Site plan

SCALE: 1/16" = 1'-0"

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Palm Springs, CA
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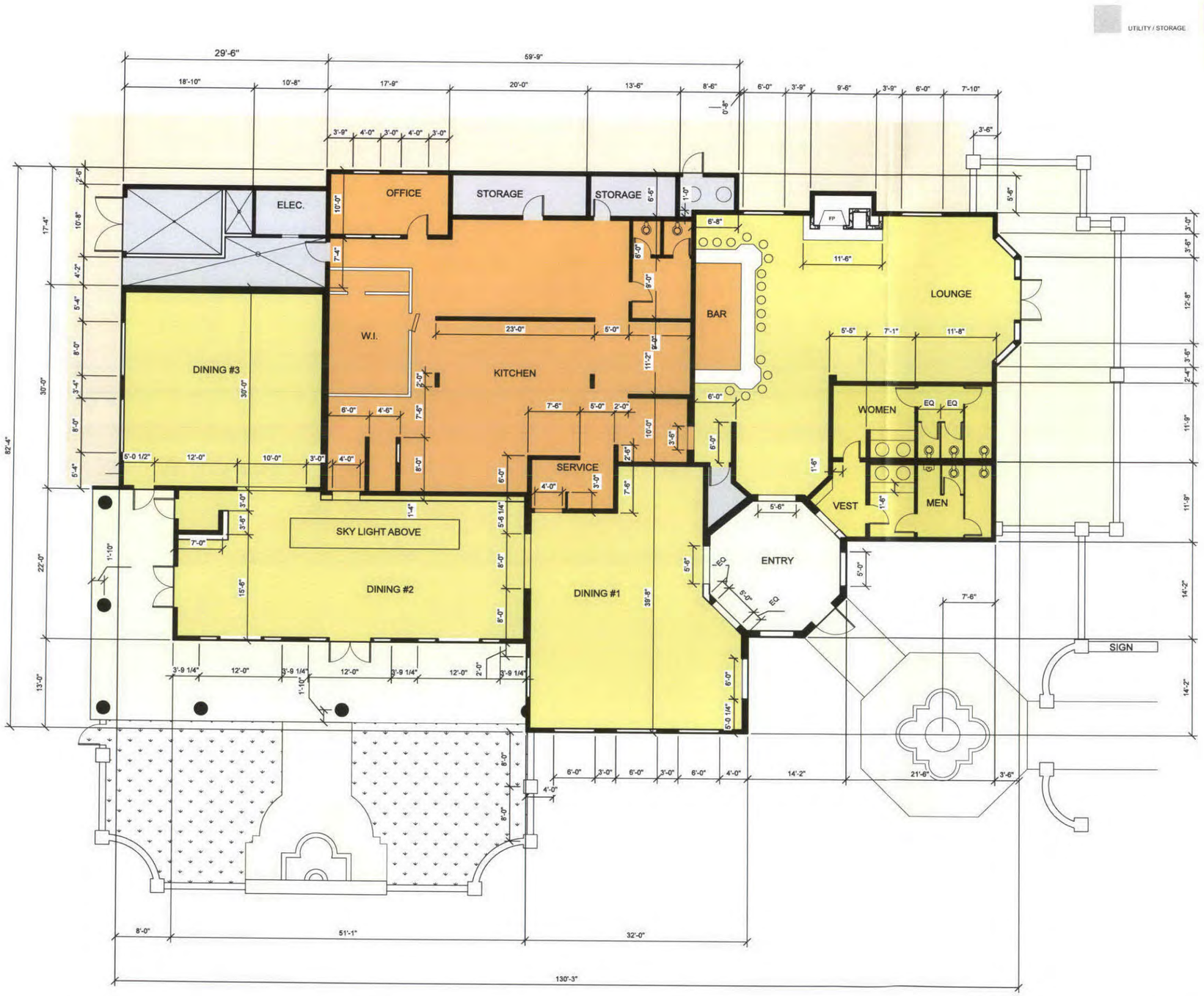
No.	Date	Issue

ENLARGED SITE PLAN

Job #: 047

1.4

Sheet



HACIENDA CANTINA & BEACH CLUB - first floor plan

SCALE: 1/8" = 1'-0"

NOTE:
BUILDING IS EXISTING. CHANGES WILL ONLY INCLUDE UPDATES TO FINISHES, FIXTURES, FURNISHINGS AND EQUIPMENT.

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No.	Date	Issue

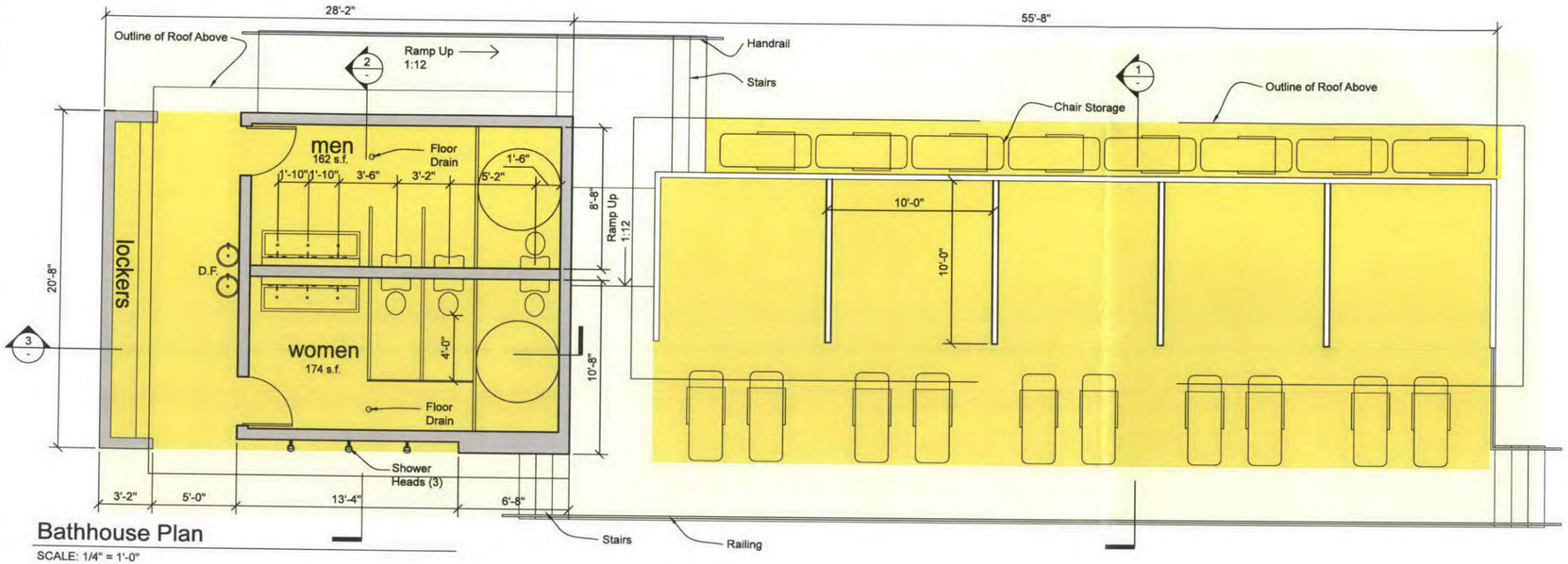
EXISTING BUILDING FLOOR PLAN

Job #: 047

2.0
Sheet

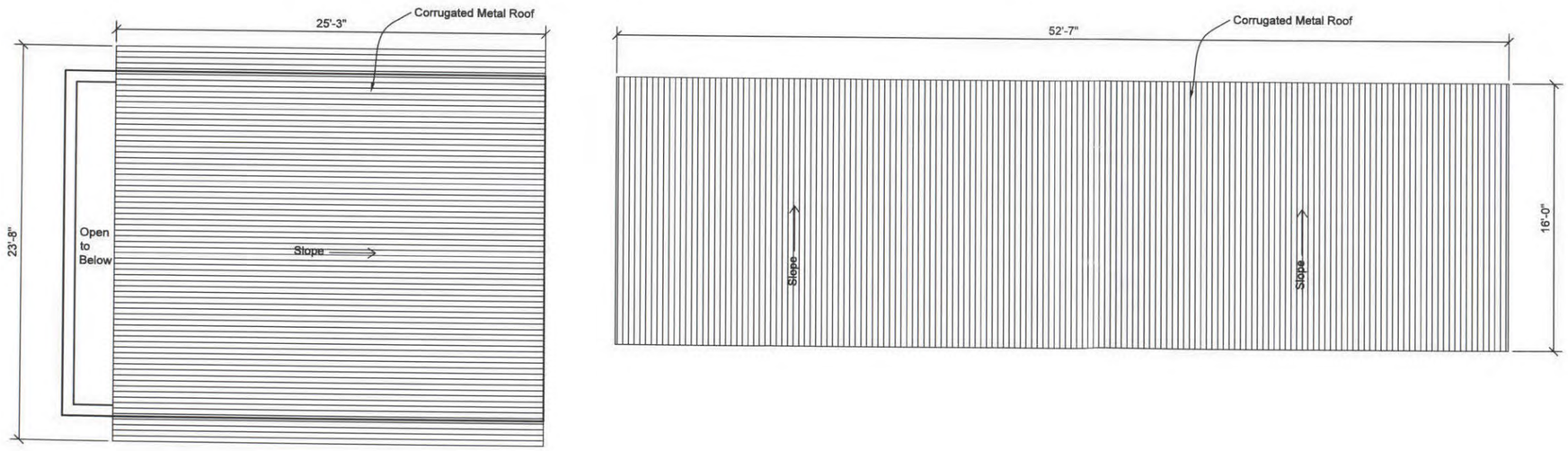
UTILITY / STORAGE PUBLIC SPACE SERVICE SPACE

PUBLIC CIRCULATION SERVICE CIRCULATION



Bathhouse Plan

SCALE: 1/4" = 1'-0"



Bathhouse Roof Plan

SCALE: 1/4" = 1'-0"

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Hacienda Cantina & Beach Club

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Palm Springs, CA
92264

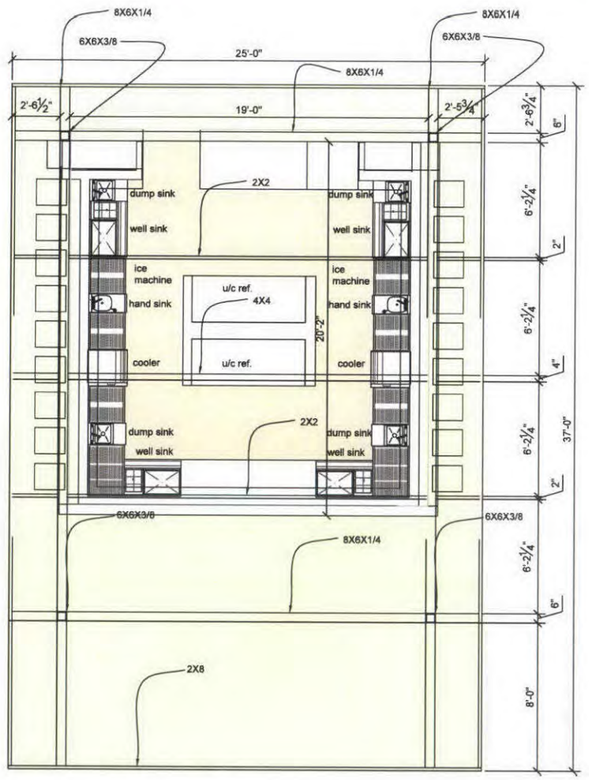
No.	Date	Issue

BATHHOUSE FLOOR PLAN

Job #: 047

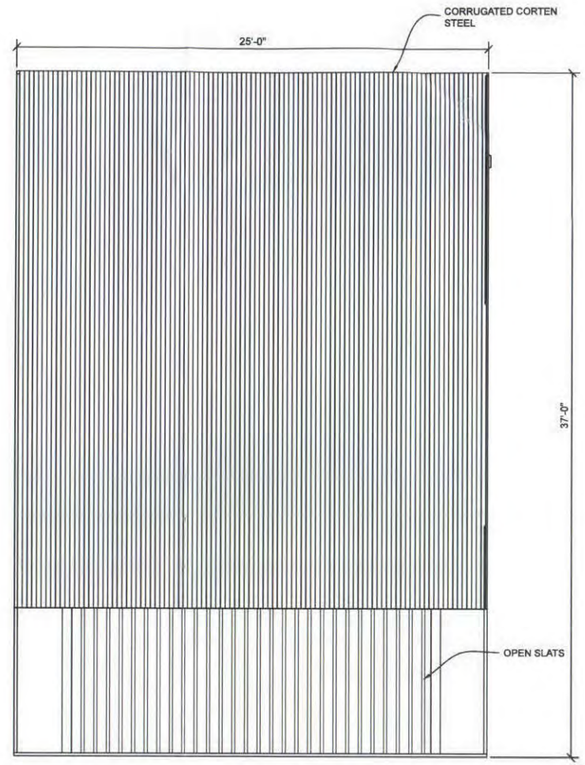
2.1

Sheet



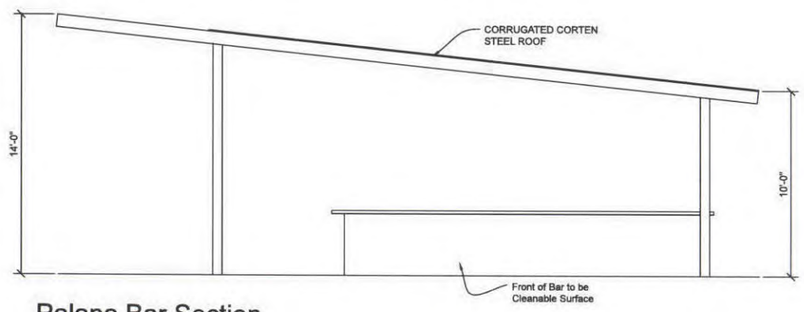
Palapa Bar Floor Plan

SCALE: 1/4" = 1'-0"



Palapa Bar Roof Plan

SCALE: 1/4" = 1'-0"



Palapa Bar Section

SCALE: 1/4" = 1'-0"

UTILITY / STORAGE
PUBLIC SPACE
SERVICE SPACE
PUBLIC CIRCULATION
SERVICE CIRCULATION

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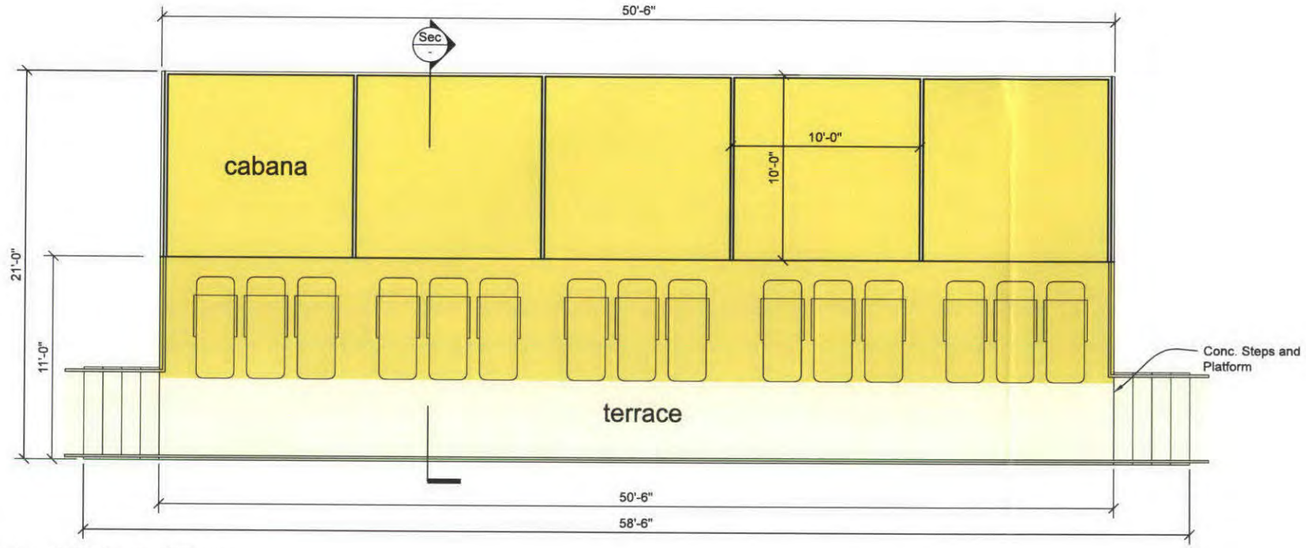
No.	Date	Issue

PALAPA
FLOOR PLANS
& EXTERIOR
ELEVATIONS
Job #: 047

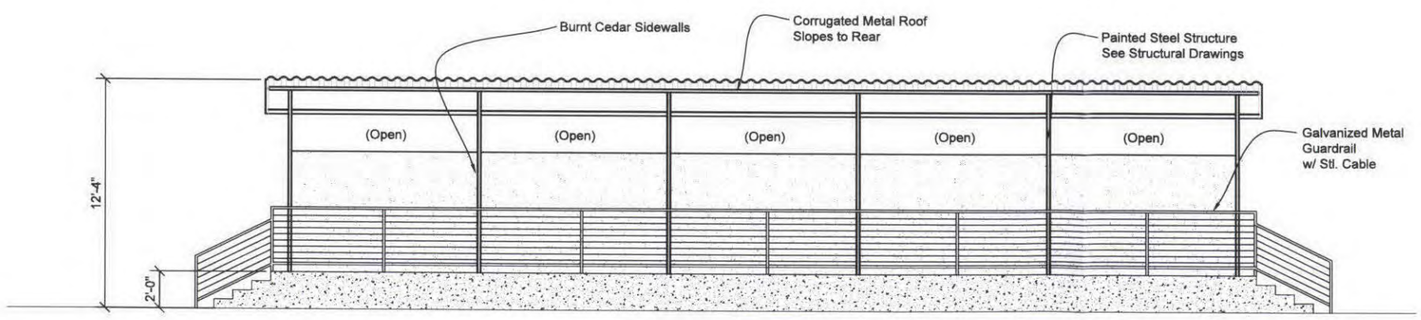
2.2
Sheet

UTILITY / STORAGE | PUBLIC SPACE | SERVICE SPACE | PUBLIC CIRCULATION | SERVICE CIRCULATION



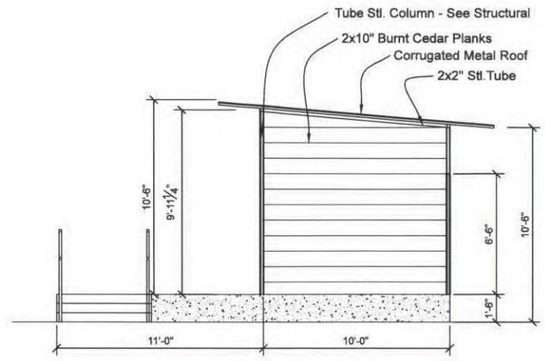
Raised Cabana Plan

SCALE: 1/4" = 1'-0"



Elevation - Looking East

SCALE: 1/4" = 1'-0"



Cabana Section 1

SCALE: 1/4" = 1'-0"

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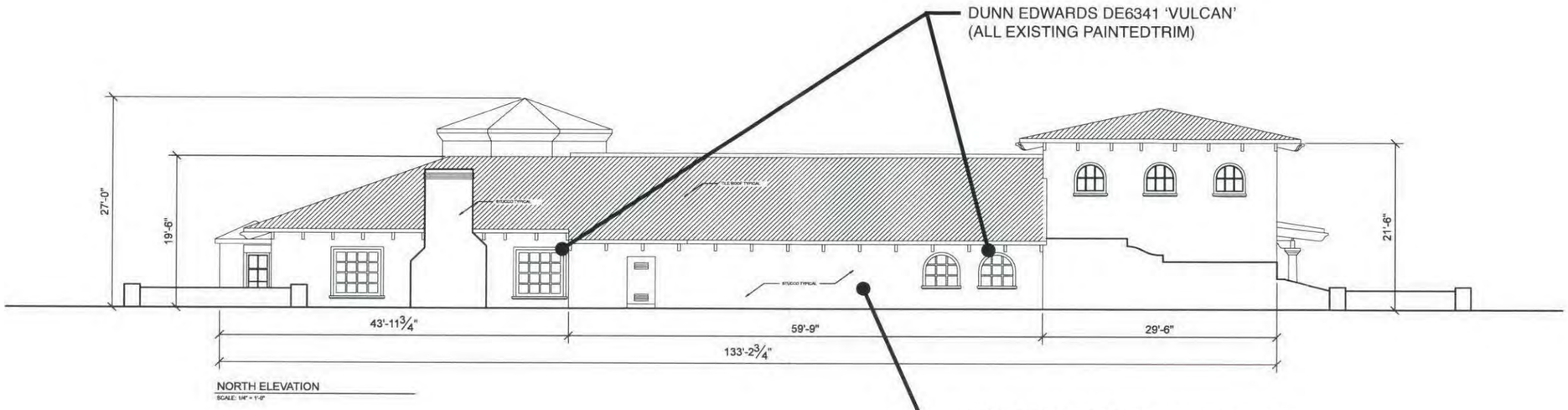
No.	Date	Issue

RAISED CABANA FLOOR PLAN & EXTERIOR ELEVATIONS

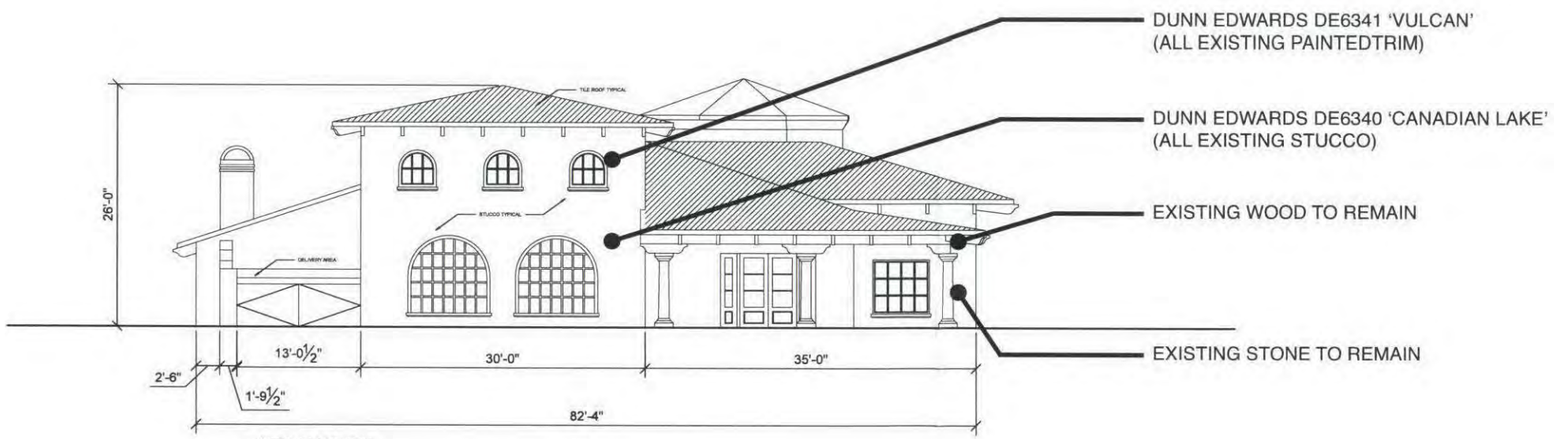
Job #: 047

2.3

Sheet



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:
BUILDING IS EXISTING. CHANGES WILL ONLY INCLUDE UPDATES TO FINISHES, FIXTURES, FURNISHINGS AND EQUIPMENT.

CHRIS PARDO DESIGN
ELEMENTAL ARCHITECTURE
1520 11th Ave.
Suite G
Seattle, WA 98122
p 206.351.6535
elementalarchitecture.com

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These drawings were prepared for "Hacienda Cantina & Beach Club" project in Palms Springs, CA. They are not intended for use on any other project.
Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

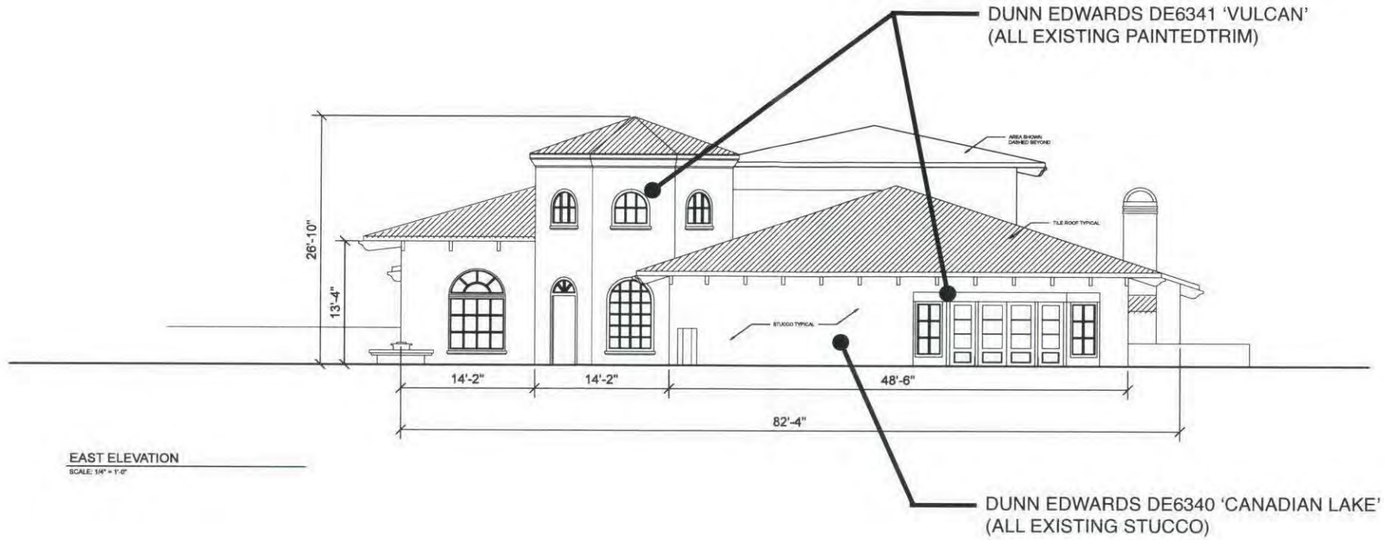
1555 South
Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

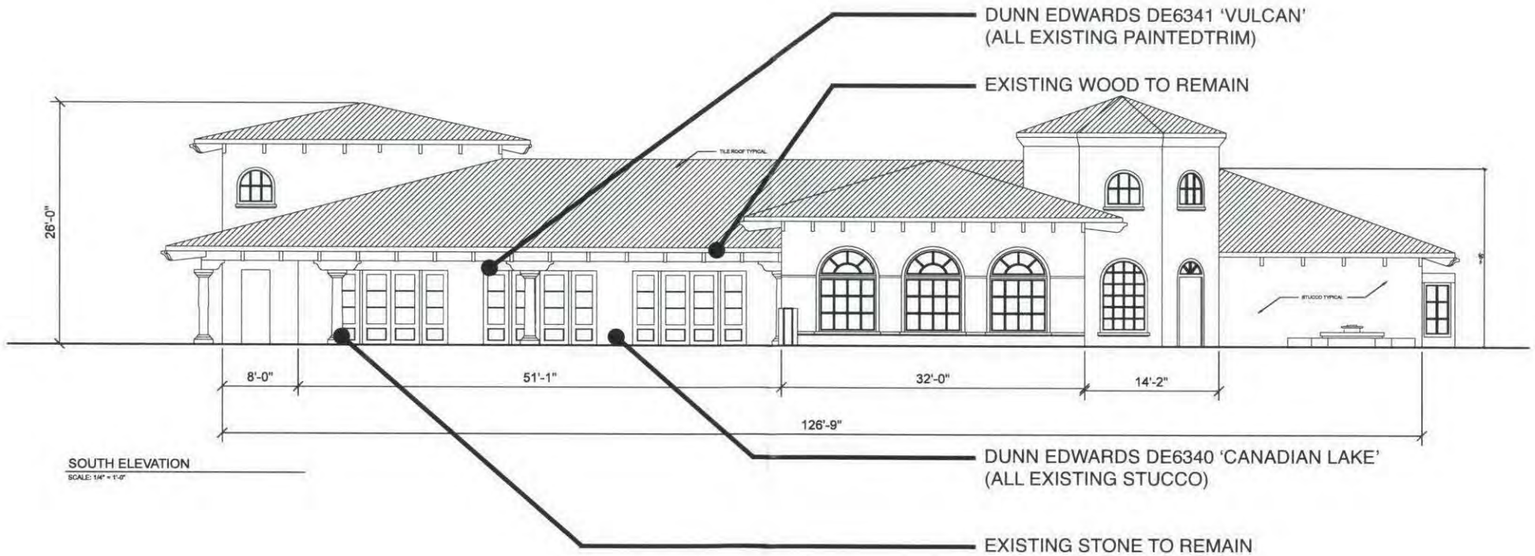
EXISTING BUILDING ELEVATIONS

Job #: 047

3.0
Sheet



EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:
BUILDING IS EXISTING. CHANGES WILL ONLY INCLUDE UPDATES TO FINISHES, FIXTURES, FURNISHINGS AND EQUIPMENT.

HRIS PARDO DESIG
EMENTAL ARCHITECTUR

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Suite G
Seattle, WA 98122
p 206.351.6535

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Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

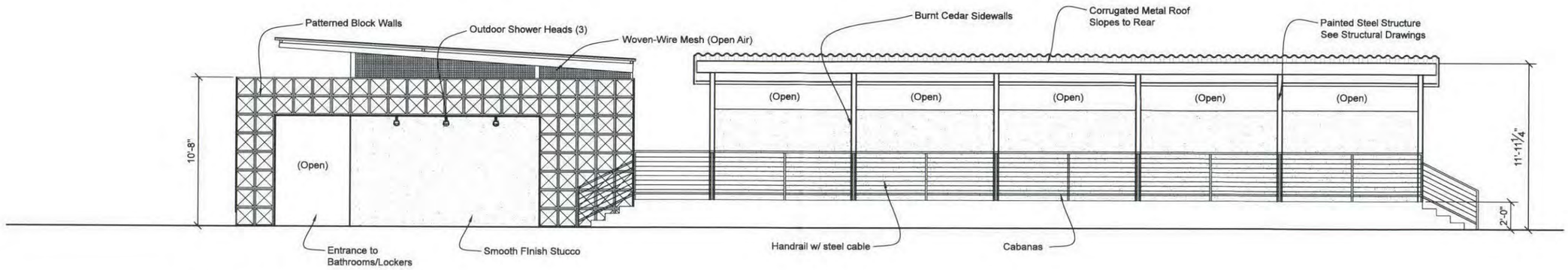
1555 South
Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

EXISTING BUILDING ELEVATIONS

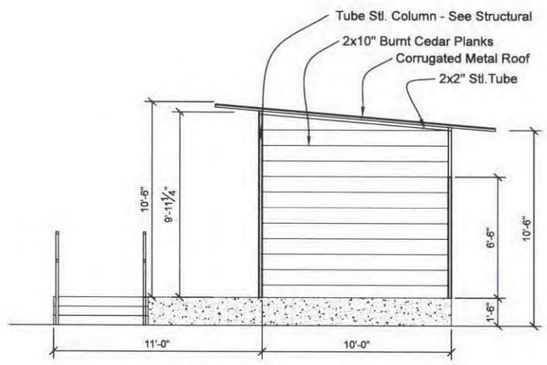
Job #: 047

3.1
Sheet



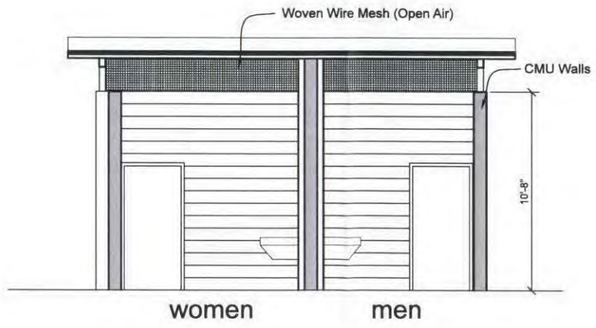
Elevation - Looking South

SCALE: 1/4" = 1'-0"



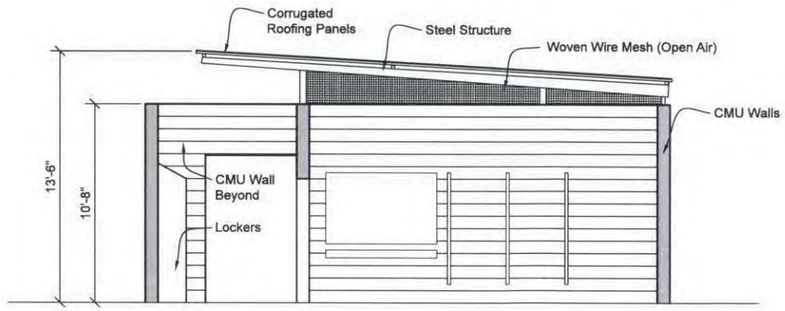
Bathhouse Section 1

SCALE: 1/4" = 1'-0"



Bathhouse Section 2

SCALE: 1/4" = 1'-0"



Bathhouse Section 3

SCALE: 1/4" = 1'-0"

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Hacienda Cantina & Beach Club

1555 South
Palm Canyon Dr
Palm Springs, CA
92264

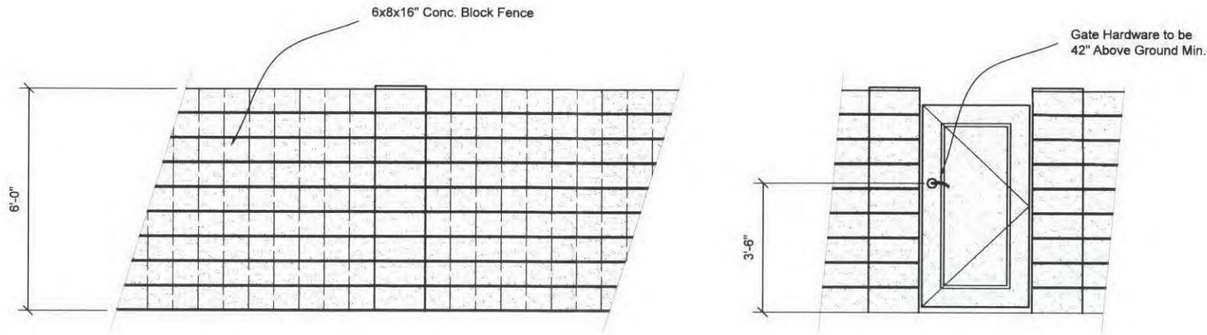
No.	Date	Issue

BATHHOUSE EXTERIOR ELEVATIONS / SECTION

Job #: 047

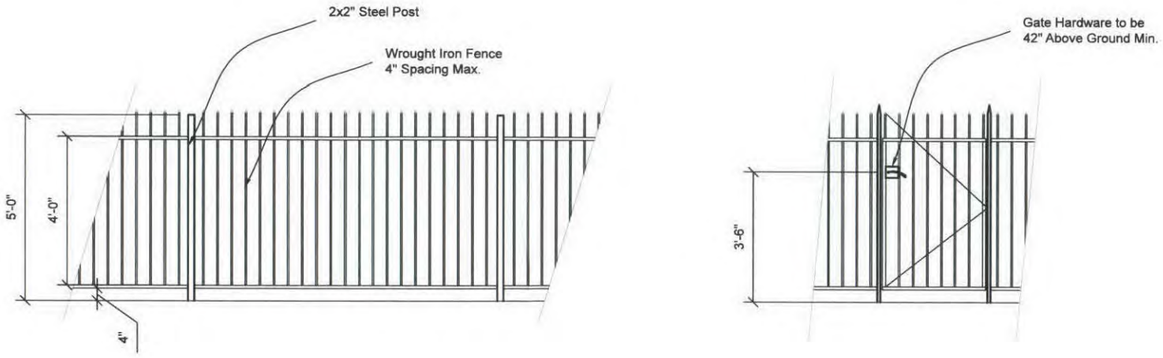
3.2

Sheet



Fence and Gate - Type I

SCALE: 1/2" = 1'-0"



Fence and Gate - Type II

SCALE: 1/2" = 1'-0"

Note:
All fencing must be a minimum of 5' high. All openings in fence shall be less than 4", horizontal members must be at least 48" apart. Gate hardware to be located 42 - 44" above the ground.

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ELEMENTAL ARCHITECTURE

1520 11th Ave.
Suite G
Seattle, WA 98122
p 206.351.6535

elementalarchitecture.com

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These drawings were prepared for "Hacienda Cantina & Beach Club" project in Palms Springs, CA. They are not intended for use on any other project.
Stated drawing scale is based on 34x22 sheet.

Hacienda Cantina & Beach Club

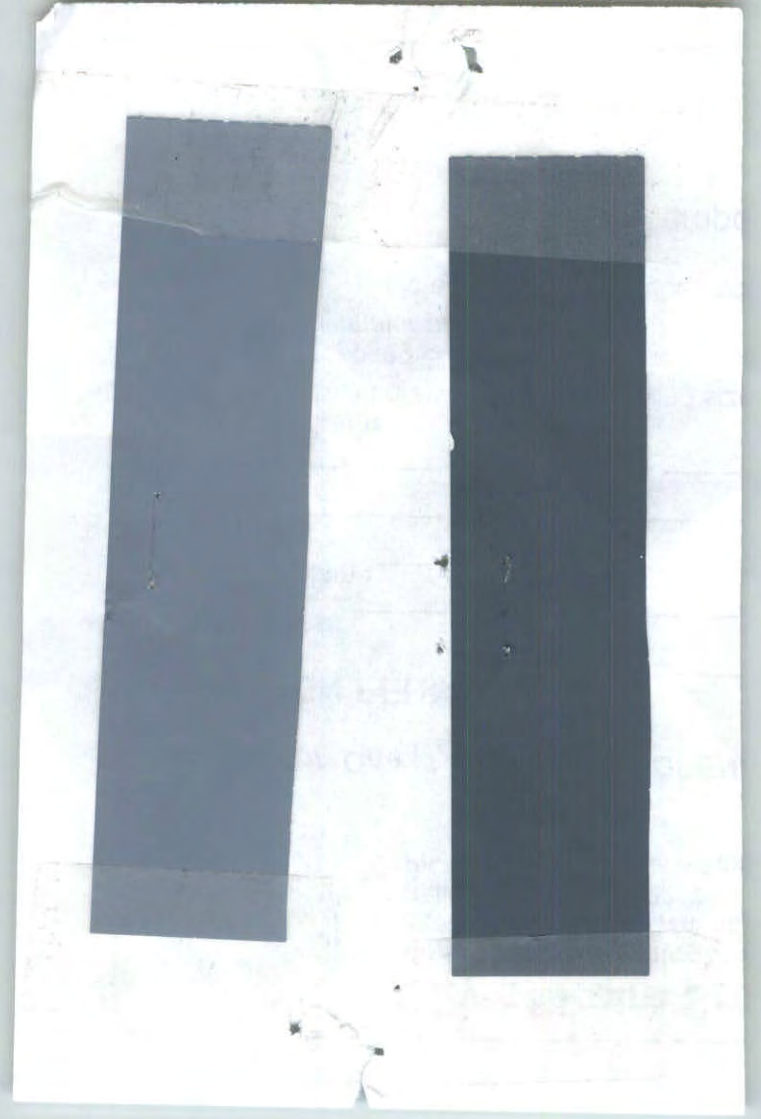
1555 South
Palm Canyon Dr
Palm Springs, CA
92264

No.	Date	Issue

SITE FENCE ELEVATIONS

Job #: 047

3.3
Sheet



UNION ABBEY, INC.
1570 [illegible] COLONY
PALM SPRINGS, CA 92264

11393

11-8166/3210
98

DATE 5/17/13

PAY TO THE ORDER OF City of Palm Springs $ 254.00

Two hundred fifty four 00/100 DOLLARS

FIRST REPUBLIC BANK
Private Banking-San Diego
12626 High Bluff Drive Suite 400
San Diego, CA 92130
Ph (877) 888-9968 / (800) 392-1407 (24hr Cust Serv)

FOR Hacienda Plan Check

MP

⑈011393⑈ ⑆321081669⑆ 93100034501⑈

PERMIT CENTER
CITY OF PALM SPRINGS

CASE#:	TYPE:	NAME	APN1	ADDRESS
3.1111	MAA	Nexus Palm Springs	513-300-038	1550 South Palm Springs

ZONING FEES ACCT #001-32212

CHANGE OF ZONE APPLICATION	$0.00
PRE APP FEE	$0.00
CONDITIONAL/LAND USE PERMI	$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	$0.00
FINAL DEVELOPMENT PLAN FEE	$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	$0.00
TIME EXTENSION FEES	$0.00
MISCELLANEOUS FEES	$0.00

ENVIRONMENTAL ASSESSMENT FEES - #001-32212

NEGATIVE DECLARATION	$0.00
MITIGATED NEG DECLARATION	$0.00
ENVIRONMENTAL IMPACT REPORT	$0.00

MISCELLANEOUS FILING FEES ACCT #001-34303

ARCHITECTURAL APPROVAL FEE	$244.00
ADMINISTRATIVE MINOR MODIFICATION FEES	$0.00
PLAN CHECKS PLANNING FEE	$0.00
PLANNING CC AND R	$0.00
MISCELLANEOUS FEES	$0.00

SUBDIVISION FEES ACCT #001-32213

TENTATIVE MAPS FEES	$0.00
FINAL MAPS FEES	$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	$0.00
ENVIRONMENTAL ASSESSMENT FEE	$0.00
MISCELLANEOUS FEE	$0.00

MISCELLANEOUS FEES

SIGN #001 - 32205	$0.00
IN LIEU OF - #131-34359	$0.00
R V - #001-32210	$0.00
MISCELLANEOUS - #001-34106	$0.00
MICROFILM/MISCELLANEOUS - #001-34308	$10.00
OTHER MISC	$0.00

TOTAL FEE(S) $254.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM	RECEIVED BY	DATE
Tony		9/17/2013

☑ Customer ☑ Cashier ☐ Planning File ☐ Planning Copy

5601

ADD-ON **09-17-13** App by **PLAZA DEL SOL LLC, OWNER FOR HACIENDA CANTINA & BEACH CLUB** proposing development of an existing 8,030 square foot restaurant building and 44,000 square feet of adjacent land that will house a swimming pool, bathroom facility and an outdoor bar with 5 fire pits at 1550 South Palm Canyon Drive, Zone C1, Section 22/T4/R4.

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

CITY OF PALM SPRINGS

AND WHEN RECORDED MAIL TO:

CITY OF PALM SPRINGS
OFFICE OF THE CITY CLERK
3200 E. TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

DOC 2012-0151829
04/03/2012 08:17A Fee:NC
Page 1 of 7
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			7						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 806
NCHG CC					T:		CTY	UNI	

Pursuant to Government Code Section 6103, recording fees shall not apply

C
203

AGREEMENT REGARDING DEFERRED CONDITIONS BETWEEN THE CITY OF PALM SPRINGS AND WESSMAN HOLDINGS, LLC TPM 36438

Title of Document

THIS AREA FOR RECORDER'S USE ONLY

AGREEMENT REGARDING DEFERRED CONDITIONS

This AGREEMENT REGARDING DEFERRED CONDITIONS ("Agreement") is made effective as of 03.21, 2012, by and between the City of Palm Springs, a California municipal corporation and charter city ("City"), and Wessman Holdings, LLC, a California limited liability company ("Owner"), with reference to the following:

BACKGROUND:

A. Filed Applications. Prior to the effective date of this Agreement, Owner, as the owner of fee title to 1.38 acres of developed property located at the northeast corner of the intersection of Sunrise Way and Tahquitz Canyon Way in the City of Palm Springs ("Property"), filed applications ("Applications") requesting (1) that the City Planning Commission (a) approve Administrative Minor Modification Case 7.1369, (b) approve Tentative Parcel Map Waiver 36438, and (c) adopt an appropriate negative declaration under the California Environmental Quality Act, and (2) that the City Council (a) approve a Change of Zone for the Property, and (b) adopt an appropriate negative declaration under the California Environmental Quality Act.

B. Approval Subject to Agreement Regarding Deferred Conditions. Prior to the effective date of this Agreement, the Applications were approved subject, among other things, to the requirement that Owner execute an agreement regarding certain Deferred Conditions specified by the City Engineering Department, and this Agreement is intended to satisfy such requirement.

AGREEMENT: NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Satisfaction of Deferred Conditions. Owner agrees to and shall construct off-site improvements and comply with other Deferred Conditions specified by the City Engineering Department at such time as a modification or expansion of use of the existing Del Taco building is proposed and approved, which modification or expansion exceeds the sum of $300,000 in total costs; provided, however, only costs of basic core and shell improvements shall be included in calculating such $300,000 amount, and all other costs, such as costs incurred in connection with any A/C, plumbing, electrical, interior reconfigurations or improvements, any or all utilities, furniture, fixtures or equipment, etc. and any consultants fees (architectural, engineering, landscape fees or permit fees, public agency, or any other fees) shall not be included in such calculation.

2. General Provisions.

A. Entire Agreement. This Agreement contains the entire agreement of the parties with respect to matters covered herein, and there are no other agreements or representations, written or oral, other than as contained herein.

B. Cooperation. Each party agrees to and shall do and perform such other and further acts and properly execute and deliver such other and further documents

2012-0151829
04/03/2012 08:17A
2 of 7

as may be reasonably necessary, expedient or convenient to implement the intents and purposes hereof.

C. Reasonable Approvals. Whenever this Agreement requires or calls for the approval or consent of any party hereto, such approval shall not be unreasonably withheld, delayed or conditioned.

D. Binding Arbitration. (Intentionally Deleted.)

E. Legal Fees. In the event of any dispute, arbitration or litigation arising out of or relating to this Agreement, or the breach or performance of it, the prevailing party shall be entitled to recover, in addition to any other appropriate relief, reasonable legal fees and costs incurred in connection therewith.

F. Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of such party's obligations under this Agreement is caused by action or inaction on the part of the other party, or by floods, earthquakes, Acts of God, fires, wars, riots, hostilities, strikes, labor difficulties, government regulations, court actions, or other causes beyond such party's reasonable control. If any such events shall occur, the term of this Agreement and the time for performance hereunder shall be extended by the length of time that such events reasonably prevented or delayed performance.

G. No Partnership. Notwithstanding anything herein, this Agreement is not intended to, and does not, create any type of partnership or joint venture between City and Owner.

H. Binding on Successors. This Agreement shall be binding on the parties hereto, their heirs, successors and assigns.

I. Independent Legal Representation. Each party hereto has, at all times during the negotiation and execution of this Agreement, been represented by independent legal counsel.

J. Incorporation of Recitals and Exhibits. All recitals herein and all Exhibits attached hereto are incorporated into and made a part of this Agreement.

K. Captions and Headings. Any captions or headings in this Agreement are for convenience only, and shall not be used to determine or construe meanings of substantive language herein.

L. Applicable Law. This Agreement is entered into in California, and relates to California real property, and shall be determined in accordance with the laws of the State of California.

M. Venue. In the event of any arbitration or litigation arising out of or relating to this Agreement, or the breach or performance of it, any such arbitration shall be conducted in the Coachella Valley, and any such litigation shall be filed in the Indio Branch of the Riverside County Superior Court.

N. Severability. In the event any provisions of this Agreement is deemed or construed by arbitration or a court of competent jurisdiction to be unenforceable, the remaining provisions shall nevertheless remain binding and enforceable to the maximum extent possible.

O. Notices. As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder. All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
Attn: City Manager
Telephone: (760) 322-8350
Facsimile: (760) 323-8207

Copy to:
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
Attn: City Attorney
Telephone: (760) 323-8211
Facsimile: (760) 323-8207

If to OWNER:
Palm Springs Promenade, LLC
555 South Sunrise Way, Suite 200
Palm Springs, California 92264
Attn: John Wessman
Telephone: (760) 325-3050
Facsimile: (760) 325-5848

Copy to:

Ealy, Hemphill & Blasdel, LLP
71905 Highway111, Suite H
Rancho Mirage, California 92270-4825
Attn: W. Curt Ealy
Telephone: (760) 340-0666
Facsimile: (760) 340-4666

Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change

P. Authority. Each party represents and warrants to the other that such party has full right, power and authority to sign, execute and enter into this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and made it effective as of the day and year set forth above.

OWNER: WESSMAN HOLDINGS, LLC - JOHN WESSMAN
A California limited liability company
By: SIGNED IN COUNTERPART
Title: Manager - Partner
Dated: 3/21/2012

CITY: CITY OF PALM SPRINGS - DAVID H. READY
A California municipal corporation and charter city
By:
Title: City Manager
Dated: March 21 2012

ATTEST:
City Clerk - JAMES THOMPSON

APPROVED AS
TO LEGAL FORM:
City Attorney - DOUG HOLLAND

Ealy, Hemphill & Blasdel, LLP
71905 Highway111, Suite H
Rancho Mirage, California 92270-4825
Attn: W. Curt Ealy
Telephone: (760) 340-0666
Facsimile: (760) 340-4666

Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change

P. Authority. Each party represents and warrants to the other that such party has full right, power and authority to sign, execute and enter into this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and made it effective as of the day and year set forth above.

OWNER: WESSMAN HOLDINGS, LLC - JOHN WESSMAN
A California limited liability company
By: _____
Title: Manager
Dated: 3/21/2012

CITY: CITY OF PALM SPRINGS - DAVID H. READY
A California municipal corporation and charter city
By: _____
Title: City Manager SIGNED IN COUNTERPART
Dated: March 21 2012

ATTEST: _____
City Clerk - JAMES THOMPSON

APPROVED AS TO LEGAL FORM: _____ SIGNED IN COUNTERPART
City Attorney - DOUG HOLLAND

See Attached Certificate

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

2012-0151829
04/03/2012 08:17A
6 of 7

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of RIVERSIDE

On MARCH 29/2012 (Date) before me, M. HOGAN NOTARY PUBLIC (Here Insert Name and Title of the Officer),

personally appeared JOHN WESSMAN (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT REGARDING DEFERRED CONDITIONS ETC

Document Date: 3/21/12 Number of Pages: 5 PLUS CERTIFICATE

Signer(s) Other Than Named Above: DAVID READY, JAMES THOMPSON, DOUG HOLLAND

Capacity(ies) Claimed by Signer(s)

Signer's Name: JOHN WESSMAN	Signer's Name:
☑ Corporate Officer — Title(s): OWNER	☐ Corporate Officer — Title(s):
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: WESSMAN HOLDINGS LLC	Signer Is Representing:
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

ATTACHED DOCUMENT BEARS SEAL

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Item #5907

2012-0151829
04/03/2012 08 17A
7 of 7

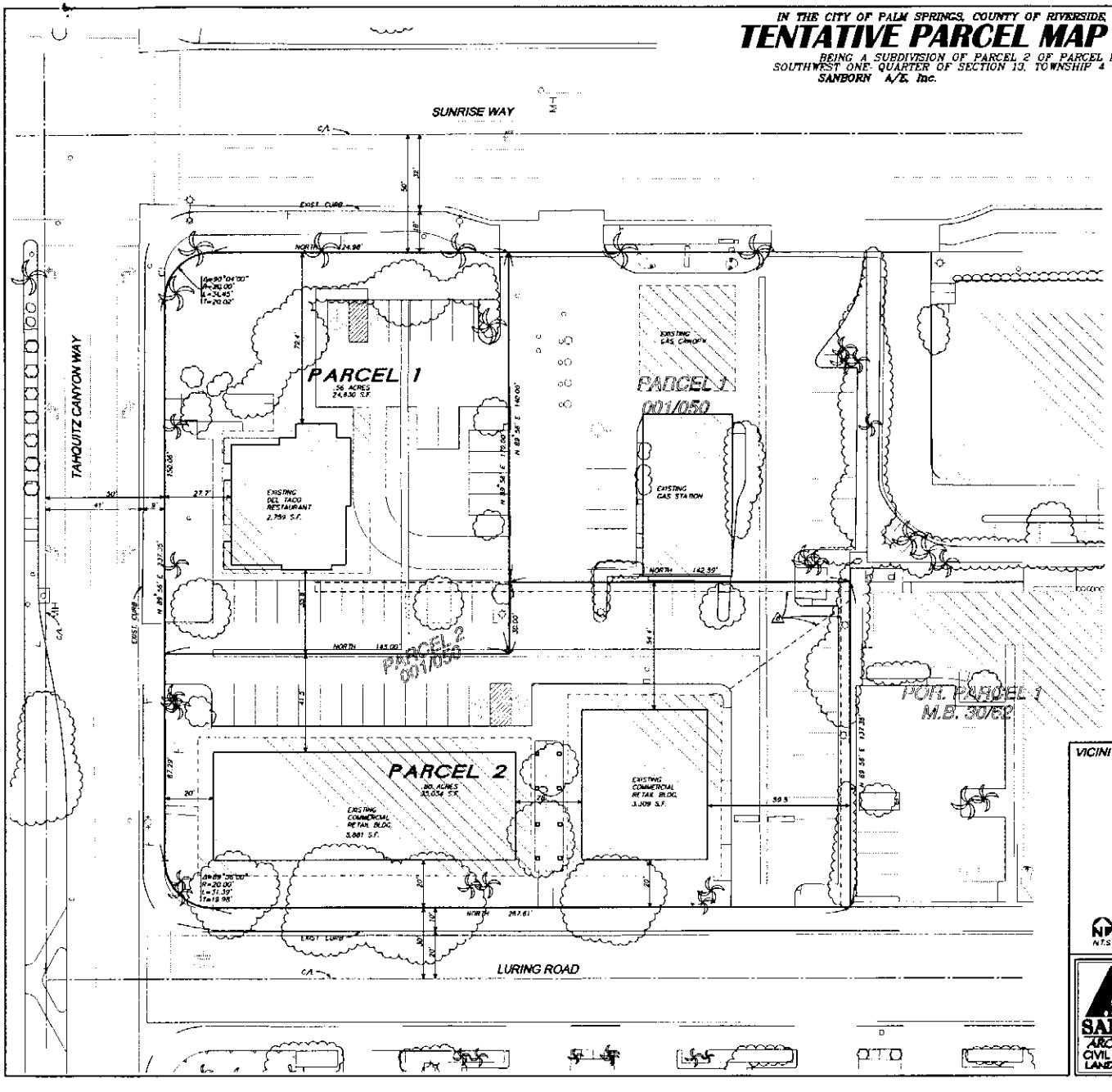
CASE #: 5.1275

KEN.

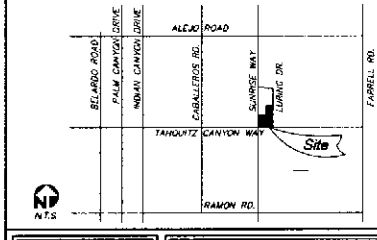
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE PARCEL MAP NO. 36438

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP 001 / 050
SOUTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, 4 EAST, S.B.M.
SANBORN A/E, Inc. JANUARY 2012



VICINITY MAP/LOCATION MAP



OWNER/DEVELOPER:

OWNER: WESSMAN HOLDINGS
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CALIFORNIA 92264

ENGINEER: SANBORN A/E, INC.
71-780 SAN JACINTO DR.
SUITE E-1
RANCHO MIRAGE, CA 92270
(760) 423-0600

UTILITY NOTIFICATIONS :

ELECTRIC: SO. CALIFORNIA EDISON
(760-202-4291

GAS: SO. CALIFORNIA GAS CO.
(760-324-4691
ATTN BERTRUM WILLIAMS

TELEPHONE: VERIZON
(760-778-3601
ATTN LARRY MOORE

TELEVISION: TIME WARNER
(760-674-5452
ATTN DAVE SCRIVNER

SEWER: MESQUITE WATER
(760-323-8956 X2
ATTN GARY GRAY

WATER: DESERT WATER AGENCY
(760-322-8271
ATTN DEBBIE RANDALL

BASIS OF BEARINGS:

-
-
-

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT
980 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CALIFORNIA 92262
(760) 416-6000

ASSESSOR'S PARCEL NUMBERS

502-065-008, 018

2008 THOMAS GUIDE LOCATION

PAGE 786 / G2

FEMA FLOOD ZONE

ZONE: X
COMMUNITY PANEL NO.: 06065C1555G
DATED: 08/28/2008

TOPOGRAPHIC SOURCE

INLAND AERIAL SURVEY
DATE OF SURVEY: 01/2011

AREA INFORMATION

TOTAL NO. OF NUMBERED PARCELS = 2

TOTAL NO. OF LETTERED LOTS = 0

THE PROPERTY SHOWN HEREIN CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP.

TOTAL GROSS AREA = 1.36 ACRES
= 60,112 SQ.FT.

MINIMUM PARCEL SIZE = ACRES
= SQ.FT.

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP, RECORDED FEBRUARY 20, 1969 ON FILE IN BOOK 1 PAGE 50 OF PARCEL MAPS, RECORDS OF THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LAND USE INFORMATION

EXISTING ZONING = C1/A
PROPOSED ZONING = C1
ADJACENT EXISTING LAND USE - NORTH = COMMERCIAL/OFFICE
SOUTH = COMMERCIAL
EAST = OFFICE
WEST = VACANT

GENERAL NOTES

1. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE
2. THIS MAP IS COMPILED FROM RECORD INFORMATION ONLY AND IS NOT TO BE USED AS A BOUNDARY SURVEY
3. THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THIS MAP ARE APPROXIMATE
4. EASEMENT (ITEM 8 OF TITLE REPORT) DENOTES SIZE 4' WIDE EASEMENT - RECORDED 11/21/1977, INST. NO. 232451 O.R.

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SANBORN ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN
P.L.S.
L.S. 4116
EXP. 6/30/12
71-780 SAN JACINTO DR.
SUITE E-1
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0609

TENTATIVE PARCEL MAP NO. 36438
for
WESSMAN DEVELOPMENT
PARCEL 2 OF PARCEL MAP IN BOOK 1 PAGE 50
SECTION 13, TOWNSHIP 4 SOUTH, 4 EAST, S.B.B.M.

W.O.	11-154	SCALE	1"=20'
SAVE DATE	1/31/2012		
DRAWN	ANS		

SHEET NO. **T1.0**

COC 1202 ENG. FILE COPY.

DRAFT

2/28/12

Planning Commission Staff Report

Date:	March 14, 2012
Case:	5.1275 CZ, 7.1369 AMM and TPM 36438 (parcel map waiver)
Application Type:	Change of Zone (CZ), Administrative Minor Modification (AMM) and Tentative Parcel Map Waiver (TPM)
Location:	Northeast corner Tahquitz Canyon Way & Sunrise Way
Applicant:	Wessman Holdings, LLC
Zone:	C1-AA (Large Scale Retail Commercial)
General Plan:	NCC (Neighborhood Community Commercial) and O (Office)
APN:	502 065 008 and 502 065 018
From:	Craig A. Ewing, AICP, Director of Planning Services
Project Planner:	Ken Lyon, Associate Planner

PROJECT DESCRIPTION:

An application by Wessman Holdings LLC, to change the zone designation of a roughly 1.38-acre parcel from C1-AA (Large Scale Retail Commercial) to C1 (Retail Commercial). The application includes an Administrative Minor Modification for a five (5) foot reduction in setbacks along Tahquitz Canyon Way and a Tentative Parcel Map Waiver application (TPM 36438), to reconfigure the two lots that comprise the 1.38 acre parcel.

RECOMMENDATION:

DRAFT

That the Planning Commission

- Adopts the Negative Declaration pursuant to the guidelines of the California Environmental Quality Act (CEQA), and
- Approves the Administrative Minor Modification Case 7.1369 and
- Approves Tentative Parcel Map Waiver 36438, an application to reconfigure two lots that comprise a roughly 1.38 acre parcel,

And furthermore, that the Planning Commission recommends that the City Council:

- Adopt the Negative Declaration pursuant to the guidelines of the California Environmental Quality Act (CEQA), and
- Approve the Change of Zone request for parcel APN's 502 065 008 and 502 065 018 from C1-AA to C-1, subject to the attached conditions of approval.

PRIOR ACTIONS TAKEN ON THE PROJECT: None

BACKGROUND AND SETTING:

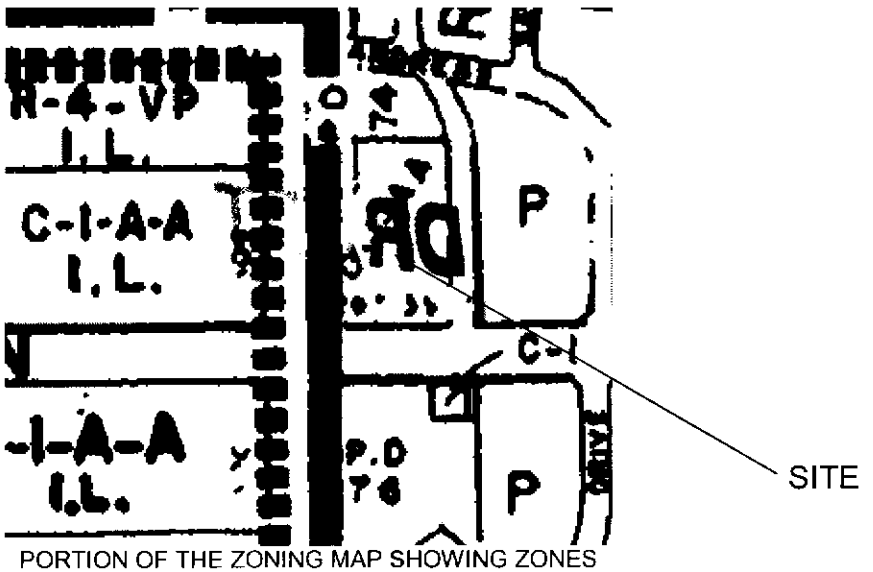
The subject parcel is located at the northeast corner of Sunrise Way and Tahquitz Canyon Way. The site is fully developed with existing office and restaurant uses in existing structures with on-site parking and landscaping.

Both Tahquitz Canyon Way and Sunrise Way are designated as major thoroughfares on the City's General Plan Circulation Map. The parcels are currently fully developed and provide commercial uses that serve the adjacent residential neighborhoods and the community in general. Surrounding land uses are as follows:

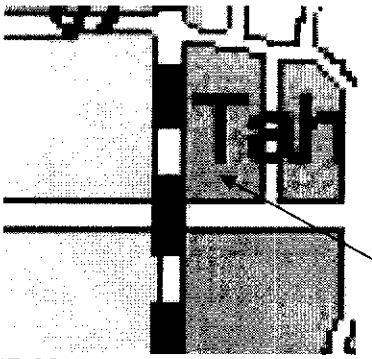
Table 1: Adjacent General Plan Designations, Zones and Land Uses:

	General Plan	Zoning	Existing Land Uses
North	Neighborhood Community Commercial (NCC)	PD 74	Office
South	NCC	PD 76	Retail
East	O (Office)	P (Professional)	Professional Office
West	Tourist Resort Commercial	C-1-AA (Lg. Scale Commercial / Retail)	Vacant / Gas Station

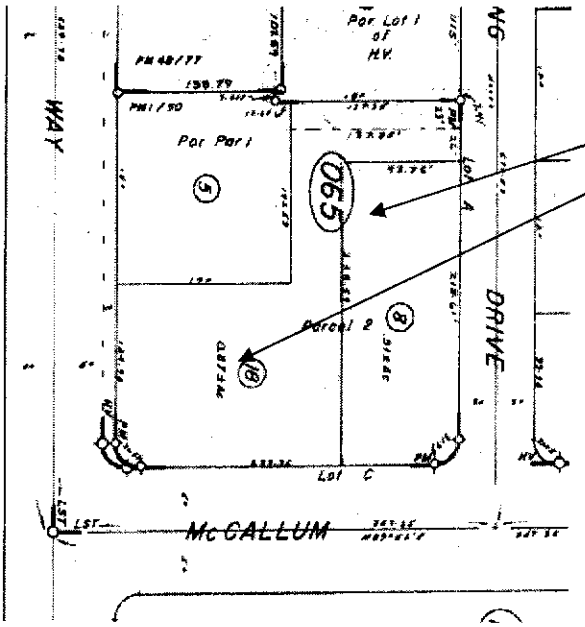
The following graphics show portions of the zoning map, the general plan land use map, the tax map and an aerial photo showing the parcel and surrounding development.



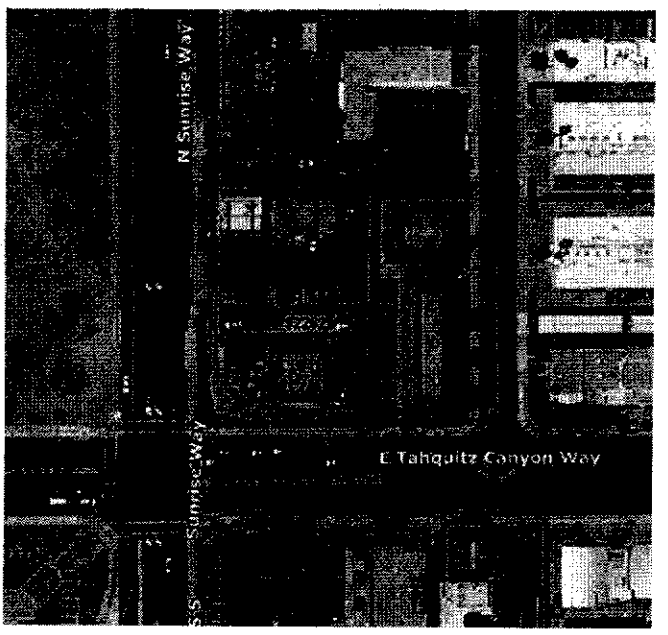
PORTION OF THE ZONING MAP SHOWING ZONES



PORTION OF THE GENERAL PLAN MAP SHOWING LAND USES



PORTION OF THE TAX MAP FOR THE
NORTHEAST CORNER OF TAHQUITZ AND SUNRISE WAY



AERIAL PHOTO SHOWING THE PARCEL AND SURROUNDING EXISTING DEVELOPMENT

The applicant seeks to reconfigure the two parcels within the Tentative Parcel Map to facilitate sale of the parcels. The minimum parcel size for the C-1-AA zone is two (2) gross acres, however the combined total area of the two lots is only roughly 1.38 acres. Reconfiguration of lots within a parcel map may occur only when the resultant lots conform to the development standards of the zone in which they are located. In this case, the combined lots are too small to meet the minimum lot area of the C-1-AA zone. The minimum lot size for the C-1 zone is only 20,000 square feet. Thus, by seeking approval of the zone change the proposed reconfigured lots would conform to the standards of the (new) zone.

The Administrative Minor Modification (AMM) is necessary to formally establish the front yard setback for the existing office building at seventy (70) feet from the centerline of Tahquitz Canyon Way as the legal conforming front yard setback for that lot for purposes of conformity findings for the Change of Zone. The minimum required setback pursuant to Zoning Code Section 93.01.02 is seventy-five (75) feet; thus the applicant is seeking a five foot reduction in this setback.

ANALYSIS:

General Plan

The subject property lies within two land use designations of the General Plan: Neighborhood Community Commercial (NCC; 0.35 FAR) and Office (O; 0.35 FAR). The "NCC" land use designation encourages convenience commercial uses that serve adjacent residential neighborhoods. The "O" land use designation allows for development of office uses. Retail uses in this district should be limited to uses directly related to office operations, such as restaurants, office supply stores and pharmacies associated with a medical building. Both land uses have a maximum floor area ratio (FAR) of 0.35[1] and existing uses on site are consistent with the land use designations in which they are located.

An analysis of the floor area ratio of the existing development for both parcels is shown here:

Parcel 1: (Del Taco Building) 2,759 square feet. Proposed lot area: 24,630 square feet. FAR: 0.15: conforms.

Parcel 2: (Retail / Office Buildings total 9,190 square feet. Proposed lot area: 35,054 square feet. FAR: 0.26: conforms.

The proposed change of zone and parcel map were evaluated and found to be consistent with policies and goals of the City's General Plan as follows:

> *Policy LU4. Ensure that sufficient land is designated for commercial use in appropriate areas to support the current and future needs of the community and surrounding areas in a manner that responds to the changing market conditions.*

The proposed zone change from C-1-AA to C-1 and the proposed Tentative Parcel Map is consistent with this policy. The land at this location is appropriate for commercial uses because it is at the intersection of two major thoroughfares and provides commercial and retail amenities to nearby residential neighborhoods.

[1] Floor Area Ratio (FAR) is the ratio of the total net floor area of a building to the total lot area and describes the intensity of use or density of a site.

Policy LU1.1 Ensure that development meets or exceeds the requirements and standards specified within each land use designation.

The existing commercial and office development on the subject parcels is developed with uses and densities that are consistent with the standards for the land use designation in which they are located. .

Change of Zone.
The project proposes to change the zone designation from C-1-AA to C-1. The change of zone is necessary to facilitate the reconfiguration of lots within the parcel map. Findings for the change of zone are evaluated later in this staff report.

Zoning
The change of zone application proposes that all lots within the proposed subdivision be zoned C-1 (Commercial Retail). The proposed parcel reconfiguration and C-1 zone development standards are analyzed below in Table 2.

Table 2: M-2 Zone Requirements and the Proposed Subdivision

	C-1 Min. Requirements	Proposed Subdivision	
		Lot 1	Lot 2
Lot depth	150	170 ft (conforms)	287 ft (conforms)
Lot width	100	145 ft (conforms)	107 ft (conforms)
Lot Area	20,000 sf	0.56 ac (24,630 sf) conforms	0.80 acres (35.,054 sf) (conforms)
Front Yard	5 feet	72 ft (conforms)	20 ft (conforms)
Special Setbacks	75 ft from centerline of Tahquitz Canyon Way	77.7 ft (conforms)	70 ft (**conforms with approval of AMM**)
Bldg Area	2,000 minimum	2,759 sf (conforms)	5,881 and 3,309 sf (conforms)
Bldg. Height	30 feet max	One story (conforms)	One story (conforms)
Landscaping	50% of yard areas created by required setbacks is to be landscaped.	95% is landscaped (conforms)	95% is landscaped (conforms)

Administrative Minor Modification Required.

The proposed reconfigured lots conform to the development standards of the zone except that the existing front yard along Tahquitz Canyon Way on lot 2 is slightly less than the required 75 feet for that street frontage. The applicant has included an Administrative Minor Modification (AMM) application seeking a five (5) foot reduction in the Tahquitz Canyon front yard setback from seventy-five (75) feet to seventy feet (70) feet. Findings for the AMM are included later in this staff report.

Parcel Map Waiver

The applicant has applied for a parcel map waiver. Pursuant to the California Subdivision Map Act Section 66428, California municipalities may waive the requirements for a parcel map upon

making certain findings that the proposed subdivision complies with specific requirements of the Map Act and local ordinances. Section 9 of the City's Municipal Code outlines the process and the requirements for granting approval of a parcel map waiver.

Municipal Code Section 9.62.070: Waiver of parcel map.

> *Except where required by the Subdivision Map Act, no parcel map need be filed or recorded provided that pursuant to the procedure set forth in Chapter 9.63, the planning commission finds and determines that the proposed division of land complies with all applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and all other requirements of the Subdivision Map Act and any applicable provisions of this title.*

The Subdivision Map Act allows parcel map waivers for the division of land of less than five parcels as long as the local agency (the City) provides a procedure for waiving the requirement for a parcel map. The Municipal Code sections below outline the procedures for a map waiver.

Section 9.63.180, *Planning Commission action*:

> *"(a) The planning commission shall consider the application within forty-five days after the filing of the application. The planning commission may grant the application, provided that it finds that the proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title. The time limit for action may be extended by mutual consent of the subdivider and the director of planning and zoning.*
>
> *(b) If a parcel map waiver approval is granted, a certificate of compliance shall be filed with the county recorder, which certificate shall describe the real properties involved, name the owners thereof, and state that a* parcel map waiver *has been granted by action of the planning commission, giving the date thereof."*

Section 9.63.280, *Issuance when application for* waiver *of parcel map approved:*

> *"Upon request of the owner of the property, a certificate of compliance may be issued and filed for record for any real property for which an application for* waiver *of the requirement of a parcel map has been approved under this chapter."*

After the Planning Commission makes the required findings for the map waiver, the approval process becomes similar to a Lot Line Adjustment (in that a Certificate of Compliance is issued creating the new parcels proposed as part of the parcel map waiver). The Certificate of Compliance is processed by the Engineering Department at the staff level.

FINDINGS:

Three sets of findings will be analyzed below; (1) Change of zone findings, (2) Administrative Minor Modification findings and (3). Parcel Map Waiver findings.

Change of Zone Findings.
The findings for a Change of Zone are found in PSZO Section 94.07.00 (A) as follows:

1. *The proposed change of zone is in conformity with the general plan map and report. Any amendment of the general plan necessitated by the proposed change of zone should be made according to the procedure set forth in the State Planning Law either prior to the zone change, or notice may be given and hearings held on such general plan amendment concurrently with notice and hearings on the proposed change of zone.*

The proposed change from C-1-AA to C-1 conforms to the General Plan Land Use Designations of Neighborhood Community Commercial (NCC) and Office (O) in terms of uses on the site (which are commercial and office type uses) and the development density which is below the maximum 0.35 FAR for each proposed parcel. The Change of Zone is also consistent with policies of the General Plan as follows:

> *Policy LU4.1 Ensure that sufficient land is designated for commercial use in appropriate areas to support the current and future needs of the community and surrounding areas in a manner that responds to the changing market conditions.*

The proposed zone change from C-1-AA to C-1 and the proposed Tentative Parcel Map is consistent with this policy. The land at this location is appropriate for commercial uses because it is at the intersection of two major thoroughfares and provides commercial and retail amenities to nearby residential neighborhoods.

> *Policy LU1.1 Ensure that development meets or exceeds the requirements and standards specified within each land use designation.*

The existing commercial and office development on the subject parcels is developed with uses and densities that are consistent with the standards for the land use designation in which they are located. .

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the commission and council.*

The application proposes two (2) lots each of which are conforming to the minimum size and dimensional requirements for the C-1 zone. The parcels are both fully developed with commercial and office uses that are permissible in the proposed C-1 zone. The parcels are located along major thoroughfares which have adequate capacity and physical configuration to provide safe and appropriate access to each of the proposed parcels. .

3. *The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The change of zone request allows reconfiguration of the parcels in a manner that is consistent with the development standards for the C-1 zone. As they presently exist, the lots would be considered "legal non-conforming" because they are less than the required minimum two acre lot size of the C-1-AA zone. The parcels are currently fully developed with uses and structures that are consistent with the C-1 zone. The change of zone is not detrimental to residential zones in the vicinity because the sites are developed with uses and structures that are supportive and convenient to the adjacent residential zone.

Findings for the Administrative Minor Modification

Pursuant to Zoning Code Section 94.06.01(A)(5), Findings are hereby made in support of the Administrative Minor Modification seeking reduction in the front yard setback from 75 feet from the centerline of the street right-of-way to 70 feet for Parcel 2 along Tahquitz Canyon Way :

1. *The requested minor modification is consistent with the General Plan, applicable Specific Plan(s) and overall objectives of the zoning ordinance.*

The General Plan designation for this property is O (Office). There is no General Plan Policy that would be adversely affected by this modification nor are their any specific plans associated with this property. The overall objective of the Palm Springs Zoning Code is the comprehensive and orderly planned use of land resources. The administrative minor modification establishes the findings and guidelines necessary to carry out minor but orderly development of exceptions to the ordinance. Section 94.06.01(A)(5) of the Palm Springs Zoning Code (PSZC) specifically allows for a 20% reduction of the required front yard set-backs and staff concludes that the request has met the finding.

2. *The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification.*

The set-back reduction request is to bring an existing development into conformance with the current zoning development standards for front yard setbacks along Tahquitz Canyon Way. The structures on the site were constructed around 1977 and the condition of the front yard setback at 70 feet from the Tahquitz centerline instead of the required 75 foot front yard setback has not adversely affected the neighboring properties and Staff concludes that the request has met this finding.

3. *The approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity.*

All construction on the site has existed for many years without detriment to the persons on or around the site. Consequently, staff concludes that the request has met the finding.

4. *The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.*

The proposed reduction in setbacks is an administrative action to bring existing conditions into

conformance to enable processing of the requested zone change and tentative parcel map waiver. Staff concludes that the set-back reduction is justified because it reflects existing conditions that have been in place for many years without detrimental effect.

Parcel Map Waiver Findings

The approval of the map waiver is dependent on the Planning Commission findings that the proposal complies with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

1. *Area*

   The C-1 zone specifies minimum lot dimensions of 100 feet by 150 feet and a minimum lot area of 20,000 gross square feet. The proposed lots conform to these area requirements.

2. *General Plan*

   The subject property lies within two land use designations of the General Plan: Neighborhood Community Commercial (NCC; 0.35 FAR) and Office (O; 0.35 FAR). The "NCC" land use designation encourages convenience commercial uses that serve adjacent residential neighborhoods. The "O" land use designation allows for development of office uses. Retail uses in this district should be limited to uses directly related to office operations, such as restaurants, office supply stores and pharmacies associated with a medical building. Both land uses have a maximum floor area ratio (FAR) of 0.35

   An analysis of the floor area ratio of the existing development for both parcels is shown here:

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   Parcel 2: (Retail / Office Buildings total 9,190 square feet. Proposed lot area: 35,054 square feet. FAR: 0.26: conforms.

   The proposed change of zone and parcel map were evaluated and found to be consistent with policies and goals of the City's General Plan as follows:

   > *Policy LU4. Ensure that sufficient land is designated for commercial use in appropriate areas to support the current and future needs of the community and surrounding areas in a manner that responds to the changing market conditions.*

   The proposed zone change from C-1-AA to C-1 and the proposed Tentative Parcel Map is consistent with this policy. The land at this location is appropriate for commercial uses because it is at the intersection of two major thoroughfares and provides commercial and retail amenities to nearby residential neighborhoods.

Policy LU1.1 Ensure that development meets or exceeds the requirements and standards specified within each land use designation.

The existing commercial and office development on the subject parcels is developed with uses and densities that are consistent with the standards for the land use designation in which they are located. .

3. *Improvements and design*

Street improvements are already installed. There are no improvements proposed for the reconfiguration of the lots under consideration.

4. *Floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection.*

The subject property is not located within a flood zone. Both proposed parcels have access to an improved public road. Sanitary sewer service is available in this area and the buildings are connected to the City sewer. Water service is available subject to the terms, conditions, limitations and restrictions set forth by Desert Water Agency. The streets are already improved and all utilities exist and are operating on the premises.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the application has been deemed "a project". An initial study was prepared and a 20-day period for public review and comments period commenced on January 27, 2012. Copies of the draft Initial Study were previously distributed to the Planning Commission as well. Notices of the report were sent to all applicable agencies. The review period ended on February 16, 2012. At the time of this writing, no comments have been received. The project was found to have no significant adverse impacts. Thus a Notice of Intent to Adopt a Negative Declaration has been filed.

NOTIFICATION:

A public hearing notice was advertised and was mailed to all property owners within 400 feet of the subject property. As of the writing of this report, staff has not received any comment.

Ken Lyon
Associate Planner

Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS

- Vicinity Map
- Draft Resolution with Conditions of Approval
- Reduced copy of Tentative Parcel Map

SANBORN A/E, INC.

13451

	City and County Fees		37.00
3/21/12	13450	Riverside County Recorder	$37.00

SANBORN A/E, INC.

13452

	City and County Fees		10.00
3/21/12	13451	Riverside County Recorder	$10.00

03/22/2012 09:12AM

RECEIPT # 3487093

Larry W. Ward
Riverside County
Clerk and Recorder
2724 Gateway Drive
Riverside, CA 92507
(951)486-7000
www.RiversideACR.com

FROM : SANBORN A/E, INC
BY : DIPEREZ

Recordings on this Receipt:
2012-0132326 thru 2012-0132326

1 2012-0132326 STANDARD	47.00
TOTAL FEE ----->	47.00
AMOUNT (Check) RECEIVED ----->(	47.00)
CHANGE -------->	0.00

2 Checks Received
Check #13451
13452

*** RECEIPT ***

DOC # 2012-0132326
03/22/2012 09:11A Fee:36.00
Page 1 of 8
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

Recording
Requested by and
After Recording
Return to:

City of Palm Springs
Attn: City Clerk
Box 2743
Palm Springs, CA 92263

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File No. **COC 12- 02**

NO DOCUMENTARY STAMPS NEEDED

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802

CERTIFICATE OF COMPLIANCE FOR PARCEL MAP WAIVER

The Palm Springs Planning Commission approved a **Parcel Map Waiver for Parcel Map TPM36438** on **March 14, 2012**. The applicant agrees to comply with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

Owner(s) Data:

Property Owner(s) of Record: John Wessman (OWNER) _____ (OWNER)

Managing Partner
Wessman Holdings, LLC,
a California Limited Liability Company (COMPANY/TRUST) _____ (COMPANY/TRUST)

Owner(s) Address: 555 S. Sunrise Way, Ste. 200
Palm Springs, CA 92264

Owner(s) Phone Number(s): (760) 325-3050

Property Data:

APN(s): 502-065-008, 502-065-018

Property Address: 102 N. Sunrise Way

Legal Description for Property(ies): Parcel 2 of Parcel Map file in Book 1 at Page 50
Riverside County Records

Property Data:

Zoning: C1AA General Plan Land Use: Neighborhood / Community Commercial

Existing Land Use: Commercial Site Area (S.F. / Acres): 59,629 / 1.369

Existing Building Area (S.F.): 11,949

Description of Building Use: Del Taco Restaurant and Office Buildings

The real property(ies) described herein by Exhibits "A and "B" is in compliance with the Subdivision Map Act, Chapter 7, Article 2, Section 66499.35, and all local ordinances. This Certificate of Compliance is not a permit to develop the property. Not withstanding this Certificate of Compliance, all requirements of any County, State, Federal, or other agency that regulates development of real property, including but not limited to, zoning, land division, agricultural preserves, and building codes, must be met at the time of application for any permits or grant of approval for development. In addition, this Certificate of Compliance does not indicate or verify the legality of the use of structures on the property.

APPROVED: _____ DAVID BARAKIAN PE 28431 DATE: 3/20/12
FOR Marcus Fuller, P.E., P.L.S. Director of Public Works
City of Palm Springs Assistant Director of Public Works / Assistant City Engineer

APPROVED: _____ DATE: 3/20/2012
Craig Ewing, A.I.C.P.
City of Palm Springs Director of Planning Services

Notary Statements for Asst. Dir. of Public Works and Dir. of Planning Services on following page

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE}

On 3-20-12 (DATE), before me, Kim Licon Notary Public,
personally appeared ----------David Barakian----------,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (Seal)

Kimberly S. Licon
Signature of Notary

KIMBERLY S. LICON
Commission # 1957054
Notary Public - California
Riverside County
My Comm. Expires Oct 17, 2015

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE}

On 3-20-12 (DATE), before me, Kim Licon Notary Public,
personally appeared ----------Craig Ewing----------,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (Seal)

Kimberly S. Licon
Signature of Notary

KIMBERLY S. LICON
Commission # 1957054
Notary Public - California
Riverside County
My Comm. Expires Oct 17, 2015

OWNER'S AFFIDAVIT FOR CERTIFICATE OF COMPLIANCE FOR PARCEL MAP WAIVER

IN ACCORDANCE WITH CITY OF PALM SPRINGS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

We, the undersigned, do hereby certify that we are all and the only parties having any record title interest in the property as described in the attached description and plat and do hereby approve of, join in, and consent to the preparation and execution of this Affidavit for a Certificate of Compliance (Parcel Map Waiver) as described in the attached description and plat.

Owner Signature

WESSMAN HOLDINGS, LLC
Company Name

JOHN WESSMAN
Print Name

555 S. SUNRISE WAY, STE. 200, PALM SPRINGS CA. 92264
Address

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE }

On 2/7/12 (DATE), before me, M. HOGAN, Notary Public,

personally appeared JOHN WESSMAN,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her/their authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(Seal)

WITNESS my hand and official seal.

Signature of Notary

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: M. HOGAN

Commission #: 1926379

Place of Execution: RIVERSIDE COUNTY, CA.

Date Commission Expires: March 20, 2015

Date: 3/6/2012

Signature: Felipe Primera

Print Name: FELIPE PRIMERA

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 A

PARCEL 1:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 149.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-04'-00" AND A LENGTH OF 31.45 FEET TO THE WEST LINE OF SAID PARCEL 2,
THENCE "NORTH" ALONG SAID WEST LINE OF SAID PARCEL 2, A DISTANCE OF 124.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG THE NORTH LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 170.00 FEET;
THENCE "SOUTH", A DISTANCE OF 145.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 24,564 SQ.FT/0.56 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

PROFESSIONAL LAND SURVEYOR
J.L. SANBORN
No. LS4146
Expires 6-30-12
STATE OF CALIFORNIA

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 B

PARCEL 2:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET;
THENCE "NORTH, A DISTANCE OF 145.00 FEET;
THENCE SOUTH 89°-56'-00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 2
THENCE LEAVING SAID SOUTH LINE, "NORTH" ALONG SAID WEST LINE, A DISTANCE OF 142.59 FEET TO THE NORTH LINE OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 137.35 FEET TO THE POINT OF BEGINNING.

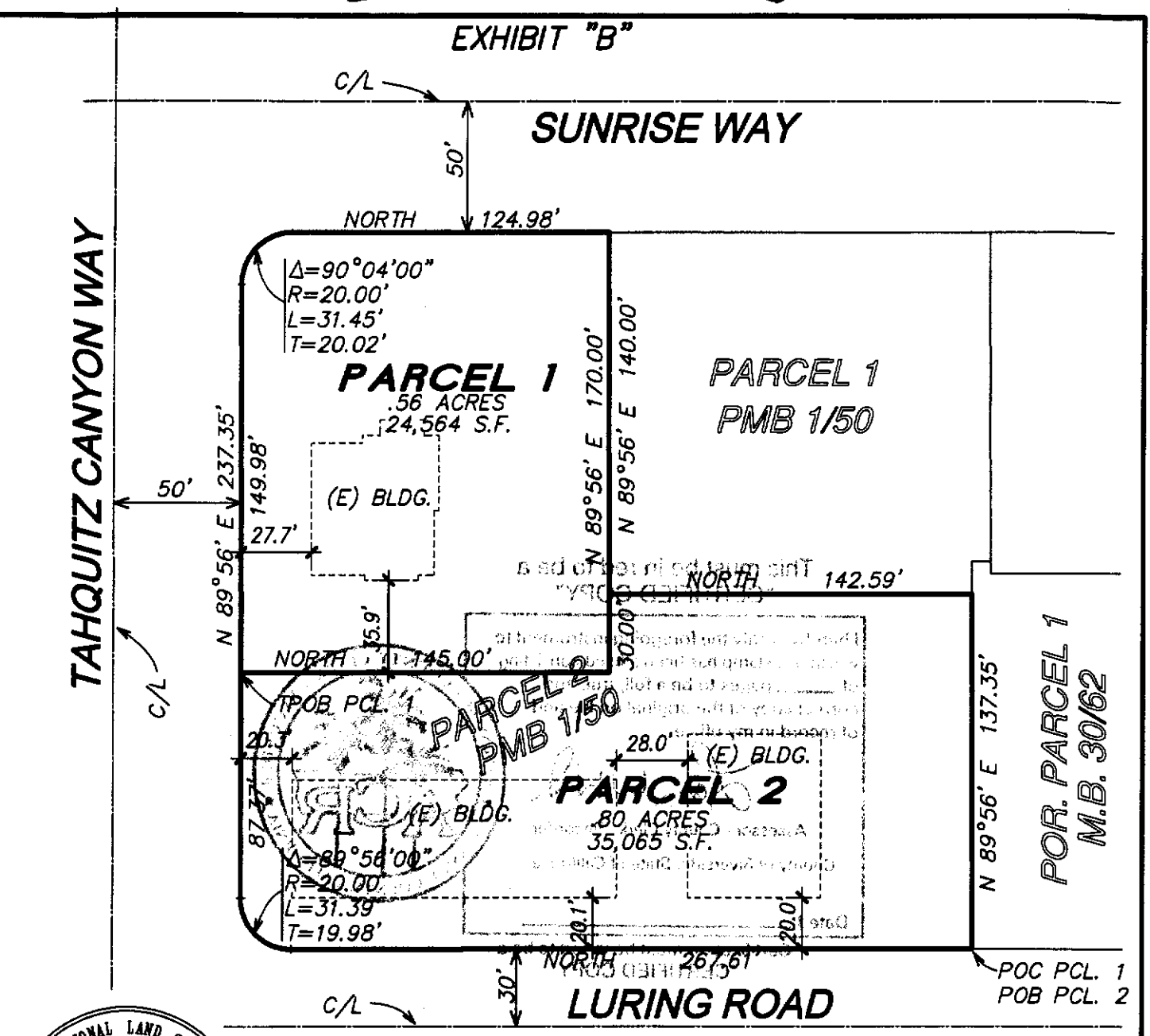
SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 35,065 SQ.FT/0.80 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

(E) = EXISTING

60 30 0 60 120
SCALE 1:60'
GRAPHIC SCALE

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED:
DIRECTOR OF PUBLIC WORKS/
CITY ENGINEER
3/20/12
DATE
28931
RCE

CERTIFICATE OF COMPLIANCE

LEGAL DESCRIPTION:
SEE EXHIBIT "A"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 60'	COC 12-02A COC 12-02B
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-154	1 OF 1

This must be in red to be a
"CERTIFIED COPY"

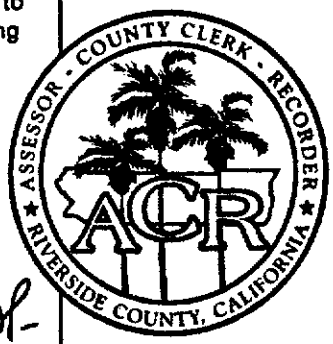
I hereby certify the foregoing instrument to which this stamp has been affixed consisting of 8 pages to be a full, true and correct copy of the original on file and of record in my office.

Larry W Ward

Assessor - County Clerk - Recorder

County of Riverside, State of California

Dated: MAR 2 2 2012



Certification must be in red to be a
"CERTIFIED COPY"

"If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

DOC # 2012-0132326
03/22/2012

Customer Copy Label
The paper to which this label is affixed has not been compared with the recorded document
Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

Recording Requested by and After Recording Return to:

City of Palm Springs
Attn: City Clerk
Box 2743
Palm Springs, CA 92263

CERT. COPY

(FOR RECORDERS USE ONLY)

File No. **COC 12- 02**

NO DOCUMENTARY STAMPS NEEDED

CERTIFICATE OF COMPLIANCE FOR PARCEL MAP WAIVER

The Palm Springs Planning Commission approved a **Parcel Map Waiver for Parcel Map TPM36438** on **March 14, 2012**. The applicant agrees to comply with applicable requirements as to area, general plan, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this title.

Owner(s) Data:

Property Owner(s) of Record: John Wessman (OWNER) _____ (OWNER)

Managing Partner
Wessman Holdings, LLC,
a California Limited Liability Company (COMPANY/TRUST) _____ (COMPANY/TRUST)

Owner(s) Address: 555 S. Sunrise Way, Ste. 200
Palm Springs, CA 92264

Owner(s) Phone Number(s): (760) 325-3050

Property Data:

APN(s): 502-065-008, 502-065-018

Property Address: 102 N. Sunrise Way

Legal Description for Property(ies): Parcel 2 of Parcel Map file in Book 1 at Page 50
Riverside County Records

Property Data:

Zoning: C1AA General Plan Land Use: Neighborhood / Community Commercial

Existing Land Use: Commercial Site Area (S.F. / Acres): 59,629 / 1.369

Existing Building Area (S.F.): 11,949

Description of Building Use: Del Taco Restaurant and Office Buildings

The real property(ies) described herein by Exhibits "A and "B" is in compliance with the Subdivision Map Act, Chapter 7, Article 2, Section 66499.35, and all local ordinances. This Certificate of Compliance is not a permit to develop the property. Not withstanding this Certificate of Compliance, all requirements of any County, State, Federal, or other agency that regulates development of real property, including but not limited to, zoning, land division, agricultural preserves, and building codes, must be met at the time of application for any permits or grant of approval for development. In addition, this Certificate of Compliance does not indicate or verify the legality of the use of structures on the property.

APPROVED: _____ DAVID BARAKIAN PE 28931 DATE: 3/20/12
FOR Marcus Fuller, P.E., P.L.S. Director of Public Works
City of Palm Springs Assistant Director of Public Works / Assistant City Engineer

APPROVED: _____ DATE: 3/20/2012
Craig Ewing, A.I.C.P.
City of Palm Springs Director of Planning Services

Notary Statements for Asst. Dir. of Public Works and Dir. of Planning Services on following page

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE}

On 3-20-12 (DATE), before me, Kim Licon Notary Public,
personally appeared ----------David Barakian----------,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (Seal)

Kimberly S. Licon
Signature of Notary

KIMBERLY S. LICON
Commission # 1957054
Notary Public - California
Riverside County
My Comm. Expires Oct 17, 2015

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE}

On 3-20-12 (DATE), before me, Kim Licon Notary Public,
personally appeared ----------Craig Ewing----------,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (Seal)

Kimberly S. Licon
Signature of Notary

KIMBERLY S. LICON
Commission # 1957054
Notary Public - California
Riverside County
My Comm. Expires Oct 17, 2015

OWNER'S AFFIDAVIT FOR CERTIFICATE OF COMPLIANCE
FOR
PARCEL MAP WAIVER

IN ACCORDANCE WITH CITY OF PALM SPRINGS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

We, the undersigned, do hereby certify that we are all and the only parties having any record title interest in the property as described in the attached description and plat and do hereby approve of, join in, and consent to the preparation and execution of this Affidavit for a Certificate of Compliance (Parcel Map Waiver) as described in the attached description and plat.

Owner Signature

WESSMAN HOLDINGS, LLC
Company Name

JOHN WESSMAN
Print Name

555 S. SUNRISE WAY, STE. 200, PALM SPRINGS CA. 92264
Address

STATE OF CALIFORNIA }
} SS
COUNTY OF RIVERSIDE }

On 2/7/12 (DATE), before me, M. HOGAN, Notary Public,

personally appeared JOHN WESSMAN,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her/their authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(Seal)

WITNESS my hand and official seal.

Signature of Notary

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

M. HOGAN
Commission # 1926379
Notary Public - California
Riverside County
My Comm. Expires Mar 20, 2015

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: M. HOGAN

Commission #: 1926379

Place of Execution: RIVERSIDE COUNTY, CA.

Date Commission Expires: March 20, 2015

Date: 3/6/2012

Signature: Felipe Primera

Print Name: FELIPE PRIMERA

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 A

PARCEL 1:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 149.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-04'-00" AND A LENGTH OF 31.45 FEET TO THE WEST LINE OF SAID PARCEL 2,
THENCE "NORTH" ALONG SAID WEST LINE OF SAID PARCEL 2, A DISTANCE OF 124.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG THE NORTH LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 170.00 FEET;
THENCE "SOUTH", A DISTANCE OF 145.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 24,564 SQ.FT/0.56 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 B

PARCEL 2:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET;
THENCE "NORTH, A DISTANCE OF 145.00 FEET;
THENCE SOUTH 89°-56'-00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 2
THENCE LEAVING SAID SOUTH LINE, "NORTH" ALONG SAID WEST LINE, A DISTANCE OF 142.59 FEET TO THE NORTH LINE OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 137.35 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

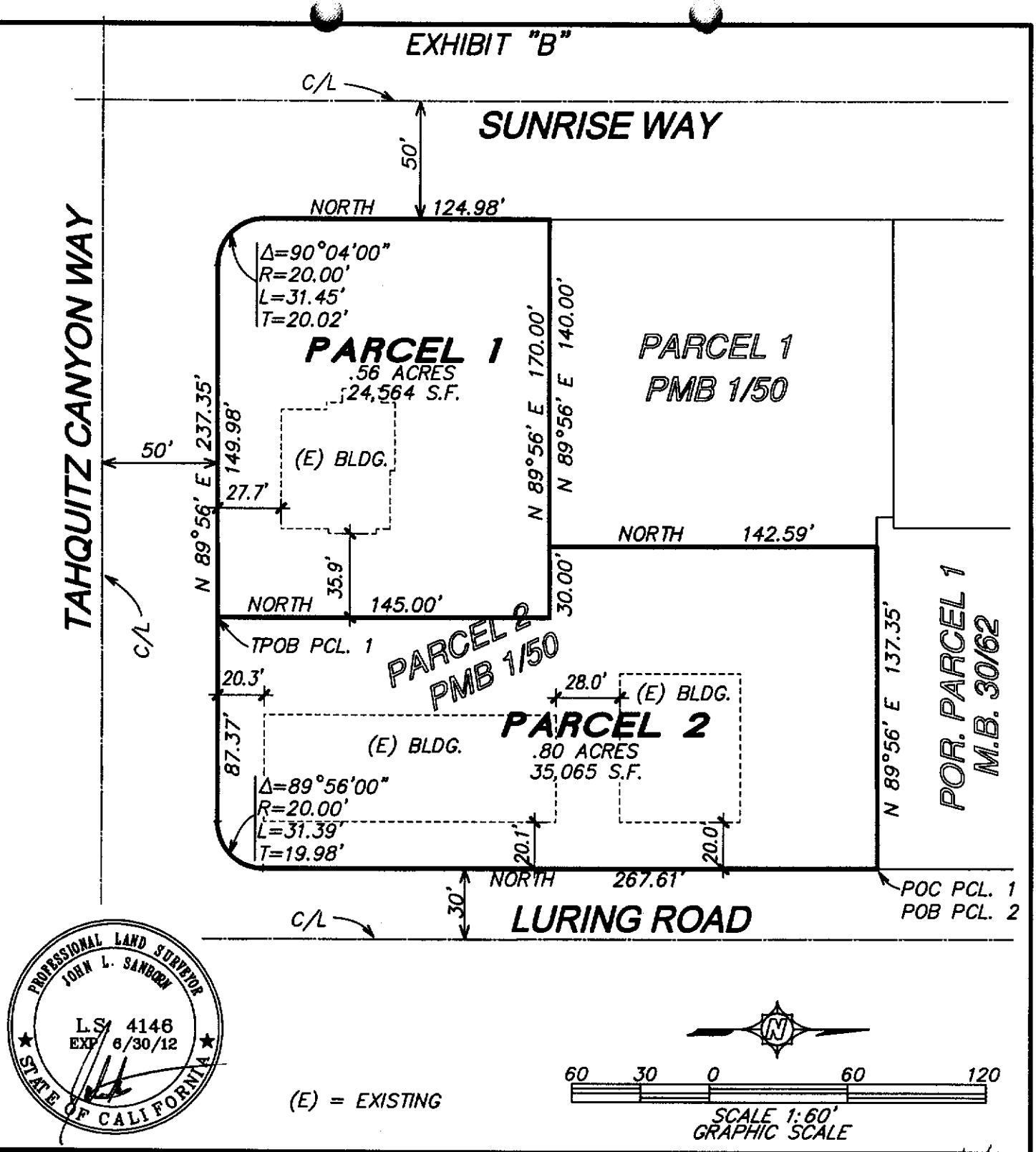
CONTAINING 35,065 SQ.FT/0.80 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

PROFESSIONAL LAND SURVEYOR
J.L. SANBORN
No. LS4146
Expires 6-30-12
STATE OF CALIFORNIA

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

(E) = EXISTING

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE 3/20/12
DIRECTOR OF PUBLIC WORKS/
CITY ENGINEER
28931
RCE

CERTIFICATE OF COMPLIANCE

LEGAL DESCRIPTION:

SEE EXHIBIT "A"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 60'	COC 12-02A COC 12-02B
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-154	1 OF 1

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

Website: www.riversideacr.com

DOCUMENTARY TRANSFER TAX AFFIDAVIT

WARNING

ANY PERSON WHO MAKES ANY MATERIAL MISREPRESENTATION OF FACT FOR THE PURPOSE OF AVOIDING ALL OR ANY PART OF THE DOCUMENTARY TRANSFER TAX IS GUILTY OF A MISDEMEANOR UNDER SECTION 5 OF ORDINANCE 516 OF THE COUNTY OF RIVERSIDE AND IS SUBJECT TO PROSECUTION FOR SUCH OFFENSE.

ASSESSOR'S PARCEL NO. 502 -- 065 -- 018,008 I declare that the documentary transfer tax for this
Property Address: 102 N. SUNRISE WAY, PALM SPRINGS transaction is: $ 0 .

If this transaction is exempt from Documentary Transfer Tax, the reason must be identified below.

I CLAIM THAT THIS TRANSACTION IS EXEMPT FROM DOCUMENTARY TRANSFER TAX BECAUSE: (The Sections listed below are taken from the Revenue and Taxation Code. Please check one or explain in "Other".)

1. ___ Section 11911. The document is a lease for a term of **less** than thirty-five (35) years (including options).
2. ___ Section 11911. The easement is **not** perpetual, permanent, or for life.
3. ___ Section 11921. The instrument was given to secure a debt.
4. ___ Section 11922. The conveyance is to a governmental entity or political subdivision.
5. ___ Section 11925. The transfer is between individuals and a legal entity, or between legal entities, and does not change the proportional interests held.
6. ___ Section 11926. The instrument is from a trustor to a beneficiary, in lieu of foreclosure, and no additional consideration was paid.
7. ___ Section 11926. The grantee is the foreclosing beneficiary and the consideration paid by the foreclosing beneficiary does not exceed the unpaid debt.
8. ___ Section 11927. The conveyance relates to a dissolution of marriage or legal separation.
9. ___ Section 11930. The conveyance is an *inter vivos* gift* or a transfer by death.

   ***Please be aware that information stated on this document may be given to and used by governmental agencies, including the Internal Revenue Service. Also, certain gifts in excess of the annual Federal gift tax exemption may trigger a Federal Gift Tax. In such cases, the Transferor (donor/grantor) may be required to file Form 709 (Federal Gift Tax Return) with the Internal Revenue Service.**
10. ___ Section 11930. The conveyance is to the grantor's revocable living trust.
11. X Other (Include explanation and authority) CERTIFICATE OF COMPLIANCE TO DIVIDE THE PROPERTY INTO TWO PARCELS

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 7 day of Feb, 2012 at [illegible] City, Ca State.

[signature] Signature of Affiant

JOHN VVESSMAN Printed Name of Affiant

Name of Firm (if applicable)

555 S SUNRISE WAY, STE. 200 PALM SPRINGS Address of Affiant

(760) 325-3050 Telephone Number of Affiant (including area code)

This form is subject to the California Public Records Act (Government Code 6250 et. seq.)

For Recorder's Use:

Affix PCOR Label Here

PLAN ROUTING

City of Palm Springs
ENGINEERING DEPARTMENT
3200 Tahquitz Canyon Way
Palm Springs, CA 92263
(760) 323-8253
http://www.palmsprings-ca.gov

PROJECT NO. COC 12-02
CASE NO. _____
BLDG. PLAN CHK. NO. _____
DATE TRANSMITTED ~~03/06/12~~ 3/19/12

- ☐ GRADING
- ☐ STORM DRAIN
- ☐ _____ MAP
- ☒ OTHER Parcel Map Waiver
- ☐ LOT LINE ADJUSTMENT
- ☐ SITE
- ☐ SEWER
- ☐ WATER
- ☐ STREET
- ☐ MERGER

DIVISION

- ☐ R/W
- ☐ TRAFFIC
- ☒ PLANNING
- ☐ FIELD ENGINEERING
- ☐ BUILDING
- ☐ OTHER _____

REVIEWED

DATE 3/20/2012
BY Craig Ewing ok
TITLE Director of Planning Services

COMMENTS:

Craig -
Please review the attached Certificate of Compliance and comment or contact me to sign original.

THX

Hold until Planning Commission action set for 3/14/2012

3/7/12

RETURN TO Felipe Primera EXT. 8742 (Engineering) **BY 2-DAY TURN AROUND PLEASE**

Felipe Primera

From: Felipe Primera
Sent: Thursday, March 22, 2012 11:35 AM
To: 'jsanborn@wessmandevelopment.com'
Cc: asanborn@sanbornae.com; Michael Braun (MBraun@wessmandevelopment.com)
Subject: RECORDED Cert of Compliance for Tahquitz Square
Attachments: COC 12-02_2012-0132326.pdf

Jeanette –
Attached is the Certified Copy of the RECORDED Certificate of Compliance for Tahquitz Square the Mr. Wessman has been waiting on.

Sincerely,

Felipe Primera
Engineering Assistant
City of Palm Springs Public Works & Engineering Dept.
P:760.323.8253 X8742 F:760.322-8325
Felipe.primera@palmspringsca.gov
****Engineering Counter hours are Mon-Thurs: 8am-11am & 2pm-6pm. City offices are closed on Fridays.****

RECEIVED
MAR 07 2012
Engineering Division

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

MEMORANDUM

DATE: March 7, 2012 **W.O.**11-154

TO: Felipe Primera
Engineering Dept.
City of Palm Springs

FROM: John Sanborn

SUBJECT: Wessman Holdings
Tentative Parcel Map No. 36438

Felipe:

Attached is the updated title report.

Call me if you have any questions.

Thanks

John

Visit Us on our Website: www.fntic.com

Fidelity National Title Company

ISSUING OFFICE: 1300 Dove Street, Suite 310 • Newport Beach, CA 92660
949 622-5000 • FAX Call for Fax

PRELIMINARY REPORT

Amended

Title Officer: Ranny Harper

Title No.: 11-**259930393**-A-RH
Locate No.: CAFNT0925-0925-0199-0259930393

TO: Wessman Development Company
555 South Sunrise Way
Palm Springs, CA 92262

ATTN: Jeanette Sanborn

PROPERTY ADDRESS: 133 Luring and 102 North Sunrise Way, Palm Springs, California

EFFECTIVE DATE: February 24, 2012, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

SUBDIVISION

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   WESSMAN HOLDINGS, LLC, a California limited liability company

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EH\AG 12/27/2011

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

PARCEL 2 OF PARCEL MAP, RECORDED FEBRUARY 26, 1969 ON FILE IN BOOK 1, PAGE 50 OF PARCEL MAPS, RECORDS OF THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, CALIFORNIA.

PARCEL B:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR DRIVEWAYS AND PARKING AREAS AS SET FORTH IN THAT CERTAIN "RECIPROCAL EASEMENT AGREEMENT FOR TAHQUITZ SQUARE", RECORDED SEPTEMBER 22, 2006 AS INSTRUMENT NO. 2006-0705447 OFFICIAL RECORDS.

APN(s): 502-065-018-7 AND 502-065-008-8

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

A. **Property taxes,** which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2012-2013.

1. **Property taxes,** including any personal property taxes and any assessments collected with taxes, for the fiscal year 2011-2012, Assessor's Parcel Number 502-065-018-7.

Code Area Number:	011-003
1st Installment:	$4,032.22 PAID
2nd Installment:	$4,032.22 OPEN
Land:	$204,990.00
Improvements:	$407,540.00
Exemption:	$0.00
Personal Property:	$0.00
Bill No.:	0338336

2. **Property taxes,** including any personal property taxes and any assessments collected with taxes, for the fiscal year 2011-2012, Assessor's Parcel Number 502-065-008-8.

Code Area Number:	011-003
1st Installment:	$5,253.05 PAID
2nd Installment:	$5,253.05 OPEN
Land:	$100,025.00
Improvements:	$736,135.00
Exemption:	$0.00
Personal Property:	$0.00
Bill No.:	0578488

3. **The lien of supplemental taxes,** if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.

4. **Water rights, claims or title to water,** whether or not disclosed by the public records.

5. **Covenants, conditions and restrictions** in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: April 27, 1946, Book 745, Page 191, of Official Records

Said covenants, conditions and restrictions provide that a violation thereof shall not defeat the lien of any mortgage or deed of trust made in good faith and for value.

6. **Covenants and easements** as set out in that certain agreement between John W. Nevins, et al, and Reproco Inc., a Delaware Corporation, dated March 20, 1969 and Recorded April 17, 1969 as Instrument No. 37800 of Official Records of Riverside County, California, to which record reference is made for further particulars.

Affects: Parcel B

7. **An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Short Form of Lease
Lessor:	John Wessman
Lessee:	Carl Karcher Enterprises, Inc., a California corporation
Recorded:	Instrument No. 1977-35690, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

An agreement to amend or modify certain provisions of said lease, as set forth in the document executed by:

As Lessor:	Wessman Holdings, LLC
As Lessee:	Carl Karcher Enterprises, Inc.
Recorded:	May 16, 2003, Instrument No. 2003-355060, of Official Records

8. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to:	Southern California Edison Company, a corporation
Purpose:	Underground electrical supply systems and communication systems
Recorded:	November 21, 1977, Instrument No. 232451, of Official Records
Affects:	The North 4 feet of the East 137.35 feet of Parcel No. 2; and the West 4 feet of the North 225 feet of the East 137.35 feet of Parcel No. 2 of Map filed in Book 1, page 50 of Parcel Maps, records of Riverside County. Also, a 4 foot strip of land lying within said Parcel No. 2, the centerline being described as follows: Beginning at a point 8 feet South of the Northwest corner of the East 137.35 feet of said Parcel No. 2; thence Southeast 65 feet.

9. **Intentionally Deleted**

10. **Intentionally Deleted**

11. **Matters** contained in that certain document entitled "Reciprocal Easement Agreement", executed by and between Wessman Holdings, LLC, a California limited liability company and Palm Springs Oil Company recorded September 22, 2006, Instrument No. 2006-0705447, of Official Records.

Reference is hereby made to said document for full particulars.

12. **A deed of trust** to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount:	$1,100,000.00
Dated:	August 25, 2005
Trustor:	Wessman Holdings LLC, a California limited liability company
Trustee:	Provident Financial Corp., a California corporation
Beneficiary:	Provident Savings Bank, FSB, a savings bank chartered under the laws of the United States of America
Loan No.:	88790936
Recorded:	August 31, 2005, Instrument No. 2005-0722134, of Official Records

An assignment of the beneficial interest under said deed of trust which names:

Assignee:	Banco Popular North America
Loan No.:	887-88790936
Recorded:	May 25, 2006, Instrument No. 006-0379441, of Official Records

13. **A lien for unsecured property taxes** filed by the tax collector of the county shown, for the amount set forth, and any other amounts due.

County:	Riverside
Fiscal Year:	2006-2007
Taxpayer:	Starkey Dan B TR; Gonzales Mario TR; PS Kids; Wessman Holdings
County Identification Number:	0393143
Amount:	$2,052.63
Recorded:	May 4, 2011, Instrument No. 2011-0196786, of Official Records

14. **A lien for unsecured property taxes** filed by the tax collector of the county shown, for the amount set forth, and any other amounts due.

County:	Riverside
Fiscal Year:	2006-2007
Taxpayer:	Starkey Dan B TR; Gonzales Mario TR; PS Kids; Wessman Holdings
County Identification Number:	0393144
Amount:	$4,058.51
Recorded:	May 4, 2011, Instrument No. 2011-0196787, of Official Records

END OF ITEMS

END OF NOTES

502-06
29-30-2

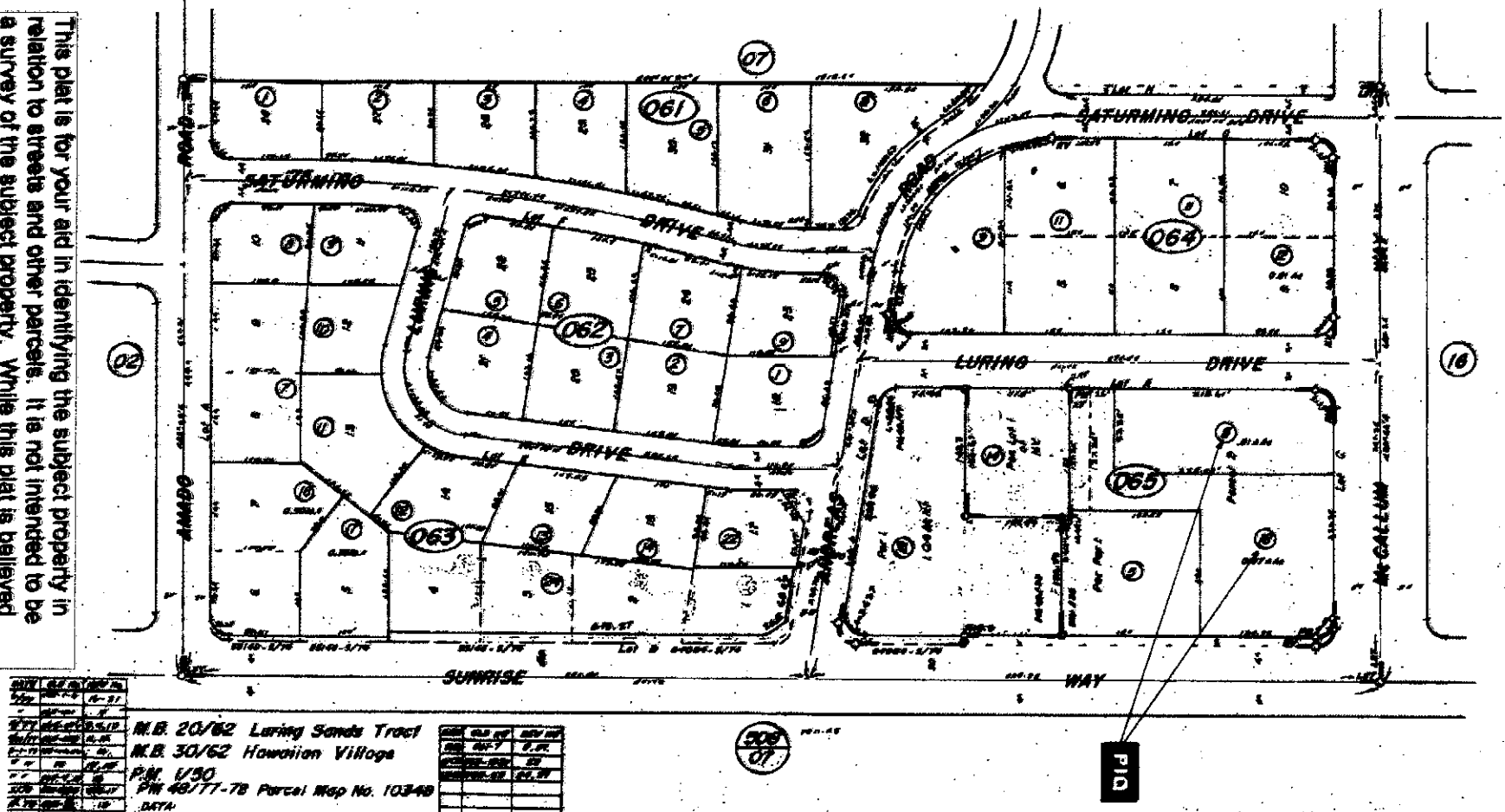
T. C. A. 1103

POR. S1/2 NW1/4 SEC. 13, T. 4S, R. 4E

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

JAN 0 9 1998

This plat is for your aid in identifying the subject property in relation to streets and other parcels. It is not intended to be a survey of the subject property. While this plat is believed to be correct; Fidelity National Title Insurance assumes no liability for any loss occurring by reason of reliance thereon.



M.B. 20/62 Luring Sands Tract
M.B. 30/62 Hawaiian Village
P.M. V/30
PM 48/77-78 Parcel Map No. 10349

308/07

ASSESSOR'S MAP BK. 502 PG. 06
RIVERSIDE COUNTY, CALIF.

ATTACHMENT ONE

AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
   - land use
   - improvements on the land
   - land division
   - environmental protection

   This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

   This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
   - a notice of exercising the right appears in the public records on the Policy Date
   - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking
3. Title Risks:
   - that are created, allowed, or agreed to by you
   - that are known to you, but not to us, on the Policy Date- unless they appeared in the public records
   - that result in no loss to you
   - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
   - to any land outside the area specifically described and referred to in Item 3 of Schedule A

     or
   - in streets, alleys, or waterways that touch your land

   This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.
3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

ATTACHMENT ONE
(CONTINUED)

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
   (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy; or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

SCHEDULE B, PART I
EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ATTACHMENT ONE
(CONTINUED)

FORMERLY AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
WITH A.L.T.A. ENDORSEMENT-FORM 1 COVERAGE
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
   (a) created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
   (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
   (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
   (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
      (a) to timely record the instrument of transfer; or
      (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.
In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ATTACHMENT ONE
(CONTINUED)

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.
In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

FORMERLY AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters: (a) created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy, or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
   (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
   (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
      (a) to timely record the instrument of transfer; or
      (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.
In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

ATTACHMENT ONE
(CONTINUED)

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage.
In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ATTACHMENT ONE
(CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
   a. building
   b. zoning
   c. Land use
   d. improvements on Land
   e. Land division
   f. environmental protection

This Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
   a. notice of exercising the right appears in the Public Records at the Policy Date; or
   b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
   c. that result in no loss to You; or
   d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 14:	1.00% of Policy Amount or $ 2,500.00 (whichever is less)	$ 10,000.00
Covered Risk 15:	1.00% of Policy Amount or $ 5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 16:	1.00% of Policy Amount or $ 5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 18:	1.00% of Policy Amount or $ 2,500.00 (whichever is less)	$ 5,000.00

ATTACHMENT ONE
(CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   a. building;
   b. zoning;
   c. land use;
   d. improvements on the Land;
   e. land division; and
   f. environmental protection.

   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
   c. that result in no loss to You; or
   d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or $ 2,500.00 (whichever is less)	$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or $ 5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or $ 5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or $ 2,500.00 (whichever is less)	$ 5,000.00

ATTACHMENT ONE
(CONTINUED)

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
   (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(e) and 26.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
   (a) The time of the advance; or
   (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

ATTACHMENT ONE
(CONTINUED)

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07/26/10)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

Notice

You may be entitled to receive a $20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is subject of your current transaction, you must - prior to the close of the current transaction - inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount which is subject to other terms and conditions.

Effective Date: 5/1/2008

Fidelity National Financial, Inc.
Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

Effective Date: 5/1/2008

Disclosure to Affiliated Companies - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information
We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access To Personal Information/
Requests for Correction, Amendment, or Deletion of Personal Information
As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement
This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Companies
FNTC – Fidelity National Title Company
FNTCCA – Fidelity National Title Company of California

FNF Underwriter
FNTIC – Fidelity National Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)
Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 or 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (FNTC, FNTCCA and FNTIC)
Eligible customers shall receive a $20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (FNTIC)
The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)
On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% or 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% or 50% of the appropriate title insurance rate, depending on the type of coverage selected.

Fidelity National Title Company

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, ***Fidelity National Title Company*** *hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Fidelity National Title Company

SEAL

BY _____ President

ATTEST _____ Secretary

_____
Countersigned

PLAN ROUTING

City of Palm Springs
ENGINEERING DEPARTMENT
3200 Tahquitz Canyon Way
Palm Springs, CA 92263
(760) 323-8253
http://www.palmsprings-ca.gov

PROJECT NO. COC 12-02
CASE NO. _____
BLDG. PLAN CHK. NO. _____

DATE TRANSMITTED 03/06/12

- ☐ GRADING
- ☐ STORM DRAIN
- ☐ _____ MAP
- ☒ OTHER Parcel Map Waiver
- ☐ LOT LINE ADJUSTMENT
- ☐ SITE
- ☐ SEWER
- ☐ WATER
- ☐ STREET
- ☐ MERGER

DIVISION

- ☐ R/W
- ☐ TRAFFIC
- ☒ PLANNING
- ☐ FIELD ENGINEERING
- ☐ BUILDING
- ☐ OTHER _____

REVIEWED

DATE _____
BY Craig Ewing
TITLE Director of Planning Services

COMMENTS:

Craig -
Please review the attached Certificate of Compliance and comment or contact me to sign original.

THX

WAITING ON
UPDATED
TITLE REPORT
2/29/2012

RETURN TO Felipe Primera EXT. 8742 (Engineering) **BY 2-DAY TURN AROUND PLEASE**

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

RECEIVED
MAR 0 6 '12
Engineering Division

MEMORANDUM

DATE: February 29, 2012 **W.O.**11-154

TO: Felipe Primera
Engineering Dept.
City of Palm Springs

FROM: John Sanborn

SUBJECT: Certificate of Compliance
Wessman Holdings
Tentative Parcel Map No. 36438

Felipe:

Attached are the revised legal descriptions and plat.

Call me if you have any questions.

Thanks

John

71780 San Jacinto Dr. * Suite E-1 * Rancho Mirage, California 92270 * (760) 423-0600 * Fax (760) 423-0603

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 A

PARCEL 1:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 149.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-04'-00" AND A LENGTH OF 31.45 FEET TO THE WEST LINE OF SAID PARCEL 2,
THENCE "NORTH" ALONG SAID WEST LINE OF SAID PARCEL 2, A DISTANCE OF 124.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG THE NORTH LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 170.00 FEET;
THENCE "SOUTH", A DISTANCE OF 145.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 24,564 SQ.FT/0.56 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION
COC 12-02 B

PARCEL 2:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET;
THENCE "NORTH, A DISTANCE OF 145.00 FEET;
THENCE SOUTH 89°-56'-00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 2
THENCE LEAVING SAID SOUTH LINE, "NORTH" ALONG SAID WEST LINE, A DISTANCE OF 142.59 FEET TO THE NORTH LINE OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 137.35 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

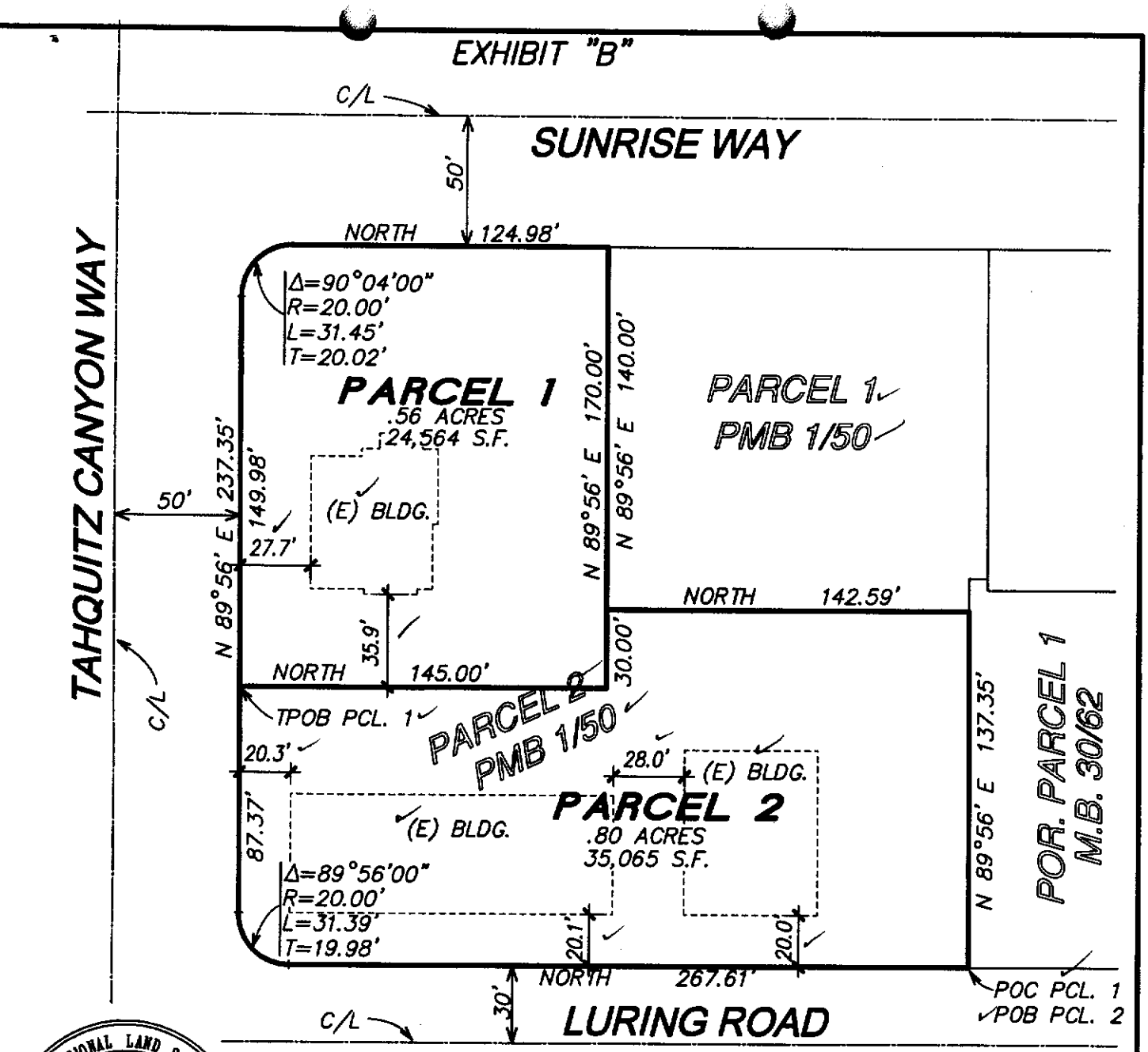
CONTAINING 35,065 SQ.FT/0.80 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

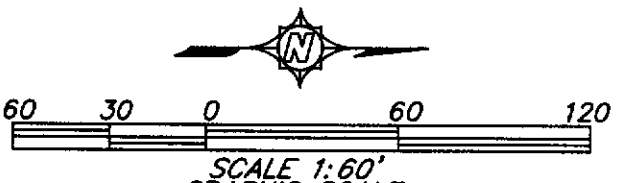
PROFESSIONAL LAND SURVEYOR
J.L. SANBORN
No. LS4146
Expires 6-30-12
STATE OF CALIFORNIA

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

(E) = EXISTING



CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED: _____ DATE

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

CERTIFICATE OF COMPLIANCE

LEGAL DESCRIPTION:

SEE EXHIBIT "A"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 60'	COC 12-02A COC 12-02B
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-154	1 OF 1

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION

PARCEL 1:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET TO ***THE TRUE POINT OF BEGINNING***;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 149.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-04'-00" AND A LENGTH OF 31.45 FEET TO THE WEST LINE OF SAID PARCEL 2,
THENCE "NORTH" ALONG SAID NORTH LINE, A DISTANCE OF 124.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG THE NORTH LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 170.00 FEET;
THENCE "SOUTH", A DISTANCE OF 145.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 24,564 SQ.FT/0.56 AC. MORE OR LESS

PARCEL 2:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1 AT PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET;
THENCE "NORTH, A DISTANCE OF 145.00 FEET;

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION

PARCEL 2 CONT.:

THENCE SOUTH 89°-56'-00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 2
THENCE "NORTH" ALONG SAID WEST LINE, A DISTANCE OF 142.59 FEET TO THE NORTH LINE OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 137.35 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 35,065 SQ.FT/0.80 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

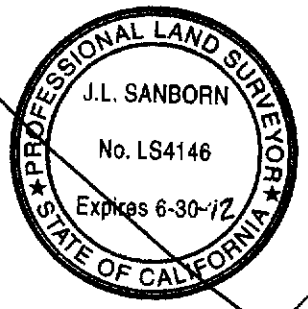
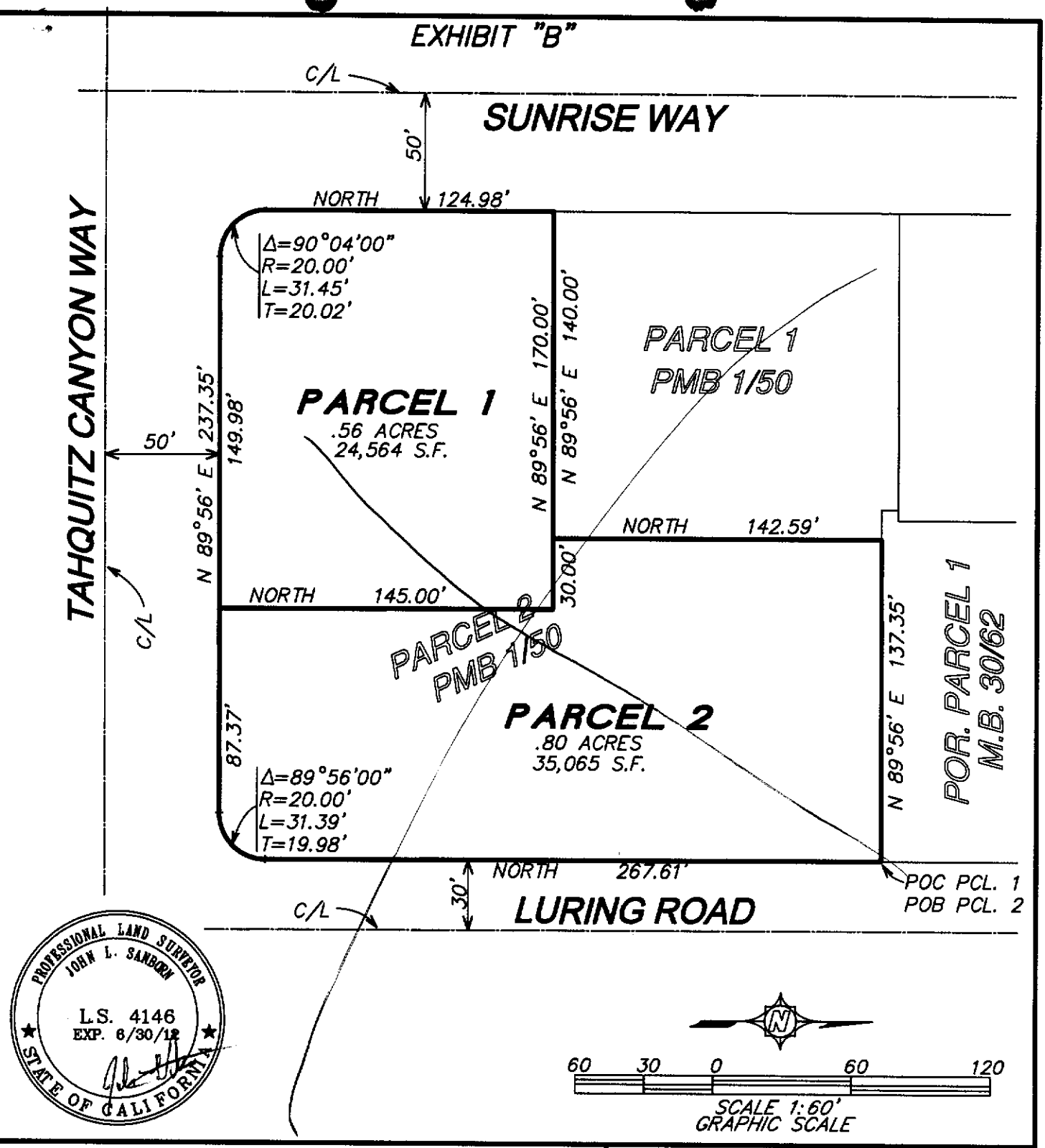


EXHIBIT "B"



CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED:

DATE

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

CERTIFICATE OF COMPLIANCE

LEGAL DESCRIPTION:

SEE EXHIBIT "A"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 60'	–
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-154	1 OF 1

Felipe Primera

From: Felipe Primera
Sent: Wednesday, February 29, 2012 11:21 AM
To: jsanborn@sanbornae.com
Cc: asanborn@sanbornae.com; Ken Lyon
Subject: COC 12-02 Wessman Parcels
Attachments: 0609_001.pdf

John –
I just noticed that the title report is **not correct**. The title report from December 2011 shows John Wessman, a married man... However, in 2005 he transferred title to Wessman Holdings, Inc. Please have him have the title company update the title report along with the chain of title being requested.

Sincerely,

Felipe Primera
Engineering Assistant
City of Palm Springs Public Works & Engineering Dept.
P:760.323.8253 X8742 F:760.322-8325
Felipe.primera@palmspringsca.gov
****Engineering Counter hours are Mon-Thurs: 8am-11am & 2pm-6pm. City offices are closed on Fridoys.****

From: iR4570-en@ci.palm-springs.ca.us [mailto:iR4570-en@ci.palm-springs.ca.us]
Sent: Wednesday, February 29, 2012 11:17 AM
To: Felipe Primera
Subject: Attached Image

Visit Us on our Website: www.fntic.com

Fidelity National Title Company

ISSUING OFFICE: 1300 Dove Street, Suite 310 • Newport Beach, CA 92660
949 622-5000 • FAX Call for Fax

PRELIMINARY REPORT

Title Officer: Ranny Harper

Title No.: 11-**259930393**-RH
Locate No.: CAFNT0925-0925-0199-0259930393

TO: Wessman Development Company
555 South Sunrise Way
Palm Springs, CA 92262

ATTN: Jeanette Sanborn

PROPERTY ADDRESS: 133 Luring and 102 North Sunrise Way, Palm Springs, California

EFFECTIVE DATE: December 15, 2011, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

SUBDIVISION

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   JOHN WESSMAN, a married man as his sole and separate property

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EH\EH 12/22/2011

DOC # 2005-0722133
08/31/2005 08:00A Fee:10.00
Page 1 of 2
Recorded in Official Records
County of Riverside
Larry U. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NCOR	SMF	MISC
	1		2						
									DA
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

RECORDING REQUESTED BY:
Stewart Title Guaranty
WHEN RECORDED MAIL TO

Wessman Holdings, LLC
300 South Palm Canyon Drive
Palm Springs, CA 92267

TITLE ORDER NO. 501-286887
ESCROW NO. 30124197PM
APN. 502-065-008-018 TRA011003

10

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S): THIS CONVEYANCE CHANGES THE MANNER IN WHICH TITLE IS HELD, GRANTOR(S) AND GRANTEE(S) REMAIN THE SAME AND CONTINUE TO HOLD THE SAME PROPORTIONATE INTEREST.

DOCUMENTARY TRANSFER TAX is: $0.00 CITY TAX is:
Monument Preservation Fee is: See below
☑ computed on full value of property conveyed, or
☐ computed on full value less value of liens and encumbrances remaining at time of sale.
☐ Unincorporated area: ☒ City of Palm Springs, and

T
DA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

John Wessman, a married man

hereby GRANT(S) to Wessman Holdings, LLC, a California limited liability company

the following described real property in the City of Palm Springs, County of Riverside, State of California:

PARCEL 2 OF PARCEL MAP RECORDED FEBRUARY 26, 1969, ON FILE IN BOOK 1 PAGE 50, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA (SEE ATTACHED EXHIBIT FOR COMPLETE LEGAL DESCRIPTION).

The Grantors and Grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in said real property per R & T 11923(d)

Dated: August 6, 2005

John Wessman

STATE OF CALIFORNIA }
} ss.
COUNTY OF RIVERSIDE }

On AUGUST 6, 2005 before me, LESA M. BODNAR
Notary, personally appeared John Wessman, proved to me on the basis of satisfactory evidence to be the person, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Lesa M. Bodnar

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Felipe Primera

From: Felipe Primera
Sent: Wednesday, February 29, 2012 10:20 AM
To: jsanborn@sanbornae.com
Cc: asanborn@sanbornae.com
Subject: COC 12-02 - Wessman Parcels
Attachments: COC 12-02_Wessman Parcel 1&2 ReviewComments_02.29.12.pdf

Please address attached review comments and EMAIL exhibits for 2nd review.

Sincerely,

Felipe Primera
Engineering Assistant
City of Palm Springs Public Works & Engineering Dept.
P:760.323.8253 X8742 F:760.322-8325
Felipe.primera@palmspringsca.gov
****Engineering Counter hours are Mon-Thurs: 8am-11am & 2pm-6pm. City offices are closed on Fridays.****

(1) SAID EAST LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF LURING DRIVE AS SHOWN ON SAID PARCEL MAP;

(2) SAID SOUTH LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF TAHQUITZ WAY AS SHOWN ON SAID PARCEL MAP.

(3) SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SUNRISE WAY AS SHOWN ON SAID PARCEL MAP.

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION

COC 1202A

PARCEL 1:

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1, PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET TO ***THE TRUE POINT OF BEGINNING***
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 149.98 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-04'-00" AND A LENGTH OF 31.45 FEET TO THE WEST LINE OF SAID PARCEL 2;
THENCE "NORTH" ALONG SAID NORTH LINE A DISTANCE OF 124.98 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2; WEST OF SAID PARCEL 2
THENCE NORTH 89°-56'-00" EAST ALONG THE NORTH LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 170.00 FEET;
THENCE "SOUTH", A DISTANCE OF 145.00 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

CONTAINING 24,564 SQ.FT/0.56 AC. MORE OR LESS

Seal J. Sanborn

PARCEL 2: SEPARATE PAGE

EXH. "A" ... COC 1202B

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP FILED IN PARCEL MAP BOOK 1, PAGE 50, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE "SOUTH" ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 267.61 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°-56'-00" AND A LENGTH OF 31.39 FEET TO THE SOUTH LINE OF SAID PARCEL 2;
THENCE SOUTH 89°-56'-00" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 87.37 FEET;
THENCE "NORTH, A DISTANCE OF 145.00 FEET;

LEAVING SAID SOUTH LINE,

CERTIFICATE OF COMPLIANCE
LEGAL DESCRIPTION

PARCEL 2 CONT.:

THENCE SOUTH 89°-56'-00" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 2
THENCE "NORTH" ALONG SAID WEST LINE, A DISTANCE OF 142.59 FEET TO THE NORTH LINE OF SAID PARCEL 2;
THENCE NORTH 89°-56'-00" EAST ALONG SAID NORTH LINE, A DISTANCE OF 137.35 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS OF RECORD IF ANY.

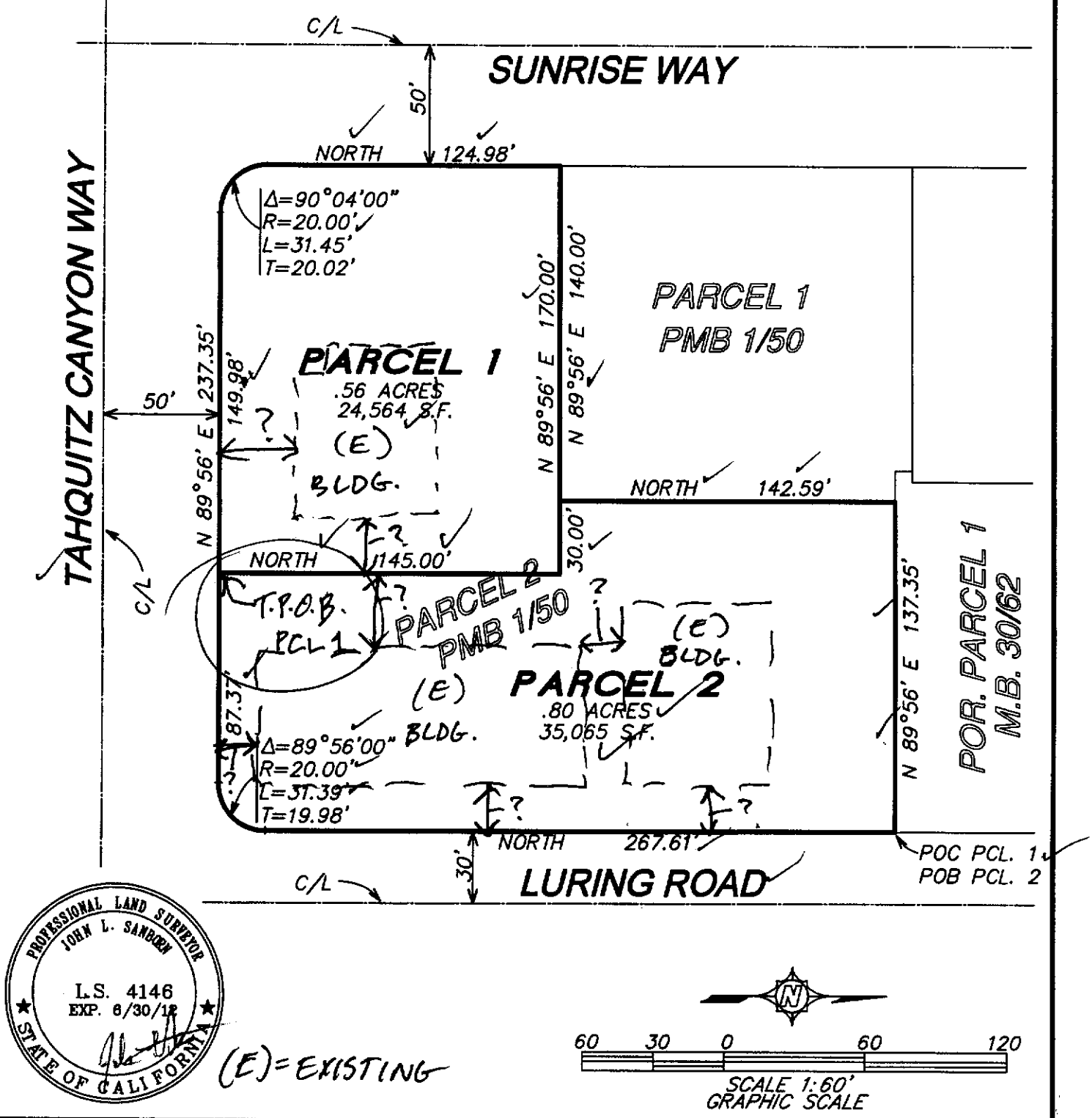
CONTAINING 35,065 SQ.FT/0.80 AC. MORE OR LESS

PREPARED BY
SANBORN A/E, INC.

JOHN L. SANBORN, PLS 4146
1/31/12 WO 11-154 CC

PROFESSIONAL LAND SURVEYOR
J.L. SANBORN
No. LS4146
Expires 6-30-12
STATE OF CALIFORNIA

EXHIBIT "B"



PROFESSIONAL LAND SURVEYOR
JOHN L. SANBORN
L.S. 4146
EXP. 6/30/12
STATE OF CALIFORNIA

(E)=EXISTING

CITY OF PALM SPRINGS
PUBLIC WORKS & ENGINEERING
DEPARTMENT

APPROVED:

DATE

ASST. DIRECTOR OF PUBLIC WORKS/
ASST. CITY ENGINEER

7987
P.L.S.

CERTIFICATE OF COMPLIANCE

LEGAL DESCRIPTION:

SEE EXHIBIT "A"

DESIGN BY:	SCALE:	FILE NO.:
D.B.	1" = 60'	COC 12-02A COC 12-02B
CHECKED BY:	W.O. #	SHEET NO.:
J.L.S.	11-154	1 OF 1

Parcel name: PARCEL1

```
   North: 4980.1778           East : 5169.9999
Line  Course: S 89-56-00 W  Length: 149.98
        North: 4980.0033            East : 5020.0200
Curve  Length: 31.44               Radius: 20.00
        Delta: 90-04-00           Tangent: 20.02
        Chord: 28.30               Course: N 45-02-00 W
    Course In: N 00-04-00 W     Course Out: N 90-00-00 W
    RP  North: 5000.0033            East : 5019.9967
    End North: 5000.0033            East : 4999.9967
Line  Course: N 00-00-00 E  Length: 124.98
        North: 5124.9833            East : 4999.9967
Line  Course: N 89-56-00 E  Length: 170.00
        North: 5125.1811            East : 5169.9966
Line  Course: S 00-00-00 W  Length: 145.00
        North: 4980.1811            East : 5169.9966

   Perimeter: 621.39   Area: 24,564 S.F. 0.56 AC.

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0046              Course: N 45-02-00 W
  Error North: 0.00328              East : -0.00328
Precision  1: 135,086.96
```

Parcel name: PARCEL2

```
   North: 5267.8927           East : 5277.3498
Line  Course: S 00-00-00 W  Length: 267.61
        North: 5000.2827            East : 5277.3498
Curve  Length: 31.39               Radius: 20.00
        Delta: 89-56-00           Tangent: 19.98
        Chord: 28.27               Course: S 44-58-00 W
    Course In: N 90-00-00 W     Course Out: S 00-04-00 E
    RP  North: 5000.2827            East : 5257.3498
    End North: 4980.2827            East : 5257.3731
Line  Course: S 89-56-00 W  Length: 87.37
        North: 4980.1811            East : 5170.0031
Line  Course: N 00-00-00 E  Length: 145.00
        North: 5125.1811            East : 5170.0031
Line  Course: S 89-56-00 W  Length: 30.00
        North: 5125.1462            East : 5140.0032
Line  Course: N 00-00-00 E  Length: 142.59
        North: 5267.7362            East : 5140.0032
Line  Course: N 89-56-00 E  Length: 137.35
        North: 5267.8960            East : 5277.3531

   Perimeter: 841.32   Area: 35,065 S.F. 0.80 AC.

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0046              Course: N 44-58-00 E
  Error North: 0.00326              East : 0.00326
Precision  1: 182,893.48
```

Felipe Primera

From: Felipe Primera
Sent: Wednesday, February 29, 2012 10:29 AM
To: jsanborn@sanbornae.com
Cc: asanborn@sanbornae.com
Subject: COC 12-02 Wessman Parcels
Attachments: 0606_001.pdf

Marcus is requesting that we have a CHAIN OF TITLE for every Cert of Compliance that we do as per application procedure. I'll need to have that for this cert.

Sincerely,

Felipe Primera
Engineering Assistant
City of Palm Springs Public Works & Engineering Dept.
P:760.323.8253 X8742 F:760.322-8325
Felipe.primera@palmspringsca.gov
****Engineering Counter hours are Mon-Thurs: 8am-11am & 2pm-6pm. City offices are closed on Fridays.****

SANBORN
CIVIL ENGINEERING
ARCHITECTURE
LAND SURVEYING

RECEIVED
FEB 14 2012
Engineering Division

MEMORANDUM

DATE: February 15, 2012 **W.O.**11-154

TO: Felipe Primera
Engineering Dept.
City of Palm Springs

FROM: John Sanborn

SUBJECT: Certificate of Compliance
Wessman Holdings
Tentative Parcel Map No. 36438

Felipe:

We are herein submitting the Certificate of Compliance for Tentative Parcel Map No.36438

Attached are the following.

1. One signed C of C LA application.
2. Processing fee of $913.00.
3. Copy of legal description, plat and closures for C of C.
4. Two copies of Title Report and Assessors Map.
5. Copy of Tentative Map No.36438.
6. Copy of Parcel Map recorded in Parcel Map Book 1 at page 50.

Call me if you have any questions.

Thanks

John

CHK # 001331

PERMIT CENTER
CITY OF PALM SPRINGS

RECEIPT **30220**

RECEIVED FROM (Print)	PROJECT NAME/DESCRIPTION/ADDRESS	PLAN CHECK OR CASE NO.
WESSMAN HOLDINGS	102 N. SUNRISE WAY - PM WAIVER TPM 36938	COC 12-02

ZONING FEES ACCT. #001-32212		PUBLIC WORKS & ENGINEERING DEPT. FEES	
Change of Zone Application Fee		Vacation of Right-of-Way # 001-34309	
Conditional Use Permit		Improvement Plans # 001-34302	
Planned Development District Application Fee		Grading Plans # 001-34302	
Variance Application Fee (includes sign variance)		Encroachment Agreements # 001-34304	
MISCELLANEOUS FILING FEES ACCT. #001-34303		**BUILDING & SAFETY DEPARTMENT FEES**	
Architectural Approval		Fire Plan Check #001-34210	
Administrative Minor Modification		Bldg. Permit #001-32201	
Miscellaneous		Plan Check Deposit #001-34301	
Environmental Impact Report Review		Plan Check Deposit #001-34307	
SUBDIVISION FEES ACCT. #001-32213		Code Compliance Insp./Resale Insp. #001-32209	
a. Tentative Maps		Renewal & Reinspection #001-32210	
b. Final Maps		Microfilm/Miscellaneous #001-34308	
c. Lot Line Adj./Cert. of Compliance	913.00	**TOTAL FEE**	913.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM (Sign)	PERMIT CENTER	DATE	PERMIT NO.
X		2/28/12	

WHITE - CUSTOMER YELLOW - CASHIER PINK - FINANCE GOLD - BUILDING

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

WESSMAN HOLDINGS, LLC
TAHQUITZ SQUARE
555 S. SUNRISE WAY, STE. #200
PALM SPRINGS, CA 92264

RABOBANK
1111 E. TAHQUITZ CANYON WAY
PALM SPRINGS, CA 92262

90-3842
1222

Date	Check No.	Check Amount
2/14/2012	001331	**$913.00**

Nine Hundred Thirteen AND 00/100 Dollars

Pay to the order of:

CITY OF PALM SPRINGS

POB 2743
PALM SPRINGS, CA 92263-2743

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

⑈001331⑈ ⑆122238420⑆ 6092294287⑈

CHK.# 001331

PERMIT CENTER
CITY OF PALM SPRINGS

RECEIPT **30220**

RECEIVED FROM (Print)	PROJECT NAME/DESCRIPTION/ADDRESS	PLAN CHECK OR CASE NO.
WEGMAN HOLDINGS	112 N. CAMINO REAL - PALM SPRINGS 36138	CCC 12-02

ZONING FEES ACCT. #001-32212

Change of Zone Application Fee	
Conditional Use Permit	
Planned Development District Application Fee	
Variance Application Fee (includes sign variance)	

MISCELLANEOUS FILING FEES ACCT. #001-34303

Architectural Approval	
Administrative Minor Modification	
Miscellaneous	
Environmental Impact Report Review	

SUBDIVISION FEES ACCT. #001-32213

a. Tentative Maps	
b. Final Maps	
c. Lot Line Adj./Cert. of Compliance	113-

PUBLIC WORKS & ENGINEERING DEPT. FEES

Vacation of Right-of-Way # 001-34309	
Improvement Plans # 001-34302	
Grading Plans # 001-34302	
Encroachment Agreements # 001-34304	

BUILDING & SAFETY DEPARTMENT FEES

Fire Plan Check #001-34210	
Bldg. Permit #001-32201	
Plan Check Deposit #001-34301	
Plan Check Deposit #001-34307	
Code Compliance Insp./Resale Insp. #001-32209	
Renewal & Reinspection #001-32210	
Microfilm/Miscellaneous #001-34308	
TOTAL FEE	113-

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM (Sign)	PERMIT CENTER	DATE	PERMIT NO.
X		2/28/12	

WHITE - CUSTOMER YELLOW - CASHIER PINK - FINANCE GOLD - BUILDING

Visit Us on our Website: www.fntic.com

Fidelity National Title Company

ISSUING OFFICE: 1300 Dove Street, Suite 310 • Newport Beach, CA 92660
949 622-5000 • FAX Call for Fax

PRELIMINARY REPORT

Title Officer: Ranny Harper

Title No.: 11-**259930393**-RH
Locate No.: CAFNT0925-0925-0199-0259930393

TO: Wessman Development Company
555 South Sunrise Way
Palm Springs, CA 92262

ATTN: Jeanette Sanborn

PROPERTY ADDRESS: 133 Luring and 102 North Sunrise Way, Palm Springs, California

EFFECTIVE DATE: December 15, 2011, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

SUBDIVISION

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   JOHN WESSMAN, a married man as his sole and separate property

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EH\EH 12/22/2011

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

PARCEL 2 OF PARCEL MAP, RECORDED FEBRUARY 26, 1969 ON FILE IN BOOK 1, PAGE 50 OF PARCEL MAPS, RECORDS OF THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, CALIFORNIA.

PARCEL B:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR DRIVEWAYS AND PARKING AREAS AS SET FORTH IN THAT CERTAIN "RECIPROCAL EASEMENT AGREEMENT FOR TAHQUITZ SQUARE", RECORDED SEPTEMBER 22, 2006 AS INSTRUMENT NO. 2006-0705447 OFFICIAL RECORDS.

APN: 502-065-008-8 & 502-065-018-7

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. **Property taxes**, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2011-2012, Assessor's Parcel Number 502-065-008-8.

Code Area Number:	011-003
1st Installment:	$5,253.05 PAID
2nd Installment:	$5,253.05 OPEN
Land:	$100,025.00
Improvements:	$736,135.00
Exemption:	$0.00
Personal Property:	$0.00
Bill No.:	0578488

2. **Property taxes**, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2011-2012, Assessor's Parcel Number 502-065-018-7.

Code Area Number:	011-003
1st Installment:	$4,032.22 DELINQUENT + PENALTY $ 403.22
2nd Installment:	$4,032.22 OPEN
Land:	$204,990.00
Improvements:	$407,540.00
Exemption:	$0.00
Personal Property:	$0.00
Bill No.:	0338336

3. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.

4. **Water rights, claims or title to water**, whether or not disclosed by the public records.

5. **Covenants, conditions and restrictions** in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

   Recorded: April 27, 1946, Book 745, Page 191, of Official Records

   Said covenants, conditions and restrictions provide that a violation thereof shall not defeat the lien of any mortgage or deed of trust made in good faith and for value.

6. **Covenants and easements** as set out in that certain agreement between John W. Nevins, et al, and Reproco Inc., a Delaware Corporation, dated March 20, 1969 and Recorded April 17, 1969 as Instrument No. 37800 of Official Records of Riverside County, California, to which record reference is made for further particulars.

Affects: Parcel B

7. **An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Short Form of Lease
Lessor:	John Wessman
Lessee:	Carl Karcher Enterprises, Inc., a California corporation
Recorded:	Instrument No. 1977-35690, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

An agreement to amend or modify certain provisions of said lease, as set forth in the document executed by:

As Lessor:	Wessman Holdings, LLC
As Lessee:	Carl Karcher Enterprises, Inc.
Recorded:	May 16, 2003, Instrument No. 2003-355060, of Official Records

8. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to:	Southern California Edison Company, a corporation
Purpose:	Underground electrical supply systems and communication systems
Recorded:	November 21, 1977, Instrument No. 232451, of Official Records
Affects:	The North 4 feet of the East 137.35 feet of Parcel No. 2; and the West 4 feet of the North 225 feet of the East 137.35 feet of Parcel No. 2 of Map filed in Book 1, page 50 of Parcel Maps, records of Riverside County. Also, a 4 foot strip of land lying within said Parcel No. 2, the centerline being described as follows: Beginning at a point 8 feet South of the Northwest corner of the East 137.35 feet of said Parcel No. 2; thence Southeast 65 feet.

9. **An unrecorded sublease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled:	Memorandum of Sublease
Sublessor:	Carl Karcher Enterprises, Inc., a California corporation
Sublessee:	CLK, Inc., a California corporation
Recorded:	October 28, 1999, Instrument No. 1999-470739, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

10. **A Leasehold Interest** deed of trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount:	$5,000,000.00
Dated:	October 15, 1999
Trustor:	CLK, Inc., a California corporation
Trustee:	Chicago Title Insurance Company
Beneficiary:	Franchise Mortgage Acceptance Company
Loan No.:	500025011
Recorded:	October 20, 1999, Instrument No. 1999-463410, of Official Records

An assignment of the beneficial interest under said deed of trust which names:

Assignee:	General Electric Capital Business Asset Funding Corporation
Loan No.:	500025011
Recorded:	July 29, 2003, Instrument No. 2003-565322, of Official Records

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by:	CLK, Inc. a California corporation
Recorded:	May 9, 2001, Instrument No. 2001-202956, of Official Records

11. **Matters** contained in that certain document entitled "Reciprocal Easement Agreement", executed by and between Wessman Holdings, LLC, a California limited liability company and Palm Springs Oil Company recorded September 22, 2006, Instrument No. 2006-0705447, of Official Records.

Reference is hereby made to said document for full particulars.

END OF ITEMS

END OF NOTES

This plat is for your aid in identifying the subject property in relation to streets and other parcels. It is not intended to be a survey of the subject property. While this plat is believed to be correct; Fidelity National Title Insurance assumes no liability for any loss occurring by reason of reliance thereon.

502-06

29-30-2

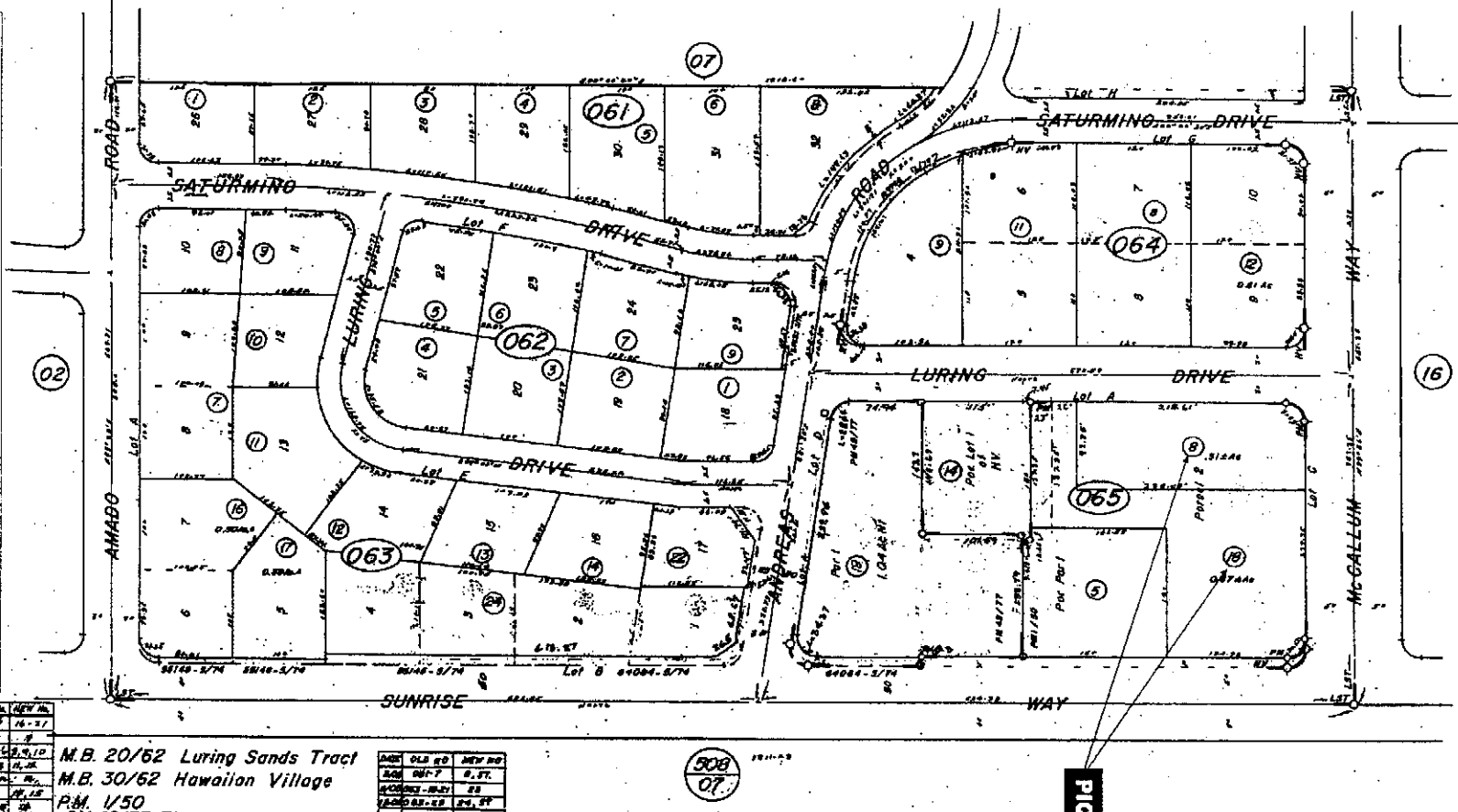
T. C. A. 1103

POR. S1/2 NW1/4 SEC. 13, T. 4S, R. 4E

1" = 100'

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

JAN 0 9 2006



M.B. 20/62 Luring Sands Tract
M.B. 30/62 Hawaiian Village
P.M. 1/50
PM 48/77-78 Parcel Map No. 10348

DATA:

MARCH 1980

ASSESSOR'S MAP BK. 502 PG. 06
RIVERSIDE COUNTY, CALIF.

P1/50

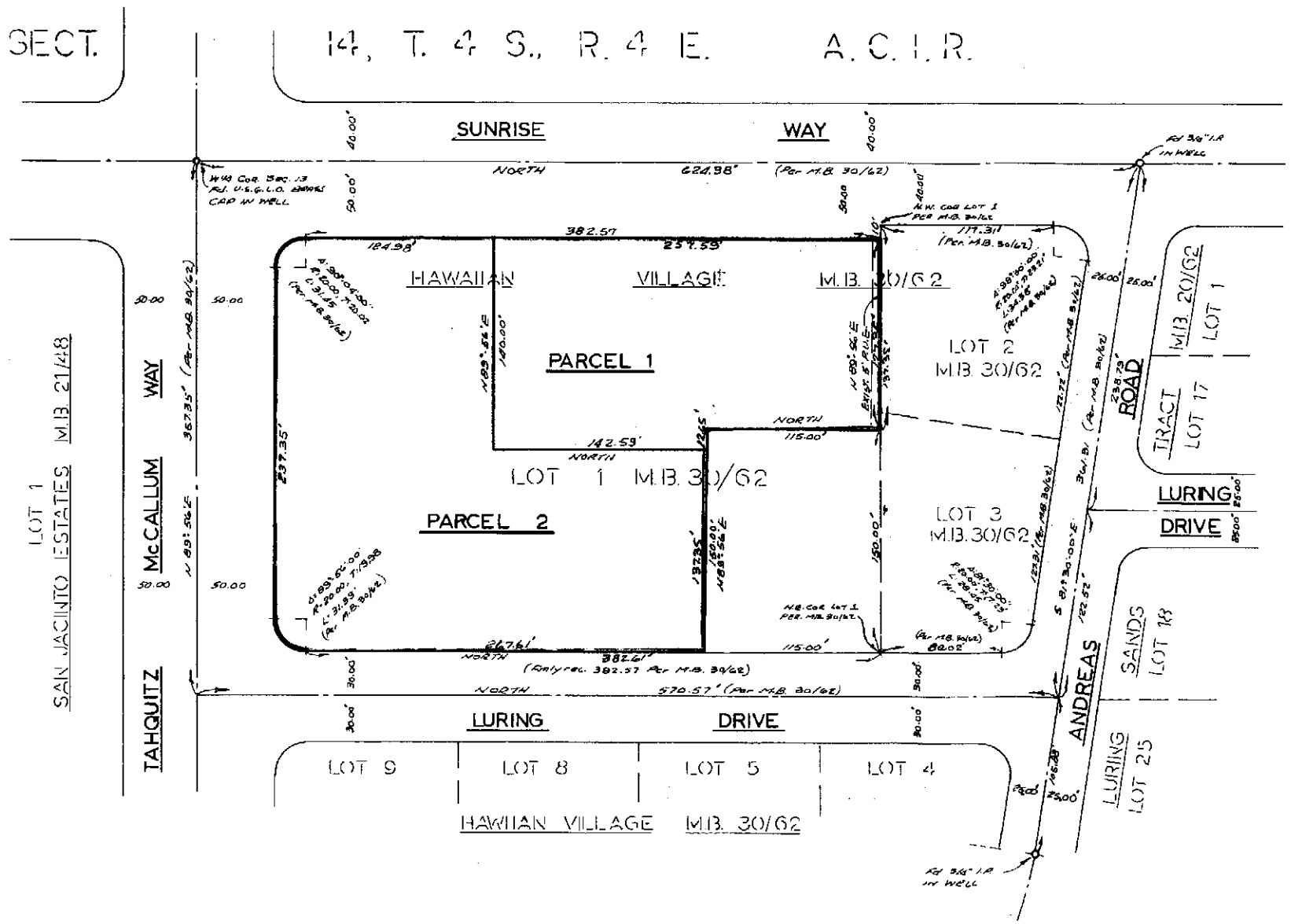
Sheet 1 of 1 Sheet

PARCEL MAP

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING A DIVISION OF A PORTION OF LOT 1 OF HAWAIIAN VILLAGE AS RECORDED IN MAP BOOK 30, PAGE 62, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; IN SECTION 13, T. 4S., R.4E., S.B.B.&M.

WEBB ENGINEERING, INC.

SEPTEMBER 1968 SCALE 1"=60'



RECORDER'S CERTIFICATE

Filed for record this 26th day of Feb. 1969, in Book P1 of Parcel Maps at Page 50 at the request of Thomas W. Webb, City Engineer, Palm Springs, California, as instrument No. 13776

W. D. BALOUGH, County Recorder

by Alma Shelldon Deputy

Fee $5.00

By City Engineer Palm Springs

ENGINEER'S CERTIFICATE

This map was prepared by me or under my direction and was compiled from record data in conformance with the Subdivision Map Act at the request of Kenneth Grow, Jack Horgan, John Lake and John Nevins, on September 25, 1968. I hereby certify that it conforms to the approved tentative map and conditions of approval thereof; that all provisions of applicable state law and local ordinances have been complied with.

A. Hubert Webb

A. HUBERT WEBB R.C.E. 11842

CITY ENGINEER'S CERTIFICATE

This map has been examined this 11th day of February 1969 for conformance with the requirements of Section 11576 of the Subdivision Map Act.

Thomas W. Webb R.C.E. 11842

City Engineer
City of Palm Springs

ENGINEER'S NOTE

Record data is from Hawaiian Village as shown in Map Book 30 Page 62, records of Riverside County, California.

FIRST AMERICAN TITLE, 1RV, AD08	**RIVERSIDE, CA**
12/14/2011 09:31AM LCDI	**PAGE 1 OF 1**
RIVERSIDE 2011-12 TAX ROLL	**ORDER SEARCH RESULTS**
ORDER: 0000000	**TOF: 00**

PAYMENTS AS OF 12/09/2011

SEARCH PARAMETERS

ENTERED APN: 502-065-018-7

APN: 502-065-018-7 **BILL: 000338336**

TRA: 011-003 - CITY OF PALM SPRINGS **ACQ DATE:** 02/1979 **DOC#:** 0040189

LEGAL: .87 ACRES M/L IN POR PAR 2 PM 001/050

SITUS: 102 SUNRISE WAY

MAIL: 300 S PALM CANYON DR PALM SPRINGS CA 92262

ASSESSED OWNER(S)		2011-12 ASSESSED VALUES
WESSMAN JOHN	LAND	204,990
	IMPROVEMENTS	407,540
	TAXABLE	**612,530**

2011-12 TAXES	1ST INST	2ND INST	TOTAL TAX
STATUS	**DELQ**	OPEN	
INSTALLMENT	4,032.22	4,032.22	8,064.44
PENALTY	403.22	434.22	837.44
BALANCE DUE	4,435.44	4,032.22	**8,467.66**

WARNINGS AND/OR COMMENTS

** NO BONDS OR PRIOR YEAR DELQ TAXES **

ASSESSMENT DETAIL

FUND	TYPE	AMOUNT	DESCRIPTION OF ASSESSMENT(S)
68-2617	SEWER FEE	575.28	CITY SEWER CHARGE
68-1864	MISC ASMNT	99.18	CSA 152 PALM SPRINGS
68-4556	MISC ASMT	6.66	COACHELLA VALLEY MOSQUITO & RIFA
68-1378	FLOOD CONT	5.66	NPDES - WHITEWATER
		686.78	TOTAL OF SPECIAL ASSESSMENTS

ADDITIONAL PROPERTY INFORMATION

TAX CODE:	000	**USE CODE:**	C1	**VESTING:**	MS
PUI CODE:	C11	**ACREAGE:**		**STAMP AMOUNT:**	
TAX RATE:	1.20446%				

CONDITIONS, DISCLAIMERS AND EXCLUSIONS

This Tax Certificate/Tax Order Report does not constitute a report on or certification of: (1) mineral (productive and/or non-productive) taxes or leases; (2) personal property taxes; or (3) other non ad valorem taxes (such as paving liens, stand-by charges or maintenance assessments).

Data Trace Information Services LLC ("Data Trace") may have warranted the accuracy of this Tax Certificate/Tax Order Report to its customer (the "Data Trace Customer") pursuant to the terms and conditions of a written tax service agreement between Data Trace and said Data Trace Customer (the "Tax Service Agreement"). Any such warranty (hereinafter, "Data Trace Customer Warranty") does not: (a) extend to a third party bearer of this Tax Certificate/Tax Order Report; (b) cover any changes made to the records of the taxing authority after the "payments as of," "paid," or "payment" dates delineated above; and (c) cover any invalid tax information shown on the records of the taxing authority or resulting from an error by the Data Trace Customer (including, without limitation, submission of incorrect property information by said Data Trace Customer). DATA TRACE MAKES NO WARRANTIES (EXPRESS OR IMPLIED) WITH RESPECT TO THIS TAX CERTIFICATE/TAX ORDER REPORT OTHER THAN (WHERE APPLICABLE) THE DATA TRACE CUSTOMER WARRANTY. Any and all claims under a Data Trace Customer Warranty must be submitted to Data Trace by the corresponding Data Trace Customer and are subject to the terms and conditions set forth in the pertinent Tax Service Agreement (including, without limitation, the filing deadlines applicable to such claims). In some jurisdictions Data Trace's validation of a Tax Certificate/Tax Order Report is required to activate a Data Trace Customer Warranty.

DOC # 2005-0722133
08/31/2005 08:00A Fee:10.00
Page 1 of 2
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC
	1		2						
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

RECORDING REQUESTED BY:
Stewart Title Guaranty
WHEN RECORDED MAIL TO

Wessman Holdings, LLC
300 South Palm Canyon Drive
Palm Springs, CA 92267

TITLE ORDER NO. 501-286887
ESCROW NO. 30124197PM
APN. 502-065-008-018 TRA011003

10

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S): THIS CONVEYANCE CHANGES THE MANNER IN WHICH TITLE IS HELD, GRANTOR(S) AND GRANTEE(S) REMAIN THE SAME AND CONTINUE TO HOLD THE SAME PROPORTIONATE INTEREST.

DOCUMENTARY TRANSFER TAX is: $0.00 CITY TAX is:
Monument Preservation Fee is: See below
☑ computed on full value of property conveyed, or
☐ computed on full value less value of liens and encumbrances remaining at time of sale.
☐ Unincorporated area: ☒ City of Palm Springs, and

T
DA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

John Wessman, a married man

hereby GRANT(S) to Wessman Holdings, LLC, a California limited liability company

the following described real property in the City of Palm Springs, County of Riverside, State of California:

PARCEL 2 OF PARCEL MAP RECORDED FEBRUARY 26, 1969, ON FILE IN BOOK 1 PAGE 50, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA (SEE ATTACHED EXHIBIT FOR COMPLETE LEGAL DESCRIPTION).

The Grantors and Grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in said real property per R & T 11923(d)

Dated: August 6, 2005

John Wessman

STATE OF CALIFORNIA }
} ss.
COUNTY OF RIVERSIDE }

On AUGUST 6, 2005 before me, LESA M. BODNAR Notary, personally appeared John Wessman, proved to me on the basis of satisfactory evidence to be the person, whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

LESA M BODNAR
Comm #1547737
Notary Public-California
Riverside County
My Commission Expires
January 28, 2009

WITNESS my hand and official seal.

Signature Lesa M. Bodnar

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

501286887

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside, City of PALM SPRINGS, described as follows:

PARCEL 2 OF PARCEL MAP RECORDED FEBRUARY 26, 1969, ON FILE IN BOOK 1 PAGE(S) 50, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 502-065-008-018

End of Legal Description

12138

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

NAME: John Wessman
STREET ADDRESS: 67-625 Hwy 111
CITY, STATE, ZIP: Palm Springs, Calif. 92262

PAID
Doc. Transfer Tax
W. D. BALOGH
RIV. CO. RECORDER

RECORDED IN OFFICIAL RECORDS
JAN 29 1976
AT 9:00 O'CLOCK A.M.
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE
Book 1976, Page 12138
Recorded in Official Records of Riverside County, California
W. D. Balogh Recorder
FEE $ 3

Title Order No. ..... Escrow No. .....

This space for Recorder's use

Grant Deed

THE UNDERSIGNED GRANTOR(s) DECLARE(s)
DOCUMENTARY TRANSFER TAX is $176.00
☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JOHN W. MEVINS DOLORES M. JENSEN GERALDINE LAKE
MELVIN A. JENSEN JOHN H. LAKE

hereby GRANT(S) to

JOHN WESSMAN, a married man as his sole and separate property

the following described real property in the city of Palm Springs
county of Riverside, state of California:

Parcel 2 as shown on Parcel Map recorded February 26, 1969 in Book 1, page 50 of Parcel Maps records of Riverside County, California.

1497693

Dated January 16, 1976

John W. Mevins
Melvin A. Jensen
Dolores M. Jensen
John H. Lake
Geraldine Lake

STATE OF CALIFORNIA
COUNTY OF Riverside } SS.

On January 16, 1976 before me, the undersigned, a Notary Public in and for said County and State, personally appeared John W. Mevins, Melvin A. Jensen, Dolores M. Jensen, John H. Lake, Geraldine Lake

known to me to be the person s whose name are subscribed to the within instrument and acknowledged that they executed the same.

James L. Mealey
JAMES L. MEALEY
Name (Typed or Printed)
Notary Public in and for said County and State

OFFICIAL SEAL
JAMES L MEALEY
NOTARY PUBLIC CALIFORNIA
PRINCIPAL OFFICE IN
RIVERSIDE COUNTY
My Commission Expires Sept. 25, 1977

(Space above for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name | Street Address | City & State

1-101 (3-71)

END RECORDED DOCUMENT W. D. BALOGH, COUNTY RECORDER

12139

Order No.
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:

John Wessman
67-625 Hwy 111
Palm Springs, Calif.

RECEIVED FOR RECORD
JAN 29 976
AT 9:00 O'CLOCK A.M.
In Book of
FREE RECORDS TITLE COMPANY
OF RIVERSIDE
Book 1976, Page 12139
Recorded in Official Records
of Riverside County, California
W. D. Balogh Recorder
Fee $

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

DOCUMENTARY TRANSFER TAX $ nil
___ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED
___ COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE

Signature of Declarant or Agent determining tax — Firm Name

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

SANDRA WESSMAN, a married woman, wife of the grantee herein

do hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

JOHN WESSMAN, a married man as his sole and separate property

the real property in the City of Palm Springs
County of Riverside, State of California, described as

Parcel 2 as shown on Parcel Map recorded February 26, 1969 in Book 1, page 50 of Parcel Maps records of Riverside County, California.

169776-3

Dated January 9, 1976

Sandra Wessman

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE } ss.

On JANUARY 9, 1976
before me, the undersigned, a Notary Public in and for said State, personally appeared
Sandra Wessman
known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.
WITNESS my hand and official seal.

Signature Donald E. Phillips

OFFICIAL SEAL
DONALD E. PHILLIPS
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
RIVERSIDE COUNTY
MY COMMISSION EXPIRES SEPT. 9, 1978

(This area for official notarial seal)

1185 (10/69)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

END RECORDED DOCUMENT W. D. BALOGH, COUNTY RECORDER

Property Detail Report for:

DIGITAL MAP PRODUCTS | Beyond Mapping

133 N LURING DR, PALM SPRINGS CA , 92262-

Owner Information:

Owner Name:	**WESSMAN,JOHN WESSMAN DEVELOPMENT**		
Mailing Address:	**300 S PALM CANYON DR, PALM SPRINGS, CA, 92262- 7302**		
Vesting Code:	**MARRIED MAN**	Phone Number:	

Location Information:

Legal Description:	**.51 ACRES M/L IN POR PAR 2 PM 001/050**				
County:	**RIVERSIDE**	FIPS Code:	**06065**	Census Trct/Blk:	**0447011 / 1**
APN:	**502065008**	Alternative APN:	**502065008**	Map Ref:	**G2-786**
Twnshp-Rnge-Sect:	**- -**	Legal Book/Page:	**502-06 /**	Tract No:	
Legal Lot:	**2**	Legal Block:			
Subdivison:					

Last Market Sale Information:

Sale Date:	**08/31/2005**	Sale Price:		1st Mtg Amount:	
Sale Doc No:	**0000722133**	Price Per SqFt:		1st Mtg Int Type:	
Transfer Doc No:	**0000722133**	Price Per Acre:		2nd Mtg Amount:	
Multi/Split Sale:		1st Mtg Doc No:		2nd Mtg Int Type:	
Sale Type:					
Deed Type:					
Title Company:					
Lender:					
Seller Name:					

Property Characteristics:

Building Area:		Total Rooms:		Construction:	
Living Area:		Bedrooms		Heat Type:	
Garage Area:		Baths:		Air Cond:	
Basement Area:		Fireplace:		Roof Type:	
Parking Type:		No of Stories:		Roof Material:	
Yr Built/Effective:	/	Quality:		Style:	
Pool Code:					

Tax and Value Information:

Assessed Value:	**$836,160**	Assessed Year:	**2011**	Est Market Val:	
Land Value:	**$100,025**	Property Tax:	**$10,663**	Assessor Appd Val:	
Improvement Value:	**$736,135**	Improvement %:	**88.03**		
Total Taxable Value:	**$836,160**	Tax Exemption:			

Site Information:

Assessor Acres:	**0.51**	Zoning:	**C1**	Land Use:	**200**
Assessor Lot SqFt:	**22,216**	No of Buildings:		Land Use Desc:	**COMMERCIAL (NEC)**
Assessor Lot W/D:	/	Res/Comm Units:		County Use Code:	**C1**
Calculated Acres:	**0.4559**	Sewer Type:			
Calculated Lot SqFt:	**19,859**	Water Type:			

Not in Fault Zone Hazard
In One Mile Industrial Commercial Zone
Not in 100yr. FEMA Flood Zone
Not in Dam Inundation Hazard
Not in Wildland Fire Hazard
Not in Severe Fire Hazard

Property Detail Report for:

DIGITAL MAP PRODUCTS | Beyond Mapping

102 N SUNRISE WAY, PALM SPRINGS CA , 92262-5202

Owner Information:

Owner Name:	**WESSMAN,JOHN**
Mailing Address:	**300 S PALM CANYON DR, PALM SPRINGS, CA, 92262- 7302**
Vesting Code:	Phone Number:

Location Information:

Legal Description:	**.87 ACRES M/L IN POR PAR 2 PM 001/050**				
County:	**RIVERSIDE**	FIPS Code:	**06065**	Census Trct/Blk:	**0447011 / 1**
APN:	**502065018**	Alternative APN:	**502065018**	Map Ref:	**G2-786**
Twnshp-Rnge-Sect:	**- -**	Legal Book/Page:	**502-06 /**	Tract No:	
Legal Lot:	**2**	Legal Block:			
Subdivison:					

Last Market Sale Information:

Sale Date:	**08/31/2005**	Sale Price:		1st Mtg Amount:	
Sale Doc No:	**0000722133**	Price Per SqFt:		1st Mtg Int Type:	
Transfer Doc No:	**0000722133**	Price Per Acre:		2nd Mtg Amount:	
Multi/Split Sale:		1st Mtg Doc No:		2nd Mtg Int Type:	
Sale Type:					
Deed Type:					
Title Company:					
Lender:					
Seller Name:					

Property Characteristics:

Building Area:		Total Rooms:		Construction:	
Living Area:		Bedrooms		Heat Type:	
Garage Area:		Baths:		Air Cond:	
Basement Area:		Fireplace:		Roof Type:	
Parking Type:		No of Stories:		Roof Material:	
Yr Built/Effective:	/	Quality:		Style:	
Pool Code:					

Tax and Value Information:

Assessed Value:	**$612,530**	Assessed Year:	**2011**	Est Market Val:	
Land Value:	**$204,990**	Property Tax:	**$8,185**	Assessor Appd Val:	
Improvement Value:	**$407,540**	Improvement %:	**66.53**		
Total Taxable Value:	**$612,530**	Tax Exemption:			

Site Information:

Assessor Acres:	**0.87**	Zoning:	**C1AA**	Land Use:	**200**
Assessor Lot SqFt:	**37,897**	No of Buildings:		Land Use Desc:	**COMMERCIAL (NEC)**
Assessor Lot W/D:	**/**	Res/Comm Units:		County Use Code:	**C1**
Calculated Acres:	**0.8609**	Sewer Type:			
Calculated Lot SqFt:	**37,501**	Water Type:			

Not in Fault Zone Hazard
In One Mile Industrial Commercial Zone
Not in 100yr. FEMA Flood Zone
Not in Dam Inundation Hazard
Not in Wildland Fire Hazard
Not in Severe Fire Hazard

502-06

29-30-2

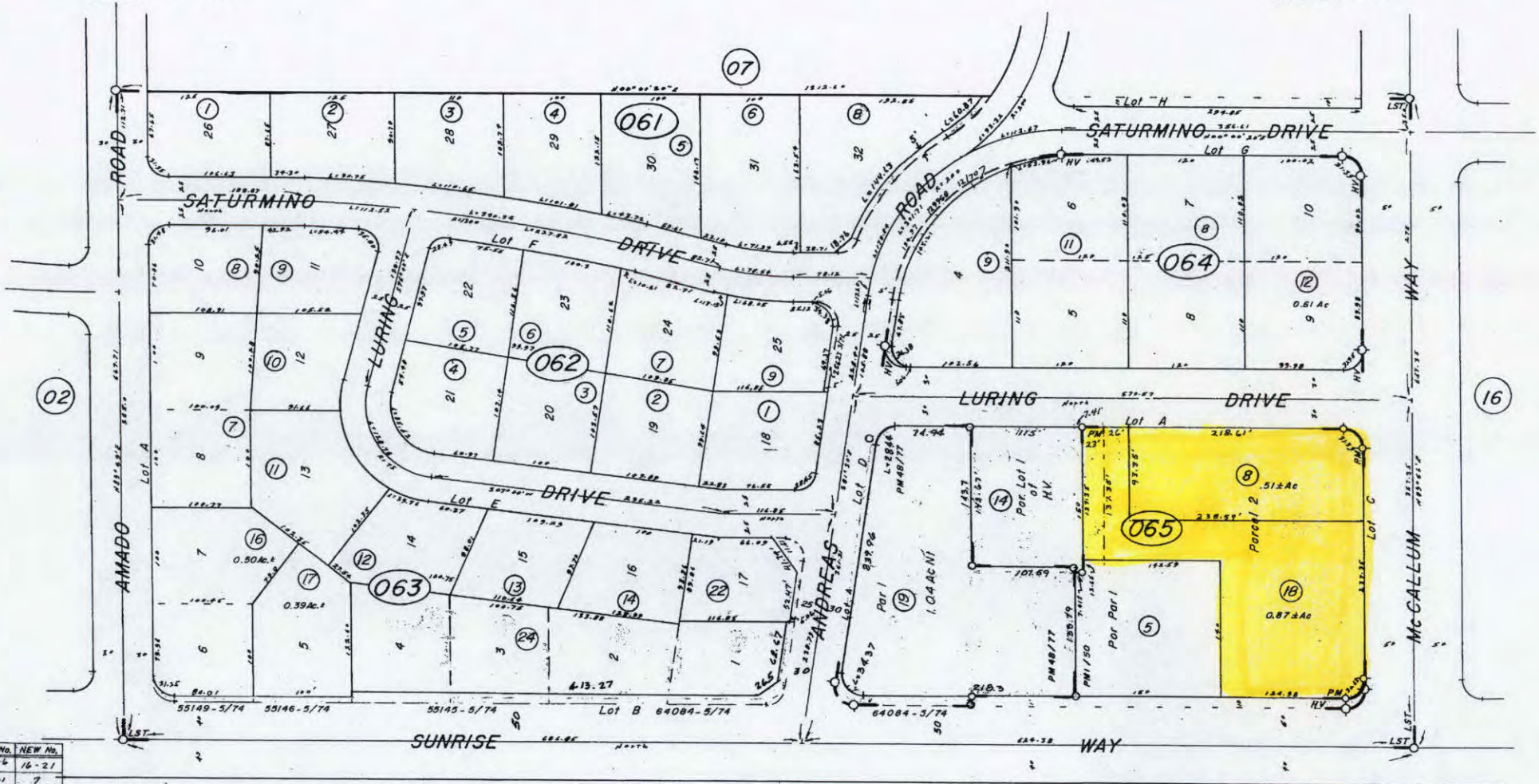
T. C. A. 1103

POR. S1/2 NW1/4 SEC. 13, T. 4S, R. 4E

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

JAN 0 9 2006

1" = 100'



DATE	OLD No.	NEW No.
6/74	063-1-6	16-21
"	065-001	7
4/77	065-004	8, 9, 10
8/31/77	065-003	11, 12
11-1-77	065-008,012	18
" "	13	14, 15
" "	065-4, 15	16
3/78	065-2, 16	065-17
4-78	065-9, 10	18
4-89	065-17	19
1-92	064-8	12
5/01	063-15	22, ST.

M.B. 20/62 Luring Sands Tract
M.B. 30/62 Hawaiian Village
P.M. 1/50
PM 48/77-78 Parcel Map No. 10348
DATA:

MARCH 1969

DATE	OLD NO	NEW NO
8/05	061-7	8, ST.
11/05	063-18-21	23
12-05	063-23	24, ST

508
07

JAN 3 1 2006

ASSESSOR'S MAP BK. 502 PG. 06
RIVERSIDE COUNTY, CALIF.

60 ft

N

CityGIS

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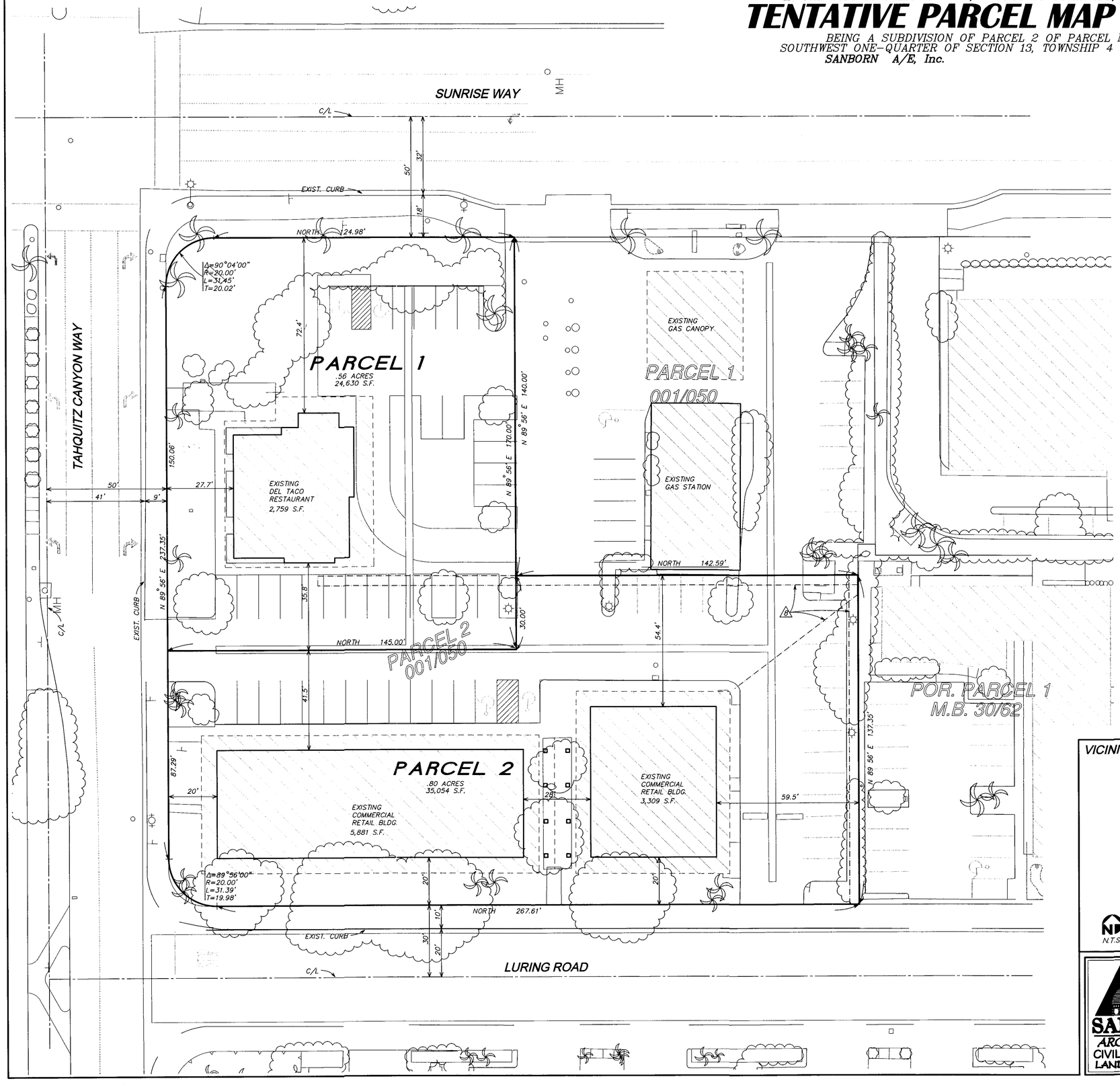
IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE PARCEL MAP NO. 36438

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP 001 / 050
SOUTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, 4 EAST, S.B.M.
SANBORN A/E, Inc. JANUARY 2012



OWNER/DEVELOPER:

OWNER: WESSMAN HOLDINGS
555 S. SUNRISE WAY, STE. 200
PALM SPRINGS, CALIFORNIA 92264

ENGINEER: SANBORN A/E, INC.
71-780 SAN JACINTO DR.
SUITE E-1
RANCHO MIRAGE, CA. 92270
(760) 423-0600

UTILITY NOTIFICATIONS :

ELECTRIC: SO. CALIFORNIA EDISON
760-202-4291

GAS: SO. CALIFORNIA GAS CO.
760-324-4691
ATTN: BERTRUM WILLIAMS

TELEPHONE: VERIZON
760-778-3601
ATTN: LARRY MOORE

TELEVISION: TIME WARNER
760-674-5452
ATTN: DAVE SCRIVNER

SEWER: VEOLIA WATER
760-323-8166 X2
ATTN: GARY GRAY

WATER: DESERT WATER AGENCY
760-323-4971
ATTN: DEBBIE RANDALL

BASIS OF BEARINGS:

–
– °
–

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT
980 EAST TAHQUITZ CANYON WAY
PALM SPRINGS, CALIFORNIA 92262
(760) 416-6000

ASSESSOR'S PARCEL NUMBERS

502-065-008, 018

2008 THOMAS GUIDE LOCATION

PAGE 786 / G2

FEMA FLOOD ZONE

ZONE: X
COMMUNITY PANEL NO.: 06065C1559G
DATED: 08/28/2008

TOPOGRAPHIC SOURCE

INLAND AERIAL SURVEY
DATE OF SURVEY: 12/2011

AREA INFORMATION

TOTAL NO. OF NUMBERED PARCELS = 2
TOTAL NO. OF LETTERED LOTS = 0
THE PROPERTY SHOWN HEREIN CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP.
TOTAL GROSS AREA = 1.38 ACRES
= 60,112 SQ.FT.
MINIMUM PARCEL SIZE = ACRES
= SQ.FT.

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP, RECORDED FEBRUARY 26, 1969 ON FILE IN BOOK 1, PAGE 50 OF PARCEL MAPS, RECORDS OF THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

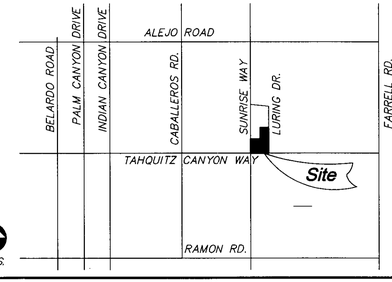
N

GRAPHIC SCALE
20 10 0 20 40 60
SCALE 1"=20'

LAND USE INFORMATION

EXISTING ZONING = CIAA
PROPOSED ZONING =CI
ADJACENT EXISTING LAND USE – NORTH = COMMERCIAL/OFFICE
SOUTH = COMMERCIAL
EAST = OFFICE
WEST = VACANT

VICINITY MAP/LOCATION MAP



N.T.S.

GENERAL NOTES

1. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE.
2. THIS MAP IS COMPILED FROM RECORD INFORMATION ONLY AND IS NOT TO BE USED AS A BOUNDARY SURVEY.
3. THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THIS MAP ARE APPROXIMATE.

(8) EASEMENT (ITEM 8 OF TITLE REPORT) DENOTES SCE 4' WIDE EASEMENT – RECORDED 11/21/1977, INST. NO. 232451 O.R.

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SANBORN ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

SANBORN A/E INC.
JOHN L. SANBORN
P.L.S.
L.S. 4146
EXP. 6/30/12
71-780 SAN JACINTO DR. SUITE 'E-1'
RANCHO MIRAGE, CA. 92270
TEL (760) 423-0600
FAX (760) 423-0603

TENTATIVE PARCEL MAP NO. 36438
for WESSMAN DEVELOPMENT
PARCEL 2 OF PARCEL MAP IN BOOK 1, PAGE 50
SECTION 13, TOWNSHIP 4 SOUTH, 4 EAST, S.B.B.&M.

W.O.	11-154	SCALE	1"=20'	SHEET NO.
SAVE DATE	1/31/2012			T1.0
DRAWN	AMS			

G:\Dataset Files\Dataset Files\3-15\Wessman Survey\TENT MAP

DAKOTA

TAKEN BY	NUMBER, NAME OR SUBDIVISION	DATE	TAKEN BY	NUMBER, NAME OR SUBDIVISION	DATE

2013-1417 DAKOTA
1501 S. Belardo STE 5

MASTER

-KA

BUILDING PERMIT APPLICATION

DATE: 5-20-13 PLAN CHECK DEPOSIT FEE: 750 + 750 = 1500

Project Address ~~DAKOTA~~ - 1501 S. Belardo Assessor's Parcel # 513-300-057-8

Owner's Name CRESCENDO, LLC Phone #(760) 325-3050

Owner's Address 555 S. Sunrise Way

Contractor's Name JOHN Wessman Phone #(760) 325-3050 Lic# _____

Contractor's Address 555 S. Sunrise Way

Architect's Name Design ARC Phone # (310) 204-8950 Lic.# _____

Architect's Address 2558 Overland Ave, LA 90064

Engineer's Name Gouvis Engineers Phone #(949) 752-1612 Lic.# _____

Engineer's Address 4400 Campus Dr. Newport Beach

CONTACT PERSON Michael Braun Address 555 S. Sunrise Way, #200

PHONE (760) 325-3050 **FAX** (760) 325-5848 **EMAIL** mbraun@wessmandevelopment.com

Lot Size (sf.) _____

Building Use _____ Type of Const. Wood frame Occupancy Group(s) R3 Sprinkled Yes

Project Square Footage: Building _____ Garage _____ Carport _____ Patio (type) _____

Project Description Single Family Residential *Total Value of Work* $ _____

PLAN 1 = LIV = 1530

PLAN 2 = LIV = 1776

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS

(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☐ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
- ☐ Structural Calculations, if applicable (wet-stamped and signed)
- ☐ Floor Plan, dimensioned. Door & Window Schedule
- ☐ Framing Plan with sections and elevations
- ☐ Truss Calculations and layout as applicable (wet-stamped and signed.)
- ☐ Foundation Plan
- ☐ Electrical Plan/Load Calculations include 8-KW future for new single dwellings and condos
- ☐ Waste, Drain & Vent Isometric
- ☐ Gas/Water Piping Isometric (dimensioned layout)
- ☐ Details showing compliance with accessibility. requirements
- ☐ Site Plan showing parking for persons with disabilities and path of travel to building entrance
- ☐ Title 24 (Energy) – 2 sets/ Lighting Compliance Forms
- ☐ Manufacture's brochure for HVAC equipment
- ☐ Mech. Plan / Duct Schematic, equipment location
- ☐ Fireplace Specifications, if applicable
- ☐ Planning / Fire / Engineering approval
- ☐ Health Department approval

If your plan is sent to an outside plan check firm, you may choose from the following:

☐ ESGIL Corp. ☐ RKA Consulting ☐ Fazekas & Associates

Bldg. Plan Check # 2013-1417 ☐ Regular Plan Check

Planning Case # 5.1295 ☐ Expedited Plan Check

Signature

BUILDING PERMIT APPLICATION
FOR BLOCK WALLS, POOLS, REROOFS, & REPIPES

DATE: _____

Project Address _____

Owner's Name _____ Phone # _____

Owner's Address _____

Contractor's Name _____ Phone # _____

Contractor's Address _____ Lic.# _____

Engineer's Name _____ Phone # _____

Engineer's Address _____ Lic# _____

CONTACT PERSON _____ Address _____ Phone # _____

Walls – Height of Wall _____ Length of Wall _____ Front Set Back _____

Re-roofs – S.F. of Roof _____ Wt. of Material _____ ES (ICBO) Report / UL Listing _____

Project Description _____ *Total Value of Work* $ _____

_____

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of pool plans 11" X 17" Minimum scale ¼" =1')

- ☐ Plot Plan with lot square footage.
- ☐ Planning/Eng. Department Approval.
- ☐ Structural Calculations, if applicable.
- ☐ Roof or Truss Eng., if applicable.
- ☐ Plan for Pool with Wet Stamp from Engineer.
- ☐ Waste, Drain & Vent Isometric.
- ☐ Water Piping Isometric, dimensioned.
- ☐ Gas Piping Isometric: Show BTU ratings of each appliance on all branches, distance and placement of longest run & total BTU for entire system.

SITE PLAN FOR POOLS MUST BE COMPLETE: MUST SHOW ENTIRE SITE, PROPERTY LINES, BUILDING FOOTPRINT, NORTH ARROW, LEGAL DESCRIPTION AND PROPER ADDRESS.

PERMIT CENTER
CITY OF PALM SPRINGS

RECEIPT

31028

RECEIVED FROM (Print)	PROJECT NAME/DESCRIPTION/ADDRESS	PLAN CHECK OR CASE NO.
VP Zoning	1501 S Palm Canyon Dr	5.1317

ZONING FEES ACCT. #001-32212

Change of Zone Application Fee	
Conditional Use Permit	
Planned Development District Application Fee	
Variance Application Fee (includes sign variance)	

MISCELLANEOUS FILING FEES ACCT. #001-34303

Architectural Approval	
Administrative Minor Modification	
Miscellaneous	
Environmental Impact Report Review	

SUBDIVISION FEES ACCT. #001-32213

a. Tentative Maps	
b. Final Maps	
c. Lot Line Adj./Cert. of Compliance	

PUBLIC WORKS & ENGINEERING DEPT. FEES

Vacation of Right-of-Way # 001-34309	
Improvement Plans # 001-34302	
Grading Plans # 001-34302	
Encroachment Agreements # 001-34304	

BUILDING & SAFETY DEPARTMENT FEES

Fire Plan Check #001-34210	
Bldg. Permit #001-32201	
Plan Check Deposit #001-34301	1500
Plan Check Deposit #001-34307	
Code Compliance Insp./Resale Insp. #001-32209	
Renewal & Reinspection #001-32210	
Microfilm/Miscellaneous #001-34308	
TOTAL FEE	1500

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM (Sign)	PERMIT CENTER	DATE	PERMIT NO.
X		5/20/13	

WHITE - CUSTOMER YELLOW - CASHIER PINK - FINANCE GOLD - BUILDING

OWNER / BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law for the following reason (Section 70 31.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any Structure prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 commencing with Sec. 7000 of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).) **Please check one of the following:**

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044 of the Business and Profession Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044 of the Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.)

☐ I am exempt under Sec. _____ of the Business and Professions Code for this reason:

_____

Owner Signature: _____ Date: _____

LICENSED CONTRACTORS DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B State Lic. No.: 213720 City Bus. Lic. No. 00005276

Print Name on License: JOHN R WESSMAN Phone: 760-325-3050

Address: 555 S SUNRISE WAY STE 200 PALM SPRINGS CA 92264

Every county or city which requires the issuance of a permit as a condition precedent to the construction, alteration, improvement, demolition or repair of any building or structure shall require that each applicant for the permit sign a declaration under penalty of perjury verifying workers' compensation coverage or exemption from coverage as required by Section 19825 of the Health and Safety Code. I, hereby affirm under penalty of perjury one of the following declarations:

☐ I HAVE AND WILL MAINTAIN A CERTIFICATE TO SELF INSURE for worker's compensation as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I HAVE AND WILL MAINTAIN WORKERS' COMPENSATION INSURANCE, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: Republic Indemnity Ins. Policy No. ATWC01806

☐ I CERTIFY that in the performance of work for which this permit is issued, I SHALL NOT EMPLOY ANY PERSON, in any manner so as to become subject to the worker's compensation laws of California, and agree that if I should become subject to the worker's compensation provisions of Section 3700 of the Labor Code, I shall for with comply with those provisions.

Contractor or Agents Signature: _____ Date: 7-30-14

PLAN ROUTING

City of Palm Springs
ENGINEERING DEPARTMENT
3200 Tahquitz Canyon Way
Palm Springs, CA 92263
(760) 323-8253
http://www.palmsprings-ca.gov

PROJECT NO. TM 36548 "DAKOTA"
CASE NO. _____
BLDG. PLAN CHK. NO. _____

DATE TRANSMITTED 06/17/14

- ☒ GRADING
- ☐ STORM DRAIN
- ☐ _____MAP
- ☐ OTHER_____
- ☐ LOT LINE ADJUSTMENT
- ☐ SITE
- ☐ SEWER
- ☐ WATER
- ☐ STREET
- ☐ MERGER

DIVISION

- ☐ R/W
- ☐ TRAFFIC
- ☐ PLANNING
- ☐ FIELD ENGINEERING
- ☒ BUILDING
- ☐ OTHER _____

REVIEWED

DATE _____
BY _____
TITLE _____

COMMENTS:

Attached you will find an approved Grading Plan for the above mentioned project, if you have any questions please let me know.

Rick Minjares
Engineering Associate

RETURN TO _____ EXT. _____ (Engineering) **BY 2-DAY TURN AROUND PLEASE**

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:

(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:

(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_ _	_ _
IS ALL INFORMATION PROVIDED?	_ _	_ _

DATE DATA ENTERED _____

Effective January 1, 2007

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1828

1111 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1828	14-2202	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1828	14-2202	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
7/1/2014	2014-1828	14-2202	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1828	14-2202	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1828	14-2202	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1828	14-2202	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1828	14-2202	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1828	14-2202	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1828	14-2202	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1828	14-2202	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1828	14-2202	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1828	14-2202	135-32403	South Drainage Fee	Paid	(-) 670.77
7/1/2014	2014-1828	14-2202	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1828	14-2202	152-347000	Park Fee	Paid	(-) 3889.00
7/1/2014	2014-1828	14-2202	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1828	14-2202	420-38703	Sewer Connection	Paid	(-) 3000.00
7/1/2014	2014-1828	14-2202	Deposit	Sewer impact fee	Paid	(-) 113.68

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2202	Original Due		12729.29
7/1/2014	14-2202	Paid	CreditCard	(-) 12729.29

Total Paid 12,729.29

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1828

1111 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
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7/1/2014	2014-1828	14-2202	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1828	14-2202	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1828	14-2202	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1828	14-2202	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1828	14-2202	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1828	14-2202	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1828	14-2202	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1828	14-2202	001-37111	SMIP 1	Paid	(-) 20.51
7/1/2014	2014-1828	14-2202	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1828	14-2202	135-32403	South Drainage Fee	Paid	(-) 670.77
7/1/2014	2014-1828	14-2202	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
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Total Paid 12,729.29

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
( ) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
◯ NEW ◯ ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	x	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	—	—
IS ALL INFORMATION PROVIDED?	—	—
DATE DATA ENTERED ____		

Effective January 1, 2007

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

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( ) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

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◯ NEW ◯ ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	x	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_ _	_ _
IS ALL INFORMATION PROVIDED?	_ _	_ _

DATE DATA ENTERED _____

Effective January 1, 2007

73-710 Fred Waring Drive, Suite 200 • Palm Desert, CA 92260 • (760) 346-1127 • FAX (760) 340-5949

John Shoemaker

From:	Rick Minjares
Sent:	Thursday, May 22, 2014 11:23 AM
To:	Angela LaFrance; Alberto Gradilla; John Shoemaker
Cc:	Kim Floyd; Felipe Primera
Subject:	Escena (toll Bros) 32233-5, Lots 1-5, 9-13, 101-104, 108-110, 121-123.
Attachments:	image001.gif

O.K. to issue permits for the above mentioned, grading plans and Engineering/Public Works permit available at Engineering Counter. If you have questions please let me know.

Rick Minjares
Engineering Associate
City of Palm Springs
760-323-8253 ext. 8741
rick.minjares@palmspringsca.gov

Photovoltaic permits. Need fee's. (From Master Plan on file.)

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: 2014-1815 - 2014-1853

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A"1530 & "B" 1722

LOT NO. 1 - 39 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
( ) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(•) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS		$ TOTAL PER USE
1110	SINGLE FAMILY	B	1837.44	X	39	= $	71,660.16

TOTAL = $ 71,660.16

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 71,660.16

COMMENTS/REMARKS LOTS 1 THROUGH 39. PLEASE SEE ATTACHED PERMIT COPIES FOR ADDRESS & LOT SIZES. THIS PROJECT IS NOT SUBJECT TO CVMSHCP. PERMITS 2014-1815 THROUGH 2014-1853

ALBERTO GRADILLA
Staff Name/Department

Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_ _	_ _
IS ALL INFORMATION PROVIDED?	_ _	_ _

DATE DATA ENTERED _____

Effective January 1, 2007

73-710 Fred Waring Drive, Suite 200 • Palm Desert, CA 92260 • (760) 346-1127 • FAX (760) 340-5949

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: 2014-1815 - 2014-1853

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A"1530 & "B" 1722

LOT NO. 1 - 39 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
( ) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(•) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS		$ TOTAL PER USE
1110	SINGLE FAMILY	B	1837.44	X	39	= $	71,660.16

TOTAL = $ 71,660.16

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 71,660.16

COMMENTS/REMARKS LOTS 1 THROUGH 39. PLEASE SEE ATTACHED PERMIT COPIES FOR ADDRESS & LOT SIZES. THIS PROJECT IS NOT SUBJECT TO CVMSHCP. PERMITS 2014-1815 THROUGH 2014-1853

ALBERTO GRADILLA
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FOR CVAG USE ONLY

	YES	NO
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IS ALL INFORMATION PROVIDED?	_	_
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BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

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ALBERTO GRADILLA
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IS ALL INFORMATION PROVIDED?	_ _	_ _
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ALBERTO GRADILLA
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IS FEE PROPERLY COMPUTED?	_ _	_ _
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FIND: Look for:

Building Permit | ProjectName | Dakota*

Use * as wildcard

Number of Rows Returned: 43

ProjectName	PermitNum	PermitType	PermitStatus	BalanceDue	Address	Location	PIN	GisId	ContractorName	ContractorPhone	Subdivison / L 1
Dakota	2014-1837	SFD NEW	Applied	12601.46	1000 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	1
Dakota	2014-1838	SFD NEW	Applied	12340.37	1010 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	2
Dakota	2014-1990	SFD ADD	Applied	12308.65	1122 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	3
Dakota	2014-1839	SFD NEW	Applied	0	1122 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	3
Dakota	2014-1840	SFD NEW	Applied	12554.71	1144 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	4
Dakota	2014-1841	SFD NEW	Applied	12324.68	1166 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	5
Dakota	2014-1842	SFD NEW	Applied	12542.20	1188 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	6
Dakota	2014-1843	SFD NEW	Applied	12322.82	1200 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	7
Dakota	2014-1844	SFD NEW	Applied	12542.53	1222 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	8
Dakota	2014-1845	SFD NEW	Applied	12316.20	1230 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	9
Dakota	2014-1846	SFD NEW	Applied	12617.97	1242 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	10
Dakota	2014-1818	SFD NEW	Applied	12336.29	305 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	11
Dakota	2014-1820	SFD NEW	Applied	12584.05	317 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	12
Dakota	2014-1822	SFD NEW	Applied	12699.97	329 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	13
Dakota	2014-1819	SFD NEW	Applied	12599.61	316 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	14
Dakota	2014-1821	SFD NEW	Applied	12325.14	328 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	15
Dakota	2014-1823	SFD NEW	Applied	12555.68	332 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	16
Dakota	2014-1824	SFD NEW	Applied	12113.58	344 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	17
Dakota	2014-1825	SFD NEW	Applied	12552.54	350 Goleta Way Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	18
Dakota	2014-1826	SFD NEW	Applied	13011.35	1001 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	19
Dakota	2014-1827	SFD NEW	Applied	12628.10	1009 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	20
Dakota	2014-1828	SFD NEW	Applied	12729.29	1111 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	21
Dakota	2014-1829	SFD NEW	Applied	12549.54	1129 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	22
Dakota	2014-1830	SFD NEW	Applied	12756.83	1135 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	23
Dakota	2014-1831	SFD NEW	Applied	12452.23	1143 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	24
Dakota	2014-1832	SFD NEW	Applied	12662.20	1155 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	25
Dakota	2014-1833	SFD NEW	Applied	12420.16	1169 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	26
Dakota	2014-1834	SFD NEW	Applied	12392.33	1171 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	27
Dakota	2014-1835	SFD NEW	Applied	12457.18	1183 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	28
Dakota	2014-1836	SFD NEW	Applied	12578.11	1195 Iris Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	29
Dakota	2014-1848	SFD NEW	Applied	12477.33	1201 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	30
Dakota	2014-1847	SFD NEW	Applied	12155.70	1227 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	31
Dakota	2014-1849	SFD NEW	Applied	12580.08	1231 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	32
Dakota	2014-1850	SFD NEW	Applied	12003.26	1245 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	33
Dakota	2014-1851	SFD NEW	Applied	12361.48	1271 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	34
Dakota	2014-1852	SFD NEW	Applied	12348.91	1309 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	35
Dakota	2014-1853	SFD NEW	Applied	12730.46	1337 Surrey Ln Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	36
Dakota	2014-1815	SFD NEW	Applied	12999.37	300 Dahlia Ct Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	37
Dakota	2014-1817	SFD NEW	Applied	13165.03	308 Dahlia Ct Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	38
Dakota	2014-1816	SFD NEW	Applied	12543.95	303 Dahlia Ct Palm Springs		513-300-057		Wessman Development ()	(O)760 325 3050	39

DAKOTA SEQUENCE SHEET

513-300-057

1

FEES DONE

Dakota Sequence Sheet

LOT	PLAN	PHASE	ADDRESS	Elevation	Color	Garage (L or R as you're facing the house)	House SQ FT	Garage SQ FT	Lot SQ FT
1	B	1	SURREY 1000 Model	1839	✓	L	1772	483	3253.10
2	A	1	SURREY 1010 Model	1838	✓	L	1530	475	3079.10
11	AR	1	GOLETA 305	1818	✓	R	1530	475	3054.60
12	BR	1	GOLETA 317	1820	✓	R	1772	483	3148.80
13	B	1	GOLETA 329	1822	✓	L	1772	483	3843.30
14	B	1	GOLETA 316	1819	✓	L	1772	483	3302.50
15	A	1	GOLETA 328	1821	✓	L	1530	475	2987.80
16	B	1	GOLETA 332	1823	✓	L	1772	483	2978.80
17	A	1	GOLETA 344	1824	✓	L	1530	475	2969.80
18	B	1	GOLETA 350	1825	✓	L	1772	483	2960.50
19	BR	1	IRIS 1001	1826	✓	R	1772	483	5709.40
20	AR	1	IRIS 1009	1827	✓	R	1530	475	4803.10
21	BR	1	IRIS 1111	1828	✓	R	1772	483	4019.80
22	AR	1	IRIS 1129	1829	✓	R	1530	475	4332.30
23	BR	1	IRIS 1135	1830	✓	R	1772	483	4184.90
		Total	15						
3	A	2	SURREY 1122	1839	✓	L	1530	475	2889.00
4	B	2	SURREY 1144	1840	✓	L	1772	483	2973.90
5	A	2	SURREY 1166	1841	✓	L	1530	475	2985.00
6	B	2	SURREY 1188	1842	✓	L	1772	483	2898.60
7	A	2	SURREY 1200	1843	✓	L	1530	475	2973.90
8	B	2	SURREY 1222	1844	✓	L	1772	483	2900.10
9	A	2	SURREY 1230	1845	✓	L	1530	475	2934.20
10	B	2	SURREY 1242	1846	✓	L	1772	483	3352.20
		Total	8						
24	AR	3	IRIS 1143	1831	✓	R	1530	475	4265.80
25	BR	3	IRIS 1155	1832	✓	R	1772	483	3617.80
26	AR	3	IRIS 1169	1833	✓	R	1530	475	3557.10
27	BR	3	IRIS 1171	1834	✓	R	1772	483	3452.90
28	AR	3	IRIS 1183	1835	✓	R	1530	475	3778.90
29	AR	3	IRIS 1195	1836	✓	R	1530	475	4503.50
30	BR	3	SURREY 1201	1848	✓	R	1772	483	4331.60
31	AR	3	SURREY 1227	1847	✓	R	1530	475	3404.60
32	BR	3	SURREY 1231	1849	✓	R	1772	483	3125.60
33	AR	3	SURREY 1245	1850	✓	R	1530	475	3138.30

2

"SEWER IMPACT FEES"
@ 496 PER ACRE × 6.37 ACRES = 4,433.52 ÷ 39 = 113.68

PER PH.

DAKOTA SEQUENCE SHEET

				SF		Permit				
34	BR	3	SURREY 1271	✓	✓	1851	R	1772	483	3133.40
35	AR	3	SURREY 1309	✓	✓	1852	R	1530	475	3130.20
36	BR	3	SURREY 1337	✓	✓	1853	R	1772	483	4026.20
		Total	13							
37	AR	4	DAHLIA 300	✓	✓	1315	R	1530	475	5150.60
38	BR	4	DAHLIA 308	✓	✓	1317	R	1772	483	4298.60
39	AR	4	DAHLIA 303	✓	✓	1310	R	1530	475	6629.80
		Total	3							
	grand total		39							

Owner
Wessman Holdings LLC
555 S Sunrise Way Suite 200
Palm Springs CA 92264
760-325-3321

POC
Anthony Monaco
1555 S Ppalm Canyon Dr Sutie D104
Palm Springs CA 92262
909-533-0929

2

1.46 HR R/C

1.25 MI
1.5 Million
6.95 ACRES
$221,238 per ACRE
$8,172.00

6.95 = .17

1-8 MMF

6.95 X 6.95 = NO CVMSHCP FEE
SAME 4,831.20 ÷ 39 =
IMPACT 124.03 EA

APNS 206

1381 parking

SF
1 DU/AC ÷ 43560 X
696 ✓

68 SFD
18
86
ACRES
12 7.05

Worksheet

Address: 1010 Surrey Ln

Permit #: 2014-1838

001-32201 - Electrical Fees			
Fixture	**Quantity**	**Rate**	**Amount**
First 20 switches and outlets	1	$1.22 for 1.00	$1.22
Additional outlets	72	$0.82 for 1.00	$59.04
First 20 lighting fixtures	1	$1.22 for 1.00	$1.22
Additional fixtures	35	$0.82 for 1.00	$28.70
200 Amps and Less	2	$33.88 for 1.00	$67.76

001-32201 - Mechanical Fees			
Fixture	**Quantity**	**Rate**	**Amount**
Boiler/Compressor 4-15 HP	1	$30.16 for 1.00	$30.16
Furnaces up to 100,000 BTU	1	$16.44 for 1.00	$16.44
Air-Handling Unit 10,000 CFM	1	$11.83 for 1.00	$11.83
Ventilation Fan	3	$8.06 for 1.00	$24.18
Ventilation System	1	$11.88 for 1.00	$11.88
Hood Installation	1	$11.83 for 1.00	$11.83

001-32201 - Plumbing Fees			
Fixture	**Quantity**	**Rate**	**Amount**
# of Gas Piping outlet 1-4	1	$6.83 for 1.00	$6.83
# of Gas Piping outlet 5+	1	$1.22 for 1.00	$1.22
# of Water piping equipment	1	$5.28 for 1.00	$5.28
# of Drainage or vent piping	1	$5.28 for 1.00	$5.28
Water Heater and/or Vent	1	$13.66 for 1.00	$13.66
# of Clothes Washers	1	$10.89 for 1.00	$10.89
# of Dishwashers	1	$10.89 for 1.00	$10.89
# of Garbage Disposals	1	$10.89 for 1.00	$10.89
# of Lavatories	3	$10.89 for 1.00	$32.67
# of Showers	2	$10.89 for 1.00	$21.78
# of Sinks	1	$10.89 for 1.00	$10.89
# of Water Closets	3	$10.89 for 1.00	$32.67

001-34301 - Hourly Plan Check Fee			
Fixture	**Quantity**	**Rate**	**Amount**
# of Hours	1	$108.00 for 1.00	$157.68

134-33110 - TUMF

Fixture	Quantity	Rate	Amount
# of Detached Units	1	$1837.44 for 1.00	$1837.44

420-38703 - Sewer Connection			
Fixture	**Quantity**	**Rate**	**Amount**
Sewer Connection per EDU	1	$3000.00 for 1.00	$3000.00

001-34308 - Microfilm			
Fixture	**Quantity**	**Rate**	**Amount**
1st Page	1	$2.00 for 1.00	$2.00
Page 2+	10	$0.33 for 1.00	$3.30

001-32204 - Permit Issuance Fee			
Fixture	**Quantity**	**Rate**	**Amount**
# of Permits	4	$26.11 for 1.00	$104.44

135-32403 - South Drainage Fee			
Fixture	**Quantity**	**Rate**	**Amount**
Lot Sq. Ft.	3079	$0.17 for 1.00	$513.89

001-32201 - Hourly Building Permit Rate			
Fixture	**Quantity**	**Rate**	**Amount**
# of Hours	6	$101.00 for 1.00	$669.63

001-34303 - Planning Plan Check Fee			
Fixture	**Quantity**	**Rate**	**Amount**
1200 to 2000 SQFT	1	$347.00 for 1.00	$347.00

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

May 14, 2014

Mr. Jim Zicaro
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Dakota Plan Check Submittal 2013
Time Extension for 2013 Plan Check Code Requirements

Dear Mr. Zicaro:

We are requesting a 180 day time extension for Plan Check under the 2013 code requirements for our 39 single family home development referred to as Dakota. In October of 2013 we submitted a Preliminary and Final PDD application which was approved by the City on February 19, 2014. In the beginning of March we were notified that a lawsuit would be filed against the City for violating the California Environmental Quality Act and Planning Zoning Laws in connection with the environmental review of our project. This complaint was filed on March 21, 2014 and we are currently in negotiations. Although the complaint was filed we submitted construction drawings in March at our own risk since we feel this complaint will be settled and would like to move forward with the project as soon as it is resolved.

Therefore we respectfully request an additional 180 day time extension to pull our building permit on this project. Please do not hesitate to contact me with any questions.

Sincerely,

John Wessman - Manager
Wessman Development LLC

555 S. SUNRISE WAY • SUITE 200 • PALM SPRINGS, CA 92264 • PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

Date submitted	Plan Check number	Plan check fees	Case number
	14-1475	MASTER	

DAKOTA PLAN "B"

OWNER	ADDRESS	PHONE	
CONTRACTOR	ADDRESS	PHONE	LIC
ARCHITECT	ADDRESS	PHONE	LIC
ENGINEER	ADDRESS	PHONE	LIC

BUILDING ADDRESS		OCCUPANCY	SPRINKLER	LOT SIZE	TYPE OF CONST.
A.A.# OR PLANNING REP.	TOTAL AREA 2,225	BUILD. SQ. FT. 1,772	GARAGE 483	CARPORT	PATIO

DESCRIPTION

SPECIAL CONDITIONS

	PLUMBING		ELECTRICAL		SEWER		
	BATHTUB		TEMP. POWER POLL		BATHTUB / BIDET		
	LAVATORIES		OUTLETS /SWITCHES		SHOWER		
	WATER CLOSET		LIGHT FIXTURES		LAVATORY		
	URINALS	1	MAIN PANEL		DISHWASHER / DISPOSAL		
	SHOWER	1	SUB PANELS		WATER CLOSET RESIDENTIAL		
	LAUNDRY TRAY	1	RESIDENTIAL APPLIANCES		WASHING MACHINE		
	SINK		NON-RES. APPLIANCES		RESIDENTIAL SINK		
	GARAGE DISPOSAL RESIDENCE		SIGNS		LAUNDRY TRAY		
	GARBAGE DISPOSAL COMMERCIAL		POWER APPARATUS TO 1 HP				
	DISHWASHER		1 TO 10		BAR SINK		
	AUTOMATIC WASHER		OVER 10 & NOT OVER 50		SERVICE SINK "2" TRAP		
	DRINKING FOUNTAIN				SERVICE SINK "3" TRAP		
	WATER PIPING		MECHANICAL		SINK WITH FOOD WAIST		
	GAS PIPING		HEATER TO 100,000 BTU		MOP SINK		
	HOT WATER TANK		HEATER OVER 100,000 BTU		COMMERCIAL DISHWASHER		
	GAS OUTLETS		A/C TO 3 TON		SINK/ GRINDER & DISHWASHER		
	GREASE TRAP		A/C 3.5 TON TO 15 TON		FOOD WAIST GRINDER		
	BUILDING SEWER		DUCT WORK		WATER CLOSET 1.6		
	PRIVATE SEPTIC SYSTEM		EVAPORATOR COOLER		WATER CLOSET 1.6 FLUSH O		
	ROOF DRAINS		VENT FAN		WATER CLOSET 3.5		
	CONDENSATION LINES		HOOD		WATER CLOSET 3.5 FLUSH O		
			REPAIR OR ALTER		CONDENSATION LINE		

Valuation	
Building permit	
Plan check	
SMIP tax 1 2	
Microfilm	
Permit issuance	
Const. Tax	
Dbl. Fee	
Const. Permit	
Sewer insp.	
Sewer main	
Sewer agreement	
Sewer con. Fee	
Drainage fee	
TUMF fee	
Misc. filing fee	
Public arts	
Planning	

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **MAY 29, 2013**

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2013-1417** SET: **I**

PROJECT ADDRESS: **1501 S. BELARDO**

PROJECT NAME: **SFR TWO-MODEL HOMES**

- ☐ APPLICANT
- ☐ JURIS.
- ☐ PLAN REVIEWER
- ☐ FILE

☐ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☒ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☐ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☒ The applicant's copy of the check list has been sent to:
MICHAEL BRAUN 555 S. SUNRISE WAY, #2000,

☐ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☒ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Mike Telephone #: 760-325-3050

Date contacted: (by:) Email: mbraun@wessmandevelopment.com Fax #: 760-325-5848

Mail Telephone Fax In Person

☐ REMARKS:

By: **ALI SADRE, S.E.**
EsGil Corporation
☐ GA ☐ EJ ☐ PC 5/21

Enclosures:

PALM SPRINGS 2013-1417
MAY 29, 2013

PLAN REVIEW CORRECTION LIST
SINGLE FAMILY DWELLINGS AND DUPLEXES

PLAN CHECK NO.: **2013-1417**	JURISDICTION: **PALM SPRINGS**
PROJECT ADDRESS: **1501 S. BELARDO**	
FLOOR AREA: UNIT #1: LIVING = 1,530; GARAGE = 475	STORIES: TWO
UNIT #2: LIVING = 1,772; GARAGE = 483	HEIGHT: 23'
REMARKS:	
DATE PLANS RECEIVED BY JURISDICTION: 5/20	DATE PLANS RECEIVED BY ESGIL CORPORATION: 5/21
DATE INITIAL PLAN REVIEW COMPLETED: **MAY 29, 2013**	PLAN REVIEWER: **ALI SADRE, S.E.**

FOREWORD (PLEASE READ):

This plan review is limited to the technical requirements contained in the California version of the International Residential Code, International Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code and state laws regulating energy conservation, noise attenuation and access for the disabled. This plan review is based on regulations enforced by the Building Department. You may have other corrections based on laws and ordinance by the Planning Department, Engineering Department, Fire Department or other departments. Clearance from those departments may be required prior to the issuance of a building permit.

Present California law mandates that construction comply with the 2010 edition of the California Code of Regulations (Title 24), which adopts the following model codes: 2009 IRC, 2009 IBC, 2009 UPC, 2009 UMC and 2008 NEC.

The above regulations apply, regardless of the code editions adopted by ordinance.

The following items listed need clarification, modification or change. All items must be satisfied before the plans will be in conformance with the cited codes and regulations. Per Sec. 105.4 of the 2009 International Building Code, the approval of the plans does not permit the violation of any state, county or city law.

To speed up the recheck process, please note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet number, specification section, etc. Be sure to enclose the marked up list when you submit the revised plans.

PALM SPRINGS 2013-1417
MAY 29, 2013

- **PLANS**

1. Please submit two revised, stamped & signed sets of plans to: EsGil Corp., 9320 Chesapeake Drive, Suite 208, San Diego, California 92123, (858) 560-1468.

2. Clearly dimension building setbacks from property lines on ***all sides***, street centerlines, and from any adjacent buildings on site plans. Section R106.2. *As submitted, the distance to PL's are not dimensioned on all sides*.

3. Any portion of the project shown on the site plan that is not included with the building permit application filed should be clearly identified as "not included." Section R106.2. *I.e., gates, walls, fences, etc. What is shown on LW2.1 & LW2.2 is not adequate. Show complete structural details, references & calc's, for review & approval*. This applies to all items under this permit.

4. On the cover sheet of plans, specify any items that will have a deferred submittal (trusses, fire sprinklers/alarms, etc.). Additionally, provide the following note on plans: "Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred items shall NOT be installed until their design and documents have been approved by the building official."

- **FIRE PROTECTION**

5. **An automatic residential fire sprinkler system shall be installed** in one- and two-family dwellings. *Please clearly note this on the plans*. Section R313.2.

6. Exterior walls and projections shall comply with the following table. Sec. R302.1.

*Use this table if the building **DOES** have an automatic fire sprinkler system. Show construction details & references on plans for all applicable conditions:*

Exterior Wall Element		Min. Fire Rating	Min. Fire Separation Distance
Walls	(Fire-Resistance Rating)	1-hour, with exposure from both sides	< 3 feet
	(Not Fire Rated)	0 hours	**≥ 3 feet**
Projections	(Fire-Resistance Rating)	1-hour on the underside	≥ 2 feet to 3 feet
	(Not Fire Rated)	0 hours	3 feet
Wall Openings	Not Allowed	N/A	< 3 feet
	Unlimited	0 hours	3 feet
Penetrations	All	See Sec. R302.4	< 3 feet
		None required	3 feet

7. Projections, including eaves, must be at least 24" from a property line. Table R302.1. *Show this on site plans* for each & every unit under this permit.

8. The Fire Department has determined that this project is in Wild-Fire Exposure. Please show step-by-step how you comply with all the relevant provisions of CRC, Section R327. *Please obtain their approval with respect to these items*.

• GENERAL REQUIREMENTS

9. Glazing in the following locations should be shown on plans as safety glazing as per Section R308.4:

   a) Glazing in doors.
   b) Glazing adjacent to a door where the nearest exposed edge of the glazing is within a 24" arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60" above the walking surface. Exceptions:
      i) Glazing in walls on the latch side of and perpendicular to the plane of the door in a closed position.
      ii) Glazing that is adjacent to the fixed panel of patio doors.
   c) Glazing in individual fixed or operable panels that meet all of the following conditions:
      i) Exposed area of an individual pane is greater than 9 sq ft, and:
      ii) Exposed bottom edge is less than 18" above the floor, and:
      iii) Exposed top edge is greater than 36" above the floor, and:
      iv) One or more walking surfaces are within 36" horizontally of the plane of the glazing.
   d) Glazing in walls enclosing stairway landings or within 60" horizontally of the bottom tread of stairways where the bottom edge of the glass is less than 60" above the nose of the tread.
   e) Glazing adjacent to stairways, landings and ramps within 36" horizontally of a walking surface when the exposed surface of the glass is less than 60" above the plane of adjacent walking surface.

• STAIRWAYS/ RAILINGS

10. Guards (Section R312):

   a) Shall have a height of 42" (may be 34" along the sides of stairs).
   b) Openings between railings shall be less than 4".
   c) Shall be detailed to show capability to resist a concentrated load of 200 pounds in any direction along the top rail. Table R301.5.

11. Open risers are only permitted if the opening between treads does not permit the passage of a 4" diameter sphere. Section R311.7.4.3.

12. The walls and soffits of the enclosed usable space under stairs shall be protected on the enclosed side with ½" gypsum board. Section R302.7.

13. A nosing (between ¾" and 1-¼") shall be provided on stairways with solid risers. Exception: No nosing is required if the tread depth is at least 11". Section R311.7.4.3.

• GARAGE

14. Show a self-closing door, either 1-3/8" solid core or a listed 20 minute assembly, for openings between garage and dwelling. Section R302.5.1.

15. The garage shall be separated from the residence and its attic area by not less than ½" gypsum board applied to the garage side (at walls). Garages beneath habitable rooms shall be separated by not less than 5/8" Type X gypsum board. Section R302.6.

- **STRUCTURAL**

16. Provide a copy of the project soil report as per notes on Sheet SN-1. Section R401.4.

17. Note on the foundation plan that "Prior to the contractor requesting a Building Department foundation inspection, the soils engineer shall advise the building official in writing that:

    a) The building pad was prepared in accordance with the soils report,
    b) The utility trenches have been properly backfilled and compacted, and
    c) The foundation excavations, the soils expansive characteristics and bearing capacity conform to the soils report."

18. Provide a letter from the soils engineer confirming that the foundation plan, grading plan and specifications have been reviewed and that it has been determined that the recommendations in the soils report are properly incorporated into the construction documents.

19. Note on plans that surface water will drain away from building. The grade shall fall a minimum of 6" within the first 10'. Section R401.3.

20. Provide truss details and truss calculations for this project. Specify truss identification numbers on the plans. *The truss design drawings must contain all the information listed in Section R802.10.*

21. Please provide evidence that the engineer-of-record (or architect) has reviewed the truss calculation package prepared by others (i.e., a "review" stamp on the truss calculations or a letter). CBC Section 107.3.4.2.

22. Where is Sheet SD-3, as referenced on keynote #15, on Sheets S-1.2 & S-2.2?

23. On Sheet S-2.2, show a header over window H, on gridline 5, of the roof framing plans, as per floor plans?

24. The built-up wall, near grid point D-1 (on Sheets S-2.1 & S-2.2), do not match the floor plans.

25. Please provide a shear wall schedule on plans.

26. Please add staggered nailing for the keynote #2, on foundation plans, as stated on Sheets S-1.1 & S-2.1 (under foundation notes).

27. On 2nd floor framing plans, Sheet S-1.2, call out the header size over the window by the stairs on gridline D.

28. On Sheet S-1.2, show the beam size over window F, on gridline 3, between lines B & C.

29. Please provide revised vertical structural calculations to match the structural plans as submitted. [What is currently provided does not correspond to the submitted plans].

- **MECHANICAL**

30. Show dryer vent to the outside. CMC Section 504.3.

31. The roof installed mechanical equipment must be accessible per 904.10 in the CMC.

32. The energy design is required to be "registered". Please register before the next submittal. (HERS verification required).

- **ELECTRICAL**

33. Add the following to the end of Subsection 310-2(b): City Policy:

    a) No aluminum wiring shall be used. EXCEPTION: Aluminum wiring 1/0 and larger may be used for main feed to subpanels only and shall be enclosed in a raceway.

34. Add the following to the end of Subsection 90-8(a): City Policy:

    a) SERVICE LOAD. The main switch and/or distribution panel of a single-family dwelling or condominium occupancy shall have an adequate capacity and space to carry the calculated load, plus an 8 KW future with four (4) spare spaces at the time of final inspection. The 8 KW load is not to be reduced by any demand factor.

35. Include the following notes on plans:

    a) Tamper resistant receptacles for all locations. NEC, Art. 210.52.
    b) Weather resistant type for receptacles installed in damp or wet locations (outside).
    c) Arc-fault protection for all outlets (not just receptacles) located in rooms described in NEC 210.12(B): Family, living, bedrooms, dining, halls, etc.
    d) GFCI protected outlets for locations described in NEC 210.8: Kitchens, garages, bathrooms, outdoors, within 6' of a sink, etc.

36. Note on plans that receptacle outlet locations comply with CEC Article 210.52(A).

37. The subpanels are located in the modified fire wall betixt the garage and dwelling. Provide a design that maintains this rating.

38. For a single-family dwelling unit, show that at least one receptacle outlet accessible at grade level will be installed outdoors at the front and back of the dwelling. CEC Article 210.52(E). This receptacle must be GFCI protected.

39. Both the kitchen receptacle circuit and the bathroom receptacle circuits are required to be 20 amperes, 15 amperes shown on the panel schedule.

40. Per CEC Article 210.11(C)3, note on the plans that bathroom circuiting shall be either:

    a) A 20 ampere circuit dedicated to each bathroom, *or*
    b) At least one 20 ampere circuit supplying only bathroom receptacle outlets.

• PLUMBING

41. Note on the plans that "combustion air for fuel burning water heaters will be provided in accordance with the Plumbing Code".

42. Provide a note on the plans: The control valves in bathtubs, whirlpool bathtubs, showers and tub-shower combinations must be pressure balanced or thermostatic mixing valves. CPC Section 414.5 and 418.0.

43. Dimension on the plans the 30" clear width required for the water closet compartment. CPC 407.5.

44. Gas line and water line sizing calculations may be required for each project.

45. Plumbing isometrics are required for all projects.

46. Specify on plans: Water conserving fixtures: New water closets shall use no more than 1.28 gallons of water per flush, lavatories and kitchen faucets may not exceed 2.2 GPM, and showers may not exceed 2.5 GPM of flow. CPC Section 402.0.

• GREEN BUILDING STANDARDS

The California Building Standards Commission (BSC) has adopted the Green Building Standards Code which became effective January 1, 2011 and must be enforced by the local building official. The following mandatory requirements for residential construction must be included on your plans. The Green Building Standards apply only to **newly constructed** buildings throughout California. CGC 101.3

47. Note on the site plan that the site shall be planned and developed to keep surface water away from buildings. Plans shall be provided and approved by the City Engineer that show site grading and provide for storm water retention and drainage during construction. BMP's that are currently enforced by the city engineer must be implemented prior to initial inspection by the building department. CGC 4.106.3.

48. Note on the plans that a minimum of 50% of construction waste is to be recycled. CGC 4.408.1.

49. Note on the plans that the builder is to provide an operation manual (containing information for maintaining appliances, etc.) for the owner at the time of final inspection. CGC 4.410.1.

50. Note on the plans that during construction, ends of duct openings are to be sealed, and mechanical equipment is to be covered. CGC 4.504.1.

51. Note on the plans that VOC's must comply with the limitations listed in Section 4.504.3 and Tables 4.504.1, 4.504.2, 4.504.3 and 4.504.5 for: Adhesives, Paints and Coatings, Carpet and Composition Wood Products. CGC 4.504.2.

52. Note on the plans that the moisture content of wood shall not exceed 19% before it is enclosed in construction. The moisture content needs to be certified by one of 3 methods specified. Building materials with visible signs of water damage should not be used in construction. The moisture content must be determined by the contractor by one of the methods listed in CGC Section 4.505.3.

53. Note on the plans that bathroom fans shall be Energy Star rated, vented directly to the outside and controlled by a humidistat. CGC 4.506.1.

54. Note on the plans that if provided, whole house exhaust fans shall have insulated covers or louvers which close when the fan is off. The covers or louvers shall have minimum R4.2 insulation. CGC 5.507.1.

55. Note on the plans that heating and AC shall be sized and selected by ACCA Manual J or ASHRAE handbook or equivalent. The duct sizing shall be sized in accordance with one of the ACCA methods listed in CGC Section 4.507.2.

56. Note on the plans that prior to final approval of the building the licensed contractor, architect or engineer in responsible charge of the overall construction must complete and sign the Green Building Standards Certification form and given to the building department official to be filed with the approved plans.

57. Provide calculations prepared by a licensed engineer that will show water consumption reduction of 20% below the baseline water consumption listed in Table 4.303.1. In lieu of providing the calculations, imprint on the plans the attached Table 4.303.2 listing fixtures that meet the 20% reduction. CGC 4.303.1.

TABLE 4.303.2 FIXTURE FLOW RATES

FIXTURE TYPE	MAXIMUM FLOW RATE AT ≥ 20 % REDUCTION
Showerheads	2 gpm @ 80 psi
Lavatory faucets, residential	1.5 gpm @ 60 psi[2]
Kitchen faucets	1.8 gpm @ 60 psi
Water closets	1.28 gallons/flush[1]

1. Includes single and dual flush water closets with an effective flush of 1.28 gallons or less.

   Single flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is the average flush volume when tested in accordance with ASME A112.19.233.2.

   Dual flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A112.19.2 and ASME A112.19.14.

2. Lavatory faucets shall not have a flow rate less than 0.8 gpm at 20 psi.

58. Note on the plans that when a shower is provided with multiple shower heads, the sum of flow to all the heads shall not exceed the 20% reduced limit, or the shower shall be designed so that only one head is on at a time. CGC 4.303.2.

59. Note on the plans that landscape Irrigation water use shall have weather based controllers. CGC 4.304.1.

• MISCELLANEOUS

60. To speed up the review process, note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet, note or detail number, calculation page, etc.

61. Please indicate here if any changes have been made to the plans that are not a result of corrections from this list. If there are other changes, please briefly describe them and where they are located in the plans. Have changes been made to the plans not resulting from this correction list? Indicate: Yes ❑ No ❑

62. The jurisdiction has contracted with EsGil Corporation located at 9320 Chesapeake Drive, Suite 208, San Diego, California 92123; telephone number of 858/560-1468, to perform the plan review for your project. If you have any questions regarding these plan review items, please contact **ALI SADRE, S.E.** at EsGil Corporation. Thank you.

Worksheet

Address: 1010 Surrey Ln

Permit #: 2014-1838

001-32201 - Electrical Fees			
Fixture	**Quantity**	**Rate**	**Amount**
First 20 switches and outlets	1	$1.22 for 1.00	$1.22
Additional outlets	72	$0.82 for 1.00	$59.04
First 20 lighting fixtures	1	$1.22 for 1.00	$1.22
Additional fixtures	35	$0.82 for 1.00	$28.70
200 Amps and Less	2	$33.88 for 1.00	$67.76

001-32201 - Mechanical Fees			
Fixture	**Quantity**	**Rate**	**Amount**
Boiler/Compressor 4-15 HP	1	$30.16 for 1.00	$30.16
Furnaces up to 100,000 BTU	1	$16.44 for 1.00	$16.44
Air-Handling Unit 10,000 CFM	1	$11.83 for 1.00	$11.83
Ventilation Fan	3	$8.06 for 1.00	$24.18
Ventilation System	1	$11.88 for 1.00	$11.88
Hood Installation	1	$11.83 for 1.00	$11.83

001-32201 - Plumbing Fees			
Fixture	**Quantity**	**Rate**	**Amount**
# of Gas Piping outlet 1-4	1	$6.83 for 1.00	$6.83
# of Gas Piping outlet 5+	1	$1.22 for 1.00	$1.22
# of Water piping equipment	1	$5.28 for 1.00	$5.28
# of Drainage or vent piping	1	$5.28 for 1.00	$5.28
Water Heater and/or Vent	1	$13.66 for 1.00	$13.66
# of Clothes Washers	1	$10.89 for 1.00	$10.89
# of Dishwashers	1	$10.89 for 1.00	$10.89
# of Garbage Disposals	1	$10.89 for 1.00	$10.89
# of Lavatories	3	$10.89 for 1.00	$32.67
# of Showers	2	$10.89 for 1.00	$21.78
# of Sinks	1	$10.89 for 1.00	$10.89
# of Water Closets	3	$10.89 for 1.00	$32.67

001-34301 - Hourly Plan Check Fee			
Fixture	**Quantity**	**Rate**	**Amount**
# of Hours	1	$108.00 for 1.00	$157.68

134-33110 - TUMF

Fixture	Quantity	Rate	Amount
# of Detached Units	1	$1837.44 for 1.00	$1837.44

420-38703 - Sewer Connection			
Fixture	**Quantity**	**Rate**	**Amount**
Sewer Connection per EDU	1	$3000.00 for 1.00	$3000.00

001-34308 - Microfilm			
Fixture	**Quantity**	**Rate**	**Amount**
1st Page	1	$2.00 for 1.00	$2.00
Page 2+	10	$0.33 for 1.00	$3.30

001-32204 - Permit Issuance Fee			
Fixture	**Quantity**	**Rate**	**Amount**
# of Permits	4	$26.11 for 1.00	$104.44

135-32403 - South Drainage Fee			
Fixture	**Quantity**	**Rate**	**Amount**
Lot Sq. Ft.	3079	$0.17 for 1.00	$513.89

001-32201 - Hourly Building Permit Rate			
Fixture	**Quantity**	**Rate**	**Amount**
# of Hours	6	$101.00 for 1.00	$669.63

001-34303 - Planning Plan Check Fee			
Fixture	**Quantity**	**Rate**	**Amount**
1200 to 2000 SQFT	1	$347.00 for 1.00	$347.00

WESSMAN
HOLDINGS / DEVELOPMENT COMPANY

May 14, 2014

Mr. Jim Zicaro
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Dakota Plan Check Submittal 2013
Time Extension for 2013 Plan Check Code Requirements

Dear Mr. Zicaro:

We are requesting a 180 day time extension for Plan Check under the 2013 code requirements for our 39 single family home development referred to as Dakota. In October of 2013 we submitted a Preliminary and Final PDD application which was approved by the City on February 19, 2014. In the beginning of March we were notified that a lawsuit would be filed against the City for violating the California Environmental Quality Act and Planning Zoning Laws in connection with the environmental review of our project. This complaint was filed on March 21, 2014 and we are currently in negotiations. Although the complaint was filed we submitted construction drawings in March at our own risk since we feel this complaint will be settled and would like to move forward with the project as soon as it is resolved.

Therefore we respectfully request an additional 180 day time extension to pull our building permit on this project. Please do not hesitate to contact me with any questions.

Sincerely,

John Wessman - Manager
Wessman Development LLC

555 S. SUNRISE WAY • SUITE 200 • PALM SPRINGS, CA 92264 • PHONE (760) 325-3050 FAX (760) 325-5848
www.wessmandevelopment.com

Date submitted	Plan Check number	Plan check fees	Case number
	14-1475		

MASTER

DAKOTA PLAN "B"

OWNER	ADDRESS	PHONE	
CONTRACTOR	ADDRESS	PHONE	LIC
ARCHITECT	ADDRESS	PHONE	LIC
ENGINEER	ADDRESS	PHONE	LIC

BUILDING ADDRESS		OCCUPANCY	SPRINKLER	LOT SIZE	TYPE OF CONST.
A.A.# OR PLANNING REP.	TOTAL AREA 2,225	BUILD. SQ. FT. 1,772	GARAGE 483	CARPORT	PATIO

DESCRIPTION

SPECIAL CONDITIONS

	PLUMBING		ELECTRICAL		SEWER		
	BATHTUB		TEMP. POWER POLL		BATHTUB / BIDET		
	LAVATORIES		OUTLETS /SWITCHES		SHOWER		
	WATER CLOSET		LIGHT FIXTURES		LAVATORY		
	URINALS	1	MAIN PANEL		DISHWASHER / DISPOSAL		
	SHOWER	1	SUB PANELS		WATER CLOSET RESIDENTIAL		
	LAUNDRY TRAY	1	RESIDENTIAL APPLIANCES		WASHING MACHINE		
	SINK		NON-RES. APPLIANCES		RESIDENTIAL SINK		
	GARAGE DISPOSAL RESIDENCE		SIGNS		LAUNDRY TRAY		
	GARBAGE DISPOSAL COMMERCIAL		POWER APPARATUS TO 1 HP				
	DISHWASHER		1 TO 10		BAR SINK		
	AUTOMATIC WASHER		OVER 10 & NOT OVER 50		SERVICE SINK "2" TRAP		
	DRINKING FOUNTAIN				SERVICE SINK "3" TRAP		
	WATER PIPING		MECHANICAL		SINK WITH FOOD WAIST		
	GAS PIPING		HEATER TO 100,000 BTU		MOP SINK		
	HOT WATER TANK		HEATER OVER 100,000 BTU		COMMERCIAL DISHWASHER		
	GAS OUTLETS		A/C TO 3 TON		SINK/ GRINDER & DISHWASHER		
	GREASE TRAP		A/C 3.5 TON TO 15 TON		FOOD WAIST GRINDER		
	BUILDING SEWER		DUCT WORK		WATER CLOSET 1.6		
	PRIVATE SEPTIC SYSTEM		EVAPORATOR COOLER		WATER CLOSET 1.6 FLUSH O		
	ROOF DRAINS		VENT FAN		WATER CLOSET 3.5		
	CONDENSATION LINES		HOOD		WATER CLOSET 3.5 FLUSH O		
			REPAIR OR ALTER		CONDENSATION LINE		

Valuation	
Building permit	
Plan check	
SMIP tax 1 2	
Microfilm	
Permit issuance	
Const. Tax	
Dbl. Fee	
Const. Permit	
Sewer insp.	
Sewer main	
Sewer agreement	
Sewer con. Fee	
Drainage fee	
TUMF fee	
Misc. filing fee	
Public arts	
Planning	

Please see attachments in back Plan Check Office (too large to attach to plans)

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **DEC. 10, 2013**

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2013-1417** SET: **III**

PROJECT ADDRESS: **1501 S. BELARDO**

PROJECT NAME: **SFR TWO-MODEL HOMES**

- ☐ APPLICANT
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Person contacted: Mike Telephone #: 760-325-3050

Date contacted: (by:) Email: mbraun@wessmandevelopment.com Fax #: 760-325-5848

Mail Telephone Fax In Person

☒ REMARKS: The site retaining walls have not been reviewed as a part of this plan check. [Only the foundation wall are a part of this plan review].

By: **ALI SADRE, S.E.**
EsGil Corporation
☐ GA ☐ EJ ☐ PC 12/06

Enclosures:

John Shoemaker

From: Carol Templeton
Sent: Thursday, December 12, 2013 2:02 PM
To: John Shoemaker
Subject: RE: Final Route for 1501 South Belardo Road (Building Plan Check Number 2013-1417)

John,

This project is known as The Dakota project. It has been withdrawn in the Engineering Dept. because of a lawsuit. David Newell has a revised Dakota project that he will be routing to me soon. I will be perusing my current Dakota Conditions of Approval to make sure that they are correct and applicable, and will likely submit a new revised set of Conditions of Approval to David. Until I have done that, I do not want to answer the Final Route email in case there are some changes in the upcoming set of Conditions. Is that okay with you?

Please advise.

Thanks,

Carol Templeton, Engineering Associate
City of Palm Springs Engineering Division
Direct Line (760) 323-8253 Ext. 8741
Fax Line (760) 322-8360 or 322-8325

Link to Municipal & Zoning Codes: http://www.qcode.us/codes/palmsprings/view.php

CITY HALL OFFICE HOURS ARE MONDAY THROUGH THURSDAY 8 AM TO 6 PM. WE ARE NO LONGER CLOSED FROM 11 AM TO 2 PM. CITY HALL IS CLOSED ALL DAY EVERY FRIDAY.

CONFIDENTIALITY NOTICE – This email transmission, and any documents, files, or previous email messages attached to it, may contain information that is confidential or legally priviledged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution, or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone at (760) 323-8253 Ext. 8741 or return email and delete the original transmission and its attachments without reading or saving in any manner.

From: John Shoemaker
Sent: Thursday, December 12, 2013 1:46 PM
To: Carol Templeton
Subject: Final Route for 1501 South Belardo Road (Building Plan Check Number 2013-1417)

City of Palm Springs

Department of Building and Safety
John Shoemaker • Plans Examiner
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: 760.323.8242 x8720 • Fax: 760.322.8349
Email: john.shoe@palmsprings-ca.gov

TRANSMITTAL COVER

To:	**Wessman Development Attn: Michael Braun**
Fax Number:	**760.325.5848**
Email Address:	**mbraun@wessmandevelopment.com**
Date:	**12 December 2013**
Time:	**13:40**
Number of Pages (Including Cover):	**3**
Description of Transmitted Documents:	**Notice of Final Route for Plan Check Number 2013-1417**

Transmitted Via: ☐ Fax ☒ Email ☐ Snail Mail ☐ Hand ☐ Other:

☒ This is the only copy you will receive	☐ For your information
☐ A copy will be emailed to you today	☐ Per your request
☐ A copy will be faxed to you today	☐ Please review and return your comments
☐ An original will be mailed to you today	☐ Other:

Message: Please call if you do not receive all pages.

City of Palm Springs

Department of Building and Safety
John Shoemaker • Plans Examiner
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: 760.323.8242 x8720 • Fax: 760.322.8349
Email: john.shoe@palmsprings-ca.gov

Date: 12 December 2013

To: Wessman Development
Attn: Michael Braun
555 South Sunrise Way, Suite 200
Palm Springs, CA 92262

Regarding: Plan Check Number: 2013-1417
Project Address: 1501 South Belardo Road
Project Description: Tract (Single Family Dwellings)

This letter is to inform you that the above captioned project may be subject to review by various City Departments and, at times, outside agencies.

Please be aware that it will be the responsibility of the applicant to address any and all of the comments from each Department and to resubmit plans directly to the Departments. Once the comments have been addressed to each Department's satisfaction, they will notify the Building Department that the plans are approvable. Building permits shall not be issued until such a time as all of the Departments have been satisfied.

Please secure the approvals of all applicable Departments in a timely manner so as not to delay the issuance of your permits at the conclusion of the plan check process.

Thank you in advance for your attention to this matter.

Respectfully.

John Shoemaker
Building Plans Examiner
ICC Certified

Cc: Plan Check File

The following is a list of City Departments. The status of each Department review is checked below its name.

Building:	Planning:	Engineering:	Fire:
☒ Approved	☐ Approved	☐ Approved	☐ Approved
☐ Previously Forwarded	☐ Previously Forwarded	☐ Previously Forwarded	☒ Previously Forwarded
☐ Enclosed	☐ Enclosed	☐ Enclosed	☐ Enclosed
☐ Forthcoming	☒ Forthcoming	☒ Forthcoming	☐ Forthcoming
☒ By EsGil Corporation	☐ Not Applicable	☐ Not Applicable	☐ Not Applicable
☐ With Conditions	☐ With Conditions	☐ With Conditions	☐ With Conditions

City of Palm Springs

Department of Building and Safety
John Shoemaker • Plans Examiner
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: 760.323.8242 x8720 • Fax: 760.322.8349
Email: john.shoe@palmsprings-ca.gov

PLAN CHECK CORRECTION LIST

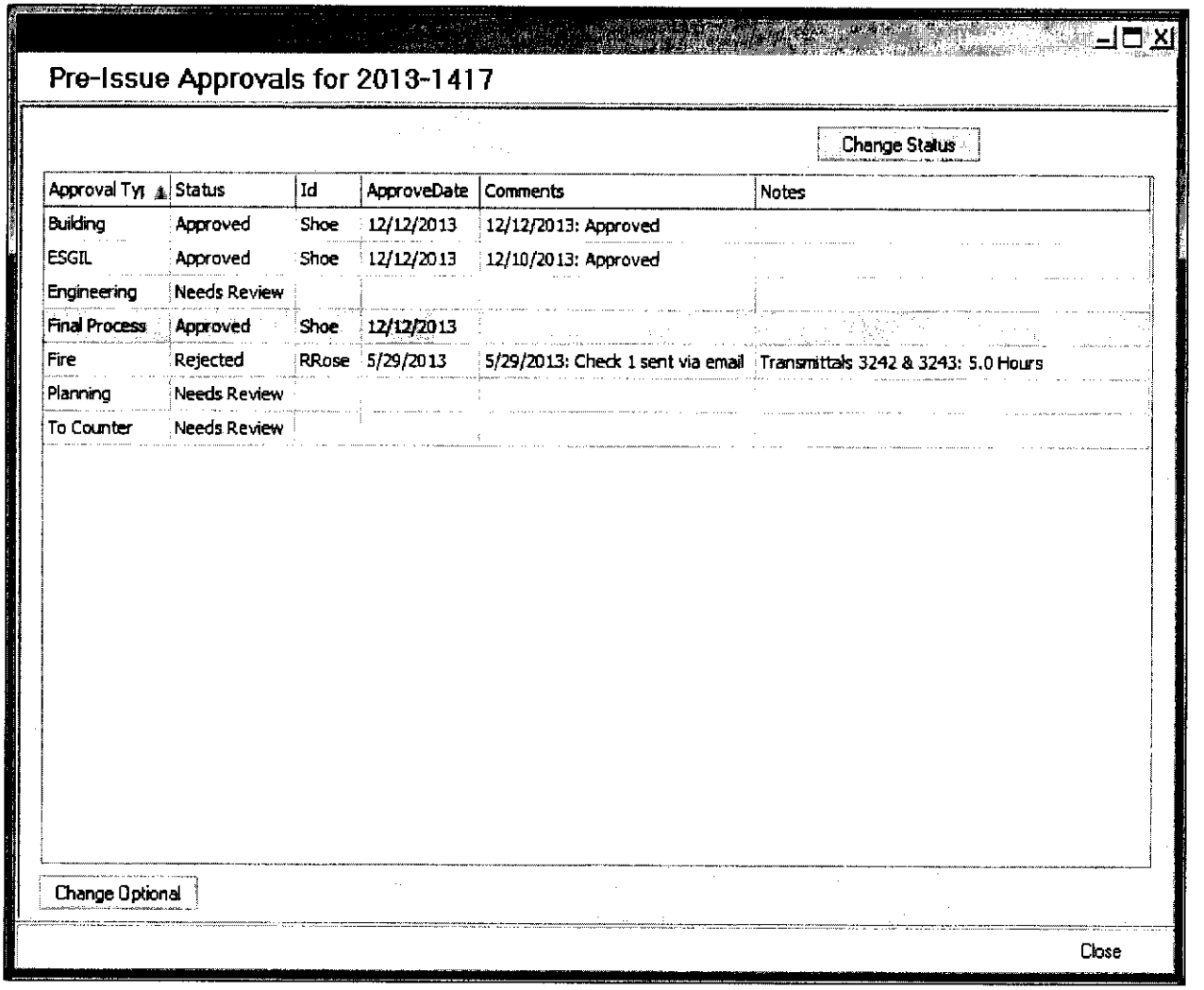
PLAN CHECK DATA:	Plan Check Number:	2013-1417
	Date of Submittal:	20 May 2013
	Today's Date:	12 December 2013
PROJECT DATA:	Project Address:	1501 South Belardo Road
	Project Description:	Tract (Single Family Dwellings)

COMMENTS OR CORRECTIONS:

1. The plans have been returned to the City by EsGil Corporation. While EsGil is recommending the approval of the plans, permits will not be issued until the Building Department has received recommendation for approval from certain other departments. Where the department is a part of the City of Palm Springs, the plans have been routed to them for their review and approval. The Health Department, however, is a part of the County of Riverside, and you must deal with them directly. In the following list, the departments adjacent to the checked boxes have not given their approvals. (Phone numbers are provided for your convenience.) Please deal directly with the checked departments to obtain their approvals.

☒ Planning Department (760-323-8245) ☒ Fire Department (760-323-8184)
☒ Engineering Department (760-323-8253) ☐ Health Department (760-320-1048)

END OF DOCUMENT


Pre-Issue Approvals for 2013-1417
Change Status
Approval Typ
Status
Id
ApproveDate
Comments
Notes
Building
Approved
Shoe
12/12/2013
12/12/2013: Approved
ESGIL
Approved
Shoe
12/12/2013
12/10/2013: Approved
Engineering
Needs Review
Final Process
Approved
Shoe
12/12/2013
Fire
Rejected
RRose
5/29/2013
5/29/2013: Check 1 sent via email
Transmittals 3242 & 3243: 5.0 Hours
Planning
Needs Review
To Counter
Needs Review
Change Optional
Close

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **DEC. 10, 2013**

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2013-1417** SET: **III**

PROJECT ADDRESS: **1501 S. BELARDO**

PROJECT NAME: **SFR TWO-MODEL HOMES**

- ☐ APPLICANT
- ☑ JURIS.
- ☐ PLAN REVIEWER
- ☐ FILE

☒ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's building codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☐ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☐ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☐ The applicant's copy of the check list has been sent to:
MICHAEL BRAUN 555 S. SUNRISE WAY, #2000,

☒ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☐ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Mike Telephone #: 760-325-3050

Date contacted: (by:) Email: mbraun@wessmandevelopment.com Fax #: 760-325-5848

Mail Telephone Fax In Person

☒ REMARKS: The site retaining walls have not been reviewed as a part of this plan check. [Only the foundation wall are a part of this plan review].

By: **ALI SADRE, S.E.**
EsGil Corporation
☐ GA ☐ EJ ☐ PC 12/06

Enclosures:

City of Palm Springs

Department of Building and Safety
John Shoemaker • Plans Examiner
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: 760.323.8242 x8720 • Fax: 760.322.8349
Email: john.shoe@palmsprings-ca.gov

TRANSMITTAL COVER

To:	**Wessman Development Attn: Michael Braun**
Fax Number:	**760.325.5848**
Email Address:	**mbraun@wessmandevelopment.com**
Date:	**29 May 2013**
Time:	**14:23**
Number of Pages (Including Cover):	**15**
Description of Transmitted Documents:	**Fire Department Comments on Plan Check Number 2013-1417**

Transmitted Via: ☐ Fax ☒ Email ☐ Snail Mail ☐ Hand ☐ Other:

☒ This is the only copy you will receive	☐ For your information
☐ A copy will be emailed to you today	☐ Per your request
☐ A copy will be faxed to you today	☐ Please review and return your comments
☐ An original will be mailed to you today	☐ Other:

Message: Please call if you do not receive all pages.

City of Palm Springs

Department of Building and Safety
John Shoemaker • Plans Examiner
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
Tel: 760.323.8242 x8720 • Fax: 760.322.8349
Email: john.shoe@palmsprings-ca.gov

Date: 29 May 2013

To: Wessman Development
Attn: Michael Braun
555 South Sunrise Way, Suite 200
Palm Springs, CA 92262

Regarding:
Plan Check Number: 2013-1417
Project Address: 1501 S Belardo Road
Project Description: Tract (Single Family Dwellings)

This letter is to inform you that the above captioned project may be subject to review by various City Departments and, at times, outside agencies.

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Please secure the approvals of all applicable Departments in a timely manner so as not to delay the issuance of your permits at the conclusion of the plan check process.

Thank you in advance for your attention to this matter.

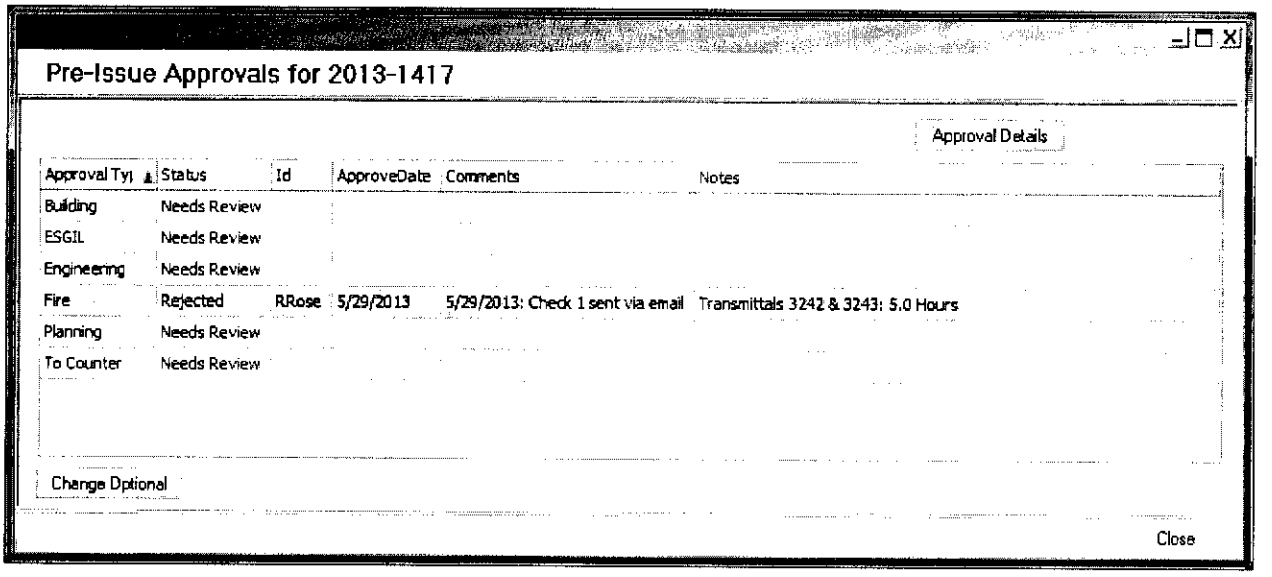
Respectfully.

John Shoemaker
Building Plans Examiner
ICC Certified

Cc: Plan Check File

The following is a list of City Departments. The status of each Department review is checked below its name.

Building:	Planning:	Engineering:	Fire:
☐ Approved	☐ Approved	☐ Approved	☐ Approved
☐ Previously Forwarded	☐ Previously Forwarded	☐ Previously Forwarded	☐ Previously Forwarded
☐ Enclosed	☐ Enclosed	☐ Enclosed	☒ Enclosed
☐ Forthcoming	☒ Forthcoming	☒ Forthcoming	☐ Forthcoming
☒ By EsGil Corporation	☐ Not Applicable	☐ Not Applicable	☐ Not Applicable
☐ With Conditions	☐ With Conditions	☐ With Conditions	☐ With Conditions


Pre-Issue Approvals for 2013-1417
Approval Details
Approval Typ
Status
Id
ApproveDate
Comments
Notes
Building
Needs Review
ESGIL
Needs Review
Engineering
Needs Review
Fire
Rejected
RRose
5/29/2013
5/29/2013: Check 1 sent via email
Transmittals 3242 & 3243: 5.0 Hours
Planning
Needs Review
To Counter
Needs Review
Change Optional
Close

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **JULY 18, 2013**

- ☐ APPLICANT
- ☐ JURIS.
- ☐ PLAN REVIEWER
- ☐ FILE

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2013-1417** SET: **II**

PROJECT ADDRESS: **1501 S. BELARDO**

PROJECT NAME: **SFR TWO-MODEL HOMES**

☐ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☒ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck. ***PLEASE SEE BELOW***

☐ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☒ The applicant's copy of the check list has been sent to:
MICHAEL BRAUN 555 S. SUNRISE WAY, #2000,

☐ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☒ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Mike Telephone #: 760-325-3050

Date contacted: (by:) Email: mbraun@wessmandevelopment.com Fax #: 760-325-5848

Mail Telephone **Fax** **In Person**

☐ REMARKS: Please see attached for remaining items from previous list. Additional plan-check fees will be assessed for unresolved items on this list at the next submittal. *Provide a response list indicating where each correction item on the attached list is addressed on plans.*

By: **ALI SADRE, S.E.**
EsGil Corporation
☐ GA ☐ EJ ☐ PC 7/15

Enclosures:

PALM SPRINGS 2013-1417
JULY 18, 2013

• PLANS

1. Please submit two revised, stamped & signed sets of plans to: EsGil Corp., 9320 Chesapeake Drive, Suite 208, San Diego, California 92123, (858) 560-1468.

• GENERAL REQUIREMENTS

2. Glazing in the following locations should be shown on plans as safety glazing as per Section R308.4: ***At these locations both panes of glass need to be tempered not just the exterior pane, as is per WUI provisions***.

   a) Glazing in doors.
   b) Glazing adjacent to a door where the nearest exposed edge of the glazing is within a 24" arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60" above the walking surface. Exceptions:
      i) Glazing in walls on the latch side of and perpendicular to the plane of the door in a closed position.
      ii) Glazing that is adjacent to the fixed panel of patio doors.
   c) Glazing in individual fixed or operable panels that meet all of the following conditions:
      i) Exposed area of an individual pane is greater than 9 sq ft, and:
      ii) Exposed bottom edge is less than 18" above the floor, and:
      iii) Exposed top edge is greater than 36" above the floor, and:
      iv) One or more walking surfaces are within 36" horizontally of the plane of the glazing.
   d) Glazing in walls enclosing stairway landings or within 60" horizontally of the bottom tread of stairways where the bottom edge of the glass is less than 60" above the nose of the tread.
   e) Glazing adjacent to stairways, landings and ramps within 36" horizontally of a walking surface when the exposed surface of the glass is less than 60" above the plane of adjacent walking surface.

• STAIRWAYS/ RAILINGS

3. Guards (Section R312):

   a) Shall have a height of 42" (may be 34" along the sides of stairs).
   b) Openings between railings shall be less than 4".
   c) Shall be detailed to show capability to resist a concentrated load of 200 pounds in any direction along the top rail. Table R301.5.

• GARAGE

4. Show a **self-closing** door, either 1-3/8" **solid core**, or a listed 20 minute assembly, for openings between garage and dwelling. Section R302.5.1.

5. Garages beneath habitable rooms shall be separated by not less than 5/8" Type X gyp board. Sec. R302.6.

• STRUCTURAL

6. Note on the foundation plan that "Prior to the contractor requesting a Building Department foundation inspection, the soils engineer shall advise the building official in writing that:

   a) The building pad was prepared in accordance with the soils report,
   b) The utility trenches have been properly backfilled and compacted, and
   c) The foundation excavations, the soils expansive characteristics and bearing capacity conform to the soils report."

7. Provide a copy of the project soil report as per notes on Sheet SN-1. Section R401.4.

8. Provide a letter from the soils engineer confirming that the foundation plan, grading plan and specifications have been reviewed and that it has been determined that the recommendations in the soils report are properly incorporated into the construction documents.

9. Note on plans that surface water will drain away from building. The grade shall fall a minimum of 6" within the first 10'. Section R401.3.

10. Provide truss details and truss calculations for this project. Specify truss identification numbers on the plans. *The truss design drawings must contain all the information listed in Section R802.10.*

11. Please provide evidence that the engineer-of-record (or architect) has reviewed the truss calculation package prepared by others (i.e., a "review" stamp on the truss calculations or a letter). CBC Section 107.3.4.2.

12. Where is Sheet SD-3, as referenced on keynote #15, on Sheets S-1.2 & S-2.2?

13. On Sheet S-2.2, show a header over window H, on gridline 5, of the roof framing plans, as per floor plans?

14. The built-up wall, near grid point D-1 (on Sheets S-2.1 & S-2.2), do not match the floor plans.

15. Please provide a shear wall schedule on plans.

16. Please add staggered nailing for the keynote #2, on foundation plans, as stated on Sheets S-1.1 & S-2.1 (under foundation notes).

17. On 2nd floor framing plans, Sheet S-1.2, call out the header size over the window by the stairs on gridline D.

18. Please provide revised vertical structural calculations to match the structural plans as submitted. [What is currently provided does not match the plans].

19. On Sht. S-1.2, show the beam size over window F, on line 3, between lines B & C.

- **MECHANICAL**

20. Show dryer vent to the outside. CMC Section 504.3.

21. The energy design is required to be "registered". Please register before the next submittal. (HERS verification required).

22. The roof installed mechanical equipment must be accessible per 904.10 in CMC.

• ELECTRICAL

23. Add the following to the end of Subsection 310-2(b): City Policy:

    a) No aluminum wiring shall be used. EXCEPTION: Aluminum wiring 1/0 and larger may be used for main feed to subpanels only and shall be enclosed in a raceway.

24. Add the following to the end of Subsection 90-8(a): City Policy:

    a) SERVICE LOAD. The main switch and/or distribution panel of a single-family dwelling or condominium occupancy shall have an adequate capacity and space to carry the calculated load, plus an 8 KW future with four (4) spare spaces at the time of final inspection. The 8 KW load is not to be reduced by any demand factor.

25. Include the following notes on plans:

    a) Tamper resistant receptacles for all locations. NEC, Art. 210.52.
    b) Weather resistant type for receptacles installed in damp or wet locations (outside).
    c) Arc-fault protection for all outlets (not just receptacles) located in rooms described in NEC 210.12(B): Family, living, bedrooms, dining, halls, etc.
    d) GFCI protected outlets for locations described in NEC 210.8: Kitchens, garages, bathrooms, outdoors, within 6' of a sink, etc.

26. Note on plans that receptacle outlet locations comply with CEC Article 210.52(A).

27. The subpanels are located in the modified fire wall betixt the garage and dwelling. Provide a design that maintains this rating.

28. For a single-family dwelling unit, show that at least one receptacle outlet accessible at grade level will be installed outdoors at the front and back of the dwelling. CEC Article 210.52(E). This receptacle must be GFCI protected.

29. Both the kitchen receptacle circuit and the bathroom receptacle circuits are required to be 20 amperes, 15 amperes shown on the panel schedule.

30. Per CEC Art. 210.11(C)3, note on plans that bathroom circuiting shall be either:

    a) A 20 ampere circuit dedicated to each bathroom, *or*
    b) At least one 20 ampere circuit supplying only bathroom receptacle outlets.

• PLUMBING

31. Note on the plans that "combustion air for fuel burning water heaters will be provided in accordance with the Plumbing Code".

32. Provide a note on the plans: The control valves in bathtubs, whirlpool bathtubs, showers and tub-shower combinations must be pressure balanced or thermostatic mixing valves. CPC Section 414.5 and 418.0.

33. Dimension on the plans the 30" clear width required for the water closet compartment. CPC 407.5.

34. Gas line and water line sizing calculations may be required for each project.

35. Plumbing isometrics are required for all projects.

36. Specify on plans: Water conserving fixtures: New water closets shall use no more than 1.28 gallons of water per flush, lavatories and kitchen faucets may not exceed 2.2 GPM, and showers may not exceed 2.5 GPM of flow. CPC Section 402.0.

• GREEN BUILDING STANDARDS

The California Building Standards Commission (BSC) has adopted the Green Building Standards Code which became effective January 1, 2011 and must be enforced by the local building official. The following mandatory requirements for residential construction must be included on your plans. The Green Building Standards apply only to **newly constructed** buildings throughout California. CGC 101.3

37. Note on plans that the builder is to provide an operation manual (containing information for maintaining appliances, etc.) for the owner at the time of final inspection. CGC 4.410.1.

38. Note on plans that during construction, ends of duct openings are to be sealed, and mechanical equipment is to be covered. CGC 4.504.1.

39. Note on plans that bathroom fans shall be Energy Star rated, vented directly to the outside and controlled by a humidistat. CGC 4.506.1.

40. Note on plans that if provided, whole house exhaust fans shall have insulated covers or louvers which close when the fan is off. The covers/ louvers shall have min R4.2 insulation. CGC 5.507.1.

41. Note on plans that heating and AC shall be sized and selected by ACCA Manual J or ASHRAE handbook or equivalent. The duct sizing shall be sized in accordance with one of the ACCA methods listed in CGC Section 4.507.2.

42. Provide calculations prepared by a licensed engineer that will show water consumption reduction of 20% below the baseline water consumption listed in Table 4.303.1. In lieu of providing the calculations, imprint on the plans the attached Table 4.303.2 listing fixtures that meet the 20% reduction. CGC 4.303.1.

TABLE 4.303.2 FIXTURE FLOW RATES

FIXTURE TYPE	MAXIMUM FLOW RATE AT ≥ 20 % REDUCTION
Showerheads	2 gpm @ 80 psi
Lavatory faucets, residential	1.5 gpm @ 60 psi[2]
Kitchen faucets	1.8 gpm @ 60 psi
Water closets	1.28 gallons/flush[1]

1. Includes single and dual flush water closets with an effective flush of 1.28 gallons or less.

   Single flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is the average flush volume when tested in accordance with ASME A112.19.233.2.

   Dual flush toilets—The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A112.19.2 and ASME A112.19.14.

2. Lavatory faucets shall not have a flow rate less than 0.8 gpm at 20 psi.

43. Note on the plans that when a shower is provided with multiple shower heads, the sum of flow to all the heads shall not exceed the 20% reduced limit, or the shower shall be designed so that only one head is on at a time. CGC 4.303.2.

44. Note on the plans that landscape Irrigation water use shall have weather based controllers. CGC 4.304.1.

- **MISCELLANEOUS**

45. To speed up the review process, note on this list (or a copy) where each correction item has been addressed, i.e., plan sheet, note or detail number, calculation page, etc.

46. The jurisdiction has contracted with EsGil Corporation located at 9320 Chesapeake Drive, Suite 208, San Diego, California 92123; telephone number of 858/560-1468, to perform the plan review for your project. If you have any questions regarding these plan review items, please contact **ALI SADRE, S.E.** at EsGil Corporation. Thank you.

DAKOTA WALLS

CRONOLOGICAL JOB RECORD

Date	Findings
5/14/15	REAR PL COMBO WALL FTGS LOT 1 & 2 OK
5/19/15	GARDEN @ LOTS 1 & 2, REAR RET. WALL FTGS/STL OK @ LOTS 3/4/5
	5-19-15 G Ford
5-20-15	PARTIAL WALL WEST SIDE LOT 13, LOT 6 FTGS/STL OK G Ford
6/3/15	REAR LOT 10 LOWER RET FTGS / COMBO RET WALL
	FTGS REAR LOT 7-9
6/11/15	B/B FRONT WALLS EA. & L
7/9/15	B/B & FTGS RL

INSPECTON REQUEST SLIP

Date 08/19 Time 3:01 pm Permit # 2014-36026

Address 1521 S Belardo Rd

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ❑ Roof Nail
- ❑ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ☑ Block Wall

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. 760 485 6405

Bud

INSPECTON REQUEST SLIP

Date 8/6 Time 2:32 Permit # 14-1826

Address Dakota 14-1827
14-3626

- ☐ Temp. Pole
- ☑ Lath
- ☐ Grnd. Plumb
- ☐ Sewer
- ☐ Footings
- ☐ Gas Pressure
- ☐ Roof Nail
- ☐ T-Bar / HVAC
- ☐ Outside Wrap
- ☑ ~~Wall / Rtgs / BB~~ / Final
- ☐ Framing
- ☐ Reroof-Clean off / Final
- ☐ Rough Electric
- ☐ Photovoltaic
- ☐ Rough Plumbing
- ☐ Final Gas / Elec
- ☐ Insulation
- ☐ Final
- ☑ Drywall
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485-6405

_____

INSPECTON REQUEST SLIP

Date 7/27 Time 430 Permit # M-3626

Address 1501 Belardo 1827 1828

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ ~~Wall~~ Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

_____

INSPECTON REQUEST SLIP

Date 10/10 Time 2:10 Permit # 14-3624

Address DAKOTA 14-1838 14-1837

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☑ Wall Ftgs / (BB) / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☑ Final Gas / (Elec)
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 405-6405

_____

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

2'8" RET. WALL FTGS/ST @ LOTS 1-7 OK 7-1-15 GFord

3'4" RET. WALL FTGS/ST @ LOTS 8 & 9 OK 7-1-15 GFord

BB FOR ABOVE OK 3-3-15 GFord

N SIDE LOTS 1, 14, 15, 16, 17 F/S OK 3/12/15 GFORD

N. SIDE LOT 18 TO FIRE Hyd. FTG/ST OK 3-16-15 GFord

N. BND IRISLADE - FIRE Hyd TO LOT 19 OK 4-1-15

BB OK - N. SIDE LOT 1 TO LOT 18 @ F. HYDRANT 4-14-15 GFord

BB OK F. HYDRANT END OF IRIS TO FRONT OF LOT 19 4-15-15 GFord

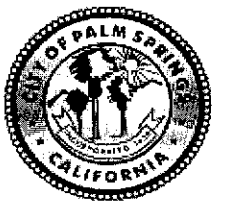
EAST RET WALL FTG/ST @ LOTS 3, 4, 5 & GARDEN WALL @ LOTS 1 & 2 OK 5-19-15 GFord

RET. WALL WEST SIDE @ LOT 13, EAST SIDE LOT 6 FTG/ST OK 5-20-15 GFord

BB OK @ LOTS 1, 2, 3, 4, 5 OK 5-27-15 GFord

BB OK @ LOT 13 5-28-15 GFord

7/28/15 WALL FTGS



JOB CARD

Project address: 1501 S Belardo Rd

Permit #: 2014-3626

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

BLOCK WALL INSPECTIONS

Masonry Wall Footings:

DO NOT POUR CONCRETE UNTIL THE ABOVE IS SIGNED

Masonry Wall BB:

DO NOT POUR GROUT UNTIL ABOVE IS SIGNED

Final:

8/10/15 BB RL

8/20/15 WALL FTGS (N) SIDE RL

City of Palm Springs

BUILDING PERMIT

Building Address: 1501 S Belardo Rd

Date Submitted **10/30/2014** | Case No. | Permit Technician **Alberto Gradilla**

Owner **Cresendo, LLC** | Address **555 S Sunrise Way Palm Springs CA** | Phone **760 325 3050**

Contractor **Dakota** | Address **555 S Sunrise Way Palm Springs CA** | Phone **760 325 3050** | Lic. Number **213720**

Architect | Address | Phone

Engineer | Address | Phone

Lot # | Block # | Tract **Dakota** | Parcel Number **513-300-057**

Lot Size | Zone | Occupancy

Building Sq. Ft. | Garage/Carport | Roofed Patio/Porch | Remodeled Area

Use of building **Site** | Permit Type **Walls/Fences** | Const. Type | Fixture Units

Fire Sprinkler | Units | Valuation **250000.00** | Permit Fees Paid **2154.77**

Describe work in detail:

Permit to construct 6,748' of garden and retaining walls per approved grading plans and ORCO details.

Special Conditions:

NOTICE: Wall and fence heights are to be measured thusly: in front yards or side yards that abut streets from crown of street or top of curb, whichever is higher. Side or rear yards not abutting streets from surrounding grade Adjacent properties with elevation differentials - from the average midpoint of the elevation difference at the property line. No exceptions unless prior approval is obtained from the Planning Dept.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

11-12-14 KF

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-3626**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	11/12/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-3626

1501 S Belardo Rd
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
11/12/2014	2014-3626	14-4089	001-32201	Walls/Fence Fee	Paid	(-) 1711.41
11/12/2014	2014-3626	14-4089	001-32204	Permit Issuance	Paid	(-) 26.11
11/12/2014	2014-3626	14-4089	001-32219	S.B. 1473	Paid	(-) 10.00
11/12/2014	2014-3626	14-4089	001-34308	Microfilm	Paid	(-) 12.25
11/12/2014	2014-3626	14-4089	001-37111	SMIP1	Paid	(-) 32.50
11/12/2014	2014-3626	14-4089	261-32214	Technology Fee	Paid	(-) 362.50

Date	InvoiceNum	Status	Payment	Amount
10/30/2014	14-4089	Original Due		2154.77
11/12/2014	14-4089	Paid	Check 3626	(-) 2154.77

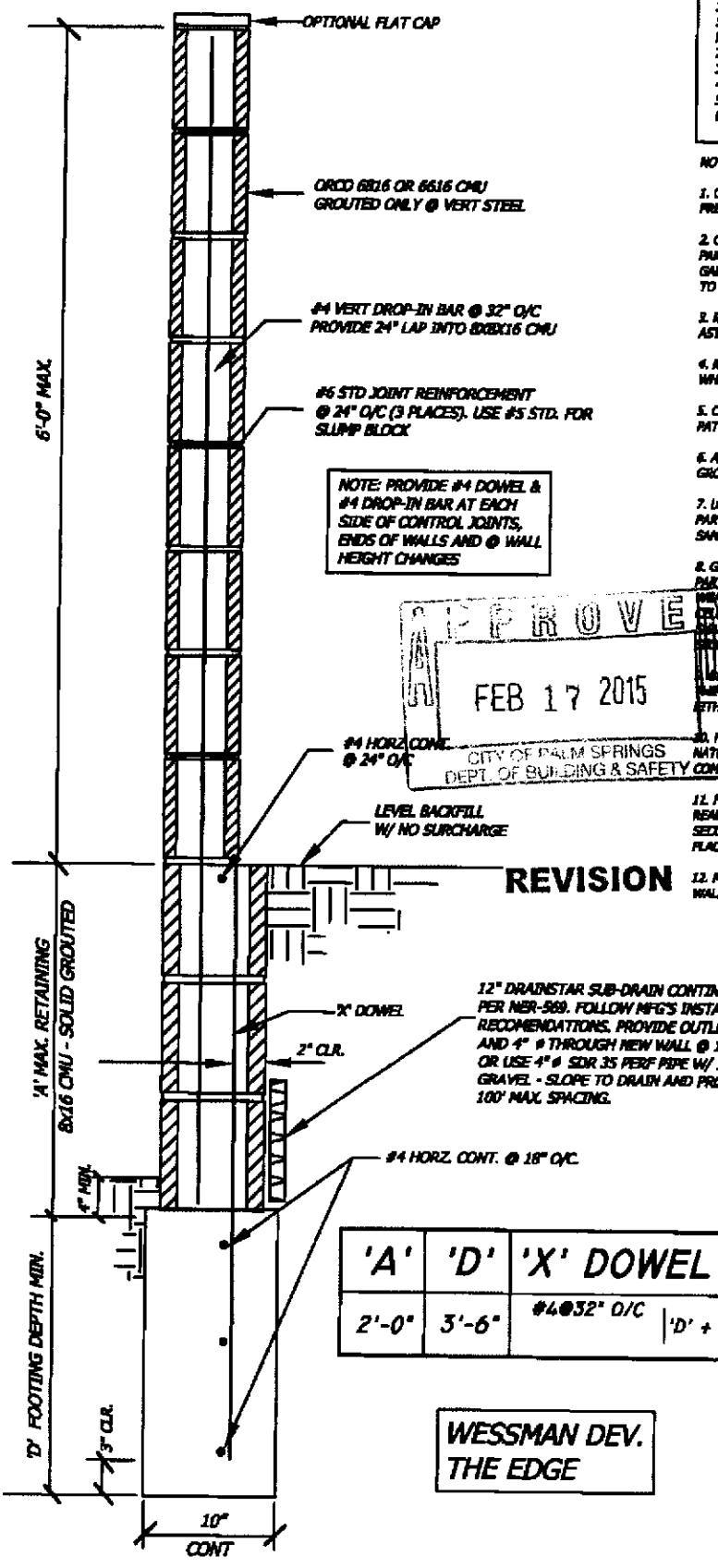
Total Paid 2,154.77

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

2014-3626

ORCO 6' HIGH WALL W/ 2' RETAINING

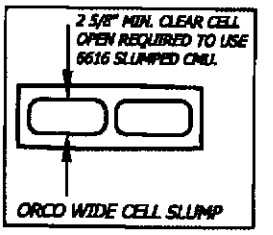
FOR 129/100 MPH WIND 3 SEC. GUST @ EXP C



APPROVED
FEB 17 2015
CITY OF PALM SPRINGS
DEPT. OF BUILDING & SAFETY

REVISION

'A'	'D'	'X' DOWEL
2'-0"	3'-6"	#4@32" O/C 'D' + 1'-9"



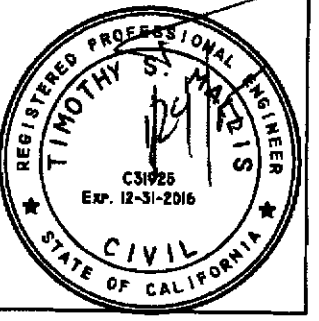
DESIGN CRITERIA: PER 2013 CBC

1. SOIL BEARING PRESSURE = 1500 PSF + 1/3 INCR. FOR WIND OR SEISMIC. EQUIVALENT FLUID PRESSURE = 45 PSF PER SOILS REPORT
2. ALLOWABLE LATERAL PASSIVE PRESSURE = 150 PSF.
3. GROUT STRENGTH = 3000 PSI @ 28 DAYS.
4. REINFORCING STEEL : GRADE 60.
5. SEISMIC - 1 SEC. ACCELERATION = 100%.
6. 1500 PSI MASONRY COMPRESSION STRENGTH.

NOTES:

1. CONCRETE BLOCK SHALL CONFORM TO ASTM C 90. ORCO STD. PRECISION BLOCK MAY BE USED.
2. CONCRETE FOR FOOTING SHALL BE 1 PART CEMENT TO 2-1/2 PARTS SAND TO 3-1/2 PARTS GRAVEL WITH A MAXIMUM OF 5-1/2 GALLONS OF WATER PER SACK. PORTLAND CEMENT SHALL CONFORM TO ASTM C 150 TYPE II/V. f'_c = 2500 PSI
3. REINFORCING STEEL SHALL BE DEFORMED AND CONFORM TO ASTM A 615 GRADE 60. PROVIDE 48 BAR DIAMETER LAP.
4. REBAR SHALL BE CENTERED IN THE CONCRETE BLOCK CELL IN WHICH IT IS LOCATED.
5. CONCRETE BLOCK SHALL BE LAYED IN A RUNNING BOND PATTERN WITH VERTICAL CONTINUITY OF THE CELLS UNO.
6. ALL BLOCK CELLS CONTAINING VERTICAL REBAR SHALL BE SOLID GROUTED.
7. USE ORP TYPE S MORTAR PROPORTIONED USING ASTM C 270. 1 PART CEMENT TO 1/2 PART LIME TO 4-1/2 PARTS DAMP, LOOSE SAND.
8. GROUT FOR CONCRETE BLOCK TO BE 1 PART CEMENT TO 3 PARTS SAND (GROUT MAY CONTAIN 2 PARTS 3/8" PEA GRAVEL IF WEATHER CONDITIONS ARE FAVORABLE AND BLOCK UNOBSTRUCTED CELL SIZE IS SUFFICIENT TO ALLOW GOOD GROUT FLOW). WATER SHALL BE ADDED TO PRODUCE GOOD GROUT FLOW WITHOUT SEGREGATION OF THE CONSTITUENTS PER ASTM 476.
9. BLOCK STEM MAY BE WET-SET 1-1/2" INTO THE FOOTING WHILE THE CONCRETE IS PLASTIC. BLOCK STEM MAY BE PLACED TO EITHER EDGE OF THE TRENCH TYPE FOOTING.
10. FOOTING MUST BE POURED ON OR INTO UNDISTURBED NATURAL SOIL OR ON COMPACTED FILL WITH A MINIMUM COMPACTION OF 90%.
11. FIRST INSPECTION TO BE AFTER FOOTING TRENCHES ARE READY FOR CONCRETE AND ALL REQUIRED STEEL IS TIED IN PLACE. SECOND INSPECTION TO BE WHEN THE REQUIRED VERTICAL IS IN PLACE AND THE BLOCK WALL IS READY TO GROUT.
12. MAXIMUM CONTROL JOINT SPACING: 40' O/C OR 20' O/C IF THE WALL IS TO BE STUCCO COATED.

WESSMAN DEV.
THE EDGE



Use menu item Settings > Printing & Title Block to set these five lines of information for your program.

Title 2'0" retain w 8' [illegible] 100c wind
Job # ...New... Dsgnr:
Description....

Page: _____
Date: 14 JAN 2015

This Wall in File: c:\users\tmallis\documents\retain pro 9\new combo retaining walls 2013.rpx

RetainPro 10 (c) 1987-2014, Build 10.14.8.13
License : KW-06058401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

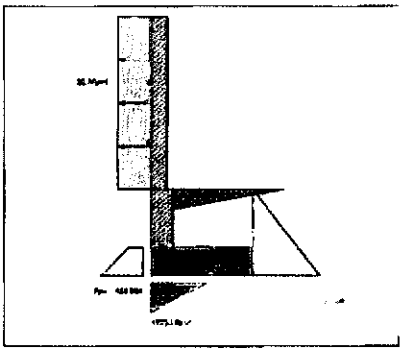
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	2.00 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	6.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	0.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	6.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	1.80 OK
Sliding	=	1.74 OK
Total Bearing Load	=	1,437 lbs
...resultant ecc.	=	11.39 in
Soil Pressure @ Toe	=	1,740 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	2,088 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	5.5 psi OK
Allowable	=	75.0 psi

Sliding Calcs (Vertical Component NOT Used)

Lateral Sliding Force	=	334.5 lbs
less 100% Passive Force	= -	150.0 lbs
less 100% Friction Force	= -	431.0 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.400
Live Load	1.700
Earth, H	2.200
Wind, W	1.300
Seismic, E	1.000

Stem Construction

		Top Stem	2nd
		Stem OK	Stem OK
Design Height Above Ftg	ft =	2.00	0.00
Wall Material Above "Ht"	=	Masonry	Masonry
Thickness	=	6.00	6.00
Rebar Size	=	# 4	# 4
Rebar Spacing	=	32.00	32.00
Rebar Placed at	=	Center	Edge
Design Data			
fb/FB + fa/Fa	=	0.790	0.735
Total Force @ Section	lbs =	132.0	222.0
Moment....Actual	ft-# =	396.0	720.0
Moment.....Allowable	ft-# =	501.0	979.3
Shear.....Actual	psi =	4.0	3.5
Shear.....Allowable	psi =	45.7	45.4
Wall Weight	psf =	47.0	84.0
Rebar Depth 'd'	in =	2.75	5.25
LAP SPLICE IF ABOVE	in =	24.00	24.00
LAP SPLICE IF BELOW	in =	24.00	
HOOK EMBED INTO FTG	in =		6.18

Hook embedment reduced by stress ratio

Masonry Data			
f'm	psi =	1,500	1,500
Fs	psi =	32,000	32,000
Solid Grouting	=	No	Yes
Modular Ratio 'n'	=	21.48	21.48
Short Term Factor	=	1.000	1.000
Equiv. Solid Thick.	in =	3.90	7.60
Masonry Block Type	=	Normal Weight	
Masonry Design Method	=	ASD	
Concrete Data			
f'c	psi =		
Fy	psi =		

Use menu item Settings > Printing & Title Block to set these five lines of information for your program.

Title 2'0" retain w 8' soil 100c wind Page: _____
Job # ...New... Dsgnr: Date: 14 JAN 2015
Description....

This Wall in File: c:\users\tmallis\documents\retain pro 9\new combo retaining walls 2013.rpx

RetainPro 10 (c) 1987-2014, Build 10.14.8.13
License : KW-06058401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	3.00
Total Footing Width	=	3.00
Footing Thickness	=	12.00 in
Key Width	=	0.00 in
Key Depth	=	0.00 in
Key Distance from Toe	=	2.75 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	2,088	0 psf
Mu' : Upward	=	0	322 ft-#
Mu' : Downward	=	0	1,663 ft-#
Mu: Design	=	0	1,341 ft-#
Actual 1-Way Shear	=	0.00	5.51 psi
Allow 1-Way Shear	=	0.00	75.00 psi

Toe Reinforcing = None Spec'd
Heel Reinforcing = None Spec'd
Key Reinforcing = None Spec'd

Other Acceptable Sizes & Spacings
Toe: Not req'd, Mu < S * Fr
Heel: Not req'd, Mu < S * Fr
Key: No key defined

Summary of Overturning & Resisting Forces & Moments

Item		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#			.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	202.5	1.00	202.5	Soil Over Heel	=	536.7	1.83	983.9
Surcharge over Heel	=				Sloped Soil Over Heel	=			
Surcharge Over Toe	=				Surcharge Over Heel	=			
Adjacent Footing Load	=				Adjacent Footing Load	=			
Added Lateral Load	=				Axial Dead Load on Stem	=			
Load @ Stem Above Soil	=	132.0	6.00	792.0	* Axial Live Load on Stem	=			
	=				Soil Over Toe	=			
					Surcharge Over Toe	=			
Total		334.5	O.T.M.	994.5	Stem Weight(s)	=	450.0	0.28	126.5
	=		=		Earth @ Stem Transitions	=			
					Footing Weight	=	450.0	1.50	675.0
					Key Weight	=		2.75	
					Vert. Component	=			
					Total	=	1,436.7 lbs	R.M.=	1,785.4

Resisting/Overturning Ratio = 1.80
Vertical Loads used for Soil Pressure = 1,436.7 lbs

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Pole Footing Embedded in Soil

File = C:\Users\TMALLIS\DOCUME~1\ENERCA~1\NE9AB7~1.EC6
ENERCALC, INC 1983-2014, Build:6.14.9.18, Ver:6.14.9.18
Lic. # : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

Description : 2' retain w6'-0" wall 129/100c wind trench 150 passive 45

Code References

Calculations per IBC 2006 1805.7.2, CBC 2007, ASCE 7-05
Load Combinations Used : ASCE 7-10

General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf

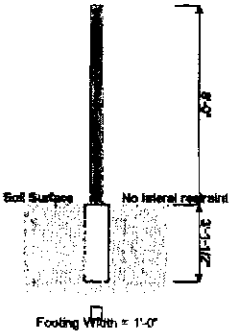
Controlling Values

Governing Load Combination : +D+0.60W+H

Lateral Load	0.2142 k
Moment	0.4865 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	206.108 psf
Allowable	206.240 psf

Minimum Required Depth	**3.125 ft**

Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf



Applied Loads

	Lateral Concentrated Load	Lateral Distributed Load	Vertical Load
D : Dead Load	k	k/ft	k
Lr : Roof Live	k	k/ft	k
L : Live	k	k/ft	k
S : Snow	k	k/ft	k
W : Wind	k	0.0220 k/ft	k
E : Earthquake	k	k/ft	k
H : Lateral Earth	0.1350 k	k/ft	k
Load distance above ground surface	0.670 ft	TOP of Load above ground surface 8.0 ft BOTTOM of Load above ground surface 2.0 ft	

Load Combination Results

Load Combination	Forces @ Ground Surface: Loads - (k)	Forces @ Ground Surface: Moments - (ft-k)	Required Depth - (ft)	Pressure at 1/3 Depth: Actual - (psf)	Pressure at 1/3 Depth: Allow - (psf)	Soil Increase Factor
+D+0.60W+H	0.214	0.486	3.13	206.1	[illegible]	[illegible]
+D-0.60W+H	0.056	0.306	0.75	0.0	[illegible]	[illegible]
+D+0.70E+H	0.135	0.090	2.25	140.9	[illegible]	[illegible]
+D+0.750Lr+0.750L+0.450W+H	0.194	0.387	3.00	192.7	[illegible]	1.330
+D+0.750Lr+0.750L-0.450W+H	0.076	0.207	1.00	0.0	62.7	1.330
+D+0.750L+0.750S+0.450W+H	0.194	0.387	3.00	192.7	194.2	1.330
+D+0.750L+0.750S-0.450W+H	0.076	0.207	1.00	0.0	62.7	1.330
+D+0.750L+0.750S+0.5250E+H	0.135	0.090	2.25	140.9	142.0	1.330
+0.60D+0.60W+0.60H	0.160	0.450	3.00	190.1	191.8	1.330

Pole Footing Embedded in Soil

Description : 2' retain w6'-0" wall 129/100c wind trench 150 passive 45

+0.60D-0.60W+0.60H	0.002	0.342	0.13	0.0	6.0	1.330
+0.60D+0.70E+0.60H	0.081	0.054	1.75	112.8	113.2	1.330

BUILDING PERMIT APPLICATION

DATE: 2/3/15 ~~1/22/15~~ PLAN CHECK DEPOSIT FEE: $108.00 ~~$108.00~~

Project Address 1501 S. Belardo Road Assessor's Parcel # 513-300-057-8

Owner's Name Dakota PS LLC Phone # 760-325-3321

Owner's Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

Contractor's Name Wessman Development Company inc. Phone # 760-325-3321 Llc# 995566

Contractor's Address 555 Sunrise Way Suite 200 Palm Springs CA 92262

Architect's Name Sanborn A/E Phone # 760-432-0600 Lic.# C-16991

Architect's Address 71-780 San Jacinto DR. Suite E-1 Rancho Mirage CA

Engineer's Name Gouvis Engineering Phone # 919-752-1612 Lic.# C 042283

Engineer's Address 4400 Campus DR. newport beach ca 92660

CONTACT PERSON Anthony Monaco Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

PHONE 909-533-0929 **FAX** _____ **EMAIL** amonaco@wessmandevelopment.com

Business License. # 00005276, Expiration Date 9/30/2014 Lot Size (sf.) _____

Building Use _____ Type of Const. _____ Occupancy Group(s) _____ Sprinkled _____

Project Square Footage: Building _____ Garage _____ Carport _____ Patio (type) _____

Project Description combo wall Revise wall detail Total Value of Work $ 45,000

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☑ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
- ☐ Structural Calculations, if applicable (wet-stamped and signed)
- ☐ Floor Plan, dimensioned. Door & Window Schedule
- ☐ Framing Plan with sections and elevations
- ☐ Truss Calculations and layout as applicable (wet-stamped and signed.)
- ☐ Foundation Plan
- ☐ Electrical Plan/Load Calculations include 8-KW future for new single dwellings and condos
- ☐ Waste, Drain & Vent Isometric
- ☐ Gas/Water Piping Isometric (dimensioned layout)
- ☐ Details showing compliance with accessibility. requirements
- ☐ Site Plan showing parking for persons with disabilities and path of travel to building entrance
- ☐ Title 24 (Energy) – 2 sets/ Lighting Compliance Forms
- ☐ Manufacture's brochure for HVAC equipment
- ☐ Mech. Plan / Duct Schematic, equipment location
- ☐ Fireplace Specifications, if applicable
- ☐ Planning / Fire / Engineering approval
- ☐ Health Department approval

Bldg. Plan Check # 2015-316

Planning Case # _____

_____
Signature

PERMIT CENTER
CITY OF PALM SPRINGS

RECEIPT

0405

RECEIVED FROM (Print)	PROJECT NAME/DESCRIPTION/ADDRESS	PLAN CHECK OR CASE NO.
	[illegible]	2015-316

ZONING FEES ACCT. #001-32212

Change of Zone Application Fee	
Conditional Use Permit	
Planned Development District Application Fee	
Variance Application Fee (includes sign variance)	

MISCELLANEOUS FILING FEES ACCT. #001-34303

Architectural Approval	
Administrative Minor Modification	
Miscellaneous	
Environmental Impact Report Review	

SUBDIVISION FEES ACCT. #001-32213

a. Tentative Maps	
b. Final Maps	
c. Lot Line Adj./Cert. of Compliance	

PUBLIC WORKS & ENGINEERING DEPT. FEES

Vacation of Right-of-Way # 001-34309	
Improvement Plans # 001-34302	
Grading Plans # 001-34302	
Encroachment Agreements # 001-34304	

BUILDING & SAFETY DEPARTMENT FEES

Fire Plan Check #001-34210	
Bldg. Permit #001-32201	
Plan Check Deposit #001-34301	108 [illegible]
Plan Check Deposit #001-34307	
Code Compliance Insp./Resale Insp. #001-32209	
Renewal & Reinspection #001-32210	
Microfilm/Miscellaneous #001-34308	
TOTAL FEE	108 [illegible]

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM (Sign)	PERMIT CENTER	DATE	PERMIT NO.
X [illegible]	[illegible]	[illegible]	

WHITE - CUSTOMER YELLOW - CASHIER PINK - FINANCE GOLD - BUILDING

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	2/18/2015

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2015-316

1501 S Belardo Rd
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
2/18/2015	2015-316	15-0551	001-34301	Plan Check Fee	Paid	(-) 165.00
2/18/2015	2015-316	15-0551	001-34301	Plan Check Fee Deposit	Paid	(-) -108.00

Date	InvoiceNum	Status	Payment	Amount
2/17/2015	15-0551	Original Due		57.00
2/18/2015	15-0551	Paid	Check 007661	(-) 57.00

Total Paid 57.00

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **FEB. 11, 2015**

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2015-316** SET: **I**

PROJECT ADDRESS: **1501 SOUTH BELARDO ROAD**

PROJECT NAME: **SITE RETAINING/FENCE WALLS**

- ❑ APPLICANT
- ❑ JURIS.
- ❑ PLAN REVIEWER
- ❑ FILE

☐ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's building codes.

☒ The plans transmitted herewith will substantially comply with the jurisdiction's building codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☐ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☐ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☐ The applicant's copy of the check list has been sent to:

☐ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☒ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: ANTHONY Telephone #: 909-533-0929

Date contacted: 2/11 (by: JL) Email: amonaco@wessmandevelopment.com

√E Mail ↘ Telephone Fax In Person

☒ REMARKS: The applicant to note on plans that Special Inspection should be provided for **Masonry Walls**, as per Sec. 1705.4. (CBC, Chapter 17& Section 107.2).

By: **ALI SADRE, S.E.**
EsGil Corporation

Comments: [The fence walls with 2' retaining heights (for a total 8') are being revised under this permit as an alternative].

☐ GA ☐ EJ ☐ MB ☐ PC 2/05

9320 Chesapeake Drive, Suite 208 ◆ San Diego, California 92123 ◆ (858) 560-1468 ◆ Fax (858) 560-1576

[DO NOT PAY – THIS IS NOT AN INVOICE]

VALUATION AND PLAN CHECK FEE

JURISDICTION: **PALM SPRINGS** PLAN CHECK NO.: **2015-316**

PREPARED BY: **ALI SADRE, S.E.** DATE: **FEB. 11, 2015**

BUILDING ADDRESS: **1501 SOUTH BELARDO ROAD**

BUILDING OCCUPANCY: **U/V-B**

BUILDING PORTION	AREA (Sq. Ft.)	Valuation Multiplier	Reg. Mod.	VALUE ($)	
SITE RETAINING					
WALL DETAIL					
REVISION					
Air Conditioning					
Fire Sprinklers					
TOTAL VALUE					
Jurisdiction Code	PS	97			
Bldg. Permit Fee by Ordinance					
Plan Check Fee by Ordinance					**$206.25**

Type of Review: ☐ Complete Review ☐ Structural Only

☐ Repetitive Fee **Repeats**

☐ Other

☑ **Hourly** 1.5 Hrs. @ *

EsGil Fee $110.00 **$165.00**

* Based on hourly rate

Comments:

BUILDING PERMIT APPLICATION

DATE: 2/3/15 PLAN CHECK DEPOSIT FEE: $108.00 WAIVED

Project Address 1501 S. Belardo Road Assessor's Parcel # 513-300-057-8

Owner's Name Dakota PS LLC Phone # 760-325-3321

Owner's Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

Contractor's Name Wessman Development Company inc. Phone # 760-325-3321 Llc# 995566

Contractor's Address 555 Sunrise Way Suite 200 Palm Springs CA 92262

Architect's Name Sanborn A:E Phone # 760-432-0600 Lic.# C-16991

Architect's Address 71-760 San Jacinto DR. Suite E-1 Rancho Mirage CA

Engineer's Name Gouvis Engineering Phone # 919-752-1612 Lic.# C 042283

Engineer's Address 4400 Campus DR. newport beach ca 92660

CONTACT PERSON Anthony Monaco Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

PHONE 909-533-0929 **FAX** _____ **EMAIL** amonaco@wessmandevelopment.co

Business License. # 00005276, Expiration Date 9/30/2014 Lot Size (sf.) _____

Building Use _____ Type of Const. _____ Occupancy Group(s) _____ Sprinkled _____

Project Square Footage: Building _____ Garage _____ Carport _____ Patio (type) _____

Project Description combo wall Revise wall detail Total Value of Work $ 45,000

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☑ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
- ☐ Structural Calculations, if applicable (wet-stamped and signed)
- ☐ Floor Plan, dimensioned. Door & Window Schedule
- ☐ Framing Plan with sections and elevations
- ☐ Truss Calculations and layout as applicable (wet-stamped and signed.)
- ☐ Foundation Plan
- ☐ Electrical Plan/Load Calculations include 8-KW future for new single dwellings and condos
- ☐ Waste, Drain & Vent Isometric
- ☐ Gas/Water Piping Isometric (dimensioned layout)
- ☐ Details showing compliance with accessibility. requirements
- ☐ Site Plan showing parking for persons with disabilities and path of travel to building entrance
- ☐ Title 24 (Energy) – 2 sets/ Lighting Compliance Forms
- ☐ Manufacture's brochure for HVAC equipment
- ☐ Mech. Plan / Duct Schematic, equipment location
- ☐ Fireplace Specifications, if applicable
- ☐ Planning / Fire / Engineering approval
- ☐ Health Department approval

Bldg. Plan Check # 2015-316

Planning Case # _____

_____
Signature

BUILDING PERMIT APPLICATION

DATE: 2/3/15 PLAN CHECK DEPOSIT FEE: $108.00 PAID

Project Address 1501 S. Belardo Road Assessor's Parcel # 513-300-057-8

Owner's Name Dakota PS LLC Phone # 760-325-3321

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PHONE 909-533-0929 **FAX** _____ **EMAIL** amonaco@wessmandevelopment.cc

Business License. # 00005276, Expiration Date 9/30/2014 Lot Size (sf.) _____

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WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans "18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

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- ☐ Health Department approval

Bldg. Plan Check # 2015-316

Planning Case # _____

_____
Signature

DAKOTA

1501 S. BELARDO ROAD
PALM SPRINGS, CA 92262
TRACT MAP 36548 – CASE 5.1297 PDD 364

SITE NOTES:

REFER TO CIVIL DRAWINGS FOR SITE INFORMATION

ALL PROPERTY LINES, EASEMENTS, AND BUILDINGS BOTH EXISTING AND PROPOSED ARE SHOWN ON THIS PLAN. ALL PROPERTY LINES ARE REAL.

THIS PROJECT IS NOT WITHIN A NOISE CRITICAL AREA (CNEL CONTOURS OF 60 DB) AS SHOWN ON THE CITY OF PALM SPRINGS OFFICIAL ZONING MAP.

EXTERIOR DECKS SHALL HAVE A MIN. SLOPE OF 1/4" 12", AND SLOPE AWAY FROM BUILDING.

EXTERIOR FLATWORK SHALL HAVE A MIN. SLOPE 1/8" 12" AND SLOPE AWAY FROM BUILDING (EXCEPTION DRIVEWAY SHALL HAVE A MIN. SLOPE OF 1/4" 12")

SEE LANDSCAPE PLAN FOR NEW PLANTINGS AND LANDSCAPE LIGHTING LOCATIONS.

SEE LANDSCAPE PLANS FOR NEW HARDSCAPE INFORMATION.

SEE LANDSCAPE FOR POOL FINISHES.

ALL SITE DRAINAGE TO APPROVED STORM DRAINAGE VIA NON-CORROSIVE DEVICES. REFER TO CIVIL SHEETS FOR ADDITIONAL SPECIFICATIONS AND DRAINAGE INFORMATION.

PROVIDE AN ALARM FOR ALL DOORS TO THE DWELLING THAT FORM PART OF THE POOL ENCLOSURE. THE ALARM SHALL SOUND CONTINUOUSLY FOR A MINIMUM OF 30 SECONDS WHEN THE DOOR IS OPENED. IT SHALL AUTOMATICALLY RESET AND EQUIPPED WITH A MANUAL MEANS TO DEACTIVATE (FOR 15 SECONDS MAX.) FOR A SINGLE OPENING. THE DEACTIVATION SWITCH SHALL BE AT LEAST 54" ABOVE THE FLOOR.

THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL-BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.

AN APPROVED SEISMIC GAS SHUT-OFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING. (PER ORDINANCE 170.1(M) (INCLUDES COMMERCIAL ADDITIONS AND TI WORK OVER $10,000). SEPARATE PLUMBING PERMITS REQUIRED.

SECURED AUTOMATED VEHICLE GATES OR ENTRIES SHALL UTILIZE APPROVED KNOX ACCESS SWITCHES AS REQUIRED BY THE FIRE CODE OFFICIAL. SECURED NON-AUTOMATED VEHICLE GATES OR ENTRIES SHALL UTILIZE AN APPROVED PADLOCK OR CHAIN WHEN REQUIRED BY THE FIRE CODE OFFICIAL.

RESIDENTIAL COMPLEXES USING SECURED AUTOMATED VEHICLE ENTRY GATES SHALL UTILIZE A COMBINATION TOMAR STROBE-ACTIVATED SWITCH AND AN APPROVE KNOX KEY (ELECTRIC SWITCH). IN THE EVENT OF A POWER FAILURE, THE GATES SHALL BE DEFAULTED OR AUTOMATICALLY TRANSFERRED TO A FAIL SAFE MODE ALLOWING THE GATE TO PUSH OPEN WITHOUT THE USE OF SPECIAL KNOWLEDGE OR ANY EQUIPMENT. IF A TWO-GATE SYSTEM IS USED, THE OVERRIDE SWITCH MUST OPEN BOTH GATES.

BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THE BACKGROUND. ADDRESS NUMBERS SHALL BE A MINIMUM OF 4" HIGH AND MAXIMUM HEIGHT OF 8" (SCH 13) WITH A MINIMUM STROKE WIDTH OF 0.5".

A COPY OF THE APPROVED SOILS REPORT SHALL BE KEPT ON SITE.

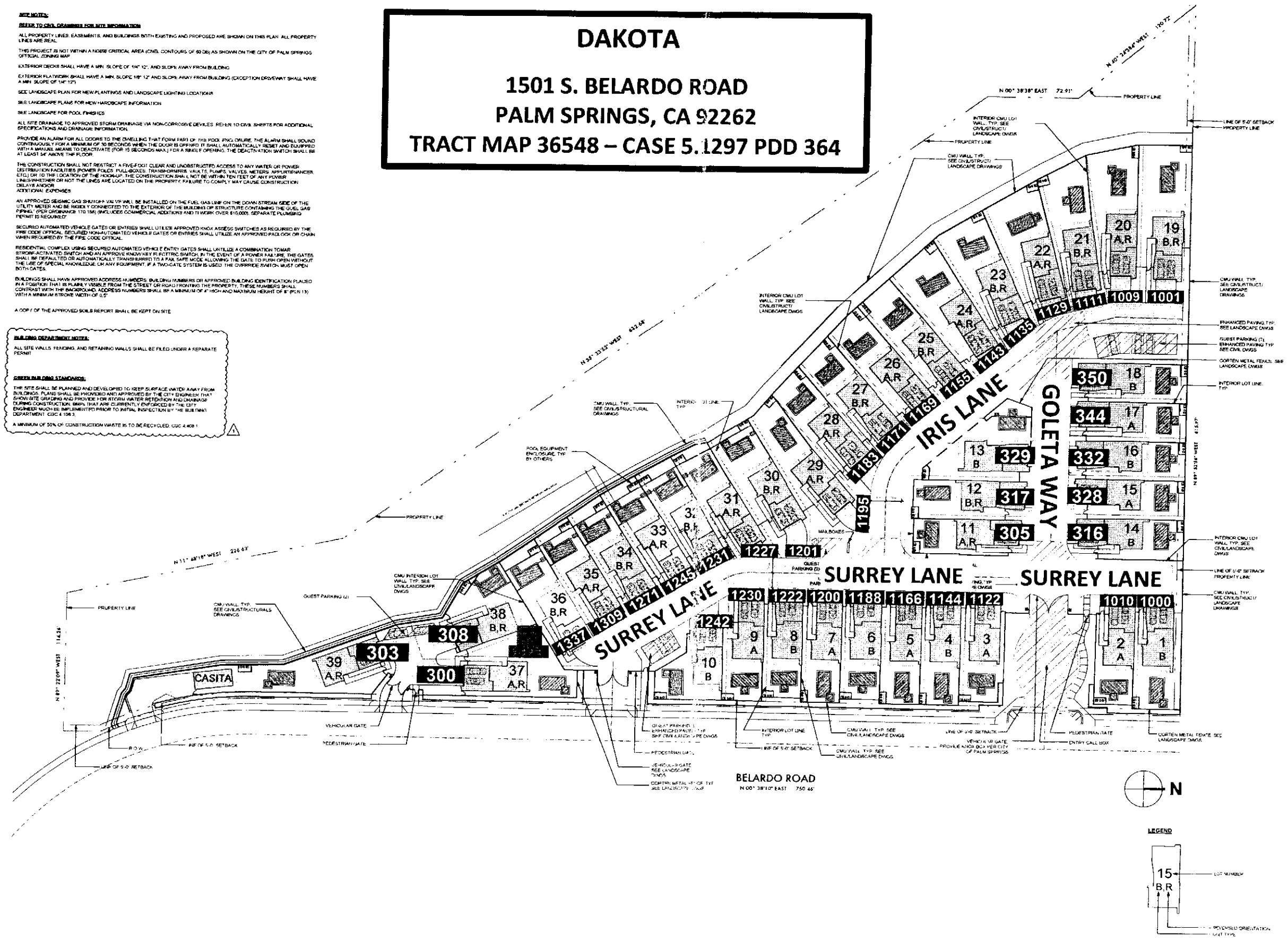
BUILDING DEPARTMENT NOTES:

ALL SITE WALLS, FENCING, AND RETAINING WALLS SHALL BE FILED UNDER A SEPARATE PERMIT.

GREEN BUILDING STANDARDS:

THE SITE SHALL BE PLANNED AND DEVELOPED TO KEEP SURFACE WATER AWAY FROM BUILDINGS. PLANS SHALL BE PROVIDED AND APPROVED BY THE CITY ENGINEER THAT SHOW SITE GRADING AND PROVIDE FOR STORM WATER RETENTION AND DRAINAGE DURING CONSTRUCTION. BMPs THAT ARE CURRENTLY ENFORCED BY THE CITY ENGINEER MUST BE IMPLEMENTED PRIOR TO INITIAL INSPECTION BY THE BUILDING DEPARTMENT. CGC 4.106.3.

A MINIMUM OF 50% OF CONSTRUCTION WASTE IS TO BE RECYCLED. CGC 4.408.1



ARCHITECTURE
INTERIORS

DesignARC

Santa Barbara
Los Angeles

2559 Overland Avenue
Los Angeles, CA 90064-2320
TEL: 310.204.8930
FAX: 310.204.9969

Mark D. Kirkhart AIA
Dion P. McCarthy AIA

DAKOTA
SOUTH BELARDO ROAD
PALM SPRINGS, CA

LICENSED ARCHITECT
MARK D. KIRKHART
C 28044
STATE OF CALIFORNIA

JOB NUMBER
12661.B3

PIC	PA	PM	TEAM
DM	VG	AA	FM

ALL DESIGN IDEAS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY AND ARE THE PROPERTY OF DESIGNARC AND WERE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, OR PLANS SHALL BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF DESIGNARC LOS ANGELES.
© DESIGNARC LOS ANGELES 2013

REVISION	DESCRIPTION	DATE

SITE PLAN

A1.11

SCALE
1" = 30'-0"

DATE
09 OCTOBER 2013

2015-316

2014-3626

ORCO WALL SYSTEM

STRUCTURAL CALCULATIONS

FOR

WESSMAN DEVELOPMENT
DAKOTA

PALM SPRINGS, CALIFORNIA

APPROVED
APR 28 2015

Heights and locations as per approved grading plans.

ORCO BLOCK INC. 4510 RUTILE ST. RIVERSIDE, CA. 92509
TEL. (951) 685-1521 FAX. (951) 685-4295

ORCO WALL SYSTEM FORCES PER 2013 CBC CHAPTER 16

CITY OF PALM SPRINGS, CALIFORNIA

WIND FORCES TO WALLS PER ASCE 7-10 SECTION 29.4

CHECK WIND FORCE CALCULATION FOR BASIC 85 MPH & 95 MPH 3 SECOND GUST SPEED EXPOSURE C CONDITION

USING ASCE 7-10 CHAPTER 29 WIND LOADS:
USING SECTION 29.3.2 TO FIND THE 3 SEC. VELOCITY PRESSURE Q_z.
$Q_H = 0.00256\ K_z\ K_{zt}\ K_d\ V^2\ I$ (29.3-1), WHERE: K_z = 0.57 FOR EXP B AND K_z =0 .85 FOR EXP C

FROM TABLE 29.3-1:
K_{zt} = 1.0 DEFAULT PER SECTION 26.8-1
K_d = 0.85 FROM SECTION 26.6-1

THEREFORE, FOR 85 MPH & 95 MPH 3 SEC. WIND GUST SPEED:
$Q_H = (0.00256)(0.85)(1.0)(0.85)(85)^2\ (1)$ = 13.4 PSF & $Q_H = (0.00256)(0.85)(1.0)(0.85)(95)^2\ (1)$ = 16.7 PSF

NOW USING SECTION 29.4.1 FOR SOLID FREESTANDING WALLS:
$F_H = Q_H\ G\ C_f\ A_s$ (29.4-1) WHERE: G= 0.85 FROM SECTION 26.9.1

C_f = 1.66 PER FIGURE 29.4-1 USING AVERAGE ASPECT RATIO (WALL LENGTH TO HIGTH) OF 2.
NOTE: C_f RANGES FROM 1.48 FOR A 5' WIDE RETURN WALL TO 1.3 FOR A 60' PANEL.

THEREFORE: FOR 85 MPH = (13.4 PSF)(0.85)(1.4) A_s = 16.0 PSF. & FOR 95 MPH = (16.7 PSF)(0.85)(1.4) A_s = 19.9 PSF.

WIND FORCE FOR EXPOSURE C CONDITIONS							
V_{ULT} IN MPH	110	116	122	129	136	142	155
V_{ASD} IN MPH= $(V_{ULT})(0.6^{1/2})$	85	90	95	100	105	110	120
$Q_H = .00256\ K_z\ K_{zt}\ K_d\ V^2\ I$ WHERE K_z=0.85, K_{zt}=1.0, K_d= 0.85	13.6 PSF	16.0 PSF	16.7 PSF	19.6 PSF	20.4 PSF	22.4 PSF	26.3 PSF
F_H = WIND FORCE PER SQ. FT. $F_H = Q_H G\ C_f\ A_s$ PER SECTION 29.4-1 WHERE G=0.85 AND C_f= 1.4 AVE.	16.0 PSF	17.9 PSF	19.9 PSF	22.0 PSF	24.3 PSF	26.7 PSF	31.9 PSF

PROJECT SITE WIND ZONE: V_{ASD} = 100 MPH EXPOSURE C
THEREFORE WIND FORCE = 22.0 PSF

SEISMIC FORCES PER 2013 CBC (ASCE 7-10 SECTION 15.4.1 B) FOR NONBUILDING STRUCTURES

- FREE STANDING WALLS AND PILASTERS
- PROJECT SITE CLASS D
- FUNDAMENTAL PERIOD T GREATER THAN 0.06 SEC CALCULATED USING SECTION 12.8-7 AND TABLE 12.8-2

PER EQN. 15.4-2, SEISMIC BASE SHEAR FOR FLEXIBLE NONBUILDING STRUCTURES NOT SIMILAR TO BUILDINGS:
$V = [(0.80)(S_1)/(R/I)]\ W$, WHERE I = 1.0 & FA = 1.1 FROM TABLE 11.4-1 & R = 3.0 FROM TABLE 15.4.2

SEISMIC FORCE FOR 1 SEC. PERIOD CONDITIONS						
S_1 FROM FIG.22-2	60	70	80	90	100	110
$V = [(0.80)(S_1)/(R/I)]\ W$	0.22W	0.24W	0.25W	0.27W	0.30W	0.32W

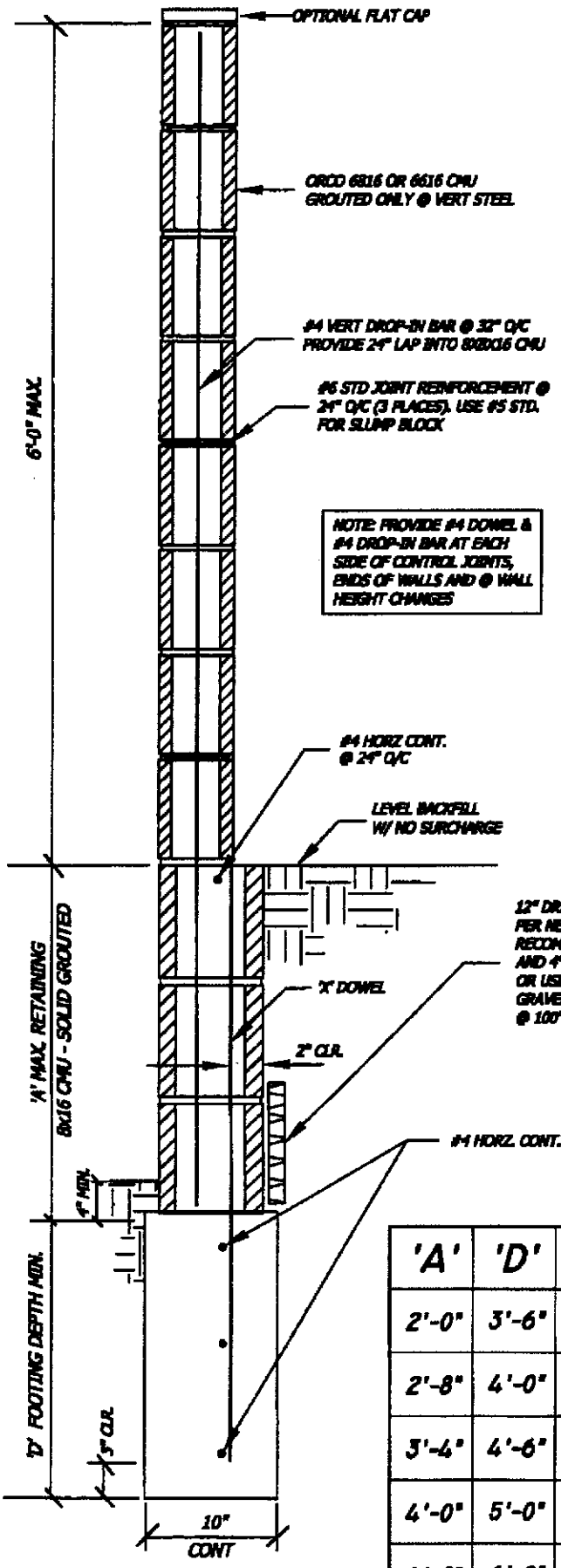
PROJECT SITE SEISMIC INFORMATION: S_1 = 1.00 & V = 0.30W

CMU WALL WEIGHTS PER SQ. FT.										
BLOCK TYPE	6" CMU W/ JOINT REINFORCEMENT					8" CMU				16X16 PILASTER
GROUTED @ O/C	48"O/C	40"O/C	32"O/C	24"O/C	16"O/C	32"O/C	24"O/C	16"O/C	SOLID	SOLID
WT. PER SQ. FT.	34 PSF	35 PSF	37 PSF	39 PSF	45 PSF	48 PSF	52 PSF	60 PSF	80 PSF	160 PSF

THEREFORE SEISMIC FORCE IS: $V_{6"\text{-}CMU} = (0.30)(48\ PSF) = 14.4\ PSF$
$V_{8"\text{-}CMU} = (0.30)(68\ PSF) = 20.4\ PSF$

ORCO 6' HIGH WALL W/ 2'-0" TO 4'-8" RETAINING

FOR 129/100 MPH WIND 3 SEC. GUST @ EXP C



DESIGN CRITERIA PER 2013 CBC:

1. SOIL BEARING PRESSURE = 1500 PSF + 1/3 INCR. FOR WIND OR SEISMIC.
2. EQUIVALENT FLUID PRESSURE = 45 PSF PER SOILS REPORT.
3. ALLOWABLE LATERAL PASSIVE PRESSURE = 150 PSF.
4. GROUT STRENGTH = 2000 PSI @ 28 DAYS.
5. REINFORCING STEEL : GRADE 60.
6. SEISMIC - 1 SEC. ACCELERATION = 109%.
7. 1500 PSI MASONRY COMPRESSION STRENGTH.

NOTES:

1. CONCRETE BLOCK SHALL CONFORM TO ASTM C 90. ORCO STD. PRECISION BLOCK MAY BE USED.

2. CONCRETE FOR FOOTING SHALL BE 1 PART CEMENT TO 3-1/2 PARTS SAND TO 3-1/2 PARTS GRAVEL WITH A MAXIMUM OF 1-1/2 GALLONS OF WATER PER SACK. PORTLAND CEMENT SHALL CONFORM TO ASTM C 150 TYPE II/V. Pc = 2500 PSI

3. REINFORCING STEEL SHALL BE DEFORMED AND CONFORM TO ASTM A 615 GRADE 60. PROVIDE 40 BAR DIAMETER LAP.

4. REBAR SHALL BE CENTERED IN THE CONCRETE BLOCK CELL IN WHICH IT IS LOCATED.

5. CONCRETE BLOCK SHALL BE LAYED IN A RUNNING BOND PATTERN WITH VERTICAL CONTINUITY OF THE CELLS MAINTAINED.

6. ALL BLOCK CELLS CONTAINING VERTICAL REBAR SHALL BE SOLID GROUTED.

7. USE CMP TYPE S MORTAR PROPORTIONED USING ASTM C 270. 1 PART CEMENT TO 1/2 PART LIME TO 4-1/2 PARTS DAMP, LOOSE SAND.

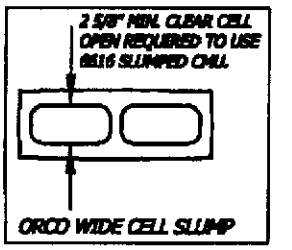
8. GROUT FOR CONCRETE BLOCK TO BE 1 PART CEMENT TO 3 PARTS SAND (GROUT MAY CONTAIN 2 PARTS 3/8" PEA GRAVEL IF WEATHER CONDITIONS ARE FAVORABLE AND BLOCK UNOBSTRUCTED CELL SIZE IS SUFFICIENT TO ALLOW GOOD GROUT FLOW). WATER SHALL BE ADDED TO PRODUCE GOOD GROUT FLOW WITHOUT SEGREGATION OF THE CONSTITUENTS PER ASTM 476.

9. BLOCK STEM MAY BE WET-SET 1-1/2" INTO THE FOOTING WHILE THE CONCRETE IS PLASTIC. BLOCK STEM MAY BE PLACED TO EITHER SIDE OF THE TRENCH TYPE FOOTING.

10. FOOTING MUST BE POURED ON OR INTO UNDISTURBED NATURAL SOIL OR ON COMPACTED FILL WITH A MINIMUM COMPACTION OF 90%.

11. FIRST INSPECTION TO BE AFTER FOOTING TRENCHES ARE READY FOR CONCRETE AND ALL REQUIRED STEEL IS TIED IN PLACE. SECOND INSPECTION TO BE WHEN THE REQUIRED VERTICAL IS IN PLACE AND THE BLOCK WALL IS READY TO GROUT.

12. MAXIMUM CONTROL JOINT SPACING: 40' O/C OR 20' O/C IF THE WALL IS TO BE STUCCO COATED.



WESSMAN DEVELOPMENT
DAKOTA
PALM SPRINGS, CALIFORNIA

'A'	'D'	'X' DOWEL	
2'-0"	3'-6"	#4@32" O/C	'D' + 1'-9"
2'-8"	4'-0"	#4@16" O/C	'D' + 1'-9"
3'-4"	4'-6"	#4@16" O/C	'D' + 1'-9"
4'-0"	5'-0"	#4@16" O/C	'D' + 1'-9"
4'-8"	6'-0"	#5@16" O/C	'D' + 1'-9"

Wesaman Development
Dakota
Palm Springs, California

Title (1) 2'-0" Ret_W/6' Wall_Spread
Job # : Dsgnr:
Description....

Page: _____
Date: 21 APR 2015

This Wall in File: c:\users\szaky\documents\retainpro 10 project files\wesaman development_dakota_pa

RetainPro (c) 1987-2015, Build 11.15.4.02
License : KW-06059401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

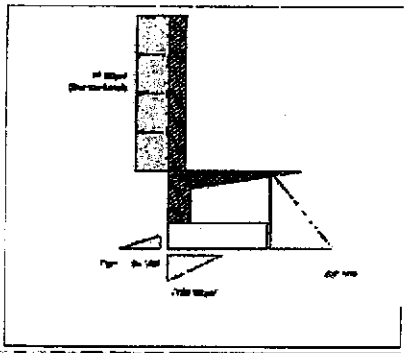
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	2.00 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	6.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	115.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	12.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem (Service Level)	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	1.80 OK
Sliding	=	1.57 OK
Total Bearing Load	=	1,437 lbs
...resultant ecc.	=	11.39 in
Soil Pressure @ Toe	=	1,740 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	2,088 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	4.0 psi OK
Allowable	=	75.0 psi

Sliding Calcs

Lateral Sliding Force	=	334.5 lbs
less 100% Passive Force	= -	93.8 lbs
less 100% Friction Force	= -	431.0 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Vertical component of active lateral soil pressure IS NOT considered in the calculation of soil bearing

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.200
Live Load	1.600
Earth, H	1.600
Wind, W	1.000
Seismic, E	1.000

Stem Construction

		2nd Stem OK	Bottom Stem OK	
Design Height Above Ftg	ft =	2.00	0.00	
Wall Material Above "Ht"	=	Masonry	Masonry	
Design Method	=	ASD	ASD	ASD
Thickness	=	8.00	8.00	
Rebar Size	=	# 4	# 4	
Rebar Spacing	=	32.00	32.00	
Rebar Placed at	=	Center	Edge	
Design Data				
fb/FB + fa/Fa	=	0.790	0.735	
Total Force @ Section				
Service Level	lbs =	132.0	222.0	
Strength Leve	lbs =			
Moment....Actual				
Service Level	ft-# =	396.0	720.0	
Strength Leve	ft-# =			
Moment.....Allowable	ft-# =	501.0	979.3	
Shear.....Actual				
Service Level	psi =	4.0	3.5	
Strength Leve	psi =			
Shear.....Allowable	psi =	45.4	45.2	
Wall Weight	psf =	47.0	84.0	
Rebar Depth 'd'	in =	2.75	5.25	
Masonry Data				
f'm	psi =	1,500	1,500	
Fs	psi =	32,000	32,000	
Solid Grouting	=	No	Yes	
Modular Ratio 'n'	=	21.48	21.48	
Short Term Factor	=	1.000	1.000	
Equiv. Solid Thick.	in =	3.90	7.60	
Masonry Block Type	=	Normal Weight		
Masonry Design Method	=	ASD		
Concrete Data				
f'c	psi =			
Fy	psi =			

REGISTERED PROFESSIONAL ENGINEER
TIMOTHY S. MALLIS
CIVIL
STATE OF CALIFORNIA

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License : KW-06059401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	3.00
Total Footing Width	=	3.00
Footing Thickness	=	12.00 in
Key Width	=	0.00 in
Key Depth	=	0.00 in
Key Distance from Toe	=	0.00 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	2,088	0 psf
Mu' : Upward	=	0	201 ft-#
Mu' : Downward	=	0	1,419 ft-#
Mu: Design	=	0	1,217 ft-#
Actual 1-Way Shear	=	0.00	3.96 psi
Allow 1-Way Shear	=	0.00	75.00 psi
Toe Reinforcing	=	None Spec'd	
Heel Reinforcing	=	None Spec'd	
Key Reinforcing	=	None Spec'd	

Other Acceptable Sizes & Spacings
Toe: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Heel: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Key: No key defined

Summary of Overturning & Resisting Forces & Moments

Item		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#		.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	202.5	1.00	202.5	Soil Over Heel	= 536.7	1.83	983.9
Surcharge over Heel	=				Sloped Soil Over Heel	=		
Surcharge Over Toe	=				Surcharge Over Heel	=		
Adjacent Footing Load	=				Adjacent Footing Load	=		
Added Lateral Load	=				Axial Dead Load on Stem	=		
Load @ Stem Above Soil	=	132.0	6.00	792.0	* Axial Live Load on Stem	=		
	=				Soil Over Toe	=		
					Surcharge Over Toe	=		
Total		334.5	O.T.M.	994.5	Stem Weight(s)	= 450.0	0.28	126.5
	=		=		Earth @ Stem Transitions	=		
					Footing Weight	= 450.0	1.50	675.0
					Key Weight	=		
					Vert. Component	=		
					Total	= 1,436.7 lbs	R.M.=	1,785.4

Resisting/Overturning Ratio = 1.80
Vertical Loads used for Soil Pressure = 1,436.7 lbs

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Sliding Resistance.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Overturning Resistance.

Tilt

Horizontal Deflection at Top of Wall due to settlement of soil

(Deflection due to wall bending not considered)

Soil Spring Reaction Modulus	250.0	pci
Horizontal Defl @ Top of Wall (approximate only)	0.129	in

The above calculation is not valid if the heel soil bearing pressure exceeds that of the toe, because the wall would then tend to rotate into the retained soil.

Weissman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

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Pole Footing Embedded In Soil

File = c:\Users\szaky\DOCUME~1\ENERCA~1\WEBSMA~1.EC6
ENERCALC, INC. 1983-2015, Build 6.15.1.19, Ver: 6.15.1.19

Lic. # : KW-06003522 — Licensee : ORCO BLOCK COMPANY INC

Description : (1) 2'-0" Retain W/ 6" Wall_129/100c_Trench Footing 150 Passive

Code References

Calculations per IBC 2012 1807.3, CBC 2013, ASCE 7-10
Load Combinations Used : ASCE 7-10

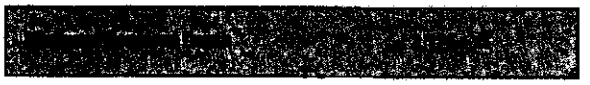
General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf

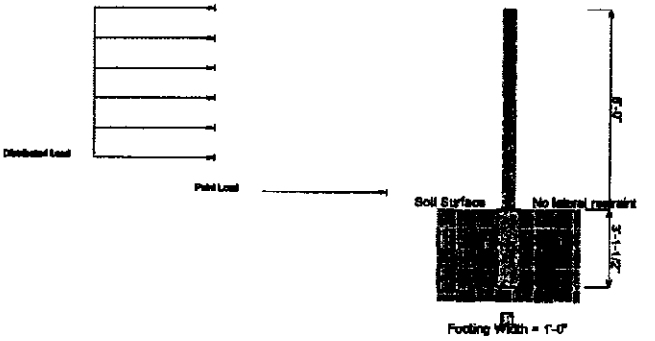
Controlling Values

Governing Load Combination : +D+0.60W+H

Lateral Load	0.2142 k
Moment	0.4865 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	206.106 psf
Allowable	206.240 psf



Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf

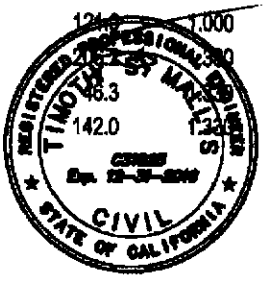


Applied Loads

	Lateral Concentrated Load	Lateral Distributed Load	Vertical Load
D : Dead Load	k	k/ft	k
Lr : Roof Live	k	k/ft	k
L : Live	k	k/ft	k
S : Snow	k	k/ft	k
W : Wind	k	0.0220 k/ft	k
E : Earthquake	k	k/ft	k
H : Lateral Earth	0.1350 k	k/ft	k
Load distance above ground surface	0.670 ft	TOP of Load above ground surface 8.0 ft	
		BOTTOM of Load above ground surface 2.0 ft	

Load Combination Results

Load Combination	Passive @ Soil/Conc. Surface: Load - (k)	Passive @ Soil/Conc. Surface: Resistance - (k-ft)	Pressure: Depth - (ft)	Pressure at 1/3 Depth: Actual - (psf)	Pressure at 1/3 Depth: Allow - (psf)	Soil Increase: Factor
+D+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+L+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+Lr+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+S+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+0.750Lr+0.750L+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+0.750L+0.750S+H	0.135	0.090	2.50	120.6	121.0	1.000
+D+0.60W+H	0.214	0.486	3.13	206.1	206.2	1.000
+D-0.60W+H	0.056	0.306	0.75	0.0	46.3	1.000
+D+0.70E+H	0.135	0.090	2.25	140.9	142.0	1.000



Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 21 APR 2015, 3:58PM

Pole Footing Embedded in Soil

File = c:\Users\azaky\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC. 1983-2015, Build:6.15.1.19, Ver:6.15.1.19
Lic. # : KW-06003522
Licensee : ORCO BLOCK COMPANY INC

Description : (1) 2'-0" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

+D-0.70E+H	0.135	0.090	2.25	140.9	142.0	1.330
+D+0.750Lr+0.750L+0.450W+H	0.194	0.387	3.00	192.7	194.2	1.330
+D+0.750Lr+0.750L-0.450W+H	0.076	0.207	1.00	0.0	62.7	1.330
+D+0.750L+0.750S+0.450W+H	0.194	0.387	3.00	192.7	194.2	1.330
+D+0.750L+0.750S-0.450W+H	0.076	0.207	1.00	0.0	62.7	1.330
+D+0.750L+0.750S+0.5250E+H	0.135	0.090	2.25	140.9	142.0	1.330
+D+0.750L+0.750S-0.5250E+H	0.135	0.090	2.25	140.9	142.0	1.330
+0.60D+0.60W+0.60H	0.160	0.450	3.00	190.1	191.8	1.330
+0.60D-0.60W+0.60H	0.002	0.342	0.13	0.0	6.0	1.330
+0.60D+0.70E+0.60H	0.081	0.054	1.75	112.8	113.2	1.330
+0.60D-0.70E+0.60H	0.081	0.054	1.75	112.8	113.2	1.330

Wessman Development
Dakota
Palm Springs, California

Title (2) 2'-8" Ret_W/6' Wall_Spread
Job # :
Description....
Dsgnr:

Page: _____
Date: 21 APR 2015

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Cantilevered Retaining Wall Design

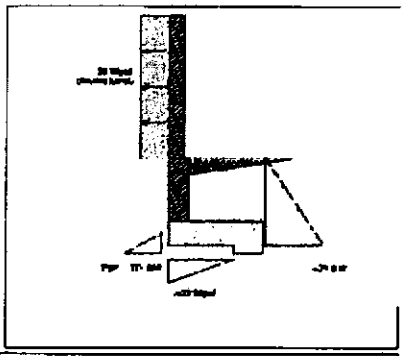
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	2.67 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	8.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	115.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	12.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem (Service Level)	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	2.10 OK
Sliding	=	1.67 OK
Total Bearing Load	=	1,837 lbs
...resultant ecc.	=	10.50 in
Soil Pressure @ Toe	=	1,634 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	1,960 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	2.9 psi OK
Allowable	=	75.0 psi

Sliding Calcs

Lateral Sliding Force	=	435.1 lbs
less 100% Passive Force	= -	177.1 lbs
less 100% Friction Force	= -	551.1 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Vertical component of active lateral soil pressure IS NOT considered in the calculation of soil bearing

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.200
Live Load	1.600
Earth, H	1.600
Wind, W	1.000
Seismic, E	1.000

Stem Construction

		2nd Stem OK	Bottom Stem OK	
Design Height Above Ftg	ft =	2.67	0.00	
Wall Material Above "Ht"	=	Masonry	Masonry	
Design Method	=	ASD	ASD	ASD
Thickness	=	6.00	8.00	
Rebar Size	=	# 4	# 4	
Rebar Spacing	=	32.00	16.00	
Rebar Placed at	=	Center	Edge	
Design Data				
fb/FB + fa/Fa	=	0.790	0.467	
Total Force @ Section				
Service Level	lbs =	132.0	292.4	
Strength Leve	lbs =			
Moment....Actual				
Service Level	ft-# =	396.0	891.2	
Strength Leve	ft-# =			
Moment.....Allowable	ft-# =	501.0	1,909.1	
Shear.....Actual				
Service Level	psi =	4.0	4.6	
Strength Leve	psi =			
Shear.....Allowable	psi =	45.4	45.4	
Wall Weight	psf =	47.0	84.0	
Rebar Depth 'd'	in =	2.75	5.25	
Masonry Data				
f'm	psi =	1,500	1,500	
Fs	psi =	32,000	32,000	
Solid Grouting	=	No	Yes	
Modular Ratio 'n'	=	21.48	21.48	
Short Term Factor	=	1.000	1.000	
Equiv. Solid Thick.	in =	3.90	7.60	
Masonry Block Type	=	Normal Weight		
Masonry Design Method	=	ASD		
Concrete Data				
f'c	psi =			
Fy	psi =			

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Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	3.25
Total Footing Width	=	3.25
Footing Thickness	=	12.00 in
Key Width	=	12.00 in
Key Depth	=	4.00 in
Key Distance from Toe	=	2.25 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	1,960	0 psf
Mu' : Upward	=	0	576 ft-#
Mu' : Downward	=	0	2,066 ft-#
Mu: Design	=	0	1,491 ft-#
Actual 1-Way Shear	=	0.00	2.86 psi
Allow 1-Way Shear	=	0.00	75.00 psi

Toe Reinforcing = None Spec'd
Heel Reinforcing = None Spec'd
Key Reinforcing = None Spec'd

Other Acceptable Sizes & Spacings

Toe: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Heel: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Key: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm

Summary of Overturning & Resisting Forces & Moments

Item		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#		.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	303.1	1.22	370.7	Soil Over Heel	= 793.2	1.96	1,553.4
Surcharge over Heel	=				Sloped Soil Over Heel	=		
Surcharge Over Toe	=				Surcharge Over Heel	=		
Adjacent Footing Load	=				Adjacent Footing Load	=		
Added Lateral Load	=				Axial Dead Load on Stem	=		
Load @ Stem Above Soil	=	132.0	6.67	880.4	* Axial Live Load on Stem	=		
	=				Soil Over Toe	=		
					Surcharge Over Toe	=		
Total		435.1 O.T.M.		1,251.2	Stem Weight(s)	= 506.3	0.29	145.3
	=		=		Earth @ Stem Transitions	=		
					Footing Weight	= 487.5	1.63	792.2
					Key Weight	= 50.0	2.75	137.5
					Vert. Component	=		
					Total =	1,837.0 lbs	R.M.=	2,628.3

Resisting/Overturning Ratio = 2.10
Vertical Loads used for Soil Pressure = 1,837.0 lbs

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Sliding Resistance.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Overturning Resistance.

Tilt

Horizontal Deflection at Top of Wall due to settlement of soil

(Deflection due to wall bending not considered)

Soil Spring Reaction Modulus	250.0	pci
Horizontal Defl @ Top of Wall (approximate only)	0.121	in

The above calculation is not valid if the heel soil bearing pressure exceeds that of the toe, because the wall would then tend to rotate into the retained soil.

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 21 APR 2015, 3:57PM

Pole Footing Embedded In Soil

File = c:\Users\azsky\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC. 1983-2015, Build 6.15.1.19, Ver 6.15.1.19

Lic. # : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

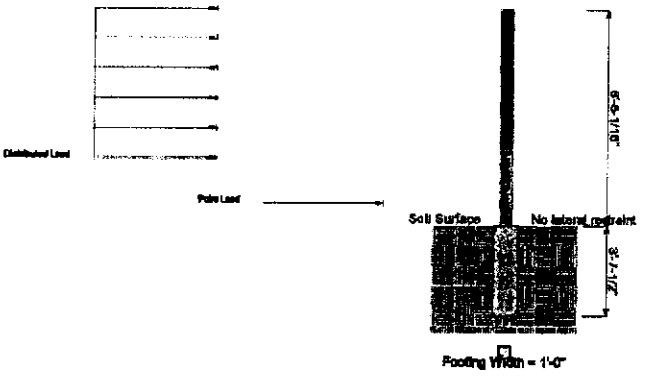
Description : (2) 2'-8" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

Code References

Calculations per IBC 2012 1807.3, CBC 2013, ASCE 7-10
Load Combinations Used : ASCE 7-10

General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf



Controlling Values

Governing Load Combination : +D+0.60W+H

Lateral Load	0.3198 k
Moment	0.6632 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	238.892 psf
Allowable	240.196 psf

[redacted]

Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf

Applied Loads

	Lateral Concentrated Load		Lateral Distributed Load	Vertical Load
D : Dead Load		k	k/ft	k
Lr : Roof Live		k	k/ft	k
L : Live		k	k/ft	k
S : Snow		k	k/ft	k
W : Wind		k	0.0220 k/ft	k
E : Earthquake		k	k/ft	k
H : Lateral Earth	0.2406	k	k/ft	k
Load distance above ground surface	0.890	ft	TOP of Load above ground surface 6.670 ft BOTTOM of Load above ground surface 2.670 ft	

Load Combination Results

Load Combination	Forces @ Ground Surface: Loads - (k)	Moments - (ft-k)	Required: Depth - (ft)	Pressure at 1/3 Depth: Actual - (psf)	Allow - (psf)	Soil Increase: Factor
+D+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+L+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+Lr+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+S+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+0.750Lr+0.750L+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+0.750L+0.750S+H	0.241	0.214	3.25	160.6	161.6	1.000
+D+0.60W+H	0.320	0.663	3.63	238.9	240.2	1.000
+D-0.60W+H	0.161	0.235	1.38	0.0	89.3	
+D+0.70E+H	0.241	0.214	2.88	188.1	189.3	1.000

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 21 APR 2015, 3:57PM

Pole Footing Embedded in Soil

File = c:\Users\zaky\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC. 1983-2015, Build 6.15.1.19, Ver 6.15.1.19
Lic. # : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

Description : (2) 2'-8" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

+D-0.70E+H	0.241	0.214	2.88	188.1	189.3	1.330
+D+0.750Lr+0.750L+0.450W+H	0.300	0.551	3.50	228.1	229.3	1.330
+D+0.750Lr+0.750L-0.450W+H	0.181	0.123	1.63	101.7	101.9	1.330
+D+0.750L+0.750S+0.450W+H	0.300	0.551	3.50	228.1	229.3	1.330
+D+0.750L+0.750S-0.450W+H	0.181	0.123	1.63	101.7	101.9	1.330
+D+0.750L+0.750S+0.5250E+H	0.241	0.214	2.88	188.1	189.3	1.330
+D+0.750L+0.750S-0.5250E+H	0.241	0.214	2.88	188.1	189.3	1.330
+0.60D+0.60W+0.60H	0.224	0.578	3.25	214.2	215.4	1.330
+0.60D-0.60W+0.60H	0.065	0.321	0.88	0.0	54.1	1.330
+0.60D+0.70E+0.60H	0.144	0.128	2.38	150.2	151.3	1.330
+0.60D-0.70E+0.60H	0.144	0.128	2.38	150.2	151.3	1.330

Wessman Development
Dakota
Palm Springs, California

Title (3) 3'-4" Ret_W/6' Wall_Spread
Job # :
Description....
Dsgnr:

Page: _____
Date: 21 APR 2015

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Cantilevered Retaining Wall Design

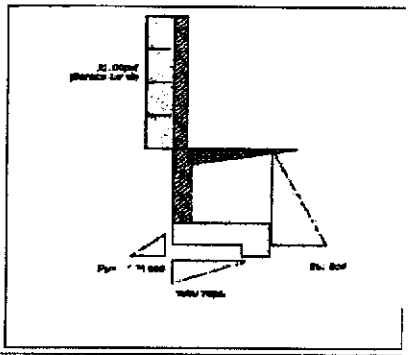
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	3.33 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	6.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	115.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	12.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem (Service Level)	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	2.26 OK
Sliding	=	1.62 OK
Total Bearing Load	=	2,247 lbs
...resultant ecc.	=	10.36 in
Soil Pressure @ Toe	=	1,690 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	2,028 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	2.6 psi OK
Allowable	=	75.0 psi

Sliding Calcs

Lateral Sliding Force	=	553.9 lbs
less 100% Passive Force	= -	225.0 lbs
less 100% Friction Force	= -	674.0 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Vertical component of active lateral soil pressure IS NOT considered in the calculation of soil bearing

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.200
Live Load	1.600
Earth, H	1.600
Wind, W	1.000
Seismic, E	1.000

Stem Construction

			2nd Stem OK	Bottom Stem OK	
Design Height Above Ftg	ft =		3.33	0.00	
Wall Material Above "Ht"	=		Masonry	Masonry	
Design Method	=		ASD	ASD	ASD
Thickness	=		6.00	8.00	
Rebar Size	=		# 4	# 4	
Rebar Spacing	=		32.00	16.00	
Rebar Placed at	=		Center	Edge	
Design Data					
fb/FB + fa/Fa	=		0.798	0.583	
Total Force @ Section					
Service Level	lbs =		132.0	381.5	
Strength Leve	lbs =				
Moment....Actual					
Service Level	ft-# =		396.0	1,112.5	
Strength Leve	ft-# =				
Moment.....Allowable	ft-# =		501.0	1,909.1	
Shear.....Actual					
Service Level	psi =		4.0	6.1	
Strength Leve	psi =				
Shear.....Allowable	psi =		45.4	45.6	
Wall Weight	psf =		47.0	84.0	
Rebar Depth 'd'	in =		2.75	5.25	
Masonry Data					
f'm	psi =		1,500	1,500	
Fs	psi =		32,000	32,000	
Solid Grouting	=		No	Yes	
Modular Ratio 'n'	=		21.48	21.48	
Short Term Factor	=		1.000	1.000	
Equiv. Solid Thick.	in =		3.90	7.60	
Masonry Block Type	=		Normal Weight		
Masonry Design Method	=		ASD		
Concrete Data					
f'c	psi =				
Fy	psi =				

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Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	3.50
Total Footing Width	=	3.50
Footing Thickness	=	12.00 in
Key Width	=	12.00 in
Key Depth	=	6.00 in
Key Distance from Toe	=	2.50 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	2,028	0 psf
Mu' : Upward	=	0	1,005 ft-#
Mu' : Downward	=	0	2,869 ft-#
Mu: Design	=	0	1,864 ft-#
Actual 1-Way Shear	=	0.00	2.62 psi
Allow 1-Way Shear	=	0.00	75.00 psi
Toe Reinforcing	=	None Spec'd	
Heel Reinforcing	=	None Spec'd	
Key Reinforcing	=	None Spec'd	

Other Acceptable Sizes & Spacings
Toe: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Heel: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Key: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm

Summary of Overturning & Resisting Forces & Moments

		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#			.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	421.9	1.44	608.9	Soil Over Heel	=	1,085.0	2.08	2,260.5
Surcharge over Heel	=				Sloped Soil Over Heel	=			
Surcharge Over Toe	=				Surcharge Over Heel	=			
Adjacent Footing Load	=				Adjacent Footing Load	=			
Added Lateral Load	=				Axial Dead Load on Stem	=			
Load @ Stem Above Soil	=	132.0	7.33	967.6	* Axial Live Load on Stem	=			
	=				Soil Over Toe	=			
					Surcharge Over Toe	=			
Total		553.9	O.T.M.	1,576.4	Stem Weight(s)	=	561.7	0.29	163.7
	=		=		Earth @ Stem Transitions	=			
					Footing Weight	=	525.0	1.75	918.8
					Key Weight	=	75.0	3.00	225.0
					Vert. Component	=			
					Total	=	2,246.7 lbs	R.M.=	3,568.0

Resisting/Overturning Ratio = 2.26
Vertical Loads used for Soil Pressure = 2,246.7 lbs

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Sliding Resistance.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Overturning Resistance.

Tilt

Horizontal Deflection at Top of Wall due to settlement of soil

(Deflection due to wall bending not considered)

Soil Spring Reaction Modulus	250.0	pci
Horizontal Defl @ Top of Wall (approximate only)	0.125	in

The above calculation is not valid if the heel soil bearing pressure exceeds that of the toe, because the wall would then tend to rotate into the retained soil.

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

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Pole Footing Embedded in Soil

File = c:\Users\xzaky\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC 1983-2015, Build:6.15.1.19, Ver:6.15.1.19
Lic. # : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

Description : (3) 3'-4" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

Code References

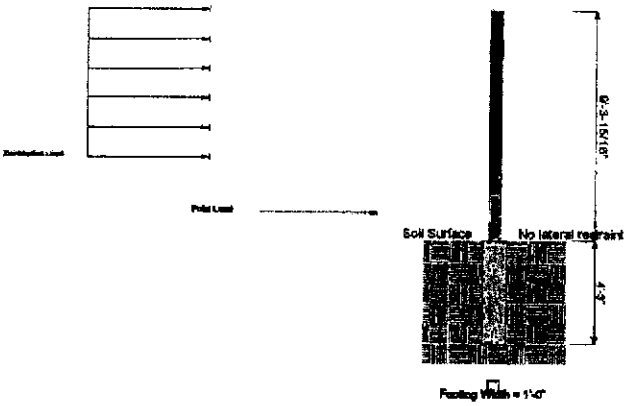
Calculations per IBC 2012 1807.3, CBC 2013, ASCE 7-10
Load Combinations Used : ASCE 7-10

General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf

Controlling Values

Governing Load Combination	+D+0.60W+H
Lateral Load	0.4542 k
Moment	0.9176 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	276.250 psf
Allowable	277.280 psf
Minimum Required Depth	4.00 ft
Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf



Applied Loads

	Lateral Concentrated Load		Lateral Distributed Load		Vertical Load
D : Dead Load		k		k/ft	k
Lr : Roof Live		k		k/ft	k
L : Live		k		k/ft	k
S : Snow		k		k/ft	k
W : Wind		k	0.0220	k/ft	k
E : Earthquake		k		k/ft	k
H : Lateral Earth	0.3750	k		k/ft	k
Load distance above ground surface	1.110	ft	TOP of Load above ground surface: 9.330 ft		
			BOTTOM of Load above ground surface: 3.330 ft		

Load Combination Results

Load Combination	Forces @ Ground Surface: Loads - (k)	Moments - (ft-k)	Required Depth - (ft)	Pressure at 1/3 Depth: Actual - (psf)	Allow - (psf)	Soil Increase Factor
+D+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+L+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+Lr+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+S+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+0.750Lr+0.750L+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+0.750L+0.750S+H	0.375	0.416	4.13	200.8	201.5	1.000
+D+0.60W+H	0.454	0.918	4.25	276.3	277.3	1.000
+D-0.60W+H	0.296	0.085	2.63	168.7	169.7	1.000
+D+0.70E+H	0.375	0.416	3.63	235.3	235.9	1.000

Weissman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 21 APR 2015, 3:58PM

Pole Footing Embedded in Soil

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Description : (3) 3'-4" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

+D-0.70E+H	0.375	0.416	3.63	235.3	235.9	1.330
+D+0.750Lr+0.750L+0.450W+H	0.434	0.792	4.13	266.8	268.2	1.330
+D+0.750Lr+0.750L-0.450W+H	0.316	0.040	3.00	190.8	191.4	1.330
+D+0.750L+0.750S+0.450W+H	0.434	0.792	4.13	266.8	268.2	1.330
+D+0.750L+0.750S-0.450W+H	0.316	0.040	3.00	190.8	191.4	1.330
+D+0.750L+0.750S+0.5250E+H	0.375	0.416	3.63	235.3	235.9	1.330
+D+0.750L+0.750S-0.5250E+H	0.375	0.416	3.63	235.3	235.9	1.330
+0.60D+0.60W+0.60H	0.304	0.751	3.75	241.6	241.8	1.330
+0.60D-0.60W+0.60H	0.146	0.252	1.25	0.0	80.7	1.330
+0.60D+0.70E+0.60H	0.225	0.250	2.88	187.7	188.7	1.330
+0.60D-0.70E+0.60H	0.225	0.250	2.88	187.7	188.7	1.330

Wessman Development
Dakota
Palm Springs, California

Title (4) 4'-0" Ret_W/6' Wall_Spread
Job # : Dsgnr:
Description....

Page: _____
Date: 23 APR 2015

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Cantilevered Retaining Wall Design

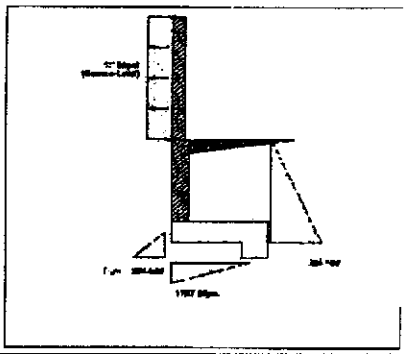
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	4.00 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	6.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	115.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	12.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem (Service Level)	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	2.38 OK
Sliding	=	1.61 OK
Total Bearing Load	=	2,711 lbs
...resultant ecc.	=	10.37 in
Soil Pressure @ Toe	=	1,788 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	2,145 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	2.4 psi OK
Allowable	=	75.0 psi

Sliding Calcs

Lateral Sliding Force	=	694.5 lbs
less 100% Passive Force	= -	304.7 lbs
less 100% Friction Force	= -	813.4 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Vertical component of active lateral soil pressure IS NOT considered in the calculation of soil bearing

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.200
Live Load	1.600
Earth, H	1.600
Wind, W	1.000
Seismic, E	1.000

Stem Construction

			2nd Stem OK	Bottom Stem OK
Design Height Above Ftg	ft =		4.00	0.00
Wall Material Above "Ht"	=		Masonry	Masonry
Design Method	=		ASD	ASD
Thickness	=		8.00	8.00
Rebar Size	=		# 4	# 4
Rebar Spacing	=		32.00	16.00
Rebar Placed at	=		Center	Edge
Design Data				
fb/FB + fa/Fa	=		0.790	0.735
Total Force @ Section				
Service Level	lbs =		132.0	492.0
Strength Leve	lbs =			
Moment....Actual				
Service Level	ft-# =		396.0	1,404.0
Strength Leve	ft-# =			
Moment.....Allowable	ft-# =		501.0	1,909.1
Shear.....Actual				
Service Level	psi =		4.0	7.8
Strength Leve	psi =			
Shear.....Allowable	psi =		45.4	45.9
Wall Weight	psf =		47.0	84.0
Rebar Depth 'd'	in =		2.75	5.25
Masonry Data				
f'm	psi =		1,500	1,500
Fs	psi =		32,000	32,000
Solid Grouting	=		No	Yes
Modular Ratio 'n'	=		21.48	21.48
Short Term Factor	=		1.000	1.000
Equiv. Solid Thick.	in =		3.90	7.60
Masonry Block Type	=		Normal Weight	
Masonry Design Method	=		ASD	
Concrete Data				
f'c	psi =			
Fy	psi =			

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Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	3.75
Total Footing Width	=	3.75
Footing Thickness	=	12.00 in
Key Width	=	12.00 in
Key Depth	=	9.00 in
Key Distance from Toe	=	2.75 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	2,145	0 psf
Mu' : Upward	=	0	1,562 ft-#
Mu' : Downward	=	0	3,856 ft-#
Mu: Design	=	0	2,293 ft-#
Actual 1-Way Shear	=	0.00	2.42 psi
Allow 1-Way Shear	=	0.00	75.00 psi
Toe Reinforcing	=	None Spec'd	
Heel Reinforcing	=	None Spec'd	
Key Reinforcing	=	None Spec'd	

Other Acceptable Sizes & Spacings
Toe: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Heel: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Key: #4@ 9.51 in, #5@ 14.60 in, #6@ 20.62 in, #7@ 28.03 in,

Summary of Overturning & Resisting Forces & Moments

Item		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#		.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	662.5	1.67	937.5	Soil Over Heel	= 1,418.3	2.21	3,132.2
Surcharge over Heel	=				Sloped Soil Over Heel	=		
Surcharge Over Toe	=				Surcharge Over Heel	=		
Adjacent Footing Load	=				Adjacent Footing Load	=		
Added Lateral Load	=				Axial Dead Load on Stem	=		
Load @ Stem Above Soil	=	132.0	8.00	1,056.0	* Axial Live Load on Stem	=		
	=				Soil Over Toe	=		
					Surcharge Over Toe	=		
Total		694.5	O.T.M.	1,993.5	Stem Weight(s)	= 616.0	0.30	182.5
	=		=		Earth @ Stem Transitions	=		
Resisting/Overturning Ratio		= 2.38			Footing Weight	= 562.5	1.88	1,054.7
Vertical Loads used for Soil Pressure		= 2,711.3 lbs			Key Weight	= 112.5	3.25	365.6
					Vert. Component	=		
					Total	= 2,711.3 lbs	R.M.=	4,735.0

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Sliding Resistance.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Overturning Resistance.

Tilt

Horizontal Deflection at Top of Wall due to settlement of soil

(Deflection due to wall bending not considered)

Soil Spring Reaction Modulus	250.0	pci
Horizontal Defl @ Top of Wall (approximate only)	0.132	in

The above calculation is not valid if the heel soil bearing pressure exceeds that of the toe, because the wall would then tend to rotate into the retained soil.

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 23 APR 2016, 1:47PM

Pole Footing Embedded In Soil

File = c:\Users\zsky\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC. 1983-2015, Build: 6.15.1.19, Ver: 6.15.1.19
Lic. #: KW-06003523 — Licensee : ORCO BLOCK COMPANY INC

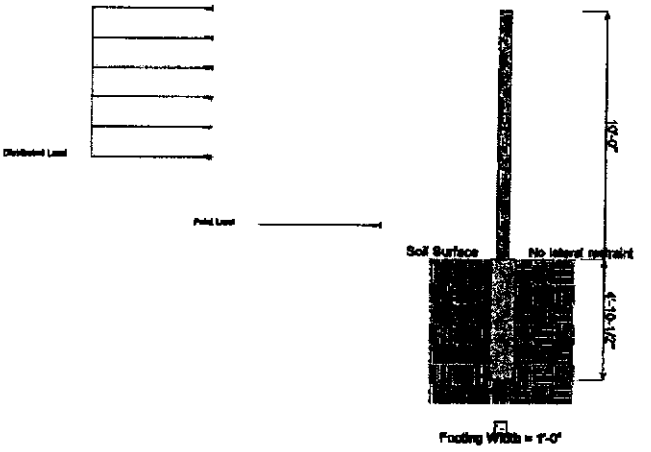
Description : (4) 4'-0" Retain W/ 6" Wall_129/100c_Trench Footing 150 Passive

Code References

Calculations per IBC 2012 1807.3, CBC 2013, ASCE 7-10
Load Combinations Used : ASCE 7-10

General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf



Controlling Values

Governing Load Combination : +D+H

Lateral Load	0.540 k
Moment	0.7182 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	241.097 psf
Allowable	241.610 psf

Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf

Applied Loads

	Lateral Concentrated Load	Lateral Distributed Load	Vertical Load
D : Dead Load	k	k/ft	k
Lr : Roof Live	k	k/ft	k
L : Live	k	k/ft	k
S : Snow	k	k/ft	k
W : Wind	k	0.0220 k/ft	k
E : Earthquake	k	k/ft	k
H : Lateral Earth	0.540 k	k/ft	k
Load distance above ground surface	1.330 ft	TOP of Load above ground surface 10.0 ft	
		BOTTOM of Load above ground surface 4.0 ft	

Load Combination Results

Load Combination	Forces @ Ground Surface: Loads - (k)	Moments - (ft-k)	Required Depth - (ft)	Pressure at 1/3 Depth: Actual - (psf)	Allow - (psf)	Soil Increase Factor
+D+H	0.540	0.718	4.88	241.1	241.6	1.000
+D+L+H	0.540	0.718	4.88	241.1	241.6	1.000
+D+Lr+H	0.540	0.718	4.88	241.1	241.6	1.000
+D+S+H	0.540	0.718	4.88	241.1	241.6	1.000
+D+0.750Lr+0.750L+H	0.540	0.718	4.88	241.1	241.6	1.000
+D+0.750L+0.750S+H	0.540	0.718	4.88	241.1	[illegible]	1.000
+D+0.60W+H	0.619	1.273	4.88	316.9	[illegible]	[illegible]
+D+0.60W+H	0.461	0.164	3.63	237.1	[illegible]	[illegible]
+D+0.70E+H	0.540	0.718	4.38	282.5	282.8	[illegible]

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 23 APR 2015, 1:47PM

Pole Footing Embedded in Soil

File = c:\Users\tcaley\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC 1983-2015, Build 6.15.1.19, Ver 6.15.1.19

Lic. # : KW-06003522

Licensee : ORCO BLOCK COMPANY INC

Description : (4) 4'-0" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

+D-0.70E+H	0.540	0.718	4.38	282.5	282.8	1.330
+D+0.750Lr+0.750L+0.450W+H	0.599	1.134	4.75	308.8	309.2	1.330
+D+0.750Lr+0.750L-0.450W+H	0.481	0.302	3.88	249.8	251.0	1.330
+D+0.750L+0.750S+0.450W+H	0.599	1.134	4.75	308.8	309.2	1.330
+D+0.750L+0.750S-0.450W+H	0.481	0.302	3.88	249.8	251.0	1.330
+D+0.750L+0.750S+0.5250E+H	0.540	0.718	4.38	282.5	282.8	1.330
+D+0.750L+0.750S-0.5250E+H	0.540	0.718	4.38	282.5	282.8	1.330
+0.60D+0.60W+0.60H	0.403	0.985	4.13	271.1	271.3	1.330
+0.60D-0.60W+0.60H	0.245	0.123	2.25	141.5	141.6	1.330
+0.60D+0.70E+0.60H	0.324	0.431	3.50	225.6	226.0	1.330
+0.60D-0.70E+0.60H	0.324	0.431	3.50	225.6	226.0	1.330

Wessman Development
Dakota
Palm Springs, California

Title (5) 4'-8" Ret_W/6' Wall_Spread
Job # : Dsgnr:
Description....

Page: _____
Date: 23 APR 2015

This Wall in File: c:\users\szaky\documents\retainpro 10 project files\wessman development_dakota_pa

RetainPro (c) 1987-2015, Build 11.15.4.02
License : KW-06059401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

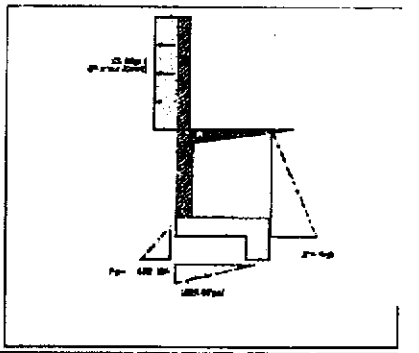
Code: CBC 2013,ACI 318-11,ACI 530-11

Criteria

Retained Height	=	4.67 ft
Wall height above soil	=	6.00 ft
Slope Behind Wall	=	0.00 : 1
Height of Soil over Toe	=	8.00 in
Water height over heel	=	0.0 ft

Soil Data

Allow Soil Bearing	=	2,000.0 psf
Equivalent Fluid Pressure Method		
Heel Active Pressure	=	45.0 psf/ft
	=	
Passive Pressure	=	150.0 psf/ft
Soil Density, Heel	=	115.00 pcf
Soil Density, Toe	=	115.00 pcf
Footing||Soil Friction	=	0.300
Soil height to ignore for passive pressure	=	12.00 in



Surcharge Loads

Surcharge Over Heel	=	0.0 psf
Used To Resist Sliding & Overturning		
Surcharge Over Toe	=	0.0 psf
Used for Sliding & Overturning		

Axial Load Applied to Stem

Axial Dead Load	=	0.0 lbs
Axial Live Load	=	0.0 lbs
Axial Load Eccentricity	=	0.0 in

Lateral Load Applied to Stem

Lateral Load	=	0.0 #/ft
...Height to Top	=	0.00 ft
...Height to Bottom	=	0.00 ft
The above lateral load has been increased by a factor of		1.00
Wind on Exposed Stem (Service Level)	=	22.0 psf

Adjacent Footing Load

Adjacent Footing Load	=	0.0 lbs
Footing Width	=	0.00 ft
Eccentricity	=	0.00 in
Wall to Ftg CL Dist	=	0.00 ft
Footing Type		Line Load
Base Above/Below Soil at Back of Wall	=	0.0 ft
Poisson's Ratio	=	0.300

Design Summary

Wall Stability Ratios

Overturning	=	2.48 OK
Sliding	=	1.72 OK
Total Bearing Load	=	3,252 lbs
...resultant ecc.	=	10.26 in
Soil Pressure @ Toe	=	1,894 psf OK
Soil Pressure @ Heel	=	0 psf OK
Allowable	=	2,000 psf
Soil Pressure Less Than Allowable		
ACI Factored @ Toe	=	2,272 psf
ACI Factored @ Heel	=	0 psf
Footing Shear @ Toe	=	0.0 psi OK
Footing Shear @ Heel	=	1.9 psi OK
Allowable	=	75.0 psi

Sliding Calcs

Lateral Sliding Force	=	855.4 lbs
less 100% Passive Force	= -	492.2 lbs
less 100% Friction Force	= -	975.6 lbs
Added Force Req'd	=	0.0 lbs OK
....for 1.5 : 1 Stability	=	0.0 lbs OK

Vertical component of active lateral soil pressure IS NOT considered in the calculation of soil bearing

Load Factors

Building Code	CBC 2013,ACI
Dead Load	1.200
Live Load	1.600
Earth, H	1.600
Wind, W	1.000
Seismic, E	1.000

Stem Construction

			2nd Stem OK	Bottom Stem OK
Design Height Above Ftg	ft =		4.67	0.00
Wall Material Above "Ht"	=		Masonry	Masonry
Design Method	=		ASD	ASD
Thickness	=		8.00	8.00
Rebar Size	=		# 4	# 5
Rebar Spacing	=		32.00	16.00
Rebar Placed at	=		Center	Edge
Design Data				
fb/FB + fa/Fa	=		0.790	0.656
Total Force @ Section				
Service Level	lbs =		132.0	622.7
Strength Leve	lbs =			
Moment...Actual				
Service Level	ft-# =		396.0	1,776.3
Strength Leve	ft-# =			
Moment.....Allowable	ft-# =		501.0	2,708.3
Shear.....Actual				
Service Level	psi =		4.0	9.9
Strength Leve	psi =			
Shear.....Allowable	psi =		45.4	46.1
Wall Weight	psf =		47.0	84.0
Rebar Depth 'd'	in =		2.75	5.25
Masonry Data				
f'm	psi =		1,500	1,500
Fs	psi =		32,000	32,000
Solid Grouting	=		No	Yes
Modular Ratio 'n'	=		21.48	21.48
Short Term Factor	=		1.000	1.000
Equiv. Solid Thick.	in =		3.90	7.60
Masonry Block Type	=	Normal Weight		
Masonry Design Method	=	ASD		
Concrete Data				
f'c	psi =			
Fy	psi =			

REGISTERED PROFESSIONAL ENGINEER
TIMOTHY S. MALLIS
CIVIL
STATE OF CALIFORNIA

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RetainPro (c) 1987-2015, Build 11.15.4.02
License : KW-06059401
License To : ORCO BLOCK COMPANY, INC.

Cantilevered Retaining Wall Design

Code: CBC 2013,ACI 318-11,ACI 530-11

Footing Dimensions & Strengths

Toe Width	=	0.00 ft
Heel Width	=	4.00
Total Footing Width	=	4.00
Footing Thickness	=	12.00 in
Key Width	=	12.00 in
Key Depth	=	15.00 in
Key Distance from Toe	=	3.00 ft

f'c = 2,500 psi Fy = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0014
Cover @ Top 2.00 @ Btm.= 3.00 in

Footing Design Results

		Toe	Heel
Factored Pressure	=	2,272	0 psf
Mu' : Upward	=	0	2,338 ft-#
Mu' : Downward	=	0	5,038 ft-#
Mu: Design	=	0	2,700 ft-#
Actual 1-Way Shear	=	0.00	1.88 psi
Allow 1-Way Shear	=	0.00	75.00 psi

Toe Reinforcing = None Spec'd
Heel Reinforcing = None Spec'd
Key Reinforcing = None Spec'd

Other Acceptable Sizes & Spacings

Toe: Not req'd: Mu < phi*5*lambda*sqrt(f'c)*Sm
Heel: #4@ 11.90 in, #5@ 18.45 in, #6@ 26.19 in, #7@ 35.71 in, #8@ 47.02 in, #9@ 5
Key: #4@ 12.15 in, #5@ 18.70 in, #6@ 26.44 in, #7@ 35.96 in,

Summary of Overturning & Resisting Forces & Moments

		.....OVERTURNING..... Force lbs	Distance ft	Moment ft-#			.....RESISTING..... Force lbs	Distance ft	Moment ft-#
Heel Active Pressure	=	723.4	1.89	1,367.1	Soil Over Heel	=	1,790.2	2.33	4,177.1
Surcharge over Heel	=				Sloped Soil Over Heel	=			
Surcharge Over Toe	=				Surcharge Over Heel	=			
Adjacent Footing Load	=				Adjacent Footing Load	=			
Added Lateral Load	=				Axial Dead Load on Stem	=			
Load @ Stem Above Soil	=	132.0	8.67	1,144.4	* Axial Live Load on Stem	=			
	=				Soil Over Toe	=			
					Surcharge Over Toe	=			
Total		855.4	O.T.M.	2,511.6	Stem Weight(s)	=	674.3	0.30	201.3
	=		=		Earth @ Stem Transitions	=			
					Footing Weight	=	600.0	2.00	1,200.0
Resisting/Overturning Ratio		= 2.48			Key Weight	=	187.5	3.50	656.3
Vertical Loads used for Soil Pressure	=	3,251.9 lbs			Vert. Component	=			
						Total =	3,251.9 lbs	R.M.=	6,234.6

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Sliding Resistance.

Vertical component of active lateral soil pressure IS NOT considered in the calculation of Overturning Resistance.

Tilt

Horizontal Deflection at Top of Wall due to settlement of soil

(Deflection due to wall bending not considered)

Soil Spring Reaction Modulus	250.0	pci
Horizontal Defl @ Top of Wall (approximate only)	0.140	in

The above calculation is not valid if the heel soil bearing pressure exceeds that of the toe, because the wall would then tend to rotate into the retained soil.

Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 23 APR 2015, 1:48PM

Pole Footing Embedded in Soil

File = c:\Users\tezaly\DOCUME~1\ENERCA~1\WESSMA~1.EC6
ENERCALC, INC. 1983-2015, Build:6.15.1.19, Ver:6.15.1.19
Lic# : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

Description : (5) 4'-8" Retain W/ 6' Wall_12ø/100c_Trench Footing 150 Passive

Code References

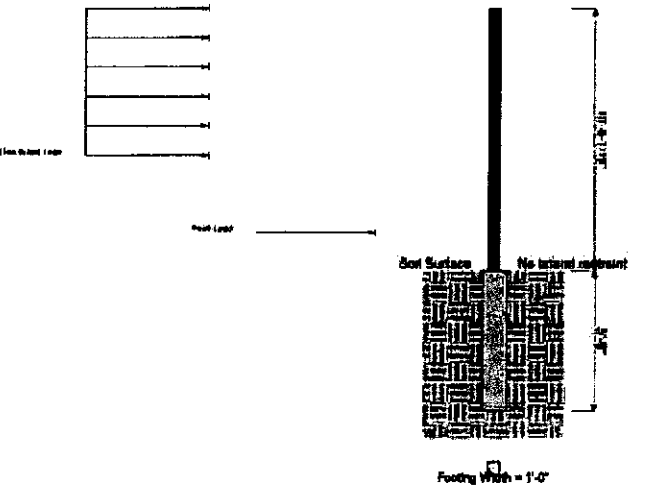
Calculations per IBC 2012 1807.3, CBC 2013, ASCE 7-10
Load Combinations Used : ASCE 7-10

General Information

Pole Footing Shape	Rectangular
Footing Width	12.0 in
Calculate Min. Depth for Allowable Pressures	
No Lateral Restraint at Ground Surface	
Allow Passive	150.0 pcf
Max Passive	1,500.0 psf

Controlling Values

Governing Load Combination : +D+H	
Lateral Load	0.7360 k
Moment	1.148 k-ft
NO Ground Surface Restraint	
Pressures at 1/3 Depth	
Actual	281.854 psf
Allowable	282.007 psf
Minimum Required Depth	5.750 ft
Footing Base Area	1.0 ft^2
Maximum Soil Pressure	0.0 ksf

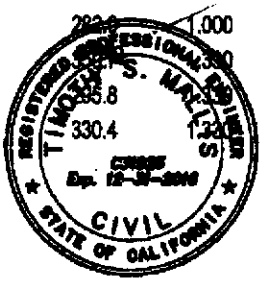


Applied Loads

	Lateral Concentrated Load		Lateral Distributed Load	Vertical Load
D : Dead Load		k	k/ft	k
Lr : Roof Live		k	k/ft	k
L : Live		k	k/ft	k
S : Snow		k	k/ft	k
W : Wind		k	0.0220 k/ft	k
E : Earthquake		k	k/ft	k
H : Lateral Earth	0.7360	k	k/ft	k
Load distance above ground surface	1.560	ft	TOP of Load above ground surface 10.870 ft BOTTOM of Load above ground surface 4.670 ft	

Load Combination Results

Load Combination	Forces @ Ground Surface Loads - (k)	Moments - (ft-k)	Required Depth - (ft)	Pressure at 1/3 Depth Actual - (psf)	Allow - (psf)	Soil Increase Factor
+D+H	0.736	1.148	5.75	281.9	282.0	1.000
+D+L+H	0.736	1.148	5.75	281.9	282.0	1.000
+D+Lr+H	0.736	1.148	5.75	281.9	282.0	1.000
+D+S+H	0.736	1.148	5.75	281.9	282.0	1.000
+D+0.750Lr+0.750L+H	0.736	1.148	5.75	281.9	282.0	1.000
+D+0.750L+0.750S+H	0.736	1.148	5.75	281.9	[illegible]	1.000
+D+0.60W+H	0.815	1.756	5.50	358.7	[illegible]	[illegible]
+D-0.60W+H	0.657	0.541	4.50	294.5	[illegible]	[illegible]
+D+0.70E+H	0.736	1.148	5.00	330.0	330.4	1.[illegible]



Wessman Development
Dakota
Palm Springs, California

Project Title:
Engineer:
Project Descr:

Project ID:

Printed: 23 APR 2015, 1:46PM

Pole Footing Embedded In Soil

File = c:\Users\szaky\DOCUME~1\ENERCA~1\WESSMA~1.EC8
ENERCALC, INC. 1983-2015, Build 6.15.1.19, Ver 6.15.1.19
Lic. # : KW-06003522 Licensee : ORCO BLOCK COMPANY INC

Description : (5) 4'-8" Retain W/ 6' Wall_129/100c_Trench Footing 150 Passive

+D-0.70E+H	0.736	1.148	5.00	330.0	330.4	1.330
+D+0.750Lr+0.750L+0.450W+H	0.795	1.604	5.38	352.4	352.4	1.330
+D+0.750Lr+0.750L-0.450W+H	0.677	0.693	4.63	304.4	305.0	1.330
+D+0.750L+0.750S+0.450W+H	0.795	1.604	5.38	352.4	352.4	1.330
+D+0.750L+0.750S-0.450W+H	0.677	0.693	4.63	304.4	305.0	1.330
+D+0.750L+0.750S+0.5250E+H	0.736	1.148	5.00	330.0	330.4	1.330
+D+0.750L+0.750S-0.5250E+H	0.736	1.148	5.00	330.0	330.4	1.330
+0.60D+0.60W+0.60H	0.521	1.296	4.63	302.6	303.0	1.330
+0.60D-0.60W+0.60H	0.362	0.081	3.25	207.2	208.1	1.330
+0.60D+0.70E+0.60H	0.442	0.689	4.00	263.4	264.2	1.330
+0.60D-0.70E+0.60H	0.442	0.689	4.00	263.4	264.2	1.330

CITY OF PALM SPRINGS

Department of Building and Safety
Building Inspection

☐ STOP WORK ☐ DOUBLE FEE

FAILURE TO COMPLY MAY RESULT IN CITATION

REASON: FTGS / STEEL

ADDRESS: 305 GOLETA WAY

Permit No. 20A-1818

☐ Plans/specifications required ☐ Planning/Zoning Approval
☐ Fire Department Approval ☐ Engineering Approval

CORRECTIONS

AN INSPECTION OF THE ABOVE PREMISES SHOWS THE FOLLOWING ITEMS TO BE IN VIOLATION OF CITY OR STATE LAWS.

1) TIE OFF STAB BOLTS AND HD BOLTS To be Plumb
2) INSTALL MISSING BOLTS
3) RAISE STEEL FROM EARTH

DATE 12/29/14 TIME 1105 INSPECTOR G FORD

X CORRECT WITHIN 10 days

☐ PROCEED ONLY WHEN CORRECTIONS HAVE BEEN MADE
X CALL 323-8243 FOR INSPECTION/APPROVAL BY BLDG. DEPT
☐ CALL 323-8186 FOR INSPECTION/APPROVAL BY FIRE DEPT
☐ CALL 323-8245 FOR INSPECTION/APPROVAL BY PLANNING DEPT
☐ CALL 323-8253 FOR INSPECTION/APPROVAL BY ENGINEERING/PUBLIC WORKS

Building Inspectors Office Hours: 7:00-7:30 a.m. & 3:00-3:30 p.m.
Building Department Phone: 760/323-8242 Fax: 760/322-8360

11

Time Spent on Permit No 2014-1818

Address 305 GOLETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 30+10	
Floor Nail 20+10	
Roof Nail 20+10 10+10 10+10	
Outside Wrap 20 + 10	
Framing 10+10 10+10	
Top-out Plumbing 10+10	
Rough Electric 10+10	
Insulation 10+10	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts 10+10	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

Top out plumbing OK 3-19-15 GFord

Insulation OK shear walls OK 3-19-15 GF

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 305 Goleta Way

Permit #: 2014-1818

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	12/30/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/30/14 G Ford
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-17-15 G Ford
Roof Nail	3-20-15 G Ford
Outside Wrap	4-14-15 WR
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	4-14-15 G Ford
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	5-26-15 G Ford
Drywall	6/1/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING

After the site is graded and forms in place, an elevation and location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION

Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP

After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installed and nailed prior to covering the building.

COMBINATION / ROUGH FRAME

After building is covered, roof loaded and weather tight and all rough electrical, mechanical/HVAC, plumbing and fire - suppression system ready to test.

INSULATION

When installed and exterior walls and top plates sealed.

LATH & DRYWALL

When nailed and all metal trim in place, but before wallboard is taped.

FINAL

All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?		
IS ALL INFORMATION PROVIDED?		

DATE DATA ENTERED _____

Effective January 1, 2007

City of Palm Springs

BUILDING PERMIT

Building Address: 305 Goleta Way

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
11			513-300-057

Lot Size	Zone	Occupancy
3054		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1530	475	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	179478.00	~~12336.29~~ 8447.29

Describe work in detail:

Plan AR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled_____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1818**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1818

305 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1818	14-2236		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1818	14-2236	001-31601	Construction Tax by SQFT	Paid	(-) 802.00
7/1/2014	2014-1818	14-2236	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1818	14-2236	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1818	14-2236	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1818	14-2236	001-32219	S.B. 1473	Paid	(-) 7.18
7/1/2014	2014-1818	14-2236	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1818	14-2236	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1818	14-2236	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1818	14-2236	001-34310	General Plan Maint.	Paid	(-) 120.25
7/1/2014	2014-1818	14-2236	001-37111	SMIP 1	Paid	(-) 17.95
7/1/2014	2014-1818	14-2236	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1818	14-2236	135-32403	South Drainage Fee	Paid	(-) 509.81
7/1/2014	2014-1818	14-2236	150-34390	Public Art in New Subdivision	Paid	(-) 448.69
7/1/2014	2014-1818	14-2236	152-347000	Park Fee	Paid WAIVE	~~(-) 3889.00~~
7/1/2014	2014-1818	14-2236	261-32214	Technology Fee	Paid	(-) 260.24
7/1/2014	2014-1818	14-2236	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/19/2014	14-2236	Original Due		12336.29
7/1/2014	14-2236	Paid	CreditCard	(-) 12336.29

Total Paid ~~12,336.29~~

847.29

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

INSPECTON REQUEST SLIP 14

Date 2/10 Time 1526 Permit # 3626

Address 1901 S Belaroo

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☒ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

485 6405

INSPECTON REQUEST SLIP 14

Date 3/2 Time 0956 Permit # 3626

Address 1501 S. Birch

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath DAKOTA
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☒ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

4956405

INSPECTON REQUEST SLIP 14

Date 3/31 Time 1400 Permit # 3626

Address 150 S. Bolando

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☒ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

485 6405

INSPECTON REQUEST SLIP 14 -

Date 4/13 Time 3 04 Permit # 3406

Address 1501 BOZARD

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☑ Wall Ftgs / (BB) / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 495 6405

_____

INSPECTON REQUEST SLIP 14-3626

Date 5/19 Time 340 Permit #_____

Address 1501 S. Belardo

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☑ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BJ 495-6405

_____

INSPECTON REQUEST SLIP

Date 5/18 Time 4:08 Permit # 14-3626

Address 1501 S Bellardo
305 Goleta

- ☐ Temp. Pole 317
- ☐ Grnd. Plumb 329
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Cath Goleta 14-1818
- ☐ Sewer Goleta 14-1820
- ☐ Gas Pressure 14-1822
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

760) 485-6405

INSPECTON REQUEST SLIP 4

Date 5/26 Time 1425 Permit # 3626

Address Dakota

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	☒ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. BH

495 6405

INSPECTON REQUEST SLIP

Date 5/27 Time 430 Permit # 14-3626

Address Dakota

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. 485 @405 Bud

INSPECTON REQUEST SLIP

Date 5/13 Time 355 Permit # 3626

Address Belardo

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ❑ Roof Nail
- ❑ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud 485-6405

INSPECTON REQUEST SLIP

Date MAY 29 Time 12:52 pm Permit # 2014-1818

Address 305 GOLETA WAY

☐ Temp. Pole	☒ Lath nailing
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☒ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 760-485-6405

BUD BROWN

INSPECTON REQUEST SLIP 2014

Date MAY 29 Time 12:52 AM Permit # 1823

Address 332 GOLETA WAY

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☒ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 760-485-6405

BUD BROWN

INSPECTON REQUEST SLIP

Date may 29 Time 12:52 PM Permit # 2014-1821

Address 328 GOLETA WAY

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☒ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 760-485-6405

BUD BROWN

INSPECTON REQUEST SLIP

Date May 29 2014 Time 12:52pm Permit # 1822

Address 329 GOLETA WAY

☐ Temp. Pole	☒ Lath NAILING
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☒ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 760-485-6405

BUD BROWN

INSPECTON REQUEST SLIP

Date May 29 Time 12:52 PM Permit # 2014-1820

Address 317 GOLETA WAY

☐ Temp. Pole	☒ Lath nailing
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☒ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 760-485-6405

BUD BROWN

Sladden Engineering

No 62064

Buena Park	Coachella Valley	Beaumont	Hemet
(714) 523-0952	(760) 863-0713	(951) 845-7743	(951) 766-8777

Date 12-5-14

FIELD MEMO

Job No. 522-14101

Project Name Dakota

Client

Site Address So Belardo

Palm Spring

Job Phone

Work Done Observed and probed bldg footings

(Lots 21-23 and 11-13)

Test Summary / Footings Inspected

Test No.	Location	Elev.	Dry Density	Moist %	% Relative Compaction	Ref. Max pcf	Moist %

Comments:

Observed and probed bldg footings for lots 21-23 and Lots 11-13. Material found to be firm and unyielding with good moisture. Footings should be kept free of any loose material and or debris

Josh

Field Tech.

Super. or Agent

24 hour notice requested to schedule Field Technician. Thank you for the opportunity to be of service.

REV.08/10

Sladden Engineering

NO 62063

Buena Park	Coachella Valley	Beaumont	Hemet
(714) 523-0952	(760) 863-0713	(951) 845-7743	(951) 766-8777

Date 12-5-14

FIELD MEMO

Job No. 522-14101

Project Name Oakota

Site Address So Belardo
Palm Springs

Job Phone

Client

Work Done Dens ty test on Interior Plumbing trenches

Test Summary / Footings Inspected

Test No.	Location	Elev.	Dry Density	Moist %	% Relative Compaction	Ref. Max pcf	Moist %
	Lot # 21	S.G	107.3	10.4	93%	115	
	Lot # 22		108.5	11.6	93%		
	Lot # 23		108.3	9.3	93%		
	Lot # 11		106.7	9.2	92%		
	Lot # 12		106.1	10.5	93%		
	Lot # 13	↓	107.7	9.8	93%	↓	

Comments:

All test 90% or Greater

Josh
Field Tech.

Super. or Agent

24 hour notice requested to schedule Field Technician. Thank you for the opportunity to be of service.

REV.08/10

City of Palm Springs

Department of Building & Safety
5200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760-323-8249 • Fax 760-322-8360 • www.palmspringsca.gov

A/04
11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 305 GOLETA Palm SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 11

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LURING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	442.75	Front Setback:	10.04'
Top of Forms Elevation:	443.25	Right Side Setback:	3.21'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 ✓ M.H #4 PER TRACT #36548	Left Side Setback:	3.00'
		Rear Setback:	32.38'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP

Date Apr 10 Time 3:31 Pm Permit # 2014-1818

Address 305 Doleta Way

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ❑ Roof Nail
- ☒ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

DAKOTA

Add. Inform. Bud Brown

485-6405

INSPECTON REQUEST SLIP 14-

Date 3/23 Time 3:19p Permit # 1818

Address 305 Goleta 1820 1822 317 329

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD

485 6405

INSPECTON REQUEST SLIP

Date 2/23 Time 1631 Permit # 1818 14

Address 305 GOLETA

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☒ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath DAKOTA
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD

495 6405

INSPECTON REQUEST SLIP

Date Feb 13 Time 12:20pm Permit # 2014-1818

Address 305 Doleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☒ Sub-floor

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP

Date Dec 24 Time 10:32 Am Permit # 2014-1818

Address 305 Goleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☒ Footings + slabs
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown
760-485-6405

INSPECTON REQUEST SLIP

Date 5/21 Time 6:30 Permit # 14-1818
14-1819

Address Dakota

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☒ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☒ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. _____

Bob 485-6405

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 316 Goleta Way

Permit #: 2014-1819

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/15/14 G FORD
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-17-15 G Ford
Roof Nail	3-30-15 G Ford
Outside Wrap	4/15/15 WR
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	5-26-15 G Ford
Drywall	
Lath	6/4/15
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation and location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installed and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight and all rough electrical, mechanical/HVAC, plumbing and fire - suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FRDM PLANNING DEPARTMENT
CALL 760-323-8245

FDR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 316 Goleta Way

Date Submitted: **06/05/2014** | Case No. **5.1295** | Permit Technician: **Alberto Gradilla**

Owner: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	
Contractor: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	Lic. Number: **213720**
Architect: **Design Arch**	Address: **2558 Overland Ave Los Angeles CA**	Phone: **310 204 8950**	
Engineer: **Gouvis Engineering**	Address: **4400 Campus, Newport Beach,**	Phone: **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
14			**513-300-057**

Lot Size	Zone	Occupancy
3302		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1772**	**483**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**205097.00**	~~12599.61~~ 8710.61

Describe work in detail:

Plan B Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1819**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1819

316 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1819	14-2198		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1819	14-2198	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1819	14-2198	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1819	14-2198	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1819	14-2198	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1819	14-2198	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1819	14-2198	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1819	14-2198	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1819	14-2198	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1819	14-2198	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1819	14-2198	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1819	14-2198	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1819	14-2198	135-32403	South Drainage Fee	Paid	(-) 551.19
7/1/2014	2014-1819	14-2198	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1819	14-2198	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1819	14-2198	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1819	14-2198	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2198	Original Due		12599.61
7/1/2014	14-2198	Paid	CreditCard	(-) 12599.61

Total Paid ~~12,599.61~~ 8710.61

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?		
IS ALL INFORMATION PROVIDED?		

DATE DATA ENTERED _____

Effective January 1, 2007

INSPECTON REQUEST SLIP 14-

Date 6/3 Time 307 Permit # 1819

Address 316 DAKOTA WAY 14-1821 14-1823

- ☐ Temp. Pole
- ☑ Lath
- ☐ Grnd. Plumb
- ☐ Sewer
- ☐ Footings
- ☐ Gas Pressure
- ☐ Roof Nail
- ☐ T-Bar / HVAC
- ☐ Outside Wrap
- ☐ Wall Ftgs / BB / Final
- ☑ Framing
- ☐ Reroof-Clean off / Final
- ☐ Rough Electric
- ☐ Photovoltaic
- ☐ Rough Plumbing
- ☐ Final Gas / Elec
- ☐ Insulation
- ☐ Final
- ☑ Drywall
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485-6405

_____

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8242 • Fax 760 322-8312 • www.palmspringsca.gov

11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 316 GOLETA PALM SPRINGS CA

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 14

Tract Name or Number: 36548

Civil Engineer: Amir FAYAZBAD RCE Number: 50597
Amir ENGINEERING

Address: 160 CORINO DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	442.92	Front Setback:	7.56'
Top of Forms Elevation:	443.42	Right Side Setback:	7.27'
Closest Upstream Manhole Elevation: (if flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 M.H. # 4 PER TRACT # 36548	Left Side Setback:	3.21'
		Rear Setback:	28.08'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZBAKHSH
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

Use Specific Permit No 2014-1819

Address 316 GOLETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
FLOOR NAIL 20+10	
Roof Nail 20+10 PP 20+10	
Outside Wrap 20 H0	
Framing 10+10	
Top-out Plumbing 10+10	
Rough Electric 10+10	
Insulation 10+10	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts 10+10	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP 14-

Date 4/14 Time 1356 Permit # 3626

Address DAKOTA 1819

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☒ Outside Wrap	☒ Wall Ftgs / SB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485 6405

_____

INSPECTON REQUEST SLIP

Date Feb 27 Time 3:30 pm Permit # 2014-1819

Address 316 Doleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☒ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP 3103

Date 11/24 Time 2:14 Permit # 14-~~1257~~

Address 3359 Sarann Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☑ Photovoltaic
- ☐ Final Gas / Elec
- ☑ Final
- ☐ _____

Pole-one

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

GAS: PR 6680

Add. Inform. Veronica

PAT. 396 6146

INSPECTON REQUEST SLIP

Date Mar 27 Time 4:03pm Permit # 2014-1819

Address 316 Doleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☒ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown

Dakota 485-6405

INSPECTON REQUEST SLIP

Date Feb 13 Time 12:21 PM Permit # 2014-1819

Address 316 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☒ sub floor

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

Permit No 2014-1820

Address 317 GOLETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
Floor Nail 20+10	
Roof Nail 20+10 10+10 10+10	
Outside Wrap 10 + 20	
Framing 10+10	
Top-out Plumbing 10+10 10+10	
Rough Electric 10+10	
Insulation 10+10	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts 10+10	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
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Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

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CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

Top out plumbing OK 3-19-15 G Ford

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 317 Goleta Way

Permit #: 2014-1820

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	11/20/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-23-14 G Ford
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-17-15 G Ford
Roof Nail	3-24-15 G Ford
Outside Wrap	4-14-15 WR
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	5-19-15 G Ford
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	5-26-15 G Ford
Drywall	6/1/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 317 Goleta Way

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
12			513-300-057

Lot Size	Zone	Occupancy
3148		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1772	483	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	205097.00	12584.05 8695.05

Describe work in detail:

Plan BR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-1820

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1820

317 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1820	14-2195		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1820	14-2195	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1820	14-2195	001-32201	Building Permit Fees	Paid	(-) 679.73
7/1/2014	2014-1820	14-2195	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1820	14-2195	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1820	14-2195	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1820	14-2195	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1820	14-2195	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1820	14-2195	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1820	14-2195	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1820	14-2195	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1820	14-2195	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1820	14-2195	135-32403	South Drainage Fee	Paid	(-) 525.53
7/1/2014	2014-1820	14-2195	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1820	14-2195	152-347000	Park Fee	Paid	~~(-) 3889.00~~
7/1/2014	2014-1820	14-2195	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1820	14-2195	420-38703	Sewer Connection	Paid	(-) 3000.00

revise

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2195	Original Due		12584.05
7/1/2014	14-2195	Paid	CreditCard	(-) 12584.05

Total Paid ~~12,584.05~~

8695.05

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	x	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

City of Palm Springs

Department of Building & Safety
5200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8249 • Fax 760 322 8312 • www.palmspringsca.gov

Elevation and Location Certification

Please type or print legibly

Site Address: 317 GOLETA PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 12

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LURING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	443.81	Front Setback:	6.94'
Top of Forms Elevation:	444.31	Right Side Setback:	3.19'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required)	RIM=447.30 ✓ M.H. #4 PER TRACT #36548	Left Side Setback:	3.79'
		Rear Setback:	27.17'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP 14

Date_____ Time_____ Permit # 1830

Address 1135 Ives Lane

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☒ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

Okay

FINAL INSPECTION REQUEST

- ☐ Steel Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

AM

Add. Inform._____

485 6405

INSPECTON REQUEST SLIP 14

Date_____ Time_____ Permit # 1829

Address 1129 Ines Lane

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☒ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP 14

Date_____ Time_____ Permit # 1828

Address 1111 IRIS CANE

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP 14

Date_____ Time_____ Permit # 1827

Address 1009 IRIS LANE

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☒ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date_____ Time_____ Permit # 1822 14

Address 329 Golera

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☒ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date_____ Time_____ Permit # 1820 14

Address 317 Goleta

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
☒ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP 14

Date 12/22 Time 1421 Permit # 1818

Address 305 Goleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☒ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date Feb 13 Time 12:21 PM Permit # 2014-1820

Address 317 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☒ sub floor

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP 14-

Date 11/24 Time 352 Permit # 1919

Address 316 GULGTA WAY

☐ Temp. Pole	☐ Lath
☑ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ BACK WATER VALVES REQ'D

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric PAD LGHTS OK
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD

485 6405

INSPECTON REQUEST SLIP

Date 11/24 Time 340 Permit # 1826

Address 1001 IRIS CAVE

- ☐ Temp. Pole
- ☑ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 405 6405

_____

INSPECTON REQUEST SLIP

Date 11/24 Time 340 Permit # 1825

Address 350 SUCSTA

☐ Temp. Pole	☐ Lath
☑ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date 11/24 Time 340 Permit # 1824

Address 344 SUCETA

☐ Temp. Pole	☐ Lath
☑ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date 11/24 Time 345 Permit # 1823

Address 332 GOLETA

☐ Temp. Pole	☐ Lath
☑ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date 11/24 Time 340 Permit # 1920

Address 320 GULGTA

☐ Temp. Pole	☐ Lath
☑ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date 2/24 Time 1312 Permit # 14 1820 1822 1825

Address DAKOTA

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ❑ Roof Nail
- ❑ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. BJD

4956405

INSPECTON REQUEST SLIP 2014

Date Apr 10 Time 3:31PM Permit # 1820

Address 317 Doleta Way

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
☒ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

DAKOTA

Add. Inform. BUD BROWN

485-6405

INSPECTON REQUEST SLIP

Date May 22 Time 2:55pm Permit # 2014-1820

Address 317 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer Dakota
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☑ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown
485-6405

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

INSUL @ DBL SHR WALL OK 4-7-15 G Ford

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 328 Goleta Way

Permit #: 2014-1821

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	12/9/14
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-15-14 G Ford
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-17-15 G Ford
Roof Nail	3-30-15 G Ford
Outside Wrap	4/9/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	6/4/15
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	6/9/15
Drywall	6/15/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 328 Goleta Way

Date Submitted: **06/05/2014** | Case No. **5.1295** | Permit Technician: **Alberto Gradilla**

Owner: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	
Contractor: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	Lic. Number: **213720**
Architect: **Design Arch**	Address: **2558 Overland Ave Los Angeles CA**	Phone: **310 204 8950**	
Engineer: **Gouvis Engineering**	Address: **4400 Campus, Newport Beach,**	Phone: **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
15			**513-300-057**

Lot Size	Zone	Occupancy
2987		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1530**	**475**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**179478.00**	~~12325.14~~ 8436.14

Describe work in detail:

Plan A Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Pool, spa and block walls on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1821**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1821

328 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1821	14-2237		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1821	14-2237	001-31601	Construction Tax by SQFT	Paid	(-) 802.00
7/1/2014	2014-1821	14-2237	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1821	14-2237	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1821	14-2237	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1821	14-2237	001-32219	S.B. 1473	Paid	(-) 7.18
7/1/2014	2014-1821	14-2237	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1821	14-2237	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1821	14-2237	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1821	14-2237	001-34310	General Plan Maint.	Paid	(-) 120.25
7/1/2014	2014-1821	14-2237	001-37111	SMIP 1	Paid	(-) 17.95
7/1/2014	2014-1821	14-2237	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1821	14-2237	135-32403	South Drainage Fee	Paid	(-) 498.66
7/1/2014	2014-1821	14-2237	150-34390	Public Art in New Subdivision	Paid	(-) 448.69
7/1/2014	2014-1821	14-2237	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1821	14-2237	261-32214	Technology Fee	Paid	(-) 260.24
7/1/2014	2014-1821	14-2237	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/19/2014	14-2237	Original Due		12325.14
7/1/2014	14-2237	Paid	Cash	(-) 12325.14

Total Paid ~~12,325.14~~ 8436.14

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?		
IS ALL INFORMATION PROVIDED?		

DATE DATA ENTERED _____

Effective January 1, 2007

73-710 Fred Waring Drive, Suite 200 • Palm Desert, CA 92260 • (760) 346-1127 • FAX (760) 340-5949

INSPECTON REQUEST SLIP 2014

Date Jun 12 Time 3:25pm Permit # 1821

Address 328 Goleta Way

- ☐ Temp. Pole
- ☒ Lath
- ☐ Grnd. Plumb
- ☐ Sewer
- ☐ Footings
- ☐ Gas Pressure
- ☐ Roof Nail
- ☐ T-Bar / HVAC
- ☐ Outside Wrap
- ☐ Wall Ftgs / BB / Final
- ☐ Framing
- ☐ Reroof-Clean off / Final
- ☐ Rough Electric
- ☐ Photovoltaic
- ☐ Rough Plumbing
- ☐ Final Gas / Elec
- ☐ Insulation
- ☐ Final
- ☒ Drywall
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown
485-6405

INSPECTON REQUEST SLIP 14-1821

Date 6/8 Time 340 Permit # 14-1823

Address DAKOTA

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☑ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485-6405

_____

Permit No 2014-1821

Address 328 GOLETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
FLOOR NAIL 20+10	
Roof Nail 30+10 PP 20+10	
Outside Wrap	
Framing	
Top-out Plumbing	
Rough Electric	
Insulation 10+10	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

CITY OF PALM SPRINGS

Department of Building and Safety
Building Inspection

☐ STOP WORK ☐ DOUBLE FEE

FAILURE TO COMPLY MAY RESULT IN CITATION

REASON: OUTSIDE WRAP

ADDRESS: DAKOTA

Permit No. VARIOUS

☐ Plans/specifications required ☐ Planning/Zoning Approval
☐ Fire Department Approval ☐ Engineering Approval

CORRECTIONS

AN INSPECTION OF THE ABOVE PREMISES SHOWS THE FOLLOWING ITEMS TO BE IN VIOLATION OF CITY OR STATE LAWS.

1) MAY 44" TO SILL OR PROVIDE ALTERNATE MEANS OF EGRESS

DATE 4/29/15 TIME 1500 INSPECTOR Alt

CORRECT WITHIN Prior to covering

☒ PROCEED ONLY WHEN CORRECTIONS HAVE BEEN MADE
☐ CALL 323-8243 FOR INSPECTION/APPROVAL BY BLDG. DEPT
☐ CALL 323-8186 FOR INSPECTION/APPROVAL BY FIRE DEPT
☐ CALL 323-8245 FOR INSPECTION/APPROVAL BY PLANNING DEPT
☐ CALL 323-8253 FOR INSPECTION/APPROVAL BY ENGINEERING/PUBLIC WORKS

Building Inspectors Office Hours: 7:00-7:30 a.m. & 3:00-3:30 p.m.

Building Department Phone: 760/323-8242 Fax: 760/322-8360

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 [illegible] • Fax 760 322 8312 • www.palmspringsca.gov

Approved
11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 328 GOLETA PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number:

Parcel #: - Lot #: 15

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LORING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	443.86	Front Setback:	5.00'
Top of Forms Elevation:	444.36	Right Side Setback:	3.79'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 M.H. #4 PER TRACT #36548	Left Side Setback:	3.21'
		Rear Setback:	32.79'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP

Date Feb 27 Time 3:36 PM Permit # 2014-1821

Address 328 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☒ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP

Date Mar 27 Time 4:03 Permit # 2014 - 1821

Address 328 Doleta Way

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
☒ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Fred Brown
Dakota 485-6405

INSPECTON REQUEST SLIP

Date 4/28 Time 355 pm Permit # 4-1821
4-1823

Address 328 DAKOTA 4-1824
4-1825

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
☑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

Pan OVER

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. 485 6405

INSPECTON REQUEST SLIP 14-

Date 4/6 Time 3:11p Permit # 1821

Address DAKOTA 1824
1827

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
☑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud
485 6405

Permit No 2014-1822

Address 329 GOLETTA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
Floor Nail 20+10	
Roof Nail 20+10 6+10 10+10	
Outside Wrap 20 + 10	
Framing 10+10	
Top-out Plumbing 10+10	
Rough Electric 10+10	
Insulation 10+10	
Lath ~~10+10~~	
Drywall	
Sewer	
Gas Pressure 10+10	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts 10+10	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

Top out plumb. OK 3/19/15 GFord

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 329 Goleta Way

Permit #: 2014-1822

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	12/1/14
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-23-14 GFORD
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-17-15 G Ford
Roof Nail	3-24-15 GFord
Outside Wrap	4-14-15 WR
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	5-19-15 GFord
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	5-26-15 GFord
Drywall	6/1/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING

After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION

Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP

After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME

After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION

When installed and exterior walls and top plates sealed.

LATH & DRYWALL

When nailed and all metal trim in place, but before wallboard is taped.

FINAL

All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 329 Goleta Way

Date Submitted: **06/05/2014** | Case No. **5.1295** | Permit Technician: **Alberto Gradilla**

Owner: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	
Contractor: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	Lic. Number: **213720**
Architect: **Design Arch**	Address: **2558 Overland Ave Los Angeles CA**	Phone: **310 204 8950**	
Engineer: **Gouvis Engineering**	Address: **4400 Campus, Newport Beach,**	Phone: **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
13			**513-300-057**

Lot Size	Zone	Occupancy
3843		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1772**	**483**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**205097.00**	~~12699.87~~ 8810.97

Describe work in detail:

Plan B Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls and pool/spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable

PERMIT NUMBER **2014-1822**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1822

329 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1822	14-2197		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1822	14-2197	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1822	14-2197	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
7/1/2014	2014-1822	14-2197	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1822	14-2197	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1822	14-2197	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1822	14-2197	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1822	14-2197	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1822	14-2197	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1822	14-2197	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1822	14-2197	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1822	14-2197	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1822	14-2197	135-32403	South Drainage Fee	Paid	(-) 641.45
7/1/2014	2014-1822	14-2197	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1822	14-2197	152-347000	Park Fee	Paid	8810.97 ~~(-) 3689.00~~
7/1/2014	2014-1822	14-2197	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1822	14-2197	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2197	Original Due		12699.97
7/1/2014	14-2197	Paid	CreditCard	(-) 12699.97

Total Paid ~~12,699.97~~

8810.97

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_

DATE DATA ENTERED _____

Effective January 1, 2007

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8245 • Fax 760 322 8313 • www.palmspringsca.gov

Elevation and Location Certification

Please type or print legibly

Site Address: 329 GOLETA PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 13

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LURING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	444.77	Front Setback:	5.40'
Top of Forms Elevation:	445.27	Right Side Setback:	4.56'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 ✓ M.H. #4 PER TRACT #36548	Left Side Setback:	4.31'
		Rear Setback:	28.73'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP

Date Feb 13 Time 12:21 PM Permit # 2014-1829

Address 329 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Gmd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☑ SUBFLOOR

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota

760-485-6405

INSPECTON REQUEST SLIP 2014

Date Apr 10 Time 3:31 PM Permit # 1822

Address 329 Dolefa Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☒ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

DAKOTA

Add. Inform. Bud Brown

485-6405

INSPECTON REQUEST SLIP 2014-

Date May 22 Time 2:55PM Permit # 1822

Address 329 Goleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☒ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

Dakota

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown
485-6405

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

Top-Out Plumping OK 4/2/15

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 332 Goleta Way

Permit #: 2014-1823

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	11/26/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/15/14 GFord
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-23-15 GFord
Roof Nail	4/2/15
Outside Wrap	4/29/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	6/4/15
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	6/9/15
Drywall	
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 332 Goleta Way

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
16			513-300-057

Lot Size	Zone	Occupancy
2978		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1772	483	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	205097.00	~~12555.68~~ 8666.68

Describe work in detail:

Plan B Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | JUL 02 2014 DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1823**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1823

332 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1823	14-2199		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1823	14-2199	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1823	14-2199	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
7/1/2014	2014-1823	14-2199	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1823	14-2199	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1823	14-2199	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1823	14-2199	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1823	14-2199	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1823	14-2199	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1823	14-2199	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1823	14-2199	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1823	14-2199	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1823	14-2199	135-32403	South Drainage Fee	Paid	(-) 497.16
7/1/2014	2014-1823	14-2199	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1823	14-2199	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1823	14-2199	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1823	14-2199	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2199	Original Due		12555.68
7/1/2014	14-2199	Paid	CreditCard	(-) 12555.68

Total Paid ~~12,555.68~~ 8666.68

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

Permit No 2014-1823

Address 332 GOLETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings	20+10
DECK WALL	20+10
Roof Nail 10	
Outside Wrap	
Framing	
Top-out Plumbing 10+10	
Rough Electric	
Insulation	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8244 • Fax 760 322 8312 • www.palmspringsca.gov

Ag ltr
11/12/14

Elevation and Location Certification

Please type or print legibly

Site Address: 332 GOLETA PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 16

Tract Name or Number: 36548

Civil Engineer: Amir FAYAZRAD RCE Number: 50597
Amir ENGINEERING

Address: 160 LUIRING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	444.84	Front Setback:	5.00'
Top of Forms Elevation:	445.34	Right Side Setback:	3.77'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 M.H. #4 PER TRACT #36548	Left Side Setback:	3.21'
		Rear Setback:	30.08'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP 2014

Date Feb 20 Time 10:08Am Permit # 1823

Address 332 Doleta Way

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☒ subfloor nailing

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

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CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

INSUL @ DBL SHR WALL OK 4-7-15 GFORD

TOP-OUT PLUMB OK 4/9/15

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 344 Goleta Way

Permit #: 2014-1824

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/15/14 G Ford
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-23-15 GFord
Roof Nail	
Outside Wrap	4/29/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	6/17/15
Drywall	
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8166

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs
BUILDING PERMIT

Building Address: 344 Goleta Way

Date Submitted **06/05/2014** | Case No. **5.1295** | Permit Technician **Alberto Gradilla**

Owner **Wessman Development**	Address **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone **760 325 3050**	
Contractor **Wessman Development**	Address **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone **760 325 3050**	Lic. Number **213720**
Architect **Design Arch**	Address **2558 Overland Ave Los Angeles CA**	Phone **310 204 8950**	
Engineer **Gouvis Engineering**	Address **4400 Campus, Newport Beach,**	Phone **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
17			**513-300-057**

Lot Size	Zone	Occupancy
2969		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1530**	**475**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**179478.00**	**12113.58** 8224.58

Describe work in detail:

Plan A Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
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The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1824**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1824

344 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1824	14-2238		Sewer impact fee	Paid	(-) 113.68
7/1/2014	2014-1824	14-2238	001-31601	Construction Tax by SQFT	Paid	(-) 802.00
7/1/2014	2014-1824	14-2238	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1824	14-2238	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1824	14-2238	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1824	14-2238	001-32219	S.B. 1473	Paid	(-) 7.18
7/1/2014	2014-1824	14-2238	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1824	14-2238	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1824	14-2238	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1824	14-2238	001-34310	General Plan Maint.	Paid	(-) 120.25
7/1/2014	2014-1824	14-2238	001-37111	SMIP1	Paid	(-) 17.95
7/1/2014	2014-1824	14-2238	123-34813	South Palm Canyon Drainage Fee	Paid	(-) 287.10
7/1/2014	2014-1824	14-2238	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1824	14-2238	150-34390	Public Art in New Subdivision	Paid	(-) 448.69
7/1/2014	2014-1824	14-2238	152-347000	Park Fee	Paid waive	~~(-) 3889.00~~
7/1/2014	2014-1824	14-2238	261-32214	Technology Fee	Paid	(-) 260.24
7/1/2014	2014-1824	14-2238	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/19/2014	14-2238	Original Due		12113.58
7/1/2014	14-2238	Paid	CreditCard	(-) 12113.58

Total Paid ~~12,113.58~~

8224.58

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

Permit No 2014-1825

Address 350 GUALETA WAY

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
DECK	
Roof Nail 10 + 10	
Outside Wrap	
Framing	
Top-out Plumbing 10	
Rough Electric	
Insulation	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

Top-Out Plumb OK 4/9 JH

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 350 Goleta Way

Permit #: 2014-1825

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/15/14 G Ford
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-25-15 G Ford
Roof Nail	
Outside Wrap	4/29/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	6/10/15
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	6/18/15
Drywall	
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fir suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 350 Goleta Way

Date Submitted: **06/05/2014** | Case No. **5.1295** | Permit Technician: **Alberto Gradilla**

Owner: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	
Contractor: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	Lic. Number: **213720**
Architect: **Design Arch**	Address: **2558 Overland Ave Los Angeles CA**	Phone: **310 204 8950**	
Engineer: **Gouvis Engineering**	Address: **4400 Campus, Newport Beach,**	Phone: **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
18			**513-300-057**

Lot Size	Zone	Occupancy
2960		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1772**	**483**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**205097.00**	**12552.54** 8663.54

Describe work in detail:

Plan B Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls and pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1825**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1825

350 Goleta Way
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1825	14-2206	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1825	14-2206	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
7/1/2014	2014-1825	14-2206	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1825	14-2206	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1825	14-2206	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1825	14-2206	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1825	14-2206	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1825	14-2206	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1825	14-2206	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1825	14-2206	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1825	14-2206	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1825	14-2206	135-32403	South Drainage Fee	Paid	(-) 494.02
7/1/2014	2014-1825	14-2206	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1825	14-2206	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1825	14-2206	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1825	14-2206	420-38703	Sewer Connection	Paid	(-) 3000.00
7/1/2014	2014-1825	14-2206	Deposit	Dewer impact fee	Paid	(-) 113.68

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2206	Original Due		12552.54
7/1/2014	14-2206	Paid	CreditCard	(-) 12552.54

Total Paid ~~12,552.54~~ 8663.54

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

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BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

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LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

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SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

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COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

INSPECTON REQUEST SLIP

Date 6/17 Time 4^08 Permit # 14-1825

Address 350 Goleta

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
X ❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. _____

Bud 485-6405

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8245 • Fax 760 322-8313 • www.palmspringsca.gov

Elevation and Location Certification

Please type or print legibly

Site Address: 350 GOLETA PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 18

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LORING DR. SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	446.66	Front Setback:	5.00'
Top of Forms Elevation:	447.16	Right Side Setback:	3.77'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.30 M.H #4 PER TRACT #36548	Left Side Setback:	3.21'
		Rear Setback:	29.54'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP 14-

Date 4/8 Time 750A Permit # 1823

Address DAKOTA 1824

1825

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ☒ Roof Nail III
- ❑ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD

485 6405

INSPECTON REQUEST SLIP

Date_____ Time_____ Permit #_____

Address_____

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform._____

_____

INSPECTON REQUEST SLIP

Date Feb 20 Time 10:05 Am Permit # 2014-1825

Address 350 Doleta Way

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☑ subfloor

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

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CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 1001 Iris Ln

Permit #: 2014-1826

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	11/26/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12/15/14 GFord
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	2-26-15 GFord
Roof Nail	4-20-15 GFord
Outside Wrap	5/6/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	7/16/15
Framing	
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	7/29/15
Drywall	8/10/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

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Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 1001 Iris Ln

Date Submitted: **06/05/2014** | Case No. **5.1295** | Permit Technician: **Alberto Gradilla**

Owner: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	
Contractor: **Wessman Development**	Address: **555 S Sunrise Way Ste 555 Palm Springs CA**	Phone: **760 325 3050**	Lic. Number: **213720**
Architect: **Design Arch**	Address: **2558 Overland Ave Los Angeles CA**	Phone: **310 204 8950**	
Engineer: **Gouvis Engineering**	Address: **4400 Campus, Newport Beach,**	Phone: **949)752-1612**	

Lot #	Block #	Tract	Parcel Number
19			**513-300-057**

Lot Size	Zone	Occupancy
5709		**R-3 Residential, one- and two-family**

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	**1772**	**483**	**0**	**0**

Use of building	Permit Type	Const. Type	Fixture Units
SFD	**New Single Family Dwelling**	**VB**	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	**0**	**205097.00**	~~13011.35~~ 9122.35

Describe work in detail:

Plan BR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

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IMPORTANT

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OWNER/CONTRACTOR/AGENT | JUL 02 2014 DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1826**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1826

1001 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1826	14-2201	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1826	14-2201	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
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7/1/2014	2014-1826	14-2201	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1826	14-2201	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1826	14-2201	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1826	14-2201	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1826	14-2201	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1826	14-2201	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1826	14-2201	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1826	14-2201	135-32403	South Drainage Fee	Paid	(-) 952.83
7/1/2014	2014-1826	14-2201	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1826	14-2201	152-347000	Park Fee	Paid	Waive ~~(-) 3889.00~~
7/1/2014	2014-1826	14-2201	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1826	14-2201	420-38703	Sewer Connection	Paid	(-) 3000.00
7/1/2014	2014-1826	14-2201	Deposit	Sewer Impact Fee	Paid	(-) 113.68

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2201	Original Due		13011.35
7/1/2014	14-2201	Paid	CreditCard	(-) 13011.35

Total Paid ~~13,011.35~~

9122.35

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

INSPECTON REQUEST SLIP

Date May 1 Time 4:08pm Permit # 2014 1826

Address 1001 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
☒ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown
485-6405

INSPECTON REQUEST SLIP

Date 7/28 Time 145 Permit # 14 1826

Address 1001 Iris

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☑ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

Permit No 2014-1826

Address 1001 IRIS LANE

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
DECK NAIL 20+10	
Roof Nail 20+10 10+10	
Outside Wrap	
Framing	
Top-out Plumbing	
Rough Electric	
Insulation	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP

Date 7/15 Time 245 Permit # 14-1826 14-1827 14-1828

Address Dakota

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☑ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485 6405

_____

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8212 • Fax 760 322-8312 • www.palmspringsca.gov

As per
11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 1001 IRIS PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 19

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LURINE DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	448.90	Front Setback:	18.00'
Top of Forms Elevation:	449.40	Right Side Setback:	5.83'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	T.C.O. = 448.05 C.O. #2 PER TRACT #36548 NO UPSTREAM MANHOLE	Left Side Setback:	7.71'
		Rear Setback:	68.35'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP

Date 4/17 Time 1503 Permit # 1826 1827 ~~1828~~ 14

Address 1001 Iris

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☒ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath ~~14~~
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final DAKOTA
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

985 6405

Dakota

INSPECTON REQUEST SLIP 14-

Date 12/11 Time 4:19 Permit # 1819

Address 316 CALLOTA WAY

~~320 GALLOTA WAY~~

☐ Temp. Pole	☐ Lath GALLOTA 32
☐ Grnd. Plumb	☐ Sewer 14-1923
☑ Footings	☐ Gas Pressure 14-1924
☐ Roof Nail	☐ T-Bar / HVAC 14-1925
☐ Outside Wrap	☐ Wall Ftgs / BB / Final 14-1926
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final MW
☐ Drywall	☐ _____

Lot 15

POOL INSPECTION REQUEST

- ☐ ~~Steel~~, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 495 6405

_____

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

~~Roof~~ INSUL @ DBL SHR WALL OK 4-7-15 G FORD

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 1009 Iris Ln

Permit #: 2014-1827

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	12/2/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-23-14 G FORD
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	3-3-15 G FORD
Roof Nail	4-29-15 G FORD
Outside Wrap	5/6/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	7/16/15
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	7/21/15
Drywall	8/10/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING

After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION

Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP

After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME

After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION

When installed and exterior walls and top plates sealed.

LATH & DRYWALL

When nailed and all metal trim in place, but before wallboard is taped.

FINAL

All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 1009 Iris Ln

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
20			513-300-057

Lot Size	Zone	Occupancy
4803		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1530	475	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	179478.00	~~12628.10~~ 8739.10

Describe work in detail:

Plan AR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-1827

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1827

1009 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1827	14-2242		Sewer impact fee	Paid	(-) 113.68
7/1/2014	2014-1827	14-2242	001-31601	Construction Tax by SQFT	Paid	(-) 802.00
7/1/2014	2014-1827	14-2242	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1827	14-2242	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1827	14-2242	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1827	14-2242	001-32219	S.B. 1473	Paid	(-) 7.18
7/1/2014	2014-1827	14-2242	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1827	14-2242	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1827	14-2242	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1827	14-2242	001-34310	General Plan Maint.	Paid	(-) 120.25
7/1/2014	2014-1827	14-2242	001-37111	SMIP1	Paid	(-) 17.95
7/1/2014	2014-1827	14-2242	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1827	14-2242	135-32403	South Drainage Fee	Paid	(-) 801.62
7/1/2014	2014-1827	14-2242	150-34390	Public Art in New Subdivision	Paid	(-) 448.69
7/1/2014	2014-1827	14-2242	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1827	14-2242	261-32214	Technology Fee	Paid	(-) 260.24
7/1/2014	2014-1827	14-2242	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/19/2014	14-2242	Original Due		12628.10
7/1/2014	14-2242	Paid	CreditCard	(-) 12628.10

Total Paid ~~12,628.10~~

8739.10

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_

DATE DATA ENTERED _____

Effective January 1, 2007

Time Spent on Permit No 2014-1827

Address 1009 IRIS LANE

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
DECK NAIL 20+10	
Roof Nail 20+10 10+10	
Outside Wrap	
Framing	
Top-out Plumbing	
Rough Electric	
Insulation 10+10	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP 14

Date Jul 17 Time 12:53pm Permit # 1827

Address 1009 Iris Lane

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☒ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Brad Brown - Dakota
485-6405

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8248 • Fax 760 322 8312 • www.palmspringsca.gov

Elevation and Location Certification

Please type or print legibly

Site Address: 1009 IRIS PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # – Lot # 20

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 CORING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	448.25	Front Setback:	19.29'
Top of Forms Elevation:	448.75	Right Side Setback:	3.21'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	T.C.O. = 448.05 C.O. #2 PER TRACT #36548 NO UPSTREAM MANHOLE	Left Side Setback:	4.19'
		Rear Setback:	50.79'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTON REQUEST SLIP

Date May 1 Time 4:08pm Permit # 2014 1827

Address 1009 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
☒ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Brad Brown
485-6405

Dakota

INSPECTON REQUEST SLIP

Date Feb 27 Time 3:36 PM Permit # 2014-1827

Address 1009 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	☒ sub floor

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota 760-485-6405

INSPECTON REQUEST SLIP

Date Mar 13 Time 3:27PM Permit # 2014-1827

Address 1009 IRIS LANE

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☒ courtesy roof sheathing

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD BROWN - DAKOTA
760-485-6405

INSPECTON REQUEST SLIP

Date Mar 13 Time 3:27PM Permit # 2014-1828

Address 1111 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	☒ courtesy roof sheathing

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP

Date Mar 13 Time 3:27 pm Permit # 2014-1832

Address 1000 SURREY LANE

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	☒ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown, Dakota 760-485-6405

INSPECTON REQUEST SLIP

Date Mar 13 Time 3:27 PM Permit # 2014-1838

Address 1010 SURREY LANE

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☒ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. BUD BROWN - DAKOTA 760-485-6405 .

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 1111 Iris Ln

Permit #: 2014-1828

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	
Ground Plumbing	12/8/14
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-23-14 GFord
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	3-3-15 GFord
Roof Nail	4-20-15 GFord
Outside Wrap	5/6/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	7/16/15
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	7/28/15
Drywall	8/5/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING

After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION

Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP

After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME

After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fir suppression system ready to test.

INSULATION

When installed and exterior walls and top plates sealed.

LATH & DRYWALL

When nailed and all metal trim in place, but before wallboard is taped.

FINAL

All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 1111 Iris Ln

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
21			513-300-057

Lot Size	Zone	Occupancy
4019		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1772	483	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	205097.00	~~12729.29~~ 8840.29

Describe work in detail:

Plan BR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block walls, pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law.
Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

JUL 02 2014

OWNER/CONTRACTOR/AGENT | DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER **2014-1828**

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1828

1111 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1828	14-2202	001-31601	Construction Tax by SQFT	Paid	(-) 902.00
7/1/2014	2014-1828	14-2202	001-32201	Hourly Building Permit Rate	Paid	(-) 679.73
7/1/2014	2014-1828	14-2202	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1828	14-2202	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1828	14-2202	001-32219	S.B. 1473	Paid	(-) 8.20
7/1/2014	2014-1828	14-2202	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1828	14-2202	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1828	14-2202	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1828	14-2202	001-34310	General Plan Maint.	Paid	(-) 137.41
7/1/2014	2014-1828	14-2202	001-37111	SMIP1	Paid	(-) 20.51
7/1/2014	2014-1828	14-2202	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1828	14-2202	135-32403	South Drainage Fee	Paid	(-) 670.77
7/1/2014	2014-1828	14-2202	150-34390	Public Art in New Subdivision	Paid	(-) 512.74
7/1/2014	2014-1828	14-2202	152-347000	Park Fee	Paid waive	~~(-) 3889.00~~
7/1/2014	2014-1828	14-2202	261-32214	Technology Fee	Paid	(-) 297.39
7/1/2014	2014-1828	14-2202	420-38703	Sewer Connection	Paid	(-) 3000.00
7/1/2014	2014-1828	14-2202	Deposit	Sewer impact fee	Paid	(-) 113.68

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2202	Original Due		12729.29
7/1/2014	14-2202	Paid	CreditCard	(-) 12729.29

Total Paid ~~12,729.29~~ 8840.29

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:

(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:

(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_
DATE DATA ENTERED _____		

Effective January 1, 2007

INSPECTON REQUEST SLIP

Date 8/4 Time 9:10 Permit # 14-1828

Address DAKOTA

☐ Temp. Pole	☒ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☒ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 485-6405

Permit No 2014-1828

Address 1111 IRIS LANE

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
DECK NAIL 20+0	
Roof Nail 20+10 10+10	
Outside Wrap	
Framing	
Top-out Plumbing	
Rough Electric	
Insulation	
Lath	
Drywall	
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP

Date 7/8 Time 345 Permit # 14-1828 14-3626

Address Dakota

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☑ Wall Ftgs / BB / Final
☑ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

INSPECTON REQUEST SLIP

Date May 1 Time 4:08 PM Permit # 2014 1828

Address 1111 Iris Lane

- ❑ Temp. Pole
- ❑ Grnd. Plumb
- ❑ Footings
- ❑ Roof Nail
- ❑ Outside Wrap
- ❑ Framing
- ❑ Rough Electric
- ❑ Rough Plumbing
- ❑ Insulation
- ❑ Drywall
- ❑ Lath
- ❑ Sewer
- ❑ Gas Pressure
- ❑ T-Bar / HVAC
- ❑ Wall Ftgs / BB / Final
- ❑ Reroof-Clean off / Final
- ❑ Photovoltaic
- ❑ Final Gas / Elec
- ❑ Final
- ❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

DAKOTA

Add. Inform. Bud Brown
485-6405

INSPECTON REQUEST SLIP

Date Feb 27 Time 3:36PM Permit # 2014-1828

Address 1111 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	☑ sub floor

RE-ROOF

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
760-485-6405

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8249 • Fax 760 322 8312 • www.palmspringsca.gov

Agave
11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 1111 IRIS PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # – Lot # 21

Tract Name or Number: 36548

Civil Engineer: Amir FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 LORING DR, SUITE A. PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	448.45	Front Setback:	12.21'
Top of Forms Elevation:	448.95	Right Side Setback:	3.21'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.65 M.H. #5 PER TRACT #36548	Left Side Setback:	3.42'
		Rear Setback:	46.33'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZ
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 1129 Iris Ln

Permit #: 2014-1829

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole

Setbacks

Pad Certification

Ground Plumbing

DO NOT COVER UNTIL THE ABOVE IS SIGNED

Footings 12-23-14 G Ford

DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED

Sub Floor 3-3-15 G Ford

Roof Nail 4/22/15 B Fox

Outside Wrap 5/7/15

DO NOT COVER UNTIL THE ABOVE IS SIGNED

H.C./Htg Ducts

Top-Out Plumbing

Rough Electric

Framing

Rough Sprinklers

DO NOT INSULATE UNTIL THE ABOVE IS SIGNED

Insulation 7/6/15

Drywall 7/13/15

Lath

Gas Pressure

Sewer (Sketch on reverse side)

Planning Release

Fire Release

Engineering Release

Final Electric

Final Gas

Final

C/O Issued

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING
After the site is graded and forms in place, an elevation a location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION
Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP
After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME
After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fi suppression system ready to test.

INSULATION
When installed and exterior walls and top plates sealed.

LATH & DRYWALL
When nailed and all metal trim in place, but before wallboard is taped.

FINAL
All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 1129 Iris Ln

Date Submitted: 06/05/2014 | Case No. | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
22			513-300-057

Lot Size	Zone	Occupancy
4332		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1530	475	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit ~~Fees~~ Paid
Yes	0	179478.00	~~12549.54~~ 8460.54

Describe work in detail:

Plan AR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | JUL 02 2014 DATE | ISSUED BY | Finaled _____

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-1829

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1829

1129 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
7/1/2014	2014-1829	14-2395		Sewer Impact Fee	Paid	(-) 113.68
7/1/2014	2014-1829	14-2395	001-31601	Construction Tax by SQFT	Paid	(-) 802.00
7/1/2014	2014-1829	14-2395	001-32201	Hourly Building Permit Rate	Paid	(-) 669.63
7/1/2014	2014-1829	14-2395	001-32202	Sewer Inspection	Paid	(-) 46.00
7/1/2014	2014-1829	14-2395	001-32204	Permit Issuance Fee	Paid	(-) 104.44
7/1/2014	2014-1829	14-2395	001-32219	S.B. 1473	Paid	(-) 7.18
7/1/2014	2014-1829	14-2395	001-34301	Hourly Plan Check Fee	Paid	(-) 157.68
7/1/2014	2014-1829	14-2395	001-34303	Planning Plan Check Fee	Paid	(-) 347.00
7/1/2014	2014-1829	14-2395	001-34308	Microfilm	Paid	(-) 5.30
7/1/2014	2014-1829	14-2395	001-34310	General Plan Maint.	Paid	(-) 120.25
7/1/2014	2014-1829	14-2395	001-37111	SMIP 1	Paid	(-) 17.95
7/1/2014	2014-1829	14-2395	134-33110	TUMF	Paid	(-) 1837.44
7/1/2014	2014-1829	14-2395	135-32403	South Drainage Fee	Paid	(-) 723.06
7/1/2014	2014-1829	14-2395	150-34390	Public Art in New Subdivision	Paid	(-) 448.69
7/1/2014	2014-1829	14-2395	152-347000	Park Fee	Paid	waive ~~(-) 3889.00~~
7/1/2014	2014-1829	14-2395	261-32214	Technology Fee	Paid	(-) 260.24
7/1/2014	2014-1829	14-2395	420-38703	Sewer Connection	Paid	(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
7/1/2014	14-2395	Original Due		12549.54
7/1/2014	14-2395	Paid	CreditCard	(-) 12549.54

Total Paid ~~12,549.54~~ 8660.54

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA — Staff Name/Department

7/2/2014 — Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?		
IS ALL INFORMATION PROVIDED?		

DATE DATA ENTERED _____

Effective January 1, 2007

77-764 Country Club Drive, Suite 202 • Palm Desert, CA 92260 • (760) 346-1127 • FAX (760) 340-5949

Permit No 2014-1829

Address 1129 IRIS LANE

GENERAL BUILDING INSPECTION	
Temp Pole	20
Ground Plumbing	
Setbacks	
Pad Certification	
Footings 20+10	
20+10	
Roof Nail 20+10	
	15
Outside Wrap	
Framing	
Top-out Plumbing	
Rough Electric	
Insulation	21
Lath	
Drywall	25
Sewer	
Gas Pressure	
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	30
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP

Date 6/24 Time 5:35 Permit # 14-1829

Address Dakota

- ☐ Temp. Pole
- ☐ Gmd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☒ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud 485-6405

INSPECTON REQUEST SLIP

Date Feb 27 Time 3:36 Permit # 2014-1829

Address 1129 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	☑ Sub floor

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

Add. Inform. Brad Brown - Dakota
760-485-6405

INSPECTON REQUEST SLIP

14-1829

Date 4/21 Time 4:50 Permit # 14-1830

Address Dakota

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☑ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

☐ Steel, Bonding, Setback

☐ Underground Piping & Electric

☐ Equipotential Bonding

☐ Encapsulation / Alarms

☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud

_____

INSPECTON REQUEST SLIP

Date 5/5 Time 400 Permit # 14-1826 14-1827 14-1828 14-1829 14-1830

Address 1001 Iris 1129 1009 Iris 1135 1121 Iris Dakota

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☑ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. 694 - 2989

INSPECTON REQUEST SLIP

Date May 1 Time 408 PM Permit # 2014 1829

Address 1129 Iris Lane

❑ Temp. Pole	❑ Lath
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
☒ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	❑ _____

POOL INSPECTION REQUEST

- ❑ Steel, Bonding, Setback
- ❑ Underground Piping & Electric
- ❑ Equipotential Bonding
- ❑ Encapsulation / Alarms
- ❑ Final, Gas Pressure, Housing, Energy

DAKOTA

Add. Inform. Bud Brown
485-6405

City of Palm Springs

Department of Building & Safety
[illegible] East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 [illegible] • Fax 760 322 8312 • www.palmspringsca.gov

Agon
11/14/14

Elevation and Location Certification

Please type or print legibly

Site Address: 1129 IRIS PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel # — Lot # 22

Tract Name or Number: 36548

Civil Engineer: AMIR FAYAZRAD RCE Number: 50597
AMIR ENGINEERING

Address: 160 GURNEE DR, SUITE A, PALM SPRINGS, CA. 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	448.45	Front Setback:	11.94'
Top of Forms Elevation:	448.95	Right Side Setback:	3.21'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	RIM = 447.65 M.H. #5 PER TRACT # 36548	Left Side Setback:	9.13'
		Rear Setback:	38.08'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

INSPECTION INFORMATION

No work shall be concealed without a signature by the inspector.

The approved plans and this card must always be available to the inspector. Preserve this record.

A permit shall expire and become null and void if substanial work is not commenced within 180 days, or if the work is suspended or abandoned for a period of 180 days. If the work is progressing but approaching the end of the 180 day period from the last recorded day of a passed inspection, a progress inspection must be obtained to keep an active permit.

CONSTRUCTION HOURS

Weekdays	7am to 7pm
Saturdays	8am to 5pm
Sundays & Holidays	**Not Permitted**

JOB NOTES:

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

SEWER SKETCH:

JOB CARD

Project address: 1135 Iris Ln

Permit #: 2014-1830

Inspection hours 8AM - 4PM Monday - Thursday

Inspection request line (760) 323-8243

Building Department (760) 323-8242

Building Department Fax (760) 322-8342

GENERAL BUILDING INSPECTIONS

Temp Power Pole	
Setbacks	
Pad Certification	12/12/14
Ground Plumbing	
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
Footings	12-23-14 GFORD
DO NOT POUR CONCRETE UNTIL ABOVE IS SIGNED	
Sub Floor	3-5-15 GFORD
Roof Nail	4/22/15 MFOX
Outside Wrap	5/4/15
DO NOT COVER UNTIL THE ABOVE IS SIGNED	
A.C./Htg Ducts	
Top-Out Plumbing	
Rough Electric	
Framing	6/24/15
Rough Sprinklers	
DO NOT INSULATE UNTIL THE ABOVE IS SIGNED	
Insulation	7/6/15
Drywall	7/13/15
Lath	
Gas Pressure	
Sewer (Sketch on reverse side)	
Planning Release	
Fire Release	
Engineering Release	
Final Electric	
Final Gas	
Final	
C/O Issued	

JOB NOTES:

CALL FOR THE FOLLOWING INSPECTIONS

GROUND PLUMBING

After the site is graded and forms in place, an elevation ar location certification (Pad Cert) shall be submitted to the building inspector prior to requesting ground plumbing inspection

FOUNDATION

Before pouring concrete, once all reinforced steel, hardware, footings are dug and UFER ground is in place.

ROOF NAIL / OUTSIDE WRAP

After roof sheathing installed and nailed, doors, windows and all exterior penetrations flashed, shear panels installe and nailed prior to covering the building.

COMBINATION / ROUGH FRAME

After building is covered, roof loaded and weather tight a all rough electrical, mechanical/HVAC, plumbing and fir suppression system ready to test.

INSULATION

When installed and exterior walls and top plates sealed.

LATH & DRYWALL

When nailed and all metal trim in place, but before wallboard is taped.

FINAL

All other departments are signed off (i.e. Planning, Engineering, Fire and Health), all electrical, plumbing, HVAC completed. CO/smoke alarms installed, Title 24 energy requirements and energy compliance certificate completed.

FOR INSPECTION / APPROVAL FROM ENGINEERING & PUBLIC WORKS
CALL 760-323-8253

FOR INSPECTION / APPROVAL FROM PLANNING DEPARTMENT
CALL 760-323-8245

FOR APPROVAL / INSPECTION FROM THE FIRE DEPARTMENT
CALL 760-323-8186

Department of Building & Safety
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262
www.palmspringsca.gov

City of Palm Springs

BUILDING PERMIT

Building Address: 1135 Iris Ln

Date Submitted: 06/05/2014 | Case No. 5.1295 | Permit Technician: Alberto Gradilla

Owner: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	
Contractor: Wessman Development	Address: 555 S Sunrise Way Ste 555 Palm Springs CA	Phone: 760 325 3050	Lic. Number: 213720
Architect: Design Arch	Address: 2558 Overland Ave Los Angeles CA	Phone: 310 204 8950	
Engineer: Gouvis Engineering	Address: 4400 Campus, Newport Beach,	Phone: 949)752-1612	

Lot #	Block #	Tract	Parcel Number
23			513-300-057

Lot Size	Zone	Occupancy
4184		R-3 Residential, one- and two-family

	Building Sq. Ft.	Garage/Carport	Roofed Patio/Porch	Remodeled Area
New	1772	483	0	0

Use of building	Permit Type	Const. Type	Fixture Units
SFD	New Single Family Dwelling	VB	

Fire Sprinkler	Units	Valuation	Permit Fees Paid
Yes	0	205097.00	~~12756.83~~ 8867.83

Describe work in detail:

Plan BR Permit to construct 2 story - 2 bedroom 2 bath single family dwelling with great room, powder room, sitting area and 2 car garage. All per approved master plans.

(PARK FEES WAIVED: No release of utilities until requirements of covenant have been satisfied).

Special Conditions:

Block wall, pool and spa to be on seperate permit.

BUILDING PERMIT FEES BASED ON DEPOSIT SYSTEM. ADDITIONAL FEES MAY BE DUE PRIOR TO RELEASE OF UTILITIES AND FINAL INSPECTION.

DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED

IMPORTANT

The issuance of this permit shall not be held to be an approval of the violation of any provisions of any city or county ordinance or state law. Inspections of work are subject to an approved set of plans being on the job. Changes to plans are not to be made without permission of the Building and Safety Divisions.
The owner and/or contractor is responsible for establishing all property lines. All utilities must be underground.
This permit will expire if work is not started in 180 days or if more than 180 days elapses between inspections.
I certify that I am familiar with all requirements of the City of Palm Springs as they apply to this permit and understand that these requirements must be completed prior to final inspection and that no certification of occupancy will be issued until such time as these requirements are met. I certify that I have read this application and state that the information is true and correct.

OWNER/CONTRACTOR/AGENT | JUL 02 2014 DATE | ISSUED BY | Finaled

This is a Building when properly filled out, signed and validated, and is not transferable.

PERMIT NUMBER 2014-1830

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	7/1/2014

ACCOUNT:

Dakota
555 S Sunrise Way
Palm Springs CA 92264

Phone: 760 325 3050

PERMIT NUMBER	2014-1830

1135 Iris Ln
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status		Amount
7/1/2014	2014-1830	14-2205		Sewer impact fee	Paid		(-) 113.68
7/1/2014	2014-1830	14-2205	001-31601	Construction Tax by SQFT	Paid		(-) 902.00
7/1/2014	2014-1830	14-2205	001-32201	Hourly Building Permit Rate	Paid		(-) 679.73
7/1/2014	2014-1830	14-2205	001-32202	Sewer Inspection	Paid		(-) 46.00
7/1/2014	2014-1830	14-2205	001-32204	Permit Issuance Fee	Paid		(-) 104.44
7/1/2014	2014-1830	14-2205	001-32219	S.B. 1473	Paid		(-) 8.20
7/1/2014	2014-1830	14-2205	001-34301	Hourly Plan Check Fee	Paid		(-) 157.68
7/1/2014	2014-1830	14-2205	001-34303	Planning Plan Check Fee	Paid		(-) 347.00
7/1/2014	2014-1830	14-2205	001-34308	Microfilm	Paid		(-) 5.30
7/1/2014	2014-1830	14-2205	001-34310	General Plan Maint.	Paid		(-) 137.41
7/1/2014	2014-1830	14-2205	001-37111	SMIP1	Paid		(-) 20.51
7/1/2014	2014-1830	14-2205	134-33110	TUMF	Paid		(-) 1837.44
7/1/2014	2014-1830	14-2205	135-32403	South Drainage Fee	Paid		(-) 698.31
7/1/2014	2014-1830	14-2205	150-34390	Public Art in New Subdivision	Paid		(-) 512.74
7/1/2014	2014-1830	14-2205	152-347000	Park Fee	Paid	Waive	~~(-) 3869.00~~
7/1/2014	2014-1830	14-2205	261-32214	Technology Fee	Paid		(-) 297.39
7/1/2014	2014-1830	14-2205	420-38703	Sewer Connection	Paid		(-) 3000.00

Date	InvoiceNum	Status	Payment	Amount
6/18/2014	14-2205	Original Due		12756.83
7/1/2014	14-2205	Paid	CreditCard	(-) 12756.83

Total Paid 12,756.83

8867.83

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

CVAG

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

TUMF COLLECTION FORM

JURISDICTION: CITY OF PALM SPRINGS BUILDING PERMIT NO.: VARIOUS

BUILDER/DEVELOPER: WESSMAN DEVELOPMENT

PROJECT NAME: DAKOTA

PROJECT ADDRESS: 1501 S. BELARDO ROAD

TOTAL SQ. FT. OF LOT: VARIOUS TOTAL SQ. FT. OF BUILDING "A" 1530 & "B" 1722

LOT NO. 1,2 & 11-23 TRACT NO. 36548 APN: 516-300-057

****

SINGLE FAMILY DETACHED ONLY:
(✓) - SINGLE FAMILY DETACHED $1,837.44 PER UNIT = $1,837.44 LAND USE CODE = 1110

ALL OTHER USES:
(✓) NEW ( ) ADDITION

LAND USE CODE	LAND USE	UNIT CODE	TUMF PER UNIT		# OF UNITS	$ TOTAL PER USE
1110	SINGLE FAMILY	B	1,844.37	X	15	= $ 27,561.60

TOTAL = $ 27,561.60

RETAIL SERVICES: TOTAL FEE DUE, ALL PHASES $ 27,561.60

COMMENTS/REMARKS PLEASE SEE ATTACHED PERMIT COPIES FOR LOT # AND AREA. THIS INCLUDES LOTS 1, 2, & 11 THROUGH 23. THIS PROJECT IS NOT SUBJECT TO CVMSHCP FEES.

ALBERTO GRADILLA
Staff Name/Department

7/2/2014
Date Permit Issued

****

FOR CVAG USE ONLY

	YES	NO
IS FEE PROPERLY COMPUTED?	_	_
IS ALL INFORMATION PROVIDED?	_	_

DATE DATA ENTERED _____

Effective January 1, 2007

INSPECTON REQUEST SLIP 2014-

Date JUL 10 Time 3:49PM Permit # 1830

Address 1135 Iris Lane

☐ Temp. Pole	☒ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☒ Drywall nail	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
485-6405

INSPECTON REQUEST SLIP

Date Jul 10 Time 3:49pm Permit # 2014 1829

Address 1129 Iris Lane

- ☐ Temp. Pole
- ☐ Gmd. Plumb
- ☐ Footings
- ☐ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☒ Drywall nail
- ☒ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud Brown - Dakota
485-6405

Permit No 2014-1830

Address 1135 IRIS LN

GENERAL BUILDING INSPECTION	
Temp Pole	
Ground Plumbing	1
Setbacks	
Pad Certification	
Footings 20+10'	10
DECK 20+10	6
Roof Nail 20+10	3
Outside Wrap	
	3
Framing	
Top-out Plumbing	
Rough Electric	
Insulation	
Lath	
Drywall	
Sewer	
Gas Pressure	7
Fireplace BB	
Masonry Wall Footings	
Masonry Wall BB	1
t-Bar	
AC/Htng Ducts	
Final Gas	
Final Elec	
RE-ROOFING INSPECTIONS	
Clean, patch flash	
Roof final	
SWIMMING POOLS	
Steel, bonding, setbacks	
Final, gas pres, housing, energy	
Underground	
OFFICE TIME	
SUPERVISOR'S TIME	

INSPECTON REQUEST SLIP

Date 6/23 Time 430 Permit # 14 1830

Address 1135 Iris

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☐ Outside Wrap	☐ Wall Ftgs / BB / Final
☑ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud 485 6405

_____

INSPECTON REQUEST SLIP 2014

Date May 1 Time 4:08 PM Permit # 1830

Address 1135 IRIS LANE

☐ Temp. Pole	☐ Lath
☐ Grnd. Plumb	☐ Sewer
☐ Footings	☐ Gas Pressure
☐ Roof Nail	☐ T-Bar / HVAC
☒ Outside Wrap	☐ Wall Ftgs / BB / Final
☐ Framing	☐ Reroof-Clean off / Final
☐ Rough Electric	☐ Photovoltaic
☐ Rough Plumbing	☐ Final Gas / Elec
☐ Insulation	☐ Final
☐ Drywall	☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

DAKOTA

MK

Add. Inform. Bud Brown

485-6405

City of Palm Springs

Department of Building & Safety
3200 East Tahquitz Canyon Way • Palm Springs CA 92262
Tel 760 323-8245 • Fax 760 322-8313 • www.palmspringsca.gov

Agor 11/26/14

Elevation and Location Certification

Please type or print legibly

Site Address: 1135 IRIS PALM SPRINGS

Grading Permit Number: 140617-1 Building Permit Number: _____

Parcel #: — Lot #: 23

Tract Name or Number: 36548

Civil Engineer: Amir FAYAZRAD RCE Number: 50597
Amir ENGINEERING

Address: 160 LORING DR, SUITE A, PALM SPRINGS, CA 92262

Phone Number: (760) 318-7424

NOTE: All certifications shall be conducted with forms in place. All certifications shall be submitted and approved prior to ground plumbing inspection.

Pad Elevation:	448.70	Front Setback:	10.08'
Top of Forms Elevation:	449.20	Right Side Setback:	3.21'
Closest Upstream Manhole Elevation: (If flood rim level of any fixture is below upstream manhole then back-water valve will be required.)	R.M = 447.60 ✓ M.H. # 9 PER TRACT #36548	Left Side Setback:	6.60'
		Rear Setback:	37.48'

REGISTERED PROFESSIONAL ENGINEER
AMIR M. FAYAZRAD
No. 50597
Exp. 9/30/15
CIVIL
STATE OF CALIFORNIA

Amir

CITY OF PALM SPRINGS

Department of Building and Safety
Building Inspection

☐ STOP WORK ☐ DOUBLE FEE

FAILURE TO COMPLY MAY RESULT IN CITATION

REASON: _____

ADDRESS: _____

Permit No. _____

☐ Plans/specifications required ☐ Planning/Zoning Approval
☐ Fire Department Approval ☐ Engineering Approval

CORRECTIONS

AN INSPECTION OF THE ABOVE PREMISES SHOWS THE FOLLOWING ITEMS TO BE IN VIOLATION OF CITY OR STATE LAWS.

_____

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DATE _____ **TIME** _____ **INSPECTOR** _____

CORRECT WITHIN _____

☐ **PROCEED ONLY WHEN CORRECTIONS HAVE BEEN MADE**
☐ **CALL 323-8243 FOR INSPECTION/APPROVAL BY BLDG. DEPT**
☐ **CALL 323-8186 FOR INSPECTION/APPROVAL BY FIRE DEPT**
☐ **CALL 323-8245 FOR INSPECTION/APPROVAL BY PLANNING DEPT**
☐ **CALL 323-B253 FOR INSPECTION/APPROVAL BY ENGINEERING/PUBLIC WORKS**

Building Inspectors Office Hours: 7:00-7:30 a.m. & 3:00-3:30 p.m.
Building Department Phone: 760/323-8242 Fax: 760/322-8360

CITY OF PALM SPRINGS

Department of Building and Safety
Building Inspection

☐ STOP WORK ☐ DOUBLE FEE

FAILURE TO COMPLY MAY RESULT IN CITATION

REASON: _____

ADDRESS: _____

Permit No. _____

☐ Plans/specifications required ☐ Planning/Zoning Approval
☐ Fire Department Approval ☐ Engineering Approval

CORRECTIONS

AN INSPECTION OF THE ABOVE PREMISES SHOWS THE FOLLOWING ITEMS TO BE IN VIOLATION OF CITY OR STATE LAWS.

_____

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DATE _____ **TIME** _____ **INSPECTOR** _____

CORRECT WITHIN _____

☐ **PROCEED ONLY WHEN CORRECTIONS HAVE BEEN MADE**
☐ **CALL 323-8243 FOR INSPECTION/APPROVAL BY BLDG. DEPT**
☐ **CALL 323-8186 FOR INSPECTION/APPROVAL BY FIRE DEPT**
☐ **CALL 323-8245 FOR INSPECTION/APPROVAL BY PLANNING DEPT**
☐ **CALL 323-8253 FOR INSPECTION/APPROVAL BY ENGINEERING/PUBLIC WORKS**

Building Inspectors Office Hours: 7:00-7:30 a.m. & 3:00-3:30 p.m.
Building Department Phone: 760/323-8242 Fax: 760/322-8360

INSPECTON REQUEST SLIP 14

Date 3/4 Time 1605 Permit # 1830

Address 1135 Iris

❑ Temp. Pole	❑ Lath DAKOTA
❑ Grnd. Plumb	❑ Sewer
❑ Footings	❑ Gas Pressure
❑ Roof Nail	❑ T-Bar / HVAC
❑ Outside Wrap	❑ Wall Ftgs / BB / Final
❑ Framing	❑ Reroof-Clean off / Final
❑ Rough Electric	❑ Photovoltaic
❑ Rough Plumbing	❑ Final Gas / Elec
❑ Insulation	❑ Final
❑ Drywall	☒ Floor Nail

POOL INSPECTION REQUEST

❑ Steel, Bonding, Setback

❑ Underground Piping & Electric

❑ Equipotential Bonding

❑ Encapsulation / Alarms

❑ Final, Gas Pressure, Housing, Energy

Add. Inform. 909 533 0929

INSPECTON REQUEST SLIP

Date 3/18 Time 1550 Permit # 14 1818 1820 1822 1829 1830

Address DAKOTA

- ☐ Temp. Pole
- ☐ Grnd. Plumb
- ☐ Footings
- ☒ Roof Nail
- ☐ Outside Wrap
- ☐ Framing
- ☐ Rough Electric
- ☐ Rough Plumbing
- ☐ Insulation
- ☐ Drywall
- ☐ Lath
- ☐ Sewer
- ☐ Gas Pressure
- ☐ T-Bar / HVAC
- ☐ Wall Ftgs / BB / Final
- ☐ Reroof-Clean off / Final
- ☐ Photovoltaic
- ☐ Final Gas / Elec
- ☐ Final
- ☐ _____

POOL INSPECTION REQUEST

- ☐ Steel, Bonding, Setback
- ☐ Underground Piping & Electric
- ☐ Equipotential Bonding
- ☐ Encapsulation / Alarms
- ☐ Final, Gas Pressure, Housing, Energy

Add. Inform. Bud 485 6405

BUILDING PERMIT APPLICATION

DATE: 10/20/14 PLAN CHECK DEPOSIT FEE: 1087

Project Address 1501 S. Belardo Road Assessor's Parcel # 513-300-057-8

Owner's Name Dakota PS LLC Phone # 760-325-3321

Owner's Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

Contractor's Name Wessman Development Company inc Phone # 760-325-3321 Llc# 995566

Contractor's Address 555 Sunrise Way Suite 200 Palm Springs CA 92262

Architect's Name design arc Phone # 310204-8950 Lic.# C 26044

Architect's Address 2558 overland ave. los angeles ca 90064

Engineer's Name Gouvis Engineering Phone # 919-752-1612 Lic.# C 042283

Engineer's Address 4400 Campus DR. newport beach ca 92660

CONTACT PERSON Anthony Monaco Address 555 Sunrise Way Ste 200 Palm Springs CA 92264

PHONE 909-533-0929 **FAX** _____ **EMAIL** amonaco@wessmandevelopment.com

Business License. # 00005276, Expiration Date 9/30/2014 Lot Size (sf.) _____

Building Use _____ Type of Const. _____ Occupancy Group(s) _____ Sprinkled _____

Project Square Footage: Building _____ Garage _____ Carport _____ Patio (type) _____

Project Description Truss Calcs *Total Value of Work* $ _____

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☑ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
- ☐ Structural Calculations, if applicable (wet-stamped and signed)
- ☐ Floor Plan, dimensioned. Door & Window Schedule
- ☐ Framing Plan with sections and elevations
- ☐ Truss Calculations and layout as applicable (wet-stamped and signed.)
- ☐ Foundation Plan
- ☐ Electrical Plan/Load Calculations include 8-KW future for new single dwellings and condos
- ☐ Waste, Drain & Vent Isometric
- ☐ Gas/Water Piping Isometric (dimensioned layout)
- ☐ Details showing compliance with accessibility. requirements
- ☐ Site Plan showing parking for persons with disabilities and path of travel to building entrance
- ☐ Title 24 (Energy) – 2 sets/ Lighting Compliance Forms
- ☐ Manufacture's brochure for HVAC equipment
- ☐ Mech. Plan / Duct Schematic, equipment location
- ☐ Fireplace Specifications, if applicable
- ☐ Planning / Fire / Engineering approval
- ☐ Health Department approval

Bldg. Plan Check # 2014-3488

Planning Case # _____

_____
Signature

PERMIT CENTER
CITY OF PALM SPRINGS

RECEIPT

0058

RECEIVED FROM (Print)	PROJECT NAME/DESCRIPTION/ADDRESS	PLAN CHECK OR CASE NO.
Dakota	1501 S. Birch Rd	3614-3476

ZONING FEES ACCT. #001-32212

Change of Zone Application Fee	
Conditional Use Permit	
Planned Development District Application Fee	
Variance Application Fee (includes sign variance)	

MISCELLANEOUS FILING FEES ACCT. #001-34303

Architectural Approval	
Administrative Minor Modification	
Miscellaneous	
Environmental Impact Report Review	

SUBDIVISION FEES ACCT. #001-32213

a. Tentative Maps	
b. Final Maps	
c. Lot Line Adj./Cert. of Compliance	

PUBLIC WORKS & ENGINEERING DEPT. FEES

Vacation of Right-of-Way # 001-34309	
Improvement Plans # 001-34302	
Grading Plans # 001-34302	
Encroachment Agreements # 001-34304	

BUILDING & SAFETY DEPARTMENT FEES

Fire Plan Check #001-34210	
Bldg. Permit #001-32201	
Plan Check Deposit #001-34301	107
Plan Check Deposit #001-34307	
Code Compliance Insp./Resale Insp. #001-32209	
Renewal & Reinspection #001-32210	
Microfilm/Miscellaneous #001-34308	
TOTAL FEE	107

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM (Sign)	PERMIT CENTER	DATE	PERMIT NO.
X		6-21-16	

WHITE - CUSTOMER YELLOW - CASHIER PINK - FINANCE GOLD - BUILDING

EsGil Corporation

In Partnership with Government for Building Safety

DATE: **OCT. 28, 2014**

JURISDICTION: **PALM SPRINGS**

PLAN CHECK NO.: **2014-3488** SET: **I**

PROJECT ADDRESS: **1501 S. BELARDO**

PROJECT NAME: **SFR TWO-MODEL HOMES**

- ❑ APPLICANT
- ❑ JURIS.
- ❑ PLAN REVIEWER
- ❑ FILE

☒ The plans transmitted herewith have been corrected where necessary and substantially comply with the jurisdiction's building codes.

☐ The plans transmitted herewith will substantially comply with the jurisdiction's codes when minor deficiencies identified below are resolved and checked by building department staff.

☐ The plans transmitted herewith have significant deficiencies identified on the enclosed check list and should be corrected and resubmitted for a complete recheck.

☐ The check list transmitted herewith is for your information. The plans are being held at Esgil Corporation until corrected plans are submitted for recheck.

☐ The applicant's copy of the check list is enclosed for the jurisdiction to forward to the applicant contact person.

☐ The applicant's copy of the check list has been sent to:
MICHAEL BRAUN 555 S. SUNRISE WAY, #2000,

☐ EsGil Corporation staff **did not** advise the applicant that the plan check has been completed.

☒ EsGil Corporation staff **did** advise the applicant that the plan check has been completed.

Person contacted: Mike Telephone #: 760-325-3050

Date contacted: 10/28 (by: JK) Email: mbraun@wessmandevelopment.com Fax #: 760-325-5848

Mail ✓ Telephone Fax In Person

☒ REMARKS: FLOOR & ROOF TRUSS REVISIONS FOR UNITS #A & B ARE UNDER THIS PERMIT ONLY.

By: **ALI SADRE, S.E.**
EsGil Corporation
☐ GA ☐ EJ ☐ PC 10/23

Comments: Original P/C #13-1417.

9320 Chesapeake Drive, Suite 208 ◆ San Diego, California 92123 ◆ (858) 560-1468 ◆ Fax (858) 560-1576

PALM SPRINGS 2014-3488
OCT. 28, 2014

[DO NOT PAY – THIS IS NOT AN INVOICE]

VALUATION AND PLAN CHECK FEE

JURISDICTION: **PALM SPRINGS** PLAN CHECK NO.: **2014-3488**

PREPARED BY: **ALI SADRE, S.E.** DATE: **OCT. 28, 2014**

BUILDING ADDRESS: **1501 S. BELARDO** ***UNIT #A***

BUILDING OCCUPANCY: **R3/U1** TYPE OF CONSTRUCTION: **V-B/SPR.**

BUILDING PORTION	AREA (Sq. Ft.)	Valuation Multiplier	Reg. Mod.	VALUE ($)	
LIVING	1530				
Air Conditioning					
Fire Sprinklers					
TOTAL VALUE					
Jurisdiction Code	PS	97			

Bldg. Permit Fee by Ordinance

$206.25

Plan Check Fee by Ordinance

Type of Review: ☐ Complete Review ☐ Structural Only

☐ Repetitive Fee **Repeats**

☐ Other

☑ **Hourly EsGil Fee** 1.5 Hrs. @ * $110.00 **$165.00**

* Based on hourly rate

Comments: **UNIT "A"**; FLOOR & ROOF TRUSS REVISIONS FOR UNIT "A" ARE UNDER THIS PERMIT ONLY.

PALM SPRINGS 2014-3488
OCT. 28, 2014

[DO NOT PAY – THIS IS NOT AN INVOICE]

VALUATION AND PLAN CHECK FEE

JURISDICTION: **PALM SPRINGS** PLAN CHECK NO.: **2014-3488**

PREPARED BY: **ALI SADRE, S.E.** DATE: **OCT. 28, 2014**

BUILDING ADDRESS: **1501 S. BELARDO** ***UNIT #B***

BUILDING OCCUPANCY: **R3/U1** TYPE OF CONSTRUCTION: **V-B/SPR.**

BUILDING PORTION	AREA (Sq. Ft.)	Valuation Multiplier	Reg. Mod.	VALUE ($)	
LIVING	1772				
Air Conditioning					
Fire Sprinklers					
TOTAL VALUE					
Jurisdiction Code	PS	97			

Bldg. Permit Fee by Ordinance

Plan Check Fee by Ordinance **$206.25**

Type of Review: ☐ Complete Review ☐ Structural Only

☐ Repetitive Fee **Repeats**

☐ Other

☑ **Hourly EsGil Fee** 1.5 Hrs. @ * $110.00 **$165.00**

* Based on hourly rate

Comments: **UNIT "B"**; FLOOR & ROOF TRUSS REVISIONS FOR UNITS "B" ARE UNDER THIS PERMIT ONLY.

Building Materials and Construction Services

45491 Golf Center Parkway, Indio, CA 92203
Telephone: (760) 347-3332
Fax: (760) 347-0202

NOV 04 2014
by EsGil

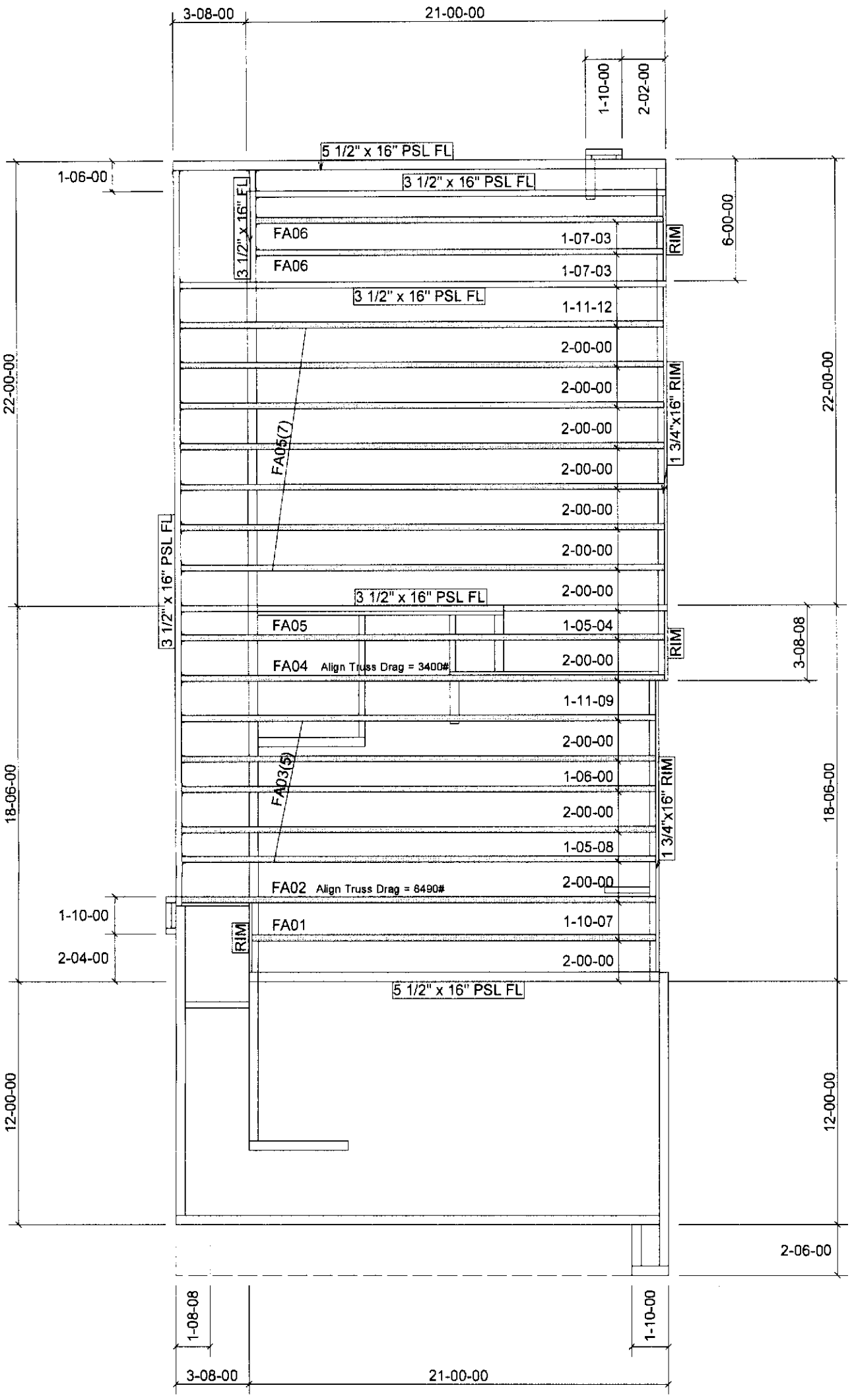
REVISIONS

PSI 2014-345

BMC

DAKOTA

10/02/2014



REVIEWED
REJECTED
REVISE AND RESUBMIT
AS CORRECTED

Corrections or comments made on the drawings during this review do not relieve the contractor from compliance with requirements of the drawings and specifications. The review is general and conformance with the design concept of the project and general compliance with the information given in the contract documents. The contractor is responsible for: confirming and correlating all quantities and dimensions; selecting fabrication processes and techniques of construction; coordinating his work with that of all other trades and performing his work in a safe and satisfactory manner.

This review shall not be construed to be:
1. That approval of any specific item shall not indicate approval of an assembly of which the item is a component.
2. That approval of any specific dimension or quantity.
3. That approval of any specific fabrication process or piece.

Note: All bracing shown is the responsibility of the erector. Additional temporary and permanent bracing of the system is the responsibility of the erector. For general erection bracing, refer to the latest edition of HIB-91 available from the Truss Plate Institute, 583 D'Onofrio Drive; Madison, WI 53719.

Truss Engineering is the responsibility of the truss manufacturer. Review of the general method of construction is only for the effect on the trusses designed by this engineer. Approval of the trusses including the layout.

Signature of this engineer on the shop drawings indicates that he has prepared or approved the Gouvis Engineering scope of work shown on these drawings and that he is the engineer of record for the trusses and only as noted on the shop drawings.

GOUVIS ENGINEERING CONSULTING GROUP, INC.

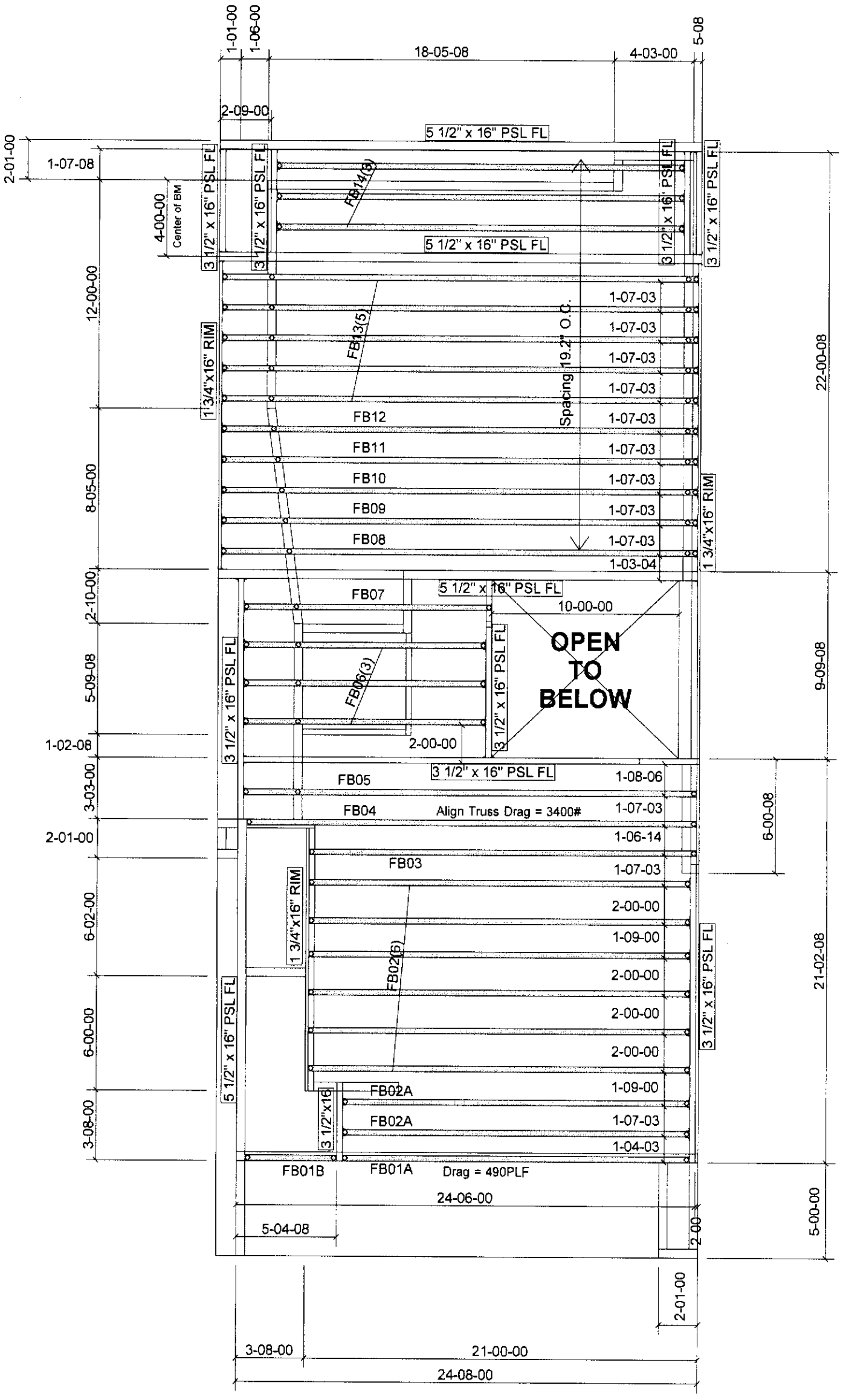
Building Materials and Construction Services
45-491 Golf Center Parkway, Indio, CA
(760) 347-3332 Fax: (760) 347-0202

DAKOTA

UNIT A Floors

Drawn By: T. Miles

Date: 08/27/2014



REVIEWED
REJECTED
Corrections
during
compliance
specifications
conforms
and
the
for
dimensions
that
safe
This
1. The
and
structure
2. The
3. The
Note:
bracing
manufacturer
Truss Engineer
the trusses
including
Signature
Gouvis Engineering Consultants Group, Inc. has only reviewed
for shop drawings
GOUVIS ENGINEERING CONSULTING GROUP, INC.
Date
By

Building Materials and Construction Services
45-491 Golf Center Parkway, Indio, CA
(760) 347-3332 Fax: (760) 347-0202

DAKOTA
UNIT B Floor

Drawn By: T. Miles
Date: 09/12/2014

MiTek USA, Inc.
7777 Greenback Lane
Suite 109
Citrus Heights, CA, 95610
Telephone 916/676-1900
Fax 916/676-1909

Re: Dakota_Floors

The truss drawing(s) referenced below have been prepared by MiTek Industries, Inc. under my direct supervision based on the parameters provided by BMC-Indio, CA.

Pages or sheets covered by this seal: R42958421 thru R42958442

My license renewal date for the state of California is December 31, 2015.

Lumber design values are in accordance with ANSI/TPI 1 section 6.3
These truss designs rely on lumber values established by others.

October 7,2014

Ong, Choo Soon

The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI 1.

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA01	FLOOR	1	1	R42958421 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:37 2014 Page 1
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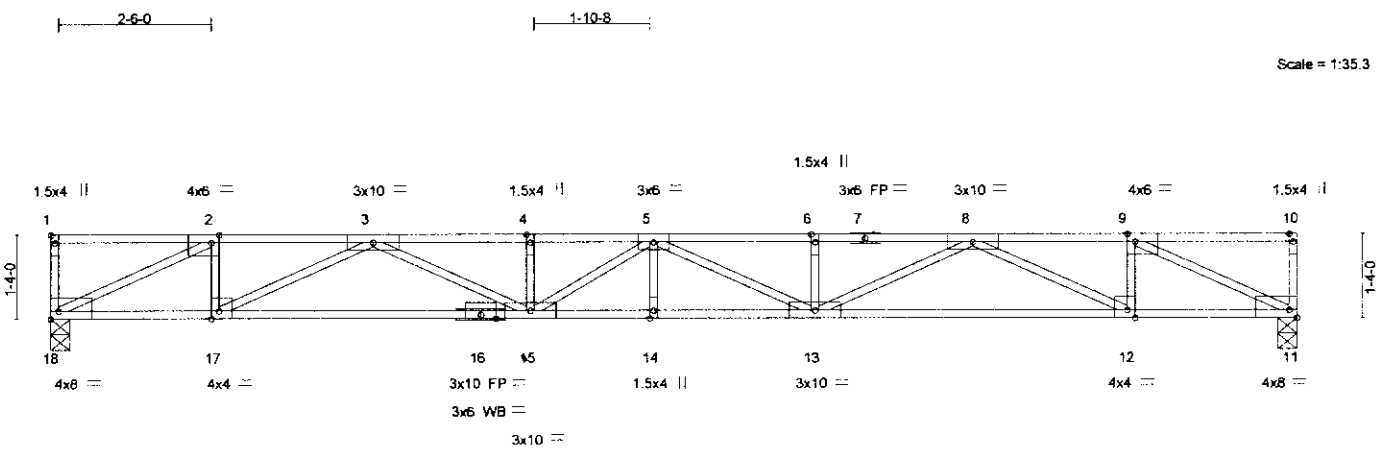

20-3-0
20-3-0

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [9:0-1-8,Edge], [11:Edge,0-1-8], [12:0-1-8,Edge], [17:0-1-8,Edge], [18:Edge,0-1-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.48	Vert(LL)	-0.35	14	>699	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.71	Vert(TL)	-0.57	13-14	>423	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.60	Horz(TL)	0.11	11	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 96 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 11=1067/0-3-12 (min. 0-1-8), 18=1067/0-3-12 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-2076/0, 3-4=-4238/0, 4-5=-4238/0, 5-6=-4253/0, 6-8=-4253/0, 8-9=-2076/0
BOT CHORD 17-18=0/2076, 15-17=0/3416, 14-15=0/4453, 13-14=0/4453, 12-13=0/3412, 11-12=0/2076
WEBS 9-11=-2286/0, 2-18=-2285/0, 9-12=0/674, 2-17=0/676, 8-12=-1477/0, 3-17=-1481/0, 8-13=0/930, 3-15=0/910, 6-13=-258/0, 5-15=-251/0

NOTES
1) A plate rating reduction of 20% has been applied for the green lumber members.
2) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2013 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA02	FLOOR	1	1	R42958422

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Tue Oct 07 11:01:41 2014 Page 1

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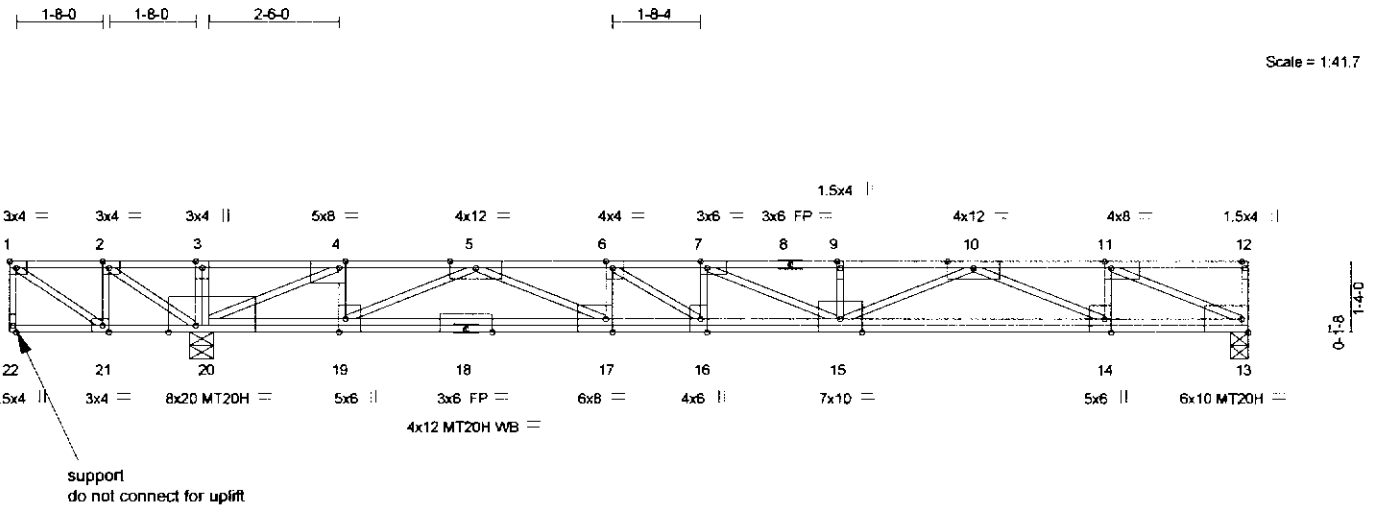

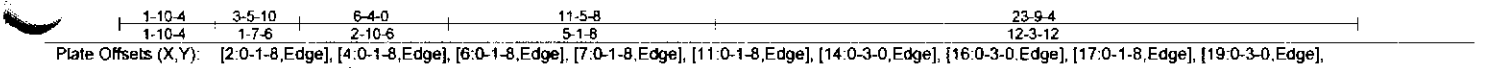

Plate Offsets (X,Y): [2:0-1-8,Edge], [4:0-1-8,Edge], [6:0-1-8,Edge], [7:0-1-8,Edge], [11:0-1-8,Edge], [14:0-3-0,Edge], [16:0-3-0,Edge], [17:0-1-8,Edge], [19:0-3-0,Edge], [20:0-6-4,Edge], [21:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.50	Vert(LL)	-0.41	16	>588	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.74	Vert(TL)	-0.58	16	>415	360	MT20H	165/146
BCLL	0.0	Rep Stress Incr	YES	WB	0.70	Horz(TL)	0.09	13	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 141 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 5-11-14 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 5-4-13 oc bracing.

REACTIONS (lb/size) 13=1015/0-4-0 (min. 0-1-8), 20=1491/0-5-8 (min. 0-1-8)
Max Horz 20=-71(LC 6)
Max Uplift 13=-161(LC 8)
Max Grav 13=1426(LC 7), 20=1767(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-391/603, 2-3=-1051/1765, 3-4=-1766/2511, 4-5=-3661/1760, 5-6=-4964/52, 6-7=-5073/0, 7-8=-4547/0, 8-9=-4756/0, 9-10=-5456/340, 10-11=-2672/99, 11-12=-717/717
OT CHORD 21-22=-3034/2730, 20-21=-6501/6339, 19-20=-5788/7688, 18-19=-4528/8271, 17-18=-4528/8271, 16-17=-3379/8291, 15-16=-2660/7906, 14-15=-1041/5198, 13-14=-423/2996
WEBS 11-13=-3269/461, 11-14=-229/1026, 10-14=-2412/677, 4-20=-3275/323, 10-15=-784/1834, 5-19=-2566/476, 9-15=-257/0, 7-15=-1128/987, 5-17=-576/1927, 6-16=-612/1061, 6-17=-756/290, 7-16=-542/320, 2-20=-769/121, 4-19=-167/1090

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are MT20 plates unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 161 lb uplift at joint 13.
5) This truss has been designed for a total drag load of 6490 lb. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 3-10-0 for 1693.2 plf.
6) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA03	FLOOR	5	1	R42958423 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:40 2014 Page 1
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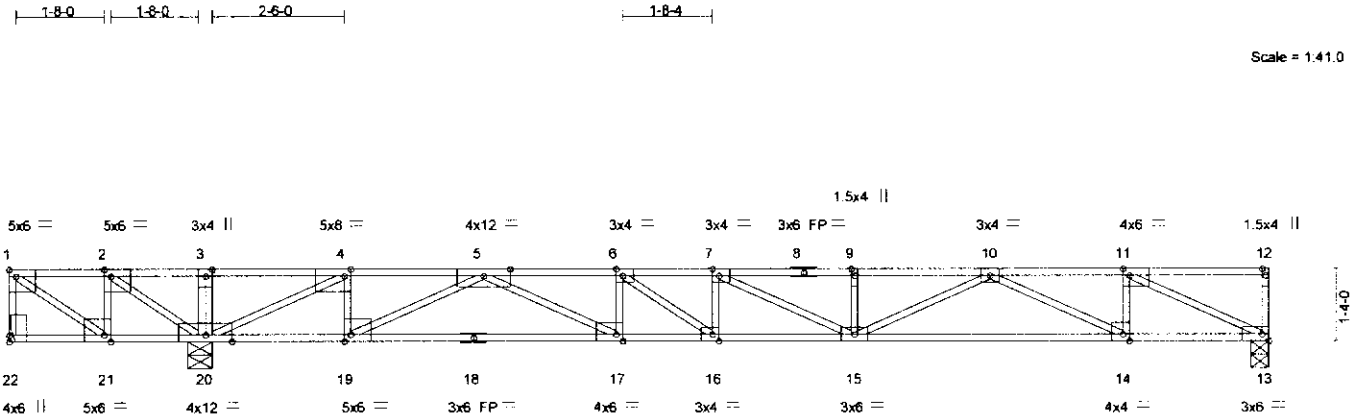

3-7-4
3-7-4
23-9-4
20-2-0

Plate Offsets (X,Y): [1:Edge,0-1-8], [2:0-1-8,Edge], [4:0-1-8,Edge], [6:0-1-8,Edge], [7:0-1-8,Edge], [11:0-1-8,Edge], [14:0-1-8,Edge], [16:0-1-8,Edge], [17:0-1-8,Edge], [19:0-1-8,Edge], [21:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.68	Vert(LL)	-0.22	15-16	>999	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.48	Vert(TL)	-0.36	14-15	>669	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.69	Horz(TL)	0.05	13	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 115 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing, Except:
6-0-0 oc bracing: 20-21,19-20.

REACTIONS (lb/size) 22=-822/Mechanical, 13=872/0-4-0 (min. 0-1-8), 20=2456/0-5-8 (min. 0-1-8)
Max Uplift 22=-962(LC 3)
Max Grav 13=874(LC 3), 20=2456(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-22=0/970, 1-2=0/1462, 2-3=0/3004, 3-4=0/3008, 4-5=0/594, 5-6=-2332/0, 6-7=-2800/0, 7-9=-3019/0, 9-10=-3019/0, 10-11=-1659/0
BOT CHORD 20-21=-1462/0, 19-20=-594/0, 17-19=0/1148, 16-17=0/2332, 15-16=0/2800, 14-15=0/2586, 13-14=0/1659
WEBS 2-20=-1982/0, 2-21=0/993, 1-21=-1763/0, 11-13=-1826/0, 4-20=-2659/0, 11-14=0/481, 4-19=0/849, 10-14=-1025/0, 5-19=-1909/0, 10-15=0/479, 5-17=0/1311, 9-15=-259/0, 6-17=-512/0, 6-16=0/565, 7-16=-311/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Refer to girder(s) for truss to truss connections.
4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 962 lb uplift at joint 22.
5) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
6) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/19/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA04	FLOOR	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Oct 14 2013 MiTek Industries, Inc. Mon Oct 06 11:54:51 2014 Page 1

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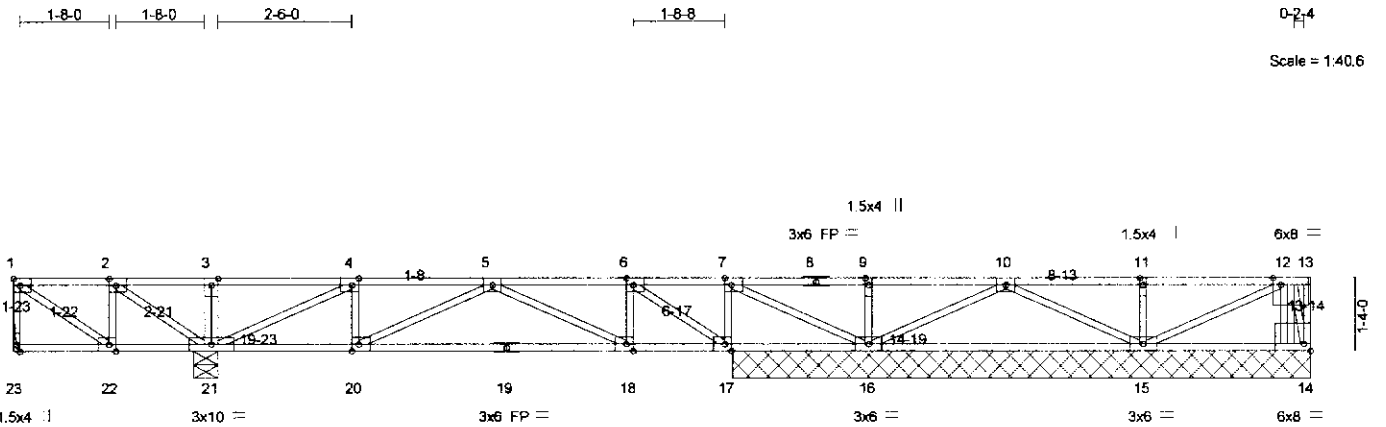

3-7-4 — 23-11-0 — 24-2-12

3-7-4 — 20-3-12 — 0-3-12

Plate Offsets (X,Y): [2:0-1-8,Edge], [4:0-1-8,Edge], [6:0-1-8,Edge], [7:0-1-8,Edge], [13:0-1-12,Edge], [14:Edge,0-1-8], [17:0-1-8,Edge], [18:0-1-8,Edge], [20:0-1-8,Edge], [22:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.38	Vert(LL)	-0.05	18-20	>999	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.28	Vert(TL)	-0.13	18-20	>999	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.34	Horz(TL)	0.03	14	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 121 lb	FT = 20%F, 20%E

LUMBER

TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING

TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

REACTIONS All bearings 10-9-8 except (jt=length) 23=Mechanical, 21=0-5-8.

(lb) - Max Horz 23=24(LC 2)
Max Uplift All uplift 100 lb or less at joint(s) except 23=-256(LC 7)
Max Grav All reactions 250 lb or less at joint(s) 23 except 21=2585(LC 3), 15=500(LC 3), 16=1226(LC 9), 14=1619(LC 2)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD 1-23=-171/263, 1-2=-251/486, 2-3=-162/1072, 3-4=-512/1478, 4-5=-1187/713, 5-6=-1334/374, 6-7=-940/539, 7-8=-325/1206, 8-9=-509/1411, 9-10=-868/1771, 10-11=-278/288, 11-12=-649/659

BOT CHORD 21-22=-437/178, 20-21=-415/888, 19-20=-600/1628, 18-19=-600/1628, 17-18=-882/1842, 16-17=-1121/1605, 15-16=-1437/1267, 14-15=-749/1352

WEBS 3-21=-1634/0, 2-21=-714/0, 2-22=-88/297, 1-22=-498/185, 12-15=-1215/541, 4-21=-1564/15, 11-15=-270/0, 4-20=-43/392, 10-15=-576/753, 5-20=-830/205, 10-16=-1284/474, 5-18=-413/338, 9-16=-275/0, 7-16=-1509/74, 6-17=-780/111, 7-17=-61/427, 12-14=-1791/0

NOTES

1) Unbalanced floor live loads have been considered for this design.
2) All plates are 3x4 MT20 unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) Refer to girder(s) for truss to truss connections.
5) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 256 lb uplift at joint 23.
6) This truss is designed in accordance with the 2009 International Building Code section 2306.1 and referenced standard ANSI/TPI 1.
7) This truss has been designed for a total drag load of 3400 lb. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 13-5-4 to 24-2-12 for 315.1 plf.
8) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
9) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard

1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 14-23=-10, 1-13=-96

October 7,2014

Continued on page 2

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

LOAD CASE(S) Standard
Concentrated Loads (lb)
Vert: 3=-1400 12=-1400

⚠ *WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE*
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA05	FLOOR	8	1	R42958425
					Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:43 2014 Page 1
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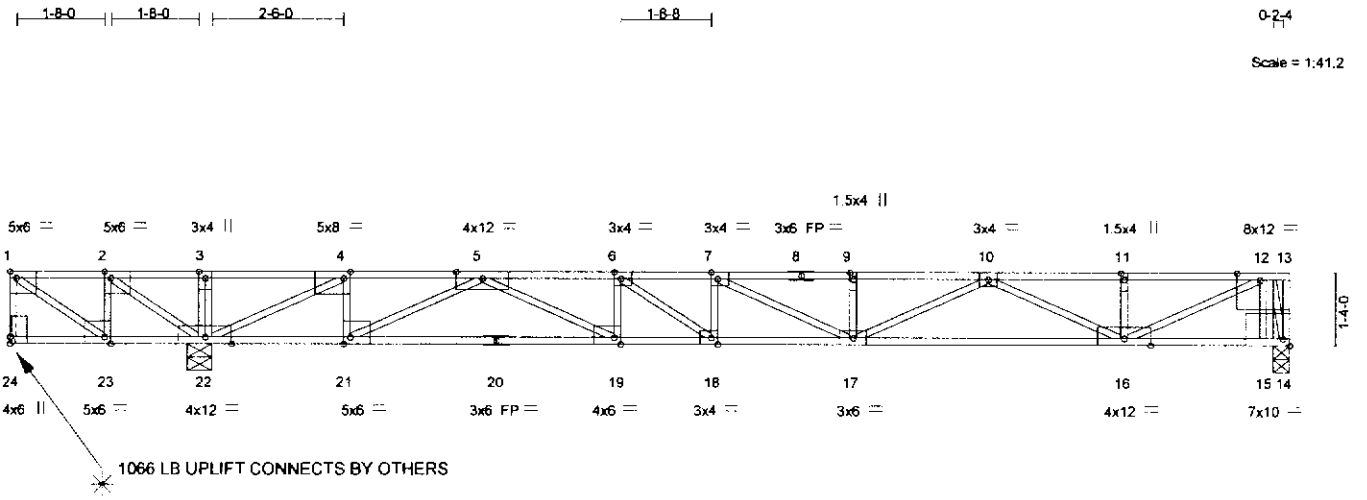

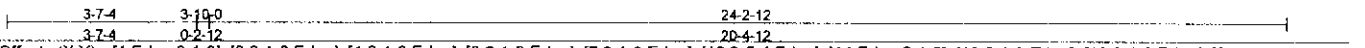

Plate Offsets (X,Y): [1:Edge,0-1-8], [2:0-1-8,Edge], [4:0-1-8,Edge], [6:0-1-8,Edge], [7:0-1-8,Edge], [13:0-5-4,Edge], [14:Edge,0-1-8], [18:0-1-8,Edge], [19:0-1-8,Edge], [21:0-1-8,Edge], [23:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.82	Vert(LL)	-0.25	17-18	>986	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.61	Vert(TL)	-0.41	16-17	>591	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.74	Horz(TL)	0.05	14	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 121 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing, Except:
6-0-0 oc bracing: 22-23,21-22.

REACTIONS (lb/size) 24=-922/Mechanical, 14=2253/0-3-12 (min. 0-1-8), 22=4024/0-5-8 (min. 0-1-13)
Max Uplift 24=-1066(LC 3)
Max Grav 14=2254(LC 3), 22=4024(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-24=0/1074, 1-2=0/1616, 2-3=0/3306, 3-4=0/3333, 4-5=0/769, 5-6=-2448/0, 6-7=-3024/0, 7-9=-3383/0, 9-10=-3383/0, 10-11=-2294/0, 11-12=-2294/0
BOT CHORD 22-23=-1616/0, 21-22=-769/0, 19-21=0/1120, 18-19=0/2448, 17-18=0/3024, 16-17=0/3094, 15-16=0/807, 14-15=0/807
WEBS 3-22=-1648/0, 2-22=-2164/0, 2-23=0/1096, 1-23=-1950/0, 12-16=0/1635, 4-22=-2821/0, 11-16=-256/0, 4-21=0/916, 10-16=-884/0, 5-21=-2069/0, 10-17=0/320, 5-18=0/1471, 9-17=-257/0, 6-19=-581/0, 7-17=0/399, 6-18=0/693, 7-18=-378/0, 12-14=-2448/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Refer to girder(s) for truss to truss connections.
4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1066 lb uplift at joint 24.
5) This truss has large uplift reaction(s) from gravity load case(s). Proper connection is required to secure truss against upward movement at the bearings. Building designer must provide for uplift reactions indicated.
6) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
7) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 14-24=-10, 1-13=-96
Concentrated Loads (lb)
Vert: 3=-1400 12=-1400

October 7,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FA06	FLOOR	2	1	R42958426
					Job Reference (optional)

BMC Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:44 2014 Page 1
ID:o9CXhdg9GnwniJi32KMwrdyf1CH-WDdmiDdWNOOYaXx6BQjCJ4rDF2U9H8d6MYYjpMyWADH

2-6-0 1-7-0 0-2-4

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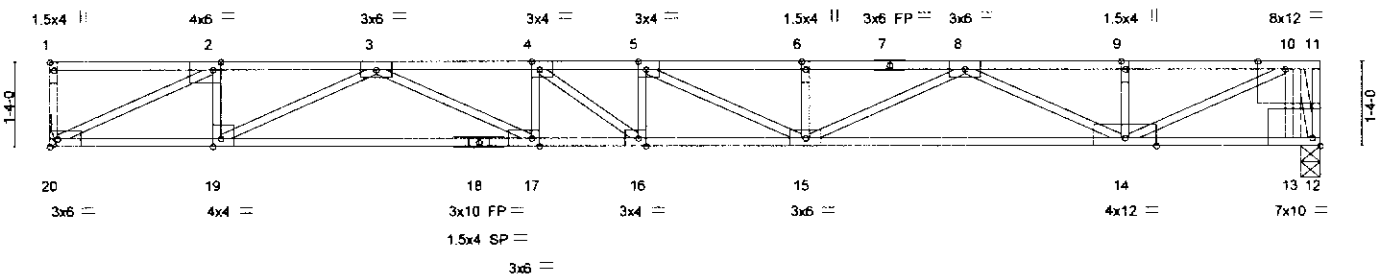

20-4-12
20-4-12

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [4:0-1-8,Edge], [5:0-1-8,Edge], [11:0-5-4,Edge], [12:Edge,0-1-8], [16:0-1-8,Edge], [17:0-1-8,Edge], [19:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.48	Vert(LL)	-0.30	15-16	>801	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.67	Vert(TL)	-0.50	15-16	>485	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.64	Horz(TL)	0.09	12	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 100 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 12=2230/0-3-12 (min. 0-1-8), 20=888/Mechanical

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-1736/0, 3-4=-3612/0, 4-5=-3824/0, 5-6=-3796/0, 6-8=-3796/0, 8-9=-2303/0, 9-10=-2303/0
BOT CHORD 19-20=0/1736, 17-19=0/2882, 16-17=0/3612, 15-16=0/3824, 14-15=0/3253, 13-14=0/793, 12-13=0/792
WEBS 10-14=0/1661, 2-20=-1911/0, 2-19=0/576, 8-14=-1050/0, 3-19=-1268/0, 8-15=0/600, 3-17=0/806, 4-17=-307/0, 4-16=0/260, 10-12=-2404/0

NOTES
1) A plate rating reduction of 20% has been applied for the green lumber members.
2) Refer to girder(s) for truss to truss connections.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 12-20=-8, 1-11=-77
Concentrated Loads (lb)
Vert: 10=-1400

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP. 12-31-15
CIVIL
STATE OF CALIFORNIA

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB01A	GABLE	1	1	R42958427
					Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:45 2014 Page 1
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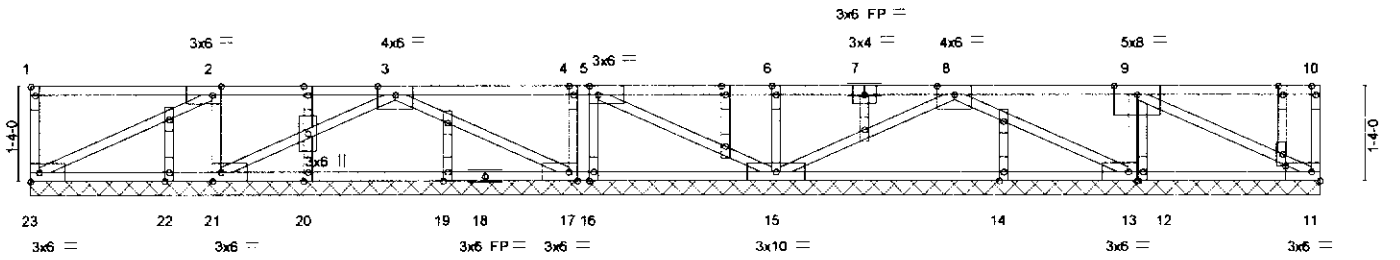

2-0-0	4-0-0	6-0-0	10-0-0	12-0-0	14-0-0	16-0-0	18-0-0	18-6-8
2-0-0	2-0-0	2-0-0	4-0-0	2-0-0	2-0-0	2-0-0	2-0-0	0-6-8

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [5:0-1-8,Edge], [13:0-1-8,Edge], [17:0-1-8,Edge], [21:0-1-8,Edge], [33:0-2-0,0-0-8]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.29	Vert(LL)	n/a	-	n/a	999	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.17	Vert(TL)	n/a	-	n/a	999		
BCLL	0.0	Rep Stress Incr	YES	WB	0.40	Horz(TL)	0.00	19	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 97 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)
OTHERS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing, Except:
10-0-0 oc bracing: 19-20.

REACTIONS All bearings 18-6-8.
(lb) - Max Horz 23=10(LC 2)
Max Uplift All uplift 100 lb or less at joint(s) except 11=-498(LC 3), 23=-497(LC 2), 17=-372(LC 3), 16=-435(LC 2)
Max Grav All reactions 250 lb or less at joint(s) 22, 20, 19, 14, 12 except 11=644(LC 2), 23=641(LC 3), 13=345(LC 2), 21=388(LC 3), 15=375(LC 3), 17=813(LC 2), 16=659(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-1286/1286, 2-3=-1274/1334, 3-4=-1298/1409, 5-6=-1157/1285, 6-8=-1256/1385, 8-9=-1272/1331, 9-10=-1286/1286
BOT CHORD 22-23=-1183/1123, 21-22=-329/269, 20-21=-1064/1380, 19-20=-486/802, 17-19=-1067/1383, 15-16=-1376/1266, 14-15=-1107/1404, 13-14=-1016/1313, 11-12=-1149/1090
WEBS 9-11=-1334/1398, 2-23=-1330/1396, 9-13=-813/329, 2-21=-810/327, 8-13=-1646/1253, 3-21=-1672/1257, 8-15=-1684/1214, 3-17=-1709/1237, 5-15=-1404/1385, 5-16=-643/451

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are 1.5x4 MT20 unless otherwise indicated.
3) Gable requires continuous bottom chord bearing.
4) Gable studs spaced at 2-0-0 oc.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 498 lb uplift at joint 11, 497 lb uplift at joint 23, 372 lb uplift at joint 17 and 435 lb uplift at joint 16.
7) This truss has been designed for a total drag load of 490 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 18-6-8 for 490.0 plf.
8) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958428
DAKOTA_FLOORS	FB01B	GABLE	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:46 2014 Page 1
ID:IvyQyMjjnVuRegsne5QJtzyf1Aw-SckX7vfmv?eGqr4VJrlgOVwqsJ7l54Pqr1qlEyWADF

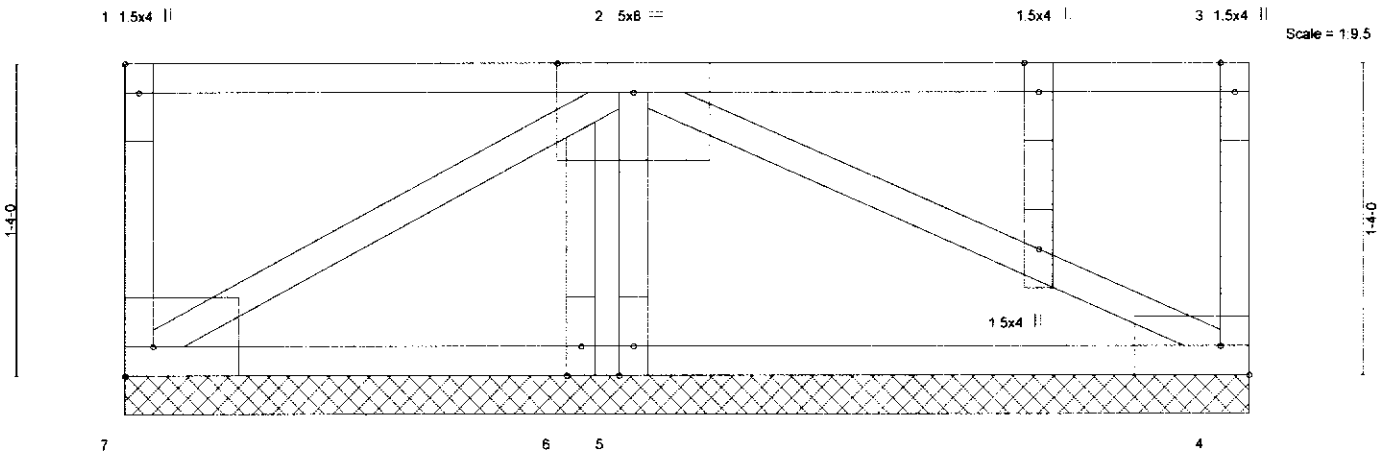

Plate Offsets (X,Y): [1:Edge,0-0-12], [7:Edge,0-1-8]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.29	Vert(LL)	n/a	-	n/a	999	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.12	Vert(TL)	n/a	-	n/a	999		
BCLL	0.0	Rep Stress Incr	YES	WB	0.39	Horz(TL)	0.00	5	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 27 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)
OTHERS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 4-11-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

REACTIONS (lb/size) 4=99/4-11-0 (min. 0-1-8), 5=234/4-11-0 (min. 0-1-8), 7=77/4-11-0 (min. 0-1-8), 6=-4/4-11-0 (min. 0-1-8)
Max Uplift 4=-436(LC 3), 7=-585(LC 2), 6=-4(LC 1)
Max Grav 4=633(LC 2), 5=362(LC 2), 7=739(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-1062/1062, 2-3=-1286/1286
BOT CHORD 6-7=-1068/1116, 5-6=-202/251, 4-5=-1008/1057
WEBS 2-4=-1305/1251, 2-5=-334/0, 2-7=-1387/1331

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) Gable requires continuous bottom chord bearing.
3) Gable studs spaced at 2-0-0 oc.
4) A plate rating reduction of 20% has been applied for the green lumber members.
5) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 436 lb uplift at joint 4, 585 lb uplift at joint 7 and 4 lb uplift at joint 6.
6) This truss has been designed for a total drag load of 490 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 4-11-0 for 490.0 plf.
7) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2013 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB02	FLOOR	6	1	R42958429

Job Reference (optional)

BMC, Indio, CA - 92203

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ID:IvyQyMjjnVuRegsne5QJtzyf1Aw-wolvKFfOgJm7S?fhsZGvwjTkMGV5UVyY2VmNPhyWADE

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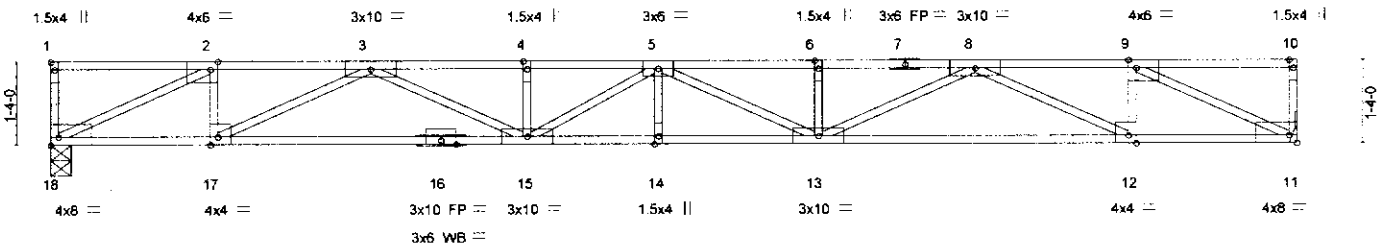

20-4-12

20-4-12

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [9:0-1-8,Edge], [11:Edge,0-1-8], [12:0-1-8,Edge], [17:0-1-8,Edge], [18:Edge,0-1-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.49	Vert(LL)	-0.36	14	>685	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.72	Vert(TL)	-0.59	14	>415	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.60	Horz(TL)	0.11	11	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 96 lb	FT = 20%F, 20%E

LUMBER

TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING

TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 11=1074/Mechanical, 18=1074/0-4-0 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-2093/0, 3-4=-4290/0, 4-5=-4290/0, 5-6=-4302/0, 6-8=-4302/0, 8-9=-2093/0
BOT CHORD 17-18=0/2093, 15-17=0/3448, 14-15=0/4521, 13-14=0/4521, 12-13=0/3445, 11-12=0/2093
WEBS 9-11=-2304/0, 2-18=-2304/0, 9-12=0/681, 2-17=0/683, 8-12=-1495/0, 3-17=-1499/0, 8-13=0/947, 3-15=0/931, 6-13=-257/0, 5-15=-266/0

NOTES

1) A plate rating reduction of 20% has been applied for the green lumber members.
2) Refer to girder(s) for truss to truss connections.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE

Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958430
DAKOTA_FLOORS	FB02A	Floor	2	1	Job Reference (optional)

BMC, Indio, CA - 92203

7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:48 2014 Page 1
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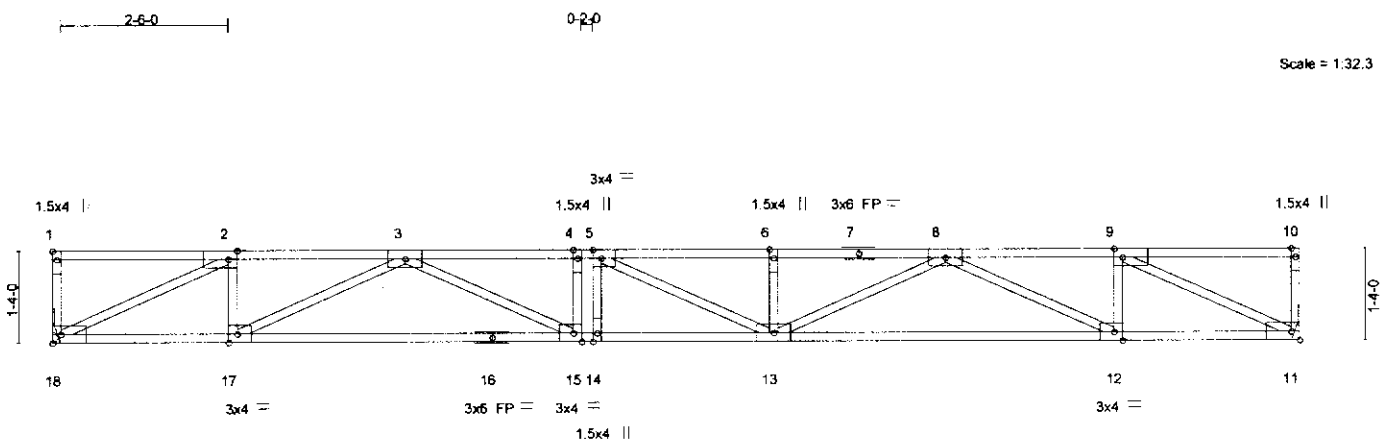

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [5:0-1-8,Edge], [9:0-1-8,Edge], [12:0-1-8,Edge], [15:0-1-8,Edge], [17:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.26	Vert(LL)	-0.20	13-14	>999	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.48	Vert(TL)	-0.33	13-14	>672	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.43	Horz(TL)	0.07	11	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 88 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 11=780/Mechanical, 18=780/Mechanical

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-1502/0, 3-4=-2937/0, 4-5=-2937/0, 5-6=-2938/0, 6-8=-2938/0, 8-9=-1503/0
BOT CHORD 17-18=0/1502, 15-17=0/2421, 14-15=0/2937, 13-14=0/2937, 12-13=0/2418, 11-12=0/1503
WEBS 9-11=-1655/0, 2-18=-1653/0, 9-12=0/466, 2-17=0/466, 8-12=-1012/0, 3-17=-1017/0, 8-13=0/575, 3-15=0/651, 5-13=-302/286

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are 3x6 MT20 unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) Refer to girder(s) for truss to truss connections.
5) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE.
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB03	FLOOR	1	1	R42958431 Job Reference (optional)

BMC. Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:48 2014 Page 1
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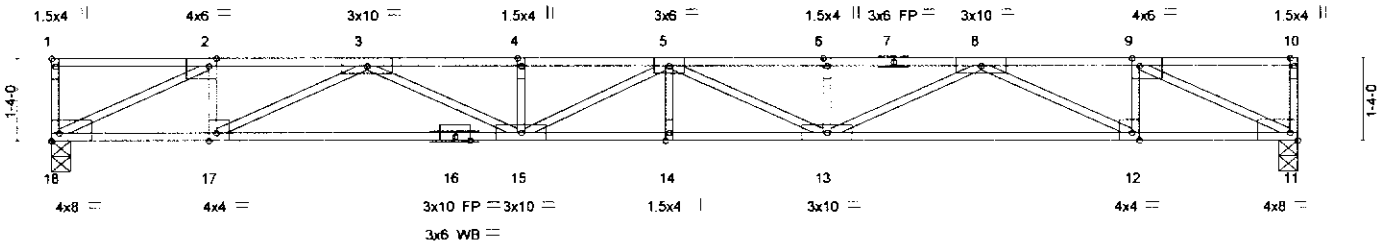

20-8-8
20-8-8

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [9:0-1-8,Edge], [11:Edge,0-1-8], [12:0-1-8,Edge], [17:0-1-8,Edge], [18:Edge,0-1-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.49	Vert(LL)	-0.38	14	>657	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.74	Vert(TL)	-0.62	14	>398	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.61	Horz(TL)	0.11	11	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 97 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 11=1091/0-3-12 (min. 0-1-8), 18=1091/0-3-12 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-2129/0, 3-4=-4401/0, 4-5=-4401/0, 5-6=-4406/0, 6-8=-4406/0, 8-9=-2129/0
BOT CHORD 17-18=0/2129, 15-17=0/3517, 14-15=0/4669, 13-14=0/4669, 12-13=0/3516, 11-12=0/2129
WEBS 9-11=-2344/0, 2-18=-2343/0, 9-12=0/698, 2-17=0/699, 8-12=-1534/0, 3-17=-1535/0, 6-13=0/984, 3-15=0/977, 6-13=-253/0, 5-13=-289/0, 5-15=-298/0

NOTES
1) A plate rating reduction of 20% has been applied for the green lumber members.
2) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB04	FLOOR	1	1	R42958432
					Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Tue Oct 07 10:38:22 2014 Page 1
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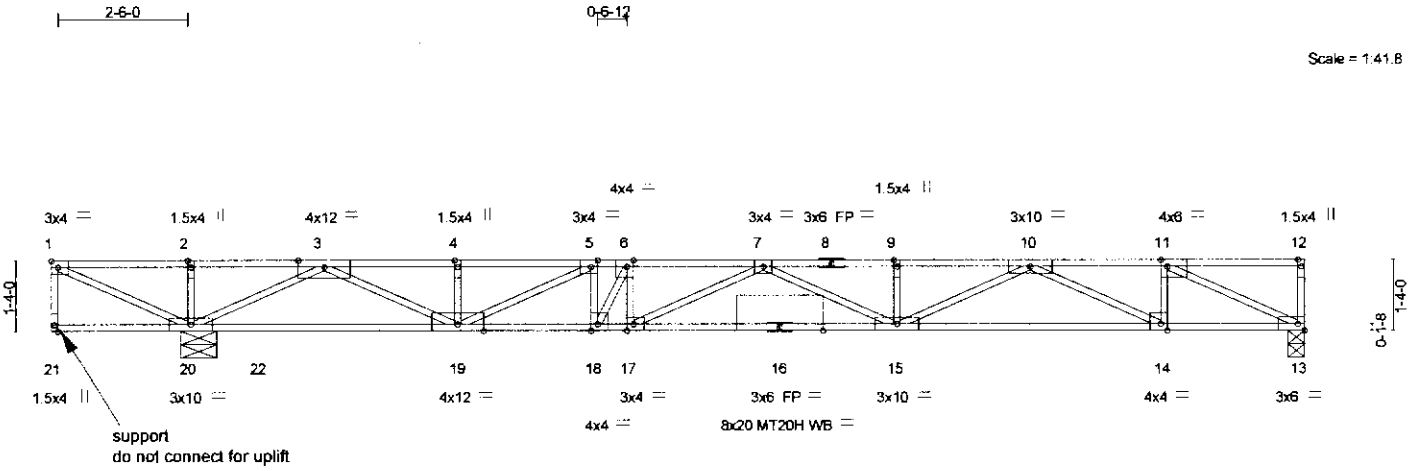

2-6-0 24-0-12
2-6-0 21-6-12

Plate Offsets (X,Y): [5:0-1-8,Edge], [6:0-1-8,Edge], [11:0-1-8,Edge], [14:0-1-8,Edge], [17:0-1-8,Edge], [18:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.37	Vert(LL)	-0.46	15-17	>560	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.69	Vert(TL)	-0.70	15-17	>365	360	MT20H	165/146
BCLL	0.0	Rep Stress Incr	YES	WB	0.54	Horz(TL)	0.14	13	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 114 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

REACTIONS (lb/size) 13=889/0-3-12 (min. 0-1-8), 20=1139/0-8-4 (min. 0-1-8)
Max Horz 20=35(LC 3)
Max Grav 13=1091(LC 7), 20=1331(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-350/561, 2-3=-712/923, 3-4=-3184/0, 4-5=-3555/106, 5-6=-3982/0, 6-7=-4379/0, 7-8=-3926/0, 8-9=-3835/0, 9-10=-4197/0, 10-11=-2077/0, 11-12=-371/371
BOT CHORD 20-21=-2231/2231, 20-22=-2096/4619, 19-22=-2776/4619, 18-19=-1395/5801, 17-18=-1239/5837, 16-17=-776/5594, 15-16=-776/5594, 14-15=-165/3750, 13-14=-8/2177
WEBS 11-13=-2396/8, 11-14=-39/775, 10-14=-1740/174, 3-20=-2305/34, 10-15=-256/1304, 3-19=-40/1849, 7-15=-734/420, 5-19=-1323/247, 7-17=-662/395, 6-18=-504/104, 6-17=-121/330, 5-18=-109/421

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are MT20 plates unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) This truss has been designed for a total drag load of 3400 lb. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 4-0-0 for 850.0 plf.
5) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

October 7,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB05	FLOOR	1	1	R42958433 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:50 2014 Page 1
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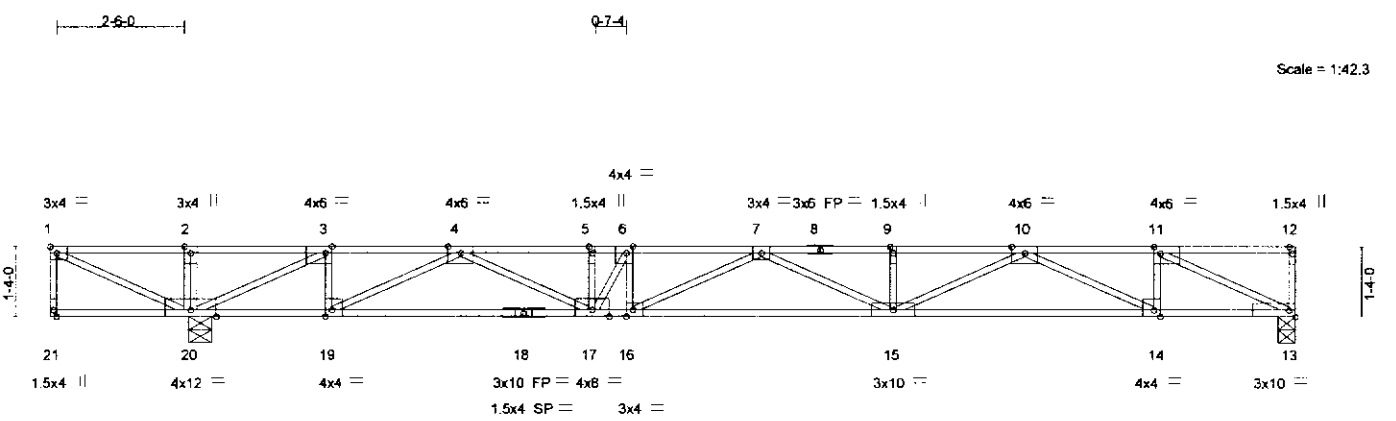


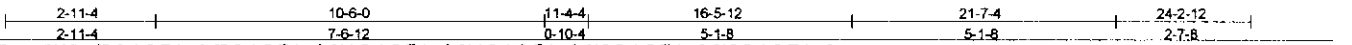


Plate Offsets (X,Y): [3:0-1-8,Edge], [6:0-1-8,Edge], [11:0-1-8,Edge], [14:0-1-8,Edge], [16:0-1-8,Edge], [19:0-1-8,Edge]

LOADING (psf)		SPACING	1-8-6	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.41	Vert(LL)	-0.37	15-16	>697	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.72	Vert(TL)	-0.64	15-16	>403	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.54	Horz(TL)	0.10	13	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 116 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 13=948/0-4-0 (min. 0-1-8), 20=1221/0-5-8 (min. 0-1-8)
Max Grav 13=960(LC 3), 20=1221(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-4=-1859/0, 4-5=-3938/0, 5-6=-3938/0, 6-7=-4079/0, 7-9=-3958/0, 9-10=-3958/0, 10-11=-1879/0
BOT CHORD 19-20=0/1859, 17-19=0/3126, 16-17=0/4079, 15-16=0/4247, 14-15=0/3131, 13-14=0/1879
WEBS 2-20=-259/0, 3-19=0/645, 3-20=-2066/0, 4-19=-1439/0, 4-17=0/921, 11-14=0/626, 11-13=-2069/0, 10-14=-1385/0, 10-15=0/914, 7-15=-319/0, 6-17=-288/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard

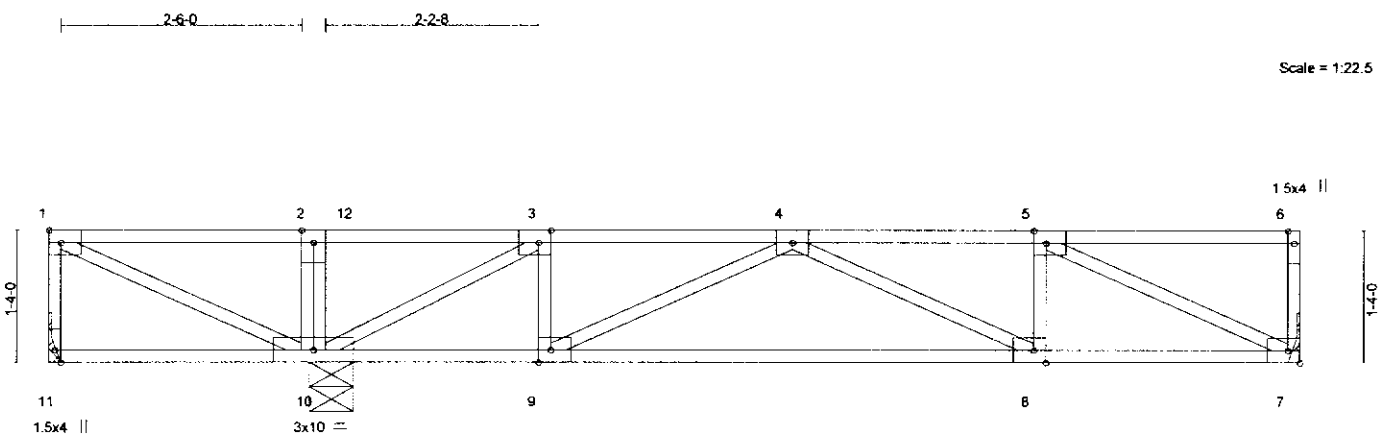
October 7,2014

WARNING - *Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE*
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB06	Floor	3	1	R42958434 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:51 2014 Page 1
ID:IvyQyMjjnVuRegsrie5QJtzyf1Aw-pZYQAdjvkYGYwczS5OLr5ZdSqt_mQOD8z7kbZSyWADA



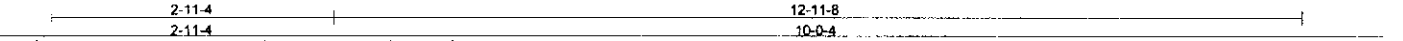


Plate Offsets (X,Y): [3:0-1-8,Edge], [5:0-1-8,Edge], [8:0-1-8,Edge], [9:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.33	Vert(LL)	-0.03	8-9	>999	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.22	Vert(TL)	-0.10	8-9	>999	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.26	Horz(TL)	0.01	7	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 63 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 11=-102/Mechanical, 10=989/0-5-8 (min. 0-1-8), 7=474/Mechanical
Max Uplift 11=-196(LC 3)
Max Grav 11=70(LC 2), 10=989(LC 1), 7=476(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=0/479, 2-3=0/478, 3-4=-474/0, 4-5=-799/0
BOT CHORD 9-10=0/474, 8-9=0/888, 7-8=0/799
WEBS 2-10=-285/0, 1-10=-525/0, 5-7=-880/0, 3-10=-1066/0, 4-9=-474/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are 3x4 MT20 unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) Refer to girder(s) for truss to truss connections.
5) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 196 lb uplift at joint 11.
6) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
7) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB07	Floor	1	1	R42958435 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:52 2014 Page 1
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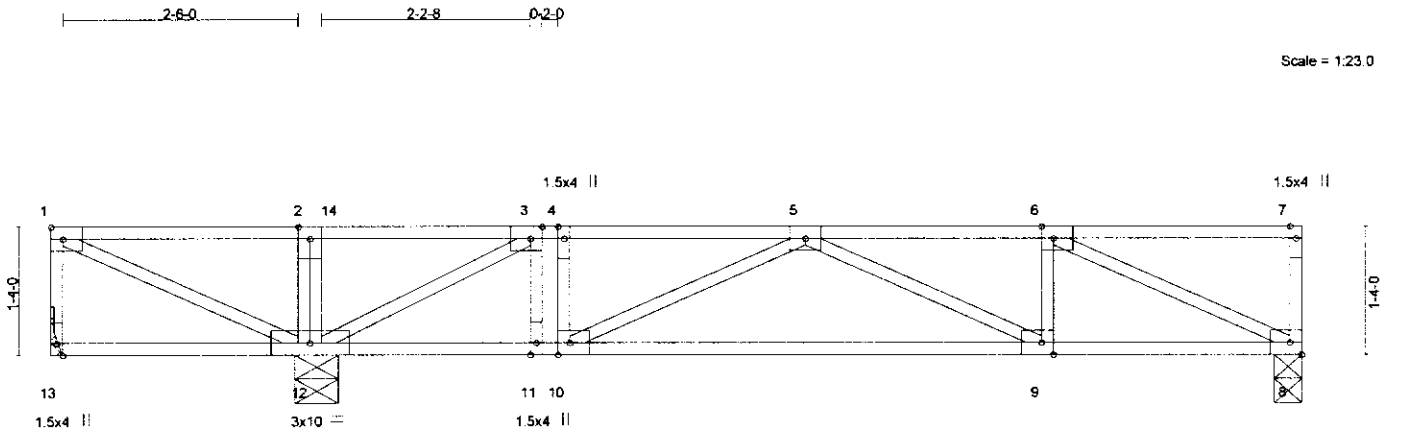

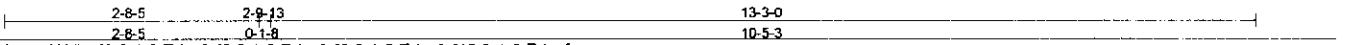

Plate Offsets (X,Y): [3:0-1-8,Edge], [6:0-1-8,Edge], [9:0-1-8,Edge], [10:0-1-8,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.34	Vert(LL)	-0.05	9-10	>999	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.30	Vert(TL)	-0.14	9-10	>893	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.28	Horz(TL)	0.01	8	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 65 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 13=-91/Mechanical, 12=989/0-5-9 (min. 0-1-8), 8=494/0-3-8 (min. 0-1-8)
Max Uplift 13=-190(LC 3)
Max Grav 13=78(LC 2), 12=989(LC 1), 8=496(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=0/471, 2-3=0/470, 3-4=-552/0, 4-5=-552/0, 5-6=-842/0
BOT CHORD 11-12=0/552, 10-11=0/552, 9-10=0/976, 8-9=0/842
WEBS 2-12=-287/0, 1-12=-517/0, 6-8=-927/0, 3-12=-1144/0, 5-10=-522/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) All plates are 3x4 MT20 unless otherwise indicated.
3) A plate rating reduction of 20% has been applied for the green lumber members.
4) Refer to girder(s) for truss to truss connections.
5) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 190 lb uplift at joint 13.
6) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
7) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB08	Floor	1	1	R42958436
					Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:54 2014 Page 1
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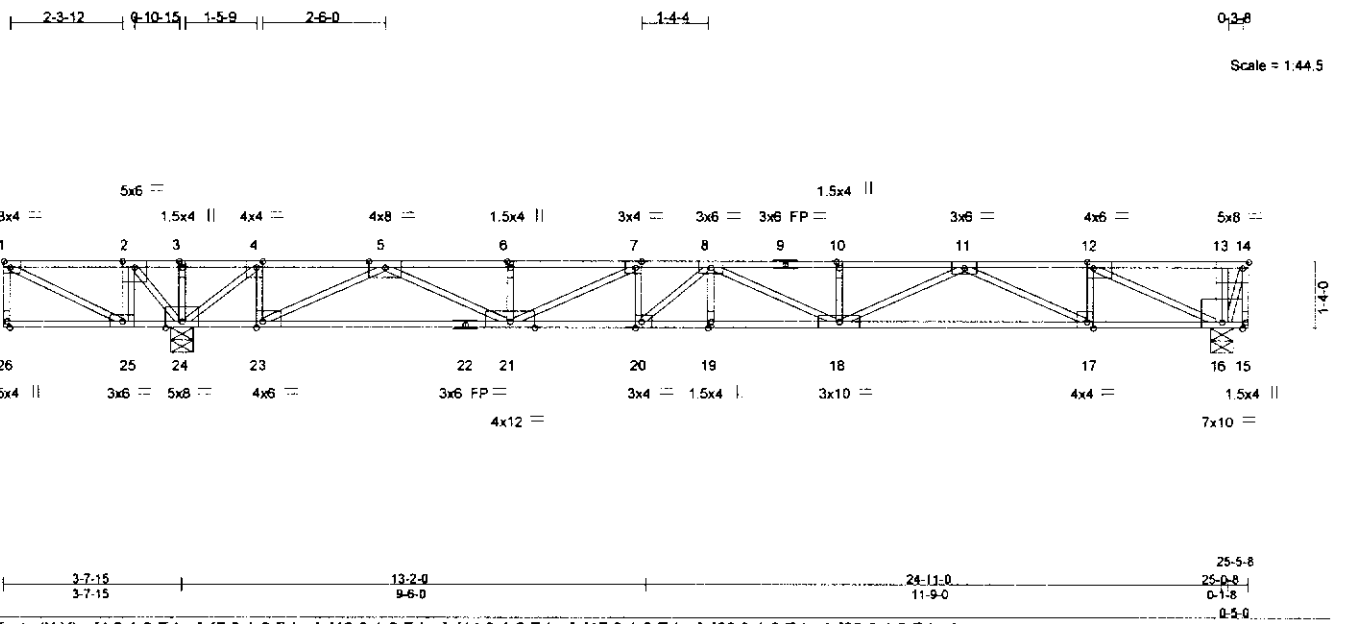

Plate Offsets (X,Y): [4:0-1-8,Edge], [7:0-1-8,Edge], [12:0-1-8,Edge], [14:0-1-8,Edge], [17:0-1-8,Edge], [20:0-1-8,Edge], [23:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.48	Vert(LL)	-0.33	19	>765	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.64	Vert(TL)	-0.48	19	>532	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.52	Horz(TL)	0.08	16	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 128 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

REACTIONS (lb/size) 16=2270/0-5-8 (min. 0-1-8), 24=2723/0-5-9 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=0/1806, 3-4=0/1806, 4-5=-705/1412, 5-6=-3095/439, 6-7=-3095/439, 7-8=-3580/132, 8-10=-3438/0, 10-11=-3438/0, 11-12=-1570/0, 12-13=0/559, 13-14=0/550
BOT CHORD 23-24=-1412/705, 21-23=-891/2109, 20-21=-132/3580, 19-20=-0/3655, 18-19=-0/3655, 17-18=0/2709, 16-17=0/1570
WEBS 1-25=-259/0, 12-16=-1840/0, 4-24=-1500/0, 12-17=0/566, 4-23=0/739, 11-17=-1259/0, 5-23=-1675/0, 11-18=0/807, 5-21=0/1213, 7-21=-656/0, 14-16=-1379/0, 2-24=-2337/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 16-26=-8, 1-2=-97, 2-14=-77
Concentrated Loads (lb)
Vert: 14=-1400 2=-1400

October 7,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB09	Floor	1	1	R42958437
					Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:55 2014 Page 1
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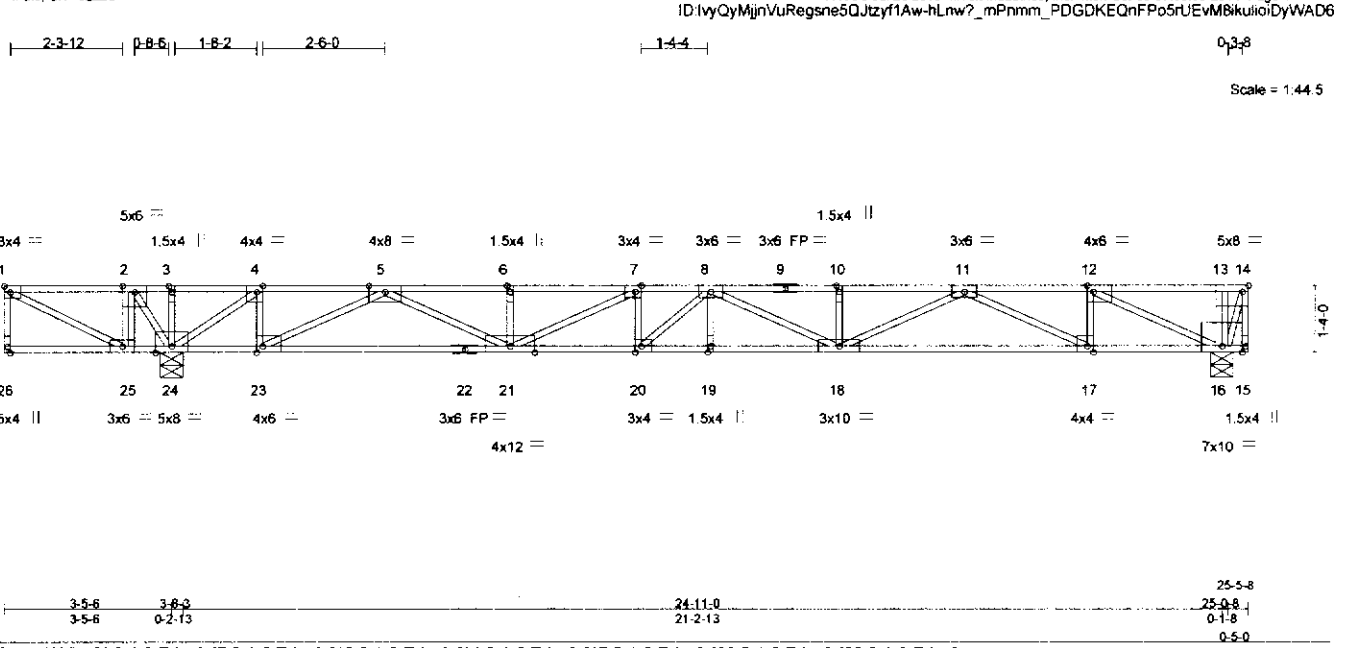

Plate Offsets (X,Y): [4:0-1-8,Edge], [7:0-1-8,Edge], [12:0-1-8,Edge], [14:0-1-8,Edge], [17:0-1-8,Edge], [20:0-1-8,Edge], [23:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.46	Vert(LL)	-0.35	19	>743	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.66	Vert(TL)	-0.51	19	>506	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.49	Horz(TL)	0.08	16	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 128 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing. Except:
6-0-0 oc bracing: 24-25,23-24,21-23.

REACTIONS (lb/size) 16=2301/0-5-8 (min. 0-1-8), 24=2695/0-5-9 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=0/1499, 3-4=0/1499, 4-5=-923/1080, 5-6=-3256/194, 6-7=-3256/194, 7-8=-3711/0, 8-10=-3524/0, 10-11=-3524/0, 11-12=-1599/0, 12-13=0/560, 13-14=0/550
BOT CHORD 23-24=-1080/923, 21-23=-602/2298, 20-21=0/3711, 19-20=0/3770, 18-19=0/3770, 17-18=0/2766, 16-17=0/1599
WEBS 1-25=-257/0, 12-16=-1871/0, 4-24=-1590/0, 12-17=0/580, 4-23=0/712, 11-17=-1291/0, 5-23=-1611/0, 11-18=0/838, 5-21=0/1150, 8-18=-271/117, 7-21=-591/0, 14-16=-1379/0, 2-24=-2145/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.
5) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 15-26=-8, 1-2=-97(F=-20), 2-14=-77
Concentrated Loads (lb)
Vert: 14=-1400 2=-1400

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB10	Floor	1	1	R42958438 Job Reference (optional)

BMC. Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:58:57 2014 Page 1
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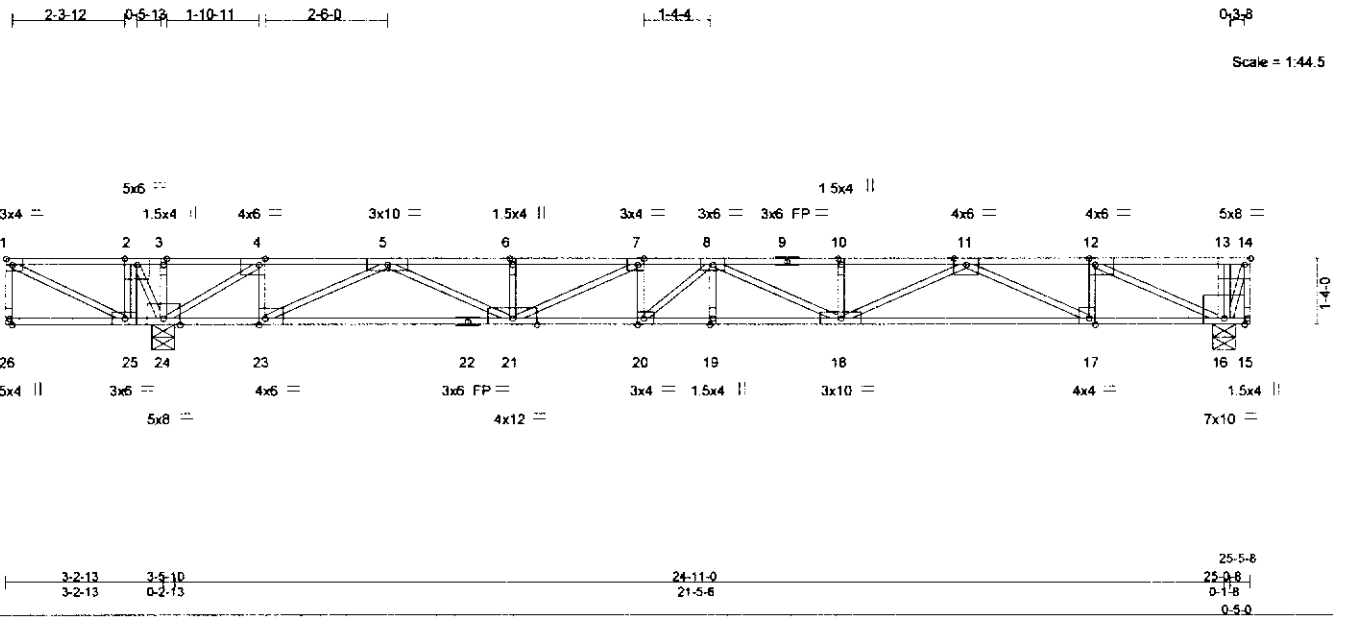

Plate Offsets (X,Y): [4:0-1-8,Edge], [7:0-1-8,Edge], [12:0-1-8,Edge], [14:0-1-8,Edge], [17:0-1-8,Edge], [20:0-1-8,Edge], [23:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.45	Vert(LL)	-0.36	19	>723	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.68	Vert(TL)	-0.54	19-20	>482	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.50	Horz(TL)	0.09	16	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 128 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing. Except:
6-0-0 oc bracing: 24-25,23-24,21-23.

REACTIONS (lb/size) 16=2328/0-5-8 (min. 0-1-8), 24=2669/0-5-9 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=0/1193, 3-4=0/1193, 4-5=-1138/757, 5-6=-3416/0, 6-7=-3416/0, 7-8=-3842/0, 8-10=-3609/0, 10-11=-3609/0, 11-12=-1627/0, 12-13=0/559, 13-14=0/549
BOT CHORD 23-24=-757/1138, 21-23=-321/2485, 20-21=0/3842, 19-20=0/3884, 18-19=0/3884, 17-18=0/2823, 16-17=0/1627
WEBS 13-16=-251/0, 1-25=-255/0, 12-18=-1903/0, 4-24=-1677/0, 12-17=0/593, 4-23=0/686, 11-17=-1322/0, 5-23=-1550/0, 11-18=0/869, 5-21=0/1088, 8-18=-303/70, 7-21=-526/0, 14-16=-1378/0, 2-24=-1981/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 15-26=-8, 1-2=-97, 2-14=-77
Concentrated Loads (lb)
Vert: 14=-1400 2=-1400

October 7,2014

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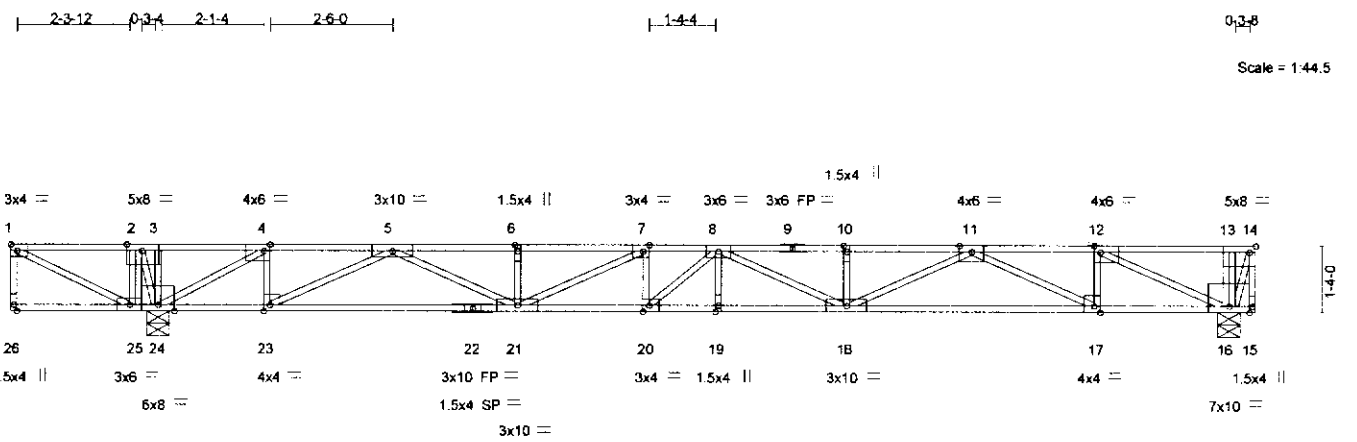
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958439
DAKOTA_FLOORS	FB11	Floor	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:56:59 2014 Page 1
ID:IvyQyMjjnVuRegsne5QJtzyf1Aw-a61RrMpwr?HQura?Z4UjQFyrid5cElyQJpNg0r_yWAD2



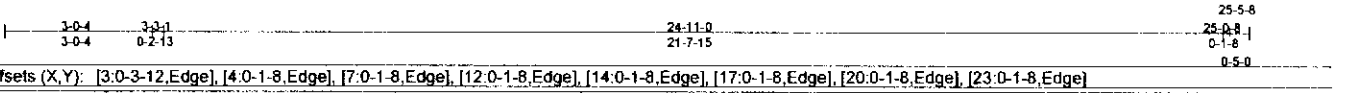


Plate Offsets (X,Y): [3:0-3-12,Edge], [4:0-1-8,Edge], [7:0-1-8,Edge], [12:0-1-8,Edge], [14:0-1-8,Edge], [17:0-1-8,Edge], [20:0-1-8,Edge], [23:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.47	Vert(LL)	-0.37	19-20	>703	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.69	Vert(TL)	-0.57	19-20	>460	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.51	Horz(TL)	0.09	16	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 128 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing, Except: 6-0-0 oc bracing: 24-25,23-24,21-23.

REACTIONS (lb/size) 16=2354/0-5-8 (min. 0-1-8), 24=2643/0-5-9 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=0/881, 3-4=0/881, 4-5=-1346/438, 5-6=-3570/0, 6-7=-3570/0, 7-8=-3968/0, 8-10=-3692/0, 10-11=-3692/0, 11-12=-1656/0, 12-13=0/558, 13-14=0/549
BOT CHORD 23-24=-438/1346, 21-23=-42/2666, 20-21=0/3968, 19-20=0/3995, 18-19=0/3995, 17-18=0/2878, 16-17=0/1656
WEBS 13-16=-252/0, 1-25=-255/0, 12-16=-1933/0, 4-24=-1758/0, 12-17=0/606, 4-23=0/659, 11-17=-1352/0, 5-23=-1489/0, 11-18=0/900, 5-21=0/1028, 8-18=-333/23, 7-21=-466/0, 14-16=-1376/0, 2-24=-1833/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 15-26=-8, 1-2=-97, 2-14=-77
Concentrated Loads (lb)
Vert: 14=-1400 2=-1400

October 7,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB12	Floor	1	1	R42958440 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:00 2014 Page 1
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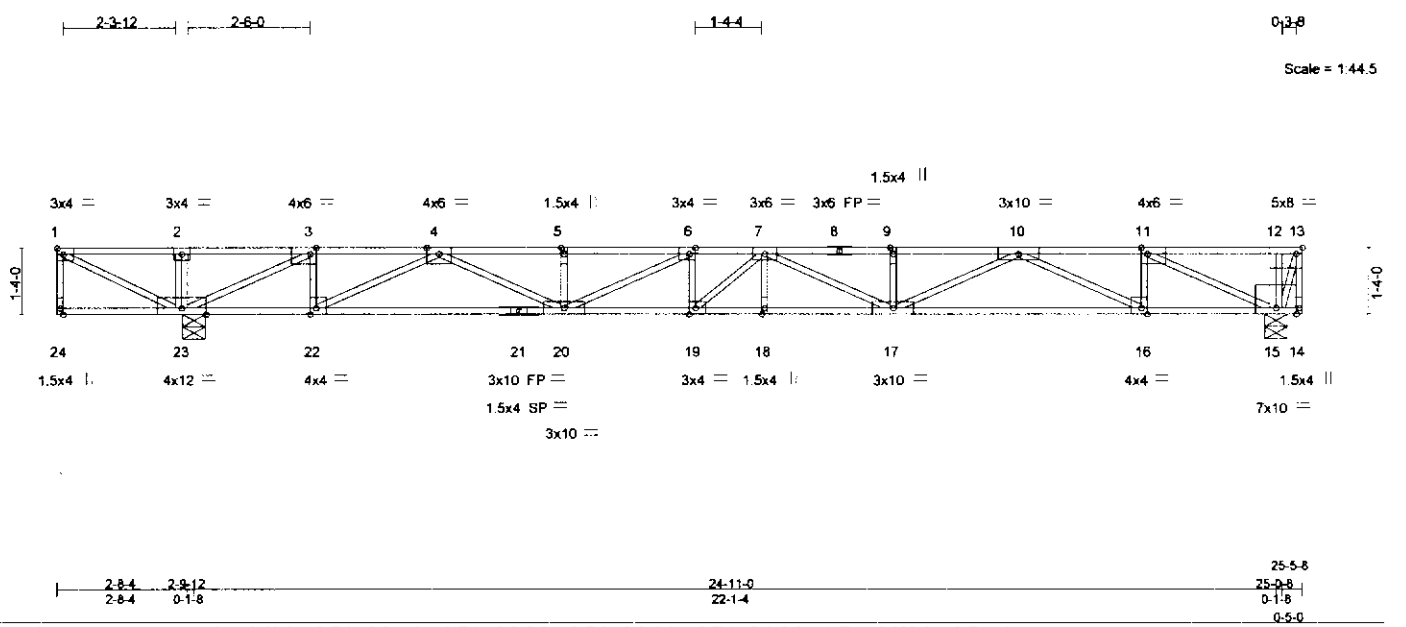

Plate Offsets (X,Y): [3:0-1-8,Edge], [6:0-1-8,Edge], [11:0-1-8,Edge], [13:0-1-8,Edge], [16:0-1-8,Edge], [19:0-1-8,Edge], [22:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.51	Vert(LL)	-0.41	18-19	>660	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.74	Vert(TL)	-0.64	18-19	>417	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.53	Horz(TL)	0.11	15	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 126 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 23=2589/0-5-9 (min. 0-1-8), 15=2404/0-5-8 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-4=-1805/0, 4-5=-3905/0, 5-6=-3905/0, 6-7=-4242/0, 7-9=-3871/0, 9-10=-3871/0, 10-11=-1717/0, 11-12=0/556, 12-13=0/547
BOT CHORD 22-23=0/1805, 20-22=0/3057, 19-20=0/4242, 18-19=0/4234, 17-18=0/4234, 16-17=0/2999, 15-16=0/1717
WEBS 2-23=-1665/0, 12-15=-253/0, 1-23=-254/0, 11-15=-2020/0, 3-23=-2017/0, 11-16=0/646, 3-22=0/620, 10-16=-1453/0, 4-22=-1384/0, 10-17=0/998, 4-20=0/938, 7-17=-433/0, 6-20=-371/0, 13-15=-1371/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x8 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 15-24=-8, 1-2=-97, 2-13=-77
Concentrated Loads (lb)
Vert: 13=-1400 2=-1400

October 7,2014

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Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958441
DAKOTA_FLOORS	FB13	FLOOR	5	1	Job Reference (optional)

BMC. Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:02 2014 Page 1
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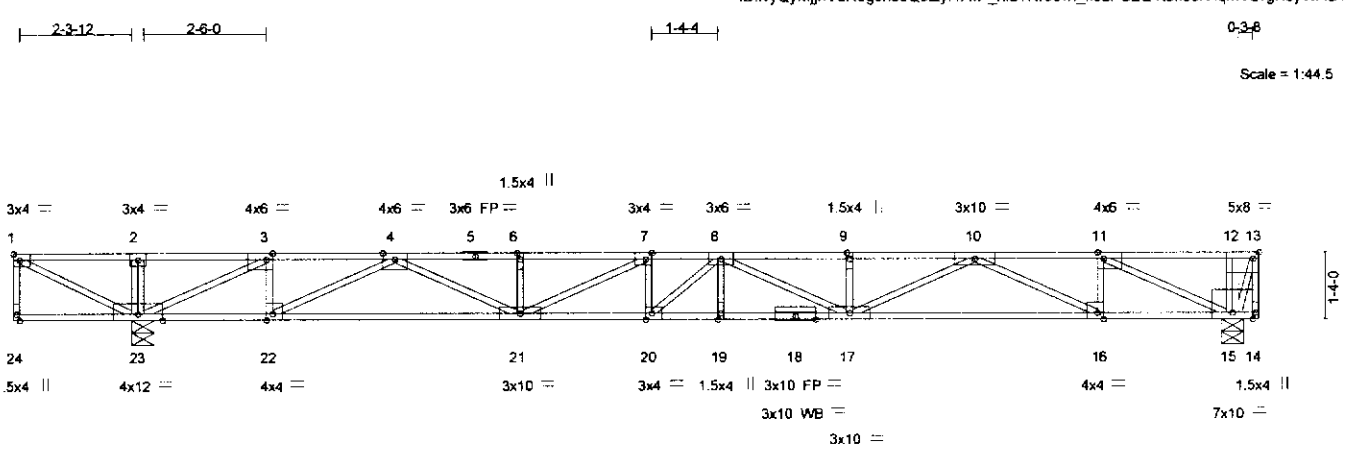

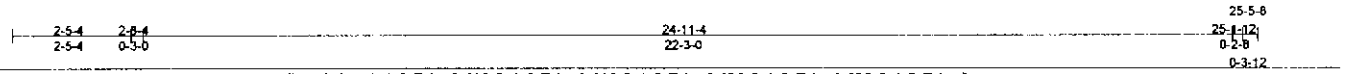

Plate Offsets (X,Y): [3:0-1-8,Edge], [7:0-1-8,Edge], [11:0-1-8,Edge], [13:0-1-8,Edge], [16:0-1-8,Edge], [20:0-1-8,Edge], [22:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.51	Vert(LL)	-0.41	19-20	>660	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.74	Vert(TL)	-0.64	19-20	>417	360		
BCLL	0.0	Rep Stress Incr	NO	WB	0.53	Horz(TL)	0.11	15	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 126 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 23=2589/0-5-8 (min. 0-1-8), 15=2408/0-5-8 (min. 0-1-8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-4=-1804/0, 4-6=-3905/0, 6-7=-3905/0, 7-8=-4241/0, 8-9=-3871/0, 9-10=-3871/0, 10-11=-1716/0, 11-12=0/557, 12-13=0/548
BOT CHORD 22-23=0/1804, 21-22=0/3056, 20-21=0/4241, 19-20=0/4234, 17-19=0/4234, 16-17=0/2998, 15-16=0/1716
WEBS 2-23=-1665/0, 12-15=-254/0, 1-23=-254/0, 11-15=-2020/0, 3-23=-2016/0, 11-16=0/646, 3-22=0/620, 10-16=-1453/0, 4-22=-1384/0, 10-17=0/998, 4-21=0/938, 8-17=-433/0, 7-21=-371/0, 13-15=-1373/0

NOTES
1) Unbalanced floor live loads have been considered for this design.
2) A plate rating reduction of 20% has been applied for the green lumber members.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
4) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard
1) Dead + Floor Live (balanced): Lumber Increase=1.00, Plate Increase=1.00
Uniform Loads (plf)
Vert: 14-24=-8, 1-2=-97, 2-13=-77
Concentrated Loads (lb)
Vert: 13=-1400 2=-1400

October 7,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

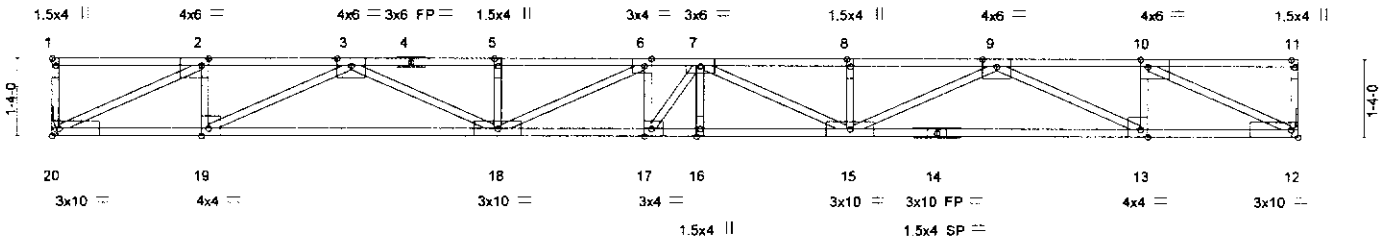
Job	Truss	Truss Type	Qty	Ply	
DAKOTA_FLOORS	FB14	Floor	3	1	R42958442

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:03 2014 Page 1
ID:IvyQyMjjnVuRegsne5QJtzyf1Aw-StGyhjsQvEnrMStmowZfa57UojzxEIDvk?eE_IyWAD_

2-6-0 0-9-8

Scale = 1:38.0



21-9-8
21-9-8

Plate Offsets (X,Y): [1:Edge,0-0-12], [2:0-1-8,Edge], [6:0-1-8,Edge], [10:0-1-8,Edge], [13:0-1-8,Edge], [17:0-1-8,Edge], [19:0-1-8,Edge]

LOADING (psf)		SPACING	1-7-3	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.39	Vert(LL)	-0.36	17	>714	480	MT20	220/195
TCDL	8.0	Lumber Increase	1.00	BC	0.65	Vert(TL)	-0.60	16-17	>433	360		
BCLL	0.0	Rep Stress Incr	YES	WB	0.52	Horz(TL)	0.10	12	n/a	n/a		
BCDL	5.0	Code IBC2009/TPI2007		(Matrix)							Weight: 104 lb	FT = 20%F, 20%E

LUMBER
TOP CHORD 2x4 DF No.1&Btr G(flat)
BOT CHORD 2x4 DF No.1&Btr G(flat)
WEBS 2x4 DF Stud G(flat)

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 12=918/Mechanical, 20=918/Mechanical

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-1802/0, 3-5=-3818/0, 5-6=-3818/0, 6-7=-4116/0, 7-8=-3818/0, 8-9=-3818/0, 9-10=-1802/0
BOT CHORD 19-20=0/1802, 18-19=0/3007, 17-18=0/4116, 16-17=0/4116, 15-16=0/4116, 13-15=0/3007, 12-13=0/1802
WEBS 10-12=-1983/0, 2-20=-1983/0, 10-13=0/603, 2-19=0/603, 9-13=-1333/0, 3-19=-1333/0, 9-15=0/897, 3-18=0/897, 7-15=-328/0, 6-18=-328/0

NOTES
1) A plate rating reduction of 20% has been applied for the green lumber members.
2) Refer to girder(s) for truss to truss connections.
3) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-10d (0.131" X 3") nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.

LOAD CASE(S) Standard

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP. 12-31-15
STATE OF CALIFORNIA

October 7,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2013 BEFORE USE
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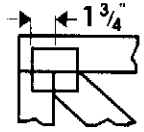
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

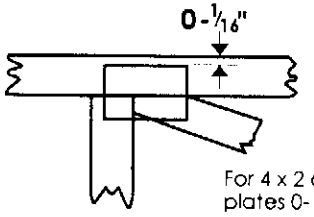
MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Symbols

PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in ft-in-sixteenths. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0-1/16" from outside edge of truss.

This symbol indicates the required direction of slots in connector plates.

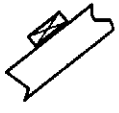
*** Plate location details available in MiTek 20/20 software or upon request.**

PLATE SIZE

4 x 4

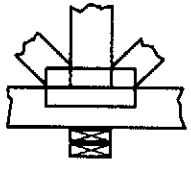
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T or I bracing if indicated.

BEARING

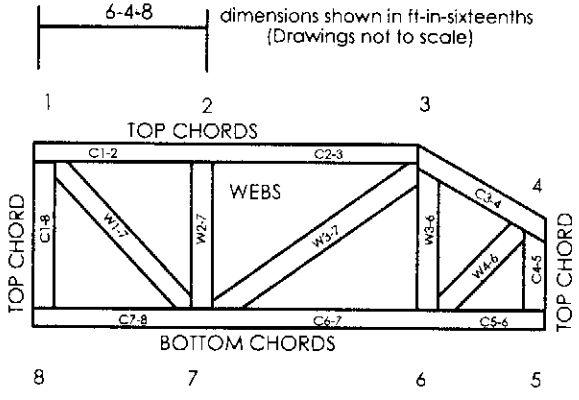


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur. Min size shown is for crushing only.

Industry Standards:

ANSI/TPI1: National Design Specification for Metol Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR1988
ER-3907, ESR-2362, ESR-1397, ESR-3282

Southern Pine lumber designations are as follows:

SYP represents values as published by AWC in the 2005/2012 NDS
SP represents ALSC approved/new values with effective date of June 1, 2013

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MiTek®

⚠ General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative Tor I bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.

Building Materials and Construction Services

45-491 GOLF CENTER PARKWAY, INDIO, CA. 92203
O. 760-347-3332 F. 760-347-0202

CONTENTS FOR FLOOR TRUSS .....PAGE

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IN-LINE OVERLAP BEARING DETAIL 7
INTERIOR BEARING OFFSET DETAIL 8
STANDARD REPAIR DETAIL – REMOVE SECTION OF END PANEL 9
STANDARD REPAIR DETAIL – DAMAGE AT END PANEL 10
ICBO REPORT 11
ICBO REPORT 12
ICBO REPORT 13
HIB-91 SUMMARY SHEETS 14
HIB-91 SUMMARY SHEETS 15
HIB-91 SUMMARY SHEETS 16
FLOOR TRUSS DRYWALL BRACING DETAIL 17
BCSI-B4 SUMMARY SHEETS 18
BCSI-B4 SUMMARY SHEETS 19

PLEASE CONTACT **BMC** FOR MORE INFORMATION OR QUESTIONS REGARDING THESE SHEETS

TIMBER PRODUCTS INSPECTION

September 11, 2012

To Whom It May Concern:

This is to verify that BMC of Indio, CA is a Subscriber in the Timber Products Inspection (TP) and General Testing and Inspection (GTI) Truss Quality Auditing Program. The TP and GTI Truss Quality Auditing Programs are recognized by the International Accreditation Service (IAS) with the assigned number of AA-664.

TP and the GTI quality assurance marks have been recognized in the West by the truss industry and code jurisdictions since 1969. TP currently audits truss manufacturing facilities nationwide.

TP is conducting unannounced, third party audits at BMC of Indio, CA. This facility is currently in good standing in the TP Truss Quality Auditing Program. BMC's personnel are authorized to apply the GTI quality mark to trusses that are manufactured in accordance with the latest revision of the ANSI/TPI Standards. All stamping takes place at the truss manufacturing facility, under supervision of qualified plant personnel.

If you have questions regarding the status of any plant in the TP/GTI Program, please contact me on my cell 208.818.7869.

Sincerely,

TIMBER PRODUCTS INSPECTION

Brian Hensley

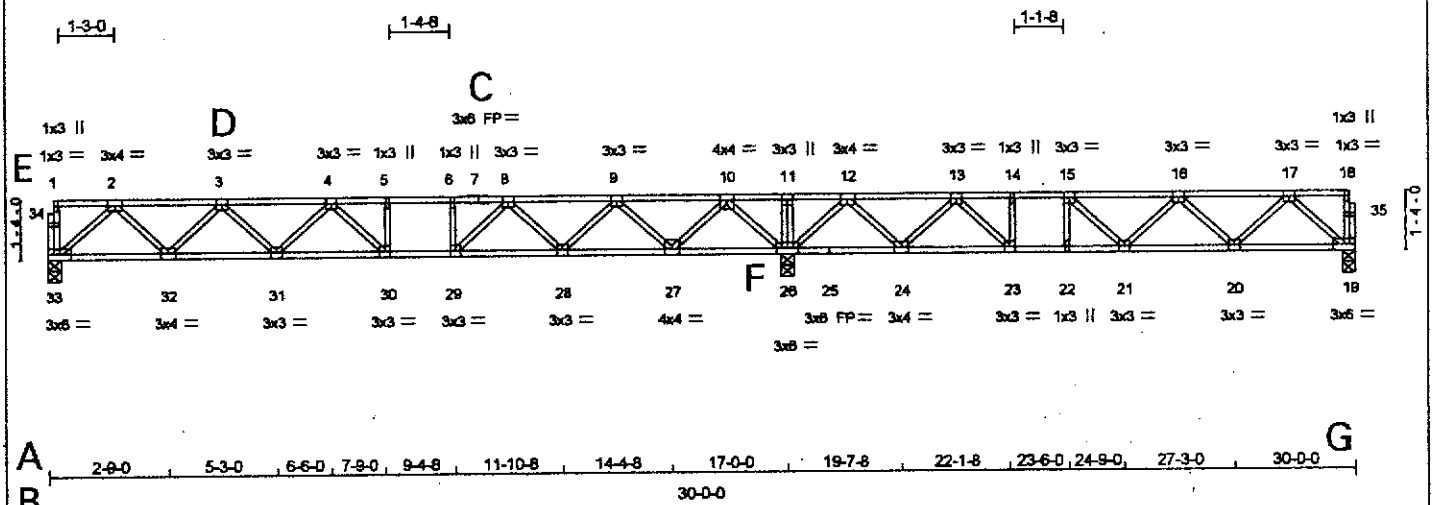
Brian Hensley
Truss Manager – Western Division
/jr
Xc: File

105 SE 124th Avenue
Vancouver, Washington 98684
360/449-3840 • FAX: 360/449-3953

P.O. Box 919 • 1641 Sigman Road
Conyers, Georgia 30012
770/922-8000 • FAX: 770/922-1290

Job	Truss	Truss Type	Qty	Ply	
DISPLAY	FLOOR1	FLOOR	1	1	Job Reference (optional)

5.000 s Feb 6 2003 MiTek Industries, Inc. Thu Mar 13 09:17:25 2003 Page 1



LOADING (psf) H		SPACING I		L CSI		M DEFL	in	(loc)	l/defl	O PLATES	GRIP
TCLL	40.0	Plates Increase	1.00	TC	0.71	Vert(LL)	-0.18	30-31	>999	MII20	249/190
TCDL	10.0	Lumber Increase	1.00 J	BC	0.75	Vert(TL)	-0.24	30-31	>829		
BCLL	0.0	Rep Stress Incr	YES	WB	0.46	Horz(TL)	0.04	26	n/a		
BCDL	5.0	Code	BOCA/ANSI95 K	(Matrix)		N 1st LC LL Min l/defl = 360				Weight: 156 lb	

LUMBER P
TOP CHORD 4 X 2 SYP No.2
BOT CHORD 4 X 2 SYP No.2
WEBS 4 X 2 SYP No.3

T BRACING
TOP CHORD Sheathed or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

Q R
REACTIONS (lb/size) 33=774/0-3-8, 19=508/0-3-8, 26=1978/0-3-8
S Max Grav 33=803(load case 2), 19=610(load case 3), 26=1978(load case 1)

FORCES (lb) - First Load Case Only U
TOP CHORD 33-34=-37, 1-34=-37, 19-35=-43, 18-35=-43, 1-2=-2, 2-3=-1353, 3-4=-2098, 4-5=-2186, 5-6=-2186, 6-7=-2186, 7-8=-2186, 8-9=-1264, 9-10=63, 10-11=2035, 11-12=2035, 12-13=467, 13-14=-732, 14-15=-732, 15-16=-951, 16-17=-784, 17-18=-2
BOT CHORD 32-33=826, 31-32=1859, 30-31=2282, 29-30=2186, 28-29=1785, 27-28=743, 26-27=-894, 25-26=-1091, 24-25=-1091, 23-24=183, 22-23=732, 21-22=732, 20-21=1032, 19-20=517
WEBS 11-26=-100, 2-33=-1097, 2-32=734, 3-32=-704, 3-31=332, 4-31=-256, 4-30=-130, 5-30=27, 10-26=-1519, 10-27=1157, 9-27=-1121, 9-28=725, 8-28=-724, 8-29=546, 6-29=-271, 12-26=-1257, 12-24=867, 13-24=-904, 13-23=747, 14-23=-299, 17-19=-685, 17-20=371, 16-20=-346, 16-21=-113, 15-21=298, 15-22=-234

NOTES V
1) Unbalanced floor live loads have been considered for this design.
2) Recommend 2x6 strongbacks, on edge, spaced at 10-0-0 oc and fastened to each truss with 3-16d nails. Strongbacks to be attached to walls at their outer ends or restrained by other means.
3) CAUTION, Do not erect truss backwards.

LOAD CASE(S) Standard W

A Cumulative Dimensions
B Panel Length (feet - inches - sixteenths)
C Chord Splice Face Plate
D Plate Size and Orientation
E Truss Depth
F Bearing Location
G Truss Span (feet - inches - sixteenths)
H Design Loading (PSF)
I Spacing O.C. (feet - inches - sixteenths)
J Duration of Load for Plate and Lumber Design
K Code
L TC, BC, Web Maximum Combined Stress Indices
M Deflections (inches) and Span to Deflection Ratio
N Input Span to Deflection Ratio
O MiTek Plate Allowables (PSI)
P Lumber Requirements
Q Reaction (pounds)
R Minimum Bearing Required (inches)
S Maximum Uplift and/or Horizontal Reaction if Applicable
T Required Member Bracing
U Member Axial Forces for Load Case 1
V Notes
W Additional Loads/Load Cases

BMC
INDIO, CA

GTI®

QUALITY AUDITED BY
TIMBER PRODUCTS INSPECTION, INC.

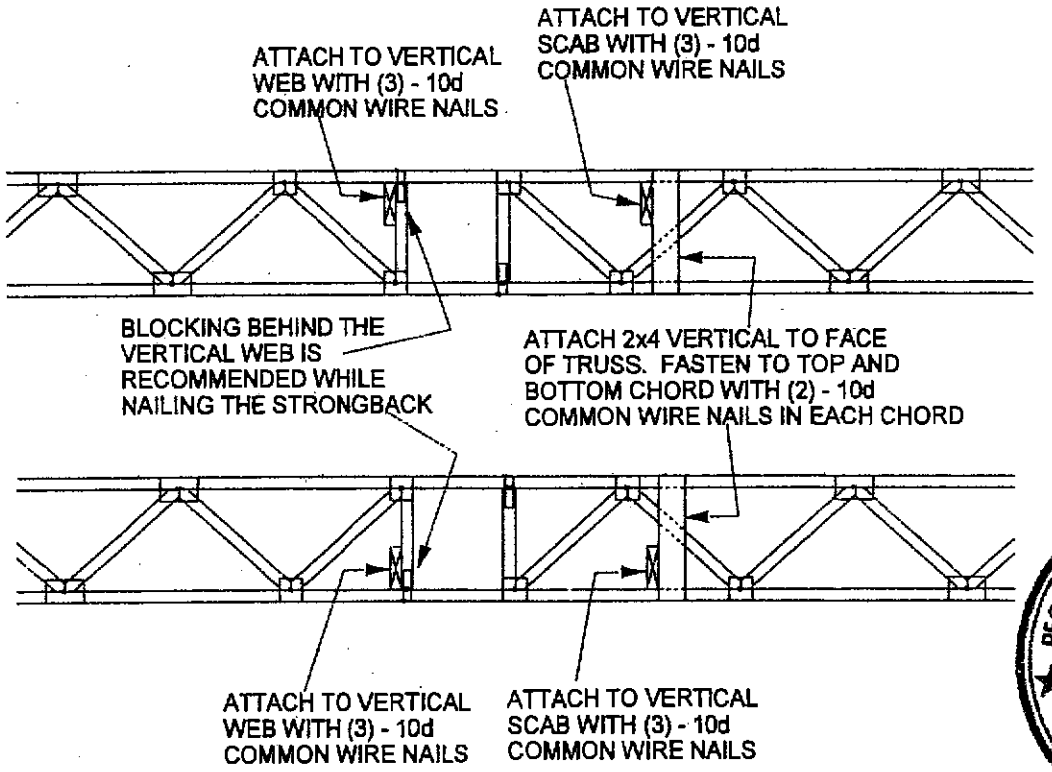
DESIGN CRITERIA	
TC LL	psf
TC DL	psf
BC DL	psf
TOTAL LOAD	psf
DUR. FACTOR	
SPACING	

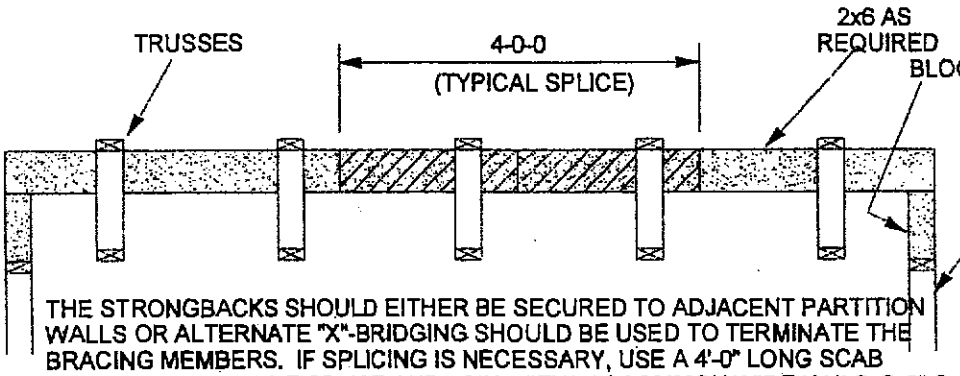
FLOOR TRUSS LATERAL BRACING RECOMMENDATIONS	MII/SAC - 17	4/4/2004	PAGE 1

MiTek Industries, Inc.
Western Division

TO MINIMIZE VIBRATION COMMON TO ALL SHALLOW FRAMING SYSTEMS, 2x6 "STRONGBACK" LATERAL SUPPORTS SHOULD BE LOCATED EVERY 8 TO 10 FEET ALONG A FLOOR TRUSS.

✳ STRONGBACK MAY BE POSITIONED DIRECTLY UNDER THE TOP CHORD OR DIRECTLY ABOVE THE BOTTOM CHORD. SECURELY FASTEN TO THE TRUSS USING ANY OF THE METHODS ILLUSTRATED BELOW.





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THE STRONGBACKS SHOULD EITHER BE SECURED TO ADJACENT PARTITION WALLS OR ALTERNATE "X"-BRIDGING SHOULD BE USED TO TERMINATE THE BRACING MEMBERS. IF SPLICING IS NECESSARY, USE A 4'-0" LONG SCAB CENTERED OVER THE SPLICE AND JOIN WITH/10d COMMON WIRE NAILS @ 6" O.C. 2 ROWS.

ALTERNATE METHOD OF SPLICING:
OVERLAP STRONGBACK MEMBERS A MINIMUM OF 4'-0" AND FASTEN WITH (12) - 10d COMMON WIRE NAILS @ 6" O.C. 2 ROWS.
(TO BE USED ONLY WHEN STRONGBACK IS NOT ALIGNED WITH A VERTICAL)

✳ STRONGBACK BRACING ALSO SATISFIES THE LATERAL BRACING REQUIREMENTS FOR THE BOTTOM CHORD OF THE TRUSS.

⚠ *WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.*
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult ANSI/TPI1 Quality Criteria, DSB-89 and BCSI1 Building Component Safety Information, available from Truss Plate Institute, 583 D'Onofrio Drive; Madison, WI 53719.

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2-PLY FLOOR TRUSS FTC CONNECTION DETAIL	MII/SAC - 15	4/4/2004	PAGE 1

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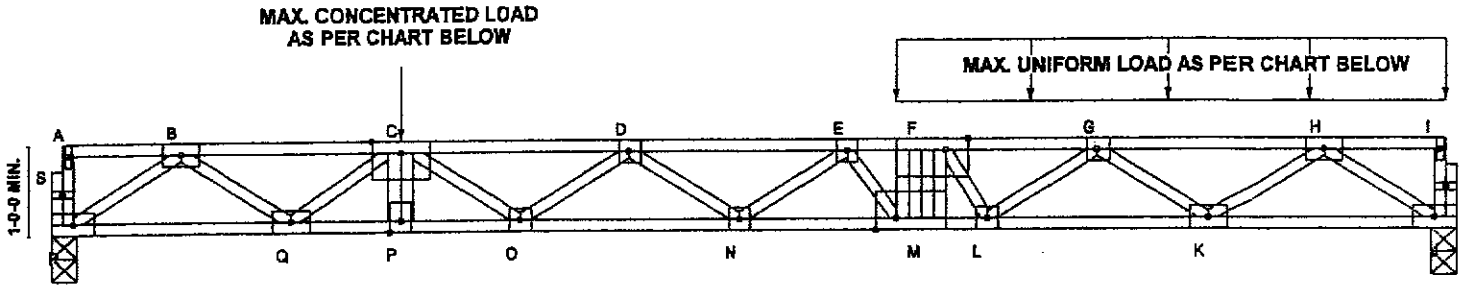
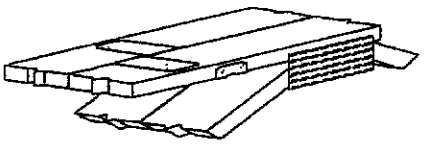
Western Division

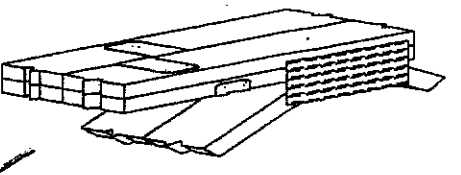
REFER TO INDIVIDUAL TRUSS DESIGN
FOR PLATE SIZES AND LUMBER GRADES

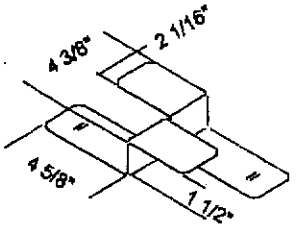


FTC32 / FTC1



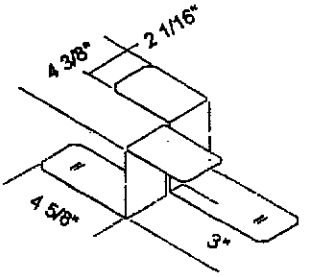
FTC32-2 / FTC2





REGISTERED PROFESSIONAL ENGINEER
PALMER S. TINGEY
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

APR 0 9 2013



USP FLOOR TRUSS CLIPS - FTC SERIES

TRUSS SIZE	USP STOCK NO.	MAX. CONC. LOAD (lb's.) PER CLIP		MAX. TRANSFER LOAD (lb's.) PER CLIP		MAX. UNIFORM LOAD (plf) 24" O.C. SPACING	
		SYP / DOUG-FIR	SPF	SYP / DOUG-FIR	SPF	SYP / DOUG-FIR	SPF
3 x 2	FTC32	1360	1180	680	590	680	590
(2) 3 x 2	FTC32-2	1360	1180	680	590	680	590
4 x 2	FTC1	1730	1500	865	750	865	750
(2) 4 x 2	FTC2	1730	1500	865	750	865	750

TRUSS SIZE	USP STOCK NO.	FASTENER SCHEDULE
3 x 2	FTC32	(10) 10d x 1-1/2"
(2) 3 x 2	FTC32-2	(10) 10d x 1-1/2"
4 x 2	FTC1	(10) 10d
(2) 4 x 2	FTC2	(10) 10d

NOTE:

1. FOLLOW USP INSTALLATION INSTRUCTIONS. USE ALL SPECIFIED FASTENERS.
2. MAX. UNIFORM LOAD (plf) REQUIRES FTC CLIPS TO BE PLACED AT A 24" O.C. MAX. SPACING ALONG THE LOADED CHORD.
3. FTC CLIPS @ 60–72" O.C ALONG TOP AND BOTTOM CHORD MAX. IN ADDITION TO THE CLIPS REQUIRED @ CONCENTRATED LOADS OR UNIFORM LOADS.
4. CONCENTRATED LOAD AS SHOWN IN THE TABLE CAN BE DOUBLED, IF FTC CLIPS ARE INSTALLED ON EACH SIDE OF CONC. LOAD.
5. UNIFORM LOAD CAN BE DOUBLED, IF FTC CLIP ARE INSTALLED AT 12" O.C.

10d x 1-1/2" NAILS ARE 9 GAUGE (0.148" DIAMETER) BY 1-1/2" LONG

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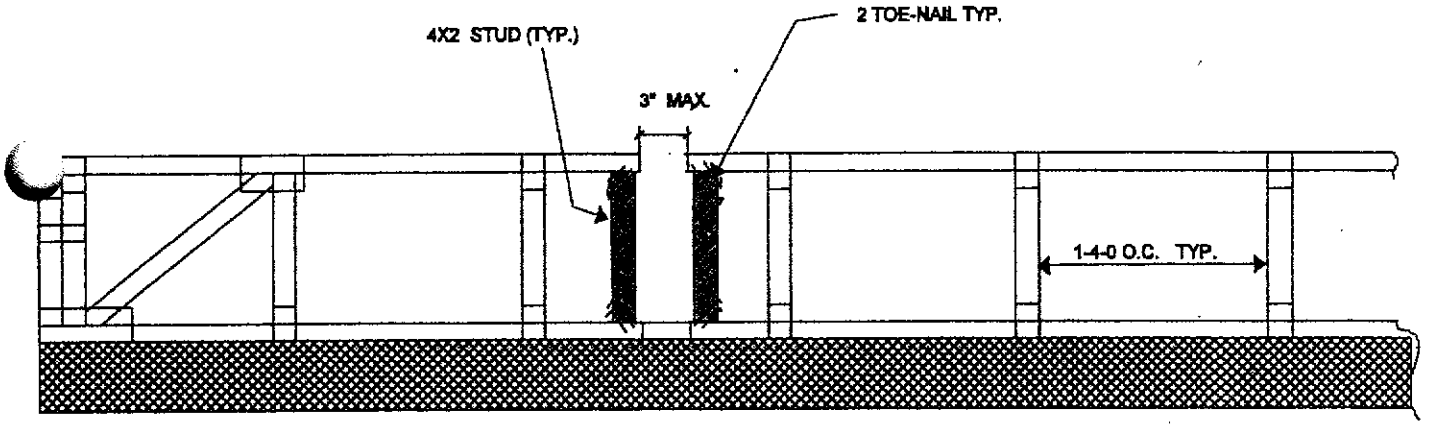
STANDARD DETAIL FOR NOTCHING TC OR BC	MII/SAC - 37	1/12/2005	PAGE 1

MiTek Industries, Inc.
Western Division

TOP CHORD OR BOTTOM CHORD MAY BE NOTCHED A MAXIMUM OF 3", INSERT 4X2 DF No. 2 MEMBERS ON EITHER SIDE OF NOTCH AND CONNECT WITH 2-10d TOENAILS INTO EACH MEMBER. TRUSS SHALL BE CONTINUOUSLY SHEATHED W/RIGID MATERIAL DESIGNED BY QUALIFIED BUILDING DESIGNER.



TRUSS MUST HAVE CONTINOUS BEARING AND ONLY CARRY 40-10-0-5 LOADING. TRUSS IS ONLY CHECKED FOR GRAVITY LOADS. REFER TO SEALED ENGINEERING FIR INDIVIDUAL TRUSS SPECIFICATIONS.

LOADING (psf)		SPACING	2-0-0	
TCLL	40.0	Plates Increase	1.00	
TCDL	10.0	Lumber Increase	1.00	
BCLL	0.0	Rep Stress Incr	NO	
BCDL	10.0	Code	UBC97/ANSI95	

REGISTERED PROFESSIONAL ENGINEER
PALMER C. NOLEY
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

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FLOOR TRUSS BEARING DETAIL	MII/SAC - 16	4/6/2004	PAGE 1

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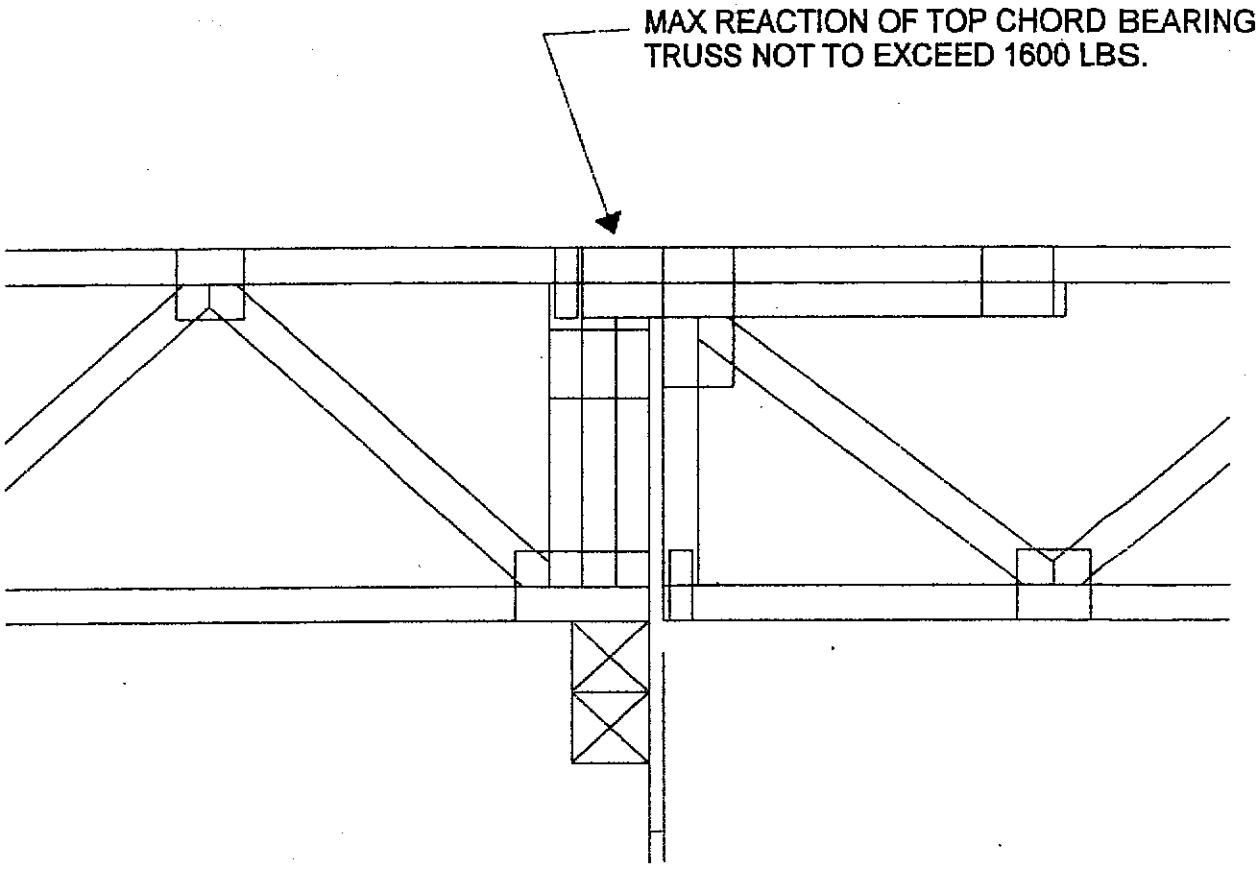

SEE INDIVIDUAL DESIGN SHEETS FOR FLOOR TRUSS DESIGNS

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PALMER S. TING
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CIVIL
STATE OF CALIFORNIA

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INTERIOR BEARING OFFSET DETAIL	MII/SAC - 6	3/30/2004	PAGE 1

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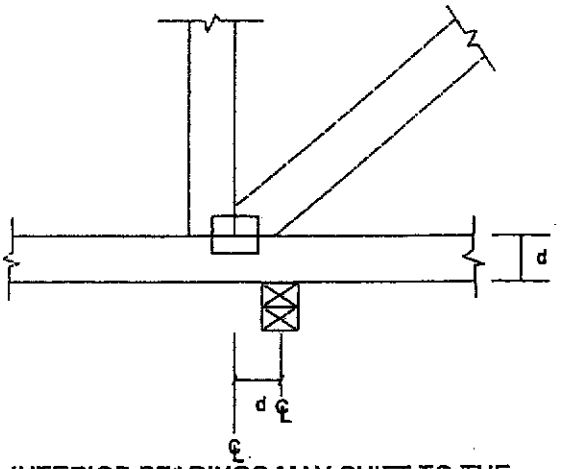
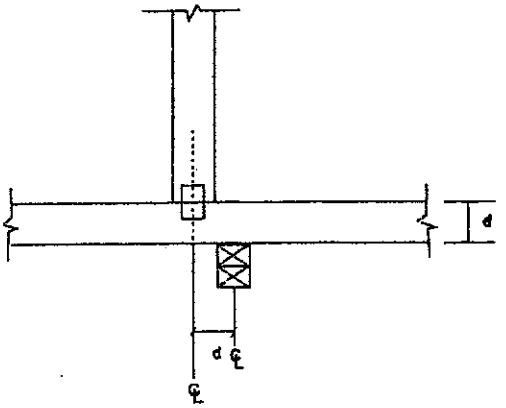
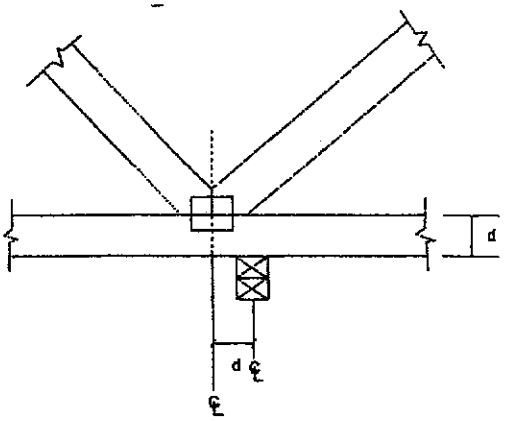


NOTE: INTERIOR BEARINGS MAY SHIFT TO THE LEFT OR RIGHT A DISTANCE EQUAL TO THE DEPTH OF THE BOTTOM (d). (7 1/2" MAX)
BOTTOM CHORD PITCH MAY VARY
NOTE: THIS DETAIL MAY BE USED FOR ROOF OR FLOOR TRUSS DESIGNS

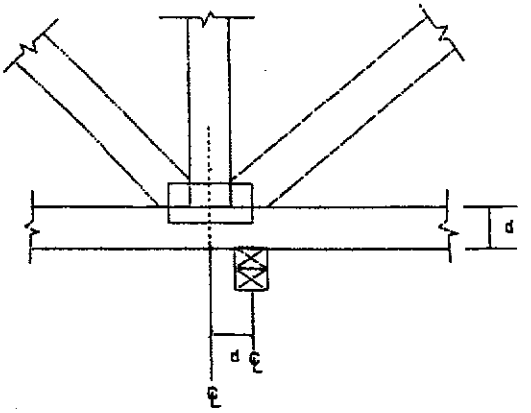
SINGLE WEB JOINT



DOUBLE WEB JOINT



TRIPLE WEB JOINT



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STANDARD REPAIR DETAIL FOR REMOVING A SECTION OF THE END PANEL OF A FLOOR TRUSS	MII/SAC - 18	4/22/2004	PAGE 1

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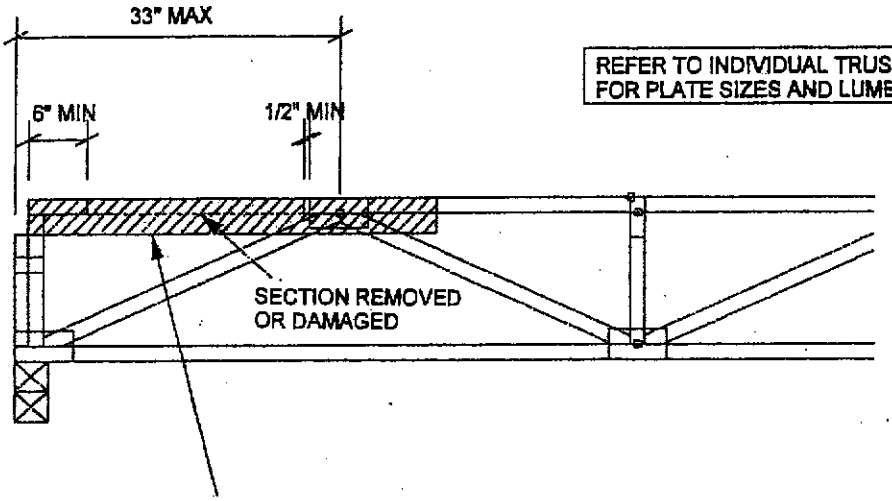
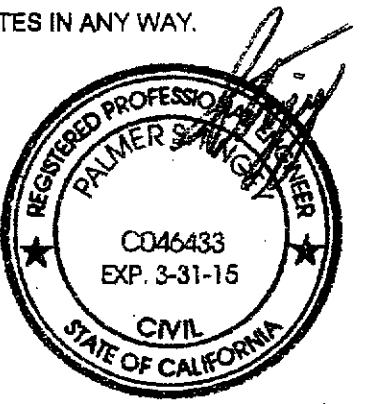
Western Division



REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES

APPLY 2X4X42" SPF NO.2 (OR BETTER) SCAB TO ONE FACE OF TRUSS WITH 1 ROW OF 10d (3" X 0.131") NAILS SPACED 3" O.C.

1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. LUMBER MUST BE CUT CLEANLY AND ACCURATELY AND THE REMAINING WOOD MUST BE UNDAMAGED.
5. **THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES WITH 40-10-0-5 LOADING IN THE 3X_ OR 4X_ ORIENTATION ONLY.**
6. CUTTING IS PERMITTED WITHIN 1/2" OF CONNECTOR PLATES, AND MUST NOT AFFECT PLATES IN ANY WAY.



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FLOOR TRUSS REPAIR DETAIL	MII/SAC - 36	1/12/2005	PAGE 1

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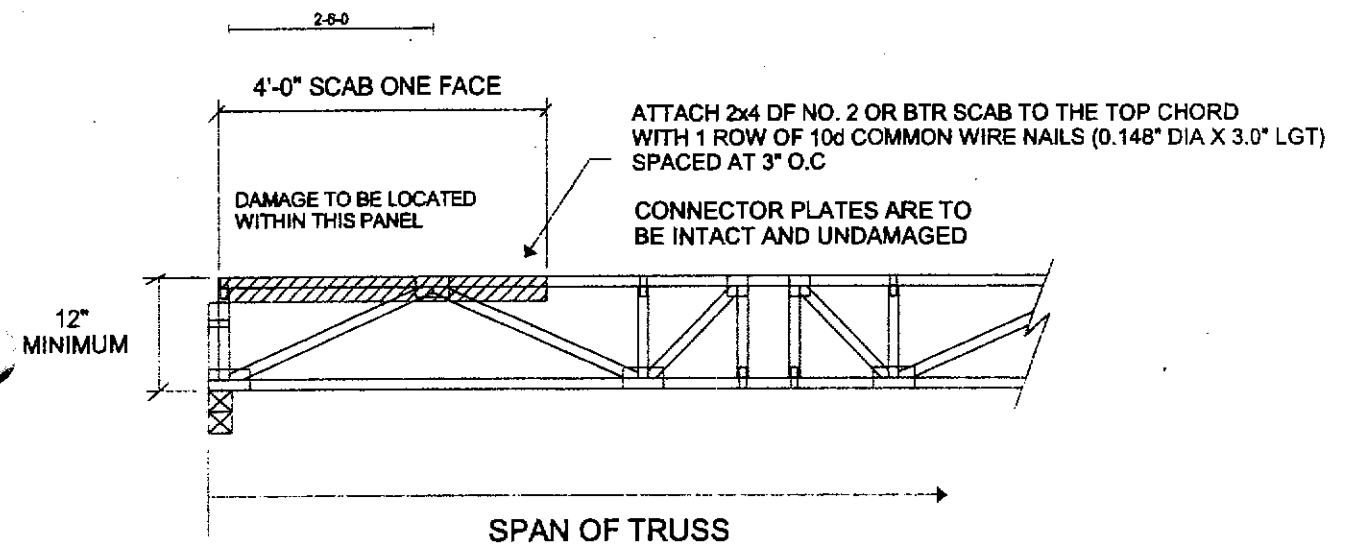
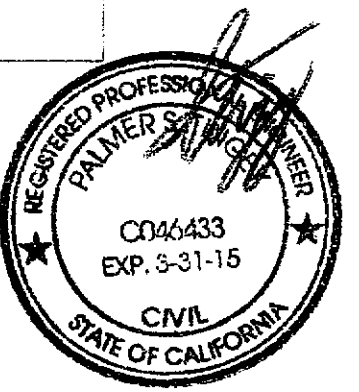


LOADING (psf)		SPACING	2-0-0
TCLL	40.0	Plates Increase	1.00
TCDL	10.0	Lumber Increase	1.00
BCLL	0.0	Rep Stress Incr	NO
BCDL	10.0	Code	UBC97/ANSI95

LUMBER
TOP CHORD 4 X 2 DF No.2-G
BOT CHORD 4 X 2 DF No.2-G
WEBS 4 X 2 DF Std-G

THIS REPAIR DETAIL IS FOR A MAXIMUM 4" SECTION OF DAMAGE TO THE TOP CHORD WITHIN THE PANEL SHOWN. THE AXIAL FORCE IN THE MEMBER MUST BE EQUAL TO ZERO AND NO ADDITIONAL LOADS ARE APPLIED TO THE TRUSS. THE MAXIMUM LOADING AND SPACING OF THE TRUSS IS LISTED ABOVE.



APR 0 9 2013

⚠ *WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.*
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult ANSI/TPI1 Quality Criteria, DSB-89 and BCSI1 Building Component Safety Information available from Truss Plate Institute, 583 D'Onofrio Drive, Madison, WI 53719.

7777 Greenback Lane
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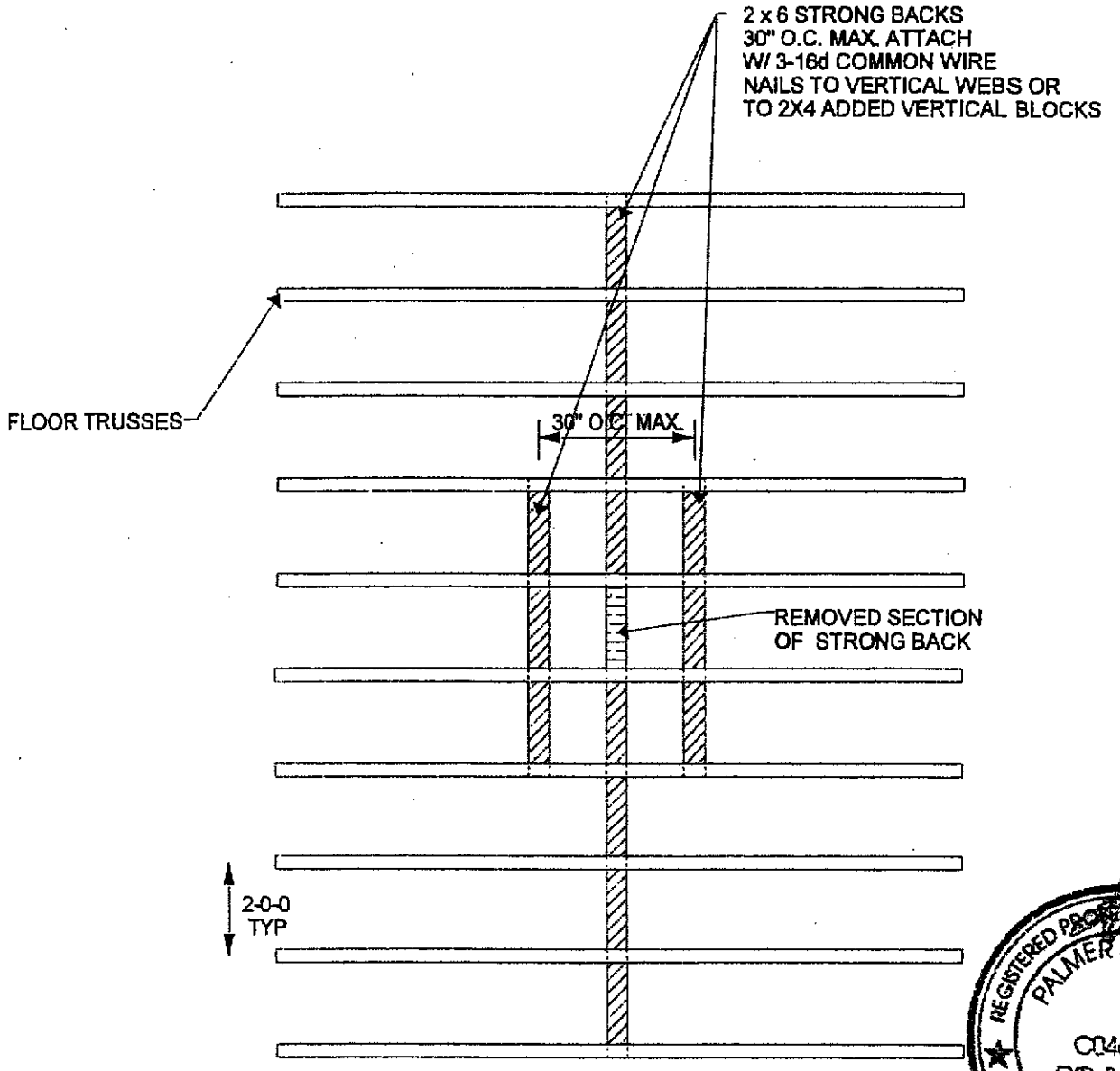
Citrus Heights, CA. 95610

MiTek®

FLOOR TRUSS LATERAL BRACING RECOMMENDATIONS	MII/SAC - 17	4/4/2004	PAGE 2

MiTek Industries, Inc.
Western Division

STRONG BACK MAY BE REMOVED AS SHOWN BELOW, ADDITION STRONG BACKS TO BE PLACED PARALLEL TO ORGINAL STRONG EXTENDING MIN. OF ONE TRUSS BEYOND REMOVED SECTION AS SHOWN. SEE MITEK'S FLOOR TRUSS STRONG BACK BRACING DETAIL FOR INSTALLATION OF STRONG BACKS.



REGISTERED PROFESSIONAL ENGINEER
PALMER S. HUGEY
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

APR 09 2013

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MiTek®

ICC-ES Evaluation Report

ESR-1311 Supplement

Issued November 1, 2011

This report is subject to renewal June 1, 2013.

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DIVISION: 06 00 00—WOOD, PLASTICS AND COMPOSITES
Section: 06 17 53—Shop-Fabricated Wood Trusses

REPORT HOLDER:

MITEK INDUSTRIES, INC.
14515 NORTH OUTER FORTY, SUITE 300
CHESTERFIELD, MISSOURI 63017
(314) 434-1200
www.mii.com

EVALUATION SUBJECT:

MiTek® TRUSS CONNECTOR PLATES: M-16, MII 16, M-20, MII 20, M-20 HS, MII 20 HS, AND MT20HS™

1.0 EVALUATION SCOPE

Compliance with the following code:

2010 *California Building Code* (CBC)

Property evaluated:

Structural

2.0 PURPOSE OF THIS SUPPLEMENT

This supplement is issued to indicate that the MiTek® truss connector plates M-16, MII 16, M-20, MII 20, M-20 HS, MII 20 HS, and MT20HS™, described in master report ESR-1311, comply with CBC Chapters 16, 16A, 17, 17A, and 23, when design and installation are in accordance with the *International Building Code®* provisions described in the master evaluation report and with Chapters 16, 16A, 17, 17A, and 23 of the CBC.

This supplement expires concurrently with the master evaluation report reissued June 1, 2011.

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ICC-ES Evaluation Report

ESR-1311*

Reissued June 1, 2011

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EVALUATION SUBJECT:

MiTek® TRUSS CONNECTOR PLATES: M-16, MII 16, M-20, MII 20, M-20 HS, MII 20 HS, AND MT20HS™

1.0 EVALUATION SCOPE

Compliance with the following codes:

- 2012, 2009, 2006 *International Building Code®* (IBC)
- 2012, 2009, 2006 *International Residential Code®* (IRC)

Property evaluated:

Structural

2.0 USES

MiTek® metal truss connector plates are used as joint connector components of light wood frame trusses.

3.0 DESCRIPTION

3.1 MiTek® M-16 and MII 16:

Model M-16 and Model MII 16 metal truss connector plates are manufactured from minimum No. 16 gage [0.0575 inch total thickness (1.46 mm)], ASTM A 653 SS, Grade 40 steel, with a G60 galvanization coating [0.0005 inch thickness on each side (0.013 mm)] and having a base-metal thickness of 0.0565 inch (1.44 mm). Slots 0.54 inch (13.7 mm) in length are punched along the perpendicular axis of the plates. The metal displaced by the slot is lanced and formed into two opposing teeth, protruding at right angles from the flat plate. Each tooth is diagonally cut, thereby forming a sharp point. The teeth are additionally shaped into a twisted concave form, facing the slot cutout area. Teeth are 0.16 inch (4.1 mm) wide and 0.37 inch (9.4 mm) long, and there are 4.8 teeth per square inch (0.0074 teeth per square millimeter) of plate area. Plates are available in 1-inch (25.4 mm) width increments, up to 12 inches (305 mm), and lengthwise in 1 1/4-inch (31.7 mm) multiples. See Figure 1 of this report for details.

3.2 MiTek® M-20 and MII 20:

Model M-20 and Model MII 20 metal truss connector plates are manufactured from minimum No. 20 gage [0.0356 inch total thickness (0.9 mm)], ASTM A 653 SS, Grade 40 steel, with a G60 galvanization coating [0.0005 inch thickness on each side (0.013 mm)] and having a base-metal thickness of 0.0346 inch (0.88 mm). The plates have repeating 1-inch-square (25 mm) modules of teeth stamped out and formed at right angles to the face of the parent metal. Each module has four slots, 0.45 inch (11.4 mm) long and 0.125 inch (3.2 mm) wide, fabricated by punching two teeth out of each slot and resulting in each module having eight teeth. The transverse centerlines of adjacent slots are staggered 0.15 inch (3.8 mm) in a longitudinal direction. Longitudinal centerlines of slots are spaced 0.25 inch (6.4 mm). Each slot has a 0.33-inch-long (8.4 mm) tooth at each end. Each tooth is formed with a symmetrical V-shaped cross section at its base, and twists approximately 22 degrees to its point. See Figure 1 of this report for details.

3.3 MiTek® M-20 HS, MII 20 HS, and MT20HS™:

Models M-20 HS, MII 20 HS, and MT20HS™ metal truss connector plates are manufactured from minimum No. 20 gage [0.0356 inch total thickness (0.9 mm)], ASTM A 653 Grade 80, high-strength, low-alloy steel with improved formability (HSLAS-F), with a G60 galvanization coating [0.0005 inch thickness on each side (0.013 mm)] and having a base-metal thickness of 0.0346 inch (0.88 mm). Repeating 3/4-inch-by-1-inch (19 mm by 25.4 mm) modules of teeth are stamped out and formed at right angles to the face of the parent metal. Each module has three slots, 0.45 inch (11.4 mm) long and 0.125 inch (3.2 mm) wide, fabricated by punching two teeth out of each slot area, and resulting in each module having six teeth. Each module is separated by a 0.25-inch-wide (6.4 mm) strip of unpunched steel. The transverse centerlines of adjacent slots are staggered 0.15 inch (3.8 mm) in the longitudinal direction. Longitudinal centerlines of slots are spaced 0.25 inch (6.4 mm). Each slot has a 0.33-inch-long (8.4 mm) tooth at each end. Each tooth is additionally shaped, twisting an approximate 22 degrees to its point. See Figure 1 of this report for details.

4.0 DESIGN AND INSTALLATION

4.1 General:

All truss plates are pressed into the wood for the full depth of their teeth by hydraulic-platen embedment presses, multiple roller presses that use partial embedment followed by full-embedment rollers, or combinations of partial embedment roller presses and hydraulic-platen presses

*Revised November 2011

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that feed trusses into a stationary finish roller press. Trusses must be assembled within the tolerances specified in ANSI/TPI 1, Chapter 3, Quality Criteria for the Manufacture of Metal-Plate-Connected Wood Trusses.

4.2 Allowable Design Values:

Allowable design values for MiTek® metal truss connector plates to be used in the design of metal plate connected wood roof and floor trusses are shown in Tables 1 and 2 of this report. Allowable design values are applicable when the connection is made with identical plates on opposite sides of the joint. This evaluation report is limited to the evaluation of connection capacity of the MiTek® metal truss connector plates listed in this report. The design, manufacture, and installation of trusses employing the truss plates have not been evaluated.

Allowable values shown in Table 1 have not been adjusted for metal connector plates embedded in fire-retardant-treated or preservative-treated lumber. Proper adjustments must be made in accordance with the requirements indicated in a current ICC-ES evaluation report issued to the chemical treatment manufacturer. If the evaluation report does not contain information on the adjustments, the chemical manufacturer must be contacted for this information. Compliance with Section 2304.9.5 of the IBC and Section R317.3 of the IRC (Section R319.3 of the 2006 IRC) is also required.

5.0 CONDITIONS OF USE

The MiTek® industries metal truss connector plates described in this report comply with, or are suitable alternatives to what is specified in, those codes listed in Section 1.0 of this report, subject to the following conditions:

5.1 This evaluation report and the manufacturer's published installation instructions, when required by the code official, must be submitted at the time of permit application. In the event of a conflict between the manufacturer's published installation instructions and this document, the instructions in this document govern.

5.2 Each application for a building permit, using these metal truss connector plates, must be accompanied by documentation showing that the design, manufacture, and proposed installation conforms with the requirements of the applicable code.

5.3 This report establishes plate design values only. For items not covered by this report, such as truss design, fabrication, quality assurance and special inspection, refer to the applicable version of ANSI/TPI 1, engineering drawings and the applicable code.

5.4 The design values (allowable lateral resistance values and effective tension and shear resistance allowable design values) used in the design of trusses, using MiTek® industries metal truss connector plates, must not exceed those listed in Tables 1 and 2 of this report. Load combination reductions must be in accordance with the applicable code.

5.5 All lumber used in the fabrication of trusses using MiTek® industries metal truss connector plates must be graded in compliance with the applicable building code and must have a moisture content not exceeding 19 percent at the time of assembly. Wet service factors from ANSI/TPI 1 Section 6.4 must be applied to the table values when the lumber moisture content exceeds 19 percent. Allowable values shown in the tables of this report are not applicable to metal connector plates embedded in either fire-retardant-treated lumber or preservative-treated lumber.

5.6 Metal truss connector plates must be installed in pairs, on opposite faces of truss members.

5.7 Galvanized G60 metal truss plate connectors subject to corrosive environments must be protected in accordance with Section 6.5 of ANSI/TPI 1.

5.8 MiTek® metal truss connector plates are manufactured in Saint Charles, Missouri; Phoenix, Arizona; Tampa, Florida; Edenton, North Carolina; and Bradford, Ontario, Canada.

6.0 EVIDENCE SUBMITTED

6.1 Data in accordance with the National Design Standard for Metal Plate Connected Wood Truss Construction, ANSI/TPI 1.

6.2 Manufacturer's descriptive literature.

6.3 A quality control manual.

7.0 IDENTIFICATION

The MiTek® connectors are identified by an imprint of the plate name embossed into the surface of the plate (for example, the M-16 plate is embossed "M-16"). Additionally, boxes containing the connector plates must be labeled with the MiTek® industries name, the metal connector plate model, and the evaluation report number (ESR-1311).

TABLE 1—ALLOWABLE LATERAL RESISTANCE VALUES, HYDRAULIC-PLATEN EMBEDMENT[3] (lb/in²/PLATE)

LUMBER SPECIES	SG	AA	EA	AE	EE
M–16 AND MII 16					
Douglas fir–larch	0.5	178	121	137	126
Hem-fir	0.43	119	84	102	98
Spruce-pine-fir	0.42	127	82	75	107
Southern pine	0.55	174	128	147	122
M–20 and MII 20					
Douglas fir–larch	0.5	220	195	180	190
Hem-fir	0.43	185	148	129	145
Spruce-pine-fir	0.42	197	144	143	137
Southern pine	0.55	249	190	184	200
M–20 HS, MII 20 HS and MT20HS					
Douglas fir–larch	0.5	185	146	135	143
Hem-fir	0.43	139	111	97	109
Spruce-pine-fir	0.42	148	108	107	103
Southern pine	0.55	187	143	138	150

For SI: 1lb/in² = 6.9 kPa.

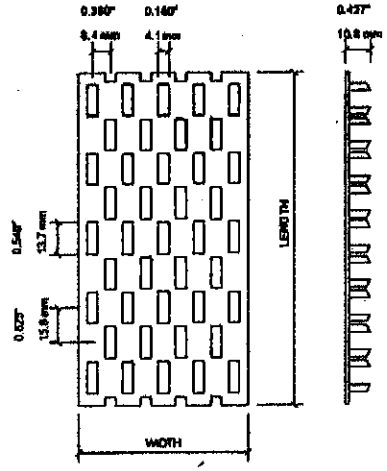
NOTES:
[1]Tooth holding units = psi for a single plate (double for plates on both faces when applying to area on only one face). To achieve values, plates must be installed on opposite sides of joint.
[2]AA = Plate parallel to load, wood grain parallel to load
EA = Plate perpendicular to load, wood grain parallel to load
AE = Plate parallel to load, wood grain perpendicular to load
EE = Plate perpendicular to load, wood grain perpendicular to load
[3]All truss plates are pressed into the wood for the full depth of their teeth by hydraulic-platen embedment presses, multiple roller presses that use partial embedment followed by full-embedment rollers, or combinations of partial embedment roller presses and hydraulic-platen presses that feed trusses into a stationary finish roller press.

TABLE 2—EFFECTIVE TENSION AND SHEAR RESISTANCE ALLOWABLE DESIGN VALUES

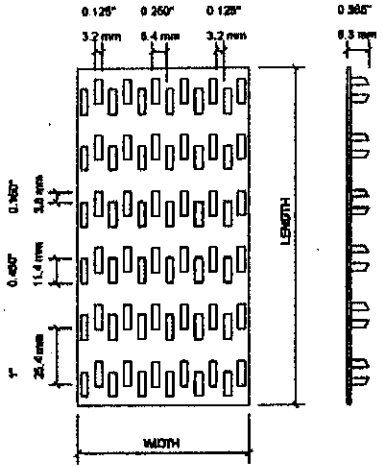
PROPERTY FORCE DIRECTION	M–16 AND MII 16		M–20 AND MII 20		M–20 HS, MII 20HS AND MT20HS	
	Efficiency	Pounds/inch/Pair of Connector Plates	Efficiency	Pounds/inch/Pair of Connector Plates	Efficiency	Pounds/inch/Pair of Connector Plates
Tension Values in Accordance with Section 5.4.4.2 of TPI-1 (Minimum Net Section over the Joint)[1]						
Tension @ 0°	0.70	2012	0.50	880	0.59	1505
Tension @ 90°	0.36	1013	0.47	820	0.48	1219
Tension Values in Accordance with TPI-1 with a Deviation [see Section 5.4.9 (e)] Maximum Net Section Occurs over the Joint[2]						
Tension @ 0°	0.68	1945	0.62	1091	0.67	1716
Tension @ 90°	0.30	849	0.48	841	0.52	1321
Shear Values						
Shear @ 0°	0.54	1041	0.49	674	0.43	761
Shear @ 30°	0.61	1173	0.63	738	0.61	1085
Shear @ 60°	0.73	1402	0.79	936	0.67	1184
Shear @ 90°	0.55	1055	0.55	645	0.45	792
Shear @ 120°	0.48	914	0.42	490	0.34	608
Shear @ 150°	0.35	672	0.46	544	0.3	537

For SI: 1 lb/inch = 0.175 N/mm, 1inch = 25.4 mm.

NOTES:
[1]Minimum Net Section – A line through the plate's tooth pattern with the minimum amount of steel for a specified orientation. For these plates, this line passes through a line of holes.
[2]Maximum Net Section – A line through the plate's tooth pattern with the maximum amount of steel for a specified orientation. For these plates, this line passes through a section of the plate with no holes.

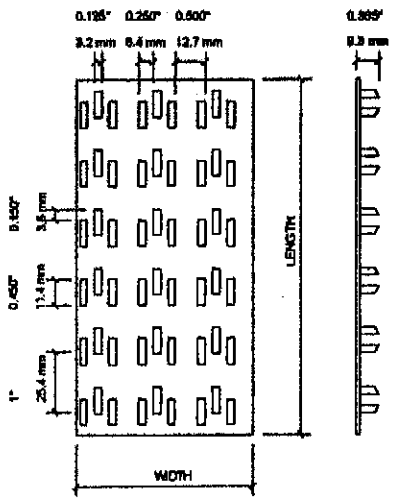


M-16, MII16



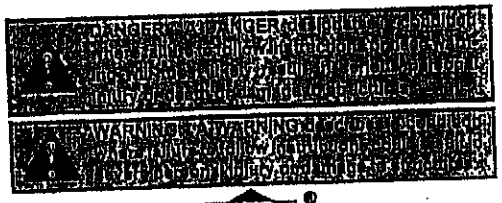
M-20, MII20

FIGURE 1—APPROXIMATE DIMENSIONS OF MITEK CONNECTOR PLATES (In Inches)



M-20 HS, MII 20 HS,
MT20HS

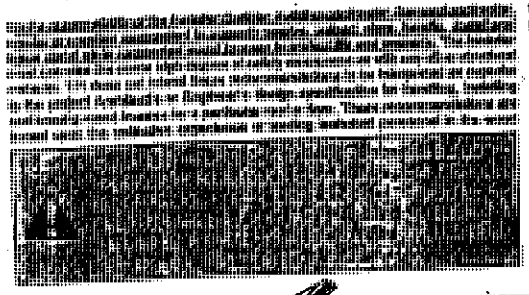
FIGURE 1—APPROXIMATE DIMENSIONS OF MITEK CONNECTOR PLATES (In Inches) (Continued)

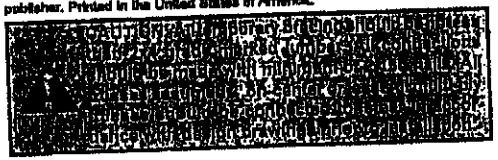


HIB-91 Summary Sheet

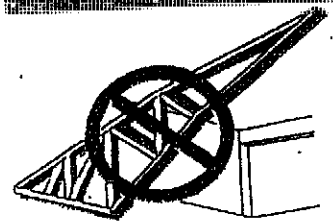
COMMENTARY and RECOMMENDATIONS for HANDLING, INSTALLING & BRACING METAL PLATE CONNECTED WOOD TRUSSES ©

TRUSS PLATE INSTITUTE
583 D'Onofrio Dr., Suite 200
Madison, Wisconsin 53719
(608) 833-5900

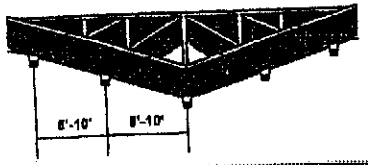


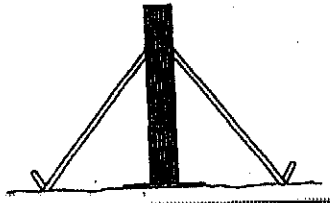


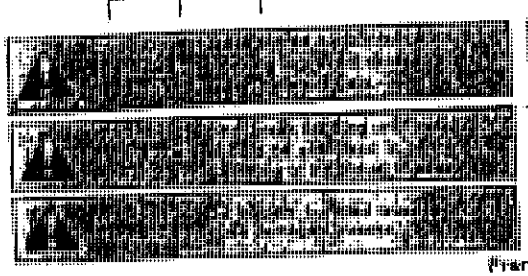
truss industry, but must, due to the nature of responsibilities involved, be presented as a guide for the use of a qualified building designer or installer. Thus, the Truss Plate Institute, Inc. expressly disclaims any responsibility for damages arising from the use, application or reliance on the recommendations and information contained herein by building designers, installers, and others. Copyright © by Truss Plate Institute, Inc. All rights reserved. This document or any part thereof must not be reproduced in any form without written permission of the publisher. Printed in the United States of America.

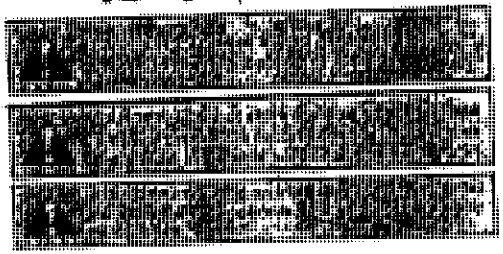


TRUSS STORAGE









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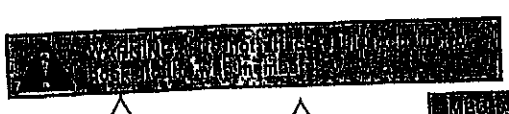
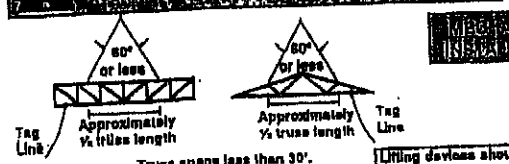
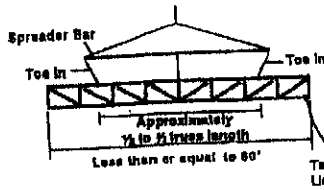
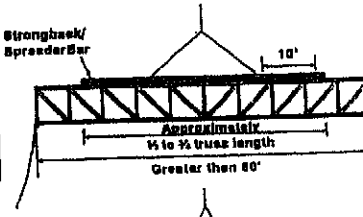


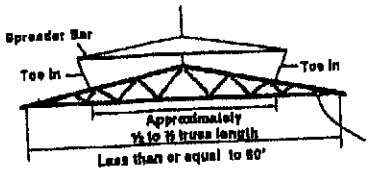


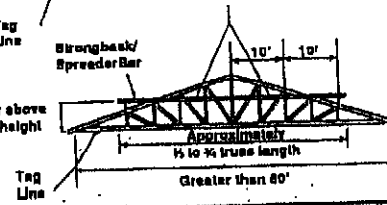
Truss spans less than 30'.

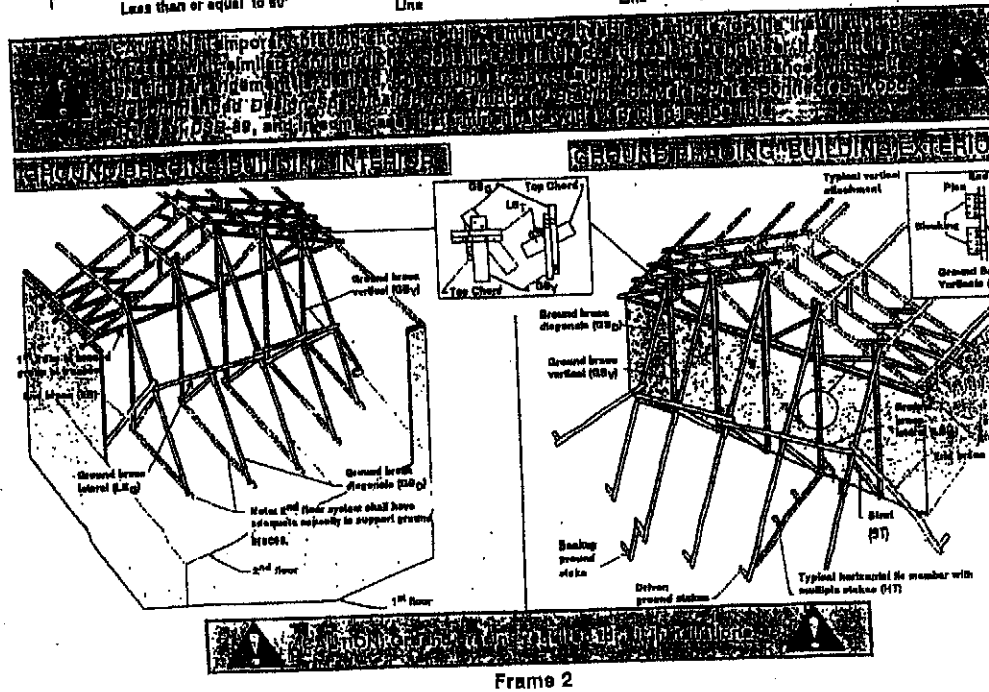


Lifting devices should be connected to the truss top chord with a closed-loop attachment utilizing materials such as slings, chains, cables, nylon strapping, etc. of sufficient strength to carry the weight of the truss. Each truss should be set in proper position per the building designer's framing plan and held with the lifting device until the ends of the truss are securely fastened and temporary bracing is installed.

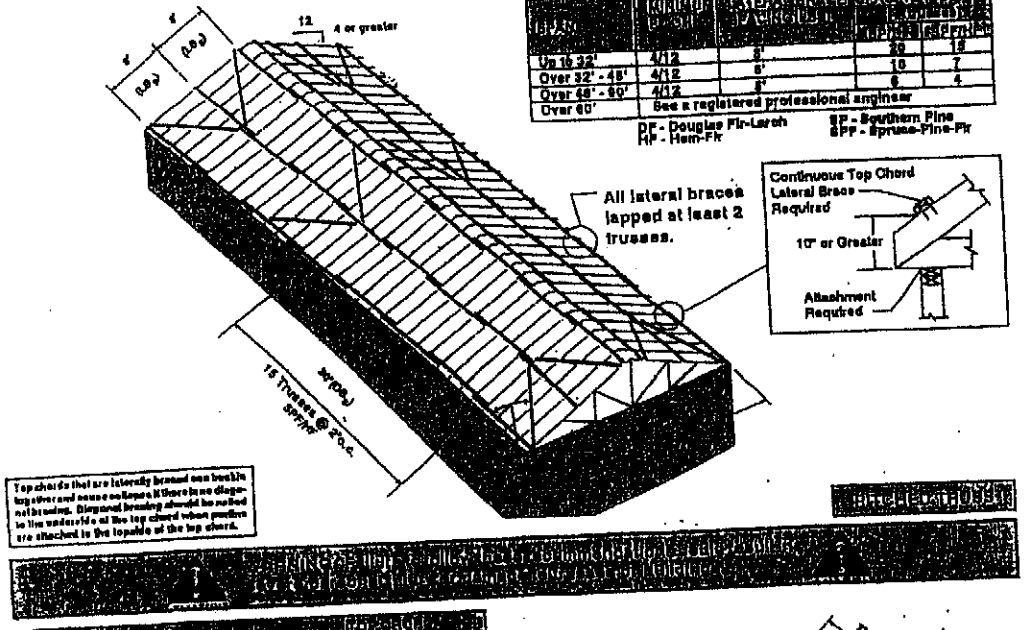








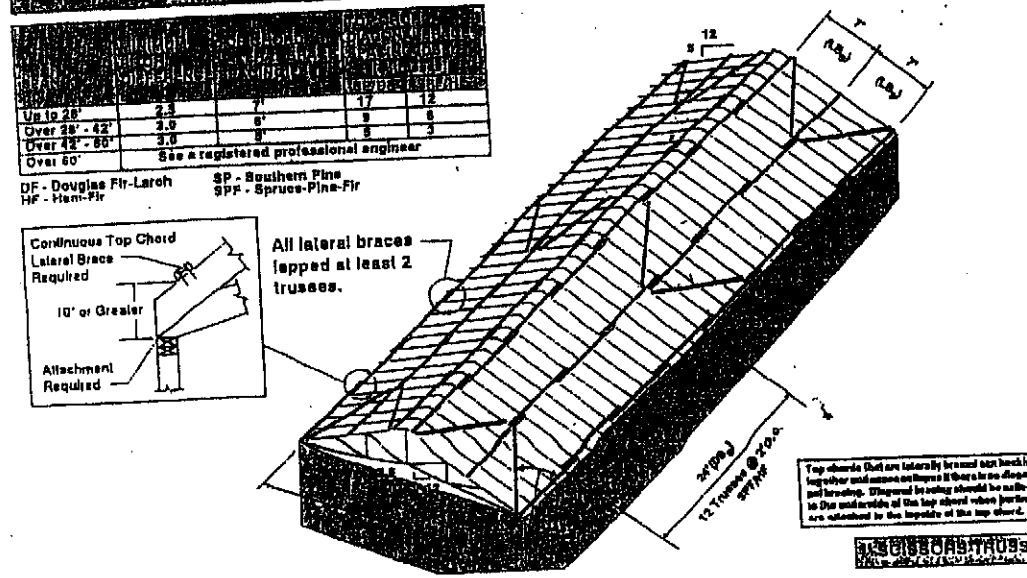
Frame 2



Up to 32'	4/12	8'	20	15
Over 32' - 48'	4/12	8'	10	7
Over 48' - 60'	4/12	8'	6	4
Over 60'	See a registered professional engineer			

DF - Douglas Fir-Larch
HF - Hem-Fir
SP - Southern Pine
SPF - Spruce-Pine-Fir

Top chords that are laterally braced are back to back together and secured as shown if there is no diagonal bracing. Diagonal bracing should be nailed to the underside of the top chord when purlins are attached to the topside of the top chord.

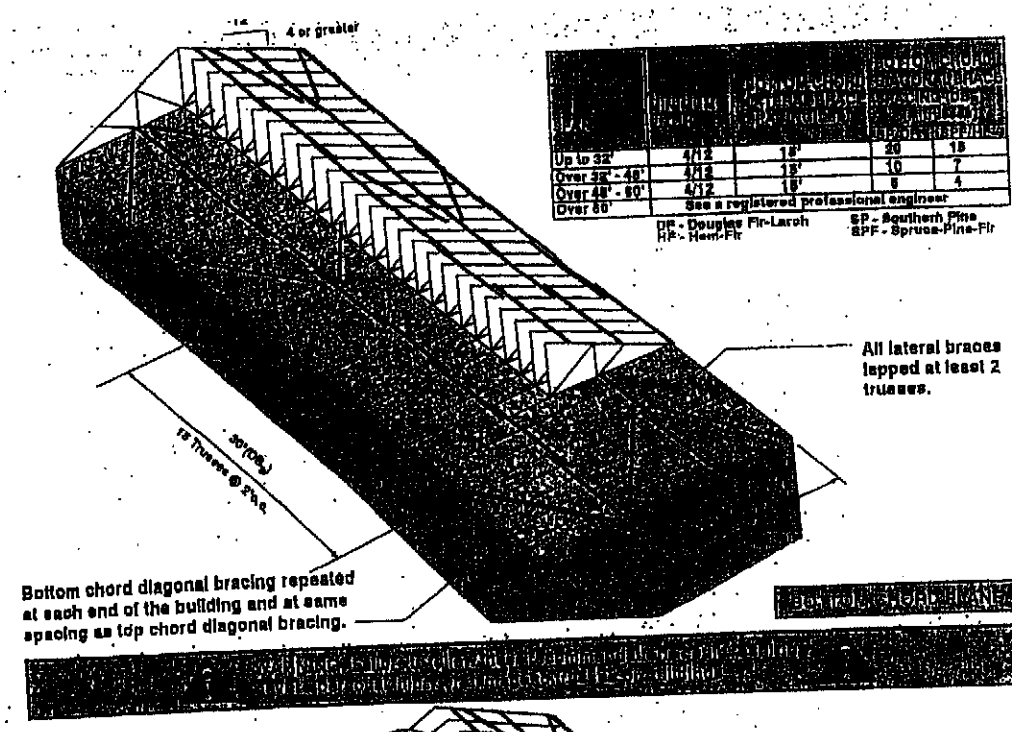


Up to 28'	2.5	7'	17	12
Over 28' - 42'	3.0	8'	9	6
Over 42' - 60'	3.0	8'	5	3
Over 60'	See a registered professional engineer			

DF - Douglas Fir-Larch
HF - Hem-Fir
SP - Southern Pine
SPF - Spruce-Pine-Fir

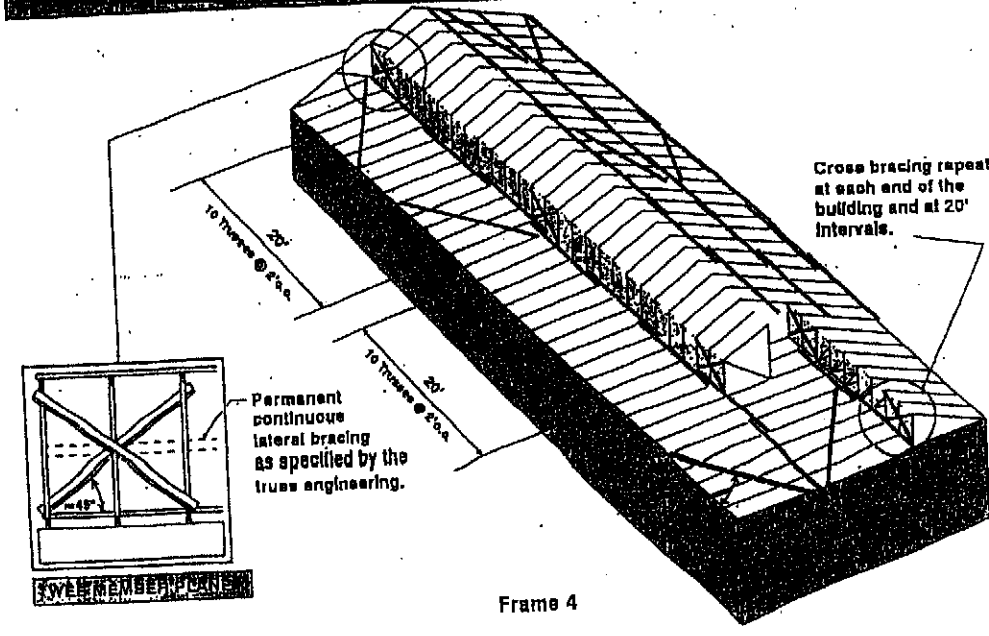
Top chords that are laterally braced are back to back together and secured as shown if there is no diagonal bracing. Diagonal bracing should be nailed to the underside of the top chord when purlins are attached to the topside of the top chord.

Frame 3



Up to 32'	4/12	15'	20	15
Over 32' - 48'	4/12	15'	10	7
Over 48' - 60'	4/12	15'	6	4
Over 60'	See a registered professional engineer			

DF - Douglas Fir-Larch
HF - Hem-Fir
SP - Southern Pine
SPF - Spruce-Pine-Fir



Frame 4

Up to 32'	30"	6'	15	10
Over 32' - 48'	42"	5'	6	4
Over 48' - 60'	48"	5'	4	2
Over 60'	See a registered professional engineer			

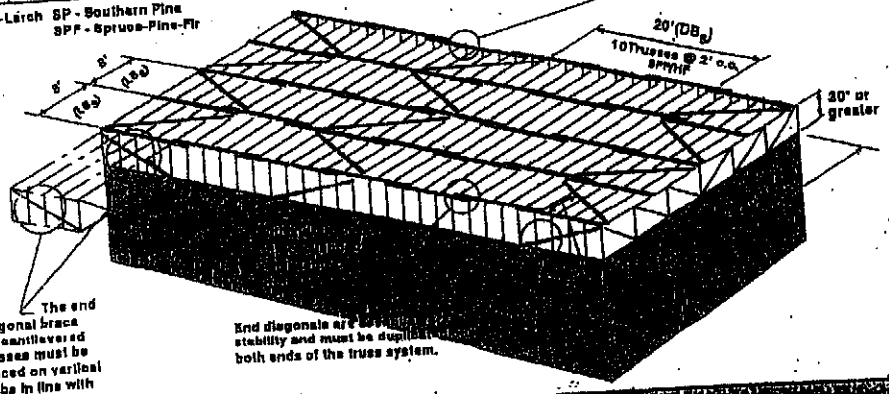
DF - Douglas Fir-Larch SP - Southern Pine
HF - Hem-Fir SPF - Spruce-Pine-Fir

Top chords that are laterally braced and buckle together and assume multispan if there is no diagonal bracing. Diagonal bracing should be nailed to the underside of the top chord where purlins are attached to the topside of the top chord.

Continuous Top Chord Lateral Brace Required

10" or Greater

Attachment Required



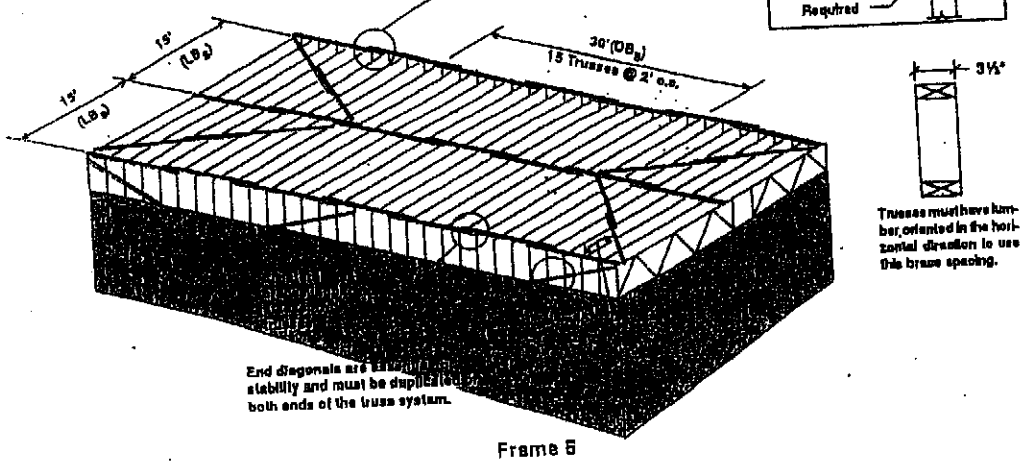
DIAGONAL BRACE INSTALLATION

Top chords that are laterally braced and buckle together and assume multispan if there is no diagonal bracing. Diagonal bracing should be nailed to the underside of the top chord where purlins are attached to the topside of the top chord.

Continuous Top Chord Lateral Brace Required

10" or Greater

Attachment Required

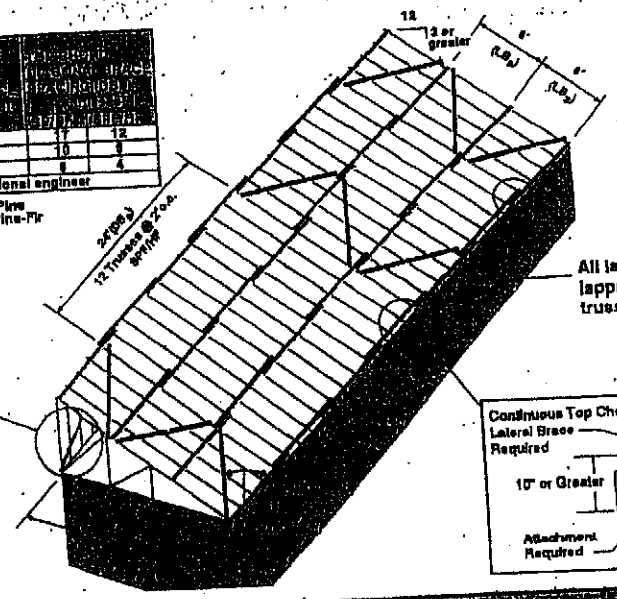


Trusses must have lumber oriented in the horizontal direction to use this brace spacing.

Frame 5

Up to 32'	3/12	2'	12	12
Over 32' - 48'	3/12	2'	10	8
Over 48' - 64'	3/12	2'	8	4
Over 64'	See a registered professional engineer			

DF - Douglas Fir-Larch SP - Southern Pine
HF - Hem-Fir SPF - Spruce-Pine-Fir



Top chords that are laterally braced and buckle together and assume multispan if there is no diagonal bracing. Diagonal bracing should be nailed to the underside of the top chord where purlins are attached to the topside of the top chord.

Continuous Top Chord Lateral Brace Required

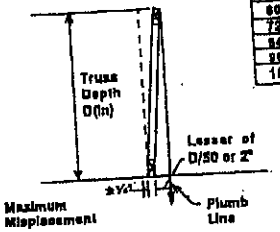
10" or Greater

Attachment Required

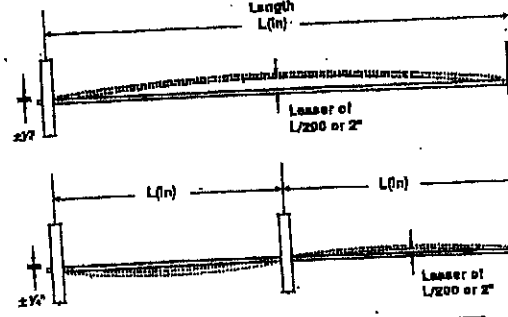
INSTALLATION TOLERANCES

PLUMB

D(in)	L(in)	Max.
12"	1/4"	1"
24"	1/2"	2"
36"	3/4"	3"
48"	1"	4"
60"	1-1/4"	5"
72"	1-1/2"	6"
84"	1-3/4"	7"
96"	2"	8"
108"	2"	9"



BOW



L(in)		
50"	1/4"	4.2'
100"	1/2"	8.3'
150"	3/4"	12.5'

200"	1"	16.7'
250"	1-1/4"	20.8'
300"	1-1/2"	25.0'

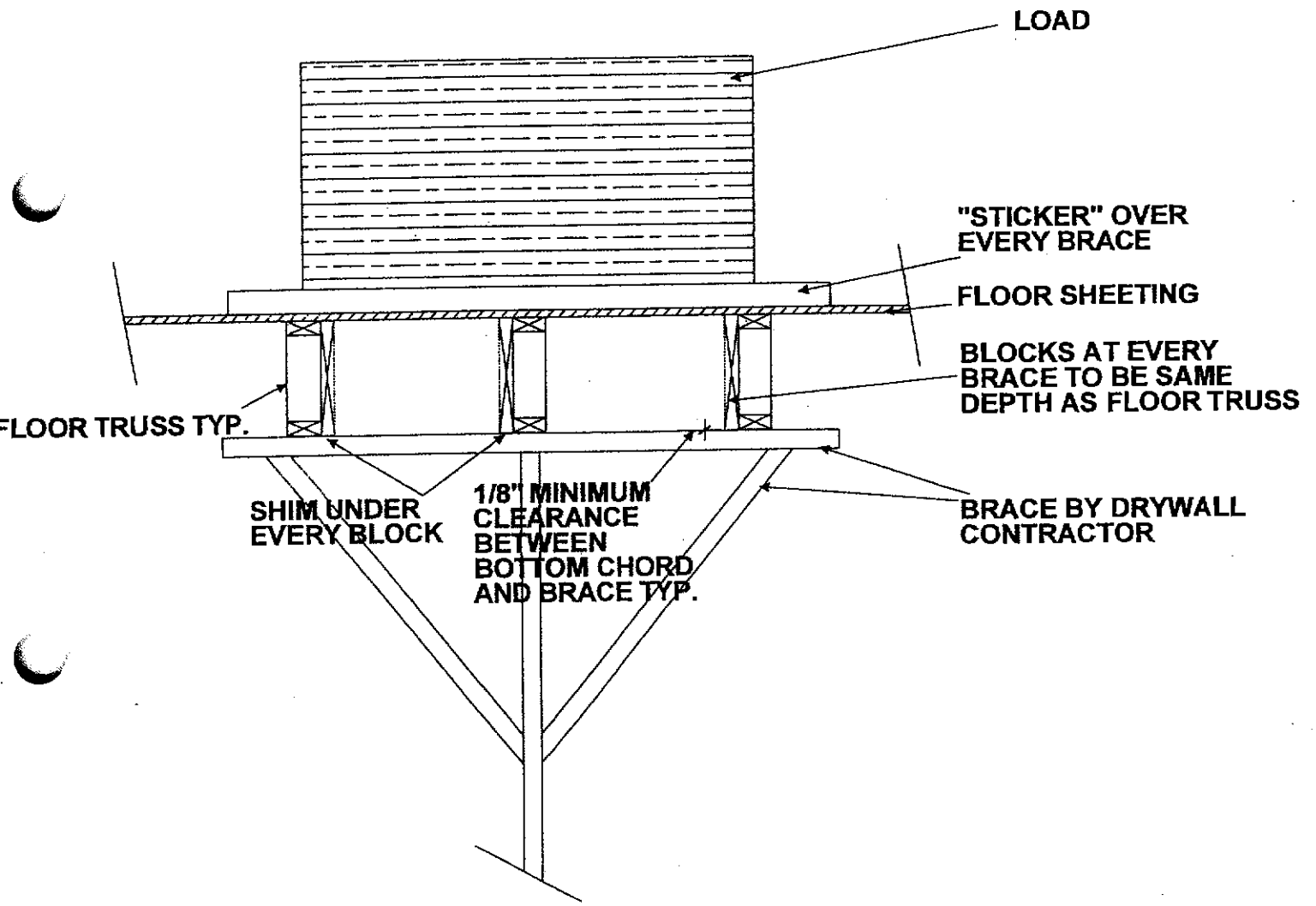
OUT-OF-PLUMB INSTALLATION TOLERANCES.

OUT-OF-PLANE INSTALLATION TOLERANCES.

Frame 6

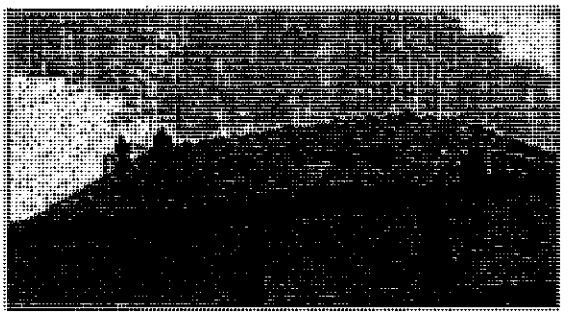
HOME BUILDING COMPONENTS

FLOOR TRUSS DRYWALL BRACING DETAIL



CREATED 07/11/05

BCSI-B4 Construction Loading
Cargas de Construcción



Construction loads are those loads imposed on the unfinished building as a result of the construction process. Typical construction loads include the weight of the workers, equipment, and building materials, to name a few. For example, a bundle of plywood sheathing or gypsum board stacked on trusses temporarily creates construction loads.

Cargas de construcción son las cargas que están impuestas a los edificios incompletos como resultado del proceso de construcción. Cargas de construcción típicas incluyen el peso de los trabajadores, el equipo y los materiales de construcción, etcétera. Por ejemplo, un paquete de entablado contrachapado o tabla de yeso apilados temporalmente sobre los trusses crean cargas de construcción.

☑ Make sure that the truss assembly is properly restrained and braced according to the guidelines in **BCSI-B1**™ and **BCSI-B2**™ before placing any construction loads on them. Construction loads shall only be placed on fully restrained and braced structures.

*Asegúrese que el montaje del truss está adecuadamente restringido y arriostrado según las pautas en **BCSI-B1**™ y **BCSI-B2**™ antes de colocar alguna carga de construcción en la estructura. Solamente coloquen cargas de construcción arriba de estructuras cuales son restringidos y arriostrados completamente.*

⚠ **WARNING!** Stacking excessive amounts of construction materials on floor or roof trusses is an unsafe practice. Property damage, personal injury and/or death are possible if this warning is not heeded.

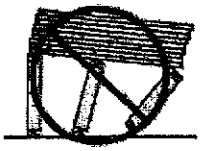
¡ADVERTENCIA! Apilando cantidades excesivas de cargas de construcción sobre trusses de piso u techo es una práctica peligrosa. Daño a la propiedad, herida personal y/o muerte son posibles si no sigue esta advertencia.

NOTICE Trusses that have been over-stressed due to excessive construction loading will usually show excessive sagging (deflection) and at least a portion of this deflection will remain even after the load has been removed. In more severe cases, broken truss members and/or failed truss joints may result.

Los trusses que han sidos demasiado estresados debido a cargas de construcción excesivas usualmente demuestran una desviación excesiva, y por lo menos una parte de este desviación se quedarán aún después de que la carga se haya quitada. En casos más severos, miembros quebrados del truss y/o junturas falladas pueden resultar.

CONSTRUCTION LOADING DO'S AND DON'TS
QUE HACER Y NO HACER CON LAS CARGAS DE CONSTRUCCIÓN

⊘ **DON'T** stack materials on unbraced trusses.
NO amontone materiales sobre trusses que no esten arriostrados.

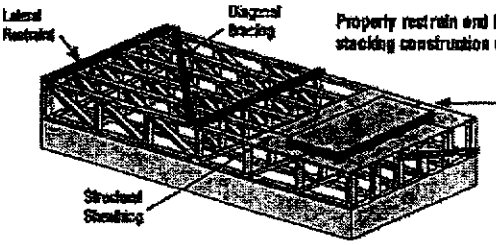


⊘ **DON'T** overload the trusses.
NO sobrecargue los trusses.

⊘ **DON'T** exceed stack heights listed in the table.
NO exceda la altura de montón indicada en la tabla que sigue.

Maximum Stack Height for Material on Trusses *Maxima Altura de Montón para Material encima de los Trusses*	
Material – *Material*	Height – Altura
Gypsum Board – *Tabla de Yeso*	12" – *12 pulgadas*
Plywood or OSB – *Madera Contrachapada u OSB*	16" – *16 pulgadas*
Asphalt Shingles – *Teja de Asfalto*	2 bundles – *2 paquetes*
Concrete Block – *Bloque de Hormingón*	8" – *8 pulgadas*
Clay Tile – *Teja de Arcilla*	3-4 tiles – *3-4 azulejos*

Note: Limit stacking periods to approximately one week, unless alternative information is provided by the Building Designer, Truss Designer or Truss Manufacturer.



Properly restrain and brace trusses before stacking construction materials on them.

#BCSIConstLoad 090520

BCSI-B4 SUMMARY SHEET **RESUMEN BCSI-B4**

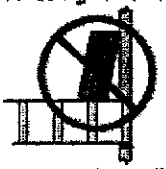
CONSTRUCTION LOADING

☑ **DO** distribute loads over as many trusses as possible. Position stacks of materials flat with the longest dimension perpendicular to the trusses, as shown.

SÍ distribuye cargas sobre el mayor numero de trusses que sea posible. Posicione perpendicular a los trusses los montones de materiales llanas con la dimensión más larga como se indica el dibujo.

⊘ **DON'T** allow the stack to lean against walls, or stack materials so they overload single or small groups of trusses.

NO permite que el montón se incline contra ninguna pared, o aplle materiales para sobrecarguen uno u grupos pequeños de trusses.



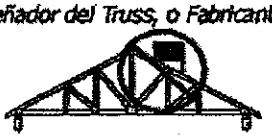
☑ **DO** stack materials along exterior supports or directly over interior supports of properly restrained and braced structures.

SÍ amontone materiales al lado de los soportes exteriores o directamente sobre los soportes interiores de estructuras que están restringidos y arriostradas apropiadamente.

Note: Truss bracing not shown for clarity.

⊘ **DON'T** overstack trusses with materials midway between supports. Never exceed stack heights provided in the table (see page 1) unless alternative information is provided by the Building Designer, Truss Designer or Truss Manufacturer.

NO sobrecargue los trusses con materiales a mitad de los soportes. Nunca sobrepase las alturas de montón indicada en la tabla en la página anterior aunque información alternativa está provista por el Diseñador del Edificio, Diseñador del Truss, o Fabricante del Truss.

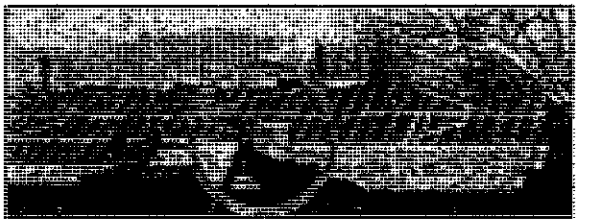


⊘ **DON'T** drop loads on trusses. The impact can damage the trusses even if the load is small.

NO deje caer cargas arriba de los trusses. El impacto puedo dañar los trusses aunque si sea pequeña la carga.

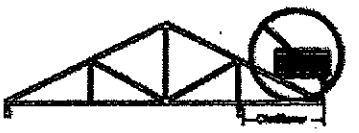
☑ **DO** leave construction materials on lifting equipment until installation, if possible.

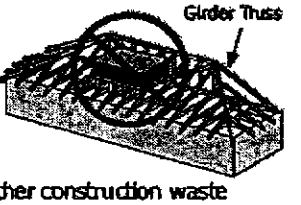
SÍ deje materiales de construcción arriba del equipo de levantar hasta la instalación, si es posible.



⊘ **DON'T** stack materials at locations that will produce instability, such as on cantilevers or near truss-to-girder connections.

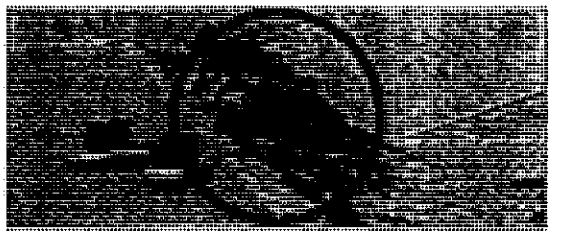
NO amontone materiales en un lugar que puede producir inestabilidad como en voladiza o cerca de las conecciones de trusses-a-travesaño.





⊘ **DON'T** pile cut-off tile and/or other construction waste on trusses.

NO aplle tile de sobra y/o otros residuos de construcción sobre los trusses.



**"Contact the component manufacturer to obtain the referenced document or consult a Registered Design Professional for more information on this subject.
To view a non-printing PDF of this document, visit www.sbcindustry.com/b4.

This document summarizes the information provided in Section B4 of the 2008 Edition of Building Component Safety Information BCSI - Guide to Good Practice for Handling, Installing, Restraining & Bracing of Metal Plate Connected Wood Trusses. Copyright © 2004-2008 Structural Building Components Association and Truss Plate Institute. All Rights Reserved. This guide or any part thereof may not be reproduced in any form without the written permission of the publishers. Printed in the United States of America.

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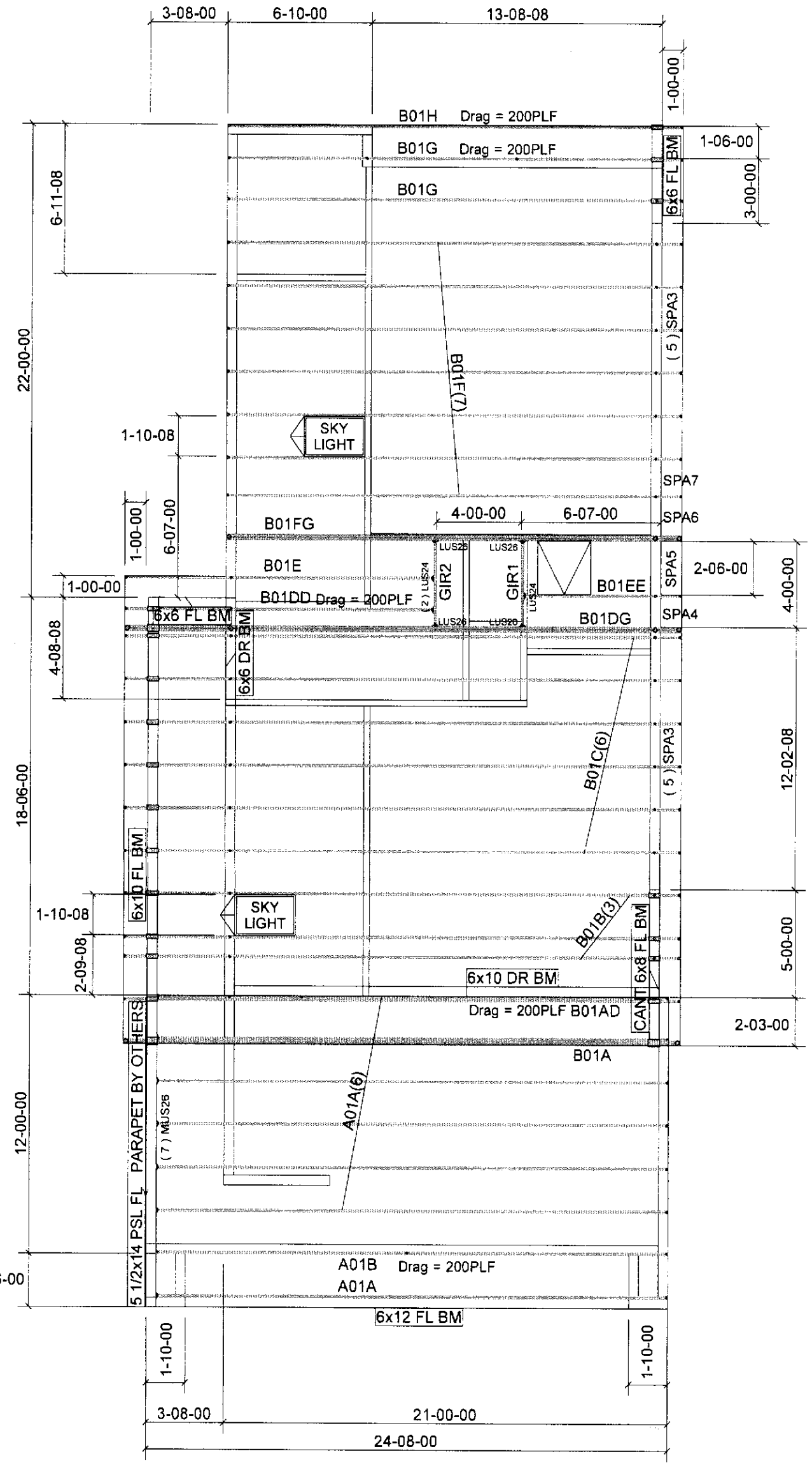
TRUSS PLATE INSTITUTE
218 North Lee Street, Ste. 312
Alexandria, VA 22314
703/683-1010 • www.tpinst.org



DAKOTA

UNIT A ROOF

Drawn By: T. Miles
Date: 10/02/2014

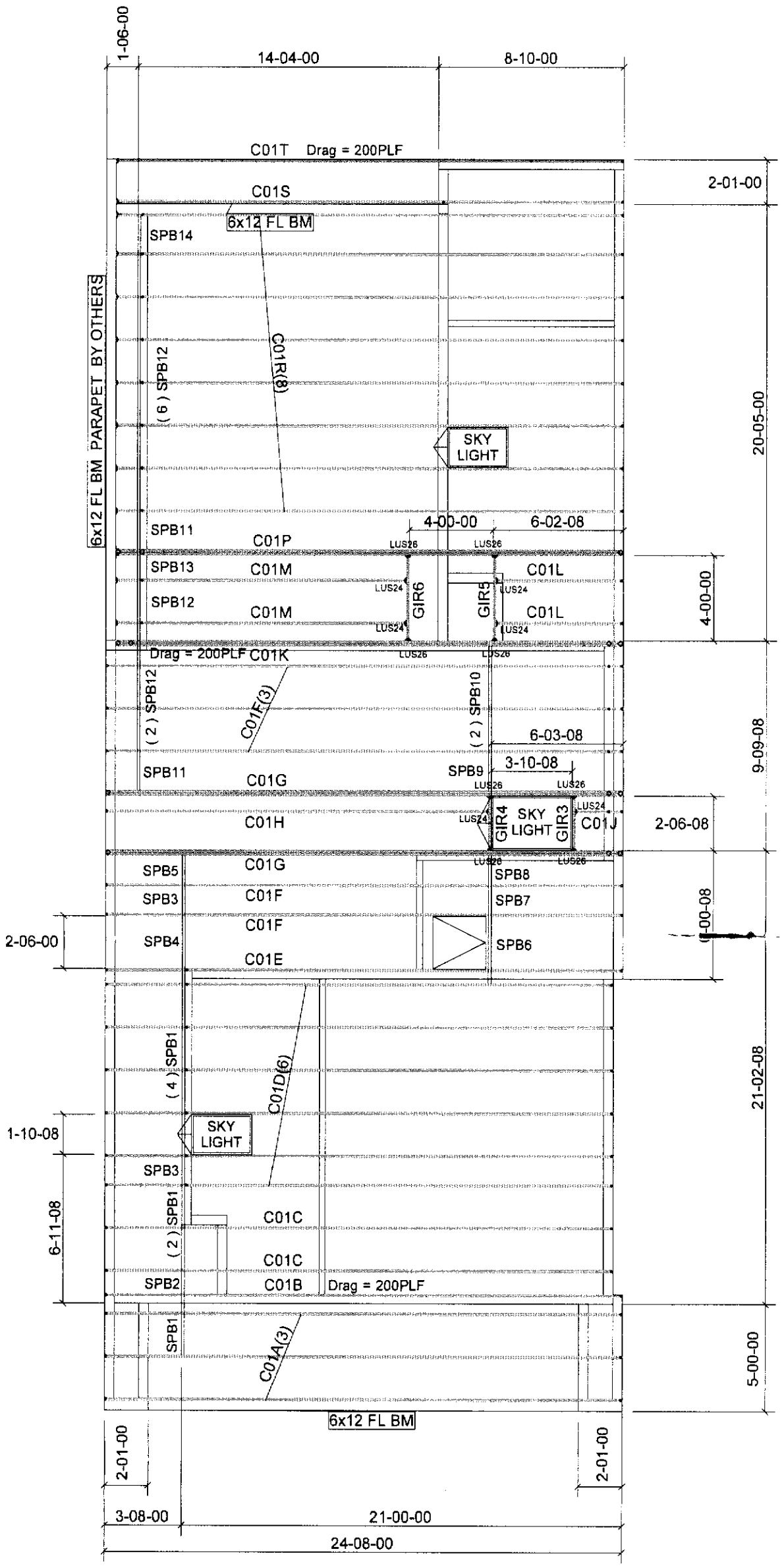
Building Materials and Construction Services

45-491 Golf Center Parkway, Indio, CA
(760) 347-3332 Fax: (760) 347-0202

GOUVIS ENGINEERING GROSS LIVING GROUP, INC.

Gouvis Engineering consents to the use of these drawings only for shop drawing review. Gouvis Engineering assumes no responsibility for any deviations from these drawings that may be made by others. Signature of Gouvis Engineering does not relieve the truss engineer of his responsibility for the design of the trusses and their compliance with the applicable codes and specifications. This review is only for general conformance with the design concept of the project and general compliance with the information given in the drawings. The contractor is responsible for dimensions to be confirmed and correlated at the jobsite, for information that pertains solely to the fabrication processes or to techniques of assembly and erection, for the safety precautions and programs in connection with the work, all of which are the sole responsibility of the contractor. This review shall not be construed to relieve the contractor from responsibility for deviations from the drawings or specifications unless he has informed the engineer in writing of such deviation at the time of submission and the engineer has given written approval to the specific deviation. The contractor shall not be relieved of responsibility for errors or omissions in the shop drawings by the engineer's review thereof.

1. That the [illegible] and [illegible] in accordance with the [illegible] and [illegible] and [illegible] and



DAKOTA

UNIT B ROOF

Drawn By: T. Miles

Date: 10/02/2014

Building Materials and Construction Services

45491 Golf Center Parkway, Indio, CA
(760) 347-3332 Fax: (760) 347-0202

REVIEWED
REJECTED

Corrections
during this
compliance
specification
conformance
and gener
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for: contra
dimensions
technicians
that of all
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Signature
Louvis Engineering Group, Inc. shall apply only
for shop drawings prepared by GOUVIS ENGINEERING GROUP, INC.

'e 10 A

MiTek USA, Inc.
7777 Greenback Lane
Suite 109
Citrus Heights, CA, 95610
Telephone 916/676-1900
Fax 916/676-1909

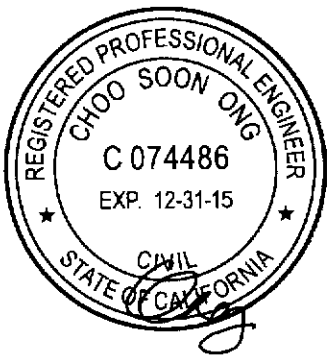
Re: Dakota_Roof

The truss drawing(s) referenced below have been prepared by MiTek Industries, Inc. under my direct supervision based on the parameters provided by BMC-Indio, CA.

Pages or sheets covered by this seal: R42958444 thru R42958479

My license renewal date for the state of California is December 31, 2015.

Lumber design values are in accordance with ANSI/TPI 1 section 6.3
These truss designs rely on lumber values established by others.



October 6,2014

Ong, Choo Soon

The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI 1.

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	A01A	Monopitch	7	1	R4295B444

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:18 2014 Page 1
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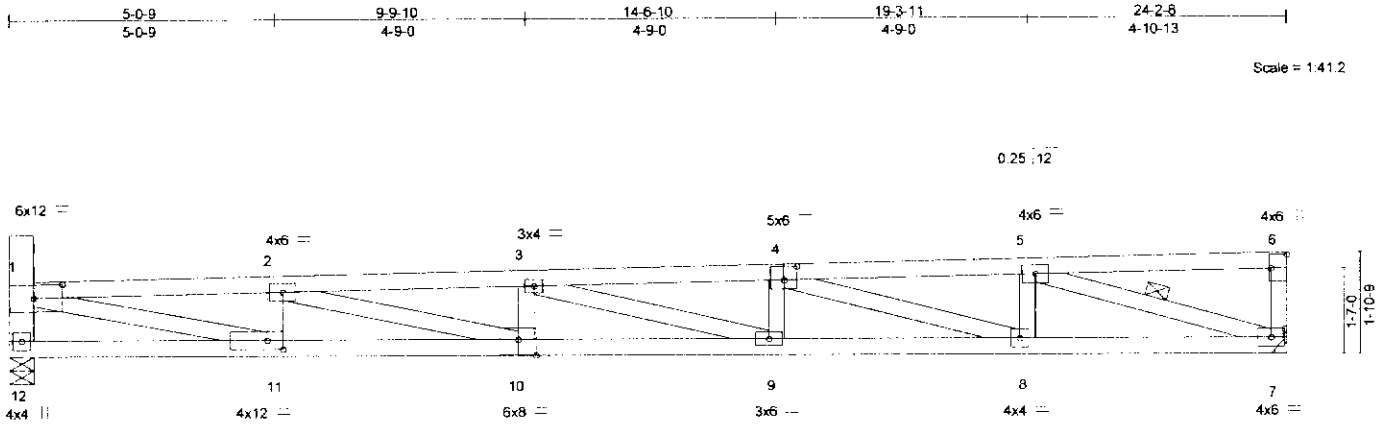

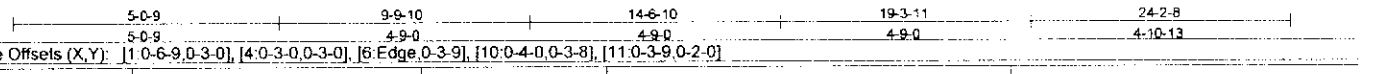

Plate Offsets (X,Y): [1:0-6-9,0-3-0], [4:0-3-0,0-3-0], [6:Edge,0-3-9], [10:0-4-0,0-3-8], [11:0-3-9,0-2-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.41	Vert(LL)	-0.32	9-10	>905	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.60	Vert(TL)	-0.96	9-10	>298	180		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.86	Horz(TL)	0.13	7	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 109 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
12-13: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 2-11-9 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 9-10-1 oc bracing.
WEBS 1 Row at midpt 5-7

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 12=953/0-5-8 (min. 0-1-8), 7=953/Mechanical
Max Horz 12=112(LC 4)
Max Uplift 12=-103(LC 3), 7=-102(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-12=-863/128, 1-2=-3077/373, 2-3=-4269/482, 3-4=-3973/440, 4-5=-2492/282
BOT CHORD 11-12=-106/344, 10-11=-350/3072, 9-10=-465/4289, 8-9=-415/3951, 7-8=-249/2489
WEBS 1-11=-313/2796, 2-11=-569/130, 2-10=-145/1232, 3-9=-331/56, 4-9=0/256, 4-8=-1527/173, 5-8=0/509, 5-7=-2449/264

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 103 lb uplift at joint 12 and 102 lb uplift at joint 7.

LOAD CASE(S) Standard

October 6,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958445
DAKOTA_ROOF	A01B	GABLE	1	1	Job Reference (optional)

BMC Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:19 2014 Page 1
ID:pMWmiiU9y3uiBTyY?fPchEyEito-_yE?2B2T88oaHv6rkHrPDTnFQ9XR_zZGPUW4XqyWACk

5-0-9	9-9-10	14-6-10	19-3-11	24-2-8
5-0-9	4-9-0	4-9-0	4-9-0	4-10-13

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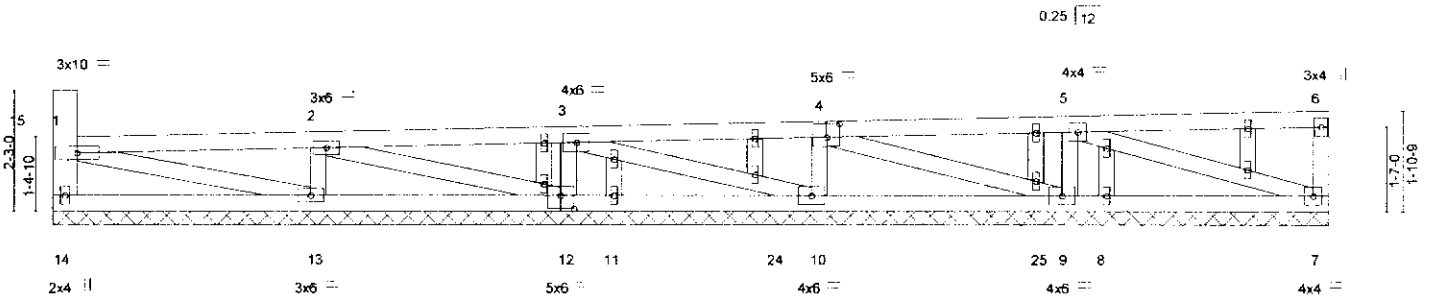

5-0-9	9-9-10	14-6-10	19-3-11	24-2-8
5-0-9	4-9-0	4-9-0	4-9-0	4-10-13

Plate Offsets (X,Y): [4:0-3-0,0-3-0], [12:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.29	Vert(LL)	n/a	-	n/a	999	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.28	Vert(TL)	n/a	-	n/a	999		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.62	Horz(TL)	0.01	10	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix)							Weight: 116 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except* 14-15: 2x6 DF SS
OTHERS 2x4 DF Stud G

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 4-6-13 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS All bearings 24-2-8.
(lb) - Max Horz 14=187(LC 11)
Max Uplift All uplift 100 lb or less at joint(s) 10, 8 except 14=-143(LC 9), 7=-311(LC 14), 12=-273(LC 13), 13=-144(LC 13), 9=-159(LC 14)
Max Grav All reactions 250 lb or less at joint(s) 11, 8 except 14=281(LC 8), 7=454(LC 7), 12=583(LC 8), 13=498(LC 8), 10=415(LC 8), 9=471(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-568/560, 2-3=-744/752, 3-4=-651/654, 4-5=-996/983, 5-6=-996/948
BOT CHORD 12-13=-562/561, 11-12=-1282/1277, 10-11=-1282/1277, 9-10=-2193/2202, 8-9=-928/945, 7-8=-928/945
WEBS 1-13=-515/497, 2-13=-477/297, 2-12=-799/789, 3-12=-686/498, 3-10=-1434/1429, 4-10=-691/501, 4-9=-1315/1321, 5-9=-603/400, 5-7=-929/967

NOTES
1) Wind: ASCE 7-05: 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
3) Provide adequate drainage to prevent water ponding.
4) All plates are 1.5x4 MT20 unless otherwise indicated.
5) Gable requires continuous bottom chord bearing.
6) Gable studs spaced at 1-4-0 oc.
7) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
8) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
9) A plate rating reduction of 20% has been applied for the green lumber members.
10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 10, 8 except (jt=lb) 14=143, 7=311, 12=273, 13=144, 9=159.
11) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 13-9-0 to 18-9-0 for 968.3 plf.

LOAD CASE(S) Standard

October 6,2014

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01A	GABLE	1	2	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Oct 14 2013 MiTek Industries, Inc. Mon Oct 06 11:40:53 2014 Page 1

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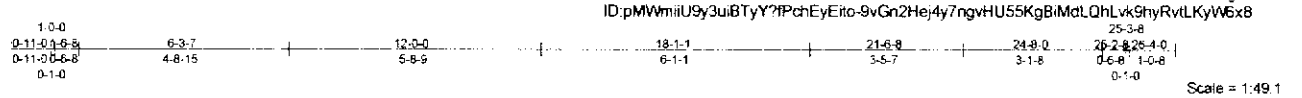

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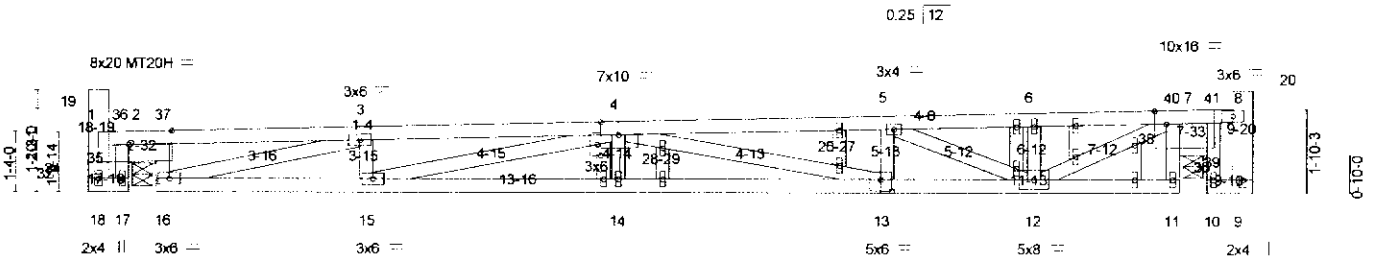

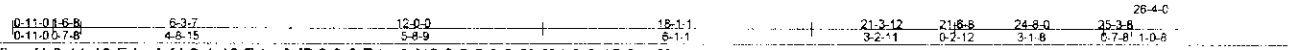

Plate Offsets (X,Y): [1:0-11-12,Edge], [4:0-4-12,Edge], [7:0-3-0,Edge], [13:0-3-0,0-3-0], [31:0-2-15,0-1-0]

LOADING	(psf)	SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.21	Vert(LL)	-0.22	14	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.36	Vert(TL)	-0.68	13-14	>421	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.51	Horz(TL)	0.04	33	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 257 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF 2400F 2.0E
BOT CHORD	2x4 DF 2400F 2.0E
WEBS	2x4 DF Stud G *Except* 18-19,9-20: 2x6 DF SS, 7-33,2-32: 2x8 DF No.2 G 2-16: 2x4 DF No.1&Btr G
OTHERS	2x4 DF Stud G

BRACING

TOP CHORD	Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 10-0-0 oc bracing, Except: 6-0-0 oc bracing: 17-18,9-10.

REACTIONS (lb/size) 32=1507/0-5-8 (min. 0-1-8), 33=1524/0-5-8 (min. 0-1-8)
Max Horz 32=125(LC 4)
Max Uplift 32=-256(LC 5), 33=-246(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	3-37=-727/177, 3-4=-4958/805, 4-5=-5144/826, 5-6=-2915/484, 6-40=-2914/486
BOT CHORD	15-16=-760/4953, 14-15=-1019/6654, 13-14=-1019/6655, 12-13=-774/5080, 11-12=-51/373
WEBS	3-16=-4361/644, 3-15=-31/593, 4-15=-1743/266, 4-14=0/315, 4-13=-1551/248, 5-13=-38/546, 12-40=-424/2826, 5-12=-2355/372, 16-35=-147/1148, 35-37=-147/1148, 7-33=-609/87

NOTES

1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-9-0 oc, 2x8 - 2 rows staggered at 0-9-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Unbalanced roof live loads have been considered for this design.
4) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
5) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
6) Provide adequate drainage to prevent water ponding.
7) All plates are MT20 plates unless otherwise indicated.
8) All plates are 1.5x4 MT20 unless otherwise indicated.
9) Gable studs spaced at 1-4-0 oc.
10) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
11) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
12) A plate rating reduction of 20% has been applied for the green lumber members.
13) Bearing at joint(s) 32, 33 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.

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Continued on page 2

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7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

NOTES

14) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 256 lb uplift at joint 32 and 246 lb uplift at joint 33.
15) This truss is designed in accordance with the 2009 International Building Code section 2306.1 and referenced standard ANSI/TPI 1.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
   Uniform Loads (plf)
   Vert: 1-36=-80, 2-36=-80, 2-37=-80, 37-40=-80, 7-40=-80, 7-41=-80, 8-41=-80, 17-18=-40, 9-10=-40, 11-16=-40

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7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958447
DAKOTA_ROOF	B01AD	MONOPITCH	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:23 2014 Page 1
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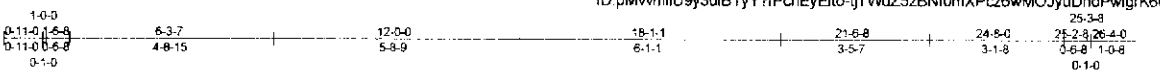

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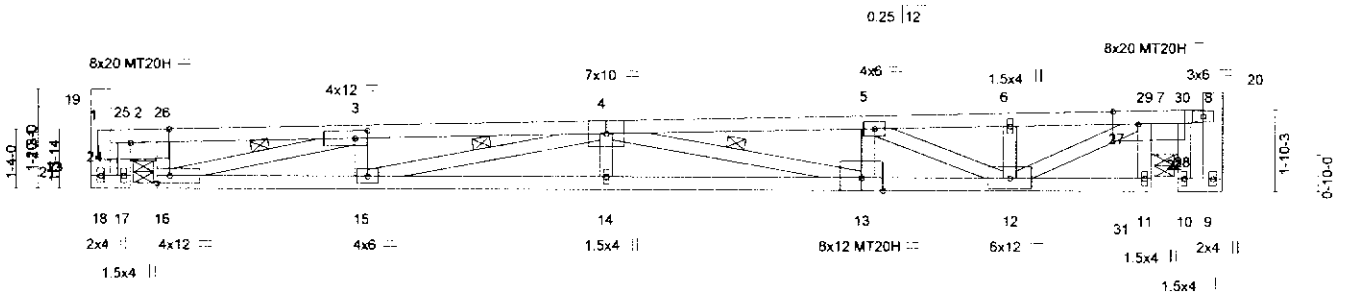

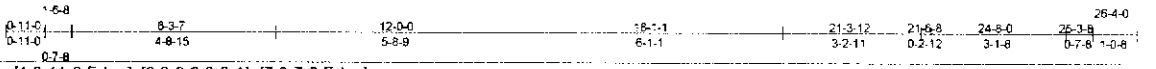

Plate Offsets (X,Y): [1:0-11-0,Edge], [3:0-3-8,0-2-1], [7:0-7-0,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.49	Vert(LL)	-0.45	13-14	>640	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.66	Vert(TL)	-1.20	13-14	>237	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.93	Horz(TL)	0.07	22	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 122 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF 2400F 2.0E
BOT CHORD 2x4 DF 2400F 2.0E
WEBS 2x4 DF Stud G *Except*
18-19,9-20: 2x6 DF SS, 7-22,2-21: 2x8 DF No.2 G
2-16: 2x4 DF No.1&Btr G

BRACING
TOP CHORD Structural wood sheathing directly applied or 2-11-15 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 5-3-8 oc bracing.
WEBS 1 Row at midpt 3-16, 4-15, 4-13

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 21=1250/0-5-8 (min. 0-1-8), 22=1264/0-5-8 (min. 0-1-8)
Max Horz 21=191(LC 12)
Max Uplift 21=-526(LC 13), 22=-407(LC 14)
Max Grav 21=1585(LC 8), 22=1490(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-25=-296/242, 2-26=-389/334, 3-26=-1611/1149, 3-4=-4985/1460, 4-5=-5939/2260, 5-6=-3473/1407, 6-29=-2748/685, 7-29=-345/329, 7-30=-260/236
BOT CHORD 15-16=-1872/5446, 14-15=-2474/7280, 13-14=-1537/6479, 12-13=-1107/4700, 11-12=-569/782
WEBS 3-16=-4942/1781, 3-15=-306/836, 4-15=-2850/1588, 4-14=0/318, 4-13=-2467/1359, 5-13=-265/743, 12-29=-852/2890, 5-12=-2599/909, 16-24=-423/1286, 24-26=-423/1286, 7-22=-370/104

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise): cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Bearing at joint(s) 21, 22 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 21=526, 22=407.
10) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 1-0-0 to 24-0-0 for 229.0 plf.

LOAD CASE(S) Standard

October 6,2014

Continued on page 2

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Citrus Heights, CA. 95610

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-25=-60, 2-25=-60, 2-26=-60, 26-29=-60, 7-29=-60, 7-30=-60, 8-30=-60, 17-18=-40, 9-10=-40, 11-16=-40

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MiTek
7777 Greenback Lane, Suite 109
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Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01B	Monopitch	3	1	R42958448

Job Reference (optional)

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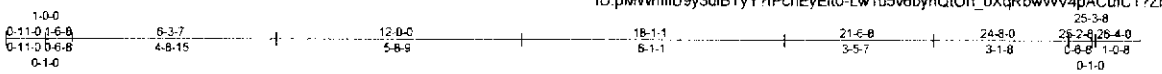

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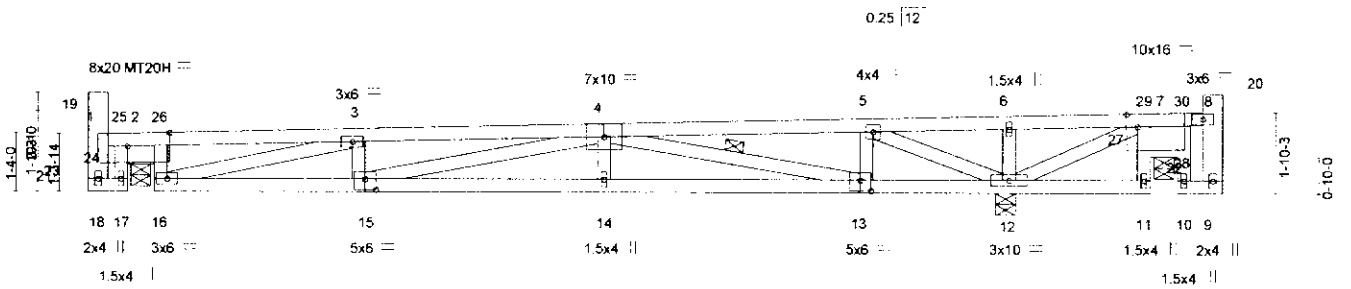

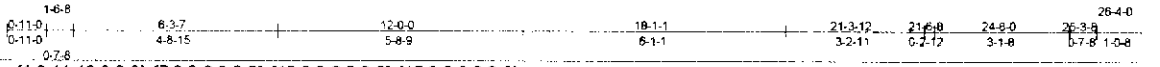

Plate Offsets (X,Y): [1:0-11-12,0-3-8], [7:0-3-0,0-3-8], [13:0-3-0,0-3-0], [15:0-3-0,0-3-0]

LOADING (psf)		SPACING 2-0-0		CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.44	Vert(LL)	-0.15	14-15	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.39	Vert(TL)	-0.46	14-15	>531	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.73	Horz(TL)	0.05	12	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 123 lb	FT = 20%

LUMBER

TOP CHDRD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
18-19,9-20: 2x6 DF SS, 7-22,2-21: 2x8 DF No.2 G

BRACING

TOP CHORD Structural wood sheathing directly applied or 4-4-3 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.
WEBS 1 Row at midpt 4-13

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 12=1857/0-5-8 (min. 0-2-0), 21=741/0-5-8 (min. 0-1-8), 22=-541/0-5-8 (min. 0-1-8)
Max Horz 21=125(LC 4)
Max Uplift 12=-201(LC 5), 21=-109(LC 3), 22=-541(LC 1)
Max Grav 12=1857(LC 1), 21=741(LC 1), 22=47(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-26=-348/102, 3-4=-2107/254, 5-6=-167/1812, 6-29=-165/1811
BOT CHORD 15-16=-217/2089, 14-15=-209/2109, 13-14=-209/2109
WEBS 3-16=-1798/192, 4-13=-2047/229, 5-13=0/526, 12-29=-1781/210, 5-12=-2020/223, 16-24=-25/481, 24-26=-25/481

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Bearing at joint(s) 21, 22 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 12=201, 21=109, 22=541.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-25=-60, 2-25=-60, 2-26=-60, 26-29=-60, 7-29=-60, 7-30=-60, 8-30=-60, 17-18=-40, 9-10=-40, 11-16=-20

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958449
DAKOTA_ROOF	B01C	Monopitch	6	1	Job Reference (optional)

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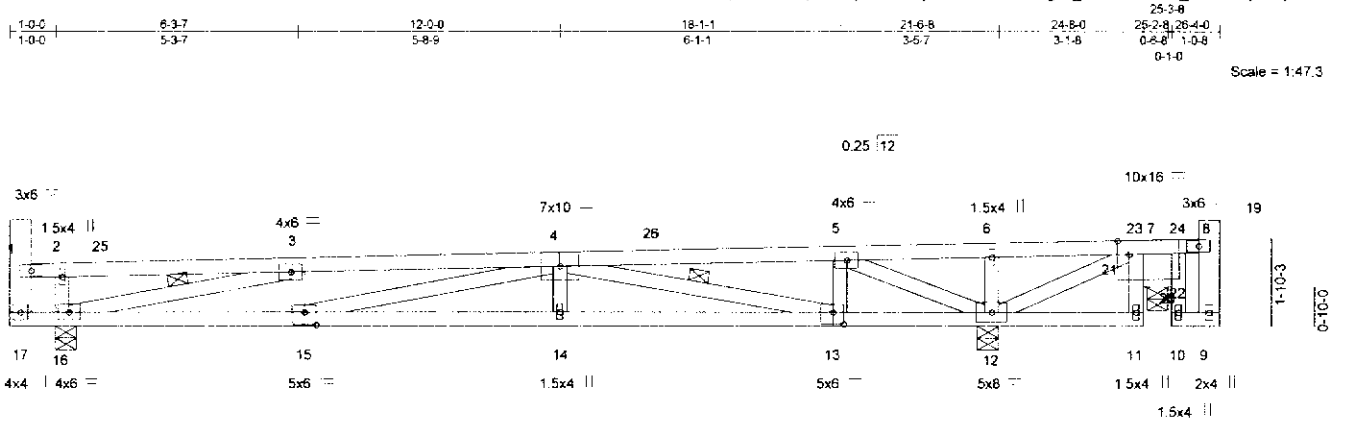

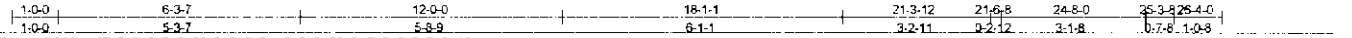

Plate Offsets (X,Y): [7:0-3-0,0-3-8], [13:0-2-12,0-3-0], [15:0-3-0,0-3-4]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.52	Vert(LL)	-0.20	14-15	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.50	Vert(TL)	-0.62	14-15	>390	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.67	Horz(TL)	0.09	12	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 122 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
17-18,9-19: 2x6 DF SS, 7-20: 2x8 DF No.2 G

BRACING
TOP CHORD Structural wood sheathing directly applied or 3-5-14 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.
WEBS 1 Row at midpt 3-16, 4-13

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 16=963/0-5-8 (min. 0-1-8), 12=2243/0-5-8 (min. 0-2-6), 20=-763/0-5-8 (min. 0-1-8)
Max Horz 16=125(LC 4)
Max Uplift 16=-154(LC 5), 12=-294(LC 5), 20=-763(LC 1)
Max Grav 16=963(LC 1), 12=2243(LC 1), 20=100(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-4=-2819/441, 5-6=-291/2335, 6-23=-289/2334
BOT CHORD 15-16=-405/2807, 14-15=-358/2680, 13-14=-357/2680, 11-12=-276/46
WEBS 2-16=-347/137, 3-16=-2636/359, 4-13=-2785/412, 5-13=-26/682, 12-23=-2289/331, 5-12=-2405/320, 7-20=-65/260

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Bearing at joint(s) 20 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
8) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 16=154, 12=294, 20=763.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-25=-60, 25-26=-90, 23-26=-60, 7-23=-60, 7-24=-60, 8-24=-60, 16-17=-40, 11-16=-20, 9-10=-40

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958450
DAKOTA_ROOF	B01DD	MONOPITCH	1	1	Job Reference (optional)

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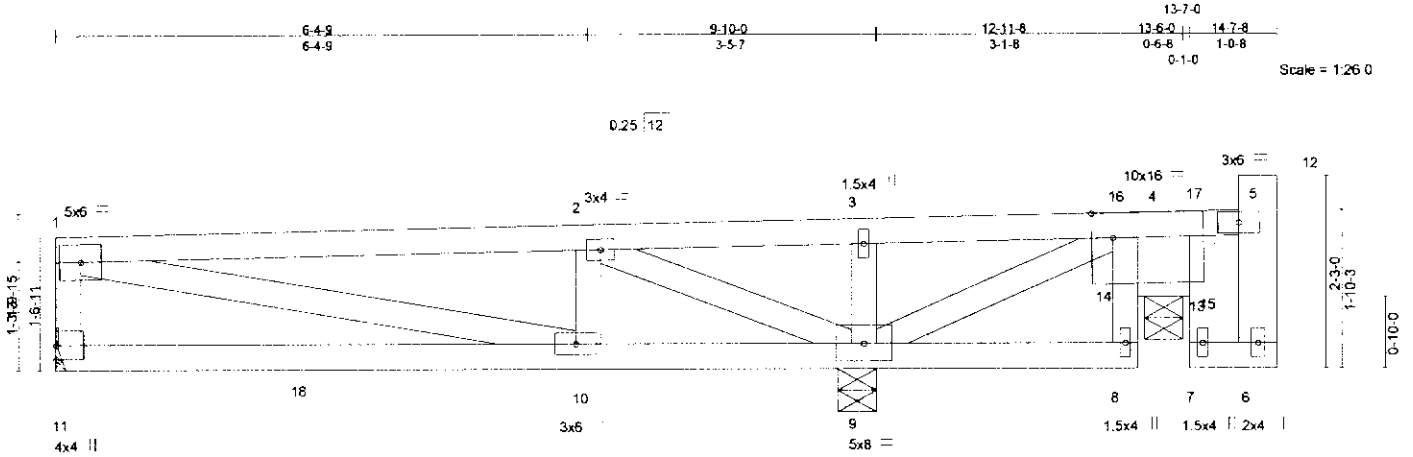

6-4-9 6-4-9 | 9-10-0 3-5-7 | 12-11-8 3-1-8 | 13-7-0 0-7-8 | 14-7-8 1-0-8

Plate Offsets (X,Y): [4:0-3-0,0-3-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.67	Vert(LL)	-0.03	10-11	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.21	Vert(TL)	-0.09	10-11	>999	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.76	Horz(TL)	0.01	13	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 70 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
6-12: 2x6 DF SS, 4-13: 2x8 DF No.2 G

BRACING
TOP CHORD Structural wood sheathing directly applied or 5-2-9 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 11=328/Mechanical, 9=702/0-5-8 (min. 0-1-8), 13=104/0-5-8 (min. 0-1-8)
Max Horz 11=104(LC 11)
Max Uplift 11=-283(LC 9), 9=-405(LC 9), 13=-557(LC 12)
Max Grav 11=574(LC 8), 9=1025(LC 8), 13=613(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-11=-490/309, 1-2=-1528/1127, 2-3=-388/661, 3-16=-918/1198, 4-16=-333/344, 4-17=-247/250
BOT CHORD 10-11=-905/1136, 9-10=-901/1336, 8-9=-778/778
WEBS 1-10=-1067/1272, 2-9=-1422/696, 9-16=-1498/1266, 2-10=-196/303

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Refer to girder(s) for truss to truss connections.
8) Bearing at joint(s) 13 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 11=283, 9=405, 13=557.
10) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 3-0-0 to 13-0-0 for 292.5 plf.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-16=-60, 4-16=-60, 4-17=-60, 5-17=-60, 6-7=-40, 8-11=-20

October 6,2014

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01DG	Monopitch Girder	1	2	R42958451 Job Reference (optional)

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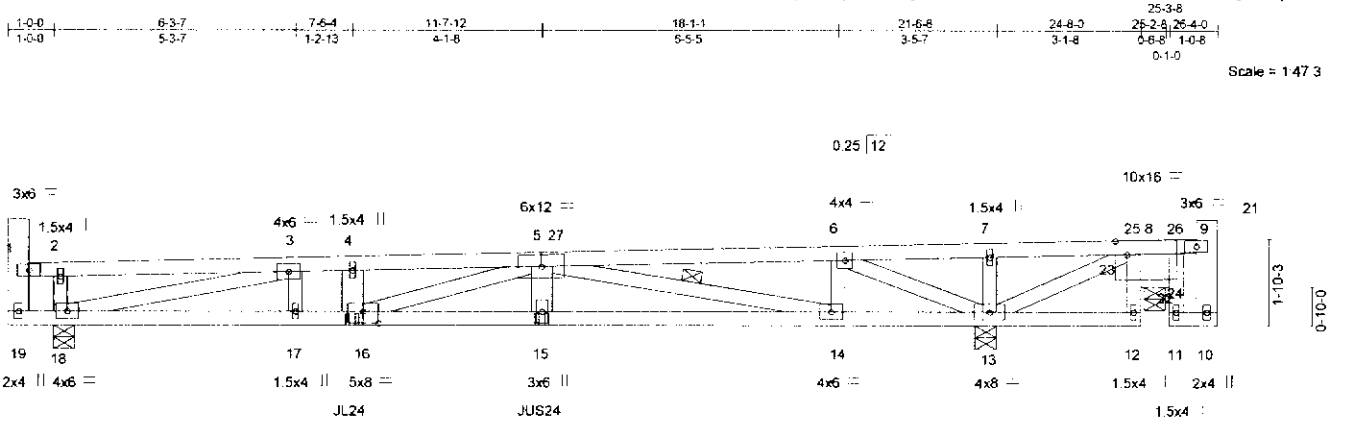

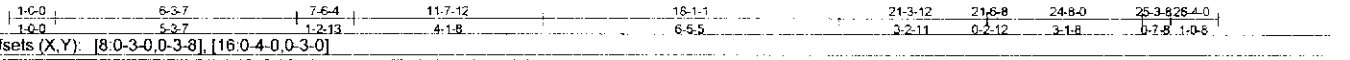

Plate Offsets (X,Y): [8:0-3-0,0-3-8], [16:0-4-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.46	Vert(LL)	-0.26	15-16	>942	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.62	Vert(TL)	-0.66	15-16	>366	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.70	Horz(TL)	0.08	13	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 245 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
19-20,10-21,4-16,5-15: 2x6 DF SS, 8-22: 2x8 DF No.2 G

BRACING

TOP CHORD Structural wood sheathing directly applied or 5-8-1 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.
WEBS 1 Row at midpt 5-14

REACTIONS (lb/size) 18=1408/0-5-8 (min. 0-1-8), 13=3849/0-5-8 (min. 0-2-1), 22=-1665/0-5-8 (min. 0-1-8)
Max Horz 18=125(LC 4)
Max Uplift 18=-302(LC 5), 13=-852(LC 5), 22=-1665(LC 1)
Max Grav 18=1408(LC 1), 13=3849(LC 1), 22=409(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 3-4=-5242/1232, 4-5=-5289/1246, 5-6=-273/658, 6-7=-1024/4478, 7-25=-1022/4478
BOT CHORD 17-18=-1185/5231, 16-17=-1185/5231, 15-16=-1378/5572, 14-15=-1381/5583, 13-14=-653/234, 12-13=-526/134
WEBS 3-18=-5155/1164, 3-17=-40/364, 4-16=-101/326, 5-16=-300/234, 5-15=-244/920, 5-14=-6353/1639, 6-14=-256/1346, 13-25=-4395/1048, 6-13=-4148/920, 8-22=-201/740

NOTES

1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-9-0 oc, 2x8 - 2 rows staggered at 0-9-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc, 2x6 - 2 rows staggered at 0-8-0 oc, Except member 15-5 2x6 - 2 rows staggered at 0-5-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Unbalanced roof live loads have been considered for this design.
4) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
5) Provide adequate drainage to prevent water ponding.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Bearing at joint(s) 22 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 18=302, 13=852, 22=1665.
11) This truss has large uplift reaction(s) from gravity load case(s). Proper connection is required to secure truss against upward movement at the bearings. Building designer must provide for uplift reactions indicated.
12) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent at 7-6-4 from the left end to connect truss(es) to front face of bottom chord.

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

NOTES

13) Use USP JUS24 (With 10d nails into Girder & 10d nails into Truss) or equivalent at 11-7-12 from the left end to connect truss(es) to front face of bottom chord.
14) Fill all nail holes where hanger is in contact with lumber.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-4=-60, 4-27=-110, 25-27=-60, 8-25=-60, 8-26=-60, 9-26=-60, 18-19=-40, 12-18=-20, 10-11=-40
Concentrated Loads (lb)
Vert: 16=-496(F) 15=-789(F)

WARNING - *Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE.*
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01E	GABLE	1	1	R42958452

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:29 2014 Page 1
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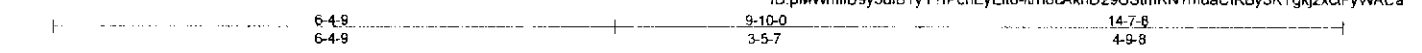

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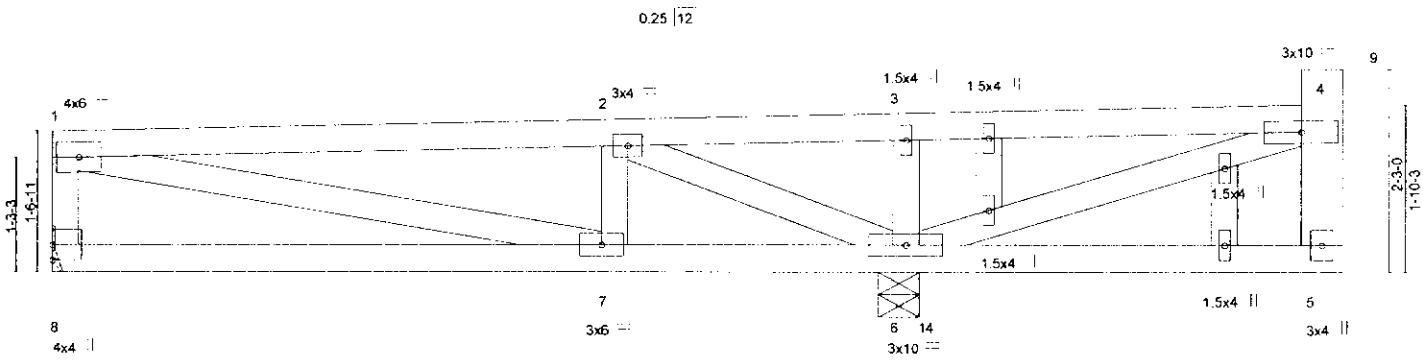

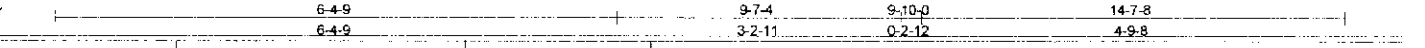

LOADING (psf)		SPACING 2-0-0		CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.56	Vert(LL)	-0.03	7-8	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.19	Vert(TL)	-0.08	7-8	>999	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.33	Horz(TL)	0.00	6	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 70 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
5-9: 2x6 DF SS
OTHERS 2x4 DF Stud G

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 8=265/Mechanical, 6=962/0-5-8 (min. 0-1-8)
Max Horz 8=84(LC 4)
Max Uplift 8=-36(LC 3), 6=-174(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-257/632, 3-4=-256/633
WEBS 2-6=-882/85, 4-6=-762/252

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
4) Provide adequate drainage to prevent water ponding.
5) Gable studs spaced at 1-4-0 oc.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Refer to girder(s) for truss to truss connections.
10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 8 except (jt=lb) 6=174.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-4=-60, 8-14=-20, 5-14=-40

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01EE	MONOPITCH	1	1	R42958453 Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:30 2014 Page 1
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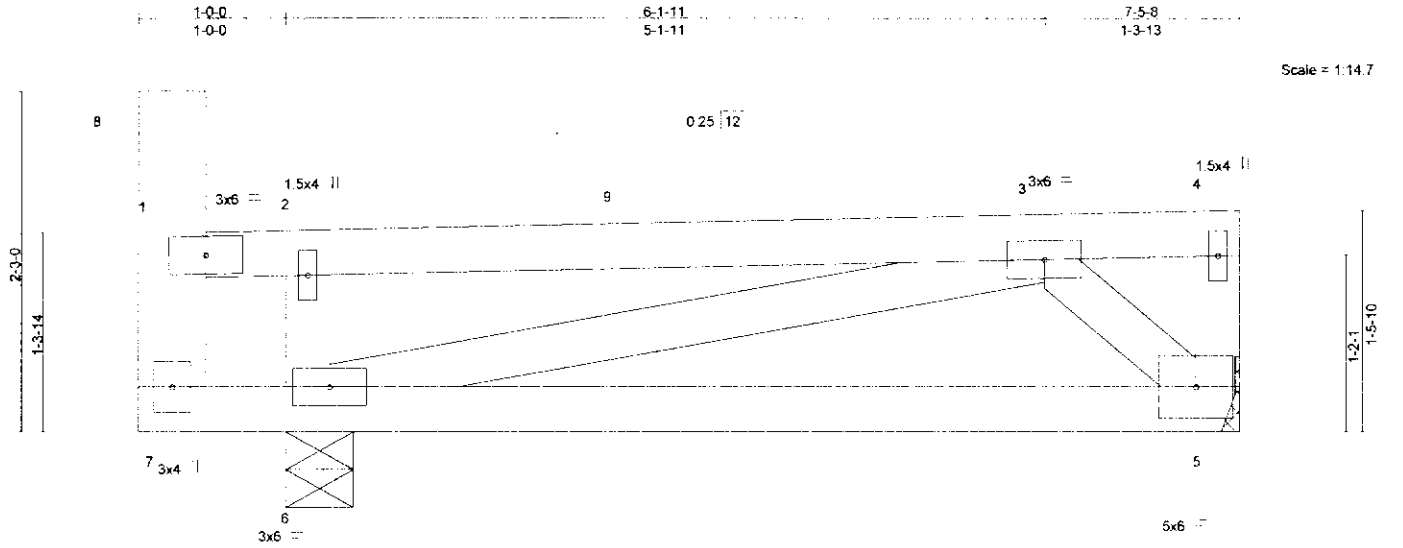

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.27	Vert(LL)	-0.02	5-6	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.20	Vert(TL)	-0.07	5-6	>999	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.18	Horz(TL)	0.01	5	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 35 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
7-8: 2x6 DF SS, 4-5: 2x4 DF No.1&Btr G

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.
MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 6=422/0-5-8 (min. 0-1-8), 5=443/Mechanical
Max Horz 6=101(LC 4)
Max Uplift 6=-87(LC 3), 5=-107(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
BOT CHORD 5-6=-150/520
WEBS 2-6=-335/151, 3-6=-372/152, 3-5=-674/256

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 6 except (jt=lb) 5=107.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-9=-60, 4-9=-135, 5-7=-20

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01F	Monopitch	7	1	R42958454

Job Reference (optional)

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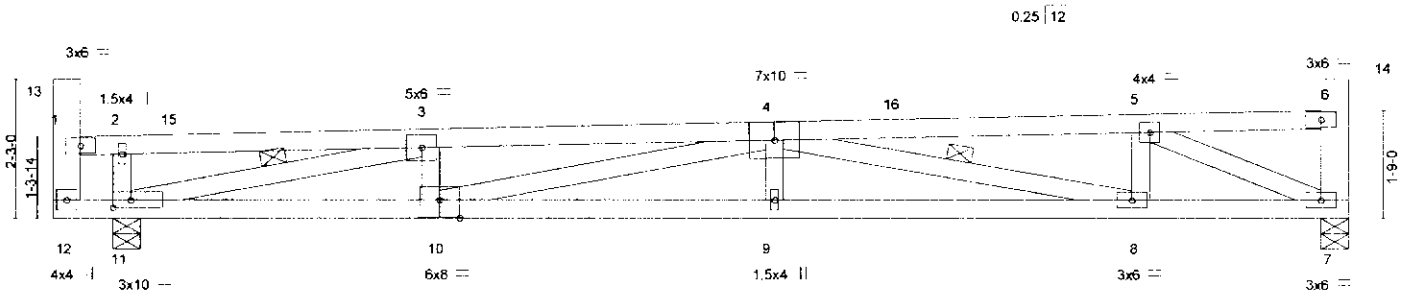

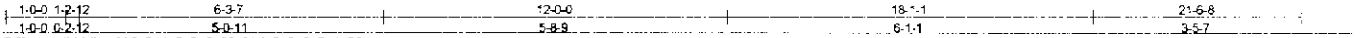

Plate Offsets (X,Y): [10:0-4-0,0-3-8], [11:0-3-9,0-1-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.61	Vert(LL)	-0.27	9-10	>881	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.71	Vert(TL)	-0.83	9-10	>291	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.71	Horz(TL)	0.14	7	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 98 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
12-13,7-14: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 2-11-7 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 8-10-12 oc bracing.
WEBS 1 Row at midpt 3-11, 4-8

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 7=927/0-5-8 (min. 0-1-8), 11=1138/0-5-8 (min. 0-1-8)
Max Horz 11=127(LC 4)
Max Uplift 7=-115(LC 5), 11=-179(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-265/97, 2-3=-271/101, 3-4=-3600/552, 4-5=-1993/295
BOT CHORD 11-12=-34/266, 10-11=-509/3567, 9-10=-561/4151, 8-9=-561/4151, 7-8=-241/1988
WEBS 3-11=-3382/466, 3-10=0/287, 4-10=-572/107, 5-8=-4/555, 5-7=-2095/268, 2-11=-354/138, 4-8=-2210/327

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 7=115, 11=179.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-15=-60, 15-16=-90, 6-16=-60, 11-12=-40, 7-11=-20

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/03/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01FG	Monopitch Girder	1	2	R42958455 Job Reference (optional)

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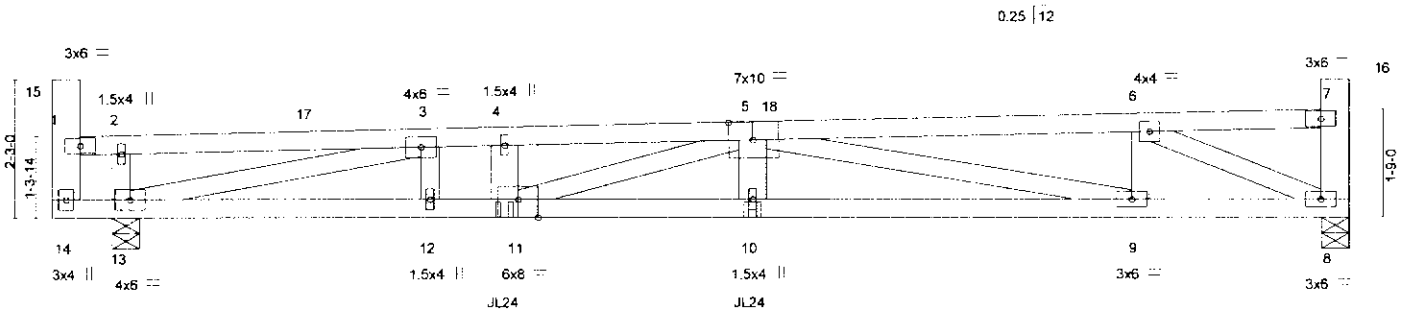

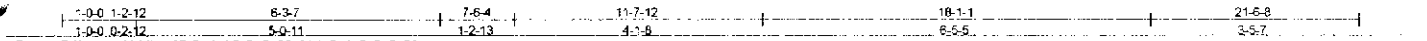

Plate Offsets (X,Y): [5:0-4-12,0-3-8], [11:0-4-0,0-3-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.45	Vert(LL)	-0.27	10-11	>901	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.74	Vert(TL)	-0.75	10-11	>321	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.77	Horz(TL)	0.11	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 198 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
14-15,8-16,5-10,4-11: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 5-2-3 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 8=1294/0-5-8 (min. 0-1-8), 13=1617/0-5-8 (min. 0-1-8)
Max Horz 13=127(LC 4)
Max Uplift 8=-208(LC 5), 13=-297(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-253/98, 2-3=-257/102, 3-4=-6099/1169, 4-5=-6151/1179, 5-6=-2883/519
BOT CHORD 13-14=-35/254, 12-13=-1118/6086, 11-12=-1118/6086, 10-11=-1281/7008, 9-10=-1281/7009, 8-9=-464/2878
WEBS 2-13=-265/123, 3-13=-5976/1089, 3-12=-6/363, 5-11=-903/212, 5-10=-58/611, 6-9=-95/932, 6-8=-3056/508, 4-11=-73/324, 5-9=-4209/832

NOTES
1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-9-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc, 2x6 - 2 rows staggered at 0-9-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Unbalanced roof live loads have been considered for this design.
4) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
5) Provide adequate drainage to prevent water ponding.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 8=208, 13=297.
10) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent spaced at 4-1-8 oc max. starting at 7-6-4 from the left end to 11-7-12 to connect truss(es) to back face of bottom chord.
11) Fill all nail holes where hanger is in contact with lumber.

LOAD CASE(S) Standard

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
   Uniform Loads (plf)
   Vert: 1-17=-60, 17-18=-110, 7-18=-60, 13-14=-40, 8-13=-20
   Concentrated Loads (lb)
   Vert: 11=-368(B) 10=-452(B)

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958456
DAKOTA_ROOF	B01G	MONOPITCH	2	1	Job Reference (optional)

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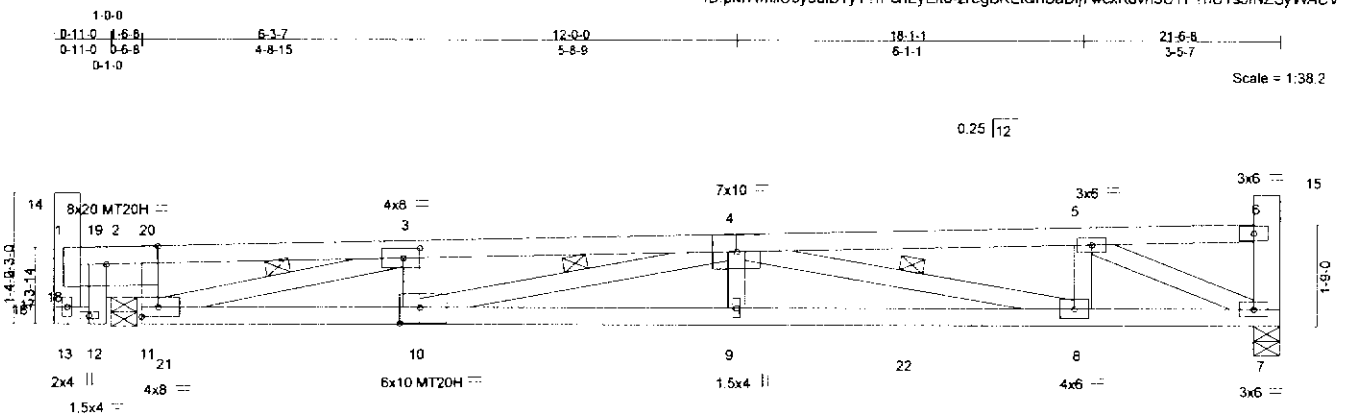

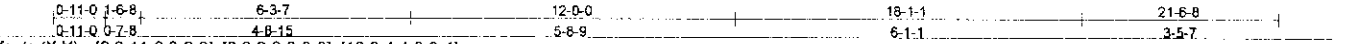

Plate Offsets (X,Y): [2:0-11-0,0-3-8], [3:0-3-8,0-2-0], [10:0-4-4,0-3-4]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.39	Vert(LL)	-0.22	9-10	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.70	Vert(TL)	-0.63	9-10	>381	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.86	Horz(TL)	0.09	7	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 99 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
13-14,7-15: 2x6 DF SS, 2-16: 2x8 DF No.2 G

BRACING
TOP CHORD Structural wood sheathing directly applied or 3-1-15 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 4-10-1 oc bracing.
WEBS 1 Row at midpt 3-11, 4-10, 4-8

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 7=801/0-5-8 (min. 0-1-8), 16=878/0-5-8 (min. 0-1-8)
Max Horz 16=219(LC 11)
Max Uplift 7=-304(LC 14), 16=-432(LC 9)
Max Grav 7=1021(LC 7), 16=1186(LC 8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-19=-293/244, 2-20=-386/336, 3-20=-1496/1188, 3-4=-3698/1322, 4-5=-3023/1548, 5-6=-694/684
BOT CHORD 10-11=-1698/4092, 9-10=-1579/4307, 8-9=-1934/4847, 7-8=-700/2224
WEBS 3-11=-3536/1471, 3-10=-240/517, 4-10=-1849/1391, 5-7=-2346/757, 5-8=-199/655, 4-8=-2679/1260, 11-18=-335/903, 18-20=-335/903

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Bearing at joint(s) 16 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 7=304, 16=432.
10) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 2-0-0 to 15-0-0 for 331.4 plf.

LOAD CASE(S) Standard

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP. 12-31-15
STATE OF CALIFORNIA

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	B01G	MONOPITCH	2	1	R42958456 Job Reference (optional)

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
   Uniform Loads (plf)
   Vert: 1-19=-60, 2-19=-60, 2-20=-60, 6-20=-60, 12-13=-40, 7-11=-20

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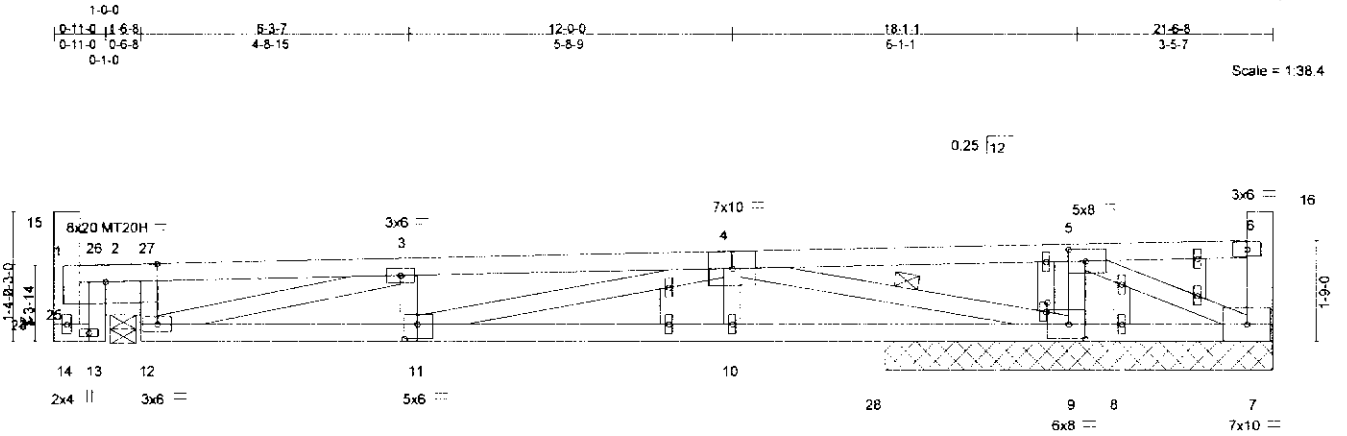
Southern Pine (SP) lumber is specified, the design values are those effective 06/03/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958457
DAKOTA_ROOF	B01H	GABLE	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:35 2014 Page 1
ID:pMWmiiU9y3uiBTyY?fPchEyEito-W1C2PfFVN3pJCNKvge7AtrSwzcxzk79c5zOw5vyWACU



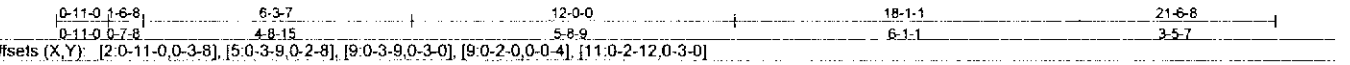


Plate Offsets (X,Y): [2:0-11-0,0-3-8], [5:0-3-9,0-2-8], [9:0-3-9,0-3-0], [9:0-2-0,0-0-4], [11:0-2-12,0-3-0]

LOADING (psf)		SPACING 2-0-0		CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.57	Vert(LL)	-0.15	10-11	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.48	Vert(TL)	-0.37	10-11	>541	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.90	Horz(TL)	0.06	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 103 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
14-15,7-16: 2x6 DF SS, 2-23: 2x8 DF No.2 G
OTHERS 2x4 DF Stud G

BRACING
TOP CHORD Structural wood sheathing directly applied or 3-7-4 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 3-11-14 oc bracing.
WEBS 1 Row at midpt 4-9

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS All bearings 6-10-0 except (jt=length) 23=0-5-8.
(lb) - Max Horz 23=176(LC 12)
Max Uplift All uplift 100 lb or less at joint(s) except 7=-1144(LC 8), 9=-799(LC 13), 8=-187(LC 7), 23=-299(LC 9)
Max Grav All reactions 250 lb or less at joint(s) 8 except 7=841(LC 13), 9=2202(LC 8), 23=847(LC 8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-26=-302/252, 2-27=-395/341, 3-27=-1393/1193, 3-4=-3135/1654, 4-5=-1194/2065, 5-6=-616/602
BOT CHORD 11-12=-1025/2547, 10-11=-1723/2911, 9-10=-1723/2911, 8-9=-1156/393, 7-8=-2705/1894
WEBS 3-12=-2231/964, 3-11=-153/254, 4-11=-782/1137, 5-7=-1943/2802, 5-9=-1581/959, 4-9=-3114/1072, 12-25=-210/582, 25-27=-210/582

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
4) Provide adequate drainage to prevent water ponding.
5) All plates are MT20 plates unless otherwise indicated.
6) All plates are 1.5x4 MT20 unless otherwise indicated.
7) Gable studs spaced at 1-4-0 oc.
8) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
9) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
10) A plate rating reduction of 20% has been applied for the green lumber members.
11) Bearing at joint(s) 23 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
12) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1144 lb uplift at joint 7, 799 lb uplift at joint 9, 187 lb uplift at joint 8 and 299 lb uplift at joint 23.

October 6,2014

Continued on page 2

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/03/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

NOTES

13) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 14-6-8 to 21-6-8 for 615.5 plf.

14) This truss has large uplift reaction(s) from gravity load case(s). Proper connection is required to secure truss against upward movement at the bearings. Building designer must provide for uplift reactions indicated.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-26=-60, 2-26=-60, 2-27=-60, 6-27=-60, 13-14=-40, 7-12=-20

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

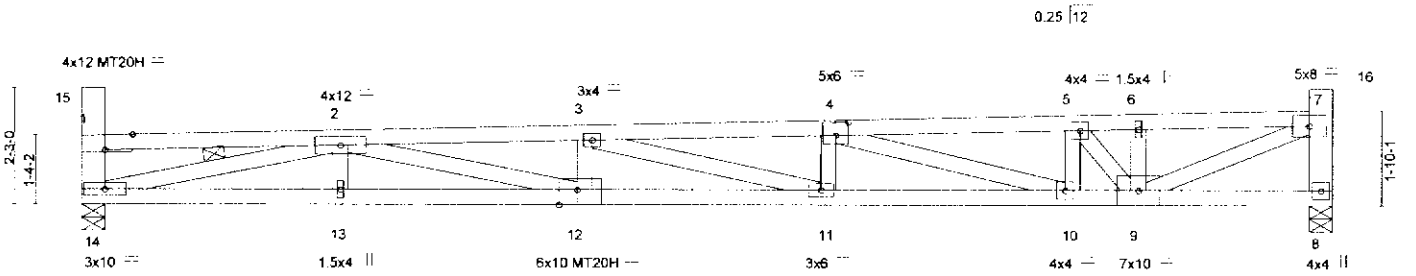
Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01A	Monopitch	3	1	R42958458

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:36 2014 Page 1
ID:pMWmiiU9y3uiBTyY?fPchEyEito-_DmQc?F78NxAqXv6ELtPP2_6Q0FPTb0mKd8TdLyWACT

5-1-5	9-11-2	14-8-14	19-6-11	21-0-0	24-8-0
5-1-5	4-9-12	4-9-12	4-9-12	1-5-5	3-8-0

Scale = 1:42.8



5-1-5	9-11-2	14-8-14	19-6-11	21-0-0	24-8-0
5-1-5	4-9-12	4-9-12	4-9-12	1-5-5	3-8-0

Plate Offsets (X,Y): [1:0-6-9,Edge], [4:0-3-0,0-3-0], [12:0-4-4,Edge]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.46	Vert(LL)	-0.40	11-12	>735	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.60	Vert(TL)	-1.20	11-12	>243	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.86	Horz(TL)	0.17	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 113 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF 2400F 2.0E
BOT CHORD 2x4 DF 2400F 2.0E
WEBS 2x4 DF Stud G *Except*
14-15,8-16: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 3-1-12 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 9-6-0 oc bracing.
WEBS 1 Row at midpt 2-14

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 14=1210/0-5-8 (min. 0-1-8), 8=1210/0-5-8 (min. 0-1-8)
Max Horz 14=124(LC 4)
Max Uplift 14=-160(LC 5), 8=-163(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-500/136, 2-3=-5650/805, 3-4=-5238/744, 4-5=-3368/493, 5-6=-2421/366, 6-7=-2418/368, 7-8=-1078/168
BOT CHORD 13-14=-561/4052, 12-13=-561/4052, 11-12=-769/5669, 10-11=-696/5204, 9-10=-440/3364
WEBS 2-14=-3653/481, 2-12=-204/1642, 3-11=-450/77, 4-11=-1/347, 4-10=-1915/266, 5-10=-64/768, 5-9=-1421/193, 7-9=-325/2411

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DDL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 160 lb uplift at joint 14 and 163 lb uplift at joint 8.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-7=-60, 8-14=-40

October 6,2014

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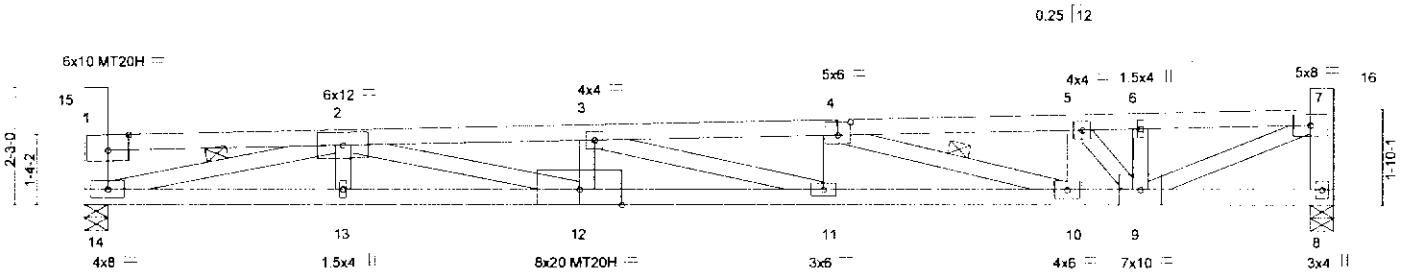
MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958459
DAKOTA_ROOF	C01B	MONOPITCH	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:37 2014 Page 1
ID:pMWmiiU9y3uiBTyY?fPchEyEito-TQKpqLGlug31RhUlo3AeyGXHhQXFC3DvYHt1AnyWACS

5-1-5	9-11-2	14-8-14	19-6-11	21-0-0	24-8-0
5-1-5	4-9-12	4-9-12	4-9-12	1-5-5	3-8-0

Scale = 1:42.9



5-1-5	9-11-2	14-8-14	19-6-11	21-0-0	24-8-0
5-1-5	4-9-12	4-9-12	4-9-12	1-5-5	3-8-0

Plate Offsets (X,Y): [1:0-5-1,Edge], [4:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.49	Vert(LL)	-0.52	11-12	>554	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.88	Vert(TL)	-1.23	11-12	>237	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.80	Horz(TL)	0.18	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 114 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF No.1&Btr G
BOT CHORD	2x4 DF No.1&Btr G
WEBS	2x4 DF Stud G *Except* 14-15,8-16: 2x6 DF SS

BRACING

TOP CHORD	Structural wood sheathing directly applied or 2-4-8 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 3-5-8 oc bracing.
WEBS	1 Row at midpt 2-14, 4-10

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 14=968/0-5-8 (min. 0-1-8), 8=968/0-5-8 (min. 0-1-8)
Max Horz 14=216(LC 12)
Max Uplift 14=-415(LC 9), 8=-310(LC 14)
Max Grav 14=1277(LC 8), 8=1177(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	1-2=-1250/979, 2-3=-5815/1799, 3-4=-5592/1868, 4-5=-3891/1514, 5-6=-2431/729, 6-7=-2434/740, 7-8=-1089/321
BOT CHORD	13-14=-1531/4435, 12-13=-1531/4435, 11-12=-2777/6849, 10-11=-3696/6967, 9-10=-994/3420
WEBS	2-14=-4146/1527, 2-12=-1277/2428, 3-12=-473/361, 3-11=-1345/1032, 4-11=-193/421, 4-10=-2346/972, 5-10=-254/811, 5-9=-1472/465, 7-9=-719/2460

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 415 lb uplift at joint 14 and 310 lb uplift at joint 8.
9) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 14-9-0 to 19-9-0 for 986.7 plf.

LOAD CASE(S) Standard

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP. 12-31-15
CIVIL
STATE OF CALIFORNIA

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958460
DAKOTA_ROOF	C01C	Monopitch	2	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:38 2014 Page 1
ID:pMWmiiU9y3uiBTyY?fPchEyEito-xctB1hHNf_Bu3q3UMmhtVT4UJpxTxYd3nxdaiDyWACR

4-7-13	9-5-9	14-3-5	19-1-1	20-6-8	24-2-8
4-7-13	4-9-12	4-9-12	4-9-12	1-5-7	3-8-0

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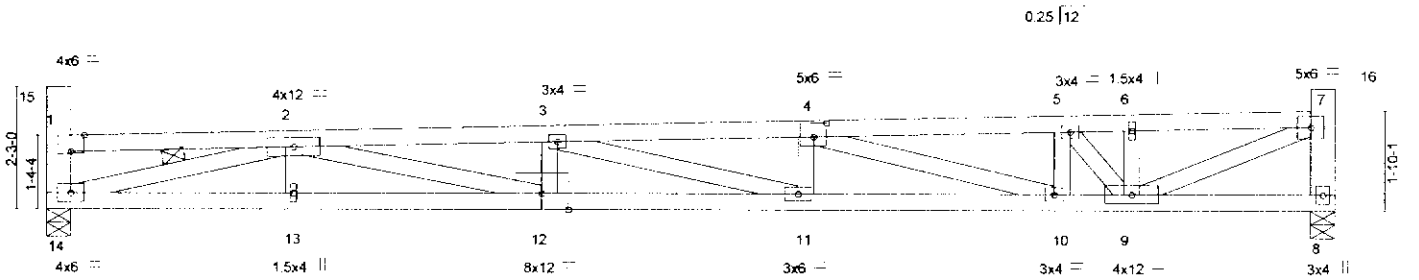


4-7-13	9-5-9	14-3-5	19-1-1	20-6-8	24-2-8
4-7-13	4-9-12	4-9-12	4-9-12	1-5-7	3-8-0

Plate Offsets (X,Y): [1:0-3-1,Edge], [4:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.37	Vert(LL)	-0.32	11-12	>904	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.62	Vert(TL)	-0.96	11-12	>298	180		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.66	Horz(TL)	0.14	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 113 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
14-15,8-16: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 2-11-2 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 9-9-15 oc bracing.
WEBS 1 Row at midpt 2-14

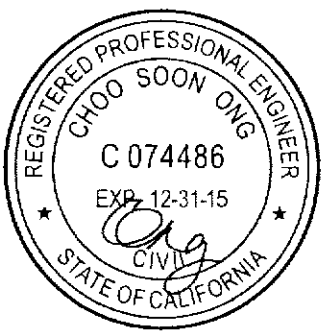
MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 14=950/0-5-8 (min. 0-1-8), 8=950/0-5-8 (min. 0-1-8)
Max Horz 14=124(LC 4)
Max Uplift 14=-105(LC 3), 8=-100(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-324/102, 2-3=-4321/500, 3-4=-4076/468, 4-5=-2641/318, 5-6=-1905/241, 6-7=-1903/243, 7-8=-870/118
BOT CHORD 13-14=-329/2970, 12-13=-329/2970, 11-12=-464/4345, 10-11=-424/4057, 9-10=-265/2638
WEBS 2-14=-2737/315, 2-12=-167/1388, 3-11=-282/47, 4-10=-1476/165, 5-10=-12/550, 5-9=-1098/117, 7-9=-200/1901

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 105 lb uplift at joint 14 and 100 lb uplift at joint 8.

LOAD CASE(S) Standard



October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958461
DAKOTA_ROOF	C01D	Monopitch	6	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:39 2014 Page 1
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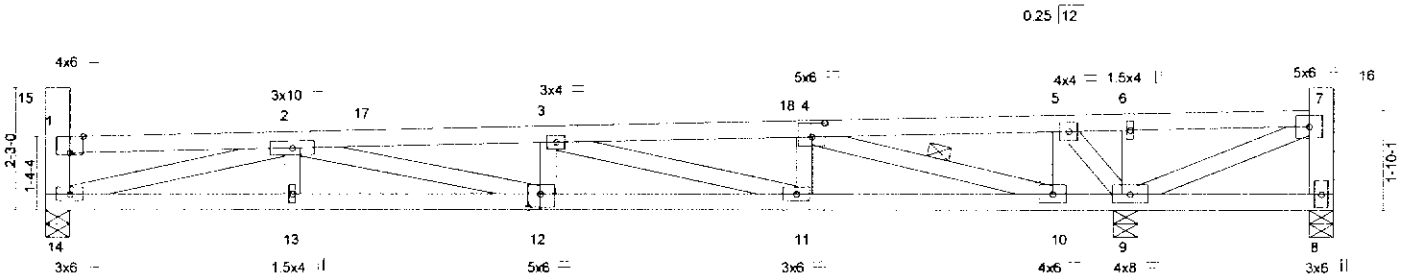

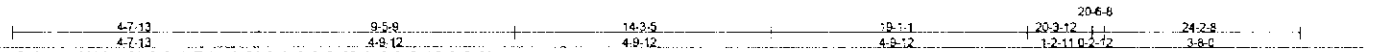

Plate Offsets (X,Y): [1:0-3-1,Edge], [4:0-3-0,0-3-0], [12:0-2-12,0-3-0]

LOADING (psf)		SPACING 2-0-0		CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.48	Vert(LL)	-0.17	12	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.47	Vert(TL)	-0.51	12	>478	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.78	Horz(TL)	0.08	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 113 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF No.1&Btr G
BOT CHORD	2x4 DF No.1&Btr G
WEBS	2x4 DF Stud G *Except*
	14-15,8-16: 2x6 DF SS

BRACING

TOP CHORD	Structural wood sheathing directly applied or 3-7-12 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 5-8-10 oc bracing.
WEBS	1 Row at midpt 4-10

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 14=763/0-5-8 (min. 0-1-8), 8=-799/0-5-8 (min. 0-1-8), 9=2176/0-5-8 (min. 0-2-5)
Max Horz 14=124(LC 4)
Max Uplift 14=-90(LC 5), 8=-799(LC 1), 9=-286(LC 5)
Max Grav 14=763(LC 1), 8=118(LC 5), 9=2176(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	1-2=-270/99, 2-3=-2878/421, 3-4=-1415/204, 4-5=-156/1270, 5-6=-259/2114, 6-7=-258/2114, 7-8=-87/779
BOT CHORD	13-14=-304/2287, 12-13=-304/2287, 11-12=-384/2880, 10-11=-155/1363, 9-10=-1267/208
WEBS	2-14=-2086/257, 2-12=-90/605, 3-11=-1518/237, 4-11=0/476, 4-10=-2736/378, 5-10=-58/790, 7-9=-2233/314, 5-9=-1261/157

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 90 lb uplift at joint 14, 799 lb uplift at joint 8 and 286 lb uplift at joint 9.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-17=-60, 17-18=-90, 7-18=-60, 8-14=-20

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01E	Monopitch	1	1	R42958462

Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:40 2014 Page 1

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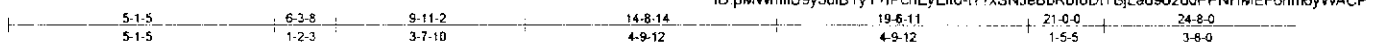

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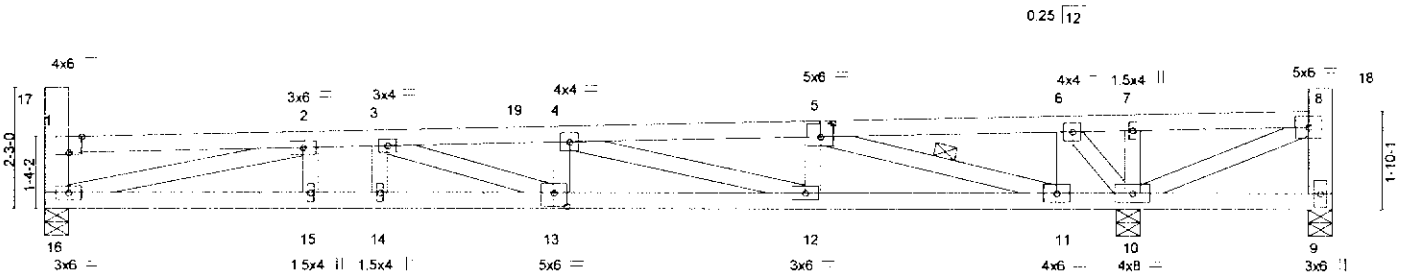

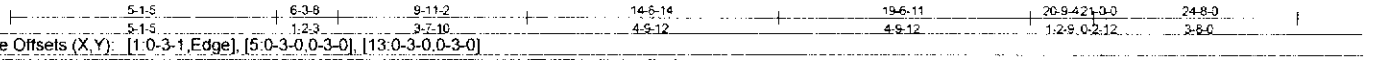

Plate Offsets (X,Y): [1:0-3-1,Edge], [5:0-3-0,0-3-0], [13:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.48	Vert(LL)	-0.18	13-14	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.53	Vert(TL)	-0.54	13-14	>455	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.97	Horz(TL)	0.08	10	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 114 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
16-17,9-18: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 3-9-15 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing, Except:
5-6-10 oc bracing: 10-11
6-0-0 oc bracing: 9-10.
WEBS 1 Row at midpt 5-11

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 16=742/0-5-8 (min. 0-1-8), 9=-813/0-5-8 (min. 0-1-8), 10=2139/0-5-8 (min. 0-2-5)
Max Horz 16=124(LC 4)
Max Uplift 16=-84(LC 3), 9=-813(LC 1), 10=-260(LC 5)
Max Grav 16=742(LC 1), 9=109(LC 5), 10=2139(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-282/100, 2-3=-2433/353, 3-4=-2621/353, 4-5=-1128/145, 5-6=-150/1351, 6-7=-239/2147, 7-8=-238/2147, 8-9=-79/792
BOT CHORD 15-16=-308/2429, 14-15=-308/2429, 13-14=-308/2429, 12-13=-313/2612, 11-12=-97/1078, 10-11=-1347/201
WEBS 2-16=-2209/272, 4-12=-1535/224, 5-12=0/481, 5-11=-2524/310, 6-11=-40/727, 8-10=-2268/294, 6-10=-1195/138

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 84 lb uplift at joint 16, 813 lb uplift at joint 9 and 260 lb uplift at joint 10.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-3=-60, 3-19=-110, 8-19=-60, 9-16=-20

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01F	MONOPITCH	5	1	R42958463

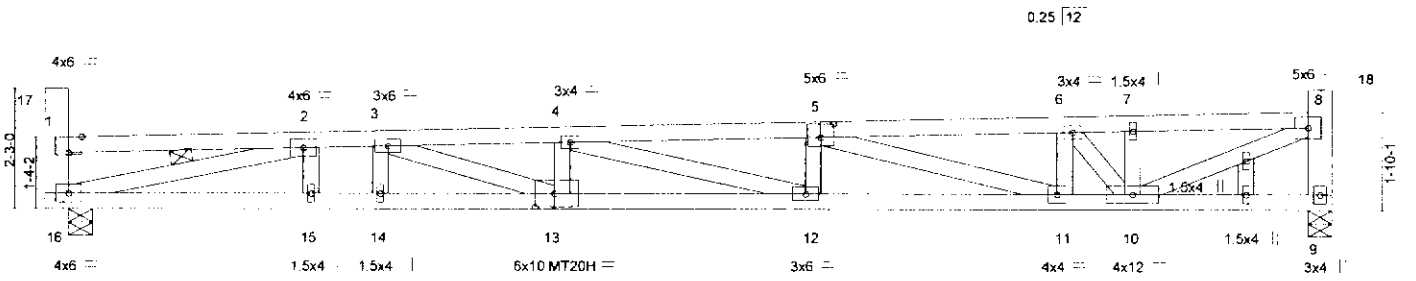
Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:41 2014 Page 1

ID:pMWmiiU9y3uiBTyY?fPchEyEito-LBZJfjJGyvZSwin31uEa66i?w1_EBv?VTvrEJYyWACO

5-1-5	6-3-8	9-11-2	14-8-14	19-6-11	21-0-0	24-8-0
5-1-5	1-2-3	3-7-10	4-9-12	4-9-12	1-5-5	3-8-0

Scale = 1:41.6



0-5-8	5-1-5	6-3-8	9-11-2	14-8-14	19-6-11	21-0-0	23-2-0	24-8-0
0-5-8	4-7-13	1-2-3	3-7-10	4-9-12	4-9-12	1-5-5	2-2-0	1-6-0

Plate Offsets (X,Y): [1:0-3-1,Edge], [5:0-3-0,0-3-0], [13:0-4-8,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.35	Vert(LL)	-0.33	12-13	>891	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.49	Vert(TL)	-0.99	12-13	>294	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.69	Horz(TL)	0.14	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 114 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF 2400F 2.0E
BOT CHORD 2x4 DF 2400F 2.0E
WEBS 2x4 DF Stud G *Except*
16-17,9-18: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 3-6-5 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.
WEBS 1 Row at midpt 2-16

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 16=968/0-5-8 (min. 0-1-8), 9=968/0-5-8 (min. 0-1-8)
Max Horz 16=124(LC 4)
Max Uplift 16=-106(LC 3), 9=-102(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-321/104, 2-3=-3432/419, 3-4=-4543/523, 4-5=-4180/479, 5-6=-2696/324, 6-7=-1936/244, 7-8=-1934/246, 8-9=-885/120
BOT CHORD 15-16=-374/3425, 14-15=-374/3425, 13-14=-374/3425, 12-13=-487/4570, 11-12=-434/4159, 10-11=-271/2693
WEBS 2-16=-3192/367, 2-15=0/289, 3-13=-144/1184, 4-12=-406/59, 5-12=0/261, 5-11=-1525/170, 6-11=-15/575, 6-10=-1140/122, 8-10=-203/1928

NOTES

1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
7) A plate rating reduction of 20% has been applied for the green lumber members.
8) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 106 lb uplift at joint 16 and 102 lb uplift at joint 9.

LOAD CASE(S) Standard

October 6,2014

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01G	Monopitch Girder	2	2	R42958464

BMC, Indio, CA - 92203 — Job Reference (optional)

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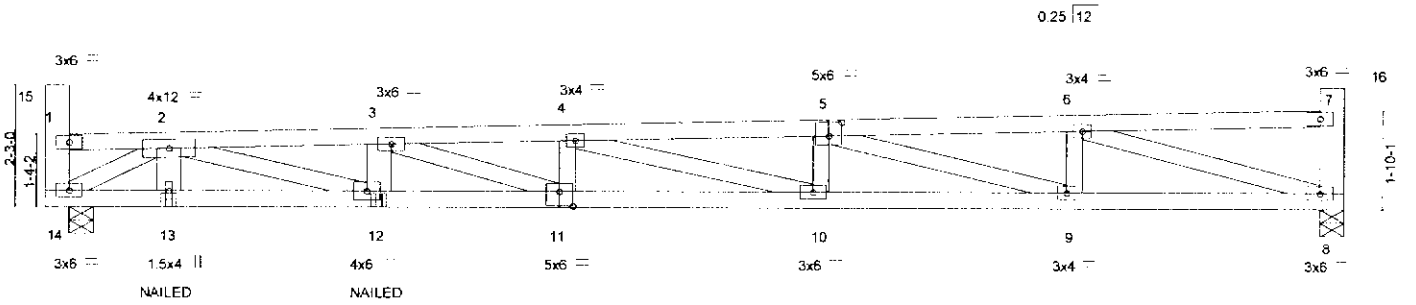
ID:pMWmiiU9y3uiBTyY?fPchEyEito-pN7it3KujDhJYSMGbclpfJEBtRLHtQMeiZbor?yWACN

2-4-4	6-4-4	9-11-2	14-8-14	19-6-11	24-8-0
2-4-4	4-0-0	3-6-14	4-9-12	4-9-12	5-1-5

Scale = 1:41.3



0-5-8	2-4-4	6-4-4	9-11-2	14-8-14	19-6-11	24-8-0
0-5-8	1-10-12	4-0-0	3-6-14	4-9-12	4-9-12	5-1-5

Plate Offsets (X,Y): [5:0-3-0,0-3-0], [11:0-3-0,0-3-4]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.21	Vert(LL)	-0.21	10-11	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.44	Vert(TL)	-0.63	10-11	>460	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.42	Horz(TL)	0.10	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 229 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
14-15,8-16,3-12,2-13: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 5-11-9 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 14=1398/0-5-8 (min. 0-1-8), 8=1073/0-5-8 (min. 0-1-8)
Max Horz 14=124(LC 4)
Max Uplift 14=-226(LC 5), 8=-128(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-5341/856, 3-4=-5721/830, 4-5=-4969/674, 5-6=-2991/407
BOT CHORD 13-14=-466/2677, 12-13=-466/2677, 11-12=-812/5335, 10-11=-788/5723, 9-10=-626/4933, 8-9=-354/2987
WEBS 2-14=-2834/464, 3-12=-434/88, 3-11=-21/405, 4-10=-782/169, 5-10=0/337, 5-9=-2025/283, 6-9=-17/626, 6-8=-2900/361, 2-12=-366/2755

NOTES

1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-9-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc, 2x6 - 2 rows staggered at 0-9-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Unbalanced roof live loads have been considered for this design.
4) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
5) Provide adequate drainage to prevent water ponding.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 226 lb uplift at joint 14 and 128 lb uplift at joint 8.
10) "NAILED" indicates 3-10d (0.148"x3") or 3-12d (0.148"x3.25") toe-nails. For more details refer to MiTek's ST-TOENAIL Detail.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-60, 2-3=-110, 3-7=-60, 8-14=-20

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP 12-31-15
CIVIL
STATE OF CALIFORNIA

October 6,2014

Continued on page 2

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

LOAD CASE(S) Standard

Concentrated Loads (lb)

Vert: 12=-250(F) 13=-84(F)

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958465
DAKOTA_ROOF	C01H	Monopitch	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:42 2014 Page 1
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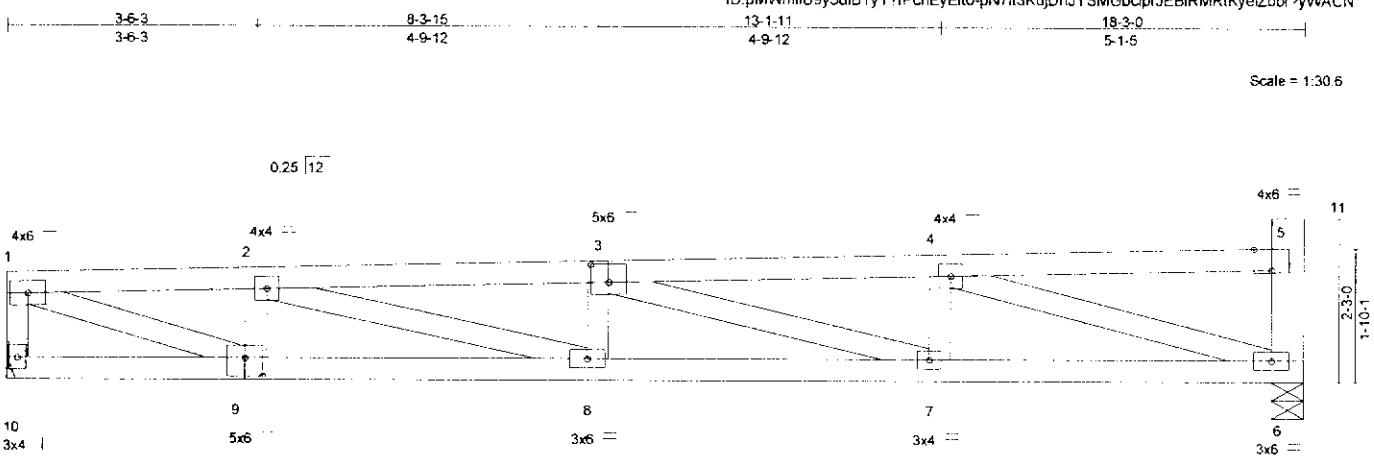

3-6-3
3-6-3
8-3-15
4-9-12
13-1-11
4-9-12
18-3-0
5-1-5

Plate Offsets (X,Y): [3:0-3-0,0-3-0], [5:0-2-15,Edge], [9:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.21	Vert(LL)	-0.11	7-8	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.37	Vert(TL)	-0.33	7-8	>650	180		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.77	Horz(TL)	0.05	6	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 83 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
6-11: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 4-1-5 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 10=715/Mechanical, 6=715/0-5-8 (min. 0-1-8)
Max Horz 10=85(LC 4)
Max Uplift 10=-78(LC 3), 6=-72(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-10=-666/89, 1-2=-1570/179, 2-3=-2416/273, 3-4=-1806/224
BOT CHORD 8-9=-146/1627, 7-8=-232/2423, 6-7=-169/1802
WEBS 1-9=-168/1558, 2-8=-89/811, 3-7=-646/66, 4-6=-1706/174, 4-7=0/310, 2-9=-474/115

NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
3) Provide adequate drainage to prevent water ponding.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Refer to girder(s) for truss to truss connections.
8) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 78 lb uplift at joint 10 and 72 lb uplift at joint 6.

LOAD CASE(S) Standard

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01J	MONOPITCH	1	1	R42958466

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:43 2014 Page 1

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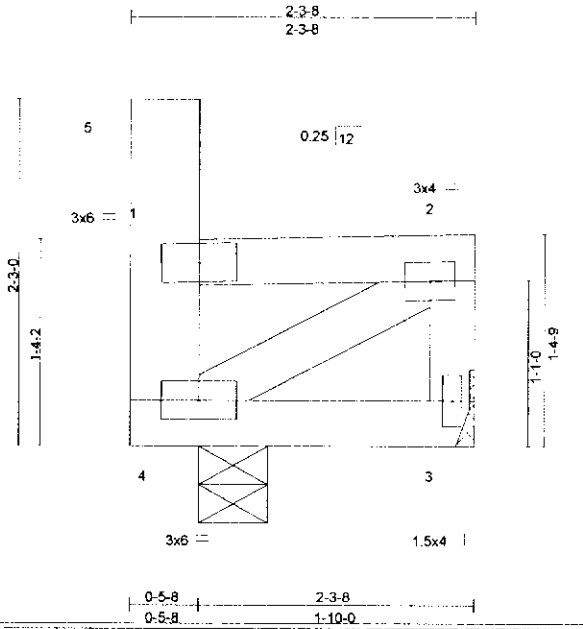

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.03	Vert(LL)	-0.00	4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.02	Vert(TL)	-0.00	3-4	>999	180		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.04	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 13 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
4-5: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 2-3-8 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer installation guide.

REACTIONS (lb/size) 3=77/Mechanical, 4=77/0-5-8 (min. 0-1-8)
Max Horz 4=97(LC 4)
Max Uplift3=-56(LC 4), 4=-66(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 56 lb uplift at joint 3 and 66 lb uplift at joint 4.

LOAD CASE(S) Standard

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01K	MONOPITCH GIRDER	1	2	R42958467

Job Reference (optional)

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ID:pMWmiiU9y3uiBTyY?fPchEyEito-ImFSIkM8Fqx1nlWei1oHkkKPSEvQLEDx9t4uvtyWACL

5-1-5	6-1-12	10-3-4	14-8-14	19-6-11	24-2-8
5-1-5	1-0-7	4-1-8	4-5-10	4-9-13	4-7-13

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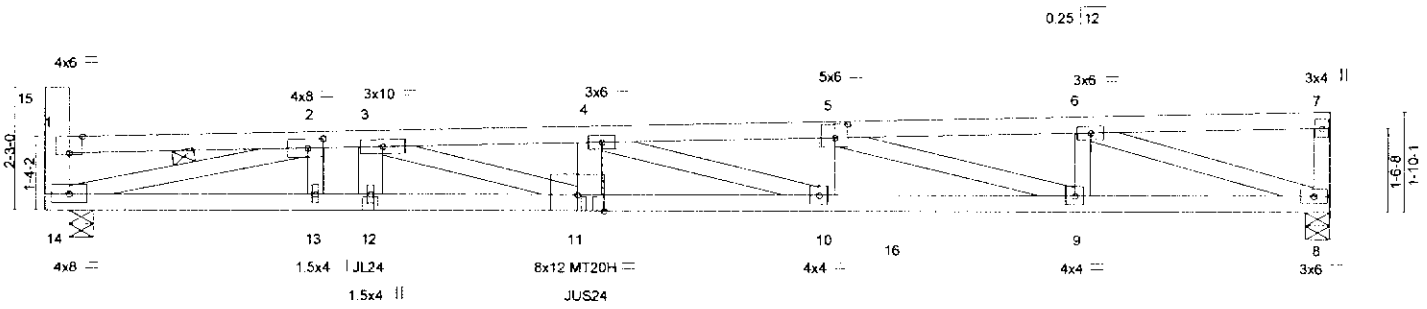

0-5-8	5-1-5	6-1-12	10-3-4	14-8-14	19-6-11	24-2-8
0-5-8	4-7-13	1-0-7	4-1-8	4-5-10	4-9-13	4-7-13

Plate Offsets (X,Y): [1:0-3-1,Edge], [2:0-3-8,0-2-0], [5:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.71	Vert(LL)	-0.39	11-12	>733	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.91	Vert(TL)	-1.11	11-12	>258	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.78	Horz(TL)	0.17	8	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 220 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF No.1&Btr G
BOT CHORD	2x4 DF No.1&Btr G
WEBS	2x4 DF Stud G *Except* 14-15,4-11,3-12: 2x6 DF SS

BRACING

TOP CHORD	Structural wood sheathing directly applied or 3-4-11 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 7-11-15 oc bracing.
WEBS	1 Row at midpt 2-14

REACTIONS (lb/size) 14=1868/0-5-8 (min. 0-1-8), 8=1441/0-5-8 (min. 0-1-8)
Max Horz 14=119(LC 11)
Max Uplift 14=-578(LC 13), 8=-399(LC 14)
Max Grav 14=2175(LC 8), 8=1649(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	1-2=-1349/962, 2-3=-7906/1623, 3-4=-11064/2677, 4-5=-8676/2362, 5-6=-5053/1739, 6-7=-1063/917
BOT CHORD	13-14=-2429/8870, 12-13=-1507/7831, 11-12=-2717/8892, 10-11=-3343/11564, 9-10=-2436/8696, 8-9=-1166/4601
WEBS	2-14=-8637/2496, 2-13=-210/867, 4-11=-319/530, 4-10=-3409/1321, 5-10=-305/1016, 5-9=-4261/1322, 6-9=-299/1242, 6-8=-4620/1197, 3-12=-465/218, 3-11=-1421/3615

NOTES

1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-7-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc, 2x6 - 2 rows staggered at 0-5-0 oc, Except member 3-12 2x6 - 2 rows staggered at 0-9-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
4) Provide adequate drainage to prevent water ponding.
5) All plates are MT20 plates unless otherwise indicated.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 578 lb uplift at joint 14 and 399 lb uplift at joint 8.
10) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 16-0-0 for 302.6 plf.
11) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent at 6-1-11 from the left end to connect truss(es) to front face of bottom chord, skewed 0.0 deg.to the right, sloping 0.0 deg. down.

October 6,2014

Continued on page 2

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

NOTES

12) Use USP JUS24 (With 10d nails into Girder & 10d nails into Truss) or equivalent at 10-3-3 from the left end to connect truss(es) to front face of bottom chord, skewed 0.0 deg.to the right, sloping 0.0 deg. down.

13) Fill all nail holes where hanger is in contact with lumber.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25

Uniform Loads (plf)

Vert: 1-3=-60, 3-4=-110, 4-7=-60, 8-14=-20

Concentrated Loads (lb)

Vert: 11=-746(F) 12=-450(F)

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/15/2014 BEFORE USE

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek

7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958468
DAKOTA_ROOF	C01L	MONOPITCH	2	1	Job Reference (optional)

BMC Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:45 2014 Page 1
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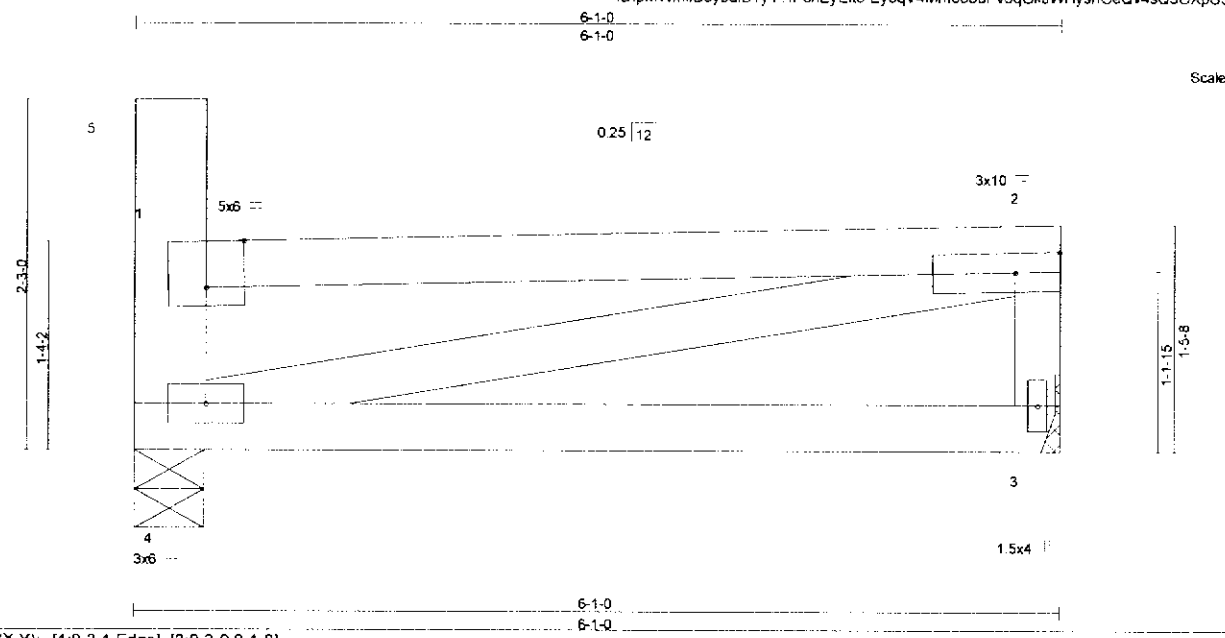

Plate Offsets (X,Y) [1:0-3-1,Edge], [2:0-3-9,0-1-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.26	Vert(LL)	-0.05	3-4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.25	Vert(TL)	-0.15	3-4	>463	180		
BCLL	0.0 *	Rep Stress Incr	YES	WB	0.08	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 29 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
4-5: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 3=228/Mechanical, 4=228/0-5-8 (min. 0-1-8)
Max Horz 4=100(LC 4)
Max Uplift3=-35(LC 5), 4=-43(LC 3)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 35 lb uplift at joint 3 and 43 lb uplift at joint 4.

LOAD CASE(S) Standard

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958469
DAKOTA_ROOF	C01M	Monopitch	2	1	Job Reference (optional)

BMC Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:45 2014 Page 1
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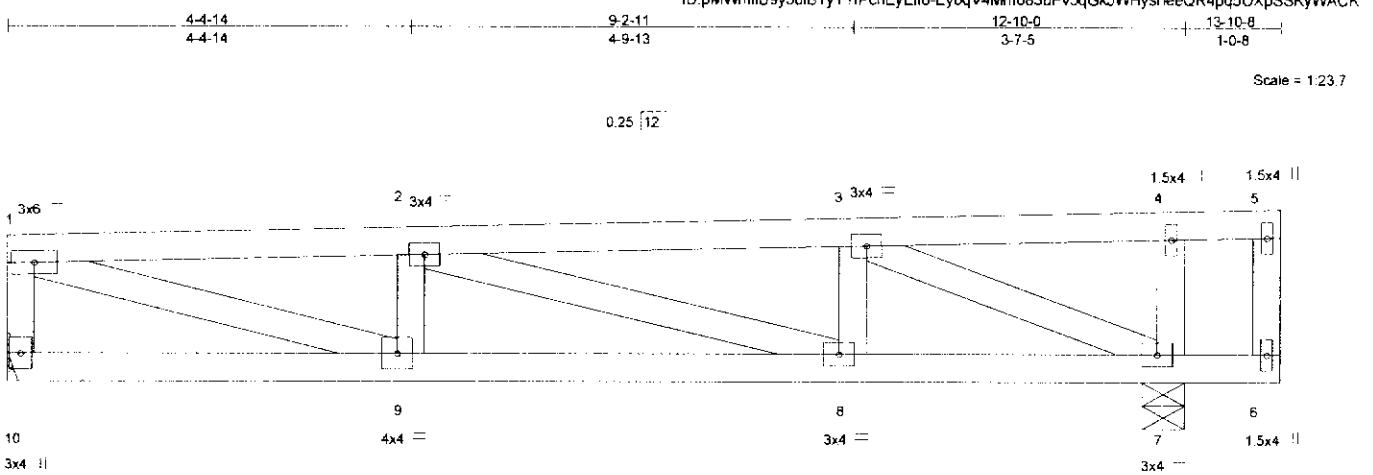

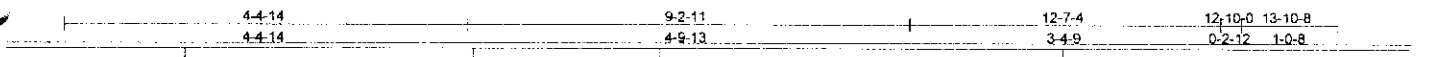

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.30	Vert(LL)	-0.03	8-9	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.22	Vert(TL)	-0.11	8-9	>999	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.31	Horz(TL)	0.02	7	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 63 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING
TOP CHORD Structural wood sheathing directly applied or 6-0-0 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 10=497/Mechanical, 7=610/0-5-8 (min. 0-1-8)
Max Horz 10=53(LC 4)
Max Uplift 10=-53(LC 3), 7=-64(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-10=-441/73, 1-2=-1101/129, 2-3=-920/111
BOT CHORD 8-9=-100/1098, 7-8=-79/917
WEBS 1-9=-111/1016, 3-7=-981/104

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 53 lb uplift at joint 10 and 64 lb uplift at joint 7.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-5=-60, 7-10=-20, 6-7=-40

October 6,2014

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01P	Monopitch Girder	1	2	R42956470

Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:46 2014 Page 1

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5-1-5	6-1-12	10-3-4	14-8-14	19-2-4	23-2-0	24-2-8
5-1-5	1-0-7	4-1-8	4-5-10	4-5-6	3-11-12	1-0-8

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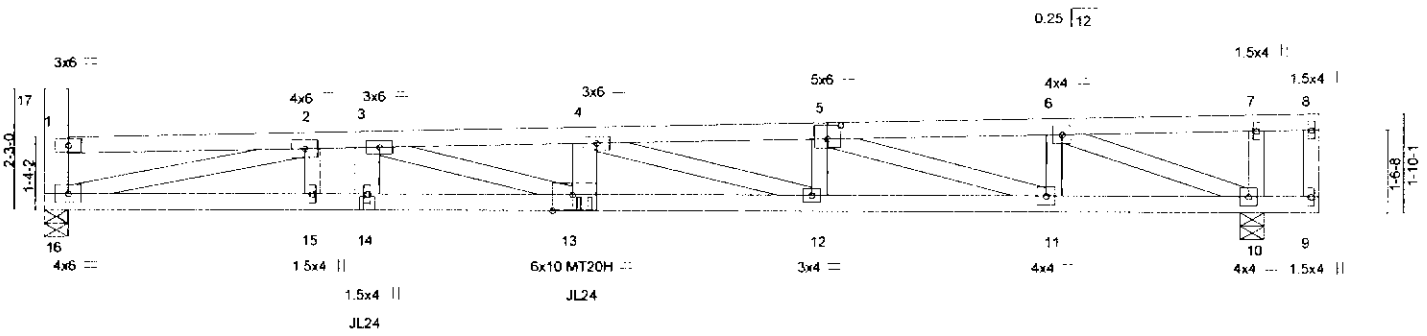

4-9-14	6-1-12	10-3-4	14-8-14	19-2-4	23-2-0	24-2-8
4-9-14	1-3-14	4-1-8	4-5-10	4-5-6	3-11-12	1-0-8

Plate Offsets (X,Y): [5:0-3-0,0-3-0], [13:0-4-8,0-3-8]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.56	Vert(LL)	-0.32	13-14	>848	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.82	Vert(TL)	-0.93	13-14	>294	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.79	Horz(TL)	0.14	10	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 220 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except* 16-17,4-13,3-14: 2x6 DF SS

BRACING

TOP CHORD Structural wood sheathing directly applied or 4-1-11 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS (lb/size) 16=1715/0-5-8 (min. 0-1-8), 10=1476/0-5-8 (min. 0-1-8)
Max Horz 16=113(LC 4)
Max Uplift 16=-247(LC 5), 10=-196(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD 1-2=-400/120, 2-3=-6787/1084, 3-4=-8820/1335, 4-5=-6337/908, 5-6=-3247/457
BOT CHORD 15-16=-1058/6773, 14-15=-1058/6773, 13-14=-1058/6773, 12-13=-1311/8771, 11-12=-872/6250, 10-11=-425/3244
WEBS 2-16=-6550/986, 2-15=-54/651, 4-13=-28/263, 4-12=-2533/451, 5-12=-66/768, 5-11=-3149/468, 6-11=-88/1014, 6-10=-3400/465, 3-14=-259/48, 3-13=-281/2132

NOTES

1) 2-ply truss to be connected together with 10d (0.131"x3") nails as follows:
Top chords connected as follows: 2x6 - 2 rows staggered at 0-9-0 oc, 2x4 - 1 row at 0-7-0 oc.
Bottom chords connected as follows: 2x4 - 1 row at 0-9-0 oc.
Webs connected as follows: 2x4 - 1 row at 0-9-0 oc, 2x6 - 2 rows staggered at 0-9-0 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
4) Provide adequate drainage to prevent water ponding.
5) All plates are MT20 plates unless otherwise indicated.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 247 lb uplift at joint 16 and 196 lb uplift at joint 10.
10) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent at 6-1-12 from the left end to connect truss(es) to back face of bottom chord, skewed 0.0 deg.to the right, sloping 0.0 deg. down.
11) Use USP JL24 (With 16d nails into Girder & NA9D nails into Truss) or equivalent at 10-3-4 from the left end to connect truss(es) to back face of bottom chord, skewed 0.0 deg.to the right, sloping 0.0 deg. down.
12) Fill all nail holes where hanger is in contact with lumber.

REGISTERED PROFESSIONAL ENGINEER
CHOO SOON ONG
C 074486
EXP. 12-31-15
STATE OF CALIFORNIA

LOAD CASE(S) Standard

October 6,2014

Continued on page 2

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE.
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult **ANSI/TPI1 Quality Criteria, DSB-89 and BCSI Building Component Safety Information** available from Truss Plate Institute, 781 N. Lee Street, Suite 312, Alexandria, VA 22314.
Southern Pine (SP) lumber is specified, the design values are those effective 06/03/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
   Uniform Loads (plf)
   Vert: 1-3=-60, 3-4=-110, 4-8=-60, 10-16=-20, 9-10=-40
   Concentrated Loads (lb)
   Vert: 13=-650(B) 14=-408(B)

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/03/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01R	Monopitch	8	1	R42958471

Job Reference (optional)

BMC Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:47 2014 Page 1
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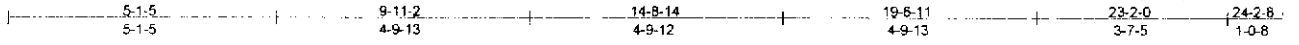

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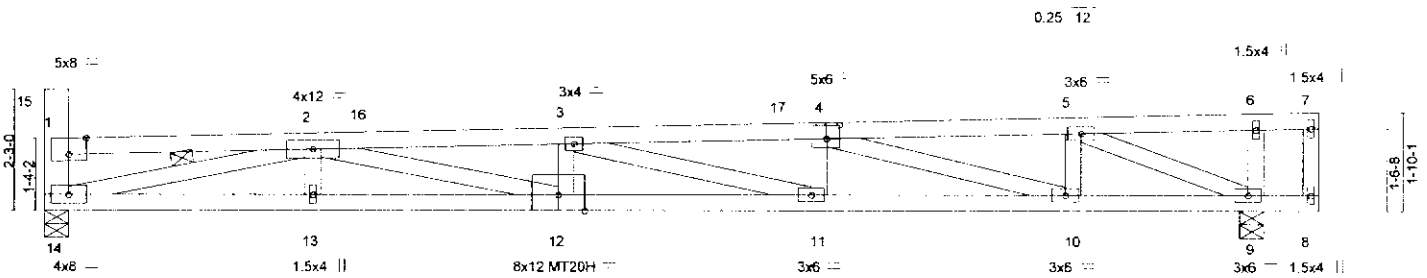

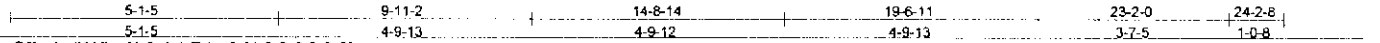

Plate Offsets (X,Y): [1:0-4-1,Edge], [4:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.62	Vert(LL)	-0.35	11-12	>791	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.78	Vert(TL)	-1.04	11-12	>262	180	MT20H	165/146
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.97	Horz(TL)	0.17	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 109 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF No.1&Btr G
BOT CHORD	2x4 DF No.1&Btr G
WEBS	2x4 DF Stud G *Except*
	14-15: 2x6 DF SS

BRACING

TOP CHORD	Structural wood sheathing directly applied or 2-6-7 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 8-1-12 oc bracing.
WEBS	1 Row at midpt 2-14

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 14=1046/0-5-8 (min. 0-1-8), 9=1121/0-5-8 (min. 0-1-8)
Max Horz 14=113(LC 4)
Max Uplift 14=-126(LC 5), 9=-138(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	1-2=-401/116, 2-3=-4993/689, 3-4=-4225/558, 4-5=-2128/277
BOT CHORD	13-14=-493/3600, 12-13=-493/3600, 11-12=-676/5017, 10-11=-532/4189, 9-10=-245/2124
WEBS	2-14=-3290/410, 2-12=-176/1430, 3-11=-824/151, 4-11=0/349, 4-10=-2149/299, 5-10=-30/675, 5-9=-2268/281

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) All plates are MT20 plates unless otherwise indicated.
4) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
5) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
6) A plate rating reduction of 20% has been applied for the green lumber members.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 126 lb uplift at joint 14 and 138 lb uplift at joint 9.

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-16=-60, 16-17=-90, 7-17=-60, 9-14=-20, 8-9=-40

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by AWC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	R42958472
DAKOTA_ROOF	C01S	Monopitch	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:47 2014 Page 1
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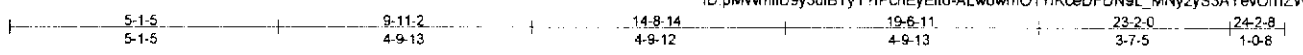

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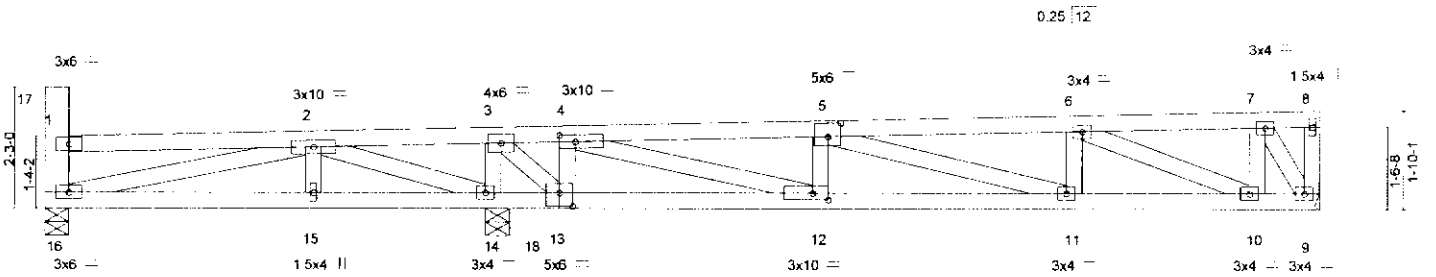

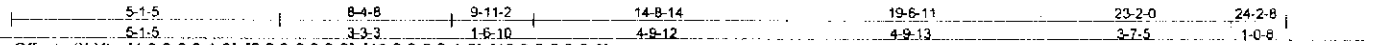

Plate Offsets (X,Y): [4:0-3-9,0-1-8], [5:0-3-0,0-3-0], [12:0-3-9,0-1-8], [13:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.25	Vert(LL)	-0.07	11-12	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.33	Vert(TL)	-0.21	11-12	>892	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.53	Horz(TL)	0.02	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 113 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G *Except*
16-17: 2x6 DF SS

BRACING
TOP CHORD Structural wood sheathing directly applied or 5-2-4 oc purlins, except end verticals.
BOT CHORD Rigid ceiling directly applied or 6-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 16=161/0-5-8 (min. 0-1-8), 9=686/Mechanical, 14=1364/0-5-8 (min. 0-1-8)
Max Horz 16=113(LC 4)
Max Uplift 16=-29(LC 3), 9=-93(LC 5), 14=-176(LC 5)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-119/1057, 4-5=-1605/231, 5-6=-1518/220, 6-7=-484/82
BOT CHORD 13-14=-1054/143, 11-12=-211/1626, 10-11=-188/1514, 9-10=-47/481
WEBS 2-14=-1051/145, 4-13=-715/142, 4-12=-217/1727, 6-11=0/258, 7-10=-42/514, 6-10=-1119/152, 7-9=-799/110, 3-14=-986/141, 3-13=-164/1250

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DDL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 29 lb uplift at joint 16, 93 lb uplift at joint 9 and 176 lb uplift at joint 14.

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-8=-60, 16-18=-20, 9-18=-40

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958473
DAKOTA_ROOF	C01T	GABLE	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:49 2014 Page 1
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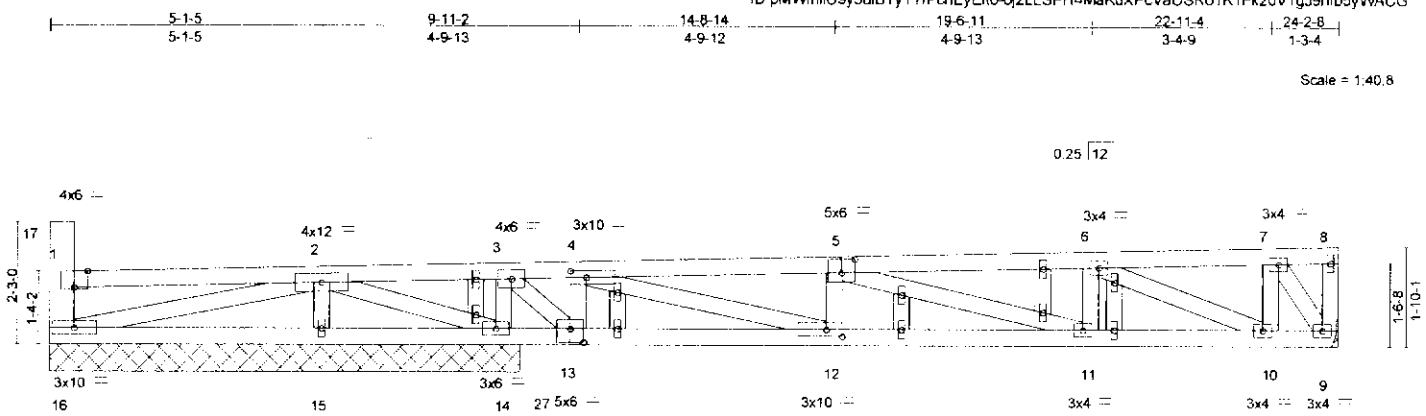

5-1-5 5-1-5 | 9-11-2 4-9-13 | 14-8-14 4-9-12 | 19-6-11 4-9-13 | 22-11-4 3-4-9 | 24-2-8 1-3-4

Plate Offsets (X,Y): [1:0-3-1,Edge], [4:0-3-9,0-1-8], [5:0-3-0,0-3-0], [12:0-3-9,0-1-8], [13:0-3-0,0-3-0]

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.47	Vert(LL)	-0.08	11-12	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.43	Vert(TL)	-0.22	11-12	>841	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.75	Horz(TL)	0.05	9	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 118 lb	FT = 20%

LUMBER

TOP CHORD	2x4 DF No.1&Btr G
BOT CHORD	2x4 DF No.1&Btr G
WEBS	2x4 DF Stud G *Except* 16-17: 2x6 DF SS
OTHERS	2x4 DF Stud G

BRACING

TOP CHORD	Structural wood sheathing directly applied or 3-6-8 oc purlins, except end verticals.
BOT CHORD	Rigid ceiling directly applied or 3-8-14 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS All bearings 8-10-0 except (jt=length) 9=Mechanical.
(lb) - Max Horz 16=163(LC 12)
Max Uplift All uplift 100 lb or less at joint(s) 15 except 16=-430(LC 9), 9=-247(LC 14), 14=-340(LC 14)
Max Grav All reactions 250 lb or less at joint(s) 15 except 16=523(LC 8), 9=846(LC 7), 14=1444(LC 7)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	1-2=-1005/952, 2-3=-1896/2774, 3-4=-1393/1471, 4-5=-3390/1978, 5-6=-2887/1572, 6-7=-1293/864
BOT CHORD	15-16=-1577/1699, 14-15=-3109/2964, 13-14=-3007/2151, 12-13=-1722/1716, 11-12=-1277/2728, 10-11=-674/2017, 9-10=-173/634
WEBS	2-16=-1713/1979, 2-14=-1958/1257, 4-13=-938/366, 4-12=-857/2341, 5-12=-413/267, 5-11=-739/627, 6-11=-159/374, 7-10=-198/670, 6-10=-1505/545, 7-9=-1004/303, 3-14=-1216/376, 3-13=-558/1653

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
3) Provide adequate drainage to prevent water ponding.
4) All plates are 1.5x4 MT20 unless otherwise indicated.
5) Gable studs spaced at 1-4-0 oc.
6) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
7) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
8) A plate rating reduction of 20% has been applied for the green lumber members.
9) Refer to girder(s) for truss to truss connections.
10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 15 except (jt=lb) 16=430, 9=247, 14=340.
11) This truss has been designed for a total drag load of 200 plf. Lumber DOL=(1.33) Plate grip DOL=(1.33) Connect truss to resist drag loads along bottom chord from 0-0-0 to 8-10-0 for 548.1 plf.

LOAD CASE(S) Standard

October 6,2014

Continued on page 2

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/25/2014 BEFORE USE
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Southern Pine [SP] lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	C01T	GABLE	1	1	R42958473
					Job Reference (optional)

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
   Uniform Loads (plf)
   Vert: 1-8=-60, 16-27=-20, 9-27=-40

⚠ *WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/29/2014 BEFORE USE.*
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	GIR1	FLAT GIRDER	1	1	R42958474

Job Reference (optional)

BMC, Indio, CA - 92203

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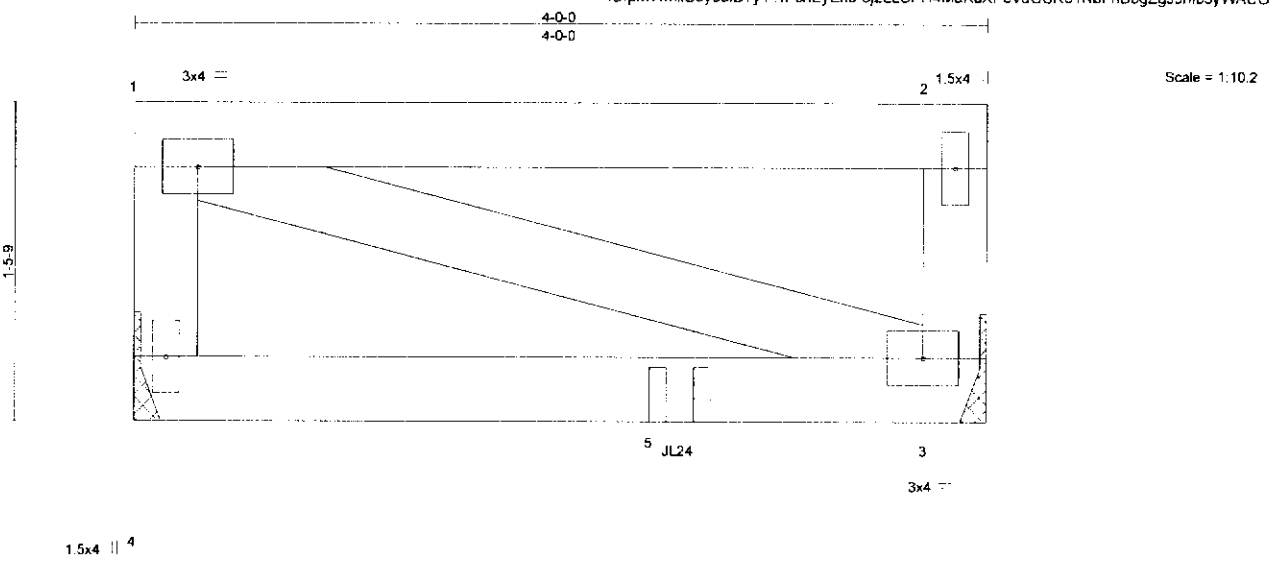

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.30	Vert(LL)	-0.04	3-4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.61	Vert(TL)	-0.12	3-4	>364	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 18 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING

TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=388/Mechanical, 3=516/Mechanical
Max Horz 4=-40(LC 3)
Max Uplift 4=-73(LC 3), 3=-109(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 4 except (jt=lb) 3=109.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent at 2-6-12 from the left end to connect truss(es) to back face of bottom chord.
10) Fill all nail holes where hanger is in contact with lumber.
11) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-110, 3-4=-20
Concentrated Loads (lb)
Vert: 5=-423(B)

October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	GIR2	FLAT GIRDER	1	1	R42958475

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:50 2014 Page 1
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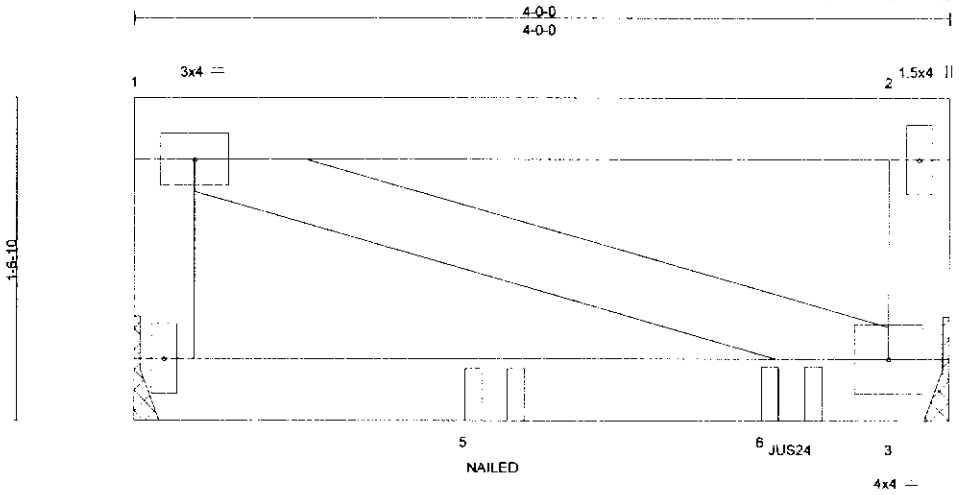

4-0-0
4-0-0

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.30	Vert(LL)	-0.06	3-4	>711	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.65	Vert(TL)	-0.15	3-4	>300	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 19 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING
TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=472/Mechanical, 3=809/Mechanical
Max Horz 4=-43(LC 3)
Max Uplift 4=-109(LC 3), 3=-299(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 4=109, 3=299.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) Use USP JUS24 (With 10d nails into Girder & 10d nails into Truss) or equivalent at 3-2-12 from the left end to connect truss(es) to front face of bottom chord.
10) Fill all nail holes where hanger is in contact with lumber.
11) "NAILED" indicates 3-10d (0.148"x3") or 3-12d (0.148"x3.25") toe-nails. For more details refer to MiTek's ST-TOENAIL Detail.
12) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-110, 3-4=-20
Concentrated Loads (lb)
Vert: 5=-245(F) 6=-554(F)

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October 6,2014

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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	R42958476
DAKOTA_ROOF	GIR3	Flat Girder	1	1	Job Reference (optional)

BMC, Indio, CA - 92203 — 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:50 2014 Page 1
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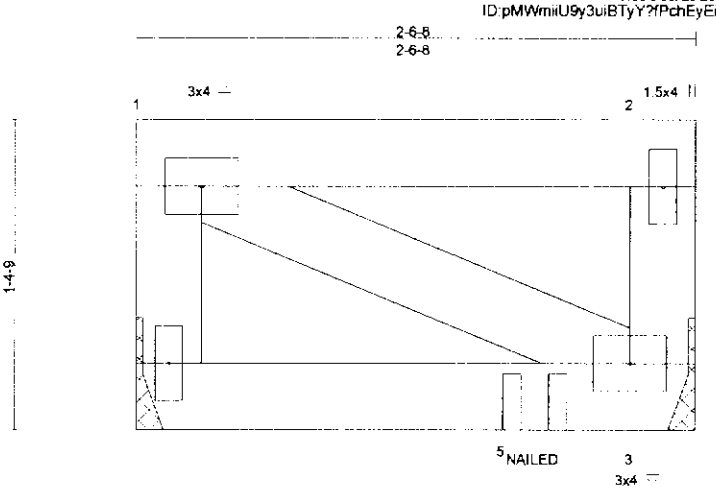

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LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.06	Vert(LL)	-0.00	3-4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.05	Vert(TL)	-0.00	3-4	>999	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 12 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING
TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=104/Mechanical, 3=132/Mechanical
Max Horz 4=-37(LC 3)
Max Uplift 4=-36(LC 3), 3=-69(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 4, 3.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) "NAILED" indicates 3-10d (0.148"x3") or 3-12d (0.148"x3.25") toe-nails. For more details refer to MiTek's ST-TOENAIL Detail.
10) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-60, 3-4=-20
Concentrated Loads (lb)
Vert: 5=-57(F)

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
OAKOTA_ROOF	GIR4	Flat Girder	1	1	R42958477

Job Reference (optional)

BMC. Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:51 2014 Page 1
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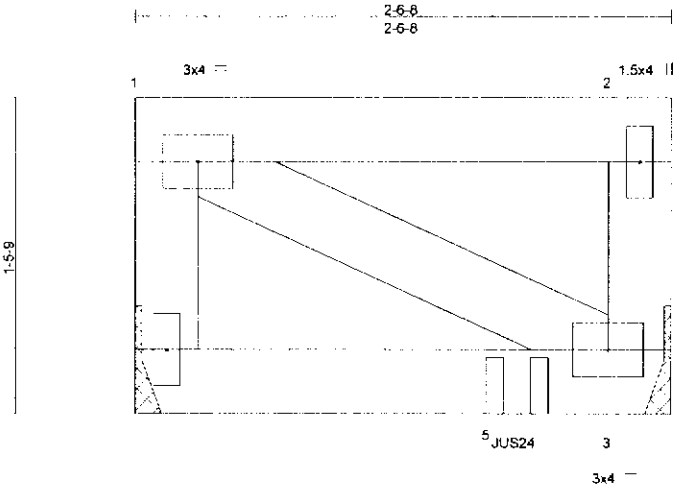

2-6-8
2-6-8

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.06	Vert(LL)	-0.01	3-4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.45	Vert(TL)	-0.03	3-4	>802	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 12 lb	FT = 20%

LUMBER
TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING
TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=269/Mechanical, 3=605/Mechanical
Max Horz 4=-40(LC 3)
Max Uplift 4=-43(LC 3), 3=-87(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES
1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 4, 3.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) Use USP JUS24 (With 10d nails into Girder & 10d nails into Truss) or equivalent at 1-9-12 from the left end to connect truss(es) to back face of bottom chord.
10) Fill all nail holes where hanger is in contact with lumber.
11) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-60, 3-4=-20
Concentrated Loads (lb)
Vert: 5=-695(B)

October 6,2014

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MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA, 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	GIR5	Flat Girder	1	1	R42958478

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:51 2014 Page 1

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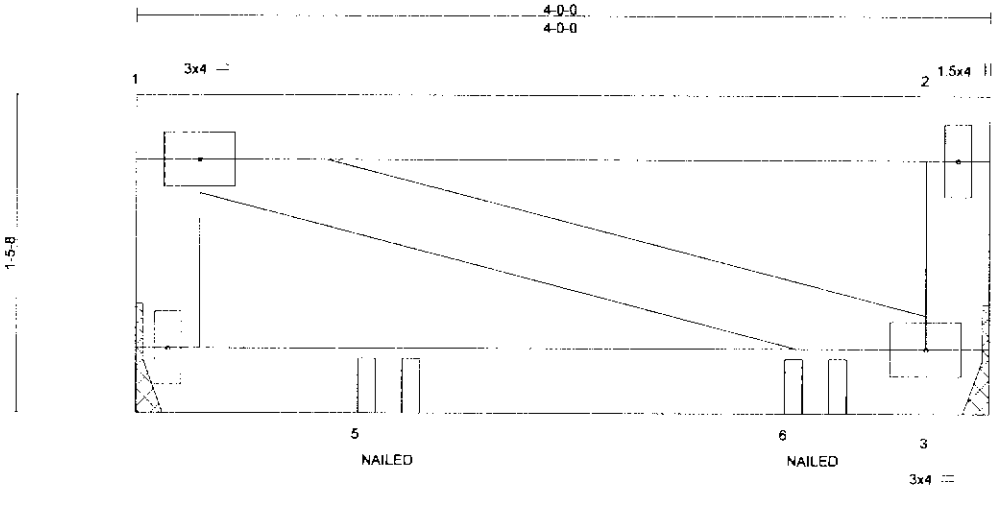

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4-0-0
4-0-0

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.30	Vert(LL)	-0.03	3-4	>999	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.35	Vert(TL)	-0.09	3-4	>493	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 18 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING

TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=428/Mechanical, 3=470/Mechanical
Max Horz 4=40(LC 4)
Max Uplift 4=-73(LC 3), 3=-83(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate rating reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 4, 3.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) "NAILED" indicates 3-10d (0.148"x3") or 3-12d (0.148"x3.25") toe-nails. For more details refer to MiTek's ST-TOENAIL Detail.
10) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard
1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-110(F=-50), 3-4=-20
Concentrated Loads (lb)
Vert: 5=-208(B) 6=-208(B)

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October 6,2014

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 rev. 1/15/2014 BEFORE USE
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If Southern Pine (SP) lumber is specified, the design values are those effective 06/01/2013 by ALSC.

MiTek
7777 Greenback Lane, Suite 109
Citrus Heights, CA. 95610

Job	Truss	Truss Type	Qty	Ply	
DAKOTA_ROOF	GIR8	Flat Girder	1	1	R42958479

Job Reference (optional)

BMC, Indio, CA - 92203 7.430 s Jul 25 2013 MiTek Industries, Inc. Mon Oct 06 07:57:52 2014 Page 1

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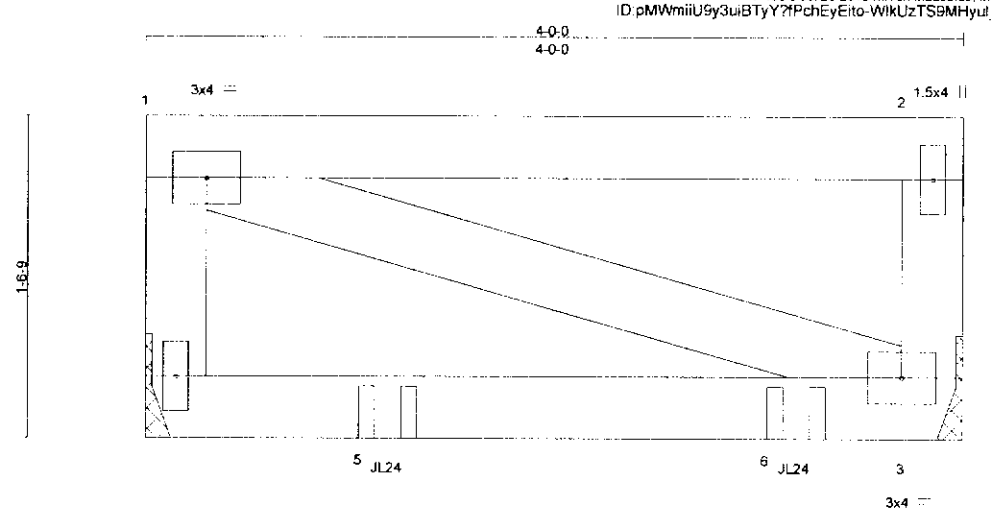

4-0-0
4-0-0

LOADING (psf)		SPACING	2-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC	0.30	Vert(LL)	-0.06	3-4	>744	240	MT20	220/195
TCDL	10.0	Lumber Increase	1.25	BC	0.75	Vert(TL)	-0.19	3-4	>237	180		
BCLL	0.0 *	Rep Stress Incr	NO	WB	0.01	Horz(TL)	0.00	3	n/a	n/a		
BCDL	10.0	Code IBC2009/TPI2007		(Matrix-M)							Weight: 19 lb	FT = 20%

LUMBER

TOP CHORD 2x4 DF No.1&Btr G
BOT CHORD 2x4 DF No.1&Btr G
WEBS 2x4 DF Stud G

BRACING

TOP CHORD 2-0-0 oc purlins: 1-2, except end verticals.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 4=670/Mechanical, 3=766/Mechanical
Max Horz 4=-43(LC 3)
Max Uplift 4=-91(LC 3), 3=-104(LC 4)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

1) Wind: ASCE 7-05; 95mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (low-rise); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.00 plate grip DOL=1.00
2) Provide adequate drainage to prevent water ponding.
3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 1-0-0 wide will fit between the bottom chord and any other members.
5) A plate raling reduction of 20% has been applied for the green lumber members.
6) Refer to girder(s) for truss to truss connections.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 4 except (jt=lb) 3=104.
8) Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.
9) Use USP JL24 (With 10d nails into Girder & NA9D nails into Truss) or equivalent spaced at 2-0-0 oc max. starting at 1-2-4 from the left end to 3-2-4 to connect truss(es) to front face of bottom chord.
10) Fill all nail holes where hanger is in contact with lumber.
11) In the LOAD CASE(S) section, loads applied to the face of the truss are noted as front (F) or back (B).

LOAD CASE(S) Standard

1) Dead + Roof Live (balanced): Lumber Increase=1.25, Plate Increase=1.25
Uniform Loads (plf)
Vert: 1-2=-110, 3-4=-20
Concentrated Loads (lb)
Vert: 5=-477(F) 6=-477(F)

October 6,2014

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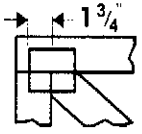
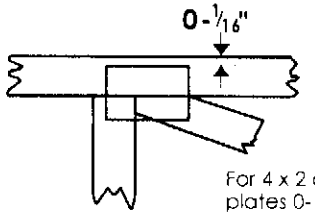
Citrus Heights, CA, 95610

Symbols

PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in ft-in-sixteenths. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0-1/16" from outside edge of truss.

This symbol indicates the required direction of slots in connector plates.

*** Plate location details available in MiTek 20/20 software or upon request.**

PLATE SIZE

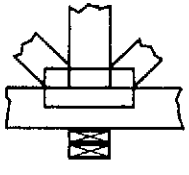
4 X 4

The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION

Indicated by symbol shown and/or by text in the bracing section of the output. Use T or I bracing if indicated.

BEARING

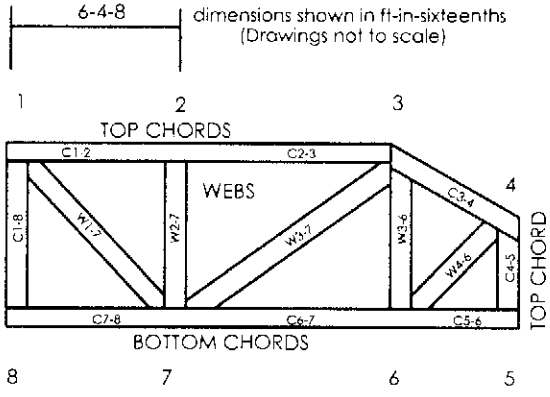


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur. Min size shown is for crushing only.

Industry Standards:

ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR1988
ER-3907, ESR-2362, ESR-1397, ESR-3282

Southern Pine lumber designations are as follows:
SYP represents values as published by AWC in the 2005/2012 NDS
SP represents ALSC approved/new values with effective date of June 1, 2013

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General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative T or I bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Cut members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
15. Connections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.

Building Materials and Construction Services

45-491 GOLF CENTER PARKWAY, INDIO, CA. 92203
O. 760-347-3332 F. 760-347-0202

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PLEASE CONTACT **BMC** FOR MORE INFORMATION OR QUESTIONS REGARDING THESE SHEETS

TIMBER PRODUCTS INSPECTION

September 11, 2012

To Whom It May Concern:

This is to verify that BMC of Indio, CA is a Subscriber in the Timber Products Inspection (TP) and General Testing and Inspection (GTI) Truss Quality Auditing Program. The TP and GTI Truss Quality Auditing Programs are recognized by the International Accreditation Service (IAS) with the assigned number of AA-664.

TP and the GTI quality assurance marks have been recognized in the West by the truss industry and code jurisdictions since 1969. TP currently audits truss manufacturing facilities nationwide.

TP is conducting unannounced, third party audits at BMC of Indio, CA. This facility is currently in good standing in the TP Truss Quality Auditing Program. BMC's personnel are authorized to apply the GTI quality mark to trusses that are manufactured in accordance with the latest revision of the ANSI/TPI Standards. All stamping takes place at the truss manufacturing facility, under supervision of qualified plant personnel.

If you have questions regarding the status of any plant in the TP/GTI Program, please contact me on my cell 208.818.7869.

Sincerely,

TIMBER PRODUCTS INSPECTION

Brian Hensley

Brian Hensley
Truss Manager – Western Division
/jt
Xc: File

105 SE 124th Avenue
Vancouver, Washington 98684
360/449-3840 • FAX: 360/449-3953

P.O. Box 919 • 1641 Sigman Road
Conyers, Georgia 30012
770/922-8000 • FAX: 770/922-1290

BMC
Building Materials and Construction Services

03-05-2012

To Whom It May Concern:

It is our standard policy to manufacture all of our trusses with a minimum camber of 1/8" per ten lineal foot of truss span.

Mike Goodman
Design manager

BMC
45-311 Golf Center Parkway
Suite B
Indio CA 92201
t: 760.770.3303
f: 760.391.4230

BMC
INDIO, CA

GTI®

QUALITY AUDITED BY
TIMBER PRODUCTS INSPECTION, INC.

DESIGN CRITERIA	
TC LL	psf
TC DL	psf
BC DL	psf
TOTAL LOAD	psf
DUR. FACTOR	
SPACING	

Job	Truss	Truss Type	Qty	Ply	
DISPLAY	ROOF1	COMMON	1	1	

5.000 s Feb 5 2003 MiTek Industries, Inc. Mon Mar 17 14:26:39 2003 Page 1

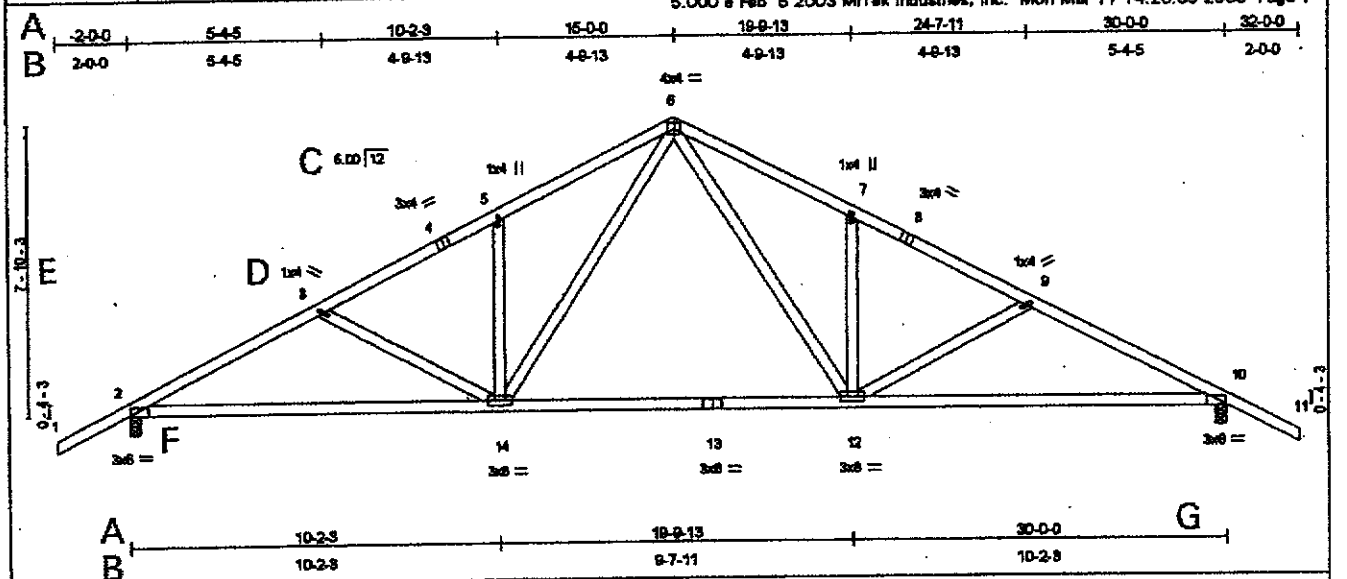


Plate Offsets (X,Y): [2:0-3-0,0-1-4], [10:0-3-0,0-1-4] H

LOADING (psf) I		SPACING 2-0-0 J		CSI M		DEFL N	In	(loc)	l/defl	PLATES P	GRIP
TCLL	20.0	Plates Increase	1.15	TC	0.29	Vert(LL)	-0.09	14	>999	MII20	249/190
TCDL	10.0	Lumber Increase	1.15	BC	0.83	Vert(TL)	-0.39	12-14	>907		
BCLL	0.0	Rep Stress Incr	YES	WB	0.36	Horz(TL)	0.07	10	n/a		
BCDL	10.0	Code	BOCA/ANSI95 K L			1st LC LL Min l/defl = 240 O				Weight: 158 lb	

LUMBER Q
TOP CHORD 2 X 4 SYP No.2
BOT CHORD 2 X 4 SYP No.2
WEBS 2 X 4 SYP No.3

U BRACING
TOP CHORD Sheathed or 4-2-1 oc purlins.
BOT CHORD Rigid ceiling directly applied or 8-6-11 oc bracing.

R S
REACTIONS (lb/size) 2=1317/0-3-8, 10=1317/0-3-8
T Max Horz 2=-175(load case 5)
Max Uplift 2=-341(load case 4), 10=-341(load case 5)

V
FORCES (lb) - First Load Case Only
TOP CHORD 1-2=26, 2-3=-2024, 3-4=-1722, 4-5=-1722, 5-6=-1722, 6-7=-1722, 7-8=-1722, 8-9=-1722, 9-10=-2024, 10-11=26
BOT CHORD 2-14=1794, 13-14=1140, 12-13=1140, 10-12=1794
WEBS 5-14=-294, 7-12=-294, 3-14=-288, 6-14=742, 6-12=742, 9-12=-288

W
NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-98 per BOCA/ANSI95; 90mph; h=25ft; TCDL=5.0psf; BCDL=5.0psf; occupancy category II; exposure C; enclosed;MWFRS gable end zone; cantilever left and right exposed ; end vertical left and right exposed;Lumber DOL=1.33 plate grip DOL=1.33.
3) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 341 lb uplift at joint 2 and 341 lb uplift at joint 10.

X
LOAD CASE(S) Standard

A Cumulative Dimensions
B Panel Length (feet - inches - sixteenths)
C Slope
D Plate Size and Orientation
E Overall Height
F Bearing Location
G Truss Span (feet - inches - sixteenths)
H Plate Offsets
I Design Loading (PSF)
J Spacing O.C. (feet - inches - sixteenths)
K Duration of Load for Plate and Lumber Design
L Code
M TC, BC, and Web Maximum Combined Stress Indices
N Deflections (inches) and Span to Deflection Ratio
O Input Span to Deflection Ratio
P MiTek Plate Allowables (PSI)
Q Lumber Requirements
R Reaction (pounds)
S Minimum Bearing Required (inches)
T Maximum Uplift and/or Horizontal Reaction if Applicable
U Required Member Bracing
V Member Axial Forces for Load Case 1
W Notes
X Additional Loads/Load Cases

DETAIL FOR COMMON AND END JACKS	MII/SAC - 8 -16PSF	3/30/2004	PAGE 1

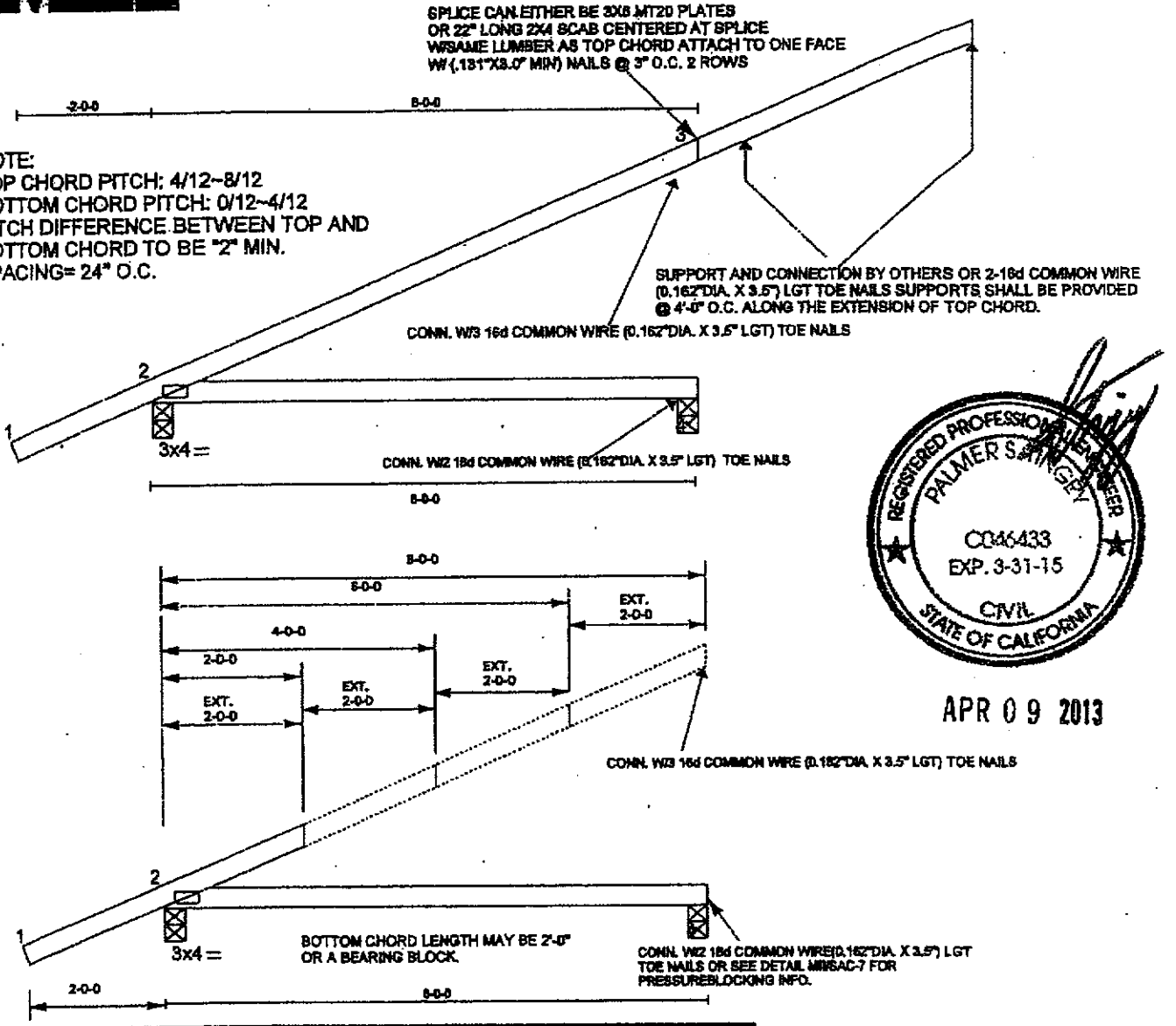
MAX LOADING (psf)		SPACING	2-0-0
TCLL	16.0	Plates Increase	1.25
TCDL	14.0	Lumber Increase	1.25
BCLL	0.0	Rep Stress Incr	YES
BCDL	10.0		

BRACING
TOP CHORD Sheathed.
BOT CHORD Rigid ceiling directly applied.

MINIMUM LUMBER SIZE AND GRADE
TOP CHORD 2 X 4 SPF, HF, DF-L No.2
BOT CHORD 2 X 4 SPF, HF, DF-L No.2

MiTek Industries, Inc.
Western Division

LENGTH OF EXTENSION
AS DESIGN REQ'D 20'-0" MAX



NOTE: NAILING SHALL BE SUCH THAT THE LUMBER DOES NOT SPLIT.

REGISTERED PROFESSIONAL ENGINEER
PALMER SANKEY
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

APR 09 2013

Page # 4

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Citrus Heights, CA, 95610

MiTek®

DETAIL FOR COMMON AND END JACKS	MII/SAC - 8 -20PSF	8/31/2005	PAGE 1

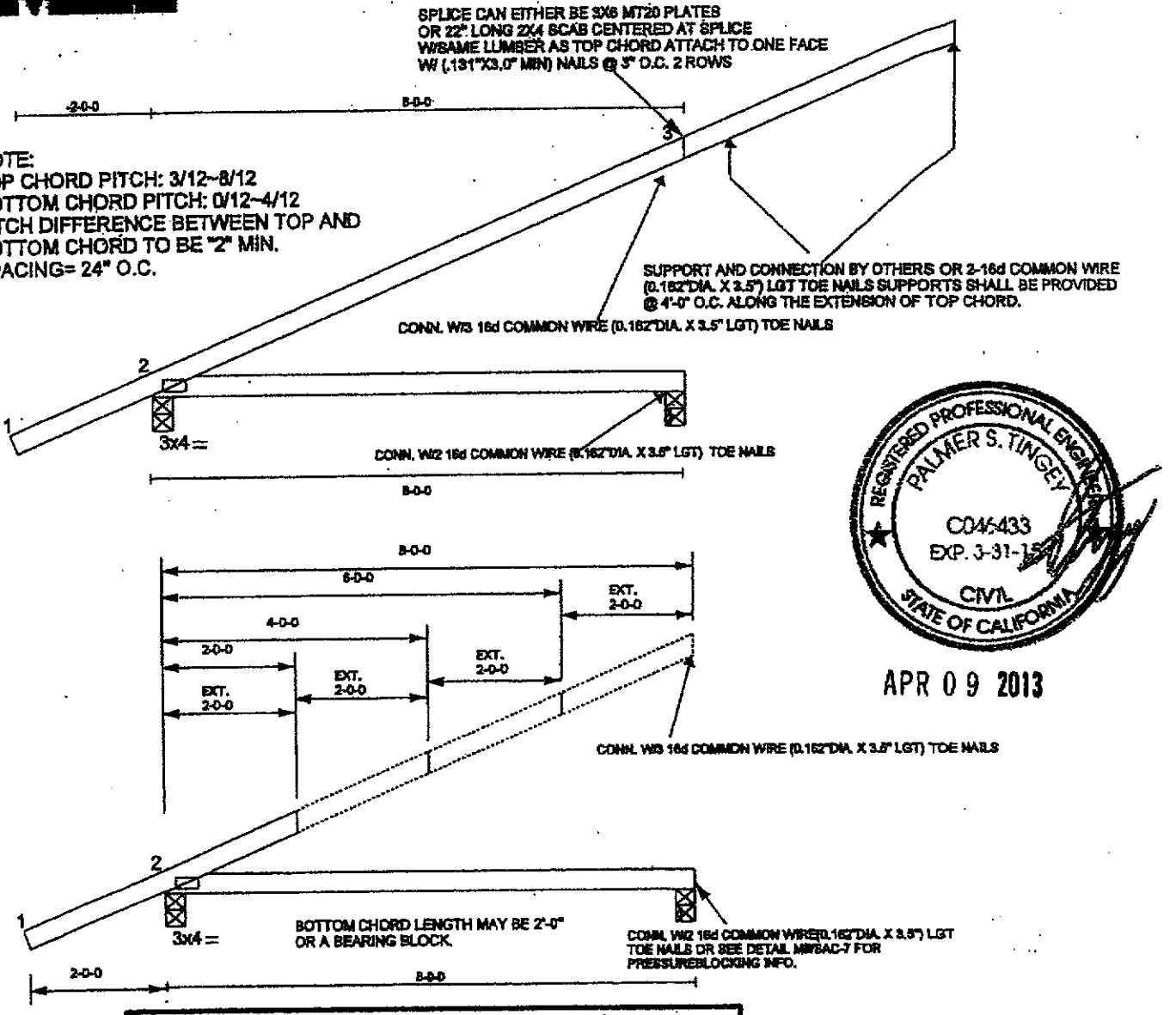
MAX LOADING (psf)		SPACING	2-0-0
TCLL	20.0	Plate Increase	1.15
TCDL	16.0	Lumber Increase	1.15
BCLL	0.0	Rep Stress Incr	YES
BCDL	10.0		

BRACING
TOP CHORD Sheathed.
BOT CHORD Rigid ceiling directly applied.

MINIMUM LUMBER SIZE AND GRADE
TOP CHORD 2 X 4 HF, DF-L No.1
BOT CHORD 2 X 4 SPF, HF, DF-L No.2

MiTek Industries, Inc.
Western Division

LENGTH OF EXTENSION
AS DESIGN REQ'D 20'-0" MAX



REGISTERED PROFESSIONAL ENGINEER
PALMER S. TINGEY
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

APR 09 2013

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MiTek

SUPPORT OF B.C. OF STANDARD OPEN END JACK USING PRESSURE BLOCKS	MII/SAC - 7	3/30/2004	PAGE 1

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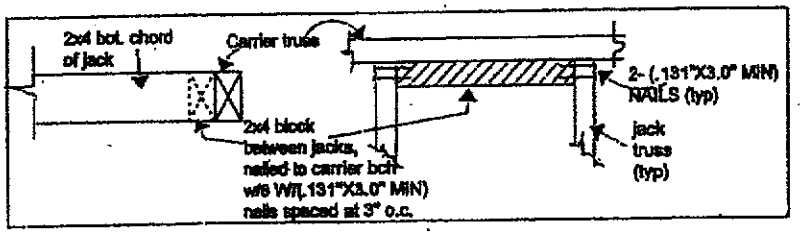
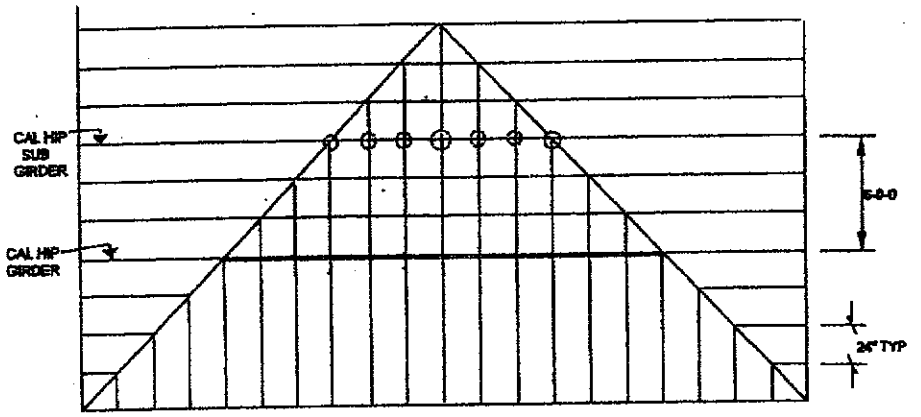
Western Division

[redacted]®

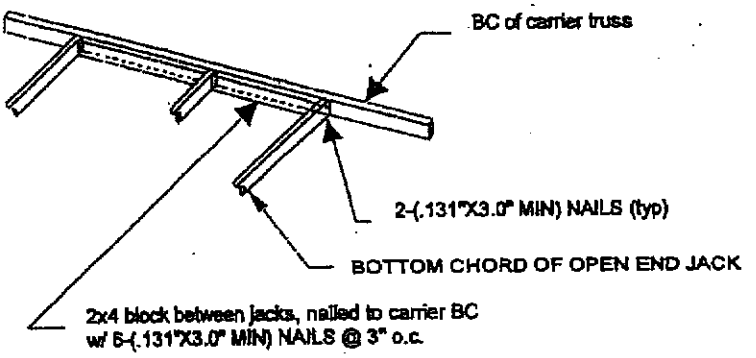
Loading (PSF):

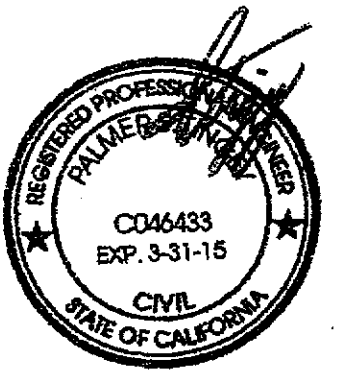
BCDL 10.0 PSF MAX





PARTIAL FRAMING PLAN OF
CALIFORNIA HIP SET WITH
SUB GIRDER





Page # 6

APR 09 2013

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Suite 109
Citrus Heights, CA, 95610

INTERIOR BEARING OFFSET DETAIL	MII/SAC - 6	3/30/2004	PAGE 1

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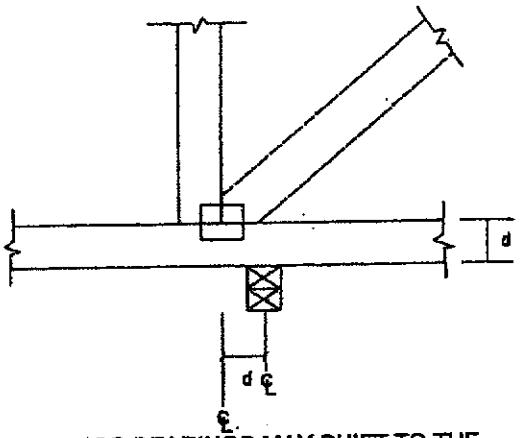
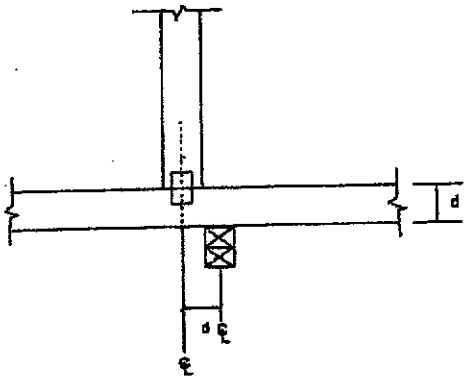
Western Division

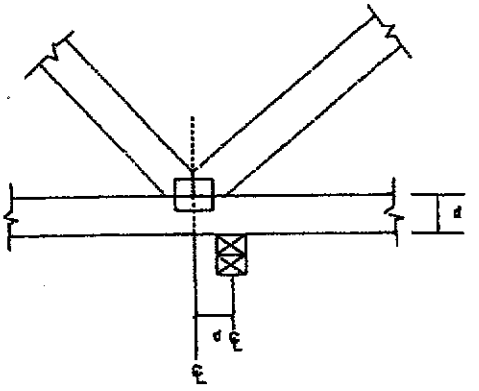


NOTE: INTERIOR BEARINGS MAY SHIFT TO THE LEFT OR RIGHT A DISTANCE EQUAL TO THE DEPTH OF THE BOTTOM (d). (7 1/2" MAX)
BOTTOM CHORD PITCH MAY VARY
NOTE: THIS DETAIL MAY BE USED FOR ROOF OR FLOOR TRUSS DESIGNS

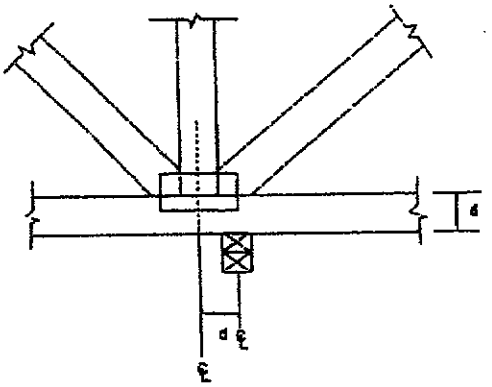
SINGLE WEB JOINT



DOUBLE WEB JOINT



TRIPLE WEB JOINT



REGISTERED PROFESSIONAL ENGINEER
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STATE OF CALIFORNIA

Page # 7

APR 09 2013

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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BEARING BLOCK DETAIL 3 1/2" BEARING	MII/SAC - 3A	3/25/2004	PAGE 1

MiTek Industries, Inc.
Western Division

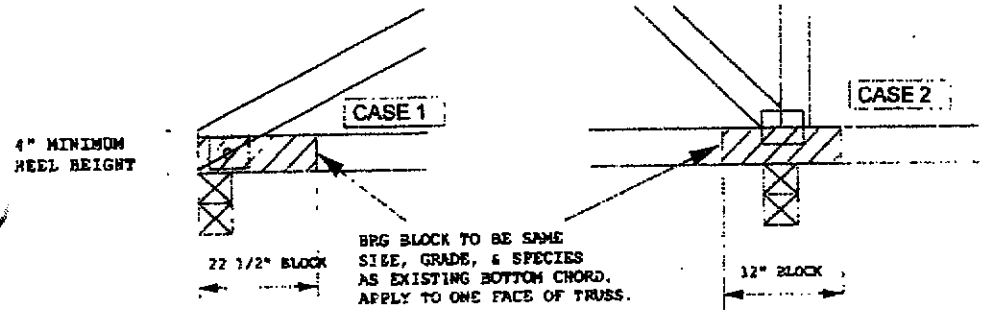
REFER TO INDIVIDUAL TRUSS DESIGN
FOR PLATE SIZES AND LUMBER GRADES

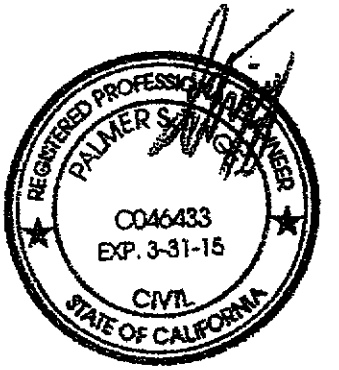
IMPORTANT
This detail to be used only with one ply trusses (EXCEPT AS NOTED BELOW) with a D.O.L. lumber increase of 1.15 or higher.
Trusses not fitting these criteria should be examined individually.

0-3-8 ACTUAL BEARING SIZE

BOTTOM CHORD SIZE AND NAILING PATTERN	LUMBER GRADE (NOTE 1)	ALLOWABLE REACTION (lb) (NOTE 4,5)	BEARING BLOCK ALLOWABLE LOADS (NOTE 4)	BEARING BLOCK & WOOD BEARING ALLOWABLE LOADS	
				ALLOWABLE LOAD (lb) (NOTE 4)	TOTAL EQUIVALENT BEARING LENGTH
2x4 BOTTOM CHORD 2 ROWS @ 3" O.C. (8 TOTAL NAILS)	SYP	2966	929	3895	0-4-9
	DF	3281	855	4136	0-4-6
	HF	2126	736	2862	0-4-11
	SPF	2231	726	2957	0-4-10
2x6 BOTTOM CHORD 3 ROWS @ 3" O.C. (12 TOTAL NAILS)	SYP	2966	1393	4359	0-5-2
	DF	3281	1282	4563	0-4-13
	HF	2126	1104	3230	0-5-5
	SPF	2231	1089	3320	0-5-3
X 2x8 BOTTOM CHORD 4 ROWS @ 3" O.C. (16 TOTAL NAILS)	SYP	2966	1858	4824	0-5-11
	DF	3281	1710	4991	0-5-5
	HF	2126	1472	3598	0-5-14
	SPF	2231	1452	3683	0-5-12

X FOR 2X10 BOTTOM CHORD USE 2X8 BOTTOM CHORD VALUES.





APR 09 2013

NOTES:
1. USE LOWER OF TOP PLATE OF BEARING WALL OR BOTTOM CHORD OF TRUSS WOOD SPECIES.
2. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
3. NAILS DESIGNATED ARE (.131" DIAM. x 3") MINIMUM
4. FOR BEARINGS NOT NEARER THAN 3" TO THE END OF A MEMBER (CASE 2), THESE VALUES MAY BE MULTIPLIED BY A BEARING FACTOR OF 1.03
5. THE TABLE VALUE CAN BE DOUBLED FOR A 2-PLY TRUSS PROVIDED THAT THE LENGTH OF THE BLOCK IS 3'-0" LONG MIN. AND BLOCKS ARE ATTACHE TO EACH SIDE OF 2-PLY TRUSS WITH NAILING PATTERN AS SPECIFIED AND 2- 1/2 A307 BOLTS TO CONNECT ALL 4 PLIES TOGETHER.

LOADS BASED ON FOLLOWING Fc PERPENDICULAR VALUES:
SYP = 565 psi
DF = 625 psi
HF = 405 psi
SPF = 425 psi

NOTE: VALUES DO NOT INCLUDE MSR LUMBER WITH "E" VALUES GREATER THAN 1,900,000 PSI OR NON-DENSE GRADE LUMBER.

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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MiTek®

BEARING BLOCK DETAIL 5 1/2" BEARING	MII/SAC - 4A	3/25/2004	PAGE 1

MiTek Industries, Inc.
Western Division

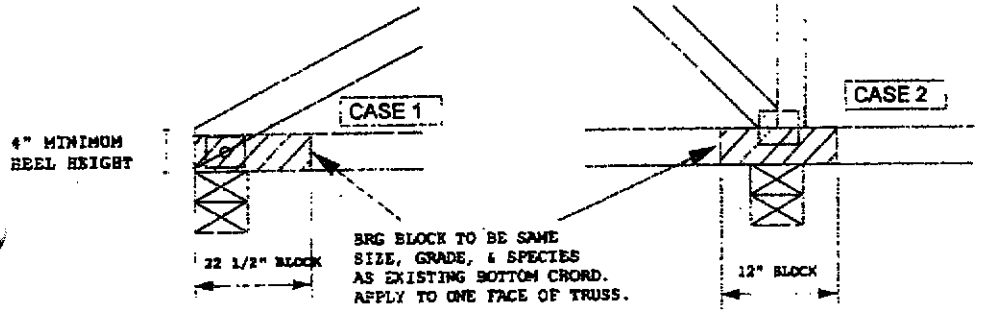
REFER TO INDIVIDUAL TRUSS DESIGN
FOR PLATE SIZES AND LUMBER GRADES

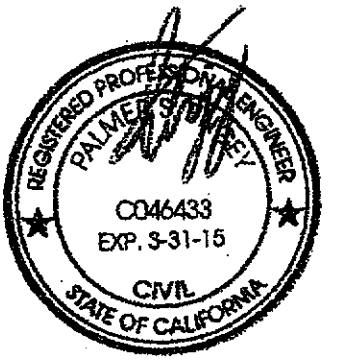
IMPORTANT
This detail to be used only with one ply trusses (EXCEPT AS NOTED BELOW) with a D.O.L. lumber increase of 1.15 or higher.
Trusses not fitting these criteria should be examined individually.

0-5-8 ACTUAL BEARING SIZEWITH BEARING BLOCK APPLIED ON ONE SIDE OF TRUSS

BOTTOM CHORD SIZE AND NAILING PATTERN	LUMBER GRADE (NOTE 1)	ALLOWABLE REACTION (lb) (NOTE 4,5)	BEARING BLOCK ALLOWABLE LOADS (NOTE 4)	BEARING BLOCK & WOOD BEARING ALLOWABLE LOADS	
				ALLOWABLE LOAD (lb) (NOTE 4)	TOTAL EQUIVALENT BEARING LENGTH
2x4 BOTTOM CHORD 2 ROWS @ 3" O.C. (8 TOTAL NAILS)	SYP	4661	929	5590	0-6-9
	DF	5156	855	6011	0-6-6
	HF	3341	736	4077	0-6-11
	SPF	3506	726	4232	0-6-10
2x6 BOTTOM CHORD 3 ROWS @ 3" O.C. (12 TOTAL NAILS)	SYP	4661	1393	6054	0-7-2
	DF	5156	1282	6438	0-6-13
	HF	3341	1104	4445	0-7-5
	SPF	3506	1089	4595	0-7-3
* 2x8 BOTTOM CHORD 4 ROWS @ 3" O.C. (16 TOTAL NAILS)	SYP	4661	1858	6519	0-7-11
	DF	5156	1710	6866	0-7-5
	HF	3341	1472	4813	0-7-14
	SPF	3506	1452	4958	0-7-12

* FOR 2X10 BOTTOM CHORD USE 2X8 BOTTOM CHORD VALUES.





APR 0 9 2013

NOTES:
1. USE LOWER OF TOP PLATE OF BEARING WALL OR BOTTOM CHORD OF TRUSS WOOD SPECIES.
2. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
3. NAILS DESIGNATED ARE (.131" DIAM. x 3") MINIMUM
4. FOR BEARINGS NOT NEARER THAN 3" TO THE END OF A MEMBER (CASE 2), THESE VALUES MAY BE MULTIPLIED BY A BEARING FACTOR OF 1.03
5. THE TABLE VALUE CAN BE DOUBLED FOR A 2-PLY TRUSS PROVIDED THAT THE LENGTH OF THE BLOCK IS 3'-0" LONG MIN. AND BLOCKS ARE ATTACHE TO EACH SIDE OF 2-PLY TRUSS WITH NAILING PATTERN AS SPECIFIED AND 2- 1/2 A307 BOLTS TO CONNECT ALL 4 PLIES TOGETHER.

LOADS BASED ON FOLLOWING Fc PERPENDICULAR VALUES:
SYP = 565 psi
DF = 625 psi
HF = 405 psi
SPF = 425 psi
NOTE: VALUES DO NOT INCLUDE MSR LUMBER WITH "E" VALUES GREATER THAN 1,900,000 PSI OR NON-DENSE GRADE LUMBER.

Page # 9

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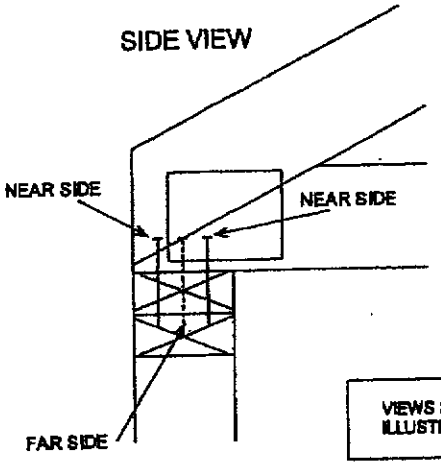
UPLIFT TOE-NAIL DETAIL	MII/SAC - 24	11/18/2004	PAGE 1

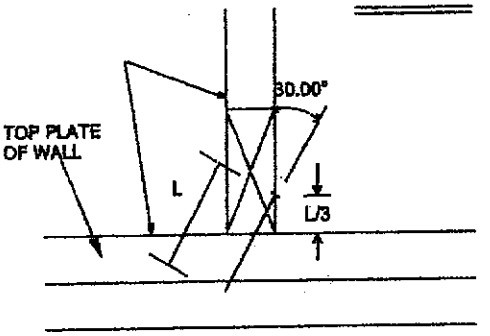
MiTek Industries, Inc.
Western Division

NOTES:
1. TOE-NAILS SHALL BE DRIVEN AT AN ANGLE OF 30 DEGREES WITH THE MEMBER AND STARTED 1/3 THE LENGTH OF THE NAIL FROM THE MEMBER END AS SHOWN.
2. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
3. ALLOWABLE VALUE SHALL BE THE LESSER VALUE OF THE BOTTOM CHORD SPECIES OR TOP PLATE SPECIES FOR MEMBERS OF DIFFERENT SPECIES.

SIDE VIEW



END VIEW



VIEWS SHOWN ARE FOR ILLUSTRATION PURPOSES ONLY

TOE-NAIL WITHDRAWAL VALUES PER NDS 2001 (lb/nail)

	DIAM.	SYP	DF	HF	SPF	SPF-S
3.5" LONG	.131	56.5	46.1	31.6	29.8	20.3
	.135	60.3	47.5	32.6	30.7	20.9
	.162	72.3	57.0	39.1	36.8	25.1
3.25" LONG	.128	53.1	41.8	28.7	27.0	18.4
	.131	54.3	42.8	29.3	27.7	18.8
	.148	61.4	48.3	33.2	31.3	21.3
3.0" LONG	.120	45.9	36.2	24.8	23.4	15.9
	.128	49.0	38.6	26.5	25.0	17.0
	.131	50.1	39.5	27.1	25.6	17.4
	.148	56.6	44.6	30.6	28.9	19.6

VALUES SHOWN ARE CAPACITY PER TOE-NAIL.
APPLICABLE DURATION OF LOAD INCREASES MAY BE APPLIED.

EXAMPLE:
(3) - 16d NAILS (.162" diam. x 3.5") WITH SPF SPECIES TOP PLATE

For Wind DOL of 1.33:
3 (nails) X 36.8 (lb/nail) X 1.33 (DOL for wind) = 146.8lb Maximum Allowable Uplift Reaction Due To Wind
For Wind DOL of 1.60:
3 (nails) X 36.8 (lb/nail) X 1.60 (DOL for wind) = 176.6lb Maximum Allowable Uplift Reaction Due To Wind

If the uplift reaction specified on the Truss Design Drawing is more than 146.8 lbs (176.6 lbs) another mechanical uplift connection must be used.

*** USE (3) TOE-NAILS ON 2x4 BEARING WALL
*** USE (4) TOE-NAILS ON 2x8 BEARING WALL

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STATE OF CALIFORNIA

Page # 10 APR 09 2013

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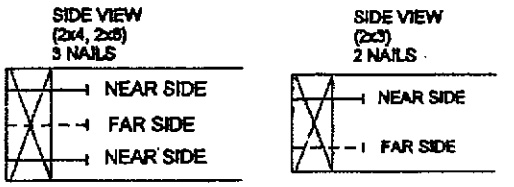
MiTek®

LATERALTOE-NAIL DETAIL	MII/SAC - 25	11/18/2004	PAGE 1

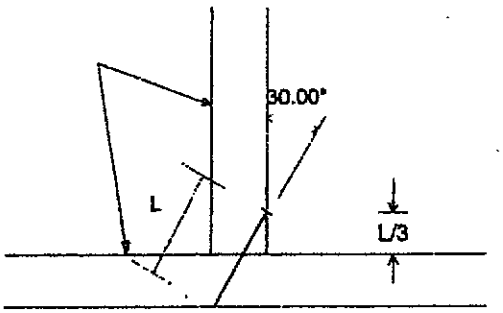
MiTek Industries, Inc.
Western Division

NOTES:
1. TOE-NAILS SHALL BE DRIVEN AT AN ANGLE OF 30 DEGREES WITH THE MEMBER AND STARTED 1/3 THE LENGTH OF THE NAIL FROM THE MEMBER END AS SHOWN.
2. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
3. ALLOWABLE VALUE SHALL BE THE LESSER VALUE OF THE BOTTOM CHORD SPECIES FOR MEMBERS OF DIFFERENT SPECIES.

SQUARE CUT



	TOE-NAIL SINGLE SHEAR VALUES PER NDS 2001 (lb/nail)					
	DIAM.	SYP	DF	HF	SPF	SPF-S
3.5" LONG	.131	88.1	80.6	69.9	68.4	59.7
	.135	93.5	85.6	74.2	72.6	63.4
	.162	118.3	108.3	93.9	91.9	80.2
3.25" LONG	.128	84.1	76.9	66.7	65.3	57.0
	.131	88.1	80.6	69.9	68.4	59.7
	.148	106.6	97.6	84.7	82.8	72.3
3.0" LONG	.120	73.9	67.6	58.7	57.4	50.1
	.128	84.1	76.9	66.7	65.3	57.0
	.131	88.1	80.6	69.9	68.4	59.7
	.148	106.6	97.6	84.7	82.8	72.3

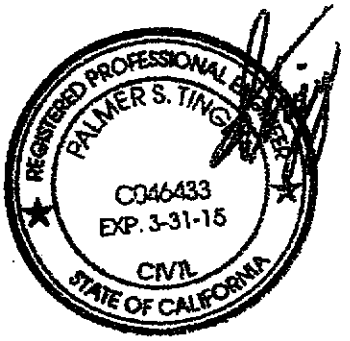


VALUES SHOWN ARE CAPACITY PER TOE-NAIL.
APPLICABLE DURATION OF LOAD INCREASES MAY BE APPLIED.

EXAMPLE:
(3) - 16d NAILS (.162" diam. x 3.5") WITH SPF SPECIES BOTTOM CHORD

For load duration increase of 1.15:
3 (nails) X 91.9 (lb/nail) X 1.15 (DOL) = 317.0 lb Maximum Capacity

45 DEGREE ANGLE BEVEL CUT



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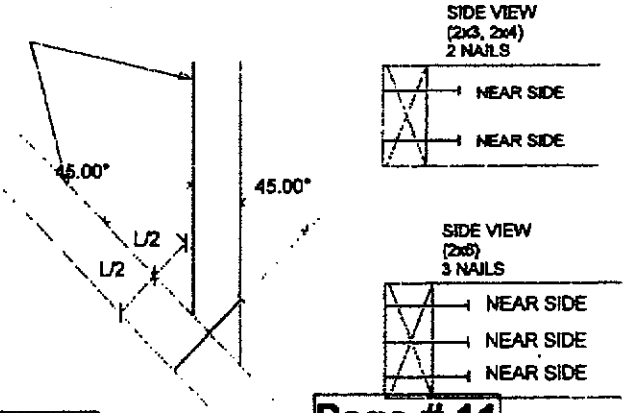

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MiTek®

MARCH 12, 2009	WEB BRACING RECOMMENDATIONS	ST-WEBBRACE

MiTek Industries, Chesterfield, MO

MiTek Industries, Inc.

BRACE BAY SIZE*	MAXIMUM TRUSS WEB FORCE (lbs.) (See note 7)									
	24"O.C.				48"O.C.				72" O.C.	
	BRACING MATERIAL TYPE				BRACING MATERIAL TYPE				BRACING MATERIAL TYPE	
	A	B	C	D	A	B	C	D	C	D
10'-0"	1610	1886	1886	2829						
12'-0"	1342	1572	1572	2358		3143	3143	4715	4715	7074
14'-0"	1150	1347	1347	2021						
16'-0"	1006	1179	1179	1768		2358	2358	3536		
18'-0"	894	1048	1048	1572					3143	4715
20'-0"	805	943	943	1414		1886	1886	2829		

*Bay size shall be measured in between the centers of pairs of diagonals.

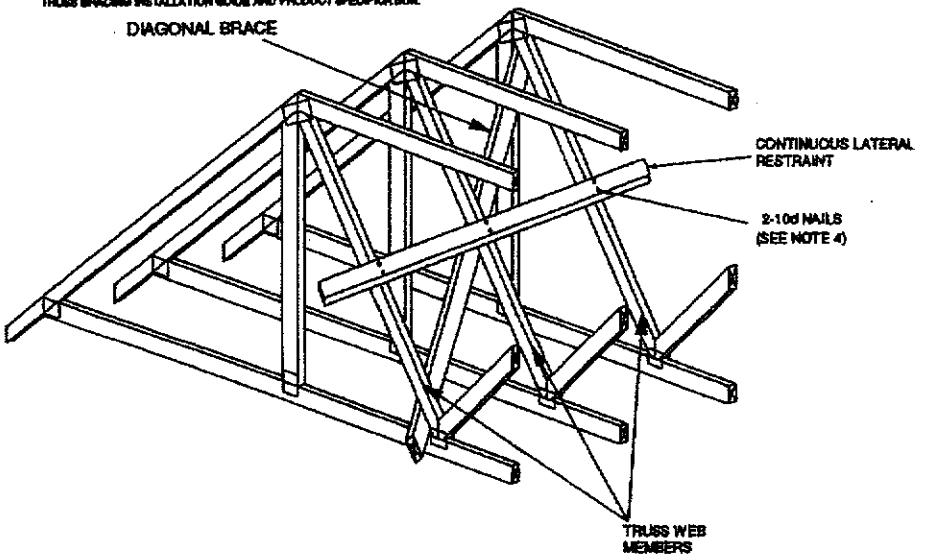
TYPE	BRACING MATERIALS
A	1 X 4 IND. 45 SYP -OR- 1 X 4 #2 SRB (DF, HF, SPF)
B	2 X 3 #3, STD, CONST (SPF, DF, HF, OR SYP)
C	2 X 4 #3, STD, CONST (SPF, DF, HF, OR SYP)
D	2 X 8 #2 OR BETTER (SPF, DF, HF, OR SYP)

GENERAL NOTES

1. DIAGONAL BRACING IS REQUIRED TO TRANSFER THE CUMULATIVE LATERAL BRACE FORCE INTO THE ROOF AND/OR CEILING DIAPHRAGM. THE DIAPHRAGM IS TO BE DESIGNED BY A QUALIFIED PROFESSIONAL.
2. THESE CALCULATIONS ARE BASED ON LATERAL BRACE CARRYING 2% OF THE WEB FORCE.
3. DIAGONAL BRACING MATERIAL MUST BE SAME SIZE AND GRADE OR BETTER, AS THE LATERAL BRACE MATERIAL, AND SHALL BE INSTALLED IN SUCH A MANNER THAT IT INTERSECTS WEB MEMBERS AT APPROX. 45 DEGREES AND SHALL BE NAILED AT EACH END AND EACH INTERMEDIATE TRUSS WITH 2-6d (0.131"x2.5") FOR 1x4 BRACES, 2-10d (0.131"x 3") FOR 2x3 and 2x4 BRACES, AND 3-10d (0.131"x3") FOR 2x6 BRACES.
4. CONNECT LATERAL BRACE TO EACH TRUSS WITH 2-8d (0.131"x2.5") NAILS FOR 1x4 LATERAL BRACES, 2-10d (0.131"x3") NAILS FOR 2x3 and 2x4 LATERAL BRACES, AND 3-10d (0.131"x3") FOR 2x6 LATERAL BRACES.
5. LATERAL BRACE SHOULD BE CONTINUOUS AND SHOULD OVERLAP AT LEAST ONE TRUSS SPACE FOR CONTINUITY.
6. FOR ADDITIONAL GUIDANCE REGARDING DESIGN AND INSTALLATION OF BRACING, CONSULT DSB-89 TEMPORARY BRACING OF METAL PLATE CONNECTED WOOD TRUSSES AND BCSI 1 GUIDE TO GOOD PRACTICE FOR HANDLING, INSTALLING & BRACING OF METAL PLATE CONNECTED WOOD TRUSSES, JOINTLY PRODUCED BY WOOD TRUSS COUNCIL OF AMERICA and TRUSS PLATE INSTITUTE. www.sbcindustry.com and www.tpinst.org
7. REFER TO SPECIFIC TRUSS DESIGN DRAWING FOR WEB MEMBER FORCE.
8. TABULATED VALUES ARE BASED ON A DOL. = 1.15

FOR STABILIZERS:

FOR A SPACING OF 24" O.C. ONLY, MITEK "STABILIZER" TRUSS BRACING SYSTEMS CAN BE SUBSTITUTED FOR TYPE A, B, C AND D BRACING MATERIAL. DIAGONAL BRACING FOR STABILIZERS ARE TO BE PROVIDED AT BAY SIZE INDICATED ABOVE. WHERE DIAPHRAGM BRACING IS REQUIRED AT PITCH BREAKS, STABILIZERS MAY BE REPLACED WITH WOOD BLOCKING. SEE "STABILIZER" TRUSS BRACING INSTALLATION GUIDE AND PRODUCT SPECIFICATION.



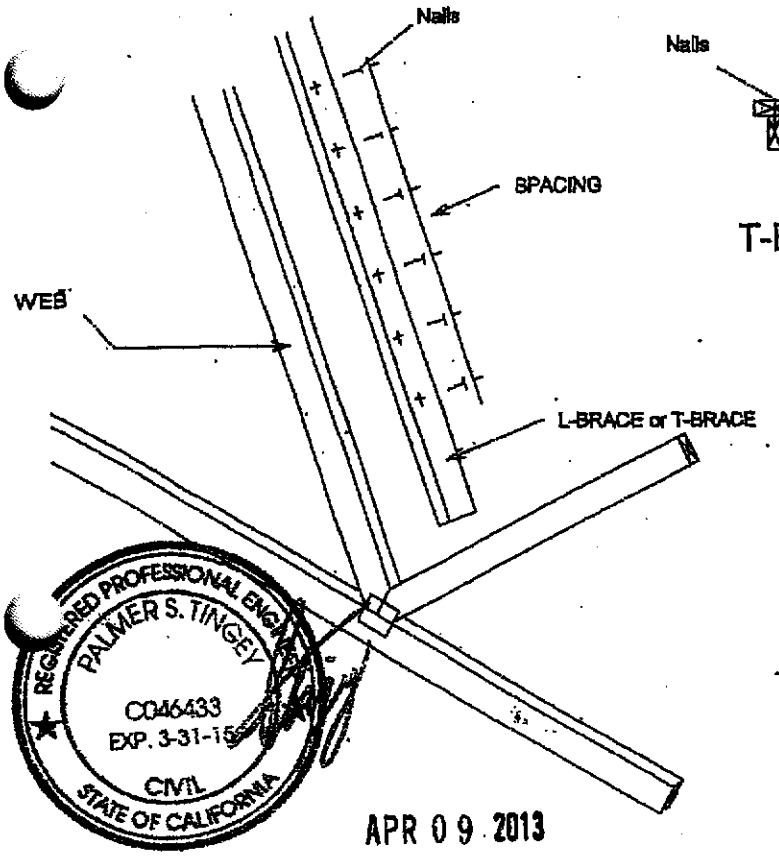
This information is provided as a recommendation to assist in the requirement for permanent bracing of the individual truss web members. Additional bracing may still be required for the stability of the overall roof system. The method shown here is just one method that can be used to provide stability against web buckling.

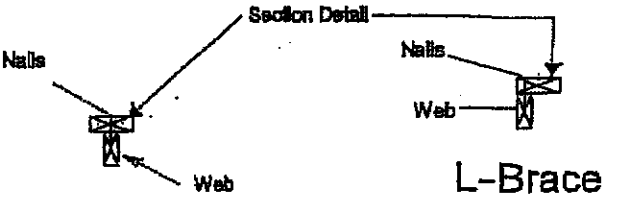
MiTek Industries, Inc.
Western Division

Nailing Pattern		
L-Brace size	Nail Size	Nail Spacing
1x4 or 6	10d (0.148X3")	8" o.c.
2x4, 6, or 8	16d(0.162X3 1/2")	8" o.c.
Note: Nail along entire length of L-Brace or T-Brace (On Two-Plies Nail to Both Plies)		

	L-Brace or T-Brace Size for One-Ply Truss	
	Specified Continuous Rows of Lateral Bracing	
Web Size	1	2
2x3 or 2x4	1x4	2x4
2x6	1x6	2x6
2x8	2x8	***

*** DIRECT SUBSTITUTION NOT APLICABLE.

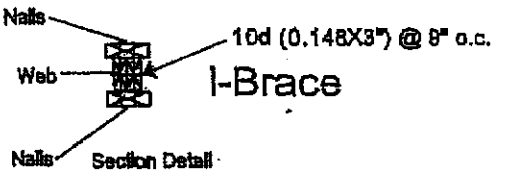




T-Brace

L-Brace

	T-Brace or I-Brace Size for Two-Ply Truss	
	Specified Continuous Rows of Lateral Bracing	
Web Size	1	2 (I-Brace)
2x3 or 2x4	2x4	2x4
2x6	2x6	2x6
2x8	2x8	2x8



I-Brace

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PALMER S. TINGEY
C046433
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STATE OF CALIFORNIA

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Note:
1. L-Bracing or T-Bracing to be used when continuous lateral bracing is impractical. L-brace must cover 90% of web length.
2. L-Brace or T-Brace must be same species grade (or better) as web member.
3. The Stabilizer or Eliminator of MiTek Ind. Inc. can replace the bracing members. Please refer to engineering document provided by MiTek Ind. Inc.

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
Design valid for use only with MiTek connectors. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult ANSI/TPI1 Quality Criteria, DSB-89 and BCSI1 Building Component Safety Information available from Truss Plate Institute, 583 D'Onofrio Drive; Madison, WI 53719.

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VALLEY TRUSS DETAIL	MII/SAC - 19	4/26/2004	PAGE 1 OF 2

[redacted]

LIVE LOAD = 60 PSF (MAX)
DEAD LOAD = 16 PSF (MAX)
D.O.L. INC = 1.15
85 MPH WIND SPEED, 3 SECOND GUST

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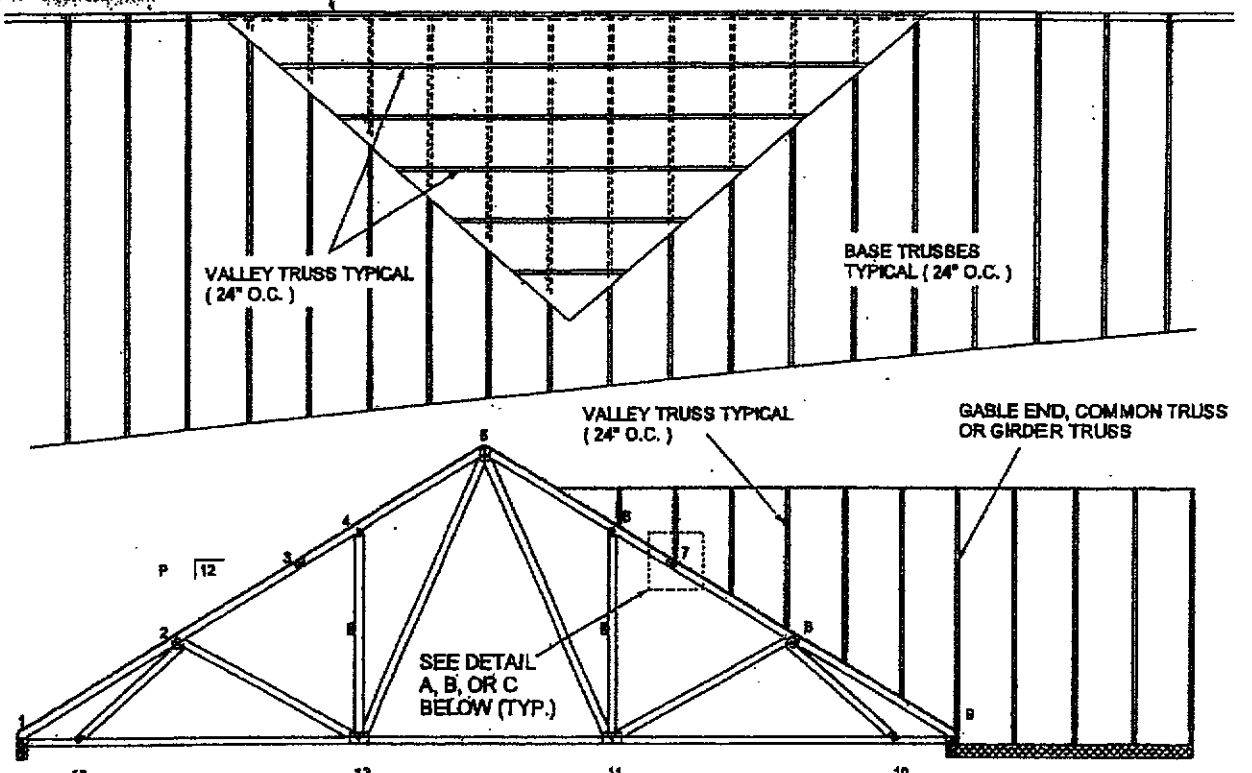
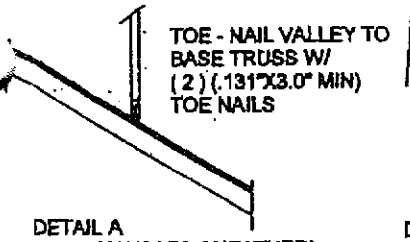
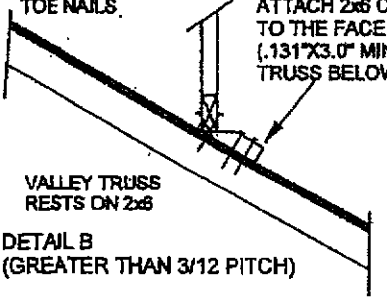
NOTE: VALLEY STUD SPACING NOT TO EXCEED 48" O.C. SPACING

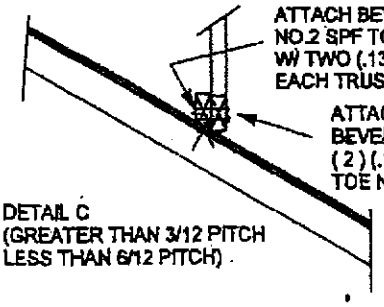




DETAIL A
(BASE TRUSSES SHEATHED)



DETAIL B
(GREATER THAN 3/12 PITCH)



DETAIL C
(GREATER THAN 3/12 PITCH LESS THAN 6/12 PITCH)

Page # 14

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PALMER SHINGLEY
C046433
EXP. 6-31-15
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STATE OF CALIFORNIA

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NOTES:

1. SPAN OF VALLEY TRUSS SHALL BE LIMITED TO 30'-0" MAX AND PITCH BETWEEN 2~6/12.
2. PROVIDE LATERAL SUPPORT FOR TOP CHORD OF BASE TRUSS WITH SHEATHING (BY OTHERS)
3. MAX WEB LENGTH WITHOUT BRACE (6'-3") WITH BRACE (12'-6")
4. IF TOP CHORD LATERAL BRACING REQUIRED IS LESS THAN SPACING OF VALLEY TRUSSES (24" O.C.) THAN ADDITIONAL 2X4 BRACING IS REQUIRED.
5. LATERAL BRACING SHALL BE NAILED W/MIN 2 10d NAILS.

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VALLEY TRUSS DETAIL	MII/SAC - 19	4/26/2004	PAGE 2 OF 2

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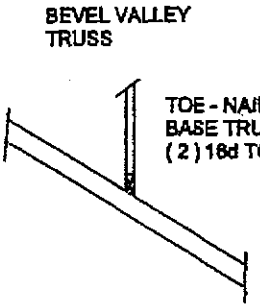
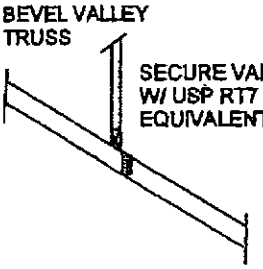


DETAIL D
(NO SHEATHING)

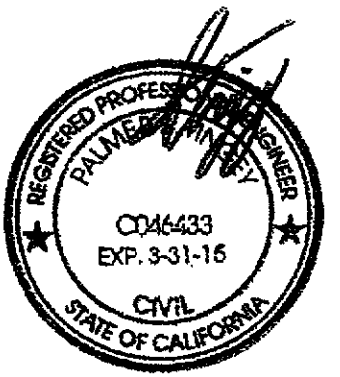


DETAIL E
(NO SHEATHING)

NOTES:

FOR CONNECTION OF VALLEY TRUSSES TO BASE TRUSS
USING DETAIL D OR DETAIL E.

1. SPACING OF LATERAL BRACING REQUIRED ON TOP CHORD OF BASE TRUSS SHALL BE LARGER THAN THE SPACING OF VALLEY TRUSSES (24" O.C. MAX) OTHERWISE, ADDITIONAL BRACING SHALL BE PROVIDED FOR TOP CHORD OF BASE TRUSS.
2. LATERAL FORCE SYSTEM SHALL BE CHECKED BY PROJECT ENGINEER TO VERIFY THE PROPER TRANSFER OF ALL THE VERTICAL AND LATERAL FORCE.



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PURLIN GABLE DETAIL	MII/SAC - 12	7/15/2005	PAGE 1 OF 4

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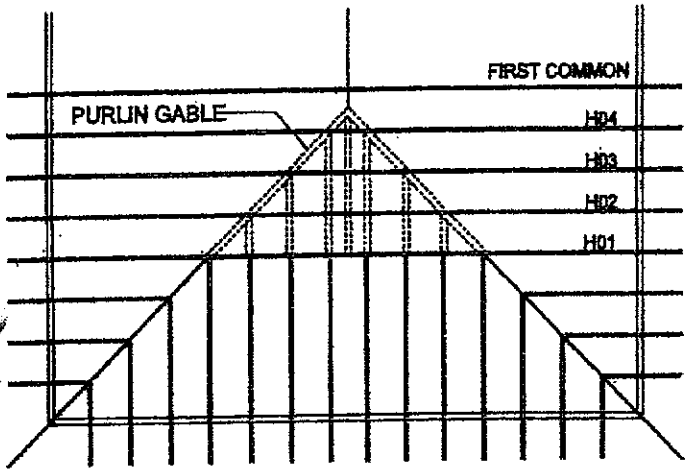
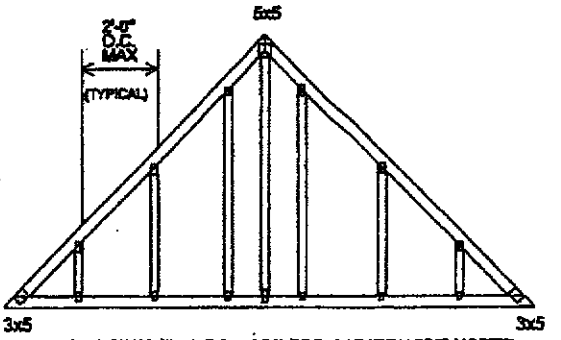


STUD SPACING ON PURLIN GABLE TO BE LESS THAN OR EQUAL TO THE LEAST TOP CHORD PURLIN SPACING ON THE GIRDER OR HIP TRUSS.

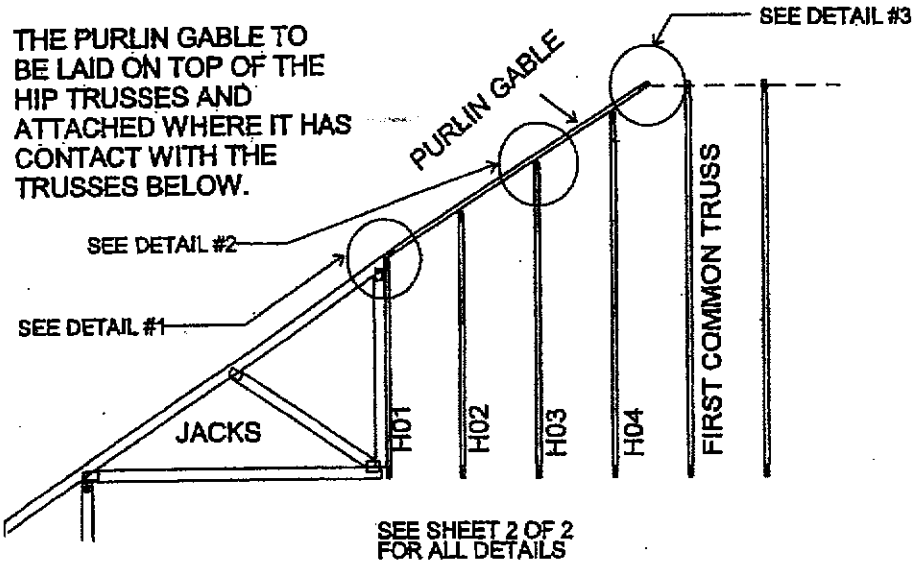


ALL PLATES TO BE 2x4 UNLESS OTHERWISE NOTED

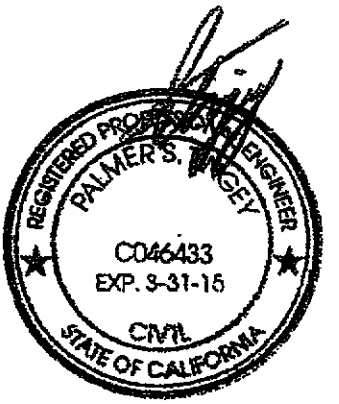
TYPICAL "PURLIN GABLE"

REFER TO ENGINEERED TRUSS DRAWING FOR EACH INDIVIDUAL TRUSS

THE PURLIN GABLE TO BE LAID ON TOP OF THE HIP TRUSSES AND ATTACHED WHERE IT HAS CONTACT WITH THE TRUSSES BELOW.



SEE SHEET 2 OF 2 FOR ALL DETAILS



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PURLIN GABLE DETAIL	MII/SAC - 12	7/15/2005	PAGE 2 OF 4

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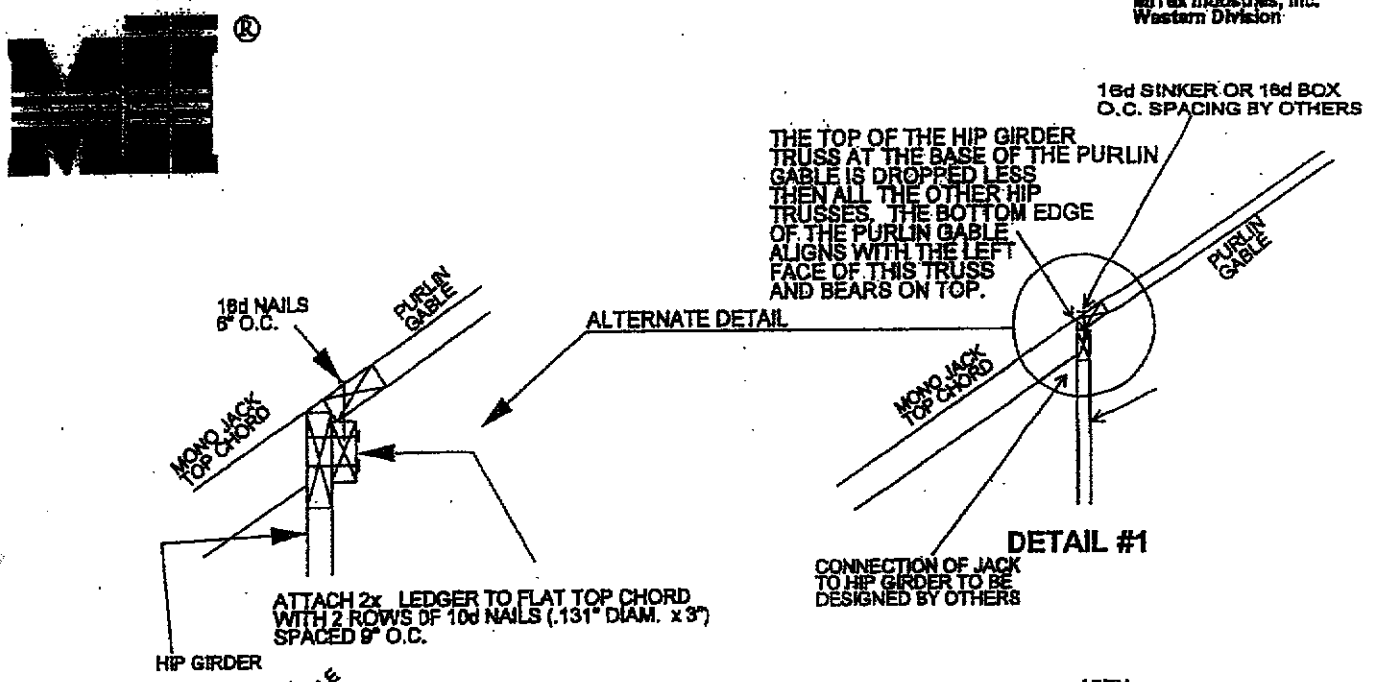
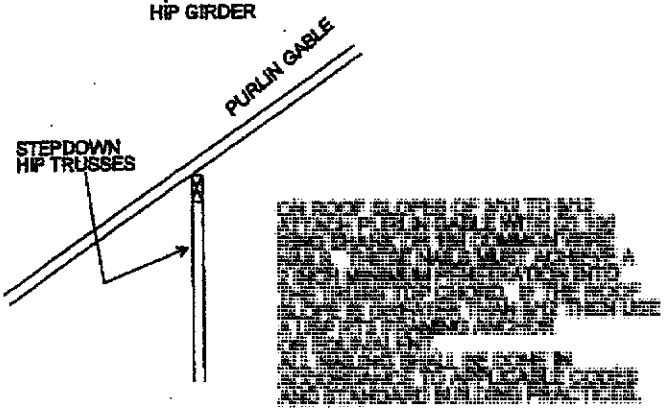
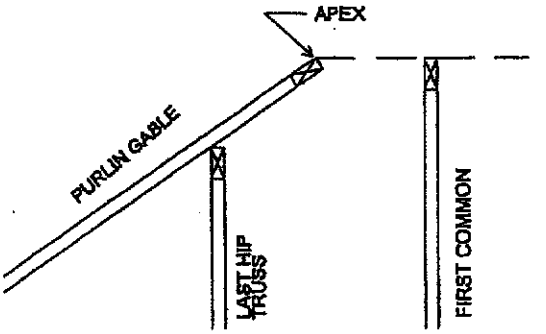


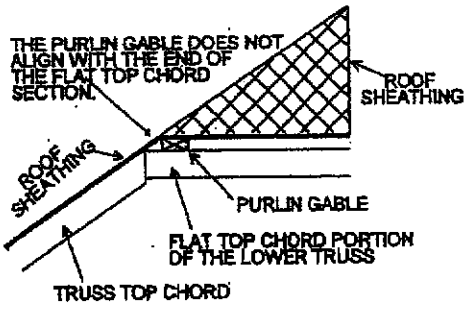
DETAIL #1



DETAIL #2



DETAIL #3



DETAIL #4

IMPORTANT NOTE: ALL CONNECTION NAILING SHALL NOT SPLIT ANY LUMBER

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PURLIN GABLE DETAIL	MII/SAC - 12	7/15/2005	PAGE 3 OF 4

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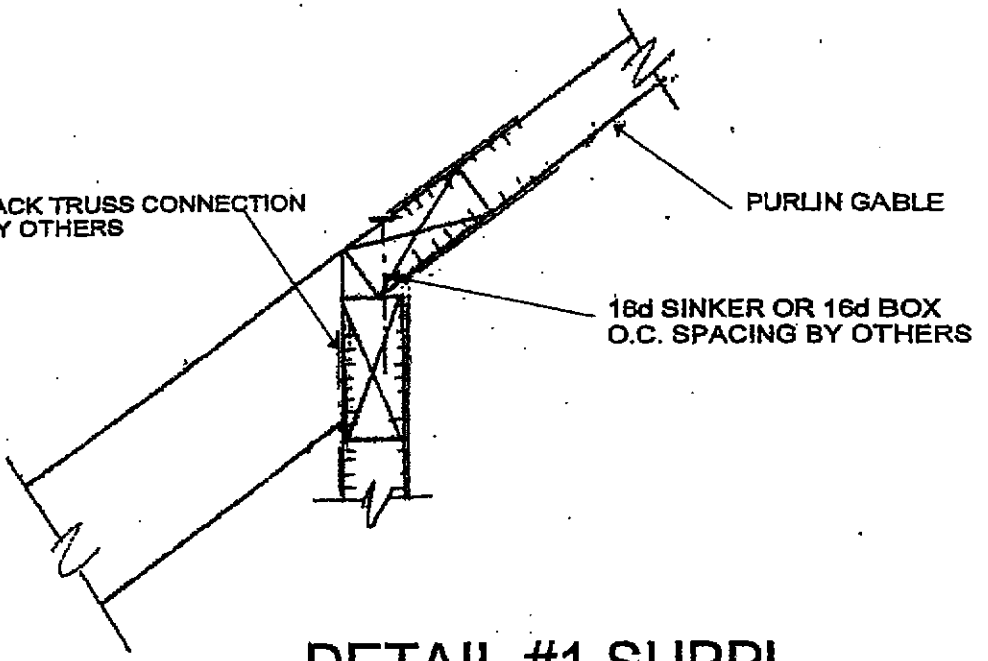
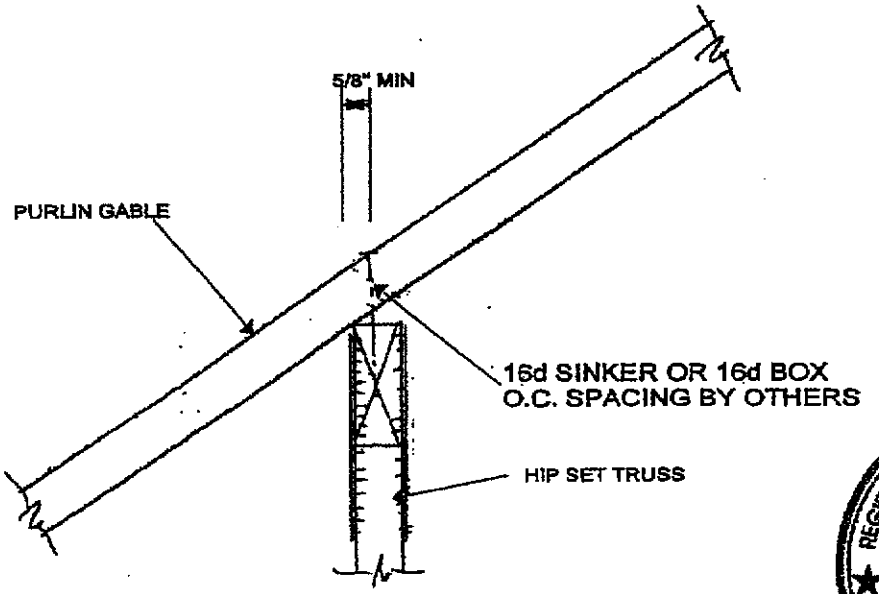


DETAIL #1 SUPPL.



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PALLAB CHATTERJEE
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DETAIL #2 SUPPL.

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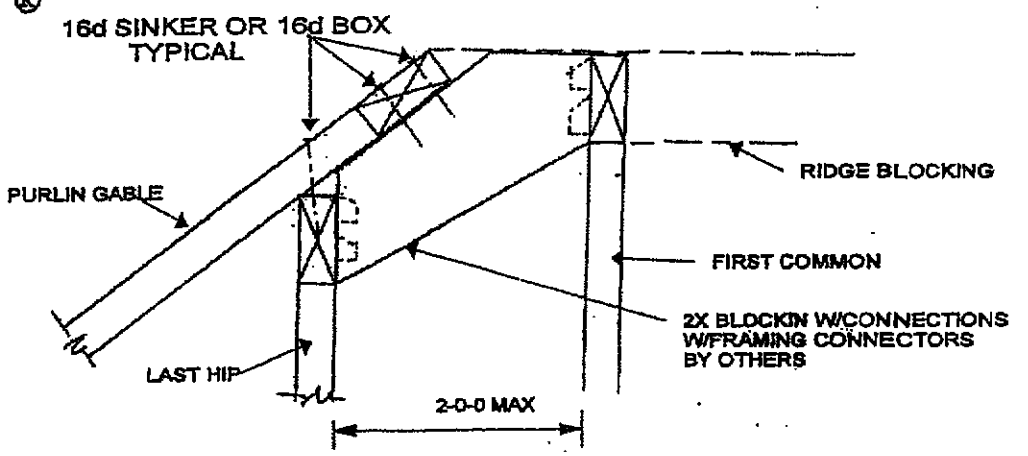
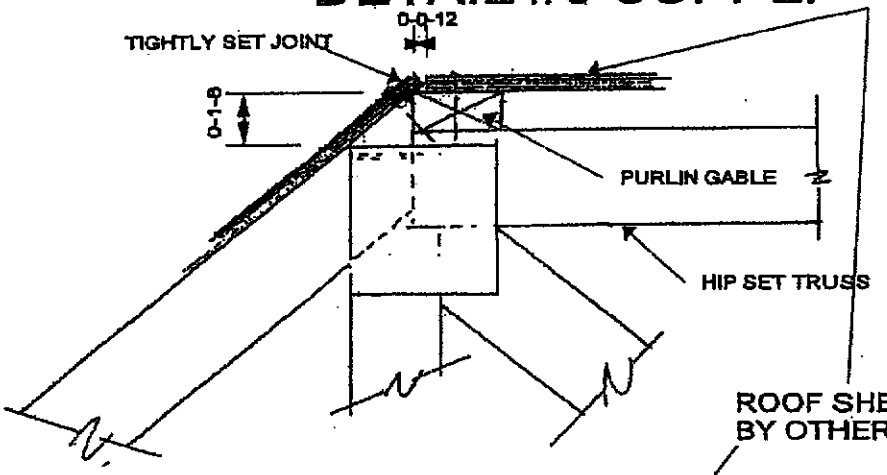


DETAIL #3 SUPPL.



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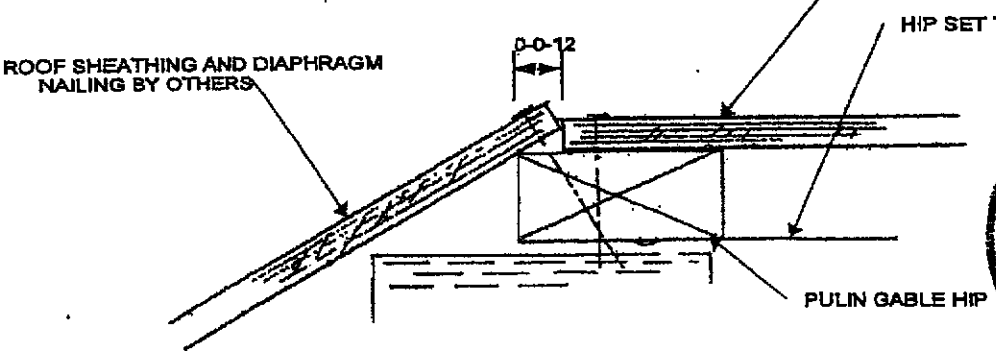

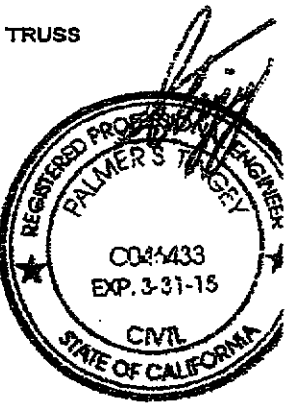

DETAIL #4A SUPPL

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STANDARD GABLE END DETAIL	MII/SAC - 20	4/27/2004	PAGE 1 OF 2

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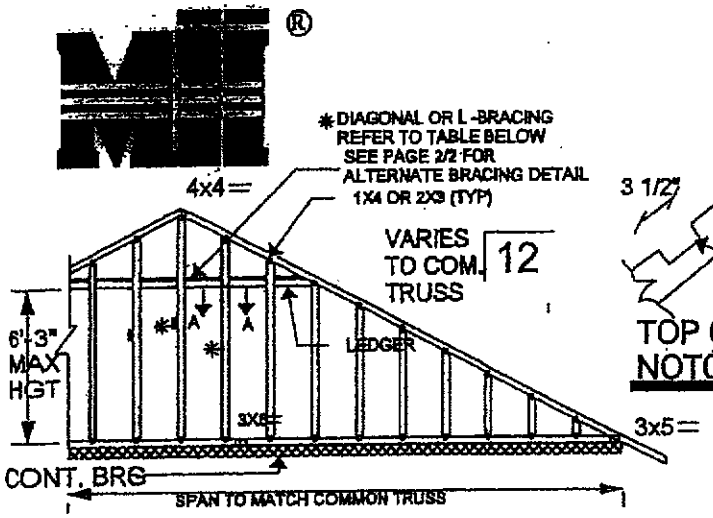
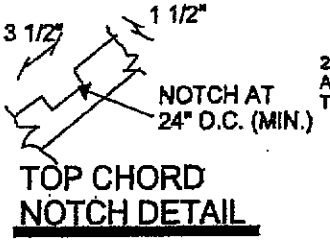
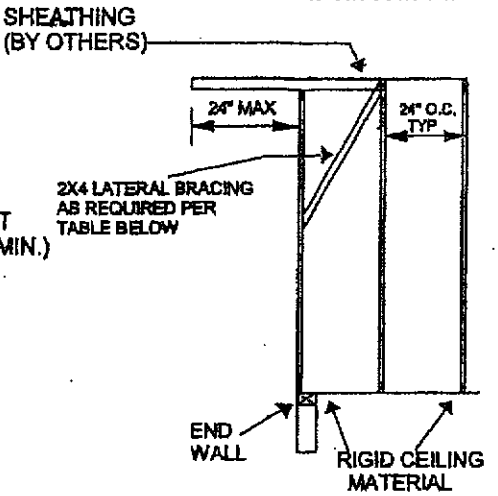
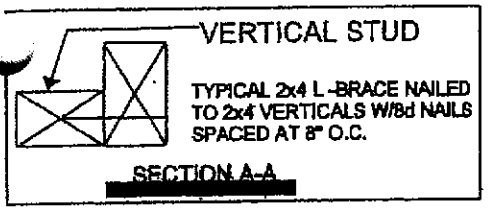




TOP CHORD NOTCH DETAIL



DETAIL A



LOADING(psf)		SPACING	2-0-0
TCLL	50.0	Plates Increase	1.15
TCDL	10.0	Lumber Increase	1.15
BCLL	0.0	Rep Stress Incr	YES
BCDL	10.0	Code	IBC/IRC

LATERAL BRACING NAILING SCHEDULE	
VERT. HEIGHT	# OF NAILS AT END
UP TO 7'-0"	2 - 16d
7'-0" - 8'-6"	3 - 16d
OVER 8'-6"	4 - 16d

LUMBER
TOP CHORD 2 X 4 DFL/SPF/HF - No.2
BOT CHORD 2 X 4 DFL/SPF/HF - STUD/STD
OTHERS 2 X 4 DFL/SPF/HF - STUD/STD

MAXIMUM VERTICAL STUD HEIGHT			
SPACING OF VERTICALS	WITHOUT BRACE	WITH LATERAL BRACE	WITH L - BRACE
12 INCH O.C.	6-7-0	13-2-0	11-0-0
16 INCH O.C.	5-8-0	11-4-0	9-6-0
24 INCH O.C.	4-8-0	9-4-0	7-9-0

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NOTES
1) VERT. STUDS HAVE BEEN CHECKED FOR 85 MPH WIND 3-SECOND GUST , EXP. B, HEIGHT 30 FT
2) CONNECTION BETWEEN BOTTOM CHORD OF GABLE END TRUSS AND WALL TO BE PROVIDED BY PROJECT ENGINEER OR ARCHITECT.
3) FURNISH COPY OF THIS DRAWING TO CONTRACTOR FOR BRACING INSTALLATION.
4) BRACING SHOWN IS FOR INDIVIDUAL TRUSS ONLY. CONSULT BLDG. ARCHITECT OR ENGINEER FOR TEMPORARY AND PERMANENT BRACING OF ROOF SYSTEM.
5) DETAIL A (SHOWN ABOVE) APPLIES TO STRUCTURAL GABLE ENDS AND TO GABLE ENDS WITH A MAX. VERT. STUD HEIGHT OF 8'-6".

APR 09 2013

TOP CHORD NOTCHING NOTES
1) THE GABLE MUST BE FULLY SHEATHED W/RIGID MATERIAL ON ONE FACE BEFORE NOTCHING IF STUDS ARE TO BE SPACED AT 24" O.C. ATTACH SCAB (EQUAL OR GREATER TO THE TRUSS T.C.) TO ONE FACE OF THE TOP CHORD WITH 10D NAILS SPACED AT 6" O.C. IF STUDS ARE SPACED AT 24" O.C. AND FACE OF TRUSS IS NOT FULLY SHEATHED.
2) NO LUMBER DEFECTS ALLOWED AT OR ABOUT NOTCHES.
3) LUMBER MUST MEET OR EXCEED VISUAL GRADE #2 LUMBER AFTER NOTCHING.
4) NO NOTCHING IS PERMITTED WITHIN 2X THE OVERHANG LENGTH.

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Continued on page 2

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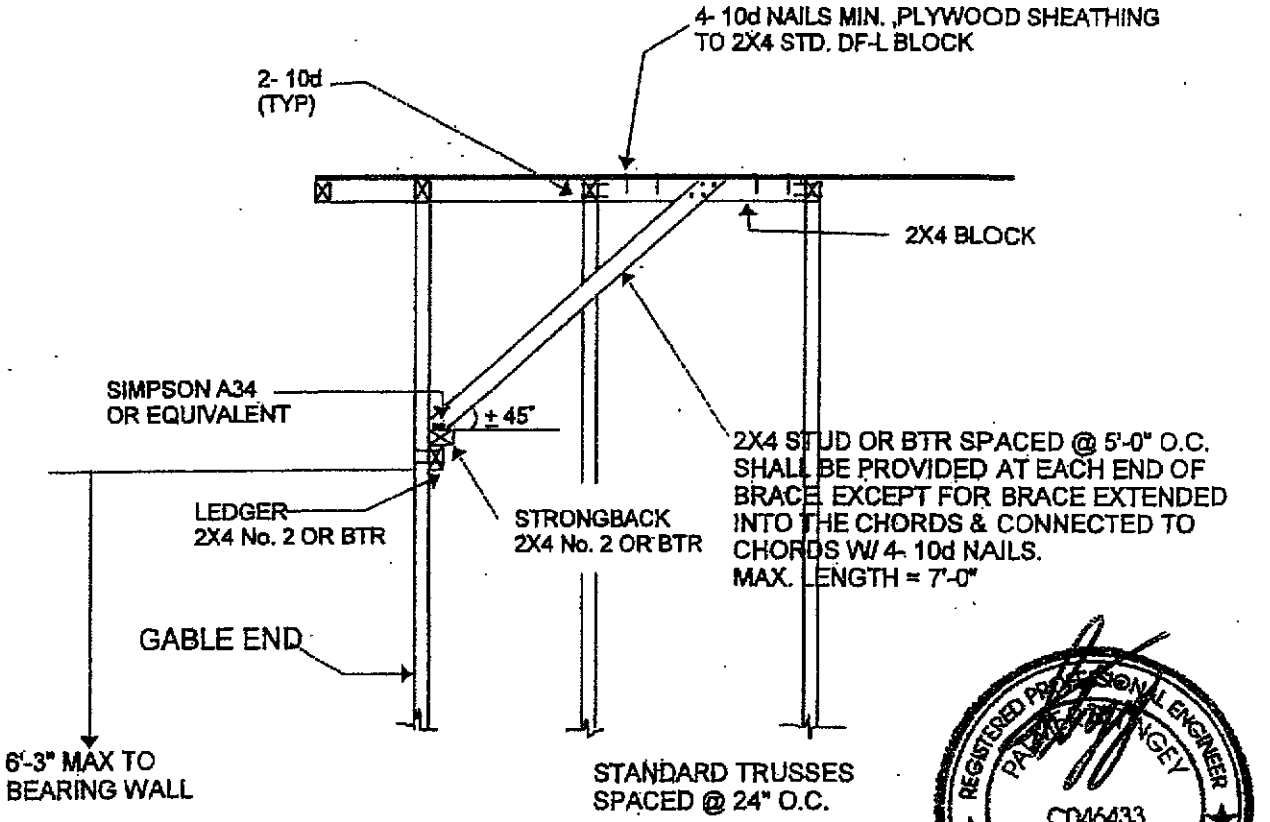
STANDARD GABLE END DETAIL	MII/SAC - 20	4/27/2004	PAGE 2 OF 2



REGISTERED PROFESSIONAL ENGINEER
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ALTERNATE BRACING DETAIL

NOTES

1)2X4 NO.2 OR BTR. FOR LEDGER AND STRONGBACK NAILED TOGETHER WITH 10D NAILS @ 6" O.C. APR 0 9 2013
2)2X4 LEDGER NAILED TO EACH STUD WITH 4- 10d NAILS .
3)2X4 STRONGBACK TO BE CONNECTED TO EACH VERT. STUD WITH 2- 10d TOE NAILS
4)THE 10d NAILS SPECIFIED FOR LEDGER AND STRONGBACK ARE 10d BOX NAILS (0.131" DIA. X 3.0" LGT)

THIS ALTERNATE BRACING DETAIL IS APPLICABLE TO STRUCTURAL GABLE END IF THE FOLLOWING CONDITIONS ARE MET:

1. MAXIMUM HEIGHT OF TRUSS = 8'-6", UNLESS OTHERWISE SPECIFIED BY PROJECT ENG. OR QUALIFIED BUILDING DESIGNER.
2. MAXIMUM PANEL LENGTH ON TOP AND BOT. CHORDS = 7'-0"
3. THE HORIZONTAL TIE MEMBER AT THE VENT OPENING SHALL BE BRACED @ 4'-0" O.C. MAX.
4. PLEASE CONTACT TRUSS ENGINEER IF THERE ARE ANY QUESTIONS.

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MiTek REFERENCE PAGE MII-7473 BEFORE USE.
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REPLACE A MISSING STUD ON A GABLE TRUSS	MII/SAC - 27	11/18/2004	PAGE 1

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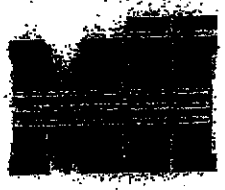
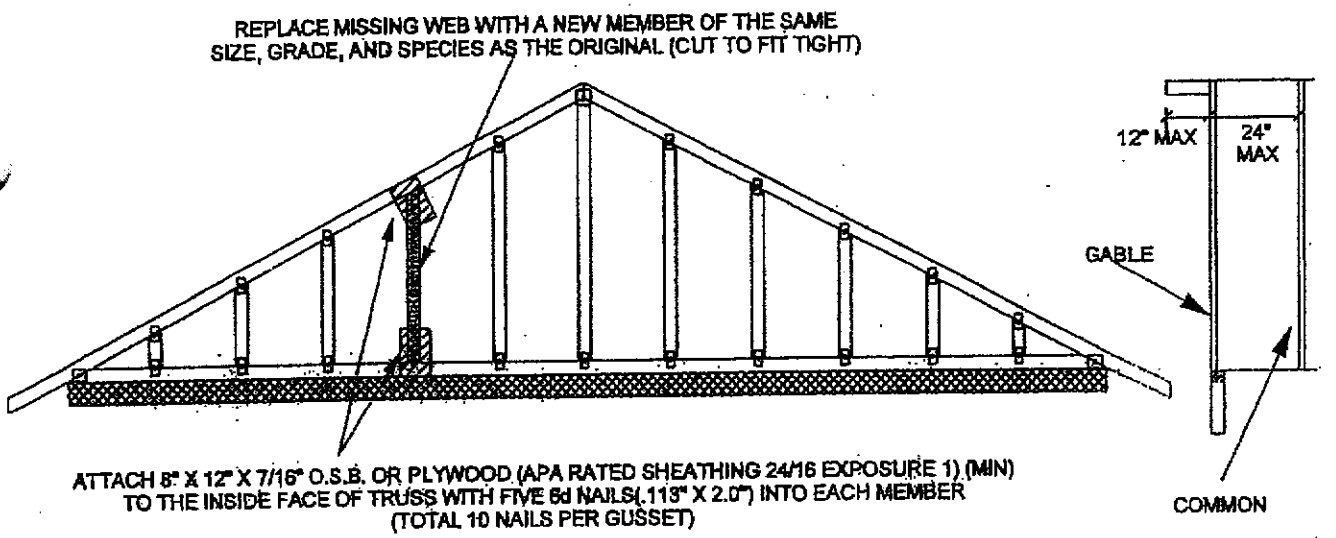
Western Division



1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. WHEN NAILING SCABS OR GUSSETS, THE USE OF A BACKUP WEIGHT IS RECOMMENDED TO AVOID LOOSENING OF THE CONNECTOR PLATES AT THE JOINTS OR SPLICES.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2X_ ORIENTATION ONLY.

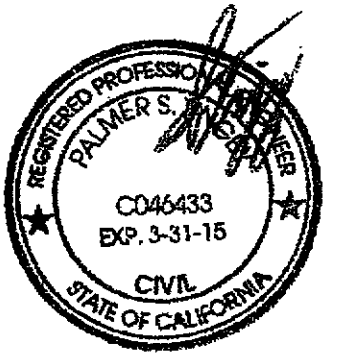


THE OUTSIDE FACE OF THE GABLE MUST BE SHEATHED WITH (MIN) 7/16" O.S.B OR PLYWOOD. SEE MITEK STANDARD GABLE END DETAILS FOR WIND BRACING REQUIREMENTS.

TRUSS CRITERIA

LOADING : 40-10-0-10 (MAX)
LOAD DURATION FACTOR : 1.15
SPACING : 24" O.C. (MAX)
TOP CHORD : 2X 4 OR 2X 6 (NO 2 MIN)
PITCH : 3/12 - 12/12
BEARING : CONTINUOUS
STUD SPACING 24" O.C. (MAX)

REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES



APR 09 2013

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WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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Mitek

REPAIR A BROKEN STUD ON A GABLE TRUSS	MII/SAC - 28	11/18/2004	PAGE 1

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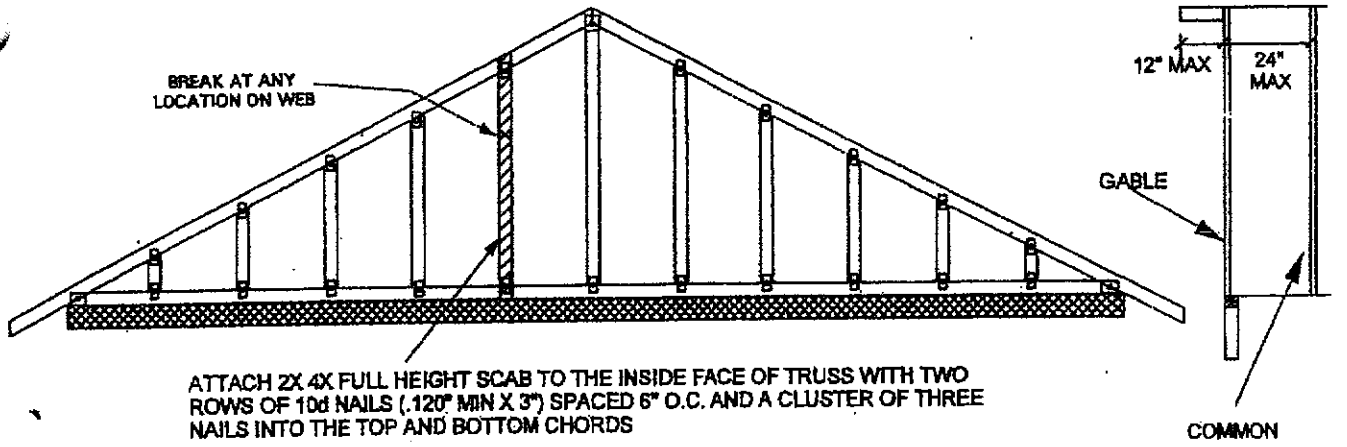
Western Division

1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. WHEN NAILING SCABS OR GUSSETS, THE USE OF A BACKUP WEIGHT IS RECOMMENDED TO AVOID LOOSENING OF THE CONNECTOR PLATES AT THE JOINTS OR SPLICES.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2X_ ORIENTATION ONLY.

SCAB LUMBER SHOULD BE OF THE SAME SIZE, GRADE, AND SPECIES AS THE ORIGINAL



ATTACH 2X 4X FULL HEIGHT SCAB TO THE INSIDE FACE OF TRUSS WITH TWO ROWS OF 10d NAILS (.120" MIN X 3") SPACED 6" O.C. AND A CLUSTER OF THREE NAILS INTO THE TOP AND BOTTOM CHORDS

THE OUTSIDE FACE OF THE GABLE MUST BE SHEATHED W/ (MIN) 7/16" O.S.B.OR PLYWOOD. SEE MITEK STANDARD GABLE END DETAILS FOR WIND BRACING REQUIREMENTS.

TRUSS CRITERIA

LOADING : 40-10-0-10 (MAX)
DURATION FACTOR : 1.15
SPACING : 24"
TOP CHORD : 2X 4 OR 2X 6 (NO 2 MIN)
PITCH : 3/12 - 12/12
BEARING : CONTINUOUS
STUD SPACING :24" O.C. (MAX)

REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES

REGISTERED PROFESSIONAL ENGINEER
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STATE OF CALIFORNIA

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REPAIR TO REMOVE CENTER STUD ON A GABLE TRUSS	MII/SAC - 29	11/18/2004	PAGE 1

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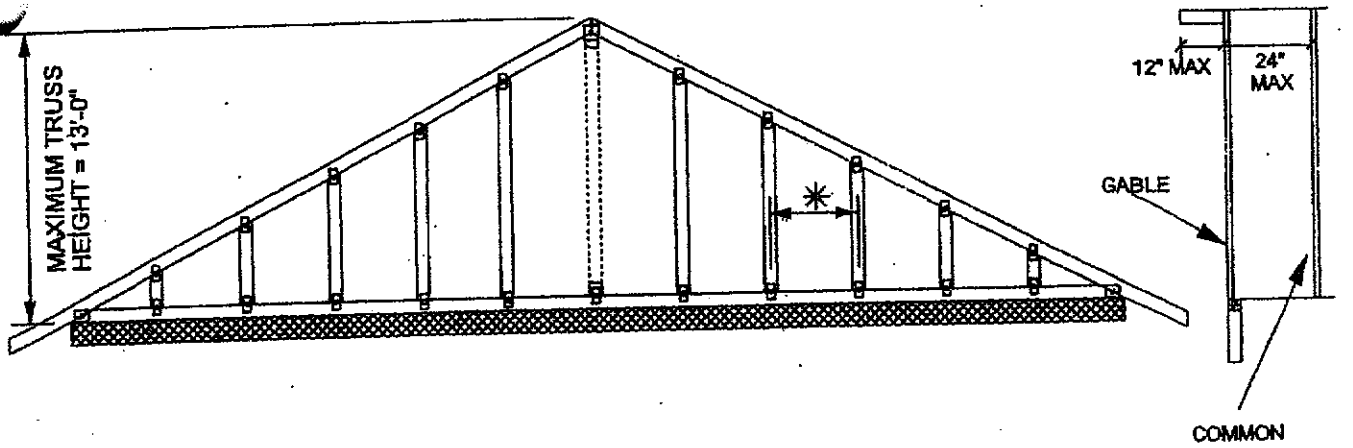
Western Division

1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. LUMBER MUST BE CUT CLEANLY AND ACCURATELY AND THE REMAINING WOOD MUST BE UNDAMAGED.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2X_ ORIENTATION ONLY.
6. CONNECTOR PLATES MUST BE FULLY IMBEDDED AND UNDISTURBED.

✳ MAXIMUM STUD SPACING = 24" O.C.

LUMBER TO BE CUT CLEANLY AND ACCURATELY.
NO PLATES ARE TO BE DISTURBED.
NO REPAIR NEEDED.



THE OUTSIDE FACE OF THE GABLE MUST BE SHEATHED W/ (MIN) 7/16" O.S.B OR PLYWOOD.
SEE MITEK STANDARD GABLE END DETAILS FOR WIND BRACING REQUIREMENTS.

IMPORTANT
This repair to be used only with trusses (spans less than 50') spaced 24" o.c. maximum, having pitches between 3/12 and 12/12, total top chord loads less than 50 psf and maximum wind speeds of 100 mph. Trusses not fitting these criteria should be examined individually.

TRUSS CRITERIA

LOADING : 40-10-0-10 (MAX)
DURATION FACTOR : 1.15
SPACING : 24" MAXIMUM
TOP CHORD : 2X 4 OR 2X 6 (NO 2 MIN)
PITCH : 3/12 - 12/12
BEARING : CONTINUOUS
STUD SPACING :24" O.C. (MAX)

REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES

Page # 24

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APR 09 2013

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REPAIR TO NOTCH 2X6 TOP CHORD ON A GABLE TRUSS	MII/SAC - 30	11/18/2004	PAGE 1

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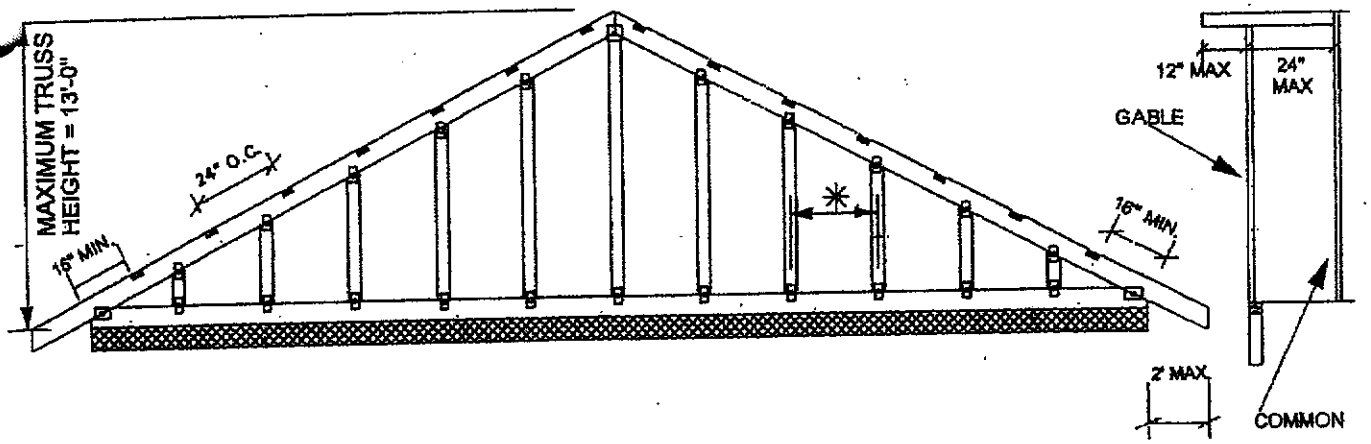
1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. LUMBER MUST BE CUT CLEANLY AND ACCURATELY AND THE REMAINING WOOD MUST BE UNDAMAGED.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2X_ ORIENTATION ONLY.
6. CONNECTOR PLATES MUST BE FULLY IMBEDDED AND UNDISTURBED.

3 1/2" X 1 1/2" NOTCH IN TOP CHORD 24" O.C. AS SHOWN
LUMBER TO BE CUT CLEANLY AND ACCURATELY.
NO PLATES ARE TO BE DISTURBED.
NO REPAIR NEEDED.

✳ MAXIMUM STUD SPACING = 24" O.C.



THE OUTSIDE FACE OF THE GABLE MUST BE SHEATHED W/ (MIN) 7/16" O.S.B OR PLYWOOD.
SEE MITEK STANDARD GABLE END DETAILS FOR WIND BRACING REQUIREMENTS.

IMPORTANT
This repair to be used only with trusses (spans less than 50') spaced 24" o.c. maximum, having pitches between 3/12 and 12/12, total top chord loads less than 50 psf and maximum wind speeds of 100 mph. Trusses not fitting these criteria should be examined individually.

TRUSS CRITERIA

LOADING : 40-10-0-10 (MAX)
DURATION FACTOR : 1.15
SPACING : 24" MAXIMUM
TOP CHORD : 2X 6 (NO 2 MIN)
PITCH : 3/12 - 12/12
BEARING : CONTINUOUS
STUD SPACING :24" O.C. (MAX)

REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES

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STATE OF CALIFORNIA

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Page # 25

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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REPAIR TO NOTCH 2X4 TOP CHORD ON A GABLE TRUSS	MII/SAC - 31	11/18/2004	PAGE 1

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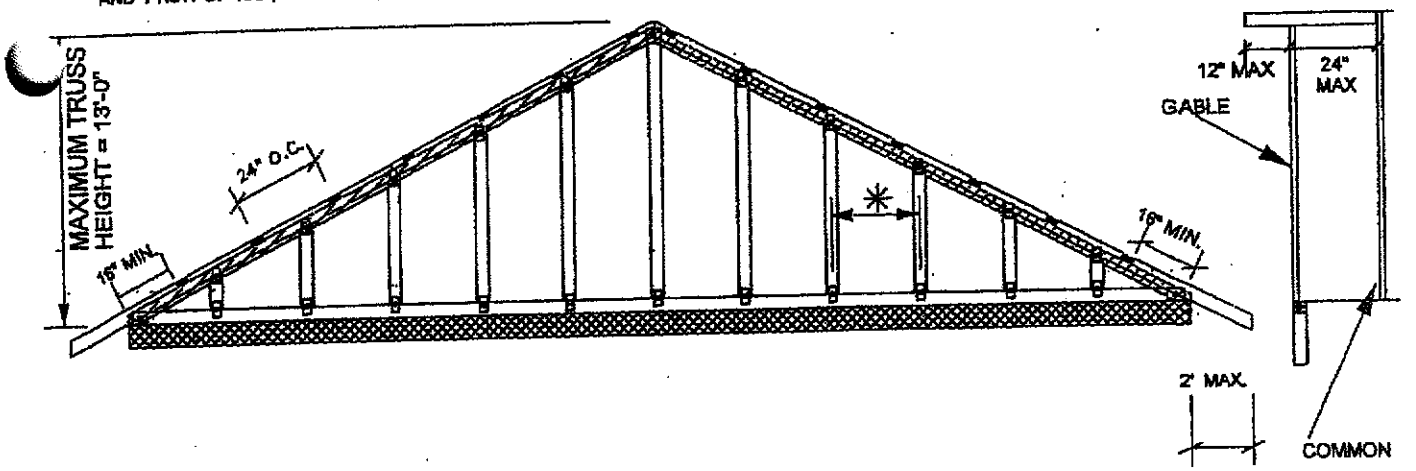
1. THIS IS A SPECIFIC REPAIR DETAIL TO BE USED ONLY FOR ITS ORIGINAL INTENTION. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLYING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID SPLITTING OF THE WOOD.
4. LUMBER MUST BE CUT CLEANLY AND ACCURATELY AND THE REMAINING WOOD MUST BE UNDAMAGED.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2X_ ORIENTATION ONLY.
6. CONNECTOR PLATES MUST BE FULLY IMBEDDED AND UNDISTURBED.

LUMBER TO BE CUT CLEANLY AND ACCURATELY.
NO PLATES ARE TO BE DISTURBED.
APPLY 2X4 NO.2 SCAB TO ONE FACE OF TOP CHORD OF TRUSS WITH CONSTRUCTION QUALITY ADHESIVE AND 1 ROW OF 10d (3" X 0.131") NAILS SPACED 6" O.C.

✳ MAXIMUM STUD SPACING = 24" O.C.



THE OUTSIDE FACE OF THE GABLE MUST BE SHEATHED W/ (MIN) 7/16" O.S.B OR PLYWOOD.
SEE MITEK STANDARD GABLE END DETAILS FOR WIND BRACING REQUIREMENTS.

IMPORTANT
This repair to be used only with trusses (spans less than 50') spaced 24" o.c. maximum, having pitches between 3/12 and 12/12, total top chord loads less than 50 psf and maximum wind speeds of 100 mph. Trusses not fitting these criteria should be examined individually.

TRUSS CRITERIA

LOADING : 40-10-0-10 (MAX)
DURATION FACTOR : 1.15
SPACING : 24" MAXIMUM
TOP CHORD : 2X 4 (NO 2 MIN)
PITCH : 3/12 - 12/12
BEARING : CONTINUOUS
STUD SPACING :24" O.C. (MAX)

REFER TO INDIVIDUAL TRUSS DESIGN FOR PLATE SIZES AND LUMBER GRADES

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STATE OF CALIFORNIA

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STANDARD REPAIR DETAIL 25%	MII/SAC - 21A	5/3/2004	PAGE 1

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Western Division

TOTAL NUMBER OF NAILS EACH SIDE OF BREAK *		X INCHES	MAXIMUM FORCE (lbs) 25% LOAD DURATION							
			SYP		DF		SPF		HF	
2x4	2x6		2x4	2x6	2x4	2x6	2x4	2x6	2x4	2x6
14	21	24"	2240	3360	2065	3097	1750	2625	1785	2677
18	27	30"	2880	4320	2655	3982	2250	3375	2295	3442
22	33	36"	3520	5280	3245	4867	2750	4125	2805	4207
26	39	42"	4160	6240	3835	5752	3250	4875	3315	4972
30	45	48"	4800	7200	4425	6637	3750	5625	3825	5737

* DIVIDE EQUALLY FRONT AND BACK

ATTACH 2x_ SCAB OF THE SAME SIZE AND GRADE AS THE BROKEN MEMBER TO EACH FACE OF THE TRUSS (CENTER ON BREAK OR SPLICE) W/CONSTRUCTION QUALITY ADHESIVE AND 10d NAILS (TWO ROWS FOR 2x4, THREE ROWS FOR 2x6) SPACED 6"oc STAGGERED AS SHOWN.(.148"dia. x 3")

THE LENGTH OF THE BREAK (C) SHALL NOT EXCEED 12". (C=PLATE LENGTH FOR SPLICE REPAIRS)
THE MINIMUM OVERALL SCAB LENGTH REQUIRED (L) IS CALCULATED AS FOLLOWS:
L = (2) X + C

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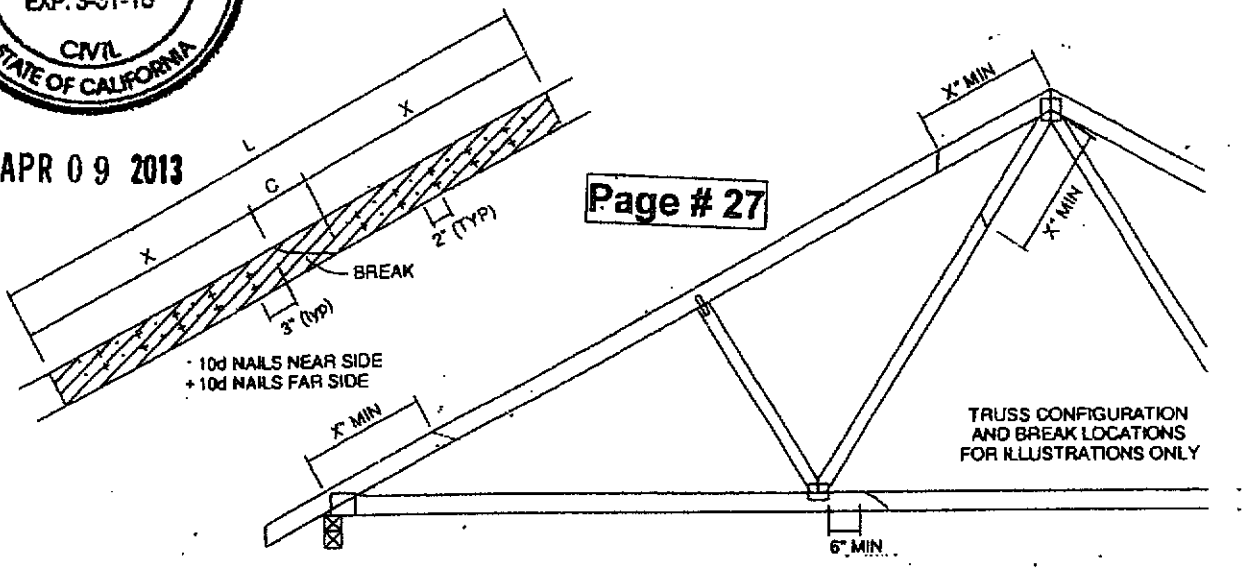

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THE LOCATION OF THE BREAK MUST BE GREATER THAN OR EQUAL TO THE REQUIRED X DIMENSION FROM ANY PERIMETER BREAK OR HEEL JOINT AND A MINIMUM OF 6" FROM ANY INTERIOR JOINT (SEE SKETCH ABOVE)

DO NOT USE REPAIR FOR JOINT SPLICES

NOTES:
1. THIS REPAIR DETAIL IS TO BE USED ONLY FOR THE APPLICATION SHOWN. THIS REPAIR DOES NOT IMPLY THAT THE REMAINING PORTION OF THE TRUSS IS UNDAMAGED. THE ENTIRE TRUSS SHALL BE INSPECTED TO VERIFY THAT NO FURTHER REPAIRS ARE REQUIRED. WHEN THE REQUIRED REPAIRS ARE PROPERLY APPLIED, THE TRUSS WILL BE CAPABLE OF SUPPORTING THE LOADS INDICATED.
2. ALL MEMBERS MUST BE RETURNED TO THEIR ORIGINAL POSITIONS BEFORE APPLING REPAIR AND HELD IN PLACE DURING APPLICATION OF REPAIR.
3. THE END DISTANCE, EDGE DISTANCE AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
4. WHEN NAILING THE SCABS, THE USE OF A BACKUP WEIGHT IS RECOMMENDED TO AVOID LOOSENING OF THE CONNECTOR PLATES AT THE JOINTS OR SPLICES.
5. THIS REPAIR IS TO BE USED FOR SINGLE PLY TRUSSES IN THE 2x_ ORIENTATION ONLY.
6. THIS REPAIR IS LIMITED TO TRUSSES WITH NO MORE THAN THREE BROKEN MEMBERS.

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FALSE BOTTOM CHORD FILLER DETAIL	MII/SAC - 1	3/10/2004	PAGE 1

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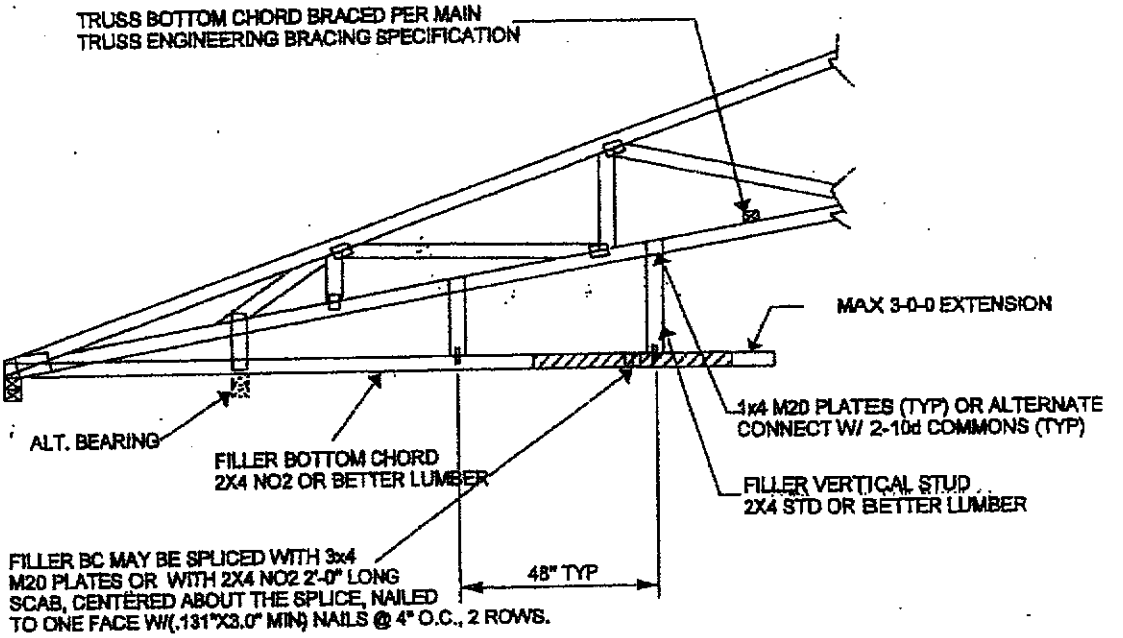
Western Division



NOTES:

1) FOR LUMBER SIZE AND GRADE, AND FOR PLATES TYPE AND SIZE AT EACH JOINT REFER TO MAIN TRUSS ENGINEERING DESIGN.

2) LOADING: FOR TOP CHORD SEE MAIN TRUSS ENGINEERING DESIGN.
BOTTOM CHORD LOADS: LIVE = 0 PSF; DEAD; = 10 PSF

3) TRUSS SPACING = 24" O.C. MAX

4) MAX BOTTOM CHORD PITCH = 4/12

5) FILLER MEMBERS ARE NON STRUCTURAL PART OF THE MAIN TRUSS; THEREFORE THEY MAY BE FIELD ADJUSTED TO FIT EXISTING CONDITIONS, PROVIDED THAT STUD SPACING, CONNECTION AND EXTENSION REQUIREMENTS ARE AS SPECIFIED. ADJUSTMENTS MAY INCLUDE ADDITION OR REMOVAL OF FILLER MEMBERS.

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APR 09 2013

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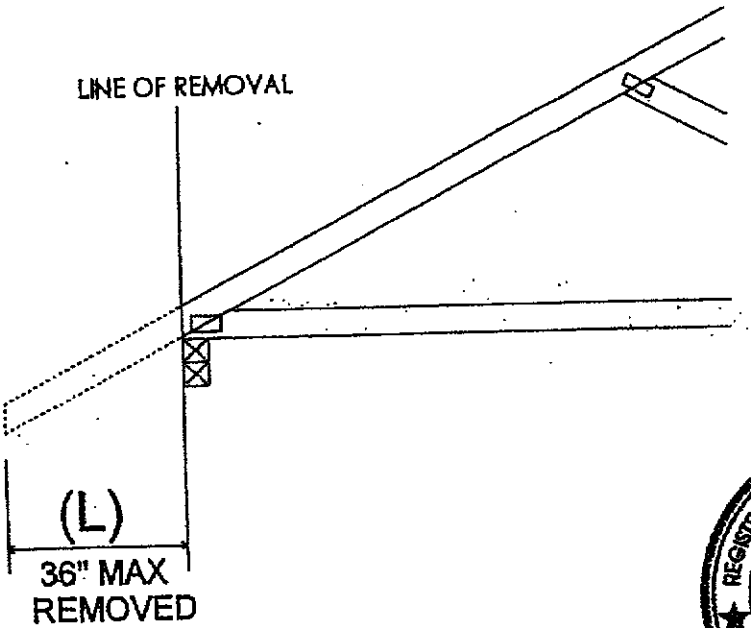
OVERHANG REMOVAL DETAIL	MII/SAC - 5C	12/6/2005	PAGE 1

MiTek Industries, Inc.
Western Division

TRUSS CRITERIA:
LOADING: 25-18-0-10 (MAX)
DURATION FACTOR: 1.15/ 1.25
SPACING: 24" O.C.
TOP CHORD: 2x4 OR 2x6
HEEL HEIGHT: STANDARD HEEL UP TO 12" ENERGY HEEL
END BEARING CONDITION
Trusses not fitting these criteria should be examined individually.

NOTES:
1. THIS DETAIL IS FOR REMOVING OVERHANG. THIS DETAIL IS NOT TO BE USED WHEN OVERHANG HAS BEEN BROKEN OFF.
2. NO LUMBER DAMAGE OR DEFECTS SHALL GO BEYOND REMOVAL LINE. NO CONNECTOR PLATE DAMAGE ALLOWED

2 ~ 12 (12)



REFER TO INDIVIDUAL TRUSS DESIGN
FOR PLATE SIZES AND LUMBER GRADES

REGISTERED PROFESSIONAL ENGINEER
PALMASEDANO
C046433
EXP. 3-31-15
CIVIL
STATE OF CALIFORNIA

APR 09 2013

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SCAB APPLIED OVERHANGS	MII/SAC - 5	3/25/2004	PAGE 1

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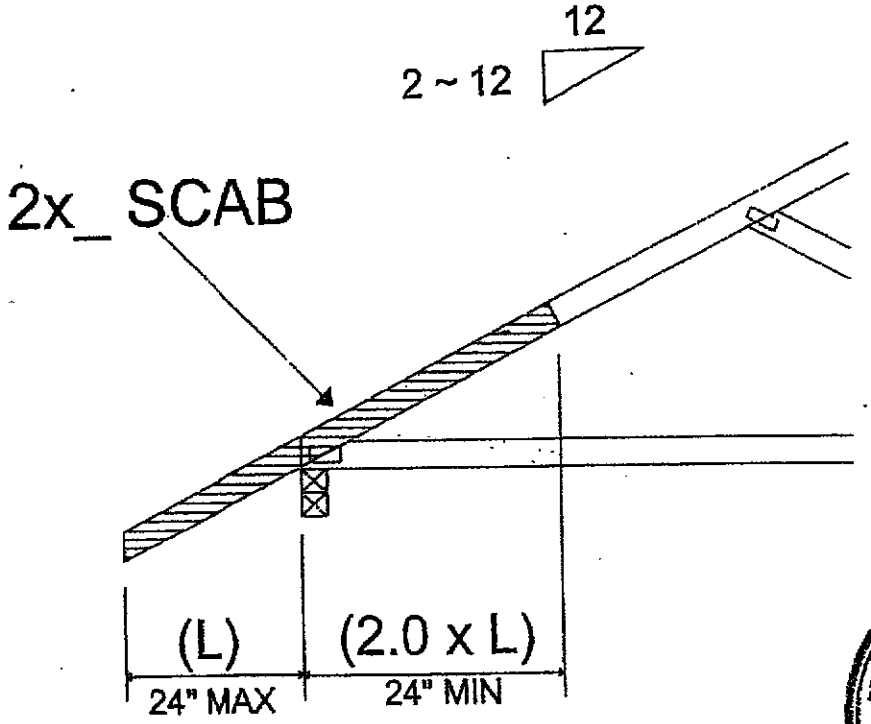
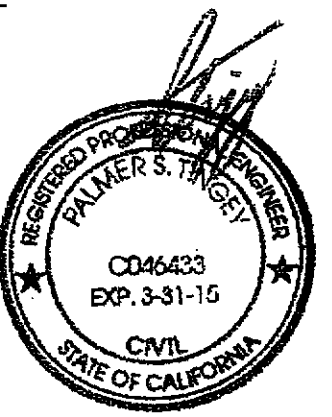
Western Division

TRUSS CRITERIA:
LOADING: 40-14-0-10
DURATION FACTOR: 1.15
SPACING: 24" O.C.
TOP CHORD: 2x4 OR 2x6
HEEL HEIGHT: STANDARD HEEL UP TO 12" ENERGY HEEL
END BEARING CONDITION
Trusses not fitting these criteria should be examined individually.

NOTES:
1. THIS DETAIL IS FOR TRUSSES BUILT WITHOUT AN OVERHANG. THIS DETAIL IS NOT TO BE USED WHEN OVERHANG HAS BEEN BROKEN OFF.
2. ATTACH 2x_ SCAB SAME LUMBER SIZE AND GRADE AS TOP CHORD TO ONE FACE OF TRUSS WITH TWO ROWS OF (0.131"X3") NAILS SPACED @ 6" O.C.
3. THE END DISTANCE, EDGE DISTANCE, AND SPACING OF NAILS SHALL BE SUCH AS TO AVOID UNUSUAL SPLITTING OF THE WOOD.
4. WHEN NAILING THE SCABS, THE USE OF A BACKUP WEIGHT IS RECOMMENDED TO AVOID LOOSENING OF THE CONNECTOR PLATES AT THE JOINTS OR SPLICES.



REFER TO INDIVIDUAL TRUSS DESIGN
FOR PLATE SIZES AND LUMBER GRADES



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PIGGYBACK TRUSS CONNECTION	MII/SAC - 2C	11/01/2004	PAGE 1

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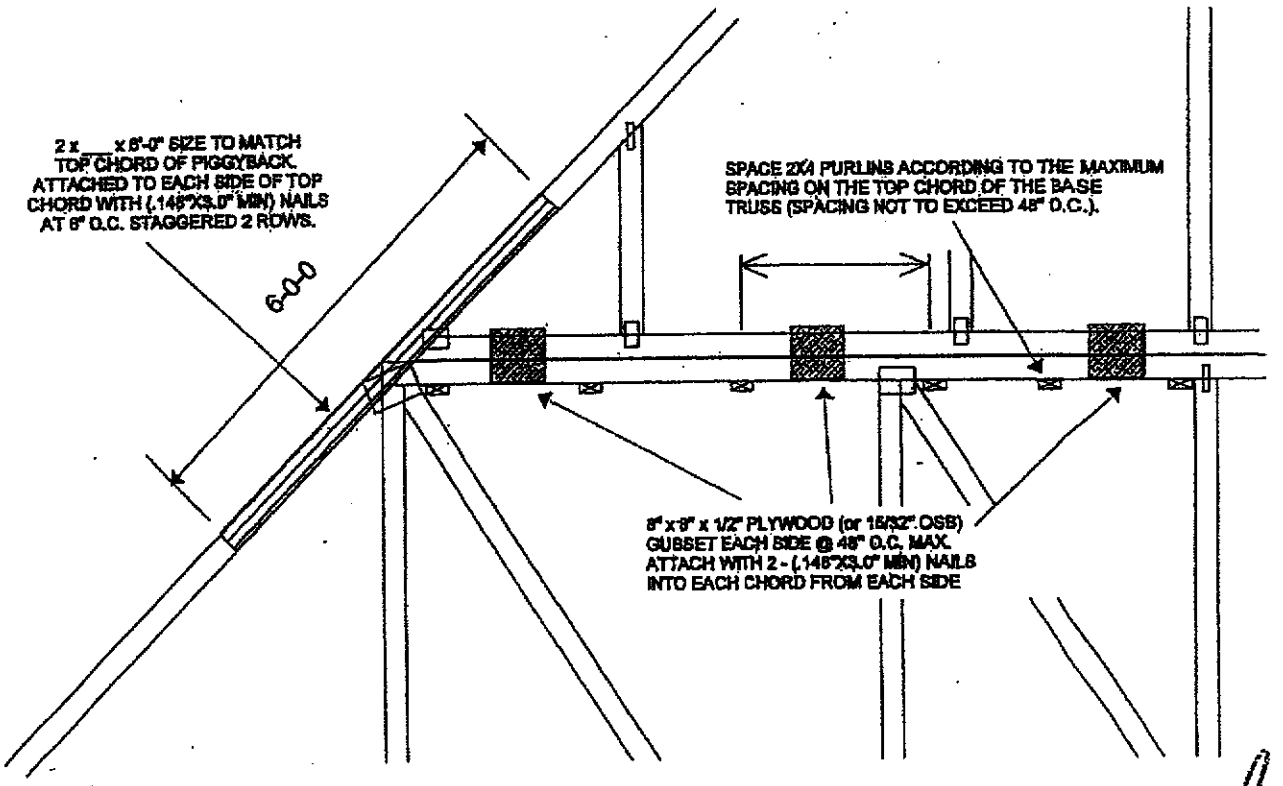
PIGGYBACK TRUSS



BASE TRUSS

NOTE: CONNECTION DETAIL DESIGNED FOR GRAVITY LOAD ONLY
NOT CHECKED FOR ANY WIND LOAD OR LATERAL LOADS.
PLEASE CONSULT WITH TRUSS ENGINEER OR QUALIFIED BUILDING DESIGNER FOR CONNECTION DETAIL TO TRANSFER LATERAL LOADS

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WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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STANDARD PIGGYBACK TRUSS CONNECTION DETAIL (MAY BE USED FOR DRAG TRUSSES)	MII/SAC - 2B	12/17/2004	PAGE 1 OF 1

®

GENERAL NOTES:

1. UPLIFT AND LATERAL LOAD CAPACITY OF THIS DETAIL SHALL BE REVIEWED AND APPROVED BY PROJECT ENGINEER OR QUALIFIED BUILDING DESIGNER.
2. PITCH=12/12 MAX
3. MAX CAP TRUSS SPAN = 20'-0"
4. MAXIMUM SHEAR CAPACITY OR LATERAL LOAD TRANSFER BETWEEN PIGGBACK AND BASE TRUSS= 150 PLF

APR 09 2013

REGISTERED PROFESSIONAL ENGINEER PALMER S. WANGE C046433 EXP. 3-31-15 CIVIL STATE OF CALIFORNIA

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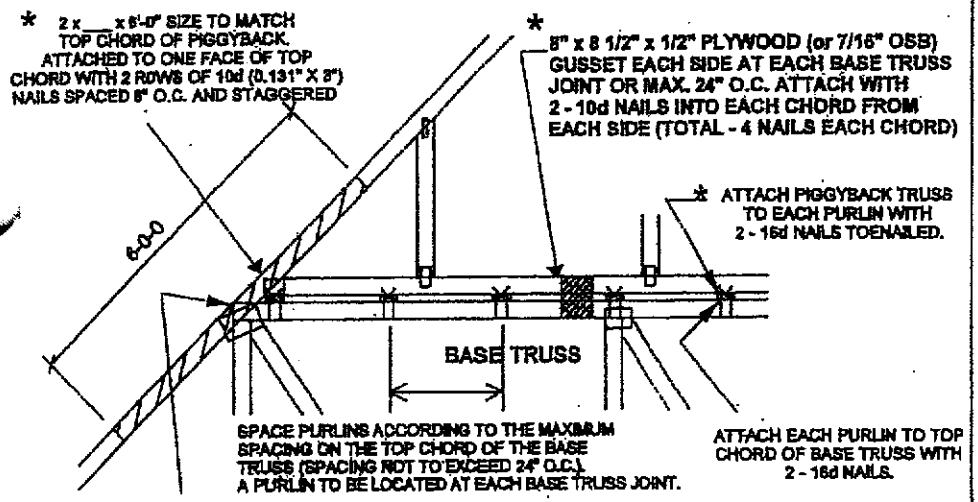
TYPICAL PIGGYBACK TRUSS CONNECTION (MAY BE USED FOR DRAG TRUSSES)



* FOR PIGGY BACK TRUSSES WITH SPANS < 12' SCAB MAY BE OMMITED PROVIDED THAT: ROOF SHEATHING TO BE CONTINUOUS OVER JOINT (SHEATHING TO OVERLAP MINIMUM 12" OVER JOINT)

* CAP CONNECTION IS MADE TO RESIST UPLIFT. SEE MAXIMUM CONNECTION CAPACITIES AND COMPARE WITH ENGINEERING DRAWING CONNECTION CAPACITIES FOR SCABS, PURLINS, AND SHEATHING MAY BE COMBINED WHEN DETERMINING OVERALL UPLIFT CAPACITY.

MAXIMUM UPLIFT SCAB CAPACITY USING (10) 10d (0.131" X 3") NAILS:

SYP =	1060 LBS
SPF =	820 LBS
DF =	970 LBS
HF =	840 LBS
SPF-S =	720 LBS

MAXIMUM UPLIFT PURLIN CAPACITY USING (2) 16d (0.131" X 3.5") NAILS:

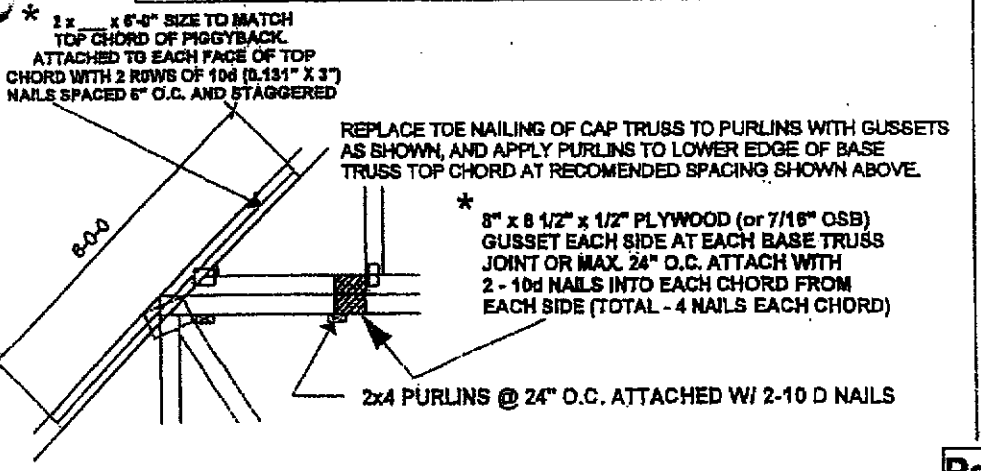
SYP =	117 LBS
SPF =	60 LBS
DF =	92 LBS
HF =	63 LBS
SPF-S =	41 LBS

MAXIMUM UPLIFT SHEATHING CAPACITY USING 1/2" SHEATHING AND (2) 8d (0.131" X 2.5") NAILS:

SYP =	82 LBS
SPF =	42 LBS
DF =	64 LBS
HF =	44 LBS
SPF-S =	28 LBS

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

IF NO GAP EXISTS BETWEEN CAP TRUSS AND BASE TRUSS (MAY BE USED FOR DRAG TRUSSES)



MAXIMUM UPLIFT GUSSET CAPACITY USING 7/16" GUSSETS AND (4) 10d (0.131" X 3") NAILS:

SYP =	300 LBS
SPF =	276 LBS
DF =	294 LBS
HF =	276 LBS
SPF-S =	258 LBS

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

⚠ WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE MII-7473 BEFORE USE.
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STANDARD PIGGYBACK TRUSS CONNECTION DETAIL	MII/SAC - 2	4/09/2004	PAGE 1 OF 2

MiTek Industries, Inc.
Western Division

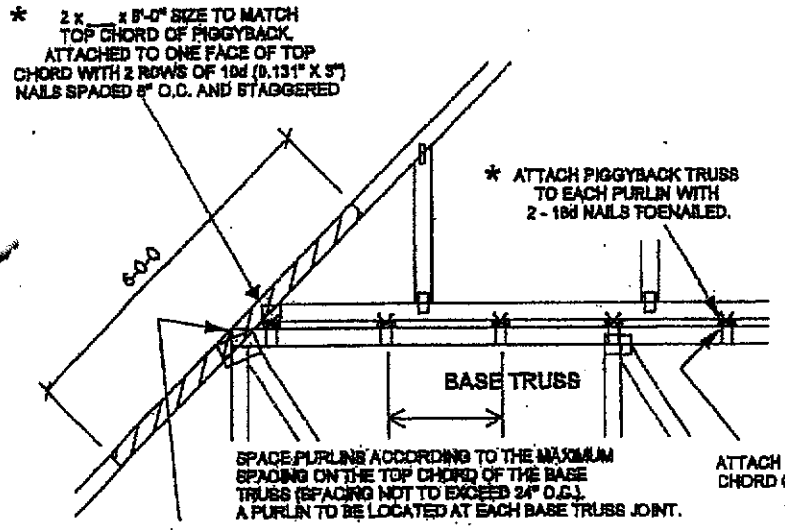
GENERAL NOTES:

1. UPLIFT AND LATERAL LOAD CAPACITY OF THIS DETAIL SHALL BE REVIEWED AND APPROVED BY PROJECT ENGINEER OR QUALIFIED BUILDING DESIGNER.
2. PITCH=8/12 MAX
3. MAX SPAN = 30'-0"
4. MAXIMUM SHEAR CAPACITY OR LATERAL LOAD TRANSFER BETWEEN PIGGBACK AND BASE TRUSS= 120 PLF

REGISTERED PROFESSIONAL ENGINEER
PALMER S. TINGEY
C046433
EXP. 3-31-13
CIVIL
STATE OF CALIFORNIA

APR 09 2013

TYPICAL PIGGYBACK TRUSS CONNECTION



* CAP CONNECTION IS MADE TO RESIST UPLIFT. SEE MAXIMUM CONNECTION CAPACITIES AND COMPARE WITH ENGINEERING DRAWING CONNECTION CAPACITIES FOR SCABS, PURLINS, AND SHEATHING MAY BE COMBINED WHEN DETERMINING OVERALL UPLIFT CAPACITY.

MAXIMUM UPLIFT SCAB CAPACITY USING (10) 10d (0.131" X 3") NAILS:

SYP =	1060 LBS
SPF =	820 LBS
DF =	970 LBS
HF =	840 LBS
SPF-S =	720 LBS

MAXIMUM UPLIFT PURLIN CAPACITY USING (2) 16d (0.131" X 3.5") NAILS:

SYP =	117 LBS
SPF =	80 LBS
DF =	92 LBS
HF =	83 LBS
SPF-S =	41 LBS

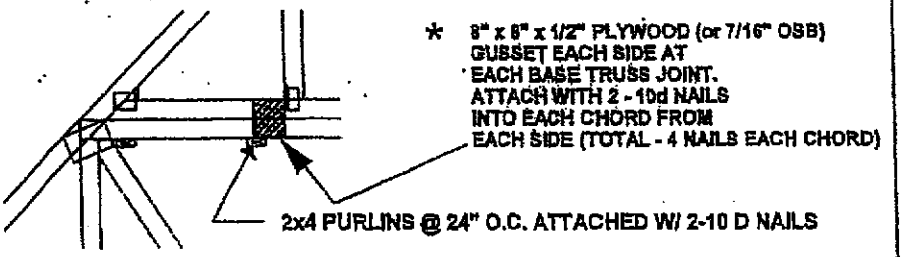
MAXIMUM UPLIFT SHEATHING CAPACITY USING 1/2" SHEATHING AND (2) 8d (0.131" X 2.5") NAILS:

SYP =	82 LBS
SPF =	42 LBS
DF =	64 LBS
HF =	44 LBS
SPF-S =	28 LBS

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

IF NO GAP EXISTS BETWEEN CAP TRUSS AND BASE TRUSS:

REPLACE TOE NAILING OF CAP TRUSS TO PURLINS WITH GUSSETS AS SHOWN, AND APPLY PURLINS TO LOWER EDGE OF BASE TRUSS TOP CHORD AT RECOMENDED SPACING SHOWN ABOVE.



MAXIMUM UPLIFT GUSSET CAPACITY USING 7/16" GUSSETS AND (4) 10d (0.131" X 3") NAILS:

SYP =	300 LBS
SPF =	276 LBS
DF =	294 LBS
HF =	276 LBS
SPF-S =	258 LBS

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

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STANDARD PIGGYBACK TRUSS CONNECTION DETAIL	MII/SAC - 2	4/30/2004	PAGE 2 OF 2

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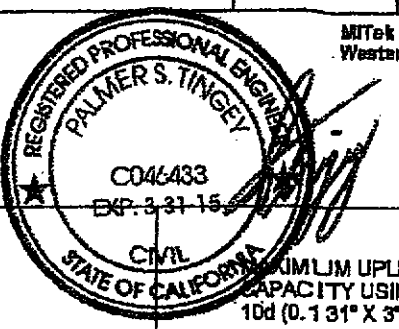
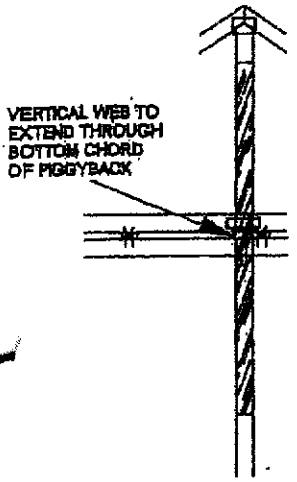


APR 09 2013

FOR LARGE CONCENTRATED LOADS APPLIED TO CAP TRUSS REQUIRING A VERTICAL WEB:



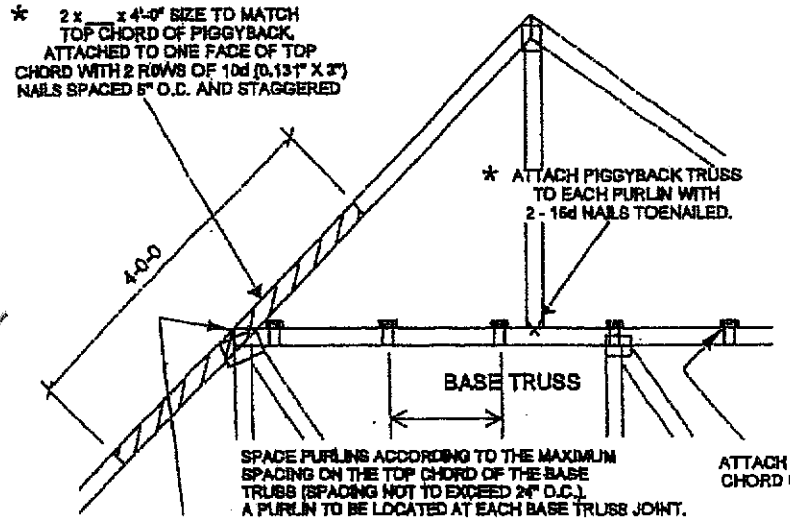
1) VERTICAL WEBS OF PIGGYBACK AND BASE TRUSS MUST MATCH IN SIZE, GRADE, AND MUST LINE UP AS SHOWN IN DETAIL.
2) VERTICAL WEBS OF PIGGYBACK MUST RUN THROUGH BOTTOM CHORD SO THAT THERE IS FULL WOOD TO WOOD CONTACT BETWEEN WEB OF PIGGYBACK AND THE TOP CHORD OF THE BASE TRUSS.
3) CONCENTRATED LOAD MUST BE APPLIED TO BOTH THE PIGGYBACK AND THE BASE TRUSS.
4) ATTACH 2 x ___ x 8'-0" SCAB TO EACH FACE OF TRUSS ASSEMBLY WITH 2 ROWS OF 10d NAILS (0.131"X3") AT 6" O.C. STAGGERED. (SIZE AND GRADE TO MATCH VERTICAL WEBS OF PIGGYBACK AND BASE TRUSS.)
5) THIS CONNECTION IS ONLY VALID FOR A MAXIMUM CONCENTRATED LOAD OF 3700 LBS (@1.15). REVIEW BY A QUALIFIED ENGINEER IS REQUIRED FOR LOADS GREATER THAN 3700 LBS.

MAXIMUM UPLIFT SCAB CAPACITY USING (10) 10d (0.131" X 3") NAILS:

SYP =	1080 LBS
SPF =	820 LBS
DF =	970 LBS
HF =	840 LBS
SPF-S =	720 LBS

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

PIGGYBACK TRUSS CONNECTION FOR SPANS LESS THAN 10'-0"



MAXIMUM UPLIFT SCAB CAPACITY USING (4) 10d (0.131" X 3") NAILS:

SYP =	424 LBS
SPF =	328 LBS
DF =	388 LBS
HF =	336 LBS
SPF-S =	288 LBS

MAXIMUM UPLIFT PURLIN CAPACITY USING (2) 16d (0.131" X 3.5") NAILS:

SYP =	117 LBS
SPF =	80 LBS
DF =	92 LBS
HF =	83 LBS
SPF-S =	41 LBS

* CAP CONNECTION IS MADE TO RESIST UPLIFT. SEE MAXIMUM CONNECTION CAPACITIES AND COMPARE WITH ENGINEERING DRAWING CONNECTION CAPACITIES FOR SCABS, PURLINS, AND SHEATHING MAY BE COMBINED WHEN DETERMINING OVERALL UPLIFT CAPACITY.

VALUES SHOWN ARE BASED ON LOAD DURATION OF 1.00

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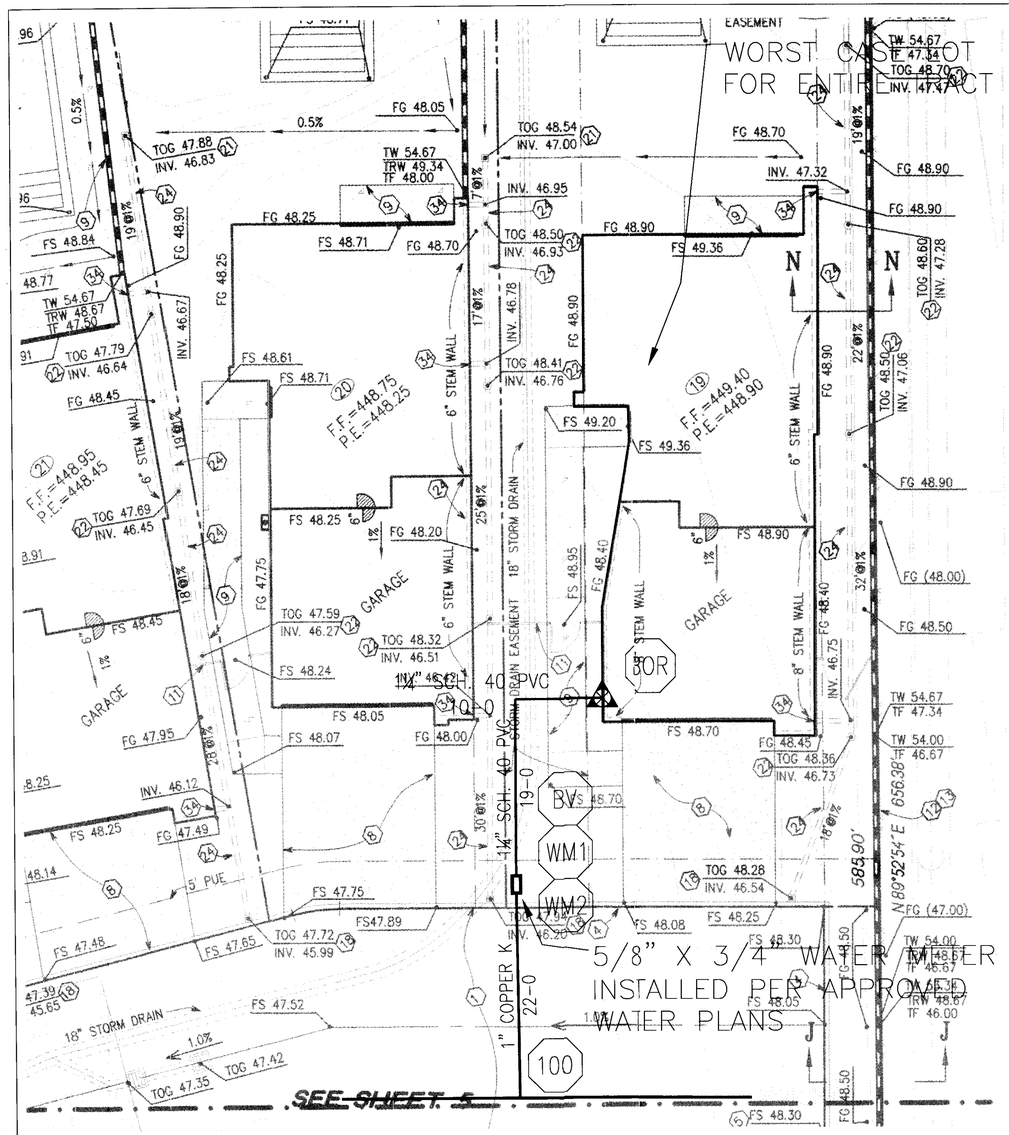
2014-1817 6-5-14
1401 S. Belaire Rd



SITE REFERENCE DRAWING (BY OTHERS) - N.T.S.

PALM SPRINGS FIRE DEPARTMENT NOTES

1. THE INSTALLATION OF THE FIRE SPRINKLER SYSTEMS OR MODIFICATIONS TO EXISTING FIRE SPRINKLER SYSTEMS SHALL COMPLY WITH:

   NFPA 13D
   CALIFORNIA RESIDENTIAL CODE (2013 EDITION)
   CALIFORNIA FIRE CODE (2013 EDITION)
   THE CITY OF PALM SPRINGS MUNICIPAL CODE CHAPTER 11.02 OF TITLE 11.
   PALM SPRINGS FIRE DEPARTMENT DEVELOPMENT GUIDELINES

2. THE FIRE PREVENTION BUREAU WILL REQUIRE THE FOLLOWING INSPECTIONS AND TEST AS A MINIMUM:

   OVERHEAD INSTALLATION AND HYDROSTATIC TEST - 200 PSI FOR TWO HOURS. FINAL FIRE SPRINKLER AND UNDERGROUND INSPECTIONS.

   TO SCHEDULE INSPECTIONS, CALL THE BUILDING DEPARTMENT ON THE MORNING OF THE INSPECTION BETWEEN 7:00 A.M. AND 7:30 A.M. (760) 323-8242 EXTENSION "0".

3. WATER FLOW SWITCH AND ALARM. A WATER FLOW SWITCH SHALL BE INSTALLED IN EVERY DWELLING UNTIL FIRE SPRINKLER SYSTEM. THE SYSTEM SHALL INCLUDE:

   AN APPROVED AUDIBLE SPRINKLER FLOW ALARM (WHEELOCK HORN/STROBE # MT4-115-WH-VFR WITH WBB BACK BOX OR EQUAL) SHALL BE PROVIDED ON THE EXTERIOR OF THE BUILDING IN AN APPROVED LOCATION. THE HORN/STROBE SHALL BE OUTDOOR-RATED.

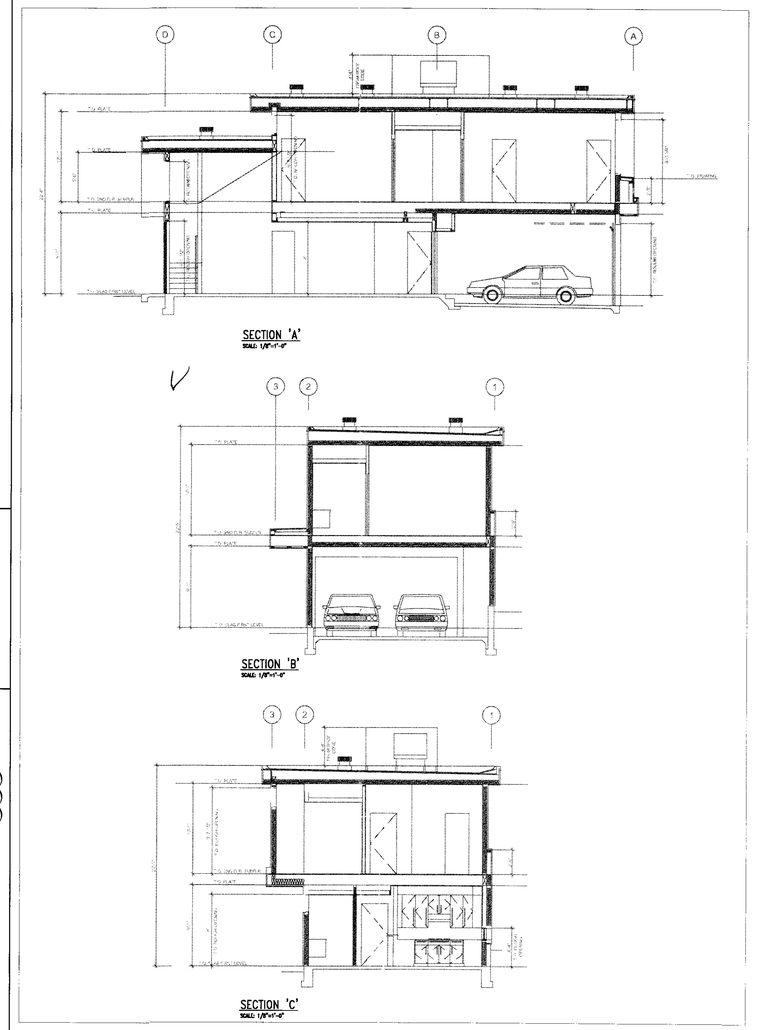
   RESIDENTIAL SMOKE ALARMS (KIDDE SM120X RELAY / POWER SUPPLY MODULE CONNECTED TO MULTI-STATION KIDDE SMOKE ALARMS OR EQUAL AND FIRE SPRINKLER FLOW SWITCH) SHALL BE INTERCONNECTED SO THAT OPERATION OF ANY SMOKE ALARM OR FIRE SPRINKLER FLOW SWITCH CAUSES ALL SMOKE ALARMS WITHIN THE DWELLING TO SOUND AND ACTIVATE THE EXTERIOR HORN/STROBE. THE WIRTING OF THIS SYSTEM SHALL IN ACCORDANCE WITH KIDDE SM 120X RELAY / POWER SUPPLY MODULE MANUAL AND FIGURE 2 (SEE ATTACHED). THE "120 VOLT DEVICE WI RED TO TURN ON WHEN ALARM SOUNDS" IS THE EXTERIOR HORN/STROBE. THE "PULL FOR FIRE" DEVICE IS THE FIRE SPRINKLER FLOW SWITCH.

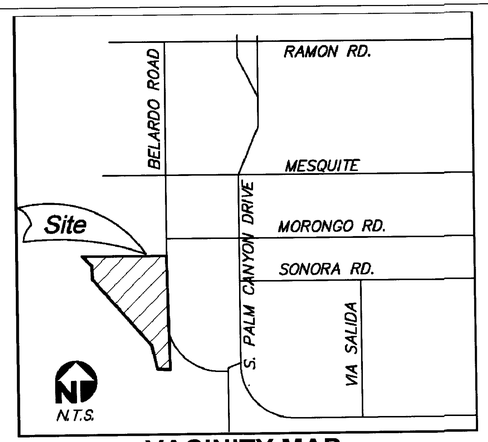
SCOPE OF WORK

1. INSTALL NEW FIRE PROTECTION SYSTEM IN NEW HOME.
2. ALL PIPE TO BE NEW AND U.L. LISTED FOR USE IN FIRE PROTECTION SYSTEMS.
3. NO PENETRATIONS THROUGH RATED WALLS.
4. FITTING CLASS AND TYPE SHALL MEET OR EXCEED NFPA 13D (2013) AND COUNTY. APPROVAL AND LISTED FOR USE IN FIRE PROTECTION.

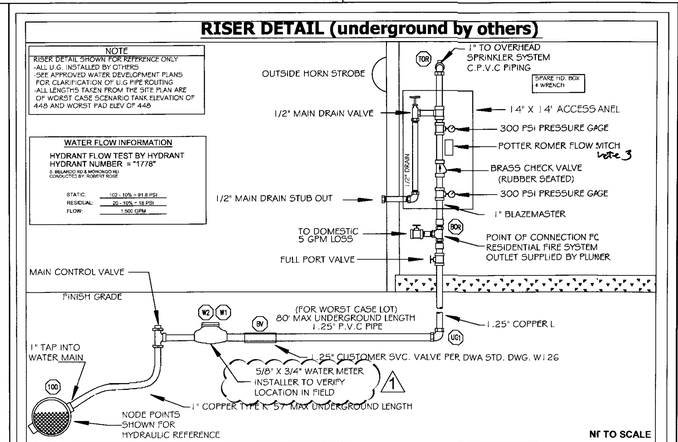
MATERIAL NOTES

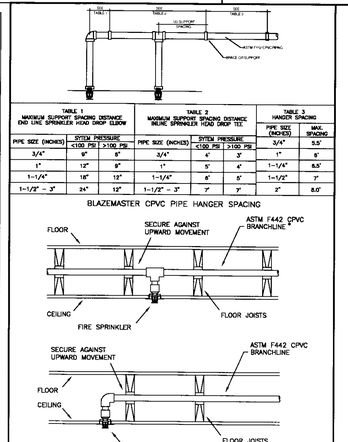
1. ALL PIPE TO BE BLAZEMASTER CPVC PIPE AND CONCEALED.
2. HEADS IN RESIDENTIAL AREAS TO BE VIKING VK488 3.0 K MODELS AND SPACED AT 12' X 12'. UNLESS OTHERWISESTATED.
3. HEADS IN GARAGE AREA ARE VIKING VK 461 2.8 K. AND SPACED AT 130 SQFT.
4. RISER TO BE 1" BLAZEMASTER CPVC AND CONCEALED IN WALL WITH ACCESS PANEL.
5. ALL PIPE SUPPORTS ARE TO BE IER NFPA #13D, 2013 ED. REQUIREMENTS. HANGERS TO BE PLACED NO MOIE THAN 6'-0" O.C.
6. ALL MATERIALS ARE TO BE UL LISTED. ALL WORK IS TO BE DONE IN ACCORDANCE WITH NFPA STANDARDS.
7. ALL HEAD DROPS TO BE 1".
8. A SPRINKLER BOX CONTAINING ONE OF EACH SPRINKLER HEAD TYPE INSTALLED IN THE BUILDING SHOULD BE LOCATED ADJACENT TO THE RISER, THE BOX SHOULD INCLUDE THE INSTALLEI'S NAME AND TELEPHONE NUMBER

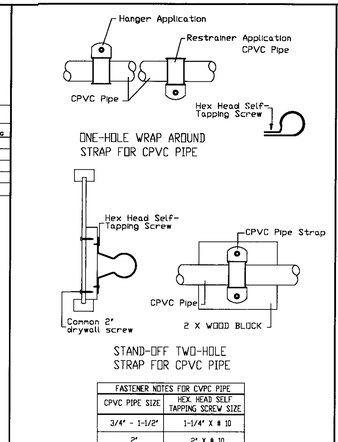


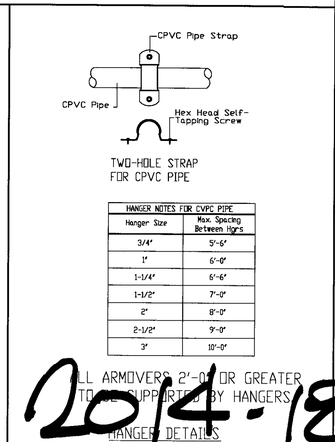


VACINITY MAP









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BUILDING SUMMARY

DAKOTA / TRACT#36548
PALM SPRINGS, CA
BUILDER: NEXUS DEVELOPEMENT
OCCUPANCY: R3 / U PLAN: UNIT A (1530)
CONSTRUCT. TYPE: VB AHJ: PALM SPRINGS FD

1ST FLOOR AREA:	664	SQ.FT.
2ND FLOOR AREA:	866	SQ.FT.
3RD FLOOR AREA:	N/A	SQ.FT.
TOTAL LIVING AREA:	1530	SQ.FT.
GARAGE AREA:	475	SQ.FT.

FIRE PROTECTION CONTRACTOR KPS FIRE & SECURITY INC. C-16 # 954532 STATE OF CALIFORNIA

REVISIONS

NO.	DATE	DESCRIPTION
1	6/23/14	REVISED PLANS TO ACCOMMODATE FOR A 5/8" X 3/4" WATER METER

APPROVAL STAMP
REVIEWED FOR COMPLIANCE
with the
PALM SPRINGS FIRE PREVENTION CODE
The stamping of this set of plans does not permit or approve any violations of the applicable codes. The drawings are subject to inspection and acceptance.
Reviewed by: _____ Date: _____

KPS
Fire + Security + Connectivity
760 S. ROCHESTER AVE. STE B
ONTARIO, CA 91761
PH. 909-980-9222 C-16 LIC.# 954532 FAX 909-980-4477

NEXUS DEVELOPEMENT
DAKOTA
TRACT #36548/ UNIT A (1530)
PALM SPRINGS, CA

PAGE NAME: GENERAL NOTES, DETAILS AND SECTION DRAWINGS
DATE: 6/23/14
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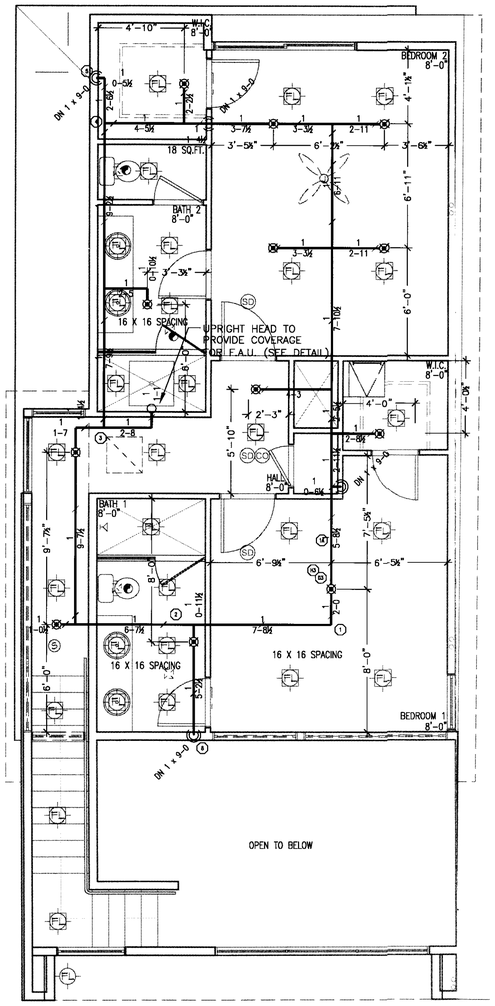
PAGE:1 OF 2

2014-18



UNIT A – 2nd FLOOR FIRE SPRINKLER PLAN

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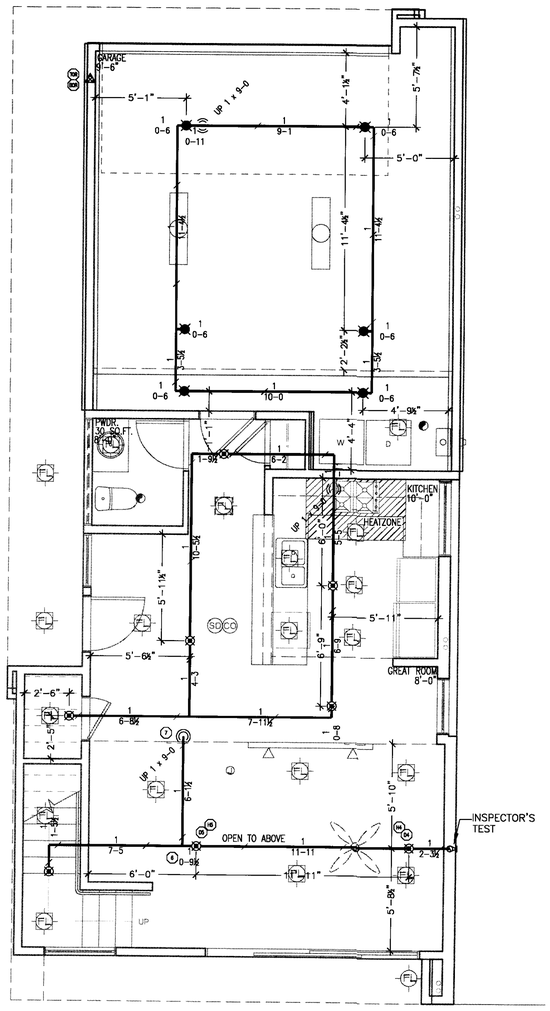

UNIT A – 1st FLOOR FIRE SPRINKLER PLAN

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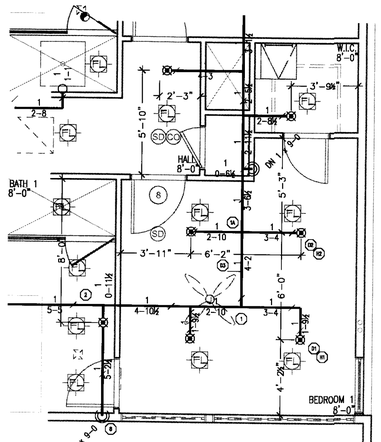
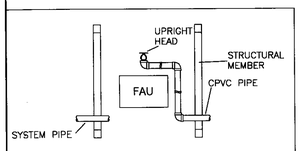


OPTIONAL CEILING FAN @ BEDROOM 1

SCALE: ¼"=1'-0"



F.AU. SPRINKLER DETAIL

SCALE: N.T.S.

CALCULATION NOTE:
-16 X 16 PROOF CALCULATION TO APPLY TO ALL ROOMS THAT CONTAIN A SINGLE SPRINKLER HEAD U.N.O.

NOTE:
-ALL LOOP PIPING ON FIRST FLOOR TO BE 1".
ALL ARMOVERS AND DROPS ON FIRST FLOOR TO BE 1" U.N.O.

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	GREAT ROOM		
NO. OF SPRINKLERS	2	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	2 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	144 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	16.089 GPM		
RESIDUAL PRESSURE	19.970 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	21.089 GPM		
RESIDUAL PRESSURE	45.638 PSI	*SAFTEY FACTOR	46.134 PSI

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	OPTION BEDROOM 1		
NO. OF SPRINKLERS	2	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	2 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	144 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	16.061 GPM		
RESIDUAL PRESSURE	21.120 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	21.061 GPM		
RESIDUAL PRESSURE	47.362 PSI	*SAFTEY FACTOR	44.410 PSI

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	BEDROOM 1		
NO. OF SPRINKLERS	1	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	1 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	256 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	13.008 GPM		
RESIDUAL PRESSURE	31.650 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	18.008 GPM		
RESIDUAL PRESSURE	55.249 PSI	*SAFTEY FACTOR	36.530 PSI

Sprinkler Head Schedule

Symbol	Count	Thread	K-Factor	Description	Note
○	1	1/2"	4.2	VK327 7/16 QR 200 B UP	
◙	6	1/2"	2.8	VK461 3/8 QR 175 B CC	on Drop
⊠	21	1/2"	3.0	VK488 3/8 FR 165 B CC	on Drop
28 = Total Number of Heads this floor					

BUILDING SUMMARY

DAKOTA / TRACT#36548
PALM SPRINGS, CA
BUILDER: NEXUS DEVELOPEMENT
OCCUPANCY: R3 / U PLAN: UNIT A (1530)
CONSTRUCT. TYPE: VB AHJ: PALM SPRINGS FD

1ST FLOOR AREA:	664	SQ.FT.
2ND FLOOR AREA:	866	SQ.FT.
3RD FLOOR AREA:	N/A	SQ.FT.
TOTAL LIVING AREA:	1530	SQ.FT.
GARAGE AREA:	475	SQ.FT.

FIRE PROTECTION CONTRACTOR
KPS FIRE & SECURITY
C-16 #54532
STATE OF CALIFORNIA

REVISIONS

NO.	DATE	DESCRIPTION
1	6/23/14	REVISED PLANS TO ACCOMMODATE FOR A 5/8" X 3/4" WATER METER

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ONTARIO, CA 91761
PH. 909-980-9222 FAX 909-980-4477
C-16 LIC.# 954532

NEXUS DEVELOPEMENT
DAKOTA
TRACT #36548/ UNIT A (1530)
PALM SPRINGS, CA

PAGE NAME: 1ST AND 2ND FLOOR FIRE SPRINKLER PIPING PLANS
DATE 5/20/14
DESIGNER BD
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SHEET SIZE 24" X 36"
IF SHEET IS LESS THAN 30" X 42" IT IS A REDUCED PRINT SCALE REDUCE ACCORDINGLY

SHEET: FP-2
PAGE:2 OF 2

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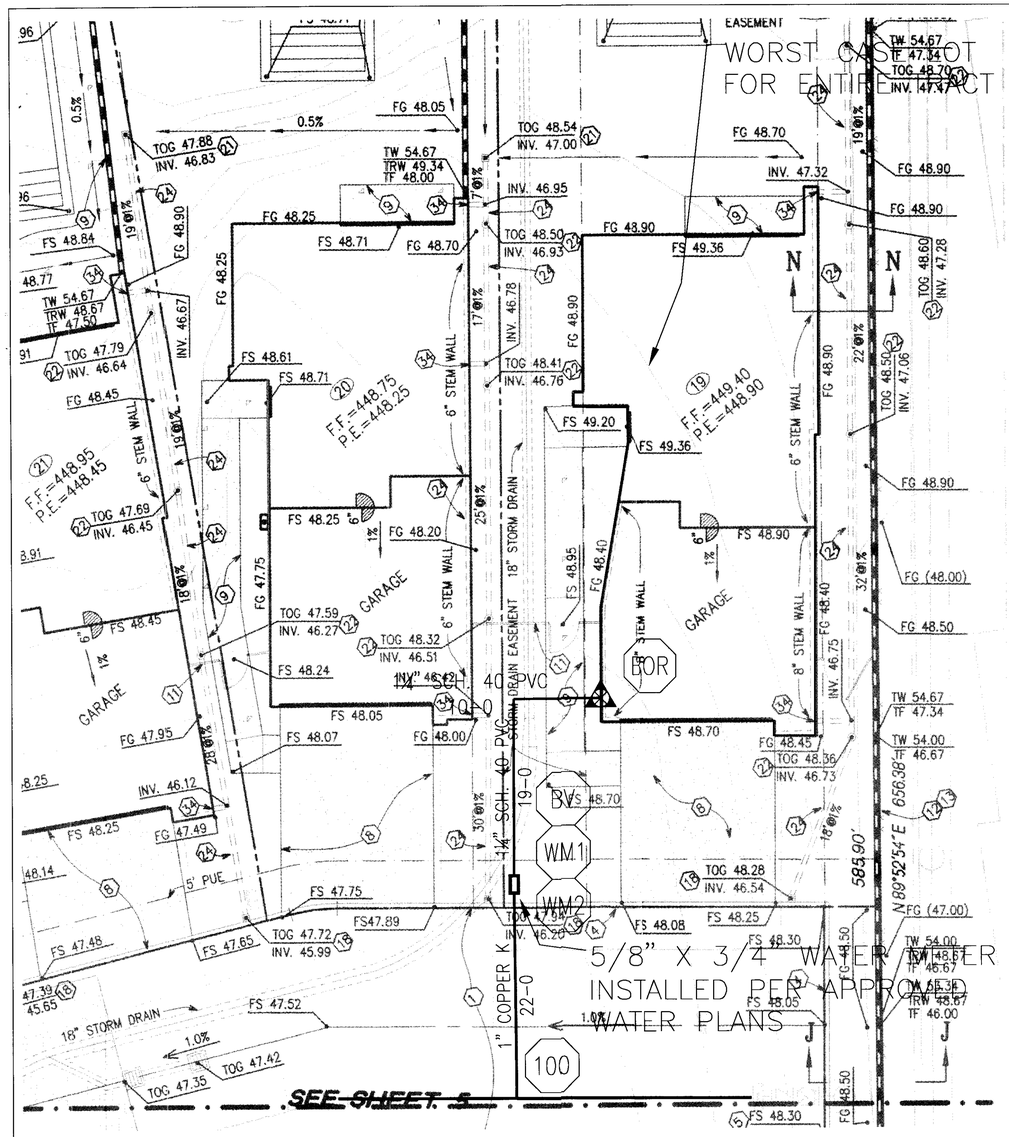


SITE REFERENCE DRAWING (BY OTHERS) - N.T.S.

PALM SPRINGS FIRE DEPARTMENT NOTES

1. THE INSTALLATION OF THE FIRE SPRINKLER SYSTEMS OR MODIFICATIONS TO EXISTING FIRE SPRINKLER SYSTEMS SHALL COMPLY WITH:

   NFPA 13D
   CALIFORNIA RESIDENTIAL CODE (2013 EDITION)
   CALIFORNIA FIRE CODE (2013 EDITION)
   THE CITY OF PALM SPRINGS MUNICIPAL CODE CHAPTER 11.02 OF TITLE 11.
   PALM SPRINGS FIRE DEPARTMENT DEVELOPMENT GUIDELINES

2. THE FIRE PREVENTION BUREAU WILL REQUIRE THE FOLLOWING INSPECTIONS AND TEST AS A MINIMUM:

   OVERHEAD INSTALLATION AND HYDROSTATIC TEST - 200 PSI FOR TWO HOURS. FINAL FIRE SPRINKLER AND UNDERGROUND INSPECTIONS.

   TO SCHEDULE INSPECTIONS, CALL THE BUILDING DEPARTMENT ON THE MORNING OF THE INSPECTION BETWEEN 7:00 A.M. AND 7:30 A.M. (760) 323-8242 EXTENSION "0".

3. WATER FLOW SWITCH AND ALARM. A WATER FLOW SWITCH SHALL BE INSTALLED IN EVERY DWELLING UNTIL FIRE SPRINKLER SYSTEM. THE SYSTEM SHALL INCLUDE:

   AN APPROVED AUDIBLE SPRINKLER FLOW ALARM (WHEELOCK HORN/STROBE # MT4-115-WH-VFR WITH WBB BACK BOX OR EQUAL) SHALL BE PROVIDED ON THE EXTERIOR OF THE BUILDING IN AN APPROVED LOCATION. THE HORN/STROBE SHALL BE OUTDOOR-RATED.

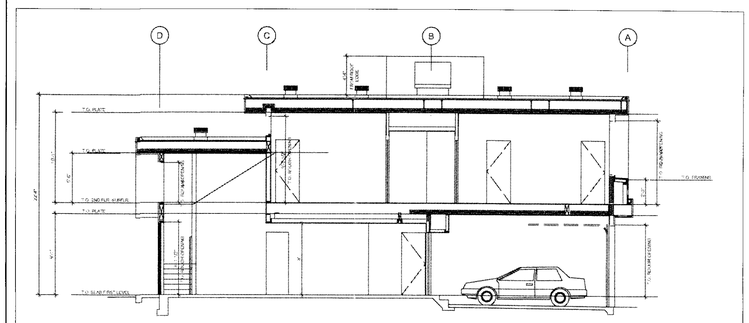
★ RESIDENTIAL SMOKE ALARMS (KIDDE SM120X RELAY / POWER SUPPLY MODULE CONNECTED TO MULTI-STATION KIDDE SMOKE ALARMS OR EQUAL AND FIRE SPRINKLER FLOW SWITCH) SHALL BE INTERCONNECTED SO THAT OPERATION OF ANY SMOKE ALARM OR FIRE SPRINKLER FLOW SWITCH CAUSES ALL SMOKE ALARMS WITHIN THE DWELLING TO SOUND AND ACTIVATE THE EXTERIOR HORN/STROBE. THE WIRTING OF THIS SYSTEM SHALL IN ACCORDANCE WITH KIDDE SM 120X RELAY / POWER SUPPLY MODULE MANUAL AND FIGURE 2 (SEE ATTACHED). THE "120 VOLT DEVICE WI RED TO TURN ON WHEN ALARM SOUNDS" IS THE EXTERIOR HORN/STROBE. THE "PULL FOR FIRE" DEVICE IS THE FIRE SPRINKLER FLOW SWITCH.

SCOPE OF WORK

1. INSTALL NEW FIRE PROTECTION SYSTEM IN NEW HOME.
2. ALL PIPE TO BE NEW AND U.L. LISTED FOR USE IN FIRE PROTECTION SYSTEMS.
3. NO PENETRATIONS THROUGH RATED WALLS.
4. FITTING CLASS AND TYPE SHALL MEET OR EXCEED NFPA 13D (2013) AND COUNTY. APPROVAL AND LISTEDFOR USE IN FIRE PROTECTION.

MATERIAL NOTES

1. ALL PIPE TO BE BLAZEMASTER CPVC PIPE AND CONCEALED.
2. HEADS IN RESIDENTIAL AREAS TO BE VIKING VK488 3.0 K MODELS AND SPACED AT 12' X 12'. UNLESS OTHERWISE STATED.
3. HEADS IN GARAGE AREA ARE VIKNG VK 461 2.8 K. AND SPACED AT 130 SQFT.
4. RISER TO BE 1" BLAZEMASTER CPVC AND CONCEALED IN WALL WITH ACCESS PANEL.
5. ALL PIPE SUPPORTS ARE TO BE PER NFPA #13D, 2013 ED. REQUIREMENTS. HANGERS TO BE PLACED NO MORE THAN 6'-0" O.C.
6. ALL MATERIALS ARE TO BE UL LISTED. ALL WORK IS TO BE DONE IN ACCORDANCE WITH NFPA STANDARDS.
7. ALL HEAD DROPS TO BE 1".
8. A SPRINKLER BOX CONTAINING ONE OF EACH SPRINKLER HEAD TYPE INSTALLED IN THE BUILDING SHOULD BE LOCATED ADJACENT TO THE RISER, THE BOX SHOULD INCLUDE THE INSTALLERS NAME AND TELEPHONE NUMBER



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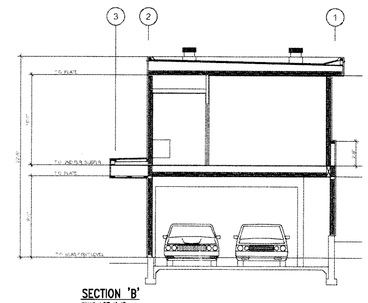

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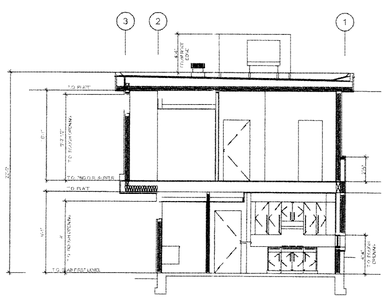

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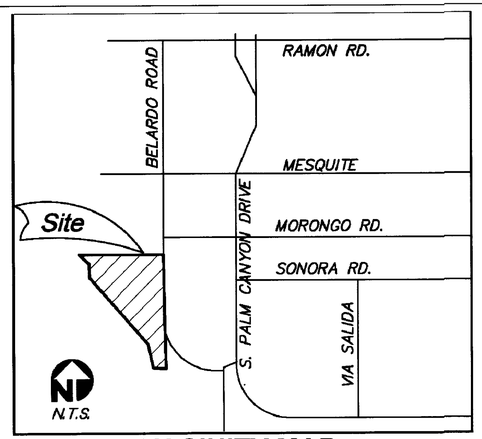


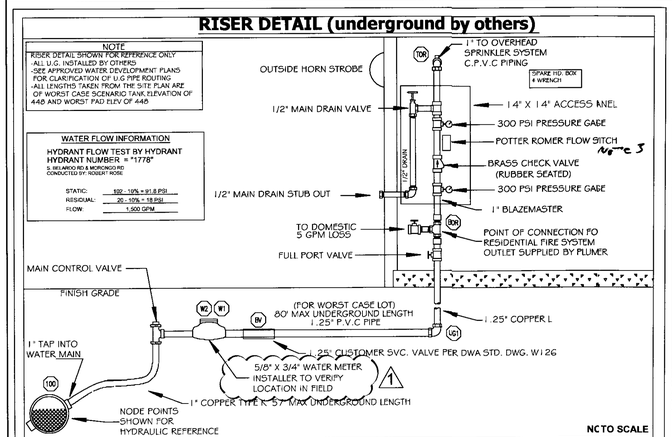
VACINITY MAP

RISER DETAIL (underground by others)

NOTE
RISER DETAIL SHOWN FOR REFERENCE ONLY.
- ALL U.G. INSTALLED BY OTHERS
- SEE APPROVED WATER DEVELOPMENT PLANS FOR CLARIFICATION OF U.G PIPE ROUTING
- ALL LENGTHS TAKEN FROM THE SITE PLAN ARE OF WORST CASE SCENARIO TANK ELEVATION OF 446 AND WORST PAD ELEV OF 446

WATER FLOW INFORMATION
HYDRANT FLOW TEST BY HYDRANT
HYDRANT NUMBER: = "1778"
S. BELARDO RD & MORONGO RD
CONDUCTED BY: ROBERT ROSE

STATIC:	932 - 10% = 91.8 PSI
RESIDUAL:	20 - 10% = 18 PSI
FLOW:	1,500 GPM



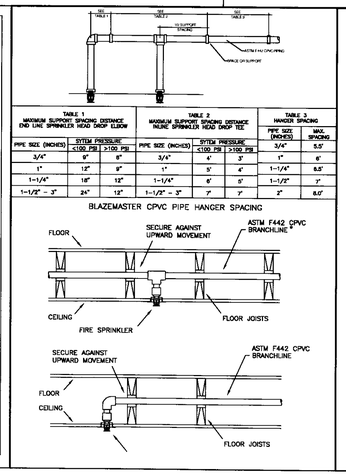


TABLE 1
MAXIMUM SUPPORT SPACING DISTANCE END LINE SPRINKLER HEAD DROP ELBOW

PIPE SIZE (INCHES)	SYSTEM PRESSURE <100 PSI	SYSTEM PRESSURE >100 PSI
3/4"	6'	5'
1"	12"	9"
1-1/4"	16"	12"
1-1/2" - 3"	24"	18"

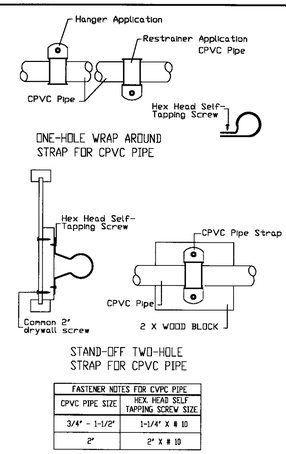
TABLE 2
MAXIMUM SUPPORT SPACING DISTANCE INLINE SPRINKLER HEAD DROP TEE

PIPE SIZE (INCHES)	SYSTEM PRESSURE <100 PSI	SYSTEM PRESSURE >100 PSI
3/4"	4'	3'
1"	5'	4'
1-1/4"	6'	5'
1-1/2" - 3"	7'	7'

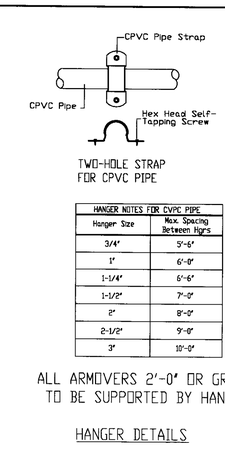
TABLE 3
HANGER SPACING

PIPE SIZE (INCHES)	MAX. SPACING
3/4"	5.5'
1"	6'
1-1/4"	6.5'
1-1/2"	7'
2"	8.0'

BLAZEMASTER CPVC PIPE HANGER SPACING



FASTENER NOTES FOR CVPC PIPE	
CPVC PIPE SIZE	HEX HEAD SELF TAPPING SCREW SIZE
3/4" - 1-1/2"	1-1/4" X # 10
2"	2" X # 10



HANGER NOTES FOR CVPC PIPE	
Hanger Size	Max. Spacing Between Hgrs
3/4"	5'-6"
1"	6'-0"
1-1/4"	6'-6"
1-1/2"	7'-0"
2"	8'-0"
2-1/2"	9'-0"
3"	10'-0"

ALL ARMOVERS 2'-0" OR GREATER TO BE SUPPORTED BY HANGERS.

HANGER DETAILS

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BUILDING SUMMARY
DAKOTA / TRACT#36548
PALM SPRINGS, CA

BUILDER: NEXUS DEVELOPEMENT		
OCCUPANCY:	UNIT B (1772)	SQ.FT.
CONSTRUCT. TYPE:	R3 / U PLAN: VB AHJ: PALM SPRINGS FD	SQ.FT.
1ST FLOOR AREA:		603 SQ.FT.
2ND FLOOR AREA:		1169 SQ.FT.
3RD FLOOR AREA:		N/A SQ.FT.
TOTAL LIVING AREA:		1772 SQ.FT.
GARAGE AREA:		483

FIRE PROTECTION CONTRACTOR KPS FIRE & SECURITY LIC# 954532 STATE OF CALIFORNIA

REVISIONS

NO.	DATE	DESCRIPTION
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NEXUS DEVELOPEMENT
DAKOTA
TRACT #36548/ UNIT B (1772)
PALM SPRINGS, CA

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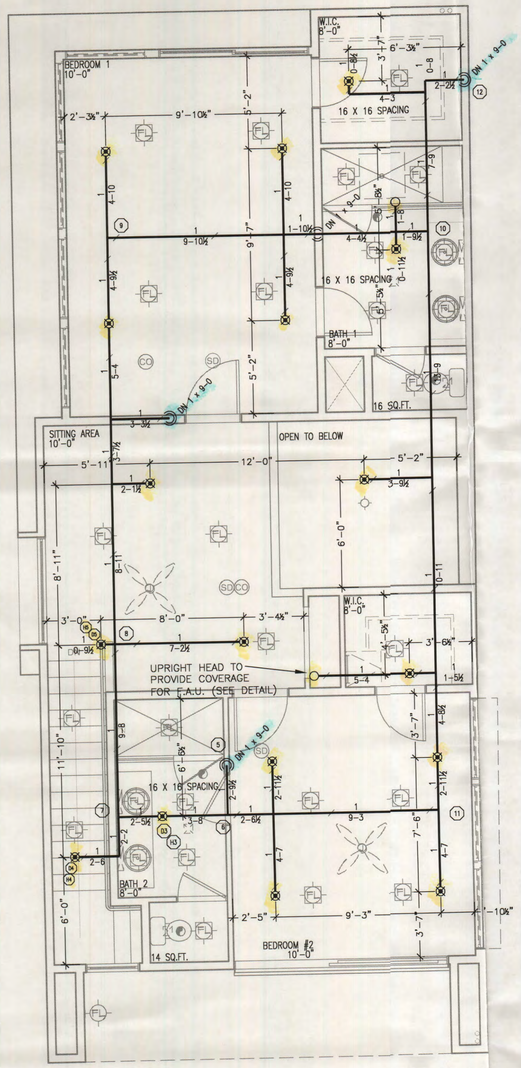
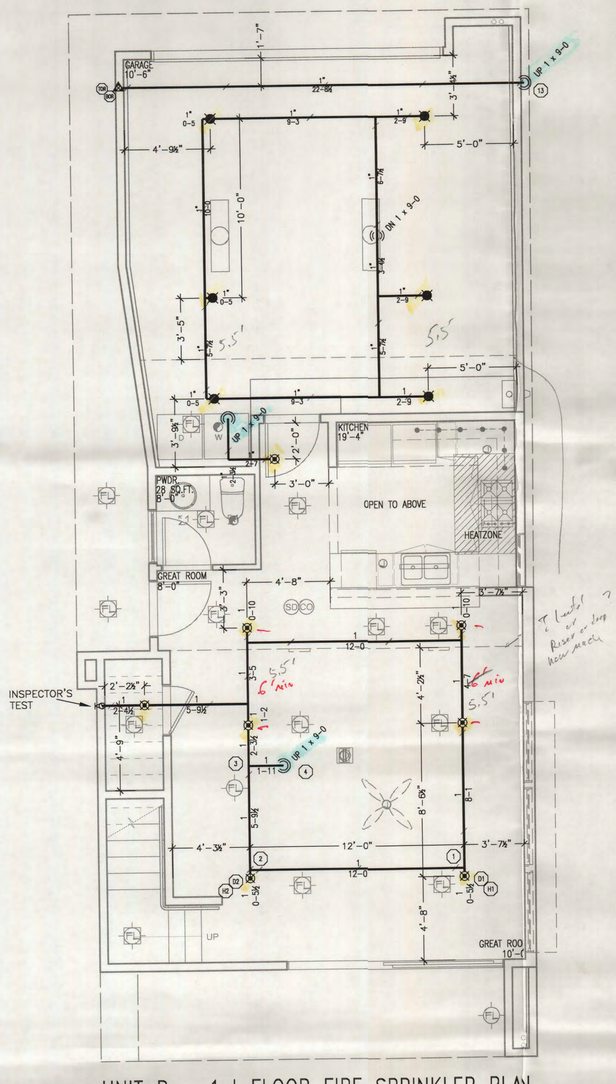
PAGE: 1 OF 2



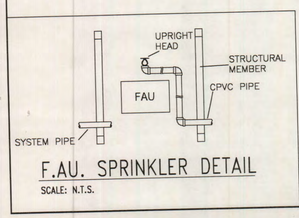
UNIT B – 2nd FLOOR FIRE SPRINKLER PLAN

SCALE: ¼"=1'-0"



UNIT B – 1st FLOOR FIRE SPRINKLER PLAN

SCALE: ¼"=1'-0"



F.A.U. SPRINKLER DETAIL

SCALE: N.T.S.

CALCULATION NOTE:
-16 X 6 PROOF CALCULATION TO APPLY TO ALL ROOMS THAT CONTAIN A SINGLE SPRINKLER HEAD U.N.O.

NOTE:
-ALL LOOP PIPING ON FIRST FLOOR TO BE 1". ALL ARMOVERS AND DROPS ON FIRST FLOOR TO BE 1" U.N.O.

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	GREAT ROOM		
NO. OF SPRINKLERS	2	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	2 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	144 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	16.018 GPM		
RESIDUAL PRESSURE	25.720 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	21.018 GPM		
RESIDUAL PRESSURE	51.926 PSI	*SAFTEY FACTOR	39.846 PSI

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	SITTING AREA		
NO. OF SPRINKLERS	2	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	2 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	144 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	16.074 GPM		
RESIDUAL PRESSURE	19.710 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	21.074 GPM		
RESIDUAL PRESSURE	45.970 PSI	*SAFTEY FACTOR	45.802 PSI

HYDRAULIC - SYSTEM
THIS BUILDING IS PROTECTED BY A HYDRAULICALLY DESIGNED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13D, 2013 EDITION

LOCATION	BATH 2		
NO. OF SPRINKLERS	1	TYPE OF SPRINKLER(S)	VIKING
BASIS OF DESIGN		ORIFICE SIZE	3/8"
DENSITY:	.05 GPM/SQ.FT.	TEMPRATURE RATING	165°
DESIGNED AREA OF DISCHARGE:	1 HEAD CALC. SQ.FT.	ORIENTATION	SSP
PROTECTION AREA PER SPRINKLER	256 SQ.FT.	K-FACTOR	3.0
		SIN NUMBER	VK488
		RESPONSE TYPE	FR
SYSTEM DEMAND AT THE BASE OF RISER			
GPM DISCHARGE	13.008 GPM		
RESIDUAL PRESSURE	33.910 PSI		
SYSTEM DEMAND AT SOURCE			
GPM DISCHARGE	18.008 GPM		
RESIDUAL PRESSURE	57.508 PSI	*SAFTEY FACTOR	34.272 PSI

Sprinkler Head Schedule

Symbol	Count	Thread	K-Factor	Description	Note
○	2	1/2"	4.2	VK327 7/16 QR 200 B UP	
◉	6	1/2"	2.8	VK461 3/8 QR 175 B CC	on Drop
⊗	25	1/2"	3.0	VK488 3/8 FR 165 B CC	on Drop
33 = Total Number of Heads this floor					

THE RECIPIENT OF THESE PLANS HEREBY ACKNOWLEDGES THAT ALL PLANS, DETAILS, SPECIFICATIONS OR METHODS OF INSTALLATION CONTAINED WITHIN THIS SET OF PLANS IS THE SOLE PROPERTY OF KPS FIRE SPRINKLER INC. AND THAT ANY USE OF THIS SET OF PLANS IS PROHIBITED WITHOUT RECEIVING PERMISSION FROM KPS FIRE SPRINKLER INC.

BUILDING SUMMARY
DAKOTA / TRACT#36548
PALM SPRINGS, CA
BUILDER: NEXUS DEVELOPEMENT

OCCUPANCY:	UNIT B (1772)	
CONSTRUCT. TYPE:	R3 / U PLAN: VB AHJ: PALM SPRINGS FD	
1ST FLOOR AREA:	603	SQ.FT.
2ND FLOOR AREA:	1169	SQ.FT.
3RD FLOOR AREA:	N/A	SQ.FT.
TOTAL LIVING AREA:	1772	SQ.FT.
GARAGE AREA:	483	SQ.FT.

FIRE PROTECTION CONTRACTOR
KPS FIRE & SECURITY
C-16 854532
STATE OF CALIFORNIA

REVISIONS

NO.	DATE	DESCRIPTION
1	6/23/14	REVISED PLANS TO ACCOMMODATE FOR A 5/8" X 3/4" WATER METER

APPROVAL STAMP
REVIEWED FOR COMPLIANCE
PALM SPRINGS FIRE PREVENTION CODE
The stamping of this set of plans does not permit or approve any violations of the applicable codes. The drawings are subject to inspection and acceptance.
Reviewed by: Date: JUL 14 2014

KPS Fire + Security + Connectivity
760 S. ROCHESTER AVE. STE B
ONTARIO, CA 91761
PH. 909-980-9222 C-16 LIC.# 954532 FAX 909-980-4477

NEXUS DEVELOPEMENT
DAKOTA
TRACT #36548/ UNIT B (1772)
PALM SPRINGS, CA

PAGE NAME: 1ST AND 2ND FLOOR FIRE SPRINKLER PIPING PLANS
DATE: 5/28/14
DESIGNER: BD
SHEET SIZE: 24" X 36"
IF SHEET IS LESS THAN 30" X 42" IT IS A REDUCED PRINT SCALE REDUCE ACCORDINGLY
SCALE: 1/4"=1'-0"
SHEET: FP-2
PAGE 2 OF 2

www.csgwebsite.com

LETTER OF TRANSMITTAL

7/14/14

To: City of Palm Springs
3200 N Tahquitz Canyon Way
Palm springs, CA 92262
Attn: Fire Department

Date: June 14, 2014
CSG PC#: 14F-1631
Agency PC#: 2014-1814
Job Address: 1501 S Belardo Rd Units A & B

Status:

X Plan is approved
___ Plan is approved with conditions
___ Plan is approved with redlines
___ Plan requires corrections, see attached list
___ Other: _____

Plans were received and reviewed for the following type of project:

___ Architectural
___ UG Fire Service/Civil Plans
X Fire Sprinklers 13D - 2 Units
___ Sprinkler Monitoring System
___ Fixed Fire Protection System
___ Automatic Fire Alarm System
___ Manual Fire Alarm System
___ Water Flow Monitoring System
___ Other: _____

We have reviewed the following documents:

X Plan
X Hydraulic Calculations
___ Battery Calculations
X Manufacturer's Specifications
___ CSFM Listing
___ Water Flow Test Documents
___ Structural Review Letter
___ Other: _____

Special items to note:

___ Plan has been stamped and signed by CSG.
___ Arch./Engr./Designer wet stamp required.
___ Special Inspection is required for: _____
___ Weld Inspection is required for: _____
___ Fire Inspection during installation is required for: _____
___ Verify code interpretation by City/County on: _____
___ Other: _____
___ EXPEDITED plan check.
X Please collect a plan review fee for 3.5 hour(s) of plan review. Total amount: $ _____

Remarks:
Plans are approved

FROM: Page Dougherty
CSG Consultants, Inc.

801 Park Center Drive #230 ♦ Santa Ana, CA 92705 ♦ Tel: 714-568-1010 ♦ Fax: 714-568-1028
♦ www.csgwebsite.com ♦

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Phone: Bldg: 760-323-8242 Eng: 760-323-8253
Fax: See Below

Paid Receipt Summary

DATE	6/5/2014

ACCOUNT:

KPS Fire Sprinkler
Ste B
760 Rochester Ave
Ontario CA 91761

Phone: 909 980 9222

PERMIT NUMBER	2014-1814

1501 S Belardo Rd
Palm Springs, CA 92264

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
6/5/2014	2014-1814	14-2076	001-34210	Fire Dept. Plan Check	Paid	(-) 208.00
6/5/2014	2014-1814	14-2076	001-34210	Fire Dept. Plan Check	Paid	(-) 208.00

Date	InvoiceNum	Status	Payment	Amount
6/5/2014	14-2076	Original Due		416.00
6/5/2014	14-2076	Paid	Check 2102	(-) 416.00

Total Paid 416.00

Building Fax #: 760-322-8342
Engineering Fax #: 760-322-8325

BUILDING PERMIT APPLICATION

DATE: 6/4/14 PLAN CHECK DEPOSIT FEE: $ 200.00

Project Address Plan Type Unit A 1501 Belardo Rd. Assessor's Parcel #

Owner's Name NEXUS DEVELOPMENT Phone #

Owner's Address

Contractor's Name K's POWER HOME Phone # 909-980-1222 Lic# CA-954502

Contractor's Address 740 S. ROOMESTOR AVE Suite B

Architect's Name Phone # Lic.#

Architect's Address

Engineer's Name Phone # Lic.#

Engineer's Address

CONTACT PERSON Ben Dooley Address

PHONE 909-980-1222 x141 FAX 909-980-4911 EMAIL BDOOLEY@KSPOWERHOME.COM

Business License. # CA 954502, Expiration Date 2014 Lot Size (sf.) 20,19.10

Building Use Type of Const. Occupancy Group(s) Sprinkled

Project Square Footage: Building 1570 Sq Garage 415 Sq Carport Patio (type)

Project Description INSTALL FIRE SPRINKLERS *Total Value of Work* $ 1000.00

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☐ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
- ☐ Structural Calculations, if applicable (wet-stamped and signed)
- ☐ Floor Plan, dimensioned. Door & Window Schedule
- ☐ Framing Plan with sections and elevations
- ☐ Truss Calculations and layout as applicable (wet-stamped and signed.)
- ☐ Foundation Plan
- ☐ Electrical Plan/Load Calculations include 8-KW future for new single dwellings and condos
- ☐ Waste, Drain & Vent Isometric
- ☐ Gas/Water Piping Isometric (dimensioned layout)
- ☐ Details showing compliance with accessibility. requirements
- ☐ Site Plan showing parking for persons with disabilities and path of travel to building entrance
- ☐ Title 24 (Energy) – 2 sets/ Lighting Compliance Forms
- ☐ Manufacture's brochure for HVAC equipment
- ☐ Mech. Plan / Duct Schematic, equipment location
- ☐ Fireplace Specifications, if applicable
- ☐ Planning / Fire / Engineering approval
- ☐ Health Department approval

If your plan is sent to an outside plan check firm, you may choose from the following:

☐ ESGIL Corp. ☐ RKA Consulting ☐ Fazekas & Associates

Bldg. Plan Check # 2014-1814

Planning Case #

☐ Regular Plan Check

☐ Expedited Plan Check

BUILDING PERMIT APPLICATION

DATE: 6/19/14 PLAN CHECK DEPOSIT FEE: $ 200.00

Project Address Plan Type Unit B Assessor's Parcel #

Owner's Name Nexus Development Phone #

Owner's Address

Contractor's Name KPS POWERHOUSE Phone # 909.980.4222 Lic# CNV 954022

Contractor's Address 1140 S. RUNNELSON AVE. SUITE B

Architect's Name Phone # Lic.#

Architect's Address

Engineer's Name Phone # Lic.#

Engineer's Address

CONTACT PERSON Ben Dooley Address 1140 S RUNNELSON AVE SUITE B

PHONE 909.980.4222 x141 FAX 909.980.4477 EMAIL BDOOLEY@KPSPOWERHOUSE.COM

Business License. # CNV954022, Expiration Date 2014 Lot Size (sf.) 37533 SF

Building Use Type of Const. Occupancy Group(s) Sprinkled

Project Square Footage: Building 17726 Garage 4807 Carport Patio (type)

Project Description Install Fire Sprinklers *Total Value of Work* $ 13750.00

* * *

WHERE INDICATED BY A CHECK, SUBMIT 3 SETS
(Minimum size of plans *18 x 24" Minimum scale ¼" =1';Maximum size of plans 40" x 36")

- ☐ Complete Application.
- ☐ Plot Plan with lot square footage.
- ☐ Drainage Plan: show lot corner elevations.
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- ☐ Floor Plan, dimensioned. Door & Window Schedule
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- ☐ Foundation Plan
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Bldg. Plan Check # ☐ Regular Plan Check

Planning Case # ☐ Expedited Plan Check

KPS

Fire + Security + Connectivity

KPS
760 S. Rochester Ave Suite B
Ontario, Ca 91761
(909) 980-9222

Job Name : DAKOTA - UNIT A - ~~16 x 16~~ 16 x 12 REG. CALCULATION - 1ST FL.
Building : UNIT A
Location : Tract #36584 - Palm Springs, CA
System : GREAT ROOM
Contract :
Data File : UNIT A -REG 16 X 16_1ST FL.WXF

HYDRAULIC DESIGN INFORMATION SHEET

Name - DAKOTA
Location - Tract #36584 - Palm Springs, CA
Building - UNIT A
Contractor - KPS FIRE SPRINKLERS
Calculated By - BD
Construction: (X) Combustible ( ) Non-Combustible
OCCUPANCY - RESIDENTIAL

Date - 6/23/14
System No. - GREAT ROOM
Contract No. -
Drawing No. - FP-2
Ceiling Height 10-0

SYSTEM DESIGN

Type of Calculation: ( )NFPA 13 Residential ( )NFPA 13R (X)NFPA 13D
Number of Sprinklers Flowing: ( )1 (X)2 ( )4 ( )
( )Other
( )Specific Ruling Made by Date

Listed Flow at Start Point	- 8	Gpm	System Type
Listed Pres. at Start Point	- 7.1	Psi	(X) Wet ( ) Dry
MAXIMUM LISTED SPACING	12 x 12		( ) Deluge ( ) PreAction
Domestic Flow Added	- 5	Gpm	Sprinkler or Nozzle
Additional Flow Added	-	Gpm	Make VIKING Model VK488
Elevation at Highest Outlet	-	Feet	Size 3/8 K-Factor 3.0
Note:			Temperature Rating 165

Calculation Summary: Gpm Required 16.077 Psi Required 19.32 AT BOR
C-Factor Used: Overhead 150 Underground 150

WATER SUPPLY

Water Flow Test:		Pump Data:	Tank or Reservoir:
Date of Test	- 5/19/2014	Rated Cap.	Cap.
Time of Test	-	@ Psi	Elev.
Static (Psi)	- 102	Elev.	
Residual (Psi)	- 20	Other	Well
Flow (Gpm)	- 1500		Proof Flow Gpm
Elevation	- -3		

PLY
Location: HYDRANT # 1778
S. BELARDO ROAD & MORONGO ROAD
Source of Information: PALM SPRINGS FIRE DEPARTMENT
PROVIDED BY: ROBERT ROSE

Water Supply Curve (C)

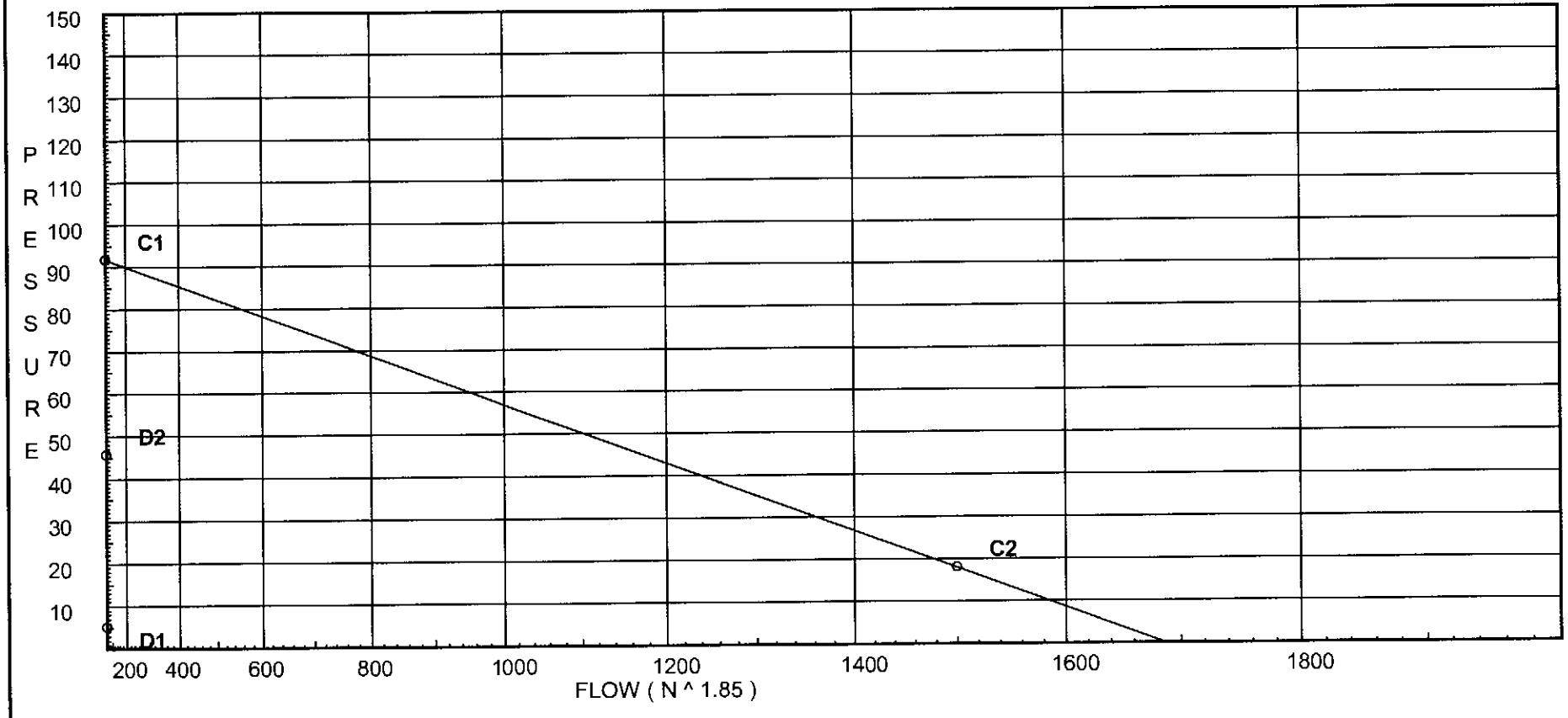
KPS
DAKOTA - UNIT A - 16 x 16 REG. CALCULATION - 1ST FL.

Date 6/23/14

City Water Supply:
C1 - Static Pressure : 91.8
C2 - Residual Pressure: 18
C2 - Residual Flow : 1500

Demand:

D1 - Elevation	:	5.197
D2 - System Flow	:	21.089
D2 - System Pressure	:	45.638
Hose (Demand)	:	
D3 - System Demand	:	21.089
Safety Margin	:	46.134



Fittings Used Summary

KPS
DAKOTA - UNIT A - 16 x 16 REG. CALCULATION - 1ST FL.

Fitting Legend

Abbrev.	Name	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10	12	14	16	18	20	24
Bvs	Ball Valve	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
E	NFPA 13 90' Standard Elbow	1	2	2	3	4	5	6	7	8	10	12	14	18	22	27	35	40	45	50	61
Fsp	Flow Switch Potter VSR	Fitting generates a Fixed Loss Based on Flow																			
N *	CPVC 90'Ell Harvel-Spears		7	7	8	9	11	12	13	0	0	0	0	0	0	0	0	0	0	0	0
O *	CPVC Tee - Branch	3	3	5	6	8	10	12	15	0	0	0	0	0	0	0	0	0	0	0	0
Q	Riser Check Gem F517	1	1	1	1	1	1	1	1	1	1	0	7.925	13.716	0	0	0	0	0	0	0
R *	CPVC Coupling Tee - Run	1	1	1	1	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0

Units Summary

Diameter Units	Inches
Length Units	Feet
Flow Units	US Gallons per Minute
Pressure Units	Pounds per Square Inch

Note: Fitting Legend provides equivalent pipe lengths for fittings types of various diameters. Equivalent lengths shown are standard for actual diameters of Sched 40 pipe and CFactors of 120 except as noted with *. The fittings marked with a * show equivalent lengths values supplied by manufacturers based on specific pipe diameters and CFactors and they require no adjustment. All values for fittings not marked with a * will be adjusted in the calculation for CFactors of other than 120 and diameters other than Sched 40 per NFPA.

SUPPLY ANALYSIS

Node at Source	Static Pressure	Residual Pressure	Flow	Available Pressure	Total Demand	Required Pressure
100	91.8	18	1500.0	91.772	21.09	45.638

NODE ANALYSIS

Node Tag	Elevation	Node Type	Pressure at Node	Discharge at Node	Notes
H1	18.0		5.76		
H2	18.0		5.87		
H3	18.0		5.79		
H4	9.0	3	7.11	8.0	
H5	9.0	3	7.27	8.09	
D1	19.0		5.32		
1	19.0		5.32		
D3	19.0		5.36		
D2	19.0		5.44		
1A	19.0		5.44		
4	19.0		6.03		
3	19.0		5.7		
2	19.0		5.16		
8	19.0		4.61		
7	19.0		3.88		
D4	11.0		6.32		
D5	11.0		6.48		
6	11.0		6.75		
5	19.0		6.8		
TOR	10.0		11.15		
BOR	1.0		19.37	5.0	
UG1	-3.0		21.36		
BV	-3.0		22.28		
W1	-3.0		22.33		
W2	-3.0		38.63		
100	-3.0		45.64		

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	******* Notes ******
*HEADS										
H1	18		0.0	1	1N	7.0	1.000	150	5.758	
						0.0	7.000		-0.433	
D1	19		0.0	1.101		0.0	8.000	-0.0001	-0.001	Vel = 0
			0.0							
D1			0.0						5.324	K Factor = 0
H2	18		0.0	1	1N	7.0	1.000	150	5.869	
						0.0	7.000		-0.433	
D2	19		0.0	1.101		0.0	8.000	0	0.0	Vel = 0
			0.0							
D2			0.0						5.436	K Factor = 0
H3	18		0.0	1	1O	5.0	1.000	150	5.791	
						0.0	5.000		-0.433	
D3	19		0.0	1.101		0.0	6.000	-0.0002	-0.001	Vel = 0
			0.0							
D3			0.0						5.357	K Factor = 0
H4	9	3.00	8.00	1	1O	5.0	1.000	150	7.111	
						0.0	5.000		-0.866	
D4	11		8.0	1.101		0.0	6.000	0.0125	0.075	Vel = 2.70
			0.0							
D4			8.00						6.320	K Factor = 3.18
H5	9	3.00	8.09	1	1O	5.0	1.000	150	7.271	
						0.0	5.000		-0.866	
D5	11		8.09	1.101		0.0	6.000	0.0127	0.076	Vel = 2.73
			0.0							
D5			8.09						6.481	K Factor = 3.18
*SYSTEM LOOP										
D1	19		0.0	1	1N	7.0	5.167	150	5.324	
					1O	5.0	12.000		0.0	
1	19		0.0	1.101		0.0	17.167	0	0.0	Vel = 0
1	19		7.47	1	1R	1.0	2.000	150	5.324	
						0.0	1.000		0.0	
D3	19		7.47	1.101		0.0	3.000	0.0110	0.033	Vel = 2.52
D3	19		0.0	1	1O	5.0	2.167	150	5.357	
						0.0	5.000		0.0	
1A	19		7.47	1.101		0.0	7.167	0.0110	0.079	Vel = 2.52
			0.0							
1A			7.47						5.436	K Factor = 3.20
D2	19		0.0	1	1O	5.0	3.333	150	5.436	
						0.0	5.000		0.0	
1A	19		0.0	1.101		0.0	8.333	0	0.0	Vel = 0
1A	19		7.47	1	7R	7.0	36.583	150	5.436	
					2O	10.0	17.000		0.0	
4	19		7.47	1.101		0.0	53.583	0.0110	0.590	Vel = 2.52
4	19		-16.09	1	1R	1.0	17.000	150	6.026	
					1O	5.0	6.000		0.0	
3	19		-8.62	1.101		0.0	23.000	-0.0143	-0.330	Vel = 2.90

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	*******	Notes	******
3	19		0.0	1	1R	1.0	19.250	150	5.696			
to					2O	10.0	18.000		0.0			
2	19		-8.62	1.101	1N	7.0	37.250	-0.0143	-0.534	Vel = 2.90		
2	19		16.09	1	1N	7.0	7.750	150	5.162			
to						0.0	7.000		0.0			
1	19		7.47	1.101		0.0	14.750	0.0110	0.162	Vel = 2.52		
			0.0									
1			7.47						5.324	K Factor = 3.24		
8	19		16.09	1	1R	1.0	6.167	150	4.609			
to					1O	5.0	6.000		0.0			
2	19		16.09	1.101		0.0	12.167	0.0455	0.553	Vel = 5.42		
			0.0									
2			16.09						5.162	K Factor = 7.08		
7	19		16.09	1	1N	7.0	9.000	150	3.881			
to						0.0	7.000		0.0			
8	19		16.09	1.101		0.0	16.000	0.0455	0.728	Vel = 5.42		
			0.0									
8			16.09						4.609	K Factor = 7.49		
D4	11		8.00	1	1R	1.0	11.917	150	6.320			
to						0.0	1.000		0.0			
D5	11		8.0	1.101		0.0	12.917	0.0125	0.161	Vel = 2.70		
D5	11		8.09	1	1O	5.0	0.833	150	6.481			
to						0.0	5.000		0.0			
6	11		16.09	1.101		0.0	5.833	0.0454	0.265	Vel = 5.42		
6	11		0.0	1	1N	7.0	6.167	150	6.746			
to						0.0	7.000		-3.465			
7	19		16.09	1.101		0.0	13.167	0.0456	0.600	Vel = 5.42		
			0.0									
7			16.09						3.881	K Factor = 8.17		
4	19		16.09	1	2N	14.0	3.000	150	6.026			
to						0.0	14.000		0.0			
5	19		16.09	1.101		0.0	17.000	0.0455	0.773	Vel = 5.42		
5	19		0.0	1	1R	1.0	9.000	150	6.799			
to						0.0	1.000		3.898			
TOR	10		16.09	1.101		0.0	10.000	0.0455	0.455	Vel = 5.42		
			0.0									
TOR			16.09						11.152	K Factor = 4.82		
*RISER TO UNDERGROUND												
TOR	10		16.09	1	1Fsp	0.0	9.000	150	11.152			
to					4R	4.0	19.912		6.898	* Fixed loss = 3		
BOR	1		16.09	1.101	1Q	1.913	28.912	0.0455	1.315	Vel = 5.42		
					2N	14.0						
BOR	1	+ 5.00	5.00	1.25	1E	2.967	4.000	150	19.365			
to						0.0	2.967		1.732			
UG1	-3		21.09	1.265		0.0	6.967	0.0383	0.267	Vel = 5.38		
UG1	-3		0.0	1.25	2N	16.0	18.000	150	21.364			
to						0.0	16.000		0.0			
BV	-3		21.09	1.36		0.0	34.000	0.0268	0.912	Vel = 4.66		

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	*******	Notes	******
BV	-3		0.0	1.25	1Bvs	1.0	1.000	150	22.276			
to						0.0	1.000		0.0			
W1	-3		21.09	1.36		0.0	2.000	0.0265	0.053	Vel = 4.66		
W1	-3		0.0	0.5		0.0	1.000	150	22.329			
to						0.0	0.0		14.000	* Fixed loss = 14		
W2	-3		21.09	0.545		0.0	1.000	2.3050	2.305	Vel = 29.01		
W2	-3		0.0	1		0.0	57.000	150	38.634			
to						0.0	0.0		0.0			
100	-3		21.09	0.995		0.0	57.000	0.1229	7.004	Vel = 8.70		
			0.0									
100			21.09						45.638	K Factor = 3.12		

KPS

Fire + Security + Connectivity

KPS
760 S. Rochester Ave Suite B
Ontario, Ca 91761
(909) 980-9222

Job Name : DAKOTA - UNIT A - ~~16 x 16~~ 12 x 12 REG. CALCULATION
Building : UNIT A
Location : Tract #36584 - Palm Springs, CA
System : OPT. BDRM. 1
Contract :
Data File : UNIT A -REG 16 X 16.WXF

HYDRAULIC DESIGN INFORMATION SHEET

Name - DAKOTA
Date - 6/23/14
Location - Tract #36584 - Palm Springs, CA
Building - UNIT A
System No. - OPT. BDRM. 1
Contractor - KPS FIRE SPRINKLERS
Contract No. -
Calculated By - BD
Drawing No. - FP-2
Construction: (X) Combustible ( ) Non-Combustible Ceiling Height 8-0
OCCUPANCY - RESIDENTIAL

SYSTEM DESIGN

Type of Calculation: (X)NFPA 13 Residential ( )NFPA 13R (X)NFPA 13D
Number of Sprinklers Flowing: ( )1 (X)2 ( )4 ( )
( )Other
( )Specific Ruling Made by Date

Listed Flow at Start Point - 8 Gpm
Listed Pres. at Start Point - 7.1 Psi
MAXIMUM LISTED SPACING 12 x 12
Domestic Flow Added - 5 Gpm
Additional Flow Added - Gpm
Elevation at Highest Outlet - Feet
Note:

System Type
(X) Wet ( ) Dry
( ) Deluge ( ) PreAction
Sprinkler or Nozzle
Make VIKING Model VK488
Size 3/8 K-Factor 3.0
Temperature Rating 165

Calculation Summary: Gpm Required 16.048 Psi Required 21.10 AT BOR
C-Factor Used: Overhead 150 Underground 150

WATER SUPPLY

Water Flow Test:
Date of Test - 5/19/2014
Time of Test -
Static (Psi) - 102
Residual (Psi) - 20
Flow (Gpm) - 1500
Elevation - -3

Pump Data:
Rated Cap.
@ Psi
Elev.
Other

Tank or Reservoir:
Cap.
Elev.

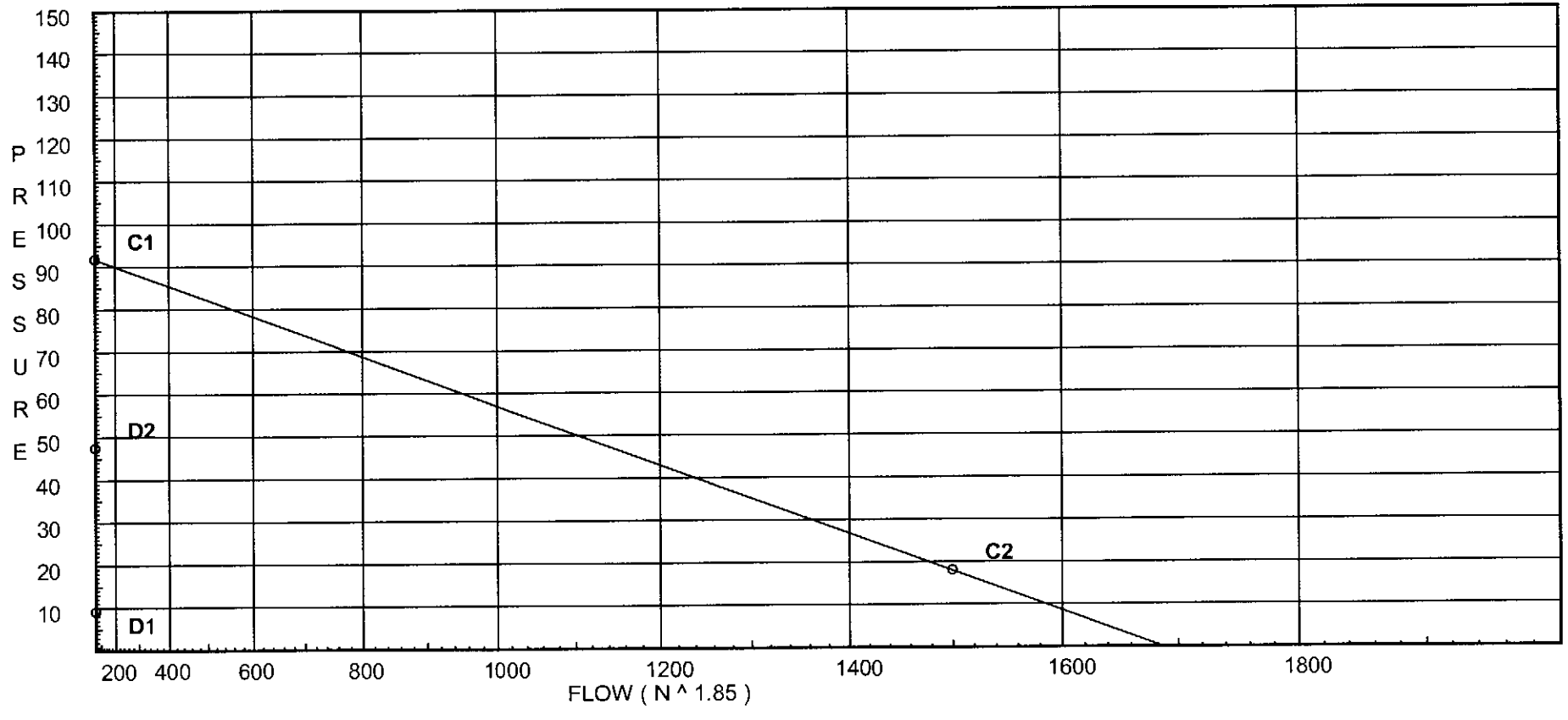
Well
Proof Flow Gpm

Location: HYDRANT # 1778
S. BELARDO ROAD & MORONGO ROAD
Source of Information: PALM SPRINGS FIRE DEPARTMENT
PROVIDED BY: ROBERT ROSE

City Water Supply:
C1 - Static Pressure : 91.8
C2 - Residual Pressure: 18
C2 - Residual Flow : 1500

Demand:

D1 - Elevation	:	9.095
D2 - System Flow	:	21.061
D2 - System Pressure	:	47.362
Hose (Demand)	:	
D3 - System Demand	:	21.061
Safety Margin	:	44.410



Fittings Used Summary

KPS
DAKOTA - UNIT A - 16 x 16 REG. CALCULATION

Fitting Legend Abbrev.	Name	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10	12	14	16	18	20	24
Bvs	Ball Valve	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
E	NFPA 13 90' Standard Elbow	1	2	2	3	4	5	6	7	8	10	12	14	18	22	27	35	40	45	50	61
Fsp	Flow Switch Potter VSR	Fitting generates a Fixed Loss Based on Flow																			
N *	CPVC 90'Ell Harvel-Spears		7	7	8	9	11	12	13	0	0	0	0	0	0	0	0	0	0	0	0
O *	CPVC Tee - Branch	3	3	5	6	8	10	12	15	0	0	0	0	0	0	0	0	0	0	0	0
Q	Riser Check Gem F517	1	1	1	1	1	1	1	1	1	1	0	7.925	13.716	0	0	0	0	0	0	0
R *	CPVC Coupling Tee - Run	1	1	1	1	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0

Units Summary

Diameter Units	Inches
Length Units	Feet
Flow Units	US Gallons per Minute
Pressure Units	Pounds per Square Inch

Note: Fitting Legend provides equivalent pipe lengths for fittings types of various diameters. Equivalent lengths shown are standard for actual diameters of Sched 40 pipe and CFactors of 120 except as noted with *. The fittings marked with a * show equivalent lengths values supplied by manufacturers based on specific pipe diameters and CFactors and they require no adjustment. All values for fittings not marked with a * will be adjusted in the calculation for CFactors of other than 120 and diameters other than Sched 40 per NFPA.

SUPPLY ANALYSIS

Node at Source	Static Pressure	Residual Pressure	Flow	Available Pressure	Total Demand	Required Pressure
100	91.8	18	1500.0	91.772	21.06	47.362

NODE ANALYSIS

Node Tag	Elevation	Node Type	Pressure at Node	Discharge at Node	Notes
H1	18.0	3	7.11	8.0	
H2	18.0	3	7.22	8.06	
H3	18.0		7.43		
H4	9.0		11.48		
H5	9.0		11.48		
D1	19.0		6.78		
1	19.0		6.99		
D3	19.0		6.99		
D2	19.0		6.89		
1A	19.0		6.99		
4	19.0		7.78		
3	19.0		7.54		
2	19.0		7.15		
8	19.0		7.15		
7	19.0		7.15		
D4	11.0		10.61		
D5	11.0		10.61		
6	11.0		10.61		
5	19.0		8.56		
TOR	10.0		12.91		
BOR	1.0		21.12	5.0	
UG1	-3.0		23.11		
BV	-3.0		24.02		
W1	-3.0		24.08		
W2	-3.0		40.38		
100	-3.0		47.36		

Node1 / to / Node2	Elev1 / Elev2	K / Fact	Qa / Qt	Nom / Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact / Pf/Ft	Pt / Pe / Pf	******* Notes ******
*HEADS										
H1	18	3.00	8.00	1	1N	7.0	1.000	150	7.111	
to						0.0	7.000		-0.433	
D1	19		8.0	1.101		0.0	8.000	0.0125	0.100	Vel = 2.70
			0.0							
D1			8.00						6.778	K Factor = 3.07
H2	18	3.00	8.06	1	1N	7.0	1.000	150	7.220	
to						0.0	7.000		-0.433	
D2	19		8.06	1.101		0.0	8.000	0.0126	0.101	Vel = 2.72
			0.0							
D2			8.06						6.888	K Factor = 3.07
H3	18		0.0	1	1O	5.0	1.000	150	7.426	
to						0.0	5.000		-0.433	
D3	19		0.0	1.101		0.0	6.000	0	0.0	Vel = 0
			0.0							
D3			0.0						6.993	K Factor = 0
H4	9		0.0	1	1O	5.0	1.000	150	11.479	
to						0.0	5.000		-0.866	
D4	11		0.0	1.101		0.0	6.000	0	0.0	Vel = 0
			0.0							
D4			0.0						10.613	K Factor = 0
H5	9		0.0	1	1O	5.0	1.000	150	11.479	
to						0.0	5.000		-0.866	
D5	11		0.0	1.101		0.0	6.000	0	0.0	Vel = 0
			0.0							
D5			0.0						10.613	K Factor = 0
*SYSTEM LOOP										
D1	19		8.00	1	1N	7.0	5.167	150	6.778	
to					1O	5.0	12.000		0.0	
1	19		8.0	1.101		0.0	17.167	0.0125	0.214	Vel = 2.70
1	19		-7.31	1	1R	1.0	2.000	150	6.992	
to						0.0	1.000		0.0	
D3	19		0.69	1.101		0.0	3.000	0.0003	0.001	Vel = 0.23
D3	19		0.0	1	1O	5.0	2.167	150	6.993	
to						0.0	5.000		0.0	
1A	19		0.69	1.101		0.0	7.167	0.0001	0.001	Vel = 0.23
			0.0							
1A			0.69						6.994	K Factor = 0.26
D2	19		8.06	1	1O	5.0	3.333	150	6.888	
to						0.0	5.000		0.0	
1A	19		8.06	1.101		0.0	8.333	0.0127	0.106	Vel = 2.72
1A	19		0.69	1	7R	7.0	36.583	150	6.994	
to					2O	10.0	17.000		0.0	
4	19		8.75	1.101		0.0	53.583	0.0147	0.790	Vel = 2.95
4	19		-16.06	1	1R	1.0	17.000	150	7.784	
to					1O	5.0	6.000		0.0	
3	19		-7.31	1.101		0.0	23.000	-0.0106	-0.243	Vel = 2.46

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	******* Notes ******
3	19		0.0	1	1R	1.0	19.250	150	7.541	
to					2O	10.0	18.000		0.0	
2	19		-7.31	1.101	1N	7.0	37.250	-0.0106	-0.393	Vel = 2.46
2	19		0.0	1	1N	7.0	7.750	150	7.148	
to						0.0	7.000		0.0	
1	19		-7.31	1.101		0.0	14.750	-0.0106	-0.156	Vel = 2.46
			0.0							
1			-7.31						6.992	K Factor = -2.76
8	19		0.0	1	1R	1.0	6.167	150	7.148	
to					1O	5.0	6.000		0.0	
2	19		0.0	1.101		0.0	12.167	0	0.0	Vel = 0
			0.0							
2			0.0						7.148	K Factor = 0
7	19		0.0	1	1N	7.0	9.000	150	7.148	
to						0.0	7.000		0.0	
8	19		0.0	1.101		0.0	16.000	0	0.0	Vel = 0
			0.0							
8			0.0						7.148	K Factor = 0
D4	11		0.0	1	1R	1.0	11.917	150	10.613	
to						0.0	1.000		0.0	
D5	11		0.0	1.101		0.0	12.917	0	0.0	Vel = 0
D5	11		0.0	1	1O	5.0	0.833	150	10.613	
to						0.0	5.000		0.0	
6	11		0.0	1.101		0.0	5.833	0	0.0	Vel = 0
6	11		0.0	1	1N	7.0	6.167	150	10.613	
to						0.0	7.000		-3.465	
7	19		0.0	1.101		0.0	13.167	0	0.0	Vel = 0
			0.0							
7			0.0						7.148	K Factor = 0
4	19		16.06	1	2N	14.0	3.000	150	7.784	
to						0.0	14.000		0.0	
5	19		16.06	1.101		0.0	17.000	0.0454	0.771	Vel = 5.41
5	19		0.0	1	1R	1.0	9.000	150	8.555	
to						0.0	1.000		3.898	
TOR	10		16.06	1.101		0.0	10.000	0.0454	0.454	Vel = 5.41
			0.0							
TOR			16.06						12.907	K Factor = 4.47
*RISER TO UNDERGROUND										
TOR	10		16.06	1	1Fsp	0.0	9.000	150	12.907	
to					4R	4.0	19.912		6.898	* Fixed loss = 3
BOR	1		16.06	1.101	1Q	1.913	28.912	0.0453	1.311	Vel = 5.41
					2N	14.0				
BOR	1	+ 5.00	5.00	1.25	1E	2.967	4.000	150	21.116	
to						0.0	2.967		1.732	
UG1	-3		21.06	1.265		0.0	6.967	0.0380	0.265	Vel = 5.38
UG1	-3		0.0	1.25	2N	16.0	18.000	150	23.113	
to						0.0	16.000		0.0	
BV	-3		21.06	1.36		0.0	34.000	0.0268	0.910	Vel = 4.65

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	******* Notes ******
BV	-3		0.0	1.25	1Bvs	1.0	1.000	150	24.023	
to						0.0	1.000		0.0	
W1	-3		21.06	1.36		0.0	2.000	0.0265	0.053	Vel = 4.65
W1	-3		0.0	0.5		0.0	1.000	150	24.076	
to						0.0	0.0		14.000	* Fixed loss = 14
W2	-3		21.06	0.545		0.0	1.000	2.3000	2.300	Vel = 28.96
W2	-3		0.0	1		0.0	57.000	150	40.376	
to						0.0	0.0		0.0	
100	-3		21.06	0.995		0.0	57.000	0.1226	6.986	Vel = 8.69
			0.0							
100			21.06						47.362	K Factor = 3.06

KPS

Fire + Security + Connectivity

KPS
760 S. Rochester Ave Suite B
Ontario, Ca 91761
(909) 980-9222

Job Name : DAKOTA - UNIT A - ~~20 x 20~~ 16X12 REG. CALCULATION
Building : UNIT A
Location : Tract #36584 - Palm Springs, CA
System : BEDROOM 1
Contract :
Data File : UNIT A -REG 20 X 20.WXF

HYDRAULIC DESIGN INFORMATION SHEET

Name - DAKOTA
Date - 6/23/14
Location - Tract #36584 - Palm Springs, CA
Building - UNIT A
System No. - BEDROOM 1
Contractor - KPS FIRE SPRINKLERS
Contract No. -
Calculated By - BD
Drawing No. - FP-2
Construction: (X) Combustible ( ) Non-Combustible
Ceiling Height 8-0
OCCUPANCY - RESIDENTIAL

SYSTEM

Type of Calculation: (X)NFPA 13 Residential ( )NFPA 13R (X)NFPA 13D
Number of Sprinklers Flowing: (X)1 ( )2 ( )4 ( )
( )Other
( )Specific Ruling Made by Date

DESIGN

Listed Flow at Start Point - 13 Gpm
Listed Pres. at Start Point - 18.8 Psi
MAXIMUM LISTED SPACING 16 x 16
Domestic Flow Added - 5 Gpm
Additional Flow Added - Gpm
Elevation at Highest Outlet - Feet
Note:

System Type
(X) Wet ( ) Dry
( ) Deluge ( ) PreAction
Sprinkler or Nozzle
Make VIKING Model VK488
Size 3/8 K-Factor 3.0
Temperature Rating 165

Calculation Summary: Gpm Required 13.00 Psi Required 31.65 AT BOR
C-Factor Used: Overhead 150 Underground 150

WATER

Water Flow Test:
Date of Test - 5/19/2014
Time of Test -
Static (Psi) - 102
Residual (Psi) - 20
Flow (Gpm) - 1500
Elevation - -3

Pump Data:
Rated Cap.
@ Psi
Elev.
Other

Tank or Reservoir:
Cap.
Elev.

Well
Proof Flow Gpm

PLY

Location: HYDRANT # 1778
S. BELARDO ROAD & MORONGO ROAD
Source of Information: PALM SPRINGS FIRE DEPARTMENT
PROVIDED BY: ROBERT ROSE

Water Supply Curve (C)

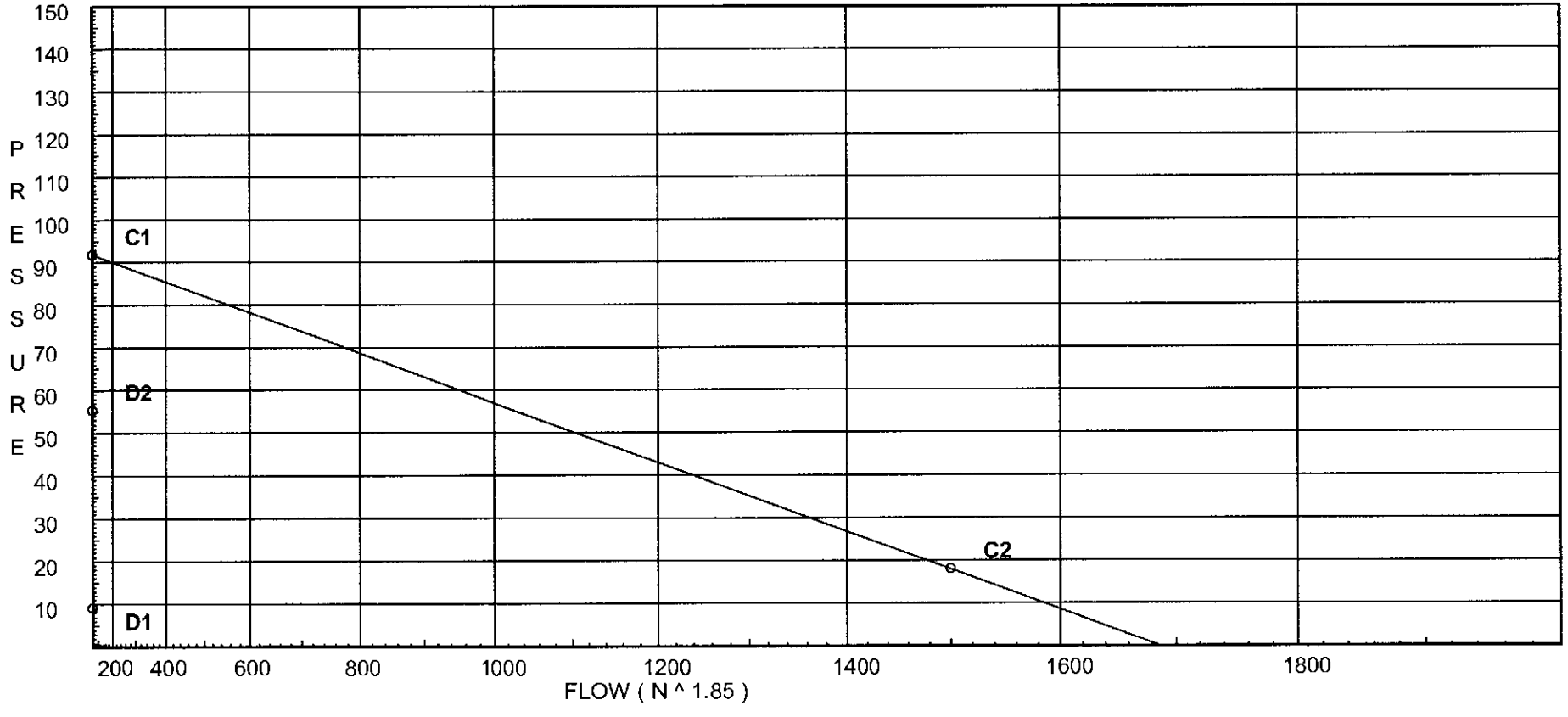
KPS
DAKOTA - UNIT A - 20 x 20 REG. CALCULATION

Date 6/23/14

City Water Supply:
- C1 - Static Pressure : 91.8
- C2 - Residual Pressure: 18
- C2 - Residual Flow : 1500

Demand:

D1 - Elevation	:	9.095
D2 - System Flow	:	18.008
D2 - System Pressure	:	55.249
Hose (Demand)	:	
D3 - System Demand	:	18.008
Safety Margin	:	36.530



Fittings Used Summary

Fitting Legend

Abbrev.	Name	½	¾	1	1¼	1½	2	2½	3	3½	4	5	6	8	10	12	14	16	18	20	24
Bvs	Ball Valve	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
E	NFPA 13 90' Standard Elbow	1	2	2	3	4	5	6	7	8	10	12	14	18	22	27	35	40	45	50	61
Fsp	Flow Switch Potter VSR	Fitting generates a Fixed Loss Based on Flow																			
N *	CPVC 90'Ell Harvel-Spears		7	7	8	9	11	12	13	0	0	0	0	0	0	0	0	0	0	0	0
O *	CPVC Tee - Branch	3	3	5	6	8	10	12	15	0	0	0	0	0	0	0	0	0	0	0	0
Q	Riser Check Gem F517	1	1	1	1	1	1	1	1	1	1	0	7.925	13.716	0	0	0	0	0	0	0
R *	CPVC Coupling Tee - Run	1	1	1	1	1	1	2	2	0	0	0	0	0	0	0	0	0	0	0	0

Units Summary

Diameter Units	Inches
Length Units	Feet
Flow Units	US Gallons per Minute
Pressure Units	Pounds per Square Inch

Note: Fitting Legend provides equivalent pipe lengths for fittings types of various diameters. Equivalent lengths shown are standard for actual diameters of Sched 40 pipe and CFactors of 120 except as noted with *. The fittings marked with a * show equivalent lengths values supplied by manufacturers based on specific pipe diameters and CFactors and they require no adjustment. All values for fittings not marked with a * will be adjusted in the calculation for CFactors of other than 120 and diameters other than Sched 40 per NFPA.

SUPPLY ANALYSIS

Node at Source	Static Pressure	Residual Pressure	Flow	Available Pressure	Total Demand	Required Pressure
100	91.8	18	1500.0	91.779	18.01	55.249

NODE ANALYSIS

Node Tag	Elevation	Node Type	Pressure at Node	Discharge at Node	Notes
H1	18.0		19.01		
H2	18.0		19.05		
H3	18.0	3	18.8	13.01	
H4	9.0		23.01		
H5	9.0		23.01		
D1	19.0		18.57		
1	19.0		18.57		
D3	19.0		18.55		
D2	19.0		18.62		
1A	19.0		18.62		
4	19.0		19.13		
3	19.0		18.96		
2	19.0		18.68		
8	19.0		18.68		
7	19.0		18.68		
D4	11.0		22.15		
D5	11.0		22.15		
6	11.0		22.15		
5	19.0		19.66		
TOR	10.0		23.86		
BOR	1.0		31.65	5.0	
UG1	-3.0		33.58		
BV	-3.0		34.26		
W1	-3.0		34.3		
W2	-3.0		50.02		
100	-3.0		55.25		

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	*******	Notes	******
*HEADS												
H1	18		0.0	1	1N	7.0	1.000	150	19.007			
to						0.0	7.000		-0.433			
D1	19		0.0	1.101		0.0	8.000	0	0.0	Vel = 0		
			0.0									
D1			0.0						18.574	K Factor = 0		
H2	18		0.0	1	1N	7.0	1.000	150	19.053			
to						0.0	7.000		-0.433			
D2	19		0.0	1.101		0.0	8.000	0	0.0	Vel = 0		
			0.0									
D2			0.0						18.620	K Factor = 0		
H3	18	3.00	13.01	1	1O	5.0	1.000	150	18.800			
to						0.0	5.000		-0.433			
D3	19		13.01	1.101		0.0	6.000	0.0307	0.184	Vel = 4.38		
			0.0									
D3			13.01						18.551	K Factor = 3.02		
H4	9		0.0	1	1O	5.0	1.000	150	23.015			
to						0.0	5.000		-0.866			
D4	11		0.0	1.101		0.0	6.000	0	0.0	Vel = 0		
			0.0									
D4			0.0						22.149	K Factor = 0		
H5	9		0.0	1	1O	5.0	1.000	150	23.015			
to						0.0	5.000		-0.866			
D5	11		0.0	1.101		0.0	6.000	0	0.0	Vel = 0		
			0.0									
D5			0.0						22.149	K Factor = 0		
*SYSTEM LOOP												
D1	19		0.0	1	1N	7.0	5.167	150	18.574			
to					1O	5.0	12.000		0.0			
1	19		0.0	1.101		0.0	17.167	0	0.0	Vel = 0		
1	19		-6.07	1	1R	1.0	2.000	150	18.574			
to						0.0	1.000		0.0			
D3	19		-6.07	1.101		0.0	3.000	-0.0077	-0.023	Vel = 2.05		
D3	19		13.01	1	1O	5.0	2.167	150	18.551			
to						0.0	5.000		0.0			
1A	19		6.94	1.101		0.0	7.167	0.0096	0.069	Vel = 2.34		
			0.0									
1A			6.94						18.620	K Factor = 1.61		
D2	19		0.0	1	1O	5.0	3.333	150	18.620			
to						0.0	5.000		0.0			
1A	19		0.0	1.101		0.0	8.333	0	0.0	Vel = 0		
1A	19		6.94	1	7R	7.0	36.583	150	18.620			
to					2O	10.0	17.000		0.0			
4	19		6.94	1.101		0.0	53.583	0.0096	0.515	Vel = 2.34		
4	19		-13.01	1	1R	1.0	17.000	150	19.135			
to					1O	5.0	6.000		0.0			
3	19		-6.07	1.101		0.0	23.000	-0.0075	-0.172	Vel = 2.05		

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	*******	Notes	******
3	19		0.0	1	1R	1.0	19.250	150	18.963			
to					2O	10.0	18.000		0.0			
2	19		-6.07	1.101	1N	7.0	37.250	-0.0075	-0.279	Vel = 2.05		
2	19		0.0	1	1N	7.0	7.750	150	18.684			
to						0.0	7.000		0.0			
1	19		-6.07	1.101		0.0	14.750	-0.0075	-0.110	Vel = 2.05		
			0.0									
1			-6.07						18.574	K Factor = -1.41		
8	19		0.0	1	1R	1.0	6.167	150	18.684			
to					1O	5.0	6.000		0.0			
2	19		0.0	1.101		0.0	12.167	0	0.0	Vel = 0		
			0.0									
2			0.0						18.684	K Factor = 0		
7	19		0.0	1	1N	7.0	9.000	150	18.684			
to						0.0	7.000		0.0			
8	19		0.0	1.101		0.0	16.000	0	0.0	Vel = 0		
			0.0									
8			0.0						18.684	K Factor = 0		
D4	11		0.0	1	1R	1.0	11.917	150	22.149			
to						0.0	1.000		0.0			
D5	11		0.0	1.101		0.0	12.917	0	0.0	Vel = 0		
D5	11		0.0	1	1O	5.0	0.833	150	22.149			
to						0.0	5.000		0.0			
6	11		0.0	1.101		0.0	5.833	0	0.0	Vel = 0		
6	11		0.0	1	1N	7.0	6.167	150	22.149			
to						0.0	7.000		-3.465			
7	19		0.0	1.101		0.0	13.167	0	0.0	Vel = 0		
			0.0									
7			0.0						18.684	K Factor = 0		
4	19		13.01	1	2N	14.0	3.000	150	19.135			
to						0.0	14.000		0.0			
5	19		13.01	1.101		0.0	17.000	0.0307	0.522	Vel = 4.38		
5	19		0.0	1	1R	1.0	9.000	150	19.657			
to						0.0	1.000		3.898			
TOR	10		13.01	1.101		0.0	10.000	0.0307	0.307	Vel = 4.38		
			0.0									
TOR			13.01						23.862	K Factor = 2.66		
*RISER TO UNDERGROUND												
TOR	10		13.01	1	1Fsp	0.0	9.000	150	23.862			
to					4R	4.0	19.912		6.898	* Fixed loss = 3		
BOR	1		13.01	1.101	1Q	1.913	28.912	0.0307	0.887	Vel = 4.38		
					2N	14.0						
BOR	1	+ 5.00	5.00	1.25	1E	2.967	4.000	150	31.647			
to						0.0	2.967		1.732			
UG1	-3		18.01	1.265		0.0	6.967	0.0286	0.199	Vel = 4.60		
UG1	-3		0.0	1.25	2N	16.0	18.000	150	33.578			
to						0.0	16.000		0.0			
BV	-3		18.01	1.36		0.0	34.000	0.0200	0.681	Vel = 3.98		

Node1 to Node2	Elev1 Elev2	K Fact	Qa Qt	Nom Act	Fitting or Eqv.	Ln.	Pipe Ftng's Total	CFact Pf/Ft	Pt Pe Pf	******* Notes ******
BV	-3		0.0	1.25	1Bvs	1.0	1.000	150	34.259	
to						0.0	1.000		0.0	
W1	-3		18.01	1.36		0.0	2.000	0.0200	0.040	Vel = 3.98
W1	-3		0.0	0.5		0.0	1.000	150	34.299	
to						0.0	0.0		14.000	* Fixed loss = 14
W2	-3		18.01	0.545		0.0	1.000	1.7210	1.721	Vel = 24.77
W2	-3		0.0	1		0.0	57.000	150	50.020	
to						0.0	0.0		0.0	
100	-3		18.01	0.995		0.0	57.000	0.0917	5.229	Vel = 7.43
			0.0							
100			18.01						55.249	K Factor = 2.42

For Non-Health Hazard Applications

Job Name _____ Contractor _____

Job Location _____ Approval _____

Engineer _____ Contractor's P.O. No. _____

Approval _____ Representative _____

Series 007

Double Check Valve Assemblies

Sizes: ½" – 3" (15 – 80mm)

Series 007 Double Check Valve Assemblies shall be installed at referenced cross-connections to prevent the backflow of polluted water into the potable water supply. Only those cross-connections identified by local inspection authorities as non-health hazard shall be allowed the use of an approved double check valve assembly.

Check with local authority having jurisdiction regarding vertical orientation, frequency of testing or other installation requirements.

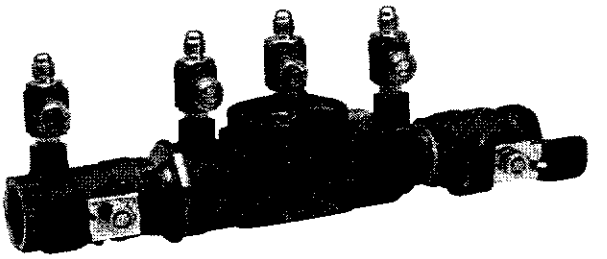
The valve shall meet the requirements of ASSE Std. 1015 and AWWA Std. C510. Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California.

Features

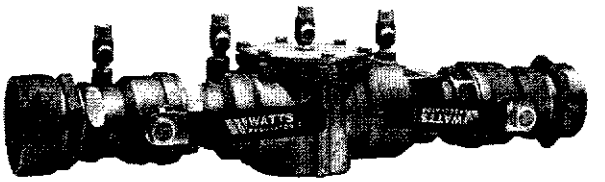
- Ease of maintenance — only one cover
- Top entry
- Replaceable seats and seat discs
- Modular construction
- Compact design
- Cast bronze body construction — ½" – 2" (15 – 50mm)
- Fused epoxy coated cast iron body — 2½" – 3" (65 – 80mm)
- Top mounted ball valve test cocks
- Low pressure drop
- No special tools required for servicing
- ½" – 1" (15 – 25mm) have tee handles

Specifications

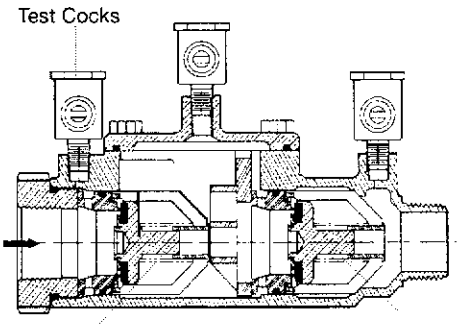
A Double Check Valve Assembly shall be installed at each noted location. The assembly shall consist of two positive seating check modules with captured springs and rubber seat discs. The check module seats and seat discs shall be replaceable. Service of all internal components shall be through a single bronze or stainless steel access cover secured with stainless steel bolts. The assembly shall also include two resilient seated isolation valves; four top mounted, resilient seated test cocks. The assembly shall meet the requirements of ASSE Std. 1015 and AWWA Std. C510. Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California. Assembly shall be a Watts Series 007.



¾" (20mm) 007M3QT



2" (50mm) 007M1QT HC



The 007 Series features a modular design concept which facilitates complete maintenance and assembly by retaining the spring load.

Now Available
WattsBox Insulated Enclosures.
For more information, send for literature ES-WB.

***IMPORTANT:** INQUIRE WITH GOVERNING AUTHORITIES FOR LOCAL INSTALLATION REQUIREMENTS*

Watts product specifications in U.S. customary units and metric are approximate and are provided for reference only. For precise measurements, please contact Watts Technical Service. Watts reserves the right to change or modify product design, construction, specifications, or materials without prior notice and without incurring any obligation to make such changes and modifications on Watts products previously or subsequently sold.

WATTS®

Pressure — Temperature

½" – 2" (15 – 50mm)

Temperature Range: 33°F – 180°F (0.5°C – 82°C).

Maximum Working Pressure: 175psi (12.1 bar).

2½" – 3" (65 – 80mm)

Temperature Range: 33°F – 110°F (0.5°C – 43°C) continuous, 140°F (60°C) intermittent.

Maximum Working Pressure: 175psi (12.1 bar).

Standards

ASSE Std. 1015, AWWA Std. C510

IAPMO PS31, CSA B64.5

Approvals

† ASSE, AWWA, IAPMO, CSA, UPC

▲ Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California.

• Models LF and S are not listed.

◆ UL Classified (LF models only) ¾" – 2" (20 – 50mm) (except 007M3LF)

◆ UL Classified with OSY gate valves (2½" and 3" horizontal only.)

* Horizontal and vertical "flow up" approval on all sizes

Suffix:

S - bronze strainer

LF - without shutoff valves

LH - locking handle ball valves (open position)

SH - stainless steel ball valve handles

HC - 2½" inlet/outlet fire hydrant fittings (2" valve)

Prefix:

U - Union connections

2½" – 3" (65 – 80mm)

Suffix:

NRS - non-rising stem resilient seated gate valves

OSY - UL/FM outside stem and yoke resilient seated gate valves

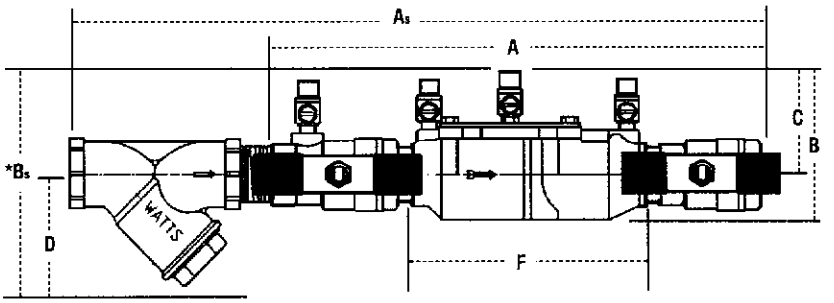
LF - without shutoff valves

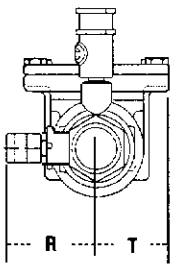
QT-FDA - FDA epoxy coated quarter-turn ball valves

Dimensions – Weights

Models

Sizes: ½" – 2" (15 – 50mm)





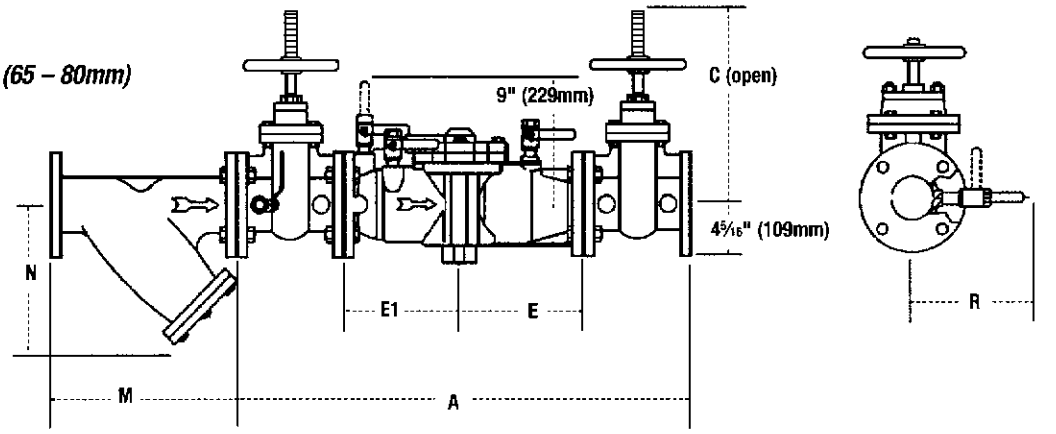
***Subscript 'S' = strainer model**

Suffix HC — Fire Hydrant Fittings dimension "A" = 23½" (594mm)

MODEL	SIZE (DN)		DIMENSIONS														WEIGHT	
			A		B		C		D		F		G		R		T			
	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs.
†▲007QT	½	15	10	254	4⅜	117	2 7/16	62	—	—	5	127	3⅜	85	2 5/16	59	2 1/16	52	4.5	2
†▲007M3QT	¾	20	11⅛	282	4	102	3⅛	79	—	—	6 3/16	157	3 7/16	87	2⅛	54	1 5/16	33	5	2.3
†▲007M1QT	1	25	13¼	337	5⅛	130	4	102	—	—	7½	191	3⅜	85	1 11/16	43	1 11/16	43	12	5.4
†▲007M2QT	1¼	32	16⅜	416	5	127	3 5/16	84	—	—	9½	241	5	127	3	76	2	50	15	6.8
†▲007M2QT	1½	40	16¾	425	4⅞	124	3½	89	—	—	9¾	248	5 13/16	148	3⅛	79	2 1/16	68	15.9	7.2
†▲007M1QT	2	50	19½	495	6¼	159	4	102	—	—	13⅜	340	6⅛	156	3 7/16	87	2 1/16	68	25.7	11.7
• 007QT-S	½	15	13	330	6	152	2 7/16	62	3	76	5	127	3⅜	85	2 5/16	59	2 1/16	52	5.5	2.5
• 007M3QT-S	¾	20	14½	368	6⅛	156	3⅛	79	3	76	6 3/16	157	3 7/16	87	2⅛	54	1 5/16	33	6.7	3.1
• 007M1QT-S	1	25	17 15/16	157	7¾	197	4	102	3¼	83	7½	191	3⅜	85	1 11/16	43	1 11/16	43	14	6.4
• 007M2QT-S	1¼	32	21½	546	7 1/16	179	3 5/16	84	3½	83	9½	241	5	127	3	76	2	50	19	8.6
• 007M2QT-S	1½	40	25 1/16	637	7 1/16	179	3½	89	3¾	95	9¾	248	5 13/16	148	3⅛	79	2 1/16	68	19.6	8.9
• 007M1QT-S	2	50	27¼	692	8¾	222	4	102	4	102	13⅜	340	6⅛	156	3 7/16	87	2 1/16	68	33.5	15.2

Dimensions – Weights

Sizes: 2½" – 3" (65 – 80mm)



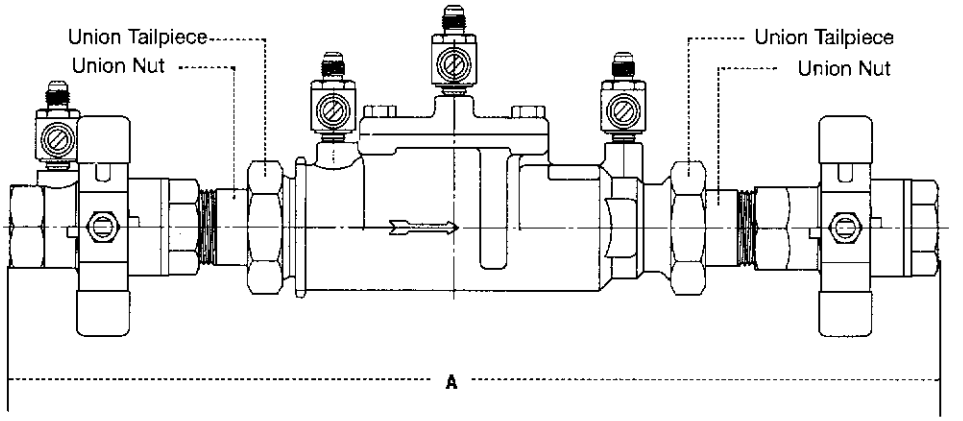
MODEL	SIZE (DN)		DIMENSIONS								WEIGHT	
			A		C		E, E1		R			
	in.	*mm*	*in.*	*mm*	*in.*	*mm*	*in.*	*mm*	*in.*	*mm*	*lbs.*	*kgs.*
	007QT-FDA	2½	65	33⅛	841	6⅜	162	9⅛	230	8¾	222	155	70
▲	007-NRS	2½	65	33⅛	841	9⅜	238	9⅛	230	8¾	222	155	70
▲◆	007-OSY	2½	65	33⅛	841	16⅜	416	9⅛	230	8¾	222	158	72
	007-QT-FDA	3	80	34⅛	867	6⅜	162	9⅛	230	8¾	222	155	70
▲◆	007-NRS	3	80	34⅛	867	10¼	260	9⅛	230	8¾	222	185	84
▲	007-OSY	3	80	34⅛	867	18⅞	479	9⅛	230	8¾	222	185	84

Strainer Dimensions

SIZE						WEIGHT	
		M		N			
in.	*mm*	*in.*	*mm*	*in.*	*mm*	*lbs.*	*kgs.*
2½	65	10	254	6½	165	28	13
3*	80	10⅛	267	7	178	34	15

*S Models only

1" U007M1QT



Sizes: ½" – 2" (15 – 50mm)

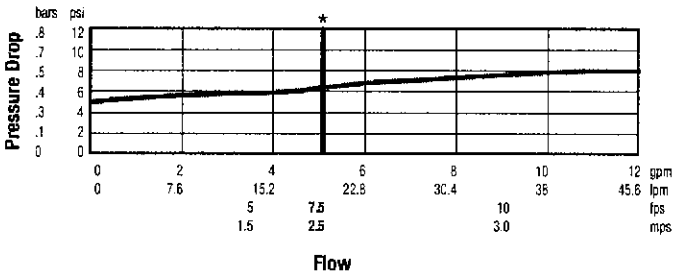
MODEL	SIZE (DN)		DIMENSIONS	
			A	
	in.	*mm*	*in.*	*mm*
U007QT	½	15	12¹³⁄₁₆	326
U007M2QT	¾	20	13¹³⁄₁₆	350
U007M2QT	1	25	16⅝	422
U007M2QT	1¼	32	20¾	527
U007M2QT	1½	40	21½	546
U007M1QT	2	50	24½	622

Capacity

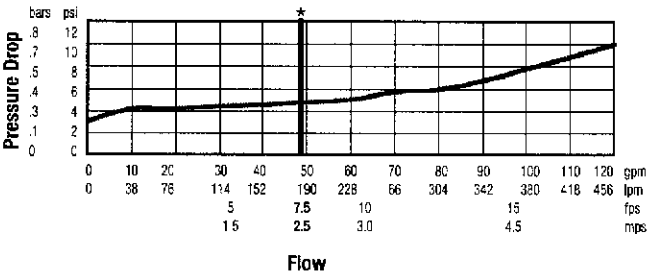
As complied from documented Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California lab tests.

* Typical maximum system flow rate (7.5 feet/sec., 2.3 meters/sec.)
** UL rated flow

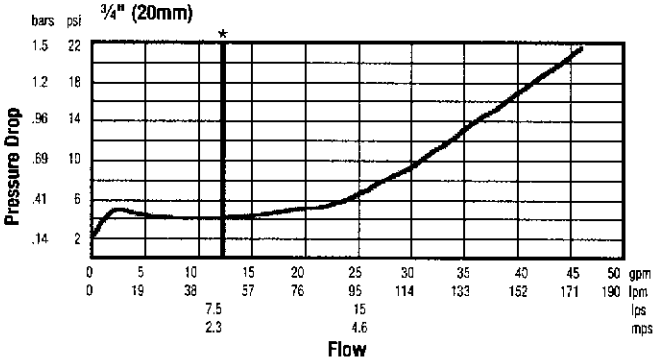
½" (15mm)



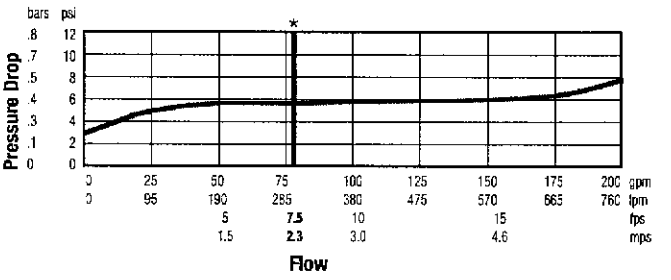
1½" (40mm)



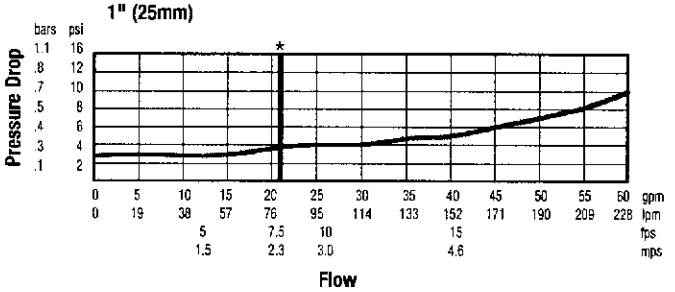
¾" (20mm)



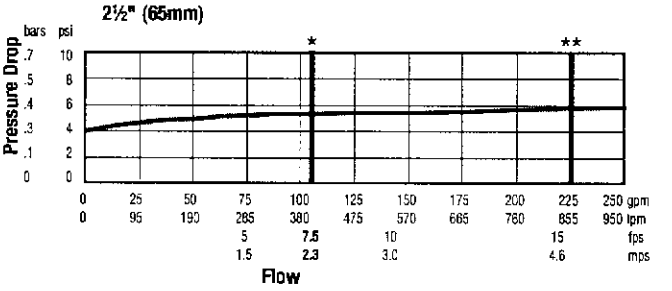
2" (50mm)



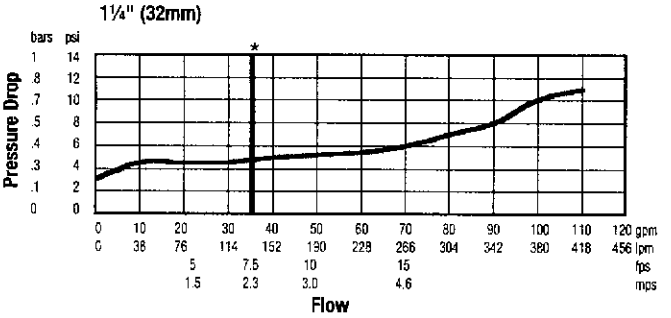
1" (25mm)



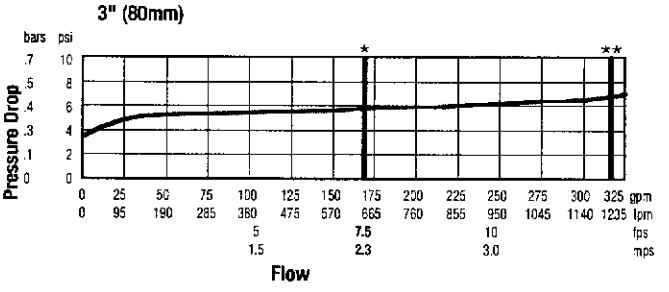
2½" (65mm)



1¼" (32mm)



3" (80mm)



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A. Sprinkler Heads

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D. Valves and Devices

A. SPRINKLER HEADS

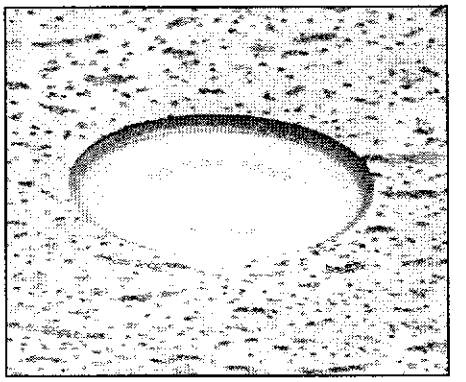
VIKING®

TECHNICAL DATA

FREEDOM® RESIDENTIAL CONCEALED PENDENT SPRINKLER VK488 (K3.0)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

1. DESCRIPTION



Viking Freedom® Residential Concealed Pendent Sprinkler VK488 is a small high-sensitivity solder link and lever residential sprinkler designed for installation on concealed pipe systems where the appearance of a smooth ceiling is desired. The orifice design, with a K-Factor of 3.0 (43.2 metric*), allows the sprinkler's efficient use of available water supplies for the hydraulically designed fire-protection system. The operating element and special deflector characteristics meet the challenges of residential sprinkler standards.

The sprinkler is pre-assembled with a threaded adapter for installation with a low-profile small-diameter cover assembly installed flush to the ceiling. The two-piece design allows installation and testing of the sprinkler prior to installation of the cover plate. The "push-on", "thread-off" design of the concealed cover plate assembly allows easy installation of the cover plate after the system has been tested and the ceiling finish has been applied, while also providing up to ½" (12.7 mm) of vertical adjustment. The cover assembly can be removed and reinstalled, allowing temporary removal of ceiling panels without taking the sprinkler system out of service or removing the sprinkler.

2. LISTINGS AND APPROVALS

c(UL)us **cULus Listed:** Category VKKW
Refer to the Approval Chart on page 157c and Design Criteria on page 157d for cULus Listing requirements that must be followed.

3. TECHNICAL DATA

Specifications:
Available since 2013.
Minimum Operating Pressure: Refer to the Approval Chart.
Maximum Working Pressure: 175 psi (12 bar). Factory tested hydrostatically to 500 psi (34.5 bar).
Thread size: 1/2" (15 mm) NPT
Nominal K-Factor: 3.0 U.S. (43.2 metric*)

* Metric K-factor measurement shown is in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

Material Standards:
Sprinkler Body: Brass UNS-C84400 or QM Brass
Deflector: Phosphor Bronze UNS-C51000
Deflector Pins: Stainless Steel UNS-S30200
Button: Brass UNS-C36000
Seat Assembly: Brass UNS-C31600
Compression Screw: Brass UNS-C36000
Fusible Element Assembly: Beryllium Nickel, coated with black acrylic paint
Levers: Stainless Steel UNS-S31600
Lever Bar: Copper Alloy UNS-C72500
Belleville Spring Sealing Assembly: Nickel Alloy, coated on both sides with PTFE Tape
Cover Adapter: Cold Rolled Steel UNS-G10080, Finish: Clear Chromate over Zinc Plating
Shipping Cap: Polyethylene

Viking Technical Data may be found on The Viking Corporation's Web site at http://www.vikinggroupinc.com. The Web site may include a more recent edition of this Technical Data Page.

Cover Plate Materials:
Cover Plate Assembly: Copper UNS-C11000 and Brass UNS-C26800
Spring: Beryllium Nickel
Solder: Eutectic

Ordering Information: (Also refer to the current Viking price list.)
Viking Freedom® Residential Concealed Pendent Sprinkler VK488 and Cover Plate Assembly must be ordered separately:

Replaces page 157a-e, dated August 2, 2012.
(Added square cover plate 15394)

VIKING®

TECHNICAL DATA

FREEDOM® RESIDENTIAL CONCEALED PENDENT SPRINKLER VK488 (K3.0)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Sprinkler: Part No. 18325 (includes a 165°F (74°C) rated sprinkler with a protective plastic cap covering the unit).

Cover Plate Assembly: Base Part No. 13504 (2-3/4" diameter), Base Part No. 13642 (3-5/16" diameter), No. 15394 (square cover plate, 3-5/16" diameter)

Specify finish and temperature rating of the cover plate assembly by adding the appropriate suffixes for the finish and the cover temperature rating to the base part number:

Finish Suffix: Polished Chrome = F, Brushed Chrome = F-/B, Bright Brass = B, Antique Brass = B-/A, Brushed Brass = B-/B, Brushed Copper = E-/B, Painted White = M-/W, Painted Ivory = M-/I, Painted Black = M-/B

Temperature Suffix: 135 °F (57 °C) = A

For example, cover 13504 with a Polished Chrome finish and a 135 °F (57 °C) temperature rating = 13504FA.

Available Finishes And Temperature Ratings: Refer to Table 1.

Accessories: (Also refer to the "Sprinkler Accessories" section of the Viking data book.)

Sprinkler Wrenches:**

A. Heavy Duty Part No. 13623W/B (available since 2006), or
B. Head Cabinet Wrench Part No. 13619*** (available since 2006)
C. Optional Concealed Cover Plate Installer Tool Part No. 14412 (available since 2007)
D. Optional Large Concealed Cover Plate Installer Tool Part No. 14867 (available since 2007)

**Requires a ½" ratchet (not available from Viking). ***Also optional for removal of the protective cap. Ideal for sprinkler cabinets.

Sprinkler Cabinet: Part No. 01731A (available since 1971)

4. INSTALLATION

Refer to appropriate NFPA Installation Standards.

5. OPERATION

During fire conditions, when the temperature around the sprinkler approaches its operating temperature, the cover plate detaches, releasing the deflector. Continued heating of the exposed sprinkler causes the fusible element to disengage releasing the sealing assembly. Water flowing through the sprinkler orifice strikes the deflector, forming a uniform spray pattern over a specific area of coverage determined by the water supply pressure at the sprinkler to extinguish or control the fire.

6. INSPECTIONS, TESTS AND MAINTENANCE

Refer to NFPA 25 for Inspection, Testing and Maintenance requirements.

7. AVAILABILITY

Viking Sprinkler Model VK488 is available through a network of domestic and international distributors. See The Viking Corporation web site for the closest distributor or contact The Viking Corporation.

8. GUARANTEE

For details of warranty, refer to Viking's current list price schedule or contact Viking directly.

TABLE 1: AVAILABLE SPRINKLER TEMPERATURE RATINGS AND FINISHES

Ordinary	165 °F (74 °C)	100 °F (38 °C)	135 °F (57 °C)	13504	13642	15394

Cover Plate Finishes: Polished Chrome, Brushed Chrome, Bright Brass, Antique Brass, Brushed Brass, Brushed Copper, Painted White, Painted Ivory, or Painted Black

Footnotes

[1] The sprinkler temperature rating is stamped on the deflector.

[2] Based on NFPA-13, NFPA 13R, and NFPA 13D. Other limits may apply, depending on fire loading, sprinkler location, and other requirements of the Authority Having Jurisdiction. Refer to specific installation standards.

[3] Part number shown is the base part number. For complete part number, refer to current Viking price list schedule.

VIKING®

TECHNICAL DATA

FREEDOM® RESIDENTIAL CONCEALED PENDENT SPRINKLER VK488 (K3.0)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Approval Chart
Viking VK488, 3.0 K-Factor Concealed Pendent Sprinkler

For coverages designed to NFPA 13 (2013), NFPA 13R, or NFPA 13D systems designed to NFPA 13 (2002) or the previous criteria on page 157d. For Canadian areas, refer to NFPA 13, 13R or 13D, 2013 edition.

Sprinkler Base Part Number[1]	SIN	NPT Thread Size		Nominal K-Factor		Maximum Water Working Pressure			
		Inches	mm	U.S.	metric[2]				
18325	VK488	1/2	15	3.0	43.2	175 psi (12 bar)			
Max. Coverage Area[6] Ft. X Ft. (m X m)	Ordinary Temp Rating (165 °F/74 °C)		Deflector to Ceiling	Installation Type	Listings and Approvals[3]				Minimum Spacing Ft. (m)
	Flow[6] GPM (L/min)	Pressure[6] PSI (bar)			cULus[4]	NYC	NSF[7]		
12 X 12 (3.7 X 3.7)	8 (30.3)	7.1 (0.49)	Refer to Figure 2 on page 157e	Concealed with Cover Plate Assembly	See Footnote 8 and 10	See Footnote 5	See Footnote 8 and 10		8 (2.4)
14 X 14 (4.3 X 4.3)	11 (41.6)	13.4 (0.92)							
16 X 16 (4.9 X 4.9)	13 (49.2)	18.8 (1.30)							

Footnotes

[1] Part number shown is the base part number. For complete part number, refer to Viking's current price schedule.

[2] Metric K-factor measurement shown is when pressure is measured in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

[3] This chart shows the listings and approvals available at the time of printing. Other approvals may be in process. Check with the manufacturer for any additional approvals. Refer also to Design Criteria on page 157d.

[4] Listed by Underwriter's Laboratories, Inc. for use in the U.S. and Canada.

[5] Meets New York City requirements, effective July 1, 2008.

[6] For areas of coverage smaller than shown, use the "Flow" and "Pressure" for the next larger area listed. Flows and pressures listed are per sprinkler. The distance from sprinklers to walls shall not exceed one-half the sprinkler spacing indicated for the minimum "Flow" and "Pressure" used.

[7] UL Classified to: NSF/ANSI Standard 61, Drinking Water System Components (MH48034).

[8] Accepted Cover Plate Finishes are: Polished Chrome, Brushed Chrome, Bright Brass, Antique Brass, Brushed Brass, Brushed Copper, Painted White, Painted Ivory, or Painted Black [9].

[9] Other paint colors are available on request with the same cULus listings as the standard finish colors.

[10] Cover Temperature Rating is 135 °F (57 °C). Cover Part No. 13504[1], 13642[1] (large diameter), or 15394[1] (square cover plate).

VIKING®

TECHNICAL DATA

FREEDOM® RESIDENTIAL CONCEALED PENDENT SPRINKLER VK488 (K3.0)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

cULus Listing Requirements:

When using Viking Residential Concealed Pendent Sprinkler VK488 for systems designed to NFPA 13D or NFPA 13R, apply the listed areas of coverage and minimum water supply requirements shown in the Approval Chart on page 157c.

For systems designed to NFPA 13: The number of design sprinklers is to be the four contiguous most hydraulically demanding sprinklers. The minimum required discharge from each of the four sprinklers is to be the greater of the following:

- The flow rates given in the Approval Chart on data page 157c for NFPA 13D and NFPA 13R applications for each listed area of coverage, or
- Calculated based on a minimum discharge of 0.1 gpm/sq. ft. over the "design area" in accordance with sections 8.5.2.1 or 8.6.2.1.2 of NFPA 13.
- Minimum distance between residential sprinklers: 8 ft. (2.4 m).

NOTICE **Concealed sprinklers must be installed in neutral or negative pressure plenums only.**

IMPORTANT: Always refer to Bulletin Form No. F_091699 - Care and Handling of Sprinklers. Also refer to pages RES1-17 for general care, installation, and maintenance information. Viking sprinklers are to be installed in accordance with the latest edition of Viking technical data, the appropriate standards of NFPA and any other similar Authorities Having Jurisdiction, and also with the provisions of governmental codes, ordinances, and standards, whenever applicable. Final approval and acceptance of all residential sprinkler installations must be obtained from the Authorities Having Jurisdiction.

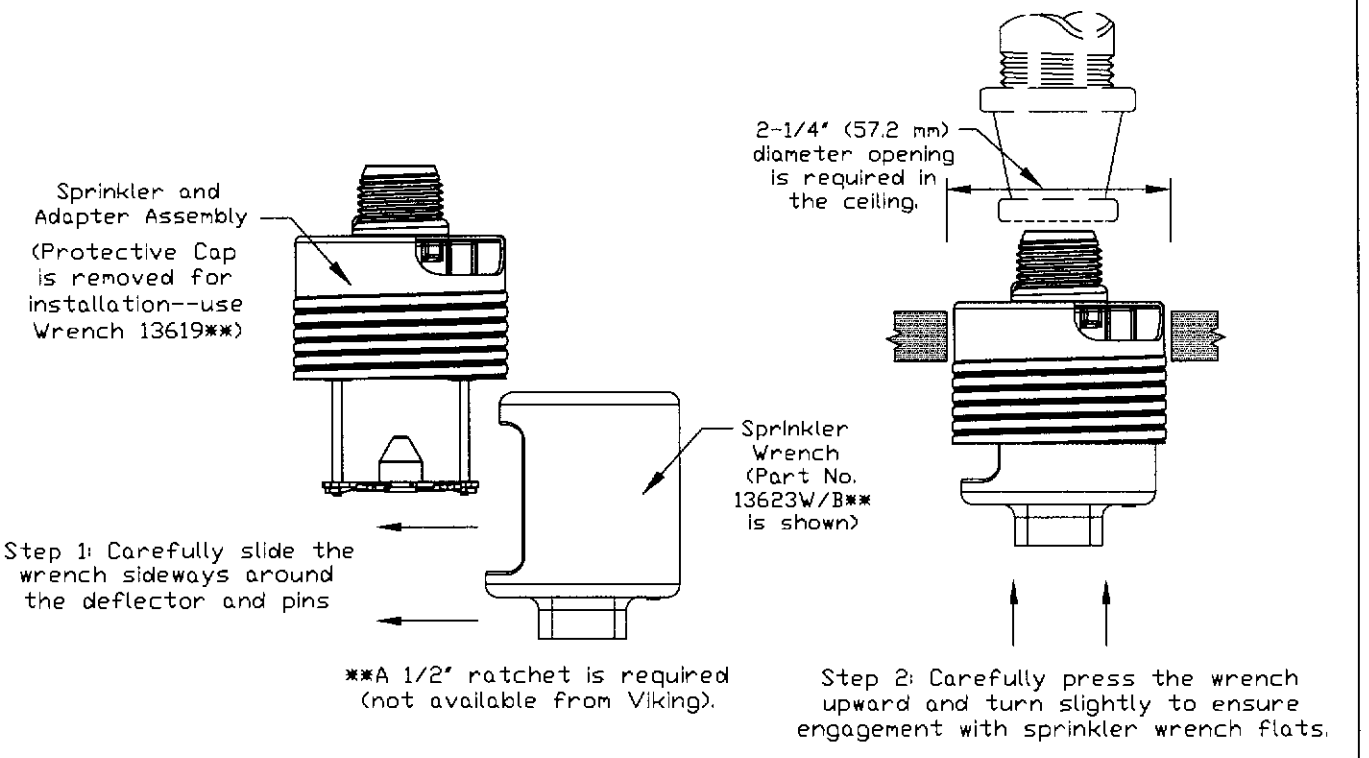
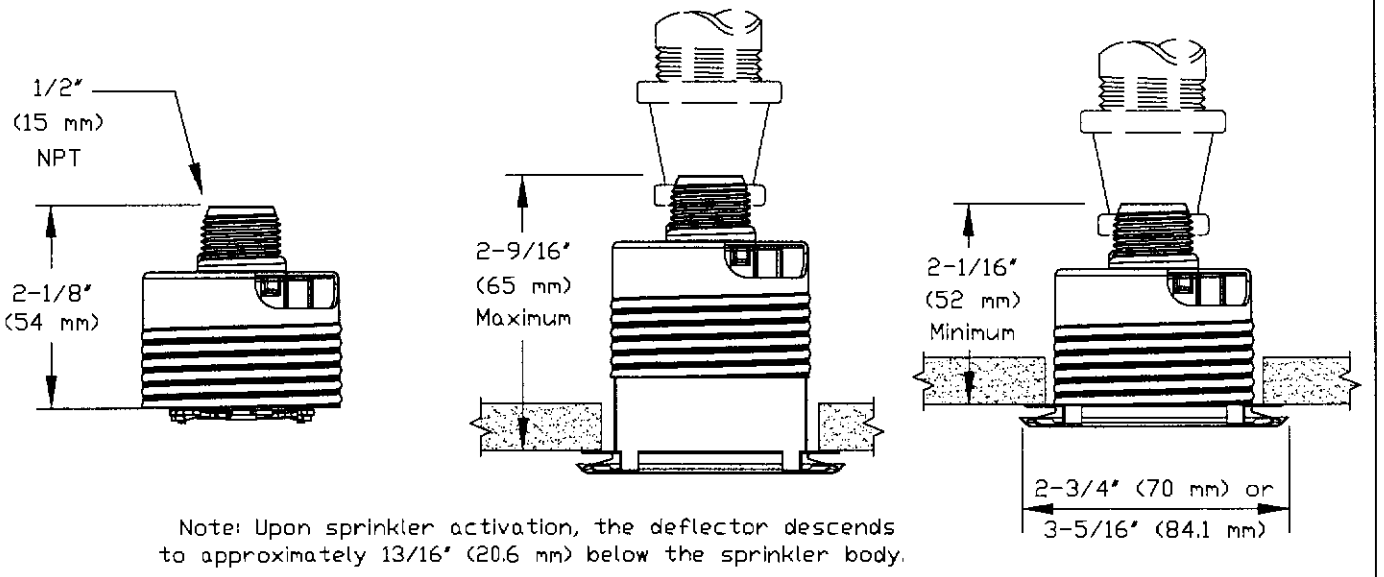


Figure 1: Sprinkler Installation and Correct Use of Wrenches

FREEDOM® RESIDENTIAL CONCEALED PENDENT SPRINKLER VK488 (K3.0)

TECHNICAL DATA

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com



Note: Upon sprinkler activation, the deflector descends to approximately 13/16" (20.6 mm) below the sprinkler body.

Figure 2: Sprinkler Dimensions and Cover Installation

Identification of Custom Paint Color:
All custom color painted cover plates will have an identifying label affixed to the inside of the cover that indicates custom color and will have a representative sample (a paint dot) of the paint on the label.

Figure 3: Identification of Custom Paint Color for Concealed Covers

Figure 4: Square Cover Assembly 15394

Replaces page 157a-e, dated August 2, 2012.
(Added square cover plate 15394)

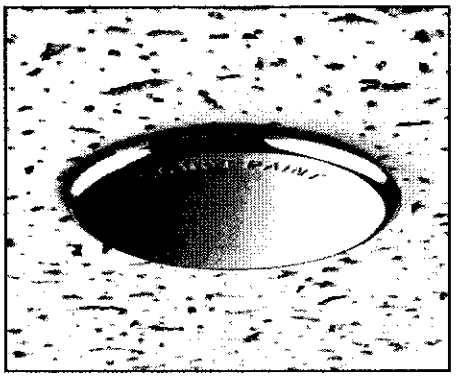
VIKING | TECHNICAL DATA | MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

1. DESCRIPTION

Viking Mirage® Standard and Quick Response Concealed Pendent Sprinkler VK461 is a thermosensitive glass-bulb spray sprinkler designed for installation on concealed pipe systems where the appearance of a smooth ceiling is desired.

The sprinkler is pre-assembled with a threaded adapter for installation with a low-profile cover assembly that provides up to ½" (12.7 mm) of vertical adjustment. The two-piece design allows installation and testing of the sprinkler prior to installation of the cover plate. The "push-on", "thread-off" design of the concealed cover plate assembly allows easy installation of the cover plate after the system has been tested and the ceiling finish has been applied. The cover assembly can be removed and reinstalled, allowing temporary removal of ceiling panels without taking the sprinkler system out of service or removing the sprinkler.



For Light Hazard Occupancies Only

2. LISTINGS AND APPROVALS

cULus Listed: Category VNIV
FM Approved: Class 2015
NYC Approved: MEA 89-92-E, Volume 38

Refer to Approval Chart 1 and Design Criteria on page 54j for cULus Listing requirements, and refer to Approval Chart 2 and Design Criteria on page 54k for FM Approval requirements that must be followed.

3. TECHNICAL DATA

Specifications:

Available since 2006.
Minimum Operating Pressure: 7 psi (0.5 bar).
Maximum Working Pressure: 175 psi (12 bar). Factory tested hydrostatically to 500 psi (34.5 bar).
Testing: U.S.A. Patent No. 4,831,870
Thread size: 1/2" (15 mm) NPT
Nominal K-Factor: 2.8 U.S. (40.3 metric*)

*Metric K-factor measurement is shown in bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

Glass-bulb fluid temperature rated to -65°F (-55°C)
Patents Pending

Viking Technical Data may be found on The Viking Corporation's Web site at http://www.vikinggroupinc.com. The Web site may include a more recent edition of this Technical Data Page.

Material Standards:

Sprinkler Body: Brass UNS-C84400
Deflector: Copper UNS-C19500
Deflector Pins: Stainless Steel UNS-S30300
Bushing: Brass UNS-C36000
Bulb: Glass, nominal 3 mm diameter
Pip Cap and Insert Assembly: Copper UNS-C11000 and Stainless Steel UNS-S30400
Button: Brass UNS-C36000
Screws: 18-8 Stainless Steel
Belleville Spring Sealing Assembly: Nickel Alloy, coated on both sides with Teflon Tape
Yoke: Phosphor Bronze UNS-C51000
Cover Adapter: Cold Rolled Steel UNS-G10080, Finish: Clear Chromate over Zinc Plating

Cover Assembly Materials:

Cover: Copper UNS-C11000
Base: Brass UNS-C26000 or UNS-C26800
Springs: Nickel Alloy
Solder: Eutectic

Ordering Information: (Also refer to the current Viking price list.)

Viking Mirage® Concealed Pendent Sprinkler VK461 and Cover Plate Assembly must be ordered separately:
Sprinkler: Base Part No. 13831A
Specify sprinkler temperature rating by adding the appropriate suffix for the temperature rating to the base part number:

Replaces page 54h-m, dated May 14, 2010. (Revised finish suffixes for white, black, and ivory painted cover finishes.)

VIKING | TECHNICAL DATA | MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Temperature Suffix (°F/°C): 155°/68° = B, 175°/79° = D, 200°/93° = E
For example, sprinkler VK461 with a 155°F/68°C temperature rating = 13831AB.

Cover Plate Assembly: Base Part No. 13504 (2-3/4" diameter), Base Part No. 13642 (3-5/16" diameter), or Base Part No. 15394 (square cover plate, 3-5/16" diameter)
Specify finish and temperature rating of the cover plate assembly by adding the appropriate suffixes for the finish and the cover temperature rating to the base part number:
Finish Suffix: Polished Chrome = F, Brushed Chrome = F-/B, Bright Brass = B, Antique Brass = B-/A, Brushed Brass = B-/B, Brushed Copper = E-/B, Painted White = M-/W, Painted Ivory = M-/I, Painted Black = M-/B
Temperature Suffix (°F/°C): 135°/57° UL (139°/59° FM) = A , 165°/74° = C
For example, cover 13504 with a Polished Chrome finish and a 165°F/74°C temperature rating = 13504FC.

Note: Square cover plate 15394 cULus Listing is for the 135°F (57°C) temperature rated cover plate only. Refer to the Approval Charts.

Available Finishes And Temperature Ratings: Refer to Table 1.

Accessories: (Also refer to the "Sprinkler Accessories" section of the Viking data book.)
Sprinkler Wrenches:**
A. Heavy Duty Wrench Part No. 14047W/B (available since 2006), or
B. Head Cabinet Wrench Part No. 14031*** (available since 2006)
C. Optional Concealed Cover Plate Installer Tool Part No. 14412 for cover 13504, or Part No. 14867 for the large diameter cover (available since 2007)

**Requires a ½" ratchet (not available from Viking). ***Also optional for removal of the protective cap. Ideal for sprinkler cabinets.

Sprinkler Cabinet: Part No. 01731A (available since 1971)

4. INSTALLATION
Refer to appropriate NFPA Installation Standards.

5. OPERATION
During fire conditions, when the temperature around the sprinkler approaches its operating temperature, the cover plate detaches. Continued heating of the exposed sprinkler causes the heat-sensitive liquid in the glass bulb to expand and the bulb to shatter, releasing the yoke, pip-cap and sealing spring assembly. Water flowing through the sprinkler orifice strikes the sprinkler deflector, forming a uniform spray pattern to extinguish or control the fire.

6. INSPECTIONS, TESTS AND MAINTENANCE
Refer to NFPA 25 for Inspection, Testing and Maintenance requirements.

7. AVAILABILITY
Viking Mirage® Concealed Pendent Sprinkler VK461 is available through a network of domestic and international distributors. See The Viking Corporation web site for the closest distributor or contact The Viking Corporation.

8. GUARANTEE
For details of warranty, refer to Viking's current list price schedule or contact Viking directly.

TABLE 1: AVAILABLE SPRINKLER TEMPERATURE RATINGS AND FINISHES

Ordinary	155°F (68°C)	100°F (38°C)	135°F (57°C) cULus, 139°F (59°C) FM	Red
Intermediate	175°F (79°C)	150°F (65°C)	165°F (74°C)	Yellow
Intermediate	200°F (93°C)	150°F (65°C)	165°F (74°C)	Green

Cover Plate Finishes: Polished Chrome, Brushed Chrome, Bright Brass, Antique Brass, Brushed Brass, Brushed Copper, Painted White, Painted Ivory, or Painted Black

Footnotes

[1] The sprinkler temperature rating is stamped on the sprinkler deflector.

[2] Based on NFPA-13. Other limits may apply, depending on fire loading, sprinkler location, and other requirements of the Authority Having Jurisdiction. Refer to specific installation standards.

VIKING — TECHNICAL DATA

MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Approval Chart - (U.L.)

Mirage® Quick Response Concealed Pendent Sprinkler VK461
For Light Hazard Occupancies Only
Maximum 175 PSI/12 bar WWP

Sprinkler Base Part Number[1]	SIN	NPT Thread Size		Nominal K-Factor		Overall Length (Sprinkler Body)		Listings and Approvals[3] (Refer also to Design Criteria below.)					
		Inch	mm	U.S.	metric[2]	Inches	mm	cULus[4]	NYC[5]	VdS	LPCB	CE	⊛
13831A	VK461	1/2"	15	2.8	40.3	2-3/16"	56	AW1, BX1	AW1, BX1	--	--	--	--

Sprinkler Temperature Ratings
A - 155°F (68°C)
B - 175°F (79°C) and 200°F (93°C)

Cover Plate Assembly Temperature Ratings[6]
W - 135°F (57°C) cULus Listed cover 13504[1], 13642[1] (large diameter), or 15394[1] (square cover plate) *FM Approved as 139°F (59°C)*
X - 165°F (74°C) cover 13504[1] or 13642[1] (large diameter)

Finishes of the Cover Plate Assembly[7]
1 - Polished Chrome, Brushed Chrome, Bright Brass, Antique Brass, Brushed Brass, Brushed Copper, Painted White, Painted Ivory, or Painted Black

Footnotes

[1] Part number shown is the base part number. For complete part number, refer to current Viking price list schedule.

[2] Metric K-factor measurement is shown in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

[3] This chart shows the listings and approvals available at the time of printing. Other approvals may be in process. Check with the manufacturer for any additional approvals.

[4] Listed by Underwriter's Laboratories for use in the U.S. and Canada.

[5] Accepted for use, City of New York Department of Buildings, MEA Number 89-92-E, Vol. 38.

[6] The 135/139°F cover has an orange label. The 165°F cover has a white label.

[7] Standard painted finishes consist of Polyester Baked Enamel. Other paint colors are available on request with the same listings as the standard paint colors. Listings and approvals apply for any paint manufacturer. Contact Viking for additional information.

NOTE: Custom colors are indicated on a label inside the cover assembly. Refer to Figure 1.

Design Criteria - UL

cULus Listing Requirements: Mirage® Concealed Pendent Sprinkler VK461 is cULus Listed as a quick response sprinkler for installation in accordance with the latest edition of NFPA 13 for standard coverage pendent spray sprinklers as indicated below:

- Limited to Light Hazard Occupancies where allowed by the installation standards being applied, with hydraulically calculated wet systems only.
- Maximum spacing allowed is 15 ft. (4.6 m).
- Minimum spacing allowed is 6 ft. (1.8 m) unless baffles are installed in accordance with NFPA 13.
- Minimum distance from walls is 4 in. (102 mm).
- Maximum distance from walls shall be no more than one-half of the allowable distance between sprinklers. The distance shall be measured perpendicular to the wall.
- The sprinkler obstruction rules contained in NFPA 13 for standard coverage pendent spray sprinklers must be followed.

NOTE: Concealed sprinklers must be installed in neutral or negative pressure plenums only.

IMPORTANT: Always refer to Bulletin Form No. F_091699 - Care and Handling of Sprinklers. Also refer to page SR1-3 or QR1-3 for general care, installation, and maintenance information. Viking sprinklers are to be installed in accordance with the latest edition of Viking technical data, the appropriate standards of NFPA, LPCB, Assemblee Pleniere, VdS or other similar organizations, and also with the provisions of governmental codes, ordinances, and standards, whenever applicable.

VIKING

TECHNICAL DATA

MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Approval Chart - (FM)

Mirage Standard Response Concealed Pendent Sprinkler VK461

Maximum Working Pressure 175 psi (12 bar)

Sprinkler Base Part Number[1]	SIN	NPT Thread Size		Nominal K-Factor		Overall Length (Sprinkler Body)		FM Approvals[3,4] (Refer also to Design Criteria below.)
		Inch	mm	U.S.	metric[2]	Inches	mm	
13831A	VK461	1/2"	15	2.8	40.3	2-3/16"	56	AW1, BX1

Sprinkler Temperature Ratings
A - 155°F (68°C)
B - 175°F (79°C) and 200°F (93°C)

Cover Plate Assembly Temperature Ratings[5]
W - 135°F (57°C) cULus Listed cover 13504[1], 13642[1] (large diameter), or 15394[1] (square cover plate) *FM Approved as 139°F (59°C)*
X - 165°F (74°C) cover 13504[1], 13642[1] (large diameter), or 15394[1] (square cover plate)

Finishes of the Cover Plate Assembly[6]
1 - Polished Chrome, Brushed Chrome, Bright Brass, Antique Brass, Brushed Brass, Brushed Copper, Painted White, Painted Ivory, or Painted Black

Footnotes

[1] Part number shown is the base part number. For complete part number, refer to current Viking price list schedule.

[2] Metric K-factor measurement is shown in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

[3] This chart shows the FM Approvals available at the time of printing. Other approvals may be in process. Check with the manufacturer for any additional approvals.

[4] FM Approved as a standard response **Non-Storage** concealed pendent sprinkler. For specific application and installation requirements, reference the latest applicable FM Loss Prevention Data Sheets (including Data Sheet 2-0).

[5] The 135/139°F cover has an orange label. The 165°F cover has a white label.

[6] Standard painted finishes consist of Polyester Baked Enamel. Other paint colors are available on request with the same listings as the standard paint colors. Listings and approvals apply for any paint manufacturer. Contact Viking for additional information.

NOTE: Custom colors are indicated on a label inside the cover assembly. Refer to Figure 1.

Design Criteria

FM Approval Requirements:

Viking Concealed Pendent Sprinkler VK461 is FM Approved as a standard response **Non-Storage** concealed pendent sprinkler as indicated in the FM Approval Guide. For specific application and installation requirements, reference the latest applicable FM Loss Prevention Data Sheets (including Data Sheet 2-0). FM Global Loss Prevention Data Sheets contain guidelines relating to, but not limited to: minimum water supply requirements, hydraulic design, ceiling slope and obstructions, minimum and maximum allowable spacing, and deflector distance below the ceiling.

NOTE: The FM installation guidelines may differ from cULus and/or NFPA criteria.

IMPORTANT: Always refer to Bulletin Form No. F_091699 - Care and Handling of Sprinklers. Also refer to page SR1-3 for general care, installation, and maintenance information. Viking sprinklers are to be installed in accordance with the latest edition of Viking technical data, the appropriate standards of NFPA, FM Global, LPCB, Assemblee Pleniere, VdS or other similar organizations, and also with the provisions of governmental codes, ordinances, and standards, whenever applicable.

MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

TECHNICAL DATA

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Identification of Custom Paint Color:
All custom color painted cover plates will have an identifying label affixed to the inside of the cover that indicates custom color and will have a representative sample (a paint dot) of the paint on the label.

Figure 1: Identification of Custom Paint Color for Concealed Covers

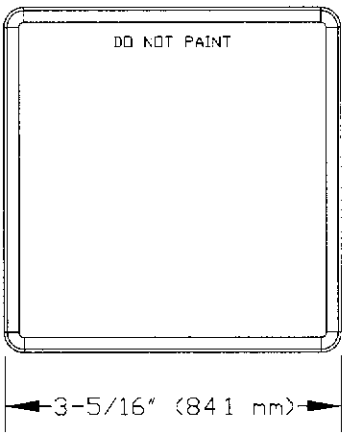


Figure 2: Square Cover Assembly 15394

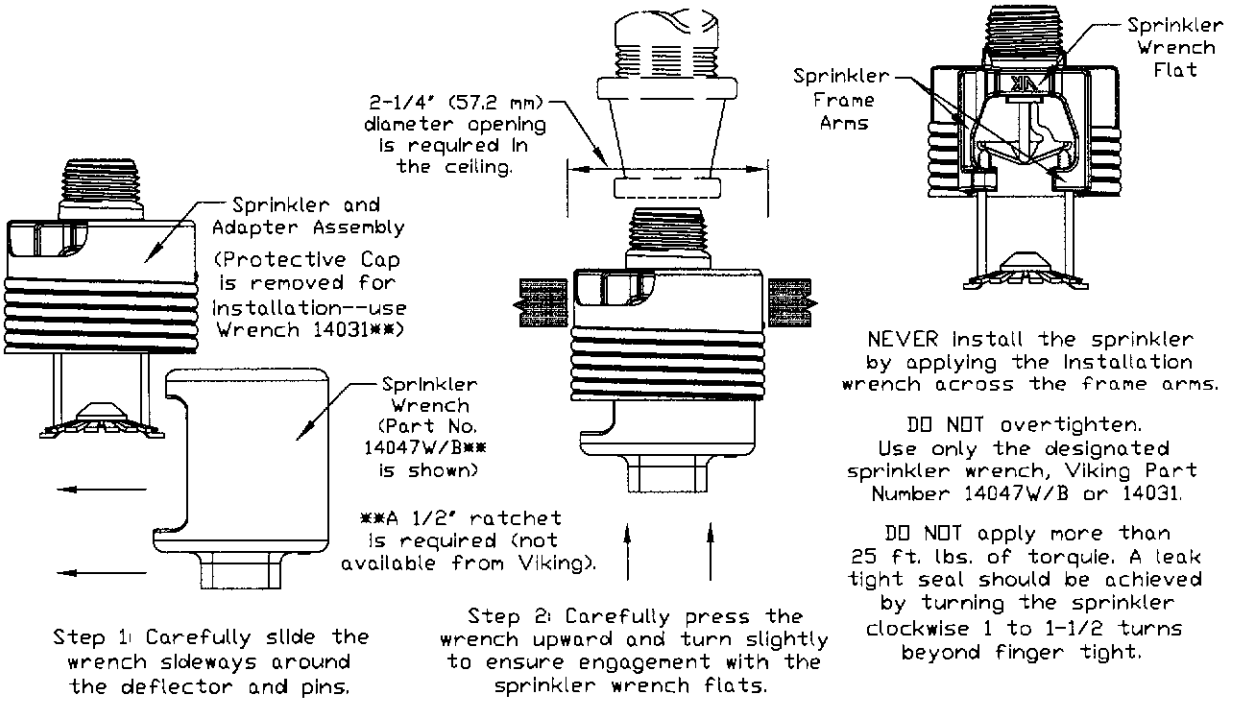


Figure 3: Sprinkler Installation and Correct Use of Wrenches

VIKING	TECHNICAL DATA	MIRAGE® STANDARD AND QUICK RESPONSE CONCEALED PENDENT SPRINKLER VK461 (K2.8)

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

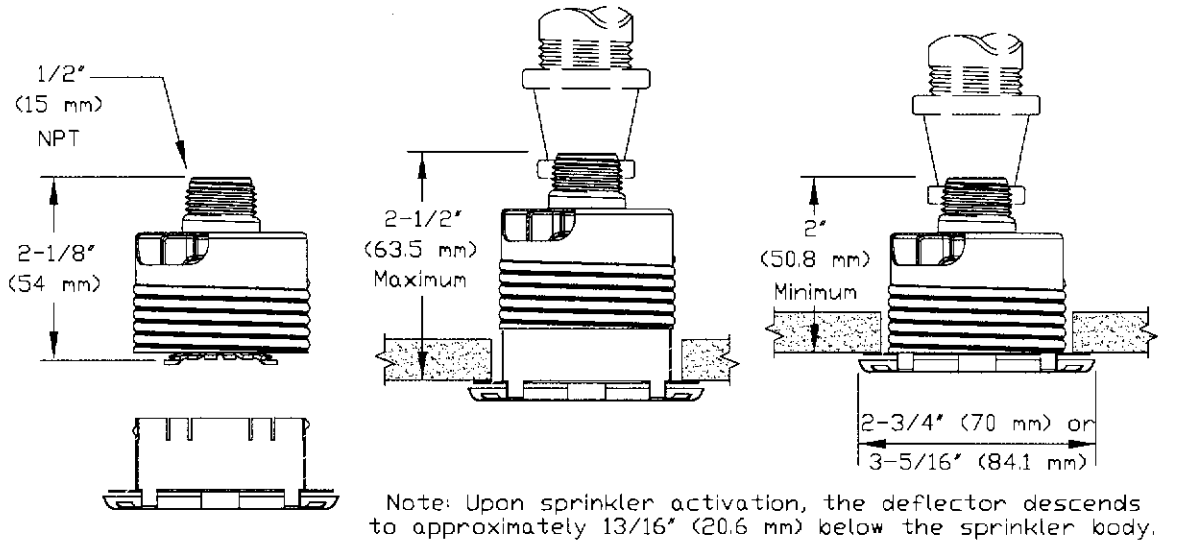


Figure 4: Sprinkler Dimensions and Cover Installation

Replaces page 54h-m, dated May 14, 2010. (Revised finish suffixes for white, black, and ivory painted cover finishes.)

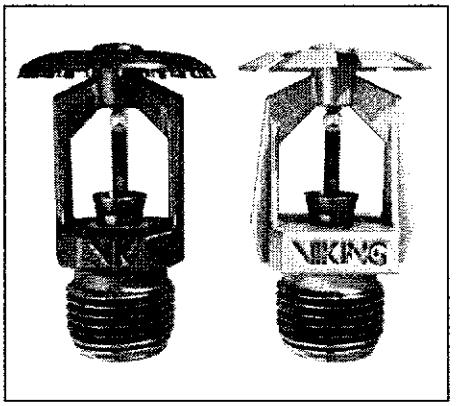
VIKING®

TECHNICAL DATA

MICROFAST® AND MicrofastHP® QUICK RESPONSE UPRIGHT AND CONVENTIONAL SPRINKLERS

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

1. DESCRIPTION



Viking Microfast® and MicrofastHP® Quick Response Upright and Conventional (Old Style) Sprinklers are small, thermosensitive, glass-bulb spray sprinklers available in several different finishes, temperature ratings, and K-Factors to meet design requirements. The special Polyester, Polytetrafluoroethylene (PTFE), and Electroless Nickel PTFE (ENT) coatings can be used in decorative applications where colors are desired. In addition, these coatings have been investigated for installation in corrosive atmospheres and are listed/approved as corrosion resistant as indicated in the Approval Charts. (Note: **FM Global approves the ENT coating as corrosion resistant.** FM Global has no approval classification for PTFE and Polyester coatings as corrosion resistant.)

2. LISTINGS AND APPROVALS

cULus Listed: Category VNIV

FM Approved: Classes 2002 and 2020

NYC Approved: Calendar Number 219-76-SA and MEA 89-92-E, Volume 16

ABS Certified: Certificate 04-HS407984B-PDA

VdS Approved: Certificates G4060054, G4060056, G4880046, G4930039, and G4980020

LPC Approved: Ref. No. 096e/03, TE30401, and TE30872

CE Certified: Standard EN 12259-1, EC-certificate of conformity 0832-CPD-2001, 0832-CPD-2003, 0786-CPD-40131, 0786-CPD-40171, and 0786-CPD-40278

MED Certified: Standard EN 12259-1, EC-certificate of conformity 0832-MED-1003 and 0832-MED-1008

NOTE: Other International approval certificates are available upon request.

Refer to Approval Chart 1 and Design Criteria on pages 51c-d for cULus Listing requirements, and refer to Approval Chart 2 and Design Criteria on page 51e for FM Approval requirements that must be followed.

3. TECHNICAL DATA

Viking Technical Data may be found on The Viking Corporation's Web site at http://www.vikinggroupinc.com. The Web site may include a more recent edition of this Technical Data Page.

Specifications:

Available since 1987.

Minimum Operating Pressure: 7 psi (0.5 bar)*

Maximum Working Pressure: Sprinklers VK315 and VK340 are rated for use with water working pressures ranging from the minimum 7 psi (0.5 bar) up to 250 psi (17 bar) for high-pressure systems. High-pressure (HP) sprinklers can be identified by locating "250" stamped on the deflector. All other Part Nos. not mentioned above are rated to a maximum 175 psi (12 bar) wwp.

Factory tested hydrostatically to 500 psi (34.5 bar)

Testing: U.S.A. Patent No. 4,831,870

Thread size: Refer to the Approval Charts

Nominal K-Factor: Refer to the Approval Charts

Glass-bulb fluid temperature rated to -65 °F (-55 °C)

Overall Length: Refer to the Approval Charts

*cULus Listing, FM Approval, and NFPA 13 installs require a minimum of 7 psi (0.5 bar). The minimum operating pressure for LPCB and CE Approvals ONLY is 5 psi (0.35 bar).

Material Standards:

Frame Casting: Brass UNS-C84400 or QM Brass for Sprinklers 12978, 06766B, 07060, and 12281. Brass UNS-C84400 for all other sprinklers.

Deflector: Brass UNS-C23000 or Copper UNS-C19500 for Sprinklers 12978, 06764B, and 12281. Copper UNS-C19500 for Sprinklers 06665B, 07060, and 14817. Brass UNS-C26000 for all other Sprinklers.

Bushing (for Sprinklers 06719B, 06717B, and 12286): Brass UNS-C36000

Bulb: Glass, nominal 3 mm diameter

VIKING®

TECHNICAL DATA

MICROFAST® AND MicrofastHP® QUICK RESPONSE UPRIGHT AND CONVENTIONAL SPRINKLERS

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Belleville Spring Sealing Assembly: Nickel Alloy, coated on both sides with PTFE Tape
Screw: Brass UNS-C36000
Pip Cap and Insert Assembly: Copper UNS-C11000 and Stainless Steel UNS-S30400
For PTFE Coated Sprinklers: Belleville Spring-Exposed, Screw-Nickel Plated, Pip Cap-PTFE Coated
For Polyester Coated Sprinklers: Belleville Spring-Exposed
For ENT Coated Sprinklers: Belleville Spring-Exposed, Screw and Pipcap - ENT plated.

Ordering Information: (Also refer to the current Viking price list.)
Order Microfast® and MicrofastHP® Quick Response Upright and Conventional Sprinklers by first adding the appropriate suffix for the sprinkler finish and then the appropriate suffix for the temperature rating to the sprinkler base part number.
Finish Suffix: Brass = A, Chrome = F, White Polyester = M-/W, Black Polyester = M-/B, and Black PTFE = N, ENT = JN
Temperature Suffix (°F/°C): 135°/57° = A, 155°/68° = B, 175°/79° = D, 200°/93° = E, and 286°/141° = G
For example, sprinkler VK300 with a 1/2" thread, Brass finish and a 155 °F/68 °C temperature rating = Part No. 12978AB

Available Finishes And Temperature Ratings: Refer to Table 1.

Accessories: (Also refer to the "Sprinkler Accessories" section of the Viking data book.)

Sprinkler Wrench: Standard Wrench: Part No. 10896W/B (available since 2000)

Sprinkler Cabinets:
A. Six-head capacity: Part No. 01724A (available since 1971)
B. Twelve-head capacity: Part No. 01725A (available since 1971)

4. INSTALLATION
Refer to appropriate NFPA Installation Standards.

5. OPERATION
During fire conditions, the heat-sensitive liquid in the glass bulb expands, causing the glass to shatter, releasing the pip cap and sealing spring assembly. Water flowing through the sprinkler orifice strikes the sprinkler deflector, forming a uniform spray pattern to extinguish or control the fire.

6. INSPECTIONS, TESTS AND MAINTENANCE
Refer to NFPA 25 for Inspection, Testing and Maintenance requirements.

7. AVAILABILITY
The Viking Microfast® and MicrofastHP® Quick Response Upright and Conventional Sprinklers are available through a network of domestic and international distributors. See The Viking Corporation web site for the closest distributor or contact The Viking Corporation.

8. GUARANTEE
For details of warranty, refer to Viking's current list price schedule or contact Viking directly.

TABLE 1: AVAILABLE SPRINKLER TEMPERATURE RATINGS AND FINISHES

Ordinary	135 °F (57 °C)	100 °F (38 °C)	Orange
Ordinary	155 °F (68 °C)	100 °F (38 °C)	Red
Intermediate	175 °F (79 °C)	150 °F (65 °C)	Yellow
Intermediate	200 °F (93 °C)	150 °F (65 °C)	Green
High	286 °F (141 °C)	225 °F (107 °C)	Blue

Sprinkler Finishes: Brass, Chrome, White Polyester, Black Polyester, Black PTFE, and ENT
Corrosion-Resistant Coatings[3]: White Polyester, Black Polyester, and Black PTFE. ENT in all temperature ratings except 135 °F (57 °C)

Footnotes

[1] The sprinkler temperature rating is stamped on the deflector.
[2] Based on NFPA-13. Other limits may apply, depending on fire loading, sprinkler location, and other requirements of the Authority Having Jurisdiction. Refer to specific installation standards.
[3] The corrosion-resistant coatings have passed the standard corrosion test required by the approving agencies indicated on pages 51c-e. These tests cannot and do not represent all possible corrosive environments. Prior to installation, verify through the end-user that the coatings are compatible with or suitable for the proposed environment. For automatic sprinklers, the coatings indicated are applied to the exposed exterior surfaces only. Note that the spring is exposed on sprinklers with Polyester, ENT, and PTFE coatings. For ENT coated automatic sprinklers, the waterway is coated.

VIKING®

TECHNICAL DATA

MICROFAST® AND MicrofastHP® QUICK RESPONSE UPRIGHT AND CONVENTIONAL SPRINKLERS

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Approval Chart | cULus

MicrofastHP® Quick Response Upright and Conventional Sprinklers
Maximum 175 PSI (12 bar) WWP

Base Part Number[1]	SIN	Thread Size		Nominal K-Factor		Overall Length		Listings and Approvals[3] (Refer also to Design Criteria on page 51d.)					
		NPT	BSP	U.S.	metric[2]	Inches	mm	cULus[4]	NYC[8]	VdS	LPCB	CE	⊛
Upright-Standard Orifice													
12978	VK300	1/2"	15 mm	5.6	80.6	2-3/16	56	A1, B4	See Footnote 7.	--	--	--	--
07060	VK345	--	15 mm	5.6	80.6	2-3/16	56	--	--	A2	A2	B2[12]	B2[15]
Conventional-Standard Orifice													
06766B	VK310	1/2"	15 mm	5.6	80.6	2-3/16	56	A2	A2	--	A2	B2[12]	B2[15]
Upright-Large Orifice													
06665B	VK350	3/4"	--	8.0	115.2	2-5/16	59	A1, B4	A1	A2	A2	B2[12]	--
14817	VK350	--	20 mm	8.0	115.2	2-5/16	59	A1, B4	A1	A2	A2	B2[12]	--
06764B[16]	VK350	1/2"	15 mm	8.0	115.2	2-5/16	59	A1, B4	A1	A2	--	A2[13]	--
Conventional-Large Orifice													
06768B	VK354	3/4"	20 mm	8.0	115.2	2-5/16	59	A1	A2	--	A2	B2[12]	--
Upright-Small Orifice[11]													
06717B[11]	VK325	1/2"	15 mm	2.8	40.3	2-3/16	56	A1	A1	--	--	--	--
06719B[11]	VK327	1/2"	15 mm	4.2	57	2-3/16	56	A1	A1	--	--	--	--
06931B[11]	VK3271	--	10 mm	4.2	57	2-3/16	56	--	--	A2	--	C3[14]	--

Maximum 250 PSI (17 bar) WWP
Upright-Standard Orifice

Base Part Number[1]	SIN	Thread Size		Nominal K-Factor		Overall Length		Listings and Approvals[3] (Refer also to Design Criteria on page 51d.)					
		NPT	BSP	U.S.	metric[2]	Inches	mm	cULus[4]	NYC[9]	VdS	LPCB	CE	⊛
12281	VK315	1/2"	15 mm	5.6	80.6	2-3/16	56	A1	A1	--	--	--	--
Upright-Small Orifice[10]													
12286[11]	VK340	1/2"	15 mm	2.8	40.3	2-3/16	56	A1	A1	--	--	--	--

Approved Temperature Ratings

A - 135 °F (57 °C), 155 °F (68 °C), 175 °F (79 °C), 200 °F (93 °C), and 286 °F (141°C)
B - 155 °F (68 °C), 175 °F (79 °C), 200 °F (93 °C), and 286 °F (141°C)
C - 155 °F (68 °C)

Approved Finishes

1 - Brass, Chrome, White Polyester[5,6], Black Polyester[5,6], and Black PTFE[5]
2 - Brass, Chrome, White Polyester[5,6], and Black Polyester[5,6]
3 - Brass and Chrome
4 - ENT[5]

Footnotes

[1] Base part number is shown. For complete part number, refer to Viking's current price schedule.
[2] Metric K-factor measurement shown is when pressure is measured in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.
[3] This table shows the listings and approvals available at the time of printing. Check with the manufacturer for any additional approvals.
[4] Listed by Underwriters Laboratories Inc. for use in the U.S. and Canada.
[5] cULus Listed as corrosion resistant.
[6] Other colors are available on request with the same Listings and Approvals as the standard colors.
[7] Meets New York City requirements, effective July 1, 2008.
[8] Accepted for use, City of New York Board of Standards and Appeals, Calendar Number 219-76-SA.
[9] Accepted for use, City of New York Department of Buildings, MEA 89-92-E, Vol. 16.
[10] Listings and Approvals limited to Light Hazard Occupancies where allowed by the installation standards being applied, with hydraulically calculated wet systems only. **Exception:** 4.2K sprinklers may be installed on hydraulically calculated dry pipe systems where piping is corrosion resistant or internally galvanized.
[11] The sprinkler orifice is bushed.
[12] CE Certified, Standard EN 12259-1, EC-certificate of conformity 0832-CPD-2001 and 0832-CPD-2003.
[13] CE Certified, Standard EN 12259-1, EC-certificate of conformity 0786-CPD-40278.
[14] CE Certified, Standard EN 12259-1, EC-certificate of conformity 0786-CPD-40131.
[15] ⊛ MED Certified, Standard EN 12259-1, EC-certificate of conformity 0832-MED-1003 and 0832-MED-1008.
[16] The 1/2" NPT Large Orifice Sprinkler is Listed and Approved for retrofit only

MICROFAST® AND MicrofastHP® QUICK RESPONSE UPRIGHT AND CONVENTIONAL SPRINKLERS

TECHNICAL DATA

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

DESIGN CRITERIA cULus

(See Note 1 Approval Chart 1 on page QR1-2)

cULus Listing Requirements:

Microfast® and MicrofastHP® Quick Response Upright and Conventional Sprinklers are cULus Listed as indicated in Approval Chart 1 for installation in accordance with the latest edition of NFPA 13 for standard spray sprinklers, or old style (conventional) sprinklers.

- Designed for use in Light and Ordinary Hazard occupancies *(exception: small orifice sprinklers are limited to Light Hazard where allowed by the installation standards being applied, with hydraulically calculated wet systems only).*
- The sprinkler installation rules contained in NFPA 13 for standard spray upright sprinklers must be followed. For conventional sprinklers, refer to the installation guidelines for old style (conventional) sprinklers.

IMPORTANT: Always refer to Bulletin Form No. F_091699 - Care and Handling of Sprinklers. Also refer to page QR1-3 for general care, installation, and maintenance information. Viking sprinklers are to be installed in accordance with the latest edition of Viking technical data, the appropriate standards of NFPA, LPCB, APSAD, VdS or other similar organizations, and also with the provisions of governmental codes, ordinances, and standards, whenever applicable.

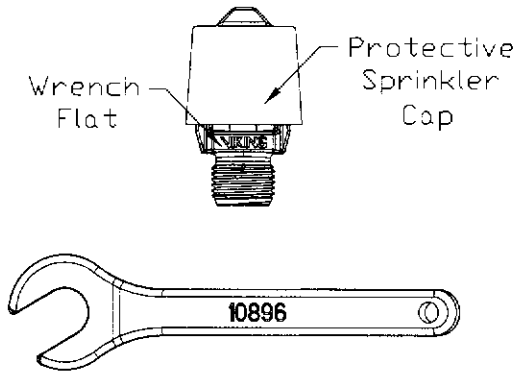


Figure 1:
Standard Sprinkler Wrench 10896W/B

VIKING®

TECHNICAL DATA

MICROFAST® AND MicrofastHP® QUICK RESPONSE UPRIGHT AND CONVENTIONAL SPRINKLERS

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

Approval Chart 2 (FM)

MicroFast® Quick Response Upright Sprinkler
Maximum 175 PSI (12 bar) WWP

Base Part Number[1]	SIN	Thread Size		Nominal K-Factor		Overall Length		FM Approvals[3] (Refer also to Design Criteria below.)
		NPT	BSP	U.S.	metric[2]	Inches	mm	
Standard Orifice								
12978	VK300	1/2"	15 mm	5.6	80.6	2-3/16	56	A2, B3
07060	VK345	--	15 mm	5.6	80.6	2-3/16	56	A2
Large Orifice								
06665B	VK350	3/4"	--	8.0	115.2	2-5/16	59	A2, B3
14817	VK350	--	20 mm	8.0	115.2	2-5/16	59	A2, B3
06764B[7]	VK350	1/2"	15 mm	8.0	115.2	2-5/16	59	A2, B3
Small Orifice[4]								
06717B[6]	VK325	1/2"	15 mm	2.8	40.3	2-3/16	56	A1

Approved Temperature Ratings

A - 135 °F (57 °C), 155 °F (68 °C), 175 °F (79 °C), 200 °F (93 °C), and 286 °F (141°C)
B - 155 °F (68 °C), 175 °F (79 °C), 200 °F (93 °C), and 286 °F (141°C)

Approved Finishes

1 - Brass and Chrome
2 - Brass, Chrome, White Polyester[5], and Black Polyester[5]
3 - ENT[8]

Footnotes

[1] Base part number is shown. For complete part number, refer to Viking's current price schedule.

[2] Metric K-factor measurement shown is when pressure is measured in Bar. When pressure is measured in kPa, divide the metric K-factor shown by 10.0.

[3] This table shows the FM Approvals available at the time of printing. Check with the manufacturer for any additional approvals.

[4] FM Approved as quick response **Non-Storage** pendent sprinklers. For specific application and installation requirements, reference the latest applicable FM Loss Prevention Data Sheets (including Data Sheet 2-0).

[5] Other colors are available on request with the same Approvals as the standard colors.

[6] The sprinkler orifice is bushed.

[7] The 1/2" NPT Large Orifice Sprinkler is Listed and Approved for retrofit only

[8] FM approved as corrosion resistant.

Design Criteria - FM

FM Approval Requirements:

The sprinklers indicated in Approval Chart 2 are FM Approved as quick response **Non-Storage** upright sprinklers as indicated in the FM Approval Guide. For specific application and installation requirements, reference the latest applicable FM Loss Prevention Data Sheets (including Data Sheet 2-0). FM Global Loss Prevention Data Sheets contain guidelines relating to, but not limited to: minimum water supply requirements, hydraulic design, ceiling slope and obstructions, minimum and maximum allowable spacing, and deflector distance below the ceiling.

NOTE: The FM installation guidelines may differ from cULus and/or NFPA criteria.

IMPORTANT: Always refer to Bulletin Form No. F_091699 - Care and Handling of Sprinklers. Also refer to page QR1-3 for general care, installation, and maintenance information. Viking sprinklers are to be installed in accordance with the latest edition of Viking technical data, the appropriate standards of NFPA, FM Global, LPCB, APSAD, VdS or other similar organizations, and also with the provisions of governmental codes, ordinances, and standards, whenever applicable.

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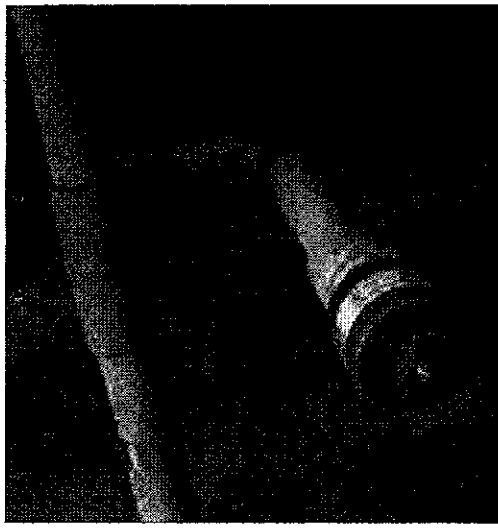
B. PIPES AND FITTINGS



Freedom Residential Series

VIKING®

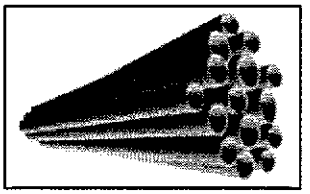
CPVC Fire Sprinkler System Quick Reference Guide

c UL us FM APPROVED NSF

BlazeMaster FIRE SPRINKLER SYSTEMS

Pipe

Manufactured for Viking SupplyNet by Viking Plastics, LLC (Huntsville, Alabama USA.)



Size	Part Number	Bag Qty.
3/4"	34PIPE	240 ft
1"	1PIPE	150 ft
1-1/4"	114PIPE	105 ft
1-1/2"	112PIPE	75 ft
2"	2PIPE	60 ft
2-1/2"	212PIPE	30 ft
3"	3PIPE	15 ft

BlazeMaster® CPVC fittings are manufactured/supplied for Viking SupplyNet by NIBCO, Inc.

Standard Fittings

Tee

Size	Part Number	Box Qty.
3/4"	V5011-007	250
1"	V5011-010	100
1-1/4"	V5011-012	25
1-1/2"	V5011-015	25

Size	Part Number	Box Qty.
Tee (continued)		
2"	V5011-020	2
2-1/2"	V5011-025	1
3"	V5011-030	1

Reducing Tee

Size	Part Number	Box Qty.
3/4"x3/4"x1"	V5011R-102	10
1"x3/4"x3/4"	V5011R-125	100
1"x3/4"x1"	V5011R-126	10
1"x1"x3/4"	V5011R-131	100
1-1/4"x1"x3/4"	V5011R-157	5
1-1/4"x1"x1"	V5011R-158	25
1-1/4"x1"x1-1/4"	V5011R-159	5
1-1/4"x1-1/4"x3/4"	V5011R-167	25
1-1/4"x1-1/4"x1"	V5011R-168	25
1-1/4"x1-1/4"x1-1/2"	V5011R-169	5
1-1/2"x1-1/4"x3/4"	V5011R-201	5
1-1/2"x1-1/4"x1"	V5011R-202	5
1-1/2"x1-1/2"x3/4"	V5011R-210	25
1-1/2"x1-1/2"x1"	V5011R-211	25

Size	Part Number	Box Qty.
Reducing Tees (continued)		
1-1/2"x1-1/2"x1-1/4"	V5011R-212	5
1-1/2"x1-1/2"x2"	V5011R-213	5
2"x2"x3/4"	V5011R-248	2
2"x2"x1"	V5011R-249	10
2"x2"x1-1/4"	V5011R-250	2
2"x2"x1-1/2"	V5011R-251	2
2-1/2"x2-1/2"x1"	V5011R-289	1
2-1/2"x2-1/2"x1-1/4"	V5011R-290	1
2-1/2"x2-1/2"x1-1/2"	V5011R-291	1
2-1/2"x2-1/2"x2"	V5011R-292	1
3"x3"x1-1/2"	V5011R-337	1
3"x3"x2"	V5011R-338	1
3"x3"x2-1/2"	V5011R-339	1

Refer to manufacturer's DESIGN AND INSTALLATION GUIDE for technical specifications and installation instructions.

Standard Fittings continued from Page 1

90° Elbow

Size	Part Number	Box Qty.
3/4"	V5007-007	250
1"	V5007-010	100
1-1/4"	V5007-012	25
1-1/2"	V5007-015	25
2"	V5007-020	10

Size	Part Number	Box Qty.
90° Elbow (continued)		
2-1/2"	V5007-025	1
3"	V5007-030	1
1" x 3/4"	V5007R-131	100

45° Elbow

Size	Part Number	Box Qty.
3/4"	V5006-007	250
1"	V5006-010	100
1-1/4"	V5006-012	5
1-1/2"	V5006-015	5

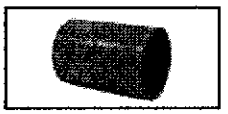
Size	Part Number	Box Qty.
45° Elbow (continued)		
2"	V5006-020	2
2-1/2"	V5006-025	1
3"	V5006-030	1

Cross

Size	Part Number	Box Qty.
3/4"	V5035-007	10
1"	V5035-010	100
1-1/4"	V5035-012	5
1-1/2"	V5035-015	6
2"	V5035-020	4

Size	Part Number	Box Qty.
Cross (continued)		
2-1/2"	V5035-025	4
3"	V5035-030	1
1"x1"x3/4"x3/4"	V5035R-131	10

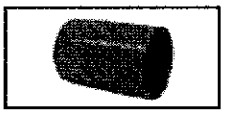
Coupling



Size	Part Number	Box Qty.
3/4"	V5001-007	250
1"	V5001-010	100
1-1/4"	V5001-012	25
1-1/2"	V5001-015	25

Size	Part Number	Box Qty.
Coupling (continued)		
2"	V5001-020	10
2-1/2"	V5001-025	1
3"	V5001-030	1

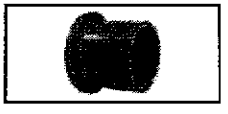
Reducing Coupling



Size	Part Number	Box Qty.
1" x 3/4"	V5001R-131	10
1-1/4" x 1"	V5001R-168	5
1-1/2" x 3/4"	V5001R-210	5
1-1/2" x 1"	V5001R-211	5

Size	Part Number	Box Qty.
Reducing Coupling (continued)		
1-1/2" x 1-1/4"	V5001R-212	5
2" x 1"	V5001R-249	2
2" x 1-1/2"	V5001R-251	2

Bushing



Size	Part Number	Box Qty.
1" x 3/4"	V5018-131	100
1-1/4" x 3/4"	V5018-167	25
1-1/4" x 1"	V5018-168	25
1-1/2" x 3/4"	V5018-210	5
1-1/2" x 1"	V5018-211	25
1-1/2" x 1-1/4"	V5018-212	25
2" x 3/4"	V5018-248	2
2" x 1"	V5018-249	2

Size	Part Number	Box Qty.
Bushing (continued)		
2" x 1-1/4"	V5018-250	2
2" x 1-1/2"	V5018-251	2
2-1/2" x 1-1/4"	V5018-290	1
2-1/2" x 1-1/2"	V5018-291	1
2-1/2" x 2"	V5018-292	1
3" x 2"	V5018-338	1
3" x 2-1/2"	V5018-339	1

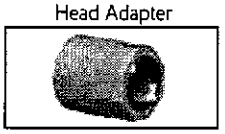
Cap

Size	Part Number	Box Qty.
3/4"	V5017-007	250
1"	V5017-010	100
1-1/4"	V5017-012	5
1-1/2"	V5017-015	5

Size	Part Number	Box Qty.
Cap (continued)		
2"	V5017-020	2
2-1/2"	V5017-025	1
3"	V5017-030	1

Sprinkler Head Adapters

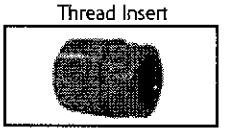
BRASTIC™ Sprinkler Head Adapter



Size	Part Number	Box Qty.
3/4" x 1/2"	V5003SBT-101	100
1" x 1/2"	V5003SBT-130	50

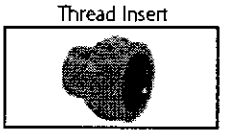
* Brass starter thread molded into plastic, virtually eliminating cross-threading.

Female Sprinkler Head Adapter with Metal Thread Insert



Size	Part Number	Box Qty.
3/4" x 1/2"	V5003SBI-101	100
1" x 1/2"	V5003SBI-130	50
1" x 3/4"	V5003SBI-131	10

Spigot Female Sprinkler Head Adapter with Metal Thread Insert



Size	Part Number	Box Qty.
3/4" x 1/2"	V50032SBI-101	100
1" x 1/2"	V50032SBI-130	50

Sprinkler Head 90 with Metal Thread Insert

Size	Part Number	Box Qty.
3/4" x 1/2"	V50073SBI-101	100
1" x 1/2"	V500735BI-130	50
1" x 3/4"	V50073SBI-131	10
1-1/4" x 1/2"	V500735BI-166	5

Sprinkler Head Tee with Metal Thread Insert

Size	Part Number	Box Qty.
1"x1"x1"	V5012SBI-010	50
3/4"x3/4"x1/2"	V5012SBI-101	10
1"x1"x1/2"	V5012SBI-130	50
1-1/4"x1-1/4"x1/2"	V5012SBI-166	5
1-1/2"x1-1/2"x1/2"	V5012SBI-209	5
2"x2"x1/2"	V5012SBI-247	2

Size	Part Number	Box Qty.
Sprinkler Head Tee w/Metal Thread Inserts (continued)		
1"x3/4"x1/2"	V5012RSBI-124	10
1-1/4"x1"x1/2"	V5012RSBI-156	5
1-1/2"x1-1/4"x1/2"	V5012RSBI-199	5
2"x1-1/2"x1/2"	V5012RSBI-237	2
1"x1/2"x1"*	V5014RSBI-122*	10

*Socket x FIPT x Socket

Sprinkler Head Back to Back Cross with Metal Thread Insert

Size	Part Number	Box Qty.
1x1"x1/2"x1/2" 1-1/8"	V50353SBIS-130	1
1x1"x1/2"x1/2" 1-15/16"	V50353SBIL-130	1

Back to Back Tee with Metal Threads Insert

Size	Part Number	Box Qty.
1/2"x1/2"x1" 1-1/8"	V501133SBIS-075	48
1/2"x1/2"x1" 1-15/16"	V501133SBIL-075	48

Test Plug

Size	Part Number	Box Qty.
1/2"	V450-005	50

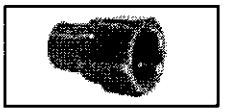
Transition Fittings

Female Adapter with Metal Thread Insert

Size	Part Number	Box Qty.
3/4"	V5003BI-007	10
1"	V5003BI-010	50
1-1/4"	V5003BI-012	5

Size	Part Number	Box Qty.
Female Adapter w/Metal Thread Inserts (continued)		
1-1/2"	V5003B1-015	5
2"	V5003B1-020	2

Spigot Female Adapter with Metal Thread Insert



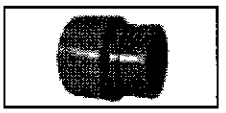
Size	Part Number	Box Qty.
3/4"	V50032BI-007	10
1"	V50032BI-010	10

Male Adapter with Metal Thread Insert

Size	Part Number	Box Qty.
3/4"	V5004BI-007	10
1"	V5004BI-010	10
1-1/4"	V5004BI-012	5

Size	Part Number	Box Qty.
Male Adapter w/Metal Thread Inserts (continued)		
1-1/2"	V5004BI-015	5
2"	V5004BI-020	2

Grooved Coupling Adapter



Size	Part Number	Box Qty.
1-1/4"	V5001G-012	30
1-1/2"	V5001G-015	25
2"	V5001G-020	15

Size	Part Number	Box Qty.
Grooved Coupling Adapter (continued)		
2-1/2"	V5001G-025	10
3"	V5001G-030	8

Standard Union

Size	Part Number	Box Qty.
3/4"	V5033E-007	1
1"	V5033E-010	1
1-1/4"	V5033E-012	1
1-1/2"	V5033E-015	1

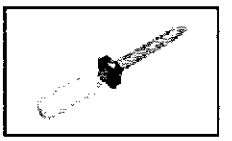
Size	Part Number	Box Qty.
Standard Union (continued)		
2"	V5033E-020	1
2-1/2"	V5033E-025	1
3"	V5033E-030	1

Accessories

Solvent Cement

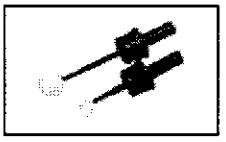
Size	Part Number	Box Qty
Quart	V5097Q	12
Pint	V5097P	12

Roller



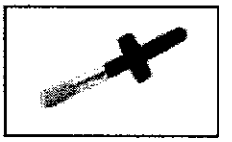
Size	Part Number	Box Qty
N/A	V5097	24

Dauber



Size	Part Number	Box Qty
Small	V5093-S	100
Large	V5093-L	100

Brush



Size	Part Number	Box Qty
N/A	V5096	12

Refer to manufacturer's DESIGN AND INSTALLATION GUIDE for technical specifications and installation instructions.

Viking Plastics

BlazeMaster® CPVC Pipe

Features

- **Sizes Available (Nominal):** 3/4" (DN20) through 3" (DN80) pipe diameters, with a Standard Dimension Ratio (SDR) of 13.5 as specified in ASTM F442.
- **Environmental Specifications:** Indoor use only. Maximum Ambient Temperature: 150°F (65°C)
- **Hazen-Williams C Value:** 150
- **Pressure Data: Working Pressure:** 175 PSI (12.1 bar) at 150°F (65°C)
- **Specifications:**
  - Meets NFPA 13R and 13D standards for residential occupancies as well as NFPA 13 standards for light hazard occupancies.
  - Pipe meets or exceeds ASTM F442.
  - Certified by NSF International for potable water services.
  - CPVC pipe from Viking Plastics use compound cell class 23547 (demonstrated highest structural properties).
  - cULus Listed, FM Approved, New York City (MEA) Approved, LPCB Approved.

CPVC PIPE PHYSICAL DATA

Nominal Pipe Size		Actual Outside Diameter		Average Inside Diameter		*Weight per 15' (4,6 m) length		Length		Approvals	Part Number
Inch	DN	Inch	mm	Inch	mm	Lb.	Kg.	Feet	M		
3/4"	DN20	1.050	26,670	0.874	22,199	2.52	1,14	15	4.6	cULus, FM, NSF	34PIPE
1"	DN25	1.315	33,401	1.101	27,965	3.93	1,78	15	4.6		1PIPE
1 1/4"	DN32	1.660	42,164	1.394	35,408	6.27	2,84	15	4.6		114PIPE
1 1/2"	DN40	1.900	48,260	1.598	40,589	8.22	3,73	15	4.6		112PIPE
2"	DN50	2.375	60,325	2.003	50,876	12.89	5,85	15	4.6		2PIPE
2 1/2"	DN65	2.875	73,000	2.423	61,500	18.86	8,55	15	4.6		212PIPE
3"	DN80	3.500	88,900	2.950	74,900	28.01	12,71	15	4.6		3PIPE
Nominal Pipe Size		**Actual Outside Diameter**		**Average Inside Diameter**		***Weight per 10' (3,05 m) length**		**Length**		**Approvals**	**Part Number**
Inch	**DN**	**Inch**	**mm**	**Inch**	**mm**	**Lb.**	**Kg.**	**Feet**	**M**		
3/4"	DN20	1.050	26,670	0.874	22,199	1.68	0,76	10	3,05	cULus, FM, NSF	34PIPE10
1"	DN25	1.315	33,401	1.101	27,965	2.62	1,19	10	3,05		1PIPE10
1 1/4"	DN32	1.660	42,164	1.394	35,408	4.18	1,90	10	3,05		114PIPE10
1 1/2"	DN40	1.900	48,260	1.598	40,589	5.48	2,49	10	3,05		112PIPE10
2"	DN50	2.375	60,325	2.003	50,876	8.59	3,90	10	3,05		2PIPE10
2 1/2"	DN65	2.875	73,000	2.423	61,500	12.57	5,70	10	3,05		212PIPE10
3"	DN80	3.500	88,900	2.950	74,900	18.67	8,47	10	3,05		3PIPE10

NOTE: CPVC Pipe is produced in SDR 13.5 Dimensions in accordance with ASTM F442. Standard Dimension Ratio is the ratio of the outside pipe diameter to the wall thickness of the pipe.

Blazemaster® is a registered trademark of Lubrizol.

Specifications subject to change without notice

*Empty pipe weights

IMPORTANT: Installers should receive thorough hands-on training in the proper methods of assembly and installation of CPVC products.

Trusted above all™

VIKING®

CPVC Pipe Product Specifications

Corrosion resistant CPVC fire sprinkler pipe, when installed in strict accordance with the manufacturer's design and installation instructions, is UL and c-UL Listed by Underwriters Laboratories for use in the following:

- Meets NFPA 13R and 13D standards for residential occupancies as well as NFPA 13 standards for light hazard occupancies.
- Residential occupancies up to and including four stories in height as defined by NFPA 13R.
- Residential occupancies as defined in the Standard for Sprinkler Systems in One and Two Family Dwellings, NFPA 13D.
- Installation of private fire service mains and their appurtenances, NFPA 24.

CPVC fire sprinkler pipe from Viking Plastics shall be employed in wet pipe systems only and are not listed for outdoor use. CPVC pipe must never be used in a system using compressed air or other gases.

CPVC pipe from Viking Plastics also carries the following enhanced listings and approvals:

- According to UL Listing
  - Can be flush at return air plenums
  - Exposed system risers NFPA 13D, 13R
  - Exposed basement NFPA 13D (solid wood joist)
  - Extended coverage (exposed)
    - 20' spacing on pendent in lieu of 15'
    - 18' spacing on sidewall in lieu of 14'
  - Use with combustible concealed sprinklers
  - Tyco attic sprinkler head (to protect the floor below)
  - Tyco attic sprinkler head with wet system piping (feed main and ridge installation)
  - Exposed sidewall sprinkler listing for exposed pipe & fittings
    - 24' extended coverage sidewall sprinkler, 12" drop, 155°F sprinkler head
    - 18' extended coverage sidewall sprinkler, 12" drop, 165°F sprinkler head
    - 16' extended coverage sidewall sprinkler, 12" drop, 175°F sprinkler head
    - 14' standard coverage sidewall sprinkler, 12" drop, 200°F sprinkler head
- Factory Mutual Approved*
  - Factory Mutual Approval exposed
  - Factory Mutual Approval above drop-in ceilings
  - Factory Mutual Approval exposed w/Soffi-Steel soffiting covering system

New and enhanced listings and approvals are being pursued. Always check with the appropriate Listing and Approval agency for details on current listing parameters.

CPVC pipe meets all applicable standards for pressure rated application as required in ANSI-NSF Standard 14 and complies with ANSI-NSF Standard 61 for health effects and are marked with the NSF-pw end use marking.

All CPVC fire sprinkler pipe shall be Listed by Underwriters Laboratories for wet pipe systems, and shall carry a rated working pressure of 175 psi @ 150°F (12 bar @ 65.5°C). *The FM Approval is limited to use in wet pipe fire protection sprinkler systems for light hazard occupancies in both concealed and exposed applications with certain restrictions.

Piping must always be installed in strict accordance to the manufacturer's DESIGN AND INSTALLATION GUIDE, including product storage and handling, joining methods, supporting and bracing, expansion and contraction allowance and testing, etc. National Fire Protection Association (NFPA) Standards 13, 13D, and 13R must be referenced for design and installation requirements in conjunction with the installation instructions.

All CPVC fire sprinkler pipe from Viking Plastics is manufactured in the USA. All CPVC pipe shall be packaged immediately after its manufacture to prevent damage and shall be stored indoors after production, at the manufacturing site, until shipped from the factory. The pipe shall bear the logo of the listing agencies, and shall carry the National Sanitation Foundation (NSF) seal of approval for potable water applications.

CPVC products are intended for use in areas where the maximum ambient temperature does not exceed 150°F (65.5°C). If the ambient temperature is expected to exceed this limitation, refer to the manufacturer's DESIGN AND INSTALLATION GUIDE for additional information on methods to reduce the pipe exposure temperatures. CPVC pipe is not intended to be installed in outdoor applications. CPVC pipe is intended to be used in wet pipe systems only and have not been investigated for use in dry pipe systems. Special installation and design criteria relative to pipe hanger spacings, piping and sprinkler restraint, sprinkler temperature rating, piping locations, testing procedures and friction loss characteristics are specified in the manufacturer's installation instructions provided with the pipe. The manufacturer's installation instructions should be reviewed and the Authority Having Jurisdiction consulted before installation.

C. HANGERS AND STRAPS

Fig. 29 - Double Offset Hanger & Restrainer for CPVC Plastic Pipe

c UL us LISTED

Size Range — Available in 3/4" and 1" pipe sizes

Material — Pre-Galvanized Steel

Function — Intended to perform as a hanger and restrainer for CPVC, plastic fire sprinkler pipe. Provides double offset 1 ½" x 1 ½" from mounting surface. This design will ease installation by eliminating the need for wood block extension and allow retro-fit attachment of hanger to sprinkler pipe.

Features —

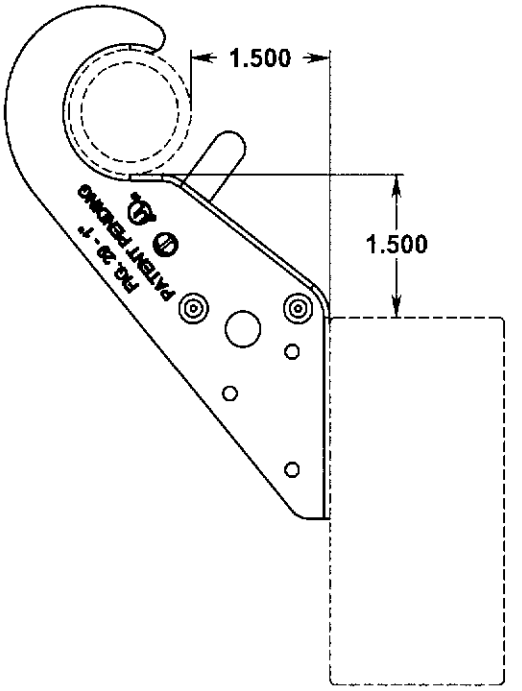
- Thumb tab provides protection to restrain pipe in rough job site conditions. Tab is not required to be bent for listed installation.
- Offset edge eliminates abrasion.
- Attaches easily to wood structure with two special #10 x 1 hex head self-threading screws furnished with product.
- Can be used as a single offset hanger by aligning "dimples" with top of mounting surface and utilizing two fasteners in two of the three holes provided.

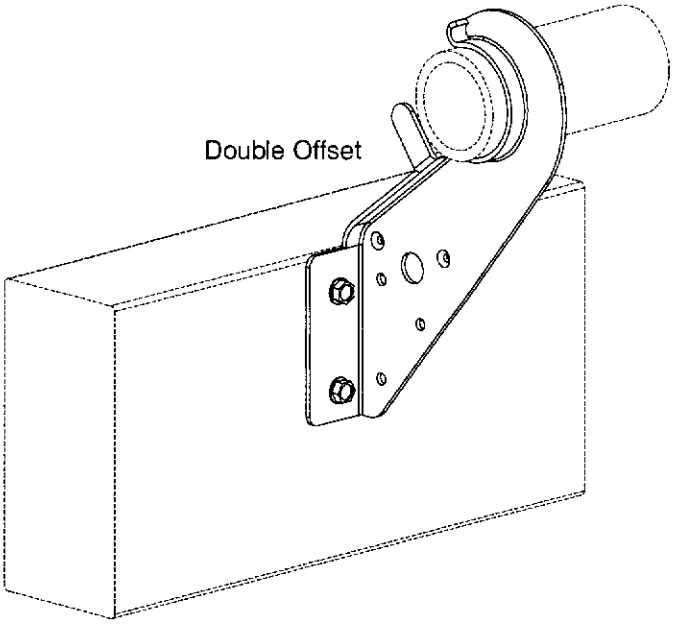
Approvals — Underwriters' Laboratories Listed in the USA **(UL)** and Canada **(cUL)** as a hanger and restrainer to support fire sprinkler systems. Meets and exceeds requirements of NFPA 13, 13R and 13D.

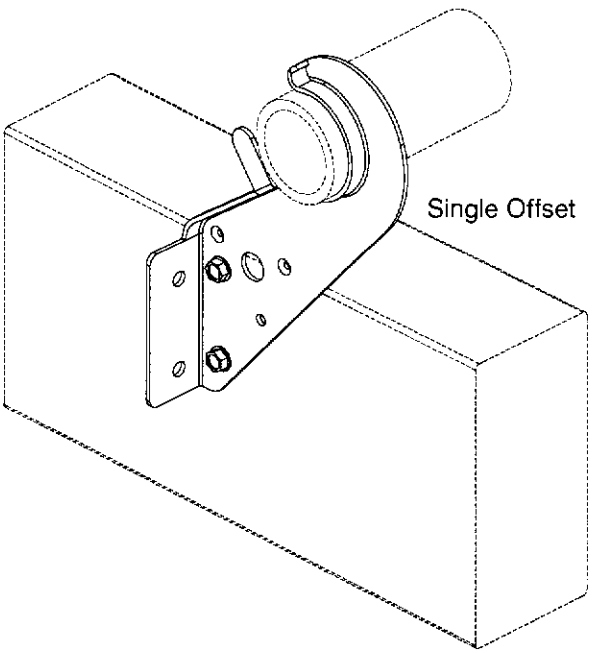
Finish — Pre-Galvanized

Order By — Figure number and pipe size.

PATENT PENDING



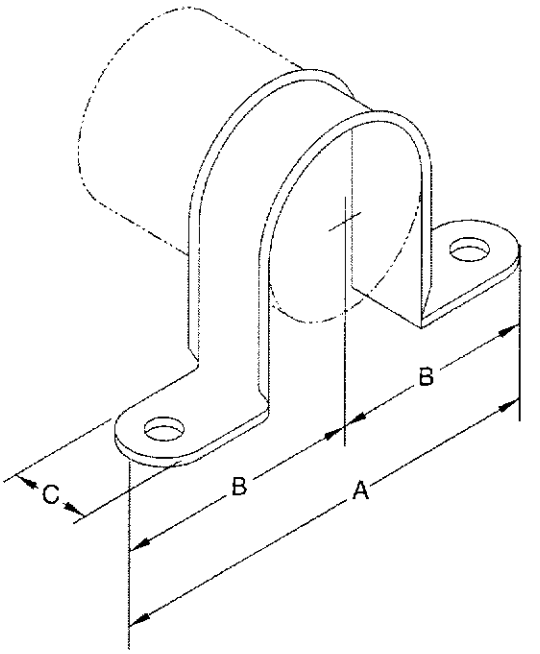




Install using a rechargeable electric drill fitted with a 5/16" socket attachment with the special hex head self-tapping screws provided. Install screws until they bottom out. Pipe can be "snapped" into hanger before or after installation of the screws to the mounting surface. "Thumb tab" may be bent up to provide additional protection to the pipe, but is not required for performance of the hanger / restrainer function.

Fig. 23 - Hanger for CPVC Plastic Pipe Double Fastener Strap Type

c UL US LISTED



Size Range — 3/4" thru 3" CPVC pipe

Material — Pre-Galvanized Steel

Function — Intended to perform as a hanger/restrainer to support CPVC piping used in automatic fire sprinkler systems. Fig. 23 can be installed on the top, bottom or side of a beam. The Fig. 23 also functions as a restrainer to prevent the upward movement of the sprinkler head during activation.

Approvals — Underwriters' Laboratories Listed in the USA **(UL)** and Canada **(cUL)** sizes 3/4" thru 2" to support fire sprinkler piping. May be installed in wood using fasteners supplied with product, or into minimum 20 gauge steel using (2) 1/4" x 1" tek type screw. Meets and exceeds the requirements of NFPA 13, 13R and 13D.

Features — Fig. 23 incorporates features which protect the pipe and ease installation. The flared edge design protects the CPVC pipe from any rough surface. It also incorporates snap restrainers allowing easier and faster installation. Easily attaches to the building structure using the two UL Listed hex head self threading screws* furnished with the product. It is recommended that rechargeable electric drills fitted with a hex socket attachment be used as installation tools. No impact tools (such as a hammer) are allowed. Damage has been known to result from installations using impact type tools. No pre-drilling of a pilot hole in wood is required.

Finish — Pre-Galvanized

Order By — Figure number and pipe size

*** Hardened hex head self threading screw is furnished with the product and is the minimum fastener size acceptable.**

Dimensions • Weights

CPVC Pipe Size	A	B	C	Max. Hanger Spacing (Ft.)	Fastener Hex Head Size	Approx. Wt./100
3/4	3 1/8	1 9/16	1 3/16	5 1/2	5/16	9
1	3 3/8	1 11/16	1 3/16	6	5/16	9
1 1/4	4 3/16	2 3/32	1 3/16	6 1/2	5/16	11
1 1/2	4 7/16	2 7/32	1 3/16	7	5/16	12
2	4 7/8	2 7/16	1 3/16	8	5/16	15
2 1/2	10 9/32	2 11/16	1 3/16	Consult Factory	5/16	22
3	11 7/8	3	1 3/16	Consult Factory	5/16	25

Fig. 20 - Standard Pipe Strap
Fig. 20S - Flush Mount Pipe Strap

Size Range — 1/2" thru 8" pipe

Material — Carbon Steel

Function — Recommended for supporting pipe with fittings vertically or horizontally to walls or ceiling. Fig. 20S will support pipe flush with mounting surface.

Approvals — Conforms to Federal Specification WW-H-171E, Type 26 and Manufacturers Standardization Society SP-69, Type 26.

Finish — Plain

Note — Available in Electro-Galvanized and HDG finish or Stainless Steel materials.

Order By — Figure number, pipe size, material and finish

Data Table for Fig. 20S

Dimensions • Weights

Pipe Sizes	A	B	C	D	Hole Size	Max. Rec. Load Lbs.	Approx. Wt./100
1/2	4 1/8	5/16	2 7/8	3/4	7/16	410	21
3/4	4 5/16	7/16	3	15/16	7/16	410	24
1	4 9/16	9/16	3 3/8	1 1/8	7/16	410	26
1 1/4	4 15/16	11/16	3 3/4	1 1/2	7/16	410	30
1 1/2	5 3/16	13/16	4 1/4	1 5/8	7/16	410	33
2	5 3/4	1 1/16	4 3/4	2 1/4	7/16	410	38
2 1/2	6 1/4	1 9/16	5 1/4	2 3/4	7/16	610	102
3	6 7/8	1 5/8	5 7/8	3 3/8	7/16	610	118
3 1/2	7 3/8	1 7/8	6 3/8	3 7/8	7/16	610	130
4	8 3/8	2 1/8	7	4 3/8	9/16	725	159
5	9 7/16	2 5/8	7 7/8	5 3/8	9/16	725	191
6	10 1/2	3 3/16	8 7/8	6 7/16	9/16	725	234
8	14	4 1/4	11 1/2	8 3/8	11/16	900	446

Data Table for Fig. 20

Dimensions • Weights

Pipe Sizes	A	B	C	D	Hole Size	Max. Rec. Load Lbs.	Approx. Wt./100
1/2	3 7/8	3/4	3 1/16	15/32	7/16	410	16
3/4	4	13/16	3 1/8	1 5/16	7/16	410	21
1	4 9/16	7/8	3 3/8	1 1/2	7/16	410	26
1 1/4	4 15/16	1	3 3/4	1 7/8	7/16	410	30
1 1/2	5 3/16	1 3/16	4 1/4	2 1/8	7/16	410	33
2	5 3/4	1 7/16	4 3/4	2 5/8	7/16	410	38
2 1/2	6 1/4	1 11/16	5 1/4	3 1/8	7/16	610	102
3	6 7/8	2	5 7/8	3 3/4	7/16	610	118
3 1/2	7 3/8	2 1/4	6 3/8	4 1/4	7/16	610	130
4	8 3/8	2 1/2	7	4 3/4	9/16	725	159
5	9 7/16	3 1/16	7 7/8	5 13/16	9/16	725	191
6	10 1/2	3 5/8	8 7/8	6 7/8	9/16	725	234
8	14	4 5/8	11 1/2	9	11/16	900	446

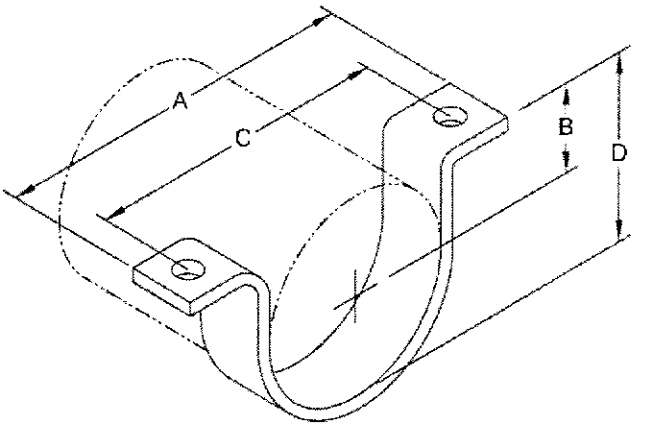


FIG. 21 - "Tin Strap"

Size Range — 1/2" thru 2" pipe

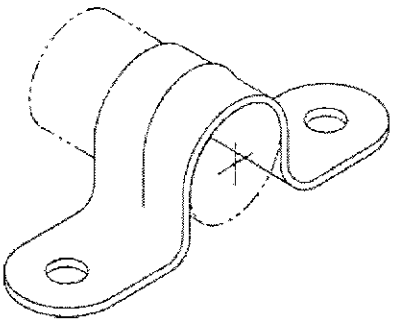
Material — Pre-Galvanized Steel

Function — Light duty strap that attaches pipe or copper tubing to horizontal or vertical structure.

Finish — Pre-Galvanized

Note — Available with felt lining, order TOLCO® Fig. 21F.

Order By — Figure number and pipe size



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D. VALVES AND DEVICES

For Non-Health Hazard Applications

Job Name _____ Contractor _____

Job Location _____ Approval _____

Engineer _____ Contractor's P.O. No. _____

Approval _____ Representative _____

Series 007

Double Check Valve Assemblies

Sizes: ½" – 3" (15 – 80mm)

Series 007 Double Check Valve Assemblies shall be installed at referenced cross-connections to prevent the backflow of polluted water into the potable water supply. Only those cross-connections identified by local inspection authorities as non-health hazard shall be allowed the use of an approved double check valve assembly.

Check with local authority having jurisdiction regarding vertical orientation, frequency of testing or other installation requirements.

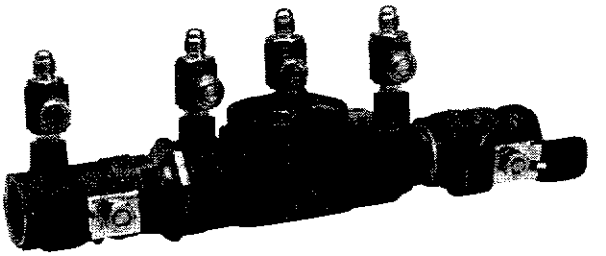
The valve shall meet the requirements of ASSE Std. 1015 and AWWA Std. C510. Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California.

Features

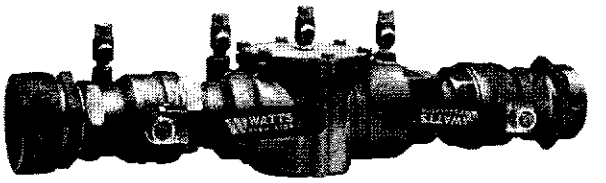
- Ease of maintenance — only one cover
- Top entry
- Replaceable seats and seat discs
- Modular construction
- Compact design
- Cast bronze body construction — ½" – 2" (15 – 50mm)
- Fused epoxy coated cast iron body — 2½" – 3" (65 – 80mm)
- Top mounted ball valve test cocks
- Low pressure drop
- No special tools required for servicing
- ½" – 1" (15 – 25mm) have tee handles

Specifications

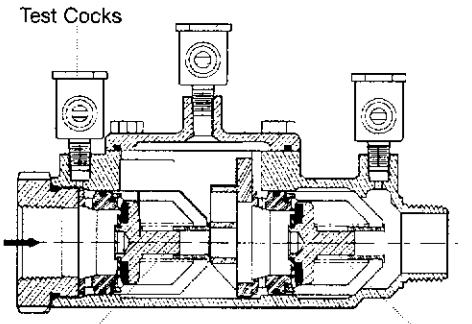
A Double Check Valve Assembly shall be installed at each noted location. The assembly shall consist of two positive seating check modules with captured springs and rubber seat discs. The check module seats and seat discs shall be replaceable. Service of all internal components shall be through a single bronze or stainless steel access cover secured with stainless steel bolts. The assembly shall also include two resilient seated isolation valves; four top mounted, resilient seated test cocks. The assembly shall meet the requirements of ASSE Std. 1015 and AWWA Std. C510. Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California. Assembly shall be a Watts Series 007.



¾" (20mm) 007M3QT



2" (50mm) 007M1QT HC



The 007 Series features a modular design concept which facilitates complete maintenance and assembly by retaining the spring load.

Now Available
WattsBox Insulated Enclosures.
For more information, send for literature ES-WB.

***IMPORTANT:** INQUIRE WITH GOVERNING AUTHORITIES FOR LOCAL INSTALLATION REQUIREMENTS*

Watts product specifications in U.S. customary units and metric are approximate and are provided for reference only. For precise measurements, please contact Watts Technical Service. Watts reserves the right to change or modify product design, construction, specifications, or materials without prior notice and without incurring any obligation to make such changes and modifications on Watts products previously or subsequently sold.

WATTS®

Pressure — Temperature

½" – 2" (15 – 50mm)

Temperature Range: 33°F – 180°F (0.5°C – 82°C).

Maximum Working Pressure: 175psi (12.1 bar).

2½" – 3" (65 – 80mm)

Temperature Range: 33°F – 110°F (0.5°C – 43°C) continuous, 140°F (60°C) intermittent.

Maximum Working Pressure: 175psi (12.1 bar).

Standards

ASSE Std. 1015, AWWA Std. C510

IAPMO PS31, CSA B64.5

Approvals

† ASSE, AWWA, IAPMO, CSA, UPC

▲ Approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California.

• Models LF and S are not listed.

◆ UL Classified (LF models only) ¾" – 2" (20 – 50mm) (except 007M3LF)

◆ UL Classified with OSY gate valves (2½" and 3" horizontal only.)

* Horizontal and vertical "flow up" approval on all sizes

Suffix:

S - bronze strainer

LF - without shutoff valves

LH - locking handle ball valves (open position)

SH - stainless steel ball valve handles

HC - 2½" inlet/outlet fire hydrant fittings (2" valve)

Prefix:

U - Union connections

2½" – 3" (65 – 80mm)

Suffix:

NRS - non-rising stem resilient seated gate valves

OSY - UL/FM outside stem and yoke resilient seated gate valves

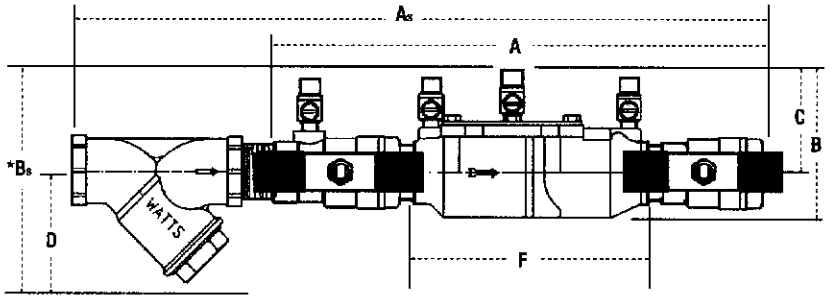
LF - without shutoff valves

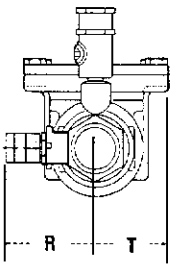
QT-FDA - FDA epoxy coated quarter-turn ball valves

Dimensions – Weights

Models

Sizes: ½" – 2" (15 – 50mm)





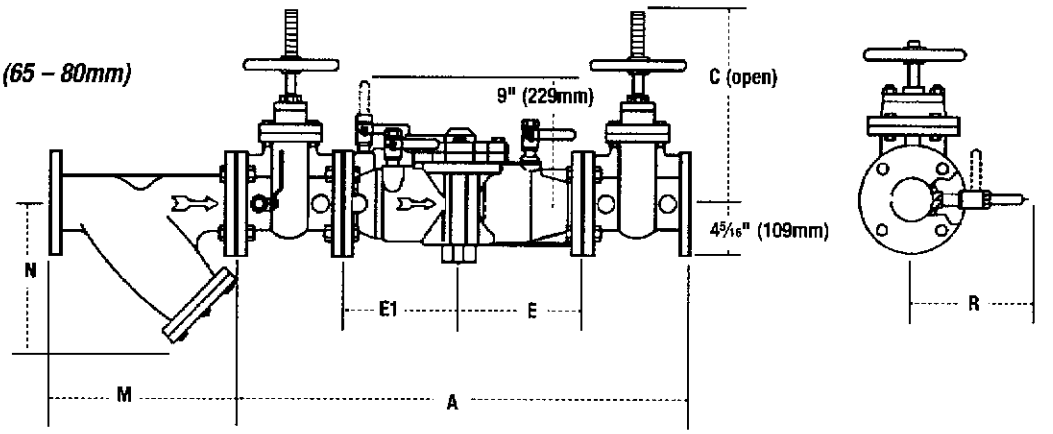
***Subscript 'S' = strainer model**

Suffix HC — Fire Hydrant Fittings dimension "A" = 23½" (594mm)

MODEL	SIZE (DN)		DIMENSIONS																WEIGHT	
			A		B		C		D		F		G		R		T			
	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs.
†▲007QT	½	15	10	254	4⅝	117	2 7/16	62	—	—	5	127	3⅜	85	2 5/16	59	2 1/16	52	4.5	2
†▲007M3QT	¾	20	11⅛	282	4	102	3⅛	79	—	—	6 3/16	157	3 7/16	87	2⅛	54	1 5/16	33	5	2.3
†▲007M1QT	1	25	13¼	337	5⅛	130	4	102	—	—	7½	191	3⅜	85	1 11/16	43	1 1/16	43	12	5.4
†▲007M2QT	1¼	32	16⅜	416	5	127	3 5/16	84	—	—	9½	241	5	127	3	76	2	50	15	6.8
†▲007M2QT	1½	40	16¾	425	4⅞	124	3½	89	—	—	9¾	248	5 13/16	148	3⅛	79	2 1/16	68	15.9	7.2
†▲007M1QT	2	50	19½	495	6¼	159	4	102	—	—	13⅜	340	6⅛	156	3 7/16	87	2 1/16	68	25.7	11.7
• 007QT-S	½	15	13	330	6	152	2 7/16	62	3	76	5	127	3⅜	85	2 5/16	59	2 1/16	52	5.5	2.5
• 007M3QT-S	¾	20	14½	368	6⅛	156	3⅛	79	3	76	6 3/16	157	3 7/16	87	2⅛	54	1 5/16	33	6.7	3.1
• 007M1QT-S	1	25	17 15/16	157	7¾	197	4	102	3¼	83	7½	191	3⅜	85	1 11/16	43	1 1/16	43	14	6.4
• 007M2QT-S	1¼	32	21½	546	7 1/16	179	3 5/16	84	3½	83	9½	241	5	127	3	76	2	50	19	8.6
• 007M2QT-S	1½	40	25 1/16	637	7 1/16	179	3½	89	3¾	95	9¾	248	5 13/16	148	3⅛	79	2 1/16	68	19.6	8.9
• 007M1QT-S	2	50	27¼	692	8¾	222	4	102	4	102	13⅜	340	6⅛	156	3 7/16	87	2 1/16	68	33.5	15.2

Dimensions – Weights

Sizes: 2½" – 3" (65 – 80mm)



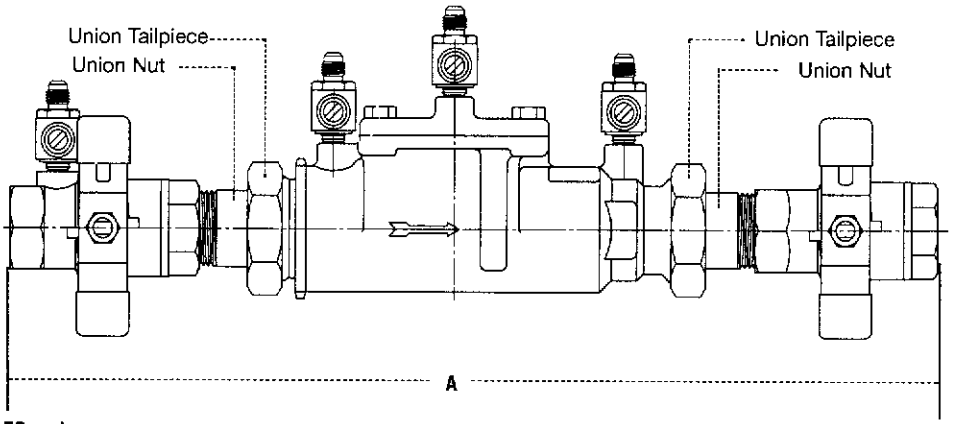
MODEL	SIZE (DN)		DIMENSIONS								WEIGHT	
			A		C		E, E1		R			
	in.	*mm*	*in.*	*mm*	*in.*	*mm*	*in.*	*mm*	*in.*	*mm*	*lbs.*	*kgs.*
	007QT-FDA	2½	65	33⅛	841	6⅜	162	9⁵⁄₁₆	230	8¾	222	155	70
▲	007-NRS	2½	65	33⅛	841	9⅜	238	9⁵⁄₁₆	230	8¾	222	155	70
▲◆	007-OSY	2½	65	33⅛	841	16⅜	416	9⅛	230	8¾	222	158	72
	007-QT-FDA	3	80	34⅛	867	6⅜	162	9⅛	230	8¾	222	155	70
▲◆	007-NRS	3	80	34⅛	867	10¼	260	9⅛	230	8¾	222	185	84
▲	007-OSY	3	80	34⅛	867	18⅞	479	9⅛	230	8¾	222	185	84

Strainer Dimensions

SIZE						WEIGHT	
		M		N			
in.	*mm*	*in.*	*mm*	*in.*	*mm*	*lbs.*	*kgs.*
2½	65	10	254	6½	165	28	13
3*	80	10⅛	267	7	178	34	15

*S Models only

1" U007M1QT



Sizes: ½" – 2" (15 – 50mm)

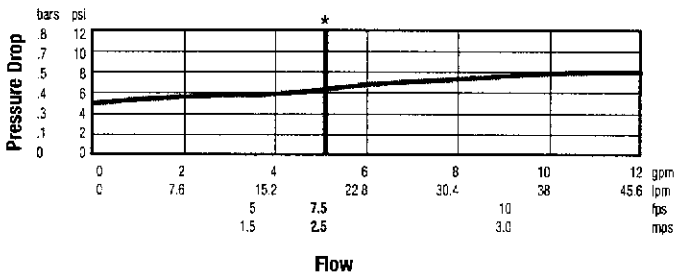
MODEL	SIZE (DN)		DIMENSIONS	
			A	
	in.	*mm*	*in.*	*mm*
U007QT	½	15	12¹³⁄₁₆	326
U007M2QT	¾	20	13¹³⁄₁₆	350
U007M2QT	1	25	16⅝	422
U007M2QT	1¼	32	20¾	527
U007M2QT	1½	40	21½	546
U007M1QT	2	50	24½	622

Capacity

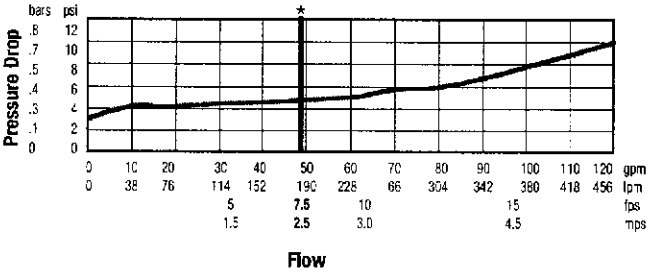
As complied from documented Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California lab tests.

* Typical maximum system flow rate (7.5 feet/sec., 2.3 meters/sec.)
** UL rated flow

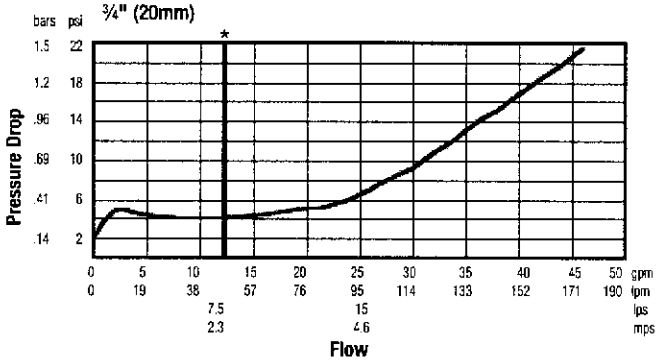
½" (15mm)



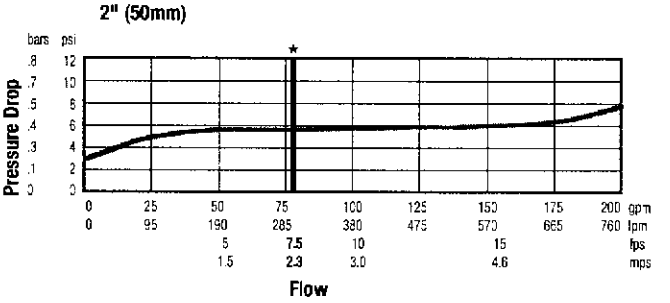
1½" (40mm)



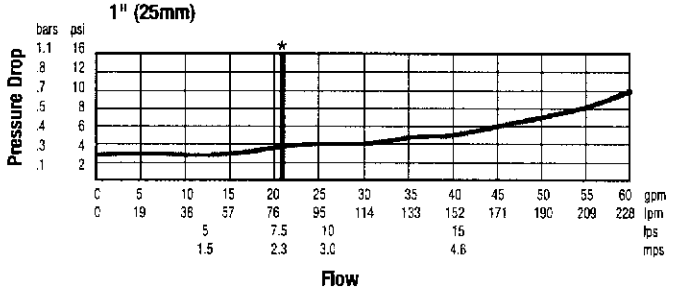
¾" (20mm)



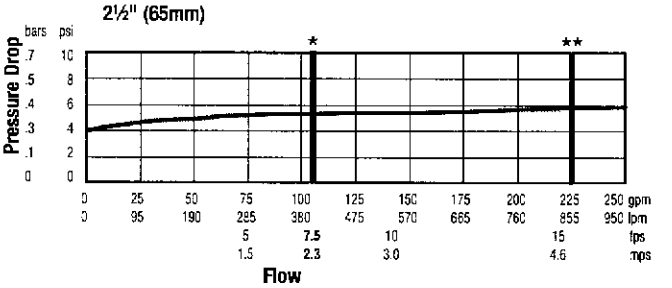
2" (50mm)



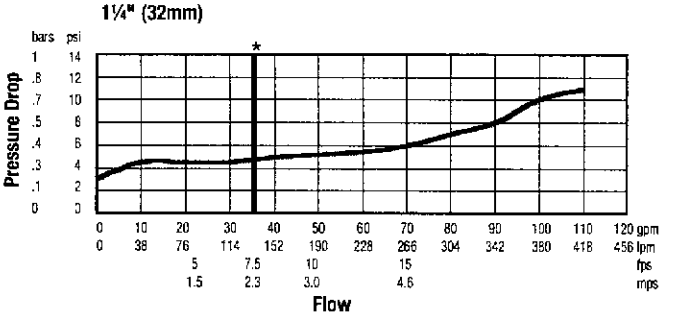
1" (25mm)



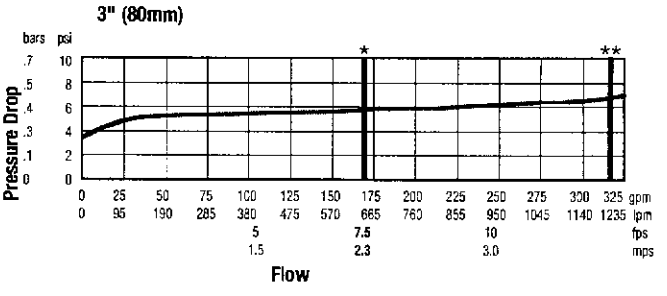
2½" (65mm)



1¼" (32mm)



3" (80mm)



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VIKING® TECHNICAL DATA

SPRING LOADED IN-LINE CHECK VALVE
1-1/2" & 2" MODELS K-1 & L-1

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services 877-384-5464 Fax: 269-945-4495 Email: techsvcs@vikingcorp.com

1. DESCRIPTION

The Viking Spring Loaded In-Line Check Valve is a general purpose rubber-faced check valve approved for use in fire-service systems.
The Spring Loaded In-Line Check Valve is manufactured with a brass body, brass seat, and a rubber-faced clapper assembly.
The valve may be installed vertically or horizontally. For availability of threaded and grooved-grooved options, refer to Table 1. A tapped opening (with plug) is provided on the outlet chamber of the valve for system drain. The 1-1/2" and 2" check valves should be installed on the outlet riser of the 1-1/2" and 2" deluge valve when installing a listed and approved preaction system. Refer to preaction data pages for current riser schematic.

FEATURES

1. Low friction loss.
2. Rated to 250 psi (17.2 bar) water working pressure.
3. Can be installed vertically or horizontally.
4. ¾" NPT drain connection above the clapper.
5. 1 PSI cracking pressure

2. LISTINGS AND APPROVALS

Refer to Table 1

3. TECHNICAL DATA

Specifications

Pressure Rating - 250 psi (17.2 bar) water working pressure
Factory tested - Hydrostatically to 500 psi (34.5 bar).
Standard threaded connections - NPT
Standard grooved connections - ANSI/AWWA C606-87
Tapped Bosses - One 3/4" (19 mm) NPT:

Viking Technical Data may be found on The Viking Corporation's Web site at http://www.vikingcorp.com. The Web site may include a more recent edition of this Technical Data Page.

Material Standards

Refer to Figure 1

Ordering Information

Refer to Table 1
Manufactured 2002 -

For piping with grooved connections, the grooved-inlet/grooved-outlet style Spring Loaded In-Line Check Valve may be installed with listed grooved couplings of the appropriate pressure rating.

4. INSTALLATION

The Spring Loaded In-Line Check Valve must be installed in an area not subject to physical damage. When corrosive atmospheres and/or contaminated water supplies are present, it is the owner's responsibility to verify compatibility with the Check Valve and associated equipment.
Prior to installing the valve, thoroughly flush the water supply piping to verify that no foreign matter is present.
The Check Valve may be installed in the vertical or horizontal position in line with the directional flow arrow.

Table 1

Model	Size Valve	Connection Type	Cv Factor	Friction Loss*	Shipping Weight	Part No.	Approvals	
							UL[1]	FM[2]
K-1	1-1/2"	Threaded	57	7	4 lbs	10659	Yes	No
K-1	2"	Threaded	105	8	5.5 lbs	10667	Yes	No
L-1	1-1/2"	Groove	68	5	4.5 lbs	11054	Yes	Yes
L-1	2"	Groove	102	8	6 lbs	11059	Yes	Yes

*Expressed in equivalent length of schedule 40 pipe based on Hazen & Williams formula: C=120
[1] UL Guide No. - HMER
[2] FM Category - Single Check Valves

VIKING® **TECHNICAL DATA**

SPRING LOADED IN-LINE CHECK VALVE
1-1/2" & 2" MODELS K-1 & L-1

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services 877-384-5464 Fax: 269-945-4495 Email: techsvcs@vikingcorp.com

Hydrostatic Test:

The Check Valve is manufactured and listed for use at a maximum water working pressure of 250 psi (17.2 bar). The valve is factory tested at 500 psi (34.5 bar). Check Valves may be hydrostatically tested at 300 psi (20.7 bar) and/or 50 psi (3.4 bar) above the normal water working pressure, for limited periods of time (two hours), for the purpose of acceptance by the Authority Having Jurisdiction. If air testing is required, do not exceed 60 psi (4.1 bar) air pressure.

5. OPERATION (Refer to Figure 1 or Figure 2)

Flow through the Viking Spring Loaded In-Line Check Valve lifts the rubber-gasketed clapper (4 and 5) off the seat (7) to enter the sprinkler piping. When flow through the valve stops, the spring loaded clapper (4) closes quickly. The rubber gasket (5) forms a tight seal against the brass water seat (7), trapping pressure above the clapper and preventing reverse flow from sprinkler piping.

6. INSPECTIONS, TESTS AND MAINTENANCE

NOTICE: THE OWNER IS RESPONSIBLE FOR MAINTAINING THE FIRE-PROTECTION SYSTEM AND DEVICES IN PROPER OPERATING CONDITION.

The Viking Spring Loaded In-Line Check Valve must be kept free of foreign matter, freezing conditions (when used on wet systems), corrosive atmospheres, contaminated water supplies, and any condition that could impair its operation or damage the device.
It is imperative that the system be inspected and tested on a regular basis. The frequency of the inspections may vary due to contaminated water supplies, corrosive water supplies, and corrosive atmospheres. For minimum maintenance and inspection requirements, refer to NFPA 25. In addition, the Authority Having Jurisdiction may have additional maintenance, testing, and inspection requirements which must be followed.

WARNING: ANY SYSTEM MAINTENANCE WHICH INVOLVES PLACING A CONTROL VALVE OR DETECTION SYSTEM OUT OF SERVICE MAY ELIMINATE THE FIRE-PROTECTION CAPABILITIES OF THAT SYSTEM. PRIOR TO PROCEEDING, NOTIFY ALL THE AUTHORITY HAVING JURISDICTION. CONSIDERATION SHOULD BE GIVEN TO EMPLOYMENT OF A FIRE PATROL IN THE AFFECTED AREAS.

A. Five-Year Internal Inspection (Refer to Figure 1 or 2)

Internal inspection of Check Valves is recommended every five years unless inspections and tests indicate more frequent inspections are required.

1. Notify the Authority Having Jurisdiction, remote station alarm monitors, and those in the area affected that the system will be taken out of service. Consideration should be given to employment of a fire patrol in the affected areas.
2. Close the water supply Main Control Valve, placing the system out of service.
3. Open the main drain. If necessary, open the system test valve to vent and completely drain the system.
4. Remove necessary fittings and/or piping to allow visual inspection.
5. Inspect the water seat (7). Wipe away all contaminants, dirt, and mineral deposits. Do not use solvents or abrasives.
6. Inspect the clapper for debris. Test the clapper (4) for freedom of movement.

CAUTION: NEVER APPLY ANY LUBRICANT TO SEATS, GASKETS, OR ANY INTERNAL OPERATING PARTS OF THE VALVE. PETROLEUM-BASED GREASE OR OIL WILL DAMAGE RUBBER COMPONENTS AND MAY PREVENT PROPER OPERATION.

B. Valve Maintenance (Refer to Figure 1 or 2)

1. Perform steps 1 through 5 of paragraph 10-A FIVE-YEAR INTERNAL INSPECTION.
2. To remove clapper rubber (5):
   a. Use proper wrench and disassemble valve from system piping.
   b. Inspect the clapper and rubber from inlet end. If the clapper rubber shows signs of wear, such as cracking, cuts, or excessively deep grooves where the rubber contacts the water seat, replace the valve.

7. AVAILABILITY

The Viking Check Valve and Accessories are available through a network of domestic and international distributors. See the Viking Corp. Web site for closest distributor or contact The Viking Corporation.

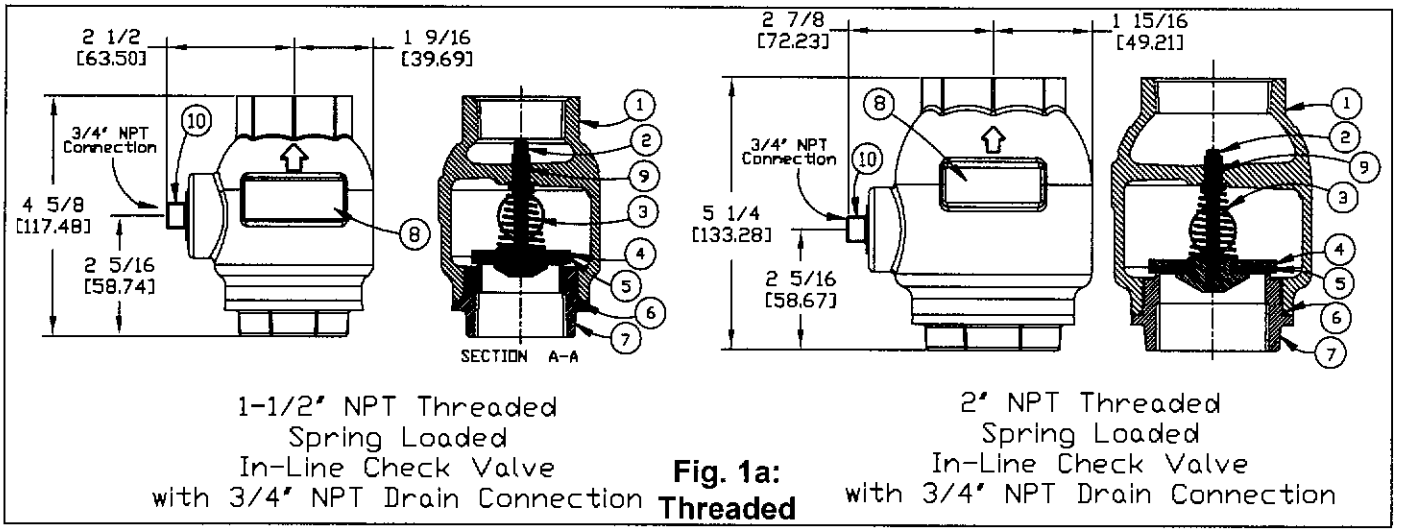
8. GUARANTEES

For details of warranty, refer to Viking's current list price schedule or contact Viking directly.

VIKING® TECHNICAL DATA

SPRING LOADED IN-LINE CHECK VALVE
1-1/2" & 2" MODELS K-1 & L-1

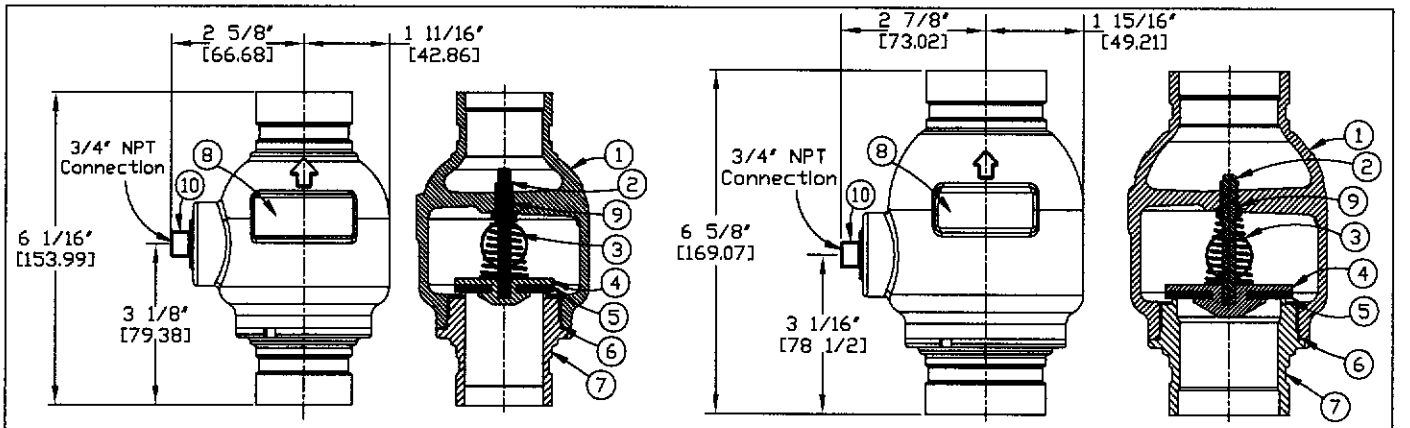
The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services 877-384-5464 Fax: 269-945-4495 Email: techsvcs@vikingcorp.com



1-1/2" NPT Threaded Spring Loaded In-Line Check Valve with 3/4" NPT Drain Connection

2" NPT Threaded Spring Loaded In-Line Check Valve with 3/4" NPT Drain Connection

Fig. 1a: Threaded



1-1/2" NPT Grooved Spring Loaded In-line Check Valve with 3/4" NPT Drain Connection

2" NPT Grooved Spring Loaded In-line Check Valve with 3/4" NPT Drain Connection

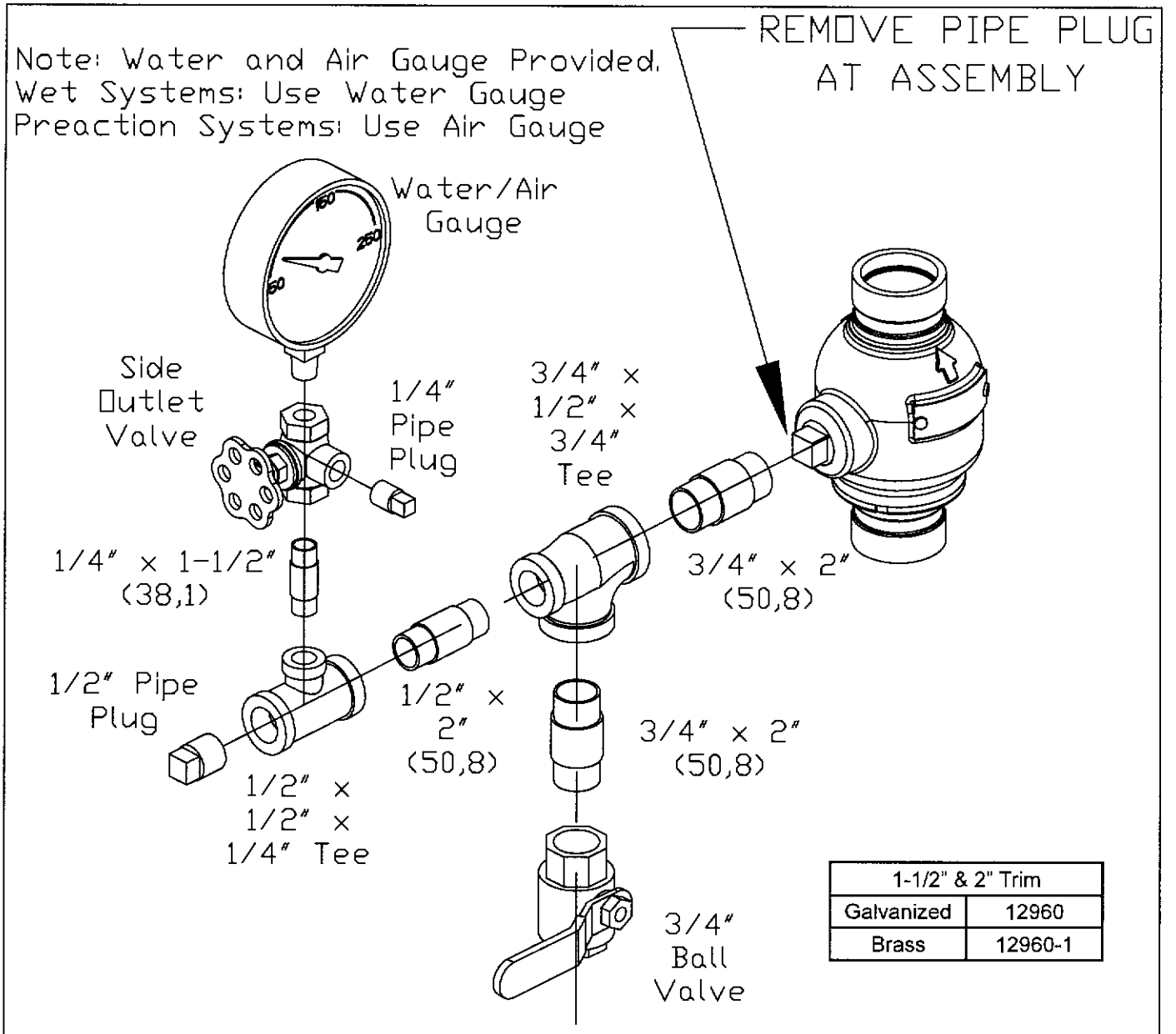
Fig. 1b: Grooved

Item No.	Description	Material	No. Req'd.
1	Body, Threaded or Grooved	Brass, ASTM C-83600	1
2	Guide Pin	UNS-S30300 Stainless Steel	1
3	Spring	302 Stainless Steel	1
4	Clapper, (2" valve)	UNS-C46400 Naval Brass	1
	Clapper, (1-1/2" valve)	UNS-C83600 Naval Brass	1
5	Seat Rubber	EPDM, ASTM D2000	1
6	O-ring	Buna-N	1
7	Seat	Brass, ASTM C-83600	1
8	Data Plate	Aluminum Etched	1
9	Bushing, Guide Rod	Stainless Steel, Type 17-4	1
10	3/4" Pipe Plug	Brass	1
No replacement parts available. Replace complete valve.			

VIKING® TECHNICAL DATA

SPRING LOADED IN-LINE CHECK VALVE
1-1/2" & 2" MODELS K-1 & L-1

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services 877-384-5464 Fax: 269-945-4495 Email: techsvcs@vikingcorp.com



1-1/2" & 2" Trim	
Galvanized	12960
Brass	12960-1

Figure 2: Model L-1 & K-1 Check Valve Trim Chart

For Commercial and Industrial Applications

Job Name _____ Contractor _____

Job Location _____ Approval _____

Engineer _____ Contractor's P.O. No. _____

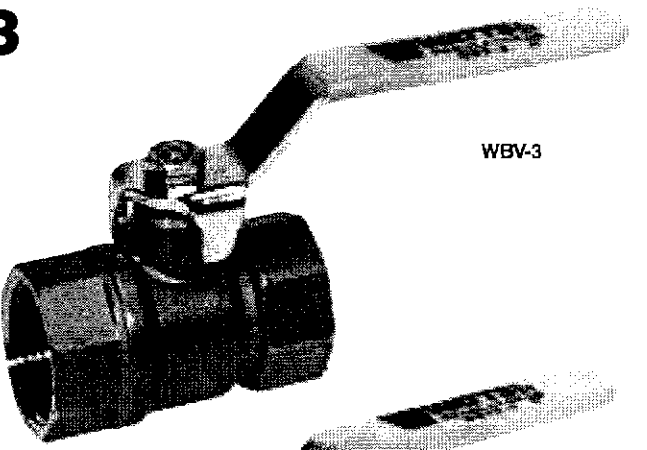
Approval _____ Representative _____

Series WBV-3, WBVS-3

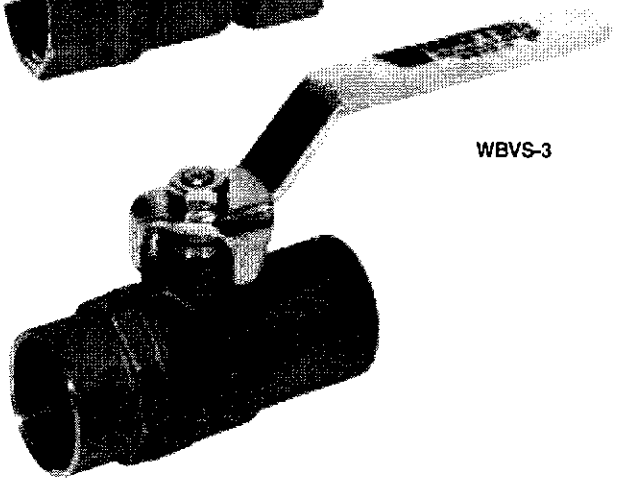
2-Piece, Standard Port, Brass Ball Valves

Sizes: ⅛" – 4" (3 – 100mm)

Series WBV-3, WBVS-3 2-Piece, Standard Port, Brass Ball Valves feature a bottom loaded blow-out proof stem, virgin PTFE seats & stem packing and an adjustable stem packing nut.



WBV-3



WBVS-3

Features

- Suitable for a full range of liquids and gases
- Bottom loaded blow-out proof stem
- Virgin PTFE stem packing seal
- Adjustable stem packing gland
- Vinyl insulator on heavy duty zinc plated carbon steel handles
- Quarter-turn open or close operation
- Low operating torque
- 400psi (28 bars) WOG non-shock

Models

WBV-3 ⅛" – 4" (3 – 100mm) threaded FIP end connections

WBVS-3 ⅜" – 3" (10 – 80mm) solder end connections*

Options

ITHK Tee handle kit

IOHK Oval handle kit

SXI-HK Stem Extension Kit

MSI-HK Memory Stop Kit

Pressure – Temperature

Temperature Range: -20°F – 302°F (-29°C – 150°C) at 50psi (3.4 bars)

Maximum Working Pressure: 400psi (28 bars) WOG non-shock

Specifications

A 2-piece standard port bronze ball valve to be installed as indicated on the plans. The valve must have a bottom loaded blowout proof stem, adjustable packing nut, and chrome plated brass ball and stem. Valves with top loaded stems
or without adjustable packing nuts are not acceptable. Valve must be rated to a minimum of 400psi (28 bars) WOG non-shock and will be a Watts Regulator Company Series WBV-3 (threaded) or WBVS (solder).

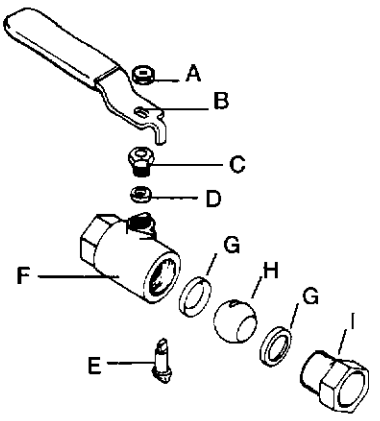
*This valve is designed to be soft soldered into lines without disassembly, using a low temperature solder 420°F (216°C). Other solders such as 95/5 tin antimony 460°F (238°C) or 96/4 tin silver 430°F (221°C) can be used. However, extreme caution must be used to prevent seat damage. Higher temperature solders will damage the seat material. ANSI B16.18 states that the maximum operating pressure of 50-50 solder connections is 200psi (13.78 bars) for ¼" – 1" (8 – 25mm) sizes, 175psi (12.06 bars) for 1¼" – 2" (32 – 50mm) sizes and 150psi (10.34 bars) for 2½" – 4" (65 – 100mm) sizes at 100°F (38°C), and decreases with higher temperatures.

Apply heat with the flame directed **AWAY** from the center of the valve body. Excessive heat can harm the seats. After soldering, the packing nut may have to be tightened.

WATTS® REGULATOR

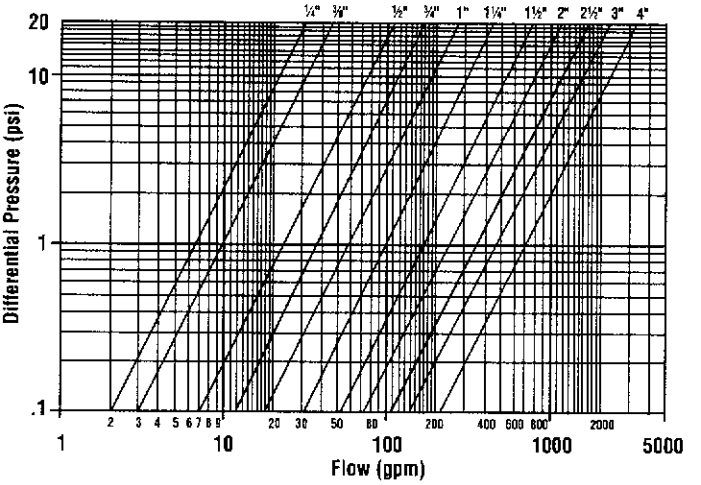
Watts product specifications in U.S. customary units and metric are approximate and are provided for reference only. For precise measurements, please contact Watts Technical Service. Watts reserves the right to change or modify product design, construction, specifications, or materials without prior notice and without incurring any obligation to make such changes and modifications on Watts products previously or subsequently sold.

Materials

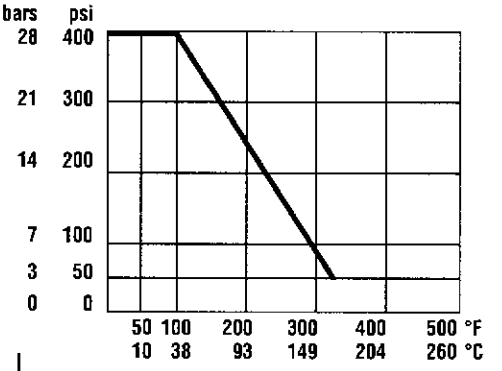


A.	**Handle Nut**	Zinc plated steel
B.	**Handle**	Zinc plated carbon steel with vinyl insulator
C.	**Packing Nut**	Brass
D.	**Stem Packing**	PTFE
E.	**Stem**	Brass
F.	**Body**	Forged brass
G.	**Seats**	PTFE
H.	**Ball**	Chrome plated brass
I.	**Adapter**	Forged brass

Flow Curves

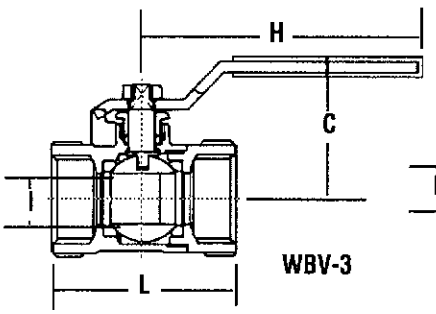


Valve Seat Rating

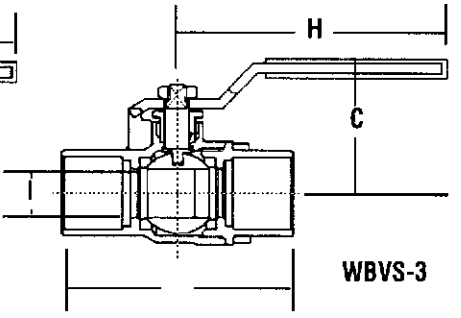


*See applicable note on reverse side for solder end valves with regards to pressure/temperature rating.

Dimensions — Weights



WBV-3



WBVS-3

SIZE (DN)		DIMENSIONS										WEIGHT	
		C		H		I		L		L1			
in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kg.
⅛	6	1⅜	36	3³⁄₁₆	81	⁵⁄₁₆	8	1¹¹⁄₁₆	42	—	—	.25	.11
¼	8	1⅜	36	3³⁄₁₆	81	⁵⁄₁₆	8	1¹¹⁄₁₆	42	—	—	.25	.11
⅜	10	1⅜	36	3³⁄₁₆	81	⁵⁄₁₆	8	1¹¹⁄₁₆	42	1⅝	41	.25	.11
½	15	1⅝	41	3³⁄₁₆	81	½	12	2	50	2¹⁄₁₆	52	.34	.15
¾	20	1¾	44	3⅝	93	⁹⁄₁₆	15	2⁵⁄₁₆	58	2¾	71	.50	.23
1	25	2¼	57	4⅝	117	¾	20	2¾	69	3¼	83	.88	.40
1¼	32	2⁷⁄₁₆	62	4⅝	117	1	25	3¼	78	3½	88	1.28	.58
1½	40	2⅞	72	5	127	1¼	32	3⁷⁄₁₆	87	4	102	2.00	.91
2	50	3	76	6	152	1⁹⁄₁₆	39	3⅞	99	4¹³⁄₁₆	122	2.78	1.26
2½	65	3⅜	86	5⅝	142	1¹⁵⁄₁₆	50	4⁷⁄₁₆	112	5⅞	149	4.42	2.00
3	80	4⅜	110	8	203	2⅜	60	5⅜	136	6¹⁵⁄₁₆	177	6.88	3.12
4	100	4¾	121	8	203	2¹⁵⁄₁₆	74	6	152	—	—	10.10	4.59

WATTS® REGULATOR ISO 9001 CERTIFIED

USA: 815 Chestnut St., No. Andover, MA 01845-6098; www.wattsreg.com
Canada: 5435 North Service Rd., Burlington, ONT. L7L 5H7; www.wattscanada.ca

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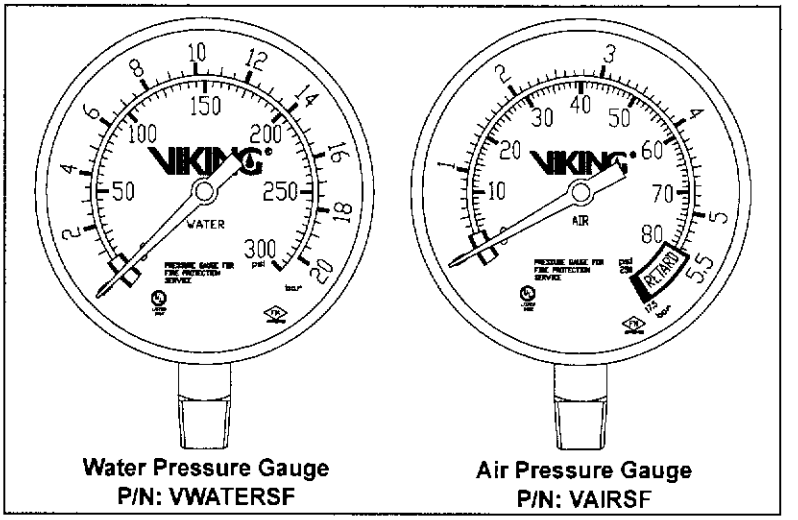
VIKING® TECHNICAL DATA

WATER AND AIR PRESSURE GAUGES

The Viking Corporation, 210 N Industrial Park Drive, Hastings MI 49058
Telephone: 269-945-9501 Technical Services: 877-384-5464 Fax: 269-818-1680 Email: techsvcs@vikingcorp.com

1. DESCRIPTION

Viking Pressure Gauges give visual indication of the water or air pressure available to the fire protection system.



Water Pressure Gauge
P/N: VWATERSF

Air Pressure Gauge
P/N: VAIRSF

2. LISTINGS AND APPROVALS

UL Listed - VEVX
ULc Listed - VEVXC
FM Approved - Pressure Gauges

3. TECHNICAL DATA

Connection: 1/4" NPT
Working Pressure:

- Water Gauge: 300 psi (20.7 bar)
- Air Gauge: 80 PSI (5.5 bar)

Maximum Pressure:

- Water Gauge: 300 psi (20.7 bar)
- Air Gauge: 250 PSI (17.2 bar) (Air gauge includes a "Retard Zone" between 80 and 250 PSI)

Material Standards

Case: ABS (Acrylonitrile Butadiene Styrene)
Window: Polycarbonate
Dial: Black Figures on White Background
Pointer: Black, Aluminum
Movement: Suspended Spring with Polyester Segment
Bourdon Tube: Bronze
Socket: Brass, Soft Soldered

Ordering Information

Available since 1977.
Water Pressure Gauge - VWATERSF
Air Pressure Gauge - VAIRSF

Viking Technical Data may be found on The Viking Corporation's Web site at http://www.vikinggroupinc.com. The Web site may include a more recent edition of this Technical Data Page.

4. INSTALLATION

1. Gauges are to be installed in accordance with the latest published standards of the National Fire Protection Association or other similar organizations, and also with the provisions of governmental codes, ordinances, and standards whenever applicable.
2. Gauges must be handled with care. They must be stored in a cool, dry place in their original shipping container. Never install gauges that have been dropped or damaged in any way. Such gauges should be destroyed immediately.
3. Adequate heat must be provided where gauges are installed.
4. The gauges must be protected from mechanical damage. Install the gauges according to the following steps:
   a. Apply a small amount of pipe-joint compound or tape to the external threads of the gauge only. Take care that no joint compound is allowed into the orifice of the gauge.
   b. Turn the unit clockwise to thread the gauge into the ½" (15 mm) NPT outlet of the coupling. DO NOT over-tighten the gauge.

7. AVAILABILITY

The water and air gauges are available through a network of domestic and international distributors. See The Viking Corporation web site for the closest distributor or contact The Viking Corporation.

8. GUARANTEES

For details of warranty, refer to Viking's current list price schedule or contact Viking directly.

Revised page replaces page 906a-b dated January 21, 2011.
(Removed Ashcroft Inc.)

TECHNICAL DATA

WATER AND AIR PRESSURE GAUGES

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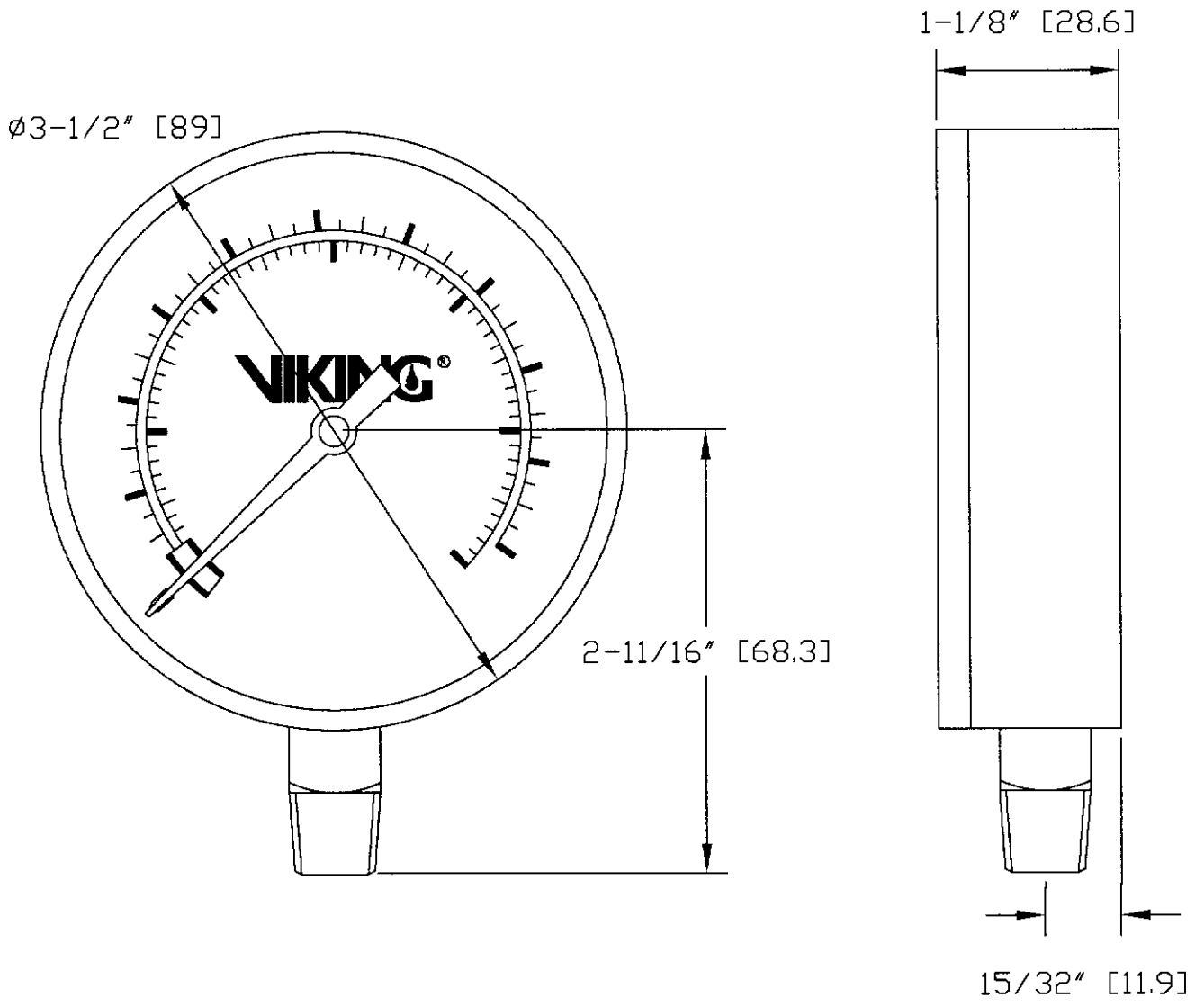

Figure 1 - Gauge Dimensions
(Dimensions Apply to Air and Water Gauges)

Revised page replaces page 906a-b dated January 21, 2011.
(Removed Ashcroft Inc.)